



**NORWICH**  
City Council

### Planning applications committee

**Date:** Thursday, 14 March 2019

**Time:** 09:30

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

#### Committee members:

##### Councillors:

Driver (chair)  
Maxwell (vice chair)  
Bradford  
Button  
Henderson  
Malik  
Peek  
Raby  
Ryan  
Sands (M)  
Stutely  
Trevor  
Wright

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## Agenda

### Page nos

**1 Apologies**

To receive apologies for absence

**2 Declarations of interest**

(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)

**3 Minutes**

**5 - 16**

To approve the accuracy of the minutes of the meeting held on 14 February 2019

**4 Planning applications**

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:

<http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available
- The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.

**Summary of applications for consideration**

**17 - 18**

**Standing duties**

**19 - 20**

<b>4(a)</b>	<b>Application nos 18/01286/F and 18/01287/L - Barrack Street Development Site, Barrack Street, Norwich</b>	<b>21 - 94</b>
	<b>Application nos 18/01286/F and 18/01287/L - Barrack Street Development Site, Barrack Street, Norwich Appendices</b>	<b>95 - 110</b>
<b>4(b)</b>	<b>Application no 18/00962/F - St Peters Methodist Church Park Lane, Norwich, NR2 3EQ</b>	<b>111 - 152</b>
<b>4(c)</b>	<b>Application no 19/00046/F - 30 Irving Road, Norwich, NR4 6RA</b>	<b>153 - 164</b>

Date of publication: **Wednesday, 06 March 2019**





**Planning applications committee**

**09:40 to 13:35**

**14 February 2019**

Present: Councillors Driver (chair), Maxwell (vice chair), Bradford, Button, Peek, Raby, Ryan (to end of item 10 below), Sands (M), Stutely, Trevor (to the end of item 3, below) and Wright

Apologies: Councillors Henderson and Malik

(The chair asked that the committee had 10 minutes to read the supplementary report of updates to reports which was circulated at the meeting. A large number of representations had been received overnight. The commencement of the meeting was therefore adjusted accordingly.)

**1. Declarations of interest**

Councillor Ryan referred to item 3 (below), Application no. 18/00372/O - Norwich Community Hospital, Bowthorpe Road, Norwich, NR2 3TU, and said that, as a cabinet member he had attended a presentation on proposals for Norwich Community Hospital, but he did not have a pre-determined view.

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meetings held on 10 January 2019.

**3. Application no 18/00372/O - Norwich Community Hospital, Bowthorpe Road, Norwich, NR2 3TU**

The senior planner presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and summarised an additional representation from a resident of Holly Drive expressing concern about ground stability and amenity; and comments and illustrations from residents which would be considered later in the meeting.

Three residents of Merton Road and one resident from Holly Drive addressed the committee and outlined their objections to the planning applications. Two residents welcomed the development of the hospital site which would benefit both local residents and the wider community. However, there was concern that the extensive chalk workings constrained the development of the site, particularly the north east of the site which was currently used as a car park. A petition signed by 41 residents objecting to the proposals had been submitted. Residents were concerned that the extent of the former marl pit was not known and the adits and roundabouts were poorly mapped but, as evidenced, extended to under Merton Road and Holly Drive.

Water entering the chalk aquifer made the ground unstable and drainage increased the risk of ground collapse. There had been a fatal ground collapse in Merton Road in 1936 resulting in two deaths and another one in October 1987. One of the residents showed the extent of the underpinning that had been necessary for her house on the even numbered side of Merton Road. Tunnel collapses in the chalk workings had been filled with loose material over the years and was likely to be contaminated with asbestos and other materials. Residents were concerned that the conditions had not changed from 1936 and there was the same potential for fatalities from unstable ground conditions, and called for the car park site not to be developed as part of this scheme. There had been tunnel collapse in 2007 (the resident from Holly Drive apologised for putting 2009 in her statement) and occupants had only moved back into the flats in the last 12 months. Residents also expressed concern about the impact of the height and mass of buildings on the north east and east of the site. Three to four storey buildings were considered too high and would be detrimental to residents properties adjacent to the hospital site in terms due to overshadowing, loss of sunlight for the majority of the year and because and the proximity, loss of privacy. Councillor Carlo, Nelson ward councillor, reiterated the points made by the residents and referred to the petition from 41 residents considered about the proposal and the threat that construction would have on the stability of the ground. She asked the committee to give consideration to not permit the building of the four storey care home on the car park site at the north east of the site. The applicant had not been aware of the extent of the chalk workings until residents had written in. She suggested that the applicant should be required to provide a communications strategy to ensure that residents were kept informed about the extent of the ground survey works.

The applicant representing the NHS Trust explained that the current hospital site was ineffective and costly to maintain. He explained that the proposal was to phase the development to provide the new hospital to ensure the continuance of services and then start on the redevelopment of other parts of the site. He explained that there would be no development of the site until further investigation works had been carried out and the works were viable. This was an outline planning application.

The senior planner, referred to paragraph 78 of the report and condition 4, and commented on the issues raised by the speakers. He said that the first phase would comprise a geo-technical report before development took place. There needed to be further information before any part of the site was excluded from development. This was an outline planning application. Reserve matters would come back to committee. He suggested that members considered Councillor Carlo's request for a further condition to require the applicant to submit a communications strategy.

Discussion ensued in which the senior planner and the area development manager (outer) referred to the report and answered members' questions. Members were advised that the commencement of the geo-thermal testing would depend on the NHS Trust and when it had funding in place. The survey could take several months. A communications strategy would ensure that local residents were kept informed during this process and could help reduce their anxiety. The length of time that it would take would be dependent on the amount of testing that was required and could be weeks or months. In reply to a question, the senior planner said that he was not aware that any radar interferometry testing was planned for this site. He explained how the details of surface water drainage, testing for contamination and that if contamination was found, the ground would be capped off and the surface

treatment, such as two metres of top soil, would be suitable for the user group of that part of the site. Members were also advised that no development could be carried out on the site without the investigations being carried out; and were referred to the key condition 4 and conditions 30 to 36, as set out in the report. The committee noted that it had the option of refusing this application, but were advised of the difference between a full planning application and outline planning application. There would be a further opportunity for members of the public to comment on the applications for reserved matters. Proposals at this stage would be dependent on the outcome of the initial surveys. Members were advised that it was not crucial at this stage to determine the definition of “key workers” in relation to affordable housing. Affordable housing would be required under the S106 legal agreement in line with policy but at the reserved matters stage, the criteria and details could be changed and the policy requirement agreed at the outline planning consent stage could be varied, dependent on the proposals coming forward.

The chair moved and the vice chair seconded the recommendations as set out in the report and as amended by the addition of a condition relating to a communications strategy.

During discussion, Councillor Raby explained his reasons for not supporting the application given the concerns about the ground instability and records of subsidence in Merton Road and Holly Drive and the immediate area. Other members pointed out that this was an outline planning application and approval of it would enable some development of the hospital site to go ahead, which was a much needed facility. Residents could be assured that once the further geo-technical surveys had been carried out any development coming forward at reserved matters would be appropriate to the ground conditions. Members noted that this process was stressful for residents and that a communications strategy was important to ensure that all parties were informed of progress.

**RESOLVED**, with 10 members voting in favour (Councillors Driver, Maxwell, Wright, Trevor, Button, Stutely, Sands, Ryan, Peek and Bradford) and 1 member voting against (Councillor Raby) to approve application no. 18/00372/O - Norwich Community Hospital, Bowthorpe Road, Norwich, NR2 3TU and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing, permissive access across parts of the site and as relevant highway improvements and access to / improvements to woodlands park and subject to the following conditions:

1. Standard time limit;
2. Reserved matters to relate to appearance, landscaping, layout and scale;
3. In accordance with plans;
4. Prior to submission of any reserved matters application, details of a masterplan and phasing scheme (informed by geo-technical, surface water drainage, landscape and ecology strategies) for all parts of the site unless as varied on agreement in line with any subsequent reserved matters application and such masterplan shall include details of landscaping strategy including green infrastructure provision and ecological enhancements including enhancement or changes to Woodlands Park and an Ecological Mitigation Programme;
5. Limit of uses permitted as part of the development;

6. Control on maximum permitted floor-space areas for A1 retail and B1 office uses;
7. No use of A1 retail and B1 office uses until agreed hospital and care facilities are provided / brought into use on site or in line with any agreed phasing plan;
8. Details of heritage interpretation;
9. Details of floor slab levels unless included within any agreed reserved matters application;
10. 10% of dwellings on the site to be designed to lifetime homes / accessible, adaptable standard;
11. Details of electric vehicle charging points; car parking; cycle storage; and bin stores provision unless included within any agreed reserved matters application;
12. Details of site management for parking/access;
13. Details of highway design works;
14. No occupation until the appropriate traffic regulation orders have been implemented;
15. Construction management plan; parking; wheel washing etc.;
16. Details of interim travel plan for each agreed phase;
17. Details of travel plan;
18. Details of disabled access into buildings unless included within any agreed reserved matters application;  
Conditions related to tree protection –
19. Pre-construction site meeting and submission of further details for each agreed phase;
20. Details of Siting of services and no-dig methods unless included within any agreed reserved matters application;
21. Details of Arboricultural works to facilitate development for each agreed phase;
22. Supplementary AMS to be provided arising from conditions above;
23. Details of AIA, AMS and TPP for each agreed phase and works on site in accordance with agreed documents;
24. Maintenance of protection of areas;
25. Details of provision and maintenance of low or zero carbon technologies / renewable energy sources;
26. Water efficiency measures to comply with latest standards for residential elements;
27. Details of Water efficiency measures for commercial / hospital elements;
28. Details of fire hydrants required to service the site including the new hospital, residential care home, extra care flats, key workers flats and commercial/admin block unless included within any agreed reserved matters application;
29. Details of foul water strategy;
30. Details of surface water scheme and management strategy;
31. Compliance with the surface water drainage system and future maintenance of;
32. No drainage systems for infiltration of surface water drainage into the ground is permitted other than with express consent of Local Planning Authority;
33. Piling or any other foundation designs using penetrative methods shall not be permitted other than with express consent of the local planning authority;
34. Details of any archaeological work and written scheme of investigation;
35. Details of Geo-technical sub-soil investigations including site area and adjacent parking and residential areas;

36. Details of ground stability mitigation works including site area and adjacent parking and residential areas;
37. Details of Site contamination investigation and assessment;
38. Details of contamination verification plan and long-term monitoring and maintenance plan in respect of contamination;
39. Cessation of works if unknown contaminants found and submit details of remediation;
40. Details of testing and/or suitable compliance of all imported material prior to occupation;
41. Details of any plant and machinery;
42. Details of fume extraction systems;
43. Details of glazing and ventilation systems; compliance with the recommendations of submitted noise report.
44. Communications strategy to be agreed.

#### Informatives

1. Considerate constructors;
2. Dealing with asbestos;
3. Note of ground conditions;
4. Impact on wildlife – protected species;
5. Landscape management plan;
6. Landscape schedule of maintenance operations;
7. Note of TPO;
8. Highways contacts, street naming and numbering, design note, works within the highway etc.;
9. Environment Agency guidance;
10. Anglian Water guidance;
11. Norfolk police (architectural liaison) guidance.

(Councillor Trevor left the meeting at this point.)

#### **4. Application no 18/01865/F - 2 St Martins Close, Norwich, NR3 3HB**

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

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

**RESOLVED**, unanimously, to approve application no. 18/01865/F - 2 St Martins Close Norwich NR3 3HB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No extraction or ventilation to be installed unless first agreed;
4. Parking, cycle parking and bin storage to be provided prior to first occupation;
5. Landscaping to be completed and maintained;
6. Water efficiency;
7. Maximum of ten occupants;
8. Layout to be maintained as approved.

## **5. Application no 18/01205/F and 18/01206/L – Former Bethel Hospital, Bethel Street**

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting comprising a late representation from Councillor Schmierer, Mancroft ward councillor, objecting to the use of the courtyard, expressing amenity of the future occupants and concern about potential flooding of the basement. These issues were addressed in the main report.

Two Bethel Street residents addressed the committee and outlined their concerns that the use of the courtyard would be detrimental to the neighbouring properties surrounding the courtyard because the screening would block light to four windows of a principle living room, residents would be subjected to noise and disturbance from the occupants of the proposed flat using the courtyard and overlooking; and, there was no provision for bin storage. The bedroom in the basement would be prone to flooding. The residents considered that the use should remain as an office rather than residential. The courtyard was poorly maintained. Councillor Fullman spoke on behalf of Councillor Smith (Mancroft ward councillor) who was concerned about the use of the courtyard garden for residential use and the impact that this proposal would have on the existing residents.

The planner, together with the area development manager (inner) referred to the report and answered members' questions. This included clarification of the different uses of the building and outside spaces, and that residential uses already existed elsewhere on the site. This courtyard was owned by a third party and had established office use but was not currently in use. Members also expressed concern about the use of the basement and were assured that building control would ensure that it met fire regulations. Members were advised that this was a relatively small flat and at 57 square metres was slightly below the national space guideline. It was noted that the proposal would change the use of an office into residential and that it was surrounded by residential units in this part of the former hospital site. In reply to members concern about the state of parts of the listed building, the area development manager (inner) said that separate to this application there was a process in place to force the owner to carry out improvements and maintenance. The chair moved and the vice chair seconded the recommendations as set out in the report.

Discussion ensued in which some members expressed concern about the negative impact that this proposal would have on the existing residents. They considered that the use of the courtyard would not be the same for residential use, where access would be to the courtyard at all times, than if the premises remained in office use. However other members considered that an office could have commercial uses out of office hours and could be just as noisy. Some members expressed concern about the use of the basement for a bedroom for health reasons because they considered it would be a damp space. It was suggested that it was a balanced decision on heritage grounds because of the use of the sun-pipe in the courtyard. During discussion a member suggested that a better solution for this application would be to change the internal layout of the building. However members were advised that this would cause more harm to the heritage of the building and that they could only determine the application before them. One member said that there if this application was not approved this part of the building would remain unused. The

area development manager (outer) said that the best way to maintain a building was to ensure that it was used. Members were advised that the existing use was office use and that no further planning permission would be required if it were to be used as an office. Other members who supported the application appreciated the current residents' concerns but considered that the use of the courtyard as a residential garden was acceptable and noted that the surrounding neighbours had access to outdoor space.

On being put to the vote the recommendation to approve application numbers 18/01205/F and 18/01206/L and grant planning permission and listed building consent was lost with 4 members voting (Councillors Driver, Maxwell, Button and Ryan) in favour and 6 members voting against (Councillors Wright, Raby, Stutely, Sands, Peeks and Bradford).

Discussion ensued on the reasons for refusing the planning application. The area development manager (inner) advised against refusing the listed planning consent. English Heritage had not objected to the proposal for the sun-pipe and the changes to the fabric of the building were minimal. Reconfiguring the internal walls would be more damaging to the fabric of this listed building. Members referred to one of the speakers' living room and considered that light from the courtyard was poor and that a screen outside the window would make it even darker. Councillor Raby moved and Councillor Wright seconded that application no 18/01205/F former Bethel Hospital, Bethel Street be refused because the use of the courtyard for a garden would be detrimental to the existing residents causing overlooking and noise nuisance, and that steps to mitigate this would block sunlight from the windows of a habitable room; and secondly, that there would be poor amenity for the future residents of the proposed residential unit in that it would be overlooked, and the basement would be dark and damp. On being put to the vote it was:

**RESOLVED:**

- (1) with 7 members voting in favour (Councillors Wright, Raby, Stutely, Sands, Ryan, Peek and Bradford), 2 members voting against (Councillors Driver and Maxwell) and 1 member abstaining (Councillor Button) to refuse Application no 18/01205/F– Former Bethel Hospital, Bethel Street, because it would be detrimental to the amenity of the neighbouring residents and to future residents (as minuted above) and to ask the head of planning services to provide the reasons for refusal in policy terms.

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

1. The proposed development would result in an unacceptable impact upon the residential amenity of neighbours as a result of the use of the courtyard in association with the proposed dwelling, in particular upon 9 Little Bethel Court, by virtue of associated noise, overlooking and overshadowing from the proposed landscaping. The proposal would therefore conflict with DM2 and DM3 of the Norwich Development Management Policies Local Plan (adopted 2014).
2. The proposed development would result in an unacceptable level of amenity for the future occupiers of the proposed dwelling by virtue of the significant amount of accommodation provided via a basement for a relatively small

dwelling. The proposal would therefore conflict with DM2 and DM3 of the Norwich Development Management Policies Local Plan (adopted 2014).

(The chair moved and the vice chair seconded that the listed building consent be approved.)

(2) with 8 members voting in favour (Councillors Driver, Maxwell, Wright, Button, Sands, Ryan, Peek and Bradford) and 2 members abstaining (Councillors Raby and Stutely) to approve Application no 18/01206/L – Former Bethel Hospital, Bethel Street,

1. Standard time limit
2. Approved plans;
3. Details to be submitted (to include:- basement treatment, sun-pipe housing, details of infilling of doorway between G26 and G30; details of infilling of existing access to basement; new stair; cable runs and utilities installations)
4. Listed Building – making good.

#### **6. Application no 18/01265/F - 56 Wolfe Road, Norwich, NR1 4HT**

The area development manager (outer) presented the report with plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and summarised objections to the revised plans and the officer's response.

During discussion the area development manager (outer) referred to the report and answered members' questions about the design and insertion of an additional window, to allow a new wall, and that the proposal was to render the external wall.

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

A member commented that the applicant had amended the plans in mitigation of neighbours' concerns

**RESOLVED**, unanimously, to approve application no. 18/01265/F - 56 Wolfe Road Norwich NR1 4HT and grant planning permission subject to the following conditions:

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

#### **7. Application no 18/01095/F - 56 Caernarvon Road, Norwich, NR2 3HX**

The planner presented the report with plans and slide.

The planner referred to the report and answered members' questions. The dormer window was outside permitted development rights because it was too close to the eaves. Members commented on the appearance of the partially built dormer window and said that it would be preferable if it had matched the existing roof tiles. The

planner said that a flat roof was required to make the room in the eaves habitable, obscure glazing stickers were a condition and that means of escape and the use of safety glass would be covered by building regulations.

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

During discussion members commented that this was a retrospective planning application and that they would have preferred the dormer to be more sympathetic to the colour of the roof tiles. Members noted that there were similar examples of dormer windows in the city.

**RESOLVED**, unanimously, to approve application no. 18/01095/F - 56 Caernarvon Road Norwich NR2 3HX and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Obscure glazing stickers;
4. Rear doors to pivot inwards;
5. Flat roof cannot be used as a balcony.

#### **8. Application no 18/01884/F 41 Broadhurst Road, Norwich, NR4 6RD**

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

The planner referred to the report and answered members' questions. He confirmed that the proposal did not include a new access. The existing garage was to be used for leisure purposes. Members expressed some concern that the extension was too close to the boundary of the site. The planner boundary treatment was important.

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

During discussion members noted that the houses in the neighbourhood were of different designs and that this extension would not look out of place and was a good use of the site.

**RESOLVED**, unanimously, to approve application no. 18/01884/F – 41 Broadhurst Road, Norwich NR4 6RD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of boundary treatment.

#### **9. Application no 18/01678/F - 142 Beloe Avenue, Norwich, NR5 9AQ**

The planner presented the report with the aid of plans and slides. He explained that originally a large dormer window had been included in the proposal but this had been

removed. Permitted development rights for dormer windows had been removed in Bowthorpe.

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

Councillor Sands, Bowthorpe ward councillor, said that the proposed extension would improve the general floor layout of the ground floor.

**RESOLVED**, unanimously, to approve application no. 18/01678/F - 142 Beloe Avenue, Norwich, NR5 9AQ and grant planning permission subject to the following conditions:

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

#### **10. Application no 18/01413/F 156 Thorpe Road, Norwich NR1 1TJ**

The planner presented the report with the aid of plans and slides. He pointed out a correction to paragraph 45 of the report and said that the side facing roof windows were over 2.3 metres above floor level. He referred to the supplementary report of updates to reports which was circulated at the meeting and contained a further representation from an existing objector who was unable to attend the meeting.

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

Councillors Stutely and Raby said that they would vote against this application because the extension was too large and they considered that the concerns raised by the adjacent neighbours had not been addressed.

**RESOLVED**, with 8 members voting in favour (Councillors Driver, Maxwell, Wright, Button, Sands, Ryan, Peek and Bradford) and 2 members voting against (Councillors Raby and Stutely) to approve application no. 18/01413/F – 156 Thorpe Road, Norwich NR1 1TJ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of cycle provision.

(Councillor Ryan left the meeting at this point.)

**11. Application no Application no 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich**

The area development manager (outer) presented the report with the aid of plans and slides.

A member commented that he was disappointed that this application had come back to committee because when it was determined on 8 November 2018, he had considered it a good application that complied with the 33 per cent affordable housing allocation.

**RESOLVED**, unanimously, to:

- (1) approve application no. 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich 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 for submission of reserved matters
2. In accordance with plans
3. Energy efficiency
4. Water efficiency
5. Surface water drainage scheme
6. Unexpected contamination
7. Details of bin and cycle storage
8. Imported topsoil and subsoil
9. Slab levels
10. Construction method statement.
11. Provision of additional fire hydrants.

Or

- (2) where the legal agreement is not completed within three months of the date of this meeting to refuse application no. 16/01889/O - Land West of Eastgate House 122 Thorpe Road Norwich for the following reason:

The proposal fails to provide a mechanism to secure the delivery of affordable housing and is therefore contrary to the provisions of policy DM33 of the Norwich Development Management Policies Plan (2014), policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014) and guidance within paragraphs 62 and 64 of the National Planning Policy Framework (2018). The benefits of the proposal would not outweigh the clear conflict with policy.

CHAIR



Summary of planning applications for consideration

ITEM 4

14 March 2019

Item No.	Case number	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	18/01286/F	Barrack Street Development Site	Joy Brown	Demolition of existing buildings and structures; erection of 218 dwellings; conversion, refurbishment and extension of two Grade II Listed Cottages, erection of 310sqm of commercial floorspace (Class A1-A5 use) and 152sqm of Museum floorspace (D1 use), with associated works.	Objections and significant departure from development plan	Approve subject to S106
	18/01287/L	Barrack Street Development Site	Joy Brown	Conversion, refurbishment and extension of 77-79 Barrack Street and alterations to the western boundary wall of the site.	Objections	Approve
4(b)	18/00962/F	St Peters Methodist Church, Park Lane	Maria Hammond	Change of use from D1 (place of worship) to C3 (dwelling houses). Demolition of modern extensions, removal of two trees, and general redevelopment of site to provide 20 new residential units and associated landscaping and parking.	Objections	Approve subject to s106
4(c)	19/00046/F	30 Irving Road	Stephen Polley	Single storey rear, side and first floor 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**

14 March 2019

**Report of** Head of planning services

**Subject** Application nos 18/01286/F & 18/01287/L - Barrack Street Development Site Barrack Street Norwich

**4(a)**

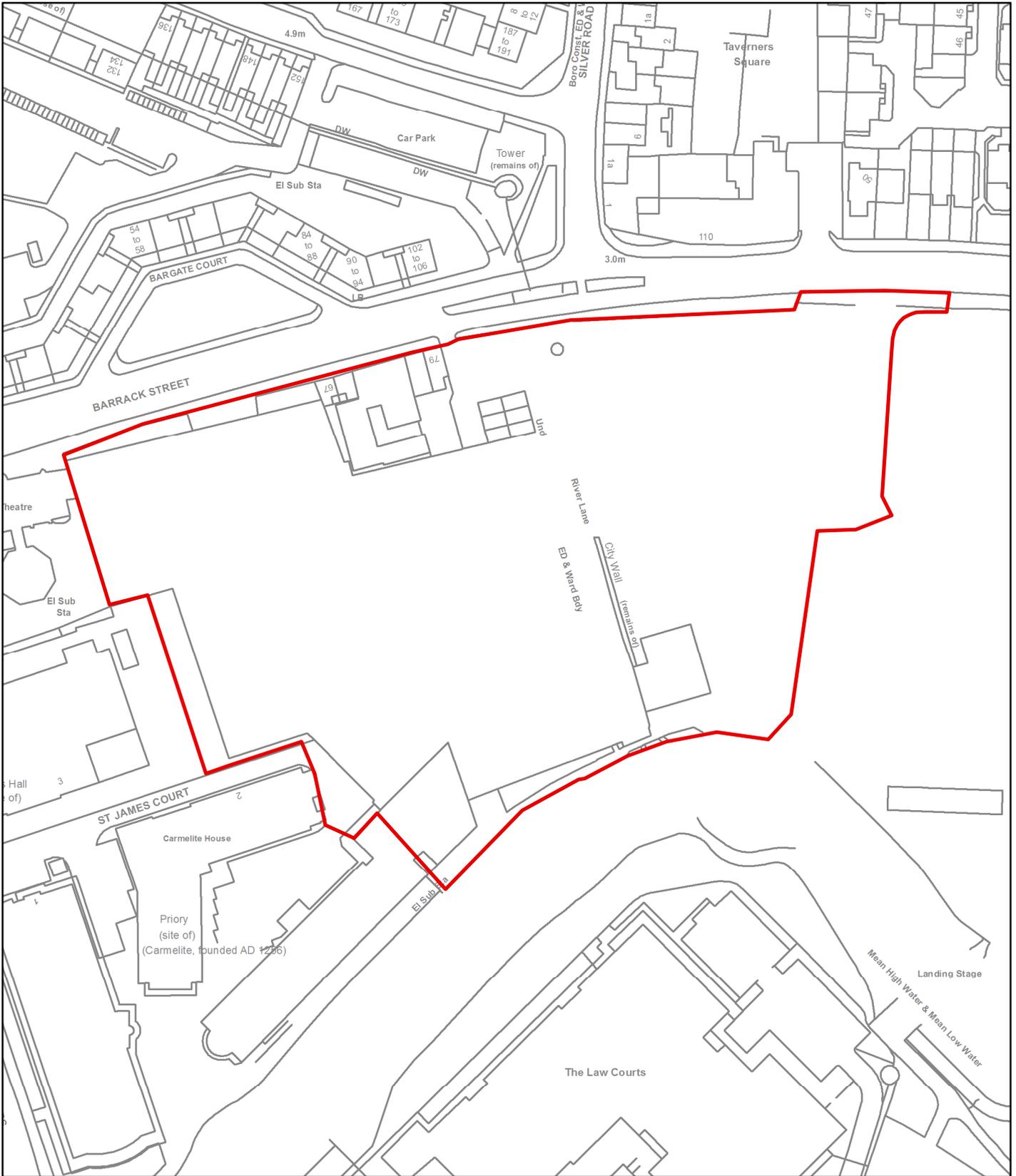
**Reason for referral** Objection and significant departure from development plan

<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Joy Brown - <a href="mailto:joybrown@norwich.gov.uk">joybrown@norwich.gov.uk</a>

<b>Development proposal</b>		
18/01286/F - Demolition of existing buildings and structures; erection of 218 dwellings; conversion, refurbishment and extension of two Grade II Listed Cottages, erection of 310sqm of commercial floorspace (Class A1-A5 use) and 152sqm of Museum floorspace (D1 use), with associated works.		
18/01287/L - Conversion, refurbishment and extension of 77-79 Barrack Street and alterations to the western boundary wall of the site.		
<b>Representations</b>		
Comments on application as submitted		
Object	Comment	Support
258	3	0
Comments on revisions		
Object	Comment	Support
54	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Principle of development	Loss of office led mixed use development and provision of a residential led scheme
2 Design	Views, layout, routes through the site, height and massing, external appearance and detailing, public realm
3 Heritage	Demolition, printworks museum, 77-79 Barrack Street, St James Church, St James Mill, City Walls
4 Trees	Loss of trees and replacement planting
5 Landscaping and open space	Hard and soft landscaping, public open space and play areas.
6 Transport	Vehicular access, vehicular movements, routes through the site, travel plan, car parking, cycle parking and bin storage
7 Amenity	Impact upon neighbouring residents, living conditions for future residents, noise and air quality

<b>Main issues</b>	<b>Key considerations</b>
8 Energy and water	Fabric first and renewable energy, water efficiency
9 Flood risk	Sequential and exceptions test, Sustainable Urban Drainage Systems, Floor levels,
10 Biodiversity	Protected species, Mitigation and enhancement
11 Contamination	Potential contamination on site and mitigation
12 Affordable housing	On site provision – amount and tenure
<b>Expiry date</b>	10 December 2018 (Extension of time agreed until 21 <sup>st</sup> March 2019)
<b>Recommendation</b>	18/01286/F – Approve subject to s106 agreement 18/01287/L – Approve



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Planning Application No 18/01286/F & 18/01287/L

Site Address Barrack Street Development Site

Scale 1:1,250



**NORWICH**  
City Council

PLANNING SERVICES



## The site and surroundings

1. The 1.74 hectares site is situated on the south side of Barrack Street, directly to the east of St James' Mill and the Puppet Theatre. The site extends south to the River Wensum and is part of a larger site owned by Jarrolds.
2. The site was formally occupied by Jarrolds Printworks but is now largely vacant. The site currently comprises the following features:
  - The floor slabs of the former industrial buildings which extend across much of the site.
  - A temporary surface car park within the eastern part of the site
  - The remains of the City Walls (a Scheduled Ancient Monument)
  - A pair of listed cottages fronting Barrack Street (77-79) and a row of terrace properties. There is also a garage block.
  - St James' Mill Annex which currently houses the John Jarrold Printing Museum.
  - Maintenance building (unoccupied) which is attached to the City Wall remains.
  - Mature trees along the Barrack Street frontage
  - Occasional trees and shrubs adjoining the river, including mature Willows
  - Small areas of grass
  - External wall of the former print works building (adjacent to the Puppet Theatre along the northern boundary and south of existing dwellings).
  - Site hoardings.
3. This is a large edge of city site just inside the inner ring road (A147) and is surrounded by a wide range of existing uses. To the north of Barrack Street is a residential area characterised by terraced houses; there are also a number of commercial properties including a dentist, offices for QD and a car sales premises. The areas to the east and west of the site are in employment use. To the west of the site is St James' Court which comprises of three office blocks accessed via Whitefriars. St James' Mill (Grade I listed) is also located to the west of the site and is currently in employment use as office space.
4. To the east of the site are two office blocks known as 'Dragonfly House' and 'Kingfisher House' which are accessed from Barrack Street via Gilders Way. Land immediately adjacent to the eastern boundary of the application site has consent for new office buildings with an element of ground floor retail. These office blocks benefit from implemented consent and are known as office blocks F1 and F2 under the following permissions: 06/00724/F, 11/02216/RM and 11/02178/F. Part of the wider site also benefits from outline consent for the erection of up to 200 dwellings.

5. The Norwich Crown Court, County Court and Magistrates Court are located to the south of the River Wensum opposite the site. The Jarrolds Bridge is a pedestrian and cycle bridge located to the east of the site which connects the land north of the River Wensum to the core of the City Centre to the south.

## **Constraints**

6. The western section of the site is within the City Centre Conservation Area and the site also contains the remains of the city wall (Scheduled Ancient Monument), two Grade II listed cottages and two locally listed cottages. The site is adjacent to St James Mill which is a Grade I listed building. The site is situated within the area of main archaeological interest and it has been identified that the site has the potential for significant underground archaeological remains.
7. There are trees situated along the northern, western and southern boundaries of the site. A weeping willow situated to the south of St James Mill is subject to a Tree Preservation Order with the other trees which are situated within the conservation area also being protected. There is a central area of vegetation located to the east of the city wall. The site is within 1km of St James Pit SSSI and Mousehold Heath which is a Local Nature Reserve and County Wildlife Site. Train Wood is a non-designated County Wildlife Site that is also situated within 1km.
8. The majority of the site is situated within flood zone 2 and a small part of the site, to the south east is classified in flood zone 3. As such the majority of the site is at 'medium risk' from fluvial flooding with a small part at 'medium to high risk' of fluvial flooding.
9. The site is situated within the Norwich Air Quality Management Area.
10. The topography of the site is largely flat with a slight slope downhill towards the River Wensum. There are views into the site from the higher ground to the north and east.
11. The majority of the site is allocated within the Norwich Site Allocations Site Specific Policies DPD for mixed use redevelopment within policies CC17a 'Barrack Street' and CC17b 'Whitefriars'.

## **Relevant planning history**

12. The site has an extensive planning history with the most relevant applications being listed below. In summary, in March 2007, as part of a wider hybrid application on the site, permission was granted for the erection of 20,500sqm of offices (of which up to 1,500sqm could be used as a shop unit) 200 residential units, a 60 bed hotel, 637 car parking spaces, a riverside walk and a footbridge with associated accesses and ground works (06/00724/F). Subsequently, a number of conditions and reserved matters were discharged, which facilitated the implementation and construction of the office building to the east (Dragonfly and Kingfisher House). In April 2011 conservation area consent was granted for the demolition of the former printing works building with the retention of the façade onto Barrack Street and in May 2011 planning permission was granted for a temporary replacement car park with 281 spaces (07/01448/F).

13. In September 2008 a reserved matters application for two further office buildings was submitted and subsequently approved (08/00538/RM). This permission has been implemented, although the buildings have not yet been constructed.
14. More recently outline planning consent has been granted for the erection of up to 200 homes, together with public open space and up to 127 car parking spaces for B1 office use and 150 residential parking spaces with all matters reserved (15/01927/O) on land immediately to the east of this site.

<b>Ref</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
06/00724/F	Redevelopment of site comprising of 20,500sq.m. offices (Class B1) gross floor area of which up to 1,500sq.m. for shop units (Class A1 and A3) ; 200 residential units; 60 bed hotel; 637 car parking spaces, riverside walk and footbridge, associated accesses and ground works (Revised Scheme).	APPR	23/03/2007
07/00391/D	Condition 31): Prior to their demolition the former stable building and garage to the former Brewery shall be recorded by a suitably qualified and experienced historic buildings consultant for previous planning application (06/00724/F), 'Redevelopment of site comprising of 20,500sq.m. offices (Class B1) gross floor area of which up to 1,500sq.m. for shop units (Class A1 and A3) ; 200 residential units; 60 bed hotel; 637 car parking spaces, riverside walk and footbridge, associated accesses and ground works (Revised Scheme).	APPR	24/05/2007
07/00898/D	Details of Condition 15: Ground Conditions and Condition 35: Archaeology of previous planning permission 06/00724/F 'Redevelopment of site'.	APPR	21/10/2008
07/00925/D	Part Condition 7 (Block D) a)External materials (samples); b)Typical windows, doors; c)Typical eaves, verge, parapet and roof details; d)Typical projecting roof canopies of previous planning permission (App. No.06/00724/F).	APPR	21/10/2008
07/00955/D	Condition 10: Details of Construction Phasing Plan, a) Temporary car parking; b) Temporary access and haul routes for construction traffic; c) Compounds and site huts of previous planning permission	APPR	21/11/2008

Ref	Proposal	Decision	Date
	(App. No. 06/00724/F), 'Redevelopment of site comprising of 20,500sq.m. offices (Class B1) gross floor area of which up to 1,500sq.m. for shop units (Class A1 and A3) ; 200 residential units; 60 bed hotel; 637 car parking spaces, riverside walk and footbridge, associated accesses and ground works'.		
07/01039/D	Part Condition 11(Block D): a) Details of on-site roads, footpaths and cycleways (including surface treatments); b) Details of schemes for the discharge of foul and surface water; of previous planning permission (App. No. 06/00724/F) 'Redevelopment of site comprising of 20,500sq.m. offices (Class B1) gross floor area of which up to 1,500sq.m. for shop units (Class A1 and A3) ; 200 residential units; 60 bed hotel; 637 car parking spaces, riverside walk and footbridge, associated accesses and ground works (Revised Scheme).'	APPR	21/10/2008
07/01363/D	Details of Condition 13(a); Secondary Vehicle Access, of previous planning permission 06/00724/F: 'Redevelopment of site comprising of 20,500sq.m. offices (Class B1) gross floor area of which up to 1,500sq.m. for shop units (Class A1 and A3) ; 200 residential units; 60 bed hotel; 637 car parking spaces, riverside walk and footbridge, associated accesses and ground works (Revised Scheme)'.	APPR	10/06/2008
07/01441/C	Demolition of former printing works building (retention of facade onto Barrack Street).	APPR	18/04/2008
07/01448/F	Provision of temporary replacement car park (281 spaces) and associated new vehicle egress onto Barrack Street.	APPR	22/05/2008
08/00538/RM	Part Condition 2 : (Plots F1 and F2) Layout, Scale, Appearance and Landscaping (including 2c: Materials; Part 2d: Car Parking; 2h): Typical doors and windows) for 8,079 sq.m. office space (B1) comprising 198 sq.m. of ancillary retail space; (Revised Matters	APPR	05/09/2008

Ref	Proposal	Decision	Date
	Application of Outline Consent 06/00724/F).		
08/00557/D	Condition 3: Details of works to make good north and east elevations of museum building; Condition 6: Design of decorative boarding on the eastern boundary, for previous Conservation Area Consent (App. No. 07/01441/C " Demolition of former printing works building (retention of facade onto Barrack Street)".	APPR	29/07/2008
08/00678/D	Condition 8a): Details of bird and bat roosting and nesting facilities; 8b): Details of walls and fences; 8c): External plant and machinery; Condition; 11c) Details of lighting; Condition 17a: Details of landscaping, lighting for riverside walk; Condition 18: Details of emergency vehicle access; for previous planning permission (App. No. 06/00724/F), 'Redevelopment of site comprising of 20,500sq.m. offices (Class B1) gross floor area of which up to 1,500sq.m. for shop units (Class A1 and A3) ; 200 residential units; 60 bed hotel; 637 car parking spaces, riverside walk and footbridge, associated accesses and ground works (Revised Scheme)'.	APPR	24/11/2008
08/00708/D	Condition 30: Details of (Zone D and F) emergency response plan for previous planning permission (App. No. 06/00724/F) "Redevelopment of site comprising of 20,500sq.m. offices (Class B1) gross floor area of which up to 1,500sq.m. for shop units (Class A1 and A3) ; 200 residential units; 60 bed hotel; 637 car parking spaces, riverside walk and footbridge, associated accesses and ground works (Revised Scheme)".	APPR	30/07/2008
09/01162/D	Condition 5 - programme of archaeological works of previous Conservation Area Consent (App. No. 07/01441/C) 'Demolition of former printing works building (retention of facade onto Barrack Street)'.	APPR	27/04/2010

Ref	Proposal	Decision	Date
11/02178/D	<p>Details of Condition 2e: Cycle parking; Condition 2f: Refuse Storage; Condition 2g: delivery, picking up and dropping off points; Condition 2j: bird and bat roosting and nesting facilities; Condition 2k: fume and outlet points; Condition 10: Construction phasing plan; Condition 13c: Discharge of foul and surface water; Condition 15a: Desk Study Investigation (contamination); Condition 32: Programme of archaeological work; Condition 34: Legal contract with archaeological contractor and Condition 48: details of rainwater harvesting; energy production from renewable sources; re-use of existing site materials; of previous permission 06/00724/F 'Redevelopment of site comprising of 20,500sq.m. offices (Class B1) gross floor area of which up to 1,500sq.m. for shop units (Class A1 and A3) ; 200 residential units; 60 bed hotel; 637 car parking spaces, riverside walk and footbridge, associated accesses and ground works (Revised Scheme).'</p>	APPR	26/06/2014
11/02216/RM	<p>Details of Condition 2a: proposed finished levels and contours (Zone F); Condition 2b: typical walls and fences (where applicable) (Zone F); Condition 2i: minor artefacts and structures (Zone F); Condition 17b: design, landscaping and lighting of River Walk West (Zone F) of previous hybrid permission 06/00724/F 'Redevelopment of site comprising of 20,500sq.m. offices (Class B1) gross floor area of which up to 1,500sq.m. for shop units (Class A1 and A3) ; 200 residential units; 60 bed hotel; 637 car parking spaces, riverside walk and footbridge, associated accesses and ground works (Revised Scheme).'</p>	APPR	29/06/2012
11/02223/O	<p>Residential development of 200 units and associated works, including access, on Zones A and E of former Jarrold Printworks.</p>	APPR	14/02/2013
15/01927/O	<p>Outline application with all matters reserved for the erection of up to 200 dwellings, together with public open</p>	APPR	12/08/2016

Ref	Proposal	Decision	Date
	space and up to 127 car parking spaces for B1 office use and 150 residential parking spaces.		

## The proposal

15. The application seeks full planning permission for the demolition of existing buildings and structures, the erection of 218 dwellings, the conversion, refurbishment and extension of two Grade II Listed Cottage, the, erection of 310sqm of commercial floorspace (Class A1-A5 use) and the provision of a 152sqm Museum (D1 use) along with all associated works. Listed building consent is also sought for the conversion, refurbishment and extension of the two listed cottages and works to the western boundary wall.
16. There are a number of buildings and structures on the site, the majority of which are proposed to be demolished. This includes the following:
  - The annex to St James' Mill which currently is home to the John Jarrold Printing Museum
  - The remains of the northern boundary printworks wall and the eastern printworks wall.
  - 67-69 Barrack Street which are dwellinghouses
  - 71-75 Barrack Street which are the former RSPCA clinic and kennels
  - The rear extension to no 77-79 Barrack Street
  - The existing garage block
  - Low level walls (1.5m) to the east of the City Wall.
17. It is also proposed to remove a security hut and existing hoardings, a maintenance building which is attached to the city wall remains, the ground floor slab which comprises of remains of the printworks floor and the asphalt associated with the temporary car parking. The remains of the western boundary printworks wall are proposed to be reduced in height.
18. 218 new dwellings are proposed which include 22 dwellinghouses (a mix of 2 and 3 bed properties) and 196 apartments and duplexes (a mix of 1, 2 and 3 bed properties). The two grade II listed cottages which front onto Barrack Street will also be renovated and converted into two 1 bedroom properties. This will bring the total number of residential units on the site to 220. It is proposed that 10% of the properties will be affordable (19 x affordable rent, 3 x shared ownership). Two commercial units will also be provided on the river frontage, one of which is proposed to be a café. A third unit on the river frontage will become a replacement printing museum.

19. The proposed vehicular access to the site will be from Barrack Street via the creation of a new section of Gilders Way (which has already been consented as part of previous consents). This T-junction onto Barrack Street will be to the east of Silver Road. Internal Roads will comprise of Roads A1, A2, A3, B, C and D (see plans). Emergency vehicular access will be provided from Whitefriars via St James Court. A new pedestrian and cycle route will be created adjacent to the City Walls which will link Barrack Street to the Riverside Walk and will be known as River Lane
20. To the east of the City Wall it is proposed that there will be two large blocks of residential apartments (G1/G2 and H) which are proposed to be located north and south of Road A1. To the west of the City Wall it is proposed that the residential dwellings will take the form of a mixture of terraced houses, town houses and apartment blocks with there being commercial floorspace on the river frontage at ground floor level of block E2/E3 (Blocks A, B, C, D, E1, E2, E3 and F). No development is proposed within the south east corner of the site which is classified as Flood Zone 3.
21. It is proposed that there will be an area of open space to the south east of the site and a play area adjacent to the city walls. Car parking will be provided at a rate of around 0.7 spaces per dwelling and cycle storage is proposed in line with current planning policy.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<p>218 new units</p> <p>22 x Dwellinghouses (14 x 2 beds, 8 x 3 beds)</p> <p>196 apartments (72 x 1 beds, 112 x 2 beds, 12 x 3 beds)</p> <p>In addition 77-79 (Grade II listed cottages) will be renovated and will become 2 x 1 bed dwellinghouses.</p> <p>The application also seeks consent for 310sqm of commercial floorspace of which 179 sqm will become a café. Permission is sought for a flexible use for the second unit (131 sqm). A 152 sqm replacement print works museum is also to be provide.</p>
No. of affordable dwellings	<p><b>Affordable rent</b></p> <p>16 x 1 bedroom apartments</p> <p>2 x 2 bedroom flats</p> <p>1 x 2 bed duplex</p> <p><b>Shared ownership</b></p> <p>3 x 2 bed duplex</p>

<b>Proposal</b>	<b>Key facts</b>
<b>Scale</b>	
Total floorspace (GIA)	Residential – 20,520 sqm Commercial – 453 sqm Internal shared car parking – 1,376 sqm
No. of storeys	Varies from two storeys along Barrack Street stepping up to a maximum height of seven storeys at the east of the site (Blocks G2 and H).
Max. heights	Block A flats – 12.5m, dwellinghouse – 8.1m Block B flats 12.8m, dwellinghouses 6.8m Block C – 11.5m Block D – 17.2m Block E1 – 12.9m Block E2/E3 – 19.7m Block F – 11.4m Block G – 22.5m Block H – 23.2m
Density	126 dwellings per hectare
<b>Appearance</b>	
Materials	Red, red-brown and off-white brick, dark grey rainscreen cladding, eternit slate tiles, render on the listed cottages.
Energy and resource efficiency measures	Fabric first measures including energy-efficient building fabric and insulation to all heat loss floors, walls and roof, high-efficiency double-glazed windows, air-tightness, high efficiency heating systems and low energy lighting. Combined Heat and Power (CHP) will be installed to blocks E2, E3, G1, G2 and H.
<b>Operation</b>	
Opening hours	To be subject to condition
Ancillary plant and equipment	To be subject to condition
<b>Transport matters</b>	
Vehicular access	From Barrack Street via Gilders Way. A number of new internal roads will be created. Emergency access to Whitefriars via St James Court.
No of car parking spaces	162 spaces which includes 1 car club space and 2 visitor spaces.

Proposal	Key facts
<b>Scale</b>	
No of cycle parking spaces	331 spaces within shared stores. Townhouses to have space for 2 x bikes within garage. 18 x visitor spaces
Servicing arrangements	Communal bin storages for flats. Dwellinghouses to have individual bins which will be stored within gardens.

## Representations

22. The application as submitted was advertised on site and in the press. Adjacent and neighbouring properties were notified in writing. 261 letters of representation have been received in total for the full and listed applications citing the issues as summarised in the table below. 219 letter of representation related solely to the John Jarrolds Print Museum. A further 22 people commented on the print museum but also raised other issues. All representations are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
<p><b>Print museum</b></p> <p>The Print Museum is a vital resource for artists and printmakers and is an intrinsic part of Norwich's heritage. It is of national and international importance and the most important privately-owned printing museum in the Country, with a collection second only to those of the Science Museum. It records the history of printing in Norwich which is a key feature of local industry. It is an important asset for the city in terms of heritage and culture.</p> <p>It is the only museum of its kind in the UK. It is unique as it is both a museum containing rare and historic artefacts and at the same time offering a living and working environment full of dedicated professionals.</p> <p>The machines are currently still used to produce contemporary hand produced prints. It is a working museum. It has been used as a film and television location due to its unique collection of presses and knowledgeable operators who are willing to share their skills.</p>	<p>See main issue 3.</p>

Issues raised	Response
<p>Volunteers are preserving knowledge and skills for future generations.</p> <p>People visit the museum from all around the world and students from NUA visit weekly because the museum provides a valuable contribution to their studies. Each year in excess of 100 first year graphic students visit the museum. Being able to see the machinery working and being operated by printers is an invaluable living resource and part of the creative and industrial fabric of Norwich.</p> <p>The proposal does not provide space to accommodate the Jarrolds Print Museum in accordance with policy CC17b. A static display in a café setting, showcasing a few 'key pieces' of printing and bindery equipment does not comply with the policy.</p> <p>The museum must be rehoused and the collection should be kept together in one place and remain open to the public.</p> <p>Why demolish a building which is in keeping with the architectural style of St James Mill in favour of commercial units which would be less aesthetically pleasing? The building is the last remaining building still used for print-related purposes from the days of Jarrold Printing on the Whitefriars site. If demolished, the museum will find it extremely difficult to reinstate itself in another location.</p> <p>Norwich is a UNESCO City of Literature. The loss of the printing museum is at odds with this. Once lost, this nationally important resource cannot be replaced.</p> <p>The museum should be put at the heart of the redevelopment to ensure the continuation of the invaluable work it already does. A housing development could benefit from having a cultural focus and community facility based in the museum.</p> <p>The museum should be receiving more support, rather than facing closure. The developers should cover all costs of the</p>	

Issues raised	Response
relocation of the museum.	
<p><b>Cottages on Barrack Street</b></p> <p>The proposal will result in the loss of historic buildings. 67-69 Barrack Street should also be retained. Although the cottages are not listed they are nearly 200 years old. It would be better to retain the whole terrace.</p> <p>The two listed cottages should be preserved for future generations. Further details are needed of these cottages to ensure their preservation.</p>	See main issue 3.
<p><b>Parking and traffic</b></p> <p>There is a lack of parking and the proposal will result in traffic congestion. 0.7 parking spaces per unit is not enough and cars will overspill into other areas of the city.</p>	See main issue 6.
<p><b>Principle of redeveloping the site</b></p> <p>Support the building of new residential dwellings on this derelict site.</p>	See main issue 1.
<p><b>Bats</b></p> <p>In 2014 a bat survey was undertaken along the river which shows a fair amount of bat activity in this area. The bat survey submitted with the application does not take account the surrounding area and river corridor along which the bats fly.</p>	See main issue 10.
<p><b>New routes</b></p> <p>Public access along River Lane to the River Wensum is welcomed.</p>	See main issue 2 and 6.
<p><b>Affordable housing</b></p> <p>The proposal only provides 4% affordable units rather than the recommended 33%.</p> <p>Viability should be considered at the plan making stage with applicants having to explain why an assessment should be provided at the application stage. NPPF 2 sets out that a minimum of 10% of homes should be available for affordable home</p>	See main issue 12.

Issues raised	Response
<p>ownership and benchmark land values must take account of the policy compliant position.</p> <p>The Existing Use Value (EUV) for the larger proportion of the site is based on commercial usage which would require planning permission. Its existing use is a car park.</p> <p>The EUV for the houses on Barrack Street should not be based on the price they were sold to the current owner.</p>	
<p><b>Infrastructure</b></p> <p>It is unclear whether there is the necessary infrastructure for 218 dwellings e.g. shops, nurseries, school provision, medical centres and recreational areas as well as pedestrian and cycling access.</p>	<p>See response from Norfolk County planning applications</p>
<p><b>Trees</b></p> <p>There is a magnificent Plane tree near to the terrace of houses which should be protected.</p>	<p>See main issue 4.</p>
<p><b>Energy</b></p> <p>Fabric first and district heat network are welcomed but the fabric first measures appear to be a fairly standard list. Why not build to a Passivhaus quality levels? Disappointed that the proposal is only for energy efficient buildings and a gas-fired Combined Heat and Power (CHP) unit. Gas is a fossil fuel. There are better alternatives such as Ground Source Heat Pumps, Water Sources Heat Pumps, Air Source Heat Pumps, photovoltaics and solar thermal panels.</p> <p>The percentage of on-site low carbon/renewable is also unambitious. The Joint Core Strategy level needs to be reviewed. London is now operating a policy of 35% on site renewables.</p>	<p>See main issue 8.</p>

Following revisions to the application (the change of one of the commercial units to a print museum) a two week period of reconsultation took place. All people that had commented on the application were notified of the revisions. 54 letters of representation have been received citing the issues as summarised in the table below.

Issues raised	Response
<p><b>Print museum</b></p> <p>Key to the continued existence of the printing museum is the operational aspect, the ability for the place to be a working museum rather than just a static display. The proposed floorspace is less than half that of the existing premises and only 35% of existing equipment and machinery could be housed within the premises. The proposal does not promote a sustainable future as a working museum, will have different objectives to those of the current John Jarrold Printing Museum and will only exhibit equipment that originated from the Jarrold Printing Company. The museum would be broken-up. This does not satisfy policy CC17b which requires <i>the</i> museum to be accommodated within a new development. The proposal makes no provision for the library which is housed within the existing museum.</p> <p>Students will be deprived of valuable resources.</p> <p>The proposal will involve a massive move and storage.</p> <p>The existing print works building is iconic and shouldn't be demolished.</p>	<p>See main issue 3.</p>
<p><b>Affordable housing</b></p> <p>Objection still stands as viability assessment as amended does not address concerns.</p>	<p>See main issue 12.</p>
<p><b>Trees</b></p> <p>The shrubbery, Acacia and Strawberry tree should be retained.</p>	<p>See main issue 4.</p>
<p><b>Energy</b></p> <p>There are insufficient energy saving/Passivhaus units.</p>	<p>See main issue 8</p>

<p><b>Cottages on Barrack Street</b></p> <p>The changes to the listed cottages will lead to a loss of historic fabric and cause substantial harm to the heritage asset. Integrating the unlisted cottages would add a layer of character and interest to the scheme.</p>	<p>See main issue 3</p>
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## Consultation responses

23. 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

24. The existing site is largely inaccessible and poorly connected to the surrounding roadway and pedestrian access/cycle ways. The development will improve links and reinstate the historic Water Lane and will provide an attractive landscaped connection. The layout, scale and form of the proposed development to the west of the wall will harmonise with neighbouring context and will knit back into the wider historic townscape. The scale of the riverside block will remain lower than the grade I listed mill. To the east of the wall the buildings are taller but block H is set well back from the river which helps to reduce the visual impact and Block G is set back from Barrack Street. There is some concern with block H and that the height could erode the dominance of the mill as the blocks serve to compete with the mill. This block will also have a harmful impact on views along the riverside.
25. The streets will not be dominated by cars although there are a few spaces which should be omitted (south of block E1), northern end of road C and road D. The proposed street trees are welcomed.
26. St James Mill Annex is of no architectural merit and is identified as a negative building. The John Jarrold Print Museum is a private collection and has been relocated on a number of occasions. The collection is not protected by any listed status. There should be a legal agreement to ensure that the museum is completed prior to the occupation of the first phase of development.
27. In terms of the boundary wall to St James Church, lowering this will not cause harm to the setting of the listed building. A condition should require a structural engineers report to ensure no damage is caused to the listed building.
28. With regards to the listed cottage these benefit from a great deal of historic and social/communal heritage value and significance. The repair and re-use of the buildings is welcome; however there is fear that the proposed works will see the loss of historic form, fabric and special interest. The annotations in the document are vague and the cladding of the external walls in render on board insulation will obscure the historic brick work and patina of age. The replacement of the shopfronts with sliding sashes is conjectural restoration.

## **English Heritage**

29. Broadly content with the scheme. The development would create significant space around the standing and buried sections of the city wall as well as reinstating the historic road beside it. The waterfront development would be of some scale but addresses the river and reflects St James Mill in height. The Listed houses on Barrack Street will be retained and new terraces properties will reflect the scale of the listed building and St James church. Houses facing the city wall are a suitable way of addressing the wall that reflects historic form and scale of building in the area. The proposal will affect views of the cathedral spire but the assessment included within the application suggests that it would still be a significant feature. The centre of the site largely comprises terraces of three storey houses set around broad road. Although these new routes do not reflect the historic subdivision within the site, it does create positive residential spaces of appropriate scale. Development on the eastern part of the site, outside the city wall, relates more to the existing modern office buildings however due to the buildings stepping up they create a sense of openness to the west facing the city wall and the horizontal emphasis could reduce sense of height.
30. The development would not result in harm to the significance of the Scheduled city walls and listed building and by bringing 77-79 Barrack Street back into use and repairing the city walls will enhance these assets. The proposed buildings respond to the historic environment and would not harm the significance of the conservation area. We would therefore support the application.
31. Scheduled Monument consent will be necessary for demolition of the modern building attached to the city wall and for any works to it. It would also be valuable to have interpretation of the city walls in the public area. It would be useful to have future ownership of the city wall clarified and details of how it would be maintained.
32. We have no objection to the demolition of the modern print works building but consider the collection to be of historic interest. We would support the relocation of the collection to a new building.
33. We have noted the supplementary planning document for the John Jarrold Printing Museum retention and relocation strategy. We have nothing to add further to our previous response.

## **Environmental protection**

34. No issues raised.

## **Environment Agency**

35. No objection in terms of land contamination subject to conditions. Part of the site is situated within flood zone 3a. We have no objection to this planning application providing that you have taken into account the flood risk considerations. The application should pass the sequential and exception tests and be supported by a site specific Flood Risk Assessment (FRA). Conditions should be attached requiring development to be carried out in accordance with the FRA dated 14 August 2018 and in particular finished ground floor levels should be set no lower than 3.10m above Ordnance Datum (AOD).

## **Highways (local)**

36. No objection in principle subject to the consideration of the following:
- Semi vertical cycle racks are proposed for bike stores which are really hard to use. A mix of semi vertical and Sheffield stands would be acceptable.
  - Car club – would we get funding for a vehicle or just the space?
  - We would welcome EV charging for all off-street parking bays and shared use public facilities with the on-street bays. As an alternative it would be advisable to ensure that there was electrical supply to the car parks.
  - It is recommended that visitor parking is provided.
  - There needs to be clarity on how parking spaces will be managed/allocated and how parking will be controlled on the site road. As there will not be 1:1 parking provision there needs to be a mechanism to allocate spaces so prospective tenants understand what parking is available to them before occupation.
37. The QD car park is small and Strategic Highway's objection wouldn't stand up to scrutiny at appeal. The shared use cycle path adjacent to the site is not something that would be supported as doesn't form part of pedalways and cycles will go through the site rather than round it.

## **Highways (strategic)**

38. Whilst we have no objection to the principle of the development, however there is a conflict between site entrance and entrance to QD car park. Need to consider moving the entrance either east or west. Application should also provide for an east/west cycle path along Barrack Street.

## **Housing strategy (on original submission)**

39. The development is welcomed and the overall housing mix is in line with the housing need demonstrated within the 2017 update to the SHMA. Policy 4 of the Joint Core Strategy sets out that 33% of dwellings should be affordable with a split of 85% for social rent and 15% for intermediate tenure. It is disappointing that they are only proposing 4% affordable housing and we would welcome further discussions with the applicant to seek to increase this level of provision. The current affordable housing need in this area is for one bedroom flats, two bedroom houses and larger family homes. The most suitable tenure to meet our housing need is social rent. Shared ownership does not meet our identified housing need. The 2017 SHMA did not make a differentiation between social rent and affordable rent but did show that more tenants would be able to afford a social rent without housing benefit than for affordable rent.
40. A blind tenure scheme is preferable and if possible flats should have their own entrance. Dwellings should have access to suitable amenity space and parking provision should be made.
41. A contract should be in place for the transfer of the affordable housing to an RP , prior to occupation of any of the private dwellings and the affordable housing should be completed and transferred to an RP prior to occupation of 75% of the private dwellings. A standard review clause would be needed.

42. We welcome the DV's report that shows an increase from the offered 4.5% affordable housing up to 10% albeit it is disappointing that a city centre location is far below policy requirement levels.
43. NOTE: These comments were offered on the original scheme with the original housing offer.

### **Landscape and ecology**

44. The general approach to landscape and ecology is acceptable as the proposals would have a beneficial effect on the cityscape.
45. Strategic views - The proposed building will mostly obscure the view of Mousehold Heath from Whitefriars Bridge undermining the visual connection between two key natural assets (river and heath). The new buildings would replace views over the site towards the wooded valleyside beyond. It would be preferable if the height of block H could be reduced but this would need to be by at least 2 storeys.
46. Landscape strategy - In terms of the landscape strategy the creation of 2 new north-south public routes and the open space provision along the city wall and on the riverside and improvement of the existing riverside walk is welcomed. At the point where the access road crosses the city wall the paving layout suggests priority for the access road over the city wall route. This should be reversed. There is a good distinction between the areas within and outside the city wall which works well.
47. Riverside walk – clarity is needed on the future status of the riverside walk so it becomes a public right of way.
48. Sustainable Drainage – SuDS should be incorporated.
49. Amenity space – the amount of amenity space is limited with large areas being for parking/highway. More street tree planting would help improve the quality of these spaces. Asphalt should not be used for residential courtyards.
50. Public Open Space – the riverside open space would have car park level undercroft parking (block H) as northern boundary. One type of screen could deaden the frontage. There are opportunities for more public art/landscaping to screen including green walls.
51. Trees – Tree removals are acceptable except for the hornbeams along Barrack Street and the strawberry tree on the river frontage.
52. Soft landscaping – there is a lack of tree planting along the riverside. Proposals for river edge treatment should be included in the landscape strategy as there are opportunities for enhancements. The hornbeam hedge alongside the city wall could be problematic.
53. Hard landscaping – More details of surfacing should be secured by condition. External lighting strategy is needed. The relationship between the site and puppet theatre would be improved if the boundary wall could be lowered.
54. The site includes an existing section of semi-natural riverbank which does not seem to have been assessed but represents relatively valuable habitat. In terms of

protected species the demolitions pose a risk to bats. The recommendations for mitigation (bat survey report 5.2) should be required by condition. Otters are known to be present in the river and should be assessed.

55. There are opportunities for biodiversity enhancements and bird boxes should be incorporated into 30% of the new buildings. There are also opportunities for enhancements to the river.
56. Building 1 and 2 require a full Preliminary Bat Roost Assessment survey.
57. Comments on revised plans – The materials schedule is rather lacking and it would be preferable if the proposal were worked up to a higher level of detail rather than left to a landscape condition. I remain concerned that design opportunities are not being taken to give emphasis to the city wall route. Further consideration needs to be given to the use of materials and proposed planting. It would be helpful to have more detail on play equipment and the riverside walk and courtyard parking areas should be designed to have some amenity function. The strawberry trees should be retained as they have high landscape value.
58. In terms of ecology the updated preliminary ecology appraisal report acknowledges the presence of otters. The proposed mitigation/compensation measures including protection of a Construction Environmental Management Plan are accepted and should be conditioned.

#### **Natural England**

59. No comment received

#### **Norfolk county planning applications**

60. Schools - There is spare capacity at high school level but there is insufficient capacity within the Early Education sector and at Magdalen gates Primary School to accommodate the children generated by this development and the others in the area (15/01927, 15/01527 and 12/00143). However a new Free School (St Clements Hill Primary Academy) opened in September 2018 and will grow to become a 420 place primary school. The County will monitor pupil numbers and if further expansion is required will put in a claim for funding for additional places if necessary through CIL.
61. Fire – There is a requirement for 1 fire hydrant per 50 dwellings on a minimum 90mm main. The positioning of hydrants to service any taller blocks of flats must meet building regulations. If the overall height of any building exceeds 18m the provision of a dry fire main may be required. This can all be dealt with by condition.
62. Library – No contribution required.
63. Green infrastructure – Connections into the local Green Infrastructure network should be considered. Mitigation for strategic new and existing GI features can be funded by CIL but direct mitigation and GI provision should be included within the proposal. The main priority for this site is to improve the riverside walk in this area. There are some pinchpoints and areas where surfacing needs improvement. The development should create pedestrian connectivity through from Barrack Street with tree planting and greening where possible.

### **Norfolk county public health**

- 64. There should be adequate provision for secure cycle storage for residents.
- 65. The noise assessment suggests the need for higher sound insulating glazing in certain blocks. However it suggests the need for mechanical ventilation to avoid the need to open windows. Would this adequately meet the need to ventilate in hot weather?
- 66. Air quality – no concerns.

### **Norfolk historic environment service**

- 67. The interim results of the fieldwork provide sufficient information to make an informed planning recommendation. The trial trenching has confirmed that significant heritage assets with archaeological interest of at least medieval and potentially earlier date are present at the site. The nature of the proposed development is such that these heritage assets would be adversely affected by the proposed development. However the nature and scale of this impact could be effectively managed through an appropriate programme of archaeological mitigatory work. This can be dealt with by condition.

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

- 68. No comment received

### **Lead Local Flood Authority**

- 69. There is a lack of information from 3<sup>rd</sup> party agreement regarding discharge to the River Wensum to Development Management and Construction Phasing Plan not being provided. The FRA (and incorporated SWDS) does not include adequate information regarding infiltration testing and the SuDS hierarchy may not be appropriately applied accordingly. The finished floor levels do not consider surface water flooding risk and safe evacuation of all occupants. Therefore we object to the proposal. If the authority is minded to approve the application a number of conditions have been suggested.

### **Norfolk Emergency Planning**

- 70. No comments received

### **Broads Authority**

- 71. No comment

### **Tree protection officer**

- 72. No objection to the removal of the hornbeam trees as the replacement planting mitigates their loss. Replacement planting should be of a substantial size to reduce risk of vandalism and create an instant landscape impact. More information is required on T1 (tree on Puppet Theatre land) and a supplementary Arboricultural Method Statement will be needed but these can be conditioned along with other conditions relating to compliance with the Tree Protection Plan.

## **Anglian Water**

73. Anglian Water have assets within or close to the development boundary so informative needed. Whitlingham Trowse and sewerage system have available capacity. The preferred method of surface water disposal would be SuDS. Advice needed from the LLFA.

## **Norwich Society**

74. Made on original scheme – no subsequent comments received.
75. Welcome the application to develop this long derelict site and distinct improvements have been made to the massing and design of the project. The plans show a ready appreciation of the character and appearance of the immediate area and its heritage assets. The scheme is however unacceptable in its current form as it does not retain and safeguard the printing museum and although the present home is a utilitarian structure alternative provision could be made for a viable museum in an alternative location. The level of affordable housing and assertions made in the applicant's viability statements should be challenged.

## **Norwich Historic Churches Trust (Landlord of St James Church which houses Norwich Puppet Theatre**

76. Support the application for the development of the site but have concerns that the demolition and construction could cause vibrations and movement within the neighbouring church. Also need to see detailed plan of the new wall to the east of the church and feel that improved landscaping to the churchyard would be of benefit. There is some concern with residential being located so close to the puppet theatre and how performance activities could impact upon residents.

## **Ancient Monument Society**

77. No comments received

## **Counter Terrorism Security Advisor**

78. No comments received

## **Norfolk Fire Service**

79. No comments received

## **City Wide Services**

80. The location and number of bins is satisfactory. There needs to be a dropped kerb at the nearest point from the bin store to the road. There only needs to be one glass bin per compound and an extra space this generates can be utilised to store more communal bins or individual refuse bins. The presentation points for the individual properties are all fine and no dropped kerbs are required for these.

# Assessment of planning considerations

## Relevant development plan policies

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

- JCS1 Addressing climate change and protecting environmental assets
- JCS2 Promoting good design
- JCS3 Energy and water
- JCS4 Housing delivery
- JCS5 The economy
- JCS6 Access and transportation
- JCS7 Supporting communities
- JCS8 Culture, leisure and entertainment
- JCS9 Strategy for growth in the Norwich policy area
- JCS11 Norwich city centre
- JCS20 Implementation

### 82. **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
- DM8 Planning effectively for open space and recreation
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM15 Safeguarding the city's housing stock
- DM16 Supporting the needs of business
- DM17 Supporting small business
- DM18 Promoting and supporting centres
- DM19 Encouraging and promoting major office growth
- 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

### 83. **Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)**

- CC17a Barrack Street – Mixed use development
- CC17b Whitefriars – Mixed Use development

## Other material considerations

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

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of home
- NPPF6 Building a strong, competitive economy
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

### 85. Supplementary Planning Documents (SPD)

- Affordable housing SPD adopted March 2015
- Open space & play space SPD adopted October 2015
- Landscape and Trees SPD adopted June 2016
- Heritage Interpretation adopted December 2015

## Case Assessment

86. 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

87. Key policies and NPPF paragraphs – CC17a, CC17b, DM12, DM13, NPPF sections 5, 6 and 11.

88. The application site straddles two allocations in Norwich's Site Allocations and Site Specific Policies local plan 2014: policy CC17a (comprehensive mixed use development including offices and housing) and CC17b (office led mixed use development) and therefore the starting point for the assessment of the proposed development is the site allocation policies. Policies CC17a and CC17b establish the principle of mixed use development of these sites, including a significant element of office development on CC17b in particular. The two site allocation policies are as follows:

Policy CC17a: Barrack Street – Mixed use development

*Land at Barrack Street is allocated for a comprehensive mixed use development to include:*

- *offices (with ancillary retail uses) and;*
- *housing (in the region of 200 dwellings) together with associated public open space and playspace provision.*
- *Subject to viability, development could also include a hotel as part of the mix.*

*The development should:*

- *integrate and enhance the cycle link as part of the scheme;*
- *provide access to the river and riverside walk;*
- *respect the setting of the city wall and the adjacent conservation area.*

Policy CC17b: Whitefriars – Mixed Use development

*Land at Whitefriars is allocated for office led mixed use development. The development should:*

- *provide access to the river and a riverside walk;*
- *respect the setting of the conservation area, neighbouring listed building and the city wall;*
- *Be accessed from St James Court; and*
- *Provide space to accommodate the Jarrolds Print Museum and associated heritage interpretation.*

### **Loss of an office led mixed use allocation**

89. In the right market conditions the site does have the potential to deliver high quality commercial office space in an accessible edge of centre location and as such it is capable in theory of making a contribution to the Joint Core Strategy (JCS) requirement for 100,000 sqm of new office floorspace in the city centre. However the JCS growth strategy (which is the basis for policy DM19) is predicated upon levels of growth set out in the 2007 GVA Grimley Greater Norwich Retail and Town Centre Study which are now considered not likely to be achieved. Updated evidence on employment and retail issues has been produced to support the preparation of the emerging Greater Norwich Local Plan (GNLP): the Employment, Town Centre and Retail Study ('ETCRS', GVA November 2017).
90. Although the 2016-17 Annual Monitoring Report (AMR) comments on limited demand for new office development due to low rental values, this needs to be updated by evidence set out in the ETCRS which suggests a more positive picture for the potential future of office based employment in the city centre. The ETCRS enhanced growth forecast shows an estimated additional demand to 2036 for Greater Norwich as a whole to around 170,000 sq.m of B1a (office) / b (R&D) floorspace which rises to 340,000sqm if windfall losses and churn are taken into account. The GNLP Growth Options report states that a large proportion of this should be allocated in the city centre to help sectors based in the centre to grow, to realise sustainability benefits and to achieve the economic benefits of agglomeration.
91. The study's Strategy Advice report identifies the Norwich urban area's role as the principal focus and driver of the Greater Norwich economy, and a magnet for people from the wider area to work, shop and visit. Norwich city centre's employment offer is changing and the study identifies an increasing 're-urbanisation' of business activity, driven by wider business trends and small business creation within the creative and media sector in particular, back to locations which offer a broader range of services to employees and allow for greater interactions, such as the city centre. It states that, with improvements to rail

connectivity and a growing base of small innovative businesses, the city centre has the opportunity to attract larger, national and international occupiers. There is also likely to be significant demand for good quality multi-let service or flexible offices which could be accommodated within mixed use buildings. The report stresses the need for flexible office space that can allow businesses to grow or contract quickly as required. Residential provision is considered to be an important factor in attracting business to the city centre as 'urban living' becomes more popular, and new mixed use development will therefore be critical to maintaining the diversity of the city centre and to ensure that all needs are met.

92. Therefore, despite market intelligence in recent years suggesting a current lack of demand for large scale offices, a shortage of smaller office suites, and a substantial pool of hard to let, and poor quality office floorspace in the city centre, the ETCRS suggests that there is now growing demand for high quality and flexible office space in the city centre in attractive and accessible locations, with the main city centre growth sectors identified as digital, cultural and creative industries and financial services. Although the report concludes that we have sufficient employment land in Greater Norwich overall, most of this land is out of centre and is neither the preferred location for some growth sectors nor the most sustainable place for office growth.
93. At the same time the city is experiencing a loss of employment floorspace to housing through permitted development rights. Given that the ETCRS identifies an underlying demand for good quality employment space there is a risk of new office / employment development going to out of town locations if there is not sufficient provision in sustainable locations, with serious impacts for the vitality of the city centre.
94. However each application needs to be considered on its own merits and the NPPF sets out that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or building should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. Therefore if it can be demonstrated by the applicant through the provision of up-to-date and robust evidence that an office led allocation would not be viable or deliverable, then this would be taken into consideration and should be afforded significant weight in the determination process.
95. The applicant has produced information on the viability of a mixed use scheme with approximately a third of the site being developed for each use (residential, retail and offices). This concludes that a mixed use scheme shows a loss of £902,538 with only the residential element making a profit. With regards to the office element the report concludes that the current rental levels achievable in Norwich for Grade A space of this nature are not significantly high enough to render office development economically viable. The viability assessment assumed two, four storey office buildings, one of 26,600 sq ft and one of 13,300 sq ft with the 26,600 sq ft building being divided into smaller suites and let on short term leases. The report sets out that for good quality refurbished office space in the city centre you would expect rents of circa £16.50 per sq ft and therefore it is not unreasonable to assume a rent of £18 per sq ft for new space. On the basis of two office blocks with a rent of £18.00 per sq ft the appraisal shows a total loss of £1,802,562.

96. The report also concludes that there is sufficient employment land elsewhere in the city centre to accommodate future office demand and there are more suitable sites which better fit the criteria set out by GVA. In particular the application site only takes up part of the Barrack Street policy CC17a allocation and there will remain further scope on the land to the east for a mix of uses, including offices. It should also be noted that within the St James Place development, planning permission is already in place for two headquarters office buildings of 30,000 sq ft and 40,000 sq ft (known as F1 and F2). These buildings have been marketed on a pre-let basis, but have not yet attracted occupiers as the level of rent needed to make the development viable is considerable higher than the current prevailing levels. The information submitted would also suggest that there is currently 36,078 sq ft of office accommodation currently available at St James Place and there is shorter term, flexible office space available in the city's business centres, which includes Regus at Stannard Place and Sackville Place and also at St Georges Works.
97. The applicants have also considered the application site in the context of the Greater Norwich employment, Town Centre and Retail study prepared by GVA. The GVA report mentions in particular the rise of new start-up companies and small business within the creative and digital sectors and it also sets out that there are a number of locations which are well suited to attract such new commercial activity and specifically mentions those with good access to Norwich railway station. The applicants feel that there are more suitable locations to cater for future office demand with for example Rose Lane and Mountergate and the Royal Mail centre being closer to the railway centre and cafes, restaurants and other retail and leisure amenities which GVA refer to as being needed for the start-up companies in the creative and digital sectors to flourish and be more attractive.
98. Overall, although certain elements of the applicant's report are not entirely clear and could be questioned (for example why the viability assessment has been carried out on a basis on a third office, a third retail and a third residential), the information submitted does suggest that the site is very unlikely to be developed for office accommodation in the near future. Furthermore should demand and rental levels increase there are two office blocks that have an extant consent on the wider Jarrolds site that could be delivered and there are a number of vacant units within nearby office blocks that could be occupied.

### **Provision of residential led development**

99. Norwich does not currently have a five year land supply and therefore policies for the supply of housing cannot be considered up to date. The provision of 220 new homes will help contribute significantly to Norwich's five year land supply and the development will provide a mix of house types and sizes in a sustainable location on the edge of the City Centre. It will also provide 10% affordable housing. Furthermore the new commercial floorspace will generate some jobs and a replacement Printing Museum will be provided. The development will therefore have both economic and social benefits and the riverside location should help it be attractive to future residents, consumers, retailers and visitors.
100. Paragraph 120 of the National Planning Policy Framework sets out that planning policies and decisions need to reflect changes in the demand for land and where there is no reasonable prospect of an application coming forward for the use allocated in the plan applications for alternative uses should be supported where the proposed use would contribute to meeting an unmet need for development in

the area. Furthermore Paragraph 118 advises that substantial weight should be given to the value of using suitable brownfield land for homes and to promote and support the development of under-utilised land and buildings. The provision of a total of 220 homes will help contribute towards Norwich's five year housing land supply which is a material consideration and should be afforded significant weight.

101. It is considered unlikely that the site will be developed in accordance with the site allocation due to office accommodation not being viable and due to a surplus of land currently allocated or committed for employment use. Therefore on balance an alternative form of development for residential can be supported.
102. In terms of the principle of the proposed development, policies CC17a and CC17b also list a number of other criteria which a proposed development should satisfy. These are discussed in detail in the following sections of this report but overall it is felt that the proposed development accords with these policy requirements. The development will provide a new vehicular access and a network of pedestrian and cycle routes across the site which will significantly improve permeability. The development will provide an access from Barrack Street to the river and will enhance this section of the riverside walk. The development also includes emergency access and pedestrian and cycle access from St James Court. It is also considered that the proposal respects the setting of the conservation area, neighbouring listed building and the city wall and provides a replacement home for the print museum.

## **Main issue 2: Design**

103. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12.
104. The current condition of the site is poor and development has the potential to significantly enhance the quality of the conservation area, the streetscene along Barrack Street and the views from the Riverside Walk. It also has the potential to better reveal the city walls and to enhance the setting of a number of listed buildings. The main issues relating to the design of the proposal are set out below:

### **Views**

105. DM3 requires that the design of new buildings pay careful attention to the need to protect and enhance the significant long views of the major landmarks identified within appendix 8 of the local plan and within the conservation area appraisals. There are three long views identified by appendix 8 of the Norwich Local Plan in which the proposed site would be visible. These are all views towards Norwich Cathedral: view from the top of Mousehold Avenue, view from Mousehold Heath, west of Norwich Prison on Britannia Road and from Ketts Heights. The townscape and visual impact assessment concludes that the effects on these long views towards the Cathedral would be neutral or beneficial and in particular the buildings would replace a surface car park and fill in a gap in the cityscape. This conclusion is agreed with.
106. The development will also have impacts upon views from Silver Road, Whitefriars' Bridge and the Riverside Walk. The most significant impact would be upon the views from Whitefriars' Bridge and from Quayside as the development would lead to the loss of views to the wooded valley-side in the background. In terms of the view from Silver Road, the height of the buildings has been set to stay below the

roofline of the Cathedral and therefore the effect on the views towards the cathedral is limited and the spire remains the dominant element within the views. The proposal would, however, introduce development into the view which means there is a slightly adverse impact although overall it is considered that the impact is relatively minor.

107. The present views towards the Jarrold's site from the Cathedral Close are not particularly good and are marked as negative vistas within the conservation area appraisal. The proposed development should have a beneficial impact upon these views.

### **Layout**

108. The overall design approach responds to the distinction between the areas within and outside of the city walls. It is proposed to have five 'character areas'. Zone 1 which is inside the conservation area and to the west of the wall has a tight urban grain and forms a setting for the listed cottages. There will be a mix of townhouses and flats which are arranged on a tight grid of new streets that reflects the urban fabric that would have preceded the industrial use on the site. The buildings will have pitched roofs and the mix of a locally prevalent red brick with a darker brown and white brick will add variety and help break up the mass of each block whilst also respecting the character of the area. Zone 2 will be the waterfront buildings adjacent to St James' Mill (this is also within the conservation area and to the west of the city wall). The new river front buildings will respond to the height of the mill whilst remaining subservient to it. The use of materials will help create a visual gap from the mill and help break up the mass of the block. Zone 3, which falls outside the conservation area and to the eastern side of the city wall will have larger scale buildings which will be more contemporary in nature and will form a transition between the existing office buildings to the east and the proposed development to the west. There will also be two distinct landscape zones. The area in front of the waterfront building will form a quayside whereas the open space in front of the larger scale building will be soft landscaped.
109. The proposal will also reintroduce a building line along Barrack Street and reintroduce a frontage onto the river. Overall therefore it is considered that the layout of the proposed buildings responds to being both inside and outside of the city wall. The large modern built form outside the conservation area is acceptable and the more granular form inside the city wall is considered appropriate.

### **Routes through the site**

110. The development of the site will open up and enhance a number of important pedestrian links. It will provide for a major new north-south link from the bottom of Silver Road to the river, along the line of the city wall. It will also provide secondary north-south links from Barrack Street to the river at the east and west ends of the site. It will provide east-west links from St James Court through the development site to the remainder of the area to the west and it will provide improved natural surveillance of the existing riverside walk.
111. In terms of vehicular access the main access will be from Barrack Street via Gilders Way which is the 'secondary' access which was approved under application 07/01363/D. A temporary access-point will be created from Barrack Street (at the existing cross-over that served the main doors to the demolished print-works). This

will be used for construction traffic only and on completion will revert to a pedestrian/cycle link only. A minor access way from St James Court is also proposed which will be for emergency vehicles only (plus cycle and pedestrians).

### **Height and massing**

112. It is considered that the proposed development has been carefully and appropriately modelled. As previously discussed there is a clear distinction in the proposed urban grain inside and outside of the city walls and a differentiation of public realm between hard and soft in the context of the wider character of the riverside.
113. The west of the city walls is developed as a series of perimeter blocks defining a grid of relatively narrow streets. On the Barrack Street frontage it is proposed to have two storey terrace properties which relate well to the listed cottages which are to remain and to the puppet theatre. Inside the site the buildings step up to three storeys, then four (with a recessed fifth floor) and five storeys adjacent to the mill which means that the mill remains dominant.
114. The eastern part of the site relates well to the larger scale modern development to the east. Blocks G and H both step up to seven storeys at their highest point but are set back from Barrack Street and the river frontage with extensive areas of green space surrounding the blocks which helps mitigate the impact of the proposed development in views from Whitefriars bridge and the riverside walk.

### **External appearance and detailing**

115. The visualisations and streetscenes submitted with the application suggest a successful piece of architecture will be created across the site. The variation in height, mass, form and materials will add visual interest, break up the mass and help the buildings fit in with their surroundings. There is a good variation across the scheme with some contemporary elements whilst other buildings are more traditional and appearing more as a collection of townhouses.
116. To ensure a high quality design, it will be important that careful consideration is given to materials and the detailing which can help reinstate the sense of place and character of the area. Brick is a dominant material in the locality and it is noted that red brick is prevalent. This scheme proposes red brick but also introduces variety by using two further brick colours, a darker red-brown brick and a contrasting off-white brick. It is also proposed to use a dark grey rainscreen cladding which in particular will help create a visual 'spacer' between the new riverside building and St James Mill. Officers have some reservations regarding the extent of the cladding; the applicant has responded to these by suggesting a number of options for introducing brick on the western elevation. Final details of this elevation and the precise extent of the cladding can be dealt with by condition.
117. The ground floor of a number of buildings is occupied by undercroft parking which has created some design challenges. Inside the city walls, duplexes are used to create a ground floor residential frontage in a number of places and elsewhere, open metalwork screens will maintain security to the parking areas whilst allowing ventilation. It is proposed that the screens will have letters on them to provide heritage interpretation and to link the new development to its history as a print

factory. This approach is considered appropriate and will ensure that there is activity and visual interest at ground floor level.

118. In order to ensure that the proposed development is of high quality, a palette of material samples will be required for approval by condition.

### **Public Realm**

119. The proposed development provides a number of opportunities for public realm enhancements. In particular the new primary north-south connection between Barrack Street and the river, along the line of the city wall, will not only be a cycle/pedestrian route but will also provide a green space which incorporates play areas. A new public open space will also be created on the river. This will be a natural area and will be an extension to the green 'river bank' zone. The riverside area inside the city walls will be developed as an extension of the hard urban quaysides. The existing planting zones on Barrack Street will be retained.
120. The riverside walk would be retained and improved with the proposed scheme. The existing route is situated between the river bank and site hoardings. The proposed development would increase the activity and amenity on the riverside by introducing a riverside café, a commercial unit, the print work museum, public open space and tree planting.

### **Main issue 3: Heritage**

121. Key policies and NPPF paragraphs – DM9, NPPF section 16.
122. There are a number of listed buildings within the vicinity which include 77-79 Barrack Street (part of the development site), St James Mill, Former Church of St James (Puppet Theatre), C12/13 Undercroft at junction of Whitefriars and St James Court and remains of Anchorite House on Whitefriars. Norwich Cathedral is located approximately 330m to the south of the site. The remaining sections of the City Walls and towers are designated as a Scheduled Ancient Monument.
123. The site is situated within Norwich City Centre Conservation Area with the main body of the site falling within the Northern Riverside character area, whilst the row of cottages fronting Barrack Street constitutes a part of the Northern City character area. In its current state the site does not make a positive contribution to the character of the area, while the large mid-20<sup>th</sup> Century factory building which previously covered the site was identified as a negative building within the Conservation Area Appraisal. As discussed in main issue 2 it is considered that the proposal is of good design. The current emptiness of the site is harmful to the character and appearance of the conservation area and the setting of nearby listed building and it is considered that the proposal will enhance the conservation area.

### **Demolition**

124. As part of the redevelopment a number of demolitions are proposed. This includes the mid-20<sup>th</sup> Century Annex to St James Mill. This utilitarian structure contains the Jarrolds Printing Museum and is identified as a negative building in the city council's Conservation Area appraisal. Although attached to St James Mill, the applicant has submitted evidence which confirms that the building is not listed as the building which stands today was not in ancillary use to the principal listed building at the date of the listing, in that St James Mill was listed in 1954 yet the

annex was not constructed until approximately 10 years after that date. The building is of little architectural or historic merit and therefore its demolition is considered acceptable subject to its careful removal so as not to harm the engine house which is to be retained.

125. It is also proposed to demolish 67-75 Barrack Street. Although it is regrettable that the two storey nineteenth century buildings are to be demolished it is considered that the replacement with a row of terrace buildings is appropriate. The RSPCA building is not attractive and it would be difficult to retain the buildings either side and achieve such an attractive replacement. A heritage interpretation condition should be attached to any consent to ensure that the buildings are fully recorded prior to demolition and some form of heritage interpretation is provided on site.
126. The mid-twentieth century garage block south east of the listed cottages is also proposed for demolition. It is also proposed to demolish the mid C20th maintenance building which is another utilitarian structure which is attached to the standing remains of the City walls and to demolish the standing remains of the c20th factory buildings (with the exception of the flint-panelled wall facing the former churchyard to the rear of the puppet theatre).

### **Printworks museum**

127. The printing museum was founded in 1982 by Peter Jarrold, the then Chairman of Jarrold and Sons Limited, with a small group of volunteers who were keen to continue their involvement with traditional printing skills. Peter Jarrold dedicated the Printing Museum to his father, John Jarrold, a pioneer and renowned innovator in colour print reproduction techniques. The printing museum is a private collection of artefacts accumulated over the years. The organisation is not affiliated, accredited or registered with any statutory museum service or body and since inception the printing museum has remained financially dependent on the company and has not received any statutory or grant funding.
128. In 2006 the commercial printing business operating on the site ceased but the printing museum continued to provide a base for volunteer members. Today there are 22 volunteer members who regularly support the printing museum. Of these approximately half are former print industry employees, some of whom have in the past worked for Jarrolds. The remaining volunteers are printmakers and artists (several of whom have associations with Norwich University of the Arts). The volunteers gather on a social and voluntary basis for three hours every Wednesday to operate a selection of the machinery kept within the printing museum.
129. The museum is open to the public at restricted times equivalent to 3 hours a week plus pre-arranged group visits. There is no entry cost. The museum does currently include elements of a working museum where volunteer members may operate equipment under the supervision of the active officers who have the skills to operate specialist machines. Due to Health and Safety concerns children under 12 are not allowed in the museum when any demonstrations are being performed.
130. The printing museum has, since 1982, relocated a number of times around the Jarrold owned site and is now in its third position.
131. The museum has approximately 1,000 visitors per annum of which approximately one third of visitors attended on heritage open days but no machines are

demonstrated during these open days. In recent years the longevity of the printing museum has become a concern given the aging profile of the retired volunteers and due to ongoing health and safety obligations.

132. This private collection not only includes artefacts from Jarrolds but also many items that have been donated, some of which do not relate to the type of printing that was carried out by Jarrolds and there is also some duplication within the collection.
133. Jarrolds wish to retain a sustainable printing museum as part of the development; however they feel that it only serves a relatively small number of people with very limited accessibility. This coupled with concerns regarding the operational sustainability of some working elements of the printing museum has led them to consider how best to retain the museum in the future. The application as submitted included a small space within the café for the display of some artefacts but the proposal has since been amended so that one of the commercial units is now dedicated to a museum. This museum will take a different form than the existing; it is proposed to display equipment with explanation and interpretation which will mean it is open to a much wider audience. The printing museum will display and explain the Jarrolds printing heritage with the benefits of the adjacent proposed café which can be open as one larger unit or closed off, if needed, to enable elements of a working printing museum to continue for as long as operationally safe and feasibly possible. The museum will be wheelchair accessible and will have enhanced facilities. Filmed interviews with the former industry employees have been undertaken and they will also be filmed using equipment enabling audio/visual interpretation to form part of the display.
134. A detailed assessment is being carried out of all of the equipment and Hill and Jarrolds have been working in partnership with the existing volunteers and a panel of experts to identify the key items within the collection that will be retained within the new printing museum. The items that are not significant to Jarrolds will be dispersed through rehoming where possible and offering to local active interest groups and national and local museums.
135. It is proposed that the printing museum will be open Monday to Friday at times when the adjacent café facility is open. The exhibition will allow members of the public to navigate through the Jarrolds Printing storey.
136. There has been a significant amount of public opposition to the application, with the majority of objections relating to the loss of the museum and it is understood that many local residents and visitors to Norwich feel that the proposal does not satisfy the requirements of policy CC17b and in particular it will not re-provide a working museum.
137. The museum will be different; however it will have a more secure future within its new home. Currently the council has no control over the museum and Jarrolds could take the decision to close the museum at any time and to dispose of all its contents. As part of this application a new home can be secured. It is acknowledged that the new museum will be significantly smaller than the existing and it will take a different form; however it will be much more accessible to the general public with the opening hours being extended, wheelchair access being provided, children being permitted to enter the museum and people being able to understand the story of Jarrolds Print Works without having to have volunteers explain this to them. The museum has had three different homes during its lifetime

and it is considered that this development provides the opportunity for the John Jarrolds Print museum to have a long term, sustainable future.

### **77-79 Barrack Street**

138. 77-79 Barrack Street are a pair of early 19<sup>th</sup> Century houses, which date from 1816. They are one-up, one-down terraced houses but have been unsympathetically extended at ground floor level. When they were converted into a fish and chip shop the two properties were also knocked into one and a large amount of the original fabric and features was removed. They are 2 storeys and formed part of a larger run of cottages. The properties are whitewashed red brick on the front and rear elevation and rendered on the exposed gable end. They have a pantiled roof which is red to the rear slope and black-glazed to the front.
139. The properties are in a poor state of repair but they are rare survivors of one-up, one-down cottages and are reported to be the last in Norwich of this type. The buildings modest proportions and historic patina of age, as well as their surviving historic form and fabric contribute to their overall heritage value and significance. These modest properties benefit from aesthetic, historic (illustrative) and social/communal heritage value and significance. The buildings appear to be suffering from structural movement and are in a poor condition as a result of dis-use and neglect. They are on the city's Buildings at Risk Register.
140. Bringing the cottages back into residential use is welcomed and is a benefit of the scheme. It will ensure the building's future and the renovations will mean that the buildings can be removed from the buildings at risk register. The cottages are to be extended at ground floor and first floor level although by having a half width extension at the upper floor level this will help minimise harm and preserve the dual aspect of the original one-room deep cottages. The extensions are considered necessary in order to provide sufficient living accommodation and the necessary modern amenities. The original stairs, cupboard doors and fireplace in no 77 will be retained and refurbished as part of the development but these have been lost in no 79 Barrack Street so suitable replacements will need to be installed.
141. Norwich City Council's design and conservation officer does however have concerns regarding certain elements of the proposal and in particular feels that there is a lack of information and justification in relation to certain works to the cottages. In particular there is concern that external insulation and render will obscure the historic brick work and patina of age and will blur the lines between the original modest form of the building and the extensions to the rear. The Conservation Officer believes that the loss of the two later date shopfronts for one over one sliding sashes represents conjectural restoration, which is contrary to best practice and that the shopfronts contribute to the significance of the building indicative of their evolution.
142. A number of discussions have taken place with the applicants in relation to the listed cottages and in particular in relation to the proposed insulation. The applicant has concerns that not insulating the properties would mean that the EPC energy ratings for the units would dramatically drop by as many as two levels from the accepted standard and would mean the properties would be less desirable for purchasers. The option of internally insulating the properties has also been explored, but this would result in a number of issues including the removal of the original staircase and existing fireplace which in turn could affect the chimney

construction and structural integrity of the roof. Furthermore this would result in the reduction of floorspace which is already very tight and this option has therefore been considered to be unacceptable.

143. It is acknowledged that externally insulating and rendering the cottages will cover up historic brickwork and will therefore cause harm to the character the buildings. Whilst the harm is not considered to be 'substantial' in NPPF terms, it is 'significant' and extremely regrettable and therefore it is necessary to look at ways of mitigating this harm. As the properties are listed, there is flexibility within building regulations where the regulations would unacceptably harm the character and appearance of the building and therefore not insulating the properties could be accepted. The applicant has subsequently agreed to retain brickwork to the frontage of the properties and now only seeks to render the side and rear elevations of the cottages. This will still cause some harm as it will still cover up original brickwork on the rear; however the gable end is already rendered and with a centrally positioned upper floor extension the original form of the properties can largely still be understood.
144. In accordance with section 16 of the National Planning Policy Framework it is necessary to weight up the harm caused to the character and appearance of the properties through insulating the side and rear and extending the properties with the benefits of bringing the units back into use and the wider benefits of redeveloping the site.
145. Bringing the properties back into use as residential dwellings is beneficial and due to the cost of restoring the cottages it is unlikely that they would be brought back into use in isolation and could potentially remain in their current state for many years. Renovating the cottages is going to result in a financial loss to the developer and the cost of doing this is going to be subsidised by the rest of the development. Overall, it is considered that the wider development provides significant public benefit as it will provide 220 homes on a derelict brownfield site within the city centre conservation area and will also bring the cottages back into their optimum viable use. This is a balanced decision however taking everything into account, it is considered that the public benefits of the scheme outweigh the less than substantial harm to the character of the cottages and will ultimately secure their future.
146. The drawings submitted with the application do continue to have annotations that refer to the possible removal and replacement of the roof and floor plates as a thorough invasive structural survey still needs to be undertaken by a structural engineer and a full repairs schedule compiled. It is felt that this can be satisfactorily dealt with by a 'notwithstanding' condition. Furthermore, it is imperative that the Council secures the repair of these special buildings early on in the development process. If the application is approved a phasing condition should be attached and as part of this, it can be agreed when the cottages will be renovated. This is an effective way of making sure that the buildings are not allowed to remain in their dis-used and dilapidated state indefinitely.
147. It is proposed to demolish the buildings next to the listed cottages and in their place it is proposed to have five dwellinghouses. These will be two storeys in height and will be of a traditional style which is considered to be sympathetic and appropriate and will enhance the setting of the listed cottages as it will replicate the scale and rhythm of the original terrace.

## **St James Church (Puppet theatre)**

148. The existing urban area does not contribute positively towards the setting of the puppet theatre and the development will replace a blank mid 20<sup>th</sup> century factory wall with a row of townshouses. The proposed buildings respect the build line of the listed building and are two storey which ensures that they remain subordinate to the church.
149. The standing remains of the mid-20<sup>th</sup> Century printworks are proposed to be demolished with the exception of the flint-panelled wall which faces the former churchyard to the rear of the Puppet Theatre. This section of wall forms an attractive backdrop to the churchyard and provides support for a number of remaining gravestones. It is proposed to reduce this wall to approximately 1.6m in height and re-cap. The proposed alteration to this wall are not opposed in principle, however there is a lack of detail in respect of the works that might be needed. A condition should therefore be added to any consent requiring full details of the proposed alterations to this wall and its resulting appearance and a structural statement submitted to detail how the works will be undertaken so as not to cause harm the stability of the neighbouring listed building.

## **St James Mill**

150. It is considered that the proposed building on the riverside (building E) complements the mill in terms of height and scale but remains subservient to it. The elevation has been designed to complement the façade of the mill in terms of materials and fenestration. There would be some changes to the setting of the mill as a result of the proposed development; however there would be no significant harm to the overall character of the setting or its contribution to the significance of the listed building. A condition should be attached to any future permission to ensure that the demolition of St James Annex does not harm the Engine Shed and mill.

## **City Walls**

151. Standing remains of the city wall are present within the development site. The setting of the wall will be significantly enhanced through the proposal and will form a focal point. There will be public access to their full length on both sides, the removal of the intrusive maintenance building, the repair of the wall and the creation of standing off zones between the wall and the new building (6m to the west and 10 metres to the east). It is proposed that the new public route will be known as River Lane, reinstating its historic name. A condition should be attached to any future permission to ensure that the removal of the buildings attached to the city wall, does not have a detrimental impact upon the structural stability and character of the city walls.

## **Summary**

152. Overall it is considered that the proposal will have a beneficial impact upon heritage assets. It will bring back into use the listed cottages, remove buildings which have been identified as being negative within the conservation area, enhance the setting of the city wall remains and develop the site with buildings which respect their setting. The loss of the locally listed cottages is regrettable and proposed external insulation and rendering to the side and rear elevation of the listed cottage will also

result in some harm, however it is considered that the wider benefits and in particular bringing back into beneficial use a city centre site which has been vacant for many years, outweighs the less than substantial harm.

#### **Main issue 4: Trees**

153. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.

154. An AIA has been submitted with the application and this assessed 45 individual trees and two groups, some of which are on site and some of which are off site but may be affected by the proposal. The most significant trees to be affected by the proposal are as follows:

- There are several large London plane trees which are growing within the grounds of the adjacent Puppet theatre. Only one of these trees (T1) has an impact on the site. Another large London plane (T17), is located along Barrack Street. Both of these trees are to be retained and should be protected during works.
- There is a line of hornbeam trees on the western portion of the Barrack Street frontage between the Puppet Theatre and the row of cottages (T8 to T15). The trees contribute to the street-scene; however they have grown in a confined space and would cast dense shade onto the proposed residential properties. Norwich's tree officer accepts their loss subject to the replacement of the trees, although Norwich's landscape officer would like to see them retained.
- There are a number of silver birches (T18 to T29) along Barrack Street which are mostly in good condition. Their retention is desirable although the three trees closest to the site are proposed for removal.
- There is a row of mature willows on the river bank in front of St James Mill (T41 to T44). The Willows make a positive contribution to the character of the riverside and should be retained although the root protection area may have implications for works including the demolition of St James Annex.
- Along the river footpath there are several golden false acacias (T38 to T40) and a group of strawberry trees (G2). The false acacias are attractive trees although two are in decline. The strawberry trees currently make an attractive feature and the landscape officer would like to see this tree retained.
- There is a group of mature trees within a raised planter on the eastern portion of the Barrack Street frontage. The group comprises a plane and several silver birches.

155. Overall 18 trees and 1 tree group are proposed to be removed as part of the proposal which includes the removal of category B, C and U trees. The council's landscape officer objects to the loss of the strawberry trees (G2) and the hornbeam trees (T8 to T15) due to their contribution to the streetscape; however the council's tree officer does not object to their loss subject to replacement planting. It is considered that the hornbeam trees will need to be removed so as not to cause amenity issues for future residents and that it would not be possible to retain the strawberry tree and although regrettable, its loss is considered acceptable.

156. The landscaping plans show significant replacement planting which should help soften the development and should contribute towards replacement biomass. A number of conditions should be attached to any future permission to ensure the protection of the trees that are to remain and to ensure the replacement planting takes place. It is considered that bigger tree species should be chosen which have the potential to reach their ultimate height and spread without the need for excessive management.

### **Main issue 5: Landscaping and open space**

157. Key policies and NPPF paragraphs – DM3, DM8, NPPF sections 8, 12 and 15.

158. Developments of 100 dwellings and above are required to provide for informal publicly accessible recreational open space on site as an integral part of the overall design and landscaping of the development. This space should be of an appropriate form and character to allow for meaningful use. The development should also provide play space (of at least 150 sq m in size with a minimum of four different pieces of equipment).

159. A landscape strategy has been submitted with the application and although the precise details have yet to be agreed, this shows that a pleasant and attractive environment will be created for the enjoyment of residents and for visitors. The overall strategy responds to the distinction between the areas within and outside the city wall and will significantly enhance the setting of the city walls. Within the city walls the focus will be on smaller shared courtyards and private gardens with a largely hard landscaped quayside adjacent to the river whereas outside of the wall there is more tree planting and areas of green space.

160. In accordance with policy the proposal will provide a new area of public open space, play provision and green corridors connecting to an enhanced Riverside Walk. The linear play area which is 150m<sup>2</sup> will consist of largely timber play equipment which will be suitable within the setting of the city wall and at the south the play area opens up into a more informal landscaped space.

161. The council's landscape officer has reviewed the proposal and although he feels that more information is required in terms of the landscaping scheme it is felt that this can be conditioned. Furthermore he has made suggestions in terms of how specific details within the overall landscaping scheme can be improved and again this can be dealt with by condition. Overall, therefore, subject to a condition requiring full landscaping details it is considered that the provision of open space and play equipment is acceptable and the proposed landscaping will soften and enhance the design of the buildings and provide a good level of amenity for future residents of the development.

### **Main issue 6: Transport**

162. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9.

163. Part of the site is currently in use as a car park with the remainder of the site consisting largely of a concrete slab which formed part of the former Jarrolds print works. The site is currently not permeable and the development of the site will open up and enhance a number of important pedestrian links. It will provide for a major new north-south pedestrian and cycle link from the bottom of Silver Road to the

river, along the line of the city wall as well as secondary north-south links from Barrack Street to the river at the eastern and western ends of the site. It will also provide east-west links from St James Court through the development site to the remainder of the area to the west and will enhance natural surveillance of the existing riverside walk.

164. In terms of vehicular access the main access will be from Barrack Street via Gilders Way which is the 'secondary' access which was approved under application 07/01363/D. A temporary access-point will be created from Barrack Street (at the existing cross-over that served the main doors to the demolished print-works). This will be used for construction traffic only and on completion will revert to a pedestrian/cycle link only. A minor access way from St James Court is also proposed which will be for emergency vehicles only (plus cycle and pedestrians).
165. The site benefits from good levels of non-car accessibility to employment, services and facilities in the city centre and in the locality. The closest bus stops to the site are located at Silver Road and Bishopsgate which provides regular bus access into the city centre and the Jarrolds footbridge offers direct pedestrian and cycle links from the site over the River Wensum to the city centre. This non-car accessibility is reflected in census data, which indicates that 60% of local residents surrounding the site currently travel to work by non-car modes, compared to 33% for Norwich residents overall.
166. The proposal will result in an increase in vehicular movements associated with the development, however the Transport Assessment submitted with the application confirms that the site access arrangements are suitable to accommodate the traffic associated with the new development. The results of the Transport Assessment show that the Barrack Street/Gilders Way priority T- junction currently operates well within capacity during observed AM and PM peak hours and that it will operate within capacity during baseline 2024 AM and PM peak hours with the currently committed development. It is predicted that the maximum flow increases that will occur on Barrack Street east of the Whitefriars roundabout, will be an additional 37 vehicles during the AM peak hour (about one additional vehicle every 97 seconds), and about a 2% impact on baseline flows. This would be imperceptible from the fluctuations inherent in day-to-day traffic flows. Elsewhere, there are negligible impacts on flows as a result of the development. It is therefore considered that the development would generate a minimal impact on highway link flows and the operation of the Barrack Street junctions with Whitefriars and Kett's Hill. The implementation of a Residential Travel Plan would seek to reduce car driver trips by encouraging non-car modes of travel, which would further reduce the vehicular impact of the development.

### **Residential Travel Plan**

167. It is proposed to provide all households with a Residential Sustainable Travel Information Pack upon occupation and provide all sales staff with information on sustainable travel services and infrastructure which can be conveyed to potential future occupiers. This will allow residents to make informed decisions about their travel choices and encourage immediate uptake of sustainable modes. This will include bus and train timetables, details of how to access car share and car club databases, pedestrian and cycle route maps, information regarding the purchasing of bikes, details of local taxi companies, details of local retail outlets that provide home delivery services and contact details for the travel plan coordinator.

### **Car parking provision**

168. The proposed car parking provision is 162 spaces which includes 1 car club space and two visitor spaces. This is around 0.7 spaces per dwelling. This is mostly in under-croft parking areas and rear parking courts. The townhouses in blocks C and F have integral garages. There is some on-street parking. Six parking spaces are provided north of the St James Mill which are allocated for the commercial units.
169. This level of car parking is considered acceptable due to the site's accessible, edge of centre location where walking, cycling and public transport is a realistic alternative to car use. Prospective residents will be made aware of the car parking provision at the time they are considering purchasing a property within the development and this will be an important part of the residential travel plan for the development. Therefore it is considered that the residential car parking provision will accommodate the residential car parking demand, and there would not be displaced car parking onto nearby streets.

### **Cycle parking**

170. With regards to cycle parking, the local plan sets out that 1 bed units should provide 1 space and 2 and 3 bed units should provide 2 spaces per unit and this development provides bike storage at a policy compliant level. Provision will be made for semi-vertical racks in cycle-storage rooms adjacent to each residential core which are both conveniently located and secure. Although this type of rack is not ideal, alternative, easier to use racks would take up more space and significantly reduce provision and therefore the principle of semi vertical racks is considered acceptable. Due to the small size of the gardens, the townhouses on Barrack Street also have a communal cycle store but the three storey townhouses have garages which are of sufficient size for a car and two cycles. There is also some visitor cycle parking across the site in the form of M-type stands.

### **Bin storage**

171. The proposal includes communal bin stores for the flats and individual bins for the dwellinghouses. The location and size of stores is considered acceptable. It is important that there is level access and dropped kerbs to the bin stores and details of the bin stores should form a condition of any future consent. The drag distances have been reviewed by City Wide Services and they are considered acceptable. Refuse vehicles would be able to turn within the site.

### **Main issue 7: Amenity**

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

#### **Impact upon neighbouring residents**

173. The site is situated within a mixed use area with there being residential and commercial to the north of Barrack Street and office accommodation to both the west and east of the site. Norwich's crown and magistrates courts are situated to the south of the River Wensum and directly to the west of the site is the Norwich Puppet Theatre. The wider Jarrold's site also has outline consent for residential development and an extant permission for office accommodation. Consideration has been given to the impact that the proposal will have upon neighbouring residents and occupiers taking into consideration loss of light, overshadowing and

overlooking and due to the distances involved and the height of proposed buildings it is not considered that the proposal will have any significant impact upon any neighbouring resident or occupier. Furthermore it is not considered that the proposal will have any significant impact taking into consideration noise.

### **Living conditions for future residents**

174. The site will provide 220 units of accommodation which range in size from one bedroom to three bedrooms with there being a mix of dwellinghouses and apartments. All units meet the national space standards and 55% of units are M4(2) compliant (accessible and adaptable dwellings), compared to the target set out in the Local plan of 10%.
175. It is considered that the scheme has been well designed so that most properties will benefit from good levels of light and outlook. Concern was raised at the pre-application stage regarding the relationship between the flats within block A and the dwellinghouses within block A and this did result in part of the flats begin reduced in height. Although it is still considered that two of the dwellinghouses will not benefit from good levels of outlook or light from the rear, it is considered that light and outlook will be adequate and therefore it is concluded that the internal living conditions for all future residents of the proposed development will be satisfactory or good.
176. All dwellinghouses will benefit from some form of private external amenity space and a number of the apartments have balconies. All private spaces are small; however they are of sufficient size for the enjoyment of residents particularly taking into consideration this edge of centre location. Furthermore to the east of the city wall it is proposed to have an area of open space and a play area which all residents from the development can use along with members of the public. The site is also in close proximity to a number of areas of open space within the city centre, including the riverside, and is within 1km of Mousehold Heath. Therefore overall it is considered that the proposal provides sufficient external amenity space. A landscaping condition will however be required to ensure the space is of high quality.

### **Noise**

177. Due to the location on the inner ring road the main concern with regards to future living conditions is noise as the site is fronts the A147 Barrack Street, part of the inner ring road, to the north and is close to Whitefriars to the west. A noise impact assessment has been submitted with the application and this indicates that the recommended daytime and night time guideline levels prescribed in BS 8233:2014 will be achieved in habitable rooms across a large proportion of the development site, with windows closed, assuming standard double glazed windows with a sound reduction of 33dB. However, for facades facing on to Barrack Street (blocks A, B and C), enhanced glazing units with a sound reduction value of approximately 44dB will be required to ensure appropriate internal noise levels can be achieved. This could be achieved with enhanced glazing with a specification such as 4mm glass/100mm air gap/ 6mm glass. On Block G1/G2 which is slightly set back from Barrack Street enhanced glazing with a sound reduction value of 39 dB would be suitable.

178. Furthermore, with windows open the internal criteria is expected to be exceeded across the site, therefore a suitable alternative ventilation strategy will be required. With the recommended measures in place the living conditions for future residents should be acceptable and therefore a condition should be attached to any future permission requiring details of the glazing, mechanical ventilation and trickle ventilation.
179. In terms of external noise levels, BS 8233:2014 states that a desirable level for steady continuous noise should not exceed 50 dB with an upper guideline value of 55 dB which should be acceptable in noisier environments. Three separate external amenity areas, a private garden of Block A, a private garden of Block B and communal amenity space behind block H were included in the noise model. The estimated noise levels at these receptors were 55dB, 42dB and 46dB which fall within the upper guideline levels set out in BS 8233:2014.
180. Finally with regards to noise, the final type, quantity and location of plant at the development site are not yet known and therefore a full assessment of the expected rating noise levels cannot be undertaken at this time. Therefore a condition should be attached to any future permission requiring details of plant including a further assessment of noise levels once the final specification and location of the external plant is known.

### **Noise**

181. The site is located within the Central Norwich Air Quality Management Area and therefore an air quality assessment has been submitted with the application. This shows that background NO<sub>2</sub> and PM<sub>10</sub> concentrations modelled by Defra are predicted to be well within the relevant annual mean objectives at the application site and therefore air quality is considered to be suitable for residential purposes.
182. Overall the proposed development would not have a significant impact on air quality with the increase in predicted concentration of NO<sub>2</sub> at existing receptors location being negligible. All existing modelled receptor locations remain below the annual mean objective of 40 µg/m<sup>3</sup> for the modelled opening year of 2020. The potential for dust during demolition and construction is high but with good site practice the impact could be adequately mitigated and controlled to avoid significant effects. A summary of mitigation measures are provided within the air quality report. A condition should be attached to any future permission requiring a dust management strategy.

### **Main issue 8: Energy and water**

183. Key policies and NPPF paragraphs – JCS3, DM1, NPPF paragraphs 94 and 96.
184. An energy statement has been submitted with the application that sets out the measures planned to achieve energy reductions for the development which includes fabric first and renewable and low-carbon energy technologies. In terms of fabric first these are the measures that are proposed to reduce demand and include energy-efficient building fabric and insulation to all heat loss floors, walls and roof, high-efficiency double-glazed windows throughout, quality of building to achieve airtightness results throughout, high efficiency heating systems and low energy lighting throughout the building

185. In terms of renewable and low carbon energy technologies it is proposed that a Combined Heat and Power (CHP) will be installed to blocks E2, E3, G1, G2 and H. The CHP will be serving 60% and community gas boilers will serve 40% of the demand. Combined Heat and Power comprises of an engine which fires a generator producing on-site electricity. The process also generates heat as a by-product which can then be used to provide space heating and hot water.
186. It is anticipated that the fabric first measures will reduce demand by 12.19% and the low carbon and renewable energy will reduce it by 13.34% which gives a total savings of 25.53%. The report is slightly out of date (i.e. refers to a development for 214 residential units and 2 commercial units) but overall this demonstrates that the development will provide at least 10% of the scheme's expected energy requirements by decentralised and renewable or low-carbon energy and therefore satisfies the requirement of policy 3 of the Joint Core Strategy. Further details of the fabric first measures and CHP can be secured by condition.
187. A condition should also be attached to any future planning permission to ensure that a water standard that is equivalent to Level 4 Code for Sustainable Homes will be achieved.

### **Main issue 9: Flood risk**

188. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
189. At present the site is almost entirely impermeable with only small areas of associated landscaping between parking bays and buildings. The existing peak runoff rates are 143.4l/s for a 1 in 1 year return period and 455.2l/s for a 1 in 100 return period. The majority of the existing site is understood to drain to the River Wensum via a network of public and private sewer networks. Levels across the site vary from approximately 1.8m AOD to 3.0 AOD with levels generally sloping towards the south and south east, towards the River Wensum.
190. The EA indicative flood maps for planning show the majority of the site to be situated in Flood Zone 2 with a minor area in the south east corner of the site being situated in Flood Zone 3. This is in agreement with the EA's general maps, which show the vast majority of the site to be at 'low' risk of fluvial flooding, with very small parts in the south and south east at 'medium' to 'high' risk of fluvial flooding. The site is not impacted by tidal flood risk and the risk from groundwater flooding is considered to be low. In terms of surface water flooding the majority of the site is at low risk of surface water flooding with flood depths being below 300mm on the 0.1% annual probability surface water flood map. However at the northern boundary this increases to up to 900mm.

### **Sequential and exceptions test**

191. The NPPF seeks to direct new development to areas at lower risk of flooding through the Sequential test and sets out that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The NPPF goes on to set out that the sequential test does not need to be applied for individual developments if the site has been identified in development plans through the sequential test. The site is allocated for development however it is allocated for office led mixed use development and therefore consideration should be given to alternative sites. At this point in time it is

concluded that there are no reasonably available sites within the city centre that could accommodate a development of around 220 homes. Therefore as it is considered that it is not possible to locate this development in an area at lower risk of flooding, the exceptions test needs to be applied. Furthermore it should be noted that although part of the site is within flood zone 3 no buildings will be constructed on this part of the site with this area being proposed as open space.

192. The development will provide houses which will help contribute towards Norwich's five year lands supply and will redevelop a brownfield site within the City Centre. As such it is considered that the development provides wider sustainable benefits to the community that outweigh flood risk.
193. A site-specific flood risk assessment has been submitted with the application to demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. The following paragraphs set out the measures to reduce flood risk and to ensure future residents and their properties are safe.

### **Sustainable Urban Drainage Systems**

194. Due to the introduction of soft landscaping, following redevelopment impermeable area within the site is expected to decrease to approximately 1.54 ha. To ensure that flood risk, both within the site and to downstream receptors, does not increase over the lifetime of the development, attenuation of surface water runoff is to be incorporated into the proposed drainage strategy. A review of the suitability of different SuDS options of the site has been undertaken to inform the surface water drainage strategy for the proposal.
195. It is proposed to reuse rainwater on site where possible via roof water collection to use as water for flushing toilets and landscape watering. Due to archaeological remains on site, combined with the poor soil infiltration test results, the applicants consider that infiltration to the ground is not an option for the proposed development and therefore in accordance with the SuDS hierarchy, it is proposed to continue to discharge surface water runoff from the site to the River Wensum albeit at a reduced rate. At present, it is understood that the vast majority of the site currently discharges to the River Wensum via Anglian Water public sewers passing beneath the site. However in accordance with the SuDS hierarchy, to assist in alleviating sewer capacity issues, it is proposed to discharge runoff directly to the River Wensum via a new private outfall.
196. Greenfield runoff rates are 4.6l/s for 1 in 1 year return period and 10.9 l/s in a 1 in 100 year return period. Given the greenfield rates are significantly lower than both the existing and post-development peak rates, attenuating flows to low return period greenfield rates for all storm return periods would result in attenuation storage requirements too large to be accommodated practically and economically on site. It is therefore proposed to restrict runoff to no greater than the existing 1-in-1 year runoff rate of 143.4l/s for all storm return periods up to the 1-in-100 year storm, including a 40% allowance for climate change over the lifetime of the development. This will result in a significant decrease in post development peak surface water flows discharging to the River Wensum. A storage volume of 420m<sup>3</sup> has been used in the development of the drainage strategy with the detailed design being proposed to be worked up as a condition. It is proposed to have permeable paving

and granular sub-base storage across areas of car parking and hard landscaping. On this basis there will be no increase in flood risk to downstream receptors following development.

197. It must however be noted that although the Environment Agency have no objection to the proposal, the Lead Local Flood Authority currently objects to the application with one of the reasons being that they feel that the SuDS hierarchy has not been appropriately applied due to incomplete information regarding infiltration testing. Although this objection is noted the Environment Agency have requested that a condition is attached to any future permission requiring that no drainage systems for infiltration of surface water drainage into the ground is permitted other than with written consent from the LPA due to potential risk to the aquifer that underlies the site. Although this does not rule out infiltration it does suggest that there could be some fundamental issues with infiltration and this along with the ground investigations that have been undertaken would indicate that soakage is not a guaranteed option particularly also due to potential archaeology on the site. The applicants have indicated that they are willing to undertake additional percolation tests post approval and that the proposed sub-base storage system would allow for surface water to percolate out of the base, should ground conditions allow for it and therefore it is suggested that this matter can be dealt with post approval via a condition. Furthermore it is considered that various SuDS options have been considered and the reason for discounting certain forms of SuDs are justified. There may be other types of SuDS which slow down the rate of water leaving the site and can clean the water as well, however there are other issues which mean that these would not be suitable on the site. For example green roofs would not be compatible with the design approach taken to the site particular as the design of the scheme to the west of the wall has a tight urban grain, pitched roofs and traditional materials.

### **Floor levels**

198. It is proposed to raise the Finished Floor Levels (FFL) of the proposed buildings within the site to a minimum of 3.10m AOD where residential accommodation is proposed at ground floor level. This will provide a freeboard in excess of 300mm above the design flood level of 2.76m AOD. This will prevent ingress of floodwaters to these buildings for up to the 1-in 100 year event when taking into account the predicted effects of climate change. Where residential accommodation is proposed at first floor level and above only, with commercial floor space and car parking at ground floor level only, it is proposed that FFLs remain in line with existing levels, broadly equivalent to 2.80m AOD. This FFL will be above the 1 in 100 year flood level as parking and commercial space is considered as 'less vulnerable'.
199. The LLFA have also objected to the proposed floor levels although the Environment Agency have confirmed that they have no objection to the application subject to a condition requiring finished floor levels to be set no lower than 3.10m AOD. The LLFA take into consideration surface water flooding and it is noted that there is currently an issue with ponding at the northern boundary of the site and that with current surface water flood levels the proposed floor levels are 50mm less than that which is normally advised. However the applicant has shown that the ponding (and therefore the current surface water levels) are due to a wall which impedes the overland flood flow routes. This wall is to be demolished as part of the proposal and the development will provide significantly enhanced flood flow routes through the development and therefore ponding should no longer occur.

200. It is also proposed to provide flood resilient construction measures for all buildings within the site, up to the extreme 1-in-100- year + 25% climate change flood level. This will include measures such as concrete ground floors, quick drying construction materials, raised electrical sockets, installing plasterboard horizontally for ease of replacement and the use of air brick covers.
201. A Flood Management and Evacuation Plan has been prepared as the site flood hazard rating is classified as 'danger to most' in a 1-in-1000 year event which includes the site being signed up to the Environment Agency's Flood Warning Direct Service which provides an actively disseminated system of flood warnings. This would enable occupants of the site to gain sufficient warning of a flood event for preparation to take place.

### **Summary on flooding**

202. The proposal will provide significant betterment in terms of flooding and surface water and there are constraints to the site (including physical, design and financial constraints) which would rule out a number of other SuDS options. With improved flow paths, it is considered that the development will be safe for its lifetime taking account of the vulnerability of its users, will not increase flood risk elsewhere, and will reduce the flood risk overall. Furthermore Anglian Water have confirmed that the foul sewerage system has available capacity and have accepted in principle the proposed method of surface water disposal. It is considered that all outstanding matters relating to flooding can be dealt with by condition.

### **Main issue 10: Biodiversity**

203. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
204. A preliminary ecological appraisal report and bat survey report were submitted with the application, which were carried out by suitably qualified ecologist in accordance with best practice. The ecology report was updated as the Council requested that further consideration be given to otters.
205. The site itself contains predominately habitats of negligible ecological value in their own right i.e. hard standing and buildings. There are three statutory designed sites for nature conservation within 1km of the site, one Site of Special Scientific Interest (St James Pit SSSI), one Local Nature Reserve and one County Wildlife Site (Mousehold Heath). The site is also situated 1km from Train Wood which is a County Wildlife Site. There is however no functional links such as hedgerows, waterways, tree lines or any other type of connecting habitat which would allow wildlife from these designated sites to access the development site. The river Wensum is however a key natural asset and sensitive ecological corridor which is also designated as part of the Broads National Park and this is situated just to the south of the site and includes a section of semi-natural riverbank which may represent relatively valuable habitat.
206. As part of the redevelopment a number of demolitions are proposed which pose a risk to bats. The demolition of building 7 would result in the destruction of an occasional roost and the demolition of buildings 1, 2, 4 and 5 will remove potential roost habitat. Therefore replacement roost space in the form of bat boxes should be provided as compensation as part of best practice mitigation which can be conditioned. Furthermore an appropriate mitigation licence would be required from

Natural England and a soft strip of buildings should be undertaken within the bat active season April to October to negate the very low residual risk to bats.

207. A number of species of birds were recorded on the site and therefore a condition should be attached to any future permission setting out that the demolition of buildings should not take place within the bird nesting season unless an inspection is carried out by a suitably qualified ecologist 24/48 hours prior to commencement of works. Trees will be planted across the site which will provide mitigation for the loss of breeding bird habitat. In addition integrated bird boxes should be incorporated into 30% of the units built with suitable target species including sparrow and swift.
208. With regards to otters, an updated Preliminary Ecological Appraisal Report (PEA) has been submitted which acknowledges the presence of this protected species along the River, and the risk of disturbance posed by the development. The proposed mitigation/compensation measures including production of a Construction Environmental Management Plan are accepted and should be conditioned. Pollution prevention guidelines will also need to be followed during the construction period.
209. In terms of mitigation and enhancement a condition should be attached to any future permission requiring further details of these and their implementation which can be delivered as part of a wider landscaping strategy. This should include the provision of bird and bat boxes, the control of external lighting, the creation of natural river edge/marginal habitat along both the engineered and semi-natural bank together with riverside planting to provide canopy linkage.

#### **Main issue 11: Contamination**

210. Key policies and NPPF paragraphs – DM11, NPPF paragraphs 120-122.
211. A desk based 'Factual and Interpretative Ground Investigation Report has been submitted as part of this application. It identifies the potential for contamination at the site, in particular lead, certain PAHs, arsenic and mercury. The redevelopment of the site acts as an opportunity to remediate the site.
212. The report recommends that additional soil and groundwater investigations are required which the Environment Agency agrees with. Therefore it is proposed that a number of contamination conditions are attached to any future permission to ensure that the proposal will not pose an unacceptable risk to the environment. It is considered that measures to mitigate contaminants are likely to be achievable.
213. No comments have been received from Norwich's Environmental Protection team; however it is considered that the information required by condition would also ensure that there was no unacceptable risk to public health.

#### **Main issue 12: Affordable housing**

214. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraph 57.
215. Policy 4 of the Joint Core Strategy has a target for 33% affordable homes to be provided on all schemes of 16 dwellings or more. 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.

216. Policy DM33 of the DM Policies Plan sets out 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.
217. The NPPF 2019 considers that the use of viability assessments at decision making stage should not generally be necessary, as proposals for development should accord with the relevant policies in an up-to-date development plan. The planning practice guidance states that "[p]olicy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage" (Ref. ID. 10-002-20180724). Paragraph 57 and practice guidance paragraph 10-007 set out circumstances where a decision stage viability assessment may be appropriate and places the emphasis on the applicant to demonstrate whether particular circumstances justify the need for a decision stage viability assessment.
218. The Joint Core Strategy Policy 4 was adopted prior to the publication of the NPPF 2018 and sets a single "target proportion" of affordable housing across the area. The policy advocates adjustments to this requirement where it can be demonstrated that affordable housing requirements along with site characteristics and infrastructure requirements would render the site unviable in prevailing market conditions.
219. The approach taken by policy 4 of the JCS stems from the evidence base for the policy which concluded that a significant proportion of schemes would not be viable at the target level of affordable housing. Therefore decision stage viability assessment is supported by the policy and was advocated during the examination into the plan.
220. JCS policy 4 did not take an approach that "allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage" (planning practice guidance Ref. ID 10-002 20180724) indeed both supported the opposite approach of promoting viability assessment at the decision making stage. For this reason and in the context of the current policy, it is considered that decision stage viability assessments are appropriate in principal in accordance with JCS policy 4.
221. The application as originally submitted included the provision of 10 no. 1 bedroom affordable rent flats which equates to 4.5% affordable units and this was supported by a viability appraisal. This sought to demonstrate that a policy compliant scheme is not viable, that the development can only marginally support a provision of 4.5% affordable housing provision and that the provision of any more than 4.5% affordable housing would make the scheme unviable. This report is available on Norwich City Council's website.

222. As the offer of affordable housing was not at a policy compliant level the District Valuer was instructed by the Council to look at the viability in order to establish whether there was a financial justification for any further affordable housing. The District Valuer has undertaken his own research into both current sales values and current costs and his findings are also available on Norwich City Council's website and is appended to this report. In summary the District Valuer was of the opinion that although the development values and development costs were broadly agreed with there were two areas where there are significant differences between the two assessments. These were Ground Rents and the Benchmark Land Value (BLV).
223. With regards to Benchmark Land Value, the NPPF/NPPG suggest that the BLV should be based on the existing use value, excluding hope value, plus a premium to provide a reasonable incentive for a land owner to bring the land forward for development. In addition an alternative use value may be informative in establishing the BLV but it must have an implementable permission for that use and no premium would then be included.
224. The applicant originally looked at the site on the basis of a commercial site together with the existing uses for residential, commercial and garages for the frontage properties which overall showed a value of £3,410,794. They revised their assessment to consider the site as an overflow car park which gave a total of £4,511,102 (including a reduction of 25% for a single sale). However, the applicant decided to adopt the initial benchmark of £3,410,794 to test viability.
- a) The council considers that it is difficult to value the site as most of it is a concrete slab and there is nothing that the site can be used for without planning permission. Notwithstanding this the District Valuer has based the benchmark value on the following; Frontage properties (67-79 Barrack Street and Garages) – Existing Use Value (EUV) of 67-79 Barrack Street at £1,019,803 plus a premium of 20% and EUV of the garages at £90,000 plus a premium of 20% which gives a total value of £1,330,000.
  - b) Car Park – land to the east of the city wall has a valid use as a car park for 109 spaces. This has been valued on its existing use plus a premium. Taking into account of car parking income from similar car parks, this would suggest a net income of £57,492. Capitalised at 8% and with a 20% uplift this would give a total value of £862,380.
  - c) Remainder of the site – This equates to approx. 2.106 acres and has been assessed on its alternative use as commercial (the allocation for the site is for an office led mixed use development). Savills are of the view that approx. £400,000 per acre is appropriate for a cleared site in this location. The District Valuer is of the opinion that this value is not understated however on the basis that it does not have a planning consent at this stage have deducted 10% for the risk. Overall therefore the value of the remainder of the site is £758,160. This gives a total benchmark land value for the site of approx. £2,950,000.
225. In terms of ground rents, the government announced last year that they would crackdown on unfair leasehold practices in respect of ground rents and they have recently been out for consultation suggesting ground rents are capped at £10 per annum. However since no legislation has been enacted the policy of the District Valuer is to include ground rents at this stage at the current market level. Savills have included ground rents at £10 per annum for all the market units capitalised at

4% but the District Valuer has adopted an average ground rent of £250 per unit per annum but has capitalised at 5% less costs since this is still achievable in the current market. If legislation is however enacted and ground rents were reduced to £10 the scheme with a 10% affordable housing provision would show a deficit of £471,833 (although there would only be a need for an increase of just less than 1% in market values to cover this).

226. It is therefore proposed that a review mechanism is included as part of any future s106 agreement for the development to cover this scenario. This would be in addition to the reviews required by policy in the event that development is not commenced within 12 months of the date of permission and is not occupied within a specified period following commencement. For a scheme of this size, 24 months is considered to be a reasonable period to trigger the 2<sup>nd</sup> review.
227. The District Valuer has assessed a policy compliant scheme, an all private scheme and what he believes is a viable scheme the results of which are as follows:
- (a) A policy compliant scheme with 147 private units, 73 affordable units (85:15 split), 3 commercial units, CIL of £1,266,097 and a blended profit level of 18.3% shows a deficit of £1,511,253 which is not viable.
  - (b) An all private scheme of 220 units with a CIL of £1,936,168 shows a residual land value of £4,326,973 which is a surplus of approx. £1,376,973 against the benchmark land value of £2,950,000.
  - (c) A scheme with 22 affordable units (10% and 85:15 split), CIL of £1,758,356 and a land value of £2,950,000 shows a surplus of £206,209 which is viable.
228. The council and applicant have not reached agreement on the details of the viability appraisal. Notwithstanding this, the applicant has now agreed a position with the landowner which now means that the applicant is in a position to agree to 10% affordable housing provision with a policy compliant tenure mix of 85:15 rented:shared ownership. This proposed mix accords with the findings in the 2017 update to the SHMA which shows that the affordable housing need in the City is primarily for rented rather than low cost home ownership and also supports the mix set out within JCS 4. The annual need for affordable housing for rent is 240 units (86.78%) whereas the annual need for low cost home ownership is only 37 units (13.43%).
229. On the basis of the applicant's revised offer it is considered that the proposal is acceptable and accords with policy 4 of the Joint Core Strategy as it has been demonstrated that it is not viable to provide 33% affordable units and the applicants have now agreed to provide affordable housing at a level and at a tenure which is judged to be viable by the District Valuer and will meet housing need within Norwich.
230. As per the advice within the affordable housing SPD this would be subject to a review within 12 months if development has not commenced. Furthermore if development has commenced within 12 months of the decision being issued it is suggested that a review is undertaken if there has been no occupation within a further 24 months from commencement. In this instance, and as indicated above, there would be a 3<sup>rd</sup> review in the event that legislation is introduced to cap ground rents.

## Compliance with other relevant development plan policies

231. 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.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

## Other matters

232. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: List relevant matters.

Archaeology - The interim results of the fieldwork provide sufficient information to make an informed planning recommendation. The trial trenching has confirmed that significant heritage assets with archaeological interest of at least medieval and potentially earlier date are present at the site. The nature of the proposed development is such that these heritage assets would be adversely affected by the proposed development. However the nature and scale of this impact could be effectively managed through an appropriate programme of archaeological mitigatory work. This can be dealt with by condition.

Services - UK power have confirmed that the distribution network will provide sufficient capacity within the context of the provision of a new on-site substation. There is a gas mains on Barrack Street and BT have a distribution network within the adjacent highway.

## Equalities and diversity issues

233. There are no significant equality or diversity issues. It is proposed that 55% of homes are M4(2) compliant (accessible and adaptable dwellings), compared to the target set out in the Local plan of 10%. The café and museum will be wheelchair accessible.

## **S106 Obligations**

234. Any approval would need to be subject to a s106 agreement in order to secure affordable housing. It is proposed that the terms of the s106 are as follows:
- 22 x affordable housing units of which 19 are affordable rent and 3 are shared ownership.
235. As per the advice within the affordable housing SPD this would be subject to a review within 12 months if development has not commenced. Furthermore if development has commenced within 12 months of the decision being issued it is suggested that a review is undertaken if there has been no occupation within a further 24 months from commencement. A review mechanism should also be built in if legislation is enacted to cap ground rents.
236. All other matters can be dealt with via condition.

## **Local finance considerations**

237. 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.
238. 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.
239. In this case local finance considerations are not considered to be material to the case.
240. The development would be CIL liable and the level of CIL would be dependent upon the level of affordable housing provision (affordable housing can apply for relief). The district valuer has concluded that a scheme for 10% affordable housing (based on a 85:15 tenure split) would be viable and this would have a CIL contribution of £1,758,356.

## **Conclusion**

241. The site is allocated for office led mixed use development and therefore this application for a predominately residential development is a departure from the local plan. The NPPF sets out that where there is no reasonable prospect of a site being used for the allocated use, applications for alternative uses should be treated on their merits having regards to market signals and the relative need for different land uses to support sustainable local communities.
242. Norwich currently does not have a five year housing land supply and evidence provided by the applicant would suggest that office accommodation would not be viable on the site and that if demand increases there are already two office blocks that have an extant consent on the wider Jarrolds site that could be delivered and a number of vacant office units within nearby office blocks which could be occupied. Therefore on balance it is considered that an alternative form of development for

residential can be supported particularly as this would contribute significantly towards Norwich's five year housing land supply and would redevelop a brownfield site which is currently under-utilised.

243. The proposed development would also provide a number of benefits. The current condition of the site is poor and development has the potential to significantly enhance the quality of the conservation area, the streetscene along Barrack Street and the views of the Riverside Walk. The overall design of the proposal responds to being both inside and outside of the city wall and the development will open up and enhance a number of important pedestrian links. It is considered that the proposed development has been carefully and appropriately modelled with the development to the west of the city wall being based on perimeter blocks and allowing the mill to remain dominant whilst the development to the east relates well to the larger scale modern development to the east. Furthermore the proposed materials help break up the mass and add visual interest. The development also provides a number of opportunities for public realm enhancements and provides a new play area and area of open space which enhance the setting of the city walls. The proposal will provide a replacement printworks museum which although much smaller in scale and will take a different form from the existing museum will ensure that it has a sustained future and will have extended opening areas and be more accessible.
244. In terms of transport, it is considered that an appropriate level of car parking is to be provided and bike storage will be provided at a policy compliant level. The location and size of bin stores is also acceptable. The proposal will have little impact upon any neighbouring residents and will provide good living conditions for future residents of the site, subject to conditions relating to glazing and ventilation in order to protect residents from road traffic noise. The development will provide at least 10% of the scheme's expected energy requirements by low carbon and renewable energy and the proposal will provide significant betterment in terms of flooding and surface water.
245. The scheme will also provide 10% on site affordable housing which is at a level which has been judged to be viable by the District Valuer for the particular form of development proposed and the tenure mix and type of properties will help meet housing need in the city.
246. In relation to the listed building consent application, it is acknowledged that the proposal will bring back into use two listed cottages which are currently on the Building at Risk Register and this is welcomed. The proposed restoration will result in some harm to the listed cottages through the extension of the cottages and the provision of external insulation and render to the side and rear elevation as this will partially obscure the historic brick work and patina of age and will blur the lines between the original modest form of the building and the extensions to the rear. The level of harm is considered to be less than substantial and in accordance with section 16 of the National Planning Policy Framework it is necessary to weight up the harm caused to the character and appearance of the properties with the benefits of bring the units back into use and the wider benefits of redeveloping the site. Overall it is considered that the wider development provides significant public benefit as it provides 220 homes on a derelict brownfield site within the city centre and will also bring the cottages back into their optimum viable use. It is therefore considered that the wider benefits outweigh the less than substantial harm and therefore the recommendation is that both the full planning permission and listed building consent applications area approved.

## Recommendation

- (1) To approve application no. **18/01286/F** - Barrack Street Development Site Barrack Street Norwich 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. Compliance with approved plans
  3. Details of external materials
  4. Details of glazing and ventilation system for noise attenuation purposes
  5. Details of other plant and machinery
  6. Remediation of contamination
  7. Unexpected contamination
  8. No surface drainage by percolation without prior approval
  9. Details of piling and foundation design
  10. Clean imported topsoil and subsoil
  11. Archaeological written scheme of investigation
  12. Stop work if unidentified archaeological details found
  13. Standards for water efficiency (residential)
  14. Standards for water efficiency (commercial)
  15. Sustainable urban drainage systems – submission and implementation
  16. Details of finished floor levels
  17. Details of flood proofing measures
  18. Flood warning and evacuation plan
  19. Details of external lighting
  20. Fire hydrants
  21. Provision of 10% lifetimes homes/accessible, adaptable dwellings
  22. Phasing details
  23. Submission and implementation of ecological mitigation work in accordance with submitted surveys
  24. No works during bird nesting season
  25. Provision of small mammal access in boundary treatments
  26. No works from November to February in areas where surveys have identified presence of roosting bats
  27. Details of slab levels
  28. Details of heritage interpretation measures
  29. Renewable energy details
  30. Landscaping details including maintenance generally and specifically of city walls
  31. Details and implementation of riverside walk plus access and maintenance arrangements
  32. Provision of cycle parking and bin storage
  33. Details of access and parking and provision thereof
  34. Arrangements for maintenance of new roads
  35. Removal of permitted development rights for residential extensions, curtilage buildings and boundary treatments
  36. Use of museum unit as a museum only and for no other purpose within Class D1
  37. Restricted delivery hours to commercial units in block E2/E3 (not before 0700 or after 1900 Mon-Sat and not at all on Sun and Bank Holidays)
  38. Restricted opening hours on commercial units in block E2/E3 (not between 2359 and 0600 on any day)
  39. Provision and maintenance of play area

40. Details of demolition and construction method statement
41. Submission of full travel plan
42. Works to be carried out in accordance with arboricultural implications assessment, method statement and tree protection plan
43. Supplementary arboricultural method statement submitted before demolition works
44. Programme for recording prior to demolition of St James' Mill Annex and 67-69 Barrack Street
45. Methodology for protection of city walls during demolition and construction
46. Structural engineers report prior to demolition of St James' Mill Annex
47. No demolition of St James' Mill Annex or 67-75 Barrack Street prior to signing contract for redevelopment of whole site
48. Securing provision of replacement print museum
49. Securing works to 77-79 Barrack Street

Informatives:

1. Car free housing
2. Landscape management plan
3. Landscape schedule of maintenance operations
4. Construction working hours
5. Site clearance and wildlife
6. Tree protection barriers
7. Planning obligation
8. Travel plan
9. Street naming and numbering
10. Bins
11. Scheduled Monument consent will be necessary for demolition of the modern building attached to the city wall and for any works to it.

Article 35(2) 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 the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

- (2) To approve application no. **18/01287/L** - Barrack Street Development Site Barrack Street Norwich and listed building consent subject to the following conditions:
1. Standard time limit
  2. In accordance with approved plans
  3. Access for recording at 77-79 Barrack Street
  4. Requirements for schedule and specification of repairs to 77-79 Barrack Street
  5. Details of joinery, flues etc.
  6. Making good any damage caused
  7. Submission of structural engineers report prior to demolition of 67-75 Barrack Street to show how 77-79 Barrack Street will be protected during demolition
  8. Submission of structural engineers report prior to demolition/alteration of walls facing St James Church

9. No scaffold to be affixed to either 77-79 Barrack Street or the wall facing St James Church without prior approval

Informative notes:

1. Requirement to comply with conditions etc
2. Retention of historic fabric

Reason for approval:

The principle of bringing back into use two listed cottages which are currently on the Building at Risk Register is supported and the proposed residential use is considered to be the optimum viable use for the buildings. The proposed restoration will result in some harm to the listed cottages due to the proposed extension of the cottages and the provision of external insulation and render to the side and rear elevation. This will obscure the historic brick work and patina of age and will blur the lines between the original modest form of the building and the extensions to the rear. The level of harm is considered to be less than substantial and in accordance with paragraph 196 of the National Planning Policy Framework should be weighed up against the benefits of bringing the units back into use and the wider benefits of redeveloping the site. In this instance it is considered that the wider development provides significant public benefits as it will provide 220 homes on a derelict brownfield site within the city centre and will also bring the cottages back into their optimum viable use. Furthermore the alterations to the flint-panelled wall which faces the former churchyard to the rear of St James Church will not result in harm to its setting subject to conditions requiring full details of the works. It is considered therefore that the benefits outweigh the less than substantial harm and therefore the development accords with policy DM9 of the Development Management Policies Plan (2014) and paragraph 196 of the National Planning Policy Framework.

The Puppet Theatre

3 St James Court (Barclays)



Revision	Schedule
A05	03/08/18
A06	10/08/18
A07	13/08/18
A08	20/08/18
A09	23/08/18
A10	20/11/18
A11	20/12/18
A12	08/01/19

Revision Description

0 5 10 20 m



Rev	Date	CHK	Revision Description
A05	03/08/18	MW	Minor revisions, see block-by-block plans.
A06	10/08/18	MW	Status updated, 'Issued for Information', minor amendments.
A07	13/08/18	JE	Added brick piers and set back 'letter screen' on Block E2/E3 North elevation.
A08	20/08/18	EB	Revised per client comment.
A09	23/08/18	EB	Revised per client comment.
A10	20/11/18	MW	Print Museum shown (unit enlarged).
A11	20/12/18	MW	2x additional parking spaces shown (Blocks A and E1), 2x spaces deleted south of Block E1, Visitor parking shown (Block E1), Gates to Block D car park shown.
A12	08/01/19	MW	1x parking space deleted east of A-G.03.

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River Wensum

Offices Block F1/F2 (Consented)

Feilden+Mawson

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 1 Ferry Road Norwich NR1 1SU  
 90 St Andrew Street, Cambridge, CB2 3AH  
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 www.feildenmawson.com

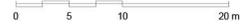
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 JOB Jarrod's Site, Barrack Street, Norwich

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S2	Issued for Information
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Drawing Number	8436- FM- DR- 100-A12



Revision Schedule

Rev	Date	CHK	Revision Description
A00	11/12/17	MW	Initial issue. Supersedes SK-03/SK-04.
A01	30/04/18	MW	General revisions, see block-by-block plans for detailed description.
A02	30/07/18	MW	Block footprints revised, see block-by-block plans for detailed description.
A03	03/08/18	MW	Minor revisions, see block-by-block plans.
A04	10/08/18	MW	Status updated, 'Issued for Information', minor amendments.
A05	20/08/18	EB	Revised per client comment.
A06	23/08/18	EB	Revised per client comment.
A07	20/12/18	MW	Block C and F overheads stars reversed.



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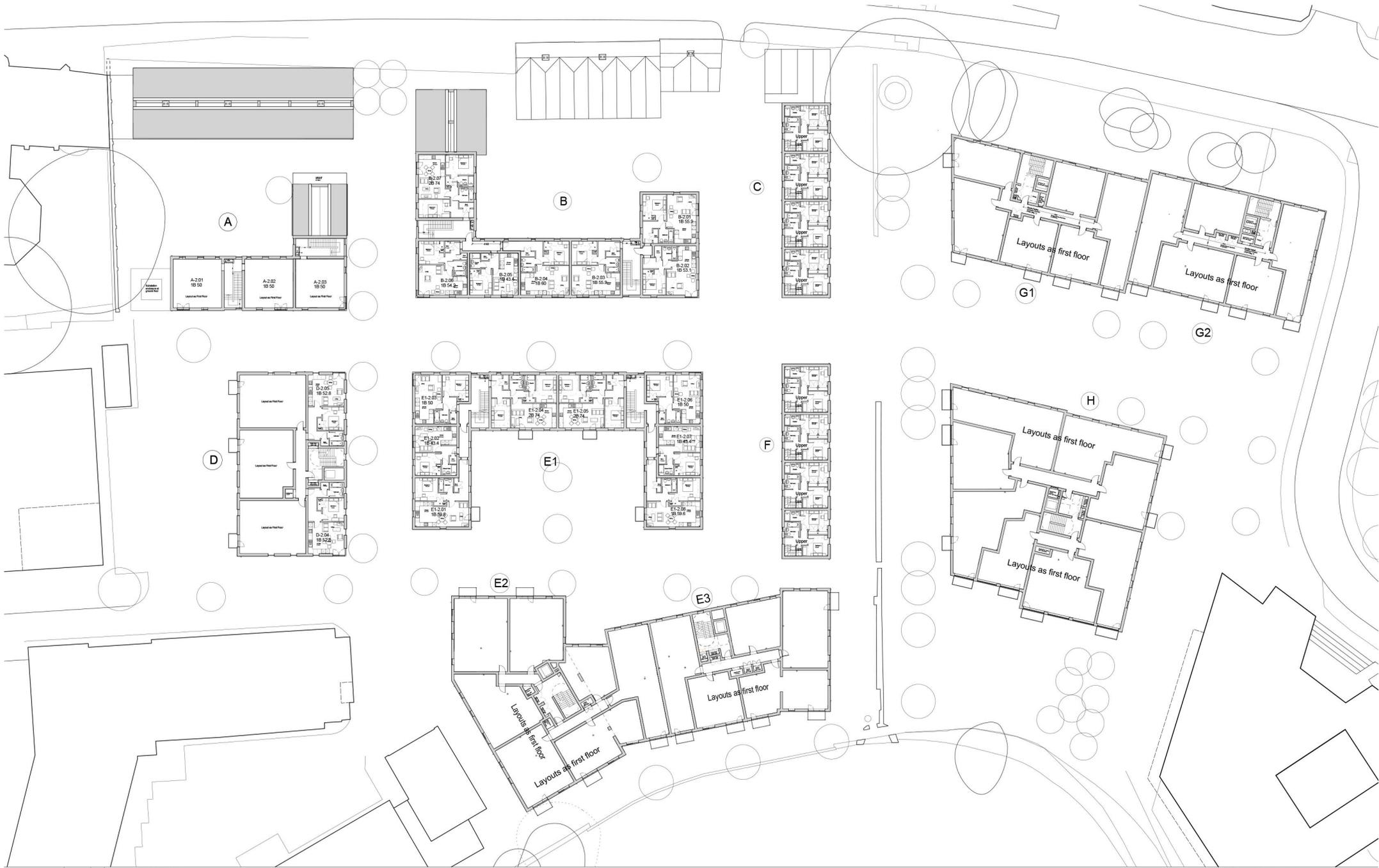
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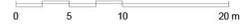
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Revision Schedule

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A01	30/04/18	MW	General revisions; see block-by-block plans for detailed description.
A02	30/07/18	MW	Block footprints revised; see block-by-block plans for detailed description.
A03	01/08/18	MW	Unit A-2.04 removed.
A04	03/08/18	MW	Minor revisions; see block-by-block plans.
A05	10/08/18	MW	Status updated: 'Issued for Information', minor amendments.
A06	20/08/18	EB	Revised per client comment.
A07	23/09/18	EB	Revised per client comment.
A08	20/12/18	MW	Window added to Block C and F second floor landing and stairs reversed.



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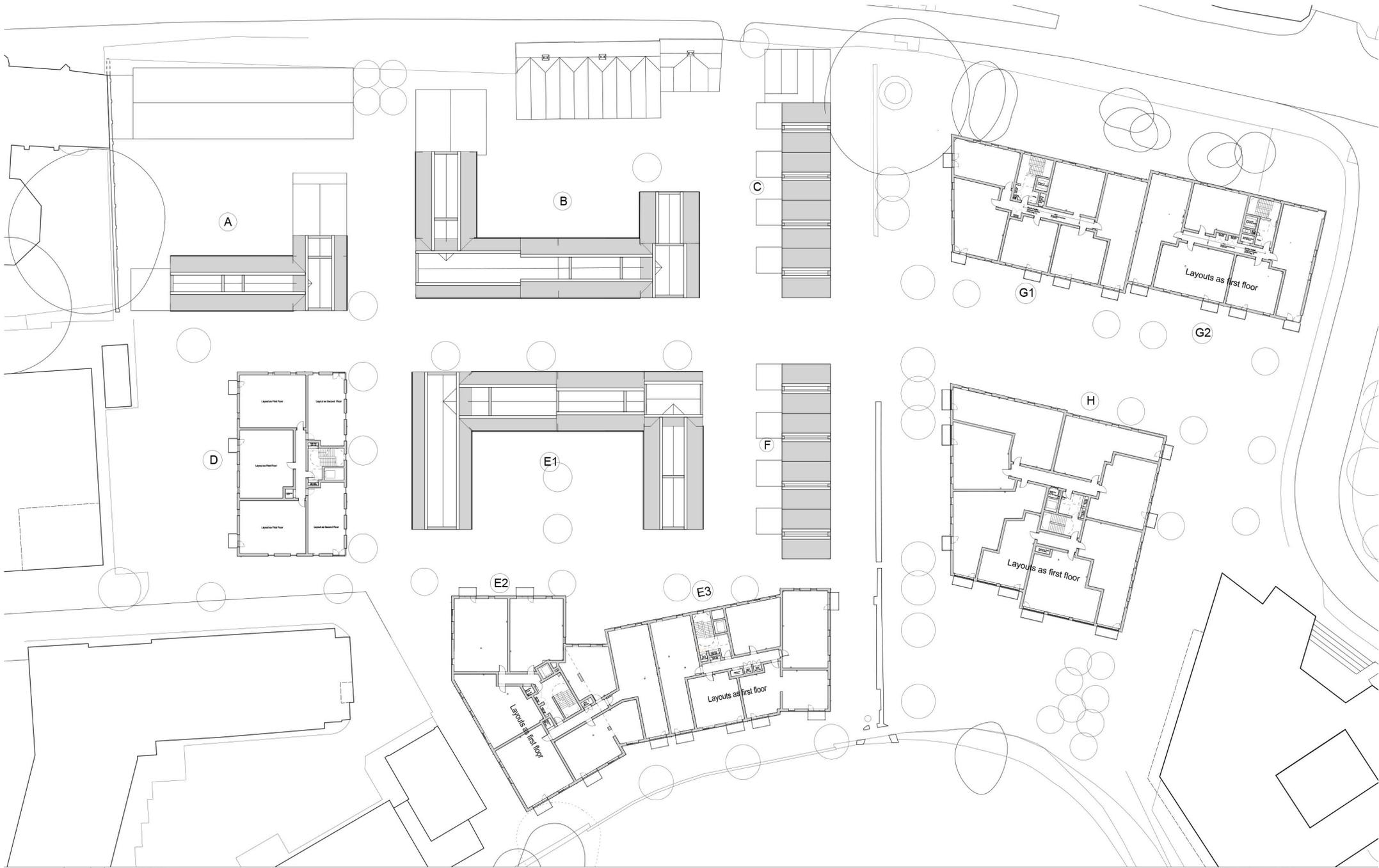
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CLIENT Hill Residential  
 JOB Jarrod's Site, Barrack Street, Norwich

RIBA Stage 3  
 S2 Issued for Information

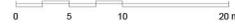
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A00	11/12/17	MW	Initial Issue. Superimposed SK-03/SK-04.
A01	30/04/18	MW	General revisions, see block by block plans for detailed description.
A02	30/07/18	MW	Block footprints revised, see block by block plans.
A03	03/09/18	MW	Minor revisions, see block-by block plans.
A04	10/09/18	MW	Status updated: 'Issued for Information', minor amendments.
A05	20/09/18	EB	Revised per client comment.
A06	23/09/18	EB	Revised per client comment.



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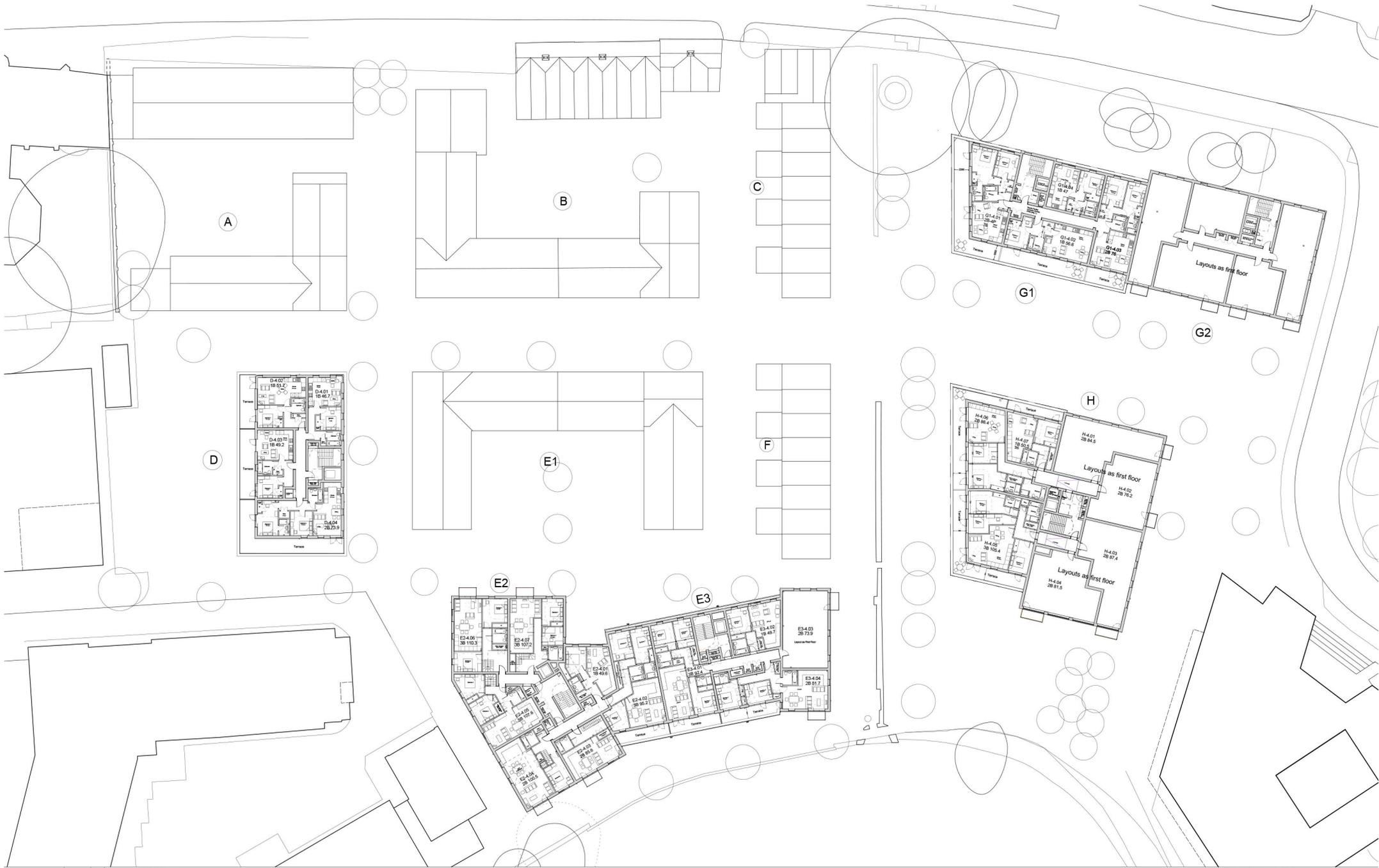
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DRAWING  
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 JOB Jarrod's Site, Barrack Street, Norwich

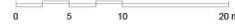
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DR-103-A06  
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Revision Schedule

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A00	11/12/17	MW	Initial Issue. Supersedes SK-03/18K-04.
A01	30/04/18	MW	General revisions, see block by block plans for detailed description.
A02	30/07/18	MW	Block footprints revised, see block by block plans for detailed description.
A03	03/09/18	MW	Minor revisions, see block-by block plans.
A04	10/09/18	MW	Status updated: 'Issued for Information', minor amendments.
A05	20/09/18	EB	Revised per client comment.
A06	23/09/18	EB	Revised per client comment.



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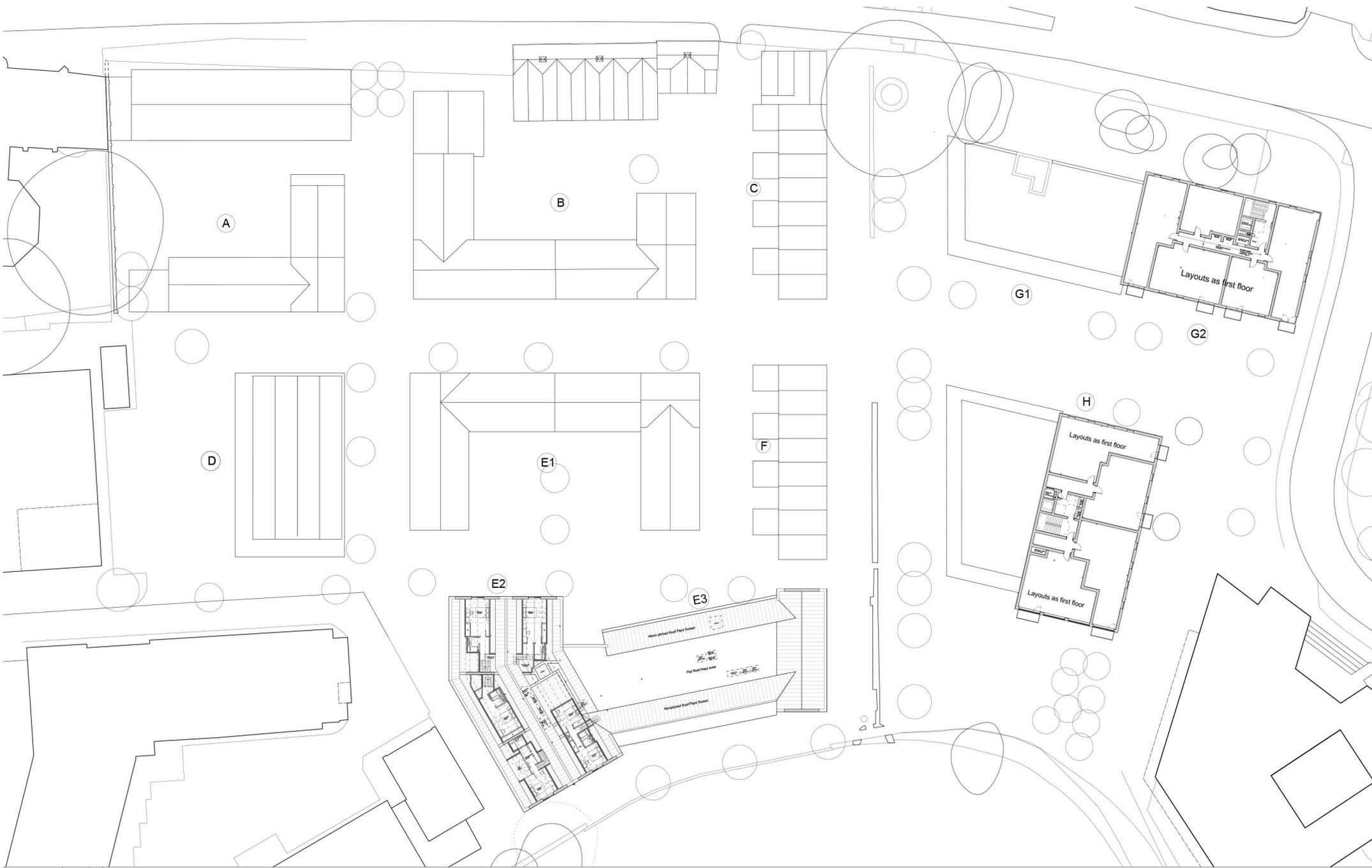
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CLIENT Hill Residential  
 JOB Jarrod's Site, Barrack Street, Norwich

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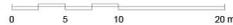
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A01	30/04/18	MW	General revisions, see block by block plans for detailed description.
A02	30/07/18	MW	Block footprints revised, see block by block plans for detailed description.
A03	03/09/18	MW	Minor revisions, see block-by block plans.
A04	10/09/18	MW	Status updated: 'Issued for Information', minor amendments.
A05	20/09/18	EB	Revised per client comment.
A06	23/09/18	EB	Revised per client comment.



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DRAWING  
Site Plan Fifth

CLIENT Hill Residential

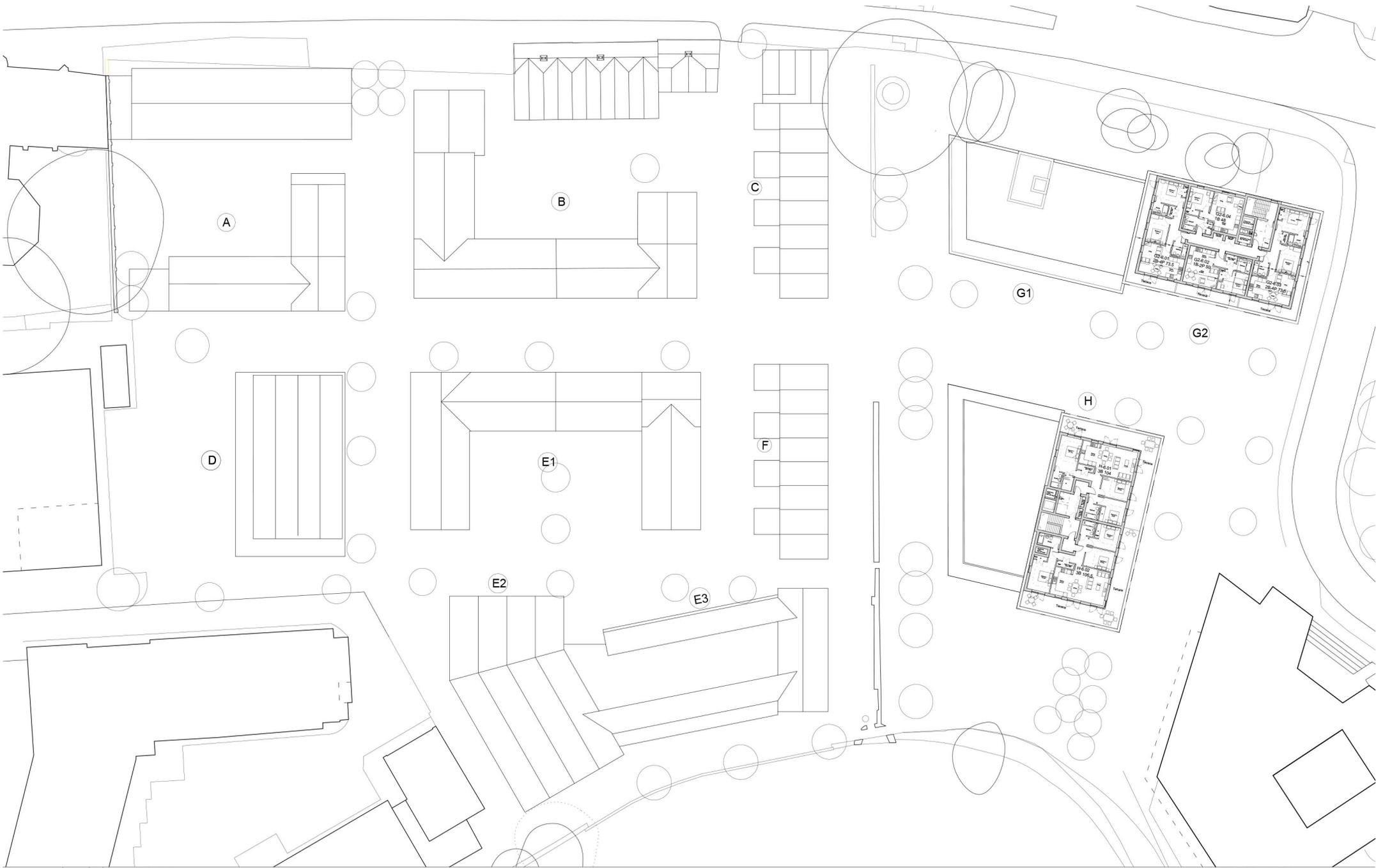
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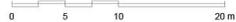
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Revision Schedule

Rev	Date	CHK	Revision Description
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A01	30/04/18	MW	General revisions, see block by block plans for detailed description.
A02	30/07/18	MW	Block footprints revised, see block by block plans for detailed description.
A03	03/09/18	MW	Minor revisions, see block by block plans.
A04	10/09/18	MW	Status updated: 'Issued for Information', minor amendments.
A05	20/09/18	EB	Revised per client comment.



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CLIENT Hill Residential

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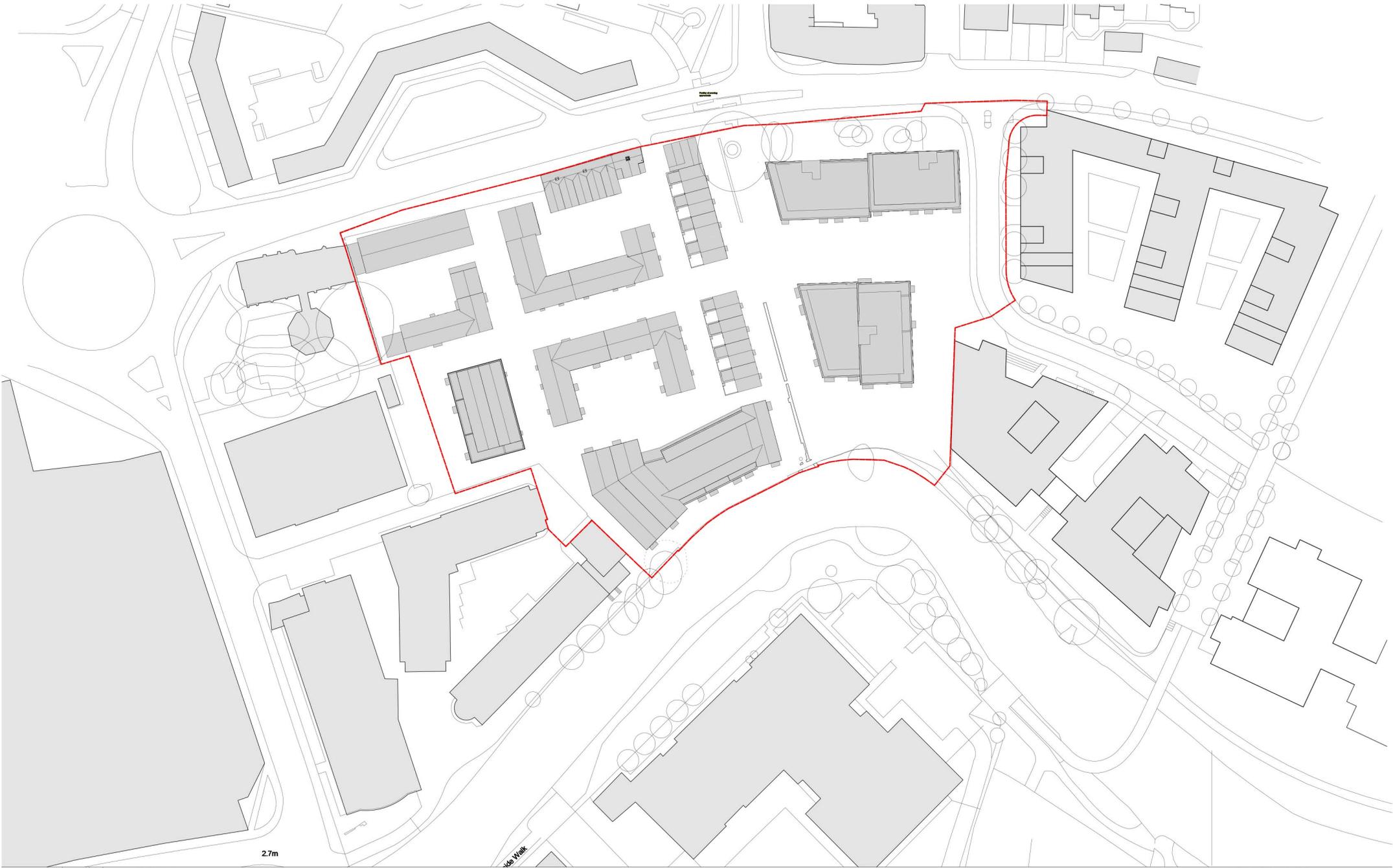
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Rev	Date	CHK	Revision Description
A00	15/12/17	MW	Initial Issue, Supercedes SK-01.
A01	20/02/18	EB	Revised per client comment.
A02	23/02/18	EB	Revised per client comment.



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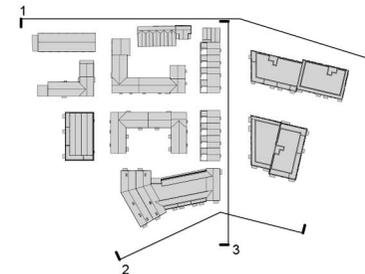
1 Barrack Street Looking South  
1:300



2 River Wensum Looking North  
1:300



3 River Lane Looking West  
1:300



Revision Schedule			
Rev	Date	CHK	Revision Description
A00	10/08/18	MW	Initial Issue
A01	20/08/18	EB	Revised per client comment.
A02	23/08/18	EB	Revised per client comment.
A03	20/12/18	MW	Blocks G and H floor to floor heights reduced. Chimneys added to Block A houses.
A04	08/01/19	MW	Revised balustrade detail.

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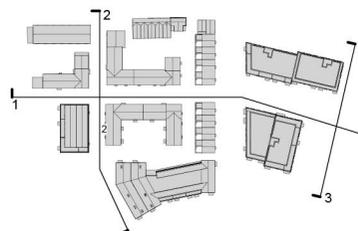
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1:300



2 Road D Looking West  
1:300



3 Guilders Way Looking West  
1:300



Revision Schedule				
Rev	Date	CHK	Revision	Description
A00	10/08/18	MW	Initial Issue	
A01	20/08/18	EB	Revised per client comment.	
A02	23/08/18	EB	Revised per client comment.	
A03	20/12/18	MW	Blocks G and H floor to floor heights reduced. Chimneys added to Block A houses.	
A04	08/01/19	MW	Revised balustrade detail.	

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CLIENT Hill Residential  
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 Drawing Number **8436- FM-** **DR-** **131-A04**  
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- EXISTING FABRIC**
- 1) Painted brick
  - 2) Sash window, date unknown assumed not original
  - 3) Painted timber shop front surround
  - 4) Mid-C20th timber paneled door
  - 5) Sash window, original
  - 6) Painted decorative shutters
  - 7) Timber casement window, mid C20th
  - 8) Pan-tiles
  - 9) Brick chimney
  - 10) 'Critical' type metal casement window
  - 11) Painted render (gable rendered)
  - 12) Decorative timber shutters

**ASSESSMENT TO BE CONFIRMED AFTER OPENING UP**



**1 Existing Barrack Street Elevation**  
1:100

- PROPOSED FABRIC**
- 1) Painted brick
  - 2) New painted timber sash window
  - 3) Former openings dotted
  - 4) New timber paneled door
  - 5) Sash window, original/refurbished
  - 6) Salvaged pan-tiles
  - 7) New glazed door
  - 8) New sash window
  - 9) Render on insulation



**2 Proposed Barrack Street Elevation**  
1:100



**3 Existing Rear Elevation**  
1:100



**4 Proposed Rear Elevation**  
1:100

Rev	Date	CHK	Revision Description
A00	09/08/18	MW	Initial Issue
A01	10/08/18	MW	Status amended 'Issued for Information'
A02	23/08/18	ESB	Text updated
A03	x/xx/19	MW	Next issue: Painted brick to street elevation



**Feilden + Mawson**

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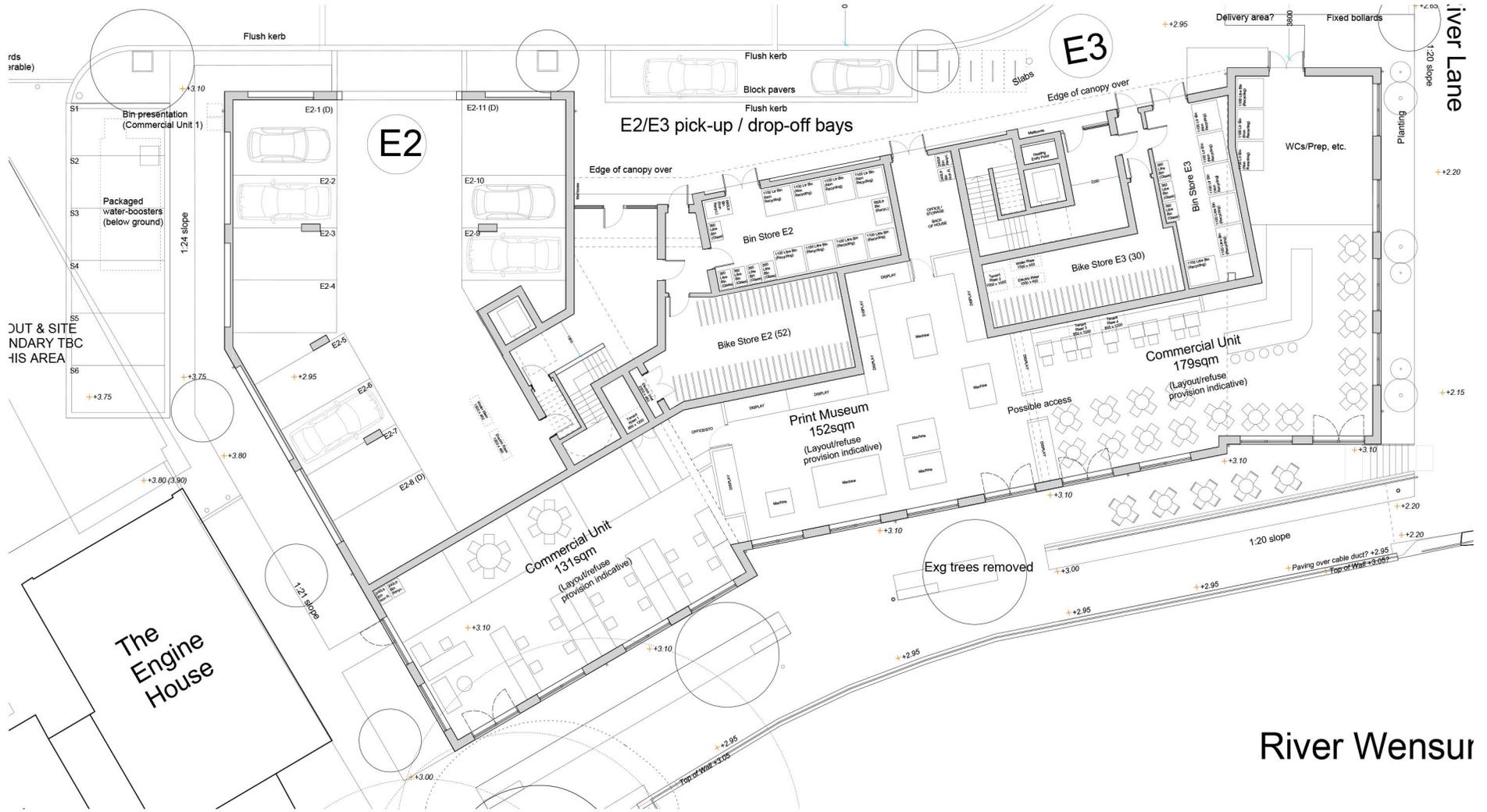
CLIENT Hill Residential

JOB Jarrold's Site, Barrack Street, Norwich

**WIP 27/02/2019**  
 RIBA Stage 0

DRAWING  
 Listed Cottages Elevations  
 Existing / Proposed

S2 ISSUED FOR INFORMATION  
 JOB 8436 PAPER A1 SCALE 1:50  
 Drawing Number  
 8436- FM- DR- 1803-A03



roads (variable)

Bin presentation (Commercial Unit 1)

Packaged water boosters (below ground)

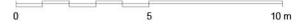
1:24 slope

OUT & SITE BOUNDARY TBC THIS AREA

The Engine House

River Wensur

Rev	Date	CHK	Revision Description
A00	11/12/17	MW	Initial issue
A01	30/04/18	MW	Revised Block E2/E3
A02	30/07/18	MW	Block E3 North gable set back
A03	10/09/18	MW	Status updated: 'Issued for Information'; minor amendments
A04	13/09/18	JE	Added tree plans and set back 'letter screened' on Block E2/E3 North elevation
A05	20/08/18	EB	Revised per client comment
A06	23/08/18	EB	Revised per client comment
A07	20/11/18	MW	Print Museum shown (unit enlarged)



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CLIENT Hill Residential

JOB Jarrod's Site, Barrack Street, Norwich

RIBA Stage 3

S2 Issued for Information

JOB 8436 PAPER A1 SCALE 1:100

Drawing Number **8436-FM-DR-1500-A07**

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DO NOT SCALE FROM THIS DRAWING ALL DIMENSIONS TO BE CONFIRMED ON SITE BY THE CONTRACTOR PRIOR TO CONSTRUCTION  
 C:\Users\laurence\Documents\BIM Local Files\8436-FM-ZZ-M3-A-0001\_Laurence\Bldx.rvt  
 20/11/2018 09:38:12

## Footprint & Massing

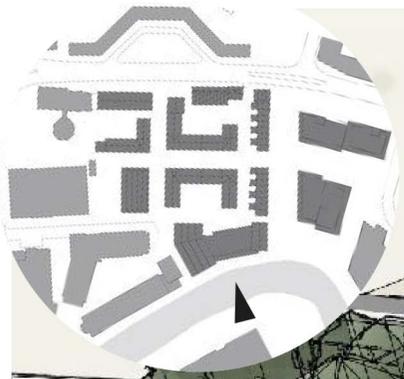
The massing of the new development takes its cue from adjacent existing buildings.

The main part of the site to the west of the city wall is developed as a series of perimeter blocks defining a grid of relatively narrow streets. On the Barrack Street frontage, new two-storey buildings provide an appropriate streetscape context for the retained listed cottages, stepping up to three storeys within the main part of the site. Adjacent to the larger scale buildings of St James' Court, Block D will step up again to four storeys, plus a set back top floor.

On the river frontage the Mill remains dominant. The new buildings are lower than the mill (five storeys), and their mass is broken up through inflections in their plan geometry, set-backs and a varied roof line. This will further lessen their impact against the strong prismatic volume of the Mill.

The eastern part of the site is separated from the rest by the city wall and a generous green zone, and will read more as part of the adjacent large scale modern development. Blocks G and H step up to five and seven storeys at their highest points, with the green space south of Block H serving to reduce its apparent scale when viewed from the river.









Appendices - Viability Assessment

**DVS** Property Specialists  
for the Public Sector

Joy Brown  
Senior Planner  
Planning Services  
Norwich City Council  
City Hall  
Norwich  
NR2 1NH

Oxford Valuation Office  
4400 Nash Court  
Oxford Business Park South  
Oxford  
Oxfordshire OX4 2RU

Our Reference: [REDACTED]/1681638  
Your Reference: 18/01286/F

Please ask for : [REDACTED]  
Tel : [REDACTED]  
Mobile : [REDACTED]  
E Mail : [REDACTED]

Date : 4 March 2019

Dear Joy,

**REVIEW OF DEVELOPMENT VIABILITY ASSESSMENT  
PROPOSED SCHEME: 67-79 Barrack St and Land and garages to South of Barrack St  
North**

I refer to our terms of engagement letter dated 21 June 2018 and the email dated 27 June 2018 confirming your formal instructions to carry out a review of the viability assessment submitted in respect of the above proposed development. You have forwarded the applicants latest assessment to review which has been undertaken by Savills. We have now undertaken our own research and assessment and would report as follows:

This report is not a formal valuation.

The date of assessment is 28 February 2019.

We have reviewed the assessment undertaken by Savills on behalf of Hill Residential dated 25 October 2018. This supersedes assessments carried out by Savills dated May and September 2018. In addition we have had regard to further correspondence from Savills since their assessment and from Norwich City Council

My assessment has been made by comparing the residual value of the proposed scheme with an appropriate Benchmark Land Value (BLV) figure having regard to the National Planning Policy Framework and the published RICS Guidance Note into Financial Viability in Planning.

The principal objective of our Brief and the subject of this report are to establish whether there is financial justification for any affordable housing and section 106 contributions.

**General Information**

It is confirmed that the viability assessment has been carried out by [REDACTED], a RICS Registered Valuer, acting in the capacity of an external valuer, who has the appropriate knowledge and skills and understanding necessary to undertake the valuation competently, and is in a position to provide an objective and unbiased valuation. Assistance has been provided by [REDACTED] in respect of sales values and benchmark land value.

Checks have been undertaken in accordance with the requirements of the RICS standards and have revealed no conflict of interest. DVS has had no other previous material involvement with the property.

The client will neither make available to any third party or reproduce the whole or any part of the report, nor make reference to it, in any publication without our prior written approval of the form and context in which such disclosure may be made.

You may wish to consider whether this report contains Exempt Information within the terms of paragraph 9 of Schedule 12A to the Local Government Act 1972 (section 1 and Part 1 of Schedule 1 to the Local Government (Access to Information Act 1985) as amended by the Local Government (access to Information) (Variation) Order 2006.

Our valuation is provided for your benefit alone and solely for the purposes of the instruction to which it relates. Our valuation may not, without our specific written consent, be used or relied upon by any third party, even if that third party pays all or part of our fees, directly or indirectly, or is permitted to see a copy of our valuation report. If we do provide written consent to a third party relying on our valuation, any such third party is deemed to have accepted the terms of our engagement.

None of our employees individually has a contract with you or owes you a duty of care or personal responsibility. You agree that you will not bring any claim against any such individuals personally in connection with our services.

This report remains valid for 3 (three) months from its date unless market circumstances change or further or better information comes to light, which would cause me to revise my opinion.

### **Background:**

I understand that this viability assessment is required following a planning application and the contention of the developer that, at the policy level of affordable housing, the scheme is not viable.

The proposed scheme ref 18/01286/F is for the Demolition of existing buildings and structures; erection of 218 dwellings; reinstatement of two Grade II Listed Cottages and erection of 447sqm of commercial floorspace (Class A1-A5 use) with associated works.

The site comprises a mainly cleared brownfield site with some buildings along the Barrack Street frontage and extends to a gross area of approx 1.59 hectares (3.93 acres).

The site is situated to the north of the City Centre adjacent to the area known as Whitefriars.

The scheme proposed includes 218 dwellings plus 2 listed cottages, 220 units in total plus a small commercial element within one of the blocks for up to 3 units.

Savills have assessed the scheme and have concluded that at policy levels the scheme does not deliver a land value that achieves an appropriate benchmark sum and is not technically viable.

### **The Scheme:**

We have been provided with the assessment undertaken by Savills on behalf of the applicant and we have based our assessment upon the floor areas provided in this report. We understand that the scheme consists of 11 blocks and is to be developed in 3 phases. For the purpose of this assessment review we assume the areas indicated below are correct.

The Policy Compliant Scheme with 33% affordable dwellings as assessed by Savills on behalf of the applicant is as follows:

Policy Compliant:

Type	Number of Units	Average Unit Size Sq m	Total m Sq
<b>Private</b>			
<b>Phase 1</b>			
Block D - Apartments	12	64.91	779
Block E2 - Apartments	28	79.79	2,234
Block E3 - Apartments	19	67.84	1,289
<b>Total Phase 1</b>	<b>59</b>		<b>4,302</b>
<b>Phase 2</b>			
Block H - Apartments	37	83.62	3,094
<b>Total Phase 2</b>	<b>37</b>		<b>3,094</b>
<b>Phase 3</b>			
Block G1 - Apartments	22	59.77	1,315
Block G2 - Apartments	29	65.72	1,906
<b>Total Phase 3</b>	<b>51</b>		<b>3,221</b>
<b>Total Private</b>	<b>147 units</b>		<b>10,617 sq m</b>
<b>Affordable</b>			
<b>Phase 1</b>			
Block A Townhouses	7	79.00	553
Block A - Apartments	10	50.00	500
Block D - Apartments	7	70.14	491
<b>Total Phase 1</b>	<b>24 units</b>		<b>1,544 sq m</b>
<b>Phase 2</b>			
Block E1- Apartments	16	68.31	1,093
Block F - Townhouses	4	119	468
<b>Total Phase 2</b>	<b>20 units</b>		<b>1,561 sq m</b>
<b>Phase 3</b>			
Block B - Townhouses	7	77.57	543
Block B - Cottages	2	46.00	92
Block B - Apartments	14	68.21	955
Block C - Townhouses	4	117	468
Block C - Apartments	2	54.00	108
<b>Total Phase 3</b>	<b>29 units</b>		<b>2,166 sq m</b>
<b>Total Affordable</b>	<b>73 units</b>		<b>5,271 sq m</b>
<b>Total Residential</b>	<b>220 units</b>		<b>15,888 sq m 171,018 sq ft</b>
<b>Commercial – Block E2</b>	<b>3 units</b>		<b>453 sq m 4,876 sq ft</b>

The gross area for the residential apartments is 17,645 sq m which is a net to gross area of approx 78% which is within the range we normally see of 75% to 85%. This includes the ancillary and circulation space but excludes the undercroft and open sided car parking and garages and is agreed as reasonable.

Whilst Savills have included a net to gross area for the townhouses and cottages of 82% we can see no reason why this should not be 100% as per other residential scheme but a full gross schedule should be provided to clarify.

The net to gross area for the commercial is 100% which is agreed.

### **Viability Assessment:**

This report deals with each major input into the viability assessment of the scheme. This assessment has been undertaken following our own research into both current sales values and current costs. We have used figures put forward by the applicant if we believe them to be reasonable.

I have used a bespoke excel based toolkit with cash flow to assess a policy compliant, all private scheme and a scheme with 10% affordable which are attached as Appendix 1, 2 & 3 whilst Savills have used Argus with a cash flow.

We would summarise our assessment of the Scheme as follows:

### **1) Development Value -**

#### **a) Private Residential:**

Savills have undertaken research in the area for both new build and second hand properties including Bridgemaster Court and has adopted the following sales values:

Apartments – An average of £323 per sq ft (£3,476 per sq m)

Townhouses and Cottages – An average of £294 per sq ft (£3,165 per sq m).

We have also undertaken our own research into values in the area and are prepared to adopt the values used by Savills as reasonable in the current market. More detail of the evidence sourced can be provided if required.

#### **b) Affordable values:**

Under the adopted Core Strategy policy the level of affordable housing for this site is 33% with 85% rented and 15% shared ownership.

Savills have adopted a blended rate of £1,302.44 per sq m (£121 per sq ft) for the affordable units following the best offer received by the applicant from the RSL's. However we understand that the offers are on the basis of affordable rented tenure only.

In our experience this blended rate is low and represents only 39.80% of the market value adopted. Following various discussions with the City Council and our own experience of affordable values in the region we have adopted 40% of market value for the affordable rented tenure and 60% of market value for the shared ownership tenure.

#### **c) Ground Rents:**

The government announced last year that they would crackdown on unfair leasehold practices in respect of ground rents. In addition they have

recently been out for consultation suggesting ground rents capped at £10 per annum. However since no legislation has been enacted the policy of DVS is to include ground rents at this stage at the current market level. If this changes it could affect this assessment.

Savills have included ground rents at £10 per annum for all market units capitalised at 4%.

We have adopted an average ground rent of £250 per unit per annum but have capitalised at 5% less costs since this is still achievable in the current market. Savills suggest that if a ground rent of £250 per unit per annum was included a yield of 10% would be appropriate to reflect the risk and uncertainty. However I content that ground rents are either in or out and a review mechanism should be included in the section 106 to reflect this.

**d) Commercial:**

Savills have adopted a capital value of £200 per sq ft (£2,153 per sq m) with a total value of £975,200.

We have undertaken our own research and have adopted £15 per sq ft capitalised at 7.0% less purchaser's costs in the normal way with a net value of £988,135.

**e) Gross Development Value:**

The following GDV has been adopted for the policy compliant scheme compared to Savills:

Use	DVS	Savills
Private Residential	£37,081,237	£37,068,000
Affordable Residential	£7,453,810	£6,865,000
Ground Rents	£695,298	£36,750
Commercial	£988,135	£975,200
Total	£46,218,480	£44,944,950

The difference in value totals £1,273,530 however the key differences are due to ground rents which accounts for £658,548, and £588,810 in respect of affordable values where we have included for a policy mix whilst the remaining £26,172 is accounted for by rounding's etc.

We have also undertaken an assessment of the all private scheme which is also compared to Savills below:

Use	DVS	Savills
Private Residential	£54,565,762	£54,516,000
Affordable Residential	Nil	Nil
Ground Rents	£927,065	£49,000
Commercial	£988,135	£975,200
Total	£56,480,961	£55,540,200

Again the principle difference (£878,065 out of £940,761) is due to ground rents.

## 2) Development Costs -

### a) Build Cost:

Savills have been provided with a build and external works schedule prepared by the applicant and the build costs equate to £31,862,549.

Savills have compared these to BCIS adjusted to Norwich and by adopting the BCIS rates the total is £28,236,607. This includes a rate of £3,125 per sq m for the listed cottages and £981 per sq m for the commercial with an overall rate of £1,346 per sq ft (£125.05 per sq ft) and have adopted this in their appraisals with a build cost total of £28,247,920.

We have also taken account of the median BCIS rate adjusted for Norwich and have adopted the following rates:

Townhouses - £1,193 per sq m  
 Apartments - 3 to 5 Storey - £1,295 per sq m  
 Apartments – 6 storey plus - £1,659 per sq m  
 Cottages – Refurb upper quartile - £1,340 per sq m  
 Commercial - £999 per sq m

Overall we have calculated a total of £28,723,764 on BCIS rates adopting our gross areas as detailed earlier. However a detailed schedule of gross areas would be helpful in order to clarify.

In addition to the base build costs both parties have included for external costs as follows:

External Costs	DVS £	Savills £
Externals at 10%	£2,872,376	972,622
Demolition	£140,000	£140,000
On Site Highways	Incl in Ext	£485,580
Off Site Highways	£283,870	£283,870
Drainage	Incl in Ext	£617,918
Utilities	Incl in Ext	£546,020
BWIC	Incl in Ext	£131,283
<b>Total</b>	<b>£3,296,246</b>	<b>£3,177,293</b>

From our investigation we are of the opinion that the above external costs are reasonable and compare with similar schemes.

In addition we understand that there are the following abnormal:

Abnormal Costs	£
Service Connections/Diversions	£20,000
Hot Spot Remediation	£75,000
E/O No Dig Work Zone	£65,000
Ecology	£15,000
City Wall	£125,000
Archaeology	£160,000
Sewer Diversion	£25,000
SUDS	£60,000
<b>Total</b>	<b>£545,000</b>

At this stage no backup has been provided for these abnormal however at this stage we have accepted as reasonable.

Overall our build cost totals £32,565,010 whilst Savills have included for £31,970,213.

**b) Build Contingency:**

Savills have included a contingency of 7.5% or £2,145,810 as appropriate due to the difference in the applicant's costs and BCIS. This is not agreed and we have adopted 5% as reasonable for this scheme with a total of £1,579,807.

Taking account of contingency our total cost is £34,144,817 whilst Savills total is £34,116,023, a difference of only £28,794.

**c) Professional Fees:**

Savills have adopted 6% for professional fees but believe that these lower than normal costs are reasonable on the basis that in house teams will be used.

We would normally consider a range of 8% to 10% for these types of schemes and are prepared to accept 6% in this case.

**d) CIL/Section 106:**

Savills have adopted the following CIL levels for each of their schemes:

- 33% affordable - £1,266,098
- 4.5% affordable - £1,873,249
- 0% Affordable - £1,958,093

You have also provided CIL rates which I understand are £1,266,097 for the policy compliant scheme, £1,936,168 for the 0% affordable scheme and £1,758,356 for the 10% affordable scheme.

I have adopted the latest rates that you have now provided.

In addition both parties have included £50,000 for the Riverside Walk and £40,000 for LEAP/LAP. Please confirm that these are agreed.

**e) Sales and Marketing Fees:**

We have adopted the following fees as reasonable in the current market and agreed on similar schemes compared with Savills below:

	<b>DVS</b>	<b>Savills</b>
Marketing	0.25%	0%
Residential Agents Sale Fee	1.5%	1.5%
Residential Legal fees	£600 per unit	0.5%
Commercial Sale Fees	1.5%	0%
Affordable Transfer Fees	0.5%	0%

Overall I have included £ 1,115,629 for the all private scheme whilst Savills have included £1,110,804.

**f) Finance costs:**

Savills have adopted a finance rate of 5.5% but no credit rate. We have adopted a finance rate of 5.5% (using a cash-flow analysis) and a credit rate of 1% to include for arrangement fees etc which we believe is reasonable and achievable in the current market, albeit at the lower end of the range we normally consider.

However Savills finance cost is lower than ours but this is predominately due to their inclusion of a negative residual land value.

**g) Developers Profit:**

We would normally adopt a profit level of 20% of private residential and commercial GDV based upon our expectations for a scheme of this nature and agreed on other similar schemes in the region. The latest NPPF guidance suggests a profit level of 15-20%. For the affordable units we would adopt a 6% profit due to the reduced risk on the basis of an upfront sale to an RP.

Savills state that they have also adopted 20% on private and commercial with 6% on affordable which shows an 18.3% blended profit which they have adopted in all of their appraisals.

We have also adopted a blended profit of 18.3% in all of our appraisals.

**h) Development Programme:**

We have adopted the following programme for the policy compliant scheme which is agreed with Savills:

- Site Purchase - Month 1
- Demolitions and site preparation – Month 1 to 9
- Phase 1 Construction Month 10 to 23
- Phase 1 Sales – Month 24 to 38 assuming 30% sold on PC
- Phase 1 Affordable Sale – Month 24
- Phase 2 Construction Month 24 to 35
- Phase 2 Sales – Month 36 to 43 assuming 30% sold on PC
- Phase 2 Affordable Sale – Month 36
- Phase 3 Construction – Month 36 to 50
- Phase 3 Sales – Month 51 to 61 assuming 30% sold on PC
- Phase 3 Affordable Sale – Month 51

The key difference with less affordable unit's is the longer sales periods for each phase. The all private scheme has a timescale of 72 months.

**i) Land Value:**

Following various appeal cases, RICS guidance and NPPF it is well established that viability assessments are carried out in order to calculate the residual land value that the scheme can afford which is then compared to the benchmark value of the site.

The current NPPF/NPPG suggests that the benchmark land value (BLV) should be based on the existing use value, excluding hope value, plus a premium to provide a reasonable incentive for a land owner to bring the land forward for development. In addition an alternative use value may be

informative in establishing the BLV but it must have an implementable permission for that use and no premium would then be included.

Savills originally looked at the site on the basis of a commercial site together with the existing uses for residential, commercial and garages for the frontage properties.

For the main area from the evidence researched they adopted a value of £400,000 per acre for a cleared site and a total value of £1,472,000. To this a premium of 30% was added resulting in a total of £1,913,600. In respect of the developed part of the site Savills considered the prices paid and indexed up with a total of £1,497,194. Overall this showed a value of £3,410,794.

However they have now considered the site in its current use as an overflow car park. They have adopted 437 cars for the main site of 1.39 acres and estimated a net income of £420,613 after deducting 20% for vat and 25% for running costs and voids etc. This has been capitalised at 9% with a value of £4,365,000. In respect of the other existing buildings Savills have now adopted a revised value of £1,649,803 taking into account evidence for their existing use value. The overall total is £6,014,803.

Savills then consider that a 25% reduction would be appropriate due to a single sale with a result of £4,511,102.

However after further consideration Savills have adopted a benchmark of £3,410,794 in accordance with their initial report in order to test viability.

I have now discussed the basis of the benchmark land value further with the Council and considered carefully the basis adopted by NPPF/NPPG and have based the benchmark value on the following:

- 1) Frontage properties (67-79 Barrack Street and Garages) – Existing use value plus a premium.

I have now reviewed these figures and I'm prepared to agree the EUV of 67-79 Barrack St at £1,019,803 as indicated by Savills to which I have added a premium of 20% with an overall total of £1,222,000. In respect of the garages I have accepted a EUV of £90,000 as suggested by Savills but on the basis the hope value is to be disregarded in accordance with NPPG I have then added a premium of 20% with a value of £108,000.

Overall I have adopted a value of £1,330,000 for the frontage properties.

- 2) Car Park – I am informed that the land to the east of the city wall has a valid use as a car park for 109 spaces and I have valued its existing use on this basis plus a premium.

I have taken account of car parking income from a number of similar car parks run by the city council which show an average income of £1,000 per space net of vat which includes a 17% deduction to take account of management costs etc. We have assumed an occupancy rate of 70% which compares to other car parks in the City and deducted rates of £18,808 (Rateable value of £38,150 based on £350 per space and rates payable of £0.493).

Overall this shows a net income of £57,492 and capitalised at 8% provides an overall value of £718,650. With a 20% uplift the total is £862,380.

- 3) Remainder of the site – This equates to approx 2.106 acres and we have assumed its alternative use is commercial after discussions with the council but have not then added a premium in accordance with NPPG.

This area is now an established B1 office area and Savills are of the view that approx £400,000 per acre is appropriate for a cleared site in this location and reflects the current planning status. We have undertaken our own research and of the opinion that this value is not understated however on the basis that it does not have a planning consent at this stage have deducted 10% for the risk with a rate per acre of £360,000.

Overall we have assessed the value of the remainder of the site at £758,160 but excluding any premium.

Our assessment of both the frontage properties and the car park are on the basis of existing use value plus a premium which should provide a reasonable incentive for the landowner to sell the land for development. We have adopted a premium of 20% which reflect our opinion of a reasonable incentive, planning appeal decisions and other assessments that have been agreed.

Therefore our benchmark land value equates to a total of approx £2,950,000 as follows:

- Frontage Properties - £1,330,000
- Car Park - £862,380
- Remainder of the site - £758,160
- Total - £2,950,540
- Benchmark Land Value – say £2,950,000

In addition both stamp duty at the current rate and fees of 0.5% have been allowed for.

### **Overall assessment:**

The assessment undertaken by Savills of the policy compliant scheme including 147 private flats, 73 affordable flats and 3 commercial units with a CIL payment of £1,266,097 and a blended profit of 18.3% shows a negative land value of £1,881,690 which they state is not viable. However this is understated since the negative land value reduces the finance charge.

They have also assessed an all private scheme which shows a residual land value of £3,835,707 which they state is viable against their BLV of £3,410,794 and shows a surplus of approx £425,000. On this basis they have offered 4.5% affordable houses ie 10 affordable units.

We have also assessed both a policy compliant scheme and all private scheme as follows:

- 1) Policy compliant scheme with 147 private units, 73 affordable units, 3 commercial units, CIL of £1,266,097 and a blended profit level of 18.3% which shows a deficit of £1,511,253 with no land value which is not viable. Appendix 1

- 2) An all private scheme of 220 units with a CIL of £1,936,168 shows a residual land value of £4,326,973 which is a surplus of approx £1,376,973 against our benchmark land value of £2,950,000 which is viable. Appendix 2

We have also considered a scheme with 10% affordable on the following basis:

Affordable Rented –

3 townhouses in block A  
5 townhouses in block B  
10 apartments in block A  
Total – 18 units

Shared Ownership –

4 Townhouses in Block A  
Total – 5 units

This scheme with 22 affordable units (10%), CIL of £1,758,356 and a land value of £2,950,000 shows a surplus of £206,209 and is viable. Appendix 3

The key differences between the assessments are:

- a) Ground Rents
- b) Affordable values
- c) Benchmark Land Value

I trust this report deals with the issues as required but please do not hesitate to contact me if you have any queries.

Yours sincerely



Registered Valuer  
DVS South East

Appendix 1 – Policy Compliant Appraisal with 33% affordable

Appendix 2 – All Private Appraisal

Appendix 3 – Scheme appraisal with 10% affordable

Receipts:

	No of Units	Total GIA m2	Rate £				
<b>Residential:</b>							
<b>Private Residential</b>							
<b>Phase 1</b>							
Block A	Townhouses	0	0	£0	0		
	Apartments	0	0	£0	0	£0	
Block D	Apartments	12	779	£3,498	2,725,176	£2,725,176	
Block E2	Apartments	28	2,234	£3,476	7,765,408	£7,765,408	
Block E3	Apartments	19	1,289	£3,531	4,550,933	£4,550,933	
		59	4,302				£15,041,517
<b>Phase 2</b>							
Block E1	Apartments	0	0	£0	0	£0	
Block F	Townhouses	0	0	£0	0	£0	
Block H	Apartments	37	3,094	£3,412	10,557,310	£10,557,310	
		37	3,094				£10,557,310
<b>Phase 3</b>							
Block B	Townhouses	0	0	£0	0		
	Cottages	0	0	£0	0		
	Apartments	0	0	£0	0	£0	
Block C	Townhouses	0	0	£0	0		
	Apartments	0	0	£0	0	£0	
Block G1	Apartments	22	1,315	£3,552	4,671,038	£4,671,038	
Block G2	Apartments	29	1,906	£3,574	6,811,373	£6,811,373	
		51	3,221				£11,482,411
<b>Total Private</b>		<b>147</b>	<b>10,617.0</b>				
							37,081,237
							3493
							37,068,000
							3,491
<b>Affordable Housing</b>							
<b>Rented</b>							
<b>Phase 1</b>							
Block A	Townhouses	2	158	£1,266	200,000		
	Apartments	4	200	£1,400	280,000	£480,000	
Block D	Apartments	7	491	£1,387	680,866	£680,866	
Block E2	Apartments	0	0	£0	0	£0	
Block E3	Apartments	0	0	£0	0	£0	
		13	849			£1,160,866	
<b>Phase 2</b>							
Block E1	Apartments	16	1,093	£1,362	1,488,614	£1,488,614	
Block F	Townhouses	4	468	£1,249	584,356	£584,356	
Block H	Apartments	0	0	£0	0	£0	
		20	1,561			£2,072,970	
<b>Phase 3</b>							
Block B	Townhouses	7	543	£1,287	699,044		
	Cottages	2	92	£1,287	118,438		
	Apartments	14	955	£1,353	1,292,588	£2,110,071	
Block C	Townhouses	4	468	£1,249	584,356		
	Apartments	2	108	£1,348	145,547	£729,903	
Block G1	Apartments	0	0	£0	0	£0	
Block G2	Apartments	0	0	£0	0	£0	
		29	2,166			£2,839,974	
		62	4,576.0				£6,073,810
							1,327
							6,865,000
							1500
<b>Shared Ownership</b>							
<b>Phase 1</b>							
Block A	Townhouses	5	395	£1,899	750,000		
	Apartments	6	300	£2,100	630,000	£1,380,000	
		11	695.0				£1,380,000
<b>Total Affordable</b>		<b>73</b>	<b>5,271.0</b>				
<b>Ground Rents</b>							
Yield		147		Av	£250	36,750	
			5.0 %			20.00	
						735,000.00	
Less Purchasers Costs			5.37%			39,701.54	£695,298
							£695,298
							36,750
<b>Commercial</b>							
Yield		3	453	£161	73,140		
			7.00%			14.29	
						1,044,854	
Less Purchasers Costs			5.80%			56,719	£988,135
							£988,135
							975,200
<b>TOTAL DEVELOPMENT VALUE</b>							£46,218,480
							44,944,950
							1,273,530

Development Costs

<b>Acquisition Costs:</b>							
Residual Land Value	1.59 Hectares	£0	Per Hectare				
Stamp Duty	4.36 Acres	£0	Per Acre				
Fees		up to 5%			£0		
		1.80%			£0		
							£0
<b>Construction Costs:</b>							
		Net m2	Gross m2	Rate per m2			
<b>Phase 1</b>							
Block A	Townhouses	553	553	1,193.00	659,729		100%
	Apartments	500	630	1,295.00	815,565		79%
Block D	Apartments	1,270	1,654	1,295.00	2,141,969		77%
Block E2	Apartments	2,234	2,889	1,295.00	3,740,750		77%
Block E3	Apartments	1,289	1,667	1,295.00	2,158,571		77%
					9,516,584		
<b>Phase 2</b>							
Block E1	Apartments	1,093	1,379	1,295.00	1,785,261		79%
Block F	Townhouses	468	468	1,193.00	558,324		100%
Block H	Apartments	3,094	3,954	1,659.00	6,559,404		78%
					8,902,989		
<b>Phase 3</b>							
Block B	Townhouses	543	543	1,193.00	647,799		100%
	Cottages	92	92	1,340.00	123,280		100%
	Apartments	955	1,175	1,295.00	1,521,418		81%
Block C	Townhouses	468	543	1,193.00	648,038		86%
	Apartments	108	157	1,294.00	203,042		69%
Block G1	Apartments	1,315	1,812	1,295.00	2,346,501		73%
Block G2	Apartments	1,906	2,629	1,659.00	4,361,577		72%
					9,851,654		
Commercial		453	453	£999.00	452,537	£28,723,764	100%
		16,341	20,597				28,247,920
							£475,844
Externals						£2,872,376.42	£31,596,141
							2,753,423
Contingency:				5.00%		£1,579,807	£1,579,807
							2,145,810
							-566,003
<b>Other Costs/Abnormals:</b>							
	Demolition				£140,000		
	Off Site Highways				£283,870		
	Service Connections/Diversion				£20,000		
	Hot Spot Remediation				£75,000		
	E/O No Dig Work Zone				£65,000		
	Ecology				£15,000		
	City Wall				£125,000		
	Archaeology				£160,000		
	Sewer Diversion				£25,000		
	SUDS				£60,000	£968,870	£0
							968,870
<b>Professional Fees:</b>							
	Design etc			6.00%	£1,723,426	£1,723,426	1,708,425
							£15,001
<b>CIL/Section 106:</b>							
	CIL				1,266,097		
	106				50,000		
	Affordable Contribution				40,000		
						£1,356,097	1,356,097
							£0
<b>Marketing Fees:</b>							
				0.25%	£92,703	£92,703	
<b>Sale Fees/Letting Fees:</b>							
	Residential Agents Sale Fees			1.50%	£556,219		
	Residential Legal Sale Fees			£600 per unit	£88,200		
	Commercial/Ground rent sale fees			1.5%	£25,251		
	Affordable Transfer			0.50%	£30,369	£700,039	£792,742
							795,924
							-£3,182
<b>Finance:</b>							
	Arrangement Fee						£38,017,083
	Interest			5.50%	£1,254,669	£1,254,669	625,245
							£629,424
<b>Profit:</b>							
	Blended Profit	On GDV		18.30%	£8,457,982	£8,457,982	18.30%
							8,224,926
							18.30%
							£233,056
<b>TOTAL DEVELOPMENT COSTS</b>							£47,729,733
							46,826,640
							£903,093
<b>Surplus/Deficit</b>							
							-£1,511,253
							-1,881,690



49,762

0 0%

£878,065

£12,935

**940,761**

£536,713

£475,844

£118,953

-566,003

£0

£7,680

£0

-£21,925

£4,825

£212,513

£172,159

£940,760

Receipts:

			No of Units	Total GIA m2	Rate £				
<b>Residential:</b>									
<b>Private Residential</b>									
<b>Phase 1</b>									
Block A	Townhouses		0	0	£0	0			
	Apartments		0	0	£0	0		£0	
Block D	Apartments		19	1,270	£3,486	4,427,341		£4,427,341	
Block E2	Apartments		28	2,234	£3,476	7,765,408		£7,765,408	
Block E3	Apartments		19	1,289	£3,531	4,550,933		£4,550,933	
			66	4,793					£16,743,682
<b>Phase 2</b>									
Block E1	Apartments		16	1,093	£3,405	3,721,535		£3,721,535	
Block F	Townhouses		4	468	£3,122	1,460,890		£1,460,890	
Block H	Apartments		37	3,094	£3,412	10,557,310		£10,557,310	
			57	4,655					£15,739,734
<b>Phase 3</b>									
Block B	Townhouses		2	158	£3,218	508,513			
	Cottages		2	92	£3,218	296,096			
	Apartments		14	955	£3,384	3,231,471		£4,036,080	
Block C	Townhouses		4	468	£3,122	1,460,890			
	Apartments		2	108	£3,369	363,866		£1,824,756	
Block G1	Apartments		22	1,315	£3,552	4,671,038		£4,671,038	
Block G2	Apartments		29	1,906	£3,574	6,811,373		£6,811,373	
			75	5,002					£17,343,247
<b>Total Private</b>			<b>198</b>	<b>14,450.0</b>					
<b>Affordable Housing</b>									
<b>Rented</b>									
<b>Phase 1</b>									
Block A	Townhouses		3	237	£1,266	300,000			
	Apartments		10	500	£1,400	700,000		£1,000,000	
Block D	Apartments		0	0	£0	0		£0	
Block E2	Apartments		0	0	£0	0		£0	
Block E3	Apartments		0	0	£0	0		£0	
			13	737				£1,000,000	
<b>Phase 2</b>									
Block E1	Apartments		0	0	£0	0		£0	
Block F	Townhouses		0	0	£0	0		£0	
Block H	Apartments		0	0	£0	0		£0	
			0	0				£0	
<b>Phase 3</b>									
Block B	Townhouses		5	385	£1,287	495,639			
	Cottages		0	0	£0	0			
	Apartments		0	0	£0	0		£495,639	
Block C	Townhouses		0	0	£0	0			
	Apartments		0	0	£0	0		£0	
Block G1	Apartments		0	0	£0	0		£0	
Block G2	Apartments		0	0	£0	0		£0	
			5	385				£495,639	
			18	1,122.0					£1,495,639
<b>Shared Ownership</b>									
<b>Phase 1</b>									
Block A	Townhouses		4	316	£1,899	600,000			
	Apartments		0	0	£0	0		£600,000	
			4	316.0					£600,000
<b>Total Affordable</b>			<b>22</b>	<b>1,438.0</b>					
<b>Ground Rents</b>									
Yield			186		Av	£250	46,500		
				5.0%			20.00		
							930,000.00		
Less Purchasers Costs				5.67%			50,234.60		£879,765
									£879,765
<b>Commercial</b>									
Yield			3	453	£161	73,140			
				7.00%			14.29		
							1,044,854		
Less Purchasers Costs				5.80%			56,719		£988,135
									£988,135
<b>TOTAL DEVELOPMENT VALUE</b>									<b>£53,790,203</b>

Development Costs

<b>Acquisition Costs:</b>									
Residual Land Value		1.59 Hectares		£1,855,346	Per Hectare	£2,950,000			
Stamp Duty		4.36 Acres		£676,887	Per Acre				
Fees				up to 5%		£137,000			
				1.80%		£53,100			
									£3,140,100
<b>Construction Costs:</b>									
			Net m2	Gross m2	Rate per m2				
<b>Phase 1</b>									
Block A	Townhouses		553	553	1,193.00	659,729			100%
	Apartments		500	630	1,295.00	815,565			79%
Block D	Apartments		1,270	1,654	1,295.00	2,141,969			77%
Block E2	Apartments		2,234	2,889	1,295.00	3,740,750			77%
Block E3	Apartments		1,289	1,667	1,295.00	2,158,571			77%
						9,516,584			
<b>Phase 2</b>									
Block E1	Apartments		1,093	1,379	1,295.00	1,785,261			79%
Block F	Townhouses		468	468	1,193.00	558,324			100%
Block H	Apartments		3,094	3,954	1,659.00	6,559,404			78%
						8,902,989			
<b>Phase 3</b>									
Block B	Townhouses		543	543	1,193.00	647,799			100%
	Cottages		92	92	1,340.00	123,280			100%
	Apartments		955	1,175	1,295.00	1,521,418			81%
Block C	Townhouses		468	543	1,193.00	648,038			86%
	Apartments		108	157	1,294.00	203,042			69%
Block G1	Apartments		1,315	1,812	1,295.00	2,346,501			73%
Block G2	Apartments		1,906	2,629	1,659.00	4,361,577			72%
						9,851,654			
Commercial			453	453	£999.00	452,537		£28,723,764	100%
			16,341	20,597					28,247,920
Externals							£2,872,376.42	£31,596,141	2,753,423
Contingency:					5.00%		£1,579,807	£1,579,807	2,145,810
<b>Other Costs/Abnormals:</b>									
	Demolition						£140,000		
	Off Site Highways						£283,870		
	Service Connections/Diversion						£20,000		
	Hot Spot Remediation						£75,000		
	E/O No Dig Work Zone						£65,000		
	Ecology						£15,000		
	City Wall						£125,000		
	Archaeology						£160,000		
	Sewer Diversion						£25,000		
	SUDS						£60,000		
								£968,870	£0
<b>Professional Fees:</b>									
	Design etc				6.00%		£1,723,426	£1,723,426	1,708,425
									£15,001
<b>CIL/Section 106:</b>									
	CIL 106					1,758,356			
		Riverside Walk LEAP/LAP				50,000			
						40,000			
	Affordable Contribution						£1,848,356	£1,848,356	1,356,097
<b>Marketing Fees:</b>									
					0.25%		£124,567	£124,567	
<b>Sale Fees/Letting Fees:</b>									
	Residential Agents Sale Fees				1.50%		£747,400		
	Residential Legal Sale Fees				£600 per unit		£118,800		
	Commercial/Ground rent sale fees				1.5%		£28,019		
	Affordable Transfer				0.50%		£7,478	£901,697	£1,026,263
<b>Finance:</b>									
	Arrangement Fee								£41,882,963
	Interest				5.50%		£1,857,424	£1,857,424	625,245
<b>Profit:</b>									
	Blended Profit		On GDV		18.30%		£9,843,607	£9,843,607	18.30%
									8,224,926
<b>TOTAL DEVELOPMENT COSTS</b>									<b>£53,583,994</b>
<b>Surplus/Deficit</b>									<b>£206,209</b>
									-1,881,690



**Report to** Planning applications committee

**Item**

14 March 2019

**Report of** Head of planning services

**Subject**

Application no 18/00962/F - St Peters Methodist Church  
Park Lane, Norwich, NR2 3EQ

**4(b)**

**Reason for referral**

Objections

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

<b>Development proposal</b>		
Change of use from D1 (place of worship) to C3 (dwelling houses). Demolition of modern extensions, removal of two trees, and general redevelopment of site to provide 20 new residential units and associated landscaping and parking.		
<b>Representations</b>		
Object	Comment	Support
53	1	0

<b>Main issues</b>	<b>Key considerations</b>
1	Principle of development: residential use and loss of community facility
2	Affordable housing provision
3	Design and heritage
4	Transport
5	Amenity
6	Flooding/drainage
<b>Expiry date</b>	18 March 2019
<b>Recommendation</b>	To: (1) approve subject to conditions and a section 106 agreement securing a contribution to affordable housing; (2) refuse if a satisfactory section 106 agreement is not completed within six months.



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Planning Application No 18/00962/F  
 St Peters Methodist Church  
 Site Address Park Lane  
 Scale 1:1,000



**NORWICH**  
 City Council  
 PLANNING SERVICES



## The site and surroundings

1. The application concerns St Peters Methodist Church, a prominent and locally listed building within the Heigham Grove Conservation Area, and the associated church hall and Boys Brigade buildings which occupy a 0.15 hectare site at the junction of Park Lane and Avenue Road.
2. The local listing is as follows:

“1939. Buff brick with brown brick detail to windows. Designed by local architect Cecil Yelf in a simple but monumental style. Importance: Important community and landmark corner building in a style evocative of its time”.
3. The main Methodist church building is typical of the interwar 1930s style and is monumental in its scale, forming a landmark at the road junction. The adjacent church hall was formerly a Wesleyan Chapel and was built by Edward Boardman in 1894. It was completely refaced with modern buff brick in the 1960s and has a two storey flat roofed extension to the rear and infill extension joining it to the church. The Boys Brigade building shares some features with similar detailing to the original chapel as it was also built to Boardman designs in the early twentieth century. This single storey building fronts Avenue Road with a symmetrical elevation.
4. The surrounding area is characterised by Victorian terraces and houses and occupies sub area ‘H’ as identified within the Conservation Area Appraisal. This Appraisal identifies the main Methodist church as a significant local landmark and the position of this group of buildings at the junctions of Park Lane, Avenue Road, Mill Hill Road, Maida Vale and Portersfield Road with levels dropping towards the site from Unthank Road and The Avenues results in positive views towards this prominent site from many aspects.
5. The buildings are separated from the street frontage by landscaping, including two trees, and an historic dwarf wall and railings along Avenue Road and by car parking on the Park Lane frontage.
6. There is a significant change in levels across the site with the external ground levels dropping a full-storey in height from east to west.

## Constraints

7. St Peters Church is a locally listed building and the site is in the Heigham Grove Conservation Area. The site is also in a critical drainage catchment and parts of the site and surrounding area are at risk of surface water flooding in the 0.1%, 1% and 3.3% events.

## The proposal

8. The application seeks permission to demolish the modern extensions to the building, erect a two-storey extension to the existing two-storey flat-roofed extension at the rear of the church hall building and associated external alterations to facilitate the conversion to create 20 units of accommodation.
9. The proposed conversion would lead to the creation of the following size of units:

- One-bed flats x 6
  - Two-bed flats/maisonettes x 6
  - Three-bed flats/maisonettes x 6
  - Two-bed house (Boys Brigade) x 1
  - Four-bed flat/maisonette x 1
10. The application is the re-submission of an identical proposal first made in 2015 (15/01928/F). That application was refused in July 2017 for the following reasons.
  11. The proposal fails to meet the requirement for affordable housing either through on-site provision or through the provision of a commuted sum towards off-site provision of a level which has been independently assessed to be viable for the proposed scheme.
  12. Notwithstanding the fact that a five year land supply for housing cannot currently be demonstrated within the Norwich Policy Area, the shortfall in affordable housing provision associated with the proposal represents an adverse impact that would significantly and demonstrably outweigh the benefits of the proposal when assessed against the NPPF as a whole.
  13. The proposal therefore fails to represent sustainable development in the context of paragraph 14 of the National Planning Policy Framework and conflicts with the requirements of policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014), policy DM33 of the Development Management Policies Local Plan 2014 and guidance within paragraph 50 of the National Planning Policy Framework.
  14. This refusal of permission was the subject of an appeal which was considered at a hearing held on the 8 August and resumed on 30 October 2018. A decision was issued by the Planning Inspectorate on 16 January 2019.
  15. The appeal was dismissed and the reason for this can be summarised as the absence of an appropriate mechanism to secure a reasonable off-site affordable housing contribution. This is explained further in the Case Assessment below and the Inspector's decision is appended to this report.
  16. The current application was submitted in June 2018 with updated costs information from the 2015 application. Determination of this application was held in abeyance until resolution of the appeal and since that was determined a revised viability assessment has been submitted and consulted on. This appraisal is based on the figures used, and agreed to by the Inspector, in the determination of the appeal.
  17. There have been no material changes to the circumstances of the site and its surroundings since the determination of the previous application in 2017.
  18. Two alternative outline proposals have been made: one for total demolition of all buildings on site and erection of up to ten new dwellings and one for demolition of all but the main church building and provision of up to ten new dwellings through conversion and new build (18/00503/O and 18/00504/O). Both these applications were considered by the Planning Committee in August 2018 and refused for

reasons including: harm to and loss of heritage assets, insufficient information and no provision for affordable housing.

## Summary information

<b>Proposal</b>	<b>Key facts</b>
<b>Scale</b>	
Total no. of dwellings	20
No. of affordable dwellings	The application proposes an off-site financial contribution of £167,172.
Total floorspace	1,853 square metres
No. of storeys	Church Hall and Methodist Church (four-storeys), Boys Brigade (1.5-storey)
Density	132 dwellings per ha.
<b>Appearance</b>	
Materials	Re-use of existing from demolition where possible, zinc standing seam cladding to new extensions, existing slate tiles to be re-used during re-roofing of all three buildings.
Energy and resource efficiency measures	PV panels on south facing roof of church hall building, heat recovery ventilation, upgrade of fabric of building to improve thermal efficiency.
<b>Transport matters</b>	
Vehicular access	As existing
No of car parking spaces	11
No of cycle parking spaces	34
Servicing arrangements	Mixture of communal and private refuse storage points. Management company to be responsible for putting out and bringing in communal bins for collection.

## Representations

19. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 53 letters of representation have been received citing the issues as summarised in the table below. Some representations have been received from groups of residents and there has been a re-consultation on the latest viability assessment so some individuals have made representations more

than once. 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>
Inappropriate affordable housing provision	See main issue 2
Detailed comments received on initial viability appraisal.	Not relevant to current proposal and explored at appeal.
Council was entirely right to enforce its affordable housing policy on application 15/01928/F. It is crucial that it robustly defends it against this aggressive attack on it within the new application. There are very significant risks to the Council in not robustly defending the JCS4 policy on this application. It would send a message to developers that the Council was weak and had backtracked on its previous position. This would have consequential effect of long-term loss of revenue for affordable housing as other developers saw a precedent to their advantage and bring reputation damage to the Council.	See main issue 2
The application must be appraised against the JCS policy compliant commuted sum, which provides a cap for developer contribution, based on real market values today.	See main issue 2
The Council should appoint consultants to independently review the viability assessment. Whilst the District Valuation Service may be able to provide an adequate assessment on simple cases, I don't consider they have the capacity to challenge applications of this sort where consultants have been paid considerable fees to make the applicant's case.	See main issue 2.  The District Valuation Service are independent and suitably qualified to undertake such a review, indeed they have extensive experience of doing so for numerous local authorities around the country.
The gross development value has been undervalued and the costs have been materially overstated.	See main issue 2
The grounds for refusal of the original proposal which was upheld by the Inspector on appeal that there are not enough affordable units is not addressed in these	See main issue 2

Issues raised	Response
new plans.	
Hope the Council won't let the developers get away without the legal percentage of social housing required by law, without their usual loopholes	See main issue 2 –provision for affordable housing is a policy requirement and the policy sets out how this is determined.
There are viable alternatives to the current proposals that will result in high quality and much more appropriate development of this site for housing.	The proposal in the submitted application is the scheme to be considered in determining this application.
Preference for alternative solutions.	The proposal in the submitted application is the scheme to be considered in determining this application.
Will the sale prices be commensurate with other starter homes and not with the price of other properties in the Golden Triangle?	See main issue 2 – an off-site contribution to affordable housing is proposed
20 units too many for site. Overcrowded. Too high density.	See main issue 3
Inappropriate to make the buildings even larger and more dominant. Building planned is four storey and out of context within an area of two storey buildings. Object to scale, height and massing.	See main issue 3
In the previous application the Council failed to take full and proper account of policies DM2 and DM3	See main issues 3 and 5
Existing drainage infrastructure already showing signs of stress. Proposed new dwellings would present a significant surge of demand beyond the system's current capacity. Antiquated sewerage was only designed to serve a church, not 43 extra properties	See main issue 6
Do not wish for two trees to be cut down	See table at paragraph 153
More greenery/green space is needed	See main issue 3
Inadequate parking. Will add to congestion to surrounding streets. Doesn't comply with UK government guidelines. No parking spaces for visitors, maintenance staff or deliveries.	See main issue 4.  There are no Government guidelines for parking standards, these are set locally and the scheme has been assessed

Issues raised	Response
	against the Local Plan requirements.
Proposed parking spaces will be dangerous to back out of. Visibility onto Avenue Road is very limited.	See main issue 4
Insensitive manner of parking layout will compromise the important Park Lane frontage, both visually and on grounds of road safety	See main issue 3
This is already a complicated junction, the convergence of 4 roads and is on an incline with restricted visibility. Inadequate consideration given to location at dangerous road junction. The developer should be required to carry out off-site improvements to the junction.	See main issue 4
Lack of proper locked bicycle storage protected from the weather.	See main issue 4
Unrealistic and impractical to expect everyone to cycle or walk everywhere	See main issues 1 and 4
Need provision for off-road storage of bins. Bin stores are likely to become smelly and a health hazard. Waste disposal has not been properly designed and bin requirements do not appear to have been appropriately accounted for.	See main issue 5
Reduction of light available to neighbouring houses and gardens. The prescription act of 1832 says that if you have had uninterrupted light for 20 years or more it can't be taken away. We would appreciate a visit for a light assessment as this has not been done.	See main issue 5 - Daylight/sunlight assessment submitted
Overlooking and loss of privacy to neighbouring houses and gardens	See main issue 5
Introduce noise to quiet back area. Visible and audible activity at side of church hall.	See main issue 5
Many of the units have minimal natural light and little view	See main issue 5
Intrusive noise, smells and disruption	See main issue 5

Issues raised	Response
All round balconies would overlook surrounding properties – not appropriate on this site, not in keeping. Balconies will cause noise disturbance	See main issue 5
The 'right of light' issue should be revised; reasons for refusal should be extended to cover unit CH9 which takes daylight from neighbouring properties. BRE guidance doesn't give a meaningful picture of the situation.	See main issue 5
The loss of light issues were not fully considered by Inspector Worden. This loss of light is due primarily to a single unit of the proposed 20, CH9. This would single-handedly increase the density and steal light from homes. Some problems could be mitigated by omitting unit CH9.	See main issue 5
Problems with daylight sunlight report data	See main issue 5
Very limited outdoor communal space and no garden space for children	See main issue 5
Ugly zinc extrusion for west end of church hall does not appear to enhance or mirror any of the current or original architecture	See main issue 3
Current buildings are of limited historic or architectural value	See main issue 3
It is a poor design and does not contribute to the area	See main issue 3
Lack of environmental vision	Noted
Total loss of amenity use on the site, without compensating value as well-thought out dwellings. No community amenity value. Church provided a service to the local community and we feel this should be preserved in some form.	See main issue 1
Flood protection measures will protect the new dwellings, existing housing in this area will not be similarly protected from the risk of flooding made very much worse. Sewage flooding will make existing homes uninhabitable.	See main issue 6

Issues raised	Response
The present soil drainage system is overloaded and represents a real soil flood danger to adjacent housing	See main issue 6
Quality of life and house price values would be negatively impacted for a considerable number of existing residents	The effect on house prices is not a material planning consideration
Lack of convenient amenities	See main issue 1
More one and two bedroom flats are not what are needed. There is a shortage of decent quality family housing. At present the area is a happy mix between student rentals and homeowners of all ages. This balance will be damaged by the influx of large numbers of single people. Possible occupation by students.	<p>A mix of dwelling sizes are proposed – see paragraph 10 above.</p> <p>The Council cannot exert control over who purchases the properties or who an owner may rent to in future.</p>
Object to the way developers appear to be wasting Council time with repeated requests	Not a material planning consideration to take into account in the determination of the application
No substantial changes to original unsuitable plans	Noted. The proposal is identical to application 15/01928/F, other than the proposed contribution to affordable housing.
Who is going to be responsible for the maintenance of the units communal areas?	A management company is proposed.
What provisions are being put in place regarding fire safety?	The development would be subject to the provisions of Building Regulations.
The City Council must act in accordance with the law and also respect the policy and purpose of relevant legislation. Failure to do so is illegal.	Section 38 (6) of the Planning and Compulsory Act 2004 requires applications to be determined in accordance the development plan, unless material considerations indicate otherwise. The relevant development plan policies and material considerations are addressed in the 'Assessment of Planning Considerations' section below.

## Consultation responses

20. 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

21. The modifications to the front of the church hall will be an improvement and will enhance what is an otherwise blank façade clad with modern brickwork and a modern extension that does little to respond to the street scene or the surrounding conservation area. The modifications will also take note from the previous historic Plan form and features. Therefore these modifications will be in line in terms of the NPPF paragraph 131 [paragraph 192 of NPPF 2019];

“In determining planning applications, local planning authorities should take account of: the desirability of new development making a positive contribution to local character and distinctiveness”.

22. And also paragraph 137 [paragraph 200 of NPPF 2019]; “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.”
23. There will be an element of less than substantial harm to the undesignated heritage asset as a result of the works and the subdivision of the internal spaces. However converting the building and providing it with a long term viable use will ensure that the assets are retained along with the contribution they make to the surrounding conservation area. Retaining the contribution that the assets make to the conservation area along with enhancement through improved design will provide benefits to the surrounding area and therefore benefit the general public. As demonstrated by the NPPF paragraphs 134 and 135 [paragraphs 196 and 197 of NPPF 2019];
24. Sometimes harm is necessary to enable change of use of the asset to its optimum viable use. The optimum viable use is either the sole viable use of the asset or, if there is more than one viable use, the use most consistent with its ongoing conservation. Enabling such a change of use can be a public benefit that outweighs the harm done.
25. While its optimum use would be one that the building was originally intended for this has shown not to be viable and after a lengthy marketing exercise no alternate community use for the buildings could be found.
26. Sufficient recording should be undertaken of the buildings before the development commences due to the extent of the works and the way the works will impact on the internal space of the church buildings.

## **Historic England**

27. Historic England has no objection to the application on heritage grounds, this might be an opportunity for the Council to review the proposals for the conversion of the church and in particular the treatment of the exterior and decorative features such as the stained glass. We consider the application meets the requirements of the NPPF, in particular paragraph numbers 6, 7 and 14. In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

## **Norwich Society**

28. The Church is included in the local list for Heigham Grove, described as follows:
- St Peters Methodist Church 1939
  - Buff brick with brown brick detail to windows.
  - Designed by local architect Cecil Yelf in a simple but monumental style.
  - Importance: Important community and landmark corner building in a style evocative of its time.
29. We have consulted with the local residents' group who expressed the hope that the Norwich Society might reconsider our support for the local listing of St Peter's. The key passage above reads: 'Importance: Important community and landmark corner building in a style evocative of its time'. However now, with the loss of the church hall, the building has no value for the community. The committee which prepared the recommendations did not consider that the church itself had intrinsic architectural merit. In fact it is the residents' view that its size and position restricts street views, making the junction more dangerous because of the traffic, especially during the school run in the morning and afternoon collection.
30. We discussed both schemes at our committee, and concur with the views of the residents, i.e. we would not object to its removal from the local list and its demolition, if that achieved a better architectural solution for the site as a whole.
31. However we note that a new detail application has been submitted (18/00962/F) which is also based on retention of the church, and represents an improvement from the initial outline scheme (18/00504/O). The vertical split of the space into 3 and 4 storeys units gives unusual and attractive units, especially with the benefit of the voids and roof terraces. We would be happy to support this scheme if the developer is intending to retain the existing buildings.

## **Environmental protection**

32. Have reviewed the application and have no comments.

## **Highways (local)**

33. No objection on highway grounds, the proposed use and layout is acceptable.
34. Fundamentally the proposed use will have significantly less parking demand than the extant use as a place of worship. Objectors may be thinking of the former use of

the premises that had small congregations, for the purposes of this assessment we must consider the lawful planning use and its transport implications.

35. Due to the limitations of the site, there will be 10 [11] parking spaces, compared to 20 residential units. The council will not issue parking permits. The proposed parking spaces are in a similar layout to the extant parking spaces.
36. Given that streets in the immediate area of the site are subject to Controlled Parking Zone parking restrictions Mon to Sat 8am to 6.30pm, it will not be possible for residents of the site to leave their vehicle in the immediate proximity for prolonged periods. For visitors, these can make use of limited waiting bays in the locality or they can visit outside of CPZ hours.
37. Refuse storage appears satisfactory in principle. Cycle parking provision appears satisfactory in principle. A construction management plan will be required by condition in case hoardings, footway diversions etc. are required.
38. For vehicle access to the parking space for the dwelling on Avenue Road a dropped kerb/crossover will need to be constructed to strengthen the footway.

### **Landscape**

39. While private and communal amenity areas are restricted due to the nature of the site, the removal of a number of single storey extensions and the use of existing flat roofs to provide external terraces has maximised the space available. The layout of the amenity areas has been well thought through.
40. The external areas are cohesive, using different paving materials, railings and gates to define areas of uses and separate the public and private domain, with the proposed edgings of granite setts (and conservation kerb steps) providing continuity to the design.
41. The loss of two trees which have out-grown their location on the southern frontage is acceptable as their proposed replacement with of 5 No fastigate trees is more appropriate to the space available.
42. The outline landscape proposals are acceptable. A standard landscape condition should be applied requiring more detailed proposals to be submitted.

### **Norfolk historic environment service**

43. No comment.

### **Ecology**

44. The updated bat survey has the following updates of note;
  - Church: the 2018 survey confirms the results of the 2015 survey – a small number of bats use the building on an occasional building.
  - Church Hall: The level of bat use appears to have increased slightly from 2015, and still includes Brown long-eared bats (increased level of droppings under the ridge line of the lower loft). Access was gained to the upper loft level but no bat evidence was noted.
  - The results for the other buildings/areas inspected did not change.

- At least some of the buildings appear to be used, or at least cleaned on a regular basis.
45. The level of activity at the whole site is not considered to be significantly greater than it was in 2015. The buildings have been assessed as being of low value to roosting bat populations, likely compromised by the high level of street lighting.
  46. It is understood that the current proposal is for a change of use that does not require the level of demolition discussed within the bat Survey. Para 8.10 suggests that the Bat Low Impact Class Licence could be appropriate here. This is likely to remain a potential option, given that the site remains of low value and that the species identified are brown long eared bats and pipistrelle.
  47. I have assumed that para 9.7 remains true: the development does not affect the roof void of the Church although it will require re-roofing. It is planned that after these works, the bats are able to re-access the void. This will require access through the western grille to be maintained. As such the recommendations under 9.8-9.11 need to be part of the mitigation. Please advise if this is not the case.
  48. Mitigation/conditions are recommended.

### **Private sector housing**

49. Lower ground floor (flats CH1 and CH2). The egress from the bedroom to the front door involves going via the open plan kitchen. These rooms will require an emergency egress window. In the event of a fire the occupiers can exit via these windows.

### **Tree protection officer**

50. The loss of 2 Cat B trees is regrettable, however, their estimated remaining contribution of 20+ years, is a contribution that holds limited value, in terms of aesthetic appeal and seasonal variation. This application (seen purely from an arboricultural perspective) provides an opportunity to replace 2 trees of moderate quality, with at least 4 high quality, more attractive, young trees that will make a lasting contribution of at least 40 years.

### **Local Lead Flood Authority**

51. We object to this planning application in the absence of an acceptable Flood Risk Assessment (FRA) / Drainage Strategy relating to:

The development changing vulnerability categories from less (a community building) to More Vulnerable (Housing) is at risk of flooding from surface water. We request that it is demonstrated that these risks can be managed to remain safe for the lifetime. In particular regard to the two proposed dwellings with bedrooms at lower ground floor in the current Old School Room/Church Hall.

#### **Reason**

To prevent flooding in accordance with National Planning Policy Framework paragraph 103 and 109 by ensuring the satisfactory management of all sources of flood risk, storage and disposal of surface water from the site in a range of rainfall events to ensure the development is safe for its lifetime, does not increase the flood

risk elsewhere and surface water drainage system operates as designed for the lifetime of the development.

52. We will consider reviewing this objection if the following issues are adequately addressed.
  - Information to show that two proposed dwellings with bedrooms at lower ground floor in the current Old School Room/Church Hall have the risks managed and are safe for the lifetime of development. Whilst previous application at this site reassessed the layout for some of the flats to have safe refuge upstairs in the same property. It is not clear why these CH1, CH2 and CH3 cannot also be provided flood risk management considering they are also at risk of flooding at the 1% annual probability flood plus climate change flood event.
53. We have serious concerns over this development due to the change to a more vulnerable use as dwellings that are at risk of surface water flooding with no flood warning of any flood event. We note that the document provided by the Interesting Building Company dated 25/06/2018 implies that flood risk should only be considered up to 3.33% annual probability (1 in 30) flood event and that habitable accommodation has been moved away from these areas. The 1% (1 in 100) plus climate change is the required standard to consider flood risk in NPPF with regard to new / re – development.
54. We are still of the opinion that we would not support the conversion of the lower ground floor of the buildings to habitable accommodation which may flood to a depth 1m. This flooding could have the potential for rapid inundation during a storm and it would be difficult to consider it as “safe for the lifetime of development” in line with NPPF. We would suggest that this remains the same vulnerability as it is currently e.g. stores. It is unclear where the additional storage that could be investigated at a detailed stage would be within the site as the lowest part of the site are all at risk of flooding. Any drainage attenuation for this site in an area at risk of flooding, would need to show how this surface water storage will be maintained during the design flood event (considering surcharging locally).
55. We again request that your emergency planner is consulted and comment on new dwellings regarding hazards of a development which may have up to 1m deep of flood water on it. The FRA indicate that the buildings will be built with resistance and resilience for water up to 600mm (0.6m) deep. At water depths deeper than 600mm it is expected that water will spill into the dwellings flooding them up to 1m. We support that the applicant indicates that dwellings at risk of flooding will no longer be expected to be offered with full equality access measures. Anyone with impaired physical ability would be particularly vulnerable at this location. We can be available to discuss the current information with your emergency planner if they require.
56. We would like to highlight that Flood Re insurance is not available for houses built after 1 January 2009. This is to ensure that the risks of flooding are appropriately considered and mitigated at the planning stage. Thus, new developments are subject to risk reflective pricing, meaning those built without due consideration of flood risk may struggle to access affordable insurance. We advise the applicant that they fully consider the potential available finance and insurance for the future owners and / or tenants of the proposed dwellings

57. We would also advise that the although permeable surfacing proposed as possible mitigation for brownfield runoff can act the same as rainfall on greenfield land (so less prone to engineering issues next to buildings), we would suggest that any site specific engineering constraints e.g. subsidence and is considered by the designer. It may be that permeable surfacing will be under-drained but it is not clear from the current information submitted. It is also noted that Anglian Water consultation supplied with this application refers to the previous planning application for 20 dwellings and suggests that they need further information to agree to a connection to their drainage network. We agree that rates of 4.6l/s may be appropriate for this application considering that no buildings will be removed and existing connections will remain. We expect that any detailed design would clarify the existing runoff rate via existing discharge locations and limit these as close to greenfield as possible.
58. If you, the planning authority is minded to approve this application, we suggest that any conditions placed on the application reflect the outstanding information requires for the development with regard to the safety of occupants for the lifetime of development and surface water drainage design. We do not see that all of these issues can be achieved through conditions at this time but refer you to our letters on the previous application 15/01928/F (FWP/16/4/3243 dated 21 Sept 2016 and FWP/17/4/4617 dated 22 May 2017).

### **Emergency Planning Manager**

59. I note the LLFA and Anglian Water have raised a number of concerns regarding the flood risk assessment and risk of surface water flooding. I have no additional comments to add.

### **Anglian Water**

60. The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows. In accordance with our previous response under reference: 27861, we can confirm the sewerage system at present has available capacity for these flows via a gravity discharge regime. 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.
61. The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.
62. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. Evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. However, no trial pit logs from the infiltration tests have been provided at this time in accordance with the Building Regulations Part H.
63. The final surface discharge rate must also meet our minimum self-cleansing discharge rate of 5.0 l/s. We would therefore recommend that the applicant needs to consult with Anglian Water. We request that the agreed strategy is reflected in the planning approval.

64. Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning

### **Police Architectural Liaison Officer**

65. Refer to previous letter of 03/02/2016 (summarised):

- (1) Parking – To reduce the opportunity for Crime and Disorder there should be good levels of natural surveillance across the development.
- (2) Amenity Space – Due to the height of the windows there will be limited opportunity for natural surveillance over the amenity space between the Church and Church Hall. Communal/seating areas such as this have the potential to generate crime and anti-social behaviour; they must be designed with due regard for natural surveillance and should not immediately abut residential buildings.
- (3) Dwelling identification – Clear naming and/or numbering of properties will be essential to assist visitors, postal workers and the attendance of emergency services.
- (4) Communal entrances – To prevent unrestricted access into buildings secure doorsets and access control systems should be used on all communal entrances. Trade release buttons must not be used.
- (5) Cycle Parking - Cycle parking should be located in secure rooms or in areas with good levels of natural surveillance.
- (6) Secured by Design (SBD) – Secured by Design is a national crime prevention initiative based upon the principles of "*designing out crime*" and incorporates the latest security standards to address emerging criminal methods of attack.
- (7) *Section 17 of The Crime and Disorder Act (1998) places a duty on the Police and local authorities, (including in their role as planning authorities), to do all they reasonably can to prevent crime and disorder in its area including anti-social and other behaviour adversely affecting the local environment.*

66. In addition, I would ask the developer to consider:

Mail delivery - Communal mail delivery should be considered by the applicant to enable security of mail yet not compromise security access into the building.

Lighting of footpaths/amenity space – Footpaths that are to include lighting should be lit to the relevant levels as defined in BS 5489:2013. It is important that the landscape architect and lighting engineer coordinate their plans to avoid conflict between lighting and vegetation.

## **Assessment of planning considerations**

### **Relevant development plan policies**

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

- JCS1 Addressing climate change and protecting environmental assets
- JCS2 Promoting good design
- JCS3 Energy and water
- JCS4 Housing delivery
- JCS5 The economy
- JCS6 Access and transportation

- JCS7 Supporting communities
- JCS11 Norwich city centre
- JCS12 The remainder of the Norwich urban area including the fringe parishes
- JCS20 Implementation

**68. 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
- 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
- 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**

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

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

Planning Practice Guidance

Planning (Listed Buildings and Conservation Areas) Act 1990

**70. Supplementary Planning Documents (SPD)**

Affordable housing SPD adopted March 2015

Trees, development and landscape SPD adopted June 2016

## **Case Assessment**

71. 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 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.
72. It should be noted that since the determination of the 2015 application, the National Planning Policy Framework has been revised twice: in July 2018 prior to the determination of the appeal and again in February 2019, subsequent to the appeal decision. The July 2018 revisions included amended provisions regarding affordable housing and these were addressed by all parties during the appeal and the Inspector's decision was made in accordance with this version. This application must be considered in accordance with the February 2019 version; however the revisions within this do not make any significant changes in relation to the appeal proposal (as they principally relate to methods for calculating housing need).
73. When considering this application, Members should be mindful that the 2015 application was refused for one reason: the absence of a reasonable affordable housing contribution. Prior to the committee's resolution to refuse that application, it had been presented to the planning applications committee recommended for approval but deferred for a site visit and further consideration of flood risk matters which were subsequently satisfactorily resolved. In considering and determining the appeal, the Inspector focused on the main issue of the affordable housing contribution but also gave due consideration to the other issues covered below. As noted above, the only material changes since the determination of the previous application to take into account in the assessment of this application are the revisions to the NPPF. The site and its surroundings are as they were at the time of the determination of the 2015 application and subsequent appeal and there have been no changes to the adopted development plan.

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

#### **Principle of new residential development**

74. Key policies and NPPF paragraphs – DM12, DM13, NPPF section 5
75. The 2018 and 2019 revisions to the NPPF maintain an emphasis on significantly boosting the supply of homes. In accordance with Policies JCS4 and DM12, this site, in an accessible location well supported by a range of local services and facilities and within walking distance of the city centre, is appropriate in principle for new housing, subject to the considerations below.
76. The proposal would provide a range of dwelling sizes, catering for different needs and reflecting the mixed demographic of the surrounding area.

#### **Principle of loss of community use**

77. Key policies and NPPF paragraphs – DM22, NPPF paragraph 92

78. Services at the Methodist church ceased in 2013 following a dwindling congregation which rendered the operation of the site as a church to be considered non-viable. The property was extensively marketed as a church/community hall with potential for other uses over a period of nine months and this process is documented in a statement provided by a chartered surveyor.
79. Policy DM22 seeks to protect community facilities and only permits their loss in identified circumstances. It is considered that the application demonstrates these circumstances apply here and, in the determination of the appeal, the Inspector supported this conclusion. The loss of the community use is therefore justified.

## **Main issue 2: Affordable housing viability**

80. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraph 62-64.
81. As the principle of residential development of the site is considered acceptable and the scheme proposes more than ten dwellings (threshold revised by paragraph 63 of the NPPF 2018 and 2019), it is necessary in accordance with Policy JCS4 for the development to provide for affordable housing. This policy seeks to secure 33% affordable homes on this scale of development, unless it can be demonstrated that to do so would render the development unviable in prevailing market conditions.
82. The 2015 application was refused because it could not be agreed what commuted sum the development could viably contribute. Over the course of the consideration of that application, revised viability assessments were undertaken and at the time of determination the applicants were offering a commuted sum of £371,800 (or provision of three affordable dwellings on-site – 15% provision). However, officers, in consultation with the District Valuation Service (DVS) considered the scheme to be viable with a contribution of £507,108 (in lieu of the provision of seven affordable dwellings on site – 35% provision). The difference in these figures resulted from disagreement on some of the calculations and assumptions used by the parties – principally, the applicants contested the cost model used by the DVS and did not consider the impact upon values from the integration of private and social housing had been taken into account.
83. Accordingly the two parties could not come to an agreement on the viability calculations and the applicants were not prepared to pay the commuted sum which officers considered viable and necessary. On this basis, the failure of the development to make appropriate provision for affordable housing led to officers making a recommendation for refusal which members resolved to support.
84. The applicants exercised their right of appeal during the course of which the appellants submitted updated viability information which included a cost plan prepared by a quantity surveyor, this made an offer of an affordable housing commuted sum of £3,980. Following a review of the council's detailed submissions as part of the appeal and particularly those relating to land value the appellants revised their offer to £167,172. Therefore by the time of the final hearing session in October 2018 the parties had come to agreement on all but two of the nine issues initially in dispute: the split of leasehold/freehold properties and cashflow arrangements. This resulted in a difference of £38,362 between the £205,534 that the Council considered appropriate and the £167,172 offered by the appellants.

85. Changes in market conditions, detailed cost appraisals by quantity surveyors (for both the appellant and the Council) and revised guidance in the Planning Practice Guidance (PPG) published in July 2018 on standardised inputs into viability assessments account for a large part of the changes from the figures considered in July 2017 when the application was determined, e.g. the appellant's benchmark land value was originally £825,000 but the PPG advocates a standardised 'Existing use value plus' methodology and the parties agreed a benchmark land value of £630,000 on this basis. Costs however increased significantly following the review by quantity surveyors from £1.9m to £2.7m.
86. In determining the appeal, the Inspector considered these two outstanding matters, but also the wider viability issues, including those raised by the July 2018 revisions to the NPPF and third party representations pertaining to these.
87. One of the more significant revisions the July 2018 NPPF introduced was to place greater emphasis on assessing development viability at plan making stage, rather than decision stage (paragraph 57). Policies JCS4 and DM33 make provision for the proportion of affordable housing to be reduced on applications where it is demonstrated that the site cannot viably provide a policy compliant level and the 2015 application was considered on this basis. At appeal the council took account of the revisions to the NPPF but contended the site's circumstances (historic buildings, brownfield site, mix of conversion and new build) meant it remained appropriate to consider viability at decision stage, rather than assuming the 33% policy requirement would be viable. The appellants did not contest this but third parties did make representations to the contrary and considered that, in accordance with paragraph 57 of the revised NPPF, the development should provide 33% affordable housing in accordance with JCS4 and no regard should be had to the submitted viability assessment as the appellants had not demonstrated there were particular circumstances to justify it. The Inspector took account of the representations by all parties on this matter and concluded that, due to the circumstances of the site and proposal (as identified by the council) and the need for a bespoke approach to viability as demonstrated by the detailed nature of the submitted assessment prepared by specialist costs consultants, it is "entirely appropriate to consider the requirements of Policy JCS4 on this proposal in the context of a specific viability assessment". The appeal was therefore determined on this basis and it is also considered appropriate for this application to be considered on the basis of the submitted viability assessment.
88. The Inspector also accepted that it is appropriate to secure a commuted sum in lieu of on-site provision in this case due to the small numbers involved, location and reluctance of registered providers to manage on-site units here.
89. Another change introduced by the 2018 revised NPPF was the expectation that applications proposing ten or more dwellings should provide at least 10% of the homes for affordable home ownership as part of the affordable housing provision (paragraph 64). Exceptions to this are identified and in representations on the appeal the Council identified that securing the maximum reasonable financial contribution for use to provide affordable or socially rented housing off site would best help meet the particular need for affordable housing in Norwich. The Inspector had regard to these material considerations and concluded that making a contribution to affordable rented homes would not conflict with paragraph 64 which sets out an expectation, rather than a requirement, with regards affordable ownership.

90. Therefore, having considered the implications of the revisions to the NPPF on the provision of affordable housing for this development, the only outstanding matters for the Inspector to consider were those where the two parties disagreed: the leasehold/freehold split and cashflow arrangements.
91. The council's assessment of viability assumed all 20 dwellings would be leasehold on the basis this would be the best way to manage this heritage building, however the appellant's assumed 12 would be leasehold and eight would be freehold. This difference in ownership affects the amount of ground rental income the scheme would generate. There is no standardised method for approaching this issue in viability assessment and the appellants contended that there were structural, legislative and commercial reasons for their approach which the Inspector was persuaded by and determined that ultimately the decision rests with the developer and would be made on a commercial basis. He also noted that there would be no planning control over the ultimate split between the two tenures. The Inspector therefore accepted the leasehold/freehold split and consequent ground rent income.
92. The Council and appellant's cashflow assessments differed by one month in the costs and receipts windows, resulting in a £5,000 difference in the contribution that could be made to affordable housing. The Inspector did not consider the appellant's assumptions to be unreasonable, noting the uncertainties in the construction of this major building project on a constrained site in a residential area. The appellant's values were therefore adopted by the Inspector.
93. The Inspector was satisfied that the other values and assumptions which had been agreed by the two parties between submission of the appeal and the final hearing were reasonable and, having also taken into account third party representations, he concluded that the appellant's figure of £167,172 was the maximum reasonable financial contribution for affordable housing. This application proposes this figure on the basis of the final viability assessment submitted in respect of the appeal as supported by the Inspector.
94. In order to secure this commuted sum, a Section 106 agreement is necessary. A Section 106 is a bilateral agreement by which all parties to it (landowner, local planning authority and any other parties with an interest in the land) are bound by the specified provisions. In advance of the final hearing session, an agreement had been prepared and signed by the appellant's and the council (subject to agreement on the contribution to be made). As the appellants do not yet own the site, it was also necessary for the freeholder, the Trustees for the Methodist Church, to sign the agreement and for the Trustees, or their successors in title, to be bound by its provisions. Prior to signing, the Trustees required amendments to the agreement which the council considered would present a risk that the payment of the affordable housing contribution would not be enforceable should the Trustees themselves implement the planning permission. The council were not, therefore, prepared to sign this amended agreement.
95. As an alternative means of securing payment of the affordable housing contribution, the appellants submitted a unilateral undertaking (UU) to the Inspector. The Inspector considered whether the council could rely on this to secure the contribution and concluded that the wording used would not bind the current freeholder of the land and thus not also their successor in title (intended to be the appellants); it would therefore not be enforceable. The undertaking also assumed that the appellants would, as intended, buy the site, and undertake the

development. However, there was no binding provision on any other party who may buy the site instead. The Inspector therefore concluded that he was “not satisfied the submitted UU would make the necessary provision for off-site affordable housing contributions”. In the absence of any means of securing this provision, the Inspector concluded the development would not accord with Policies JCS4 and DM33, the NPPF or PPG.

96. Therefore, whilst the Inspector had agreed with the appellants’ viability assessment and concluded that £167,172 is the maximum reasonable contribution this development could make to off-site affordable housing, the absence of an appropriate mechanism to secure this was the reason for the appeal being dismissed.
97. This current planning application was originally proposed with a affordable housing commuted sum of £3,980 which has subsequently been revised to an offer of £167,172 consistent with that considered to be the maximum reasonable contribution by the planning Inspector. It is appreciated that representations have been made on this application which consider the contribution to be insufficient and urge the Council to secure the full 33% JCS4 requirement. However, given the Inspector’s analysis and conclusions, officers do not dispute the content of the assessment or that this is the maximum reasonable contribution the development can make. If the payment of this contribution can be secured by appropriate means with this planning application, then the development must be considered acceptable in this respect.
98. The failure to execute an appropriate Section 106 agreement was because the Trustees of the Methodist Church, as current freeholders, must be a party to it and insisted on amendments which the Council could not agree to. Prior to the Trustees involvement, the council and applicants had both signed an agreement acceptable to both parties. To overcome the issue which caused the dismissal of the appeal and obviate the need for the Trustees to be a party to the agreement, the applicants intend to purchase the site and sign an agreement once the sale is complete. They do, however, require the comfort of a resolution to grant planning permission prior to exchanging contracts. This approach is not unacceptable but it is recognised there may be a time delay associated with and accordingly the resolution below seeks to manage the timescale for completion of an agreement. In principle, the alternative of negotiating an agreement which is acceptable to all parties, including the Trustees, also remains a viable option.
99. In summary, it is considered necessary for this development to make a viable contribution to off-site affordable housing and a Planning Inspector has concluded that the maximum reasonable sum is £167,172. The appeal failed due to the absence of an appropriate mechanism to secure this payment. Officers are satisfied that approval of this planning application can be subject to an appropriate agreement and, on the matter of securing an appropriate affordable housing contribution (which was the sole reason for refusal of the 2015 application and dismissal of the appeal), the proposal is considered acceptable.

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

100. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF sections 12 and 16

The application site occupies a prominent position in the Heigham Grove Conservation Area and the locally listed buildings are considered to make a positive contribution to it; an assessment which the Inspector supported. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of such areas and the DM9 and the NPPF also seek to retain the significance of locally listed buildings (non-designated heritage assets) and protect them from loss or harm.

101. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the local authority to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of conservation areas when carrying out the balancing exercise.
102. Applications 18/00503/O and 18/00504/O proposed varying levels of demolition of the existing buildings. Representations on those applications and this one have suggested clearance of the buildings and redevelopment with housing would be a preferable option, however the loss of a non-designated heritage asset and harm it would cause to the Conservation Area was considered unacceptable and contributed to the refusal of the two demolition schemes.
103. Whilst this conversion scheme would result in the loss of the community use of the buildings which contributes to their heritage value, a new residential use is considered likely to be one which secures their optimum viable use and long term conservation. Sub-division to achieve this will not be without harm to the internal character, but is unavoidable given the nature, layout and scale of the buildings.
104. In terms of design, the proposal includes the removal of harmful extensions, retention/relocation of key features and alterations which are considered to strike a balance between achieving a functional residential conversion and preserving the historic character of the buildings. The most significant visual change would be the addition of a two storey extension over the existing two storey flat roof at the rear of the church hall. In scale and form this has been designed to read as a subservient later addition to the host building and provide some coherence to this rear elevation. Use of a contrasting zinc material reinforces the appearance as a later and more contemporary addition whilst complementing the original ecclesiastical buildings. The amenity impacts of this extension are considered below, but it is considered appropriate in design. Representations have raised concern about whether four storeys is appropriate here, however the proposed extension is a relatively minor addition and no higher than the existing buildings on site.
105. The potential to reveal the original Boardman façade of the church hall, rebuilding of the church porch, relocation of stained glass and preservation of key artefacts for heritage interpretation should all be secured by condition to protect the significance of heritage assets and balance against the harm caused by some alterations necessary to facilitate the conversion.
106. Whilst parking would be retained on the Park Lane frontage, a landscaping scheme offers an opportunity to improve the appearance of this area in the streetscene and secure appropriate treatment of boundaries and amenity spaces. Secured by

Design principles are proposed to be followed and those details can be considered by condition.

107. Many representations have raised concern about the density and overcrowding of development. This is considered to be a reasonably high density scheme which can be achieved without significant detriment to the historic character of the area in accordance with criterion (e) of Policy DM3. The amenity impacts are considered below.
108. In summary, it is recognised that the proposal would result in less than substantial harm to the undesignated heritage asset as a result of the internal and external alterations necessary to facilitate the conversion and the loss of the community use. However, in accordance with paragraph 197 of the NPPF, a balanced judgement should be made in such cases and it is considered that conversion would retain the positive contribution the site makes to the Conservation Area. There are also benefits with regards the restoration and preservation of historic features and artefacts and the provision of 20 dwellings to the city's housing need is a further public benefit weighing in favour of the proposal against the less than substantial harm to the designated and non-designated heritage assets.
109. At appeal, the Inspector considered the development would “retain the principal and architectural features of the key buildings on the site”, “respect the architectural and historical merit of the property and I consider would not be harmful to its character and appearance” and “preserve and enhance the character and appearance of the Conservation Area”. The proposal is therefore considered acceptable in design and heritage terms, subject to conditions, in accordance with Policies DM3, DM9, paragraphs 193, 196, 197 and 199 of the NPPF and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

110. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9
111. Parking, traffic and highway safety are significant concerns raised in the representations.
112. The site is in a highly accessible location adjacent to a defined local centre, within walking distance of the city centre, approximately 220 metres from high frequency bus stops, in proximity to several Car Club spaces and on the Pink Pedalway for cyclists. Therefore, whilst the development would provide 11 parking spaces for 20 dwellings the site is considered appropriate for low car and car-free housing in accordance with Policy DM32. Residents would be aware of the availability, or otherwise, of parking spaces prior to purchase or rent and ample cycle storage is proposed to promote more sustainable travel. Ten of the parking spaces would make use of the existing area of seven spaces on the Park Lane frontage that would be extended by removal of extensions to the church hall and be of not unacceptable dimensions. The Inspector noted the highly accessible location in a controlled parking zone and considered “the proposed car parking provision would be acceptable and would accord with Policy DM32 of the DMP Plan”.
113. The new dwellings would not be eligible for on-street parking spaces in the controlled parking zone and the existing restrictions are considered adequate to

protect parking in the surrounding area. Short stay bays in proximity to the site can meet the needs of deliveries and visitors whilst a construction method statement including arrangements for deliveries and parking is proposed to be agreed by condition to manage this during the development phase.

114. With regards traffic generation, the site has an existing lawful use as a place of worship and whilst the use has been low level and the congregation small in recent years, the site could attract much higher levels of traffic (and parking demand). Relative to this, the traffic associated with the proposal would be low and is not considered to result in significant impacts to the surrounding area.
115. The junction between Park Lane and Avenue Road, which has a speed table and 20mph limit, does not have any inherent accident problem and given that the proposal would only marginally increase on-site parking it is not considered to present any significant harm to highway safety. The Inspector considered this matter and representations made by third parties in this respect, including at a site visit, and concluded "I have no evidence before me that the proposed development would cause harm to highway safety". Accordingly, it is not considered necessary or reasonable to require this development to deliver improvements to the junction.
116. The details of secure, covered cycle storage can be secured by condition as can refuse storage which the plans and proposed management strategy indicate can be satisfactorily provided for without detriment to amenity, highway safety or the convenience of collection.

#### **Main issue 5: Amenity**

117. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 178-182
118. The impact on the amenity of neighbouring properties and standard of amenity for future occupiers are significant considerations in this densely populated urban area with adjacent dwellings in close proximity, particularly on the north and west boundaries. They are considerations which have been raised throughout representations on this and the previous application and were taken into account by the Inspector, including during a site visit to several of the neighbouring properties.

#### **Impact on neighbouring amenity**

##### **Overlooking/loss of privacy and overbearing/over-dominant building**

119. By virtue of introducing new floors and rooms behind existing windows, providing new windows and extending the existing church hall building, there would be greater opportunities for overlooking than at present. This is most likely from the upper floors of the church hall looking north to 79 Park Lane and from the side and rear windows of the proposed extension to the rear gardens of dwellings on Avenue Road and Doris Road.
120. To minimise this, the application proposes: obscure glazing to upper floor windows with potential for overlooking; the lower roof lights are over voids and upper roof lights are high level within the rooms and pitched away from the neighbouring property; recessed windows are proposed on the west elevation of the extension; and, other windows are not full height. These measures along with screening by existing features and the oblique angle of some views would reduce the potential

for overlooking and loss of privacy. Regard should also be had to the tight knit environment of neighbouring properties and their gardens as overlooking of rear gardens already occurs from upper floor windows of surrounding dwellings.

121. Upper floor external terraces are proposed to the church and Boys Brigade buildings and the combination of screening measures and distance to neighbouring properties would avoid any harm from overlooking to the surrounding area.
122. The siting and form of the two storey extension and stairwell are such that the height of the existing flat roof nearest the boundary with 79 Park Lane would not be extended and the new roofs would pitch away from this neighbouring dwelling. It is not therefore considered there would be any significant harm from a sense of overbearing.
123. The Inspector considered that “the design of the proposed development would avoid any material loss of outlook or sense of overbearing to the occupants of adjacent properties”. Subject to agreeing the details of obscure glazing, window recesses, openings configurations and terrace parapets and glazed balustrades, it is not considered the development would result in any unacceptable overlooking or loss of privacy that would be contrary to Policy DM2.

### **Loss of light/overshadowing**

124. As with the 2015 application, a Daylight/Sunlight Assessment has been submitted to assess the impact of the extensions and has been produced by a consultant engineer based on BRE guidance and methodologies. This was subject to a high level of scrutiny on the previous application and at appeal. During the Inspector’s site visit he visited 77 and 79 Park Lane and 4 and 6 Doris Road and went into some of the rooms concerned.
125. The assessment is based on the Vertical Sky Component (VSC) (the amount of skylight reaching a window) and the Annual Probable Sunlight Hours (APSH). BRE guidance establishes a 27% VSC value signifies adequate levels of natural daylight and where levels are below 27%, any reduction caused by development should be kept to a minimum and should not be less than 0.8 times its former value. No windows would fall below 0.8 times their former VSC value as a result of the proposal. The Inspector noted that “this would mean that occupants would be unlikely to notice a difference in terms of daylight levels”.
126. The BRE guide recommends that main habitable rooms should receive at least 25% of the APSH and considers three factors to assess whether sunlight availability may be adversely affected. These are if the centre of the affected window: receives less than 25% of APSH, or less than 5% of APSH annual probable sunlight hours between 21st September and 21st March; and, receives less than 0.8 times its former sunlight hours during either period; and, the overall annual loss is greater than 4% of APSH.
127. The assessment concludes that although the development will result in a loss of direct sunlight to windows in neighbouring properties, none of the windows included in the study fail all three BRE criteria. By BRE standards therefore, the proposed development would not have a significantly harmful impact upon the direct sunlight reaching neighbouring properties. Windows affected include those to a wet room, hallway and study/bedroom at 79 Park Lane, to a kitchen at 6 Doris Road and an

unidentified room at 10 Doris Road. Whilst some of these windows would experience reductions in APSH that represent large proportions, they are from relatively low existing baseline positions.

128. It is noted that some representations suggest that the BRE guidelines do not form a meaningful assessment of the matter and that the Inspector did not give the matter full consideration in the appeal. Whilst it was not a reason for refusal of the 2015 application and thus not the main focus of the appeal, the Inspector did hear extensive representations on this matter and visited affected properties to observe the situation. In considering this aspect of the assessment, the Inspector concluded “none of the windows would fail all three BRE criteria as a result of the proposal and therefore in accordance with BRE standards, I consider that the proposal would not have a significantly harmful impact upon neighbouring properties”.
129. Inaccuracies and errors in the assessment were raised on the original application and addressed. A representation on this application received subsequent to the appeal decision has raised an additional matter highlighting that the data supporting the assessment identifies that the Vertical Sky Component figures for three affected windows would increase as a result of the development – i.e. they would receive more skylight. Given that the proposal is to build an extension which is likely to obstruct light, this appears counter intuitive. The consultant has considered this point and confirmed that these increases were noted when the results were first obtained and that they are correct. The analysis was conducted using industry-standard software and apparently the software’s calculation algorithms can result in negligibly small variations in output results. The increases are from 11.42 to 11.72%, 23.99 to 24.27% and 22.30 to 22.45%. The existing VSC figures are therefore all below the 27% standard. As a figure of 0.8 times, or difference of 20%, is used to indicate where there would be a noticeable difference in daylight levels, these minor changes are considered to be negligible. It should also be noted that these figures affect three of 74 windows tested and the application must be considered in the context of the overall assessment and amenity matters as a whole. There will always be a margin of error when using such technical models and, taking into account the consultant’s explanation and the negligible difference in figures, the assessment is considered sufficiently sound to inform the determination of this application.
130. With regard to external areas, an overshadowing study demonstrating there would be a minor increase in overshadowing to rear gardens of 6 and 8 Doris Road and 79 Park Lane but not to any significantly harmful degree.
131. In concluding the matter of daylight/sunlight, the Inspector said: “On the basis of the evidence before me, I consider that there would be no material harm to living conditions of the occupants of neighbouring properties with regard to daylight and sunlight as a result of the proposal”. The proposal is therefore considered acceptable in this respect in accordance with Policy DM2.

### **Noise/smell/activity disturbances**

132. Relative to the existing lawful use, the development would not result in significant numbers of people on site at any one time and thus not generate the same level of activity. External terraces would locate some of this activity in more exposed positions, however due to the buffering by existing buildings, distances between

dwellings and context of surrounding gardens, it is not considered these would result in any significant harm to residential amenity.

133. Use of a communal passage along the side of the church hall adjacent to the boundary with 79 Park Lane would increase activity in this area of the site but not to such a level that is considered harmful to neighbouring amenity and this can be further mitigated with landscape improvements to this boundary to be agreed by condition through a landscaping scheme.
134. The siting of the bin stores is not considered result in any harm to neighbouring properties and the detailed design to be agreed by condition can ensure these do not result in any nuisance.
135. Amenity impacts during construction on this tight site in a residential area can be satisfactorily managed by agreeing a construction method statement by condition.

### **Amenity of future occupants**

136. The majority of the proposed dwellings would satisfy internal space standards, however three units would not – most significantly by 7 square metres. Given the constraints of converting an historic building and the fact the majority of units would comply with or exceed standards, the development as a whole is considered acceptable in this respect. Whilst the main habitable rooms in all units are well served by windows to provided adequate daylight, several units would have limited outlook due to the tightknit nature of the existing buildings on site and those surrounding it. This would be apparent to occupiers prior to purchasing or renting a property here and it would be balanced against the benefit of living in a development of unusual character, otherwise offering a high standard of amenity in an urban area.
137. Opportunities to provide outdoor amenity space on site are limited, however it is considered the scheme makes the most effective use of the space available whilst respecting neighbouring amenity and the heritage value of the site. Seven units would have their own external terraces whilst communal spaces would also be provided. Although these are limited in size and outlook, a landscaping scheme to be agreed by condition can maximise the quality of these spaces and enhance the soft landscaping of the site. The site is also in proximity to Heigham Park and Chapelfield Gardens which provide high quality public outdoor spaces within walking distance.
138. To mitigate noise from the road junction, noise attenuation measures are considered necessary for those units closest to it.

### **Main issue 8: Flood risk and drainage**

139. Key policies and NPPF paragraphs – JCS1, DM5, NPPF section 14
140. The risk of surface water flooding to the site was considered extensively in the determination of the 2015 application. Whilst the LLFA maintained an objection, officers were satisfied the risk could be satisfactorily managed by conditions.
141. The same flood risk information has been submitted in respect of this application and the LLFA have maintained on their objection on the following ground:

- The development changing vulnerability categories from less (a community building) to More Vulnerable (Housing) is at risk of flooding from surface water. We request that it is demonstrated that these risks can be managed to remain safe for the lifetime. In particular regard to the two proposed dwellings with bedrooms at lower ground floor in the current Old School Room/Church Hall.
142. The site is at risk of inundation from surface water flooding in the lower portion of the site to the west and the LLFA consider, in accordance with paragraph 155, that the risk should be avoided altogether and that the lower ground floor should be maintained as storage, rather than habitable accommodation.
  143. Amendments to the 2015 application which have been re-submitted with this application gave the two storey units at risk safe access and egress and a place of refuge at upper levels. Three units in the lower ground floor of the church hall (CH1, CH2 and CH3) are on a single storey and additional measures are proposed to all units at risk, including the provision of flood resistance measures up to 600mm above ground level and resilience measures up to 1 metre above ground level. The LLFA have identified that, in the event of permission being granted, a condition securing these measures would be appropriate.
  144. It is accepted that the development would introduce more vulnerable development into an area of flood risk, however weight is attached to the fact that this represents a small number of flats in the context of the overall development and regard is had to the pre-existing lawful use of the building and the extensive flood mitigation measures proposed. Whilst, as a conversion proposal, it is not necessary for the development to pass the Sequential Test which seeks to steer development to areas with the lowest risk of flooding, the sequential approach has been applied as far as possible within the site with resilience and resistance measures to mitigate the residual risk. In considering the matter of flood risk to the development, the Inspector concluded “I am satisfied that with such measures secured, the proposal would not cause harm to the living conditions of future occupants with regard to flood risk”.
  145. At present, virtually the whole application site is covered by impermeable surfaces and the development includes areas of demolition and the provision of permeable surfacing and soft landscaping to improve the drainage capacity of the site. Due to the need for a 10 metre separating distance it will not be possible to install soakaways. However, it is proposed to undertake a survey to determine the potential for on-site storage and the potential to reduce out-flow. Given the above measures the proposal would have a positive impact in reducing surface water flooding in the surrounding area in accordance with policy DM5. Both Anglian Water and the LLFA have identified that a condition concerning the surface water drainage design would be necessary should the application be approved.
  146. At appeal, the Inspector noted this is an existing developed site and is impermeable. He went on to say: “I consider that if the appeal were to be allowed, then subject to the imposition of a condition requiring a detailed surface water drainage to be submitted to and approved by the Council, and then implemented, the proposal would be acceptable in terms of impact on overall flood risk”.
  147. It is appreciated that there have been incidences of surface water flooding locally and that representations on this application have attributed this to an overloaded sewerage system. Representations have identified that whilst the proposed

dwellings at risk would be provided with resilience and resistance measures, those existing neighbouring dwellings at risk would not. As considered above, the surface water drainage of the site can be considered by condition, including agreeing any discharge rate to the surface water sewer with Anglian Water and receiving their confirmation that it would not increase flood risk downstream as a result of the development.

148. With regards foul sewerage, Anglian Water have confirmed that the system has capacity for the proposed development. The Inspector had regard to this and commented that he considered “that the proposal would not place unacceptable pressure on the sewerage network”.

### Compliance with other relevant development plan policies

149. 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.

Requirement	Relevant policy	Compliance
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition
Trees	DM7	Yes subject to condition. The scheme involves the loss of two trees on the Avenue Road frontage. These have limited value and longevity and the development offers an opportunity to secure appropriate re-planting as part of a landscaping scheme to maintain an attractive frontage to Avenue Road and enhance the biodiversity value of the site.
Biodiversity	JCS1, DM6, NPPF section 15	Yes, subject to condition. A Bat Survey has found continued use of the roof by bats and a suitable roof void can be retained with other enhancements secured by condition.
Contamination	DM11 NPPF paragraphs 178-182	The developer is advised that any asbestos encountered on the site, either as part of the existing buildings or as fill material, should be handled and disposed of as per current Government guidelines and regulations.

### Equalities and diversity issues

150. It is noted that the three units in the lower ground floor of the church hall would not have a safe refuge above levels of flood risk and would not therefore be suitable for more vulnerable residents. Given the restrictions on the building and value in bringing it back into viable use, the lack of disabled provision is considered to be acceptable in this instance.

## **S106 Obligations**

151. As identified above, a Section 106 agreement is required to secure an off-site contribution to affordable housing. This is necessary to make the development acceptable, directly related to the development and the viability assessment demonstrates that this is fairly and reasonably related in scale and kind to this housing development in accordance with paragraph 56 of the NPPF, section 122 of Part 11 of the Community Infrastructure Levy Regulations 2010 and Policy DM33.

## **Local finance considerations**

152. 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.
153. 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.
154. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

155. This application is identical to a previous proposal which was refused planning permission and dismissed on appeal. The sole reason for the refusal of permission was the failure to agree an appropriate affordable housing contribution and whilst the appeal process established what is considered the maximum reasonable contribution the development could viably make, no enforceable means of securing this was available to the Inspector.
156. Since the determination of the appeal, there have been no material changes to the circumstances of the site, development plan or other material considerations. This application has been assessed above in light of the representations made on it and these raise no substantial new issues which alter the previous assessment of the proposal. Members should be aware of this and the consequent risks to the Council should they be minded to refuse the application for reasons which were previously considered acceptable by the council/Inspector and this decision be subsequently appealed.
157. It is appreciated this is a sensitive and constrained site occupying a prominent position in a densely occupied area. The proposal is considered to secure the conservation and viable use of locally listed buildings and contribute to local housing need whilst having no unacceptable impacts on amenity, transport and flood risk, subject to the imposition of suitable conditions.
158. The necessary contribution to affordable housing can be secured with an appropriate Section 106 agreement. Whilst the applicants were not able to get all required parties to sign a mutually acceptable agreement previously, they propose

to overcome this by proceeding with the purchase of the site prior to signing an agreement. The recommendation below ensures this is not an open ended process and seeks to bring the long-standing uncertainty over the development of this site to a conclusion for all those affected.

159. 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.

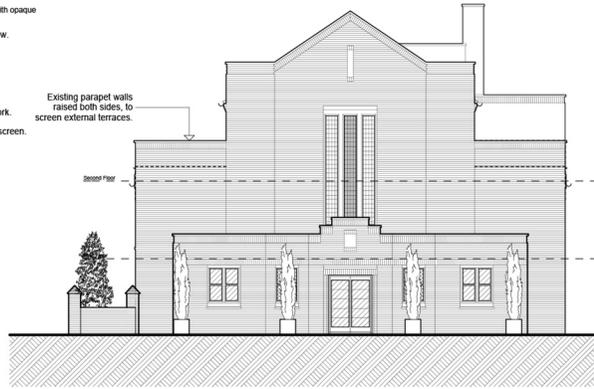
## Recommendation

To:

- (1) approve application no. 18/00962/F - St Peters Methodist Church Park Lane Norwich NR2 3EQ 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. Phasing condition;
  4. Operations in accordance with bat mitigation measures and enhancements to be agreed
  5. Construction method statement
  6. Internal and external photographic record
  7. Detailed surface water drainage scheme to be agreed
  8. Method statement for demolition of structures attached to church hall and for repair and reinstatement of façade to be agreed
  9. Structural survey of porch to church and method statement for restoration/rebuilding to be agreed
  10. Materials and details of alterations and extensions to be agreed
  11. Hard and soft landscaping scheme to be agreed
  12. Scheme for 10% energy requirements from renewable or low carbon sources to be agreed
  13. Heritage interpretation scheme to be agreed
  14. Noise attenuation to units C2, C5, C7, C8, CH7 and CH8
  15. Water efficiency
  16. Refuse storage and collection to be managed as proposed in Design and Access Statement
- (2) where a satisfactory legal agreement is not completed within six months of the date of this committee meeting (or such further period as may be agreed between the head of planning services, in consultation with the chair of the planning applications committee), to refuse application no. 18/00962/F - St Peters Methodist Church Park Lane Norwich NR2 3EQ for the following reason:
1. The proposal fails to secure provision of an appropriate off-site contribution to affordable housing. The proposal is therefore contrary to Policy 4 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014), Policy DM33 of the adopted Development Management Policies Local Plan (2014) and paragraph 63 of the National Planning Policy Framework (2019).

**MATERIALS KEY:**

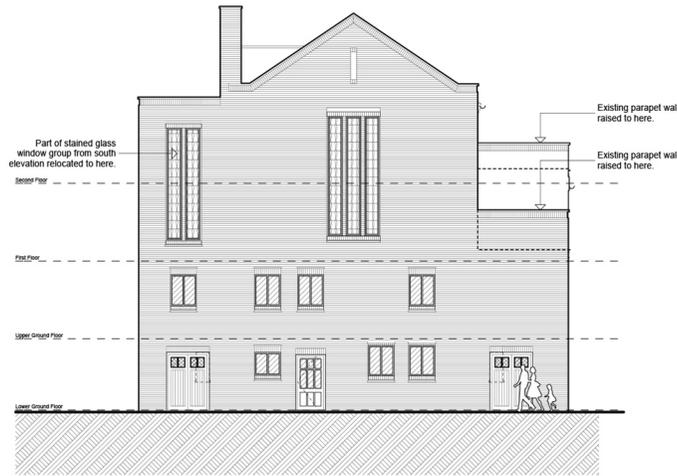
-  New clear glazing.
-  New obscured glazing.
-  New "look-a-like" opaque glazing panels.
-  Retained glazing with leadwork.
-  Retained glazing with leadwork with opaque backing applied.
-  Retained stained-glass window.
-  Facing brickwork.
-  Zinc cladding.
-  Slate roof tiles.
-  Dark grey / black metal fretwork.
-  Obscured glass balustrade / screen.



EAST ELEVATION



NORTH ELEVATION



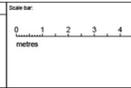
WEST ELEVATION



SOUTH ELEVATION

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Rev.	Date	Description
A	29.04.16	General revisions in relating to planning consultation responses.
B	04.05.16	Fill patterns adjusted.



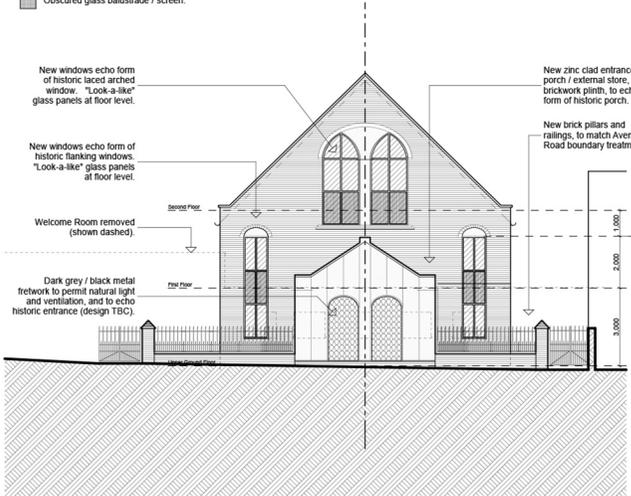
Page 144 of 164  
**Catriona Longwill RIBA ARCHITECT**  
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 t: 01328 855 506 m: 07967 664 690 e: cat@catrionalongwill.co.uk

Client	The Interesting Building Company Ltd.	Drawing Title	Proposed Elevations - Church
Project	St. Peter's, Park Lane	Scale	1:100 @ A1
		Date	15.10.15
		Drawn By	CL
		Drawing No.	6079 / 130
		Revision	B

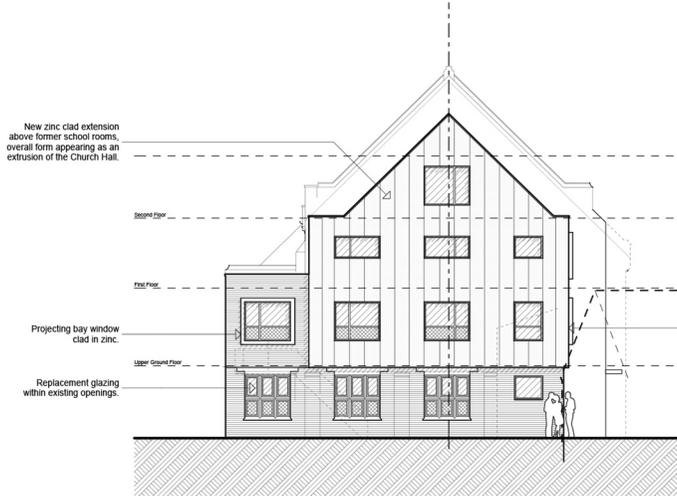
ISSUED FOR PLANNING - 14.05.2016  
 ISSUED FOR PLANNING - 22.12.2015

**MATERIALS KEY:**

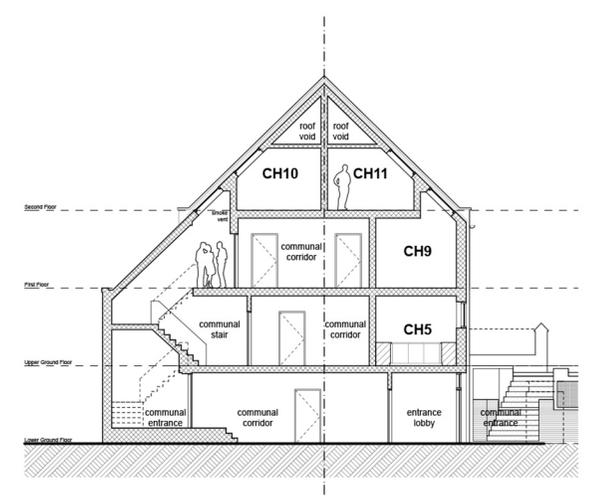
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-  New obscured glazing.
-  New "look-a-like" opaque glazing panels.
-  Retained glazing with leadwork.
-  Retained glazing with leadwork with opaque backing applied.
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-  Slate roof tiles.
-  Dark grey / black metal fretwork.
-  Obscured glass balustrade / screen.



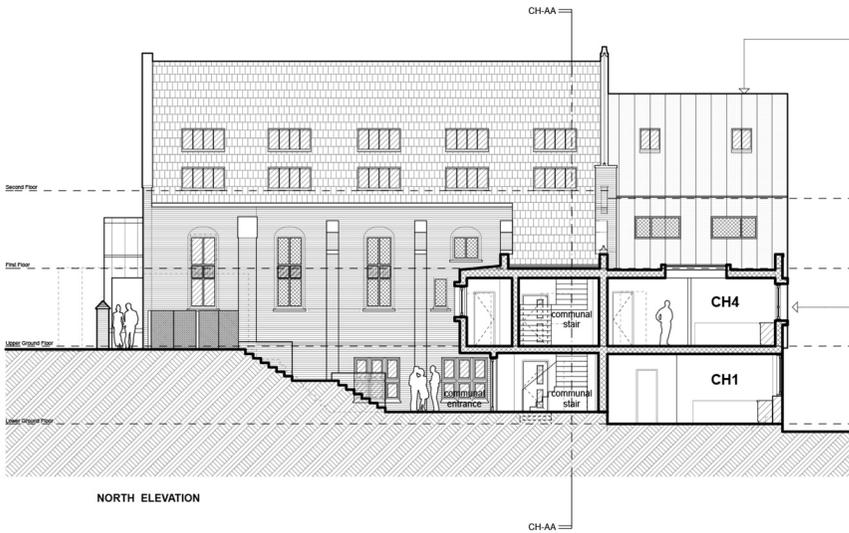
EAST ELEVATION



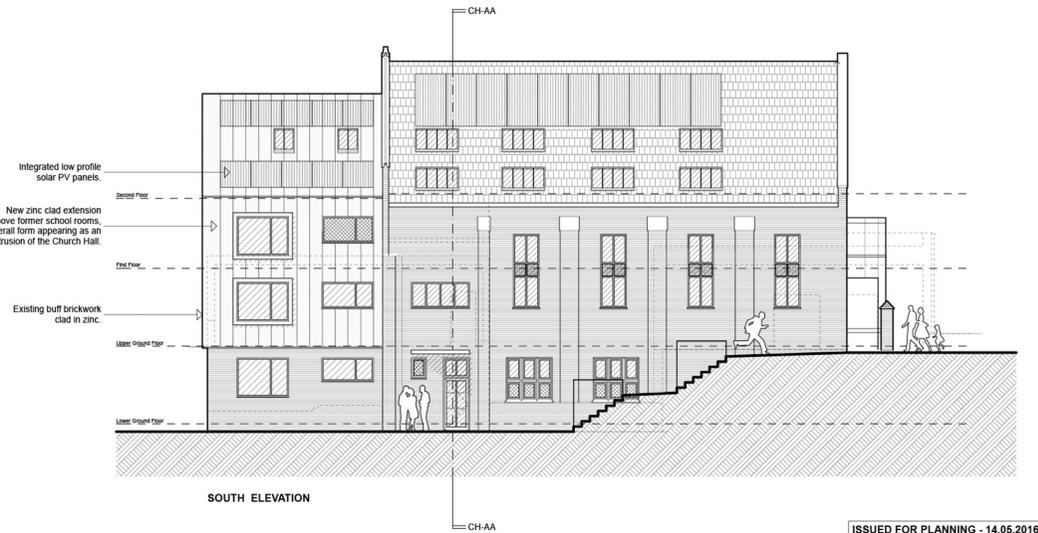
WEST ELEVATION



SECTION CH-AA



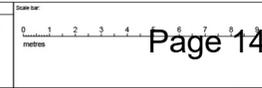
NORTH ELEVATION



SOUTH ELEVATION

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Rev.	Date	Description
A	19.04.16	General revisions responding to planning consultation responses, including reduction in height of new extension and alterations to roof over stair.
B	29.04.16	Window positions on south elevation of extension adjusted.
C	04.05.16	FF patterns adjusted.
D	15.07.16	Northern windows of unit CH9 shown obscured.



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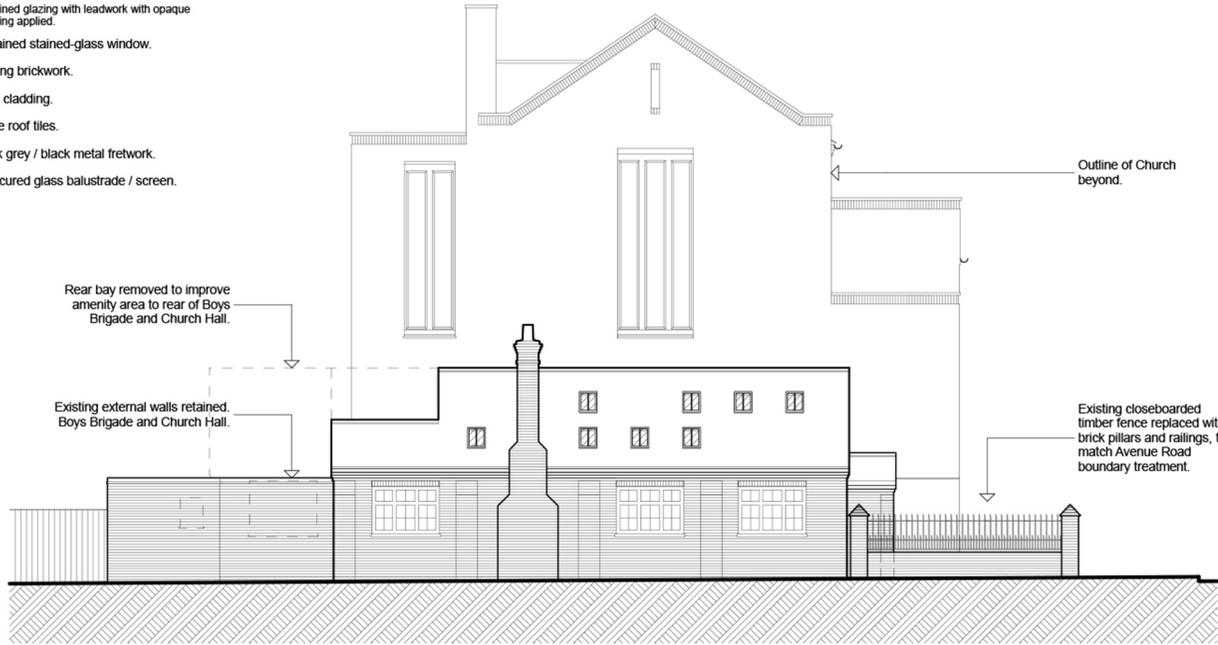
Client: The Interesting Building Company Ltd.  
 Project: St Peter's, Park Lane

Scale	Date	Drawn By
1:100 @ A1	15.10.15	CL
Drawing No:	6079 / 131	Revision: D

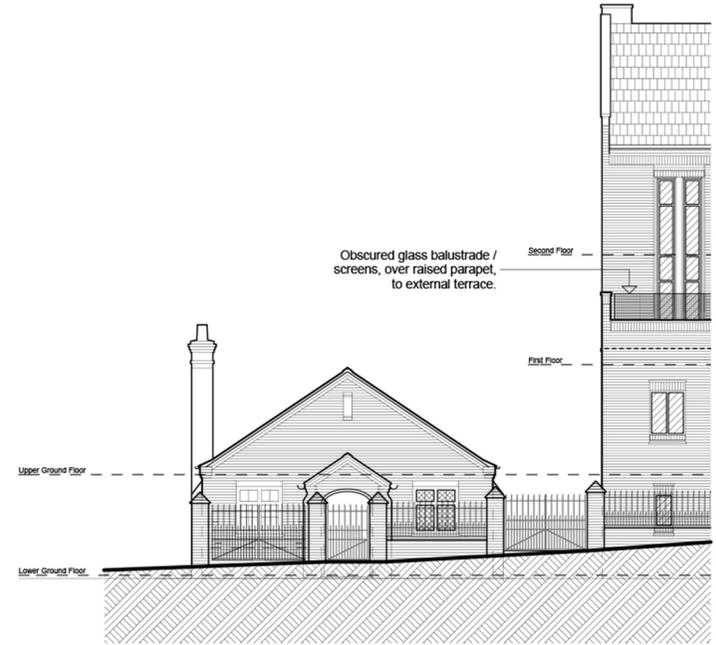
ISSUED FOR PLANNING - 14.05.2016  
 ISSUED FOR PLANNING - 22.12.2015

**MATERIALS KEY:**

-  New clear glazing.
-  New obscured glazing.
-  New "look-a-like" opaque glazing panels.
-  Retained glazing with leadwork.
-  Retained glazing with leadwork with opaque backing applied.
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-  Facing brickwork.
-  Zinc cladding.
-  Slate roof tiles.
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-  Obscured glass balustrade / screen.



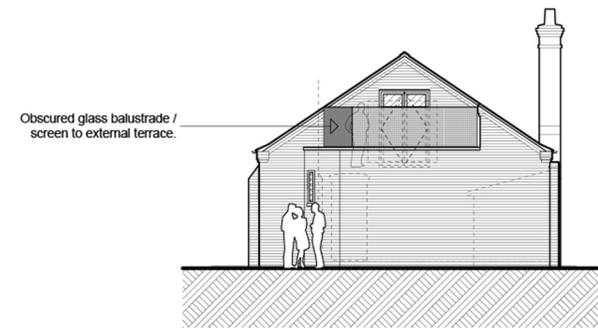
**WEST ELEVATION**



**SOUTH ELEVATION**



**EAST ELEVATION**



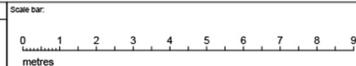
**NORTH ELEVATION**

ISSUED FOR PLANNING - 09.08.2016

ISSUED FOR PLANNING - 22.12.2015

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Rev.	Date	Description
A	29.04.16	General revisions in relating to planning consultation responses.
B	04.05.16	Fill patterns adjusted.
C	09.08.16	West elevation roof line corrected.



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Client: The Interesting Building Company Ltd.  
 Project: St. Peter's, Park Lane

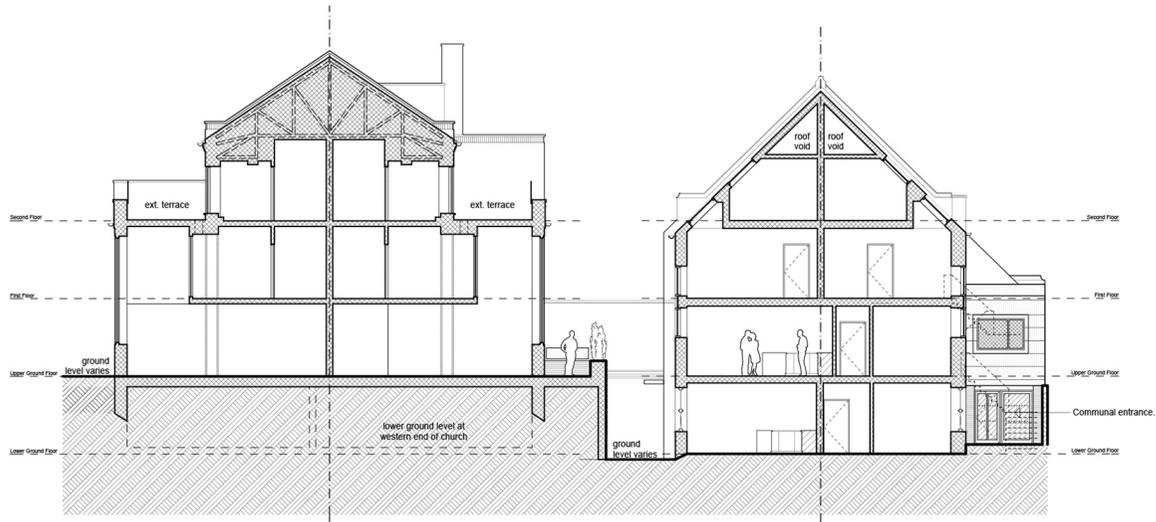
Drawing Title: Proposed Elevations - Boys Brigade			
Scale: 1:100 @ A2	Date: 15.10.15	Drawn By: CL	
Drawing No.: 6079 / 132		Revision: C	

**MATERIALS KEY:**

-  New clear glazing.
-  New obscured glazing.
-  New "look-a-like" opaque glazing panels.
-  Retained glazing with leadwork.
-  Retained glazing with leadwork with opaque backing applied.
-  Retained stained-glass window.
-  Facing brickwork.
-  Zinc cladding.
-  Slate roof tiles.
-  Dark grey / black metal fretwork.
-  Obscured glass balustrade / screen.



EAST ELEVATION on Park Lane



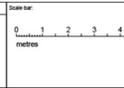
SECTION

ISSUED FOR PLANNING - 14.05.2016

ISSUED FOR PLANNING - 22.12.2015

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Rev.	Date	Description
A	29.04.16	General revisions in relating to planning consultation responses.
B	04.05.16	FBI patterns adjusted.



Page 147 of 164  
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Client	The Interesting Building Company Ltd.		
Project	St. Peter's, Park Lane		
Drawing Title	Proposed Elevations - Church and Church Hall on Park Lane + Site Section	Scale	1:100 @ A1
Drawing No.	6079 / 133	Date	15.10.15
Drawn By	CL	Checked By	CL
Revision	B		



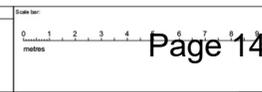
PARK LANE

AVENUE ROAD

ISSUED FOR PLANNING - 28.06.2016  
 ISSUED FOR PLANNING - 14.05.2016  
 ISSUED FOR PLANNING - 22.12.2015

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Rev.	Date	Description
A	29.04.16	General revisions in relation to planning consultation responses.
B	07.12.15	Units C1 and C3 remodelled as duplexes.
C	08.12.15	Flood door shown to unit C2.



Page 148 of 164  
 Catriona Longwill RIBA ARCHITECT

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Client	The Interesting Building Company Ltd.		Drawing Title	Proposed Lower Ground Floor Plan				
Project	St. Peter's, Park Lane		Scale	1:100 @ A1	Date	15.10.15	Drawn By	CL
	Drawing No.	6079 / 120	Revision	C				



PARK LANE

AVENUE ROAD

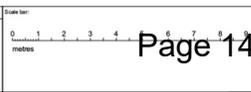
ISSUED FOR PLANNING - 28.06.2016

ISSUED FOR PLANNING - 14.05.2016

ISSUED FOR PLANNING - 22.12.2015

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Rev.	Date	Description
A	29.04.16	General revisions in relation to planning consultation responses.
B	07.12.16	Units C1 and C3 remodelled as duplexes.



Page 149 of 164

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Client	The Interesting Building Company Ltd.		Drawing Title	Proposed Upper Ground Floor Plan + Site Plan				
Project	St. Peter's, Park Lane		Scale	1:100 @ A1	Date	15.10.15	Drawn By	CL
	Drawing No.	6079 / 121	Revision	B				



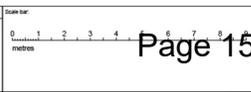
PARK LANE

AVENUE ROAD

ISSUED FOR PLANNING - 14.05.2016  
 ISSUED FOR PLANNING - 22.12.2015

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Rev.	Date	Description
A	29.04.16	General revisions in relation to planning consultation responses.



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Client	The Interesting Building Company Ltd.		
Project	St. Peter's, Park Lane		
Drawing Title	Proposed First Floor Plan	Scale	1:100 @ A1
		Date	15.10.15
		Drawn By	CL
Drawing No.	6079 / 122	Revision	A



PARK LANE

AVENUE ROAD

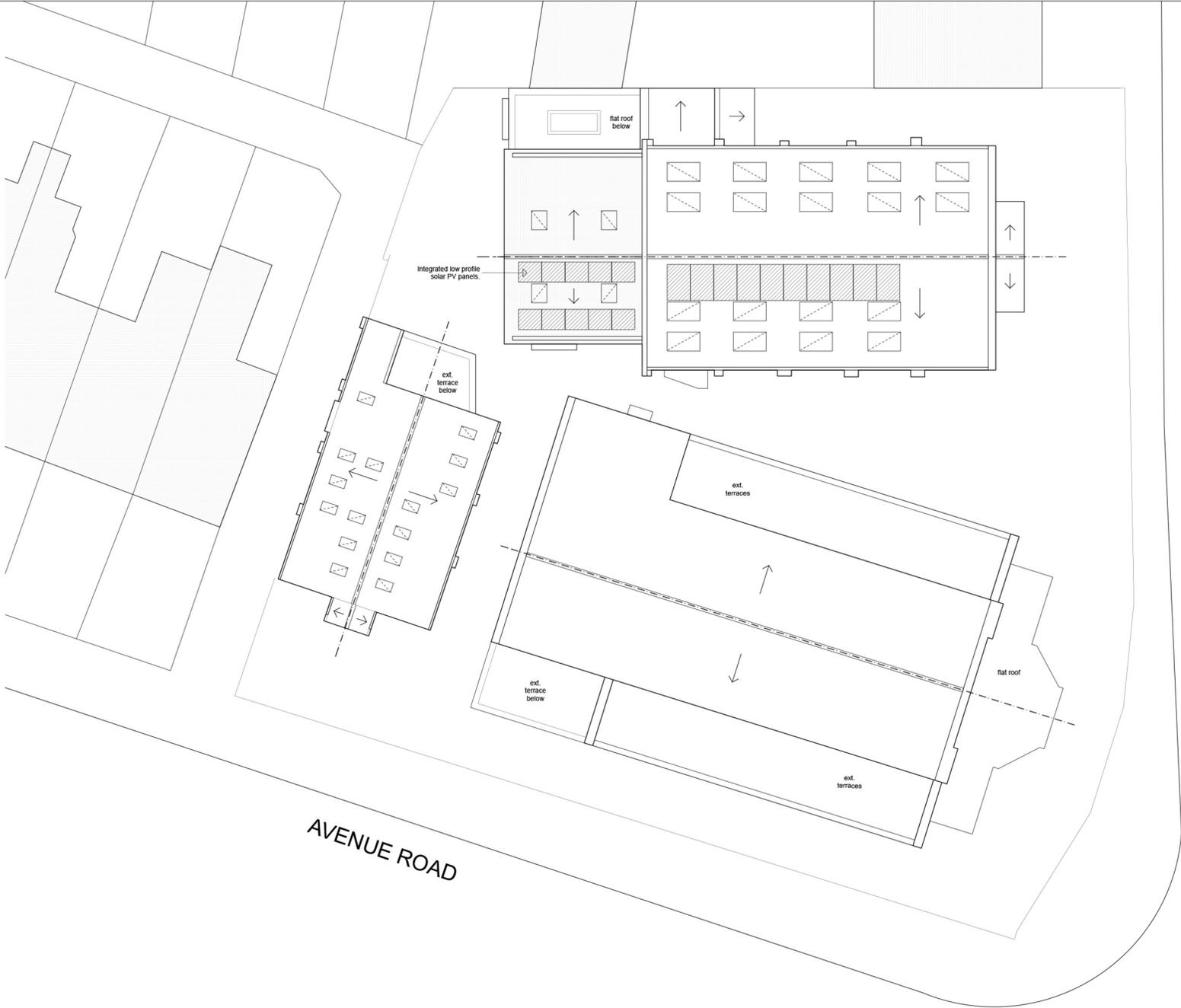
ISSUED FOR PLANNING - 14.05.2016  
 ISSUED FOR PLANNING - 22.12.2015

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Rev.	Date	Description	Scale bar
A	29.04.16	General revisions in relation to planning consultation responses.	

Page 151 of 164  
 Catriona Longwill RIBA ARCHITECT  
 5 Southfields, Dover Road, Norwich, Norfolk, NR2 1BA  
 t: 01328 855 508 m: 07967 664 690 e: cat@catrionalongwill.co.uk

Client	The Interesting Building Company Ltd.		
Project	St. Peter's, Park Lane		
Drawing Title	Proposed Second Floor Plan		
Scale	1:100 @ A1	Date	15.10.15
Drawing No.	6079 / 123	Drawn By	CL
		Revision	A



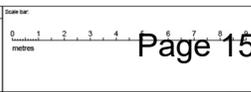
PARK LANE

AVENUE ROAD

ISSUED FOR PLANNING - 14.05.2016  
 ISSUED FOR PLANNING - 22.12.2015

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Rev.	Date	Description
A	29.04.16	General revisions in relation to planning consultation responses.



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Client: The Interesting Building Company Ltd.  
 Project: St. Peter's, Park Lane

Drawing Title		Proposed Roof Plan	
Scale	1:100 @ A1	Date	15.10.15
Drawn By	CL	Revision	A
Drawing No.	6079 / 124		

**Report to** Planning applications committee  
 14 March 2019

**Report of** Head of planning services

**Subject** Application no 19/00046/F - 30 Irving Road,  
 Norwich, NR4 6RA

**Reason  
 for referral** Objection

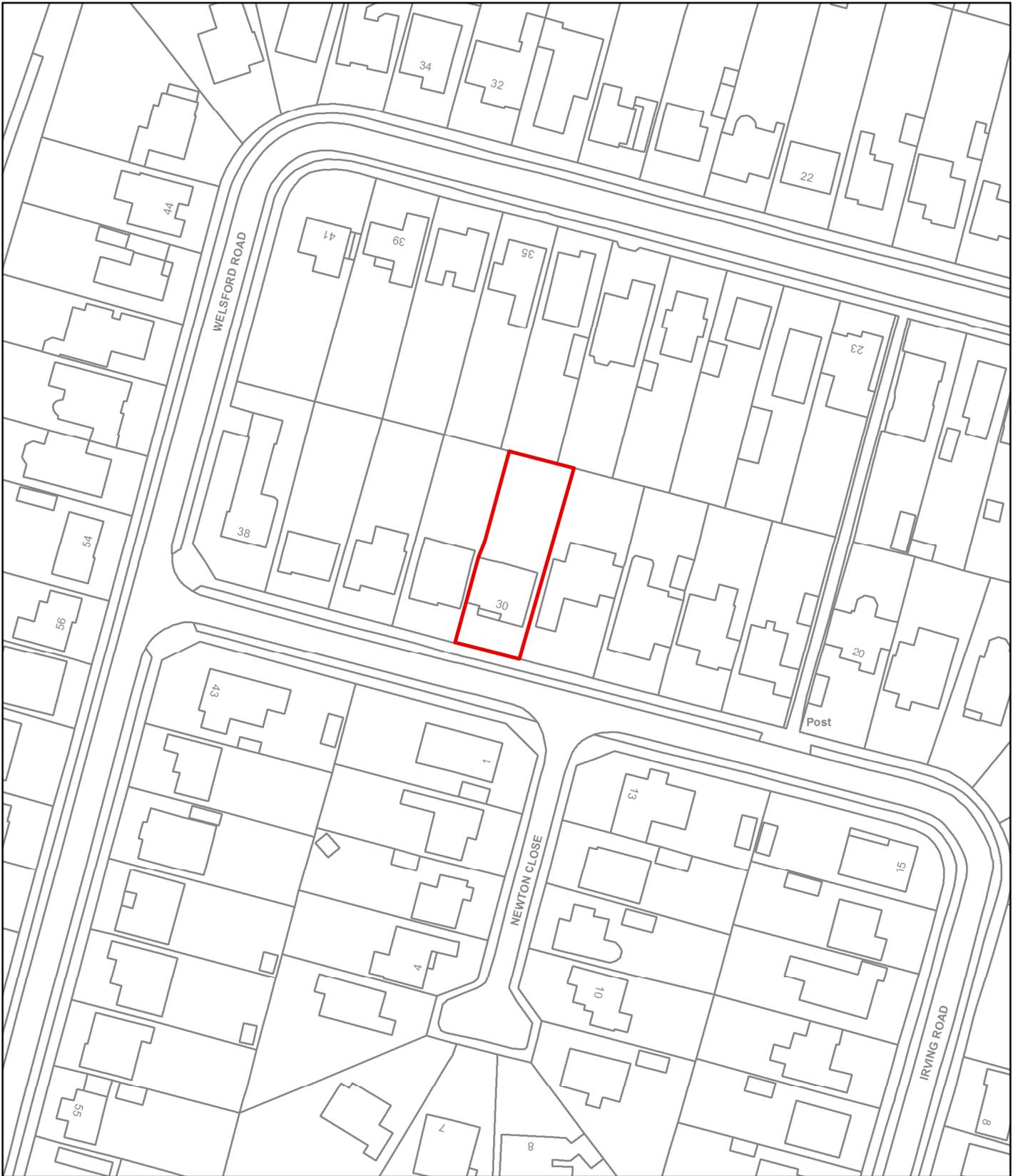
Item

4(c)

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

<b>Development proposal</b>		
Single storey rear, side and first floor extension.		
<b>Representations</b>		
Object	Comment	Support
3	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Scale and Design	The impact of the proposed development within the context of the original design / surrounding area
2 Residential Amenity	The impact of the proposed development on the neighbouring properties; loss of light; outlook; privacy; use of the property as an HMO.
<b>Expiry date</b>	8 March 2019
<b>Recommendation</b>	Approve



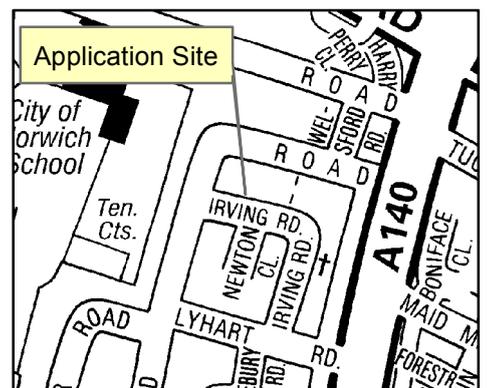
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Planning Application No 19/00046/F  
 Site Address 30 Irving Road  
 Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES



## The site and surroundings

1. The site is located to the north side of Irving Road with the Eaton Rise area, to the south of the city. The prevailing character of the area is residential comprising a mixture of predominantly detached dwellings constructed during the middle part of the C20, in a variety of designs, of both single and two storeys. Properties have typically been arranged on plots with front garden / parking areas and larger mature rear gardens.
2. The subject property is a single storey detached bungalow style dwelling constructed circa 1960 using red bricks, concrete roof tiles and sections of white coloured render. The site features a front parking area, car port to the side and a garden to the rear. The property is arranged over a rectangular footprint and is of a simple dual pitched roof design. The car port extends beyond the rear to form an annexe extension providing access to the rear.
3. The site is bordered by nos. 28 and 32 Irving Road to the east and west respectively. No. 28 is a similar bungalow style dwelling which has been extended to the front and rear, and no. 32 is a two storey detached dwelling. The site boundaries are marked by small sections of brick wall, 1.8m tall close boarded fencing and mature planting.
4. The property is currently let to multiple occupants by the owner on a short term basis following its purchase before the proposed development commences.

## Constraints

5. There are no particular constraints.

## Relevant planning history

6.

Ref	Proposal	Decision	Date
4/1998/0533	Erection of front and rear dormer windows.	APCON	10/08/1998

## The proposal

7. The proposal is for the removal of the car port and for the construction of first floor and single storey rear extensions. The first floor extension builds upward from the existing footprint to a new eaves height of 5.1m and a ridge height of 8.7m. The design is of a similar dual-pitched roof which includes a dual-pitched roof gabled dormer within the front roof slope.
8. The single 8.7m x 6m single storey rear extension is to be constructed across the majority of the rear of the ground floor and has been design with a 3.2m tall flat roof. The existing annexe extension is to be rebuilt and the car port replaced with a garage, both sharing the same 2.6m tall flat roof.

9. The proposed development is to be finished with new materials throughout including dark grey coloured windows and doors, brick finish to the ground floor, render to the first floor and slate coloured roof tiles. The flat roofs are to be finished with wildflowers and sedum, behind a parapet.
10. The proposed development creates an enlarged dwelling with seven bedrooms, including a master suite within the roof space.

## Representations

11. 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
The proposed development would result in an over-dominant building within the street scene which is predominated by bungalows.	See main issue 1
Increase in scale, by way of number of rooms is out of scale with the surrounding area.	See main issue 1
Loss of light to two windows located on the side elevation and side passageway to no. 28.	See main issue 2
Concern that the property could be used as an HMO in the future.	See main issue 2

## Consultation responses

12. No consultations have been undertaken.

## 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
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

## **Other material considerations**

15. **Relevant sections of the National Planning Policy Framework 2018 (NPPF)**
  - NPPF Section 12 - Achieving well-designed places

## **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: Design**

17. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12.
18. The proposed development will significantly alter the overall appearance of the subject property in terms of both scale and materials, to the extent that the property will appear as a new dwelling. The proposed extensions however will have a limited impact on the character of the surrounding area.
19. Particular concern has been raised that the increase in the size of the subject property will result in an over-dominant dwelling within the street scene which predominantly consists of single storey dwellings. It is acknowledged that the majority of properties on this section of Irving Road are of only a single storey, it is also noted that the three properties immediately to the west of the site are all of two storeys. It is also noted that further properties to the eastern end of Irving Road are of two storeys, as are a significant number within the wider Eaton Rise area. As such, it can be considered that there is no one particular house style or size which defines the character of the area, which consists of a great variety of individual dwellings. It is also noted that a number of similar developments have also been completed within the area in recent years.
20. The proposed ridge and eaves heights of the proposed development closely match those of the neighbouring two storey dwellings. It is also noted that the proposed ridge height will be slightly lower than that of no. 32. As such, the proposed development is considered to be of an appropriate scale and will not result in a dwelling which appears as being over-dominant within the street scene.
21. Concern was raised that the increase in the scale of the dwelling, in particular the increase in the number of bedrooms would result in a dwelling which is out of scale within the surrounding area. It is similarly considered that the proposed development will result in an enlarged dwelling which is considered to be of a similar scale to significant number of dwellings located within the Eaton Rise area. It is also noted that it would be possible for many of the existing two storey dwellings to convert their loft spaces without the need for planning permission. As such, the proposed development is considered to be of an appropriate scale for the area.

## **Main issue 2: Amenity**

22. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 178-182.
23. Despite the significant change to the current situation, the proposed development will have a limited impact on the residential amenities of neighbouring properties. This is by virtue of the orientation, layout and prevailing building line on the north side of Irving Road. The neighbouring property to the west has been constructed with near matching building lines to both the front and rear. It is also noted that there are windows at first floor level facing the subject property. These however serve as secondary windows to bedrooms. The first floor extension will therefore not result in a significant loss of light, outlook or privacy as a result. The single storey section to the rear will be enlarged by an additional 2.2m at a height matching the current height, ensuring that there is not a significant change along the shared boundary.
24. The proposed development includes two windows on the side elevation facing no. 32, one serving a bathroom and the other a flight of stairs. The window serving the stairs is centrally located and faces directly onto a section of bank wall. The window serving the bathroom is located closer to the furthest forward of the two windows serving bedrooms of the neighbouring property. As such, it is considered reasonable to add a condition requiring that the proposed bathroom window is obscured glazed to prevent overlooking from occurring.
25. The proposed development will have a similarly limited impact on the other neighbouring property, no. 28 to the east. No. 28 is of a single storey only, it has however been constructed with a deeper rear building line resulting in a noticeable step between the two properties. The proposed rear extension will therefore extend beyond the rear building line by only 2.3m and will be set in from the shared boundary by over 1m. As such, it is not considered that the rear extension will cause significant harm to the neighbouring residential amenities by way of overshadowing, loss of outlook or loss of privacy.
26. The proposal includes a window on the side elevation facing no. 28 to serve a bedroom. The window will face directly across the roof of the neighbouring property and as such will not result in a loss of privacy.
27. Particular concern has been raised regarding two windows located on the side elevation of the neighbouring property (no.28) which serve a bathroom and study. They are located approximately 2m from the side elevation of the subject property and are both obscure glazed. As such, it is not considered that they currently benefit from direct sunlight or any form of outlook. The proposed development will result in some loss of light to these rooms. However, it is not considered that the first floor extension will significantly alter the current situation.
28. The proposal will result in an enlarged dwelling which enhances the residential amenities of the occupiers. The proposed layout indicates six bedrooms as well as a guest room, a study and a playroom. Concern has been raised that the property could be used as a house of multiple occupancy (HMO). In order to protect the residential amenities of any future occupiers and neighbours alike, it is considered reasonable to add a condition requiring that the proposal is developed as a C3 dwellinghouse only, preventing it from being used as an HMO in the future.

## **Equalities and diversity issues**

29. There are no significant equality or diversity issues.

## **Local finance considerations**

30. 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.
31. 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.
32. In this case local finance considerations are not considered to be material to the case.

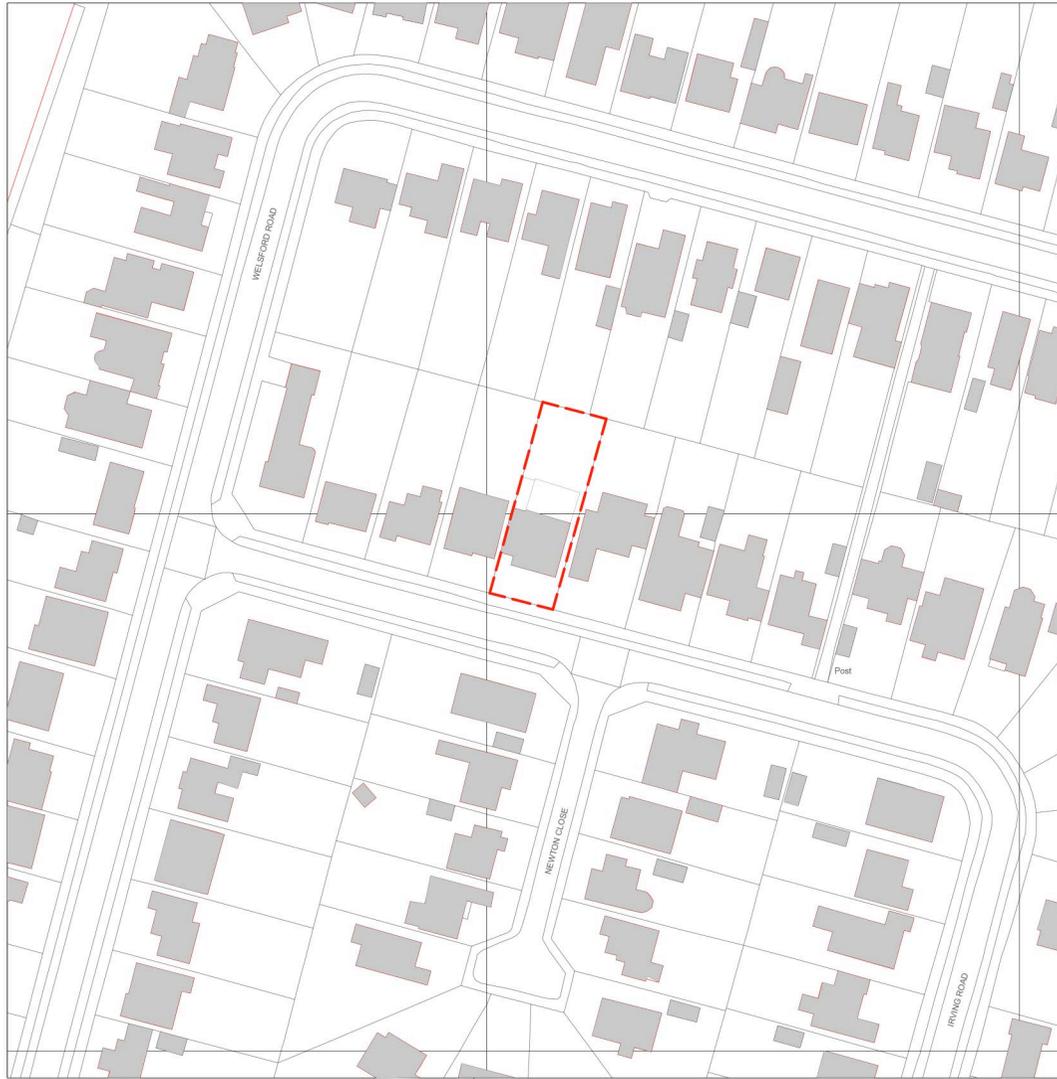
## **Conclusion**

33. The proposal will result in an enlarged dwelling which is considered to be of an appropriate scale, which does not cause significant harm to the character and appearance of the subject property or surrounding area.
34. The proposed development will have a limited impact upon the residential amenities of neighbouring properties with no significant harm being caused by way of overshadowing, overlooking or loss of outlook.
35. 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. 19/00046/F - 30 Irving Road Norwich NR4 6RA and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Obscure glazing to first floor bathroom;
4. Permission is for C3 dwellinghouse only.



legal notes:

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3. atelier-bill to be notified in writing of any discrepancies.
4. any variations, or supplementary drawings are to be approved by atelier-bill architects.
5. the contractor is to verify all dimensions on site.
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north point



general notes

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ARCHITECTS**



riba practice

date

revision

notes

client:

andy xu

project:

irving road

drawn:

yk

check:

jb

date:

15.12.2018

project #

20181.00

scale@a1

1:1000

drawing #

11.01/-

drawing title:

location & block plan

status:

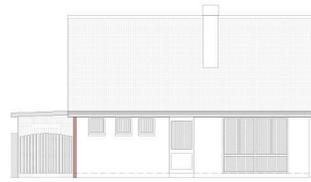
planning

Page 160 of 164

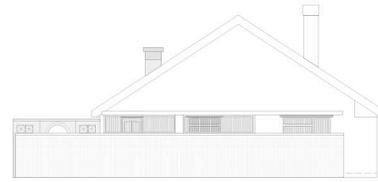
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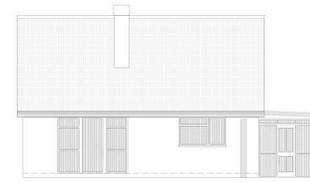
# no.30 Irving Road



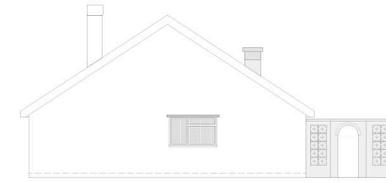
A 1:100 @ A1  
street elevation



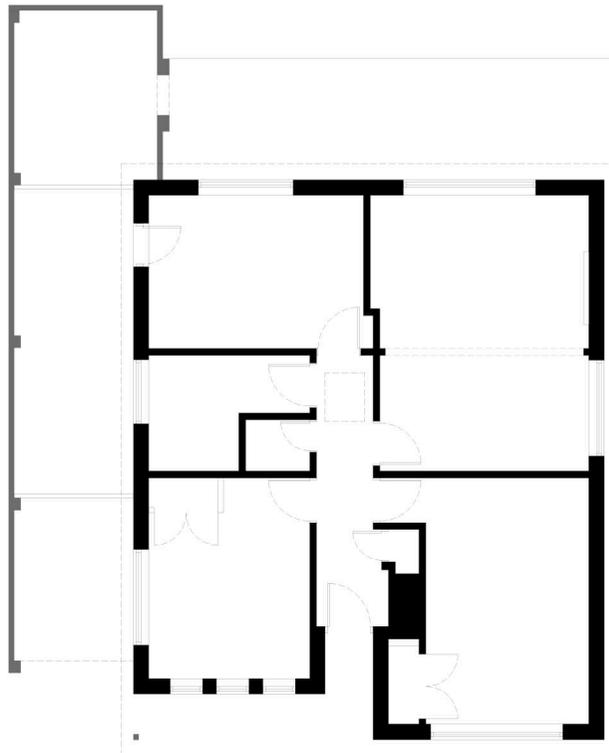
B 1:100 @ A1  
side elevation



C 1:100 @ A1  
rear elevation



D 1:100 @ A1  
side elevation



1 1:50 @ A1  
plan

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north point



general notes



riba practice

date

revision

notes

client:

andy xu

drawing title:

existing plans

project:

irving road

status:

planning

drawn:

yk

check:

jb

date:

15.08.2018

project #

20181.00

scale@a1

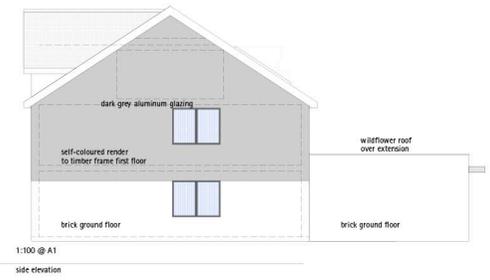
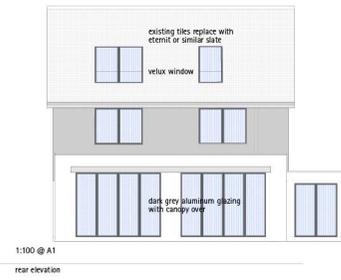
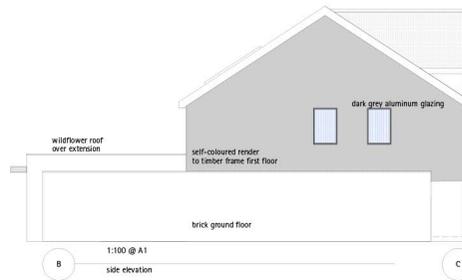
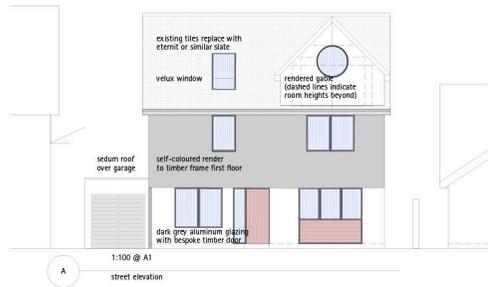
1:50 1:100

drawing #

e2.01/-

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north point



general notes



riba practice



date

revision

notes

client:

andy xu

project:

living room

drawn:

yk

drawing title:

proposed plans

status:

planning

project #

20181.00

scale @ a1

1:100

drawing #

d2.02/-

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1 1:50 @ A1  
ground floor plan



2 1:50 @ A1  
first floor plan



3 1:50 @ A1  
attic floor plan

legal notes:	north point	general notes	riba practice	date	revision	notes
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client:	drawing title:
andy xu	proposed plans
project:	status:
living space	planning
drawn: check: date: project # scale@a1 drawing #	
yk jb 15.08.2018 20181.00 1:50 d2.01/-	

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