



## **Planning applications committee**

**Date:** Thursday, 09 March 2017

**Time:** 09:30

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

### **Committee members:**

#### **Councillors:**

Herries (chair)  
Driver (vice chair)  
Bradford  
Button  
Carlo  
Henderson  
Jackson  
Lubbock  
Malik  
Peek  
Sands (M)  
Woollard

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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 9 February 2017.

**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.

**Standing duties**

**17 - 18**

	<b>Summary of applications for consideration</b>	<b>19 - 20</b>
<b>4(a)</b>	<b>Application no 16/01893/VC - St Annes Wharf King Street, Norwich</b>	<b>21 - 46</b>
<b>4(b)</b>	<b>Application no 17/00130/F - Land south of 37-51 Howard Mews, Norwich</b>	<b>47 - 58</b>
<b>4(c)</b>	<b>Application no 16/01763/L - South-West Quadrant Pavilion Eaton Park, South Park Avenue, Norwich</b>	<b>59 - 68</b>
<b>4(d)</b>	<b>Application no 1601750F - 418 Unthank Road, Norwich, NR4 7QH</b>	<b>69 - 80</b>
<b>4(e)</b>	<b>Application no 17/ 00107/F - 475 Unthank Road, Norwich</b>	<b>81 - 92</b>
<b>4(f)</b>	<b>Application no 16/01751/L 14 and 16 Lower Goat Lane, Norwich</b>	<b>93 - 106</b>

Date of publication: **Wednesday, 01 March 2017**



**Planning applications committee****09:30 to 12:55****9 February 2017**

Present: Councillors Herries (chair), Driver (vice chair) (from item 4 below), Bradford, Button, Carlo, Henderson, Jackson, Lubbock, Malik, Peek, Sands (M) and Woollard

**1. Declarations of interest**

Councillor Lubbock declared an interest in item 9 (below), Application no 16/01750/F 418 Unthank Road, as she lives in Unthank Road and could be perceived as having a personal and prejudicial interest. However, she did have a predetermined view and would be speaking on behalf of the neighbours and as such would speak as a member of the public and not take part in the deliberation of the application.

Councillor Lubbock referred to item 8 (below), Application no 16/01780/F 23 Bek Close and asked for it to be recorded that she had advised a resident on the planning application procedures but did not have a pre-determined view.

**2. Minutes**

**RESOLVED** to agree the accuracy of the minutes of the meeting held on 12 January 2017<sup>1</sup>.

**3. Application no 16/01574/O - Land at Lily Terrace, Norwich**

The planner (development) presented the report with the aid of plans and slides. She also referred to the supplementary report of updates to reports which was circulated at the meeting proposing additional informatives to be added to the recommendation.

During discussion the planner, together with the planning team leader (inner area) referred to the report and answered members' questions. The committee noted that the application was for outline permission and that internal floor layout and landscaping would be considered at the reserved matters stage. Members also sought reassurance that a four storey property was acceptable at this location and would not have an adverse impact on the long distance views of the wooded ridge.

A member said that she regretted that a green roof had not been incorporated into the design rather than the use of pantiles because she considered that it would add to biodiversity and assist sustainable drainage.

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<sup>1</sup> Minutes approved 9 February 2017, were subsequently amended to correct list of members recorded as present by deleting "Lubbock" and inserting "Peek"

Members considered that there should be a directive to ensure that occupiers of this development were aware that they were not eligible for on-street parking permits before taking up residency.

**RESOLVED**, unanimously, to approve Application no. 16/01574/O - Land at Lily Terrace, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit (TL3);
2. In accordance with plans (AC3);
3. Materials to be agreed (DE2);
4. Details of cycle parking (CP3);
5. Sustainable drainage scheme (FW3);
6. Archaeological written scheme of investigation (AH1);
7. Obscure glazing (DE12);
8. In accordance with Arboricultural Report (TR7);
9. Water efficiency (FW1);

Informatives:

1. Transport - The development will not be eligible for parking permits. Future residents to be informed of this before occupancy.
2. Street naming and numbering.
3. Archaeological brief to be obtained from HES (in19).
4. Considerate Construction Scheme (IN7).
5. Tree protection barriers (IN11).

Article 31(1)(cc) statement

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

**4. Enforcement Case 16/00020/ENF – 66 Whistlefish Court, Norwich, NR5 8QR**

The planning team leader (inner area) presented the report with the aid of plans and slides.

**RESOLVED**, unanimously, to authorise enforcement action to secure the cessation of the unauthorised change of use of the dwelling at 66 Whistlefish Court, Norwich, from a HMO (house in multiple occupation) (Class C4) use to a HMO sui generis use, and authorise enforcement action to secure the cessation of the unauthorised change of use of the former garage for residential (C3) use and return it back to its authorised use as incidental / ancillary use; including the taking of direct action may result in referring the matter for prosecution if necessary.

(Councillor Driver arrived after the start of the above item and therefore did not participate in the voting.)

**5. Enforcement Case 16/00020/ENF – 67 Whistlefish Court, Norwich, NR5 8QR**

The planning team leader (inner area) presented the report with the aid of plans and slides.

**RESOLVED**, unanimously, to authorise enforcement action to secure the cessation of the unauthorised change of use of the dwelling at 67 Whistlefish Court, Norwich, from a HMO (house in multiple occupation) (Class C4) use to a HMO sui generis use, and authorise enforcement action to secure the cessation of the unauthorised change of use of the former garage for residential (C3) use and return it back to its authorised use as incidental / ancillary use; including the taking of direct action may result in referring the matter for prosecution if necessary.

**6. Application no 16/01625/F - 1 Beckham Place, Edward Street, Norwich NR3 3DZ**

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

During discussion the senior planner referred to the report and answered members' questions. This included clarification that the proposal was for three flats and that the two smaller flats did comply with minimum space standards. A member suggested that part of the car park could be landscaped and converted for amenity use. The senior planner explained that the car park and access was required to the A1 business unit, and given the proximity to the park and the size and type of accommodation, there was no overriding need for private amenity space. There were no designated parking spaces for the residents who could use the car park, which was primarily for business use, in the evening.

The senior planner explained that environmental protection officers had been consulted and considered that the mitigation measures were adequate to deal with any concerns about noise from existing businesses or commercial uses impacting on future residents.

Councillor Lubbock commented that she did not think that the proposal was acceptable in that there was no private amenity space for the residents and that the flats would be so close to A1 business and other activities.

The senior planner referred to the supplementary report of updates to reports and asked for an informative to be added with regards to ecology and the requirement to protect bats.

**RESOLVED** with 11 members voting in favour (Councillors Herries, Driver, Button, Malik, Carlo, Jackson, Henderson, Peek, Sands, Woollard and Bradford) and 1 member voting against (Councillor Lubbock) to approve Application no. 16/01625/F - 1 Beckham Place, Edward Street, Norwich, NR3 3DZ and grant planning permission subject to the following conditions:

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

3. Bin and cycle storage;
4. Materials including windows and doors;
5. Conservation roof lights;
6. Preservation of conservation features i.e. winch;
7. Water;
8. Works to boundary trees;
9. Gates and boundary treatment;
10. Acoustic measures.

Informative

Note relating to ecology and the requirement to protect bats.

#### Article 35(2) Statement

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

#### **7. Application no 16/01268/F - Merchants Court, St Georges Street, Norwich**

The senior planner (development) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports, which was circulated at the meeting, and contained revised wording for condition 15.

During discussion the senior planner referred to the report and answered members' questions. This included an explanation of the recent planning history of the site and that the consent for the development in the roof space had expired.

**RESOLVED**, unanimously, to approve application no. 16/01268/F - Merchants Court St Georges Street Norwich and grant planning permission subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Approval of external materials of bricks, tiles, windows and doors
4. Details of internal elevations of the new atrium area and terraces
5. Details of rainwater goods types and locations, ventilation mechanisms and locations for bathrooms and kitchens, conservation rooflights and entrance canopy
6. Arboricultural Implications Assessment/AMS
7. Landscaping – including permeable paving
8. Removal of vegetation outside of bird nesting season
9. Approval and provision of secure cycle storage
10. Details of location, size and appearance of refuse store
11. Archaeology – works to stop if artefacts uncovered
12. Water conservation for new dwellings
13. Flood warning and evacuation plan
14. Additional noise survey to assess appropriate noise attenuation around plant and mechanical ventilation to flats where required

15. Provision for public access across the site from St Georges Street to Water Lane to be retained by removing permitted development rights restricting the erection of gates/enclosures.
16. Relocation of lamp post.

#### Article 35(2) Statement

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

### **8. Application no 16/01780/F - 23 Bek Close, Norwich, NR4 7NT**

The planner (development) presented the report with plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting and contained summaries of further responses from the tree protection officer, fire safety officer and highways.

The neighbour addressed the committee and outlined his objections to the application which included: concern that dust and debris from construction would be detrimental to his health and suggesting that the applicant provided a boundary fence to help prevent dust from entering his bedroom; that the committee should defer further consideration of this application until the issues relating to the tree protection order have been resolved; and, that the application would increase parking on the road which would impede his and other residents' access to their driveways and emergency vehicles from accessing their properties.. He also pointed out that there was a covenant in place that prohibited parking on the roadway of the close.

The planner commented on the issues raised by the speaker and advised the committee that the issues relating to the tree preservation order was a separate matter that was not connected with this application. The proposal complied with parking standards.

During discussion, the planner, together with both planning team leaders, referred to the report and answered members' questions. Members were advised that it would be unreasonable to require the applicant to provide double yellow lines as part of this application which was essentially a householder-extension and did not give rise to significant parking congestion. The proposal provided for two off-street parking spaces and there was on-street parking provision in the area. Members were advised that the existence of the covenant was not a material planning consideration. A member pointed out that it would have been useful for members to have had the floor plans included in their papers and there were indications that the property would be used as a house in multiple-occupation (HMO) and there were concerns about parking. The committee was advised that although a fence at the front of the property would not be the best solution to prevent the occupiers of 23 Bek Close parking on the pavement and highway. The applicant would be required to submit cycle and bin storage details and in addition the spaces for the off street parking area would be considered. The planner suggested that the applicant should be required to submit details of the parking and that condition 4 should be amended to include this.

Councillor Lubbock said that she considered that it was reasonable for the developer to pay for yellow lines as a consequence of this proposal. She expressed concern about anti-social parking and the impact that this would have on other residents of the Close, many of whom were elderly. She therefore moved that an additional condition requiring the appellant to provide yellow lines should be included. Councillor Carlo seconded the motion. Two members spoke against the proposal pointing out that it was unreasonable and that yellow lines would need to be enforced. It was also noted that other residents might not be in support of yellow lines at the turning point of the cul-de-sac. On being put to the vote with 4 members voting in favour (Councillors Carlo, Henderson, Lubbock and Sands) and 8 members voting against (Councillors Herries, Driver, Button, Malik, Jackson, Peek, Woollard and Bradford) the motion was defeated.

Discussion ensued on the request for a fence between the two properties. A member pointed out that damping down the soil during construction would be more efficient at keeping dust out of the neighbouring property than a fence. Members also noted that the summer house was being retained. The planner said that there was a distance of 15 metres or 45 feet between the proposed extension and the neighbour's property and that there was not sufficient reason to impose a condition on the applicant to install a fence. The applicant would be advised to ensure that construction complied with the Considerate Construction scheme. Councillor Sands said that he was concerned about the neighbour's health and therefore moved that there should be an additional condition requiring the applicant to install a fence between the properties. Councillor Lubbock seconded the motion. On being put to the vote, with 3 members voting in favour (Councillors Sands, Lubbock and Henderson) and 8 members voting against (Councillors Herries, Driver, Button, Malik, Carlo, Peek, Woollard and Bradford) and 1 member abstaining (Councillor Jackson) the motion was defeated.

The chair moved the recommendations as set out in the report with an informative note to advise the appellant that consideration building

**RESOLVED**, with 8 members voting in favour (Councillors Herries, Driver, Button, Malik, Carlo, Peek, Woollard and Bradford) and 4 members voting against (Councillors Jackson, Henderson, Lubbock and Sands) to approve application no. 16/01780/F - 23 Bek Close, Norwich, NR4 7NT and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Works on site in accordance with AIA and AMS
4. Submission cycle storage, bin storage and car parking details.

Informative:  
Considerate Construction Scheme (IN7).

#### Article 35(2) Statement

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

#### **9. Application no 16/01750/F - 418 Unthank Road, Norwich NR4 7QH**

(Councillor Lubbock having declared an interest and a pre-determined view addressed the committee and then left the meeting during the committee's determination of the application.)

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

A neighbour addressed the committee and used slides to illustrate his points. His concerns included: that the roof should be a hipped roof which would have less impact on residential amenity and the conservation area than the proposed dual pitched roof; that there was currently no significant overshadowing from neighbouring properties or the fir tree and that the mass of the proposed gable roof would cause overshadowing to their property, and concerns about the accuracy of the measurements.

Councillor Lubbock addressed the committee and explained that she could see the outbuilding from her first floor but not from her garden, and was therefore speaking on behalf of her neighbours who would have the greatest impact on their garden. She said that it was regretful that the applicant had not discussed the plans with the neighbours so that a compromise could be reached. The pitched roof would be visible and have an adverse impact on the neighbours' amenity space. She pointed out if the application were to be approved there should be a condition to ensure that the outbuilding was not used as a separate dwelling.

(Councillor Lubbock left the meeting at this point.)

During discussion the planner, together with the planning team leader (outer area) referred to the report and commented on the issues raised by the speakers and answered members' questions. The committee noted that the application should be considered on its own merits and that a pitched roof and the proposed use of cladding and pantiles were considered acceptable. The size of the outbuilding and its location, away from the main buildings and patio areas, was also considered acceptable. The applicant had ceased construction when contacted by planning officers and had been very apologetic. A member commented that on balance he considered that the application was acceptable but that it would have been improved by the use of a hipped roof.

During discussion members noted that the use of the outbuilding was ancillary to the main house and would not be used as a separate dwelling without further planning permission. The chair moved and Councillor Woollard seconded that an informative to be added to the planning consent to give reassurance that the applicant was aware that the use of the building was ancillary to the main house, and members of the committee concurred.

**RESOLVED**, with 9 members voting in favour (Councillors Herries, Driver, Button, Malik, Carlo, Jackson, Peek, Woollard and Bradford), 1 member voting against (Councillor Sands) and 1 member abstaining (Councillor Henderson) to approve application no. 16/01750/F - 418 Unthank Road Norwich NR4 7QH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No first floor or mezzanine shall be installed

Informative:

Use of the outbuilding to be ancillary to the main dwelling and cannot be used as a separate dwelling.

Article 35(2) Statement

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

(Councillor Lubbock was readmitted at this point.)

#### **10. Application no 16/01796/F - 20 Swansea Road Norwich NR2 3HU**

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

During discussion the planner referred to the report and answered members' questions. Members were advised that the extension was contained within the boundary of the property and would not affect the adjacent alleyway. A green roof could not be justified as the extension would not have a significant impact on the critical drainage area.

**RESOLVED**, unanimously, to approve application no. 16/01796/F - 20 Swansea Road Norwich NR2 3HU and grant planning permission subject to the following conditions:

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

Article 35(2) Statement

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

**11. Application no 16/01720/F - 1 Salter Avenue, Norwich NR4 7LX**

The planner (development) presented the report with plans and slides. She also referred to the supplementary report of updates which contained a summary of a late representation received from a neighbour and the officer response. Members were advised that the application was not for a change of use to a house in multiple-occupation.

Discussion ensued in which the planner, together with the planning team leaders, referred to the report and answered members' questions. The committee was advised that the applicant could extend the property to the rear under permitted development rights if this application were to be refused. Members also sought information about the soakaway and were advised that the extension was designed to comply with building regulations. The planner suggested an additional condition requesting further details of surface water disposal.

Councillor Jackson commented that floor plans should be provided with the agenda papers.

**RESOLVED** with 11 members voting in favour (Councillors Herries, Driver, Button, Malik, Carlo, Henderson, Lubbock, Peek, Sands, Woollard and Bradford), and 1 member abstaining (Councillor Jackson) To approve application no. 16/01720/F - 1 Salter Avenue Norwich NR4 7LX and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.
3. Details of surface water disposal to be submitted.

**Article 35(2) Statement**

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

**12. Application no 16/01788/F - 36 The Avenues, Norwich, NR2 3QR**

The senior planning technical officer presented the report with plans and slides. During the presentation he referred to the objections to the proposed extension and explained that the roof-lights did not require planning permission.

During discussion the senior planning technical officer referred to the report and answered members' questions. Members expressed concern that the property had been vacant for twelve years. The age of the garage pre-dated the use of asbestos as a building material and it was unlikely that any would be found during its demolition. However members asked for an informative to be added to be advise the applicant of the possibility of asbestos and ensuring its safe handling and removal. Members also noted that no details had been provided for the conversion of the roof space to a habitable space.

Councillor Sands said that he was concerned that the extension and development could become a seven bedroomed house in multiple-occupation.

Other members welcomed that the building would be brought back into use.

**RESOLVED** with 11 members voting in favour (Councillors Herries, Driver, Button, Malik, Carlo, Henderson, Jackson, Lubbock, Peek, Woollard and Bradford), and 1 member abstaining (Councillor Sands) to approve Application no. 16/01788/F - 36 The Avenues Norwich NR2 3QR and grant planning permission subject to the following conditions:

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

Informative:

Caution about possibility of asbestos used in construction of garage and safe disposal of any materials found.

Article 32(5) Statement

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

### **13. Application no 16/01753/F - 60 Denmark Road, Norwich NR3 4JS**

The senior planning technical officer presented the report with plans and slides.

**RESOLVED**, unanimously, to approve application no. 16/01753/F - 60 Denmark Road Norwich NR3 4JS and grant planning permission subject to the following conditions:

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

Article 32(5) Statement

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

### **14. Application no 16/01771/VC - Rouen House, Rouen Road Norwich, NR1 1RB**

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

During discussion members commented on the application and noted how the out of hours' service would fit in with the walk in service and the general practitioners' surgery.

Councillor Sands said that he considered that the service would be a “de facto A&E” and that distressed people attending it would not be considerate to the needs of residents

**RESOLVED** with 11 members voting in favour (Councillors Herries, Driver, Button, Malik, Carlo, Henderson, Jackson, Lubbock, Peek, Woollard and Bradford), and 1 member abstaining (Councillor Sands) to approve Application no. 16/01771/VC - Rouen House, Rouen Road, Norwich, NR1 1RB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. The ground floor doctor's surgery shall not be open to the public between the hours of 21:00 and 07:00 other than to provide an Out of Hours GP service in association with the NHS 111 non-emergency service or, with the prior approval of the Local Planning Authority, such other service that may replace it;
4. The walk-in-centre on the lower ground floor of the premises shall not be open to the public between the hours of 21:00 and 07:00 on any day;
5. Members of the public visiting the Out of Hours service operating on the ground floor shall access the premises by the Rouen Road entrance only.
6. Submission of a parking management plan for the Out of Hours service:
7. The on and off-site improvements approved under Application 15/00554/D shall be permanently retained as such;
8. The Travel Information Plan approved under Application 15/00554/D shall be made available to staff and visitors to the site and be reviewed annually;
9. The pedestrian and vehicle signage approved and under Application 15/00554/D shall be permanently retained as such;
10. The off-site highway works approved under Application 15/00554/D shall be permanently retained as such;
11. The cycle storage approved under Application 15/00554/D shall be permanently retained as such;
12. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification), the lower ground and ground floors of the premises, the subject of this permission, shall only be used as a walk-in health centre and doctors surgery, including GP out of hours service (Class D1) and for no other purposes including any other purpose in Class D1 of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

#### Informative

The services will not be entitled to business parking permits.

#### Article 35(2) statement

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

**15. Tree Preservation Order [TPO], 2016. City of Norwich Number 514; 1 The Mustard Mill, Bracondale Millgate, Norwich, NR1 2FB**

The arboricultural officer (TPO) presented the report with the aid of plans and slides.

A resident addressed the committee and outlined his objections to the confirmation of the tree preservation order. He said that he had not been aware that the tree was one of a pair but was concerned that it blocked the view from his property. He also advised the committee that there was a covenant which prevented the residents from planting trees in their gardens and blocking views of the river.

During discussion, the arboricultural officer, referred to the report and answered members' questions. It was considered that the tree had been part of the original landscaping scheme associated with the housing development.

**RESOLVED**, with 8 members voting in favour (Councillors Herries, Malik, Carlo, Jackson, Henderson, Lubbock, Peek and Sands), 2 members voting against (Councillors Driver and Woollard) and 2 members abstaining (Councillors Button and Bradford) to confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 514; 1 The Mustard Mill, Bracondale Millgate, Norwich, NR1 2FB, without modifications.

CHAIR

## **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.

## Summary of applications for consideration

## ITEM 4

09 March 2017

Item no.	Case no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	16/01893/VC	St Annes Wharf King Street Norwich, Norfolk	Tracy Armitage	Variation of Condition 32 (added by ref. 14/01783/NMA) to allow changes to the plans (design changes to blocks D1; D2; E1; F1; F2; F3; G1; G2; G3; H1; H2; H3 and H4) approved under previous permission no. 04/00605/F.	Objections	Approve Deed of Variation of S106
4(b)	17/00130/F	Land South of 37 - 51 Howard Mews	Kian Saedi	Erection of 1 No. dwellinghouse, accessed from Howard Mews.	Objections	Approve
4(c)	16/01763/L	South West Quadrant, Eaton Park Pavilion	Chris Brownhill	Installation of a Defibrillator to the wall of the South West Quadrant	Member application	Approve
4(d)	16/001750/F	418 Unthank Road	Katherine Brumpton	Erection of pitched roof with roof lights to outbuilding (amended plans)	Objections (amended plans received)	Approve
4(e)	17/00107/F	475 Unthank Road	Stephen Polley	Two storey rear extension with balcony.	Enforcement	Refuse
4(f)	16/01751/L	14 & 16 Lower Goat Lane	Sophia Bix	Repairs to front elevation and flank walls at 1 <sup>st</sup> and 2 <sup>nd</sup> floor levels	Objections	Approve



**Report to** Planning applications committee

**Item**

09 March 2017

**Report of** Head of planning services

**Subject** Application no 16/01893/VC - St Annes Wharf King Street, Norwich

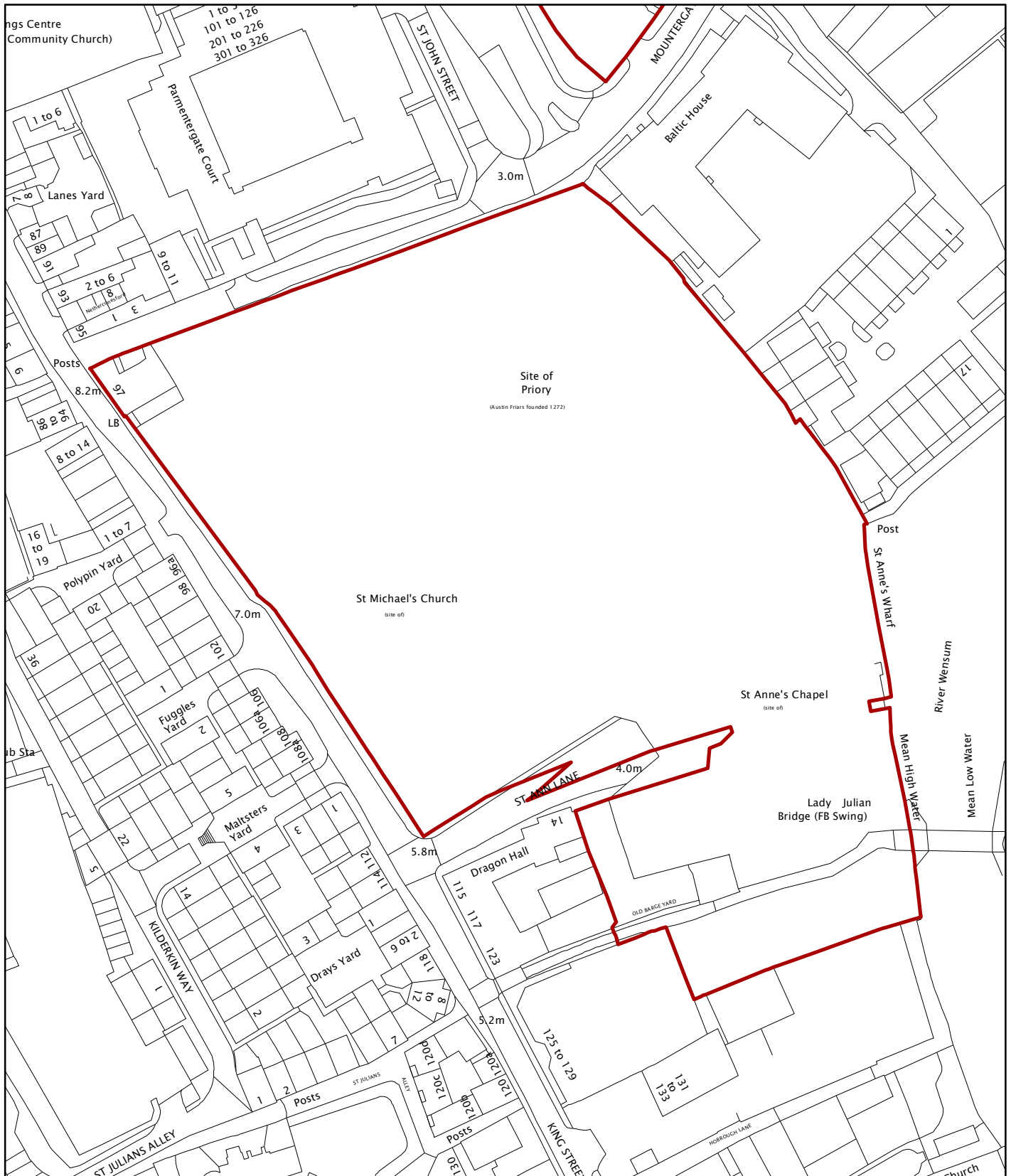
**Reason for referral** Objections / variation of existing S106 Obligation requirements

4(a)

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

Development proposal		
Variation of Condition 32 (added by ref. 14/01783/NMA) to allow changes to the plans (design changes to blocks D1; D2; E1; F1; F2; F3; G1; G2; G3; H1; H2; H3 and H4) approved under previous permission no. 04/00605/F.		
Representations		
Object	Comment	Support
5	1	

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



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Planning Application No 16/01893/VC

Site Address St Anne's Wharf, King Street

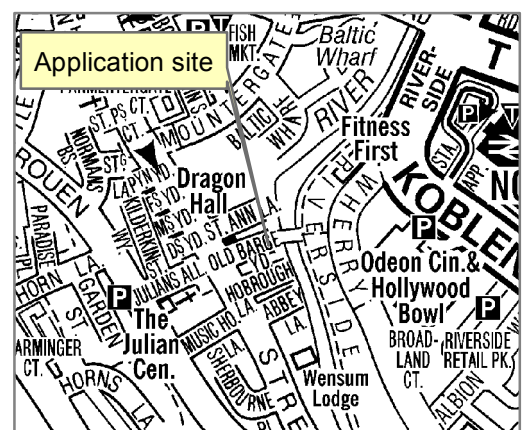
Scale 1:1,250



**NORWICH**  
City Council

PLANNING SERVICES

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## The site and surroundings

1. This application relates to a 2.07 hectare site on King Street where construction is currently underway in association with the implementation of planning ref: 2004/00605/F for the comprehensive redevelopment of the site:

The demolition of existing buildings to slab level and the development of the following mixes; 437 residential units, 2128 sq m of A1, A2, A3 and D2 uses (max. 2000 sq m A1), the provision of 305 car parking spaces, riverside walkway, public open space and hard and soft landscaping including external lighting, seating, bollards, walkways, cycle paths, steps and ramps, internal access roads, delivery bays, boundary enclosure, new vehicle and pedestrian and cycle access points, alteration of existing access points and associated infrastructure works

2. The site is prominent in the City Centre Conservation Area with boundaries abutting King Street, Mountergate, the River Wensum and within the immediate vicinity of highly significant listed buildings including Dragon Hall, Howard House and 125-129 King Street (Bennett Building). The eastern boundary of the site abuts Baltic House (office building) and residential properties forming part of the Baltic Wharf development constructed by Hopkins Homes in 2007/08.
3. The developers are near completion of phase 2a of the construction programme which has included ground works, piling and construction of the podium onto which blocks D1, D2, E1, F1, F2, F3, G1, G2, G3, G4, H1, H2 and H3 will be built. Phase 2b is scheduled to commence in March 2017 and will include the construction of all H blocks and blocks F1, F2, G1 and G2. A total of 190 dwellings are within this phase which is expected to be complete by September 2018.

## Constraints

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

## Relevant planning history

Ref	Proposal	Decision	Date
4/2003/0129	<p>The demolition of existing buildings to slab level and the development of the following mixes :-</p> <p>437 residential units, 2180 sq m of A1, A2, A3 and D2 uses(max. 2,000 sq.m. A1), the provision of 305 car parking spaces, riverside walkway, public open space and hard and soft landscaping including external lighting, seating, bollards, walkways, cycle paths, steps and ramps, internal access roads, delivery bays, boundary enclosure, new vehicle and pedestrian and cycle access points, alteration of existing access points and associated infrastructure works.(Revised Scheme)</p>	NOTDE	28/04/2005
04/00605/F	<p>The demolition of existing buildings to slab level and the development of the following mixes;</p> <p>437 residential units ,2128 sq m of A1,A2 , A3 and D2 uses(max.2000 sq m A1),the provision of 305 car parking spaces,riverside walkway,public open space and hard and soft landscaping including external lighting ,seating,bollards,walkways,cycle paths,steps and ramps,internal access roads,delivery bays,boundary enclosure,new vehicle and pedestrian and cycle access points,alteration of existing access points and associated infrastructure works.</p>	APPR	16/03/2006
08/00838/U	Use of vacant site as a temporary public car park.	FDO	14/06/2010
08/01171/D	<p>Condition 2: Details of materials;            Condition 3: Phasing plan; Condition 6: Archaeology; Condition 7: Archaeology;            Condition 8: Decontamination and Removal of unexploded ordnances for previous planning permission            04/00605/F "Demolishment of existing buildings and redevelop site".</p>	FDO	09/12/2011

Ref	Proposal	Decision	Date
08/01233/D	<p>Condition 26: Details of Crayfish/Depressed River Mussel of previous planning application 04/00605/F 'The demolition of existing buildings to slab level and the development of the following mixes;</p> <p>437 residential units ,2128 sq m of A1,A2 , A3 and D2 uses(max.2000 sq m A1),the provision of 305 car parking spaces,riverside walkway,public open space and hard and soft landscaping including external lighting ,seating,bollards,walkways,cycle paths,steps and ramps,internal access roads,delivery bays,boundary enclosure,new vehicle and pedestrian and cycle access points,alteration of existing access points and associated infrastructure works.'</p>	APPR	12/01/2009
14/01783/NMA	Non-Material Amendment by addition of condition to 04/00605/F requiring development to be built in accordance with approved plans.	APPR	23/12/2014
14/01787/D	Details of condition 6: Archaeological written scheme of investigation and Condition 8: Decontamination and removal of unexploded ordnances of previous permission 04/00605/F.	APPR	19/01/2015
15/01574/D	Details of Condition 3: Phasing and Condition 26: Crayfish/Depressed River Mussel of previous application (no. 04/00605/F).	APPR	19/11/2015
15/01898/D	Details of Condition 5: Energy efficiency and Condition 6: Archaeological Investigation of previous permission 04/00605/F.	APPR	10/02/2016
16/00713/D	Details of Condition 2: sample of materials and Condition 8: Decontamination/Ordnances of previous permission 04/00605/F.	PCO	
16/01036/NMA	Amendment to planning permission 04/00605/F and 14/01783/NMA.	APPR	18/11/2016

## The proposal

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

Block	Details of changes
All blocks	Change to one of the materials of the approved pallet  Timber boarding to be replaced with Marley Eternit Tectiva
H3	<ul style="list-style-type: none"> <li>- Reconfiguration of the eastern corner of the block. The changes 'square off' a recess in the approved building and result in: the enlargement of the river facing flats; extended balcony areas and reconfigured windows.</li> <li>- Enlargement of windows</li> <li>- East elevation - Insertion of new windows and lengthened balconies</li> <li>- Level 5 – alterations to three smaller dwellings to create two larger units</li> <li>- Level 6 – deletion of plant room and the creation of a new dwelling in this location extended over storey below (replaces dwelling lost as a result of level 5 change).</li> <li>- Level 6/7 increased depth of St Anne's Lane fronting unit</li> <li>- Level 7/Roof level. Creation of additional floor of residential accommodation within approved roof void. The change increases the height of the block by 900mm and in the insertion of windows at this level.</li> <li>- Extension of approved roof terraces and creation of new roof terraces - Level 7 – 2x new roof terraces; Level 6 - 2x new roof terraces; Level 5 – Extension of two approved balconies to create larger terrace areas + creation of new roof terrace.</li> <li>- Multiple changes are proposed:</li> </ul>
H1, G2 and F2	<ul style="list-style-type: none"> <li>- Change in balcony design – projecting balconies replaces with Juliet balcony design</li> </ul>
Facing East Street and	<ul style="list-style-type: none"> <li>- Insertion of 2 x additional windows – (additional secondary window to the open plan living area of 2 flats)</li> </ul>

Block	Details of changes
Baltic Wharf	<ul style="list-style-type: none"> <li>- Insertion of 1 x additional ground floor double glazed door with external amenity area</li> <li>- Re-sizing of windows – 600x600mm enlarged to 800x 825mm</li> </ul>
D1 and D2	<ul style="list-style-type: none"> <li>- Additional upper floor to town houses in these blocks. Creates an additional bedroom and external roof garden for each.</li> <li>- Changes to fenestration</li> <li>- Extension of residential floorspace in position of redundant lift storage space</li> </ul>
E1	<ul style="list-style-type: none"> <li>- Change of use of approved commercial floor space to create 2 x additional dwellings (relocation of dwellings lost as a result of G2 and G3 changes).</li> <li>- Re-positioning of block by 180mm</li> <li>- Re-sizing of windows – 600x600mm enlarged to 800x 825mm</li> </ul>
F1	<ul style="list-style-type: none"> <li>- Reconfiguration of internal arrangements of flats and resulting changes to elements of external fenestration</li> <li>- Re-sizing of windows – 600x600mm enlarged to 800x 825mm</li> </ul>
F2	<ul style="list-style-type: none"> <li>- Re-sizing of windows – 600x600mm enlarged to 800x 825mm</li> </ul>
F3	<ul style="list-style-type: none"> <li>- Re-sizing of windows – 600x600mm enlarged to 800x 825mm</li> <li>- Re-positioning of block by 180mm</li> </ul>
G2 and G3	<ul style="list-style-type: none"> <li>- Widening of the passageway between the two blocks to enable access for fire tender</li> <li>- Modification results in the removal of 2 x 1 bed units which previously extended across (bridged) the passageway</li> <li>- Multiple changes to reflect removal of bridging structure</li> <li>- G3 – new roof terrace added to southern penthouse apartment.</li> </ul>

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

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

## Representations

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

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

## Consultation responses

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

### Broads Authority

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

### English Heritage

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

### Environment Agency

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

## **Lead Local Flood Authority**

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

## **Norwich Society**

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

## **Assessment of planning considerations**

### **Relevant development plan policies**

22. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
  - JCS5 The economy
  - JCS6 Access and transportation
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS10 Locations for major new or expanded communities in the Norwich policy area
  - JCS11 Norwich city centre
  - JCS18 The Broads
23. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM5 Planning effectively for flood resilience
  - DM6 Protecting and enhancing the natural environment
  - DM8 Planning effectively for open space and recreation
  - DM9 Safeguarding Norwich's heritage
  - DM11 Protecting against environmental hazards
  - DM12 Ensuring well-planned housing development

- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

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

- CC6 St Anne's Wharf and adjoining land

**Other material considerations**

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

- NPPF0 Achieving sustainable development
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF12 Conserving and enhancing the historic environment

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

- Affordable housing SPD
- Open space & play space SPD
- Trees, development and landscape SPD

**Case Assessment**

27. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan 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.
28. The application is made under section 73 of The Town and Country Planning Act 1990 as amended and therefore it is only the question of the conditions subject to which planning permission should be granted that can be considered. Therefore no opportunity is provided to reassess the principle or acceptability of the development in general. However, it remains the case that the application must be determined according to the current development plan and other material considerations.
29. Since the application was originally determined the NPPF has been published and a new Norwich Local Plan and Joint Core Strategy have been adopted. The Local plan includes a site specific policy for the site CC6 St Anne's Wharf and adjoining land.

30. The development scheme approved in 2006 consists of a housing led mixed use scheme on a formerly industrial, city centre site. The location is highly accessible and the high density scheme makes efficient use of a brownfield site. National and local planning policies continue to promote sustainable development of brownfield land, the delivery of housing and a mix of uses which create jobs and economic benefit. The approved scheme remains broadly compliant with the current development plan and the scope of the assessment is confined to the specific changes sought and to particular changes in site conditions.
31. The proposed changes can be grouped under the following headings:
- (a) Change in materials
  - (b) Change in the massing, height and external appearance of block H3
  - (c) Retraction of balconies to the East Street frontage of the development
  - (d) Other changes to East Street and Mountergate frontages blocks
  - (e) Removal of bridging structure between blocks G2 and G3
  - (f) Increase in the height and massing and appearance of blocks D1 and D2
  - (g) Change in use and external appearance of part of block E1.
32. The key design principles of the approved scheme remain unchanged. The layout of the development is designed around the principles of reinstating historic street pattern and routes through the site to the new bridge; allowing permeability for pedestrians and cyclists and preserving critical views into and out of the site. The individual blocks which are arranged around a series of courtyards, vary in form and scale. In plan, shallow blocks are positioned beside King Street, echoing the traditional pattern of development in the area. These blocks are broken down into smaller buildings of mainly two and three storeys, in keeping with the surrounding historic form. Along Mountergate and the eastern boundary, the frontage buildings are larger in both plan form and scale. In the centre of this area, infill blocks are set at right angles to King Street and the main pedestrian route. The footprints of these blocks increase in size and height, rising to a landmark 8 storey building on the southeast corner of this sector facing onto the main square and the river. The changes do not seek to vary this layout or variation in block form and massing.

**a) Change in materials**

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

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

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

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

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

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

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

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

#### **c) Retraction of balconies to the East Street frontage**

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

#### **d) Other changes to East Street and Mountergate frontages blocks**

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

#### **e) Removal of bridging structure between G2 and G3**

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

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

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

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

**g) Change in use and external appearance of block E1**

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

## **Drainage and flood risk**

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

## **Equalities and diversity issues**

55. There are no significant equality or diversity issues.

## **S106 Obligations**

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

## **Local finance considerations**

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

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

## Conclusion

60. The proposed changes to the approved development scheme are considered acceptable and will have the effect of updating the appearance of the development, improving operational efficiency and increasing the size and amount of private amenity space available to a number of the approved dwellings. The development is subject to EIA and the impact of the proposed changes has been assessed and considered to have no material additional environment effect.

## Recommendation

To approve application no. 16/01893/VC - St Annes Wharf King Street Norwich Norfolk and grant planning permission subject to the following conditions and Deed of Variation of the S106 Obligation. Conditions imposed in relation to 04/00605/F are re-imposed modified to take account of conditions already discharged and the new details approved.

1. In accordance with plans;
2. Materials (other)
3. Approved balcony system and plan
4. Unknown contamination
5. Phasing plans
6. Approval of details:
  - (a) a)typical windows, doors including sections to show the window head, window cills and reveal depth (Drg. Min. scale 1:5);
  - (b) typical eaves, verge, parapet and roof details (Drg. Min. scale 1:5);
  - (c) typical shopfront (including sections)(1:10);
  - (d) typical balustrade and balconies construction including supports (Drg. Min. scale 1:10);
  - (e) external lift in Central Street;
  - (f) typical rainwater goods (1:10);
  - (g) typical projecting canopies (1:10).
6. Energy efficiency measures
7. Archaeology (x2)
8. Hard and soft landscaping – approval and implementation
9. Replacement of trees/shrubs
10. Plant and machinery
11. Management Agreement:
  - (a) a restrictive servicing arrangement to take place outside the hours of 1030 to 1630 on any day;
  - (b) servicing vehicles to travel in a clockwise direction from Mountergate (adjacent Baltic House) through to King Street (via St Anne Lane);
  - (c) maintenance of the landscaping and planted areas;
  - (d) cleaning of litter from the permissive and pedestrian routes;
  - (e) telecommunications, communal satellite and terrestrial aerials arrangements for the development.

12. Agreement of flues, extraction, ventilation or filtration equipment in relation to A3 uses
13. No materials shall be kept, deposited or stored in the open
14. Agreement and implementation of refuse and cycle storage areas
15. There shall be no amplified sound in any of the restaurants (Class A3) or retail (Class A1) units before the Local Planning Authority has agreed details
16. Servicing areas shall be clearly marked, and available for use
17. Restricted goods - retail units
18. Parking details to be agreed
19. The Riverside Walk and other permissive and pedestrian routes shall be constructed and provided in accordance with a scheme to be first approved by the Local Planning Authority and shall thereafter be permanently retained.
20. Street lighting shall be submitted to the Local Planning Authority.
21. Nest boxes for birds and bats
22. Interpretation of archaeological investigation/ former Synagogue Street; the sacrifices of Corporal Day VC.
23. Fire Hydrants
24. Travel plan
25. Directional signage

### **Article 32(5) statement**

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



View of Block H3 from the Plaza



Elevated view of Block H3



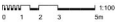
West Elevation



South Elevation



East Elevation



Revision table and project information block containing details about the drawing, project location, and revision history.

Rev	Date	Description	By	Chk
1	06.02.17	Block H3 Planning approved building outline	JD	AD

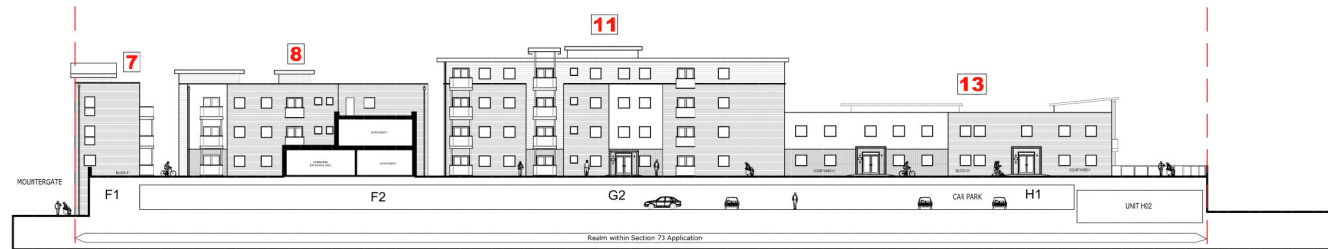
Project: St Annes Wharf, King Street, Norwich

Block H3  
HW & Benzy Comparison Overlay

Rev	Date	Description	By	Chk
1	06.02.17	Block H3 Planning approved building outline	JD	AD

WEST  
ELEVATIONS

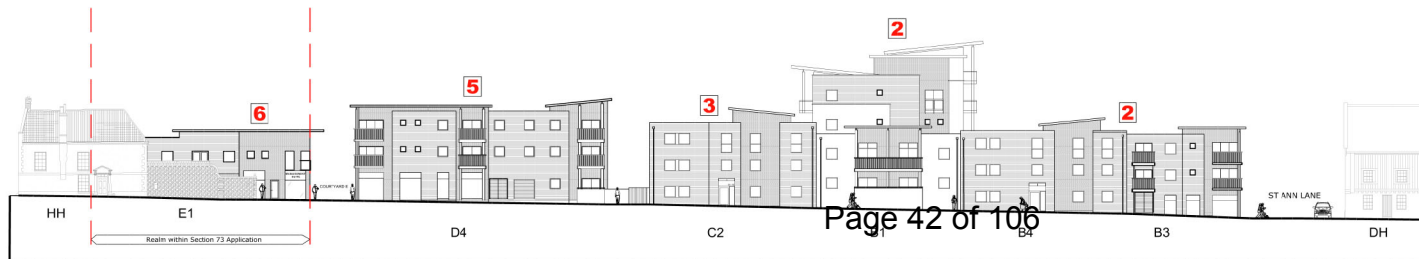
01 COURTYARDS F TO H



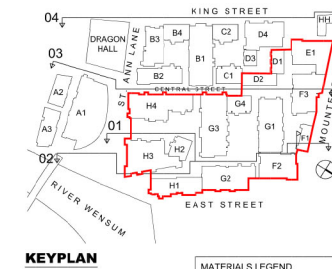
02 EAST STREET (REAR ELEVATION)



03 CENTRAL STREET (EAST)








04 KING STREET



## KEYPLAN

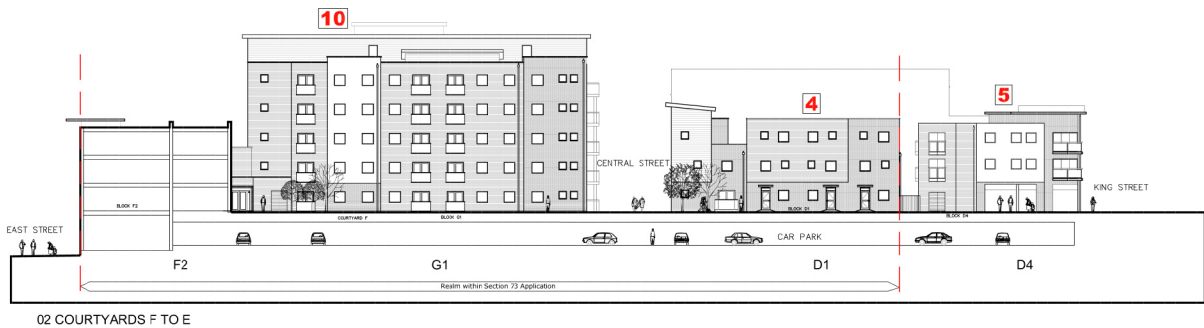
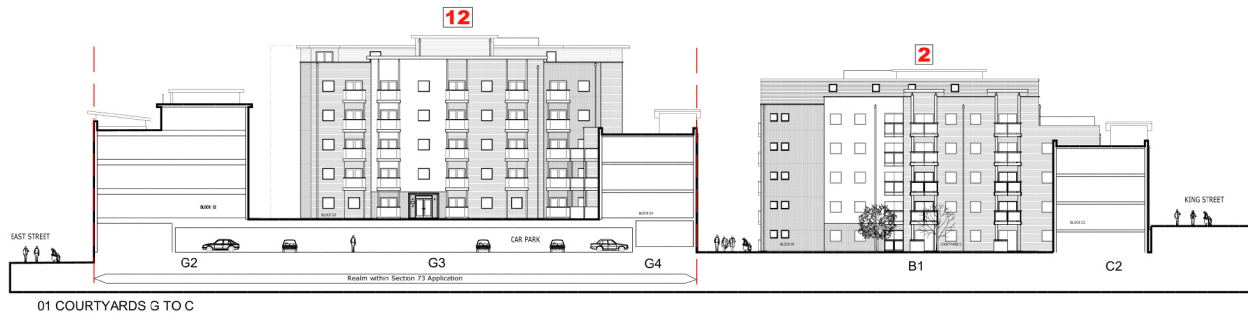
**MATERIALS LEGEND.**

	Facing brickwork - red
	Facing brickwork - buff
	Marley Eternit Equitone Tectiva cladding
	Render
	Marley Eternit Equitone Materia cladding

LEGEND:			DO NOT SCALE
Ref	Bloc Ref	Section 73 Change Summary	
1	A1 - A3	No changes proposed (outside extent of Section 73)	
2	B1 - B4	No changes proposed (outside extent of Section 73)	
3	C1 - C2	No changes proposed (outside extent of Section 73)	
4	D1 - D2	Two bedrooms amended to add additional space over half the footprint. Bedroom numbers increased and roof terrace added. Southern roof unit extended on ground floor into redundant lift and storage space to provide enhanced living area. Fenestration amended to suit new layout and enhance biovision.	
5	D3 - D4	No changes proposed (outside extent of Section 73)	
6	E1	2 apartments added to upper ground floor relocated from bridge link between G2&G3. Changes to external envelope at entry level to include ramp and pedestrian route between D4 and E1. External stairs in passage between E1 and H4ward House removed as purpose is redundant.  Block E1 moved South 150mm to address retaining wall retention issues.	
7	F1	Windows previously 600x900mm changed to 800x525mm  Design of units changed to address poor design issues raised in design with planning and planning to change and elements of external fenestration only.	
8	F2	Projecting balconies on upper levels drawn back to new Juliet balcony design  Windows previously 600x900mm changed to 800x525mm  Timber boarding replaced with proposed Narnit Eternit Tectra	
9	F3	Block F3 moved South 120mm to address retaining wall retention issues.  Windows previously 600x900mm changed to 800x525mm  Timber boarding replaced with proposed Narnit Eternit Tectra	
10	G1	Windows previously 600x900mm changed to 800x525mm  Timber boarding replaced with proposed Narnit Eternit Tectra	
11	G2	Projecting balconies on upper levels drawn back to new Juliet balcony design to reduce impact on existing adjacent balconies  Windows to North West corner enlarged slightly to 900x1125mm on upper floor levels  West elevation amended at upper ground level to reflect the widening of the existing ramp between courtyard G and courtyard H in addition to the removal of the bridge link between G3 and H4  Timber boarding replaced with proposed Narnit Eternit Tectra  Substation at G floor omitted	
12	G3	Block G3 length amended to allow widening of fire tender route between G2 and G3. Existing gable pulled 1500mm westbound to allow for general adjustment of design between G2 and G3. Bridging apartments located over the fire tender access route between G3 and H4 removed and relocated to upper ground floor level of E1.  Fenestration and proportions of G3 amended following layout adjustments made as above  New roof terrace added to southern penthouse apartment  Timber boarding replaced with proposed Narnit Eternit Tectra	
13	H1	Projecting balconies on upper levels drawn back to new Juliet balcony design to reduce impact or adjacent existing apartments  Two additional 1200x1200mm windows added to East Street elevation	
14	H2	Windows previously 600x900mm changed to 800x525mm	
15	H3	Block design generally amended to enhance commerciality and design approach  Changes to apartments located at the Eastern corner to provide larger premium apartment with better functionality, layout and market appeal  Fenestration design changed to suit new layout and functions substantially to south east and south west elevation to balance proportions and enhance biovision  Enhanced roof terrace added to penthouse apartments  51 corner of 6th floor amended by 220mm	
16	H4	5th floor corner extended to 6th floor  Windows previously 600x900mm changed to 800x525mm  Timber boarding replaced with proposed Narnit Eternit Tectra  Minor adjustment to roof line false balcony to reflect updated topographical survey information	

G	22.02.17	Projecting balcony and Juliet arrangements amended	SAG	JO
F	15.02.17	Timber cladding omitted from King Street Elevation and Block E2 replaced with red-buff facing brickwork. Balconies in King Street amended	SAG	JO
E	05.01.17	Schedule of Changes updated. Issued to NCC	SAG	JO
D	08.11.16	ET3 submitted to NCC	JK	JO
C	02.11.16	Updated to client comments	SAG	JO
B	17.11.16	Window sizes to kitchen amended	SAG	JO
A	11.11.16	Issued to Client	SAG	JO
Rev:	Date:	Description	Drawn:	CHK:


## NORTH ELEVATIONS



<p>All drawings to be sealed only by the City Engineer within the state of California.</p> <p>It is the responsibility of the Engineer to ensure that the drawings are in compliance with the California Building Code and the California Fire Code.</p> <p>This drawing is to be used only as a guide and does not constitute a contract. The Engineer is responsible for the accuracy of the information and the results of the design.</p> <p>LEGEND</p> <p>DO NOT SCALE</p>		
Ref	Block Ref	Section 73 Change Summary
1	A1 - A3	No changes proposed (outside extent of Section 73)
2	B1 - B4	No changes proposed (outside extent of Section 73)
3	C1 - C2	No changes proposed (outside extent of Section 73)
4	D1 - D2	<p>Twohouse amended to add additional floor over the basement. Bedroom numbers increased and roof terrace added. Southern most unit extended at ground floor into residential lot E1 and replaced with a new living area. Firestation amended to suit new layout and enhance viability.</p>
5	D3 - D4	<p>No changes proposed (outside extent of Section 73)</p> <p>A gate currently located in the ground floor relocated from bridge link between G2&amp;G3. Changes to external elevation at entry level facing Howard House and the residential route between G1 and G2. External steps in passage between E1 and Howard House amended as per purpose in revision.</p> <p>Block E1 moved South 100mm to address retaining wall retention issues.</p>
6	F1	<p>Windows previously 600x600mm changed to 800x255mm</p> <p>Design of units changed to address poor design issues raised in dialogue with planners. Internal layout changed and elements of external fenestration only.</p>
8	F2	<p>Windows previously 600x600mm changed to 800x255mm</p> <p>Projecting balconies on upper levels drawn back to new sealed balcony design.</p>
9	F3	<p>Windows previously 600x600mm changed to 800x255mm</p> <p>Roofing boarding replaced with proposed Meritlume Terrac tiles</p>
10	G1	<p>Windows previously 600x600mm changed to 800x255mm</p> <p>Roofing boarding replaced with proposed Meritlume Terrac tiles</p>
11	G2	<p>Projecting balconies on upper levels drawn back to new sealed balcony design to reduce impact on existing adjacent properties.</p> <p>Windows to North West corner enlarged slightly to suit 120mm on upper floor levels.</p>
12	G3	<p>Most external elevation to ground around upper levels to reflect the widening of the through route between court yard and E1 and G2. Changes to the removal of the bridge link between G2 and G3.</p> <p>Roofing boarding replaced with proposed Meritlume Terrac tiles</p> <p>Insulation at 10 floor omitted</p>
13	G3	<p>Block G3 length amended to allow widening of fire tender route between G2 and G3. Eastern gate pulled forward 300mm, 3.5m.</p> <p>Block G3 length amended as western gate is pushed 1300mm westward to allow for general adjustment of the building footprint.</p> <p>Along the tender access route north have been removed and replaced to upper ground floor level of E1.</p> <p>Fenestration and proportions of G3 amended following length adjustments made as above.</p> <p>Roof terrace added to southern perimeter apartment</p> <p>Roofing boarding replaced with proposed Meritlume Terrac tiles</p>
13	H1	<p>Projecting balconies on upper levels drawn back to new Julietta balcony design to reduce impact on adjacent street properties.</p> <p>Two additional 1250x1300mm windows added on East Street elevation</p>
14	H2	<p>Windows previously 600x600mm changed to 800x255mm</p> <p>Design changed generally amended to enhance corner apartments but also to allow for future changes to provide larger premium apartments with better functionality, layout and more external space.</p> <p>Fenestration design changed generally, but substantively to south east and south west elevation to balance proportion elevation.</p> <p>Enhanced roof terrace added to southern apartment</p> <p>SE corner of 10 floor widened by 2200mm</p>
16	H4	<p>Windows previously 600x600mm changed to 800x255mm</p> <p>Roofing boarding replaced with proposed Meritlume Terrac tiles</p> <p>Internal adjustment to red fire live balconies to reflect updated fire safety information</p>

D	22.02.07	Proposed elevations and colour arrangements amended	SMD	2/01
D	22.02.07	Consulting architect's letter of 21.11.06 to client approved	SMD	2/01
D	22.02.07	Letter with client's responses to architect's letter of 21.11.06	SMD	2/01
D	22.02.07	Submission of Planning application to Havant NCC	SMD	2/01
D	22.02.07	Submission of Planning application to Havant NCC	SMD	2/01
D	22.11.10	Final planning decision received	SMD	2/01
D	22.11.10	Refuse to allow planning application	SMD	2/01
A	11.11.10	Search completed	SMD	2/01

Rev: Issue Description Date



## Vision, form and function

Electricity  
Communications  
Water  
Wastewater

8. HAVANT NCC  
Havant Borough Council  
Havant  
www.havant.gov.uk

Project  
**St. Annas Wharf**  
King Street  
Norwich

Client  
**Orbit Homes Limited**  
Parallel to Mourmelange

Drawing Title  
**GA Sectional Elevations - North**

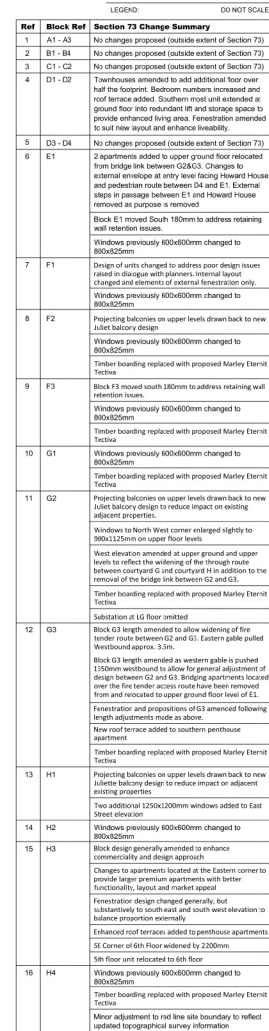
Client  
**Orbit Homes Limited**

Rev	Issued	Date	Description	Project Ref
DAG	1	28.10.16	1:200	A3
Job No.	31359	Rev	HW - XX - XX - M2 - A	Draw No. 2596

**PLANNING**

**PLANNING**

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Rev.	Date	Description	Doc.	Dir.
	22.02.17	Projecting labour and Jubilee arrangements amended	OAG	JD
	10.02.17	Guidance updated from S-C, D & E blocks and replaced with method being followed	OAG	JD
	09.01.17	Schedule A Changes updated. Issued to MCC	OAG	JD
	08.11.16	STP submitted to MCC	JK	JD
	02.12.16	Updated to client comments	OAG	JD
	17.11.16	Window signs amended to kitchen	OAG	JD
	11.11.16	Issued to Client	OAG	JD

**Ingleton  
Wood**

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 8 Whiting Road  
 Norwich Business Park  
 Norwich NR4 6Z  
 T: 01603 4681  
 www.ingletonwood.co.uk

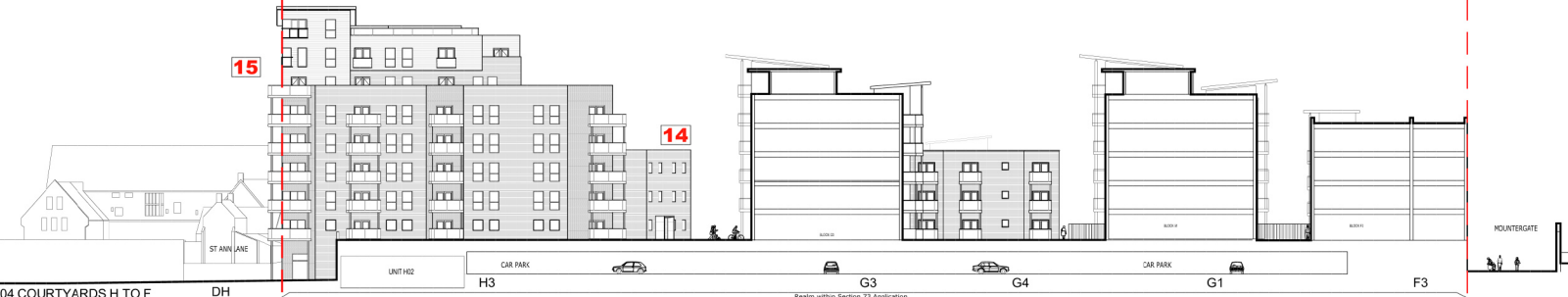
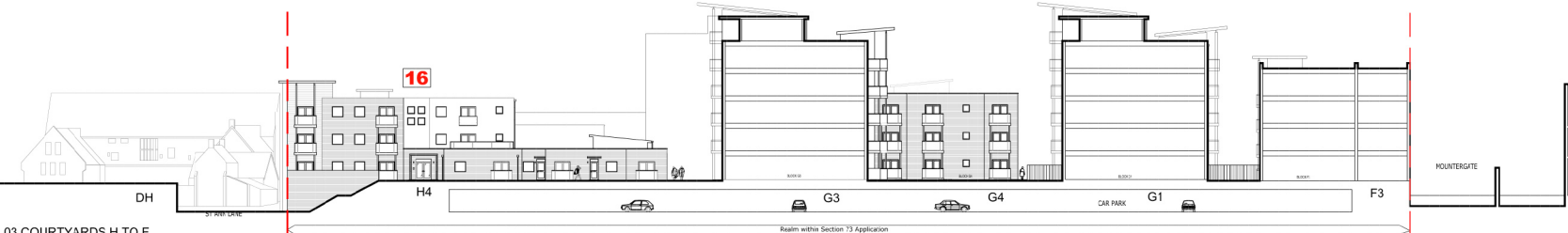
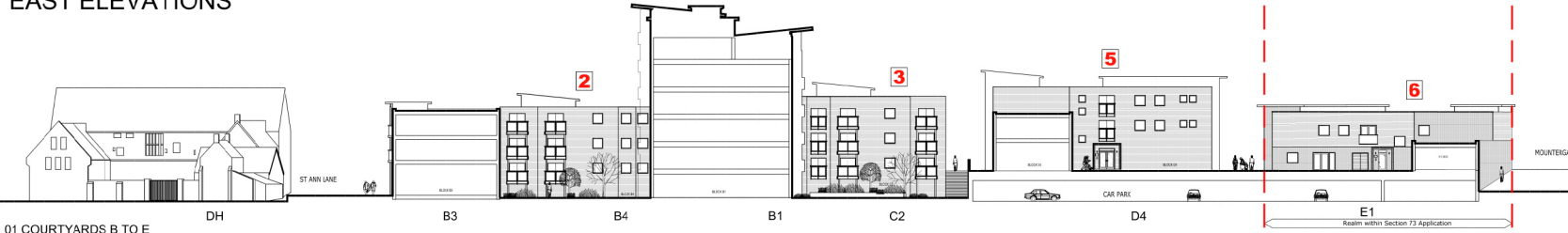
St. Annes Wharf  
King Street  
Norwich

GA Sectional Elevations - South  
Parallel to St. Ann Lane

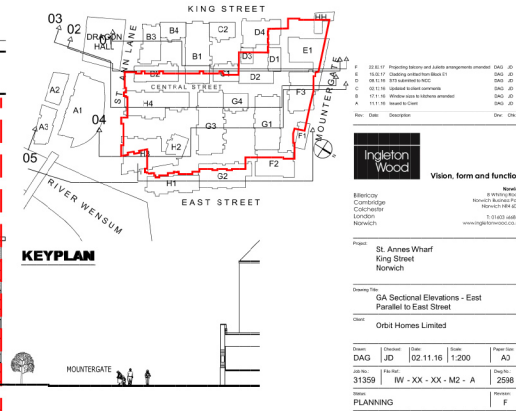
Exam	Checked	Date	Scale	Paper Size
19AG	JD	25.10.16	1:200	A0

1359	IV - XX - XX - M2 - A	2597
Wiers		Revisi:
LANING		G

## EAST ELEVATIONS



LEGEND			DO NOT SCALE
Ref	Block Ref	Section 73 Change Summary	
1	A1 - A3	No changes proposed outside extent of Section 73	
2	B1 - B4	No changes proposed outside extent of Section 73	
3	C1 - C2	No changes proposed outside extent of Section 73	
4	D1 - D2	Townhouses amended to add additional floor over half the footprint. Backdrop to be increased and roof terrace added. Southern most unit extended at ground floor into redundant lift and storage space to provide enhanced living area. Fenciblement amended to suit new layout and enhance liveability.	
5	D3 - D4	No windows proposed outside extent of Section 73	
6	E1	2 apartments added to upper ground floor relocated bridge link between C2&G3. Changes to external entrance at entry level facing Howard House and pedestrian route between E1 and E1 External slope in passage between E1 and Howard House removed as purpose is removed	
		Windows E1 moved South 180mm to address retaining wall retention issues.	
7	F1	Windows previously 600x600mm changed to 800x825mm	
		Design of units changed to address poor design issues raised in dialogue with planners. Internal layout changed and elements of external fenestration only.	
		Windows previously 600x600mm changed to 800x825mm	
8	F2	Projecting balconies on upper levels drawn back to new julie balcony design	
		Windows previously 600x600mm changed to 800x825mm	
9	F3	Timber boarding replaced with proposed Marley Eternit Tectra	
		Block F3 moved south 180mm to address retaining wall retention issues.	
		Windows previously 600x600mm changed to 800x825mm	
		Timber boarding replaced with proposed Marley Eternit Tectra	
10	G1	Windows previously 600x600mm changed to 800x825mm	
		Timber boarding replaced with proposed Marley Eternit Tectra	
11	G2	Projecting balconies on upper levels drawn back to new julie balcony design to reduce impact on adjacent properties.	
		Windows to North West corner enlarged slightly to 900x115mm on upper floor levels.	
		Wet elevation amended to add ground floor and upper levels to reflect the widening of internal route between courtyard G and courtyard H in addition to the removal of the bridge link between G2 and G3	
		Timber boarding replaced with proposed Marley Eternit Tectra	
12	G3	Substation at G1 floor omitted	
		Block G3 length amended to allow widening of fire tender route between G2 and G3. Eastern gable pulled Westbound approx. 3.5m.	
		Block G3 length amended as western gable is pushed 1350mm westbound to allow for general adjustment of design between G2 and G3. Bridging apartments located over the fire tender access road between G2 and G3 from and relocated to upper ground floor level of E1.	
		Fenestration and proportions of G3 amended following length adjustments made as above.	
		New roof terrace added to southern penthouse apartment	
		Timber boarding replaced with proposed Marley Eternit Tectra	
13	H1	Projecting balconies on upper levels drawn back to new julie balcony design to reduce impact on adjacent existing properties	
		Two additional 1250x1200mm windows added to East Street elevation	
14	H2	Windows previously 600x600mm changed to 800x825mm	
15	H3	Block design generally amended to enhance commerciality and design approach	
		Changes to apartments located in the eastern corner to provide larger premium spaces and south west corner fenestration, layout and market appeal	
		Fenestration design changed generally, but substantively to south east and south west corner fenestration pattern externally	
		Enhanced roof terraces added to penthouse apartments	
		SE corner of 6th floor reduced by 2300mm	
16	H4	5th floor unit omitted to be replaced by 6th floor unit	
		Windows previously 800x800mm changed to 800x825mm	





**Report to** Planning applications committee

**Item**

09 March 2017

**Report of** Head of planning services

**Subject** Application no 17/00130/F - Land South of 37 - 51  
Howard Mews, Norwich

**Reason  
for referral** Objection

4(b)

<b>Ward:</b>	Sewell
<b>Case officer</b>	Kian Saedi – <a href="mailto:kiansaedi@norwich.gov.uk">kiansaedi@norwich.gov.uk</a>

Development proposal		
Erection of 1 No. dwellinghouse, accessed from Howard Mews.		
Representations		
Object	Comment	Support
4	0	0

Main issues	Key considerations
1 Principle of the development	Five year housing land supply, contribution towards housing stock, garden development, existing planning consent for the site
2 Design	Density, local character, appearance
3 Transport	Car parking, cycle parking, highway safety, accessibility
4 Amenity	Outlook, overshadowing/loss of daylight, overlooking/loss of privacy, noise and disturbance, living conditions for future occupiers
5 Flood risk	Surface water flooding, drainage
<b>Expiry date</b>	20 March 2017
<b>Recommendation</b>	Approve

## The site and surroundings

1. The site is located to the rear of 37 – 51 Howard Mews forming part of the rear garden of those garden properties. The site would be accessed from and directly adjacent to Howard Mews which is a development of 1970's three storey flats in eight blocks (although 2 pairs are linked) with associated parking. 10 parking spaces are located immediately to the west of the site, with two proposed to be removed to enable access into the application site. Part of the west boundary of the site is also adjacent to the health centre car park.
2. The site is surrounded by a mixture of 1.8m fencing and mature hedging. To the east of the site are two rear gardens of other properties on Lawson Road, these gardens are occupied by a number of Ash, Elder and Sycamore trees, beyond this is a four storey block of flats at The Erins.

## Constraints

3. Heritage designations/article 4 directions/natural environment designations/environmental constraints/topography/ground stability/development plan designations

## Relevant planning history

Ref	Proposal	Decision	Date
11/02009/F	Erection of 2 No. new dwellings with integral parking.	Refused	March 2012
13/00406/F	Erection of 1 no. dwelling with associated parking.	Refused. Appeal dismissed	April 2013 February 2014
14/01286/F	Erection of 1 No. dwellinghouse, accessed from Howard Mews.	Approved	04 December 2014

## The proposal

4. Erection of 1 No. dwellinghouse, accessed from Howard Mews.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>1</b>

<b>Proposal</b>	<b>Key facts</b>
No. of affordable dwellings	<b>N/A</b>
Total floorspace	<b>92.5 sq.m</b>
No. of storeys	<b>1</b>
Max. dimensions	<b>10.95 metres, 10.8 metres in width, 2.35 metres to the eaves and 4.25 metres to the ridge (hipped roof)</b>
<b>Appearance</b>	
Materials	<b>Clay brickwork (walls), eternity PV tiles (roof), grey painted timber windows</b>
Energy and resource efficiency measures	<b>PV tiles</b>
<b>Transport matters</b>	
No of car parking spaces	<b>2</b>
No of cycle parking spaces	<b>Cycle store to be provided in the garden</b>
Servicing arrangements	<b>Adequate refuse storage is provided on site. Residents would be required to present bins at the front of the property.</b>

## Representations

5. Adjacent and neighbouring properties have been notified in writing. Four 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.

<b>Issues raised</b>	<b>Response</b>
Loss of privacy/overlooking	Main issue 4
Noise disturbance during construction	Main issue 4
Inadequate parking	Main issue 3
Parking spaces at the Mews should be allocated one per flat	Main issue 3

<b>Issues raised</b>	<b>Response</b>
Space for manoeuvring is already tight in the rear car park area adjacent to the application site	Main issue 3
Highway safety	Main issue 3
Potential for damage to residents' vehicles from construction vehicles	Not a material planning consideration
Where will site huts and temporary buildings be located	The proposal is for one dwelling only and it is not anticipated that there will be any need for significant huts or buildings to facilitate the development. There would be space on site to store construction materials and deliveries could be made through the car park.
Where will connection to the main sewage system be taken from and likewise for other utilities?	The connection of new development to the main sewer and other services would be a civil matter outside of planning, and subject to consents under other legislation. Therefore it is not reasonable to request this information through a planning application.

## **Consultation responses**

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

### **Highways (local)**

7. No objection in principle for the proposed dwelling.

### **Norfolk county Lead Local Flood Authority (LLFA)**

8. Referred to standing advice as proposal relates to minor development.

### **Tree protection officer**

9. No objections to the proposal provided the recommendations within the arboricultural assessment are fully implemented.

### **Citywide services**

10. No objections raised.

# Assessment of planning considerations

## Relevant development plan policies

11. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
  - JCS6 Access and transportation
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
  - JCS20 Implementation
12. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM5 Planning effectively for flood resilience
  - DM6 Protecting and enhancing the natural environment
  - DM7 Trees and development
  - DM12 Ensuring well-planned housing development
  - DM13 Communal development and multiple occupation
  - DM28 Encouraging sustainable travel
  - DM30 Access and highway safety
  - DM31 Car parking and servicing

## Other material considerations

13. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF0 Achieving sustainable development
  - NPPF2 Ensuring the vitality of town centres
  - NPPF3 Supporting a prosperous rural economy
  - NPPF4 Promoting sustainable transport
  - NPPF6 Delivering a wide choice of high quality homes
  - NPPF7 Requiring good design
  - 
  - NPPF10 Meeting the challenge of climate change, flooding and coastal change
  - NPPF11 Conserving and enhancing the natural environment
14. **Supplementary Planning Documents (SPD)**
  - Landscape and trees SPD adopted June 2016

## Case Assessment

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

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

16. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
17. Housing applications should be considered in the context of the presumption of sustainable development.
18. The NPPF states that where a 5 year land supply cannot be demonstrated, applications for housing should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date. The Norwich Policy Area does not currently have a 5 year land supply and therefore Local Plan policies for housing supply cannot be considered up-to-date. As a result the NPPF requires planning permission to be granted for sustainable development unless:
  - (a) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or
  - (b) Specific policies in the NPPF indicate development should be restricted.
19. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 53 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate development in residential gardens, for example where development would cause harm to the local area. The council considered this matter as part of the development of policies in the local plan and concluded that the criteria based policies in DM 3 and DM12 are satisfactory to determine applications for dwellings in gardens. Therefore there are no specific policies restricting new dwellings in the gardens of existing properties.
20. Paragraph 50 of the NPPF states that local authorities should deliver a wider choice of quality homes. A dwelling of this scale is considered to form part of the mix of residential accommodation, contributing to the city housing stock. In addition it is noted that the site is situated within an established residential area with easy access to public transport and services such as the health centre on Lawson road or the local retail centre on Magdalen Road.
21. When assessing the merits of the proposal against the following issues, significant weight must also be given to the existing consent for the site approved under application 14/01286/F. The approved scheme was similar to that currently under assessment but for a slightly reduced footprint and featuring a flat roof. The principle of residential development on the site is therefore accepted subject to other policy and material considerations discussed below.

## **Main issue 2: Design**

22. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
23. The size of the development site reflects the mixed density / character evident in the area comprising flats and terraced properties with long gardens.
24. The proposed dwelling to some degree would appear in isolation to the surrounding development, but there is no strong urban form characteristic of the area that would lead to this alone being a sufficient reason to refuse the scheme. In fact, the site's relative isolation is an opportunity to deliver a dwelling which is distinctive in its own right. The site is screened from views from the public highway by existing buildings and fences, and the adoption of a contrasting design approach is considered appropriate in this instance.
25. The brick type has not been specified but will be controlled by condition. The roof will be constructed of 'eternit' tiles which provide integral PV technology removing the requirement for a bolt-on approach for securing renewable energy supply. Given its relative isolation and subservient relationship to surrounding development, the proposed dwelling is considered to be acceptable in design terms.

## **Main issue 3: Transport**

26. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
27. The scheme provides vehicular access and two on-site car parking spaces leading from an adjacent car park. This will involve the relocation of two existing car parking spaces, but following construction all flats in the Mews will be provided with car parking on a 1:1 basis. The application includes a site plan illustrating the proposed parking layout and a condition will be imposed requiring the parking spaces to be provided in accordance with the site plan to ensure adequate parking provision for existing residents. The agent has also confirmed that subject to consent being granted, the car parking will be marked out in accordance with the site plan.
28. The proposed car parking provision satisfies the standards set out in Appendix 3 of the local plan and adequate space exists in the parking area to enable cars to safely manoeuvre in and out of the site. As such, and bearing in mind that the proposal will provide only one additional dwelling, any impact upon highway safety will be minimal.
29. Secure and covered cycle parking will be provided within the rear garden of the proposed dwelling and details will be secured by condition to ensure adequate specification and capacity.
30. The site is otherwise in an accessible location with easy access to public transport and within walking distance of the local retail centre on Magdalen Road.

## **Main issue 4: Amenity**

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

32. Previous application 13/00406/F proposed a two-storey dwelling of 8.7 metres in height with the gable end fronting 37-51 Howard Mews. This application was refused and the associated appeal subsequently dismissed with the inspector concluding that the proposal would have an adverse impact upon the neighbouring block of flats in terms of loss of overlooking, loss of privacy, overshadowing, loss of light and outlook.
33. Planning application 14/01286/F was subsequently submitted for a single-storey dwelling on the application site, which received approval at the planning committee of 04 December 2014. This was assessed to have adequately addressed the amenity concerns raised in the inspector's decision for 13/00406/F.
34. The current proposal is also single-storey, but instead of a flat roof (as featured in permission 14/01286/F), the roof is to be hipped and the width of the dwelling has been increased by approximately 3 metres. The amenity considerations of the current application are discussed below.

Impact on amenity of neighbouring properties:

35. At its closest point the proposed dwelling is 12 metres from 37-51 Howard Mews, which is screened from the ground floor by an existing mature hedge. Given its single-storey height, separating distance and existing screening, the proposal will not result in any loss of outlook to neighbouring properties.
36. The proposal will not result in any significant overshadowing or loss of daylight to neighbouring properties.
37. Such is the single-storey height of the proposed dwelling and presence of the mature hedge along the north boundary of the application site that there will be no opportunity for overlooking/loss of privacy to numbers 37-51 Howard Mews.
38. The potential impact of an additional residential dwelling upon the amenity of neighbouring occupiers in terms of noise nuisance has also been considered. The likely noise from one additional dwelling is of a scale and intensity of use which could not be considered significant in the context of the existing residential environment in terms of extent and the type of noise generated is not alien in a residential environment.
39. It is acknowledged that there may be some disturbance to nearby residents during the construction. However, in light of the small scale nature of the development such impacts are likely to be temporary and not untypical of construction activities that are experienced in an urban residential environment.
40. Due to the limited available space on site and proximity of neighbouring residential plots, a condition will be imposed upon any planning permission restricting the scope of permitted development rights to enable the local planning authority to control certain types of future development which may carry amenity implications for neighbouring and future residents.

Future residents:

41. The proposal provides for ample living space to serve the two-bedroom property both in terms of the internal living area and the external garden space. Whilst outlook from the two bedrooms will be restricted due to facing onto the parking

area, outlook from the main living/dining area is good and the standard of living for future occupants will be satisfactory.

42. Landscape details will be secured by condition to ensure a high standard of appearance and amenity for the external areas.

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

43. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
44. The site is located within a critical drainage area and is identified as being at risk from surface water flooding both in the 1 in 30 and 1 in 100 flood events. Ordinarily, more vulnerable development would be steered away from such areas of risk, but in this instance weight needs to be given to existing planning permission 14/01286/F which can still be implemented and therefore represents a material planning consideration in the assessment of the current application.
45. Given that the existing site is currently undeveloped, the proposal will introduce a greater coverage of hard surfacing at the site with the potential to exacerbate surface water flooding in the surrounding area. A surface water drainage scheme will be secured by condition, which will require an assessment of the potential for disposing of surface water by means of a sustainable drainage system. The scheme will also need to identify the net change in impermeable surfacing at the site and provide details of measures to mitigate any increase in surface water run-off. The landscaping scheme should also maximise opportunities for permeable surfacing at the site.
46. A condition will also be added requiring a scheme for flood-proofing measures to be submitted to and agreed with the local planning authority. These might include the use of flood resistant building materials and the raising of electrical wiring and appliances above flood levels.
47. Subject to conditions therefore, and in consideration of the weight that needs to be given to the existing planning consent for the site, the proposal is considered to be acceptable with regards to flood risk.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes subject to condition</b>
Car parking provision	DM31	<b>Yes subject to condition</b>
Refuse Storage/servicing	DM31	<b>Yes</b>
Energy efficiency	JCS 1 & 3	<b>Not applicable although the dwelling will</b>

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
	DM3	<b>be constructed with PV 'eternit' tiles</b>
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>
Sustainable urban drainage	DM3/5	<b>Yes subject to condition</b>
Trees	DM7	<b>Yes subject to condition</b>
Biodiversity	DM6	<b>It is noted that since the assessment of 14/01286/F, much of the vegetation on site has been cleared. The site is therefore considered to be of low biodiversity value. Biodiversity enhancements in the form of replacement planting will be sought as part of the landscape details to be secured by condition.</b>

### **Equalities and diversity issues**

49. There are no significant equality or diversity issues.

### **Local finance considerations**

50. 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.
51. 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.
52. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

53. Subject to conditions the development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

### **Recommendation**

To approve application no. 17/00130/F - Land South of 37 - 51 Howard Mews, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of external materials to be used in the construction of the building;
4. Landscape details to include permeable paving and details of cycle storage and ecological enhancements;
5. Sustainable drainage scheme;
6. Scheme demonstrating flood resilient construction;
7. Development to be carried out in accordance with the approved Arboricultural Impact Assessment, method statement and Tree Protection Plan;
8. Parking to be laid out and provided in accordance with site plan and retained as such thereafter;
9. Removal of p.d rights for extensions or enlargements;
10. Water efficiency.

### **Article 35(2) statement**

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



**Report to** Planning applications committee

**Item**

09 March 2017

**Report of** Head of planning services

**Subject** Application no 16/01763/L - South-West Quadrant  
Pavilion Eaton Park, South Park Avenue, Norwich

**Reason  
for referral** Application by local member

4(c)

<b>Ward:</b>	Eaton
<b>Case officer</b>	Chris Brownhill - <a href="mailto:chrisbrownhill@norwich.gov.uk">chrisbrownhill@norwich.gov.uk</a>

Development proposal		
Installation of a defibrillator to the wall of the South-West Quadrant.		
Representations		
Object	Comment	Support
0	0	0

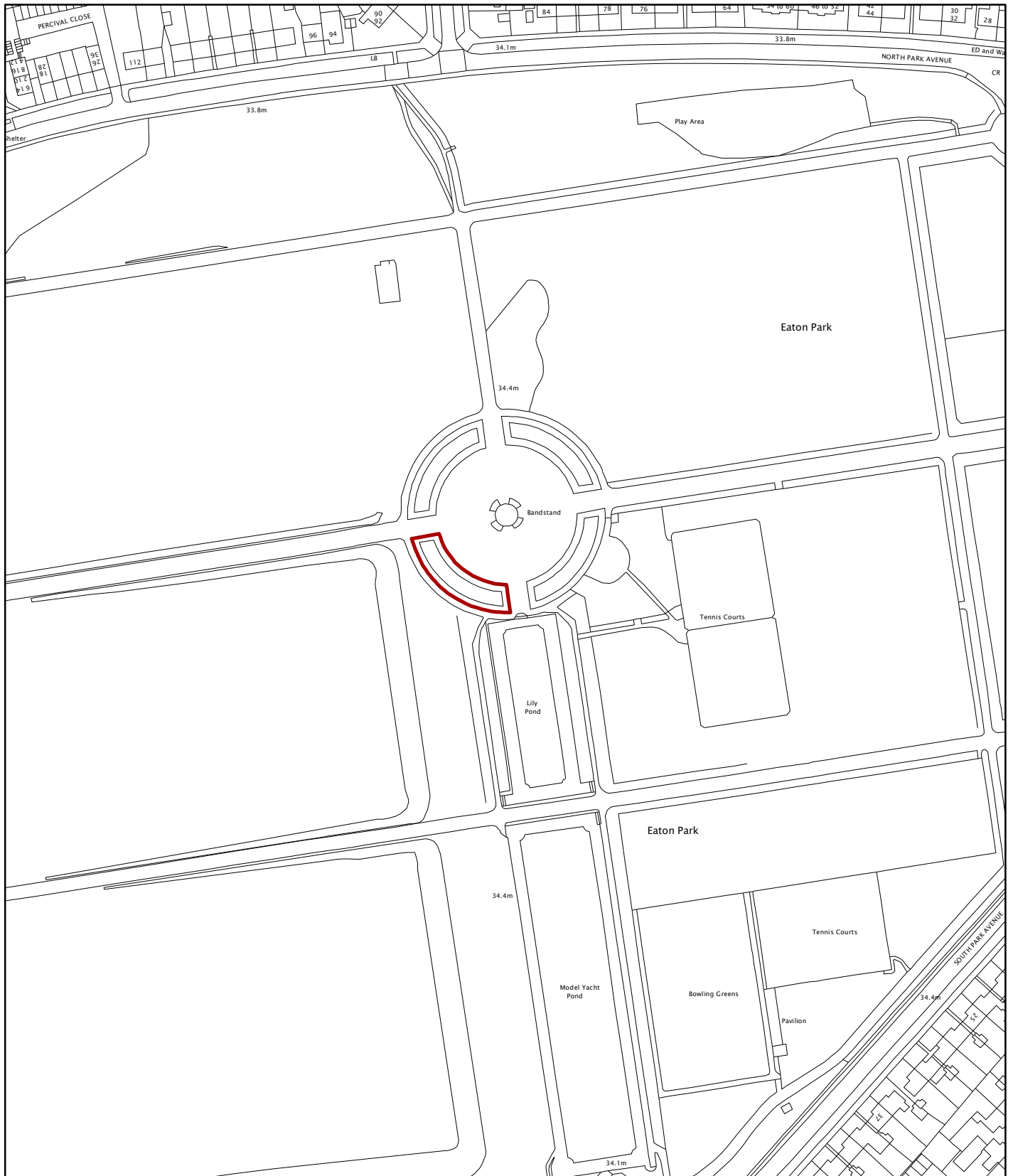
Main issues	Key considerations
1 Design and Heritage	Impact upon a Grade II* listed park and garden Impact upon a Grade II listed building
2 Landscaping & Open Space	Impact upon a Grade II* listed park & garden
<b>Expiry date</b>	25 January 2017
<b>Recommendation</b>	Approve subject to conditions

## The site and surroundings

1. The subject property is the South West Quadrant of the Pavilion in Eaton Park. Each of the Pavilion Quadrants and the Bandstand are Grade II Listed Buildings with individual list entries.
2. Eaton Park is a Grade II\* Listed Park & Garden.
3. The South West Quadrant is constructed from stone/cast stone and concrete in a classical colonnade style with Tuscan columns. It was designed by Captain A. Sandys Winch who oversaw the construction/design of much of Norwich's open spaces during his 34 year tenure as Norwich Parks Superintendent.

## Constraints

4. The property is a Grade II Listed Building
5. The Property is in a Grade II\* Listed Park & Garden



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Planning Application No 16/01763/L

Site Address South West Quadrant  
Eaton Park Pavillion

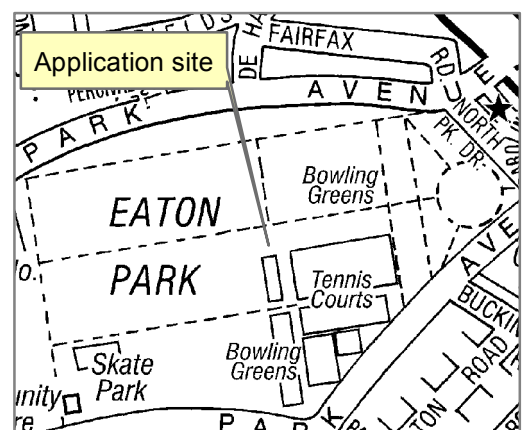
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**NORWICH**  
City Council

PLANNING SERVICES

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## Relevant planning history

Ref	Proposal	Decision	Date
16/01134/L	Internal works of refurbishment in connection with change of use to office / community facility.	Approved	01/08/2016
06/00955/L	Installation of protective screens to glazed cafe' doors (south west quadrant)	Approved	11/09/2006
04/01109/L	New railings.	Approved	29/09/2004
03/00057/L	Installation of CCTV cameras to quadrant pavilions & bandstand & new gates & screens to yacht pavilion	Approved	24/07/2003

## The proposal

6. The application proposes the installation of a public use defibrillator and lockable case onto the primary elevation of the South West Quadrant of the Pavilion. The defibrillator is accessible when a code is supplied by the emergency services during a 999 call.
7. The installation will require the defibrillator to be mechanically fixed to the elevation. This will require holes to be drilled for the fixings (screw type into nylon plugs) and a hole to be drilled through the elevation for a power cable.
8. The installation will require alteration internally to route a power supply to the rear of the unit from the main electrical board. This routing is surface mounted and extends from existing provision.
9. The defibrillator and case will impact upon the aesthetic of a classically designed elevation of a Grade II Listed Building.

## Representations

10. Advertised on site and in the press.
11. No letters of representation have been received. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

## 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
  - JCS7 Supporting communities
14. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM3 Delivering high quality design
  - DM9 Safeguarding Norwich's heritage
15. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF7 Requiring good design
  - NPPF8 Promoting healthy communities
  - NPPF12 Conserving and enhancing the historic environment

## 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 & Heritage

17. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128, 129, 131, 132, 134, 137 & 140
18. Although there has been development of the Pavilion within Eaton Park, most of the quadrant elevations have remained largely unaltered. Much of the development has been internal. The relatively unaltered elevations are a significant element of the architectural character of the Pavilion.
19. By their very nature the defibrillator and case are required to be highly visible. The stainless steel lockable case (in a fluorescent yellow finish) measures 50cm x 35cm x 15cm. The installation of the unit proposed will require the alteration of historic fabric.
20. Paragraph 132 of the NPPF requires there to be '*clear and convincing justification*' for any harm to a heritage asset. Paragraph 134 of the NPPF considers where the proposal will lead to '*less than substantial harm*', that the public benefits of the

proposal should be weighed against said harm and with consideration given to securing the assets optimum beneficial use.

21. The applicant has demonstrated an awareness of the significance of the asset and has supplied additional detail when required concerning the impact upon the significance of the asset and damage to historic fabric. The applicant has demonstrated that the location selected for the proposal requires the least impact to historic fabric.
22. The applicant has taken advice concerning the nature of the fixings and provision of service to the unit and amended the proposal accordingly to be as minimally invasive and highly reversible as possible.
23. In this circumstance it is considered that whilst some 'less than substantial harm' would arise, the installation of a potentially life-saving piece of equipment represents a public benefit which outweighs the harm, and is therefore in line with the objectives of the NPPF and local planning policy.

## **Main issue 2: Landscaping & Open Space**

24. Key policies and NPPF paragraphs – DM6, DM8, DM9 & DM22 NPPF paragraphs 126, 128, 129, 131, 132, 134, 137, 140.
25. Paragraph 129 of the NPPF requires local authorities to identify heritage assets which may be affected by a proposal. In this instance it is not considered that the proposal will have a significant impact upon the character or significance of the Grade II\* listed park & garden, as the alterations required for the proposal are to the Grade II listed building within the park & garden setting and the defibrillator unit will only be visible from within the Rotunda itself.
26. Paragraphs 126 and 131 of the NPPF require local authorities to account for the;  
*'desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'*

In this instance the installation of a defibrillator (which would be publicly accessible when required) is considered to sustain the heritage asset, as it is a modern amenity in line with the consistent and optimal use of the asset.

## **Equalities and diversity issues**

27. There are no significant equality or diversity issues.

## **Local finance considerations**

28. 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.
29. 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.
30. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

31. The proposal would allow for a potentially life-saving piece of equipment to be made available to the public should it be necessary. The harm caused upon the architectural character and significance of a Grade II Listed Building is considered to be 'less than substantial' and outweighed by the public benefit. There is minimal impact upon the significance of the Grade II\* Listed Park & Garden.
32. 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.

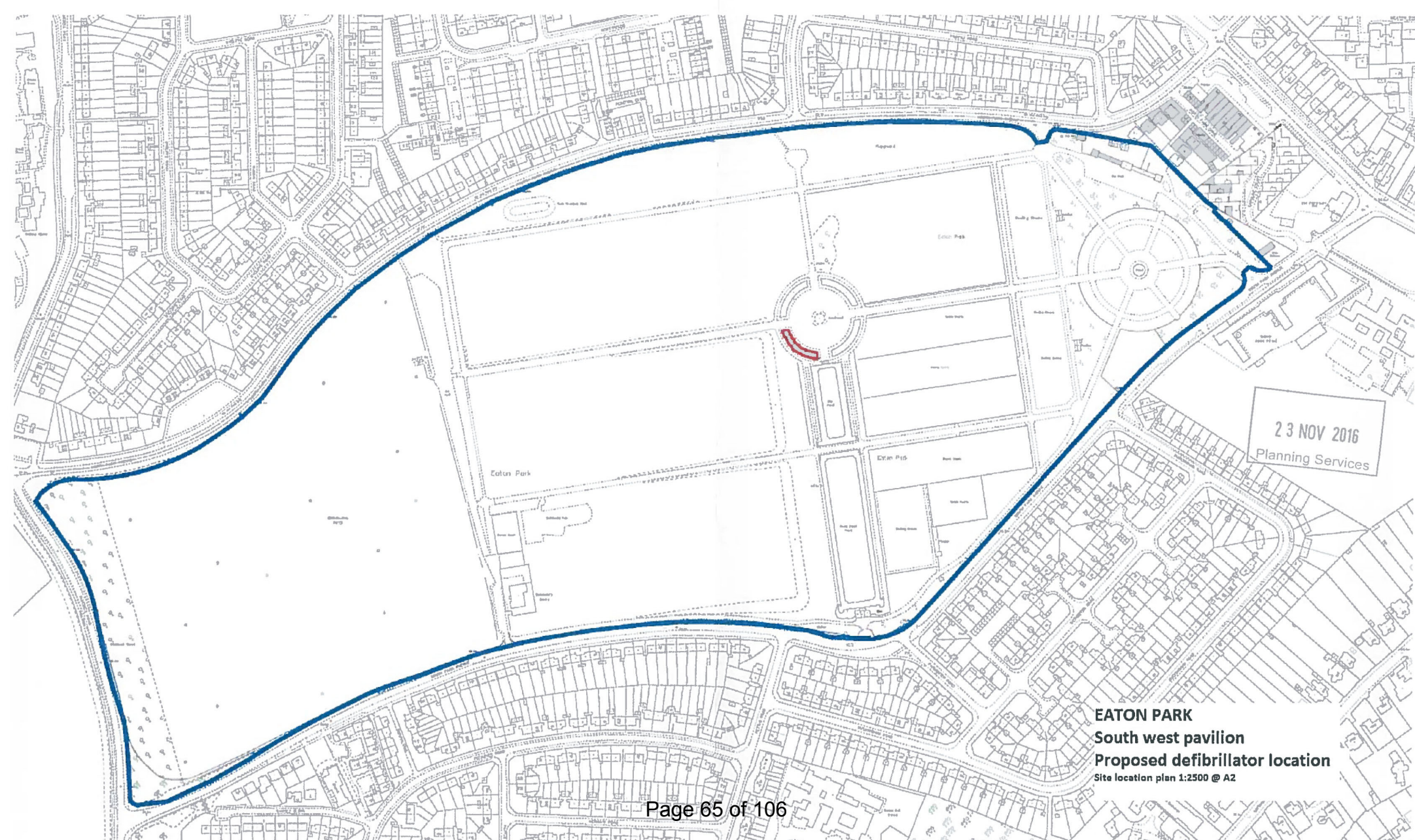
## **Recommendation**

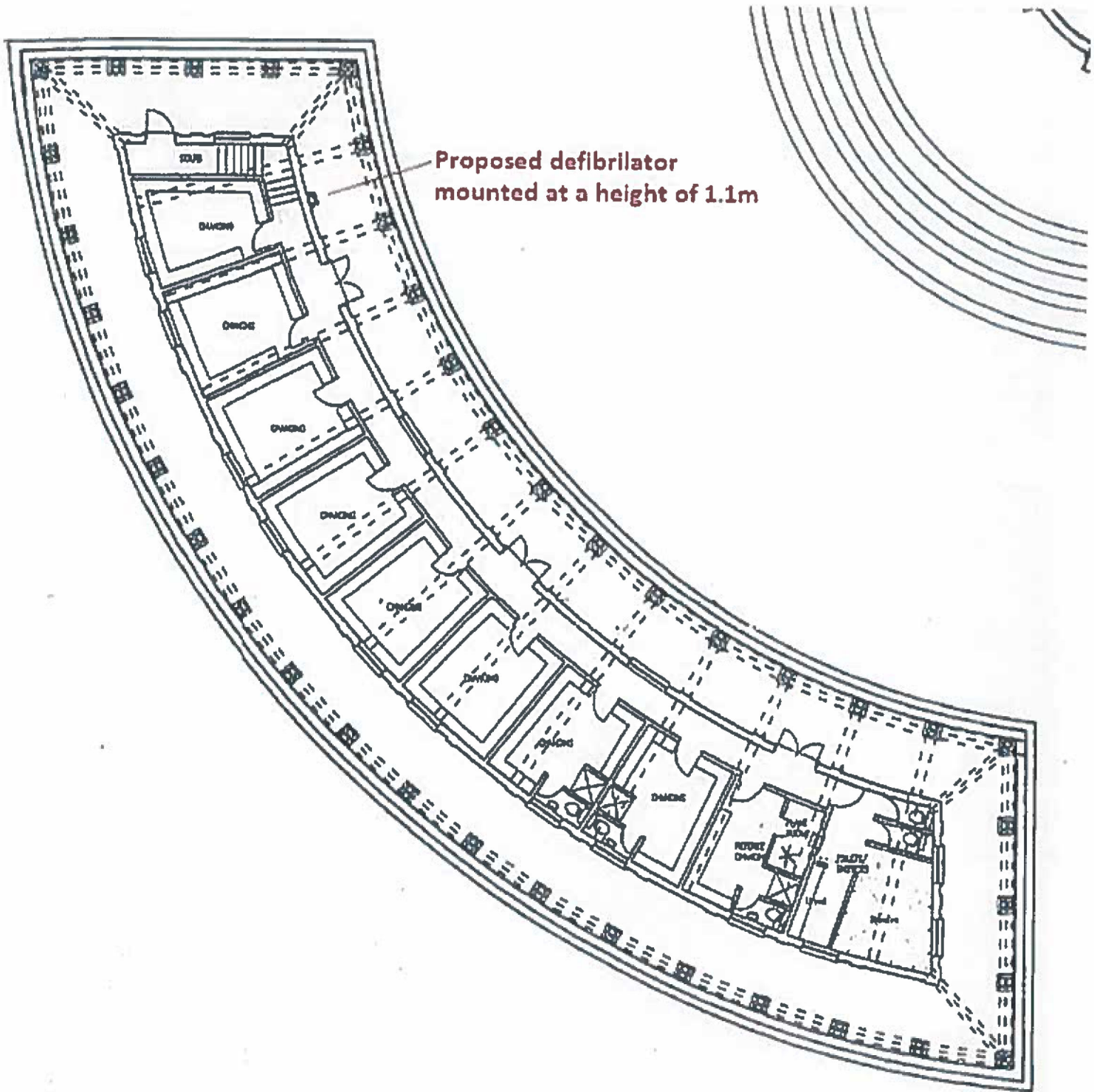
To approve application no. 16/01763/L - South-West Quadrant Pavilion, Eaton Park, South Park Avenue, Norwich and grant listed building consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Listed buildings; making good

## **Article 35(2) Statement**

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





**EATON PARK**  
**South west pavilion**  
**Proposed defibrillator location**

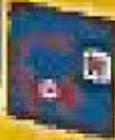
Site location plan 1:200 @ A4

23 NOV 2016  
 Planning Services



EMERGENCY LIFE SAVING EQUIPMENT

NO OPEN FLAMES



**Report to** Planning applications committee

**Item**

09 March 2017

**Report of** Head of planning services

**Subject** Application no 16/01750/F - 418 Unthank Road, Norwich,  
NR4 7QH

**Reason  
for referral** Objection

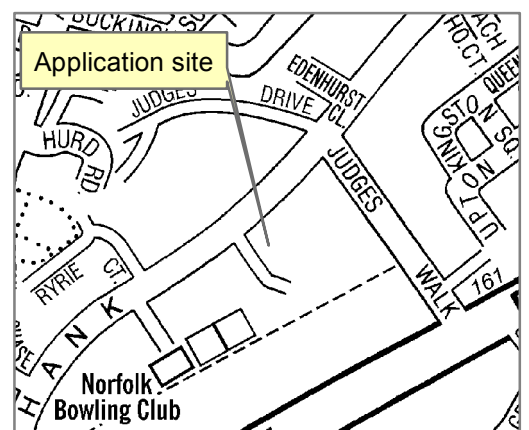
4(d)

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<b>Ward:</b>	Eaton
<b>Case officer</b>	Katherine Brumpton - <a href="mailto:katherinebrumpton@norwich.gov.uk">katherinebrumpton@norwich.gov.uk</a>

Development proposal		
Erection of pitched roof with rooflights to outbuilding		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Design and Heritage	Impact upon the outbuilding and surrounding area, to include the impact upon the Conservation Area
2 Amenity	Impact upon neighbouring occupiers
<b>Expiry date</b>	13 March 2017
<b>Recommendation</b>	Approve



## The site and surroundings

1. The property is a relatively large 2 ½ storey detached dwelling sited within the northern section of Unthank Road. Dwellings here are generally at least two storeys, detached and with generous plots. The site has a shorter garden than its immediate neighbours, with the neighbour's garden to the north-east forming an 'L' shape around the bottom of the garden.
2. The existing outbuilding is sited to the far south corner of the rear garden, and sits alongside the neighbours shed to the rear (south-east). Other outbuildings exist in the area, and range from green houses to more substantial tiled buildings of both a dual pitched and hipped roof design.
3. Whilst the form of the dwellings varies along this part of the road, the type of design is fairly consistent, to include the use of materials. The palette largely consists of clay pantiles and pin tiles, white render and red bricks to the walls and white windows, with the applicant's dwelling no exception.

## Constraints

4. The site is within a Conservation Area
5. Surface Water Flooding to front of the dwelling (low risk, 1 in 1,000)

## Relevant planning history

6.

Ref	Proposal	Decision	Date
12/00053/TCA	Wind damaged Silver Birch in back garden to be taken down and stump ground out.	NTPOS	20/02/2012

## The proposal

7. The application has been brought back to committee due to inaccuracies within the previous plans presented to committee last month. The committee at its meeting on 9 February resolved to grant planning permission. However, since this meeting it has been established that the building is up to 0.21m higher than the previously submitted plans. The works to level the height of the eaves have already been completed. The outbuilding previously had a mono pitch roof.
8. Additional amended plans have now been received which show higher eaves heights than those previously shown. Heights are now given for each corner. The eaves height varies between the corners due to changes to the ground level. Consideration of the latest amended plans is given below. Neighbours have been re-consulted on these latest plans, with the consultation period expiring on the day of committee (9 March 2017).

9. The proposal is to erect a dual pitched roof on top of the existing outbuilding. The eaves height needs to be made consistent as part of the works. Roof lights would be sited within the rear (south-east) elevation. Internally the space would be single storey and include a wc and small kitchen area. Following discussions with the applicant there is no intention to use the outbuilding as an annexe or install a first floor.
10. Amended plans were previously received to clarify the elevations (north is now labelled as north-east etc). These were not re-advertised as the true orientation could be worked out via the other submitted documents, and the amended plans did not alter the design. These plans were presented to Committee last month.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Max. dimensions	Height to eaves varies between 2.5m and 2.61m, height to roof ridge between 4.34m and 4.45m. Footprint (no change from existing outbuilding) 4.8m by 5.5m.
<b>Appearance</b>	
Materials	Clay pin tiles in antique red. Elevations would be clad in shiplap boarding, with timber fenestration.

### Representations

11. Advertised on site and in the press. 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
Replacement should be a hipped roof rather than gable ended to reduce amenity impact and impact upon Conservation Area. Materials should be in keeping with the conservation area.	See main issue 1 and 2
Loss of light and significant visual impact due to height and style of roof, and siting so close to boundary.	See main issue 2
Proposed works have already begun, to include connection to the mains drains, although work has halted. Some damage	See main issue 1. Damage to a neighbouring outbuilding is a civil matter, but none was evident at the time

Issues raised	Response
was caused to a neighbour's outbuilding.	of the site visit.
Plans are inaccurate as they show the height to eaves at 2.4m and not 2.8m adjoining number 420 Unthank Road	<p>An additional site visit was conducted since the Committee meeting in February to measure the height from the ground level to the eaves (top of wall plate). It was found that this varied due to the variations in ground levels at the site, and was higher than that indicated on the submitted drawings (the drawings indicated measurements to the internal floor rather than ground level). An amended plan was invited, and suggested that it should indicate the heights at all four corners to better demonstrate the height.</p> <p>The outbuilding sits on the other side of a fence from the neighbour who has queried the accuracy.</p>
Outbuilding should not be used as a place separate from the dwelling or/and for overnight accommodation. No first floor should be incorporated	See main issue 2
Additional noise may arise from use of outbuilding as a games room.	See main issue 2
Plans unclear as the orientations are not accurate.	Amended plans were received and registered clarifying the orientation of the elevations.

## Consultation responses

12. 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

13. No comments: "This is not an application that I intend to provide conservation and design officer comments on because it does not appear on the basis of the application description to require our specialist conservation and design expertise. This should not be interpreted as a judgement about the acceptability or otherwise of the proposal."

# Assessment of planning considerations

## Relevant development plan policies

14. **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
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
15. **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
  - DM9 Safeguarding Norwich's heritage

## Other material considerations

16. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF0 Achieving sustainable development
  - NPPF7 Requiring good design
  - NPPF10 Meeting the challenge of climate change, flooding and coastal change
  - NPPF12 Conserving and enhancing the historic environment

## Case Assessment

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

## Main issue 1: Design and Heritage

18. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
19. The existing outbuilding has been constructed using a mixture of buff bricks, red multi bricks and breeze blocks. It is not considered to enhance the character of the site or wider Conservation Area and alterations are therefore considered acceptable in principle.
20. Works have already begun, and it is understood that the applicant was not aware that planning permission was required. However these works have now ceased.

The works so far appear to have been limited to achieving a uniform eaves height, some internal structural works and beginning to dig to connect the outbuilding to the drainage. The maximum height does not appear to have changed yet.

21. The proposed cladding of the walls is considered to be an improvement on the current appearance, and would result in a building more suited to the character of the area. The dual pitched roof finished in clay pin tiles reflects both the applicant's dwelling and other outbuildings within the area; there are several gable end pitched roof outbuildings within the vicinity.
22. The impact upon the Conservation Area and character of the applicant's dwelling is considered to be acceptable and to comply with the above policies. However from the submitted information it is not clear on the proposed design of the roof lights. Sited within a Conservation Area it is considered appropriate to request that these are of a conservation type, and sit flush to the roof. As such a suitable condition would be added.
23. The increase in height from the previous plans is not considered to significantly impact the visual impact of the development; the height would be between 4.34m and 4.45m, compared to the previously shown 4.24m. The impact would not be materially different and so the proposal is still considered acceptable in terms of design and impact upon the Conservation Area.

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

24. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
25. By erecting a dual pitched roof the impact upon the neighbours is going to be increased to some extent. The impact is assessed below.
26. The outbuilding is not proposed to be used as an annexe or to have a first floor. The proposed use as a garden room/games room does not require planning permission as it is considered to be incidental to the enjoyment of the dwelling house.
27. The outbuilding is sited at the end of the garden over 23m from the applicant's own house, and over 27m from both immediate neighbouring dwellings. As such the main impact upon neighbours would be upon their private amenity spaces rather than their dwellings. Both immediate neighbours have large gardens extending beyond that of the applicant's.
28. The height of the roof will create some additional overshadowing, however it is sited close to the boundary to the south-west and south-east, where due to the orientation the overshadowing would not be significant for this adjacent neighbour (number 420). In addition there are several trees in this area which already create shading of the neighbour's gardens. The additional overshadowing from the outbuilding is not anticipated to be significant given these circumstances.
29. The other neighbour bordering the site (number 416) is located to the north-east of the outbuilding. The outbuilding sits 5-6m away from this boundary, which is itself treated with a dense Leylandii style hedge of between 2m and 2.5m height and a timber boarded fence of approximately 1.8m. Given the distances involved and the level of boundary treatment already present, the proposed roof is not anticipated to have a significant impact in terms of overshadowing here either.

30. The proposed roof lights cause no concern in terms of overlooking, however if a first floor/mezzanine area was installed they would allow for overlooking to the rear section of the neighbour's garden, albeit over the top of the neighbour's own shed. Following discussions with the applicant a condition preventing another floor to be added would be included on any decision notice to prevent any undue overlooking.
31. The additional height of between 0.10m and 0.21m to the eaves is not considered to materially alter the impact upon the neighbours. As such DM2 is still considered to be complied with.

### **Other matters**

32. Whilst part of the site is at risk from surface water flooding this is to the front of the dwelling and not near the outbuilding. As such this is not considered to be an issue for this application.
33. Whilst there is anticipated to be no works which would affect the trees within the area, they are protected as they fall within a Conservation Area. It is considered appropriate to add a note advising the developer that any works to the trees would require consent. No additional foundations are required as part of this development.

### **Equalities and diversity issues**

34. There are no significant equality or diversity issues.

### **S106 Obligations**

35. There are no s106 Obligations.

### **Local finance considerations**

36. 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.
37. 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.
38. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

39. 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. 16/01750/F - 418 Unthank Road, Norwich, NR4 7QH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No first floor or mezzanine shall be installed
4. Conservation Style rooflights

#### **Article 35(2) Statement**

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

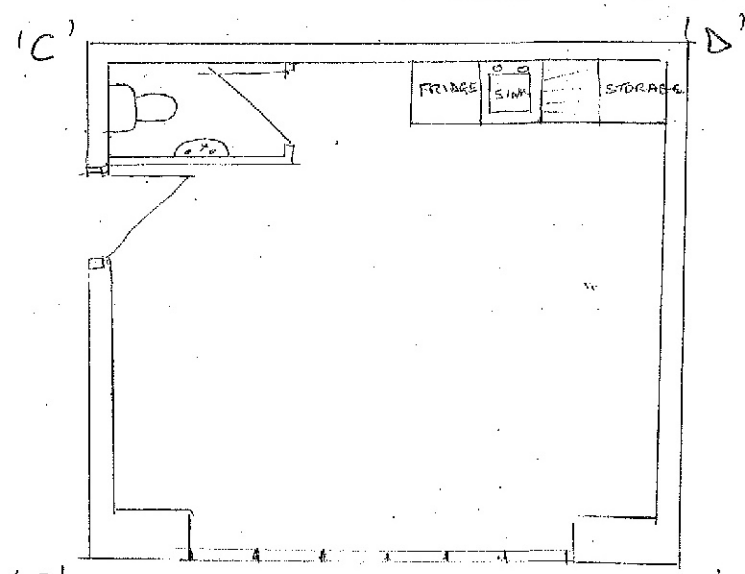
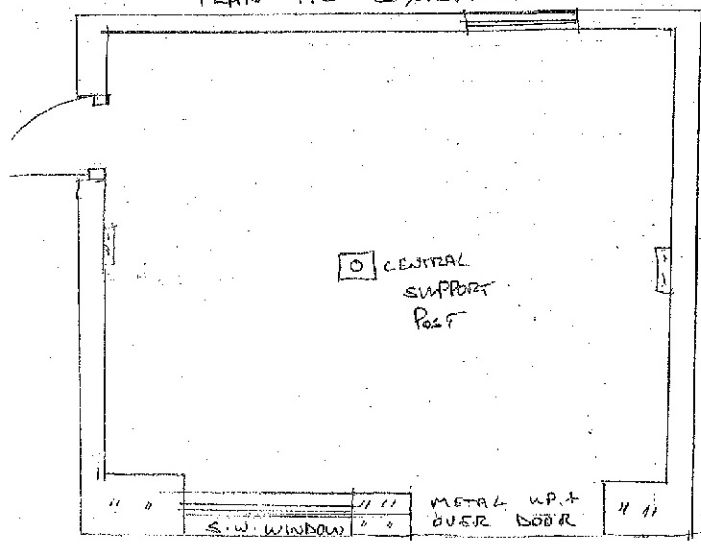
12+ MRS J. ROYALL  
 48 UNTHANK ROAD  
 NORWICH

PROPOSED IMPROVEMENTS TO GAMES ROOM

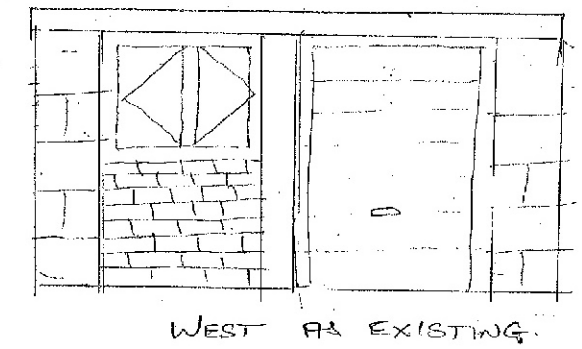
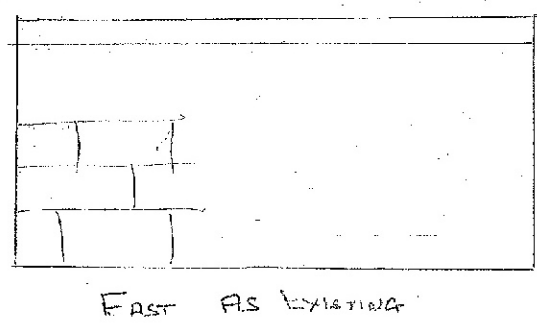
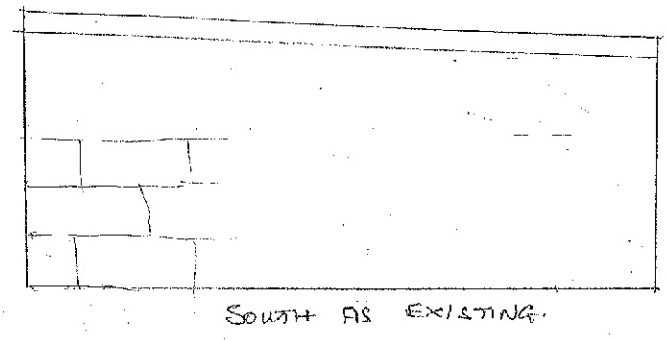
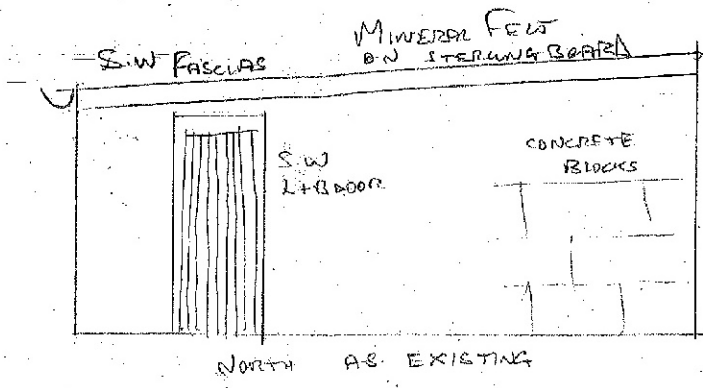
DRAWING 002 14/11/16

AMENDED 21/2/17 EAVES HEIGHT

PLAN AS EXISTING



PLAN AS PROPOSED.

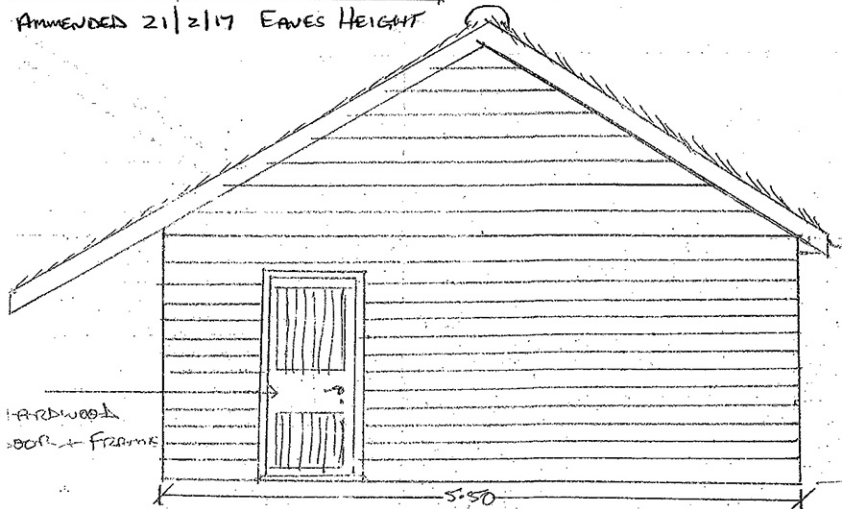


MR + Mrs J. ROYALL  
+18 UNTWANK ROAD  
JORWICH

PROPOSED IMPROVEMENTS TO GAMES ROOM

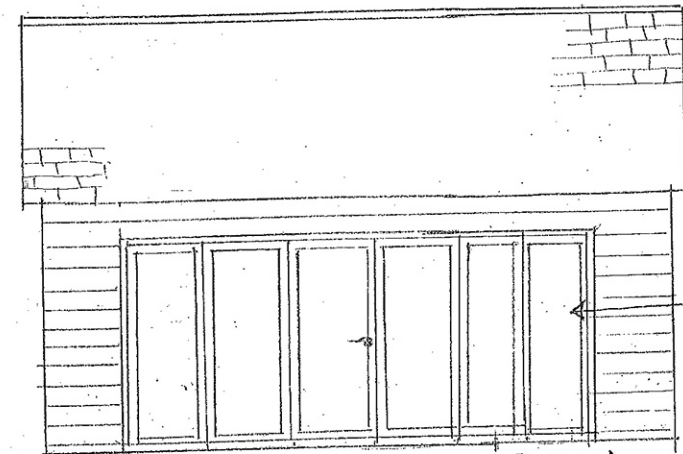
DRAWING 001 | 14/11/16

AMENDED 21/2/17 EAVES HEIGHT

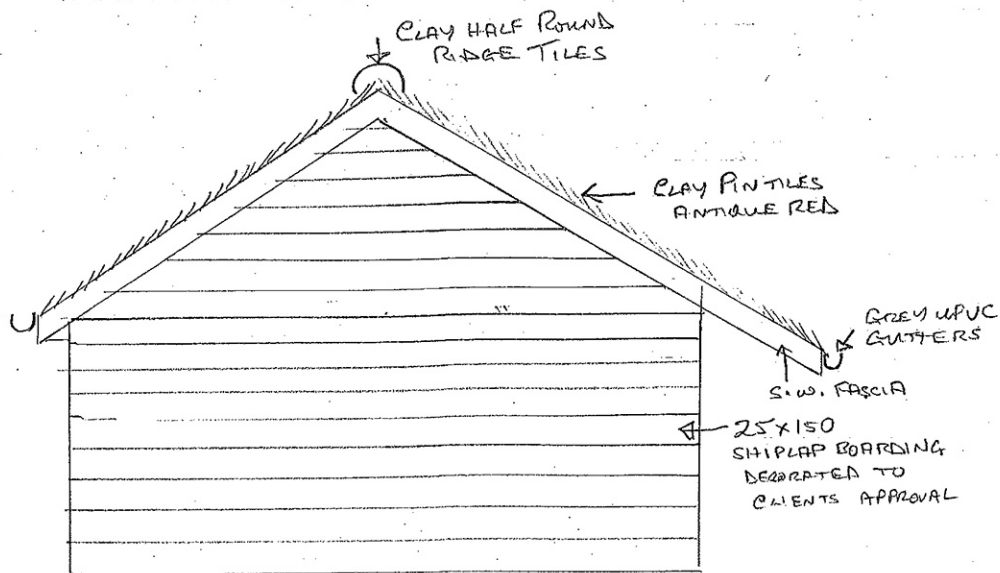


NORTH ELEVATION AS PROPOSED

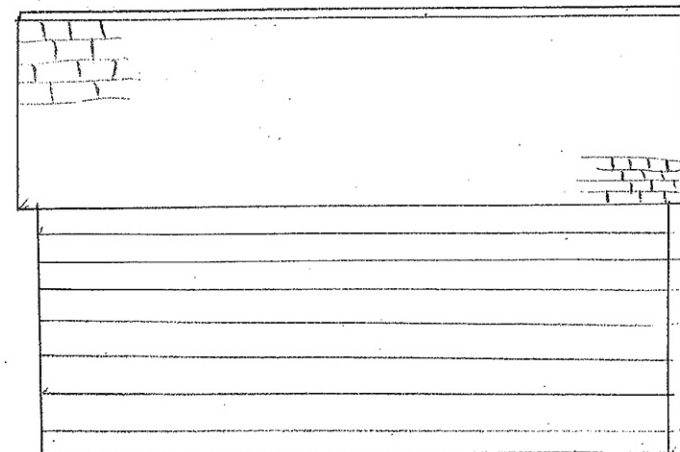
1.84m  
EAVES HEIGHT (SEE PLAN AS PROPOSED)  
@ 'A' 2.61m  
@ 'B' 2.50m  
@ 'C' 2.53m  
@ 'D' 2.53m



WEST ELEVATION AS PROPOSED



SOUTH ELEVATION AS PROPOSED



EAST ELEVATION AS PROPOSED



**Report to** Planning applications committee

**Item**

09 March 2017

**Report of** Head of planning services

**Subject** Application no 17/00107/F - 475 Unthank Road Norwich  
NR4 7QN

4(e)

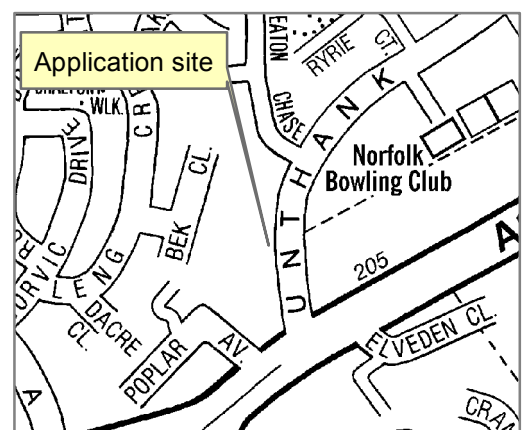
**Reason  
for referral** Objection / Enforcement Action

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

Development proposal		
Two storey rear extension with balcony.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1 Design and heritage	Impact of the proposals upon the appearance of parent building and the character and appearance of the conservation area.
2 Residential amenity	Impact of the proposed extension on the residential amenities of neighbouring properties.
<b>Expiry date</b>	14 March 2017
<b>Recommendation</b>	Refuse



## The site and surroundings

1. The site is located on the west side of Unthank Road to the south-west of the city.
2. The subject property is a detached 2 storey dwelling originally constructed circa 1950 using red bricks, red clay pantiles and painted timber windows and doors. The property sits on a large plot with a gravel driveway to the front and a long, mature garden to the rear. The property has recently been extended and altered extensively in a matching style. A timber shed has been placed to the side (south) of the main house.
3. The prevailing character of the surrounding area is residential with most properties being large detached dwellings, many of which have been extended and altered. The site is bordered by no. 477 to the south and no. 453 to the north. The boundaries are marked by 2m high fencing and mature planting.
4. It should be noted that the current application has been submitted following consent being granted on two previous occasions for a similar development. Following the commencement of construction it has become apparent that the development has not been carried out in accordance with the previously approved plans.
5. Construction of the rear extension has commenced with the majority of the structural work having been completed at the time of the most recent site visit.

## Constraints

6. Conservation Area: Unthank and Christchurch

## Relevant planning history

Ref	Proposal	Decision	Date
07/00507/F	Two-storey extensions at front and side and single storey extensions and dormer window at rear of dwelling.	APPR	18/06/2007
16/00200/F	Two storey rear extension.	APPR	06/04/2016
16/00705/NM A	Amendment to planning permission 16/00200/F to allow juliet balcony.	CANCLD	16/06/2016
16/01137/F	Two storey rear extension with balcony.	APPR	30/09/2016

## The proposal

7. The proposal is for the construction of a two storey rear extension with a balcony. The proposed extension is to be constructed on the south-west corner, projecting 6.5m into the rear garden on its north elevation and 7.1m along its south elevation. The proposed extension has a width of 5m and is to cover an area of 32.5m<sup>2</sup>.
8. The extension features a rear facing gable end and an irregularly shaped roof with the north elevation being considerably taller than the south. The extension has an eaves height of 5.5m matching the original on the southern elevation whilst the northern elevation is 7.5m to eaves. The ridge height of the extension matches that of the main house at a height of 8.2m.
9. The proposal includes a rear facing bay window at ground floor level which allows for the creation of a 1m deep balcony above at first floor level. A set of patio doors are proposed on both the north and south facing elevations.

## Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 3 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
Design too large and unsympathetic to character of property and surrounding conservation area	See main issue 1
Design not in accordance with previously approved plans.	
Design is overbearing	See main issue 2
Balcony results in a loss of privacy	
Patio doors result in noise disturbance	

## Consultation responses

11. 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.

## Assessment of planning considerations

### Relevant development plan policies

12. **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

**13. 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
- DM9 Safeguarding Norwich's heritage

**Other material considerations**

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

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment
- NPPF13 Facilitating the sustainable use of minerals

**Case Assessment**

15. 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 & Heritage**

16. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
17. The extension is to be constructed using matching materials including red bricks, red clay pantiles and painted timber windows and doors. The proposal is to contain a study at ground floor level, a bedroom at first floor level and a storage area within the roof space
18. Particular concern has been raised that the proposed design is neither in keeping with the character of the property nor that of the surrounding conservation area. The proposed roof does not appear to be subservient to the main roof line as its ridge matches the overall height. The 7.5m tall north elevation results in a large expansive area of predominantly solid wall, dwarfing the main house. The taller north elevation leads to the creation of an unequally pitched roof and an asymmetrical rear facing gable.

19. The overall height of the proposed extension has resulted in it being clearly visible from outside of the site. As such, the extension will appear as an overbearing presence to the neighbouring property to the south and will be clearly visible from Unthank Road and consequently unduly prominent and incongruous in the street scene.
20. The design of the proposed extension has been altered significantly from the previously approved plans which included a smaller roof which was both symmetrical and hipped in design. Policy DM3 seeks to promote good design and policy DM9 seeks to protect and enhance the character of conservation. The proposed extension is therefore considered to be contrary to policies DM3 and DM9 being of an inappropriate scale and design which will cause harm to the character and appearance of the subject property, and the surrounding conservation area.

## **Main issue 2: Amenity**

21. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
22. The proposed enlargement will result in an improved living space for the occupants of the subject property, however the scale may lead to some impacts on the residential amenities of neighbouring properties.
23. Particular concern was raised that the proposed balcony would result in a loss of privacy. The inclusion of a balcony will allow for some overlooking of the rear garden of no. 477, however the layout of the neighbouring property ensures that the only views possible are not of the main outdoor living space area, which is well screened by an earlier extension and mature planting.
24. As discussed earlier, the design of the roof including a gable end and a height matching the main roof will lead to the extension appearing overbearing along the shared boundary with the neighbouring property to the south.
25. Particular concern was also raised that the inclusion of patio doors to the proposed south elevation would result in noise disturbance to the neighbouring property. The proposed doors are located within close proximity of the boundary and neighbouring property and might lead to some noise disturbance. The inclusion of doors within the ground floor is however is not considered to be likely to result in significant harm and represents a typical arrangement for a property within this area of the city.
26. Particular concern was also raised that the extension would result in noise disturbance at properties located on Bek Close to the west as a result of an increased number of occupants at the subject property. The proposed extension is for the creation of only two additional rooms and as such will not result in significantly more occupants living at the property. The properties on Bek Close are located a minimum of 50m from the subject property and there also being substantial areas of mature planting in between, ensuring that noise disturbance will not be an issue.

## **Other matters**

27. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
28. Concern was raised that the submitted block plans contained some inaccuracies which may have prejudiced earlier decision making. It is accepted that the location plan does not wholly accurately represent the site and it's surroundings, however decisions have been made following extensive site visits which have formed the basis of decision making.

## **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 proposed extension is considered to be contrary to policies DM3 and DM9 as it is of a poor design which is harmful to the character and appearance of the subject property and surrounding conservation area.
34. The proposal will have some impacts on the residential amenities of neighbouring properties, particularly as the extension appears as an overbearing presence along the shared boundary with the neighbouring property to the south.

## **Recommendation**

To:

- (1) refuse application no. 17/00107/F - 475 Unthank Road Norwich NR4 7QN for the following reasons:

1. The proposed development will result in an overly large extension which is of a poor design, causing harm to the character and appearance of the subject property and surrounding conservation area. The development would therefore be

contrary to policies DM3 and DM9 of the Development Management Policies Local Plan 2014, and paragraphs 128-141 of the NPPF.

2. The proposed development by way of its scale would result in overbearing impacts to the neighbouring property. This would result in an unacceptable standard of amenity for the neighbours. The development would therefore be contrary to Policy 2 of the Joint core Strategy for Broadland, Norwich and South Norfolk 2011 (amended 2014), Policy 2 of the Development Management Policies Local Plan 2014 and paragraphs 9, 17 and section 7 of the NPPF.
- (2) authorise enforcement action under section 172 of the Town and Country Planning Act 1990 (as amended) to secure the removal of the unauthorised extension.



Existing Side Elevation



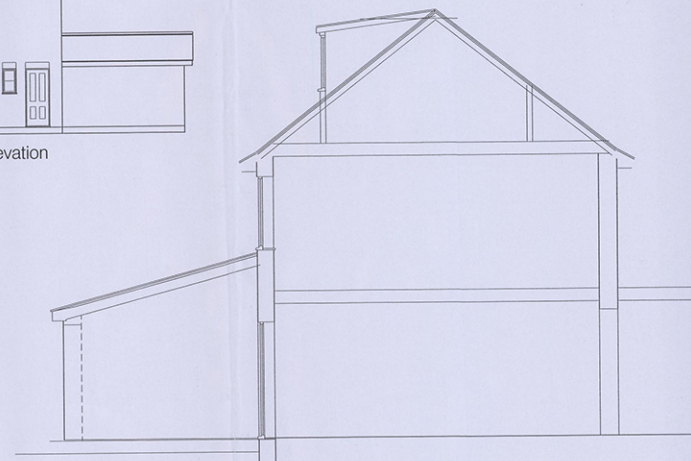
Existing Rear Elevation



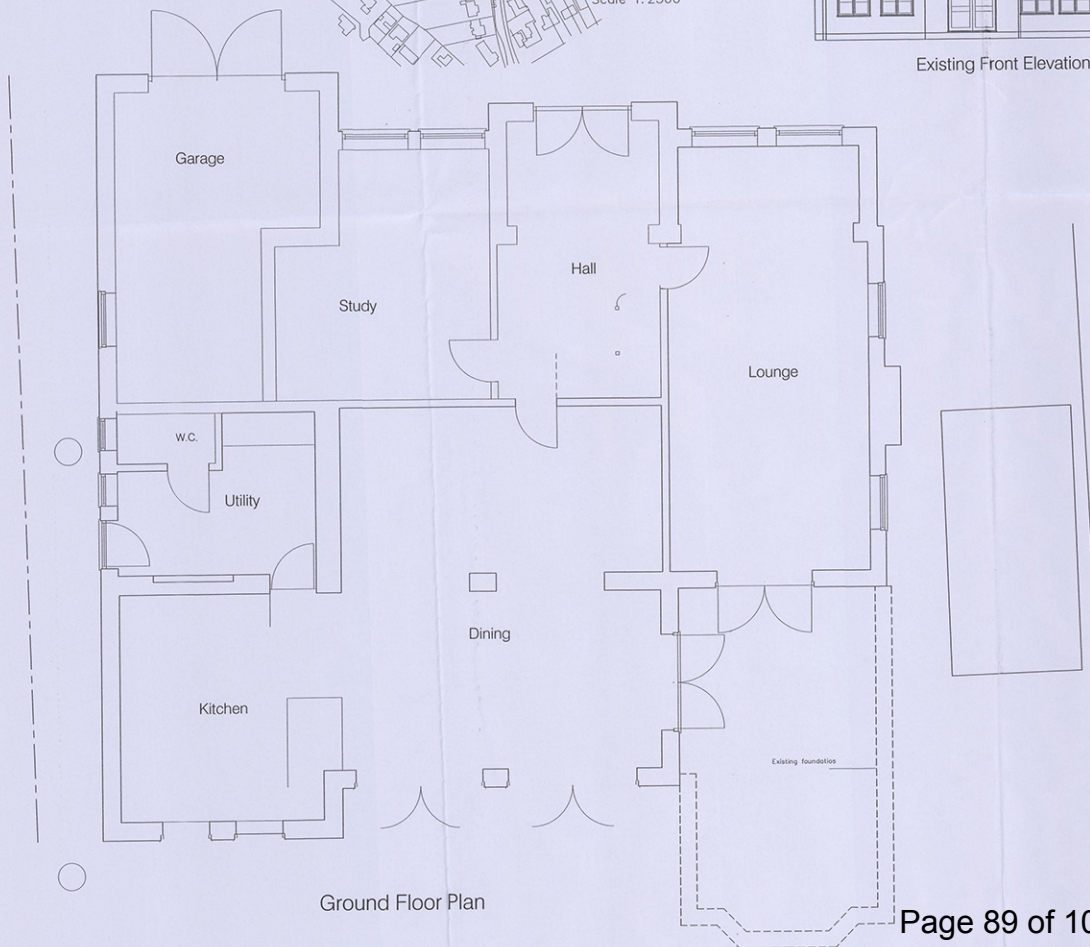
Existing Side Elevation



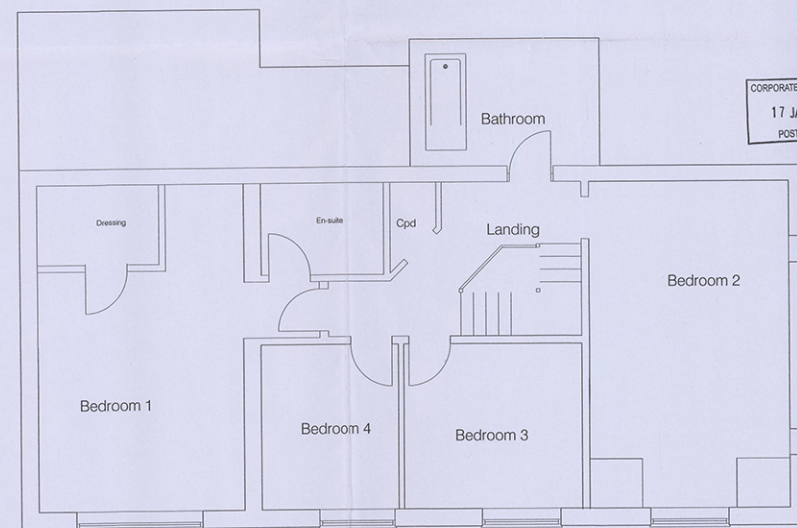
Existing Front Elevation



Section A-A



Ground Floor Plan



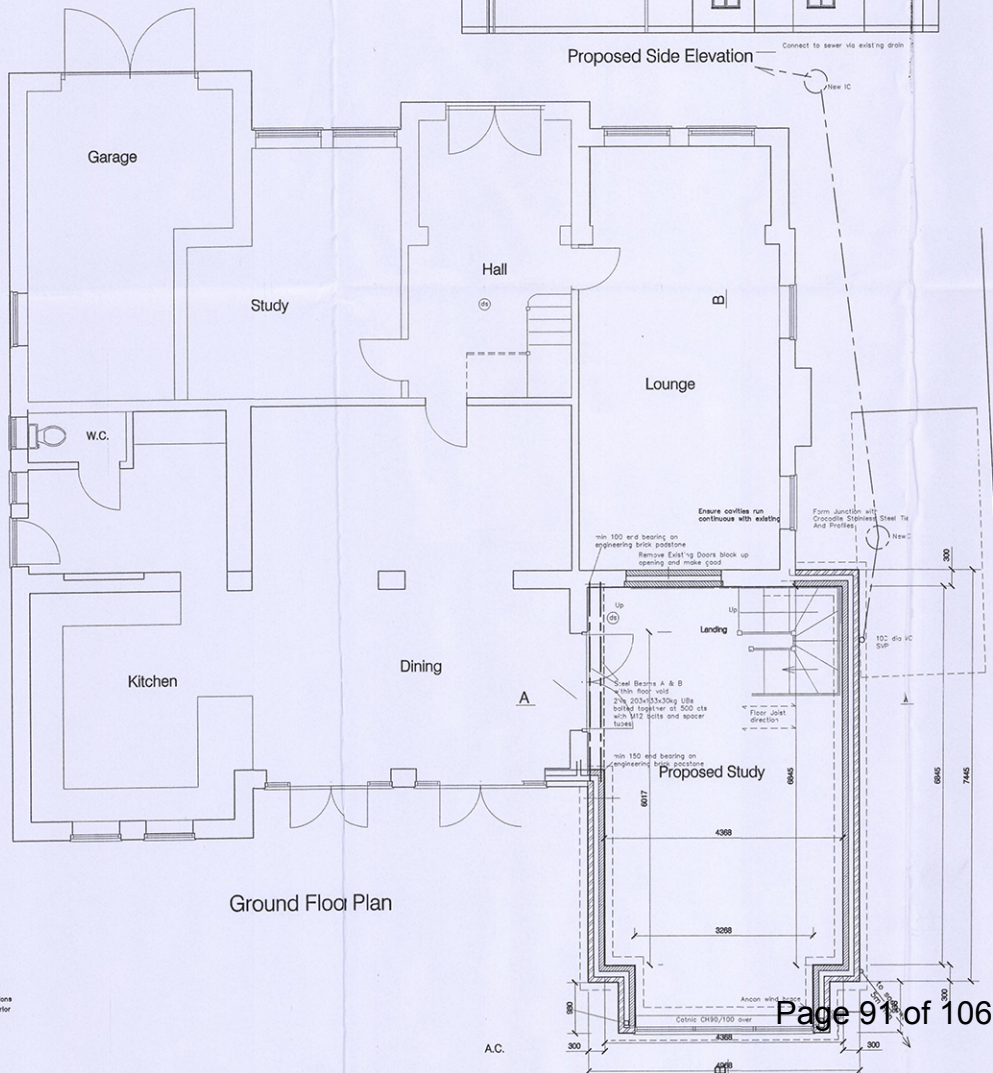
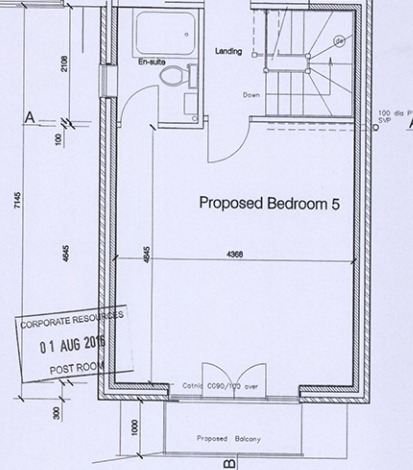
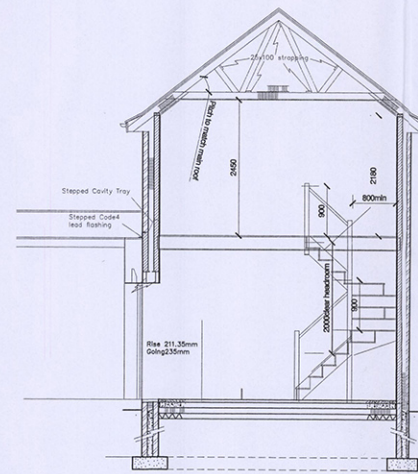
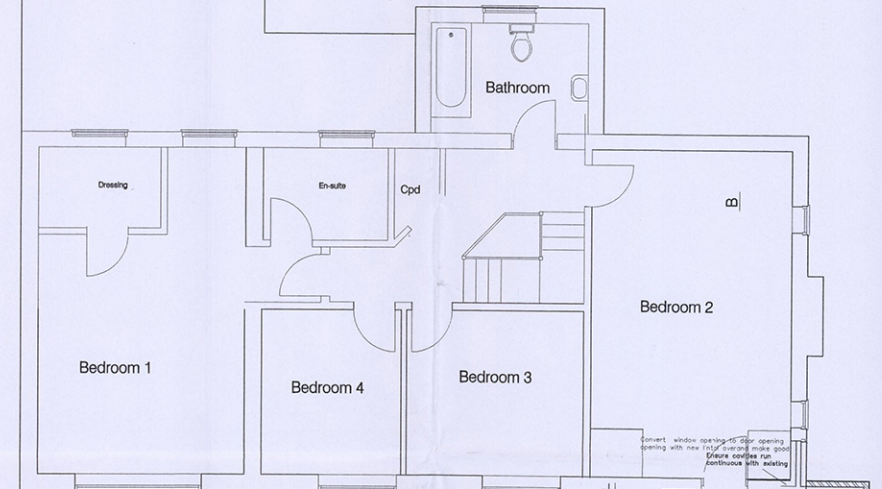
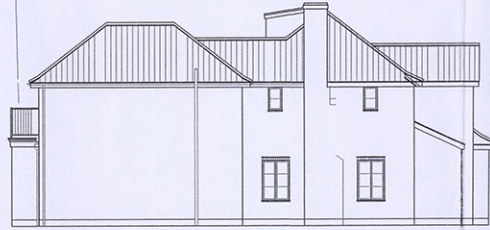
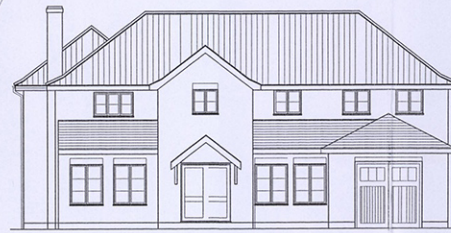
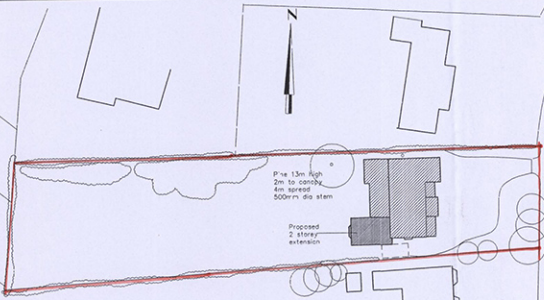
First Floor Plan

CORPORATE RESOURCES  
17 JAN 2017  
POST ROOM

Survey Drawing  
475 Unthank Road  
Norwich  
For Mr R Nassif & Dr R Soliman  
Scale 1:50 & 1:100  
Date Dec 2015 Job No. 4888/A/1  
Amended 09/02/2016

design & planning ltd.  
32 VICARAGE STREET, NORTH WALSHAM,  
NORFOLK, NR255QJ  
Telephone North Walsham (01603) 406112 & 406119





Note  
All Materials & Workmanship to comply with Building Regulations Code of Practice, Approved Certificates & BSC Recommendations  
All Dimensions are to be checked on site prior to commencement of work and the driver advised of any discrepancies immediately

Proposed Extension to  
475 Unthank Road  
Norwich  
For Mr R Nassif & Dr R Soliman

Scale 1:50 & 1:100

Date July 2016 Job No. 4888/D/3

Amended 09/03/2016 Amended 27/07/2016

P.I. design & planning ltd.

32, VICARAGE STREET, NORTH WALSHAM,  
NORFOLK, NR990Q  
Telephone: 01603 40112 & 40619



**Report to** Planning applications committee

**Item**

09 March 2015

**Report of** Head of planning services

**Subject** Application no 16/01751/L 14 and 16 Lower Goat Lane,  
Norwich

**Reason  
for referral** Objection

**4(f)**

<b>Ward:</b>	Mancroft
<b>Case officer</b>	Sophia Bix - <a href="mailto:sophiabix@norwich.gov.uk">sophiabix@norwich.gov.uk</a>

Development proposal		
Repairs to front and flank walls and windows at first and second floor levels and gable end. Repair of the existing fenestration.		
Representations		
Object	Comment	Support
10	0	0

Main issues	Key considerations
1	Impact of the proposals upon the special architectural and historic interest of the Grade II Listed Building
<b>Expiry date</b>	31 January 2017
<b>Recommendation</b>	Approve subject to conditions

## The site and surroundings

1. The application site is a three storey building fronting Lower Goat Lane. To the rear the building features two pitched roof full height rear wings at right angles to the principle frontage, leading to a three storey brick building with a flat roof which fronts onto Upper Goat Lane. The building forms part of a terrace of many listed and locally listed buildings on the west side of Lower Goat Lane.
2. A clothes shop occupies the ground floor of the building, with the upper floors being used as a restaurant with ancillary office and storage.
3. The existing building forms part of a 'positive vista' picked out within the Conservation Area appraisal, it's front elevation forming part of a familiar and cherished view of historic buildings which line the narrow and undulating Lower Goat Lane when looking south from Pottergate.
4. The building is a Grade II Listed Building. The neighbouring buildings (to the north and south) are also identified as heritage assets. No.18 is a Grade II Listed Building



and No.12 is locally listed. The site lies within an area of main archaeological interest.

## Constraints

5. The property is a Grade II Listed building and in the City Centre Conservation Area.

## Relevant planning history

Ref	Proposal	Decision	Date
4/1990/1119	Internal alterations.	Withdrawn	27/03/1991
4/1992/0788	Partial demolition of second floor.	APPR	05/11/1992
4/1993/0613	Re-instatement of fire damaged buildings	INSFEE	19/10/1993
4/1993/0614	Internal repairs and re-instatement of part of second floor	APCON	19/10/1993

## The proposal

6. The building has been listed since 1972. The list description for the building states:-

‘Nos. 14 and 16 GV II Former use unknown now shop. [16<sup>th</sup> Century] with [18<sup>th</sup> Century] onwards alterations. Rendered. Pantile roof. Through amalgamation the building extends through to Upper Goat Lane. 3 storeys, originally jettied at the first and second floors. 3 bays. [20<sup>th</sup> Century] shopfront with recessed door at left-hand side. First floor sash windows with glazing bars and simply moulded surrounds. Casement windows at 2nd floor. Box cornice’.

7. The building features a timber framed 20<sup>th</sup> Century shopfront at ground floor level, which now spans the width of what was two separate buildings. The upper floor levels are timber framed with brick nogging panels. The surviving timber framed fenestration to the front façade with its eight over eight sliding sash windows at first floor level and timber framed eight light casement windows at second floor level contribute enormously to the buildings historic period aesthetic.
8. The buildings form part of a cherished local scene and as a result of its attractive period appearance, timber framed windows and timber framed form (with evidence of a double jetty), its early date and its continued commercial use the building is considered to benefit from all four of the heritage values set out in conservation principals (Historic England, 2008) namely aesthetic, evidential, historic and social.

9. A site visit to the property has revealed that the upper floor levels and gable ends of the principal frontage building are in a poor state of repair. Past repairs to the historic timber frame are poorly detailed and have been undertaken using soft wood, as opposed to oak. Some timbers are suffering from rot. The brick nogging (infill panels) are constructed in modern brick in stretcher bond. The front elevation has been rendered with an impervious cement (now painted) which is likely to be exacerbating the deterioration of the surviving historic and more modern fabric. These regrettable works have caused harm to the buildings appearance, stability, authenticity and special interest.
10. The current application seeks consent to undertake remedial works to rectify damaging alterations. Consent is sought for internal and external repair works to the principal elevation fronting Lower Goat Lane at first and second floor level, to the flank walls at first and second floor level and to the gable ends at attic/roof level.
11. The building has been surveyed by a structural engineer who has concerns as to very poorly detailed repair works undertaken to the building in the past and their impact upon the future stability and continued conservation of the building.
12. The proposed works are as follows:-
  - The removal of the existing dilapidated and unstable brick infill panels to the party walls, traditional timber repairs to the surviving timber element, reinstatement of brick infill panels with new handmade brick work and lime and hair render.
  - The removal of the existing impervious cement render from the front elevation of the building, removal of the existing dilapidated and unstable brick infill panels to the front elevation, traditional timber repairs to the surviving timber elements and the application of a breathable insulation and lime render externally and lime plaster internally.
  - The repair to the lath and plaster at the gable ends of the roof space.
  - Application of breathable mineral paint to the external elevations.
  - Removal of the existing rotten window frames at second floor level (front) and their replacement with new timber framed casement windows to match the existing.
  - Repair of the existing timber framed sash windows at first floor level.

## **Representations**

13. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 10 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
Detrimental impact of the works upon the businesses along Lower Goat Lane	The impact of the proposed repair works upon neighbouring businesses is not a matter which can be considered as part of this application.
The works could cause a threat to public safety	<p>Any proposed scaffold or works that might well extend over the public highway would need to first obtain the relevant licences from the Highways Authority. Issues relating to structural stability, drainage details, fire precautions are matters controlled by the Building Regulations. This other legislation should prevent any threat to public safety being caused as a result of the proposals. This is not a material consideration in the assessment of this listed building consent application.</p> <p>That said any temporary works necessary to ensure the stability of the remainder of the building to be retained (during the course of the works) will be required by a condition of this consent. This condition is considered necessary in order to ensure that the temporary works will not (in themselves) cause harm to the surviving historic form, fabric and special interest of the listed building.</p>
Disturbance	Problems arising from the construction period of any works, e.g. noise, dust, construction vehicles, hours of working are all covered by Control of Pollution Acts. This is not a material consideration in the assessment of this listed building consent application.
Works are not considered to be necessary at this time	A structural engineer, the Council's Conservation Officer and the Historic England's Building Inspector all agree that the upper floor levels of this building are in a very poor state of repair and that remedial works are urgently needed. Failure to act now to secure the buildings stability could result in the partial collapse of the building which would represent a much greater threat to public safety than the carefully

Issues raised	Response
	<p>planned repair works hereby sought.</p> <p>The works proposed will secure the future continued viable and safe use of the application site and Lower Goat Lane.</p>

## Consultation responses

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

## Historic England

15. Historic England was consulted upon the application on the 25 January 2017. The Historic Buildings Inspector visited the site to review the proposals. They identified that there are structural problems with bricks and plaster in a very poor state and timbers clearly rotting. They make no objection to the removal of the latter date masonry infill panels and cement render from the front elevation. They have however suggested that a condition is applied to the consent to ensure that once this fabric has been reviewed that the conservation officer is able to visit site to agree which timbers can be retained and repair and which need to be replaced in order to ensure that the maximum amount of historic framing is retained.

## Norfolk Historic Environment Services

16. The property is located in an archaeological area of main significance. The Historic Environment Service at the County Council was consulted. They have asked that the applicant submit a copy of the structural survey to the county to be added to the Historic Environment Record.

## Assessment of planning considerations

### Relevant development plan policies

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

- DM3 Delivering high quality design
- DM9 Safeguarding Norwich's heritage

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

- NPPF12 Conserving and enhancing the historic environment

## **Other material considerations**

### **19. Norwich City Centre Conservation Area Appraisal September 2007**

#### **Case Assessment**

20. Planning law requires that applications for all listed buildings 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 listed building issues in this case against relevant policies and material considerations.

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

21. The proposed removal of the existing impervious cement render from the front elevation of the building is very welcome. As this, surface is likely to be contributing to the advanced deterioration of the timber frame as a result of its lack of breathability.
22. The removal of the existing dilapidated and unstable brick infill panels to the front elevation and flank walls is not opposed. The infill masonry is modern engineering brick and the loss of this fabric will not result in the loss of significant historic fabric.
23. The proposed traditional timber repairs to the surviving timber frame and removal of inappropriate and harmful softwood elements are laudable proposals and are supported. Historic England recommend that the precise nature of the repair works are agreed with the Conservation Officer once the timber frame has been fully exposed. A condition is recommended to be applied to any consent to ensure this.
24. The proposed installation of internal insulation is not opposed in principal; however there are some reservations over the proposed external wall insulation and the precise methods/materials proposed. For this reason, the applicant has agreed that the detailed design of any new insulation will be agreed by way of conditional discharge prior to the relevant part of the works commencing.
25. The repair to the lath and plaster at the gable ends of the roof space is a welcome in principle; the precise methodology will again be required by condition.
26. The application of breathable mineral paint to the external elevations is welcome. The precise colour will be agreed by way of condition.
27. The removal of the existing rotten window frames at second floor level (front) and their replacement with new timber framed casement windows to match the existing. The existing windows are rotten and beyond reasonable repair. Details of the replacement windows will be required by condition in order to ensure that they truly replicate the existing form.
28. The repair of the existing timber framed sash windows at first floor level is welcomed.

29. The works will result in an overall enhancement of the buildings appearance and the buildings performance and are necessary in securing the on-going safe and viable use of the building. The works are considered to comply with the requirements of the NPPF Chapter 12 and Local plan policies DM3 and DM9.

## **Conclusion**

30. The development is considered 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**

31. To approve the application and grant listed building consent 16/01751/L 14 and 16 Lower Goat Lane, Norwich subject to the following conditions:
1. Standard time limit;
  2. In accordance with plans;
  3. Further detail of the timber frame repair required  
'Once the timber frame of the building has been fully exposed, no further works shall take place until such a time that the frame has been inspected by the Council's Conservation Officer and a full schedule and specification of repairs of the timber frame has been agreed in writing by the Local Planning Authority. Repair works to the timber frame shall be carried out in accordance with the details so agreed.
  4. Precise materials and methods to be employed in the re-building of the upper two levels of the building and gable end:  
'Notwithstanding drawing no.47728/S/102 A, 'DETAIL 18 EXTERNAL WALL CROSS-SECTION SHOWING FINISHES' is not hereby approved, the precise materials and methods to be employed in the re-building of the upper two levels of the building and gable end are to be agreed in writing with the Local Planning Authority prior to the relevant part of the works commencing.
  5. Windows and external doors – Painted timber
  6. Demolition - Hand tools
  7. Protecting the retained building structure
  8. Further detailed design required:
    - (a) 1:20 elevations and 1:2 section and plan drawings of all new windows and doors. Details of window sills
    - (b) All new and re-located service routes and risers
    - (c) All new floor coverings (including floor boards)
    - (d) Details of any new or relocated rainwater goods [which shall be cast iron or aluminium]
    - (e) Paint specification and colour

## **Article 35(2) Statement**

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national

planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

Openings in gable to be repaired.

Ridge level of adjacent property at lower level exploiting parts of gable.

Whole of render finish to first & second floor levels and brick infill panels removed. Expose timber structure, indicatively shown by dashed lines.

Ground floor elevation not to be removed.

**NH** NORTH & HAWKINS

BUILDING CONSULTANCY

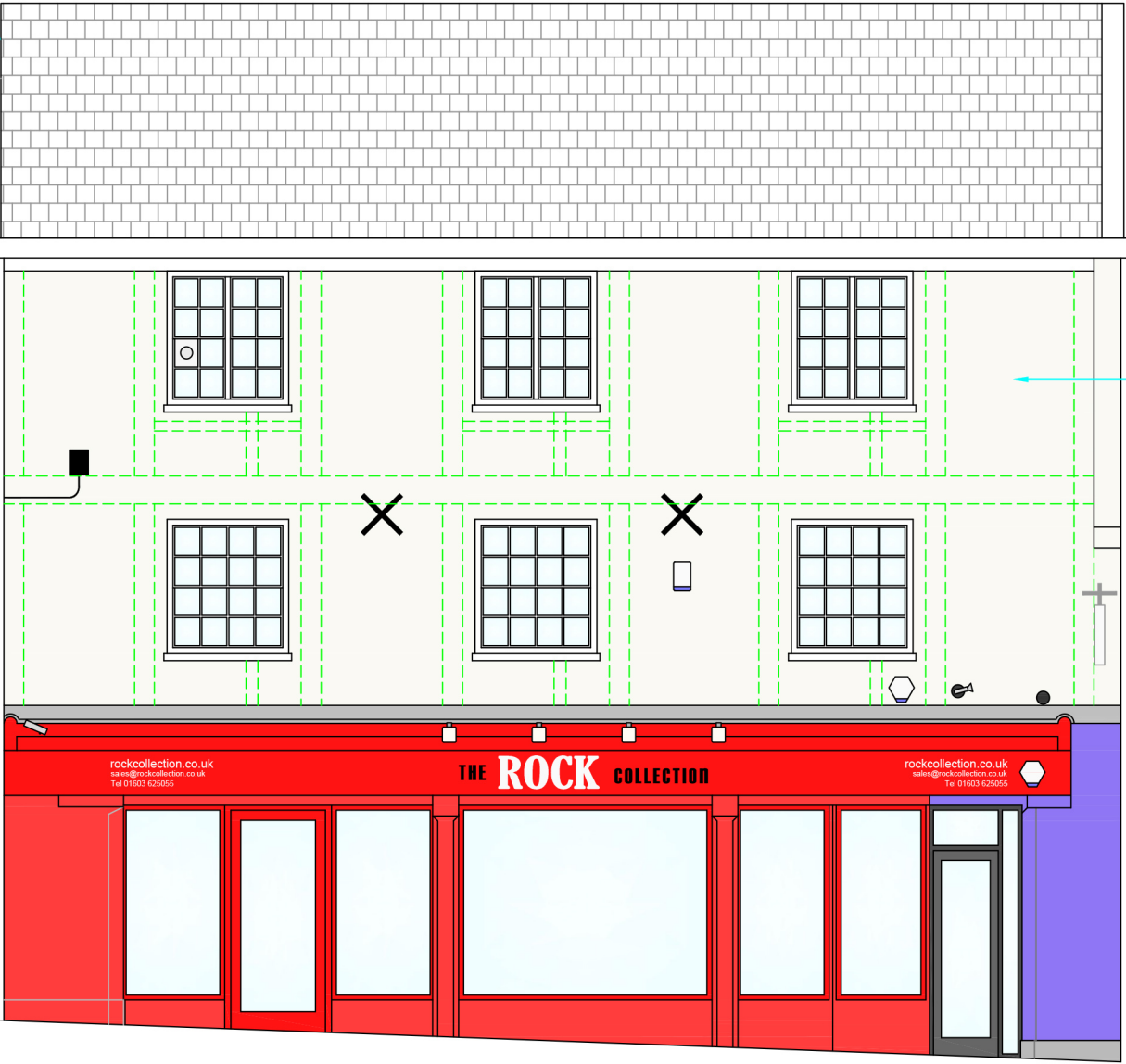
Client  
T Fielding & Co Ltd

Project  
14-16 Lower Goat Lane  
Norwich  
Norfolk  
NR2 1EL

Title  
Existing Front Elevation

Job No.  
1604009

Drawing	Revision
003	
Scale	Date
A3@1:50	Feb 2017
Drawn	Checked
RS	TN



= Beam @ ceiling level

= Areas where anticipated ceiling and floor boards to be removed to expose joists

