Report to Date		
Report of	Head of planning services	4(9)
Subject	13/01639/MA NR1 development Geoffrey Watling Way, Norwich City Football Club, Carrow Road, Norwich, NR1 1JE.	

SUMMARY

Description:	Amendments to the massing, designs and increased floorspace to 7th storey within Blocks 3 and 4, and changes to ground floor layouts of all Blocks 1 - 6, of the NR1 development, as alterations to existing planning permission 10/01107/RM 'Reserved Matters for the access, appearance, landscaping, layout and scale of the second phase of the residential development (174 residential units) for outline planning permission 4/2002/1281/O 'Replacement of South Stand (8000 seats), new corner stand (1500 seats), hotel, decked car park and residential development with associated highway works.'		
Reason for consideration at Committee:	Objection		
Recommendation:	Approve		
Ward:	Thorpe Hamlet		
Contact Officer:	Rob Parkinson	Senior Planning Officer 01603 212765	
Valid Date:	6th November 2013		
Applicant:	Mr Mark Edmonds		
Agent:	Mr Richard Abbott		

INTRODUCTION

The Site Location and Context

- 1. The site concerns the NR1 Riverside Heights development of apartments on the south side of Geoffrey Watling Way at the football club area, Carrow Road, and to the north of the River Wensum. The NR1 apartments are those flats currently under construction, east of the adjoining Ashman Bank and Allison Bank apartment blocks, and west of the existing gravel car park known as Carrow Quay.
- 2. Within the development under construction, the proposed amendments concern Blocks 3 and 4, being the two blocks in the middle of the site, bordered by Block 1 and 2 to the west and Blocks 5 and 6 to the east.

Planning History

3. The proposals for the NR1 residential development were first approved through planning permission **10/01107/RM** and consideration by the planning applications committee on 14 October 2010, with an update on 21 December 2010 and 17 May 2012.

Previous committee reports, minutes and addendums are available at: http://www.norwich.gov.uk/CommitteeMeetings/Pages/CouncilMeetingsFor2014.aspx

- 4. The Carrow Works (Unilever and Britvic) factory site is the closest neighbour on the south of the river. The Norwich City Football Club 'triangle car park' is to the north. The site is not within a conservation area but the Bracondale Conservation Area is to the south beyond the river. The site is level but Bracondale Ridge rises to the south.
- 5. The planning history for the Riverside Heights land can be summarised as:

4/2001/0564/O – the first principle of residential development with associated highway works was **approved in 2002**.

4/2002/1281/O – A revised application for the principle of residential development of the site was approved at the same time as works to replace the south stand and provide the hotel at the football club (**approved 2003**).

4/2002/1282/RM – These were the first detailed proposals, showing apartment blocks along the riverside, from Carrow Bridge to the eastern edge of the current site. These were Reserved Matters subsequent to the outline planning permission of 4/2002/1281/O, and were also **approved in 2003**. The first two blocks of apartments with their under-croft parking have been built under this permission for 330no. apartments with associated access, parking and landscaping. Of the 330 apartments permitted, 186 have been built in the first two blocks (Blocks A and B).

06/00012/VC – This permission approved a masterplan and revised the approach to the whole football club site's development, introducing the idea of decked car parking flats proposals immediately north of this site. The scheme was **approved in March 2008**. The current reserved matters application is the only scheme to be brought forward since 2008.

10/01107/RM - Reserved Matters for the access, appearance, landscaping, layout and scale of the revised design of the second phase of the residential development (174 residential units) for outline planning permission (App. No. 4/2002/1281/O) 'Replacement of South Stand (8000 seats), new corner stand (1500 seats), hotel, decked car park and residential development with associated highway works'. **Approved in October 2012.**

12/02263/D - Details of: Condition 3 - Phasing plan arrangements; Condition 6 (a) and (b) - Landscape scheme and maintenance proposals; Condition 7 - Car Club car parking space provision; Condition 8 - Cycle and refuse storage and car parking; Condition 11 - Brown roofs and biodiversity enhancement; Condition 12 - Water efficiency measures; Condition 13(b) - Photovoltaic panels and on-site energy generation; Condition 14(c) - Surface water drainage management and maintenance; Condition 15(a) - Flood defence wall for blocks 1, 2 and 3; Condition 16 - Flood risk evacuation plan; and, Condition 17(b)

- Full Travel Plan, of planning permission 10/01107/RM 'Reserved Matters for the access, appearance, landscaping, layout and scale of the revised design of the second phase of the residential development (174 residential units) for outline planning permission (App. No. 4/2002/1281/O) 'Replacement of South Stand (8000 seats), new corner stand (1500 seats), hotel, decked car park and residential development with associated highway works'. (Pending Consideration).

6. The adjoining gravel car park site to the east -

This also has planning permission for residential development of 250 apartments in six blocks fronting an extension of Geoffrey Watling Way; these were permitted through Outline permission 11/02104/O on 28th June 2013, with details approved through Reserved Matters permission 13/01270/RM on 05th November 2013.

11/02104/O - Outline application with full details of access for residential-led development of between 200 and 250 No. residential flats (Use Class C3) and 140 car parking spaces with commercial office space (Class B1a), groundsman's facilities (Class B8), community uses (Class D1/D2) and associated works including Riverside Walk and access road. **Approved in June 2013**.

13/01270/RM - Reserved Matters with full details of external appearance, landscape, layout and scale of development, to provide 250 No. residential flats (Class C3), 113sqm offices (Class B1a), 279sqm groundsman's facilities (Class B8), and 401sqm of flexible office space (Class B1a) and community uses (Class D1/D2) with 126 No. parking spaces, associated highways works and provision of a Riverside Walk, consequent to previous outline planning permission 11/02104/O 'Outline application with full details of access for residential-led development of between 200 and 250 No. residential flats (Class C3) and 140 No. car parking spaces with commercial office space (Class B1a), groundsman's facilities (Class B8), community uses (Class D1/D2) and associated works including Riverside Walk and access road'. The proposals include details for approval of Conditions 1(a), 1(b), 2(b), 3, 4(a), 4(b), 4(c), 5, 6, 7, 8(a), 8(b), 12, 20, 22(a), 22(b), 22(c), 22(e), 25, 26, and 30(a) of outline planning permission 11/02104/O applicable to the form of development as proposed in these Reserved Matters. **Approved in November 2013**.

7. In addition, proposals are currently under consideration relating to the timescales for delivery and design requirements of the Riverside Walk and landscaping areas around the football club area. These are also considered at today's planning committee, as below.

13/02087/VC - Changes to the requirements for providing a Riverside Walk, landscaping and utilities connections around the existing residential developments in the vicinity of the football club, through an application for Variation of Condition 12: Provision of Riverside Walk; Variation of Condition 21: Hard and Soft Landscaping details; and, Condition 25: Underground Utility Routes, of previous planning permission 4/2002/1281/O affecting The Jarrold Stand, N_P Stand, Ashman Bank and Allison Bank: 'Replacement of South Stand (8000 seats), new corner stand (1500 seats), hotel, decked car park and residential development with associated highway works.' (Pending consideration).

13/02088/VC - Changes to the requirements for providing a Riverside Walk, landscaping and utilities connections around the ongoing residential developments in the vicinity of

the football club, through an application for Variation of Condition 6: Hard and Soft Landscaping; Condition 10: Underground Utility Routes and Condition 12: Provision of a Riverside Walk, of previous planning permission 06/00012/VC affecting The Jarrold Stand and the Riverside Heights / NR1 development: 'Variation of Condition 2: Approval of Master Plan for previous outline planning permission 4/2002/01281/O 'Replacement of South stand (8000 seats), new corner stand (1500 seats), hotel, decked car park and residential development with associated highway works'. **(Pending consideration).**

8. There are no extant permissions in place for the triangle car park to the north of NR1.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

- 9. This report addresses only the relatively minor changes of circumstance in the development proposal and updates to the policies of the development plan which have changed and apply to the scheme.
- 10. The proposals are to make minor modifications to the ground floor car parking and cycle storage layout across the whole development, and make changes to the elevations and layout of the top two storeys (6th and 7th floors) of Blocks 3 and 4. The elevation changes introduce a coloured cladding band as well as a revised form and detailing to that approved for the 6th and 7th floors.
- 11. Any permission issued through this Minor Material Amendment procedure would have the effect of creating a new planning permission, so the NR1 development would be subject to the conditions and implications of this planning permission, although the principle has already been accepted. Changes in this revised scheme comprise:
 - The 6th and 7th floors at Blocks 3 and 4 are changing internally from what was originally approved, by swapping the bedrooms and bathrooms of the top floor duplex units from the 6th floor up to the 7th floor, and moving the kitchen and living rooms from the 7th floor to the 6th floor.
 - The 6th floor at Blocks 3 and 4 which was originally wider (at front [road] and back [river]) becomes narrower, and the 7th floor which was narrower becomes wider. The small increase in floor area of the 7th floors is no wider than the floors below at 1st-5th floors.
 - The balconies to floors 6 and 7 change in their arrangement, discussed further below.
 - Parking at Block 1 is changed slightly; it was originally permitted with 18 spaces, now it is proposed with 16 spaces.
 - Refuse and cycle storage and car parking arrangements around the rest of the ground floor remain the same in quantity but with a slightly revised arrangement.

Representations Received

12. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 1 letter of representation has been received from a resident of the

adjoining Block 5, citing the issues as summarised in the table below.

Issues Raised	Response
Any increased height to the building would block the evening sun received to flats at Block 5, and would not be acceptable.	There is no increase to the overall height of either block. See paragraphs 11, 20 and 23.
The 7th floor balcony on the south elevation will affect the light/sun received by the neighbouring balcony in block 5, as looking at the plans the position of the balcony is very close to the line of the evening sun in the summer.	There is not an unacceptably detrimental loss of light or overshadowing as a result of these proposals. See paragraphs 18- 20.
Had the design or parking arrangement changes been known about before purchase this would have affected residents' decisions on buying flats in the NR1 scheme.	There are no planning policy requirements on the applicant to carry out pre- application public consultation although this is strongly encouraged by the Statement of Community Involvement. Property prices and publicity of possible future changes to agreed proposals are not material planning considerations. The correct publicity has been provided by the LPA from the point of the application being validated.

Consultation Responses

- **13. Broads Authority** No objection to these changes. None of these changes materially alter the scheme in terms of its effects on the Broads environment or Executive Area. The Broads Authority's concerns about the original proposals were addressed within application 10/01107/RM.
- 14. Environmental Health no comments.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

15. There have been no changes to the adopted development plan since the Planning Committee last considered the 'parent' planning application 10/01107/RM in May 2012, so for the purposes of brevity the policies listed below are those relevant only to the changes to design, parking, refuse and cycle store layouts, and consequent residential amenity. The committee reports for permission 10/01107/RM detail the full range of policies taken into account in the original permission.

National Planning Policy Framework (NPPF) (March 2012):

Paragraph 14 – Presumption in favour of sustainable development Paragraphs 203-206 – Planning conditions and obligations Section 6 – Delivering a wide choice of high quality homes Section 7 – Requiring good design Section 12 - Conserving and enhancing the historic environment

Policies of the Joint Core Strategy for Broadland, Norwich and South Norfolk (Adopted January 2014*) (*previous interim adoption March 2011)

Policy 2 – Promoting good design

Policy 4 – Housing delivery

Policy 6 – Access and transportation

Policy 12 – Remainder of Norwich area

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

HBE12 - High quality of design in new developments

EP22 - High standard of amenity for residential occupiers

TRA3 – Modal shift measures in support of NATS

- TRA5 Approach to design for vehicle movement and special needs
- TRA6 Parking standards maxima
- TRA7 Cycle parking standards
- TRA8 Servicing provision
- TRA9 Car free housing criteria

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011 The Localism Act 2011 – s143 Local Finance Considerations. Statement of Community Involvement (March 2010)

Emerging policies of the forthcoming new Local Plan (submission document for examination, April 2013):

Development Management Policies Development Plan Document – Pre-submission policies (April 2013).

DM1 Achieving and delivering sustainable development

- * DM2 Ensuring satisfactory living and working conditions
- * DM3 Delivering high quality design

DM9 Safeguarding Norwich's heritage

* DM12 Ensuring well-planned housing development

DM13 Communal development and multiple occupation

* DM30 Access and highway safety

* DM31 Car parking and servicing

DM32 Encouraging car free and low car housing

DM33 Planning obligations and development viability

Site Allocations Development Plan Document – Pre-submission policies (April 2013).

CC17: Land adjoining Norwich City Football Club, Kerrison Road

Procedural Matters Relating to the Development Plan and the NPPF

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. The 2011 JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application.

The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and

discussed within the report; varying degrees of weight are apportioned as appropriate.

* In the case of emerging policies DM2, DM12 and DM31 only limited weight has been applied due to policies being subject to likely alteration before adoption. In the case of policies DM3 and DM30, only very minimal weight has been attributed to their use due to objections being raised to their current proposed use. However, their objectives are already addressed by adopted policies HBE12 & TRA5.

Principle of Development

16. Policy Considerations

The principle of the development has already been accepted through the approval of permission 10/01107/RM. No changes to national or local policy have occurred since then to give cause to reconsider this. The policies of the emerging development management plan and site allocations plan promote residential development at this site subject to an acceptable design and appropriate amenity considerations.

Housing Proposals

17. Housing Numbers, Density and Affordable Housing

There are no changes to the number of homes within the development. The 8no. flats being reconfigured in this development were originally 2no. 2-bed and 6no. 3-bedroom flats and will remain that way. The changes result in the bedroom accommodation moving from 6th floor to 7th floors, and the kitchen/living rooms moving from 7th floor to 6th floor. None of the units are affordable housing (which is all within Block 1) so housing needs are not affected.

Impact on Living Conditions

18. Noise and Disturbance

The increased size of balconies would not automatically lead to increased use or noise from the balcony activities because the number of rooms and residents will not change.

19. Overlooking and Loss of Privacy

The arrangement of windows does not change, save for their use at different levels. There may be some change in outlook for residents of the adjoining blocks but the activity and any overlooking reduced for one level of neighbours would only be transferred to the other, and there is no overall increase in overlooking or loss of privacy. Although some balconies increase in their floor areas, they remain enclosed by the use of vertical cladding to the sides of the balconies so that effectively the shell of the building remains as approved and opportunities to view other neighbours are as they were originally.

20. Overshadowing and Overbearing Nature of Development

Blocks 3 and 4 are the only blocks with 7 storeys and the proposed thinner form of the 6th storey will only increase the outlook and potential amount of low-elevation winter light that would reach the residents of the same levels on adjoining Blocks 5 and 6 which could have its winter south-west light affected most. The proposed extension to the south-facing elevation of the 7th floor on Block 4 would extend further than the previous scheme (becoming 18m south from the front ground level façade rather than the previous 17m) and the distance between the facing elevation of Block 4 and the 6th floor balcony in Block 5 reduces from 13.5m to 12.5m. However, the reduced distance and sense of 'overhanging' and any discernable loss of light is still considered acceptable given the separation distance and the orientation of the balcony for which a predominantly south-west facing orientation is mostly unhindered, and the fact that late afternoon low level

light would be affected in winter months only at a time when use of the balcony is reduced.

Design

21. Layout

The internal layout changes will provide better amenity for future residents. In terms of north-south layout, the sixth floor will become narrower but have a deeper balcony to north and south; the seventh floors becomes deeper by extending north and south. None of the changes extend the block perimeters further than the facades of lower floor levels.

Balconies are rearranged as follows: At the sixth floor the west-facing balcony on Block 3 is removed and the north-facing balcony is extended to its full width, and on Block 4 the north facing balcony is extended to its full width. At the seventh floor the previous full length balconies on all sides of both Block 3 and 4 are removed and replaces with a full length south-facing balcony on Block 3, a half-length west-facing balcony on Block 3, and a half-length north-facing balcony on Block 4.

22. Form

The NR1 development has already received a Norwich Society award for its designs and there are no objections to the revised form of the development in urban design or conservation terms. The alteration to the massing to 'lift' the six floor and place what was the smaller rooftop 7th storey below will add interest to the design and fits well within the 'zig zag design' of the articulation of the wider block and floor levels. The colour addition is an important feature in site identity.

23. Height and scale

The overall height of the development does not change and the design approach will reduce any sense of bulk or uniformity within the existing development. It is worth noting that originally the taller height of the two blocks was introduced in response to the Council's Design and Conservation Officers' suggestions that doing so would create some variety in the height of the blocks; this revised arrangement improves upon that by articulating the exterior and making the upper storeys more distinctive, as described at paragraph 22 above.

24. Conservation Area – Impact on Setting

There will be no impact on the conservation area as views towards and from the Bracondale Ridge are not affected. The new designs will add interest and variety to this urban area.

Transport and Access

25. Vehicular Access and Servicing

Accesses to the car parks are unaffected by these proposals.

26. Car Parking

Parking levels reduce by two cars in Block 1 only, and the site is easily accessible enough to public transport, the city centre and shopping facilities at Riverside for this not to be a problem. Cycle storage is retained and provided in secure facilities on good cycle links.

Local Finance Considerations

There are no changes to finance considerations arising from these proposals. The

scheme will not increase floorspace and will not be affected by the Community Infrastructure Levy.

Planning Obligations

27. The planning obligations required from the various previous planning permissions will remain relevant and a Section 106A Deed of Variation will be used to bring those obligations into this permission. The applicant has already agreed to a draft of this.

EIA Development

28. The Material Amendment application under a Section 73 'variation of condition' procedure would constitute an urban regeneration project under 'Schedule 2' of the Environmental Impact Assessment regulations of 2011. Therefore the proposal is required to be screened as to whether it would become EIA development. The screening opinion adopted by the LPA is that the changes to the façade, ground floor layout and the amendments to 6th and 7th floors do not constitute EIA development so the application does not require an Environmental Assessment.

Conclusions

29. The development will not have an unacceptable detrimental impact on neighbouring residential amenity, and will provide acceptable conditions for future residents of the new blocks, and improved accessibility and layout of the car parking and cycle and refuse stores. The design change enhances the overall scheme and promotes this area of the city and its ongoing regeneration. Subject to details required within conditions already approved under permission 10/01107/RM and details approval 12/02263/D, the modifications presented within this scheme are acceptable and should be approved.

RECOMMENDATIONS

To approve Application No 13/01639/MA at the NR1 development, Geoffrey Watling Way, Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, and grant planning permission, subject to:

(1) the completion of a satisfactory Section 106A Deed of Variation legal agreement by 07th March 2014 to include amendments to the definition of development, the planning permission concerned and to the amended timescales for development phasing, and subject to the following conditions:

- 1. The development shall be begun by 05th October 2015;
- 2. The development shall be carried out in accordance with the application forms, plans and details originally approved in permission 10/01107/RM and as amended by this planning permission 13/01639/MA, and shall include the same finished floor levels and energy efficiency features previously approved;
- 3. The phasing of the development shall be as per the details within approval 12/02263/D;
- (a) site contamination remediation shall be as per permission 10/01107/RM; (b) contamination remediation shall be agreed prior to first occupation of blocks 3 and 4;
- 5. Car park ventilation shall be provided as per permission 10/01107/RM;
- 6. Landscaping shall be provided, maintained and managed as per the details

approved within 12/02263/D and the landscaping areas for each block shall be provided prior to first occupation of the final dwelling to be occupied in each block, with the entire scheme landscaping provided no later than first occupation within Block 4;

- 7. Car club space provision and retention shall be as per details approved in 12/02263/D;
- 8. Cycle and refuse storage shall be provided for each block in the positions shown within the approved ground floor layout plan of permission 13/01639/MA and to the specifications shown within the approved details 1ithin 12/02263/D;
- 9. Acoustic defence glazing, ventilation and balustrade details shall be provided to the specifications set out within Condition 9 of permission 10/01107/RM;
- 10. The materials used in the development shall be as set out in Condition 10 of permission 10/01107/RM as amended by the additional details of this permission 13/01639/MA;
- 11. The development shall be constructed using the brown roofs and features agreed under details within 12/02263/D;
- 12. The development shall be constructed using the water efficiency measures agreed under details approval 12/02263/D;
- 13. (a) The development shall be constructed using the energy efficiency measures approved by permission 10/01107/RM; and (b) shall include the photovoltaic panels installed at Block 1 as per the details approved within 12/02263/D, and shall be managed and retained as such thereafter;
- 14. The development shall be built using the surface water drainage strategy details approved within permission 10/01107/RM, and shall include an oil separator, and shall be managed and maintained in accordance with the details approved within 12/02263/D;
- 15. (a) Blocks 1, 2, 3 and 4 shall be built to include the flood defence retaining wall details as approved under the details approved by 12/02263/D; and (b) Blocks 5 and 6 shall be built using the flood defence retaining wall details approved within 10/01107/RM;
- 16. The development shall provide the necessary flood defence measures as required by Condition 16 of permission 10/01107/RM, and the Flood Warning and Evacuation Plan shall be provided to all residents prior to the first occupation of each dwelling;
- 17. There shall be no occupation of Blocks 3 and 4 until the Travel Plan approved through details approval 12/02263/D has been implemented and made available to all residents, based on the Travel Plan agreed by 10/01107/RM.

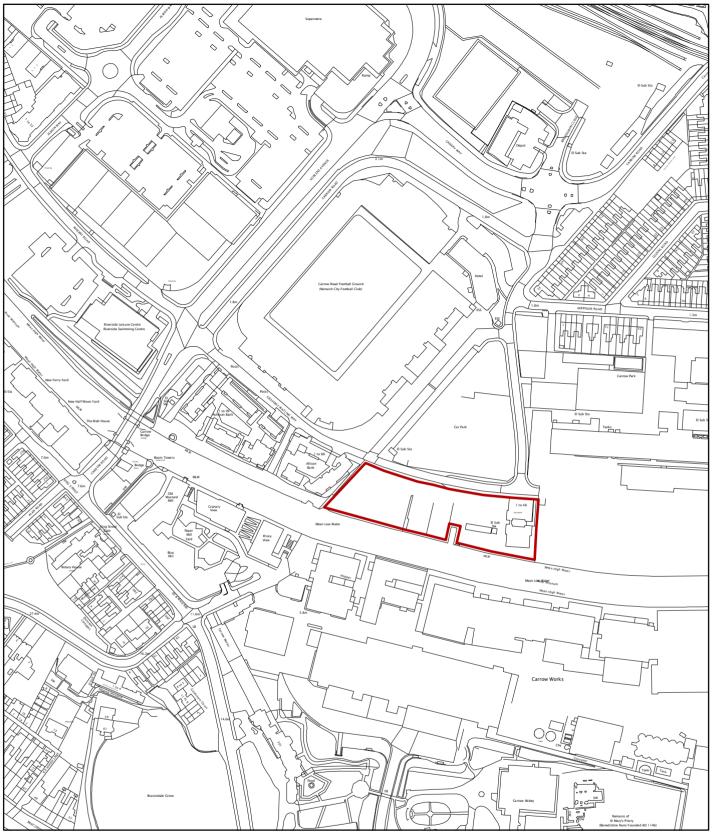
Informative Notes:

- 1. Noise mitigation advice for residents;
- 2. Updated advice on relevant conditions of previous consents;
- 3. Travel Plan advice;
- 4. Planning obligations advice;
- 5. Good practice advice for construction.

(2) where a satisfactory S106A Deed of Variation not completed prior to 08th March 2013, that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 13/01639/MA at the NR1 development, Geoffrey Watling Way, Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, for the following reason:

In the absence of an agreed amendment to the Section 106 Agreement associated with

the original permission 10/01107/RM, the consequent release of a new planning permission taking effect over both the outstanding and existing parts of the NR1 development would not be subject to the necessary or relevant planning obligations associated with the original permission and as such the development would not provide for affordable housing, transport improvement measures, sustainable transport features, or library enhancements, and as such would be contrary to Policy 4 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), and saved policies HOU6, TRA11 and TRA12 of the adopted City of Norwich Replacement Local Plan (2004) and the objectives of the National Planning Policy Framework.



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Geoffrey Watling Way Norwich City Football Club Carrow Road 1:3,000



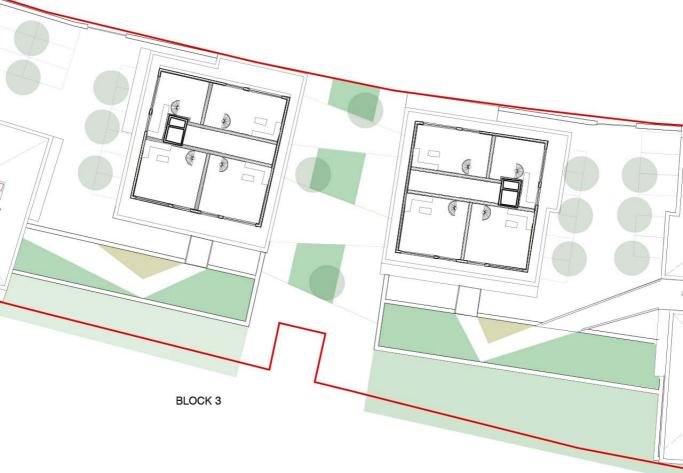




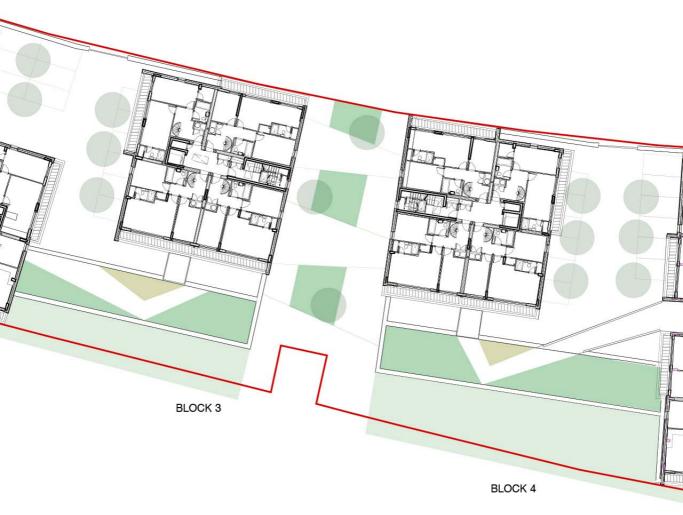
PLANNING SERVICES







BLOCK 4







STREET ELEVATION

PROPOSED						
PROPOSED BROADLAND HOUSING DEVELOPMENT	NR1 BLOCKS 5 & 6	NR1 BLOCK 4	NR1 BLOCK 3	NR1 BLOCK 2	NR1 BLOCK 1	EXISTING BLOCK B

RIVER ELEVATION

EXISTING BLOCK B	NR1 BLOCK 1	NR1 BLOCK 2	NR1 BLOCK 3	NR1 BLOCK 4	NR1 BLOCKS 5 & 6	PROPOSE BROADLAN HOUSING DEVELOPME

NR1 BLOCK 2

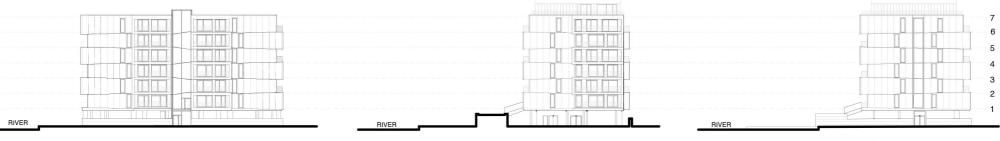
NR1 BLOCK 1



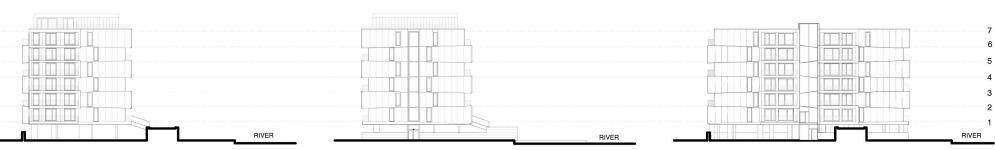
NR1 BLOCKS 5 & 6

NR1 BLOCK 4

NR1 BLOCK 3







NR1 BLOCK 1



RIVER

RIVER



NR1 BLOCKS 5 & 6

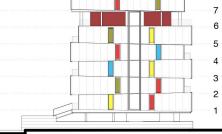
RIVER

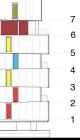


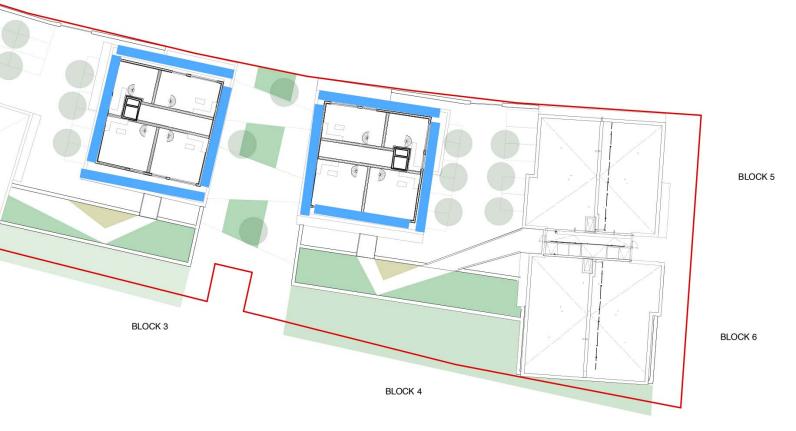


RIVER















BLOCK 5