

Report for Resolution

Report to Planning Applications Committee
3 December 2009

Report of Head of Planning Services

Subject 09/00726/F Cannon Wharf King Street Norwich

Item
5(2)

SUMMARY

Description: Alterations to ground floor to include converting the approved restaurant (Class A3) to provide five apartments (Class C3).

Reason for consideration at Committee: Contrary to policy

Recommendation: Approve subject to conditions

Ward: Thorpe Hamlet

Contact Officer: Mark Brown Senior Planner

Date of Validation: 16 September 2009

Applicant: P.J.Livesey Country Homes (Eastern) Ltd.

Agent: P.J.Livesey Country Homes (Eastern) Ltd.

INTRODUCTION

The Site

Location and Content

1. The site is located to the northeast of King Street, adjacent to the Novi-Sad Bridge and River Wensum.
2. Cannon Wharf forms part of a larger residential redevelopment site which runs along the River Wensum and King Street between Carrow Bridge and Novi-Sad Bridge and involves a mixture of converted listed buildings and new build. Cannon Wharf is a new build element and the final part of the scheme to be built out. It is now largely complete externally although not yet occupied.
3. This application relates to the northern part of the upper ground floor which currently has consent for use as a restaurant. The rest of the building consists of 1, 2 and 3 bed apartments arranged over seven storeys. The lower ground floor consists of a basement parking area.
4. The property falls within the city centre conservation area and within flood risk zone 2.

Planning History

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 June 2005

08/00154/F - Redesign of approved restaurant into 5 no. one and two bedroom apartments and associated parking – Withdrawn 16 April 2008.

The Proposal

5. The proposal is for the change of use of the restaurant to 5 dwellings consisting of 3x1-bed flats and 2x2-bed flats. The application also involves some minor external alterations to window openings to facilitate the conversion and the removal of an access ramp which would no longer be required and insertion of an escape stair in its position.

Representations Received

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. No responses have been received.

Consultation Responses

7. Environment Agency – No objection to the proposed development. The Local Planning Authority should however ensure that they have applied the PPS25 sequential test to the application.
8. Policy – The redevelopment site at Cannon Wharf should have provided a mixed use scheme to comply with the associated allocation and policies in the Replacement Local Plan. Information has been submitted however to demonstrate that the proposed restaurant would be unlikely to be viable. I therefore raise no policy objection to this application

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 – Delivering Sustainable Development
PPS3 – Housing
PPS6 – Planning for Town Centres
PPG15 – Planning and the Historic Environment
PPS25 – Development and Flood Risk

Relevant Strategic Regional Planning Policies

H1 – Regional Housing Provision
ENV7 – Quality in the Built Environment
WM6 – Waste Management

Relevant Local Plan Policies

HBE8 – Development in Conservation Areas
HBE9 – Listed Buildings

HBE12 – High Quality Design
EP12 – Development in other areas at risk of flooding
EP22 – High standard of Amenity
HOU1 – Provision of housing to meet needs
HOU2 – Mix of uses including housing on sites within the City Centre
HOU9 – Sites allocated for mixed use development including housing
HOU15 – Conversion of Buildings
TRA7 – Cycle Standards
TRA8 – Servicing
TRA9 – Car free housing
CC11 – King Street Area – regeneration generally

Supplementary Planning Documents and Guidance

City Centre Conservation Area Appraisal

Assessment

Policy Considerations

9. The site forms part of an allocation under saved local plan policy HOU9 A13 for mixed use development consisting of a minimum of 70 dwellings in mix with restaurants and bars. Planning permission was granted in June 2005 for the redevelopment of the allocated site (application number 04/00274/F) for 160 dwellings and a single restaurant to provide a mixed-use redevelopment. Saved local plan policy HOU2 also seeks mixed use developments in the City Centre.
10. In principle conversion of underused parts of buildings to residential use would be acceptable within the City Centre under saved local plan policy HOU15 and subject to the criteria listed within this policy. In this case however, loss of the restaurant which is the only mixed use in the allocated site would be contrary to policy HOU9.
11. Policy HOU9 states that 'Any scheme proposed for these sites should include the specified mix of uses or demonstrate why an alternative mix is appropriate to fulfilling sustainable development objectives'. It is considered that a completely residential development which has no mix of uses would be contrary to policy and therefore such a diversion from policy would need to be clearly justified.
12. Saved local plan policy CC11 is also relevant as this sets out the policy objectives for the King Street Area and promotes mixed use development along King Street particularly as this forms the main link between the City Centre Primary and Secondary Retail Areas and the Riverside Retail Area.
13. Information to justify why the proposed restaurant is not viable has been submitted with the application. The reasons state low customer footfall in this area, no other adjacent leisure, retail or customer parking facilities, located at least a 10 minute walk from the main city centre with existing established restaurant bases and the proximity to Norwich City Football Club and the potential for supporters to overwhelm lunchtime trading on match days.
14. Evidence was submitted with the application to demonstrate the property had been advertised over a 7 month period. The unit was actively advertised in different forms from November 2008 to June 2009. Initial expressions of interest were

considerable but none resulted in any serious interest or the unit being successfully let.

15. Whilst it would be desirable to have a mixed use scheme in this location, the original consent only provided a single restaurant unit and this fails to create a critical mass of non-residential uses in this location to pull people to this part of King Street, nor is there any form of anchor in this location to draw people to the location. The incentive to visit the proposed restaurant at Cannon Wharf instead of the main city centre offer would be limited.
16. Whilst the aim of meeting the wider objectives of sustainable development should lead to a mixed use on this site, in light of the further evidence submitted with the application it is considered that it would not be reasonable to insist on the retention of a restaurant in this location. It is therefore considered that the proposals are acceptable in principle.

Amenity

17. In terms of amenity the flats are considered to be of an appropriate scale for the location and consistent with other flats on the development. It is considered that the level of amenity to future occupiers would be satisfactory and it is not considered that there would be any significant detrimental effect to any adjacent or adjoining property.

Design

18. In terms of design the external alterations required to facilitate the conversion are extremely minor, the changes are consistent with existing fenestration of upper floors.
19. An access ramp to a terrace area is proposed to be removed and an escape stair put in its place. As the terrace will be a private amenity area for the flats and no longer an eating terrace the ramp is no longer required.
20. The site is located within the City Centre Conservation Area and adjacent to a grade II listed building at 213 King Street. The minor alterations to the external appearance of the building are considered to be appropriate and therefore consistent with saved local plan policies HBE8, HBE9 and HBE12.

Access and Servicing

21. The proposals will result in no increase in parking for the building. In this location car free housing is considered to be appropriate given the proximity of local facilities. Large cycle and bin storage areas are incorporated into the building and these are considered to be large enough to provide for the additional five units.

Flood Risk

22. The site is located within flood risk zone 2 as detailed within the Strategic Flood Risk Assessment. The application has been submitted with a site specific flood risk assessment which details that floor levels are above the flood zone and a dry escape route is in place to King Street.
23. In terms of the sequential test, as the proposal is predominantly a change of use it

is questionable whether this is required. Nevertheless, residential development is considered appropriate within flood zone 2 and there are not considered to be any reasonably alternative available sites within the defined King Street regeneration area.

Conclusions

24. Whilst the aim of meeting the wider objectives of sustainable development should lead to a mixed use on this site, in light of the evidence submitted with the application it is considered that it would not be reasonable to insist on the retention of a restaurant in this location. The minor alterations to the external appearance of the building are considered to be appropriate and therefore consistent with saved local plan policies. The proposals also meet the requirements for mitigating against flood risk as required by PPS25. The recommendation is therefore to approve the application subject to conditions.

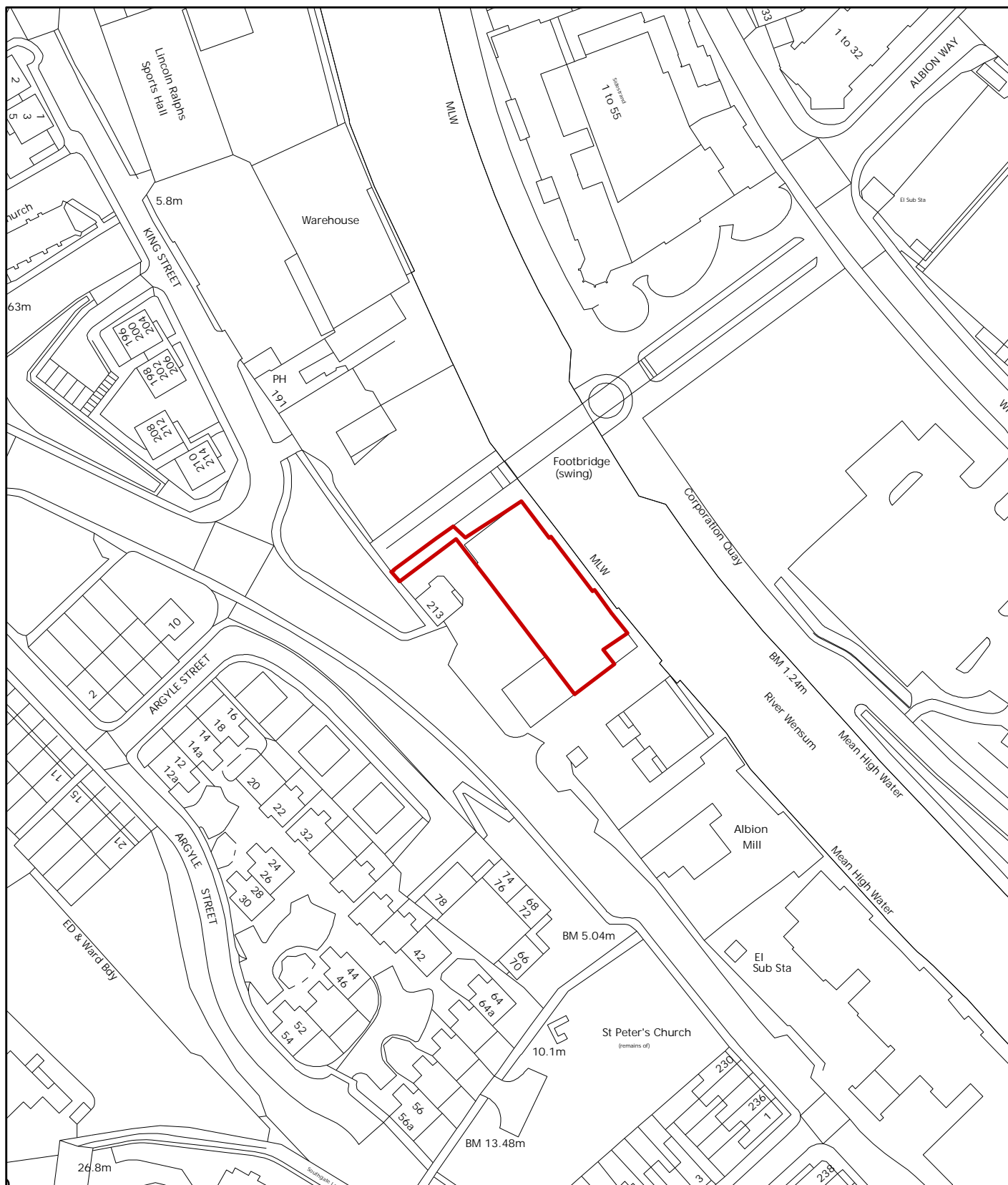
RECOMMENDATIONS

To approve Application No (09/00726/F) and grant planning permission, subject to the following conditions:-

1. Standard time limit condition;
2. Development to be carried out in accordance with plans.

(Reasons for approval: The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies H1, ENV7 and WM6 of the adopted East of England Plan (May 2008), saved policies HBE8, HBE9, HBE12, EP12, EP22, HOU1, HOU2, HOU9, HOU15, TRA7, TRA8, TRA9 and CC11 of the City of Norwich Replacement Local Plan (November 2004), PPS1, Supplement to PPS1, PPS3, PPS6, PPG15 and PPS25.

Whilst the aim of meeting the wider objectives of sustainable development should lead to a mixed use on this site, in light of the evidence submitted with the application it is considered that it would not be reasonable to insist on the retention of a restaurant in this location. The minor alterations to the external appearance of the building are considered to be appropriate and therefore consistent with saved local plan policies. The proposals also meet the requirements for mitigating against flood risk as required by PPS25.)



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Planning Application No - 09/00726/F
 Site Address - Cannon Wharf King Street
 Scale - 1:1250



NORWICH
City Council
 PLANNING SERVICES

