

Report for Resolution

Report to Planning Applications Committee
Date 19th July 2012
Report of Head of Planning Services
Subject 12/00276/F Westlegate House 14 - 18 Westlegate, 20 Westlegate, Car Park Rear Of 14 - 18 Westlegate And Lion And Castle Yard, Timberhill Norwich
 12/00277/L 20 Westlegate, Norwich, NR1 3LR
 12/00319/C Former Club Building And Part Internal Car Park Structure Rear Of 14 - 18 Westlegate, Norwich

Item
5(10)

SUMMARY

Description:	<p>12/00276/F: Westlegate House, 14 - 18 Westlegate: Demolition of part of existing A3 restaurant use (128sqm) and new extension (75sqm) at ground and first floor level. Demolition of existing club building and internal car park to the rear of Westlegate House and redevelopment with new car park structure containing 20 No. car parking spaces with access from Lion & Castle Yard and erection of 1 No. 2 storey, 3 bedroom C3 residential dwelling above. Change of use of B1 offices over floors 2 to 10 inclusive (1551sqm) of Westlegate House tower to 11 C3 residential flatted dwellings (8 No. 3 bedroom, 3 No. 2 bedroom). Addition of 2.5 storeys to tower building to form 2 No. 3 bed C3 residential flatted dwellings.</p> <p>20 Westlegate: Demolition of rear extension and erection of new extension to existing A3 restaurant/café at ground and first floor level to form an additional 85sqm of restaurant/café floorspace. Change of use of 37sqm of first floor A1 retail floorspace (hairdressers) to A3 restaurant/café use to be used on conjunction with the ground floor use. Replacement of 2 No. timber shopfronts.</p> <p>Timberhill: Erection of building fronting onto Timberhill to reinstate frontage at numbers 27 - 29 to include A1 retail unit at ground and part first floor (233sqm) and 3 No. 2 bedroom C3 flatted dwellings at part first and second floor level.</p> <p>Land to rear of numbers 27 - 29 Timberhill: Erection of 2 No. 3 storey, 3 bedroom C3 residential townhouses at Lion & Castle Yard.</p> <p>Public Realm Improvements:</p>
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	<p>New pedestrian link to be formed between Westlegate and Timberhill via Lion and Castle Yard with new surface treatment, stepped and ramped accesses and landscaping.</p> <p>12/00277/L: Demolition of rear extension and erection of new extension to existing A3 restaurant/café at ground and first floor level to form an additional 85sqm of restaurant/café floorspace.</p> <p>Change of use of 37sqm of first floor A1 retail floorspace (hairdressers) to A3 restaurant/café use to be used on conjunction with the ground floor use.</p> <p>Internal and external alterations to facilitate change of use and new extension.</p> <p>Replacement of 2 No. timber shopfronts. Re-thatching of roof of main building. Works required to facilitate physical connection to number 31 Timberhill.</p> <p>12/00319/C: Demolition of two storey former club building and part internal car park structure connected to and at the rear of Westlegate House.</p>
Reason for consideration at Committee:	To approve the issue of the planning consent at a later date than that agreed under the resolution of Planning Applications Committee on 17 th May 2012.
Recommendation:	<p>1) To approve application 12/00276/F subject to conditions and legal agreement.</p> <p>2) To delegate authority to the Head of Planning to approve applications 12/00277/L and 12/00319/C subject to the conditions as outlined in the previous report as approved by members on the 17th May 2012.</p>
Ward:	Mancroft
Contact Officer:	Miss Sarah Platt Senior Planning Officer - Development Management 01603 212500
Valid Date:	8th February 2012
Applicant:	FW Properties Ltd
Agent:	Mr Philip Atkinson

INTRODUCTION

The Site

Location and Context

- Members of the Planning Applications Committee will recall reviewing and approving the above applications (12/00276/F, 12/00277/L and 12/00319/C) on the 17th May 2012. Members resolved to approve the scheme subject to the signing of a S106 Agreement by the 30th June 2012 to secure

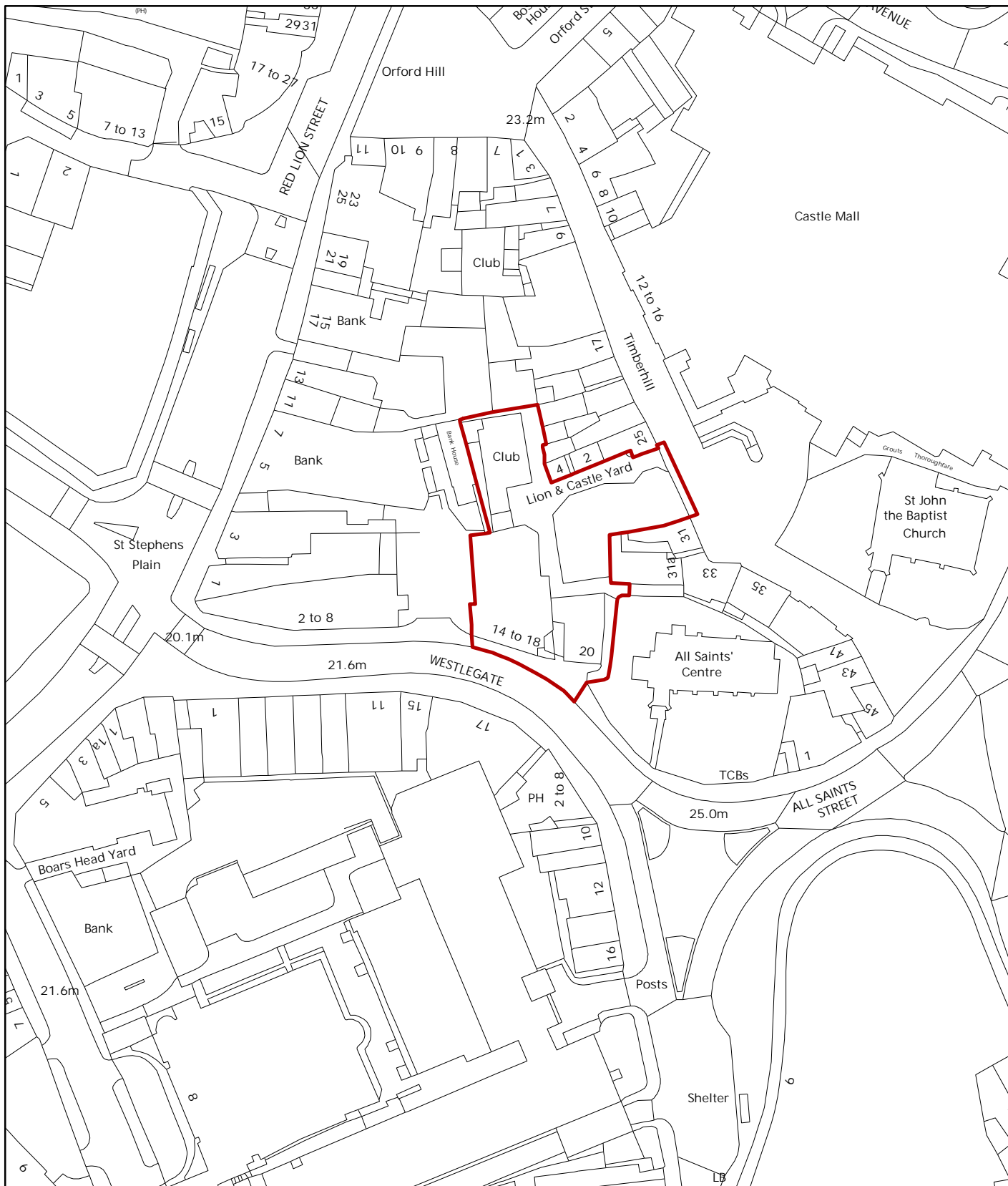
- Payment of the sum of £179,543.00 for the provision of off-site affordable housing payable upon occupation of the 10th residential unit within the development scheme;
 - Payment of the sum of £225,000.00 for the provision of off-site affordable housing payable upon occupation of the 10th residential unit within the development scheme; and at the council's discretion the amount of up to £45,457.00 of the £250,000.00 may be expended upon public realm improvements within an 800m radius of the application site within a period of 5 years of the date of this permission, or five years from the date of payment of the £250,000.00 (whichever is the later) and thereafter if not spent, re-directed back to the provision of off-site affordable housing.
 - An overage provision to claw back 50% of any profit in excess of 21% of the gross development value up to a cap set via the total commuted sum of £691,783.18;
2. This recommendation was actually inaccurate and should have been worded as follows:
 - Payment of the sum of £225,000.00 for the provision of off-site affordable housing payable upon occupation of the 10th residential unit within the development scheme; and at the council's discretion the amount of up to £45,457.00 of the £225,000.00 may be expended upon public realm improvements within an 800m radius of the application site within a period of 5 years of the date of this permission, or five years from the date of payment of the £225,000.00 (whichever is the later) and thereafter if not spent, re-directed back to the provision of off-site affordable housing.
 - An overage provision to claw back 50% of any profit in excess of 21% of the gross development value up to a cap set via the total commuted sum of £691,783.18
 3. Substantial efforts have been made by both the applicant and the Council to meet the deadline of the 30th June 2012 but there have been delays in the forming of the legal agreement, including the need to find a guarantor for the overage payment. The content of the agreement is now agreed in accordance with para 2 above and is expected to be signed by the applicant prior to Committee.
 4. The previous recommendation gave delegated authority to the Head of Planning to refuse the application if the agreement was not signed by the 30th June. However, no delegated authority was given to approve the applications following the 30th June 2012. The resolution and committee minutes can be found at the [following link](#) (Page 10, Section (2) refers). The report can be seen on the Council's website at the [following link](#).
 5. There have been no significant changes to the conditions that were previously proposed although some changes have been made for clarity. The full wording can be found at the [following link](#).
 6. There have been no further representations on these applications or further changes in planning considerations that are considered to affect the proposals.
 7. Subject to Committee endorsement of the recommendation the planning consent for the proposed development should be issued immediately following Committee.

RECOMMENDATIONS

The recommendation is to;

1) approve application number 12/00276/F, subject to the conditions and legal agreement .

2) to delegate authority to the Head of Planning to approve applications 12/00277/L and 12/00319/C subject to the conditions as outlined in the previous report as approved by members on the 17th May 2012.



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Planning Application No 12/00276/F & 12/00277/L & 12/00319/C

Site Address Westlegate House

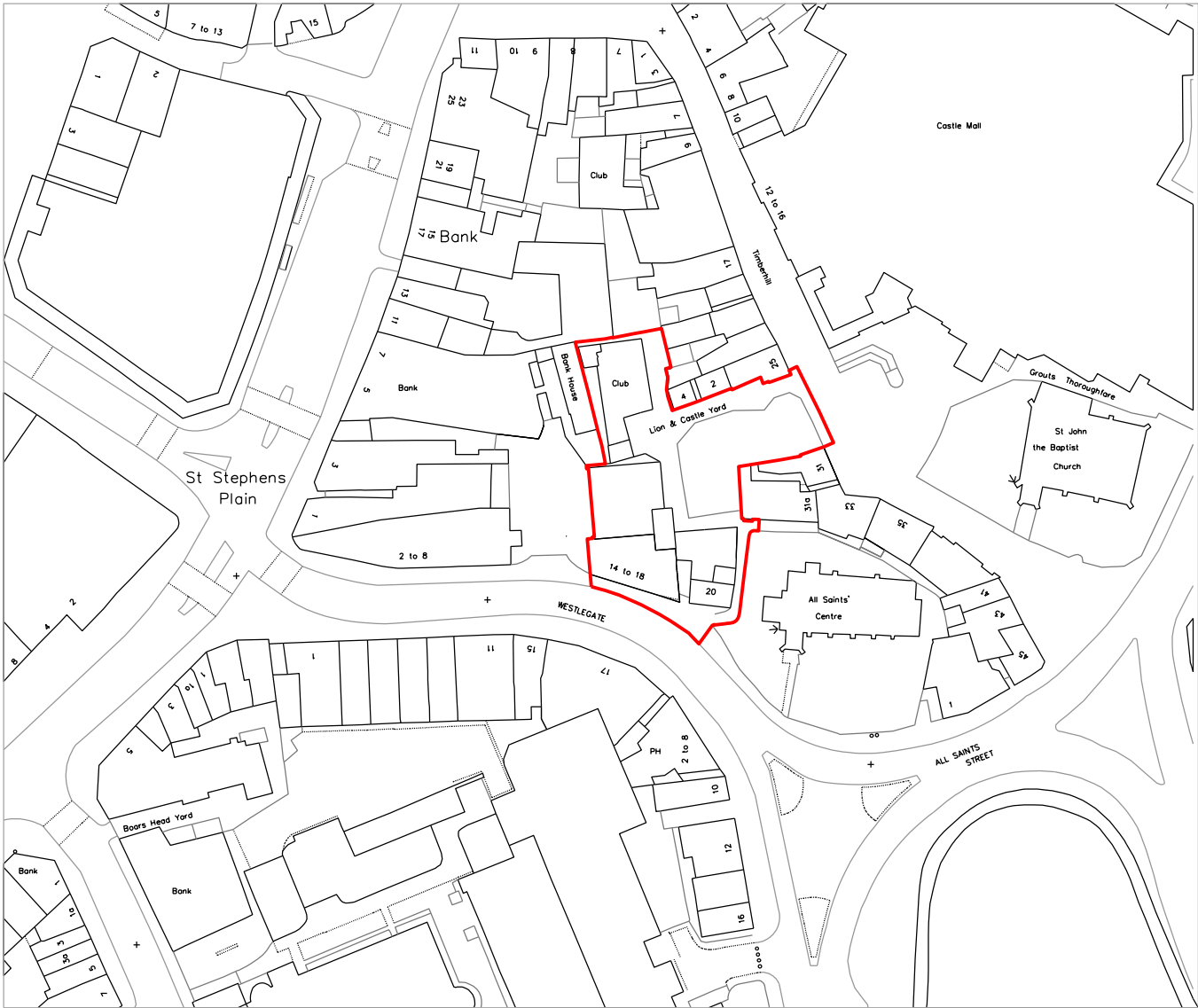
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NORWICH
City Council

PLANNING SERVICES





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--	02.02.12	PLANNING ISSUE

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