

Report to Planning applications committee
14 January 2016

Report of Head of planning services

Subject Application no 15/01859/F - Aldwych House
57 Bethel Street Norwich NR2 1NR

Reason for referral Previous application refused by committee

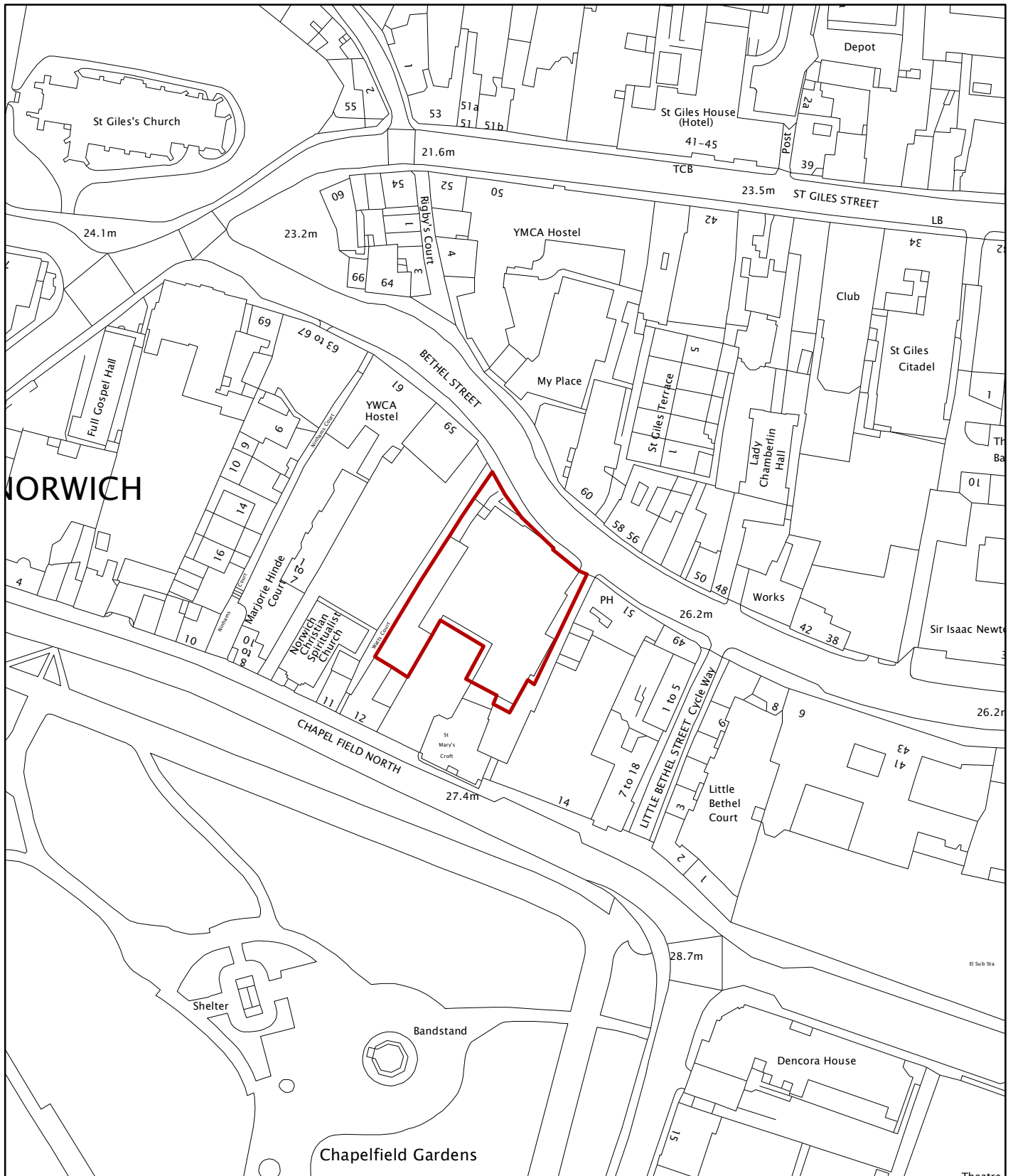
Item

4(a)

Ward:	Mancroft
Case officer	James Bonner - jamesbonner@norwich.gov.uk

Development proposal		
Inclusion of 5 no. additional roof lights (3 No. retrospective and 2 No. proposed).		
Representations		
Object	Comment	Support
1		

Main issues	Key considerations
1 Design and heritage	Visual harm to conservation area and street scene
Expiry date	4 February 2016
Recommendation	Approve



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Planning Application No 15/01859/F

Site Address Alwyck House, 57 Bethel Street

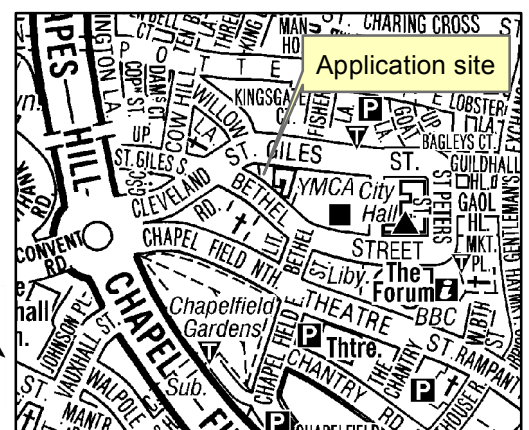
Scale

1:1,250



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. See appended report. This previous application for 5No. projecting rooflights was refused at the October planning committee and an enforcement notice served to seek the removal of the two most visually apparent projections nearest the east elevation of the building. The applicant has since submitted an appeal against this enforcement notice.
2. There are a number of other unauthorised works such as windows which still require formalising. None of these works form part of this proposal.

Constraints

3. See appended report.

Relevant planning history

4. See appended report for full history.

Ref	Proposal	Decision	Date
15/01380/F	Inclusion of second floor rear windows (retrospective).	Approved	24/11/2015
15/01381/F	Inclusion of sun tubes (retrospective); reduction in height of western boundary wall (retrospective) and redesigned entrance canopy.	Approved	16/11/2015
15/01382/F	Inclusion of additional roof lights (retrospective).	Refused	16/11/2015
15/01384/D	Details of Condition 3a: render; Condition 4: cycle storage, bin stores; Condition 5: landscaping and Condition 7: external flues of previous planning permission 14/00630/F.	Approved	11/12/2015

The proposal

5. Retrospective permission is sought for the existing three projecting rooflights and full permission is sought for two flatter rooflights to replace those which are the subject of the enforcement notice. At the time of writing all five projecting rooflights remain in place.

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. One letter of representation has 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
Object to proposals so that councillors can debate.	Visual harm – see main issue 1.
Will lift shaft housing be included retrospectively?	The enclosure adjacent to the stair tower is the enclosure for the lift motor. The applicants' agent claims that no alterations have been made to its size but it has been reclad in GRP. There is still some debate as to whether any material changes have been made to this projection given the previous approval for changes to the roof material, however this does not form part of this assessment and given there are definitely other elements which require retrospective permission, this will be addressed at a later date.
Issues raised about effectiveness and appetite for enforcement.	Applicants have a right to appeal enforcement notices and this process must run its course.

Consultation responses

7. 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

8. 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

9. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
 - JCS11 Norwich city centre

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

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

Other material considerations

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

- NPPF0 Achieving sustainable development
- NPPF7 Requiring good design
- NPPF12 Conserving and enhancing the historic environment

Case Assessment

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

Main issue 1: Design and heritage

14. Design key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66. Heritage key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-141.
15. In the previous assessment and discussion at the committee meeting the focus was on the two rooflights (commonly referred to as 'A' and 'B') closest to the eastern elevation, i.e. adjacent to the Coach and Horses. Given the lack of visibility of the other three in public views, they are considered to remain acceptable and so this assessment builds upon paragraphs 17 to 20 of the appended report and concentrates on the two most contentious projections.
16. The previous reason for refusal was as follows:

The roof lights by virtue of their height and location would protrude into the skyline when viewed from Bethel Street in front of the Cathedral Church of St John The Baptist, a grade I listed building. This would lead to less than substantial harm to the appearance of the Conservation Area. This has been balanced against the amenity benefits to the future occupiers of the flats at Aldwych House, however this is not considered to outweigh the harm to the Conservation Area. The development is contrary to paragraph 134 of the National Planning Policy Framework, policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted January 2014)

and policies DM3 and DM9 of the Norwich Development Management Policies Local Plan (adopted 2014).

17. A specification has been provided for the new flush rooflights which slide horizontally to open. In both the open and closed position the rooflights will not protrude to the degree it would appear as unduly prominent in public views. As there is no appreciable harm to the character of the conservation area, particularly compared to the other existing elements within the city's roofscape, the previous reason for refusal is considered to be addressed and the proposal is now acceptable.

Other matters

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

Amenity – there are considered to be no adverse amenity impacts.

Enforcement – the current enforcement notice requires the two current rooflights to be removed and the flat roof restored. If this proposed application approved it is recommended to serve a revised enforcement notice to allow the applicants to comply with the outstanding enforcement notice by replacing the projecting rooflights with the 'flush' rooflights.

Equalities and diversity issues

19. There are no significant equality or diversity issues.

Local finance considerations

20. 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.
21. 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.
22. In this case local finance considerations are not considered to be material to the case.

Conclusion

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

Recommendation

To

(1) approve application no. 15/01859/F - Aldwych House 57 Bethel Street Norwich NR2 1NR and grant planning permission subject to the following conditions:

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

And,

(2) Authorise serving of revised enforcement notice under section 172 of the Town and Country Planning Act 1990 (as amended) to secure the cessation of the unauthorised two projecting rooflights nearest the eastern elevation and the taking of legal proceedings, including prosecution if necessary.

NB: the revised enforcement notice will make it clear that implementation of the two 'flush' rooflights will satisfy the enforcement notice.

Article 35(2) statement

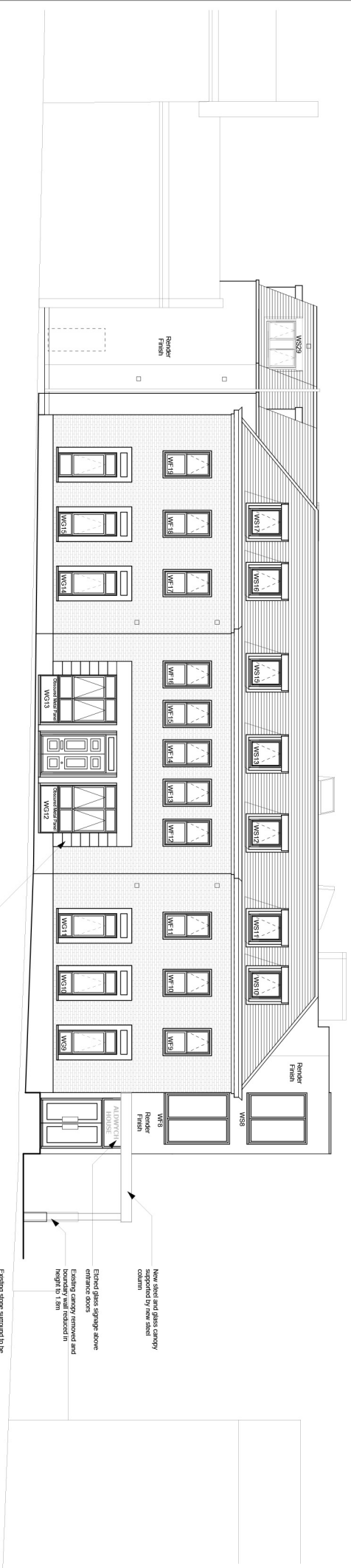
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application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

GENERAL NOTES

All dimensions are to be checked on site before commencement of works.
All sizes and dimensions to any structural elements are indicative only. See structural engineer's drawings for actual sizes/dimensions.
Sizes of and dimensions to any service elements are indicative only.
See service engineer's drawings for actual sizes/dimensions.
This drawing to be read in conjunction with all relevant Architect's drawings, specifications and other consultants' information.

DO NOT SCALE FROM THIS DRAWING

DO NOT SCALE FROM THIS DRAWING



Proposed Front Elevation 1:100 @ A2



REV:	DATE	DESCRIPTION:
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PROJECT: Aldwych House, 57 Bethel Street, Norwich NR2 1NR

CLIENT: Aldwych Developments Ltd

DRAWING: Proposed Front Elevation

SCALE: 1:100 @A2 DRAWN: RL

DATE: Jul-15 CAD FILE: 1035-010D

STATUS: Construction

DRAWING NO: 1035-010 REV: D

All dimensions are to be checked on site before commencement of works.
All sizes and dimensions to any structural elements are indicative only. See structural engineer's drawings for actual sizes/dimensions.
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DO NOT SCALE FROM THIS DRAWING



REV:	DATE	DESCRIPTION:
PROJECT: Aldwych House, 57 Bethel Street, Norwich NR2 1NR		
CLIENT: Aldwych Developments Ltd		
DRAWING: Proposed Car Park Elevation		
SCALE:	1:100 @A2	DRAWN: RL
DATE:	Oct-15	CAD FILE: 1035-013D
STATUS:	Construction	

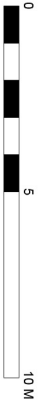
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Sizes of and dimensions to any service elements are indicative only.
See service engineer's drawings for actual sizes/dimensions.
This drawing is issued in conjunction with all other Architects' drawings, specifications and other consultants' information.

DO NOT SCALE FROM THIS DRAWING



Proposed Side Elevation 1:100 @ A2



REV.	DATE.	DESCRIPTION.

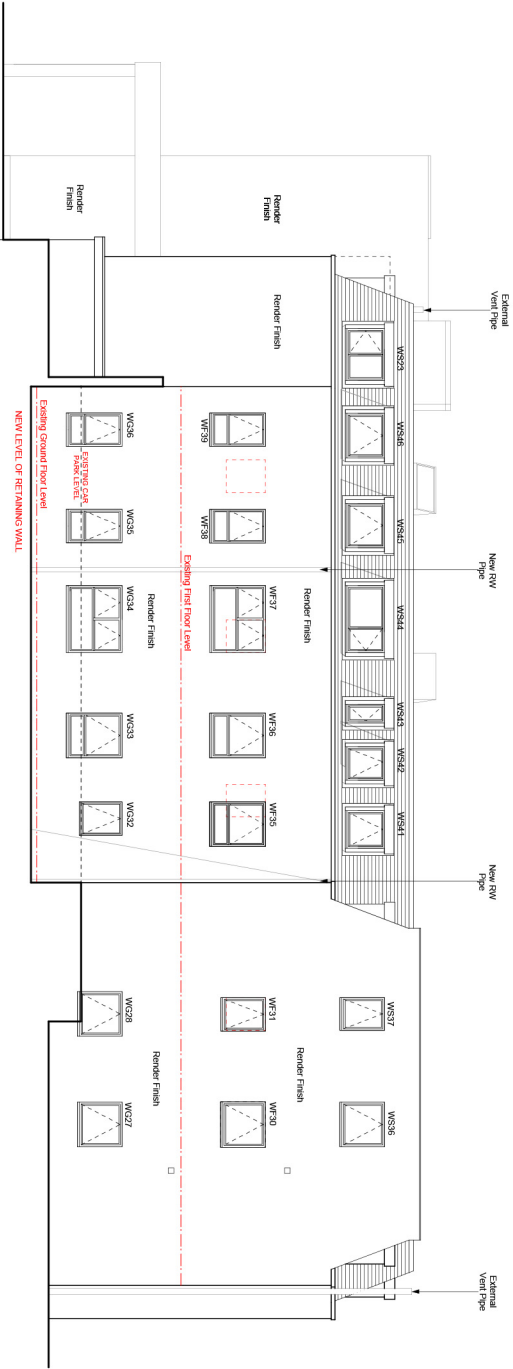
PROJECT:	Aldwych House, 57 Bethel Street, Norwich NR2 1NR
CLIENT:	Aldwych Developments Ltd
DRAWING:	Proposed Side Elevation
SCALE:	1:100 @A2
DATE:	Nov-15
STATUS:	Construction
DRAWN:	RL
CAD FILE:	1035-011C

DRAWING NO:	1035-011
REV:	C

GENERAL NOTES

All dimensions are to be checked on site before commencement of works.
All sizes and dimensions to any structural elements are indicative only. See structural engineer's drawings for actual sizes/dimensions.
Sizes of and dimensions to any service elements are indicative only. See service engineer's drawings for actual sizes/dimensions.
This drawing is issued in accordance with all relevant technical drawings, specifications and other consultants' information.

DO NOT SCALE FROM THIS DRAWING



Proposed Rear Elevation 1:100 @ A2



REV: DATE: DESCRIPTION:

PROJECT: Alwyck House, 57 Bethel Street, Norwich NR2 1NR
CLIENT: Alwyck Developments Ltd
DRAWING: Proposed Rear Elevation
SCALE: 1:100 @A2
DATE: Nov-15
STATUS: Construction

DRAWING NO: 1035-012 REV: E