

Report to Planning Applications Committee

Item

10 June 2021

Report of Head of planning and regulatory services

Subject Application no 21/00247/F, New Ferry Yard, King Street,
Norwich

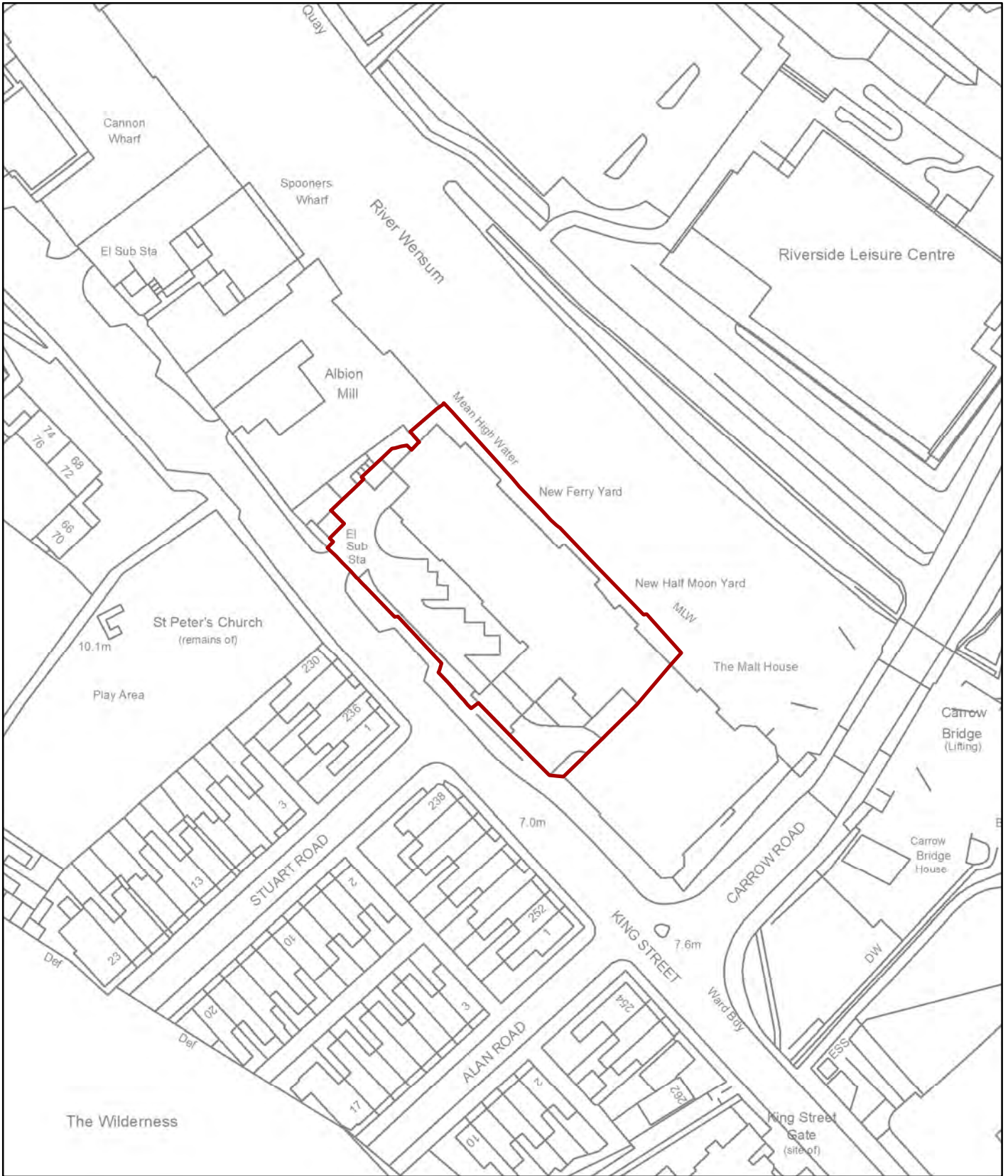
5(c)

**Reason
for referral** Objections

Ward	Thorpe Hamlet
Case officer	Jacob Revell JacobRevell@norwich.gov.uk
Applicant	Clarke Willmott LLP

Development proposal		
Redesign of parking layout.		
Representations		
Object	Comment	Support
4	1	3

Main issues	Key considerations
1	Principle of Development
2	Design & Heritage
3	Amenity
4	Transport
5	Trees & Landscaping
6	Other matters
Expiry date	27.04.2021
Recommendation	Approval



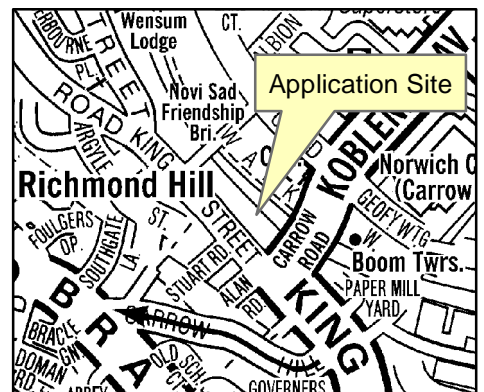
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Planning Application No 21/00247/F
 Site Address New Ferry Yard
 King Street

Scale 1:1,000



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The site and surroundings

1. The site in question is a landscaped parking area located immediately to the front of the New Ferry Yard development. New Ferry Yard is a residential development linked to neighbouring developments at Half Moon Yard and Albion Mill. The front elevations of the properties face King Street, the rear of the properties face onto the River Wensum. The developments were constructed in the early 21st century following the approval of application 04/00274/F.
2. Albion Mill, New Ferry Yard and The Malt House all fall under the same ownership, as indicated on the location plan. Spooners Wharf is owned by a different freeholder. All properties were built with underground parking, barring Albion Mill, which is Grade II listed. Residents of Albion Mill have historically been allocated parking at Spooners Wharf.
3. New Ferry Yard is located within the City Centre Conservation Area, within the King Street character area. This area is considered to 'high' significance, according to the conservation area appraisal.
4. The area is characterised by a mixture of architectural styles, but a number of significant historical buildings, set within a relatively open and green setting.
5. Albion Mill is the most immediate of these, as the car park sits along the side elevation of this building.

Constraints

6. City Centre Conservation Area

Relevant planning history

7. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
04/00274/F	Conversion of former flour mills and redevelopment of site to provide 160 residential apartments and restaurant (Class A3) with associated car parking and landscaping.	Approved	30.06.2005
11/00810/D	Confirmation of compliance with conditions 1 to 17 of previous permission 04/00274/F.	Finally Disposed of	22.08.2013
20/00758/F	Redesign of parking layout.	Refused	15.12.2020

The proposal

8. The proposal is to redesign the existing car park at New Ferry Yard. The current site features six 'permanent' parking spaces, provided as part of the original landscaping scheme for the development. In addition, three 'temporary' spaces have been provided across the relevant area. The 'permanent' spaces are angled at approximately 45 degrees away from the front elevation of the building. The 'temporary' parking spaces are in parts of the area which have allowed space for additional parking.

9. The proposal would involve the formal regularisation of the three 'temporary' existing spaces. The proposal would also see the reconfiguration of 'permanent' parking spaces, resulting in the provision of one additional space on the south-eastern end of the existing row of parking spaces. The proposal involves the provision of an electric car charging point servicing the newly created space and the space immediately adjacent.
10. The proposal differs from the previously refused application (20/00758/F). All trees on the site would be retained, and the loss of landscaping is minimal.
11. The new parking layout is sought because residents of Albion Mill have recently lost their parking rights at Spooner Wharf, following the sale of the freehold. It is understood that the newly created spaces will be allocated to Albion Mill residents.

Representations

12. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.

3 letters of representation have been received in support. One has been received neither objecting or supporting the proposal. Four letters of representation have been received in opposition to the application.

All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Adequate parking is already in situ. Many spaces are left vacant within the scheme.	See main issue 1: Principle of Development.
Concerns regarding noise, pollution and light disturbance.	See main issue 3: Amenity.
Concerns regarding inadequate bicycle storage facilities.	See main issue 4: Transport.
The access and cost of this charging point have not been identified.	See main issue 4: Transport.
The proposal will result in the loss of disabled parking spaces.	See main issue 4: Transport.
'Temporary' spaces were created without consultation or submission for planning permission.	See main issue 4: Transport.
Concerns regarding usability/safety of new spaces.	See main issue 4: Transport.
Proposed new parking space is not sufficiently wide.	See main issue 4: Transport.
There is likely to be congestion around the electric parking space.	See main issue 4: Transport.
Alternative locations for parking on the site may cause less disruption.	See main issue 4: Transport.
Concern about removal of trees.	See main issue 5: Trees & Landscaping.
Anticipated noise from development works.	See other matters.
Concern regarding future alterations to parking layout.	See other matters.

Consultation responses

13. 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

14. No comments received.

Highways (local)

15. The provision of EV charging is welcome for those two parking spaces.

Therefore no objection on highway grounds subject to condition to ensure charge point is installed in accordance with plan and retained.

Landscape

16. The loss of landscaping is small and would have only minor landscape and visual effects.

Subject to the existing trees being protected as per the Arb. Report (which I suggest is conditioned) I have no objection.

The provision of an electric car charging point would provide a form of environmental mitigation.

Tree protection officer

17. No objections from an arboricultural perspective.

Assessment of planning considerations

Relevant development plan policies

18. **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
 - JCS6 Access and transportation
19. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM4 Providing for renewable and low carbon energy
 - DM7 Trees and development
 - DM9 Safeguarding Norwich's heritage
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety

- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

Other material considerations

20. Relevant sections of the National Planning Policy Framework July 2018 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF12 Achieving well-designed places
- NPPF16 Conserving and enhancing the historic environment

Case Assessment

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

Main issue 1: Principle of development

22. Key policies and NPPF paragraphs – DM1, DM31, NPPF section 2.
23. DM31 states that alterations to parking should meet the standards set out within appendix 3 of the Development Plan. The standards state that housing located within the City Centre Parking Area is entitled to a maximum of one space per dwelling.
24. Several of the letters of objection received have questioned the need for development here, given the existing level of parking available on the site. It is understood that the underground parking is currently allocated to a mix of Albion Mill and New Ferry Yard residents.
25. Between Albion Mill, New Ferry Yard and The Malthouse there are 162 flats. The current availability of parking spaces is 156, leaving a shortfall of 6 spaces lost following the sale of Spooners Wharf. The additional 4 spaces proposed would recuperate parking for 4 of the affected flats and overall the level of parking would be within the maximum parking standards set out within the Local Plan.
26. The provision of a modest number of additional spaces in this location is considered acceptable, provided that the requirements of the other relevant development management policies are met.

Main issue 2: Design & Heritage

27. Key policies and NPPF paragraphs – DM3, DM9, NPPF sections 12, 16.
28. Policy DM3 outlines that development is expected to 'respect, enhance and respond to the character and local distinctiveness of the area'. DM9 requires that new development should maximise opportunities to preserve, enhance or better

reveal the significance of designated heritage assets (City Centre Conservation Area). The character of the car park is most strongly defined by the presence of the existing landscaping and trees.

29. The previous scheme on this site was refused partially on design and heritage terms. It was considered the loss of trees and landscaping generated by the previous scheme had an unacceptable impact on the character of the conservation area.
30. All trees are retained as part of this scheme. A small amount of landscaping will be lost to facilitate the new space with the charging space. The applicant will reinstate part of the hedge that has previously been removed to the front of the area.
31. The additional parking spaces will have a marginal impact on the visual appearance of the site, owing to a slightly less coherent layout and a slight increase in the number of parked cars. However, the overall impact on the conservation area is considered negligible due to the small scale of these alterations.
32. As all trees are to be retained and only minimal changes to the landscaping are proposed, it is considered the proposal meets the requirements of policies DM3 and DM9.

Main issue 3: Amenity

33. Key policy – DM2.
34. DM2 requires that all new development should not result in unacceptable impacts from noise, odour, air or artificial light pollution.
35. One letter of objection raises concerns that alterations to the parking layout would result in additional noise, pollution and light disturbance for residents of New Ferry Yard in ground floor flats.
36. The additional parking space in the main row will be angled at 45 degrees towards the corner of the parking area. Any impact will be limited to very short periods of time required for parking. Given the anticipated increase in use generated by one additional space in this location, it is not considered that substantial additional noise, pollution or light disturbance will occur.
37. Some reference has been made in the objections to the potential increased activity around the electronic charging point, including multiple cars vying for use of the charging point at once, leading to congestion. However, the applicant has made it clear that all additional spaces created will be allocated and the spaces will be used only by the resident to which the space is allocated. The electronic charging point spaces will be allocated residents with electronic vehicles. As such, it is not considered that amenity concerns are likely to occur from the use of these spaces.
38. In terms of the other additional spaces, the distance of these spaces from the windows of the residential properties ensures that there is unlikely to be any substantial amenity impact generated by the additional spaces.

Main issue 4: Transport

39. Key policies and NPPF paragraphs – DM28, DM30, DM31, NPPF section 12.

40. DM28 aims to encourage the use of sustainable travel by ensuring that new development does not lead to a net increase in private car use across the city. The number of flats requiring parking is not changing, as the affected flats had previously had parking provided at Spooners Wharf. Therefore, it is not considered that the development will lead to a net increase in car usage.
41. DM30 looks to ensure that all new parking is suitable in terms of access and highway safety. DM31 looks to ensure that all parking meets requirements for car parking and servicing.
42. One issue raised by objectors relates to the provision of bicycle storage on site. Whilst it is agreed that the use of bicycles should be encouraged, it is outside the remit of this application to actively encourage further bicycle storage to service the buildings.
43. Another issue is the proposed use of the charging point. Objectors have expressed concern regarding who will be able to use the charging point and who will pay for it. It is understood that the management of the properties will allocate the spaces with access to the charging points to residents who require charging for electric vehicles. The spaces will be allocated and used only by the residents allocated to the spaces. The provision of an electric charging point is beneficial for the encouragement of sustainable transport, in line with the aims of DM31.
44. One objector has expressed concern about the potential loss of disabled parking on the site. They refer to the large space that will be lost to make way for the electric vehicle parking spaces. The applicant has highlighted that all spaces are currently allocated to occupants of individual flats and there is no current provision for disabled parking within this car parking area. There are no markings on the space in question to indicate that it is available for use by people with disabilities: on the contrary, there is a sign indicating that it is for use only by the occupant of a specific flat. Google street view indicates that the space has been allocated this way since at least 2008.
45. Another objector has raised concern about the width of the proposed new spaces. Although the spaces are on the small side, and slightly below the minimum size recommended in the Local Plan, all spaces fall within the 4.8m x 2.4m minimum for communal residential parking as recommended in the Norfolk Parking Standards 2007. The exception of this is space 2, which sits along the hedge boundary with no surrounding spaces. This space is 2.3m x 4.8m, but the marginally smaller width is considered acceptable as there is reduced need to factor in getting in and out of the car with regard to neighbouring vehicles.
46. With regard to the difficulty presented by the space close to The Malt House, the applicant has provided satisfactory evidence that manoeuvring into and out of the spaces does not provide access or exiting issues. The proposal meets the practical requirements of DM30 as the applicant has provided sufficient evidence that access and egress is possible in a forward gear. Highways have expressed no concern with the layout of the spaces in terms of manoeuvrability.

Main issue 5: Trees & Landscaping

47. Key policies and NPPF paragraph – DM3, DM7, NPPF 12.

48. One letter of objection expresses concern about the removal of trees and landscaping to the site. This appears to be related to the previously refused scheme as this scheme would not result in the removal of trees and only a small amount of landscaping is proposed to be removed. Both the council's tree and landscaping officers have expressed that they have no objections to the scheme.

Other matters

49. One comment relates to anticipated noise from development works. This is not a material planning ground on which to refuse an application. It is recommended that an informative is added to remind the developer to the council's good practice in relation to sensitive construction hours.
50. One comment queries the potential for future rearrangement of this parking space. Each planning application is assessed on its own merits and potential future scenarios have not had any bearing on this recommendation.

Local finance considerations

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

Conclusion

52. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.
53. The proposal is of an acceptable design and is considered to have a minimal impact on the character of the immediate surroundings.
54. The proposal is not considered to cause adverse impact to the amenity of any neighbouring properties.
55. The proposal is considered to meet the transport requirements outlined in the Local Plan and will not generate any issues from a highways perspective.
56. The proposal subsequently meets the criteria outlined within the relevant policies of the Norwich Development Management Policies Local Plan (2014) and of the National Planning Policy Framework (2016).

Recommendation

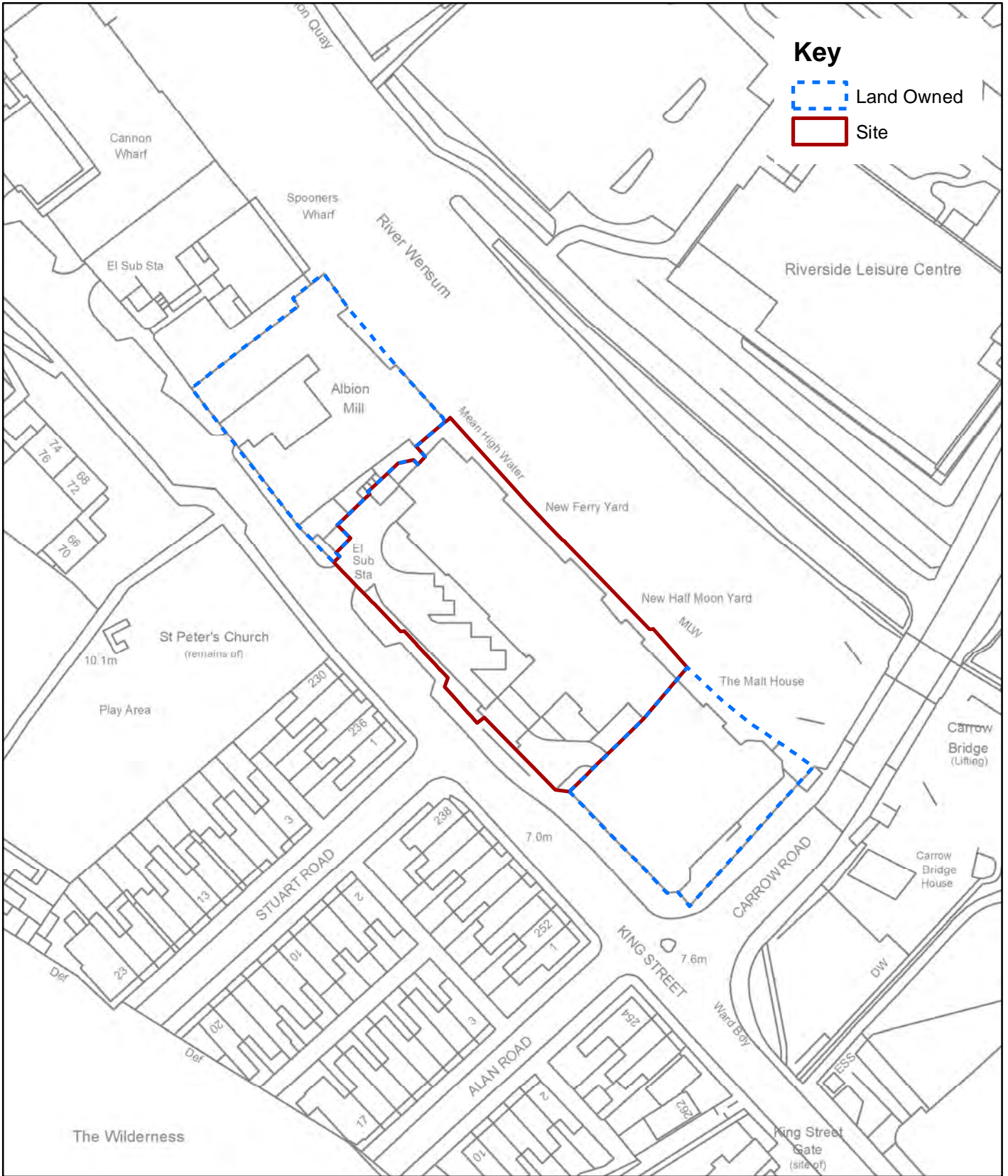
To approve application 21/00247/F at New Ferry Yard, King Street, Norwich and grant planning permission subject to the following conditions:

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

3. Protection of trees in line with arb report;
4. Retention of electric charging point;
5. Detail of appearance of electric charging point (CP14).

Informative:

- Considerate construction hours.

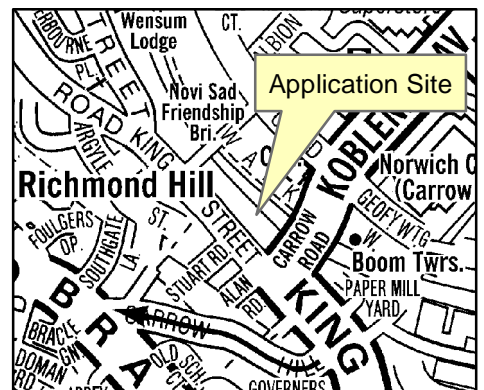


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 Site Address New Ferry Yard
 King Street
 Scale 1:1,000



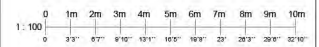
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General Notes

- This drawing must not be scaled and if in doubt ask.
- All Contractors are to check all dimensions & levels on site prior to commencing any construction or fabrication.
- This drawing to be checked and read in conjunction with all Engineers, Architectural, Service Engineers and any specialist drawings, together with any relevant additional Engineers specifications.
- Where site information or existing building details are contrary to issued details then the Engineer is to be informed immediately.
- No structural members are to be cut, reduced, or joined unless shown on the Engineers details. Unless otherwise noted all connections of structural members including laps & anchorage of reinforcement shall be capable of maintaining the full structural capacity of the member.
- All soil connections to have a minimum of 2.0m.
- The Foundations have been designed for ultimate ground level of 100 meters & shall not be confirmed on site before casting of foundations. Unless informed to the contrary in writing it has been assumed that the soil is of clay or shaly clay. If the conditions are other than clay or shaly clay & that there is no possibility of heave or shrinkage. If the conditions are other than clay or shaly clay under the provisions of the Party Wall Act 1999. If the conditions are other than clay or shaly clay buildings written agreement for the works from the owner & the tenant (if applicable) of adjacent buildings must be obtained before building works commence & one month's notice must be given before building works commence. If the work applies to the party wall two month's notice must be given. Note: If foundations are deeper than normal a further notice may have to be given if agreement received. Note: If foundations, soffits, gutters, etc. encroach across the boundary a written agreement from the owner of the adjoining land/buildings must be obtained & the boundary agreed before building works commence.
- The Construction (Design & Management) Regulations 2015. The client must make suitable arrangements for managing the project, including the allocation of additional time and resources.
 - The construction work can be carried out so far as reasonably practicable without risks to the health and safety of any person affected by the project.
 - Ensure suitable welfare facilities are provided. These arrangements must be reviewed and maintained throughout the project. The client must provide pre-construction information to the designer and contractor. The client must ensure that a construction phase plan is in place before the construction phase starts.
- The client must ensure that the principal designer prepares a health and safety file for the project which is update, regularly updated and is available to be inspected. The client must take reasonable steps to ensure that the principal designer and contractor cooperate with their duties. The client must pass the health and safety file to any new owner(s) (occupier) and ensure that the new owner(s) (occupier) is aware of the nature and purpose of the file.
- This drawing is Copyright to Building Plans Ltd.



Landscaping Area Loss - 5.3m²
 Landscaping Area Gain - 5.1m²
 Total Landscaping Gain - 2.8m²

Rev	Date	Amendment	Dwn
C	12/05/2021	Hedge reinstated in front of existing parking space 2.	PB
B	06/02/2021	Parking layout amended. Electric car charge point added	PB
A	10/08/2020	Parking layout amended to retain existing trees.	PB

**Architectural Design,
 Building Surveys and
 Planning Services**

Building Plans Ltd
 11 The Street, Honingham, Norwich, NR9 5BL
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Client:	Clarke Willmot LLP
Project:	Redesign of Parking Layout
Site address:	New Ferry Yard King Street Norwich NR1 2TP
Contents:	Proposed Site Plan
Scale @ A1: 1:100	Date: May 2020
Signchecked: PB/JLN	Revision: C
Project No: 3427.0520N	Sheet No: 2