

**Report to** Planning applications committee  
**Date** 16 May 2013  
**Report of** Head of planning services  
**Subject** 13/00259/F Hardwick House Agricultural Hall Plain  
Norwich NR1 3LW

---

**Item**  
**5(5)**

## SUMMARY

<b>Description:</b>	Conversion of part of basement to form 2 No. one bed apartments. Installation of 2 No. air vents and removal of fire escape.
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approve
<b>Ward:</b>	Thorpe Hamlet
<b>Contact Officer:</b>	Mr Kian Saedi Planner 01603 212524
<b>Valid Date:</b>	28 February 2013
<b>Applicant:</b>	Mr Nick Sutton
<b>Agent:</b>	Narvinder Bains

## INTRODUCTION

### The Site

#### Location and Context

1. The application site is located on the south side of Agricultural Hall Plain opposite the busy junction with Prince of Wales Road, King Street and Upper King Street. Hardwick House is very prominent in the street scene.
2. It is a Grade II Listed Building and is within the City Centre Conservation Area.
3. The basement area is situated to the rear of the premises. A small light-well, currently providing the fire escape is located in-front of the windows into the proposed apartments. There is a 5 storey high building within approximately 12m of the application site to the west, the Anglia TV studios building.

## Constraints

4. The application building is grade II listed.

## Planning History

**4/2003/0679** - Internal and external alterations to building including insertion of new walls and floors to provide 19 residential units and a restaurant/cafe bar (class A3) (APPR - 15/03/2004)

**4/2003/0678** - Conversion of building from television studios to 19 residential units and a restaurant/cafe bar (class A3) (APPR - 18/03/2004)

**04/00837/L** - Internal and external alterations to building including insertion of new walls and floors to provide 24 residential units and a restaurant/cafe bar (Class A3) (Amendment to 4/2003/0679L). (APPR - 07/01/2005)

**04/00842/F** - Amendment to planning permission (4/2003/0678/F) to provide 5 additional residential units (total 24). (APPR - 07/01/2005)

**07/00283/F** - Conversion of part of former TV Studios into 3 no. separate areas of office accommodation (Class A2) and conversion of top floor to a single penthouse flat . (APPR - 23/08/2007)

**07/00427/L** - Alterations to facilitate the conversion of part of former TV Studios into 3 no. separate areas of office accommodation (Class A2) and conversion of top floor to a single penthouse flat. (APPR - 22/08/2007)

**08/00279/F** - Conversion of existing vacant space within remaining ancillary areas of Hardwick House to provide 8 individual apart hotel units. Units will be sited at Lower Ground Floor, southern sector (2no) and at Second Floor, northern sector (6no). (REF - 20/05/2008)

**08/00282/L** - Conversion of existing vacant space within the remaining ancillary areas of Hardwick House to provide 8 individual apart hotel units. The units will be sited at Lower Ground Floor, Southern Sector (2no) and at Second Floor, Northern Sector (6no). (REF - 25/06/2008)

**11/01703/F** - Conversion of part of basement to form 2 No. one bedroom apartments. Installation of 2 No. air vents and removal of fire escape (Revised Scheme). (REF - 29/02/2012)

**11/01704/L** - Alterations to facilitate conversion of part of basement to form 2 No. one bedroom apartments. Installation of 2 No. air vents and removal of fire escape (Revised Scheme). (APPR - 29/02/2012)

**13/00259/F** - Conversion of part of basement to form 2 No. one bed apartments. Installation of 2 No. air vents and removal of fire escape. (PCO - )

**13/00260/L** - Conversion of part of basement to form 2 No. one bed apartments. Installation of 2 No. air vents and removal of fire escape. (PCO - )

## Equality and Diversity Issues

There are no significant equality or diversity issues.

## The Proposal

5. The application seeks the conversion of the basement to form 2 no one bed apartments with associated external alterations: the installation of 2no air vents and the removal of the fire escape staircase.

## Representations Received

6. 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.

7.

Issues Raised	Response
Fire escape	Par. 23
Fire safety	Par. 29-30
Quality of outlook	Par. 16-21
Daylighting	Par. 16-21
Inadequate bicycle storage	Par. 25
Management of the apartments	Par. 29-30

## Consultation Responses

8. **Environmental Health** – No objections have been raised.

9. **Private Sector Housing** – Initial concerns with the level of fire escape but subsequent to the amended layout of the site, the fire escape arrangements are considered to be acceptable.

10. **Norfolk Fire and Rescue Service** – Following revisions to the layout of the two flats the proposal is much more likely to satisfy building regulations in terms of providing adequate means of fire escape.

## ASSESSMENT OF PLANNING CONSIDERATIONS

### Relevant Planning Policies

#### National Planning Policy Framework:

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 12 - Conserving and enhancing the historic environment

Section 11 – Conserving and enhancing the natural environment

#### Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 4 – Housing delivery

Policy 5 – The economy

Policy 11 – Norwich City Centre

Policy 20 - Implementation

#### Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE8 - Development in Conservation Areas  
HBE9 – Development affecting Listed Buildings  
HBE12 - High quality of design in new developments  
HOU15 - Conversion of vacant or underused parts of buildings  
EP16 - Water conservation and sustainable drainage systems  
EP18 - High standard of energy efficiency in new developments  
EP22 - High standard of amenity for residential occupiers  
TRA6 - Parking standards - maxima  
TRA7 - Cycle parking standards  
TRA8 - Servicing provision

## **Supplementary Planning Documents and Guidance**

City Centre Conservation Area Appraisal (September 2007)

### **Other Material Considerations**

Written Ministerial Statement: Planning for Growth March 2011  
Interim statement on the off-site provision of affordable housing December 2011  
The Localism Act 2011 – s143 Local Finance Considerations

### **Emerging DM Policies (submitted for examination):**

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

<b>DM1</b>	Achieving and delivering sustainable development
<b>DM2*</b>	Ensuring satisfactory living and working conditions
<b>DM3*</b>	Delivering high quality design
<b>DM6*</b>	Protecting and enhancing the natural environment
<b>DM12*</b>	Ensuring well-planned housing development
<b>DM28*</b>	Encouraging sustainable travel
<b>DM31*</b>	Car parking and servicing
<b>DM32</b>	Encouraging car free and low car housing

\* These policies are currently subject to objections or issues being raised at pre-submission stage and so only minimal weight has been applied in its context. However, the main thrust of ensuring adequate amenity, design, transport and servicing is held in place through the relevant adopted Local Plan policies listed above.

## **Principle of Development**

### **Policy Considerations**

11. Section 6 of the NPPF encourages local planning authorities to bring back into residential use empty housing and buildings and the scheme would assist in the

delivery of much needed housing stock in accordance with Policy 4 of the JCS.

Saved policy HOU15 of the Local Plan sets out the criteria against which the conversion of vacant parts of buildings are assessed against. The proposal is considered to satisfy the relevant parts of the policy in the following ways:

(i): The site is not located within an area defined as a prime employment area nor is it located within the Late Night Activity Zone.

(ii): The proposal will not involve the loss of office space.

(iii): It is considered that the proposal meets the amenity requirements of relevant policies and this is discussed in more detail later in the report.

(iv): The site is located adjacent to several services, community facilities and public transport.

(v): The two flats will share cycle and refuse storage facilities already serving the upper-floor flats in the building and these are considered to be acceptable. There is no opportunity to create any external amenity space.

(vi): No sound proofing measures are required as part of the proposal as the site adjoins only residential properties.

12. The principle of housing in this location has been established through the re-development of the upper floors of the same building to residential use. There are a number of serviced apartments let on a short term basis throughout the remainder of the building and given the highly sustainable location within the city centre this is considered an acceptable use.

13. It is the intention of the applicant to let these two apartments on the same basis, i.e. short term serviced lets. The proposed dwellings are situated within the city centre and within a 5 minute walk of significant public open space at the Castle Gardens and Cathedral precinct and provide a level of amenity commensurate with other apartments within the same building. On this basis the proposals are considered to be in accordance with Section 6 of the NPPF, saved policy EP22 of the local plan and policy Dm12 of the Development Management Policies Development Plan Document – Pre submission (April 2013)

## **Impact on Living Conditions**

### **Noise and Disturbance**

14. The apartments will be located on the west side of the building, away from King Street and facing adjacent to Crown Road, which is a private road used for parking and servicing by the occupants of Hardwick House and Anglia House. There is no risk therefore of noise disturbance from road traffic.

### **Loss of Privacy/Overlooking**

15. The apartments are located at basement level and do not overlook any other property.

## **Daylighting**

16. The two proposed apartments are located at basement level and windows look onto what is essentially a stairwell accommodating the escape stairs that are to be removed. Outlook is therefore not ideal and sunlight is restricted by the built form directly in front of the apartment windows.
17. The applicant has submitted a Daylight and Sunlight Study in order to address the previous reasons for refusal (11/01703/F) relating to a lack of natural daylight and poor outlook. It is understood that taken together, both poor outlook and lack of daylight amounted to cumulative reason for approval.
18. The layout of the apartments in the current proposal have been designed to position all habitable rooms as close to the windows as possible and to reduce the depth of the habitable rooms in order to maximise the level of penetrative daylight.
19. The study states that all habitable rooms pass the room depth test and that all rooms meet or surpass the BRE Average Daylight Factor targets. The BRE guide does not provide fixed numerical pass/fail criteria for direct sunlight penetration but Appendix 3 of the study illustrates that all habitable rooms receive some degree of direct sunlight.
20. The study concludes with confirmation that the proposed design achieves an acceptable level of daylight and sunlight and expresses the opinion that there is no daylight/sunlight related reason why planning permission should not be granted.
21. There are reasonable means to improve the outlook of the two basement apartments and in light of the results of the Daylight and Sunlight Study it is considered that on balance a satisfactory standard of living will be afforded to future occupants of the apartments.

## **Design**

### **Layout**

22. The proposal has been designed with the objective of maximising the daylight reaching habitable rooms. The living rooms and bedrooms are all positioned adjacent to windows and the depth of the rooms has been limited to maximise the level of daylighting.
23. The layout of the kitchens has been revised to ensure that they do not need to be passed through in case of fire escape. Norfolk Fire and Rescue Service have been consulted on this matter and have confirmed that this arrangement ensures the protection of exit route from bedrooms in the flats. Although fire escape is covered by Building Regulations, it was considered good practice to address this issue during the design stage of the proposal in order to avoid complications further down the line.

### **Listed Building – Impact on Setting**

24. The building is grade II listed and the internal/external alterations are assessed under application 13/00260/L. In summary, the external alterations are minor in nature and subject to conditions (to be attached to application 13/00260/L) will result in no harm to the listed building's character or on the wider conservation area. The internal area of the basement is of little architectural merit and has undergone previous works resulting in there being no historic merit.

## **Transport and Access**

### **Transport Assessment**

25. There is considered to be sufficient capacity within the existing refuse and cycle storage facilities to cope with the additional capacity required by these 2no apartments. The proposals are therefore considered to be in accordance with saved policies TRA7 and TRA8 of the Local Plan and policy DM31 of the Development Management Policies Development Plan Document – Pre submission (April 2013).
26. The proposal is for car free development, which is considered acceptable given the city centre location of the site and proximity to bus stops serving the wider area. This is consistent with policy DM32 of the Development Management Policies Development Plan Document – Pre submission (April 2013).

### **Water Efficiency**

27. Policy 3 of the JCS requires that all residential development achieve Code for Sustainable Homes level 4 for water. Any planning permission will be conditioned to ensure that an assessment is performed by a qualified code assessor and results submitted to the Council for approval prior to first occupation of the dwellings.

## **Local Finance Considerations**

28. Under Section 143 of the Localism Act the council is required to consider the impact on local finances, through the potential generation of grant money from the New Homes Bonus system from central government. The completion of new dwellings would lead to grant income for the council. Whilst this is a consideration the overall principle of the dwellings, design, impact on residents and other material planning considerations must also be considered. These are given due consideration below.

## **Other Matters Raised in Objection to the Application**

29. A number of objections have been received relating to the management of the premises and the associated issue of fire safety. Whilst it is important for the planning system to ensure satisfactory living conditions are provided in new residential development, the management of such development does not fall under planning control. A fire enforcement notice has been served and it is understood that the applicant is in the process of addressing the areas covered within the notice. The Council's Private Sector Housing Officer is in the process of serving a Prohibition Order on the penthouse suite of Hardwick House relating to an existing state of excess cold.
30. It is important to stress that this application relates only to the two proposed flats at basement level and that the existing management of the premises does not constitute a material planning consideration.

## **Conclusion:**

32. The proposal will bring back an underused part of the building into residential use and contribute to the delivery of much needed housing stock. It is considered that the level of daylighting is sufficient to ensure satisfactory living conditions are provided for

future occupants of the flats and that the proposed alterations will not harm the character of the listed building nor of the wider conservation area. Subject to conditions therefore, the proposal is considered acceptable and in accordance with the objectives of Sections 6, 7, 11 and 12 of the National Planning Policy Framework (March 2012), Policies 2, 3, 4, 5, 11 and 20 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), saved policies HBE8, HBE9, HBE12, EP16, EP18, EP22, HOU15, TRA6, TRA7, TRA8 of the City of Norwich Replacement Local Plan (2004), relevant policies of the Development Management Policies Development Plan Document – Pre submission (April 2013) and all other material considerations

## **RECOMMENDATIONS**

To approve application 13/00259/F, Hardwick House, Agricultural Hall Plain, and grant planning permission subject to the following conditions:

- 1) Commencement within three years.
- 2) In accordance with approved plans.
- 3) Water efficiency.

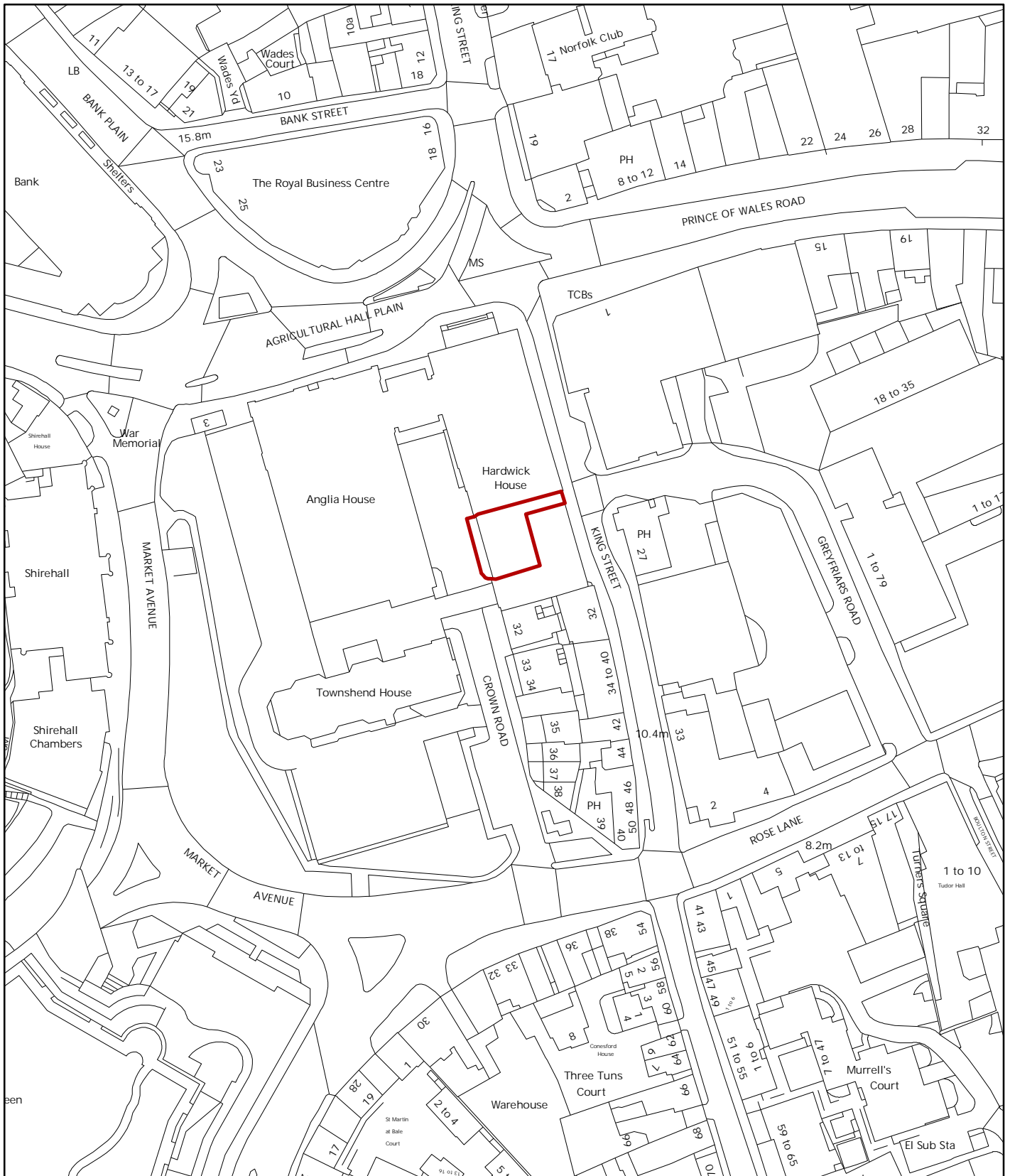
Reason for approval:

The proposal will bring back an underused part of the building into residential use and contribute to the delivery of much needed housing stock. It is considered that the level of daylighting is sufficient to ensure satisfactory living conditions are provided for future occupants of the flats and that the proposed alterations will not harm the character of the listed building nor of the wider conservation area. Subject to conditions therefore, the proposal is considered acceptable and in accordance with the objectives of Sections 6, 7, 11 and 12 of the National Planning Policy Framework (March 2012), Policies 2, 3, 4, 5, 11 and 20 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), saved policies HBE8, HBE9, HBE12, EP16, EP18, EP22, HOU15, TRA6, TRA7, TRA8 of the City of Norwich Replacement Local Plan (2004), relevant policies of the Development Management Policies Development Plan Document – Pre submission (April 2013) and all other material considerations

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 above.





© Crown Copyright and database right 2013. Ordnance Survey 100019747.

Planning Application No 13/00259/F & 13/00260/L  
 Site Address Hardwick House, Agricultural Hall Plain  
 Scale 1:1,250

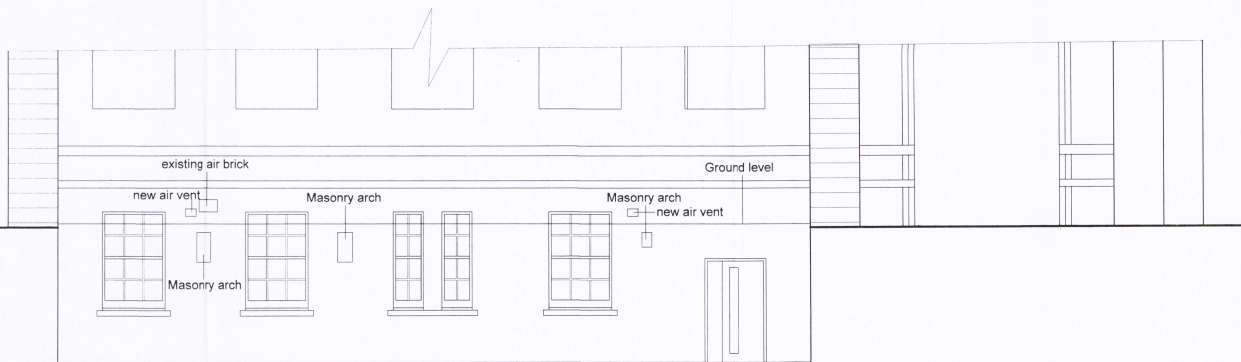


**NORWICH**  
 City Council

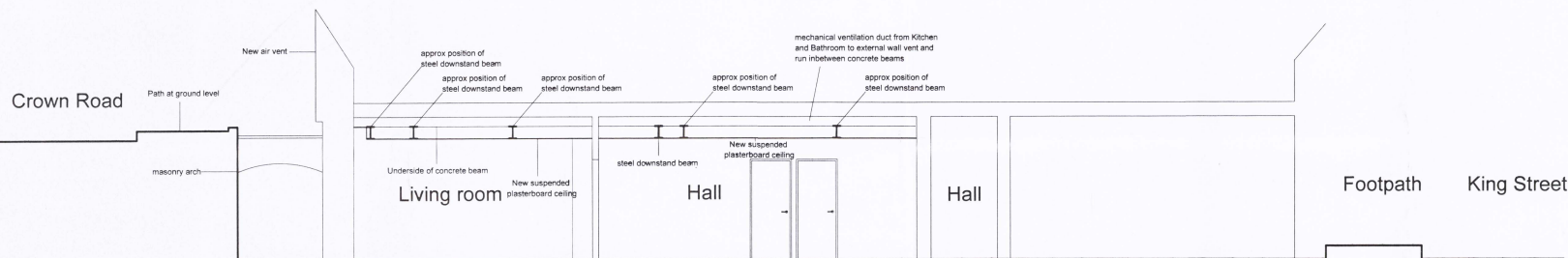
PLANNING SERVICES



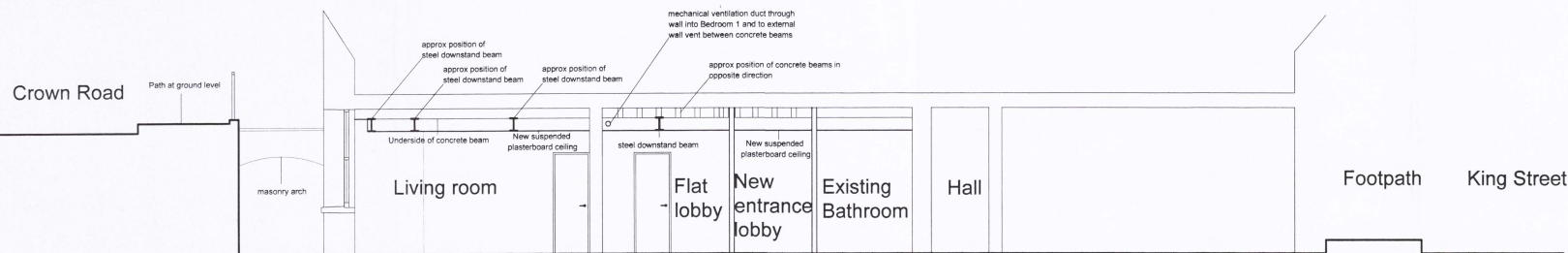
1300259F  
1300260L



Proposed West Elevation at  
Basement level (Crown Road)



Section A-A through Flat 1



Section B-B through Flat 2

Norwich City Council  
27 FEB 2013  
Planning Services

A Aug 2011 External stair removed  
B Jan 2012 Updated sections to suit plans

PETER CODLING ARCHITECTS

7 THE OLD CHURCH, ST MATTHEWS ROAD, NORWICH, NR1 1EP TEL: 01603 260000 FAX: 01603 260001

Basement Floor at Hardwick House

Norwich

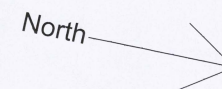
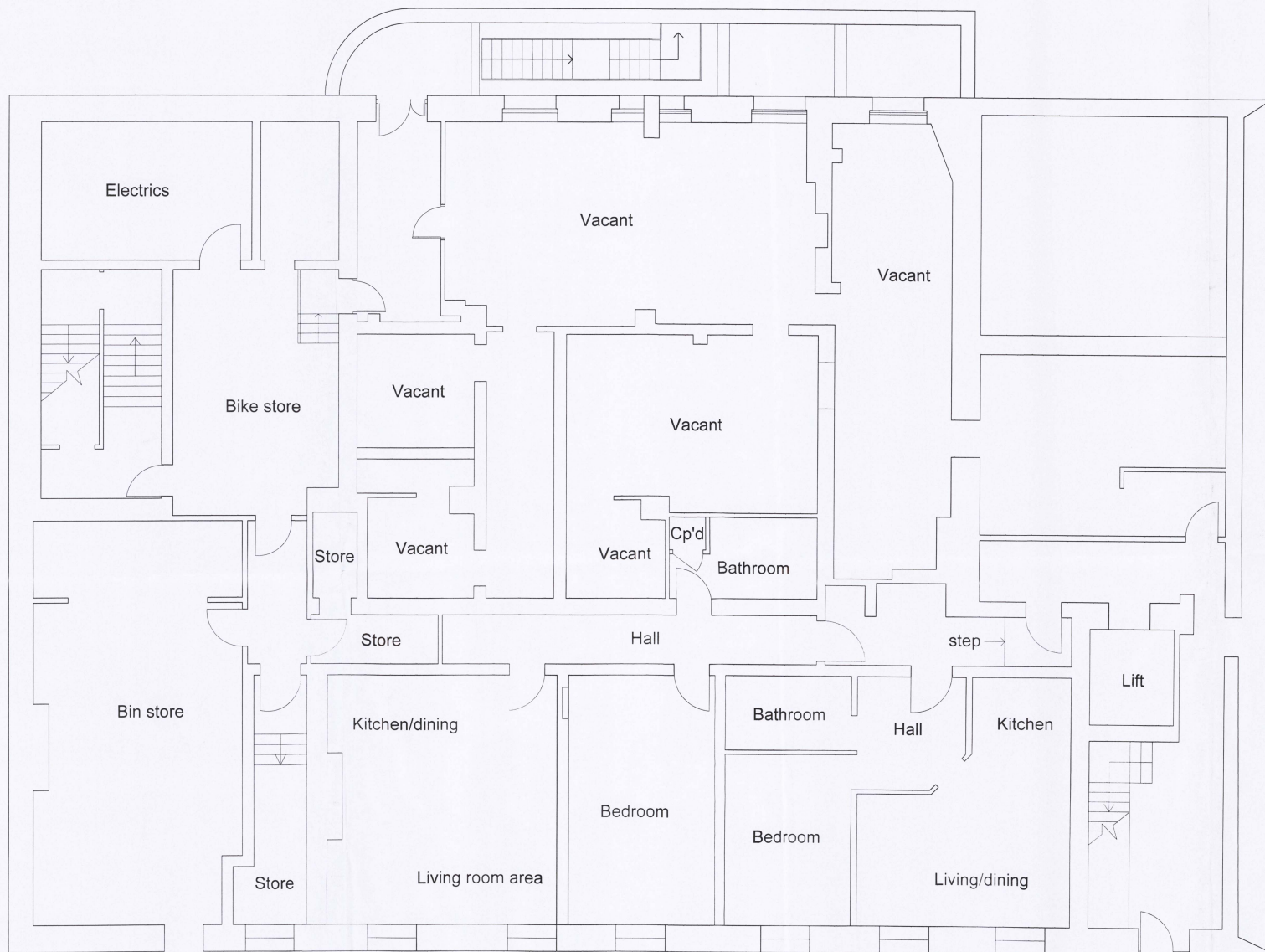
Proposed Basement section A-A  
and West elevation at basement level

SCALE 1:50 @ A1  
JOB NO 4995 07 B  
DATE July 2011 DRAWN BY SEL

THIS DRAWING IS THE COPYRIGHT OF PETER CODLING ARCHITECTS AND MAY NOT BE ALTERED, PHOTOGRAPHED, COPIED OR REPRODUCED WITHOUT WRITTEN CONSENT.  
ALL DIMENSIONS ARE TO BE CHECKED BY THE GENERAL CONTRACTOR ON SITE AND ANY DISCREPANCY CLARIFIED BY THE ARCHITECT BEFORE THE WORK PROCEEDS.

1300259F

1300260L



Norwich City Council  
27 FEB 2013  
Planning Services

REVISION  
**PETER CODLING ARCHITECTS**  
7 THE OLD CHURCH, ST MATTHEW'S ROAD, NORWICH, NR1 1JL (01603 255111)  
Norwich

Basement Floor at Hardwick House  
Norwich

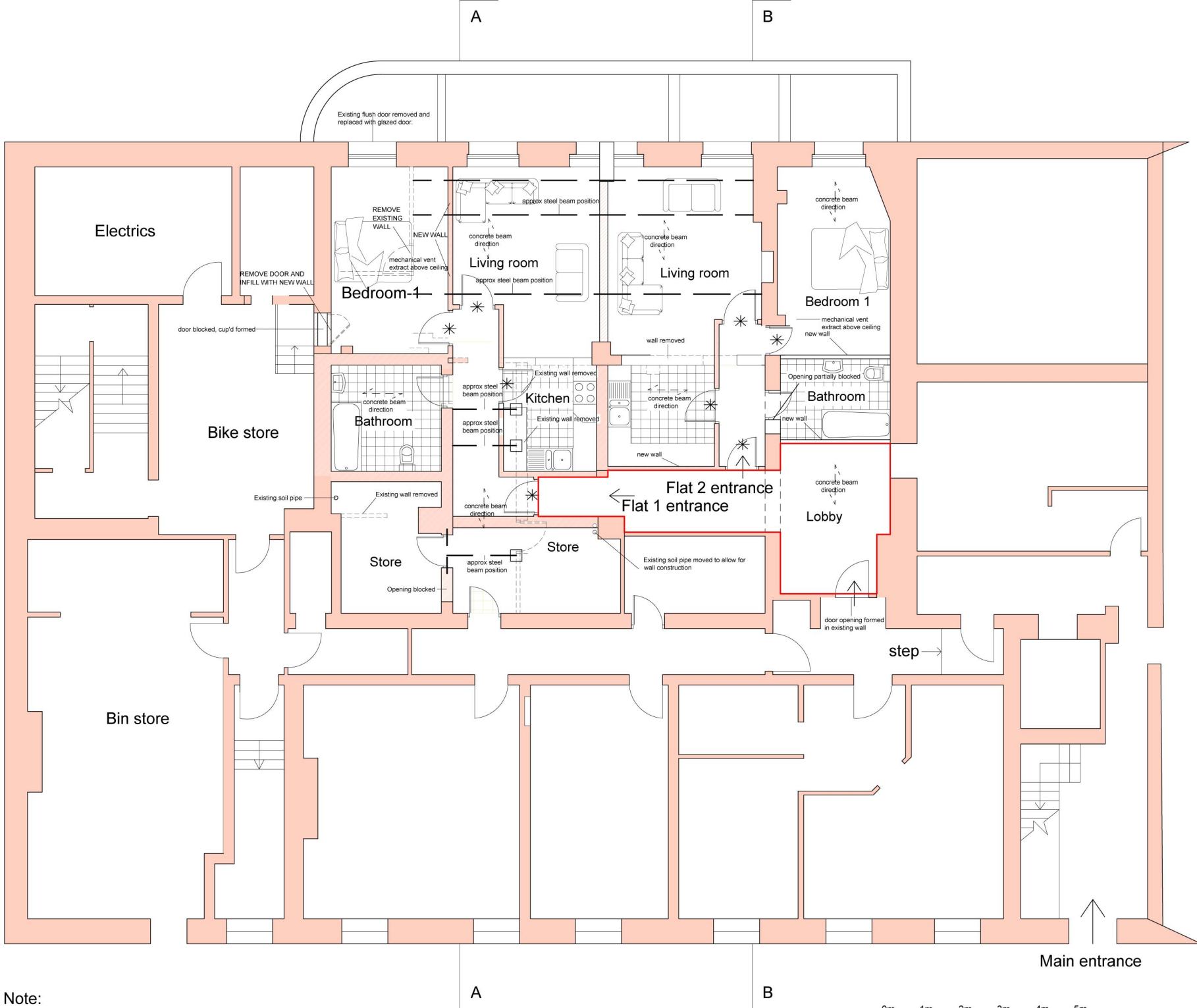
Existing Basement Plan

0m 1m 2m 3m 4m 5m

Note: Full survey conducted by others.

SCALE 1:50 @ A1  
JOB NO 4995 08  
DATE Nov 2011 DRAWN BY

THIS DESIGN IS THE COPYRIGHT OF PETER CODLING ARCHITECTS AND MAY NOT BE ALTERED, PHOTOGRAPHED, COPIED OR REPRODUCED WITHOUT WRITTEN CONSENT.  
ALL DIMENSIONS ARE TO BE CHECKED BY THE GENERAL CONTRACTOR ON SITE AND ANY DISCREPANCY CLARIFIED BY THE ARCHITECT BEFORE THE WORK PROCEEDS.



- A Dec 2011 Amendments to flat 2
- B Feb 12 Additional fire protection details
- C Sept 12 Revised plan of basement flat
- D Sept 12 Clients revised plan of kitchen in flat 1
- E April 13 Layout revisions

**PETER CODLING ARCHITECTS**

T: 01693 541111 F: 01693 541112 E: info@petercodling.co.uk

Basement Floor at Hardwick House  
Norwich

Proposed Basement Plan Option B

SCALE: 1:50 @ A1

XREF NO: 4995 10 E

DATE: 10/04/13 DRAWN BY: PCD

THIS DESIGN IS THE COPYRIGHT OF PETER CODLING ARCHITECTS AND MAY NOT BE ALTERED, PHOTOGRAPHED, COPIED OR REPRODUCED WITHOUT WRITTEN CONSENT.

ALL DIMENSIONS ARE TO BE CHECKED BY THE GENERAL CONTRACTOR ON SITE AND ANY DISCREPANCY CLARIFIED BY THE ARCHITECT BEFORE THE WORK PROCEEDS.

**Note:**  
Concrete and steel beams  
are existing and are at ceiling  
level (see section A-A)  
Positions are approximate