

Planning applications committee

Date: Thursday, 10 February 2022

Time: 10:00

Venue: Council Chamber, City Hall

Members of the public, agents and applicants, ward councillors and other interested parties must notify the committee officer if they wish to attend this meeting by 10:00 on the day before the committee meeting, please. Numbers are restricted due to social distancing arrangements. The meeting will be live streamed on the council's YouTube channel.

Committee members:

Councillors:

Driver (chair)
Button (vice chair)
Bogelein
Champion
Everett
Giles
Grahame
Lubbock
Maxwell
Peek
Sands (M)
Stutely
Thomas (Va)

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Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website

Agenda

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1 Apologies

To receive apologies for absence

2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

3 Minutes

5 - 12

To approve the accuracy of the minutes of the meeting held on 13 January 2022

4 Planning applications

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 4 above are required to notify the committee officer by 10:00 on the day before the meeting.

Further information on planning applications can be obtained from the council's website:

<http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 10:00;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available
- The committee will adjourn for lunch at a convenient

point between 13:00 and 14:00 if there is any remaining business.

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4d	Application nos 21/01606/F, 21/0601/A, BT Kiosk South East of Barn Road Car Park, St Swithins Road, Norwich	109 - 122
5	Performance of the development management service; progress on appeals against planning decisions and updates on planning enforcement cases	123 - 130

Purpose - This report updates members on the performance of development management service; progress on appeals against planning decisions and progress on planning enforcement action.

Date of publication: **Wednesday, 02 February 2022**



Planning applications committee

10:45 to 13:35

13 January 2022

Present: Councillors Driver (chair), Button (vice chair), Bogelein, Champion, Everett, Giles, Grahame, Maxwell, Peek, Sands (M), Stutely (to end of item 7 below) and Thomas (Va)

Apologies: Councillor Lubbock

1. Declarations of interests

There were no declarations of interest.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 9 December 2021.

3. Application no 21/01361/F Construction of 7no. dwellings, with associated infrastructure works, on land adjacent 29 Ketts Hill, Norwich

The planner (case officer) presented the report with the aid of plans and slides.

The chair drew members' attention to the supplementary report of highlights to reports, which was circulated at the meeting and contained a correction to paragraph 83 of the report by inserting "not" before "be harmed".

At the chair's discretion, the planning team leader read out a statement on behalf of the resident of the nearest neighbouring dwelling. The resident's objections to the scheme related to the issues set out in paragraphs 89 and 90 of the officer's report and her concerns that the proposed scheme would be detrimental to her residential amenity of her home and garden, due to loss of light, loss of privacy and overlooking, and that this was exacerbated by moving the scheme 2.5 metres closer to her home. She considered that the "Right to Light" report was inaccurate as measurements had been taken from the top and not the middle of windows and that the windows most affected were habitable rooms. The resident also expressed concern that there was no indication in the report of how long the build would take.

The agent referred to the report and said that there would be no significant loss of privacy to the neighbouring property, pointing out that there would also be landscaping as part of this scheme. In order to secure funding from the government's Rough Sleeper Initiative, the development would need to commence in February 2022. The scheme was a unique opportunity to use this funding to provide housing for less fortunate people.

During discussion, the planner referred to the report and answered members' questions. Members were advised that the garden spaces would not be fully private because the pathway was in the optimal location due to the differing levels and to provide level access to the back doors of the proposed terraced houses. Members also sought an explanation on the contamination method statement. The site had a former use as a car park and to prevent potential exposure to contaminants from oil or petrol, the garden areas would be laid with a membrane and clean soil. The committee was advised that there would be further discussions with the applicant to ensure that the landscaping scheme would meet the policy requirements for equivalent biomass replacement and biodiversity gain, including replacing the trees that were lost with different species that had a broader canopy. Members were advised that tree protection orders could be a possibility. The planner confirmed that members of the public could use the pathway that linked the bakery and hairdressers on Ketts Hill with parking at Spitalfields.

In reply to concerns raised by two members, the planner said that officers would ensure that the landscaping scheme was policy compliant through the discharge of conditions.

The chair moved and the vice chair seconded the recommendations in the report.

Councillor Bogelein said that it was difficult to vote on this application because members lacked information on the replacement of trees, biomass and biodiversity loss, and that whilst it would be dealt with by officers, members might not be in agreement.

RESOLVED with 9 members voting in favour (Councillors Driver, Button, Peek, Giles, Everett, Maxwell, Stutely, Sands and Thomas) and 3 members abstaining from voting (Councillors Bogelein, Grahame and Champion) to approve application 21/01361/F Construction of 7no. dwellings with associated infrastructure works on land adjacent 29 Ketts Hill, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Agreement of landscape scheme to incorporate replacement tree planting and subsequent implementation and maintenance;
4. Compliance with construction management plan;
5. Arboricultural works to facilitate development;
6. Works on site in accordance with arboricultural impact assessment, method statement and protection plan;
7. Compliance with remediation method statement and subsequent verification;
8. Works outside bird nesting season;
9. Noise protection to building envelope;
10. Noise mitigation measures to windows facing Ketts Hill;

11. Details of renewable energy prior to installation;
12. Bat and bird boxes provided prior to first occupation;
13. No external lighting other than in accordance with submitted details;
14. Small mammal access gaps in fencing;
15. Provision of surface water drainage and subsequent maintenance;
16. Vehicular access, car and cycle parking and refuse storage provided prior to first occupation;
17. Unknown contamination;
18. Imported material;
19. Bathroom windows to be obscure glazed;
20. Removed permitted development rights for extensions;
21. Water efficiency.

4. Application no 21/01105/F – 81 Park Lane, Norwich, NR2 3EL

The planning team leader presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports that was circulated at the meeting and available on the council's website. The supplementary report contained a summary of three further letters of objection and the officer response, and as an appendix, a late representation from the Norwich Society confirming that the society objects to the proposal.

The committee was addressed by two residents of Maida Vale, and Councillor Carlo who also read out a statement on behalf of a resident who was unable to attend the committee meeting. Their objections included concern that the proposed building would be over intensification of the use of the site and therefore detrimental to the amenity space available to the occupants of the flat and the café as an outdoor seating area. The bin storage facilities were considered to be inadequate to provide for the size and number of bins required for the residential use, café and commercial unit on the site, and concerns that these would encroach onto the street. (During the speeches, a resident displayed pictures demonstrating the size of the bins, which had been emailed to members the previous evening.) Space for the cycle storage was also considered to be inadequate. The Norwich Society shared residents' concerns about the rebuilding of the brick wall, on the approach to Maida Vale, which was protected by a restricted covenant, and residents considered that it would be detrimental to the identity of the conservation area and streetscene, and contrary to policy DM7. The proposal removed a garage and exacerbated concerns about parking in the area. There were concerns that new unit and intensive use of the site would contribute to drainage issues in the area, particularly as the impact of the emerging development at St Peters Church, Park Lane, was unknown. There was concern that the new commercial unit would be used for residential or a commercial use that generated noise and waste. Residents said that neighbours had not been informed of the second consultation by the council. Residents were also concerned about noise and disruption during the construction of the development, particularly to the neighbours of the adjoining terrace property.

The agent spoke on behalf of the applicant in support of the application. He confirmed that the café was not licensed for outdoor use of this space. The proposal was for a small-scale unit, not much larger than the existing garage, and would not result in additional traffic as the site was on a good transport network or contribute to existing concerns about car parking in the area. In relation to construction, the unit would be modular, delivered via Avenue Road, and would not require storage of

materials on site. The usage class of the new building was for “commercial” in loose terms, and it was proposed for use as a professional or start up business. This was a corner plot, and the proposed use was not out of keeping for the conservation area as there were other similar developments in the vicinity. The proposal was to retain the lower part of the brick wall and replicate or reuse the bricks. Commenting on provision for bins, he referred to the officer’s report, and commented that it was unlikely that the new unit would produce toxic waste. Permission to use the outdoor space had been given to the previous operators of the café as a personal favour. The café did not currently use the outdoor space.

The planning team leader said that any reference to other uses within the report was misleading and that there was a condition attached to this planning application to restrict use to Class E, office use only. Regarding the two-week consultation period (3 to 17 December 2021), letters had been sent to 60 local residents and there had been no further response. It was usual to discharge construction management plans through condition. Members were also advised that the restrictive covenant was a civil matter and therefore not a material planning consideration.

During discussion, the planning team leader and the area development manager, referred to the report and presentation, and answered members’ questions. The applicant would need to enter into a party wall agreement with the adjoining neighbours and building consent would be subject to building control regulations. The pedestrian entrance to the rear yard had been requested by the applicant and would create no issues in terms of car parking. Members also sought clarification of the variation in the footprint of the existing garage and the proposed office unit.

The chair moved and the vice chair seconded the recommendations in the report.

Several members commented in support of the application and noted that there were other buildings in commercial use in this area.

A member asked whether the committee could request a condition that would limit the uses on the site which would generate noise and disturbance to other users of the site and nearby residents. The planning team leader said that the proposed use of the commercial unit was for office uses and therefore noise generating uses were already restricted. The committee could however restrict the hours of use of the office unit.

During discussion other members commented on the intensive use of the small yard. A member commented that the footprint of the new unit was an increase of one-third (from 18 square metres to 29 square metres) and the bin and cycle storage facilities were inadequate for the three uses on this site. Members also noted the opposition of the Norwich Society to the rebuilding of the wall. Members were advised that the wall was in a conservation area and the only restriction in planning terms was that its height must not be increased.

The area development manager advised the committee that it could request additional conditions that would require the applicant to submit details of final arrangements for bin storage for approval; limit the hours of use of the office unit; and prevent the placing of tables and chairs in the courtyard. Discussion ensued in which members concurred with conditions to limit the hours of use of the office unit to those of the café use (08:00 to 20:00 on weekdays) and request details of the

refuse bin storage. Members considered that licensing regulations could mitigate noise from use of the courtyard by the café and that this planning application should not deny the operators of the café seeking the use of tables and chairs in the future, especially during a pandemic

The committee moved to the vote on the recommendations contained in the report and with the two additional conditions relating to the local planning authority having approval of the bin storage arrangements and limiting the use of the office unit to those of the café opening times.

RESOLVED with 8 members voting in favour (Councillors Driver, Peek, Giles, Button, Everett, Maxwell, Sands and Thomas) and 4 members voting against (Councillors Grahame, Champion, Bogelein and Stutely) to approve application no. 21/01105/F – 81 Park Lane, Norwich NR2 3EL and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials to be agreed;
4. Construction management plan to be agreed;
5. Water efficiency measures to be agreed;
6. Full details of cycle storage and refuse storage to be agreed;
7. Restriction on uses (Office; Class E (g) (i) only);
8. Under no circumstances should this property be used for residential purposes.
10. Use of the office unit to be from 08:00 to 20:00 Monday to Friday, and 10:00 to 16:00 on Saturday

Informative notes:

1. The applicant is advised of the benefit of reworking the vehicle crossover to standard asphalt.
2. Works to the highway require separate consent.

(The committee adjourned for a short break at this point and reconvened with all members listed above as present in attendance.)

5. Application nos 21/01524/F, 21/01532/A, Telephone Box Adjacent to 195 and 197 Plumstead Road, Norwich

The planning team leader presented the report with the aid of plans and slides.

Councillor Maxwell, as ward councillor for Crome Ward, said that she was concerned that the “No right turn” sign in the car park would be obstructed by the “BT Street Hub”. There had been some near miss accidents, particularly as the painted sign on the road had not been replaced. Members noted that highways had not commented on this application but also expressed concern about the highway safety for pedestrians.

The planning team leader and area development manager explained the material planning considerations that should be taken into account when determining this planning application and application for advertising consent.

In reply to a member's suggestion, the area development manager said that the council as local planning authority could request that the applicant shared data collected on air quality, pedestrian movements, traffic and other environmental factors with the council for its own use as mitigation for the collection of data from individuals.

Councillor Maxwell moved and Councillor Stutely seconded that the application be deferred to a future meeting as members were not satisfied that the county council's highways officers had been consulted properly on this application given the concerns about the "No Right Turn" sign.

A member commented that the street hub should be relocated so that it did not obstruct the sign.

Another member said that the report lacked clarity about the energy use of these street hubs.

RESOLVED with 11 members voting in favour (Councillors Peek, Graham, Giles, Champion, Button, Bogelein, Everett, Maxwell, Stutely, Thomas and Sands) and 1 member voting against (Councillor Driver) to defer consideration of Application nos 21/01524/F, 21/01532/A, Telephone Box Adjacent to 195 and 197 Plumstead Road, Norwich, to allow for further information and a response from highways.

(The committee adjourned to allow the officers to review the next two agenda items.)

6. Application no 21/01530/F, 21/01535/A, Telephone Box outside 1 Brigg Street, Norwich

The area development manager said that as no comments had been incorporated into the report from highways and, that whilst an assumption could be made that highways had not intended to comment where it had no objections, the application should be deferred to a future meeting for an explicit response.

RESOLVED unanimously to defer consideration on Application no 21/01530/F, 21/01535/A, Telephone Box outside 1 Brigg Street, Norwich to allow for further information.

7. Application no 21/01606/F, 21/01610/A, BT Kiosk South East of Barn Road Car Park, St Swithins Road, Norwich

The planning team leader presented the report with the aid of plans and slides. Members were advised that although the street hub would be situated on a path, it was still part of the highways. There had been a highways response on these applications.

The chair moved and the vice chair seconded the recommendations in the report.

During discussion members were advised that wider discussion about the implications arising from the installation of BT street hubs (for instance, data mining) was outside the remit of this committee and that the committee should consider the applications as presented in the report and plans. The committee was looking at the structure of the street hubs and land use for advertising under the terms of the Town and Country Planning Act. The ethics of businesses tapping into individual's Wifi were covered by electronic communications regulations and was not a land use issue.

Councillor Stutely moved and Councillor Champion seconded that the applicant should provide data collected on air quality, pedestrian movements, traffic and other environmental factors with the council for its own use, as mitigation for any identified harm. The area development manager said that conditions had to be reasonable and could be subject to appeal. A condition attached to the full planning application to require the applicant to share data could be considered as acceptable. On being put to the vote the motion was carried unanimously.

A member commented that as well as the highways issues, she considered that Wifi data mining was an amenity issue. She also expressed concern that there was no information on the energy usage of these units and assessment of the impact that it would have on wildlife. The area development manager acknowledged that the report covered the impact of the hubs on the streetscene but did not include information on energy use as part to the assessment of the full planning application.

Councillor Grahame moved and Councillor Sands seconded that the motion be deferred for further information on energy usage to be provided and on being put to the vote the motion was:

RESOLVED, unanimously,

- (1) to ask for a condition requiring the applicant to share data collected on air quality, pedestrian movements, traffic and other environmental features with the council;
- (2) unanimously to defer consideration on Application 21/01606/F, 21/01610/A, BT Kiosk South East of Barn Road Car Park, St Swithins Road, Norwich, to allow for further information on energy usage.

(Councillor Stutely left the meeting at this point.)

8. Application no 21/01670/F - 29 Robin Hood Road, Norwich, NR4 6BS

The area development manager presented the report with the aid of plans and slides.

In reply to a question, the area development manager confirmed that the application had been brought to committee because the applicant was employed by the council in accordance with the committee's scheme of delegations. Members were advised that there were similar extensions to other dwellings in the vicinity which improved the use for of the buildings as family homes.

RESOLVED unanimously to approve application no. 21/01670/F - 29 Robin Hood Road Norwich NR4 6BS and grant planning permission subject to the following conditions:

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

CHAIR

Summary of planning applications for consideration

Item 4

10 February 2022

Agenda item.	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4a	20/01579/F	The Childrens Centre, 40 Upton Road	Sarah Hinchcliffe	Part demolition, extension and conversion of Eaton Grange Building, conversion and extension of coach house and new build development to provide a total of 23 new dwellings.	Objections	Approve
4b	21/00636/F	11 Normans Buildings	Sarah Hinchcliffe	Demolition of existing building. Purpose built student accommodation building including communal facilities, cycle store, bin store, landscaping and associated works	Objections	Approve
4c	21/01530/F 21/01535/A	Telephone Box outside 1 Brigg Street	Stephen Polley	Removal of existing BT phone box and installation of a replacement BT street hub. Display of 2No. digital 75" LCD display screens, one on each side of the amended InLink unit.	Objections	Approve
4d	21/01606/F 21/01601/A	Telephone Box St Swithins Road	Stephen Polley	Removal of existing BT phone box and installation of a replacement BT street hub. Display of 2No. digital 75" LCD display screens, one on each side of the amended InLink unit.	Objections	Approve

STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

Crime and Disorder Act, 1998 (S17)

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

Natural Environment & Rural Communities Act 2006 (S40)

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Planning Act 2008 (S183)

- (1) Every Planning Authority should have regard to the desirability of achieving good design

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law

Article 8 – Right to Respect for Private and Family Life

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

Report to Planning applications committee

Item

10 February 2022

Report of Head of planning and regulatory services

Subject Application no 20/01579/F - The Children's Centre, 40
Upton Road, Norwich, NR4 7PA

**Reason
for referral** Objections

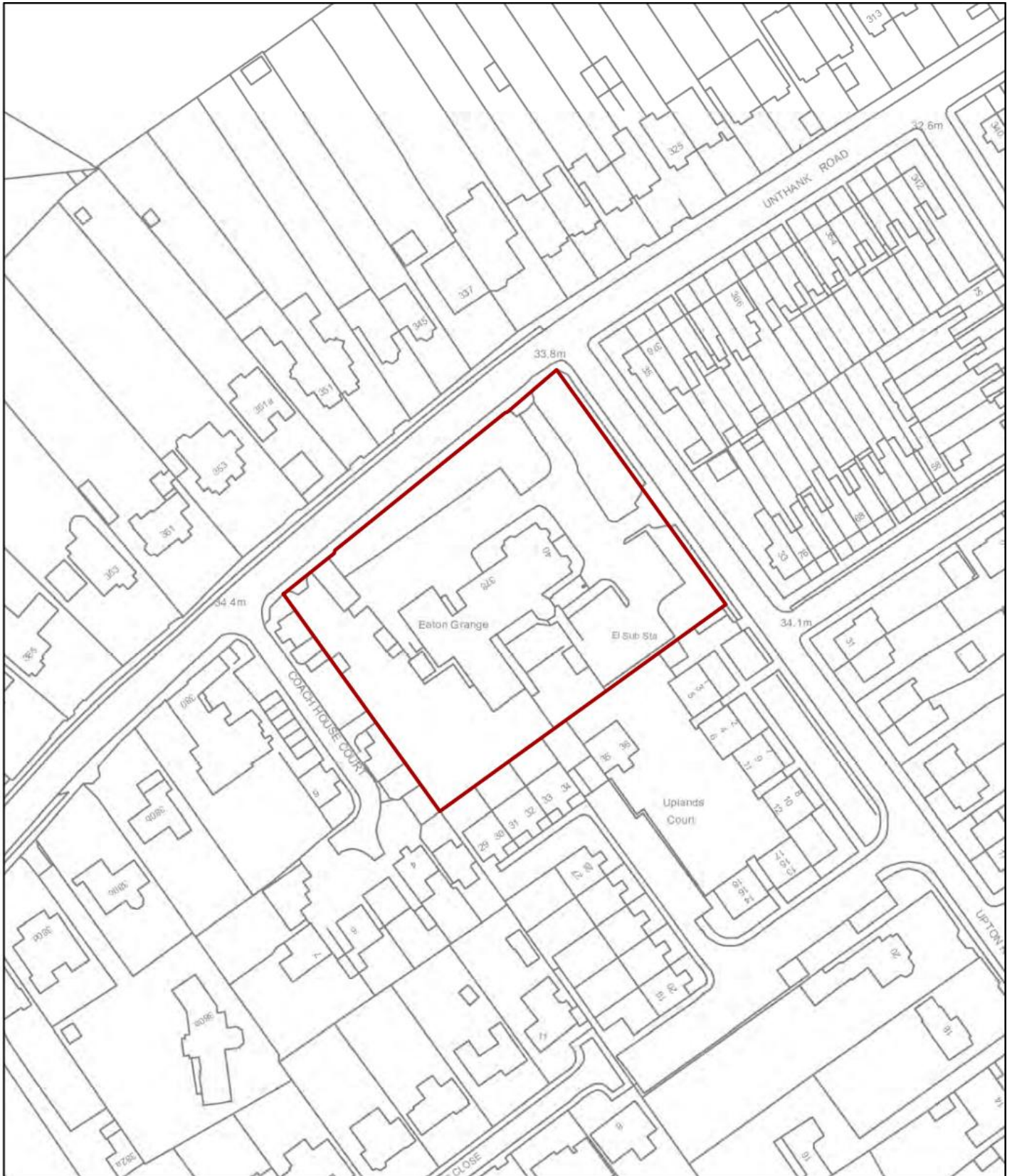
4a

Ward	Eaton
Case officer	Sarah Hinchcliffe - sarahhinchcliffe@norwich.gov.uk
Applicant	LNA Eaton Ltd

Development proposal		
Part demolition and conversion of Eaton Grange Building, conversion and extension of coach house and new build development to provide a total of 23 new dwellings.		
Representations		
1 st round of consultation		
Object	Comment	Support
16	0	0
2 nd round of consultation (removal of separate block to Unthank Road frontage, extension to Eaton Grange, modifications to access arrangements, additional parking, numbers reduced from 25 to 23).		
Object	Comment	Support
6	0	0

Main issues	Key considerations
1. Principle of development	Loss of community use. New residential use.
2. Heritage	Impact upon a locally listed building and conservation area.
3. Design	Site density, layout, position, height and scale of elements of the proposal.
4. Trees, landscaping and biodiversity	Existing trees, on-site landscaping and biodiversity enhancement.
5. Transport	Access, parking, cycle parking
6. Amenity	Impact upon existing residents taking into consideration overlooking and overshadowing. Living conditions for future residents including size of units, privacy, light, external space.
7. Energy and water	10% energy requirements
8. Flood risk and drainage	Management of surface water drainage
9. Affordable Housing	Amount and type of affordable housing provision

Expiry date	24 March 2021 extension agreed until 28 February 2022
Recommendation	Approve subject to satisfactory completion of a legal agreement



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Planning Application No 20/01579/F
 Site Address The Childrens Centre
 40 Upton Road
 Scale 1:1,250

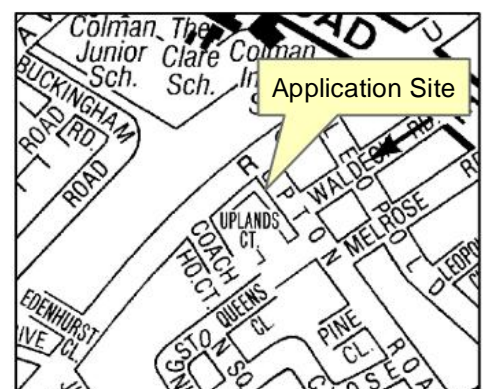


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PLANNING SERVICES



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The site and surroundings

1. The application site is 0.59 hectares in size and is located on the south side of Upton Road at its junction with Unthank Road, 2.4 km to the southwest of the city centre.
2. There are existing buildings on the site, which was last used as an NHS Children's Centre. The main building known as 'Eaton Grange' is a locally listed, two storey, detached double fronted 19th century property that has been extended on a number of occasions through two and three storey additions to the rear. Eaton Grange is oriented with its main façade facing towards Upton Road. A second building within its curtilage is a much smaller 'coach house' which is of a simple two storey red brick and pitched tile/slate roof form, located along the Unthank Road frontage and oriented perpendicular to this site boundary.
3. Access to the site is from both Upton Road and Unthank Road. There is a separate minor access adjacent to the coach house direct from Unthank Road. The north and east road frontage boundaries of the site are bounded with a continuous dwarf wall with hedging on top and mature trees behind. The southern boundary consists of fencing and the western boundary a mixture of timber fencing and a high wall separating the site from Coach House Court and development to the west.
4. The surrounding area is primarily residential in character consisting of properties of various eras. To the north on the opposite side of Unthank Road are large, mainly detached properties. To the east are two storey Victorian terraces. Immediately to the south-east is a two and three storey residential development at Uplands Court and to the south-west is Coach House Court which consist of flats, houses and parking courts. Historically the area of Uplands Court appears to have formed part of the grounds of Eaton Grange.

Constraints

5. The site is within the Unthank & Christchurch Conservation Area and the building which is listed as 378 Unthank Road is designated as a building of local architectural or historic interest within a conservation area. The local list description for the building is – "C19. Eaton Grange. 2 storeys, double-fronted, white brick. Hipped slate roof. Two 2-storey splayed bays with sashes and slate roof and dentil string course. Entrance under rectangular brick architrave. Double dentil cornice. Brick quoins. Chimneys with over sailing brick course. Main entrance/façade on Upton Road. Late 20C extension".
6. The site is also within a critical drainage catchment.

Relevant planning history

7. There appears to be no relevant recent planning application history with the exception of the trees works applications listed below. However, of interest are historical applications associated with former hospital and health authority use of the site.

Ref	Proposal	Decision	Date
19/01453/TCA	T1 - Sweet Chestnut: reduce crown spread back in line with parking hard surfaces by 2.5m on the northern side only; T7 - Horse Chestnut: Fell tree to ground level and replant with a new Tilia x europaea and; T8 - Copper Beech: 2.5m lateral crown reduction on the north side only. Raise to 4m above ground level north side only	NPTOS	05/11/2019
14/01770/TCA	T1: Reduce overhanging branch by 2 meters.	NTPOS	08/12/2014
12/00384/TCA	Remove large branch overhanging car park	NTPOS	16/03/2012

The proposal

8. The application proposes the partial demolition and conversion of Eaton Grange building, conversion and extension of the coach house and new build development within the grounds to provide a total of 23 new dwellings.
9. The proposal includes the conversion of the main building into 7 flats, conversion of the coach house into 1 house and the construction of 15 new build dwellings (a mix of houses and flats).
10. The works of demolition will result in the removal of the large, two storey, 1950s flat roof elements to the rear (southwestern end) of the main house, a single storey extension to the southeast used as a reception area and an open sided car port type structure to the southeast.
11. A new, two storey hipped roof extension is proposed to the northwest elevation of the main building, facing towards Unthank Road. A single storey extension is proposed to the existing coach house. Further new build elements in the form of an L-shaped block take a three-storey form in a mews arrangement located to the southeast and south west of the main building.
12. Vehicular access and egress to and from the site will be taken from Upton Road, with pedestrian and cycle access only from the existing Unthank Road access. The coach house will take its access separately from an existing access directly on to Unthank Road in this location.
13. The application has been revised from the initial submission. The main revisions include:

- The removal of a detached two storey building (Block C) proposed in a location adjacent to the coach house along the Unthank Road frontage.
- The introduction of a two-storey extension to the north west elevation of the main building.
- Overall height of the new dwellings reduced by 400mm.
- Vehicular access restricted to Upton Road entrance only, which will be widened to 4.5 metres. The coach house retains its own separate access and amenity space.
- Increased parking provision. 1 space per unit within the main development and 1 visitor space. 2 separate spaces for the coach house.
- Revisions to the landscaped areas around the site.
- The total amount of development proposed has reduced from 25 to 23 residential units.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	23 dwellings in total: <ul style="list-style-type: none"> • 5 x 1 bed flats (2 through conversion; 3 new build) • 6 x 2 bed flats (all new build) • 3 x 3 bed flats (through conversion) • 7 x 4 bed houses (1 through conversion and 6 new build town houses) • 2 x 4 bed flats (through conversion).
No. of affordable dwellings	Nil on site. Off-site commuted sum.
Total floorspace	2452.1sqm proposed gross internal area (GIA), 1044.6sqm net additional floor space
No. of storeys	Conversion of existing buildings, two and three storey with new two storey extension. New build three storey.
Density	39 dwellings per hectare

Proposal	Key facts
Appearance	
Materials	Buff and brown brick, grey roof tiles, grey metal cladding Grey metal standing seam cladding to coach house extension
Energy and resource efficiency measures	Air source heat pumps, waste water heat recovery system, solar photovoltaics
Transport matters	
Vehicular access	Entrance and exit from Upton Road and pedestrian/cycle access from Unthank Road. Separate access to coach house from Unthank Road.
No of car parking spaces	25 total Including 18 communal, 4 x EV charging, 1 disabled, 2 for 'coach house'.
No of cycle parking spaces	Storage shelters for 49 bicycles, within a store within the communal parking area and smaller stores within the rear amenity areas.
Servicing arrangements	Bin store inside Upton Road site access.

Representations

14. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 16 letters of representation have been received citing the issues as summarised in the table below. Changes were made during the course of the application and neighbours were re-consulted. Six further letters of representation were subsequently received.

Issues raised	Response
Concern about amount of parking provided being inadequate and impact on parking available in the area.	See main issue 5: Transport
Highway safety issues associated with parking off site near busy road junctions.	See main issue 5: Transport
The scale of the proposed new build elements appears out of proportion and overbearing to a heritage asset.	See main issue 2: Heritage
The proposed style appears to be unsympathetic to and out of character with a heritage asset having an adverse impact on	See main issues 2 and 3: Heritage and Design

Issues raised	Response
its setting. The development does not preserve or enhance the conservation area.	
The designs lack architectural excellence and is unsympathetic, overpowering and quite out of character to the old building.	See main issues 2 and 3: Heritage and Design
The extension to the heritage asset is not small and subservient.	See main issue 2: Heritage
The number of properties proposed is too high for a quality build.	See main issue 3: Design
Outdoor space is too limited	See main issue 6: Amenity
Several properties in Coach House Court and Uplands Court are likely to be overlooked with light cut out to gardens.	See main issue 6: Amenity
Concerns about noise and dust during demolition and construction and working hours.	A demolition method statement will control noise and dust during demolition. The council's construction working hours informative note will be applied.
Adverse impact on established trees and wildlife.	See main issue 4: Trees, landscaping and biodiversity

Consultation responses

15. 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.

Norwich City Council - Design and conservation

16. Detailed comments received relating to the initial proposals, summarised as follows:
17. Although there are some positive attributes to the scheme (most notably a viable use for Eaton Grange), I would not recommend an approval as I do not see how any public benefit associated with the proposal could outweigh the harm to the setting of the locally listed building and the wider setting which is a conservation area.
18. No further comments were provided by design and conservation in relation to the final revised plans. The revisions picked up on some of the detailed comments made by the conservation officer and are dealt with in more detail within sections 2 and 3 of the assessment section of this report below.

Historic England

19. Initial comments - This application proposes the development of new residential accommodation in the grounds of the former Eaton Grange, a prominent and high-quality 19th century villa in the conservation area. We would not oppose the majority of the development but consider the construction of one new building (Block C) would result in harm to the historic significance of the conservation area in terms of the National Planning Policy Framework. The Council should consider any public benefit that might result from the proposals, but as the application stands we would not support the granting of consent and recommend the application is refused.
20. Historic England objects to the application on heritage grounds because of the impact of the proposed Block C on the conservation area. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 7, 8, 193 and 194. In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
21. Final revision plans - We support the revised plans to remove one residential unit [Block C]. We would not object to the application in principle, and we would also support the Council if they wish to refine the detail of the proposed development. We do not need to be consulted further on the application.

Norwich City Council - Public protection

22. The developer is reminded that prior to any refurbishment commencing on site the building/s to be refurbished are required to be surveyed for the presence of asbestos containing materials in accordance with the Control of Asbestos Regulations 2012. I note that an asbestos survey report has been submitted, but this was carried out in 2003 and was undertaken for general management of asbestos containing materials within the building and is not a refurbishment/demolition survey report and as such is not considered to be suitable for use for the proposed development. Any asbestos containing materials which are identified shall be managed or removed in accordance with the above regulations and waste regulations. Failure to comply with these regulations could result in prosecution by the relevant authority.
23. Suggest the use of conditions/informative notes relating to refurbishment and asbestos, contaminated land and sound attenuation against external noise.
24. I note the Air Quality Screening Assessment submitted by Harrison Environmental Consulting (dated February 2021) and accept the reports content.

Norfolk County Council – Local Highways Authority (LHA)

25. I have no objection to the proposed development subject to recommended conditions being imposed.
26. Detailed advice and negotiations, the following main points of comment:

For sites in this location the Local Plan has a minimum car parking requirement of 1 space per dwelling, this would equate to 23 spaces for the site, the parking

maximum would be 1.5 space per 2- and 3-bedroom dwelling and 2 spaces for 3+ bedrooms, this would equate to 41 spaces for the site overall. As proposed, there are 25 parking spaces on the site, it is therefore broadly compliant with Local Plan policy with regard to on-site parking provision but is considered to only meet the minimum threshold of policy compliant parking provision.

27. My concern is that if parking spaces are allocated to residents, there will be disputes over the use of EV parking spaces by those residents with EVs. Whilst this is primarily a matter for the planning authority to consider, any displacement of parking caused by lack of available on-site parking spaces will affect demand for local on-street parking. Therefore, it would be wise if the applicant explained how the EV parking spaces will be allocated and managed for residents. My advice is that the EV parking spaces are treated as short stay parking for EV users or for other visitors, and therefore not counted in the overall parking total for the site or that all the parking spaces are provided with EV charge points to avoid the mismatch between allocated spaces and ownership of electric vehicles.
28. The application also includes provision of a car club parking bay, which I have recommended is provided on-street (making use of double yellow lines so as not to reduce availability of local parking spaces, and also freeing up one parking space on site), and for the purchase of a car club vehicle. My advice is that the provision of the car club bay is provided through a Traffic Regulation Order for a bay on Upton Road near the site, and that the purchase of the vehicle is agreed by condition. The Local Plan policy threshold for purchase of a car club vehicle is 100 dwellings, however the applicant is offering to purchase the vehicle as part of its parking mitigation strategy which I accept as parking mitigation. Research from the Norwich car club and national findings indicates that around 9 vehicles can be eliminated as users defer or decline to purchase their own vehicle. Source: <https://como.org.uk/shared-mobility/shared-cars/why/>
29. Given that the mix of housing will range from 1 to 4 bedrooms and that there may be car occupancy of more than 1 vehicle per dwelling, it is highly likely that some residents will wish to park on-street. It is impossible to determine exactly how many vehicles will need to park off site. For that reason, it will be necessary to implement a Traffic Regulation Order that will provide 'no waiting at any time' restrictions in the vicinity to protect junction visibility and footways from obstructive parking. I believe it is essential that waiting restrictions are provided as part of a Traffic Regulation Order to include on Unthank Road either side of the junction with Coach House Mews and 10 metres within it on both sides, Upton Road (from on its south side from Unthank Road up to and including either side of Uplands Close), opposite the site access to facilitate turning of refuse trucks and 10 metres either side at the Melrose Road and Waldeck Road junctions.
30. Based on my site visits to the locality during the daytime, it is noted that there is a significant demand for on-street parking near the site, but that towards Newmarket Road this eases. For that reason, in my view there is sufficient capacity within local streets to accommodate likely parking needs associated with the site. The locality is not a controlled parking zone and has extensive amounts of unrestricted on-street parking that can be utilised for local resident and visitor parking needs.
31. With regard to cycle parking this is not detailed, but there is sufficient space on site to accommodate this and will need to conform to Local Plan standards.

32. In terms of refuse collection, the refuse store is in close proximity to the Upton Road access, Citywide services at Norwich City Council can advise if Biffa will enter the site or wait on Upton Road. My preference is that refuse collection is achieved within the site to avoid obstruction of Upton Road, if refuse trucks need to enter the site, they will need sufficient space to turn and exit in a forward gear. I would appreciate if the applicant can clarify this matter, and if necessary, provide vehicle tracking to demonstrate that refuse trucks can turn around within the site.

Norwich City Council - Housing strategy

33. Having looked at the above application it would appear to be within scope to deliver a proportion of units as Affordable Housing (AH) via a S106 agreement. At present the requirement for AH is 33% of units on an eligible development. However, as the proposal requires part of the existing building to be demolished and converted, a calculation for vacant building credit is being applied. As the increase in floor space is 48% of the total final floor space, then only 48% of the proposed units are included in the calculation for AH: i.e. 48% of 25 units is 12 units. Therefore 33% of 12 units = 4 units of AH is required.
34. We would expect the tenure mix of the affordable units to be as follows: 3 x social rent, 1 x intermediate, e.g. shared ownership.
35. All Affordable Housing should be delivered in a tenure neutral design and would be expected to meet Nationally Described Space standards.
36. **Comments on revised plans** - Norwich has a high need for affordable housing, in particular one-bedroom accommodation, 2-bedroom houses and 4+bedroom houses. We therefore welcome the proposal to deliver 4 units of affordable housing.
37. Further to our earlier consultee comments, we note that the applicant's preference is to provide an offsite commuted sum rather than deliver the required affordable housing units on site.
38. Our Affordable housing SPD states that a commuted sum may be acceptable where written evidence is provided that no Registered Provider (RP) is willing to take on the units. If the scheme design has difficulty accommodating affordable housing on site, then we would like to see alternative arrangements in the design have been considered which would make the scheme more attractive to RPs.
39. **Amended proposals** on-site affordable housing provision calculation - 42% of 23 units is 9 units. 33% of 9 units = 3 units of affordable housing on site.

Norwich City Council - Landscape

40. No objection on landscape and ecology grounds. Subject to conditions including: securing landscaping details; securing additional tree planting; measures to control external lighting and light spill from glazing.
41. **Comments on final revised plans** - The revisions to the scheme have addressed most of the previous comments. The scheme would be acceptable subject to revision/clarification of vehicle entrance, replacing some asphalt surfacing with planting in eastern car park, and addition of log piles to ecological mitigation.

Anglian Water

42. The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
43. Used water network, the sewerage system at present has available capacity for these flows.
44. The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.
45. Anglian Water has reviewed the submitted documents (Flood Risk Assessment) and can confirm that these are acceptable to us. A condition is required to list the submitted documents as approved for surface water drainage purposes.

Norfolk County Council - Lead Local Flood Authority (LLFA)

46. **Comments on final revised documents** - The proposed site drainage scheme has now been updated to address the limited on-site infiltration. All areas of permeable paving will now positively drain to the adjacent surface water [sewer] via attenuation and take advantage of limited infiltration benefits. Adopting a conservative approach, the applicant has calculated permeable paved areas as being impermeable.
47. We welcome the revisions and the inclusion of the Drainage Commentary Report to outline where and how previous LLFA comments have been addressed.
48. From the information submitted, we are generally satisfied that the applicant appears to have now addressed the LLFA comments and the submitted FRA and Drainage Strategy has predominantly been designed in accordance with relevant national and local policy, frameworks and guidance in addition to statutory/non-statutory standards and best practice guidance.
49. We have no objection subject to conditions being attached to any consent if this application is approved and the applicant is in agreement with any pre-commencement or 'built in accordance with' conditions.

Norfolk County Council - planning obligations

50. Education: Considering other permitted developments in the area, although there is still spare capacity at Early Education, Junior and High School levels, there would be insufficient capacity at Colman Infant School to accommodate the children generated by these developments. It is expected that the funding for additional places, if necessary, would be through CIL.
51. Fire: Norfolk Fire Services have indicated that the proposed development will require 1 hydrant per 50 dwellings (on a minimum 90-mm main) for the residential

development at a cost of £921 per hydrant. The number of hydrants will be rounded to the nearest 50th dwelling where necessary. Please note that the onus will be on the developer to install the hydrants during construction to the satisfaction of Norfolk Fire Service and at no cost. Given that the works involved will be on-site, it is felt that the hydrants could be delivered through a planning condition.

52. Library: New development will have an impact on the library service and mitigation will be required to develop the service, so it can accommodate the residents from new development and adapt to user's needs. 23 No. of houses x £75 per dwelling = £1725. Improvements to existing library facilities will need to be funded through CIL.

Norfolk County Council - Norfolk historic environment service (HES)

53. In broad terms we concur with the conclusions of the archaeological desk-based assessment
54. Based on currently available information development at the above-mentioned site would not have any significant implications for the historic environment in terms of below-ground archaeology. No conditions relating to archaeological work are required and we have no further comments to make.

Norfolk police (architectural liaison)

55. **Comments relevant to both revisions of the plans** - The scheme incorporates a mix of dwellings, which will enable a greater potential for homes to be occupied throughout the day, this should assist with natural surveillance, community interaction and environmental control. Where physical features (pathways) introduce permeability around some of the dwellings there is use of defensive space indicated.
56. A good degree of passive surveillance will be provided over the site and communal spaces, with the 'Courtyard Garden' providing shared outdoor space for residents. (NB/ Adequate mechanisms and resources should be put in place to ensure its satisfactory future management and maintenance).
57. The ground level French doors of Flat 2 & 3 of Block A will need a more substantial boundary than the indicated (low yew hedge) to prevent the possibility of 'casual' intrusion into their living room if insecure. Especially as these flats are adjacent a communal space and so a would-be offender may not be so conspicuous. If a more 'open-look' is required, consider railings broken up by vegetation.
58. Car Parking: Within this plan the majority of allocated parking spaces is in small court to the east where the orientation of houses provides passive surveillance - although this may not from the corresponding dwelling owning vehicle (which may reduce the quality of guardianship sought after).
59. A gated vehicle entrance on Upton Rd, allowing residence-only access would assist with the perimeter security of these flats and over the new parking layout on the northwestern boundary of the plot. These vehicles will only have 'active window' surveillance from 2 of the 7 flats.
60. Cycle Storage: External, open communal bicycle stores with individual stands or multiple storage racks for securing bicycles should be as close to the building as

possible (within 50 metres of the primary entrance to a block of flats and located in view of active rooms. The store must be lit at night using vandal resistant, light fittings and energy efficient LED lights.

61. External Lighting - Lighting should illuminate all external doors, footpaths leading to these doors and cycle stores. External lighting should be switched using a photo electric cell (dusk-to-dawn) and fittings and service wiring should be vandal resistant and located to minimise vulnerability to vandalism.
62. Flat Entrance Access – Where a communal entrance doorset serves 5 dwellings or more, it is required to have a visitor door entry system and access control system to enable management oversight of the security of the building. Tradesperson or timed-release mechanisms should not be permitted as they have been proven to be the cause of antisocial behaviour and unlawful access to communal developments.

Norwich City Council - Tree protection officer

63. Although the loss of Category B trees, T11 and T16, will not have a significant negative impact on the amenity of the area, or adversely affect the character and appearance of the Unthank and Christchurch conservation area, it needs to be demonstrated to the satisfaction of the case officer that their removal complies with Policy DM7 (as opportunities for adequate replacement planting on site are limited). The proposal does not only require the removal of two Category B trees, but pruning will also be required to other protected trees (T8, T15, T17), in order to create adequate clearances.
64. It is also reasonable to foresee that liveability issues will arise for some residents of the new dwellings, due to proximity of retained trees. Lack of light, leaf-litter/dropping debris, perceived threat, honeydew falling on parked cars etc will lead to pressure to prune and/or, remove trees in a conservation area, where currently no such pressure exists.
65. **Comments on final revised plans** - I will not be objecting, but it would be useful to get some detail on the 21 new trees the applicant proposes to plant. Applying condition TR12 - mitigatory replacement tree planting would be appropriate.

Condition TR6 - arb works to facilitate development, would also be appropriate, for the crown reductions and potential root pruning.

Condition TR4 - arb supervision for any works within the RPAs of existing trees, would also be necessary, as would conditions TR7 - works in accordance with AIA/AMS/TPP, and TR10 - no dig methods for new paths/driveways within RPAs.

Assessment of planning considerations

Relevant development plan policies

66. **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
 - JCS3 Energy and water

- JCS4 Housing delivery
- JCS6 Access and transportation
- JCS7 Supporting communities
- JCS9 Strategy for growth in the Norwich policy area
- JCS12 The remainder of the Norwich urban area including the fringe parishes
- JCS20 Implementation

67. 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
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM22 Planning for and safeguarding community facilities
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM33 Planning obligations and development viability

Other material considerations

68. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

69. Supplementary Planning Documents (SPD)

- Affordable housing SPD adopted July 2019
- Trees, development and landscape SPD adopted June 2016
- Heritage interpretation SPD adopted December 2015
- National Model Design Code
- National Design Guide

Case Assessment

70. 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

71. Key policies and NPPF sections – DM1, DM12, DM13, DM22, NPPF sections 5 and 11.

Loss of community use

72. The buildings' last use as a Children's Centre, a form of health centre, provided facilities and uses generally available to and used by the local community for the purposes of social interaction, health and well-being or learning. Policy DM22 would apply in protecting such facilities. This requires that development resulting in the loss of an existing community facility will only be permitted where:
- (a) adequate alternative provision exists or will be provided in an equally accessible or more accessible location within 800 metres walking distance; or
 - (b) all reasonable efforts have been made to preserve the facility, but it has been demonstrated that it would not be economically viable, feasible or practicable to retain the building or site for its existing use; and
 - (c) evidence is provided to confirm that the property or site has been marketed for a meaningful period and that there is no realistic interest in its retention for the current use or for an alternative community use.
73. The site was operated as a Children's Centre since at least 2013 until services were relocated to Norwich Community Hospital, Bowthorpe Road in 2017, some 2.3km to the north. The site was subsequently purchased from the NHS by the applicant in June 2019. Information has been provided by the NHS to the applicant to explain the circumstances under which the site became identified as surplus to requirements by the NHS and the property was offered to other clinical service providers and then the wider public sector under the due diligence process before it was approved for sale by the Department of Health. Marketing took place highlighting the D1 use of the existing building, for at least six months, with a further marketing period necessary after an initial buyer withdrew. During the marketing periods a reasonable amount of interest was generated in the site, predominantly from residential developers, including specialist retirement developers.
74. The site was part of a rationalisation of NHS property and assets review which resulted in re-provision of community facilities at Norwich Community Hospital on Bowthorpe Road. The loss of the community facility has been justified and it is accepted that the buildings age, size and layout are such that further community use of the site would not be straight forward. During the time that the property was for sale any interest in purchasing the property for an alternative community use

would have likely been stifled by the market demand for housing in a desirable location such as this. Therefore, other alternative uses of the site may now be considered.

New residential use

75. Policies DM12 and DM13 would permit residential development, including flats on this site through a combination of conversion and new build, given that it does not meet with any of the exceptions stated within the first part of policy DM12. Compliance with the criteria in the second part of DM12 and DM13 is dealt with in subsequent sections of this report.

Main issue 2: Heritage

76. Key policies and NPPF paragraphs – JCS2, DM3, DM9, DM12, NPPF section 12 & 16, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
77. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.
78. The application site is located in a prominent corner location within the Unthank and Christchurch Conservation Area. The area around Ipswich Road and Unthank Road is notable for the development of small terraces and villas. Eaton Grange is an example of one of the latter and still makes a significant contribution to the historic interest of the conservation area. Historically, the immediate setting would have been reasonably spacious, with the house set within its own grounds and surrounded by open space. The building has seen several phases of development and has subsequently become surrounded by later residential development of a smaller scale. The building has managed to maintain its dominance over the wider setting and some semblance of its historic context due to its corner plot and through retention of open land between it and the later developments to the south/south-west.
79. The existing building 'Eaton Grange' is locally listed as having local architectural or historic interest. It is a gault brick villa built in the 1860s with a contemporary coach house, boundary walls and gateways. The building was extended in a sympathetic traditional style in the 1880's and 1920's; with a less sympathetic block added to the building in the 1950's related to healthcare use. The resultant building is a mixture of two and three storey form with hipped and flat roofs.
80. The building has had several notable uses; as a residential property (childhood home of Margaret Fountaine; Victorian traveller and prolific collector of butterflies and expert on their life cycles), as a girls' boarding school and as a local authority (and subsequently NHS) medical hostel which has conveyed upon it a measure of social value along with its aesthetic value.

81. There is a difference of opinion between the council's conservation and design officer and the applicant's heritage consultant as to the significance of the later 1950's addition proposed to be demolished and the contribution that it makes to the conservation area.
82. The council's conservation and design officer agrees that the large scale 1950's addition is of lower architectural value than some of the more historic elements of the host building but does not think it is without value. It is also conceded that removal of this addition would re-introduce greater architectural cohesion to the building. However, the loss of the utilitarian and functional design (which is expressive of the former use) would result in loss of appreciation of its social context and the development of the site, albeit of a minimal scale.
83. Whereas the applicant's heritage consultant considers the 1950's range of simple and utilitarian architecture, which forms an uneasy relationship with the main building and does not enhance the understanding and appreciation of the main house. It is their view that the significance of the site is largely derived from the architectural interest of the main house and later 1920's extension. The coach house, historic boundary walling and mature boundary planting also add to the general character and appearance of the surrounding conservation area.
84. Not all parts of a heritage asset will necessarily be of equal significance and certain elements may be able to accommodate change without affecting the significance of the asset. The applicant asserts the opinion that the removal of the 1950's extension will enhance the current setting of the locally listed main house and allows a layout and form of development which is beneficial to the long-term preservation of the locally listed building and thus sustaining the character of the conservation area.
85. Officers agree that the demolition of the identified parts of the locally listed building, due to their position on the building away from its primary elevations, would have a limited overall impact on the significance of the non-designated heritage asset in aesthetic terms. There will be a loss of social significance through the loss of the later additions associated with the building's institutional/healthcare uses. However, this more recent chapter of the building's history can be recorded prior to demolition. The impact of the demolition on the wider significance of the conservation area will be even more limited given its location away from public view and impacting in a more positive way on the more characteristic elements of the conservation area such as primary elevations, boundary walling and vegetated boundaries therefore helping to conserve the significance of the conservation area. The development presents an opportunity to preserve and enhance a non-designated heritage asset and in turn better reveal its overall significance in accordance with policy DM9.
86. As the proposals involve demolition of parts of a locally listed building within a conservation area local plan policy DM9 also states:
- "Development resulting in harm to or loss of significance of a locally identified asset will only be acceptable where:
- (a) there are demonstrable and overriding benefits associated with the development; and

(b) it can be demonstrated that there would be no reasonably practicable or viable means of retaining the asset within a development.”

87. It is understood that the applicant considered various options to retain the whole of the existing buildings on the site and extend around them with up to 29 residential units proposed. However, the form that the building would need to take to reach a viable gross internal area (GIA) was not attractive (visually or in market terms). Due to the height of the 1950s extension, any additional storey (required for GIA) would have taken it above the height of the main house and would have undermined the prominence of the main house as a heritage asset. The floor levels internally within the 1950s extension were also not conducive to a residential conversion and would not have represented an efficient use of space across the varying floor levels. All dwellings would have been flats with no private amenity space.
88. The proposed loss of the 1950's extension will be regrettable, as it is agreed to have some architectural value. However, the applicant has made reasonable efforts to utilise the building in its current form within a wider redevelopment of the site, but it would be difficult to achieve a viable development. In order to achieve the floor space required to achieve a viable development, proposals which retain the 1950's extension would be likely to have a greater impact on heritage assets.
89. In any event, the harm or loss of significance which would arise through the demolition of parts of the locally listed building can only be accepted where there are demonstrable and overriding benefits associated with the development as required by policy DM9. Demolition of these elements of the building allows for the site to be used in a more efficient way and provide a greater quantity of housing, than conversion of the building alone would allow. It also allows the sustainable long-term use of a non-designated heritage asset through investment in the building and bringing it back into active use, preventing future deterioration of fabric and maintaining over the long term the contribution that the building and site makes to the character and appearance of the conservation area. Also given the limited contribution that the affected parts of the building make to the significance of the conservation area, the harm that will result from the loss of the identified parts of the building should be assessed in line with paragraph 207 of the NPPF.
90. In accordance with the NPPF, the loss of the identified parts of the building results in 'less than substantial harm' to the special character and appearance of the conservation area as a whole, thus engaging paragraph 202 of the NPPF. The 'less than substantial' harm caused needs to be weighed in the balance against the other public benefits of the proposals in accordance with paragraph 202 of the NPPF, as set out in paragraph 92 above.
91. Recording of the structures to be demolished should be required by condition as should the requirement for a binding contract for the full implementation of the comprehensive scheme of development in accordance with Local Plan policy DM9.
92. On balance the 'less than substantial' harm identified to the historic environment is considered acceptable given the 'clear and convincing justification' of the public benefits associated with the sustainable long term use of a non-designated heritage asset through investment in the building and bringing it back into active use, preventing future deterioration of fabric and maintaining over the long term the

contribution that the building and site makes to the character and appearance of the conservation area. It also allows the site to be used in a more efficient way and provide a greater quantity of housing, than conversion of the building alone would allow. The proposals comply with policies DM3 and DM9 of the Development Management Policies Local Plan 2014 and paragraph 202 and 207 of the National Planning Policy Framework 2021.

Main issue 3: Design

93. Key policies and NPPF paragraphs – JCS2, DM3, DM9, DM12, DM13, NPPF sections 8, 11, 12.
94. The proposed development as amended involves converting Eaton Grange to residential use while removing the large 1950's extension to the rear of it and adding a new subservient two storey extension to the north west elevation facing towards Unthank Road. The proposed extension is subservient in scale and form to the main building with materials contemporaneous to the host building, but with fenestration and small design details which set this aside as a more modern addition along a familiar theme, much like the previous two remaining additions to the original building.
95. The coach house along the Unthank Road frontage would be converted and a single storey extension added. Although of traditional form this is a clearly contemporary addition which uses a grey metal standing seam finish and aluminium windows of modern proportions. The extension will allow this small building to have a sustainable future, maintaining it in an active use.
96. The approach to the extensions to Eaton Grange and the coach house is considered appropriate in the context of the historical evolution and varied additions and alterations that have taken place previously to both buildings.
97. New build Blocks D-G form terraces of dwellings in a mews type arrangement along the southern and western boundaries of the site. These would frame Eaton Grange to its rear in views from the street with other modern development already standing behind them.
98. It is important to maintain the prominence and primacy of the main Eaton Grange building through ensuring that new development within its grounds is recessive and subservient in form and position. The new build elements are set in close relationship to the main building and although providing three floors of accommodation the overall height of the new build blocks have been reduced so as to be read as more clearly subservient to the main building. The third floor is mostly contained within the roof of the buildings, with the head of the third floor windows lower than the eaves of the main building. The majority of the new build development is viewed in the context of three storey elements of the main building and importantly is set well back within the site from its principal Upton Road frontage and back from the principal elevation of Eaton Grange. Therefore, the proposed new development does not introduce a scale and massing of built form to the site which competes with the primacy of the main building on the site.
99. The architectural language employed for the new build elements is removed from that of the host building so that the new elements are clearly identifiable as new insertions. While the materials palette is contextual to that of the historic buildings

on the site and respectful of the character of the wider setting of the conservation area so as not to be jarring.

100. The arrangement of the space around Eaton Grange is quite positive, in both appearance and use. With clear open space provided between the main building and the new build elements with a positive purpose of providing communal, formal, landscaped areas for the enjoyment of residents, which in turn has a positive impact on the setting of the locally listed building. While the more practical development requirements such as parking, servicing and access arrangements are retained in their existing location behind mature trees around the road frontages of the site.
101. Key to the development will be the crispness of detailing and use of good quality materials for buildings and within any associated hard landscaped spaces which should lead to an attractive, high quality cohesive development. Such details will be secured by planning conditions.
102. The density of the development is higher than that on sites to the north and west, but is comparable to, or lower than the density of development at Uplands Court to the south and within the Victorian terraced housing to the east. As a transitional site between two different areas of housing the density of development proposed is in keeping with the character and function of the area, while protecting and enhancing heritage assets and their setting and is considered acceptable in accordance with policy DM3.
103. The layout and density of the development, including the mix of building types, and the scale, form and perceived mass of the new build elements, along with the prevalent materials palette, is sympathetic to the character and local distinctiveness of the area, including the setting of the non-designated heritage asset and will not give rise to harm to the significance of the conservation area. The proposals comply with policies DM3, DM9 and DM12 of the Development Management Policies Local Plan 2014.

Main issue 4: Trees, landscaping and biodiversity

104. Key policies and NPPF paragraphs – JCS1, DM6, DM7, NPPF section 15.
105. Under policy DM7, trees and significant hedge and shrub masses should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are exceptional and overriding benefits in accepting their loss. There are a variety of areas of good quality landscaping on site around its boundaries which are important to the setting of the conservation area and contribute in a positive way to the setting of the non-designated heritage asset.
106. A mix of native and non-native mature trees are located mainly around the north, east and southern boundaries of the site. It is important to maintain tree lines along boundaries as green infrastructure, to aid feeding and movement corridors of bats and to provide some screening of the development from surrounding sites. Importantly the majority of the trees and vegetation along the main road frontages will remain. A small number of trees will however be removed, one in the corner of the site at the junction of Unthank and Upton Road and two (plus an additional tree removal already consented) along the boundary of the site with Uplands Court to

the south. Two trees are recommended for removal on arboricultural grounds and one to accommodate the development layout. The amount of replacement tree planting has been increased, with a total of 21 new trees proposed. The balance of tree removals and replacements is considered acceptable by the council's arboricultural officer.

107. A landscaping scheme is proposed which includes the planting of 21 trees across the site, including around the boundaries of the site. The site landscaping also proposes the introduction of a communal courtyard butterfly garden in the area between the main building and new development to the rear (west), to commemorate Margaret Fountaine an expert in lepidopterology (butterflies) who once lived at Eaton Grange. A more detailed landscaping scheme will be secured by planning condition.
108. Policy DM6 encourages proposals which deliver significant benefits or enhancements to local biodiversity and suggests that opportunities should be taken to incorporate and integrate biodiversity, green infrastructure and wildlife friendly features into the design of individual schemes.
109. The planting within the butterfly garden is intended to provide an attractive centre piece, include flowering and fruiting species of value to butterflies, moths and other pollinators and will be accessible to hedgehogs.
110. The development of the site has potential to impact on bat and bird populations and other species of interest. An ecological assessment including bat roost assessment was submitted with the application. The assessment concludes that bat roosts are absent from the site and therefore no formal mitigation is required in this respect. There is opportunity to provide enhancement for bats through the erection of six bat boxes on mature trees around the site. In addition, at least one bird box for larger, cavity dwelling bird species (such as tawny owl or starling) and three small hole and open fronted boxes should be erected on trees around the site.
111. All such biodiversity enhancement measures and suggestions made by the council's landscape section relating to materials and landscaping within the car parking area will be secured by planning conditions to ensure compliance with policy DM6 of the Development Management Policies Local Plan 2014.

Main issue 5: Transport

112. Key policies and NPPF paragraphs – JCS6, DM13, DM28, DM30, DM31, NPPF section 9.
113. The application site has two road frontages and historically two points of vehicular access. During its former use an informal on-site arrangement saw Upton Road used as the main entrance, with Unthank Road used as an exit. The proposals have been revised from the initial submission to restrict access for vehicles to the main part of the site to and from a widened access on to Upton Road (access to the coach house excepted). Due to the visibility from the existing access on to Unthank Road being constrained, this access will become a pedestrian and cycle access only. This secures an improved layout which accommodates additional on-site parking and more effective circulation. Given the historical use of the site the access arrangements are acceptable from a highways perspective.

114. Parking is provided on site through a communal arrangement in locations around the site perimeter where parking has formerly taken place. Within the main part of the site 23 communal spaces are provided for 22 units of accommodation, amounting to one space per unit and 1 visitor space. The applicant intends to provide two fast charge and 2 regular electric vehicle charging points, with underground infrastructure in place to every space to enable upgrade as necessary by residents in future. The applicant intends to allocate a space to each dwelling dependent on demands at point of sale to ensure satisfactory control and management of spaces. Two separate parking spaces are provided for the coach house. These parking provisions have been increased and the number of units reduced from the initial submission. This revised arrangement now meets with the local plan minimum parking requirement.
115. Due to the proposed dwelling mix, there may, however, be demand for more than one parking space per dwelling. Any excess vehicles will then park on-street, which is a source of local concern and opposition. The applicant has offered to make a financial contribution towards a car club vehicle to be located within a newly created bay on Upton Road. The highway authority has accepted the car club provision as a form of parking mitigation which could help to widen the range of travel choices for new occupiers of the development and reduce potential off-site parking pressures. The offer of additional car club vehicle provision is commended, however there are no local policies in place to require such provision for a development of less than 100 units. However, should the applicant wish to enter into an agreement with the Norfolk Car Club to purchase a vehicle they could do so independently of the planning process. In any event it is understood that there is an existing car club vehicle available for use in a designated space just over 100 metres from the site entrance, on nearby Waldeck Road. This existing provision could help to support a reduction in on-site car ownership and contribute towards parking mitigation.
116. Given that additional vehicles may need to park off site it will be necessary to provide 'no waiting at any time' restrictions in the vicinity of the site to protect junction visibility and footways from obstructive parking on Unthank Road and Upton Road. This will be secured by a Traffic Regulation Order, which will be secured by planning condition.
117. Cycle storage is proposed in locations to the north of the building within the parking area and within rear communal amenity areas, providing cycle parking spaces to meet the standards as set out under policy DM31 for a development of this scale. Refuse storage for all dwellings (the coach house excepted) is proposed in an area alongside the access point from Upton Road. Citywide Services are happy with this arrangement as it meets with their collection distance requirements. In addition the applicant has provided swept path analysis to demonstrate that a refuse vehicle is able to enter and manoeuvre on the site if necessary to facilitate collection. Precise details of the cycle and bin storage will be secured by planning condition.

Main issue 6: Amenity

118. Key policies and NPPF paragraphs – DM2, DM11, DM12, DM13, NPPF sections 12, 15.

Amenity for existing occupiers

119. The density of the development is higher than some of the surrounding development with more suburban characteristics. Existing residential properties are located adjacent to the site and therefore a number of existing and proposed residential properties could have their amenities affected. The closest relationship is with properties to Uplands Court to the south and Coach House Court to the west.
120. The three storey form of Blocks E – G, of a maximum height of approximately 10 metres will be located within approximately 17 metres of the rear elevation of properties to Uplands Court. These existing properties are located approximately 7 metres from the southern boundary of the application site and there are a number of trees located along this boundary (some which are proposed to be removed with replacement planting in its place). This gives rise to an existing situation where the north facing rear elevations of these properties already have limited access to daylight. The proposed development in this location will be positioned between 9 and 10 metres from the southern site boundary, with a short section positioned approximately 6 metres from the boundary. Therefore, the proposals will represent a clear change of outlook from these properties through the introduction of a three storey mass of built form in this location beyond the trees. However, the impact on amenity as a result of access to light or overshadowing will not be significantly altered from the existing situation.
121. The introduction of buildings with windows which face towards the existing properties to the south will give rise to overlooking of the rear garden areas and rear windows to the properties at Uplands Court. However, a combination of the separation distances involved and the existing and proposed trees along the boundary in this location will not give rise to unacceptable impacts on amenity through overlooking or loss of privacy.
122. The relationship of the proposed development with the two closest properties at Coach House Court to the west is also acceptable in amenity terms. Both of these properties present a blank side elevation towards the application site and have high boundary treatment around their limited amenity space and along their boundary with the site. The 7.5 metre separation of the proposed development (Block D and E) with the western boundary of the site represents acceptable separation between the properties so as to not have an unacceptable impact on the amenity of these existing residents.
123. Therefore, although the amenity of residents will be affected by the development to some extent, the harm is not considered to be of a level to justify the refusal of planning permission on these grounds. This harm has been weighed against the benefits of the more efficient use of land to provide new housing. The proposal is in accordance with Policies DM2, DM12 and DM13 of the Local Plan which seek, amongst other things, to ensure that developments provide a high standard of amenity for existing neighbouring occupiers.

Amenity for future occupiers

124. Within the development itself there is approximately 6.5 metres separation between the south elevation of Eaton Grange and the north elevations of proposed new dwellings to the south. The window placement within the development has been

considered to ensure adequate natural daylighting to internal spaces and manage the close relationship between the two adjacent blocks. To avoid any potential overlooking the window placement within the new dwellings have been offset to avoid, where possible, direct window to window relationships. In addition, the floor levels in each of the blocks are set at differing levels which also ensures that window heights are offset in the vertical plane, this further mitigates against any potential overlooking. Where a small amount of direct window to window relationship occurs between the two elevations, it is proposed that windows in the existing building are obscured. The windows which are to be obscured are in rooms where multiple windows serve the same internal spaces.

Daylight to habitable rooms

125. Access to adequate levels of light, both daylight and sunlight, and overshadowing are relevant issues and have been addressed by the applicant in supporting documentation. The results of a Daylight Report show that when the Winter Average Daylight Factor (ADF) is calculated, which is used as a measure of the overall amount of daylight in a habitable room, all twenty-one habitable rooms assessed (which were determined may experience reduced levels of daylight due to existing trees) comfortably meet the Building Research Establishment (BRE) guidance levels. When the results for the Summer ADF are considered; nineteen of the habitable rooms assessed comfortably meet the guidance, while the remaining two rooms could be considered marginal. Both of these two rooms were very close to meeting the BRE guidelines, both being within 3% of the guidance figure.

Sunlight provision/overshadowing of amenity areas

126. There is no firm guidance from the BRE regarding sunlight to outdoor amenity spaces, however it is recommended that, where possible, at least 50% of external amenity space should receive 2 hours of direct sun on the spring equinox (March 21st).
127. Ten individual amenity spaces serving the proposed development have been assessed. When considered individually, of the ten spaces assessed, five comfortably meet the BRE planning guidance and two further spaces are marginal. The three areas which fail are the main communal amenity space between the main building which will be shaded by the new development which surrounds it. Also, a small area adjacent to the one bed flats within Block G, likely shaded due to a combination of tree cover and buildings on the adjacent site and an amenity area at the southern end of Block D, again shaded by development on an adjacent site.
128. However, when the area of amenity space provided is assessed across the whole development, over 50% of the total area receives at least 2 hours of sunlight on 21st March, meeting the BRE planning guidance. It is also acknowledged that trees, and the dappled shade they provide can have a positive impact on health and wellbeing and the shade they provide is not the same as that caused by other obstructions. Therefore, the result is that a mixed sunlight provision is achieved across the development, which is accepted given the characteristics of the site.
129. The council's arboricultural officer has concerns that development in close proximity to trees could give rise to increased pressure to prune those trees. The presence of mature trees is a well-established characteristic of the site and the area and is likely to be a selling point of the development. New residents would take up

residence in full knowledge of the situation when purchasing a property and any unjustified works to trees within the conservation area could be resisted by the council.

130. Considering the impacts as a whole, the proposed development would not have an unacceptable impact on the daylight and sunlight amenity of future occupiers when assessed against policy DM2 and the BRE guidelines.
131. The applicants Air Quality Screening Assessment concludes that the site is located outside of the city centre air quality management area (AQMA). The existing and projected baseline air quality is highly unlikely to exceed Air Quality Standards and as such is considered suitable for the development proposed. Public protection officers accept the contents of the report.
132. There is an expectation through policy DM12 that at least 10% of the properties will be designed to lifetime homes standards or equivalent and details of space standards compliance should be as applied through policy DM2 and the nationally described space standards. Each of the dwellings provide adequate amounts of floor space to comply with the nationally described space standards and the applicant has confirmed the development will comply with the 10% accessibility standard, for which a planning condition will be used to ensure compliance.
133. The applicant has provided revisions to the proposals which provides a mix of units in a layout which offers a high standard of amenity for proposed new occupiers of the development. The proposal is in accordance with Policies DM2, DM12 and DM13 of the Local Plan.

Main issue 7: Energy and water

134. Key policies and NPPF paragraphs – JCS1, JCS3, DM1, DM3, NPPF section 14.
135. Policy JC3 requires the proposal to provide at least 10% of its energy requirements from renewable or low carbon sources, maximise sustainable construction and energy efficiency together with exceeding building regulations in relation to water efficiency.
136. The submission states that through effective fabric efficiency measures optimising building fabric performance, energy consumption is reduced by 30,697kWh/year. The development achieves an overall consumption of 152,902kWh/year. To achieve the 10% requirement, a minimum of 15,290kWh/year will need to be produced by Low or Zero Carbon Technology or renewable energy.
137. Low carbon technologies will supply 26,897kWh/year or 17.59% of the site wide energy demand, exceeding the 10% policy requirement. The measures proposed take various forms including air source heat pumps and solar pv, flue gas heat recovery systems and waste water heat recovery systems on some of the new build blocks
138. The details and implementation of the measures to meet the 10% energy requirements while ensuring adequate consideration of the visual and noise impacts of any such technologies can be secured by planning conditions.
139. Water efficiency measures as required by JCS3 will be secured by condition.

Main issue 8: Flood risk

140. Key policies and NPPF paragraphs – JCS1, DM3, DM5, NPPF section 14.
141. It is a requirement of the NPPF that development does not increase flood risk elsewhere. Policy DM5 goes on to require the incorporation of mitigation measures to deal with surface water arising from development proposals to minimise and where possible reduce the risk of flooding on the site and minimise risk within the surrounding area.
142. The site is located in a critical drainage area. Detailed infiltration tests identified that possibilities for on-site infiltration were limited, due to the poor rates obtained, the requirements for offsets from buildings and for infiltration features to be located outside of root protection areas.
143. The proposed hardstanding to be used as drives and parking bays will dispose of surface water via porous surfacing which will drain to an attenuation tank rather than direct to the ground. The roof areas of the dwellings will utilise existing connections to the surface water sewer and instead of disposing of the water at an unrestricted rate all surface water will be attenuated in a tank located beneath the car park and access areas between the existing building and Unthank Road. Flows to the surface water network will be restricted to 1.0 l/s, a betterment of the existing situation.
144. Through revisions to the drainage strategy, surface water disposal has been demonstrated to be feasible and adhere to relevant national and local policies. The development has addressed and mitigated all known flood risks in line with the NPPF offering a lowering of flood risk in the area through the use of SuDS and restricting flow from the development, providing betterment on the current situation. The Lead Local Flood Authority have confirmed that they do not have an objection to the proposed development subject to the development being built in accordance with the submitted revised Flood Risk Assessment and Drainage Strategy. Similarly Anglian Water do not object to the proposals subject to the use of a planning condition to secure the drainage proposals.

Main issue 9: Affordable housing

145. Key policies and NPPF paragraphs – JCS4, DM33, NPPF section 5.
146. Policy JCS4 requires a development of this scale to deliver 33% of the new dwellings as affordable housing split 85% for social rent, and 15% for intermediate tenure. The affordable housing need in Norwich is for 1 bedroom flats, 2 bedroom houses and 4+ bedroom houses.
147. To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, national planning policy requires that any affordable housing contribution due should be reduced by a proportionate amount, known as the 'vacant building credit'. Taking into account a discount for vacant building credit, on-site affordable housing provision would equate to 3 units or 14% provision.
148. After evidence was provided by the applicant that there was no interest in the units on-site from registered providers of affordable housing active in the city (due to the limited number of units and likely not a self-contained block), discussions then took place with the councils Housing Development section to determine whether the

council would be interested in acquiring the 3 affordable units. However, the high service charge associated with building maintenance, maintenance of communal gardens, trees and boundary walls, on-site drainage and electric vehicle charging etc. meant that the council would not wish to acquire the on-site units. Therefore, a commuted sum for off-site affordable housing provision in the region of £351,629.60 plus £1000 legal fees (index linked from Sept 2018) is required.

149. The applicant is content to enter into a section 106 agreement to secure the commuted sum for off-site affordable housing provision, which will be formalised by legal representatives of both parties.

Compliance with other relevant development plan policies

150. A number of development plan policies include key targets for matters such as parking provision, servicing, energy efficiency and housing mix requirements. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes, subject to condition
Car parking provision	DM31	Yes, subject to condition
Refuse Storage/servicing	DM31	Yes, subject to condition
Energy efficiency	JCS 1 & 3 DM3	Yes, subject to condition
Water efficiency	JCS 1 & 3	Yes, subject to condition

Equalities and diversity issues

151. There are no significant equality or diversity issues.

S106 Obligations

152. An off-site contribution towards affordable housing is to be secured via a Section 106 Agreement. Since the contribution is policy compliant, no viability assessments will be required as the development progresses.

Local finance considerations

153. 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.
154. 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.

155. In this case local finance considerations are not considered to be material to the case.

Conclusion

156. The proposed development is on a brownfield site in a sustainable location. The proposed new buildings are of an appropriate design, scale and density for the location and will provide a high standard of amenity for future occupiers. Although there will be a limited level of harm associated with the impact of the development on neighbouring amenity this is not of a level which would justify a refusal of the development.

157. There would be some impact upon non-designated and designated heritage assets, most notably the loss of part of a locally listed building and the impact of the scale of the proposed new buildings on the conservation area. However, this less than substantial harm is considered to be outweighed by the benefits of the development, which includes the retention of the main historical parts of the locally listed building known as Eaton Grange through conversion works to facilitate the reinstatement of a viable long term residential use of the building, together with the provision of new housing, with affordable housing provision off-site through a commuted sum.

158. Taking the above matters into account it is considered that, on balance, the proposals are considered to be acceptable. 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.

Recommendation

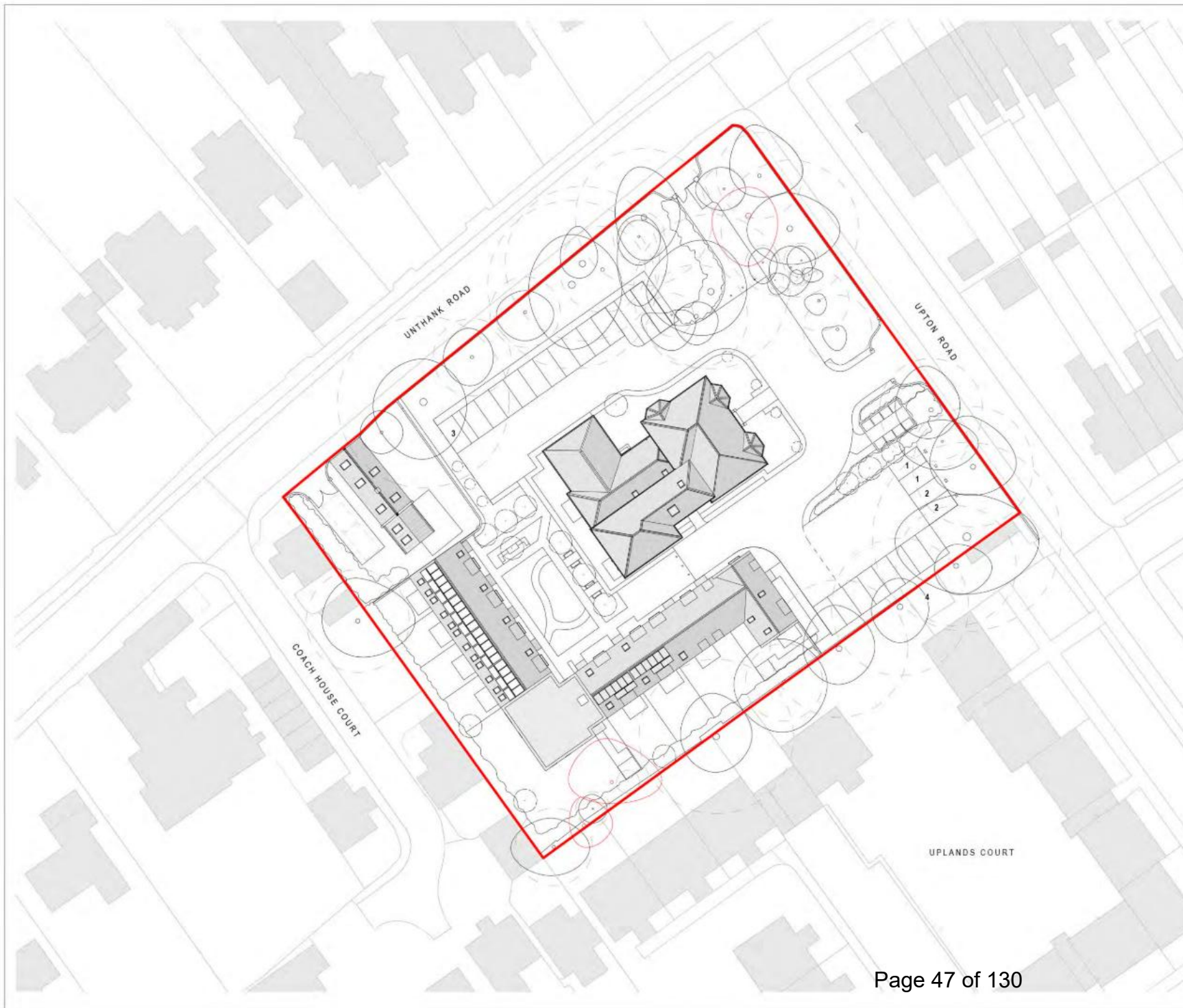
To approve application no. 20/01579/F - The Childrens Centre, 40 Upton Road, Norwich NR4 7PA and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of an off-site contribution towards affordable housing provision and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. In accordance with the submitted FRA and Drainage Strategy and supporting drainage information;
4. Materials, including detailed sections of windows to be replaced within the main building, to be agreed;
5. Obscure glazing of selected windows within the main house (where identified to be necessary within Design Statement Addendum) to be agreed;
6. Demolition of parts of building only as identified on existing site plan;
7. Construction management plan including demolition method statement to be agreed;
8. Historic Building recording for elements to be demolished;
9. Contract for redevelopment to be shown to avoid demolition of structures with no subsequent redevelopment;

10. Any phasing of the development to be in accordance with submitted phasing plan with access, parking, servicing, drainage and landscaping relevant to that phase to be completed and made available prior to first occupation of the phase;
11. Construction to provide sound attenuation against external noise within specified limits;
12. Unknown contamination procedure;
13. Any imported topsoil to be certified;
14. Access widening to 4.5 metres;
15. No gating of vehicular accesses unless details have been agreed;
16. Scheme for cycle parking and refuse and waste storage and collection to be agreed;
17. Car, EV charge points, cycle parking and waste and recycling provision before first occupation;
18. Scheme for on-site construction worker parking to be agreed;
19. Construction traffic management plan including access route to be agreed;
20. Traffic regulation order for waiting restrictions in vicinity of the site to be promoted;
21. Arboricultural work to be carried out by qualified arborist, details to be provided;
22. No works within root protection areas without arboricultural supervision;
23. Works to be carried out in accordance with AIA/AMS/TPP;
24. No dig methods for new paths/driveways within RPA of trees;
25. Landscape scheme (including provisions for repair of existing boundary walls and gate piers, new boundary treatments & materials at vehicle entrance), mitigatory replacement tree planting & landscape management plan to be agreed;
26. Ecological mitigation programme in accordance with measures in ecology report to be agreed;
27. No site clearance within bird nesting season;
28. Small mammal access provision to be made;
29. External lighting to be agreed;
30. Details of provision of one fire hydrant to be agreed;
31. Precise details of 10% energy measures, their specification and location to be agreed;
32. Water efficiency measures to be provided;
33. 10% of dwellings are required to meet accessibility standard.

Informatives:

- Construction working hours.
- Asbestos.
- Highway boundary clarification.
- Protected species awareness.
- Anglian water informatives.



NOTES

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These duties can be found at <http://www.hse.gov.uk/construction/cdm/2015/responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.



1. EV Charging Carpark Space (all spaces to be provided with infrastructure to provide future EV charging)
2. EV Fast Charging Carpark Space
3. Disabled Visitor Parking
4. Electrical Sub Station

— Site Boundary

○ Root Protection Area

○ Trees to be Removed

Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised site plan	23.08.21	DO	BR

PURPOSE OF ISSUE
PL - For Planning Submission

DRAWING STATUS
S2 - Fit for Information

PROJECT TITLE
EATON GRANGE

CLIENT
LNA Eaton Ltd

DRAWING TITLE
Proposed Site Plan

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1: 500@A3	08/05/20	TH	DO	BR

DRAWING NUMBER	PROJECT NO	TYPE	UNIQUE NO	REVISION
1642 - 00 - 003				A

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Norwich Office: Buntingford House, 58 Potterygate, Norwich, NR2 1EQ
Tel 01603 631 319 www.pro-works.com

KEY

- 1 Aluminium Rooflight - Dark Grey
- 2 Windows and Doors- White to match existing
- 3 Slate tiles to match existing
- 4 Rainwater Goods - Grey
- 5 Brick - Buff

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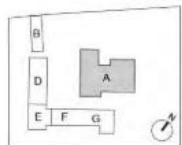
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Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised Elevations	24.06.21	TH	DO

PURPOSE OF ISSUE
PL - For Planning Submission

DRAWING STATUS
S2 - Fit for Information

PROJECT TITLE
EATON GRANGE

CLIENT
LNA Eaton Ltd

DRAWING TITLE
Proposed North-West Elevation

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1: 100@A3	08/05/20	TH	DO	BR

DRAWING NUMBER	PROJECT NO	TYPE	UNIQUE NO	REVISION
1642 - 20 - 013				A

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Tel 01603 631 310 www.pro-works.com



1

Proposed North-West Elevation
1 : 100

KEY

- 1 Windows and Doors - White to Match Existing
- 2 Juliet Balcony - Grey Metal
- 3 Slate tiles to match existing
- 4 Rainwater Goods - Grey
- 5 Brick - Buff

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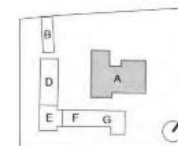
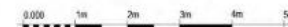
Ordnance Survey Licence Number 0100031873

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Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised Elevations	24.06.21	TH	DO



1

Proposed South-West Elevation
1 : 100

PURPOSE OF ISSUE PL - For Planning Submission				
DRAWING STATUS S2 - Fit for Information				
PROJECT TITLE EATON GRANGE				
CLIENT LNA Eaton Ltd				
DRAWING TITLE Proposed South-West Elevation				
SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1 : 100 @ A3	08/05/20	TH	DO	BR
DRAWING NUMBER				
PROJECT NO	TYPE	UNIQUE NO	REVISION	
1642	20	012	A	
Proworks ARCHITECTURE MASTERPLANNING LANDSCAPE & URBAN DESIGN ARCHITECTURE				
Norwich Office: Bretingham House, 58 Pottergate, Norwich, NR2 1EQ Tel 01603 631 310 www.pro-works.com				



Block E

Block D2

Block D2

Block D2

Block D1

1

Courtyard North-East Elevation Block D&E
1 : 100



Block D1

Block D2

Block D2

Block D2

Block E

2

Courtyard South-West Elevation Block D&E
1 : 100

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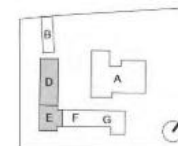
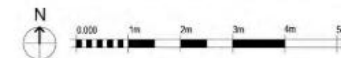
Ordnance Survey Licence Number 0100031673

CDM 2015

The Construction (Design and Management) Regulations 2015 (CDM 2015) makes a distinction between domestic and commercial clients and outlines the duties you, as client, have under Health and Safety Law (HSE).

These duties can be found at <http://www.hse.gov.uk/construction/cdm/2015/responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.



Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised roof line and window	24.06.21	TH	DO

PURPOSE OF ISSUE
PL - For Planning Submission

DRAWING STATUS
S2 - Fit for Information

PROJECT TITLE
EATON GRANGE

CLIENT
LNA Eaton Ltd

DRAWING TITLE
Block D / E Proposed North-East and South-West Elevations

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1 : 100 @ A3	08/24/20	TH	DO	BR

DRAWING NUMBER	PROJECT NO	TYPE	UNIQUE NO	REVISION
1642 - 20 - 040				A

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Block G

Block F

Block F

Block E

1

Courtyard North-West Elevation Block F/G

1 : 100



Block E

Block F

Block F

Block G

2

Courtyard South-East Elevation Block F/G

1 : 100

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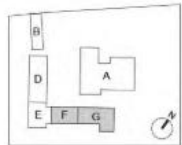
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0.000 1m 2m 3m 4m 5m



Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised roof line and window	24.06.21	TH	DO

PURPOSE OF ISSUE
PL - For Planning Submission

DRAWING STATUS
S2 - Fit for Information

PROJECT TITLE
EATON GRANGE

CLIENT
LNA Eaton Ltd

DRAWING TITLE
Courtyard Elevation Block F/G South-East and North West Elevations

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1 : 100 @ A3	08/24/20	TH	DO	BR

DRAWING NUMBER	PROJECT NO	TYPE	UNIQUE NO	REVISION
1642 - 20 - 060				A

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1 Block G North-East Elevation
1 : 100



2 Block G North-West Elevation
1 : 100

KEY

- 1 Brick - Buff
- 2 Brick - Brown
- 3 Plain Tile - Grey
- 4 Aluminium Window - Dark Grey
- 5 Stone Cill/Capping
- 6 Timber Door
- 7 Metal Clad Dormer
- 8 Rainwater Goods - Grey
- 9 Aluminium Box Window - Bronze

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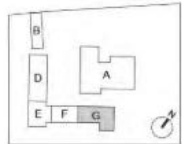
Ordnance Survey Licence Number 0100031673

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Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised roof line and window	24.06.21	TH	DO

PURPOSE OF ISSUE
PL - For Planning Submission

DRAWING STATUS
S2 - Fit for Information

PROJECT TITLE
EATON GRANGE

CLIENT
LNA Eaton Ltd

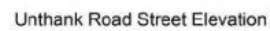
DRAWING TITLE
Block G Proposed North-East & North West Elevations

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1 : 100 @ A3	08/24/20	TH	DO	BR

DRAWING NUMBER	PROJECT NO	TYPE	UNIQUE NO	REVISION
1642 - 20 - 070 - A				

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Report to Planning applications committee

Item

10 February 2022

Report of Head of planning and regulatory services

Subject Application no 21/00636/F - 11 Normans Buildings,
Norwich, NR1 1QZ

**Reason
for referral** Objections

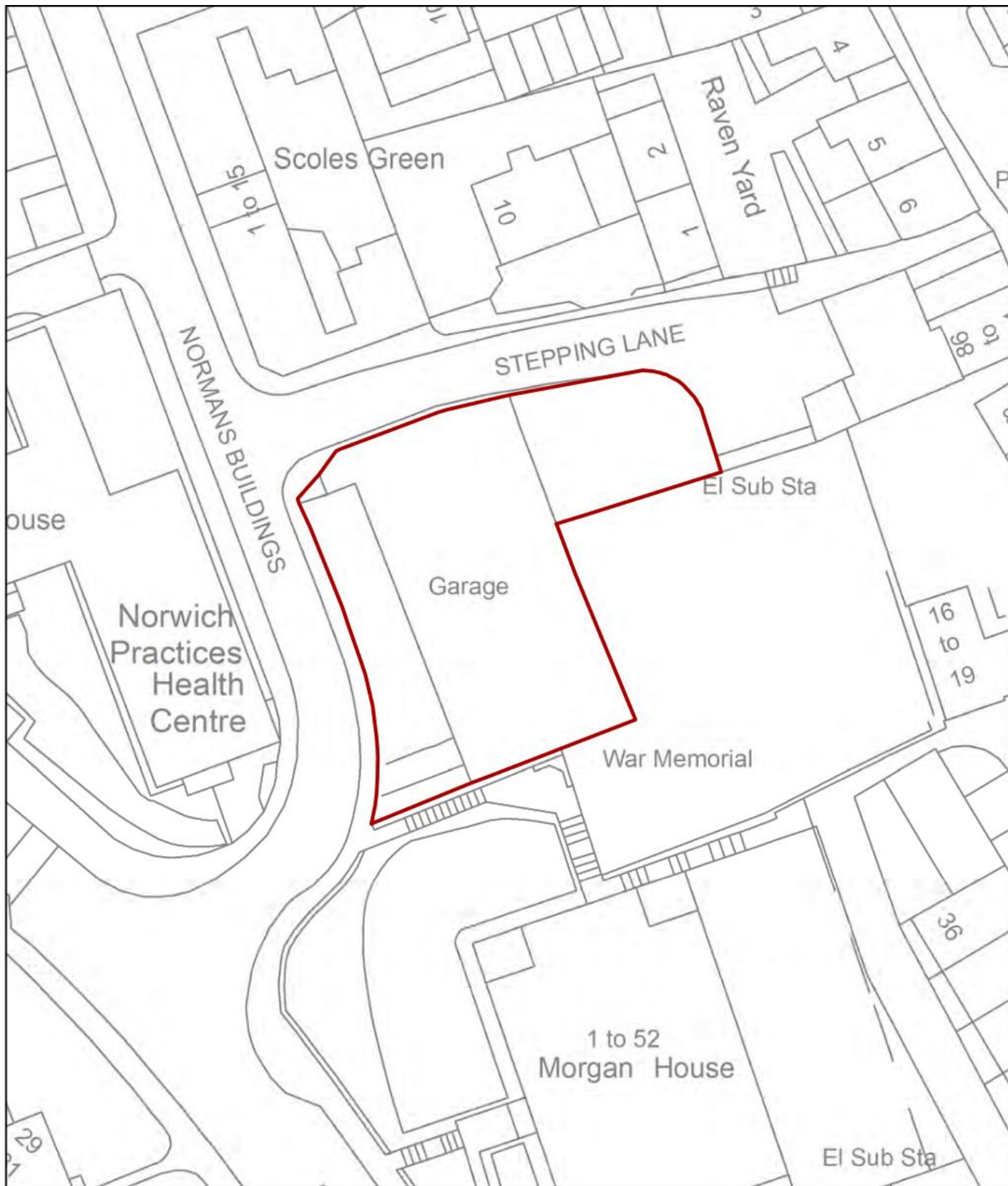
4b

Ward	Mancroft
Case officer	Sarah Hinchcliffe sarahhinchcliffe@norwich.gov.uk
Applicant	Crosslane Student Developments (CSD SPV 11 Limited)

Development proposal		
Demolition of existing building. Construction of purpose built student accommodation building including communal facilities, cycle store, bin store, landscaping and associated works		
Representations		
1st round of consultation		
Object	Comment	Support
28	0	0
2nd round of consultation (revised height, reduced number of units, removal of roof terrace)		
Object	Comment	Support
7	0	1

Main issues	Key considerations
1. Principle of development	Loss of employment use, provision of student accommodation
2. Design	Footprint and layout, scale and massing, external appearance.
3. Heritage	Impact upon the conservation area, nearby listed buildings and archaeology
4. Transport	Car free student accommodation, provision of bike and bin stores, drop off/pick up at the start/end of year, highway improvements
5. Amenity	Impact upon existing neighbours taking into consideration noise, overlooking, overshadowing and loss of light. Living conditions for future residents including size of units, amenity areas, air quality and noise impacts.
6. Energy and water	10% energy requirements
7. Flood risk and drainage	Management of surface water drainage

8. Biodiversity	Ecological mitigation and enhancement measures
Expiry date	5 August 2021 extension agreed until 17 February 2022
Recommendation	Approve



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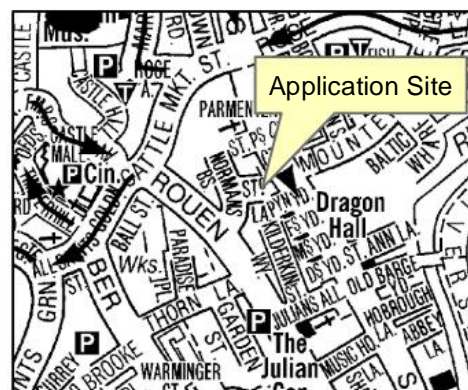
Planning Application No 21/00636/F
Site Address 11 Normans Buildings

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The 0.1 ha application site is located in Norwich city centre to the northeast of the junction of Normans Buildings with Rouen Road. The site addresses Normans Buildings (off Rouen Road) on its western boundary and abuts Stepping Lane on its northern boundary.
2. The site comprises a former car sales showroom and car repair/maintenance workshop. There is a small parking area to the front of the building to Normans Buildings and a larger area of parking to the rear via Stepping Lane.
3. There are a mix of uses and building styles surrounding the site. To the west is the five-storey flat roofed Rouen House which hosts office space and health services/a NHS walk in centre. To the south is an 8-storey residential apartment block (Morgan House). To the north is residential accommodation at Scoles Green, which addresses Normans Buildings and Stepping Lane: this block is part 3 and part 4 storeys high. There is also a 3-storey and single-storey dwelling to Stepping Lane. To the east are the rear of 2 to 3½ storey properties to King Street located at a much lower level than the application site.
4. The building on the site is a flat-roofed rectangular, 2 to 3 storey building located parallel to the east side of the road named Normans Buildings. The building is constructed across the prevailing slope and, as a result, there is room for a basement beneath, accessed only from Stepping Lane. The overall height of this building is 29.42m AOD or approximately 10.5m in height (west side) to 15.75m in height (east side) when measured from the adjacent ground level.
5. The land in the area rises steeply from east to west. Directly to the north of the site Stepping Lane is a no through road leading to a path with steps on to King Street which provides a pedestrian and cycle connection from Rouen Road/Normans Buildings to King Street. To the south is a pedestrian path which is steeply stepped, which leads via the Norwich Breweries War Memorial and Polypin Yard to King Street at a lower level.

Constraints

6. City Centre Conservation Area – Ber Street Character Area, close to edge of King Street Character Area – Policy DM9
7. Statutory Listed buildings nearby – Church of St Peter Parmentergate – Grade I; St Julians Church – Grade I; Howard House - Grade II*; 86-90 King Street, Ravens Yard - Grade II; 82-84 King Street – Grade II; 87 King Street – Grade II; 89 King Street – Grade II; 91 King Street – Grade II*;
8. City Centre Regeneration area – Policy DM5
9. City Centre Office Growth Area – Policy DM19
10. Office development priority area – Policy DM19 (although site area is less than 0.25ha threshold).
11. Area of Main Archaeological Interest – Policy DM9

12. Area of reduced Parking – Policy DM29

Relevant planning history

13. None

The proposal

14. The application seeks full planning permission for the demolition of the existing building and the redevelopment of the site with 141 units of purpose-built student studio accommodation (PBSA). Each studio has an ensuite bathroom and kitchen area and an area for study.
15. A reception and communal facilities including a gym, cinema, games and entertainment space are provided at lower ground and ground floor levels. All floors above ground floor level provide en-suite studio accommodation.
16. The proposed development would consist of an L-shaped building with accommodation arranged across interconnecting blocks to accommodate the changes in ground levels in the area. The development comprises a total of 9 storeys within the western most part of the building, reducing through 8 and then 5 storeys further north on the Normans Buildings frontage and reducing down to 3 storeys on the Stepping Lane frontage. Due to levels changes, not all floors of the development are apparent from the Normans Buildings frontage of the site (8 floors are evident from the west).
17. The accommodation is car free, with a cycle store located within the lower ground floor of the building, accessed direct from Stepping Lane. The main entrance to the building is from Normans Buildings.
18. The application has been revised since its initial submission. The main revisions include:
 - removal of some of the mass of the northern elevation;
 - removal of the external roof terrace on Level 04;
 - reducing the overall height of the building by approx. 1 metre (through a reduction of internal floor to ceiling heights);
 - relocation of bin and cycle storage and plant room within the lower two floors; and
 - a corresponding loss of 5 units from the initial proposed 146 units.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	141 student bed spaces – 141 single, en-suite studios (minimum 20m ² floor area) 362m ² communal space
Total floorspace	4,517m ²
No. of storeys	<p>Minimum 3 to Stepping Lane, maximum 9 storeys.</p> <p><u>Floor arrangements;</u></p> <p>Lower Ground (Level 02) – Plant (Stepping Lane access only)</p> <p>Lower Ground (Level 01) – Cinema, gym, meeting rooms, games room, entertainment kitchen/lounge & 11 studios, servicing, bins and cycles (Stepping Lane access only)</p> <p>Ground Floor (Level 00) – reception, games area, lounge & 15 studios</p> <p>First floor (Level 1) – 23 studios</p> <p>Second Floor (Level 2) – 20 studios (not Stepping Lane element from here upwards)</p> <p>Third Floor (Level 3) – 20 studios</p> <p>Fourth Floor (Level 4) – 14 studios</p> <p>Fifth Floor (Level 5) – 14 studios</p> <p>Sixth Floor (Level 6) – 14 studios</p> <p>Seventh Floor (Level 7) – 10 studios</p>
Max. dimensions	<p>Max height –</p> <ul style="list-style-type: none"> • 42.9m AOD (approx. 24m tall measured from land to west), • stepping down to 39.8m AOD (approx. 21m tall from land to west), • then 32.0m AOD (approx. 13.5m from land to west), • East wing 24.3m AOD (approx. 12.7m tall measured from lower land to east).
Density	1410 bed spaces/hectare (site area = 0.1ha)

Appearance	
Materials	Red/brown brick, dark reflective glazing panels and perforated mesh panels.
Energy and resource efficiency measures	CO ₂ heat pumps for hot water and air source heat pump heating
Operation	
Opening hours	24 hours
Ancillary plant and equipment	On roof and within the basement.
Transport matters	
No of car parking spaces	None
No of cycle parking spaces	54 cycle spaces on double stacker racks within the building. 6 additional visitor spaces to the front of the building
Servicing arrangements	Bin collection from lower ground floor via Stepping Lane

Representations

19. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 28 letters of representation were initially received citing the issues as summarised in the table below. Changes were made during the assessment of the application (to reduce the bulk and height of the proposals) and neighbours were re-consulted. Seven further letters of representation (some new and others had commented previously) were subsequently received and one letter of support citing issues also summarised below.

20.

Issues raised	Response
Impact on adjacent properties on Stepping Lane, Morgan House and King Street in terms of overlooking, over-bearing impact and over shadowing/loss of light, noise and disturbance and light pollution.	See main issue 5: Amenity
Increased height and impact on character of surrounding area/conservation area, including views from the exit of the churchyard at Grade I listed St Peter Parmentergate church.	See main issue 3: Heritage

Issues raised	Response
The building is too tall and dominant for a residential area. The design is corporate, obtrusive and lacks harmony with its surroundings.	See main issue 2: Design
The separation distance to Rouen House, a multi storey building, is too close and unacceptable.	See main issue 5: Amenity
Use of the car park for Rouen House (adjacent to the east of the site) will be impacted during demolition and construction.	The grant of planning permission should not prevent access to and use of adjacent sites. This is a civil matter between involved parties.
Redevelopment proposals for Rouen House carpark must not be prejudiced by this application. The new building should be set back from the site boundaries and represents over development of the site.	Each development is considered on its own merits. The proposals are contained within the site. The development potential of adjacent sites would take existing and committed development (with the benefit of planning permission or an allocated site) into account at the time of formal consideration. The car park adjacent to the site is neither allocated for development in the local plan nor are there any extant planning permissions for it's development. There are no planning applications under consideration for the adjacent site.
The roof terrace will create noise nuisance and overlook Stepping Lane and amenity areas in this location.	External roof terrace has been removed from the proposals.
Views of the castle and cathedral will be lost from some properties having a detrimental impact on their market value and rental potential.	Protection of a private view and impacts on property values are not material planning considerations.
To suggest that none of the students will have vehicles is naïve and the lack of parking provision is short sighted and will have a significant impact on nearby roads.	Residents will not be eligible for residential parking permits and therefore the availability of parking within the controlled parking zone will not be affected.
Increased use of pathway from Rouen Road to King Street and through St Peter Parmentergate churchyard and associated noise, disturbance and litter issues.	Increased usage of public pathways is encouraged to ensure safe usage of these existing routes.

Issues raised	Response
Inappropriate blocks of expensive student accommodation are not in the best interest of local residents or future student tenants.	See main issue 1: Principle of development. The development of studio accommodation is proposed to meet an identified need.
Adding students to the social issues plaguing the area from drug users and rough sleepers will invite more disturbances and require increased policing and social outreach programmes.	Increased footfall and activity in the area can help to deter any anti-social behaviour in the area through increased natural surveillance.
We believe the look of the new building will improve the area and create a vibrant environment, managed to create a community atmosphere in the local area.	Comments in support noted.
If left the site will become an eyesore and an area for anti-social behaviour.	The council has powers to deal with an untidy site if causing a nuisance, should such a situation arise in future.

21. Councillor Osborn, ward councillor for Mancroft Ward, has objected to the application on the following grounds:

“It is clear that the proposals will overlook and overshadow the existing buildings and would almost certainly cause a loss of privacy, in particular for those flats immediately surrounding the proposed development, especially at Morgan House, at Stepping Lane, at Raleigh Court, and some of the properties on King Street including Raven Yard. The proximity of the site to neighbouring flats at Stepping Lane (Scoles Green), Morgan House will likely cause disturbance from noise and light pollution.

The proposed development would be sorely out of character with this distinctiveness with significant massing and imposing frontages. There are a significant number of heritage assets in the King Street area, which forms part of the city centre conservation area. I am therefore both concerned about the immediate impact of the proposed building on the heritage area, and also concerned that it could set a precedent for ever-higher buildings”.

Consultation responses

22. 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.

Historic England

23. **Initial comments** - Historic England has concerns regarding the application on heritage grounds. While we would not object to redevelopment of the site with modern building of this sort, we consider the increase in height and footprint,

especially on the eastern side, could adversely affect the conservation area and recommend amendments to the design are sought which would reduce this impact.

24. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 7, 8, 193 and 194 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
25. **Final revision plans comments** - The amended design has reduced the bulk of the new building in views from Mountergate, which is a very positive development. The slight reduction in height of the main part of the building has a less notable effect, though. I therefore retain the reservations previously stated about the appearance of the main section of the development as a large, tall single block of building seen rising above the more varied, domestic traditionally scaled roof scape on King Street.
26. While I would not object to the application as a whole, I would recommend that further consideration is given to removing the top storey of accommodation from the development as this could have a significant benefit to King Street, including listed buildings on it.

Norwich City Council - Public protection

27. Air Quality

I have no objection to the development providing that the recommendations contained within the Redmore Environmental Air Quality Assessment are enacted.

28. Noise

I have no objection to the development providing that the recommendations contained within the Adrian James Acoustics Limited Environmental Noise Assessment are enacted.

29. Contaminated Land

The Desk Study Report produced by Harrison Group indicates that a site investigation is required to assess the impact of the site's former usage and the potential impact on future residents. This is considered to be a sensible course of action and as such I recommend conditions to secure this.

Norfolk County Council - Lead Local Flood Authority (LLFA)

30. **Comments on final revised documents** - We welcome the clear response provided by the applicant through a commentary email, providing clarity on how, why and where the amended information has been implemented in the revised Flood Risk Assessment (FRA) and Drainage Strategy.
31. From the information submitted, we are generally satisfied that the applicant appears to have now addressed the LLFA comments. The submitted FRA and

Drainage Strategy is, predominantly, in accordance with relevant national and local policy, frameworks, guidance (including best practice) and statutory/non-statutory standards

32. We have no objection subject to conditions being attached to any consent if this application is approved and the applicant is in agreement with any pre-commencement or 'built in accordance with' conditions.

Norfolk County Council – Local Highways Authority (LHA)

33. In principle I would have no objection to the proposed development subject to conditions and an informative being imposed, to secure a sustainable transport scheme (car club vehicle), cycle parking details, parking for construction workers, construction traffic management plan, off site highway improvement works, and a travel information plan.
34. The development proposes cycle parking for visitors at the front of the site and resident/staff cycle parking to the rear in a secure store. The most intense periods of traffic generation would be associated with the start and end of the academic year when students arrive and depart, typically with parental assistance. It is understood that a travel plan would manage this process by booking time slots to spread out activity. Loading can occur to the front of the site onto Normans Buildings, no further changes will be required to the waiting restrictions.
35. The development proposes a number of off-site highway improvements; reconstruction of the footway fronting the site to full kerb height, provision of a new car club vehicle and parking bay, a cycle channel adjacent to steps on Stepping Lane towards King Street and a courtesy crossing on Rouen Road. My view is that only the footway works are required, to be completed as a highway improvement scheme using a Small Highway Works Agreement.
36. The offer of purchasing a new car club vehicle is welcome and will offer travel choice for the staff and students. However, an additional car club bay is not required as there is an extant twin car club bay on Rouen Road with only one car currently deployed, so there is available space. With regard to the courtesy crossing on Rouen Road, this is not considered necessary in planning terms to facilitate the development, and as there are already speed cushions there is good compliance with the 20mph speed limit, and no further measures are required. In terms of the cycle channel, it is not known if these steps are highway or not, a highway boundary search is being undertaken to verify this, however as this is a small number of steps it is not considered unreasonable for a cyclist to lift the bike up or down these steps without the aid of a channel.
37. With regard to the cycle parking provision, the visitor cycle stands need to be repositioned away from the wall by 50cm to allow for a bike to be parked satisfactorily. The secure cycle store has a 40% ratio of provision whereas the transport statement indicates only a 26% ratio is required. Therefore, I would accept a lower figure of a 30% ratio and will require details of the cycle storage product by condition, it is important that if these are two tier products that the upper tier has space to be deployed to allow for ease of use.
38. A construction traffic management plan will be required by condition, given careful consideration of how pedestrian safety and movement will be accommodated.

Norfolk County Council – Norfolk historic environment service (HES)

39. Demolition to slab level only, then standard conditions for programme of archaeological work given the location of the site.

Norfolk police (architectural liaison)

40. The crime recorded over the past 2 years at the location show there are numerous incidents of burglary (residential and community), vehicle crime (theft from, and criminal damage to), together with theft of pedal cycles. There are also several reports of antisocial behaviour (including acts of graffiti). Shared student accommodation requires careful attention to detail in the design, layout and security measures, as student living away from home and sharing accommodation can sometimes been seen as easy targets and appropriate measures are required to acknowledge this increased risk. It is encouraging that the Planning Statement refers to creating places where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
41. Comments relate to perimeter security, windows opening on to public spaces and roof terrace, type of cycle storage.

Norfolk Fire and Rescue Service

42. I confirm that I have no observations to make regarding this matter. I do not propose to raise any objections providing the proposal meets the necessary requirements of the current Building Regulations 2010 – Approved Document B (volume 1 – 2019 edition) as administered by the Building Control Authority.
43. In part, the following salient areas will need to be clear in your [the applicant's] Building Regulation application and hence during Norfolk Fire and Rescue Service's statutory consultation with Building Control Authorities.
1. Cladding – If your proposal features cladding on the external faces of the building, your building regulation application will need to detail how the cladding and insulation conforms to the fire performance requirements under Approved document B.
2. Your building regulation application will need to confirm how you will conform with B5 of the Approved document B, including the provision of dry risers, firefighting shafts and lift.

Anglian Water

44. **Comments on final revised documents** - The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

45. The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. Anglian Water has reviewed the strategy outlined in the submitted document - PLN-0138777 Revised FRA and can confirm that this is acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted. Please be advised Anglian Water will be unable to adopt any flow control devices installed with a flow rate lower than 2l/s.

Norwich Society

46. Through engagement with the applicant we consider our comments have been incorporated into the proposals. The Norwich Society agrees that the proposals would be an appropriate use for the site within the context of the local area and does not constitute over development. We consider the architecture of the building to be sympathetic with the heritage of Norwich and support the economic benefits that the scheme will provide through its delivery of purpose-built student accommodation.
47. We would therefore like to register our support for these proposals and hope for this application to be approved by the Planning Committee.

Assessment of planning considerations

Relevant development plan policies

48. **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
 - JCS3 Energy and water
 - JCS4 Housing delivery
 - JCS5 The economy
 - JCS6 Access and transportation
 - JCS11 Norwich city centre
 - JCS20 Implementation
49. **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
 - DM5 Planning effectively for flood resilience
 - DM9 Safeguarding Norwich's heritage
 - DM11 Protecting against environmental hazards
 - DM12 Ensuring well-planned housing development
 - DM13 Communal development and multiple occupation
 - DM16 Supporting the needs of business
 - DM17 Supporting small businesses
 - DM19 Encouraging and promoting major office growth
 - DM28 Encouraging sustainable travel
 - DM29 Managing car parking demand in the city centre

- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

Other material considerations

50. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF6 Building a strong, competitive economy
- NPPF7 Ensuring the vitality of town centres
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF16 Conserving and enhancing the historic environment

51. City Centre Conservation Area Appraisal, September 2007

52. Purpose-Built Student Accommodation (PBSA) in Norwich – Evidence and best practice advice note (November 2019).

53. Prospect House Development Brief (adopted Oct 2018). The Development Brief sets out an indicative vision for the Prospect House site with the building heights plans proposing 7-8 storeys onto Rouen Road. Prospect House is on the western side of Rouen Road, west of the application site.

Case Assessment

54. 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

55. Key policies and NPPF sections – JCS4, JCS11, DM1, DM12, DM13, DM17, DM19, NPPF sections 2, 5, 6 and 7.

56. The site was last occupied by Richard Nash for car sales and servicing, a sui generis employment generating use. The provisions of policy DM17, which safeguards sites for small/medium scale business uses does not apply to sui generis uses.

57. Policy DM19 which encourages the provision of high-quality office space within the city may also apply, as the site is located within an office development priority area. However, the site area is under the size threshold of 0.25ha so the requirements of this policy similarly do not apply.

Provision of student accommodation

58. Paragraph 4 of Planning Practice Guidance – ‘Housing needs of different groups’, requires local planning authorities to plan for sufficient student accommodation which may include communal halls of residence or self-contained dwellings on or off campus. It states that the development of more dedicated student accommodation may take the pressure off the private rented sector and increase overall housing stock. Policy DM13 of the Development Management Policies Plan sets out criteria for the development of residential institutions and student accommodation; it does not include consideration of ‘need’ for student accommodation.
59. The council’s Purpose Built Student Accommodation (PBSA) advice note confirms that in terms of the development pipeline, and projected growth of the local higher education institutions, Norwich has a shortfall in PBSA and also an evidenced need for studios within that market demand. This document also acknowledges the recognisable increase in the amount of studio accommodation being proposed more recently and raises concerns that this may be driven by land costs rather than student demand, raising questions around affordability of the accommodation as a result.
60. The advice note states that the key locational focus for student accommodation will be at the UEA campus and the city centre, where the two key higher education institutions are situated. Proposals should be located with good access to existing local facilities and amenities, such as shops, cafes, and leisure uses appropriate to the student market, to ensure a high-quality student experience. The application site’s location within easy access of the city centre and it’s retail, service and leisure offering and excellent access to public transport clearly meets with the locational requirements of the PBSA advice note.
61. The proposed scheme would provide for 141 studios, which is below the recommended 200 – 400 bed space target (to ensure that schemes are viable and manageable) in the councils PBSA guidance. However, the development is not a traditional cluster bedroom scheme, which would provide increased density and bed space provision. The applicant has experience in developing PBSA and has conducted research of the local market and ascertained that a scheme of studio accommodation of this scale is a viable option with a target market of overseas students and post-graduate students.
62. A report of market demand commissioned by the applicant and produced by industry experts Cushman & Wakefield concludes that the student:bed ratio in Norwich is just above 2.2:1 (there are 2.2 students for every 1 student bed space), which is above their nationally observed average of 2.0:1. More specifically the international student to studio ratio is 7.3:1 (or 4.1:1 if all of the studios in the pipeline and the development proposed are developed). This is indicative of a need for additional accommodation to meet demand within the Norwich market for the type of accommodation proposed. The city-wide demand pool in Norwich is understood to be just over 14,000 students. The report suggests that there are

6,337 purpose-built student bed spaces available in Norwich in 2021/22. The University of East Anglia (UEA) owns 4,420 bed spaces and Norwich University of the Arts (NUA) provides 655 bed spaces, with the private sector left to meet the outstanding provision through PBSA and private House of Multiple Occupation (HMO) accommodation. There are a further 1,005 bed spaces within PBSA in the pipeline through extant planning consents. Therefore, even when taking into consideration recently built PBSA and that within the pipeline there clearly remains a gap between supply and demand which is exerting continued pressure on family housing through conversion to HMOs in parts of the city.

63. The provision of student accommodation within a sustainable city centre location is complementary to the mix of city centre uses, including residential uses within the area. Given the above, there is not considered to be any in principle reason that the site cannot be redeveloped for student accommodation.

Main issue 2: Design

64. Key policies and NPPF paragraphs – JCS2, DM3, DM9, DM12, DM13, NPPF sections 8, 11, 12.

Layout, height, massing and external appearance

65. The delivery of high quality and inclusive design is an objective of the NPPF which is considered essential for the delivery of sustainable development. Policy DM3 is concerned with design principles for new development; it provides further detail to help implement national policy and to supplement the strategic design principles set out in policy JCS2. The design principles in DM3 seek to ensure that development - in terms of layout, siting, density, massing and materials - is locally distinctive, and respects, enhances and responds to the local distinctiveness of the area. The site's location in the city centre conservation area introduces further design considerations.
66. There is a close relationship between the design and heritage aspects of the development. This section of the report, relating to design, will deal primarily with the layout, footprint, height, scale and massing and materials aspects of policy DM3, and main issue 3 (Heritage) with the heritage impacts, although there will inevitably be some overlap between the two sections. The following text relating to the site's townscape and historic development serves as a general context to both sections.
67. The application site is located in the area between King Street and Ber Street, two important streets which formerly lead to gates in the city walls. The characteristics of the area have changed over the centuries from low density development with open spaces, through more densely developed areas of terraced housing and large industrial premises, to large modern office buildings. The area around what is now known as Rouen Road continues to evolve.
68. The land in the area rises from the river to the east to higher land of Ber Street to the west. The site is located in relatively close proximity to the large scale, new and under construction developments of St Anne's Quarter, 60 metres to the east at its closest point, which is located on lower ground beyond King Street and adjacent to the River Wensum. There are also other buildings of noticeable scale and bulk on sites in close proximity to the site; including Morgan House, 13.5 metres to the

south (34.39m AOD) and Rouen House (36.1m AOD) and beyond this Prospect House 10 metres and 70 metres to the west respectively (a site which includes development potential to accommodate buildings of greater height).

69. On the other hand, there are buildings of a more modest domestic scale along historic King Street to the east. The mix of listed and modern buildings along King Street tend to range between 2 and 3½ storeys in height. The larger scale buildings which are found in the area are mainly located further away from the more sensitive King Street area, such that the bulk and scale of these buildings is less apparent and more acceptable in the surrounding context.
70. The application site marks a transition between development along King Street and larger scale buildings in the area around Rouen Road and the 1960s redevelopment areas closer to the city centre. The proposed development approach uses a number of blocks of varying scale and massing which step across and down the slope in an attempt to respond to the varying natural topography of the area. The lowest block to the east (3 floors of residential accommodation over a lower basement plant room) is found adjacent to Stepping Lane and smaller scale residential properties to the north and east. The height of the blocks steps up and away from the residential properties of Scoles Green to the highest block which provides 9 whole floors of accommodation (8 floors from Normans Buildings) on the southern part of the site. The variation in scale of the building recognises the proximity of the site to the historic collection of buildings on King Street, the natural topography of the site, and heights and proximity of surrounding buildings.
71. Buildings that are immediately adjacent to the south and west in the Rouen Road area are large scale developments of varying height and form. That said at a maximum height of 42.9m AOD the proposed development will be taller than any of the existing buildings of scale in the vicinity (see para 68), adding to the varied townscape/roofscape appearance in the Rouen Road area.
72. The visualisations submitted with the application suggest an acceptable form of development considering the context of the site. The recessed top storey and extensive glazing serve to reduce the mass of the building and the design and positioning of windows provides vertical emphasis which helps to break up and reduce the overall mass of the building. A simple colour and materials palette is proposed of red/brown brick with use of brick detailing to create relief to the façade without overcomplicating the materials palette. The proposal introduces different materials through metal mesh panels adjacent to the windows to add visual interest.
73. The scheme has been designed in such a way that minimises the impacts of the increased building height on surrounding properties and ensures a high standard of amenity for future occupiers.
74. The proposal is considered to be of an appropriate scale and form when considered in the context of the surrounding existing, approved and planned development and also considering government advice to make as much use as possible of previously developed brownfield land.

Entrances and external spaces

75. The main entrances to the site are from the west via the Normans Buildings elevation, either via the reception area or directly adjacent to it. This provides a

clear active frontage to the development. A further access is provided from Stepping Lane to the north, where secure access is also gained to and from the cycle and bin stores.

76. The limited size of the site and the footprint of the building does not allow for extensive areas of landscaping or the provision of outside amenity space at ground floor levels. A roof terrace was proposed on Level 04 but has been removed since the initial proposals as advised by officers to avoid impacts on residential amenity at surrounding sites.
77. Small amounts of landscaping are proposed where there is space on all sides of the building and is also incorporated through rain garden planters as part of the drainage scheme for the site. In addition, the proposed south elevation of the building arguably provides an improved backdrop to the Breweries War Memorial, located at a lower level adjacent to the south. The proposal provides more active surveillance of this area and the footpath adjacent to the site, from the upper floors of the building which may act as a deterrent to anti-social behaviour in this area and make this space feel safer to use.

Main issue 3: Heritage

78. Key policies and NPPF paragraphs – JCS2, DM3, DM9, DM12, NPPF section 12 & 16, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
79. The existing building on the application site is of little architectural or historic interest and is flanked by other large scale modern buildings. However, the site lies within the City Centre Conservation Area (in the Ber Street Character Area and in close proximity to the King Street Character Area). Therefore Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically Barnwell Manor Wind Energy Ltd v East Northamptonshire DC [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.
80. The redevelopment of the site presents a clear opportunity to enhance the conservation area through the removal of an identified 'negative building'. This must however be considered in the context of statutory listed buildings to the northeast along King Street and the Grade I listed churches of St Peter Parmentergate to the north and St Julian's to the south. Through a combination of the separation distance between the churches identified and the application site and the intervening existing development around these designated heritage assets, the building on the application site currently makes an extremely limited contribution to their setting. However, given the proximity of the site to the listed buildings on King Street, development of the scale proposed on the application site would result in some harm to their setting from the less formal rear approach to these buildings.
81. The proposed new building would take a contemporary approach to design and result in a much larger, modern residential block, which is not dissimilar to nearby

office and residential buildings. The building is clearly of much greater height and scale than the existing and for these reasons will cause some harm to the character and appearance of the conservation area. However, the greatest bulk is located closer to Rouen Road with its buildings of greater height and scale providing the local context (notably Rouen House, Morgan House and the block at no. 20 Rouen Road). By contrast, the elements in closer proximity to King Street and its concentration of listed buildings are of reduced scale so as not to appear overbearing to the setting of King Street and its listed buildings, particularly when viewed from the direction of Mountergate.

82. A key vista within the conservation area, which is currently identified as a negative vista within the associated conservation area appraisal, is that up Mountergate (looking west) towards the site. The vista has both historic and modern buildings of domestic scale around King Street in the foreground and the negative buildings on the application site and Rouen House behind. The taller part of the proposed building protrudes so as to be visible above the roof of the Grade II* listed Howard's House on King Street in the foreground. However, it is set back such that it will not detract from the setting of the listed building.
83. To allay the concerns raised by Historic England and to minimise the harm identified, revisions have been made to the proposals. The height of the tallest part of the new building has been reduced by 1 metre and some of the mass of the northern part of the building has been removed. These changes will ensure that less of the increased height of the building is visible above the ridge of Grade II* listed Howard's House within narrow focused longer views up Mountergate, once the St Anne's Wharf development adjacent to Mountergate has been completed. Reducing the height of the building also helps to prevent the development from having an overbearing effect or over-shadowing the rear of the properties on King Street.
84. Suggestions were also made by Historic England to consider the footprint and massing of the part of the building which extends into the area of car park to the east of the existing building and remove the top storey of the development, so as to create an open buffer to King Street and not adversely affect the conservation area and benefit the listed buildings on King Street. The eastern wing in question is three storeys of accommodation above a plant room, it is located on the lowest part of the site and will be of a scale and relationship with the properties on King Street which is not dissimilar to that of other developments located between Rouen Road and King Street in the near vicinity. The top most floor of the proposed development is recessed and located furthest from King Street and is viewed in the context of development on Rouen Road. Views of the development from King Street itself, due to the height and continuous frontages to King Street properties, are limited to narrow glimpses up pedestrian pathways between properties. The loss or reduction of the elements of the building suggested by Historic England would result in a corresponding reduction in the number of units proposed which would render the proposals unviable on this small site and for the reasons explained above are not considered by officers to be necessary to present an acceptable form of development.
85. The scale, form and revised design of the development proposed results in 'less than substantial harm' to the significance or special character and appearance of the conservation area as a whole or the significance of designated heritage assets on King Street, thus engaging paragraph 202 of the NPPF. This 'less than

substantial' harm should be weighed in the balance against the public benefits of the proposals in accordance with paragraph 202 of the NPPF.

86. On balance the 'less than substantial' harm identified to the historic environment is considered acceptable given the 'clear and convincing justification' of the public benefits associated with the redevelopment of a vacant/under utilised brownfield site and the replacement of a 'negative building' within the conservation area of a utilitarian and rather harsh appearance. The proposals provide a supply of housing for students, which in turn will help to alleviate pressure on family housing for such purposes. The development will also help to support the growth of education establishments in the city through the offer of good quality accommodation in a sustainable location which helps to attract students to Norwich as a place to study, work and live in the longer term. The proposals comply with policies DM3 and DM9 of the Development Management Policies Local Plan 2014 and paragraph 202 and 207 of the National Planning Policy Framework 2021.

Main issue 4: Transport

87. Key policies and NPPF paragraphs – JCS6, DM13, DM28, DM30, DM31, DM32, NPPF section 9.
88. The site is located within the city centre in a highly sustainable location, allowing the proposed student accommodation to be accessed by a range of transport modes. The main day to day means of accessing the site by residents and any visitors will be on foot, bike or by taxi. The development does not include any car parking provision and suggests that a condition of occupancy for students would be that they do not bring a vehicle to site. There are extensive waiting restrictions within the city centre controlled parking zone, and the premises would not be entitled to on-street parking permits. Therefore, this would be a car free development, the principle of which is considered to be acceptable, in line with policy DM32.
89. The most intense periods of vehicle traffic generation would be associated with the start and end of the academic year when students arrive and depart. It is understood that a travel plan together with the submitted site management statement will manage this process by booking time slots to spread out activity. The highway authority advise that loading/unloading can occur to the front of the site onto Normans Buildings and Stepping Lane during this period and no further changes will be required to the waiting restrictions.
90. A bin storage area is located within the building at lower ground floor level accessed from Stepping Lane. Due to the constrained nature of Stepping Lane, the applicant has confirmed that refuse collection will be undertaken by a commercial waste contractor using a refuse collection vehicle that can sufficiently turn and manoeuvre within the available space to the rear of the development.
91. The development proposes a number of off-site highway improvements including reconstruction of the footway fronting the site to full kerb height, provision of a new car club vehicle and parking bay, a cycle channel adjacent to steps on Stepping Lane towards King Street, and a courtesy crossing on Rouen Road.
92. The offer of car club vehicle provision is commended, however there are no local policies in place to support and secure such provision associated with the use proposed. Consequently, it is not proposed to secure the provision of a vehicle as

part of any planning permission, either via condition or a Section 106 agreement. However, should the applicants wish to enter into an agreement with the Norfolk Car Club to purchase a vehicle to occupy the vacant car club space on Rouen Road they could do so independently of the planning process. In any event there is an existing car club vehicle available for use in Rouen Road less than 50 metres from the building entrance and this existing provision provides travel choice to staff and students.

93. With regard to the courtesy crossing on Rouen Road, this is not considered necessary in planning terms to facilitate the development, and as there are already speed cushions in this location there is good compliance with the 20mph speed limit, and no further measures are required.
94. The highway authority has confirmed that only the footway works and the cycle channel are required to be completed as a highway improvement and these can be secured by planning condition.
95. The development proposes cycle parking for visitors at the front of the site and resident/staff cycle parking in a secure store within the lower floor of the building. The secure cycle store has a 38% ratio of provision, a greater amount than the 26% ratio that the applicants transport statement indicates is required. The greater provision is welcomed, but it is important that if these are two tier products the upper tier has space to be deployed to allow for ease of use. Details of the cycle storage product will be required by condition to ensure suitability.

Main issue 5: Amenity

96. Key policies and NPPF paragraphs – DM2, DM11, DM12, DM13, NPPF sections 12, 15.
97. The site is in the city centre where the prevailing character of development is high density. As explained in previous sections there are a number of existing tall buildings in the close vicinity of differing storey heights and constructed from differing ground levels, some of which are in residential occupation.

Amenity of existing occupiers

98. Given the height of the proposed development and the high-density urban grain of existing development surrounding the site, there will inevitably be an element of overlooking of adjacent properties. Some of these properties, such as Rouen House are commercial and the impact upon them is consequently less significant.
99. The closest relationship is with Scoles Green residential accommodation to the north of the site. This three to four storey development is located just over 9 metres from the proposed development at its closest point. A low number of small windows are located on the south facing elevation of this development and already face towards the existing building on the site which stands between 12.5m and 14.25 metres above ground level at this point and casts shade over Scoles Green. The new building will be approximately 1 metre taller than the existing building in this location closest to neighbours at Scoles Green. While much taller elements of the proposal are located further away from the Stepping Lane frontage of the site, they provide over 17 metres separation from properties to the north. Many of the existing windows within the Scoles Green development will continue to look out

towards blank parts of the elevations of the proposed development and therefore the relationship remains similar to existing. Private and communal amenity areas associated with the Scoles Green development are already overlooked by surrounding taller buildings. Due to the separation distances involved this will not result in a situation which differs significantly from the circumstances found generally locally.

100. Number 10 Stepping Lane is a three-storey detached residential property which is located approximately 14 metres to the north of the lower three/four storey eastern wing of the proposed development. This property has a number of large windows (many to dual aspect rooms) which face directly towards the proposed development. It also has a small amenity area which is overlooked by existing development which wraps around the property.
101. To the east are the rear elevations of two, three and four storey residential properties to King Street. These are approximately 24 metres from the closest part of the proposed development and are located at a lower level.
102. To the south, Morgan House is approximately 16 metres distant and has nine storeys of residential accommodation (total 34.39m AOD). The north elevation of this building has small north facing windows across five floors of development and windows and amenity space within the top floor accommodation which face towards the proposals across an intervening public stepped access from Rouen Road to King Street (via the Brewery War Memorial and Polypin Yard).
103. Rouen House is located to the west and has five storeys (36.1m AOD), is between approx. 9 and 13 metres distant and consists of office accommodation and health services. Loss of privacy (visual and auditory) to clinical rooms (health services and NHS walk in centre) on lower two floors of Rouen House has been raised as a potential issue. It is not unusual to expect privacy for such services to be provided through blinds to affected windows.
104. The loss of light, both daylight and sunlight, and overshadowing are relevant issues and have been addressed by the applicant in supporting documentation. The applicant has produced a Daylight and Sunlight Report to assess the impacts of the development on neighbouring residential accommodation. The report assesses the application against policy requirements and the Building Research Establishment (BRE) good practice guidance. The report concludes that in daylight terms there is 95% compliance with the vertical sky component (VSC) and no-skyline (NSL) which measures the amount of skylight available and the distribution of daylight around affected rooms. 24 of the neighbouring 27 properties (including residential blocks of development containing numerous separate units) considered for assessment will fully comply with the assessment criteria. Isolated infringements in three of the neighbouring properties are low or medium adverse, with 10 of the 11 infringements understood to be to bedrooms which are generally considered to be of lower significance in daylight terms as they are mainly occupied at night-time.
105. In sunlight terms considering the percentage of annual probable sunlight hours (APSH) available to affected windows the analysis demonstrates 99.6% compliance with the primary APSH criteria with only isolated infringement to a single window (low adverse impact) out of the 281 considered for assessment.

106. In shadowing terms, the scheme will generally have only minimal effects on adjacent open amenity areas, but with an isolated adverse impact on the garden area to No.10 Stepping Lane only. Overall, the reduction across all considered amenity areas cumulatively is 5%.
107. Considering the impacts as a whole, the proposed development would not have an unacceptable impact on the daylight and sunlight amenity of neighbouring properties when assessed against policy DM2 and the BRE guidelines.
108. Concern has been raised over potential noise impacts arising from the proposed development. The proposed use is for student accommodation and will be car free. Increased usage of paths and walkways around the development and between King Street and Rouen Road is welcomed in terms of making these areas more appealing to users and providing safe and convenient access for all to facilities that the city centre has to offer. The proposed development is located in the city centre where some noise generation can be expected, however it has been designed to reduce the likelihood of noise generation. The building is fully glazed and enclosed and has no balconies or external amenity areas. A roof terrace element at Level 04 has been removed from the proposals to protect the residential amenity of neighbouring properties associated with overlooking and noise and disturbance associated with its use. There will be an on-site presence 24 hours a day through the management team during normal weekday office hours and resident coordinators, with access to 24-hour security services outside of these times, so if any potential noise and disturbance is identified it can be addressed. It is considered that the proposed student accommodation is a suitable use for this city centre site and is unlikely to lead to significant noise and disturbance once it is operational.
109. There will inevitably be noise generated as a result of construction. It is recommended that a construction management plan is secured by condition to limit the impacts of construction where possible given the proximity of residential neighbours.
110. The impact of rooftop plant (four air source heat pumps and two condensers) which will be installed in an enclosure on the highest part of the roof of the proposed development and will operate 24 hours a day, has been taken into consideration in the applicants Noise Impact Assessment. The plant sound level has been assessed to be at least 5 dB(A) below the typical night-time background sound level at the nearest noise-sensitive receptors at Morgan House, Rouen House and Scoles Green. At these levels, plant noise will not have a material impact on the nearest neighbouring properties
111. During the construction phase of the development there is the potential for air quality impacts on existing residents as a result of dust emissions from the site. So long as good practice dust control measures are implemented to mitigate impacts, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and movement of dust or dirt associated with vehicles moving off of the site during construction was predicted not to be significant. Mitigation during construction will be secured by planning condition.

Amenity of future occupiers

112. The Noise Impact Assessment identifies road traffic noise from the surrounding city centre road network and Rouen Road in particular as the dominant noise source at the site but confirms that ambient noise levels are relatively low for a built-up city centre location. In addition, noise associated with the use of a private car park used by Rouen House, located to the southeast of the development and low frequency noise from an existing electricity transformer to the east of the site has been considered.
113. Based on the results of the noise survey, acoustic design recommendations and specifications have been provided for the building envelope to reduce noise ingress so that noise levels in habitable studio units would comply with the internal noise criteria
114. In terms of air quality, the site is located within the city centre air quality management area (AQMA). There is the potential for the exposure of future occupants to elevated pollution levels as a result of emissions from the highway network. Dispersion modelling was undertaken to predict concentrations across the proposed development site with results verified using local monitoring data. This indicated that predicted pollution levels were below the relevant criteria at all locations across the development. The site is therefore suitable for student accommodation in terms of air quality. As a car free development road traffic emissions associated with the operational use of the site will not be significant.
115. Space provision for proposed occupiers should also be considered. The internal space standards within policy DM2 do not apply to purpose-built student accommodation. The studios however comply with the recommended sizes of a minimum of 18m² floor area set out within the council's PBSA advice note and provide a minimum of 20m² floor area.
116. Communal space is provided within the building across a range of functions; however, the roof terrace external amenity space was removed from the development at the request of officers. The result is that the development does not include external amenity space for the benefit of occupiers. This is not untypical of development in the surrounding area and is acceptable in this sustainable, city centre location with local access to urban parks and open spaces. Norwich Castle gardens is 250 metres to the north-west, Chapelfield Gardens is 800 metres to the west and access to the riverside path is 300 metres to the south-east. Therefore, while there is a technical conflict with the aims of policy DM2 which seeks to secure external amenity space within residential developments, the living conditions of the occupiers would not be compromised as access to public open spaces are within easy walking or cycling distance of the site. The development will not give rise to harm to the living conditions of future occupiers. The proposal is in accordance with Policies DM2, DM12 and DM13 of the Local Plan in so far as it translates to PBSA and which seeks, amongst other things, to ensure that developments provide a high standard of amenity for future occupiers.
117. In conclusion, although there will inevitably be some amenity impacts arising from this development, these are to be expected for substantial new development in a city centre location and are considered to be acceptable in terms of the impacts on existing occupiers as well as for future residents of the development.

Main issue 6: Energy and water

118. Key policies and NPPF paragraphs – JCS1, JCS3, DM1, DM3, NPPF section 14.
119. The proposal triggers both energy and water elements of policy 3 of the JCS. An Energy Strategy accompanies the application. Space heating to the ancillary areas will be served by air source heat pumps, and due to the predicted high domestic hot water consumption, a series of CO₂ heat pumps are proposed for the domestic hot water generation and will reduce the fuel consumption by 543,505 kWh and reduce the energy consumption by 59.2% over a similar gas fired boiler option.
120. The report concludes that the 10% energy requirements from renewable or low carbon sources will be significantly exceeded. Thus, responding to the JCS3 policy requirement by either reducing fuel consumption by more than 10% or generating energy in excess of 10% of the building demand using renewable resources.
121. The scheme must also incorporate water efficiency measures and ensure daily water consumption per person does not exceed 110 litres. Suitably worded conditions will be used to secure the specified energy requirements and water efficiency measures as required by JCS3.

Main issue 7: Flood risk and drainage

122. Key policies and NPPF paragraphs – JCS1, DM3, DM5, NPPF section 14.
123. It is a requirement of the NPPF that development does not increase flood risk elsewhere. Policy DM5 goes on to require the incorporation of mitigation measures to deal with surface water arising from development proposals to minimise and where possible reduce the risk of flooding on the site and minimise risk within the surrounding area.
124. The existing site is entirely covered by a building and hard surfacing, which currently discharges surface water unrestricted into the existing surface water sewer within Stepping Lane. The site is located within Flood Zone 1 but is also located within Groundwater Source Protection Zone 1, with the underlying chalk bedrock classified as a Principal Aquifer. The site contains variable made ground material and there is also a risk of chalk dissolution in the underlying chalk bedrock.
125. The site due to its size and ground conditions offers limited opportunity to provide infiltration drainage while complying with Building Regulations requirements. The surface water drainage design proposed can accommodate up to a 1 in 100-year critical storm event plus 40% climate change without flooding by providing onsite attenuation. Revisions to the drainage strategy propose tanked cellular storage beneath the lower ground floor of the building as a means of attenuation, before discharge to the public sewer within Stepping Lane at a restricted discharge rate of 1.3l/s split across two connection points, agreed with Anglian Water.
126. The use of green roofs and rainwater planters (used as overflow tanks) will help to improving water quality discharged from the site and provide an unspecified amount of attenuation benefits while also providing small scale biodiversity and amenity benefits.
127. The Lead Local Flood Authority have confirmed that they no longer have an objection to the proposed development subject to the development being built in

accordance with the submitted Flood Risk Assessment and Drainage Strategy. Similarly Anglian Water do not object to the proposals subject to the use of a planning condition to secure the drainage proposals.

Main issue 8: Biodiversity

128. Key policies and NPPF paragraphs – JCS1, DM6, NPPF section 15.

129. The applicant's ecologist has provided an ecological assessment including bat roost assessment which considers the potential for use of the existing building by roosting bats. Bats are concluded to be absent from the building following a detailed visual inspection.

130. The urban location of the site limits the potential for attracting wildlife. Soft landscaping is proposed to comprise defensible planting, and there are a number of shrubs that are suitable for pollinating insects. Ten integral or surface mounted swift boxes are proposed as enhancement measures, to be erected in a location close together and as high as possible in locations with a clear 'flight path'. The provision of these biodiversity enhancement measures can be secured by planning condition.

Compliance with other relevant development plan policies

131. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes, subject to condition
Energy efficiency	JCS 1 & 3 DM3	Yes, subject to condition
Water efficiency	JCS 1 & 3	Yes, subject to condition
Sustainable urban drainage	DM3/5	Yes, subject to condition

Other matters

132. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:

- Archaeology – subject to conditions
- Contamination – subject to conditions

Equalities and diversity issues

133. There are no significant equality or diversity issues.

S106 Obligations

134. No Section 106 obligation is required.

Local finance considerations

135. 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.
136. 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.
137. In this case local finance considerations are not considered to be material to the case.

Conclusion

138. The proposed development of student accommodation is on a previously developed, brownfield site in a highly sustainable location. The proposed new building is of an appropriate design and scale for the location and would not have an unacceptable impact upon heritage assets and amenity of adjacent neighbours. The amenity of future occupiers of the development is also considered to be acceptable.
139. The proposed student accommodation will be car free, with an appropriate level of cycle parking for students and visitors. The greatest impact upon the highway will be at the start and end of the academic year, but this can be mitigated through satisfactory management arrangements.
140. There would be some impact upon designated heritage assets, most notably the impact of the scale of the proposed building on the conservation area and the setting of listed buildings on King Street. However, this less than substantial harm is considered to be outweighed by the benefits of the development, which includes making better use of an underutilised brownfield site, removal of a negative building in the conservation area and providing supply and choice of accommodation for students. This in turn helps to alleviate pressure on family housing for such purposes and also helps to support the growth of education establishments in the city through the offer of good quality accommodation in a sustainable location which helps to attract students to Norwich as a place to study, work and live longer term.
141. Taking the above matters into account it is considered that, on balance, the proposals are considered to be acceptable. 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.

Recommendation

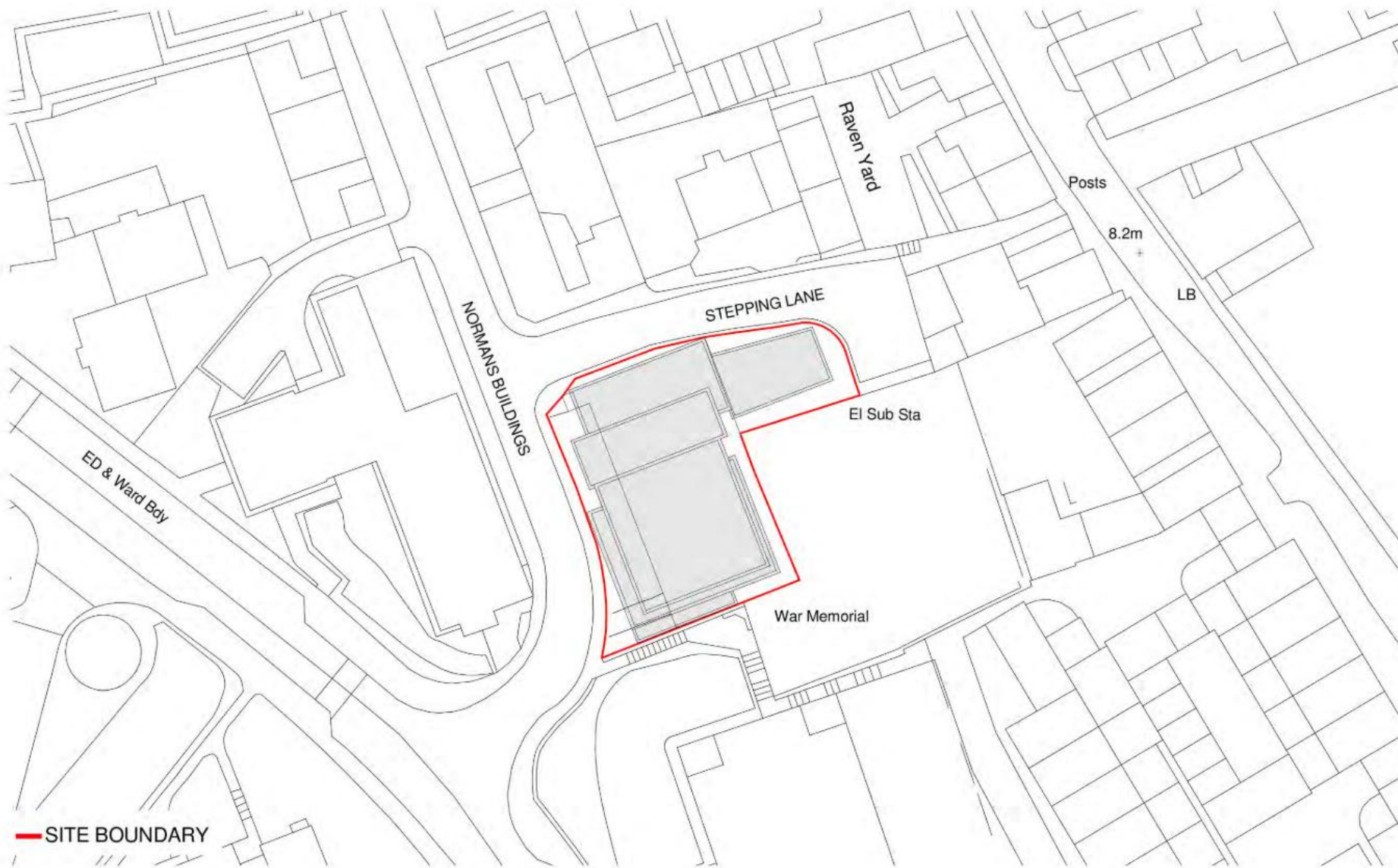
To approve application no. 21/00636/F - 11 Normans Buildings Norwich NR1 1QZ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. In accordance with the submitted FRA and Drainage Strategy and supporting drainage information;
4. Maximum of 141 residential units;
5. Upon first use the development shall be operated and managed in accordance with the Management Statement hereby approved;
6. Demolition to slab level then archaeological investigation to be agreed and carried out;
7. Materials to be agreed, including lighting, including area above Norwich Breweries War memorial;
8. Landscaping scheme incorporating ecological planting and details of green roofs and rainwater planters/rain gardens to be agreed;
9. Works to be carried out in accordance with ecological assessment recommendations;
10. Details of biodiversity enhancement measures as outlined in ecological assessment to be agreed;
11. Details of a scheme for the parking of cycles to be agreed (including product internal to building and visitor cycle parking arrangements to Normans Buildings frontage);
12. Construction management plan (including traffic management, site management, deliveries, construction parking, wheel washing, construction hours, noise and dust mitigation and any other mitigation) to be agreed;
13. For duration of construction, traffic to comply with construction management plan;
14. Off-site highway improvement scheme (footway reconstruction to full kerb height, reinstatement of waiting restrictions and provision of cycle channel alongside steps at Stepping Lane towards King Street) to be agreed;
15. Off-site highway improvements to be completed prior to first occupation;
16. Travel Information Plan (incorporating site Management Statement) to manage arrival and departure of students at start and end of academic year to be agreed prior to first occupation;
17. Full travel plan to be submitted during the first year of occupation based on framework travel plan. To be maintained and reviewed in accordance with the agreed details.
18. Works to be carried out in accordance with air quality report recommendations and mitigation measures;
19. Works to be carried out in accordance with noise report recommendations and mitigation measures;
20. Contamination site investigation to be agreed;
21. Unknown contamination procedure;
22. Any imported topsoil to be certified;
23. Precise details of 10% energy measures, their specification and location to be agreed;
24. Water efficiency measures to be provided;

Informatives:

- Construction working hours.

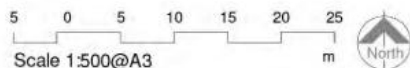
- Works to public highway require agreement with Norfolk County Council.
- Travel plan agreement with Norfolk County Council.
- Clarification of boundary with public highway.
- No on-street parking permit entitlement.
- Protected species awareness.
- Anglian Water informatives



— SITE BOUNDARY

1 Proposed Site Plan

1 : 500



Client Name
CROSSLANE

Drawing Title
Proposed Site Plan

Drawn
JW

Checked
JW

Date
04/15/21

Job Title
Stepping Lane - Norwich

Job No	Origin	Volume	Level	Type	Revision Number	Rev
W0412	WW	00			A 0105	

Status
PLANNING

Rev. Date Revision Details Dr. Ch



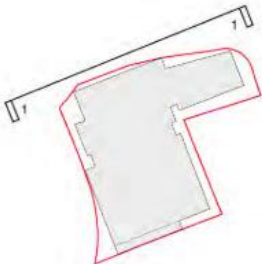
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Bristol: Bristol Chambers, 11 Doring Road,
Westbury, West Sussex, BN12 4JP
T 01403 240777 E info@westworks.co.uk
London: 76 Great South Street,
London, SE1 0BE
T 0207 926 2773 E enquiries@westworks.com

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1 North Elevation
1:100

- Materials Key**
1:100
- Stretcher Bond Brick - Red / Orange
 - Soldier Course Brick - Red / Orange
 - Metal Mesh Panels - Silver Colour
 - All Window Frames to be RAL 7021 Black Grey.
 - All Louvers / Vent Panels to Match Window Frames.
 - All opaque window panels to be glazed in a colour to match window frames.

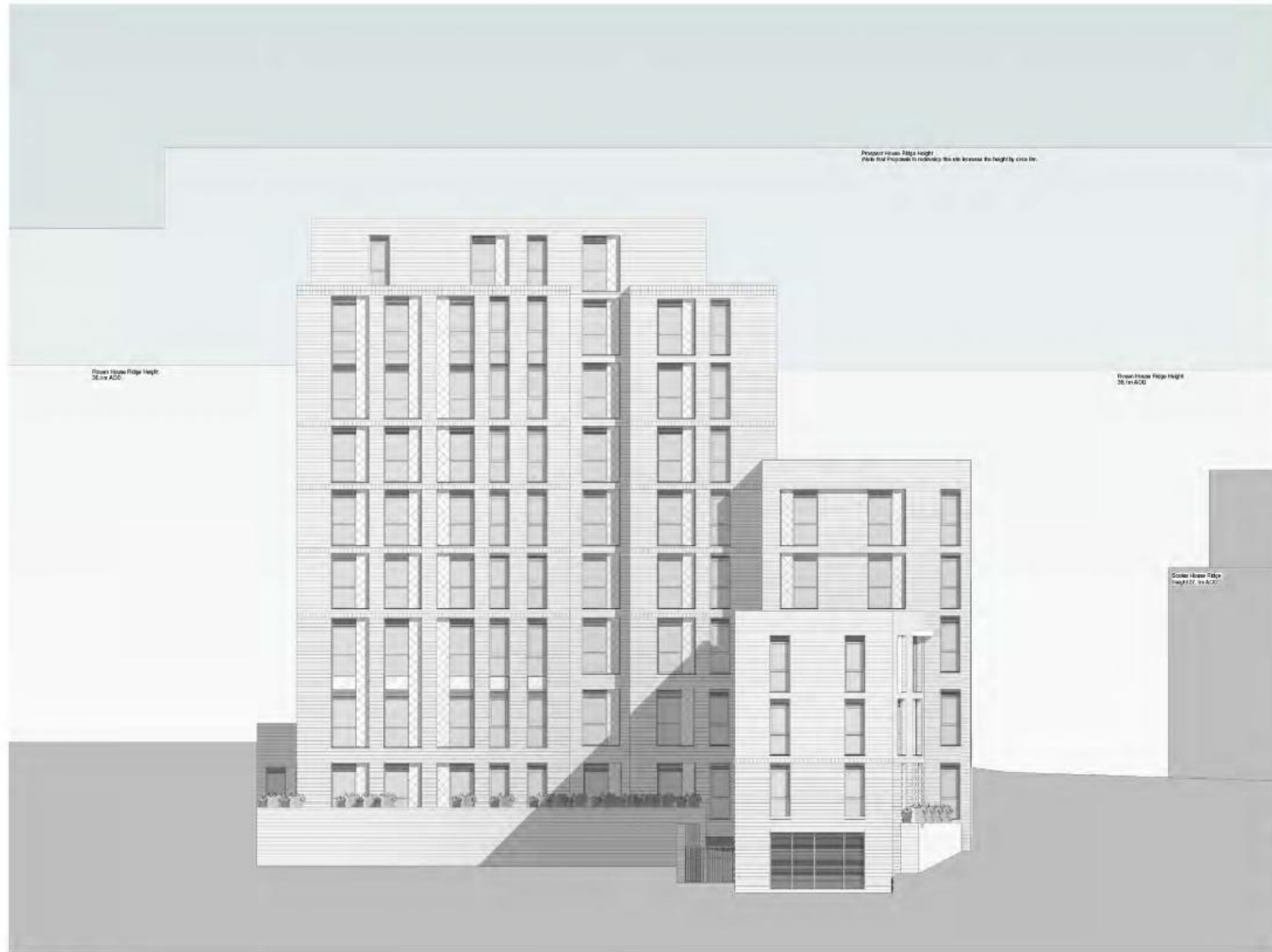


Key Plan
1:500

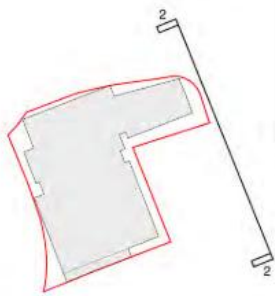
A 22/01/21 Revision following consultation JW AG

Rev Date Revision Details By CR

WESTWORKS
www.westworks.co.uk
Client's Name
CROSSLANE
J20 Title
Stepping Lane - Norwich
Drawing Title
North Elevation
Scale
1:100
Drawn
AG
Checked
JW
Date
08/04/2021
J20 No
W0412 WW
Origin
Volume
Level
Type
Rise
Number
Rev
A
0300
A
Status
PLANNING



- Materials Key**
1:100
- Stretcher Bond Brick - Red / Orange
 - Soldier Course Brick - Red / Orange
 - Metal Mesh Panels - Silver Colour
- All Window Frames to be RAL 7021 Black Grey.
 - All Louvers / Vent Panels to Match Window Frames.
 - All opaque window panels to be glazed in a colour to match window frames.



2 East Elevation
1:100

Key Plan
1:100

0	22/07/21	Revision following consultation	JW AG
1	13/07/21	Revised Model	JW AG
2	15/04/21	Revised position of model on site	JW AG

Rev	Date	Revision Details	By	Ch
-----	------	------------------	----	----

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Bristol: 11 Colston Road,
Bristol, BS1 2AP
T: 0117 347777 E: sales@westworks.com

Client's Name
CROSSLANE

2019
Stepping Lane - Norwich

Drawing Title
East Elevation

Scale
1:100
Scale 1:100@A1

Drawn: AG
Checked: JW
Date: 08/04/2021

JWS No	Origin	Volume	Level	Type	File	Number	Rev
W0412 WW					A	0301	C

Status: **PLANNING**



Client's Name:
 36.10.2020

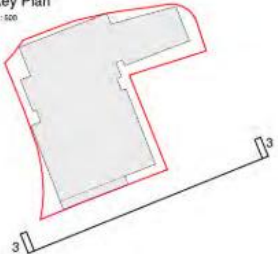
3 South Elevation
 1:100

Materials Key
 1:100

- Stretcher Bond Brick - Red / Orange
- Soldier Course Brick - Red / Orange
- Metal Mesh Panels - Silver Colour

- All Window Frames to be RAL 7021 Black Grey.
- All Louvers / Vent Panels to Match Window Frames.
- All opaque window panels to be glazed in a colour to match window frames.

Key Plan
 1:500



A 22/01/21 Revision following consultation JW AG

Rev Date Revision Details Dr CR

WESTWORKS
 Client's Name: CROSSLANE
 200 1000
 Stepping Lane - Norwich

200 1000
 Stepping Lane - Norwich

Drawing Title
 South Elevation

Scale
 1 0 1 2 3 4 5
 Scale 1:100@A1
 m

Drawn: AG
 Checked: JW
 Date: 08/04/2021

Job No	Origin	Volume	Level	Type	File	Number	Rev
W0412 WW					A	0302	A

Status: **PLANNING**

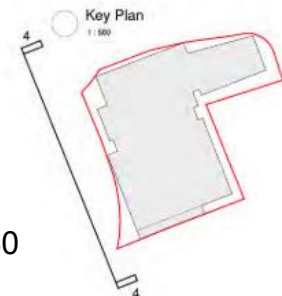


4 West Elevation
1:100

Materials Key
1:100

- Stretcher Bond Brick - Red / Orange
- Soldier Course Brick - Red / Orange
- Metal Mesh Panels - Silver Colour

- * All Window Frames to be RAL 7021 Black Grey.
- * All Louvers / Vent Panels to Match Window Frames.
- * All Metal Mesh Panels to match Window Frames.



A 22/01/21 Revision following consultation JW AG

Rev Desc Revision Details Dr CR

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Worthing, West Sussex, BN12 4AP
T 01903 247777 E sales@brooklynchambers.co.uk

Client's Name
CROSSLANE

200 1188
Stepping Lane - Norwich

Drawing Title
West Elevation

Scale
1 0 1 2 3 4 5
Scale 1:100(M1)
m

Drawn AG Checked JW Date 08/04/2021

JOB No	Origin	Volume	Level	Type	Rate	Number	Rev
W0412 WW				A		0303	A

Status
PLANNING

04/10/2021 09:01:17:04



2 0 2 4 6 8 10
Scale 1:250@A3 m



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Client Name
CROSSLANE

Drawing Title
Level -01 - Lower Ground

Drawn
AG

Checked
JW

Date
08/04/2021

Job Title
Stepping Lane - Norwich

Status
PLANNING

Job No	Origin	Volume	Level	Type	Room Number	Rev
W0412	WW	00			A 0201	B

Rev	Date	Revision Details	Dr	Ch
B	23/01/21	Revised permission	AG	JW
A	23/07/21	Revision following consultation	AG	JW

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T 01903 245777 E info@westworks.co.uk
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WESTWORKS

04/10/2021 11:08:21



2 0 2 4 6 8 10
Scale 1:250@A3 m



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Client Name
CROSSLANE

Drawing Title
Level 00 - Ground Floor

Drawn
AG
Checked
JW
Date
08/04/2021

Job Title
Stepping Lane - Norwich

Status
PLANNING

Job No	Origin	Volume	Level	Type	Room Number	Rev
W0412	WW	00			A 0202	B

Rev. Date Revision Details Dr. Ch

B 23/07/21 Revised submission AG JW
A 23/07/21 Revision following consultation AG JW

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GAU Ref: 200/001110/01



2 0 2 4 6 8 10
Scale 1:250@A3 m



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Client Name
CROSSLANE

Drawing Title
Level 01

Drawn
AG

Checked
JW

Date
08/04/2021

Job Title
Stepping Lane - Norwich

Status
PLANNING

Job No	Origin	Volume	Level	Type	Room Number	Rev
W0412WW	00				A 0203	B

B 23/07/21 Revised submission AG JW
A 23/07/21 Revision following consultation AG JW

Rev Date Revision Details Dr Ch

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GAU H01046 2004/001 1101/16



2 0 2 4 6 8 10
Scale 1:250@A3 m



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Client Name
CROSSLANE

Drawing Title
Level 04

Drawn
AG
Checked
JW
Date
08/04/2021

Job Title
Stepping Lane - Norwich

Job No	Origin	Volume	Level	Type	Room Number	Rev
W0412WW	00				A 0206	B

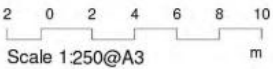
Status
PLANNING

Rev	Date	Revision Details	Dr	Ch
B	23/07/21	Revised submission	AG	JW
A	23/07/21	Revision following consultation	AG	JW



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GAU Ref: 2003/001113/06



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Client Name: CROSSLANE
Drawing Title: Level 07

Drawn: AG
Checked: JW
Date: 08/04/2021

Job No	Origin	Volume	Level	Type	Role	Number	Rev
W0412	WW	00			A	0209	B

Job Title: Stepping Lane - Norwich
Status: PLANNING

Rev	Date	Revision Details	Dr	Ch
B	29/07/21	Revised annotation	AG	JW
A	22/07/21	Revision following consultation	AG	JW

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WESTWORKS

www.westworks.com

Report to Planning applications committee

Item

10 February 2022

Report of Head of Planning and Regulatory Services

Subject Application nos 21/01530/F, 21/01535/A, Telephone Box
outside 1 Brigg Street, Norwich

4c

**Reason
for referral** Objection

Ward	Mancroft
Case officer	Stephen Polley - stephenpolley@norwich.gov.uk
Applicant	British Telecom Plc

Development proposal		
Removal of existing BT phone box and installation of a replacement BT street hub. Display of 2No. digital 75" LCD display screens, one on each side of the amended InLink unit.		
Representations		
Object	Comment	Support
4	0	0

Main issues	Key considerations
1	Principle of Development
2	Design and Heritage
3	Amenity
4	Transport
5	Other Matters
Expiry date	24 December 2021 (extension of time pending agreement)
Recommendation	Approve with conditions

The site and surroundings

1. The site is located on Brigg Street, a busy pedestrianised area of the city centre that intersecting with Haymarket and Orford Place.
2. The site is located immediately outside of the retail unit currently occupied by 'Pavers Shoes'. The proposal represents a 'like for like' replacement with the existing BT unit, which is of similar proportions with advertising on one side and a more traditional payphone on the other.
3. The area has a strong commercial character and is generally characterised by Class E uses at ground floor level. Notable surrounding heritage assets are the locally listed 11 Haymarket and 1 Orford Place, in addition to the Grade II listed properties at 4 – 2 Brigg Street and 14 Haymarket. The pedestrianised area of Brigg Street is vibrant, with numerous market stalls selling products from the street.
4. The application is to replace an existing BT phone/advertising unit with a new 'BT Streethub'. The existing unit is approximately 2.5m tall and features rolling advertisements on one side and a manual payphone on the other, facing towards Westwick Street. The unit appears to have been installed in the early 2010's.

Constraints

5. City Centre Conservation Area

Relevant planning history

6. None relevant.

The proposal

7. The proposal is to replace the existing phone unit with a new 'BT Street Hub'. This is part of a larger rollout of hubs across the city centre.
8. The 'Street Hubs' are being rolled out to replace the existing phone units and boxes within the city centre. The hubs provide numerous benefits and services including: wi-fi, access to public services, accessibility options, use of carbon-free energy, secure USB ports for charging, free phone calls, direct 999 calls, display of public messages and provision of environmental sensors (air quality, noise, traffic etc).
9. The replacement hub has the following dimensions: 2.98m height, 1.236m width and 0.35m depth. Owing to the slight curve on the shape of the unit, the footprint is 1.2m x 0.35m.
10. The unit would feature a large 75" LCD digital advertising screen on each side. The supporting information proposes that the screens display content at 10 second intervals. The supporting information states that commercial content funds the service, but there is intent for the screens to display public messaging also. Free advertising for the Local Authority is offered for 5% of the overall screentime, equivalent to 876 hours per unit per year.
11. Two applications are presented within this report. The first application (21/1530/F) relates to full planning permission for the structure itself. The second application (21/01535/A) relates to advertisement consent for the screens on either side of the

unit. There is no scope for public consultation on applications for advertisement consent, and nor is there any requirement within the scheme of delegation for them to be brought before planning committee, but given the association between the two applications it has been considered prudent to present them both within this report.

12. The committee may not have had to consider applications for advertisement consent before and so it should be noted that such applications are covered by a different set of regulations and can only be assessed in relation to impact on amenity and public safety.

Representations

13. The application for full planning permission has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.
14. 4 letters of representation have been received in relation to this application. All of the letters of representation have been submitted word-for-word in relation to the multiple 'Street Hubs' applications, so express more general concerns with the project rather than the specifics of each site. The representations received in opposition to the proposal are summarised in the table below.

Issues raised	Response
Proposals would cause harm to the quality of the area - unattractive, monolithic design. The units are too tall and screens too high. Norwich is a medieval city and these are out of character. Creates visual clutter.	See main issue 2.
Wasteful use of energy is incompatible with climate emergency and contributes to light pollution. Renewable energy should be used for more socially useful purposes than driving consumerism. Cynical advertising opportunity with no motive other than greed.	See other matters.
Corporate advertising is saturated and encouraging unsustainable consumption is out of line with Ethical Advertising Policy. This type of advertising has a negative impact on public health.	See main issue 2 and other matters.
Free wifi and charging do not equate to fair compensation for the harm caused.	See conclusion.
May lead to anti-social behaviour in the city centre.	See main issue 3.
Impairment to movement for pedestrians and users of mobility scooters/buggies etc.	See main issue 4.

Consultation responses

15. 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

16. No comments received.

Norfolk County Council - Highways

17. The Highway Authority have confirmed they have no objection to this particular proposal and have subsequently provided the following general advice relating to all applications for BT Street Hubs. There is reference within this advice to distraction to motorists, and the Highway Authority have confirmed that this remains relevant even in this pedestrian environment because some vehicles can use the road (i.e. for disabled parking bays or deliveries etc) and drivers should be extra vigilant in such circumstances due to the high level of footfall in the area.
18. Digital roadside advertising is not necessarily inherently unsafe and accordingly the County Council does not have a blanket policy of refusal.
19. Each site is assessed on its own specific characteristics and in this instance the local context is such that these particular signs would cause a safety hazard.
20. When assessing public safety, the key considerations are whether the location is appropriate (i.e. undemanding on the driver) and whether the level of illumination and the sequential change between advertisements is controlled to prevent distraction from the driving task. Moving images or advertising with complex information is likely to add to the level of distraction. The balance is therefore in ensuring that the level of distraction is minimised, particularly at locations where a high level of concentration is required from the driver.
21. This is already a busy road environment with multiple events that the motorist needs to take into consideration.
22. In this respect adding a digital display at this specific location increases the cognitive load the driver must endure, lengthening reaction times to dangerous situations.
23. However we believe it is possible to provide conditions to manage the level of distraction by control of type, brightness, form of change and interval between advertisements.
24. Accordingly we are saying that as proposed the signs will cause a distraction to motorists and should be refused but subject to the following conditions we would not raise an objection:-
 - Adjacent screens must be synchronised to ensure that multiple images do not change at different times, which can add to driver distraction.

- The minimum display time is set at 10 seconds, but the transition is by a 2 second fade.
- The image is static with no animation or apparent moving images.
- Maximum level of illumination during the day set at 3600 cd/m2 (as per the application form)
- Maximum level of night-time illumination be set at 300 cd/m2

25. If the applicant is unable to agree to the above conditions we recommend the application be refused as follows:-

SHCR 26

The proposed signs would add to the distraction of highway users to the detriment of safety on the adjoining highway. Contrary to Development Plan Policies.

Assessment of planning considerations

Relevant development plan policies

26. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS6 Access and transportation
 - JCS7 Supporting communities
27. **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
 - DM9 Safeguarding Norwich's heritage
 - DM10 Supporting the delivery of a communications infrastructure
 - DM30 Access and highway safety

Other material considerations

28. **Relevant sections of the National Planning Policy Framework March 2021 (NPPF) (as revised):**
- NPPF10 – Supporting high quality communications
 - NPPF12 – Achieving well designed places
 - NPPF16 – Conserving and enhancing the historic environment

Case Assessment

29. 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 Policy 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

30. Key policies and NPPF paragraphs – JCS2, DM1, DM3, DM10, NPPF10, NPPF12.
31. The proposal involves the removal of the existing BT unit and replacement with the new 'Street Hub' in the same location. The replacement unit is of a narrower but taller design to the existing unit.
32. Policy DM10 outlines policy for development relating to 'the provision, upgrading and enhancement of wireless and fixed data transfer and telecommunications networks and their associated infrastructure that requires planning permission'. Given the unusual nature of these applications and their broad categorisation as communications infrastructure, this is considered the best policy to determine the acceptability of the proposals in principle. The policy suggests that proposals will be acceptable where there is 'no unacceptable impact on the character and appearance of the area, on residential amenity or on the safe and satisfactory functioning of highways'.
33. It is acknowledged that there is a level of public benefit associated with the applications, as outlined in paragraph 8 of this report.
34. In this instance, the hub is replacing an existing BT phonebox. This replacement is acceptable in principle. Therefore, the acceptability of the proposal will lie in the aesthetic and physical differences between the two units and the impact on the amenity of the wider area.

Main issue 2: Design and Heritage

35. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF12, NPPF16.
36. As noted above, the proposal is located within the City Centre Conservation Area, within the St Stephens character area. The area is identified as having 'significant' heritage value, the second lowest grading in the appraisal. Careful consideration must be given to the ways in which the development impacts upon the character of the Conservation Area.

Relevant Policy

37. In terms of appearance, the proposal will appear broadly similar to the existing BT unit. DM3 of the Local Plan identifies that development will only be acceptable where 'appropriate attention has been given to the height, scale, massing and form of new development'. DM3 also identifies that proposed developments should show that appropriate consideration has been given to materials and colour, showing 'regard to the prevailing materials of the area'. Paragraph 134 of the NPPF states that development that 'is not well designed should be refused', especially where it does not reflect local design policies.
38. DM9 identifies that development should 'maximise opportunities to preserve, enhance or better reveal the significance of designated heritage assets'. Paragraph 202 of the NPPF outlines that 'where a development proposal will lead to less than

substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.

Impact

39. Concern has been raised by objectors regarding the impact of the proposal on the wider character of the Conservation Area. The objectors express concern about the monolithic design of the units and the introduction of large, illuminated advertising into the streetscene. The general tone of the objections is that these are out of character within a medieval city largely free of large-scale digital advertising, and the provision of the units would create unnecessary visual clutter without a clear and measurable public benefit.
40. In this instance, the replacement unit is of a similar design and scale as the existing unit. The principle of placing a unit here is already established. Although it is marginally taller than the existing unit, the immediate surroundings are dominated by large scale buildings. In particular, the ground floor retail units are of relatively grand proportions. Given the clearly established precedent in this location, it is not considered that the replacement has any increased impact on the nearby heritage assets. The unit will appear well proportioned to the existing ground floor units and will have minimal impact when compared to the existing unit.
41. The introduction of illuminated screens is not considered to detract from the significance of any of the identified heritage assets. There is precedent for illuminated advertising in the city centre and this location is busy, vibrant and colourful regardless. Due to the orientation of the unit, the proposed adverts are not considered to have any particular impact on the setting of the identified heritage assets. The introduction of the conditions recommended by the highways authority in relation to the adverts will further mitigate against the visual impact of the proposal.
42. The unit is established in this location. It is not considered that the replacement of the unit will lead to visual clutter.
43. In light of the above, it is considered that the proposed replacement of the unit here would have a neutral impact on the overall character of the Conservation Area. Any harm to the Conservation Area is considered to be outweighed by the public benefits of the proposal.

Main issue 3: Amenity

44. Key policies and NPPF paragraphs – JCS2, JCS6, DM2, DM3, NPPF12.
45. Concern has been raised within the objections about the impact of this type of digital advertising on the general experience of pedestrians using the city centre. No amenity concerns to residential properties generated by the advertisements have been identified in this instance.
46. Some concern has been raised about the potential impact for the units generating anti-social behaviour. The applicant has submitted an 'Anti-social behaviour management plan' which allows for the tracking and identification of anti-social behaviour and appropriate mechanisms to report anti-social behaviour to the correct authorities. Each Hub is monitored 24 hours a day, so issues are identified

early on. In this instance, the mitigation against anti-social behaviour is considered satisfactory.

Main Issue 4: Highways.

47. Key Policies and NPPF paragraphs: JCS2, JCS6, DM30, NPPF 12.

Policy

48. Impacts on the highway are covered by DM30. The policy requires that development 'within, over or adjacent to spaces or streets that form part of the public realm will ensure adequate clearance either below or around the structure is available to allow the safe passage of pedestrians, cyclists and, where appropriate, vehicles.'
49. In addition, it should be ensured that advertisements do not cause a distraction to motorists, consequently impeding highway safety.

Impact

50. Objections have expressed concern that the units will restrict movement across the pavement and limit pedestrian experience. There is concern that the Hubs will not allow appropriate space for easy movement for pedestrians with impaired movement using either mobility scooters or wheelchairs.
51. The proposal is for the like-for-like replacement of the existing unit. Within this pedestrianised part of the city, it is evident that the inclusion of street furniture such as this would not impede movement due to the space around the unit. There is clear and established precedent for a unit to be located here.
52. In this instance, the proposal is considered to be acceptable in highways terms.

Other Matters

53. Objectors have expressed concern about the saturation of corporate advertising within the city and how this complies with the Council's Ethical Advertising Policy. Whilst the Ethical Advertising Policy does have the potential to be a material planning consideration, decision makers need to look at the Local Development Plan first. In this case there is no policy reason to refuse the applications.
54. Public adverts are acceptable in principle. The content of adverts is not covered by the advertising legislation and should not impact on this decision. It is noted that 5% of advertising space is proposed to be allocated to the Local Authority for public messaging.
55. A statement provided by BT as part of the application states that their street hubs will be powered by 100% renewable carbon free energy. The statement also refers to other energy efficiency credentials including the use of automatic screen dimming, LED backlight screens and high-efficiency power supplies. The anticipated energy use of the street hub is not expected to be significantly different to comparable equipment, such as digital advertisement boards. It is however noted that the energy consumption of the proposed street hub is not a matter that can be used to inform this planning application since there are no planning policies which seek to control energy consumption on minor developments such as this.

56. The issue of data mining was raised at the previous committee meeting. The street hubs are proposed to fulfil several tasks, including the provision of a wifi network for members of the public to connect to. Such connections will likely be consented. It is also likely that there will be a degree of connectivity between members of the public's smartphones and the hubs that is unnoticed as devices automatically communicate with one another. It is not the role of the planning authority to determine what level of connectivity between the street hubs and devices is acceptable or appropriate. There are other regulations which seek to protect individuals from the unauthorised sharing of data (i.e. the General Data Protection Regulations 2018). There are planning policies which seek to provide individuals with a reasonable level of privacy (i.e. policy DM2 of the local plan) but such policies are limited to matters of overlooking rather than any technological intrusion. As such, the issue of data mining cannot inform the planning decision.

Equalities and diversity issues

57. There are no significant equality or diversity issues.

Local finance considerations

58. 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.
59. 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.
60. In this case local finance considerations are not considered to be material to the case.

Conclusion

61. 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.
62. The proposal is of an acceptable design and is considered to have an acceptable impact on the overall character of the City Centre Conservation Area. Any limited harm caused by the increase in digital advertising is considered to be offset by the public benefit of the proposal.
63. The transport impact of the proposal is considered to be acceptable and can be reasonably controlled by conditions.
64. The amenity impact of the proposal is considered to be acceptable.
65. 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 (2021).

Recommendation

To approve:

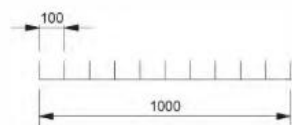
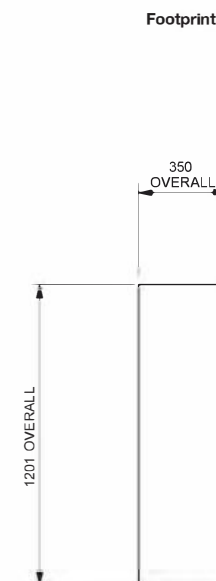
- (1) application no. 21/01530/F, Telephone Box outside 1 Brigg Street, Norwich and grant planning permission subject to the following conditions:

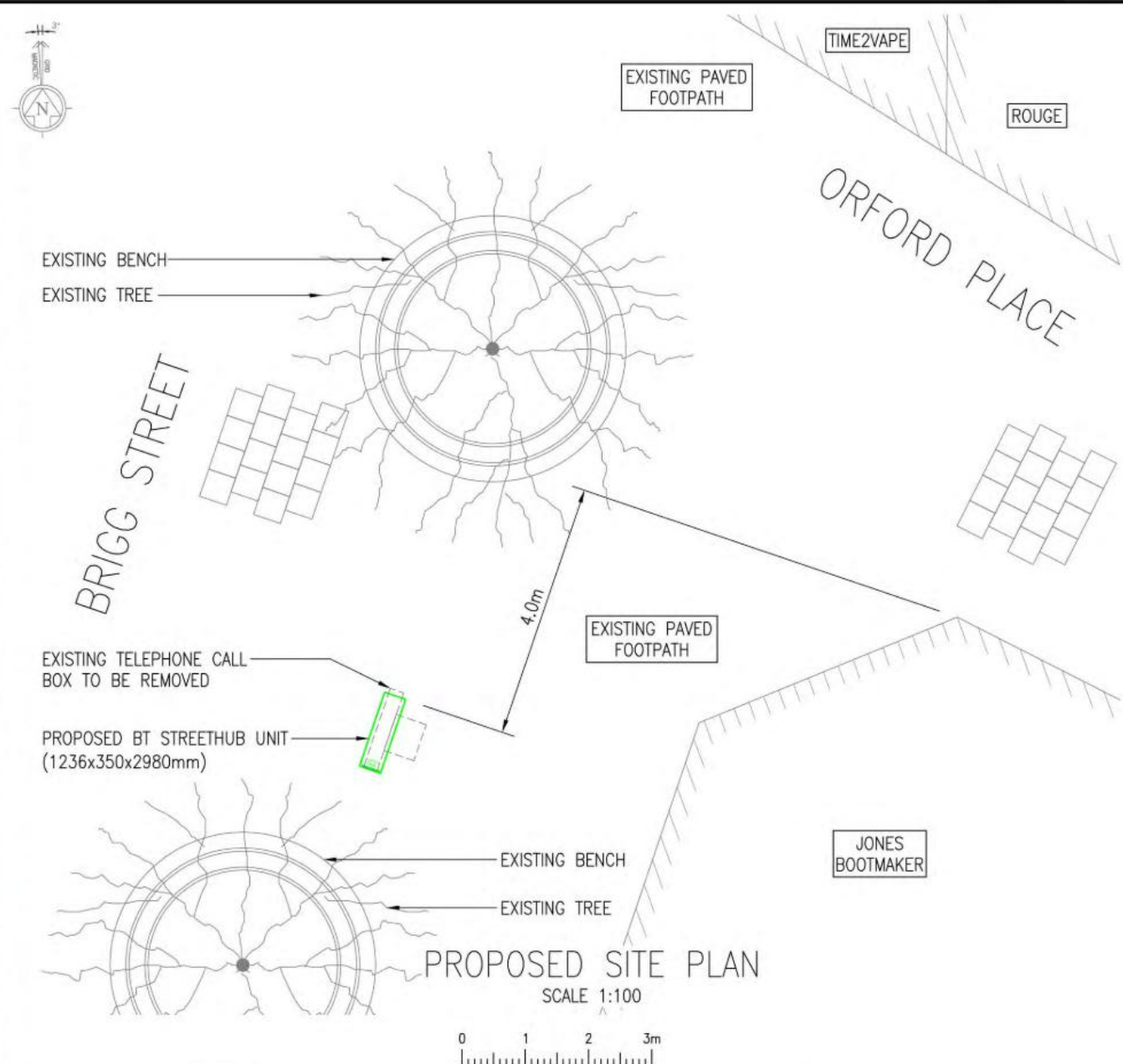
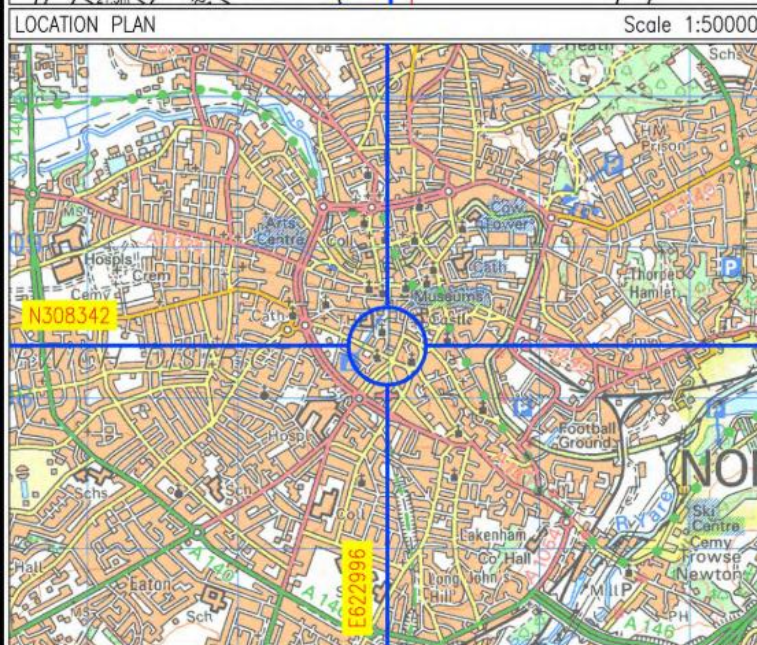
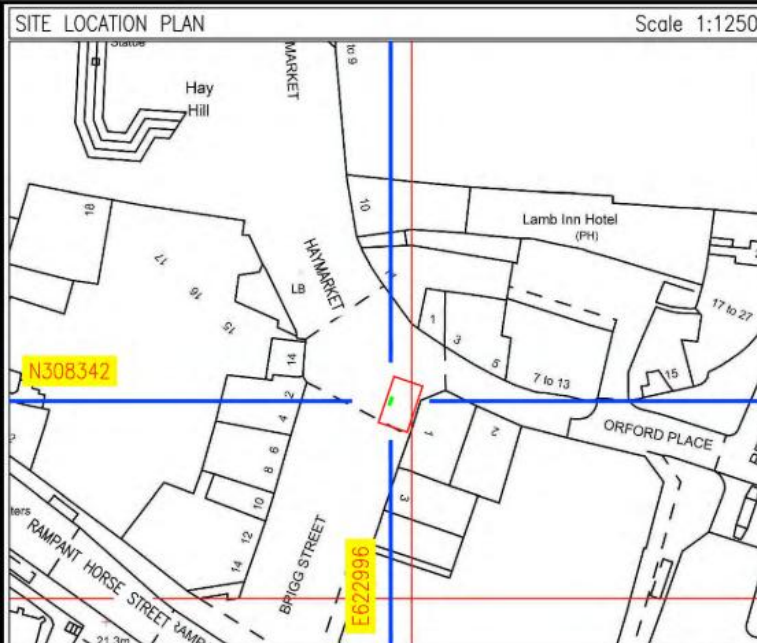
1. Standard time limit;
2. In accordance with plans;

Article 35(2) Statement.

Informative notes:

1. Highways informative 4: works to the public highway.
- (2) application no. 21/01535/A, Telephone Box outside 1 Brigg Street, Norwich and grant planning permission subject to the following conditions:
1. No advert displayed without permission of owner
 2. No advert to obscure highway infrastructure/endanger pedestrians
 3. Advert to be maintained as not to impact visual amenity
 4. Advert should be maintained as not to endanger the public
 5. On removal, the site should not endanger the public or impact visual amenity
 6. Screens synchronised to multiple images do not change at different times
 7. Minimum display time set at 10 seconds
 8. Images should be static with no animation or moving images
 9. Maximum level of night time illumination should be set at 300 cd/2.
 10. No audio output permitted.





A	FIRST ISSUE						RN	26.07.21
REV	DESCRIPTION						BY	DATE
SCALE AS SHOWN WHEN PRINTED AT A4		DRAWN	APS	CHECKED	RN	ALL DIMENSIONS IN METRES U.N.O.		
		DATE	22.07.21	DATE	26.07.21			
LOCATION PLAN - Digital Mapping Solutions from Dotted Eyes. © Crown Copyright 2021. All rights reserved Licence number 100019918								
SITE BLOCK PLAN - Digital Mapping Solutions from Promap © Crown Copyright 2021. All rights reserved Licence number 100022432								

DRAWING TITLE
BT STREETHUB
NOW-202
Page 107 of 130

ADDRESS
S/O RETAIL UNIT
1 BRIGG STREET
NORWICH
NR2 1QJ

REV A

Report to Planning applications committee

Item

10 February 2022

Report of Head of Planning and Regulatory Services

Subject Application nos 21/01606/F, 21/0601/A, BT Kiosk South
East Of Barn Road Car Park, St Swithins Road, Norwich

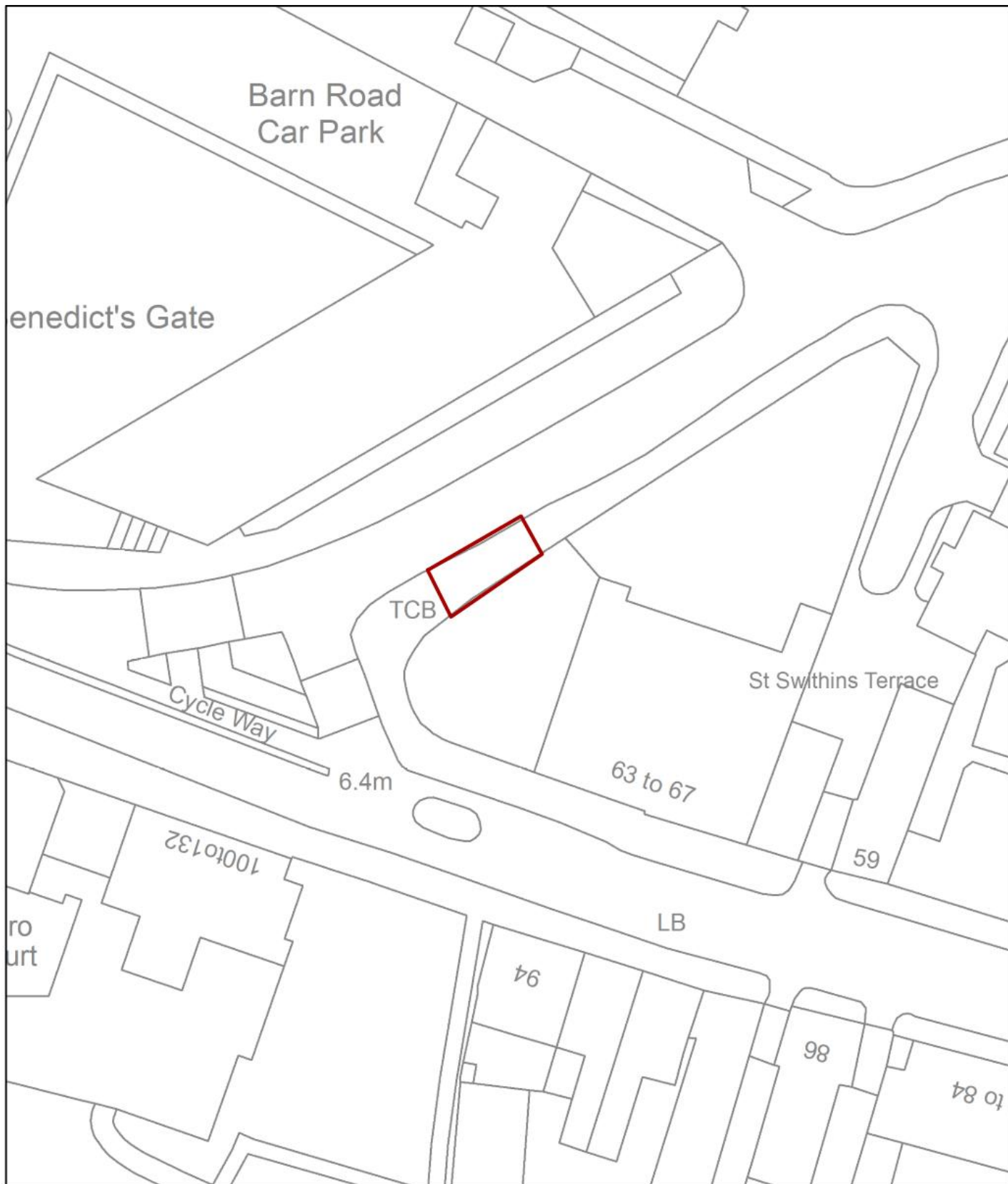
4d

**Reason
for referral** Objection

Ward	Mancroft
Case officer	Stephen Polley - stephenpolley@norwich.gov.uk
Applicant	British Telecom Plc

Development proposal		
Removal of existing BT phone box and installation of a replacement BT street hub.		
Representations		
Object	Comment	Support
5	0	0

Main issues	Key considerations
1	Principle of Development
2	Design and Heritage
3	Amenity
4	Transport
5	Other Matters
Expiry date	24 December 2021 (extension of time pending agreement) 18 February 2022
Recommendation	Approve with conditions



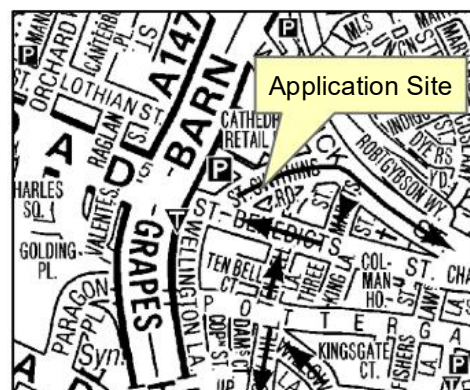
© Crown Copyright and database right 2022. Ordnance Survey 100019747.

Planning Application No 21/01606/F & 21/01610/A
 Site Address BT Kiosk south east of Barn Road
 Car Park St Swithins Road
 Scale 1:500



NORWICH
 City Council

PLANNING SERVICES



The site and surroundings

1. The site is located to the south side of St Swithins Road, close to the junction with St Benedicts Street, to the west of the city centre. The site is formed of an area of footway running parallel to the highway. Linking St Benedicts Street with Westwick Street. The site is currently occupied by a phone box / advertising totem that has been in situ for approximately eight years. The existing totem design is currently arranged with a traditional phone box facing towards Westwick Street and an advertising panel facing St Benedicts Street and vehicular traffic travelling along St Swithins Road.
2. The site is bordered by a Beryl Bike cycle sharing cycle parking facility to the southwest and an equipment cabinet to the northeast on the same stretch of footway. A low brick marks the boundary of a car parking area serving 61-67 St Benedicts to the east. A recently complete student accommodation block is located on the opposite side of the road to the north.
3. The area has a varied character with there being a mixture of retail, residential and commercial uses present. The area is also characterised by numerous historic buildings, however it is noted that the site is not located within close proximity of any particular heritage assets.
4. The application is to replace an existing BT phone/advertising unit with a new 'BT Streethub'. The existing unit is approximately 2.5m tall and features rolling advertisements on one side and a manual payphone on the other, facing towards Westwick Street. The unit appears to have been installed in the early 2010's.

Constraints

5. City Centre Conservation Area

Relevant planning history

6. None relevant.

The proposal

7. The proposal is to replace the existing phone unit with a new 'BT Street Hub'. This is part of a larger rollout of hubs across the city centre.
8. The 'Street Hubs' are being rolled out to replace the existing phone units and boxes within the city centre. The hubs provide numerous benefits and services including: wi-fi, access to public services, accessibility options, use of carbon-free energy, secure USB ports for charging, free phone calls, direct 999 calls, display of public messages and provision of environmental sensors (air quality, noise, traffic etc).
9. The replacement hub has the following dimensions: 2.98m height, 1.236m width and 0.35m depth. Owing to the slight curve on the shape of the unit, the footprint is 1.2m x 0.35m.
10. The unit would feature a large 75" LCD digital advertising screen on each side. The supporting information proposes that the screens display content at 10 second intervals. The supporting information states that commercial content funds the service, but there is intent for the screens to display public messaging also. Free

advertising for the Local Authority is offered for 5% of the overall screentime, equivalent to 876 hours per unit per year.

11. Two applications are presented within this report. The first application (21/1530/F) relates to full planning permission for the structure itself. The second application (21/01535/A) relates to advertisement consent for the screens on either side of the unit. There is no scope for public consultation on applications for advertisement consent, and nor is there any requirement within the scheme of delegation for them to be brought before planning committee, but given the association between the two applications it has been considered prudent to present them both within this report.
12. The committee may not have had to consider applications for advertisement consent before and so it should be noted that such applications are covered by a different set of regulations and can only be assessed in relation to impact on amenity and public safety.

Representations

13. The application for full planning permission has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.
14. 4 letters of representation have been received in relation to this application. All of the letters of representation have been submitted word-for-word in relation to the multiple 'Street Hubs' applications, so express more general concerns with the project rather than the specifics of each site. The representations received in opposition to the proposal are summarised in the table below.

Issues raised	Response
Proposals would cause harm to the quality of the area - unattractive, monolithic design. The units are too tall and screens too high. Norwich is a medieval city and these are out of character. Creates visual clutter.	See main issue 2.
Wasteful use of energy is incompatible with climate emergency and contributes to light pollution. Renewable energy should be used for more socially useful purposes than driving consumerism. Cynical advertising opportunity with no motive other than greed.	See other matters.
Corporate advertising is saturated and encouraging unsustainable consumption is out of line with Ethical Advertising Policy. This type of advertising has a negative impact on public health.	See main issue 2 and other matters.
Free wifi and charging do not equate to fair compensation for the harm caused.	See conclusion.

Issues raised	Response
May lead to anti-social behaviour in the city centre.	See main issue 3.
Impairment to movement for pedestrians and users of mobility scooters/buggies etc.	See main issue 4.

Consultation responses

15. 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

16. No comments received.

Norfolk County Council - Highways

17. The Highway Authority have confirmed they have no objection to this particular proposal and have subsequently provided the following general advice relating to all applications for BT Street Hubs.
18. Digital roadside advertising is not necessarily inherently unsafe and accordingly the County Council does not have a blanket policy of refusal.
19. Each site is assessed on its own specific characteristics and in this instance the local context is such that these particular signs would cause a safety hazard.
20. When assessing public safety, the key considerations are whether the location is appropriate (i.e. undemanding on the driver) and whether the level of illumination and the sequential change between advertisements is controlled to prevent distraction from the driving task. Moving images or advertising with complex information is likely to add to the level of distraction. The balance is therefore in ensuring that the level of distraction is minimised, particularly at locations where a high level of concentration is required from the driver.
21. This is already a busy road environment with multiple events that the motorist needs to take into consideration.
22. In this respect adding a digital display at this specific location increases the cognitive load the driver must endure, lengthening reaction times to dangerous situations.
23. However we believe it is possible to provide conditions to manage the level of distraction by control of type, brightness, form of change and interval between advertisements.

24. Accordingly we are saying that as proposed the signs will cause a distraction to motorists and should be refused but subject to the following conditions we would not raise an objection:-
- Adjacent screens must be synchronised to ensure that multiple images do not change at different times, which can add to driver distraction.
 - The minimum display time is set at 10 seconds, but the transition is by a 2 second fade.
 - The image is static with no animation or apparent moving images.
 - Maximum level of illumination during the day set at 3600 cd/m² (as per the application form)
 - Maximum level of night-time illumination be set at 300 cd/m²
25. If the applicant is unable to agree to the above conditions we recommend the application be refused as follows:-

SHCR 26

The proposed signs would add to the distraction of highway users to the detriment of safety on the adjoining highway. Contrary to Development Plan Policies.

Assessment of planning considerations

Relevant development plan policies

26. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS6 Access and transportation
 - JCS7 Supporting communities
27. **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
 - DM9 Safeguarding Norwich's heritage
 - DM10 Supporting the delivery of a communications infrastructure
 - DM30 Access and highway safety

Other material considerations

28. **Relevant sections of the National Planning Policy Framework March 2021 (NPPF) (as revised):**
- NPPF10 – Supporting high quality communications
 - NPPF12 – Achieving well designed places
 - NPPF16 – Conserving and enhancing the historic environment

Case Assessment

29. 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 Policy 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

30. Key policies and NPPF paragraphs – JCS2, DM1, DM3, DM10, NPPF10, NPPF12.
31. The proposal involves the removal of the existing BT unit and replacement with the new 'Street Hub' in the same location. The replacement unit is of a narrower but taller design to the existing unit.
32. Policy DM10 outlines policy for development relating to 'the provision, upgrading and enhancement of wireless and fixed data transfer and telecommunications networks and their associated infrastructure that requires planning permission'. Given the unusual nature of these applications and their broad categorisation as communications infrastructure, this is considered the best policy to determine the acceptability of the proposals in principle. The policy suggests that proposals will be acceptable where there is 'no unacceptable impact on the character and appearance of the area, on residential amenity or on the safe and satisfactory functioning of highways'.
33. It is acknowledged that there is a level of public benefit associated with the applications, as outlined in paragraph 8 of this report.
34. In this instance, the hub is replacing an existing BT phonebox. This replacement is acceptable in principle. Therefore, the acceptability of the proposal will lie in the aesthetic and physical differences between the two units and the impact on the amenity of the wider area.

Main issue 2: Design and Heritage

35. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF12, NPPF16.
36. As noted above, the proposal is located within the City Centre Conservation Area. This part of the conservation area is not covered by a particular conservation area appraisal. It is however noted that the site is located within close proximity of St Benedicts which is collectively with neighbouring shopping streets referred to as 'The Lanes'. Careful consideration must be given to the ways in which the development impacts upon the character of the Conservation Area.

Relevant Policy

37. In terms of appearance, the proposal will appear broadly similar to the existing BT unit. DM3 of the Local Plan identifies that development will only be acceptable where 'appropriate attention has been given to the height, scale, massing and form of new development'. DM3 also identifies that proposed developments should show

that appropriate consideration has been given to materials and colour, showing 'regard to the prevailing materials of the area'. Paragraph 134 of the NPPF states that development that 'is not well designed should be refused', especially where it does not reflect local design policies.

38. DM9 identifies that development should 'maximise opportunities to preserve, enhance or better reveal the significance of designated heritage assets'. Paragraph 202 of the NPPF outlines that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.

Impact

39. Objectors have commented that they consider that the design and siting of the proposed unit would cause harm to the visual amenity of the area. It would look out of place within its location and add to the cumulative build up of clutter on the footway. It is noted that the proposed unit is marginally taller than the existing unit. It is not however considered that the proposed unit is substantially different to the existing unit in terms of scale, form and appearance. The siting of the proposed unit would also ensure that the illuminated advertisements would not detract from the significance of any of the identified heritage assets within the surrounding conservation area. The introduction of the conditions recommended by the highways authority in relation to the adverts will further mitigate against the visual impact of the proposal.
40. The unit is established in this location. It is not considered that the replacement of the unit will lead to visual clutter.
41. In light of the above, it is considered that the proposed replacement of the unit here would have a neutral impact on the overall character of the Conservation Area. Any harm to the Conservation Area is considered to be outweighed by the public benefits of the proposal.

Main issue 3: Amenity

42. Key policies and NPPF paragraphs – JCS2, JCS6, DM2, DM3, NPPF12.
43. Concern has been raised within the objections about the impact of this type of digital advertising on the general experience of pedestrians using the city centre. No amenity concerns to residential properties generated by the advertisements have been identified in this instance.
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Main Issue 4: Highways.

45. Key Policies and NPPF paragraphs: JCS2, JCS6, DM30, NPPF 12.

Policy

46. Impacts on the highway are covered by DM30. The policy requires that development 'within, over or adjacent to spaces or streets that form part of the public realm will ensure adequate clearance either below or around the structure is available to allow the safe passage of pedestrians, cyclists and, where appropriate, vehicles.'
47. In addition, it should be ensured that advertisements do not cause a distraction to motorists, consequently impeding highway safety.

Impact

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50. In this instance, the proposal is considered to be acceptable in highways terms.

Other Matters

51. Objectors have expressed concern about the saturation of corporate advertising within the city and how this complies with the Council's Ethical Advertising Policy. Whilst the Ethical Advertising Policy does have the potential to be a material planning consideration, decision makers need to look at the Local Development Plan first. In this case there is no policy reason to refuse the applications.
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determine what level of connectivity between the street hubs and devices is acceptable or appropriate. There are other regulations which seek to protect individuals from the unauthorised sharing of data (i.e. the General Data Protection Regulations 2018). There are planning policies which seek to provide individuals with a reasonable level of privacy (i.e. policy DM2 of the local plan) but such policies are limited to matters of overlooking rather than any technological intrusion. As such, the issue of data mining cannot inform the planning decision.

Equalities and diversity issues

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Local finance considerations

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57. 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.
58. In this case local finance considerations are not considered to be material to the case.

Conclusion

59. 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.
60. The proposal is of an acceptable design and is considered to have an acceptable impact on the overall character of the City Centre Conservation Area. Any limited harm caused by the increase in digital advertising is considered to be offset by the public benefit of the proposal.
61. The transport impact of the proposal is considered to be acceptable and can be reasonably controlled by conditions.
62. The amenity impact of the proposal is considered to be acceptable.
63. 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 (2021).

Recommendation

To approve:

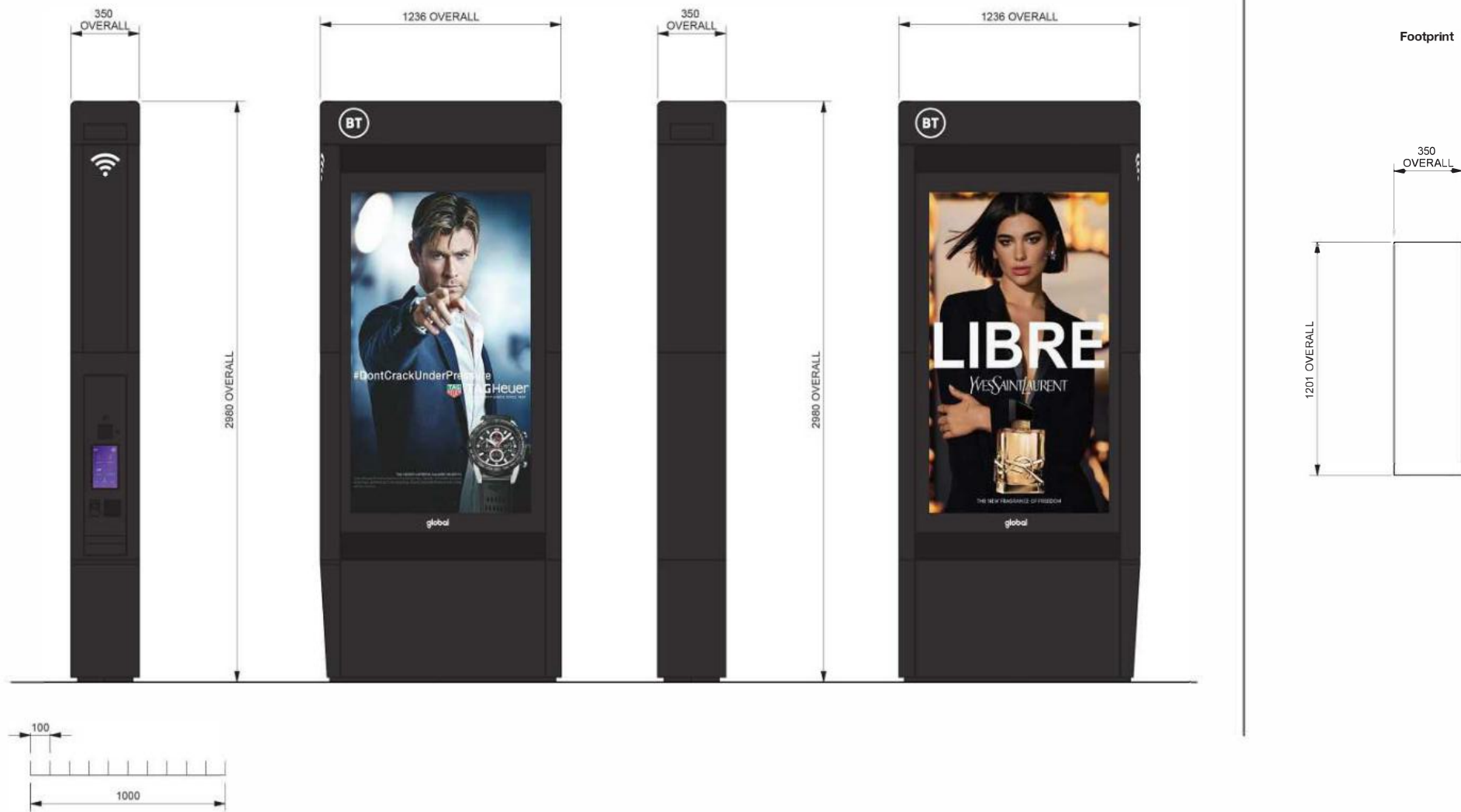
- (1) application no. 21/01606/F, Telephone Box St Swithins Road, Norwich and grant planning permission subject to the following conditions:

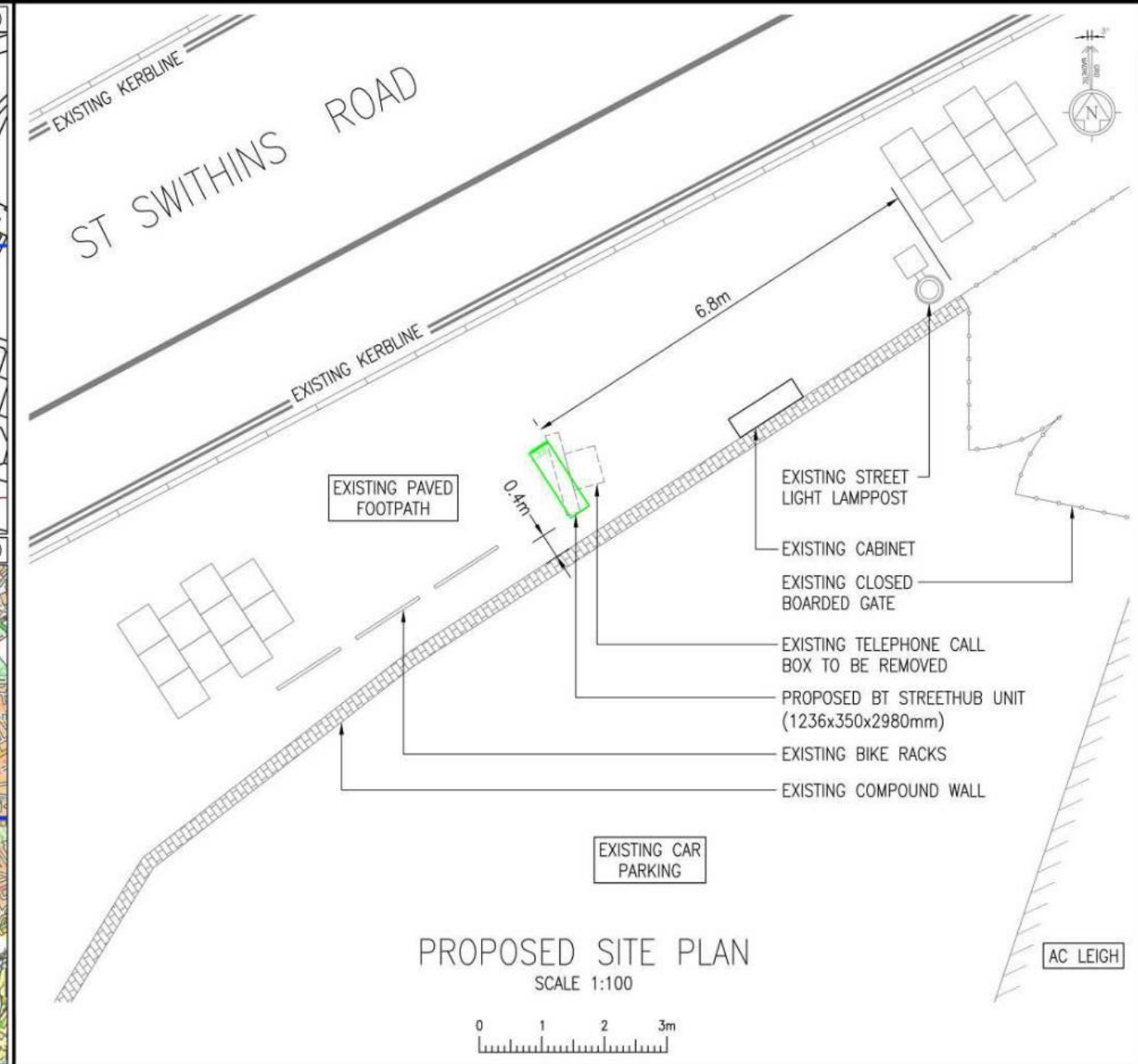
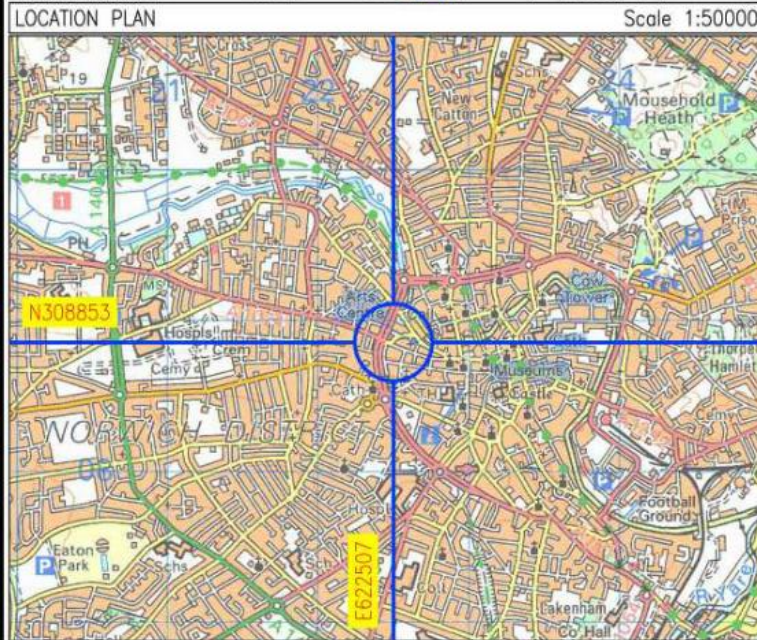
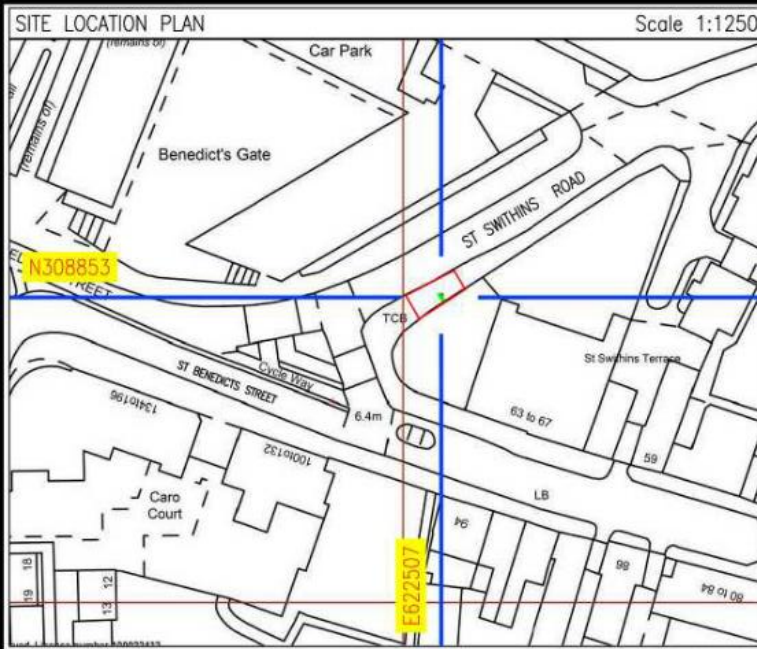
1. Standard time limit;
2. In accordance with plans;

Article 35(2) Statement.

Informative notes:

1. Highways informative 4: works to the public highway.
- (2) application no. 21/0601/A, Telephone Box St Swithins Road and grant planning permission subject to the following conditions:
 1. No advert displayed without permission of owner
 2. No advert to obscure highway infrastructure/endanger pedestrians
 3. Advert to be maintained as not to impact visual amenity
 4. Advert should be maintained as not to endanger the public
 5. On removal, the site should not endanger the public or impact visual amenity
 6. Screens synchronised to multiple images do not change at different times
 7. Minimum display time set at 10 seconds
 8. Images should be static with no animation or moving images
 9. Maximum level of night time illumination should be set at 300 cd/2.
 10. No audio output permitted.





A	FIRST ISSUE					RN	21.10.21
REV	DESCRIPTION					BY	DATE
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LOCATION PLAN - Digital Mapping Solutions from Dotted Eyes. © Crown Copyright 2021. All rights reserved Licence number 100019918							
SITE BLOCK PLAN - Digital Mapping Solutions from Promap © Crown Copyright 2021. All rights reserved Licence number 100022432							

DRAWING TITLE

BT STREETHUB

NOW-207 Page 121 of 130

ADDRESS

**ST SWITHINS STREET
SAINT SWITHINS ROAD
HEIGHAM DROVE
NORWICH
NR2 4TX**

REV A

Report to Planning applications committee

Item

10 February 2022

Report of Head of Planning & Regulatory Services

5

Subject Performance of the development management service;
progress on appeals against planning decisions and
updates on planning enforcement cases

Purpose

This report updates members on the performance of development management service; progress on appeals against planning decisions and progress on planning enforcement action.

Recommendation

To note the report.

Corporate and service priorities

The report helps to meet the corporate priorities people living well, great neighbourhoods, housing and environment and inclusive economy.

Financial implications

There are no direct financial implications arising from this report.

Ward/s: All wards

Cabinet member: Councillor Stonard, cabinet member for inclusive and sustainable growth

Contact officers

Sarah Ashurst, Head of Planning & Regulatory Services 01603 987856

David Parkin, Area Development Manager 01603 989517

Background documents

None

Report

Background

1. On 31 July 2008 the planning applications committee considered a report regarding the improved working of the committee which included a number of suggested changes to the way it operates. In particular it suggested performance of the development management service be reported to the committee and that feedback from members of the committee be obtained.
2. The committee has also asked to be informed on the outcome of appeals against planning decisions and enforcement action.
3. The last performance report was presented to committee in March 2021.
4. Since that date the COVID19 pandemic has continued to affect the pattern of the department's workload.

Performance of the development management service

5. The cabinet considers quarterly reports which measure the council's key performance targets against the council's corporate plan priorities. The scrutiny committee considers the council's performance data regularly throughout the year and will identify any areas of concern for review.
6. This report covers the first 3 quarters of the year 2021/22 and only highlight trends or issues that should be brought to the attention of the planning applications committee for information.
7. In Q1 of 2021-22, 198 of all relevant decisions (209) were made at officer level, 11 were made by committee (delegation rate of 95%).
8. For Q2 of 2021-22, 182 decisions out of 189 were dealt with by officers, 7 decisions were dealt with by committee (delegation rate of 96%).
9. For Q3 of 2021-22, 201 decisions out of 208 were dealt with by officers, 7 decisions were dealt with by committee (delegation rate of 97%).
10. For the year 2020-21, the delegation rate was 95%: given the figures above, the rate for 2021-22 is expected to be similar.

Appeals

11. There are currently 9 pending planning appeals as listed within Appendix 1 to this report.
12. Appendix 2 shows the appeals determined in the first 3 quarters of 2020/21. A total of 7 appeals were determined: 6 appeals have been dismissed; 1 was allowed. This equates to a success rate of 86% for the first 3 quarters.
13. The appeal that was allowed was against the Council's refusal of a scheme for 8 two-bedroomed flats on the site of the Vikings Venture Scout hut adjacent to 420 Dereham

Road. The application was refused due to the impact of the proposed development on highway safety and the living conditions of neighbouring occupiers, with particular regard to on-street parking and traffic generated.

14. The inspector concluded that there was no detailed evidence provided to support the reason for refusal and noted that the Local Highway Authority had not objected. They also noted that the development would provide an adequate level of off-street parking and there was no reason to conclude that the proposal would result in an increase in pressure for on-street parking on Dell Crescent.
15. An application for a full award of costs against the council was also successful with regard to this appeal. The inspector concluded that the council had acted unreasonably in two main respects: it had failed to give sufficient weight to a previous appeal scheme on the site for the same form of development (which had been allowed) and had failed to provide evidence to substantiate the reason for refusal.

Enforcement action

16. At the beginning of April 2021, the number of enforcement cases being dealt with by the department stood at 264. At the end of Q3, that number had increased by 96 to 360. During the first 3 quarters, 128 new cases were opened, and 49 cases were closed.
17. The reasons for closing the 49 cases are as follows:-
 - Notice complied with - 1 (2%)
 - Not expedient to pursue action - 16 (33%)
 - No breach has occurred - 16 (33%)
 - Informal action taken to resolve - 12 (24%)
 - Planning application approved - 4 (10%)
18. Notices issued (enforcement, breach of condition and planning contravention) are shown in the table at Appendix 3 for the first 3 quarters of 2020/21.

Appendix 1 – Pending Planning Appeals

Pending Planning Appeals and Recent Appeal Decisions								
Application Ref.	PINS Ref.	Address	Proposal	Type of Appeal	Start Date	Decision	Decision Level	Officer
21/00005/REF App. No. 20/00808/F	APP/G2625/ W/21/327482 4	Norwich School Refectory, The Close	Demolition of the existing school dining hall, ad hoc structures, sheds and trees. Redevelopment of site for new dining and teaching facilities.	Written Reps	14.09.2021		Committee	Lara Emerson
21/00006/REF App. No. 20/00809/L	APP/G2625/Y /21/3274825	Norwich School Refectory, The Close	Associated listed building appeal for Norwich School Refectory	Written Reps	14.09.2021		Committee	Lara Emerson
21/00007/REF App No 20/00838/F	APP/G2625/ W/21/327521 4	St Vedast House 5 - 7 St Vedast Street	Installation of 6no. antenna apertures, 4no. 600mm dishes, 8no. equipment cabinets at rooftop level with the installation of 1no. meter cabinet	Written Reps	15.09.2021		Delegated	Jacob Revell
21/00008/REF App No 20/01387/F	APP/G2625/ W/21/327686 3	Ailwyn Hall Lower Clarence Road	Demolition of derelict structure and construction of hotel, ground floor unit (Class E) with associated works.	Written Reps	03.11.2021		Delegated	Robert Webb
21/00009/ENFPLA App No 19/00177/ENF	APP/G2625/C /21/3277140	16 Rydal Close	Appeal against Enforcement Notice Reference 19/00177/ENF No.2 dated 26 May 2021 for the change of use from residential (Class C3) / HMO (Class C4) use to residential sui generis use at 16 Rydal Close without planning permission.	Written Reps	08.07.2021		Delegated	Stephen Little
21/00010/REF App No. 21/00250/F	APP/G2625/ W/21/327718 0	46 Earlham Green Lane	Change of use from C3 to Sui Generis (7 bedroom HMO) with garage conversion, extension to garage conversion and extension link from main house to garage conversion.	Written Reps	30.11.2021		Delegated	Maria Hammond
21/00011/REF App No. 21/00277/F	APP/G2625/D /21/3281352	1 Fairmile Close	Two storey rear extension, single storey side extension and attached garage to front.	Written Reps	27.10.2021		Committee	Katherine Brumpton

Pending Planning Appeals and Recent Appeal Decisions								
Application Ref.	PINS Ref.	Address	Proposal	Type of Appeal	Start Date	Decision	Decision Level	Officer
21/00013/NONDET App. No. 21/00212/F	APP/G2625/W/ 21/3282292	Earlham Court Heigham Grove	Appeal for non-determination of application for Two storey upward extension to create 8 new flats.	Written Reps	19.01.2022		Delegated	Lee Cook
22/00001/REF App. No. 21/00969/F	APP/G2625/D/ 21/3289778	1C Telegraph Lane East	Demolition of existing living room and garage and construction of two storey side extension.	Written Reps	10.01.2022		Delegated	Danni Howard

Appendix 2 – Determined Planning Appeals

Appeal Decisions								
Application Ref.	PINS Ref.	Address	Proposal	Type of Appeal	Decision Date	Decision	Decision Level	Officer
19/00016/ENFPLA Application No. 18/00149/ENF	APP/G2625/C /19/3233542	8 Marston Lane	Appeal against Enforcement Notice Reference 18/00149/ENF No.1 dated 11 June 2019 for the erection of a fence of more than 1m in height	Written reps	06.07.2021	Dismissed	Delegated	Stephen Little
20/00007/TA1 Application No. 20/00240/TPO	APP/TPO/G2 625/7874	The Plantation Christchurch Road	Corsica Pine (G1): fell and replant replacement tree(s).	Fast track	19.05.2021	Dismissed	Delegated	Mark Dunthorne
20/00015/REF App No 20/00557/F	APP/G2625/ W/20/326069 1	Land Rear Of 196 Earlham Road	Construction of double garage.	Written reps	23.04.2021	Dismissed	Delegated	Stephen Polley
21/00001/REF App No 20/00785/F	APP/G2625/ W/21/326709 2	Land North East Of Shoemaker Court Enfield Road	Extension to The Shoemakers forming new student accommodation.	Written reps	05.10.2021	Dismissed	Delegated	Maria Hammond
21/00002/REF App No 20/01232/F	APP/G2625/ W/21/326863 6	Vikings Venture Scout Hut Adjacent To 420 Dereham Road	Construction of 8 No. two bedroom flats.	Written reps	18.08.2021	Allowed	Committee	Lee Cook
21/00003/REF App No. 20/01533/F	APP/G2625/D /21/3270224	34 Hall Road	Dropped kerb for driveway access.	Written reps	15.06.2021	Dismissed	Delegated	Stephen Polley
21/00004/REF App No. 20/01410/F	APP/G2625/ W/21/327209 5	3 Guardian Road	Construction of dwelling.	Written reps	15.09.2021	Dismissed	Delegated	Maria Hammond

Appendix 3 – Enforcement Action Update

Enforcement Update				
Case Ref.	Location	Development	Current Status	Lead Officer
20/00149/ENF	367 Aylsham Road	Breach of Condition 4 of 19/01796/F limiting occupancy of flat to people employed at the ground floor business	PCN served 29.07.2021. Case on-going.	Stephen Little
21/00174/ENF	1 Exeter St	Possible use of land for general industrial use in association with Midland St site	PCN served 27.10.2021. Response received. Case under review	Stephen Little
21/00108/ENF	Land south of 144-148 Thorpe Road	Construction of bungalow under 20/00180/F	Breach of condition notice served 29.07.2021. Felling of trees in bird nesting season in breach of condition 7. Notice complied with	Stephen Little
20/00088/ENF	48 & 50 St Philips Road	Unauthorised use as short term lets.	2 x Planning contravention notices served on different parties on 29.06.2021. Case under review – breach appears to have ceased	Stephen Little
20/00077/ENF	Eaton Railway Crossing, Church Lane	Possible change of use of land adjacent to Eaton Common to commercial operation.	PCN served 29.06.2021. Case subsequently closed. Any commercial use is de minimus and not expedient to pursue.	Stephen Little
19/00177/ENF	16 Rydal Close	Operating as 7 bed HMO (following refusal of 15/00075/U).	Enforcement notice served 26.05.2021. Appeal ongoing (see Appendix 1)	Stephen Little
21/00039/ENF	3 Recorder Road	Use of church as living quarters	PCN served 07.06.2021. Case subsequently closed, the unauthorised use had ceased.	Stephen Little

Enforcement Update				
Case Ref.	Location	Development	Current Status	Lead Officer
20/00019/ENF	66 & 67 Whistlefish Court	Unauthorised HMO.	2 x PCN served on different parties dated 07.04.2021. Case consequently closed as no breach was identified. The number of occupants at each property did not require planning permission.	Stephen Little
19/00113/ENF	6 Old Grove Court	Conversion of garage into dwelling	PCN served 07.04.2021. The case was subsequently closed as the garage was not being used as a dwelling. Whilst as a structure it required consent, it was deemed to be acceptable and not expedient to pursue formal enforcement action.	Stephen Little