

## **Planning applications committee**

**Date: Thursday, 08 March 2018**

**Time: 09:30**

**Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH**

### **Committee members:**

#### **Councillors:**

Driver (chair)  
Maxwell (vice chair)  
Bradford  
Button  
Carlo  
Henderson  
Jackson  
Malik  
Peek  
Sands (M)  
Woollard  
Wright

### **For further information please contact:**

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### **Informal pre-application briefing at 9:00 in the Mancroft room.**

Please note that there will be an informal briefing for members of the committee, ward councillors and interested parties on proposals for the development at: Car Park Adjacent to Sentinel House 37 – 43, Surrey Street, Norwich.  
Details as follows: Redevelopment of site for student accommodation with associated access and landscaping. Please contact the committee above for further details.

### **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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<b>1</b>	<b>Apologies</b>  To receive apologies for absence	
<b>2</b>	<b>Declarations of interest</b>  (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)	
<b>3</b>	<b>Minutes</b> To approve the accuracy of the minutes of the meeting held on 8 February 2018	<b>5 - 16</b>
<b>4</b>	<b>Planning applications</b> 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: <a href="http://planning.norwich.gov.uk/online-applications/">http://planning.norwich.gov.uk/online-applications/</a>  Please note: <ul style="list-style-type: none"> <li>• The formal business of the committee will commence at 9.30;</li> <li>• The committee may have a comfort break after two hours of the meeting commencing.</li> <li>• Please note that refreshments will not be provided. Water is available</li> <li>• The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.</li> </ul>	
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<b>4(h)</b>	<b>Application no 17/02024/F - Bowthorpe Road Methodist Church, Bowthorpe Road, Norwich, NR5 8AB</b>	<b>207 - 224</b>
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<b>4(m)</b>	<b>Enforcement Case – 2 Mornington Road, Norwich</b>	<b>267 - 272</b>
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Date of publication: **Thursday, 01 March 2018**







**Planning applications committee**

**09:50 to 13:10**

**8 February 2018**

Present: Councillors Driver (chair), Bradford (to end of item 8, below), Bremner (substitute for Councillor Maxwell), Button, Carlo, Henderson, Jackson, Malik, Peek (to end of item 8, below), Sands (M), and Wright

Apologies: Councillors Maxwell and Woollard

**1. Declarations of interest**

Councillors Driver and Wright declared an other interest in item 6 (below), Application no 17/02033/F - The Quebec 93 – 97, Quebec Road, Norwich, NR1 4HY, because they were members of the Campaign for Real Ale (CAMRA) but were not involved in the consultation response made on behalf of CAMRA.

Councillor Malik said in relation to item 5 (below) Application no 17/01588/F - Bristol House 78 - 80 Unthank Road, Norwich, NR2 2RW, that he knew the member of the public who had given notice that he wanted to speak at the meeting and stated that he did not have a pre-determined view of this application.

**2. Minutes**

**RESOLVED** to agree the accuracy of the minutes of the meeting held on 11 January 2018.

**3. Application no 17/01647/VC - Land North of Carrow Quay, Kerrison Road, Norwich**

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

The area development manager referred to the report and answered members' questions. Recommendations from Norfolk Fire and Rescue Service had led to some of the amendments to the scheme, which was subject to building control. The scheme would not be Passivhaus standard but complied with energy efficiency policies. Savings in development costs were not necessarily a bad thing as more affordable housing would be achieved. The amendments to the scheme were minor and did not affect access or require changes to the implementation of the bus and taxi gate on to Koblenz Avenue. There would be landscaping around the development and the scheme would contribute to the development of the riverside walk. The committee was also advised on the arrangements for affordable housing.

The chair moved and Councillor Button seconded the recommendations set out in the report.

A member commented that he regretted that the development would no longer be to Passivhaus standard but that he was hopeful that the level of energy efficiency that could be achieved for this scheme would be of a similar standard.

**RESOLVED**, unanimously, to approve application no. 17/01647/VC - Land North of Carrow Quay, Kerrison Road, Norwich and grant planning permission subject to the following conditions:

1. The development proposed within these reserved matters shall be built in accordance with the approved plans / details.
2. Details of the permitted surface water drainage system's pipe network, any resultant flood event contingency and management procedures including details of flood locations in the pipe network, volumes of flooding and flood water storage prior to dispersal.
3. Details of works to the river bank, to include the ecological mitigation measures for protection of the Depressed River Mussel as specified within paragraph 5.3.2 of the approved Ecological Survey.
4. Details of river bank mooring strategy.
5. Details of floor / ceiling sound insulation to be installed above the ground floor non-residential uses and first floor residential apartments within the development.
6. Details of the bird and bat boxes and brown roof hibernaculae.
7. Details of Arboricultural Implications Assessment including Arboricultural Method Statement (AMS) for the works to land in the vicinity the tree on the eastern boundary of the site.
8. Details of cycle storage/stands for non-residential parts of the development and their visitors, including possible storage within the Kerrison Cut area and Riverside Walk, and details of cycle storage/stands provision for visitors within the access road along the northern boundary of the site.
9. Revised Travel Plan to be approved prior to first occupation shall include provisions to survey and monitor annual residential cycle use and demand and supply of residential cycle stores, and include means to satisfy the unmet need to provide secure and covered storage within the development as may be appropriate.
10. Details of bus stop installed and made operational in the location shown on the landscaping strategy plans for the north-south access road.
11. Details of the renewable energy measures.
12. Control on any amplified music system within the non-residential parts of the development.

Article 31(1)(cc) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application and application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report for the application.

Informatives:

1. Relationship of permission to earlier applications.
2. Restriction on permit parking.

**4. Application no 17/01091/F - Land North of Carrow Quay, Kerrison Road, Norwich**

The area development manager (outer) presented the report with the aid of plans and slides. He also referred to the supplementary report of updates to reports which was circulated at the meeting which contained corrections to the committee report and a summary of a statement of support from the applicant. During the presentation the area development manager (outer) referred to the report and gave a detailed explanation of the arrangements for affordable housing across the two sites.

During questions from the members, the area development manager (outer) referred to the report and answered questions. This included confirmation that condition 13 relating to site contamination and assessment was standard requirement for Brownfield development. The area development manager (outer) referred members' to paragraph 78, in the section of the report relating to affordable housing and viability (main issue 6, Affordable housing and viability) and the arrangements for the delivery of affordable housing across the two sites (applications no 17/01647/VC and Application no 17/01647/VC). The senior development officer (enabling) explained that the core business of the applicant (Broadland Housing Association) was the provision of affordable housing and that an element of this would be dependent on grant funding from right to buy receipts. The transport planner confirmed that the highways authority would adopt the roads but the provision of external lighting would be provided by the developer. He also explained that this site was a low car use development and that no parking permits would be available to its residents. A third of current residents walked to work from this area and it was adjacent to a bus stop and car club parking bay. The junction on Koblenz Avenue would be reviewed as part of a county council survey of all inner-ring road junctions. Members were advised that the scheme complied with policy JCS 3 and that low carbon technology would be used. The area development manager (outer) pointed out the areas for soft landscaping and scope for biodiversity on this constrained site. He explained how living accommodation had been designed so as to mitigate noise from the adjacent factory site. Two members commented that they did not consider the scheme to be particularly child friendly. The committee noted that children's play space was provided at Carrow Park, around the corner to the scheme.

The chair moved and Councillor Button seconded the recommendations set out in the report. During discussion members commented on the affordable housing arrangements and their trust that the applicant would deliver a higher level of affordable housing than required through this application. The scheme would regenerate this area. A member welcomed the business model of this registered social landlord and said that despite the viability appraisal for no affordable housing on this site the applicant could deliver almost twice the policy requirement because it did not require the high profit of private developers. He suggested that the council's Affordable Housing Supplementary Planning Document should be updated.

**RESOLVED**, unanimously, to approve application no. 17/01091/F - Land North of Carrow Quay, Kerrison Road, Norwich and grant planning permission subject to the

completion of a satisfactory legal agreement to include provision of affordable housing, tree contribution and access across the adjoining roadway and subject to the following conditions:

1. Commencement of development within 3 years from the date of approval;
2. Development to be in accord with drawings and details;
3. Details of facing and roofing materials; brick bond and mortar; joinery; glazing to ground floor openings; verges; vent systems; external lighting; and heritage interpretation;
4. Details of any remaining archaeological work and written scheme of investigation
5. Details of vehicle charging points; cycle storage; site management for parking/access; and bin stores provision;
6. Details of highway design works;
7. Construction management plan; parking; wheel washing;
8. Details of landscaping including: planting; tree pits; biodiversity enhancements, bird and bat boxes; site treatment works; boundary treatments, including separation of private amenity areas, gates, walls and fences; edge treatment to roof terraces and gardens; landscape features such as planters, seats, raised walls etc. complete with heights or levels to indicate the overall appearance; parking, service road and path link surfaces; and landscape management and implementation programme and maintenance;
9. Details of provision and maintenance of low or zero carbon technologies / renewable energy sources;
10. Water efficiency measures to comply with latest standards;
11. Compliance with the surface water drainage system and future maintenance of;
12. Details of emergency flood warning and evacuation plan and implementation of surface water flood strategy;
13. Site contamination investigation and assessment;
14. Details of contamination verification plan;
15. Cessation of works if unknown contaminants found and submit details of remediation;
16. Details of testing and/or suitable compliance of all imported material prior to occupation;
17. Details of glazing and compliance with the recommendations of submitted noise report.

#### Article 35 (2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application and application stage the application has been approved subject to suitable land management, adoption, appropriate conditions and for the reasons outlined within the committee report for the application.

#### Informatives

1. Considerate constructor;
2. Impact on wildlife;
3. Highways contacts, street naming and numbering, design note, works within the highway etc.

4. Properties at this development will not be entitled to on street parking permits;
5. Environment Agency guidance;
6. Anglian Water guidance.

**5. Application no 17/01588/F - Bristol House 78 - 80 Unthank Road, Norwich, NR2 2RW**

(Councillor Malik declared an interest in this item.)

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which summarised the comments received from the council's design and conservation officers and Councillor Davis, Town Close ward councillor, and the officer response. Members were advised that the development was not large enough to fall within the scope of policy JCS3 and therefore energy efficiency measures were not required to accompany the development.

(A member of the public who had given notice of his intention to speak at the meeting did not attend the meeting.)

Councillor Davis, as ward councillor for Town Close Ward, addressed the committee on behalf of residents. She expressed disappointment that the applicant would not meet with the local members for Town Close to discuss the application before the application was submitted. She listed the concerns which included density of development and overshadowing of adjacent properties; highway safety on Essex Street; management of the residents, such as curfew on the use of outside areas, to prevent noise disturbance to neighbours, particularly at night; that there were too many student developments in the area and that this was creating a monoculture and a detrimental impact on the character of the area; that the units were too small and provided a poor standard of amenity to future residents, that there was no disabled access; the proposal would exacerbate parking pressures and did not satisfy policy JCS3 relating to energy efficiency.

The agent addressed the committee and explained that he was not aware of an approach from local members to discuss the application. He welcomed the officer recommendation for approval and explained that the applicants had recently taken over the ownership of the property. There had been only two objections to the proposal, with the majority of comments received being positive. No further comments had been received following amendments to the scheme. The applicants had worked with the conservation and design officers on this high quality application. The applicant had not sought any additional parking on the site because it was in a sustainable location within walking distance of the city centre and on bus routes and access to the Car Club bay on Essex Street. The scheme was policy compliant. There was no overlooking of adjacent properties. It made a positive contribution to the housing shortfall in the city and would enhance this building within a conservation area.

The planner referred to the report and responded to the issues raised by the speakers. The change of use from a 16-bed hotel to a HMO was not expected to result in an increase in noise given the size of the grounds. If there were any complaints about noise, the council's environmental protection team would respond. Bristol House was in a controlled parking zone and new parking permits would not

be available for residents. The development was outside the scope of JCS3 as it fell below the threshold of 1,000 square metres.

The planner, together with the area development manager (outer), referred to the report and answered questions from members. The applicant had stated that the development would be targeted at professional young people but the tenure of future occupants was not something that could be controlled through planning consent. A member pointed out that the nature of the occupation of the accommodation was important as he considered that students would make more noise than young professionals. Another member also questioned whether there was a market for this type of accommodation and questioned the number of kitchens available for 27 people. The planner apologised and explained that during her presentation she had missed off one of the plans and confirmed that there would be three kitchens within the property. In reply to a question that there would be overnight guests, the planner said that the number of full-time residents would be restricted to 27. The use of the building was C3 and appropriate for a residential area. The proposal had been assessed by colleagues in private sector housing and the kitchen provision was considered appropriate. Amenity space had been secured at the rear of the property and so as to have a lesser impact on the adjacent neighbour on Unthank Road and to provide more private external amenity space for future residents. In reply to a question, the planner explained that there were light wells into the communal space on the ground floor. She pointed out that the proposed change of use was residential and not C2 and therefore there was no policy requirement that set the level of cycle storage provision. The number of car parking spaces had been reduced on the site, thus reducing vehicle movements on to the site. The area development manager (outer) said that 20 cycle storage spaces and 2 car parking spaces had been deemed sufficient for this sui generis use.

The chair moved and Councillor Button seconded the recommendations to approve the application as set out in the report.

During discussion, Councillor Carlo said that she considered that this was overdevelopment of the site and that she was concerned that rooms would be subdivided, exceeding the set level of 27 fulltime residents. The hotel had been referred to locally as a “doss house” and had offered a very poor level of accommodation. She was also concerned about the use of the front garden by residents as this would generate noise and impact on the neighbours of the adjacent property.

Councillor Jackson said that he considered the proposal lacked sufficient amenity for future residents and would cause disturbance to neighbouring residents which he considered outweighed any benefits to this application. He said that he was concerned about the lack of a management condition to manage a property of this size with 27 separate people sharing accommodation and was very different from smaller HMOs. The area development manager (outer) advised that a management plan could be achieved through a planning condition. He said that introducing a curfew on outside use would not be reasonable. It would not be viable to require a manager to live on site. The planner suggested that contact details could be issued to residents and neighbours to contact the manager when necessary. Other members expressed concerns about how the communal areas would be managed and the security of future residents and their belongings.

Councillor Malik commented on his regret that the applicant had not met with the local councillors and MP. The student accommodation market had changed over the last two years with purpose built units being created. He sought reassurance that the accommodation met with space standards for use by young professional people and was advised that all bedrooms met the space standard with some rooms exceeding it and that all bedrooms had external windows, a good level of light and en-suite bathrooms. The chair pointed out that the existing use of the building was for a hotel. The area development manager confirmed this and pointed out that it could revert to hotel use without further planning consent.

Councillor Sands said that he was concerned about fire safety and was advised that this was a matter for building control and the fire and rescue service. As a large HMO, it would need to comply with licensing by private housing and fire regulations.

During the discussion the planner answered questions on the lighting to the communal rooms and the layout, which included the use of light wells. Councillor Jackson expressed concern about the lack of outlook and natural light in the communal rooms. Members expressed concern about how 9 people would share the kitchens and the lack of arrangements for food storage. Councillor Carlo said that she would move for the refusal of this application because of concern about the amenity of future residents and the residents of the neighbouring properties in this densely populated conservation area. The area development manager (outer) said that the internal and external space standards were met for 27 residents on this site. The community space was not insignificant and sufficient for the number of rooms on each floor. With regard to neighbourhood amenity the former use was for a 16 room hotel which if fully occupied would accommodate 32 guests. The proposal for a 27 bed HMO was consistent with a residential use.

The chair asked members to move to the vote on the recommendations to approve the application as set out in the report, and with 1 member voting in favour (Councillor Driver) and 10 members voting against (Councillors Button, Bremner, Carlo, Henderson, Jackson, Wright, Sands, Malik, Peek and Bradford) the motion was lost.

Councillor Carlo moved and Councillor Jackson seconded that the application be refused because it did not comply with policies DM2 and DM13. The area development manager (outer) advised that amenity of the future occupants would be difficult to defend at appeal because the bedrooms were large and the overall size of the building complied with space standards and was considered acceptable by the private housing officers.

The chair suggested that the committee deferred consideration of the application to provide an opportunity for the planners to discuss a management plan with the applicants and then brought before the committee for determination. Members were advised that the management plan could alternatively be secured through a condition of the planning consent.

Discussion ensued in which members commented on the proposal. Councillor Carlo said that she considered that a proposal for self-contained flats would be more appropriate for this site. She considered that the level of occupancy was too high and that permanent residence in an HMO was different from that of a hotel. Councillor Wright said that 27 people would not have a shared communality and that

he was minded to vote for refusal on the grounds set out in policy DM13. The area development manager reiterated that the committee could consider deferring the application to seek further information on the management plan to a future meeting. It would still have the opportunity to refuse the application on amenity grounds. Councillor Bradford said that he supported the proposal to defer for further information. Other members expressed concern about the need to safety of future residents and their property and also concern about the impact of noise on the residents of the adjacent properties.

Councillor Carlo then summed up her motion to refuse the application. She said that she was aware that management plans could work as seen at another HMO in Earlham Road, but that she considered that the number of occupants for this proposal was too large and it would be detrimental to the amenity of future residents and residents of the neighbouring properties.

The committee then moved to the vote on refusal and it was:

**RESOLVED**, with 6 members voting in favour (Councillors Carlo, Jackson, Henderson, Wright, Malik and Sands) and 5 members voting against (Councillors Driver, Button, Bremner, Peek and Bradford) to refuse application no. 17/01588/F - Bristol House 78 - 80 Unthank Road Norwich NR2 2RW on the grounds of amenity to future residents and concern about disturbance to neighbours and to ask the head of planning services to provide the reasons in planning terms.

(Reasons for refusal as subsequently provided by the head of planning services:

The proposal would fail to deliver a high standard of amenity and living conditions for future residents of the site, by virtue of the lack of outlook and light provided to communal amenity spaces, the number of residents on site in comparison to communal internal and external amenity space and due to the lack of management proposals to ensure that satisfactory security and servicing arrangements are in place.

The applicant has also failed to demonstrate that the site will be managed in such a way as to prevent noise and disturbance to neighbours. It is considered that this harm would outweigh the benefits of the proposal. The proposals are therefore contrary to policies DM1, DM2 and DM13 of the Development Management Policies Plan 2014 and paragraphs 17 and 69 of the National Planning Policy Framework.)

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

**6. Application no 17/02033/F - The Quebec 93 – 97, Quebec Road, Norwich, NR1 4HY**

(Councillors Driver and Wright had declared an interest in this item.)

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which contained amendments to the report to correct the address of the site in the recommendations and insert an additional paragraph to explain that the loss of the 4 bedroom manager's flat was



ancillary to the main use of the building and not subject to assessment against policy DM15. Members were also advised that the application was in Thorpe Hamlet ward.

The planner referred to the report and answered members' questions regarding car parking, access and confirmation that there would be no significant issue with cars pulling out at the junction of Wolfe Road and Quebec Road. There were council owned car parks in the area and the application site was in a sustainable location, close to the rail station and bus routes. Members also sought assurance that there were other public houses within 800 metres of the Quebec Road. There was no space for soft landscaping around the building.

The chair moved and Councillor Button seconded the recommendations as set out in the report. Discussion ensued in which a member asked that the applicant place a plaque to commemorate that the building had been a public house. Members regretted the loss of a public house but acknowledged that there were other public houses in the vicinity and that it was a suitable location for a bed and breakfast.

**RESOLVED**, unanimously, to approve application no application no 17/02033/F - The Quebec 93 – 97, Quebec Road, Norwich, NR1 4HY and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Bike and bin storage details to be agreed;
4. Water efficiency measures to be agreed;
5. Materials to match existing.

**7. Application no 17/01791/F - Flordon House, 195 Unthank Road, Norwich, NR2 2PQ**

The planner presented the report of the plans and slides. She referred to the supplementary report of updates to reports which contained a summary of a consultation response received from the council's citywide services relating to collection of refuse and recycling bins.

During questions from members, the planner referred to the report and the plans and explained the position of the subterranean flat would be underneath the car park. The location was in a sustainable location and 4 car parking spaces and cycle storage was considered adequate. Members then sought reassurance that noise from the cars would not disturb future residents. Sound proofing was a matter for building control.

Councillor Malik, Nelson ward councillor, said that he has spoken to neighbouring residents who were concerned about vehicles turning on the car park would beam light into their houses. The planner said that the landscaping and planting would mitigate this issue. She pointed out that the car parking was an existing one and that the cycle storage would also provide some screening.

Councillor Carlo, Nelson ward councillor, sought reassurance that there would be no significant loss of light from this development and welcomed the landscaping proposals for a green wall and a sedum roof to mitigate the loss of garden space.

**RESOLVED**, unanimously, to approve application no. 17/01791/F - Flordon House, 195 Unthank Road, Norwich, NR2 2PQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Landscaping scheme (including boundary treatments) prior to occupation;
4. Management responsibilities of outside garden areas;
5. Drainage scheme (and any associated landscaping hereby approved or approved under condition 3) to be implemented prior to occupation;
6. Details of cycle store and bin store prior to occupation;
7. Water efficiency;
8. Car parking to be provided prior to occupation.

Informative

1. Considerate construction.

**8. Application no 17/01757/F - Bennetts Retail Ltd, 35 Barnard Road, Norwich, NR5 9JB**

The planner presented the report with the aid of plans and slides.

The planner referred to the report and together with the area development manager (outer) answered members' questions. A member commented that he did not consider that it was clear in the report that the application was retrospective. The officers pointed out that there was reference to the works had already been undertaken under "Other matters" but this should not affect the committee's decision. If the committee were to refuse the application then enforcement action would need to be considered.

During discussion, members were advised that the tree belt between the residential dwellings and the industrial site were not in the ownership of the applicant. Councillor Button, Bowthorpe ward councillor, said that ownership of the trees was uncertain.

Councillor Sands, local member for Bowthorpe, asked whether it was feasible to install an acoustic fence to absorb the noise from the external condenser units. This could be demountable so that it could be moved for access. The planner said that the noise levels had been assessed by environmental protection officers. Councillor Sands moved that an acoustic fence should be installed and this was seconded by Councillor Driver. The area development manager (outer) advised that newly installed condenser units would not create much noise and maintenance was a greater issue than installing acoustic fencing. He also questioned whether it was feasible to install acoustic screening in this location and that it would remove some of the car parking spaces. On being put to the vote with 3 members voting in favour (Councillors Sands, Driver and Peek), 6 members voting against (Councillors Button, Bremner, Jackson, Wright, Malik and Bradford) and 2 members abstaining (Councillors Carlo and Henderson) the motion was lost.

The chair then moved the recommendations as set out in the report, and it was:

**RESOLVED**, with 10 members voting in favour (Councillors Driver, Button, Bremner, Carlo, Henderson, Jackson, Wright, Malik, Peek and Bradford) and 1 member abstaining (Councillor Sands) to approve application no. 17/01757/F - Bennetts Retail Ltd 35 Barnard Road Norwich NR5 9JB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Time restrictions on use of condenser units.

Informative

1. Considerate construction.

(Councillors Peek and Bradford left the meeting at this point.)

**9. Tree Preservation Order [TPO], 2017. City of Norwich Number 529; 2A and 2B Essex Street, Norwich, NR2 2BL**

The arboricultural officer (TPO) presented the report with the aid of plans and slides. He outlined the objection to the confirmation of the tree preservation order (TPO) and said that these issues could be addressed not by the removal of the lime tree but by pollarding or crowning it.

In reply to a member's question, the arboricultural officer confirmed that maintenance of the tree was the responsibility of its owner. Pollarding would restrict the growth of the tree.

**RESOLVED**, unanimously, to confirm Tree Preservation Order (TPO), 2017 City of Norwich 529, 2A and 2B Essex Street, Norwich, NR2 2BL.

**10. Tree Preservation Order [TPO], 2017. City of Norwich Number 527; 137 Plumstead Road, Norwich, NR1 4JT**

The arboricultural officer (TPO) presented the report with the aid of plans and slides. He confirmed that there were no safety issues associated with this mature oak tree and that a preservation order would not prevent maintenance work to it.

**RESOLVED**, unanimously, to confirm Tree Preservation Order (TPO), 2017 City of Norwich Number 527; 137 Plumstead Road, Norwich, NR1 4JT.

CHAIR



## Summary of planning applications for consideration

## ITEM 4

8 March 2018

Item No.	Case Number	Location	Case Officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	17/01078/F	Car Park Rear of Premier Travel Inn Duke Street	David Parkin	Redevelopment of car park site to provide student accommodation.	Objection	Approve
4(b)	17/01391/F	St Crispins House, Duke Street, Norwich	David Parkin	Change of Use application in respect of the conversion and extension of an existing 3, 4 and 5 storey office building (B1 use class) to student accommodation (sui generis use class) containing 600 student bed spaces and communal accommodation at ground floor level, to include common room facilities and a gymnasium. Associated external works.	Objection	Approve
4(c)	17/00201/L&17/00205/F	24 Cattle Market Street	Joy Brown	17/00201/L - Demolition of building to rear of Crystal House; alterations to facilitate change of use and extension to the first floor of Crystal House from retail (Class A1) to 1 No. flat (Class C3); rebuilding at rear to provide 7 No. dwellings.  17/00205/F - Demolition of building to rear of Crystal House; change of use and extension to the first floor of	Objection	Approve

Item No.	Case Number	Location	Case Officer	Proposal	Reason for consideration at committee	Recommendation
				Crystal House from retail (Class A1) to 1 No. flat (Class C3); rebuilding at rear to provide 7 No. dwellings.		
4(d)	17/01355/F & 17/01356/L	Marl Pit Public House, Hellesdon Road	Robert Webb	Alterations and extension to existing public house to reinstate pub, including new restaurant, 5 no. guest bedrooms, toilets, cart shed and car park. New barn-style building to accommodate 5 no. dwellings with new vehicle access and associated parking.	Objections	Approve
4(e)	17/01664/F	Land North West Side of 25-27 Surrey Street	Lara Emerson	Construction of five storey building and basement including ground floor restaurant (Class A3), first floor retail space (Class A1), hotel (Class C1) and 1no. apartment (Class C3).	Objection	Approve
4(f)	18/00008/F	82 Unthank Road	Lara Emerson	Single storey rear extension including first floor terrace, external alterations, associated new lighting and landscaping works.	Objections	Approve
4(g)	17/02023/MA	Kingdom Hall of Jehovah's Witnesses, Clarke Road	Charlotte Hounsell	Amendment to previous planning permission 16/00563/F to: simplify facade; alter internal layout; add balcony to rear lounge.	Objections	Approve

Item No.	Case Number	Location	Case Officer	Proposal	Reason for consideration at committee	Recommendation
4(h)	17/02024/F	Bowthorpe Road Methodist Church	Steve Polley	New church hall. Demolish dangerous structure.	Objections	Approve
4(i)	17/01832/F	40 Bluebell Road	Steve Polley	Two storey rear extension.	Objections	Approve
4(j)	18/00060/F	77 Brian Avenue	Steve Polley	Single storey side and rear extension with loft conversion.	Objections	Approve
4(k)	17/02026/F	39 Constable Road	Stephen Little	Two storey rear extension	Objection	Approve
4(l)	17/00118/ENF	159 Drayton Road	Steve Polley	Wall built to over 1m in height adjacent to highway. Outbuilding is being constructed in front garden adjacent front boundary against highway and neighbouring property.	Authorise Enforcement Action	Authorise Enforcement Action
4(m)	17/00131/ENF	2 Mornington Road	Steve Polley	Erection of wooden garage/garden room structure.	Authorise Enforcement Action	Authorise Enforcement Action
4(n)	17/00006/ENF	17-19 Castle Meadow	Lara Emerson	Use of basement as dwelling.	Authorise Enforcement Action	Authorise Enforcement Action





## **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**

8 March 2018

**Report of** Head of planning services

**Subject** Application no 17/01078/F - Car Park Rear of Premier Travel Inn, Duke Street, Norwich

**Reason for referral** Objections

4(a)

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<b>Ward:</b>	Mancroft
<b>Case officer</b>	David Parkin - <a href="mailto:davidparkin@norwich.gov.uk">davidparkin@norwich.gov.uk</a>

Development proposal		
Redevelopment of car park site to provide student accommodation.		
Representations		
Object	Comment	Support
92	1	0

Main issues	Key considerations
1	Principle of development
2	Design and Impact on conservation area
3	Traffic & transport
4	Impact on amenity of surrounding uses, including residential
5	Flood risk
<b>Expiry date</b>	20 October 2017
<b>Recommendation</b>	<b>APPROVE</b> subject to unilateral undertaking and conditions



## The site and surroundings

1. The application covers an area of 0.21 hectares on the north bank of the River Wensum immediately adjacent to the Duke Street bridge. The land is in use as a surface car park with associated paraphernalia but no buildings. Access to the site for the extant use is off Duke Street and Colegate and to the rear of the Premier Inn down a ramp.
2. Immediately north of and at a higher level than the site is the Premier Inn hotel; to the east and north-east are buildings occupied by the Jane Austen College. The Playhouse theatre lies further to the east. Duke Street forms the western site boundary and is at a higher level than the site. On the opposite side of Duke Street is Mary Chapman Court, a complex of student accommodation.
3. To the south, on the opposite bank of the Wensum is Dukes Palace Wharf, a development of flats fronting on to the river and wrapping around the northern boundary of the St Andrews multi-storey car park. Diagonally opposite the site, to the south-east across Duke Street and also on the opposite bank of the river, is the former Eastern Electricity Board building, which has a valid consent for extension and alteration to provide residential accommodation.
4. Further afield, the mix of uses also includes public houses, commercial and retail uses as well as residential.

## Constraints

5. Conservation Area - Policy DM9 Safeguarding Norwich's Heritage;
6. Area of Main Archaeological Interest – Policy DM9 Safeguarding Norwich's Heritage;
7. Regeneration area – Northern City Centre Regeneration Area
8. Areas for Reduced Parking – Policy DM29;
9. Riverside walk (proposed);
10. Flood risk zone 3 – Policy DM5

## Relevant planning history

11. On the application site

Ref	Proposal	Decision	Date
17/01078/F	Redevelopment of car park site to provide student accommodation.	PCO	
06/01245/U	Use of land as private, long stay car park and access to/from car park.	Refused	11.05.2007

<b>Ref</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
05/01100/F	Temporary use of land as hotel car park.	Refused	03.01.2006
4/2003/0507	Renewal of temporary planning permission No. 4/2001/1009/F 'Use of vacant site as public car park'	Approved  (temporary until 1 July 2005)	27.06.2003
4/2001/1009	Use of vacant site as public car park.	Approved  (temporary until 1 April 2003)	07.03.2002
4/1998/0656	Redevelopment of site to provide 117 bedroom hotel, 21 residential units with office accommodation and car parking spaces and ground floor restaurant.	Approved	15.03.2004

## 12. On adjacent sites

<b>Ref</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
16/01268/F	3 No. penthouse apartments, bin stores, reconfigured car parking arrangements, cycle provision and external canopy. @ Merchants Court, St Georges Street	Approved	09.02.2017
15/00916/F	Change of use of ground, first, second and third floors of Riverside building, first, second and third floors of No. 8 Duke Street, and first and second floors of No. 6 Duke Street to provide 69 residential units. @ Former Eastern Electricity Board Site, Duke Street	Approved	03.12.2015
14/01103/F	External alteration, partial demolition and extension of riverside and Duke Street buildings to provide 29 dwellings. Demolition of central and warehouse buildings to provide redevelopment for 56 dwellings, extension of basement car park, creation of 464sqm of flexible commercial floorspace (Class A2/A3/B1(a)), associated highway and landscape works, pontoon and floating landscape platforms. (Amended	Approved	17.12.2014

	description and plans/supporting documents). @ Former Eastern Electricity Board site, Duke Street		
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## The proposal

13. The application proposes the construction of a single building to provide 152 student bed spaces in a mixture of cluster units with communal kitchens; studio apartments; and accommodation suitable for people with disabilities. The building has a roughly H-shaped footprint with the two vertical elements of the 'H' orientated north to south at the eastern and western ends of the site; the connecting link runs east-west between these two elements.
14. When viewed from the river, the building would have a maximum height of 9 storeys, with the lower storey being a basement providing cycle and motorbike parking, 2 car parking spaces for visitors; refuse storage and plant rooms. This basement is accessed via a ramp running to the rear of the Premier Inn from Colegate and Duke Street.
15. The western element of the building is the tallest at 9 storeys and a total height from site level of 27m. The 9<sup>th</sup> floor is set back 1m from the western edge of this part of the structure to reduce the impression of height. The middle section of the building (the connecting section of the H) then steps down to 8 storeys and a total height above site level of 24m; the eastern element steps down again to 7 storeys (total height above site level of 21m).
16. The height of the building is appreciated differently from different view-points; for example, when viewed from Duke Street the building reads as 8 storeys high because the site level is lower than the road. Similarly, when viewed from the Jane Austen College, the eastern portion is read as 6 storeys.
17. The 'H' plan of the building allows it to be articulate to follow the line of the river, with the southern end of the eastern part of the H being set back from the southern end of the western part of the building.
18. Pedestrian access to the building is off Duke Street, with a reception area and communal areas on the ground floor (above the basement). The development provides a ramp down to the river between the bridge structure and the building which then opens out onto a riverside walk that runs along the southern edge of the site. In the middle of the 'H' the riverside walk opens out into a larger space offering a terraced area running up towards the building. The lower part of this terrace would be publicly accessible but the upper part, in line with the ground floor of the building, is private for use by the student residents and accessed off the communal areas.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>152 student bedrooms</b>
No. of affordable dwellings	<b>n/a</b>
Total floorspace	<b>5,716m<sup>2</sup></b>
No. of storeys	<b>9 (including basement)</b>
Max. dimensions	<p><b>Height – from the south – measured from ground level – 27m. From the west (Duke Street) – measured from street level – 25m.</b></p> <p><b>Frontage width – riverside – 41.5m; Duke Street – 23m</b></p>
Density	<b>724 bedspaces/hectare</b>
<b>Appearance</b>	
Materials	<b>Red brick; bronze coloured perforated metal mesh to upper levels; reinforced perforated metal mesh to basement level; turned brick detailing.</b>
Construction	<b>Sustainable construction methods will be adopted throughout the construction process for the proposed scheme. These methods will seek to address the construction of the building itself, in addition to consideration of the site in context.</b>
Energy and resource efficiency measures	<b>Roof mounted low profile photo-voltaic panels &amp; air source heat pumps at lower ground level; specification of water efficient</b>
<b>Operation</b>	
Opening hours	<b>24 hours</b>
Ancillary plant and equipment	<b>Plant rooms at lower ground level.</b>
<b>Transport matters</b>	
Vehicular access	<b>As existing from Duke Street and Colegate</b>
No of car parking spaces	<b>2 (6 moped spaces)</b>



Proposal	Key facts
No of cycle parking spaces	142
Servicing arrangements	Via the basement area with bins stored internally

## Representations

19. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 92 letters of representation have been received following 3 rounds of consultation from 51 contributors citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.
20. Most representations are from occupants of the flats in Dukes Palace Wharf to the south of the development across the river. There are also letters on behalf of the Inspiration Trust that operate the Jane Austen College to the east and north of the site and from parents of pupils and pupils of the college. The Premier Inn has also responded and whilst they do not object, they comment that access must be maintained during construction and the construction phase should be managed to minimise the impact on their business. The remainder of the representations are from residents in the area to the north and west of the site.

Issues raised	Response
Concerns over the pre-application processes adopted by the applicant.	<p>These concerns relate to the applicants consultation process prior to submission of the application. The applicant's agent organised a leaflet drop to surrounding addresses but the company employed to distribute the leaflets failed to deliver any to Dukes Palace Wharf, citing problems over gaining access. The applicant's agent, whilst initially unaware of this, has acknowledged the issues.</p> <p>In negotiation with officers it was agreed that amendments to the application required to be formulated. Prior to developing the amendments, the agent invited the residents of Dukes Palace Wharf to a public consultation event specifically to discuss the amendments to the application. The invitation was made to every resident of the building with the letters delivered by the managing agent on 29/09/17.</p> <p>Details of the measures that the</p>

Issues raised	Response
	<p>applicant's agent has taken to engage with the residents of Dukes Palace Wharf are set out in the Addendum Statement dated October 2017.</p> <p>The Council has carried out three rounds of consultation (01/08/17, 19/10/17 and 18/12/17) on the proposals following the submission of the application which has included letters to neighbours (including the residents of Dukes Palace Wharf) and, for the initial consultation, site notices and notices in the local press.</p> <p>It is considered that as a result the residents of Dukes Palace Wharf have been given an opportunity to provide representations on the proposals and the responses that have been provided have been closely considered in this report.</p>
The development is too high and out of scale	See Main Issues 2 & 4
Noise will be generated from the flats, use of the external spaces and the riverside walkway	See Main Issue 4
Insufficient details of what management would be put in place or what controls might be exercised over student residents	Details of the management arrangements for the proposed development may be secured by planning condition
The development will dominate the outlook from Dukes Palace Wharf	See Main Issue 4
The development will impact upon the privacy of the residents of Dukes Palace Wharf and the users of the Jane Austen School	See main issue 4
Object to the loss of the existing parking	See Main Issue 3
The proposal will cause traffic congestion, particularly at the beginning and end of term	See Main Issue 3
The building will 'canyonise' the river	See Main Issue 2
The development will result in loss of light to the residents of Dukes Palace Wharf and to	See Main Issue 4

Issues raised	Response
the Jane Austen School building and playground	
Noise, disturbance, pollution and congestion during construction	See Main Issue 4
There is no need for additional student accommodation	See Main Issue 1
Impact on wildlife and the river	See 'Other Matters'
Impact on property values	The impact on property values of granting planning permission is not a material planning consideration
The development should be tied to a particular education establishment and managed	It is not necessary to tie a permission to a particular establishment from a planning point of view. Details of site management can be secured by condition if necessary.
The sunlight/daylight survey is not independent and has been carried out without access to the Dukes Palace Wharf flats	See Main Issue 4
Safeguarding issues re: over-looking of Jane Austen College play area	See Main Issue 4
The proposed development will set a precedent of increasing building height in the area	The Council has a statutory duty to assess each planning application on its merits as they are submitted

## Consultation responses

21. 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** (on original plans – no additional comments received on amendments)

### Proposed scale and form

22. The proposed contemporary design takes reference from existing/past factory forms along the river, constructed in red brick with a regular fenestration pattern and flat roof. Its H shaped form and marginal set back from Duke Street will allow for the creation of some associated public amenity space and access to the river.

23. However there remain concerns with the scale, massing, height and detailed design of the proposed development and the resulting impact upon the wider character and appearance of the conservation area and the setting of adjacent locally listed heritage assets.
24. The buildings excessive scale, height and projecting wings (that span out over the riverside walk towards the river) will result in a dominant and assertive building that will rise above the existing large scale development in the locality. The cumulative impact of the proposed development and the existing large scale building (Dukes Palace Wharf) will negatively impact upon the character and appearance of the river. In that, it will serve to enclose and overwhelm the river at this narrowing point, spoiling views from it, and across it. The development of two buildings of such a scale on both banks of the river is not repeated elsewhere in the conservation area and would therefore be out of context.
25. Whilst it is acknowledged that there is some limited merit to the fact that the proposed development will obscure views of 'negative' Premier Inn building from the south. However this could be achieved by a building of a lesser scale that would more comfortably sit within the adjacent townscape. The concern being the building will rise 2 storeys above what is the tallest building in the street and rather than blending into the surrounding townscape, it will serve to disjoint it.
26. There is concern over the proximity of the proposed 7-8 storey wing to the rear 3 storey wing of the Jane Austen college. This will result in an uncomfortably close relationship and the development will undoubtedly alter this buildings open setting, resulting in a spoilt outlook and increased sense of enclosure. Views of this heritage asset from the Duke Palace Bridge will be obscured by the development. The development will also lie in proximity to the existing locally listed 2 storey Malthouse, again, the proposed scale of the development will serve to overwhelm this modest building. This is regrettable and results in some harm to the setting of these heritage assets and character and appearance of the conservation area. Again, resulting in a further dis-jointed townscape with buildings of such varying heights in such close proximity.
27. In order to help temper the impacts of the development and reduce the level of harm caused to the setting of the locally listed buildings and character and appearance of the conservation area, I would recommend that the applicant considers a reduction in height of the development, by 2 storeys. (7 Storeys to Duke Street, dropping to 6 and then 5 to the east). This reduction in height would still allow views of the Premier Inn to be obscured, but would allow for a more appropriately scaled building in the existing context. I would also recommend that the wings are set further back from the river to allow for a general sense of openness beside the river to remain and for an 'uncovered riverside walkway' to be created. I would also recommend that the eastern wing, be set further back from the Jane Austen college or at the very least for the corner to the north east to be curved/ chamfered to improve this relationship.

### **Materials & Design**

28. At pre-application the applicants were advised to take design references from the 19C & 20C industrial factory buildings along the river (large scale windows, regular fenestration pattern, use of brick and potentially decorative fretted metal panels/decorative brick at river level/ decorative brick to provide a positive river

level frontage and sturdy 'base' to the building. The proposed design largely achieves this, however I would suggest that in order to achieve high quality design that: -

- (a) more articulation/decorative brick work would be preferred above the window openings to provide some interest to the rather monotonous elevation fronting the river (decorative panels above window openings for example).
- (b) Some relief is required to the fretted metal in bronze colour employed around the perimeter of the base of the building at LG floor level. Is this decorative fretting to provide some heritage interpretation?. The concern being that if this area is not broken by some fenestration/soft landscaping it will result in a largely blind elevation/inactive frontage and rather harsh industrial appearance to the river and ramped access route from Duke Street.
- (c) At present, the building is supported by a set of irregular columns at its base, these columns would preferably be more proportionally spaced/regularly/symmetrically spaced at intervals that relate to the façade above. Please can this be amended?
- (d) The irregular size of window openings at GF level of the riverside central section is regrettable, please can these be regularised?
- (e) There is concerns that the use of the bronze fretted metal at roof level is not contextual. It could be that we approve a metal cladding here, but condition a sample for approval.
- (f) There appears to be a cavernous opening upon the northern elevation at LG floor level - is this to remain open?
- (g) Plant and equipment should be hidden within the built form. Roof mounted plant is unlikely to be considered acceptable. A condition could be added to ensure that there shall be no roof mounted plant and equipment.

### **River side walk and public access**

- 29. There seems to be a lot of wasted space at LG floor level? A key would be useful here. Could this area be better utilised as publically accessible riverside amenity space?
- 30. These areas will need to be well lit at night, details of all landscaping and boundary treatments, as well as external lighting would need to be secured by condition.
- 31. The proposed ramped access from Duke Street does appear rather narrow and no section drawings of the ramp have been provided to indicate that this ramp will comply with DDA/Equality act requirements.
- 32. It is not clear how the riverside walk will be publically accessible? There drawings provided do not show any delineation between 'public' and 'private' space.
- 33. It is not clear that any proposed landscaping improvements are proposed to the access road from Colgate and how this access will be managed - will it be gated off for example?

### **Impact of the proposed works upon the neighbouring heritage assets**

- 34. I remain unconvinced by the overall height of the development across the site, the scale, massing and detailed design of the development, the monotony of the

elevations and the junction with the relationship with the street, neighbouring buildings and setting of adjacent heritage assets.

35. At present, the design, scale and massing of the 9-7 storey building would result in harm to the character and appearance of the conservation area and the setting of the adjacent heritage assets. I am not convinced that the development would provide a positive and active street frontage to Duke Street. Access arrangements in and out of the site are not clear and the provision of a complete riverside walkway with connectivity to St Georges Street has not been provided.
36. There is concern that the current design would serve to overwhelm and enclose the river (particularly the cumulative impact along with Dukes Wharf). There is also concern over the relationship between the modest Jane Austin Building and the Playhouse Malthouse and the 9-7 storey development in such close proximity and the potential for this to result in a further 'dis-jointed' townscape arrangement.
37. Whilst this harm to heritage assets is considered 'less than substantial' in NPPF terms, nonetheless it is considered that the potential public benefits offered by the scheme could largely be achieved through the development of a building of an improved design and reduced scale.

## **Historic England**

### **Amended plans**

38. Thank you for your letter of 19 October containing new information on this application. This is helpful and the Addendum Statement does comment on the main issue we raised in our letter of 21 August, the setting of Jane Austin College and Merchant's Court. However, it does not contain images of the likely view of the new building from this area. I am also not convinced that the comments on the west elevation of the College, not being a principle façade and the rear not having been designed for 'aesthetic consumption', are reason to disregard the impact of this large new building on the conservation area in this area. The advice set out in our previous letter therefore stands.

### **Original Plans**

39. The application site is a prominent one in the conservation area but is presently somewhat blighted by the Premier Inn, a large building with a blind end wall built presumably in anticipation of a large new building on this site masking it. Redevelopment of the site is therefore welcome. The presence of Premier Inn and other, perhaps more successfully designed modern buildings of some scale in the area means that a large building in a contemporary style would be appropriate for the site. In fact it could mask the blind wall of Premier Inn and actively engage with the riverside.
40. The proposed new residential building has been the subject of pre-application discussion with Historic England during which we accepted the principle of a large development on site and that the part adjacent to the Premier Inn should be of sufficient height to mask it. Historic development on and immediately around the application site has largely been lost through modern development but access to the river from the north dividing plots and forming blocks of building was an important aspect of the historic city in this area. The proposed development would

form a continuous line of building across the site rather than distinct blocks. This does not reflect this historic pattern and has the potential to create a single line of building facing the river which would be bulky and overbearing.

41. The current plans do show a single building, but the projecting elements at each end go some way towards suggesting the linear form of development reaching the waterfront which marked the historic city. This and the resulting set back of the central section produce some modulation and interest in a building which is otherwise very regular and repetitious in the way the structural frame is expressed and in its fenestration. On balance we would accept the overall scale and form of the river frontage development, though the Council should consider the scale of the building's eastern elevation when seen from the vicinity of Merchants Court and Jane Austin College. Images of this have not been provided with the application, but might suggest that seven storeys is excessive in relation to these buildings and the easternmost part of the new building should step down in height. In addition to this concern it is important that the landscaping scheme along the waterfront is suitable and external materials and detailing of the building are of a very high quality. The facing brickwork, in particular, needs to be of a colour and texture appropriate to the area with sufficient variation to provide interest.
42. The National Planning Policy Framework (NPPF) identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paragraphs 6, 7 and 14). The NPPF also states that the significance of conservation areas can be harmed or lost by development in their setting and that local planning authorities should treat favourably proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably (paragraphs 132 and 137). The conservation of heritage assets is a core principle of the planning system (paragraph 17) upon which the NPPF places great weight (paragraphs 17 and 132). Clear and convincing justification should be made for any harm to the significance of heritage assets (paragraph 132).
43. We have considered this application in terms of this policy and accept the principles of development, but are concerned that the scale of the eastern end of the new building in relation to existing development should be considered further. Reducing the height of this element might be appropriate. If any permission is granted conditions should be applied to ensure a high quality of external materials and detailing and suitable landscaping scheme for the waterfront.

### **Recommendation**

44. Historic England has concerns regarding the application on heritage grounds. 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 6, 7, 14, 17, 132 and 143 of the NPPF. 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. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

**Norwich Society** (On amended plans)

45. We object strongly to this proposal. It represents over-development of the site and will create a canyon effect along the river frontage

**Environmental protection** (On amended plans)

46. This property is in a situation with significant background noise arising from nearby uses. Norwich City Council has therefore included measures designed to control noise in the planning permission for this property. These requirements are to provide approved acoustic glazing and passive/forced acoustic ventilation and other noise mitigation measures. The use of these will be taken into account by Norwich City Council when investigating any complaint of noise nuisance from an occupier of these dwellings.
47. Recommends that any consent is subject to a condition ensuring compliance with the mitigation proposed in the noise report accompanying the application.

**Environment Agency**

48. No objection. Requests conditions in relation to groundwater protection and flood risk. Advises that the LPA is responsible for carrying out the Sequential and Exception Tests outlined in national planning policy in light of the site's position within Flood Zone 3a.

**Norfolk County Council – Lead Local Flood Authority**

49. Does not wish to comment on the application.

**Highways (local)** (On amended plans)

50. No objection in principle on highway/transportation grounds subject to consideration of matters arising.
51. The revised proposals for this development are welcome and positive. i.e. increased site footpath width from Duke Street to the river; security measures to control access to the riverside path area with use of a gate (not shown on plans); enclosure of the basement cycle parking area for security purposes; and provision of moped parking in basement.
52. Recommendation 1: Based on other riverside developments there has been provision for: access ladders to the water level (given that the site will raise the ground level significantly); chains at water level; life buoys; and safety warning signage.
53. Recommendation 2: The applicant should devise a simple proposal to enable pedestrians to enter the site from Duke Street and for cyclists to exit the site near the toucan crossing. This would require dedicated space, protection from parking and a dropped kerb to Duke Street.
54. Recommendation 3: Cycle 'jug handle' measure at Duke Street approaching the toucan crossing. This is a low cost measure that simply requires: removal of guard-railing; dropping kerb; hot rolled asphalt; signs and lines; and safety audit



**Landscape** (On original plans – no additional comments received on amended plans)

## **Landscape**

55. The Landscape details provided are rather limited: Design & Access Statement 4.0 Landscape Strategy and 4.2 Concept Landscape Plan provide some information but are not entirely clear. More detail including cross-sections would be needed.
56. Landscaping proposals for the northern part of the site adjacent to Caxton House are unclear.
57. Strategic Viewpoints have been assessed using the Long views (appendix 8) in the Local Plan. This shows that the proposals would be visible in the three of the five strategic viewpoints. I am more concerned with closer views such as from points north and south along Duke Street, St Georges Street and St John Maddermarket which are not fully considered. The Artist Impression of the View from Blackfriar's Bridge in the Design & Access Statement is useful in illustrating the scale and massing of the building but is somewhat foreshortened.
58. The northern area of the site fronting Duke Street adjacent to Caxton House is currently used for parking and has a temporary surface. The use and appearance of this area detracts from the streetscape. It would therefore be beneficial if the proposals could include a more attractive and permanent treatment.
59. The overall amount and type of landscaping is difficult to assess without understanding of proposals for the northern area of the site. However, given that the proposal is for 152 bed spaces the level of open space seems low. Much of the riverside area should in future be public space, so on-site outdoor space for students' amenity seems very limited. There is little public open space in the vicinity of the site, the nearest being The Playhouse/St Georges Street the pedestrian route to which would be indirect unless/until the riverside walk can be completed to St Georges Street.
60. I am concerned about the relationship of the proposed building to the river. The building height and proximity to the river would create a pinch-point in conjunction with the Dukes Palace Wharf building on the opposite side of the river, which is also close to the riverbank.
61. This would have a canyon-effect on the river with the building physically and visually dominating the Wensum. It would also restrict visibility of the river and views between the river and the urban area.
62. Provision of riverside walk is strongly supported in principle.
63. River Wensum Strategy: consultation draft July 2017; 4.7 Dukes Palace Bridge to St George's Bridge is a priority for delivery given that it is the one 'missing link' of the Riverside Walk between New Mills and Carrow Bridge. This is a critical section in the heart of the historic city centre and is likely to be heavily used on completion.
64. The Design & Access Statement 3.1 (p18): "The aspiration is (for) this to become high quality public space should a future connection of the Riverside Walkway to St George's Street be commissioned". It is not entirely clear whether this means that public access to the riverside walk would be conditional on delivery of the future connection, nor clear what status the Riverwalk/ spaces would have in the interim.

It would be useful to have an understanding and some temporary arrangements involving a temporary river walk route.

65. I have some concerns about the details of the riverside walk:
66. Legibility: from Duke Street and from the riverside walk access point on the opposite side of Duke Street by Mary Chapman Court the entrance to the walk would not be particularly visible. Some form of intervention would be needed to make the access point clear – perhaps vertical elements, signage and a threshold paving feature.
67. It is not clear how the level difference between Duke Street and the proposed riverside walk is to be overcome as the D & A Statement seems to include two different approaches. The landscape concept plan shows a ramped path while the Drawings at Appendix A show steps:
68. As steps would represent a barrier to wheelchair users and others and therefore not meet Equality legislation, these should be ruled out.
69. The proposed ramped access would be a better approach. However the landscape plan shows a path approximately 2m wide. This is too narrow for a riverside path which should generally be at least 3.0m wide. This is particularly important at this location in the city centre where use levels are likely to be high.
70. At the foot of this ramp the riverside path is further compromised by a sharp turn at an acute angle. This would be inconvenient for users especially if the ramp were only 2m wide.
71. The ramp would drop down beside the existing footway and bridge structure which would entail some form of retaining wall alongside the west side of the ramp. It is not clear how this side of the ramp would be constructed.
72. Where the ramp meets the river edge it would be at a higher level than the existing sheet piling and would therefore presumably require some form of retaining structure to be built on top of the sheet piling. The feasibility of this would need to be demonstrated. It may also require Environment Agency and Broads Authority consent.
73. Given the above concerns it would be necessary for the proposed building line to be pulled further away from both Duke Street and the river to enable provision of a more usable, convenient and attractive riverside path.
74. The Landscape concept plan shows a riverside path in the south-east corner of the site immediately adjacent to the river. However it is not clear where the existing sheet piling ends and what form the riverbank takes in this area. This area of riverbank is relatively natural with vegetation and may be partly free of sheet piling. These characteristics make this riverbank more valuable, as recognised by the Ecological Appraisal. The riverside path should be kept away from this riverbank to maximise its potential for biodiversity. The alignment of the riverside path should reflect this by pulling away from the river. More detailed consideration of riverbank treatment here is required which also takes into account connection to the next section of planned Riverside Walk. Co-ordination with the River Wensum Strategy is advised.

75. The Landscape strategy states:” Intention is to maximise planting to the site to create green edge to the river and soften the built edge”. This is strongly supported. However there is a need to ensure that this strategy is carried through to a detailed stage.
76. It is assumed that the existing sheet piling along the river edge will be retained. This is visually unattractive and could be improved by cladding with timber. A softer approach could include floating planting boxes to provide marginal aquatic planting.
77. There may be an Environment Agency requirement for bankside access for essential river bank maintenance.
78. Tree planting alongside the river is strongly supported. Trees would require sufficient soil volume for future growth so careful consideration of tree pit detail in relation to sheet piling is advised.
79. Both hard and soft landscaping would need to be conditioned.

### **Biodiversity**

80. A Preliminary Ecological Appraisal has been submitted which complies with CIEEM guidance and methodologies. It considers the impact on habitat within the site but tend to underestimate the importance of the river which is not identified as key green infrastructure and habitat.
81. The Desk-top study reveals protected, rare and/or priority species including otter, water vole and large numbers of bats.
82. The River is a sensitive and important habitat. Development must not harm the biodiversity value of the river and its protection must be ensured during demolition and construction stages.
83. Site habitats are generally of lower value and have low wildlife potential, the exception being a small area of woody vegetation to the east along north bank of river identified in the Ecological Appraisal as habitat of value. There is very little such habitat along river banks within the city centre where natural/semi-natural riverbanks have been lost due to piling.
84. Existing habitat and vegetation on site are mainly of lower value and the removal of most with the exception of riverbank vegetation in the south-east of the site would be acceptable.
85. The River Wensum is known as an important movement and feeding corridor for bats. Otters are also known to use the river to travel through the city centre.
86. The proposed building would be close to the river with the main element near the bridge being only a few metres from the river edge. It creates a pinch-point with Dukes Palace Wharf building on the other side of the river, which itself is close to the riverbank. The proposed building features many windows overlooking the river. This much fenestration would create a significant surface area of glazing allowing light-spill towards the river. Lighting is likely to have an adverse impact on use of the river by protected species particularly bats but also otters. The development is also likely to give rise to noise and other disturbance to such species.

87. The Ecological Appraisal suggests that in relation to the river; the proposal has the potential to cause a Minor Adverse impact due to possible increases in light pollution during, and postconstruction. Mitigation is recommended similarly to reduce the impact to Neutral.
88. I feel that this underplays the issues and that the impact would be greater. I also consider that the proposed mitigation would not be adequate enough to reduce this impact to neutral.
89. The Appraisal recommendations include, the requirement that replacement planting should include berry-bearing native trees and shrubs to enhance food availability for wildlife, and measures to minimise external lighting intensity, as detailed by the Bat Conservation Trust, for the benefit of species that are likely to use the adjacent stretch of the River Wensum, to the south including otter, seal, and commuting and foraging bats.
90. The focus for mitigation should be the design of the building which could be reduced in scale and moved away from the river edge.
91. The Appraisal recommendations include the instalment of bird and bat boxes, and site planting including native flowering and berry-bearing species for the benefit of invertebrates, and potentially also nesting birds, and bird and bat foraging. This would furthermore improve linkage with a small area of woody vegetation to the east along the River Wensum's north bank that constitutes the only habitat of relative value to wildlife that occurs in the direct vicinity of the Site other than the river itself.
92. Bird and bat boxes would be beneficial but it would be preferable for these to be integrated into the architecture rather than bolted on later.
93. The level of landscape provision is not likely to be adequate to mitigate for adverse impacts on the river and does not provide significant enhancement opportunities.
94. Overall the proposals do not fully recognise the importance of the river as a key green infrastructure corridor and therefore do not adequately address biodiversity needs.

**Norfolk historic environment service** (On original plans – no additional comments received on amended plans)

95. The proposed development site is located in central Norwich within the Area of Main Archaeological Interest. As outlined in the archaeological assessment submitted with the planning application previous archaeological investigations at the site have revealed evidence of late prehistoric and Late Anglo-Saxon to post-medieval date. Although post-medieval and modern activity at the site has, in places, truncated the earlier archaeological remains, the significance of surviving heritage assets with archaeological interest (buried archaeological remains) present at the site will be affected by the proposed development.
96. If planning permission is granted, we therefore ask that this be subject to a planning condition to secure a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 141.

**Norfolk police (architectural liaison)** (On original plans – no additional comments received)

97. I have been in contact with the agent and met with them to discuss the proposed redevelopment plans. There are a few points that I have discussed with them regarding: Access and control/glazing specifications/cycle security/lighting/CCTV and gated access.
98. Should a link be created from St Georges Street to Duke Street through the site consideration must be taken with regards to the proposed outside seating area and secure access into the building, and would recommend that this is designed into the plans to avoid retro fitting in the future. Due to early consultation and future meetings proposed with the agent I have no further comments to make on this development at this stage.

**Tree protection officer** (On amended plans)

99. There are three trees on site, located around the boundary. Due to their form/condition, they should be considered 'Cat C' trees in accordance with BS5837, therefore they would not be worthy of being a material constraint on the proposed development. However, although Cat C, the two trees on the western boundary of the site do have limited value, in terms of their size/presence within the landscape and their value as a screen for the residents of Mary Chapman Court. If these trees are to be lost, then I would like to explore the possibility of replacement street trees being planted (iaw DM7) along the footpath approaching the bridge.

**Broads Authority** (On original plans – no additional comments received on amended plans)

100. The Broads Authority wishes to object strongly to the development as submitted for the following reasons:

### **Design**

101. Comments on the draft scheme were submitted to the city council on the pre-application consultation in December 2016. At that time the building was considered to be significantly too tall for the site and it was suggested that it be reduced to 6 storeys at its highest point.
102. The revised scheme has altered the plan form slightly in an attempt to mitigate some of the concerns regarding the canalisation of the river and suggestion of an open area adjacent to the River which is welcomed.
103. The H plan form does go some way to breaking the mass of building immediately adjacent to the riverside. The resulting articulation of the façade does allow for visual interest and an area where there can be a space to enjoy and interact with the riverside as suggested in previous comments.
104. In this respect the re-design is considered a far more successful and acceptable outcome for the riverside.
105. In terms of the proposed height however this remains far in excess of what is either appropriate or acceptable on the riverside and previous comments in this regard remain unresolved.

106. Even with the creation of a setback area, which attempts to alleviate the effect of the canalisation of the river, any building in this area which is in excess of the height of the adjacent Premier Inn is questionable in terms of scale. The building proposed is far in excess of the adjoining buildings and no clear justification for the increase in height has been given other than obscuring the gable wall of the Premier Inn. Given the adjacent street level it is not considered necessary to build something higher than the gable to obscure it as the angle of sight would also achieve this with a much lower building than is being proposed.
107. The highest point of the building is close to the river and bridge which, as stated previously, restricts long views and a feeling of space and the more open corridor along the river being enjoyed which are experienced when arriving at the river from the densely developed urban streets either side of the bridge.
108. In this regard the previous comments made in December 2016 regarding the scale (particularly the height) of the proposal are sustained.
109. "I would object strongly to anything exceeding maximum of 6 storeys on this site"
110. "A building the height of six storeys above Duke Street would be a further 5 metres above the walk level and 6 or more above the river level requiring the building to be stepped down to the east to provide vertical articulation as well as the recess of the walk in terms of the plan.
111. This will result in potentially a significant loss of accommodation on the site but given the location I cannot see how a building of the scale proposed currently can be justified. The impact on the Riverside, the river itself as well as the streetscape will be significantly adverse. This in a key area where views within the restricted urban street scape open up along the river corridor providing a strong visual connection to the river and other key crossing points. This feeling of openness or quayside has already been lost along many stretches of the riverside and as a result so has the city's historic physical connection to the river."

## **Navigation**

112. Based on the information provided, and provided that there is no encroachment on the navigation area along the site frontage, there is no objection to this application from a navigation perspective.
113. The Broads Authority is supportive of the proposal to provide some public realm space on the river frontage and facilitate the provision of a section of the riverside walk which could, at a future date, be extended to link to Blackfriars Bridge.
114. Therefore, whilst the Broads Authority generally supports the proposal from a navigation perspective the Authority remains of the opinion that any building in excess of 6 storeys on this site would be out of scale and over dominant when viewed from the river and the river corridor and therefore strongly objects to the submitted scheme.

# Assessment of planning considerations

## Relevant development plan policies

### 115. 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
- JCS7 Supporting communities
- JCS9 Strategy for growth in the Norwich policy area
- JCS11 Norwich City Centre

### 116. 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
- DM4 Providing for renewable and low carbon energy
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM8 Planning effectively for open space and recreation
- DM9 Safeguarding Norwich's heritage
- DM11 Environmental Hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM15 Safeguarding the city's housing stock
- DM28 Encouraging sustainable travel
- DM29 City centre off-street car parking
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations

### 117. Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)

- None relevant

## Other material considerations

### 118. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design

- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

## **Case Assessment**

119. 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**

120. Key policies and NPPF paragraphs – JCS1, JCS4, JCS9, JCS11, DM1, DM5, DM13, DM29 and NPPF paragraphs 6 – 27, 47 – 68
121. The application site lies within the city centre as defined by the Development Plan (JCS11). JCS policies and national planning policy encourage the re-use of brownfield, city centre locations for development, in particular for residential development, in preference to the release of greenfield sites.
122. Although the site is not allocated within the Local Plan, it falls within the regeneration area defined by the Northern City Centre Area Action Plan. Although the detail of this document lapsed in 2016, the general thrust of the redevelopment and regeneration of the area is carried forward in the DM policies, including DM1, DM5 and DM18 and it is set out in JCS11 that this area will be developed to achieve physical and social regeneration, facilitate public transport corridor enhancements and utilise significant redevelopment opportunities. In addition, the site is currently used for a car park but pursuant to DM29 is located within an area identified for reduced car parking. This policy DM29 sets out that (with the exception of multi-storey car parks) the redevelopment of existing car parks for other uses will be permitted to facilitate the consolidation of car parking (even where there is no immediate prospect of their replacement). There is therefore no in principle reason why the site should not be developed for student residential accommodation.
123. Additionally, there is a gap between the numbers of students in further and higher education establishments and the level of purpose built student bed spaces described elsewhere in this agenda in relation to St Crispin's House that points to around 70% of students at UEA and NUA needing to seek accommodation in the private rented sector. This situation places pressure on family housing in parts of the city giving rise to an increase in Houses in Multiple Occupation.
124. In addition to the current policy environment, there is an extant permission affecting the site. In 2004 a consent was issued under reference number 4/1998/0656 (see under planning history) for the Premier Inn and a residential development of 21



residential units and offices with ground floor restaurant on the current application site. The construction of the Premier Inn implemented this permission.

125. Third parties argue that this consent is no longer capable of being implemented suggesting that subsequent permissions for car parking have superseded it or the failure to discharge conditions for the flats means the permission has been abandoned.
126. None of the permissions for car parking resulted in physical works that would have meant it is impossible to build the residential element of the approved scheme in the form approved. An inspection of the planning history reveals that the site was the subject of an enforcement notice to secure the cessation of the use for car parking before 2006. The notes on the file indicate that this use ceased around that time albeit Google StreetView images show cars parked on the site in 2008.
127. As far as the implementation of the 1998 application, the wording of the notice issued in 2004 specifically allows for the discharge of conditions in relation to either the hotel or the flats; splitting the permission in two meaning that one part of the consent can be implemented without having to secure the discharge of conditions in relation to the other. The way the permission is constructed therefore means it is possible to build the hotel thereby implementing the consent; once a consent is implemented, there is no time limit by which it has to be completed.
128. The presence of the permission issued in 2004 is therefore a material planning consideration that must be taken into account when weighing up the merits of the current scheme. Whilst this extant planning permission has been regarded as a material planning consideration for the reasons set out above, it is considered that in any event regardless of this material consideration the proposal is in accordance with the key development plan policies and paragraphs of the NPPF highlighted above and as a result the principle of development would be supported regardless of this planning permission.

## **Main issue 2: Impact on Conservation Area and other Heritage Assets**

129. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-141.
130. The site is located within the City Centre Conservation Area (Northern Riverside Character Area, also within proximity of the Colegate Character Area). There is a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas expressed in section 72(1) the Planning (Listed Buildings & Conservation Areas) Act 1990 (“LBA 1990”). The LBA 1990 includes a further duty in section 66(1) which requires the Council - when considering whether to grant planning permission for a development which affects a listed building or its setting - to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The council embraces these statutory duties and these have been closely considered in the assessment of the proposed development. The NPPF and development plan policies encourage Local Planning Authorities to seek opportunities to improve the character of conservation areas.
131. The Northern Riverside Conservation Area Appraisal 'management & enhancement' section requires new development to 'exhibit a variation in scale of new buildings appropriate, for its to either maintain, enhance or create river

footpaths/ enhance access and increase use of the river and riverside, ensure that views across, from and of the river are maximised, to retain the existing embankment line and historic features

132. The site is located in proximity to and within the setting of various 'heritage assets', paragraph 128 requires applicants describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 132 of the NPPF acknowledges that, 'Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.

133. Those designated assets with the potential to be most affected by the development are: -

- The City Centre Conservation Area itself
- Grade II Listed Buildings
  - a) The Golden Star Public house - to the North at the corner of Colegate and Duke Street.
  - b) St. Georges Bridge/ Blackfriar's Bridge.

134. Non-designated heritage assets include: -

- Locally listed buildings
  - a) 46-48 Colegate - A locally listed former Norvic shoe factory to the north-east of the development site,
  - b) Jane Austen College, Claxton House,
  - c) Norwich Playhouse 42 - 58 St Georges Street
  - d) The former Norwich Board school another locally listed building to the North of the site along Duke Street
  - e) The Norwich University of the Arts Building (former Guntons and Havers warehouse founded in 1879) located on the southern side of the river.

135. Duke Street is a relatively modern street within the conservation area, being created in the 1820's. The road was then widened again in the 1970s. The application site has housed a variety of buildings in the past, the 1906 OS map and historic photographs indicate that it once housed a pitched roof Victorian building fronting Duke Street with an early 20C factory building (relating to Norvic shoes). These buildings appear to have been removed and replaced with a larger industrial warehouse by 1938.

136. The character and appearance of this part of the conservation area is largely drawn from its riverside location and the mixture of 19C and 20C former industrial buildings built in proximity to the river and the modern residential housing development (traditional pitched roofed 2-3 storeys and the 6-7 storey Dukes Palace Wharf development). Attractive views along and from the river (and of the buildings and trees that line it) are gained from the many bridges of the bridges.

137. Today, the area surrounding the application site features a variety of architectural styles/periods, the scale varies, from 2-3 storey residential buildings, 5 storey factory block, 5 storey hotel and the 6-7 storey Duke Palace Wharf development immediately adjacent.
138. At present, the site is an open space currently used as an area of surface car parking and whilst it is not a particularly attractive area at present, it does provide some welcome openness within the otherwise built-up urban townscape. As a result the area is considered neither to contribute positivity or negatively to the character and appearance of the conservation area. Rather, it has a neutral impact overall.
139. The Design and Access Statement that accompanies the application states that *"In developing the concept it was important to ensure that the massing of the proposal offered some 'variation in scale' as outlined within the conservation area management plan. This ensures that whilst the proposal can maintain a strong street presence and frontage along Duke Street in scale with the surrounding context, the scale of the scheme steps down in height towards the proximity of the Jane Austin College & Playhouse"*.
140. The DAS goes on to describe the design of the proposal as follows: *"One of the key design accents embraced by the proposal was to develop an elevational composition that reflects the large scale industrial [wharf] buildings and vernacular that exist within the locality, that at one time would have been the dominant feature within this riverside location. As part of the composition concept, the scheme draws on the large fenestration and openings that can be attributed to this building typology. To ensure that the windows are appropriately placed, and to add visual interest to the large elevations, the appearance of large openings has been created through additional detailing elements; such as recessed brickwork and decorative turned brick panels. All of these features are in response to the local context and adds considered rhythm and visual interest to the expansive elevations"*.
141. The DAS also goes on to describe how attempts have been made to soften the mass of the blocks by curving the corners of the buildings protruding towards the river and introducing corner windows. The curved corner treatment has also been introduced to the corner of the building closest to the Jane Austen College building in amended plans. The proposal also reintroduces a street frontage to Duke Street, with pedestrian access from this elevation. Amended plans have set back the upper storey on the Duke Street building in response to concerns over the height of the proposal.
142. There have been objections to the height and design of the proposed building from neighbours, the Broads Authority and the Norwich Society. The Conservation Officer has also expressed reservations about the height of the original proposals and some of the design elements and materials.
143. However, Historic England accepts that the site can accommodate a building of the scale proposed, even in the original plans. The consultation response (see above) indicates that *"On balance [Historic England] accept the overall scale and form of the river frontage development"* as originally submitted. The response does highlight concerns about the scale of the eastern elevation towards Jane Austen College, which reads as 6 storeys in relation to the 3 storey outshot from the 4 storey former factory building that fronts Colegate.

144. To give some indication of the height of the proposed building, the highest part that faces Duke Street will be approximately 3m taller than the Dukes Palace Wharf development on the opposite side of the river and 8m taller than the Premier Inn. It is therefore the tallest building in the area around the Duke Street bridge. However, it must be remembered that the scale of the building is not uniform and it does step down along the river frontage from 27m above site level to 21m. Even at its highest, the step back reduces the mass of the Duke Street frontage from 25m to 23m when viewed from the street level.
145. It must also be remembered that consent already exist for a large building, albeit of a different design, under the consent under the 1998 reference. That building is 20m high on the Duke Street frontage and 22m when viewed from the river.
146. In response to the concerns about the relationship between the Jane Austen College building and the proposed building, a curved corner has been introduced to increase separation, which is considered to be an acceptable response and addresses this issue.
147. Concerns about canalisation of the river are noted, but the nature of the river at this point is of a water-course constrained by development on both sides, some of which such as the Eastern Electricity Board building on the southern bank and the NUA buildings further east towards St George's bridge, go straight down into the river as part of the bank. Historically, the site reflected this pattern. It should be noted that the proposed building does not do this, it is close to the river but does not go straight down into it and indeed provides a public space from which to appreciate the river. The approved scheme was similarly set back but did not provide the public space.
148. Whilst noting the comments from third parties, on balance and taking into account the extant consent, the proposed development is considered to at least preserve the character of the conservation area. This is the conclusion drawn following the exercise of the statutory duty set out in section 72(1) of the LBA highlighted above. The design is respectful of the local vernacular in terms of the materials used but provides a modern reinterpretation that, subject to details that can be secured by condition, would provide a building of quality on the site.
149. It is also considered that development plan policy DM9 is complied with in this case: the proposed development does not result in the loss of any designated heritage assets and in the context of locally listed assets it is considered that there are demonstrable and overriding benefits associated with this development as detailed elsewhere in this report. In this regard it is also noted that the Norfolk historic environment service have raised no objection to the proposed development on archaeological grounds, subject to conditions.
150. In terms of the NPPF, any harm to the setting of designated and non-designated heritage assets is less than substantial, allowing the benefits of the scheme to be weighed in the balance. In the context of designated heritage assets paragraph 134 of the NPPF requires any less than substantial harm to be weighed against the public benefits of the proposal. It is considered that in this case the public benefits of the proposed development (including the development of a brownfield site and the facilitation of the Riverside Walk) outweigh such harm. In relation to non-designated heritage assets the effect of an application on these assets should be taken into account when determining the application and a balanced judgement is

needed having regard to the scale of the harm or loss and significance of the heritage asset.

### **Main issue 3: Transport**

151. Key policies and NPPF paragraphs – JCS6, DM28, DM29, DM30, DM31, NPPF paragraphs 17 and 29 - 41.
152. Objectors have expressed concerns over the loss of the existing car park; increased traffic on Duke Street; and congestion at the start and end of terms time.
153. The site is in a sustainable location close to the Norwich University of the Arts and city centre facilities and to the Anglia Square main district centre. The transport assessment submitted with the application indicates most trips will be made on foot or by bicycle. The development provides 146 cycle parking spaces to support this modal split plus 6 motorcycle parking spaces, the latter at the request of the Highways Officer. The site is in a sustainable location and redevelopment is consequently supported by JCS6 and DM28.
154. The Highways Officer has also requested works to improve cycle access to the site in the form of alterations to the Toucan crossing on Duke Street so it can be used by cyclists to cross the traffic flow and then return back along the contraflow cycle lane and then into the site via the access ramp to the basement. It has also been suggested that the current access off Colegate should be closed and the Duke Street access made two-way.
155. The applicant has verbally indicated a willingness to fund the works to the Toucan crossing but is of the view that the works involved to make the alterations to the access are not necessary given the levels of car traffic generated by the development.
156. The works to improve the Toucan crossing will be secured by condition. Whilst the alterations to the Duke Street access are desirable, in this instance they cannot be justified from a planning point of view given the type of development proposed and the reduction in traffic movements on a day to day level due to the loss of the car park.
157. Loss of the existing car park for development has already been approved under the 1998 application, the status of which is discussed under Principle of Development. In addition, the site is identified in policy DM29 as an area for reduced car parking where the loss of surface level public car parking is supported.
158. The site also provides for a section of riverside walk, which is a site specific requirement under DM28 and supports more sustainable means of transport. In this regard the applicant has submitted a draft unilateral undertaking which includes a legal obligation to provide the riverside walk within the development site as well as to submit and secure the Council's agreement to key details of the scheme for its provision, including the control of opening times to between 07:00 – 22:00 each day from 1 April to 30 September and between 08:00 – 20:00 from 1 October to 31 March in each calendar year and on-going management and maintenance. The draft obligation provides that the riverside walk (in accordance with precise details agreed with the Council) will be in place prior to any occupations of the proposed

development. The Council shall require this unilateral undertaking to be completed before any planning permission is issued.

159. The Transport Statement demonstrates that service vehicles can satisfactorily get into and out of the site and that the proposed use will not result in any highway safety issues. With the works to the Toucan crossing details in the Highways Officer's comments, the proposal complies with DM30 and DM31.
160. The Transport Statement makes reference to arrangements for the start and end of term, stating that the St Andrews Street public car park is close by and that a dropping off space is provided within the site. Further details for end of term arrangements can be secured by condition as has been done on approvals for other student accommodation elsewhere in the city.
161. It is therefore considered that the proposed development complies with DM28, DM29, DM30, DM31 and JCS 6 and also relevant paragraphs of the NPPF, including paragraph 32.

#### **Main issue 4: Amenity**

162. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
163. There are four main areas in which the proposal can impact upon the users and occupants of adjacent buildings and/or upon the occupants of the proposed development – noise; loss of light; over-shadowing and loss of privacy.

##### Noise

164. Noise will impact upon the student residents of the proposed development in terms of traffic noise. Comments from the Environmental Health Officer indicate that satisfactory levels can be achieved within the building subject to mechanical ventilation and acoustic glazing, in accordance with the noise assessment submitted with the application.
165. Noise from the development will impact most significantly upon the residents of Dukes Palace Wharf who face the proposed building across the river at night. However, the existing character of the area has to be considered. From a policy perspective the site is within the city centre and in a regeneration area (JCS11). There are other, potentially noisier, developments nearby, specifically the Playhouse Theatre and its outside bar area but also pubs down Duke Street and on St Andrew's Street.
166. Residents have also expressed concerns over noise from public use of the river side walk. Access to this will be managed and not available 24 hours. A legally binding unilateral undertaking is proposed that will ensure the walk is available during daylight hours but is gated overnight. Details of the proposed unilateral undertaking are provided in more detail in the section above.
167. Given the location and the mixed use character of the area, there is no reason to expect that the impact of the development upon existing residents would be so extreme so as to warrant refusal of the application, particularly with the proposed controls over access to the river side walk and a condition to secure details of how the development is to be managed. It is considered that for the reasons set out above that the development would not result in an unacceptable impact on the

amenity of the area or the living conditions of neighbouring occupants, a high standard of amenity for future occupants of the proposed development can be achieved and provision for communal space appropriate for the development is proposed. It is therefore considered that the proposed development is in accordance with DM2 in noise terms. Taking into account the character and function of the area it is also considered that DM11 is complied with.

### **Loss of light**

168. The impacts in terms of loss of light fall primarily upon the Jane Austen school to the east and north; the Premier Inn to the immediate north; Dukes Palace Wharf flats to the south and across the river and Mary Chapman Court to the west on the opposite side of Duke Street. The Norwich Playhouse will also be affected but the impact is not considered to be material due to the nature of the use.
169. The application has been accompanied by a daylight assessment prepared using accepted methodologies. The results are summarised below.
170. It should be noted that the methodology used does not require access to the properties being assessed, something that has attracted criticism from neighbours. However, it uses the Royal Institute of Chartered Surveyors (RICS) guidance note 'Daylighting and Sunlight 1<sup>st</sup> Edition (GN 96/2012) to provide the methodology for the assessment and analyses the results against the BRE Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice – 2nd Edition, along with BS 8206-2:2008, Lighting for Buildings, Part 2: Code of Practice for Daylighting.
171. Neighbours have also criticised assumptions made in the assessment, particularly in relation to Dukes Palace Wharf. The modelling is based on a combination of reviewing planning drawings, backed up by additional on-site photography and measurement exercises. The level of analysis and the assumptions made is therefore considered to result in a reasonable assessment of the impact upon neighbours.

#### *Jane Austen College*

172. 63 windows to the west, south and part east elevation of Jane Austen College have been subject to analysis.
173. Currently, 9 out of the 63 windows do not meet the levels of daylight in the BRE guidance. Post development, 2 of these will experience a noticeable reduction in daylight levels.
174. Post-development, 12 additional windows will not meet the BRE guidance.
175. A 'noticeable' reduction in daylight levels does not necessarily mean that the impact is unacceptable in planning terms. The BRE guidelines are just that and the fact that they are not met does not mean the development should be refused. Whilst the impact upon the school will be noticeable, the level of this impact is not so significant that the use of the building would be significantly prejudiced.

#### *Premier Inn*

176. 45 windows to the east and south elevations of the Premier Inn have been analysed. Of these, 27 currently do not meet BRE guidance at the moment. Post-development, 23 will experience a noticeable reduction in daylight levels.
177. Post-development, 17 additional windows will fail the BRE guidance.
178. However, the impact upon the use of the hotel is not considered to be material given the temporary and short-term nature of the accommodation and the lack of an objection from the hotel operator on this point.

#### *Dukes Palace Wharf*

179. 125 windows on the north elevation of Dukes Palace Wharf have been subject to analysis.
180. 51 windows do not currently meet the BRE recommendations because: 21 windows have balconies above; 28 are positioned to the rear of enclosed balconies themselves; and 3 high level windows are positioned beneath significant roof overhangs.
181. Post-development, no additional windows will fail to meet the BRE recommendations. However, of the 51 that currently fail, 16 will experience a noticeable reduction in daylight.
182. Under the BRE guidelines, a 'noticeable' reduction occurs when the ratio between pre- and post-development levels of daylight is less than 0.8. For the Dukes Palace Wharf windows, the ratio ranges from 0.54 to 0.78. 9 of the windows that experience a 'noticeable' reduction in daylight have pre- and post-development ratio of between 0.7 and 0.8.
183. A 'noticeable' reduction in daylight levels does not necessarily mean that the impact is unacceptable in planning terms. The BRE guidelines are just that and the fact that they are not met does not mean the development should be refused. In terms of the impact upon Dukes Palace Wharf, only 16 of the 125 windows analysed will experience a 'noticeable' reduction in daylight. The reduction is not uniform across these 16 is not uniform, with 9 of the impacted windows have a pre- to post-development ratio of between 0.7 and 0.8 where the threshold for a noticeable impact is a ratio of 0.8. In this case, the impact upon Dukes Palace Wharf flats is not considered to be so severe that permission should be refused.

#### *Mary Chapman Court*

184. 59 windows in the east elevation of Mary Chapman Court have been analysed; 33 of these do not currently meet BRE guidelines. 28 of these will experience a noticeable reduction in daylight levels post-development. 17 additional windows will not meet the BRE guidelines post-development.
185. A 'noticeable' reduction in daylight levels does not necessarily mean that the impact is unacceptable in planning terms. The BRE guidelines are just that and the fact that they are not met does not mean the development should be refused. In terms of the impact upon Mary Chapman Court, the complex offers student accommodation and the impact of the proposed development is not considered so significant that the use of the building for this purpose would be significantly prejudiced.



186. For the reasons set out above, it is considered in the context of DM2 that the proposed development would not result in an unacceptable impact on the amenity of the area or the living or working conditions or operations of neighbouring occupants.

### **Overshadowing**

187. The loss of direct sunlight and over-shadowing will impact upon Jane Austen College to the east and north, the Premier Inn to the immediate north and upon Mary Chapman Court to the west. Dukes Palace Wharf is not affected as it lies to the south of the development. Loss of direct sunlight does not affect windows orientated beyond 90 degrees of due south.

#### *Jane Austen School*

188. In terms of the impact upon the internal rooms, 4 windows will not meet the BRE guidelines for annual probable sunlight hours as a result of the development; 8 will not meet the guideline levels for winter sunlight.
189. The assessment of the impact upon the play area concludes that it will meet the BRE guidelines for at least 50% of the play area to receive at least 2 hours of sunlight on 21 March. 98% of the play area will receive at least 2 hours of sunlight at the specified time of year.
190. Whilst the school will experience some loss of sunlight and over-shadowing, the level of the impact is not so significant that it should adversely affect the ability of the use to continue.

#### 191. *Premier Inn*

192. The windows on the southern elevation to the Premier Inn will experience over-shadowing but this is not considered to be material given the temporary, short term nature of the accommodation and the absence of an objection from the hotel operator.

#### *Mary Chapman Court*

193. The windows in Mary Chapman Court will not be affected by direct loss of daylight as they are all aligned more than 90 degrees from due south.
194. It is considered in the context of DM2 that the proposed development would not result in an unacceptable impact on the amenity of the area or the living or working conditions or operations of neighbouring occupants.

#### 195. Loss of Privacy

196. The main impact falls upon Dukes Palace Wharf, the internal and external spaces at Jane Austen College and the Premier Inn.

#### *Dukes Palace Wharf*

197. In terms of Dukes Palace Wharf, the separation distance is at minimum 25m between the north elevation of Dukes Palace Wharf and the closest part of the

southern elevation of the new building. At this distance, any loss of privacy would not be material, particularly in a city centre location.

198. *Jane Austen School*

199. The concerns expressed by the Inspiration Trust cover the impact upon students using the building and those using the play area to the east of the application site. DM2 specifically states that new development should not compromise the continued operation of established uses.
200. The buildings are around 5.5m apart. The main impact in terms of inter-visibility between the buildings comes from windows on the eastern and northern elevations. However, the design of the new building means that there are no windows immediately on the corner of the new building. Windows on the northern elevation look down the gap between the Jane Austen building and the Premier Inn whilst those on the eastern elevation look over the play area with the angles between the buildings being too acute to allow significant intervisibility.
201. There will be increased over-looking to the play area from the bedroom windows in the eastern elevation. Again, the separation distance is around 5.5m. However, the play area is a space that is used regularly but not for prolonged periods of time. The impact on its attractiveness as a play space is not considered to be material given this intermittent, though regular, pattern of usage.

202. *Premier Inn*

203. The Premier Inn lies just over 17m north of the site. Bedroom windows do face bedroom windows but given the temporary nature of the accommodation in the hotel the impact upon the privacy of the occupants is not considered material, particularly given the absence of objections from the hotel operator.
204. For the reasons detailed above, it is considered in the context of DM2 that the proposed development would not result in an unacceptable impact on the amenity of the area or the living or working conditions or operations of neighbouring occupants.

**Main issue 5: Flood risk**

205. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 - 103.
206. The site lies in Flood Zone 3a and is therefore at 'High' risk of flooding. Using the categories in the National Planning Practice Guidance, the proposed development is classed as 'More Vulnerable'. This means that student residential uses can take place in FZ3a provided that the 'sequential test' is applied and it is concluded that there are no sites at lower risk of flooding that are available to the applicant for development. If there aren't, then the 'exception test' needs to be applied, meaning that the proposal must deliver wider sustainability benefits and be safe from flooding once built.

**Sequential Test**

207. Policy DM5 provides guidance on the extent of the sequential test, stating that sites within identified regeneration areas such as the application site should be tested against the boundaries of the relevant regeneration area or (where no such

alternative sites exist) alternative regeneration areas elsewhere in the city. With this in mind, there are no sites within the area shown on the Northern City Centre Area Action Plan Area Insert that are available to this developer for the quantum of development proposed. As no such alternative sites exist in this regeneration area alternative regeneration areas elsewhere in the city have been taken into account in accordance with DM5 but it is considered that there are no such reasonable alternative sites. The proposal therefore passes the sequential test.

### **Exception Test**

208. The site is within a defined regeneration area where the Development Plan recognises the wider benefits of regeneration. The principle of redevelopment of this site for residential purposes has also been established through the extant consent (although even in the event that this planning permission was not extant the principle of development in this location is supported as set out at Main Issue 1 above). Policy DM5 recognises the wider benefits of regeneration in such areas and, consequently, the proposal is considered to deliver wider sustainability benefits.
209. Paragraph 102 of the NPPF sets out that to pass the exception test it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk (informed by a Strategic Flood Risk Assessment where one has been prepared) and a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall. In this case, it is considered that the proposed development provides wider sustainability benefits to the community that outweigh flood risk and the site-specific flood risk assessment submitted with the application complies with the requirements of paragraph 102.
210. Paragraph 103 of the NPPF sets out that local planning authorities should only consider development appropriate in areas at risk of flooding where informed by a site-specific flood risk assessment following the sequential test and (if required) the exception test it can be demonstrated that within the site the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location and development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning and it gives priority to the use of sustainable drainage systems. It is considered that the design of the proposed development and information submitted in the applicant's flood risk assessment (particularly in light of the EA's comments highlighted below) demonstrates compliance with this paragraph 103. Therefore, it is considered the proposed development is in accordance with the relevant paragraphs of the NPPF with regard to flood risk.
211. The Environment Agency has assessed the Flood Risk Assessment (FRA) submitted with the application. They have advised that finished floor levels and other design measures are sufficient to protect against the anticipated flood levels subject to conditions. They have also asked for additional conditions regarding the drainage proposals to ensure surface water from the development is not discharged into the river in the event of flooding. The developer has provided additional information and full details can be secured by the requested condition.

212. The proposal therefore meets the exception test and is considered acceptable in terms of flood risk.

### **Compliance with other relevant development plan policies**

213. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes subject to condition</b>
Car parking provision	DM31	<b>Yes subject to condition</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>
Energy efficiency	JCS 1 & 3 DM3	<b>Yes subject to condition</b>
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>
Sustainable urban drainage	DM3/5	<b>Yes subject to condition</b>

### **Other matters**

214. Third parties and the Landscape Officer have raised concerns about the impact of the development upon protected species, including otters and bats. The site itself is of low ecological value, consisting mostly of hard standing and compacted ground with areas of self-set trees and scrub, particularly along the banks. Policy DM6 expects development to take all reasonable opportunities to avoid harm and protect and enhance the natural environment of Norwich and its setting, including both sites and species.
215. Impact upon otters and bats would derive from increased levels of activity resulting in increased noise and light levels, which may discourage otters and bats from using the adjacent river as a feeding and commuting route. The Landscape Officer comments that, in order to mitigate against the impact upon bats and otters, the building should be set back and reduced in scale, to reduce levels of activity but also to provide greater separation with the river.
216. Notwithstanding these comments, the site has an extant consent for residential development that would introduce similar increases in light levels. The approved scheme also had balconies on the river frontage that would have allowed for residential noise to escape, albeit the number of people on the site would have been less. There would, however, have been disturbance from the use of the ground floor of the consented development as a restaurant.

217. Weighing the potential impacts of the proposed development against the consented scheme, the changes to the scheme including reducing the area of outside space accessible from within the building along with conditions to secure management of the riverside walk, details of planting along the riverside walk, bat and bird boxes, and external lighting as suggested by the applicant are sufficient to mitigate against the impact of the development in ecological terms. In addition, details of the glazing can also be secured by condition, which allow a degree of tinting to the windows to further reduce light spillage. The proposal would then comply with policies JCS1 and DM6.
218. In addition, the following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies (including DM6, DM7 and DM11), subject to appropriate conditions and mitigation:
- Archaeology – subject to conditions
  - Contaminated land – subject to conditions
  - Trees – replacement trees can be secured by condition

### **Equalities and diversity issues**

219. There are no significant equality or diversity issues.

### **S106 Obligations**

220. A unilateral agreement under Section 106 has been submitted to deal with the provision and maintenance of and access to a section of riverside walk along the southern site boundary.

### **Local finance considerations**

221. 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.
222. 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.
223. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

224. In accordance with the council's statutory duty to determine planning applications in accordance with its development plan unless material considerations indicate otherwise this proposal for student residential development has been assessed against national and local planning policies as described above and taking into account any relevant material considerations, such as the extant permission on the site. Relevant statutory duties under the LBA 1990 have also been closely considered and assessed.

225. The site is in a regeneration area defined by the council's development plan and delivers a commensurate benefit in terms of the regeneration of a vacant site with a neutral impact upon the conservation area. It is considered that the proposed development at the least preserves the character of the conservation area. The proposal also provides accommodation that would go some way to meeting the future needs of the educational establishments within the city. These benefits weigh against any harm caused by the proposal to heritage assets bearing in mind the comments from Historic England and as assessed in detail in this report.
226. In terms of amenity, the proposal will have an impact upon surrounding buildings and their occupants and users. However, any such impact is not considered so significant as to result in an unacceptable impact on the amenity of the area or the living or working conditions or operations of neighbouring occupants. As a result it this impact is not considered so significant as to warrant refusal of the application on amenity grounds either because of existing circumstances at the buildings concerned or the scale and severity of the impact. It has also been concluded that the proposed development provides for an appropriate standard of amenity for future occupiers.
227. Relevant development plan policies and paragraphs of the NPPF have been considered and assessed in relation to flood risk and it is considered that the proposed development is acceptable in terms of flood risk.
228. Other points have been considered as described above and can be addressed by condition. 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. 17/01078/F - Car Park Rear of Premier Travel Inn Duke Street Norwich and grant planning permission subject to the submitted unilateral undertaking to secure the provision and maintenance of the riverside walk across the site frontage and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials including glazing;
4. Drainage details;
5. Compliance with submitted energy statement;
6. Submission and compliance with a construction management plan;
7. Submission of landscaping details;
8. Submission of ecological mitigation details including details of location of bat and nest boxes;
9. Details of external lighting;
10. Archaeological assessment;
11. Reporting of contamination;
12. Compliance with flood risk assessment re: floor levels etc.;
13. Completion and retention of car parking, cycle parking, motorcycle parking and refuse storage in accordance with approved plans;
14. Compliance with submitted noise attenuation report;

15. Submission of details for off-site highway improvement works to Duke Street Toucan crossing and completion of said works;
16. Submission of details of street trees; and
17. Submission of management arrangements for the building;
18. Submission of arrangements for start and end of term.

#### **Article 35(2) statement**

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application and application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report for the application.



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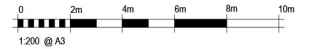
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- ① Perforated Metal Mesh - Bronze Coloured
- ② Brick - Red
- ③ Cementitious Cladding Panels - Dark Grey
- ④ Inset Brick Panels - Dark Mortar
- ⑤ Turned Brick Detail Panels
- ⑥ Glazed Link
- ⑦ Reinforced Perforated Metal Mesh with Ivy Planting

A	DESCRIPTION: Revised plans post LPA comments		
	BY: DO	DATE: 04/10/17	CHECKED: TU
PURPOSE OF ISSUE			
PL - For Planning Submission			
DRAWING STATUS			
S2 - Fit for Information			
PROJECT TITLE			
Duke Street			
CLIENT			
Raer Group			
DRAWING TITLE			
South Elevation			
SCALE	DATE	DRAWN BY	CHECKED BY
1 : 200@A3	12/06/17	DO	TU
DRAWING NUMBER			
PROJECT NO	TYPE	UNIQUE NO	REVISION
0606	20	201	A

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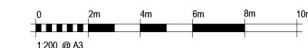
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PL - For Planning Submission			
DRAWING STATUS			
S2 Fit for Information			
PROJECT TITLE			
Duke Street			
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East Elevation			
SCALE	DATE	DRAWN BY	CHECKED BY
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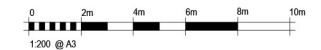
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	BY: DO	DATE: 04/10/17	CHECKED: TU
PURPOSE OF ISSUE PL - For Planning Submission			
DRAWING STATUS S2 - Fit for Information			
PROJECT TITLE Duke Street			
CLIENT Raer Group			
DRAWING TITLE West Elevation			
SCALE 1 : 200@A3	DATE 12/06/17	DRAWN BY DO	CHECKED BY TU
DRAWING NUMBER			
PROJECT NO 0606	TYPE 20	UNIQUE NO 203	REVISION A

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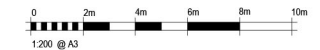
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North Elevation			
SCALE	DATE	DRAWN BY	CHECKED BY
1 : 200@A3	12/06/17	DO	TU
DRAWING NUMBER			
PROJECT NO	TYPE	UNIQUE NO	REVISION
0606	20	204	A

**Lanpro**

[Architecture and Urban Design]

Norwich Office: Brettingham House, 98 Pottergate, Norwich, NR2 1EQ  
Tel 01603 631 319 [www.lanproservices.co.uk](http://www.lanproservices.co.uk)



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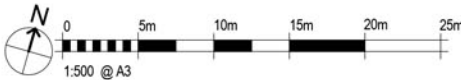
Ordnance Survey Licence Number 0100031673

CDM 2015

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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.

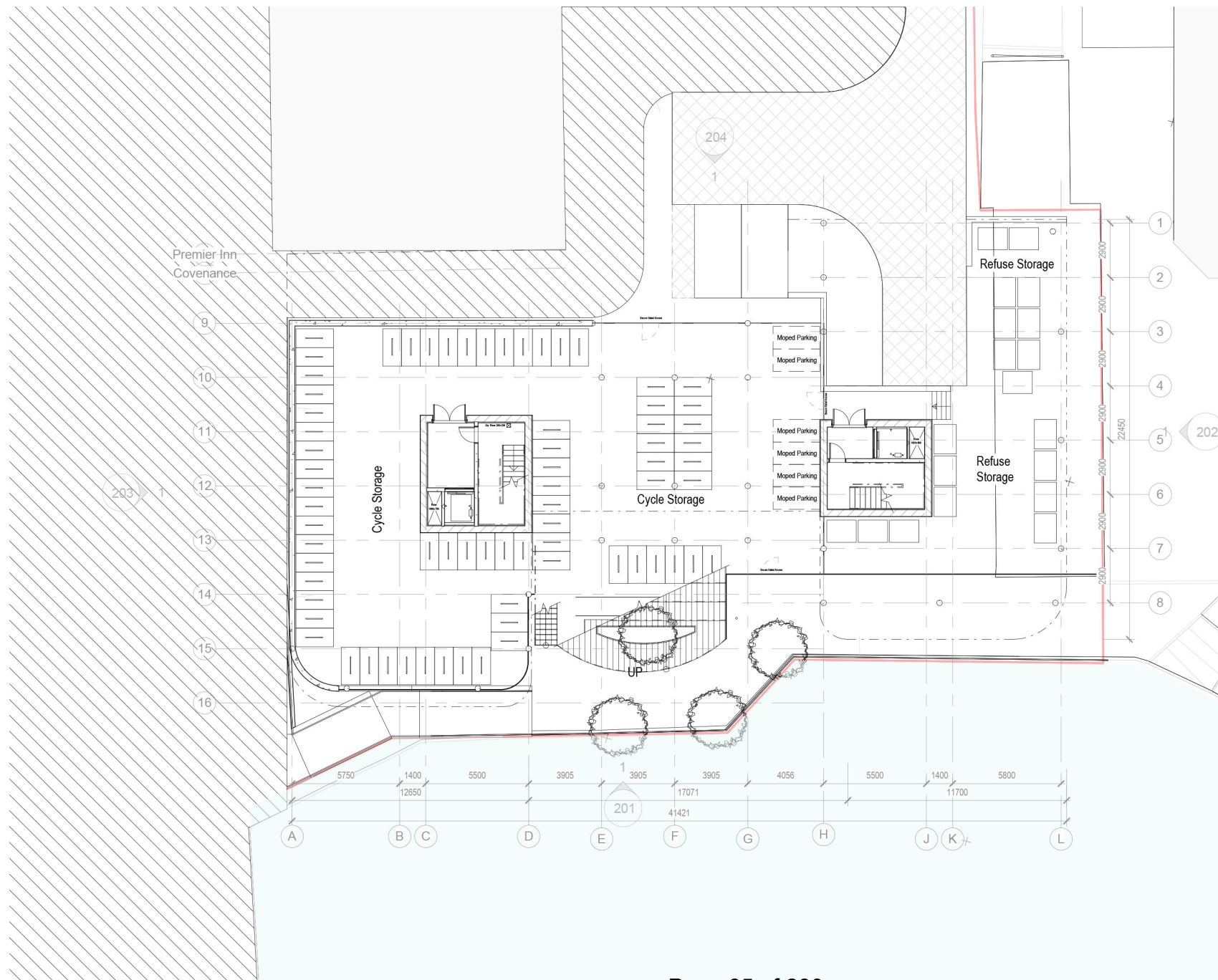


A	DESCRIPTION: Revised plans post LPA comments		
	BY: DO	DATE: 04/10/17	CHECKED: TU
PURPOSE OF ISSUE			
PL - For Planning Submission			
DRAWING STATUS			
S2 - Fit for Information			
PROJECT TITLE			
Duke Street			
CLIENT			
Raer Group			
DRAWING TITLE			
Street Elevation - Duke Street			
SCALE	DATE	DRAWN BY	CHECKED BY
1 : 500@A3	12/06/17	DO	TU
DRAWING NUMBER			
PROJECT NO	TYPE	UNIQUE NO	REVISION
0606	- 20	- 205	- A

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A	DESCRIPTION: Revised plans post LPA comments		
	BY: DO	DATE: 04/10/17	CHECKED: TU
PURPOSE OF ISSUE			
PL - For Planning Submission			
DRAWING STATUS			
S2 - Fit for Information			
PROJECT TITLE			
Duke Street			
CLIENT			
Raer Group			
DRAWING TITLE			
Lower Ground Floor			
SCALE	DATE	DRAWN BY	CHECKED BY
1:200@A3	12/06/17	DO	TU
DRAWING NUMBER			
PROJECT NO	TYPE	UNIQUE NO	REVISION
0606 - 00	- 000	- A	

**Lanpro**

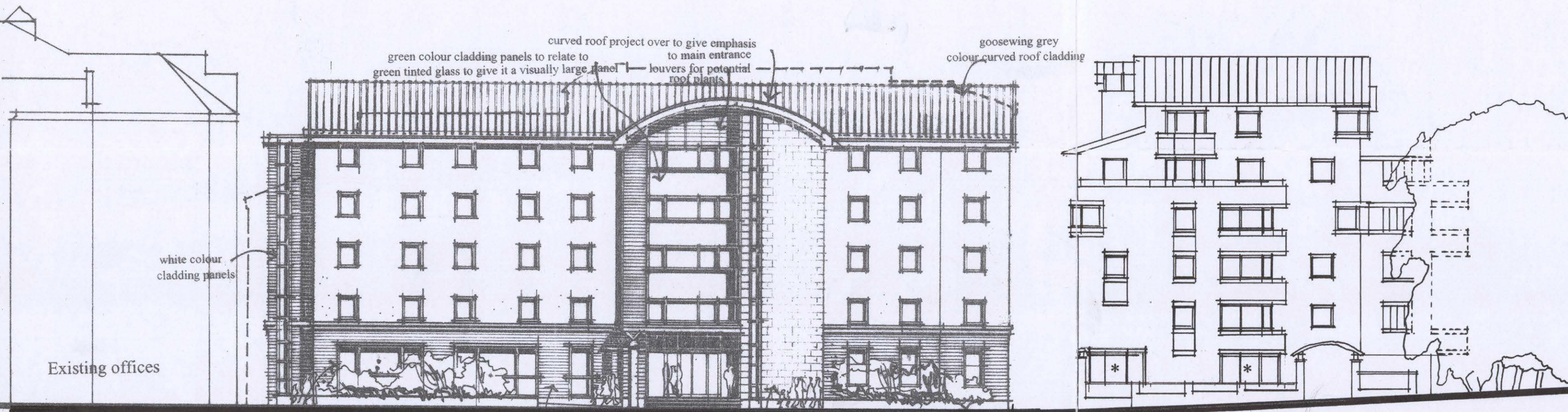
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No 4980656F

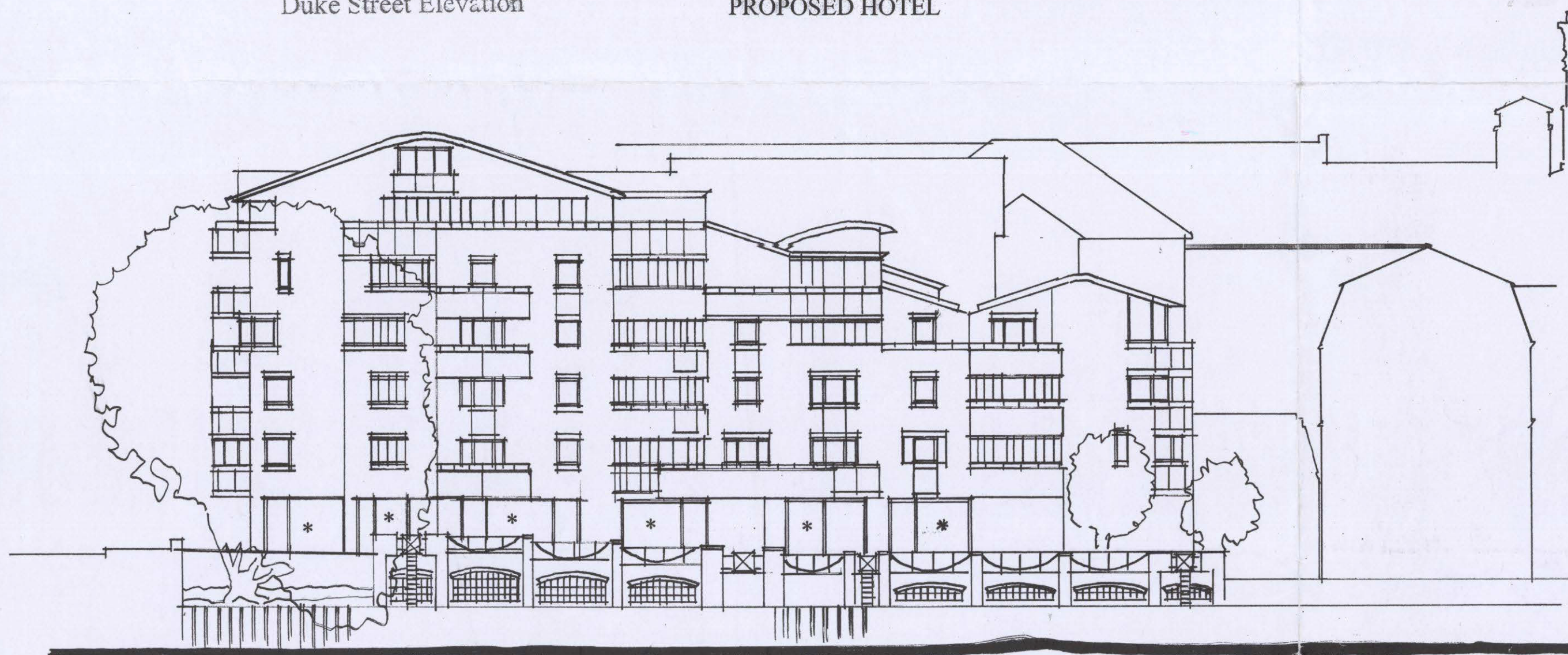
REVISED



Duke Street Elevation

PROPOSED HOTEL

PROPOSED RESIDENTIAL BLOCK

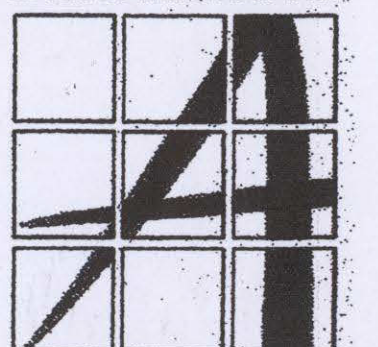


RIVERSIDE ELEVATION RESIDENTIAL BLOCK

Organisational Development  
30 JUL 2015  
Post Room

\* Indicates Potential Glazed Frontage to Restaurant to give views out to River Wensum. Detailed design to be subject to further application by Tenant

DLA ARCHITECTURE



WAKEFIELD 41 BUSINESS PARK  
WAKEFIELD WF2 0XJ

T 01924 858585

F 01924 858555

E info@dl-a-architecture.co.uk

W www.dla-architecture.co.uk

PROJECT

Duke St Norwich

TITLE

SCALE 1:200

DATE

Sept 2003

DRAWN BY

REVIEWED

DRAWING NO

REVISION

2002-354-sk4

DWG PATH

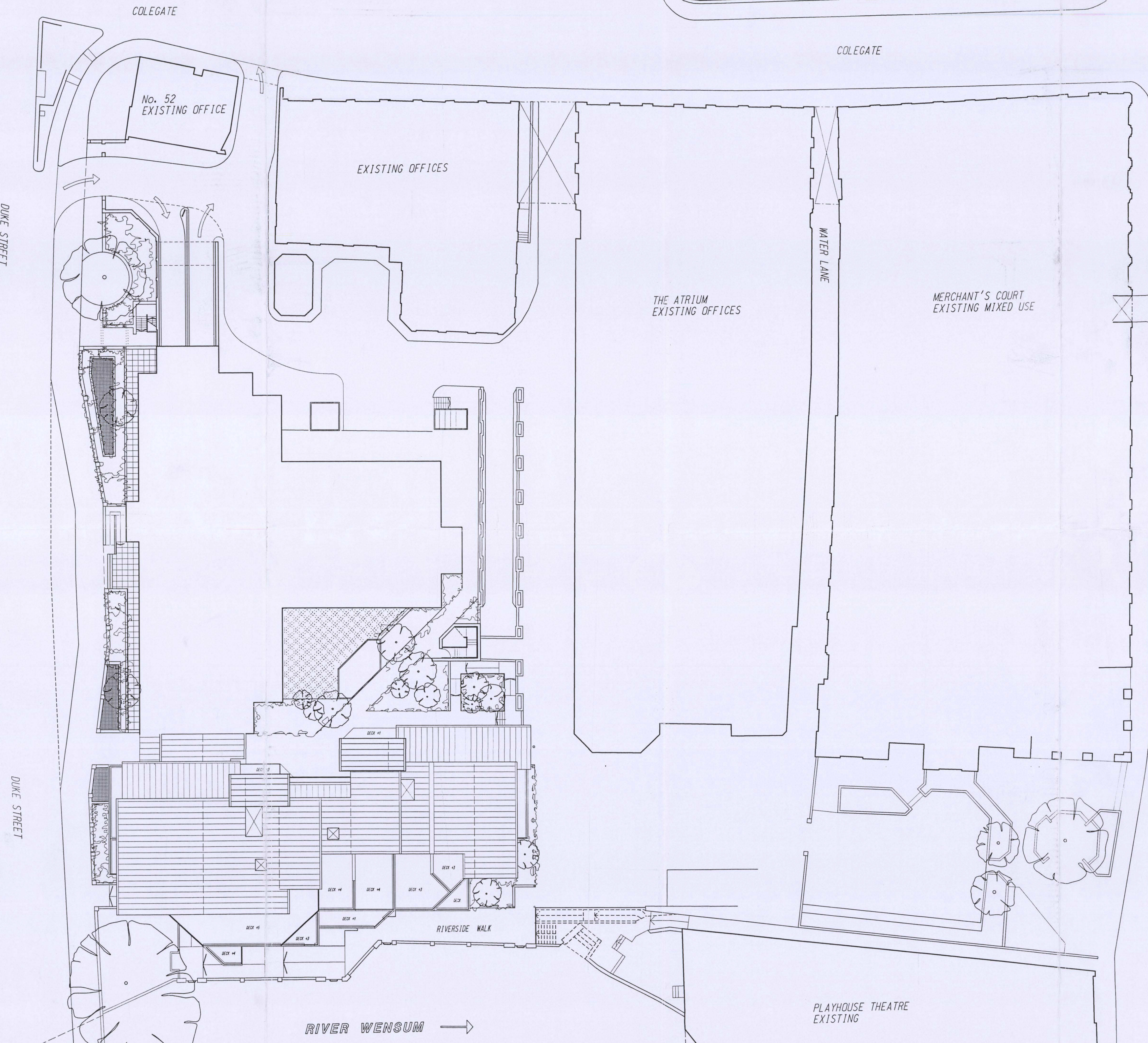
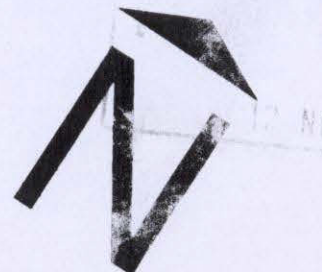


Elevations to Residential Block based on LSI Architects dwgs nos. L(-)16B & 17B . Planning Approval Ref.4/1998/0656/F dated 09/10/2002.



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
Organisational Development  
30 JUL 2015  
Post Room

CITY OF NORWICH  
TOWN AND COUNTRY PLANNING ACT 1990  
PLAN REFERRED TO IN THE DECISION OF THE  
PLANNING COMMITTEE / SUB-COMMITTEE  
HELD ON DATE 9.10.02  
**APPROVED**

NO.	DATE	REVISION
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LAMBERT SCOTT & INNES  
The Old Drill Hall, 23a Castle Market Street, Norwich NR1 3DY  
Telephone (01603) 660711, Fax (01603) 623213

**LAMBERT SCOTT & INNES**

CLIENT		ROGER GAWN	
JOB	DUKE STREET DEVELOPMENT		JOB NO. 2101
TITLE		SITE PLAN SHOWING PROPOSED DATE HOTEL, OFFICE & FLATS Nov 98	
DRAWN BY	RS	CODE	L ( - ) 02 B
CHECKED BY		REV	







**Report to** Planning applications committee

**Item**

8 March 2018

**Report of** Head of planning services

**Subject** Application no 17/01391/F - St Crispins House, Duke Street, Norwich

**Reason for referral** Objection

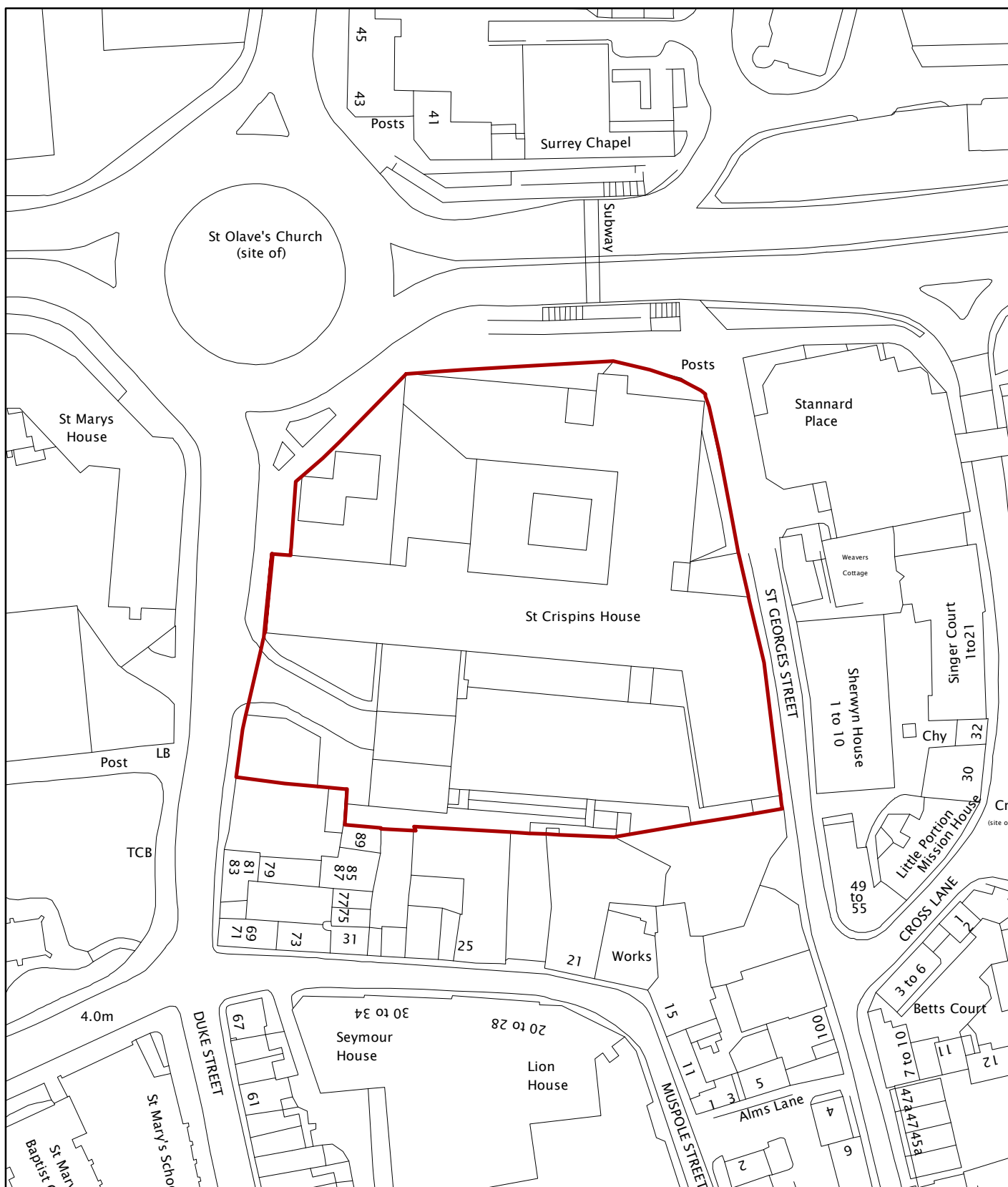
4(b)

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<b>Ward:</b>	Mancroft
<b>Case officer</b>	David Parkin - <a href="mailto:davidparkin@norwich.gov.uk">davidparkin@norwich.gov.uk</a>

Development proposal		
Change of Use application in respect of the conversion and extension of an existing 3, 4 and 5 storey office building (B1 use class) to student accommodation (sui generis use class) containing 600 student bed spaces and communal accommodation at ground floor level, to include common room facilities and a gymnasium. Associated external works.		
Representations		
Object	Comment	Support
9	0	0

Main issues	Key considerations
1	Principle of development
2	Design & impact upon the conservation area
3	Transport
4	Amenity
5	Flood risk
<b>Expiry date</b>	14 December 2017
<b>Recommendation</b>	<b>APPROVE</b>



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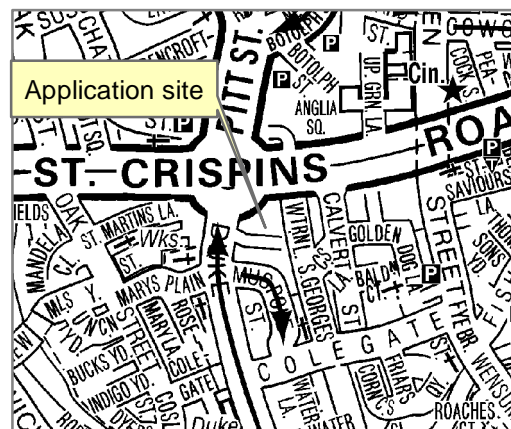
Planning Application No 17/01391/F  
 Site Address St Crispins House  
 Duke Street  
 Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES

Page 70 of 280



## The site and surroundings

1. The application relates to a site of just over 0.7 hectares at the junction of St Crispin's Road and Duke Street in the south-eastern quadrant of the roundabout about 0.5km north of Norwich City Centre.
2. The site is occupied by a substantial 1970s office building of 3, 4 and 5 storeys with additional plant accommodation at roof level. The building addresses the ring road and roundabout to the northwest. The main entrance is located to the rear of the building with vehicular access from Duke Street to the west.
3. The design and construction are typical of 1970s office buildings with accommodation arranged around a large central atrium with projecting wings to the south and west. The office space is open plan with 3.5m floor to floor height.
4. Construction comprises a concrete frame with both in-situ and precast elements. The façades have continuous single glazed metal framed ribbon windows and substantial textured precast concrete cladding panels.
5. The inner ring road forms the northern boundary to the site, which is dual carriageway at this point rising to the St Crispin's flyover to the east. Immediately opposite the site to the north are two-storey properties in retail use and the Surrey Chapel, which is of a similar scale in terms of absolute height. To the north-east is the vacant Sovereign House, rising to 7 storeys in height closest to the application site.
6. St George's Street runs along the eastern boundary, which is a narrow road with no access to St Crispin's Road. Immediately opposite the site are the office blocks Cavell House and Stannard House, which are accessed from Calvert Street further to the east. Cavell House rises to a maximum of 6 storeys with a sub-basement car park and a feature tower on the St Crispin's Road frontage. Along the St George's Street frontage, Calvert House steps down to 3 and 4 storeys above the sub-basement. Beyond Calvert House, the character of St George's Street is much smaller scale and more historic with 2 and 2 ½ storey period properties facing the application site, including listed buildings.
7. The southern boundary of the site abuts the rear of properties that front onto Muspole Street, many of which are historic with historic yards behind them. The scale of these properties where they adjoin the site is 2 and 3 storeys high. The eastern site boundary is marked by Duke Street with St Mary's Church to the south-west and the St Mary's Works site immediately opposite to the west, which has the benefit of consent for redevelopment including a building of up to 33m in height on the south-west quadrant of the roundabout. There is an area of hardstanding adjoining the existing office building next to the roundabout that falls within the site and has a group of trees on it.

## Constraints

8. Conservation Area – Anglia Square Character Area and adjacent to Colegate Character Area
9. Statutorily Listed buildings nearby - Grade I Listed: St Marys Church, St Marys Plain; St Georges Church, Colegate. Grade II\* Listed: 15C, 16C, 17C with later

additions building called Bacons House, includes Nos. 35 to 39 (odd) St. Georges Street and 11,12, and 13 Lowes Yard, Colegate; 17C Weavers Cottage on the eastern side of St Georges Street; late 15C timber framed buildings at 69-89 Duke Street; 17C 1-9 Muspole Street.

10. Locally listed: Mid C19 former Brush factory building at 61 St Georges Street; and 21, 25-27 & 29 Muspole Street
11. Gateways to the City – Policy DM3
12. Critical Drainage Catchment – Policy DM3 & DM5
13. Floodzone 2 – Policy DM5
14. Regeneration area – Northern City Centre Regeneration Area & Office Development Priority Area – DM18
15. Area of Main Archaeological Interest – Policy DM9 Safeguarding Norwich's heritage
16. Areas for Reduced Parking – Policy DM29

## Relevant planning history

Ref	Proposal	Decision	Date
4/2000/0676	Installation of satellite dish on roof.	APPR	15/09/2000
4/1994/0408	Erection of ground floor infill extension to provide staff shop, offices and facilities and infilling of central courtyard to form atrium and sitting out area.	APCON	02/06/1994
4/1996/0897	Installation of cooling condensers on roof	APCON	24/01/1997
4/1999/0750	Display of two "offices to let" banners on building.	REF	13/10/2000
04/00114/FT	Installation of telecommunications equipment on the roof of the building including 6 antennae, 2 dishes and ancillary equipment.	REF	13/04/2004
04/00601/F	Erection of new reception area within footprint of existing building including disabled ramp.	APPR	07/10/2004
04/00969/F	Rationalise existing and provision of additional car parking spaces together with enhanced landscaping.	FDO	18/11/2005

Ref	Proposal	Decision	Date
04/01012/FT	Installation of telecommunications equipment on the roof of the building including 6 antennae, 2 dishes and ancillary equipment.	APPR	28/10/2004
06/00936/F	Installation of condenser units on the roof of the building.	APPR	22/11/2006
06/00951/F	Installation of new doors.	APPR	07/11/2006
06/00952/U	Change of use of part of the building from offices (Class B1) to an interview and administration centre for a temporary period of five years.	APPR	01/12/2006
12/01078/U	Change of use of part of ground floor from offices (Class B1) to offices open to visiting members of the public (Class A2).	APPR	15/08/2012
14/01422/U	Change of use from offices (Class B1) to health centre (Class D1).	WITHDN	27/10/2014
15/01624/F	New external entrance	APPR	09/12/2015
17/00197/F	Internal and external alterations.	APPR	11/04/2017
17/00385/T	Installation of 3 No. antennas located on existing support poles and associated development.	AEGPD	27/04/2017
17/01391/F	Change of Use application in respect of the conversion and extension of an existing 3, 4 and 5 storey office building (B1 use class) to student accommodation (sui generis use class) containing 600 student bed spaces and communal accommodation at ground floor level, to include common room facilities and a gymnasium. Associated external works.	PDE	

## The proposal

- The application proposes the conversion and extension of the existing office building to provide 600 student bed spaces. The footprint of the building will be retained with the exception of a new extension off the rear elevation towards

Muspole Street. The existing atrium will be removed and replaced with a courtyard area that serves as open space for the use of the residents. More open space will be provided to the south of the building and on the north-western corner where an existing hard-standing area adjacent to the footpath will be landscaped.

18. The main access to the building is off Duke Street. Access to the landscaped area and the building is barrier controlled. A reception area is provided that will be staffed 24 hours a day, through which access is gained to the residential areas and to the communal areas on the ground floor. The latter include a café and common room and a resident's gym.
19. The existing building will be re-clad using the materials described below. The building would be extended as follows:-
  - St Crispin's Road, St George's Street return and Duke Street return – existing height = 5 storey with plant room. As proposed = 8 storey with no plant room;
  - Duke Street western projection (running east to west across the rear of the building) – existing height = 4 storeys. As proposed = 5 full storeys with 6<sup>th</sup> storey set back;
  - Southern projection towards Muspole Street – existing height = 3 storeys with 4<sup>th</sup> set back. As proposed = no change in height; and
  - St George's Street opposite Sherwyn House – existing height = 2 storeys with 3<sup>rd</sup> storey set back. As proposed = no change in height.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>600 student bed spaces – 86 single studios; 86; double studios; 428 cluster bedrooms (cluster size from 8 to 11 with shared kitchen area)</b>
No. of affordable dwellings	<b>n/a</b>
Total floorspace	<b>20,840m<sup>2</sup></b>
No. of storeys	<b>8</b>
Max. dimensions	<p><b>Max height – stair tower to St Crispin's Road = 29m; max building height to St Crispin's Road = 28m.</b></p> <p><b>Footprint of the converted building is as per the existing but with a 16m high extension protruding 20m from the southern elevation.</b></p>
Density	<b>810 bed spaces/hectare (site area = 0.74ha)</b>

Proposal	Key facts
<b>Appearance</b>	
Materials	<b>Terracotta rain screen cladding to existing building; aluminium flat panel cladding to new storeys; metal rain screen cladding to tower staircase.</b>
Construction	<b>Conversion of existing building</b>
Energy and resource efficiency measures	<b>Combined heat and power plant; specification of energy saving appliances and water efficient equipment and appliances. Estimates nearly 20% of energy demand will be met by low carbon energy resources.</b>
<b>Operation</b>	
Opening hours	<b>24 hours</b>
Ancillary plant and equipment	<b>CHP plant room accessed from George Street; plant rooms at ground floor level accessed from Duke Street.</b>
<b>Transport matters</b>	
Vehicular access	<b>From Duke Street as existing</b>
No of car parking spaces	<b>16</b>
No of cycle parking spaces	<b>50 Sheffield hoops shown along the southern boundary although Transport Statement indicates the site could accommodate up to 152 spaces.</b>
Servicing arrangements	<b>Bin collection from Duke Street and St George's Street; other servicing from Duke Street</b>

## Representations

20. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 9 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Impact on local services e.g. doctors	Students are more likely to remain registered with doctors and dentists at their home address or to register with facilities on campus, where these exist. The impact of a student residential use

Issues raised	Response
	upon such uses would be minimal.
Capacity of drainage system	See Main Issue 5
Pressure on parking	The site lies in an existing controlled parking zone. Students will not be eligible for parking permits.
Impact upon adjacent properties on St George's Street in terms of over-bearing impact	See Main Issue 4
Impact upon adjacent properties on St George's Street in terms of noise and disturbance	See Main Issue 4
Increased height and impact on character of surrounding area	See Main Issue 2
Loss of employment use	See Main Issue 1
Increased use of pathway between St George's Street and Calvert Street	See Main Issue 4

## Consultation responses

21. 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

22. The works will cause harm to the significance and setting of various heritage assets within the Colegate Character Area of the city centre conservation area as a result of its increased visual prominence, height, scale and bulk contrary to the requirement of Local Plan policies DM1, DM3 (a, c, e, h) and DM9.
23. Local planning authorities are obliged to designate as conservation areas any parts of their own area that are of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance
24. Most explicitly paragraphs 126 and 131 require that local planning should take into account "the desirability of new development making a positive contribution to local character and distinctiveness". Paragraph 9 says that pursuing "sustainable development involves seeking positive improvements in the quality of the...historic environment...". The design policies further reinforce the objective of enhancement of an area's character and local distinctiveness, concluding that "Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..." (paragraph 64).



25. Paragraph 134 and 135 are also relevant: 134. 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, including securing its optimum viable use. 135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

### **English Heritage**

26. The new use as student accommodation is appropriate for the conservation area but the current application proposes major changes in the appearance of the building and the addition of two extra floors. The visualisations included with the application suggest how the additional height will affect views, in particular S2 which shows it being more prominent above a roof line similar to those of traditional building on Duke Street. It would also be taller relative to the modern buildings opposite it on Duke Street together with which it forms an entrance into the Coslany part of the conservation area. While cladding the building in brick (terracotta is proposed as the main material) could make it reflect the materials found in nearby historic building we are concerned that the addition in height would make it more prominent in views of and from historic buildings and spaces in the vicinity.
27. The National Planning Policy Framework (NPPF) identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paragraphs 6, 7 and 14). The NPPF also states that the significance of listed buildings and conservation areas can be harmed or lost by development in their setting and that local planning authorities should treat favourably proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably (paragraphs 132 and 137). The conservation of heritage assets is a core principle of the planning system (paragraph 17) upon which the NPPF places great weight (paragraphs 17 and 132). Clear and convincing justification should be made for any harm to the significance of heritage assets (paragraph 132).
28. We have considered this application in terms of this policy and are concerned that the increase in height of St Crispin's House could make it more prominent and result in harm to significance of the conservation area in terms of the NPPF, paragraph 132. Paragraph 134 requires the Council to weigh any public benefit which might be delivered by the proposals against the harm when determining the application. We would accept that the student housing could be such a benefit and recommend the Council consider this.

### **Norwich Society**

29. We are concerned about the number of student flats being provided in the city and see no need to extend this building upwards. It will become totally over powering.

### **Environmental protection**

30. Does not wish to comment on the proposals.

## **Anglian Water**

31. The sewerage system at present has available capacity for the flows from the network. The proposed surface water drainage strategy is unacceptable. No objection subject to a condition to secure further details of the surface water strategy. (Comments on original submission, no additional comments received to additional information)

## **Highways (local)**

32. No objection on highway grounds. Notes that the proposed provision of cycle parking is only 10% of that required by standards but It is acknowledged that experience elsewhere in the city centre with student halls is that cycle use is low. However there should be preparedness in the future for expansion of cycle parking within the site to accommodate possible increases in demand. Alternatively double deck parking can be provided. In either case cycle parking should be covered, it is not clear if this is proposed.
33. The proposal has not tackled two offsite matters that are necessary for the development:
1. Improved design of the site access (raised crossover for shared pedestrian/cycle use)
    - Currently there is no demarcation of the shared use traffic across the site access. Given the intensification of activity on the site, this low cost measure would improve awareness of vulnerable road users.
  2. Footway widening on Duke Street (east side between Muspole Street and Colegate).
    - The footway running between the city centre and the site is of substandard width. Passing pedestrians must often step into the road, this poses a hazard. Given that the majority of travel to and from the site will be on foot, and this is the primary route, it is essential that this footway is widened.

## **Landscape**

34. The information provided at this stage fails to achieve the aims set out in the D and A statement. There is significant scope within the wider setting and courtyard of the building to improve the environment beginning to address the impact of the development and providing a useable and attractive environment for the residents. A range of visual clearly expressing the design intentions, materials, planting style, site furniture etc. should be provided. At present the landscape proposals appear very minimal, lacking in clear design intent and failing to address the impact of the increased building massing and the intensive end use of the proposed residents.

## **Norfolk County Lead Local Flood Authority**

35. We have no objection subject to conditions being attached to any consent if this application is approved.

## **Norfolk historic environment service**

36. Further to our previous correspondence on this application, we have considered the additional information supplied in the heritage statement submitted with the application alongside the practicalities of carrying out an archaeological evaluation at the site prior to the determination of the application. Whilst the potential for heritage assets with archaeological interest to be present at the site remains the same, we feel that the impact of the proposed development could be mitigated through a programme of archaeological work secured through appropriate planning conditions.
37. In view of this we recommend that if planning permission is granted, that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework para. 141.

## **Norfolk police (architectural liaison)**

38. The proposal appears to have considered the impact of crime and anti-social behaviour. Makes detailed comments about locks and lighting. Concerned that the provision of cycle parking is inadequate.

## **Tree protection officer**

39. The tree protection measures are adequate for the retained trees. No objection to the loss of those trees proposed for removal. Adequate replacement planting is proposed.

# **Assessment of planning considerations**

## **Relevant development plan policies**

40. **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
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS11 Norwich city centre
  - JCS20 Implementation
41. **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
  - DM4 Providing for renewable and low carbon energy
  - DM5 Planning effectively for flood resilience
  - DM7 Trees and development
  - DM9 Safeguarding Norwich's heritage

- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM16 Employment and business development
- DM19 Encouraging and promoting major office growth
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

### **Other material considerations**

#### **42. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF12 Conserving and enhancing the historic environment

### **Case Assessment**

43. 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**

44. Key policies and NPPF paragraphs – JCS1, JCS4, JCS5, JCS9, JCS11; DM1, DM12, DM16, DM19, NPPF paragraphs 6 – 27, 47 – 68.
45. The application site lies within the city centre as defined by the Development Plan (see DM5). JCS policies and national planning policy encourage the re-use of brownfield, city centre locations for development, in particular for residential development, in preference to the release of greenfield sites.
46. Although the site is not allocated within the Local Plan, it falls within the regeneration area defined by the Northern City Centre Area Action Plan. Although the detail of this document lapsed in 2016, the general thrust of the redevelopment and regeneration of the area is carried forward in the DM policies, including DM1, DM5 and DM18 and it is set out in JCS11 that this area will be developed to achieve physical and social regeneration, facilitate public transport corridor enhancements and utilise significant redevelopment opportunities.
47. Policy DM19 also applies to the site as the building is currently in use as B1 office space. Policy DM19 aims to preserve and improve the supply of high quality office space within the city and in particular within the Office Development Priority Area,

within which the site lies. It does this by encouraging the provision of additional high quality office space on development sites of more than 0.25 hectares and by restricting the change of use of high-quality office space for non-residential purposes.

48. The current building does not provide high quality accommodation. In particular, it has a very low energy efficiency (EPC) rating and would cost nearly £10million to up-grade. Information provided by the applicant from a reputable firm of local commercial agents also indicates that the amount of floorspace within the building and the shape of the floors makes it unattractive to a single occupier but also difficult to sub-divide once modernised. The site also has a very low car parking provision in relation to the amount of floor space to make it attractive in the current office market from a purely commercial stand point.
49. In terms of the first element of DM19, the provision of office space within the proposed development is not considered feasible for a number of reasons:-
  - The need to provide security for the student residential element;
  - The need to provide for on-site open space for the amount of student residential development proposed;
  - The provision of on-site drop off parking to manage start and end of term arrangements; and
  - The conflict with the above and the need to provide some on-site car parking for office use in accordance with car parking standards.
50. The second element of DM19 referred to above does not apply in this instance as the proposal is for residential development.
51. The application is also accompanied by a summary of the need for additional student accommodation. It concludes that the current provision of university-provided and privately operated purpose built student accommodation stands at 5,044 bed spaces, leaving around 11,267 (around 70% ) students to find alternative accommodation. At the time of writing, there were two schemes in the pipeline that would provide 645 bed spaces to address this demand.
52. Since the document was written there have been a number of permissions granted for student residential, including the development of St Stephen's Towers providing 700 bed spaces. However, the gap between supply and demand is still large and putting pressure on the conversion of family housing to Houses in Multiple Occupation in parts of the city.
53. 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 and Impact on Conservation Area**

54. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
55. The site is located within the City Centre Conservation Area (in the Anglia Square Character Area and adjacent to the Colegate Character Area). There is a statutory

duty to pay special attention to the desirability of preserving or enhancing the character or appearance of to preserve or enhance the character and appearance of the conservation areas expressed in section 72(1) the Planning (Listed Buildings & Conservation Areas) Act 1990 ("LBA 1990"). The LBA 1990 includes a further duty in section 66(1) which requires the Council - when considering whether to grant planning permission for a development which affects a listed building or its setting - to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Council embraces these statutory duties and these have been considered in the assessment of the proposed development. The NPPF and development plan policies encourage Local Planning Authorities to seek opportunities to improve the character of conservation areas.

56. The application site is at the junction of two very different character areas, Anglia Square character area is characterised by large scale post-war development which is generally at odds with the prevailing low-scale form of the Colegate character area which feature historic buildings and modern development which generally feature narrow plot widths representative of medieval burbidge plots. The site backs directly onto a number of medieval buildings that feature historic 'yards'.
57. Owing to the application building's large footprint and elevated height, it is a prominent building in the conservation area – which terminates a number of important views /vista and affects the setting of various heritage assets.
58. The building is identified as a 'negative building' within the conservation area due to its large, assertive form, height and footprint, its horizontal emphasis and its 'hard' 'angular' form, defensive appearance and inactive street frontages. Each of these elements is at odds with the prevailing built form in the locality which largely reflects the medieval street layout, with its narrow street frontages with historic yards to the rear.
59. The advice from the Conservation and Design Team is that the works will create a building of a greater scale and density, creating a greater level of disparity with the surrounding townscape. Whilst it is recognised that policy DM3 allows for a new landmark building in this location it also requires such developments to be of exceptional design quality and to help define the significance of the gateway. The officer is not satisfied that the works achieve this.
60. The comments are broken down into more detail, which can be summarised as:-
  - The new rear extension – this will over-power the low level 2-storey yard at 21-27 Muspole Street and should be reduced;
  - St George's Street elevation opposite Sherwyn House – should be reduced by a storey
  - Duke Street & St Crispin's Road – less of a concern as the extended building will not impact upon views of St Mary's Court or Whip and Nag Yard.
61. The officer also makes comments on the proposed materials stating that "The use of terracotta rainscreen cladding could result in an improvement to what is a drab building, as could the installation of thin slim framed windows, set back within the reveals. The proposed standing seam zinc, has been used elsewhere in roof top

development and has a natural weathering process and the appearance of traditional lead in this respect. There is concern over the proposed use of aluminium cladding panels to the extent proposed – these are not considered to be ‘locally distinctive’ materials or to give a ‘high quality’ appearance. Rainwater goods will need to be conditioned”.

62. Historic England also comment that the proposed development could result in harm to the character of the conservation area in much the same vein but does not object to the proposals. The advice from Historic England states that it is for the Local Planning Authority to weigh the benefits of the proposals against any harm and recognises that the provision of student accommodation is a benefit of the scheme. The Norwich Society and 3<sup>rd</sup> parties also raise concerns over the increase in height.
63. The comments have been reviewed with the applicants and in response the additional floor on the St George’s Street frontage opposite Sherwyn House has been removed. As a result, this part of the building is no higher than existing and the relationship is much improved in direct response to the Conservation Officer’s comments.
64. Moving on to the point about the relationship between the new-build and the yard to the rear of 21-27 Muspole Street: the new elevation will be around 12m from the southern boundary of the site. There is no public access to the yard in question and whilst it is visible from the street the bulk of the existing office block already closes off views from the street and from within the yard. The yard itself is hard surfaced and used for parking; it is not a place in which people dwell and so the views out of it and the sense of enclosure of the space are not, arguably, important to its character and use.
65. As far as Duke Street and St Crispin’s Road are concerned, the extensions to the existing building undeniably add to its height but the absolute increase is off-set to an extent by the fact that the top two floors are set back by around 0.5m. In addition, the use of a different material for these top two floors also serves to break up the bulk and mass of the building.
66. There are benefits to the proposals, as acknowledged by in the comments about materials. The re-cladding will revitalise the building, which is currently tired and dated, and reduce its horizontal emphasis. The latter point is specifically identified as one of the negative aspects of the building. The new materials will also help to soften the appearance of the building. Details of these materials can be secured by condition.
67. In addition, since the comments were made, consent has been granted on the opposite side of Duke Street for a building of up to 33m in height. If approved, the changes to St Crispin’s House would increase the height of the building on the corner of Duke Street and St Crispin’s Road to 28m. Notwithstanding this, policy DM3 still requires that development is of a high quality and each application must be determined upon its individual merits; nonetheless the St Mary’s Works approval is capable of being a material consideration in the determination of this application.
68. In conclusion, changes have been made to the scheme as originally submitted that have addressed the concerns expressed to such an extent that in the view of your officers, the impact of the development is at least neutral and in some respects achieves some benefits such as reducing the horizontal emphasis of the building

and softening its dated and harsh appearance. This is the conclusion drawn following the exercise of the statutory duty set out in section 72(1) of the LBA highlighted above.

69. It is also considered that development plan policy DM9 is complied with in this case: the proposed development does not result in the loss of any designated heritage assets and in the context of locally listed assets it is considered that there are demonstrable and overriding benefits associated with this development as detailed elsewhere in this report. In this regard it is also noted that the Norfolk historic environment service have raised no objection to the proposed development on archaeological grounds, subject to conditions.
70. In terms of the NPPF, any harm to the setting of designated and non-designated heritage assets is less than substantial, allowing the benefits of the scheme to be weighed in the balance. In the context of designated heritage assets paragraph 134 of the NPPF requires any less than substantial harm to be weighed against the public benefits of the proposal. It is considered that in this case the public benefits of the proposed development (i.e. the provision of student accommodation in support of the city's further and higher education institutions) outweigh such harm. In relation to non-designated heritage assets the effect of an application on these assets should be taken into account when determining the application and a balanced judgement is needed having regard to the scale of the harm or loss and significance of the heritage asset.

### **Main issue 3: Transport**

71. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 29 - 41.
72. The application is accompanied by a Transport Assessment (TA).
73. The main existing vehicular access is off the one-way section of Duke Street. Pedestrian access is via the main access or via a cut through on to St George's Street. On site car parking is provided for 37 vehicles.
74. In terms of traffic movements the existing building is currently under-occupied so current levels are not truly representative of the potential traffic generation of the office use. If fully occupied, the TA estimates the site would generate 125 vehicular arrivals and 125 departures per weekday; morning peak flows (0800-0900) would be around 25% of daily flows and evening peak flows (1700-1800) accounting for 15% of daily flows.
75. Under the proposals for re-development, the access arrangements would remain substantially the same with barrier controlled vehicular access off Duke Street. 50 spaces for cycle parking are shown along the southern boundary although the Transport Assessment indicates the site could accommodate up to 152 spaces. 16 car parking spaces are shown in the site; 8 within the site inside the barrier and 8 outside.
76. Servicing of the site would take place from Duke Street with some refuse collections also being made from St George's Street.



77. The modal split for trips from the new development is expected to favour cycling and walking much more than the existing use. Consequently, peak period vehicular movements are expected to be significantly less than they are at the moment.
78. At the beginning and end of term, the TA suggests that students will be required to book arrival and departure slots and that arrivals and departures will take place over the two weekends before the start of term. To facilitate access, the landscaping areas within the development beyond the barrier is designed to allow occasional vehicular access. Once they have dropped their belongings off, students would be expected to move cars off-site and park in public car parks if they want to stay longer.
79. There are no objections to the proposed development from the Highways Officer. However, he makes two recommendations for off-site highway works that he considers necessary to make the development acceptable. The first is an improved design of the site access (raised crossover for shared pedestrian/cycle use); the second is footway widening on Duke Street (east side between Muspole Street and Colegate). Given the level of pedestrian and cycle traffic generated by the proposed development, these changes are considered necessary and can be secured by condition. In addition, full details of the type and numbers of cycle parking should also be secured. If these conditions are attached, then the proposal would comply with the policies listed above in paragraph 71.

#### **Main issue 4: Amenity**

80. Key policies and NPPF paragraphs – DM2, DM11, DM13; NPPF paragraphs 9 and 17.
81. In order to comply with the above policies, the proposed development must provide for satisfactory living conditions for the future occupants without adversely impacting upon the living conditions of existing residents and occupiers of the surrounding area.
82. In terms of future occupants, the application is accompanied by a Noise Impact Assessment. This concludes that bedrooms facing St Crispin's Road and Duke Street will need to be fitted with acoustic glazing and trickle vents to achieve satisfactory internal noise levels. Noise levels within the most used outside space (the internal courtyard) will be well within acceptable levels due to the shielding provided by the existing building.
83. In terms of the general amenity of future residents, outdoor amenity space is provided in the area formally occupied by the building's atrium and to the south of the building. Whilst the Landscape Officer has commented on the quality of the design of these spaces, the shortcomings are not such as to render the use of the spaces unacceptable and revised designs can be secured by condition. In addition to the outdoor spaces, the building will also include a gym for the residents and a common room with a café on the ground floor.
84. The impacts upon existing residents and occupiers will fall upon those properties on St George's Street and Muspole Street. There will be little impact in terms of direct over-shadowing as the Muspole Street properties are to the south of the proposed development and the St George's Street properties are already over-shadowed by the existing building, which, following amendment, will not increase in height

immediately adjacent to the nearest residential buildings at Sherwyn House and Weavers Cottage. In terms of loss of daylight, the height of the existing building and its proximity to these properties means that any increase in loss of daylight will not be material.

85. In terms of loss of privacy, there are no residential windows in the southern most walls facing towards Muspole Street. This, coupled with the limited number of residential windows on the northern elevations of the existing properties closest to the site limits the level of impact to an acceptable level. There will be bedroom windows facing across St George's Street towards Sherwyn House. Although the distance is only 8m, this is considered acceptable as the windows face onto a public street where some loss of privacy is already experienced and bearing in mind the tight urban grain of the surrounding area.
86. Residents of Sherwyn House have expressed concern at the increased noise levels generated by the proposed use. Sherwyn House itself will be screened from noise from external areas by virtue of the existing building. The windows facing Sherwyn House are bedrooms with the exception of communal kitchens at the southeastern corner of the development. The main noise impact upon this property will be from students coming and going through the pedestrian gate off St George's Street. The building will have a permanent management presence and it could be that access via this gate is controlled so that it is closed at, say, 10.00pm and not opened again until 7.00am. The management presence will also serve to assist with any other anti-social behaviour issues that may arise. It is recommended that details of the management of the site, including closure of the pedestrian access, are secured by condition.
87. Residents have also expressed concern at the potential for increased cut through from St George's Street to Calvert Street. This route does not appear to be adopted highway and is possibly private. If this is the case then this is a private property issue for the owners of the land to resolve.
88. If the conditions referred to above are attached, the proposal would comply with the policies listed in paragraph 80 above.

#### **Main issue 5: Flood risk**

89. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
90. The application site lies in Flood Zone 2 and a critical drainage area. The site is therefore at 'Medium' risk of flooding from the river and at risk from surface water flooding.
91. In terms of the flooding from the river, the use of the site for student residential development would put it in the 'More Vulnerable' use class compared to the 'Less Vulnerable' office use that the building is currently used for. However, notwithstanding this increase in vulnerability, 'More Vulnerable' uses are acceptable in Flood Zone 2 according to the guidance in the National Planning Practice Guidance.
92. As originally submitted, the details of surface water drainage attracted an objection from the Lead Local Authority and a request from Anglia Water that further details be secured by condition. In response, the applicant has submitted more details of a

system that manages the flow rate by using cellular storage tanks under the car park; increased diameter pipework to increase system storage; and a flow control device on the final man-hole within the site that limits flow to the existing Anglia Water system to 15 litres per second. Three green roofs are also proposed on the southern, lower sections of the building that will attenuate surface water flows as well as providing for increased biodiversity on the site.

93. Following consideration of the new information, the LLFA has withdrawn its objection to the proposal subject to conditions. AW has not responded to the new details but the condition requested by the LLFA allows the final details of the surface water drainage system outlined in the documentation to be fleshed out. The condition will also allow the concerns expressed by 3<sup>rd</sup> parties re: the capacity of the sewer system to be addressed as the issues identified are linked to surface water entering the system.
94. If the conditions outlined above are attached, the development will comply with the policies set out in paragraph 89 above.

### **Compliance with other relevant development plan policies**

95. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>
Energy efficiency	JCS 1 & 3 DM3	<b>Yes subject to condition</b>
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>

### **Other matters**

96. 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
- Trees – subject to conditions

### **Equalities and diversity issues**

97. There are no significant equality or diversity issues.

### **S106 Obligations**

98. No Section 106 obligation is required

## **Local finance considerations**

99. 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.
100. 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.
101. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

102. In accordance with the Council's statutory duty to determine planning applications in accordance with its development plan unless material considerations indicate otherwise this proposal for student residential development has been assessed against national and local planning policies as described above and taking into account any relevant material considerations. Relevant statutory duties under the LBA 1990 have also been closely considered and assessed.
103. The site is in a regeneration area defined by the Council's development plan and delivers a commensurate benefit in terms of the re-use of a dated office building and the provision of additional student accommodation. It is considered that the proposed development at the least preserves the character of the conservation area. The proposal also provides accommodation that would go some way to meeting the future needs of the educational establishments within the city. These benefits weigh against any harm caused by the proposal to heritage assets bearing in mind the consultation responses and the amendments made to the application in response and as assessed in detail in this report.
104. In terms of amenity, the proposal will have only a limited impact upon surrounding buildings and their occupants and users. It is not considered that the level of any impact is so significant as to warrant refusal of the application on amenity grounds. It has also been concluded that the proposed development provides for an appropriate standard of amenity for future occupiers.
105. Relevant development plan policies and paragraphs of the NPPF have been considered and assessed in relation to flood risk and it is considered that the proposed development is acceptable in terms of flood risk.
106. Other points have been considered as described above and can be addressed by condition. 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.

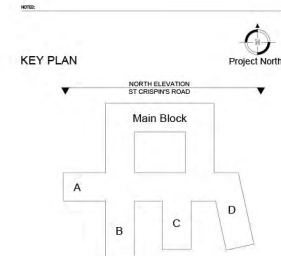
## **Recommendation**

To approve application no. 17/01391/F - St Crispins House Duke Street Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details and samples of materials;
4. Details of landscaping and planting including external lighting;
5. Tree protection measures for retained trees;
6. Implementation and retention of car parking and refuse storage facilities;
7. Full details of numbers, type and location of cycle parking facilities followed by implementation and retention of agreed facilities;
8. Details of off-site highway improvements and implementation thereof;
9. Full details of surface water drainage arrangements;
10. Full details of day-to-day management of the building including arrangements for start and end of term;
11. Scheme of archaeological investigation, works and recording;
12. Submission of a construction management plan;
13. Implementation in accordance with the submitted noise report;
14. Implementation in accordance with the submitted energy and resource use statement.








### **Article 35(2) statement**

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application and application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report for the application.



NORTH ELEVATION

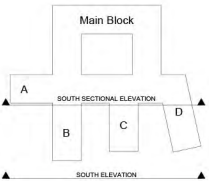
Proposed Façade Materials and Cladding:

-  **Terracotta Cladding:** Rain screen system, tiles with horizontal format and variegated finish.
-  **Zinc Cladding:** Rain screen system, vertical panels with folded standing seam joint. Natural zinc pre-patinaled finish.
-  **Aluminium Cladding:** To top floors: aluminium flat panel cladding. Polyester powder coat finish in 3 shades of grey.
-  **Clear Glass**
-  **Coloured Look-Alike Glazed Panels:** Double glazed framed units integrated into window system with clear outer pane and coloured inner pane in light green & light blue.
-  **Aluminium Louvres:** To ground floor plant-room areas - polyester powder coat finish in dark grey-brown RAL 7022.
-  **Timber Louvres:** To ground floor bins stores with matching doors, natural finish.

**Windows:** Double glazed aluminium windows with louvered panel at window head, polyester powder coat finish in dark grey-brown RAL 7022. Glazed look-alike spandrel panel below window.

**Full Height Glazing:** To ground floor: double glazing incorporating coloured glass panels with aluminium frames and cover caps; polyester powder coat finish in dark grey-brown RAL 7022.





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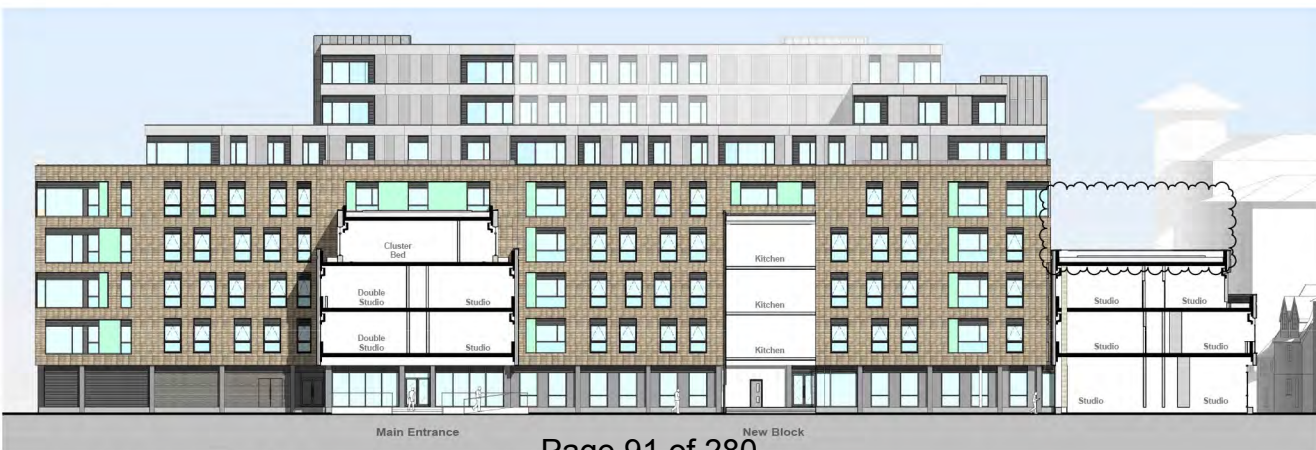
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Level 02 ▼  
Level 01 ▼  
Level 00 ▼

Duke Street

St Crispin's House

St George's Street

SOUTH ELEVATION



SECTIONAL SOUTH ELEVATION

REVISION P02 BY BP CHECKED RUB DATE 25.01.18  
Update to planning application. Removal of 14 rooms in total - alterations to 3rd & 6th floor plans. Schedules updated and green roots revised.

Tyburn Lothian No3 LP

ST CRISPIN'S, NORWICH

Proposed South Elevation

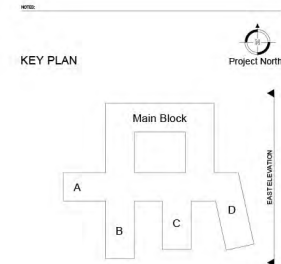
DATE 25.01.18 SCALE 1:200 @ A1

Hadfield Cawkwell Davidson

Broomgrove Lodge, 13 Broomgrove Rd, Northfield, S10 2JZ. T 0114 266 8181 www.hcd.co.uk

Architecture | Engineering | Interior Design | Masterplanning | Urban Design

2016-045 | A-05-203 P02



EAST ELEVATION

Proposed Façade Materials and Cladding:

- Terracotta Cladding:** Rain screen system, tiles with horizontal format and variegated finish.
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Tyburn Lothian No3 LP

ST CRISPIN'S, NORWICH

PROJEC

Proposed East Elevation

SCALE 1 : 200 @ A1

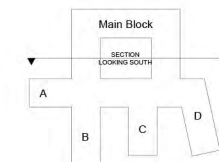
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
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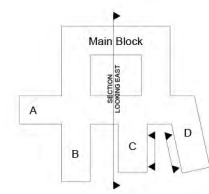
SECTION LOOKING SOUTH

Proposed Façade Materials and Cladding:

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SECTION LOOKING EAST



BLOCK C  
EAST ELEVATION



BLOCK D  
WEST ELEVATION

**Report to** Planning applications committee

**Item**

8 March 2018

**Report of** Head of planning services

**Subject** Application no 17/00201/L and 17/00205/F - 24 Cattle  
Market Street Norwich NR1 3DY

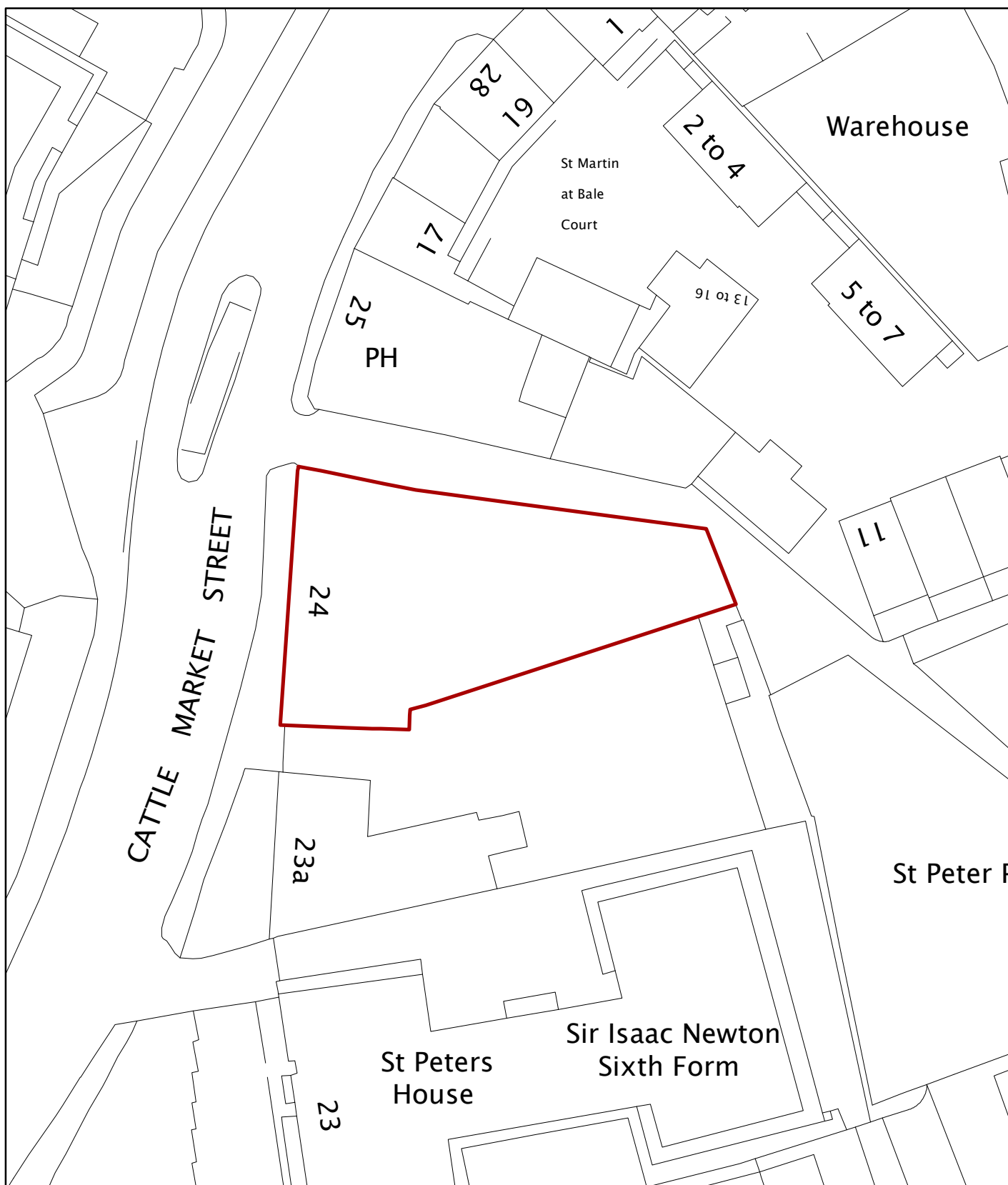
**Reason  
for referral** Objection

4(c)

<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Joy Brown - <a href="mailto:joybrown@norwich.gov.uk">joybrown@norwich.gov.uk</a>

Development proposal		
17/00201/L - Demolition of building to rear of Crystal House; alterations to facilitate change of use and extension to the first floor of Crystal House from retail (Class A1) to 1 No. flat (Class C3); rebuilding at rear to provide 6 No. dwellings.		
17/00205/L - Demolition of building to rear of Crystal House; change of use and extension to the first floor of Crystal House from retail (Class A1) to 1 No. flat (Class C3); rebuilding at rear to provide 6 No. dwellings.		
Representations on application		
Object	Comment	Support
7	0	0

Main issues	Key considerations
1 Principle of development	The development will provide eight residential units and the principle of converting Crystal House at first floor level has already been established as part of the previous extant consent.
2 Design and heritage	The proposal development will impact upon the principle listed building; however the level of harm is considered to be less than substantial. This application proposes a more sympathetic conversion of the Crystal House than the previous application. The demolition of the workshops has already been established (and undertaken). Consideration has been given to the layout, form, height, scale and materials of the proposed extension all of which are considered acceptable. The proposed impact on the conservation area has also been considered.
3Transport	The ground floor car park will not dominate the site and levels of car parking, cycle



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Planning Application No 17/00201/L & 17/00205/F  
 Site Address 24 Cattle Market Street

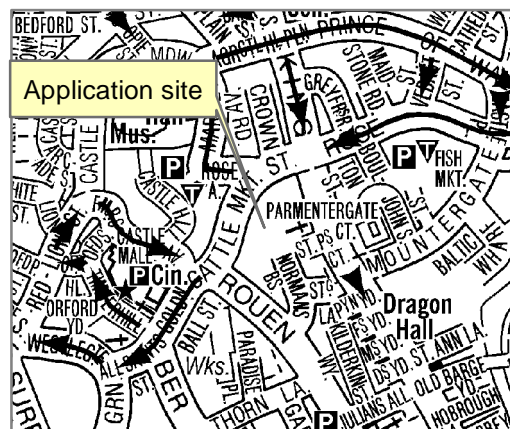
Scale 1:500



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	parking and bin storage are all considered acceptable.
4 Amenity	<p>The proposal will provide good internal and external living conditions for future residents of the site, subject to noise attenuation measures.</p> <p>The proposal will result in some noise, overlooking and loss of light to neighbouring residents/occupants; however this is not considered to be significantly detrimental.</p>
5 Biodiversity and landscaping	As the new building occupies the entire site, there is little scope for landscaping; however all but one of the flats will have amenity space. Details of this should be conditioned. There are some opportunities for ecological enhancements.
6 Affordable Housing	The applicant has agreed to an off site affordable housing contribution of £213,614.09 which is policy compliant.
<b>Expiry date</b>	27 June 2017 (extension of time agreed until 15 <sup>th</sup> March 2018)
<b>Recommendation</b>	Approve



## The site and surroundings

1. The site is situated on the eastern side of Cattle Market Street opposite the Castle Mall. The site consists of two main elements – Crystal House which fronts onto Cattle Market Street and workshops, offices and storage to the rear, access to which is gained via an unadopted lane to the north of the site. Some of the workshops have been demolished.
2. Crystal House is a grade II listed two storey building which was originally constructed as a showroom, workshop and foundry for Holmes and Sons, who manufactured and assembled agricultural machinery. The most significant part of the building is the front range, in particular the iron framed two storey glazed façade fronting onto Cattle Market Street. The building is currently vacant with its last use being a café at ground floor and as a furniture shop at first floor level.
3. The former workshops which occupied the entire site to the rear of Crystal House were more utilitarian in nature and were in a poor state of repair. Some of these workshops have now been demolished.
4. The surrounding area is mixed in terms of its uses. Directly to the south of the site are offices and directly to the north is a public house which is currently closed. The site is opposite the Castle Mall which is in the primary retail area and to the rear of the site is St Peter Parmentergate Church and churchyard. To the north/east of the site are residential properties on St Martin at Bale Court.

## Constraints

5. Crystal House is grade II listed. The site is situated within the City Centre Conservation Area and the Area of Main Archaeological Interest. St Peter Parmentergate Church, which is to the rear of the site, is grade II\* listed, the neighbouring castle mound is a scheduled ancient monument and the Castle is grade I listed. The neighbouring properties to the north and south of the site are locally listed heritage assets.
6. The churchyard which abuts the rear of the site is identified as being publicly accessible recreational open space. The unadopted lane to the north of the site which links Cattle Market Street to King Street via the churchyard forms part of the green links network.
7. The site is situated within the City Centre Leisure Area. The site is not within a retail area but is opposite the Castle Mall which is within primary retail area. The site slopes down significantly from Cattle Market Street to St Peter Parmentergate Church.

## Relevant planning history

Ref	Proposal	Decision	Date
4/1989/0381	Re-development of former storage building at rear by erection of four storey building to provide basement car park and service area, shops (648sq m) and	APCON	03/08/1989

Ref	Proposal	Decision	Date
	offices (661sq m) with glazed link. Conversion of existing showrooms to three shops.		
4/1989/0382	Demolition of rear storage building.	APCON	03/08/1989
4/1989/0383	Removal of internal staircase, re-instatement of floor and formation of new opening to provide glazed link.	APCON	03/08/1989
11/01911/U	Retrospective application for change of use for part of ground floor from retail (Class A1) to café (Class A3).	APPR	13/06/2012
13/01686/F	Demolition of building to rear of Crystal House with the exception of the end east wall; change of use and extension to the first floor of Crystal House from retail (Class A1) to 1 No. two bed flat (Class C3); rebuilding at rear to provide 4 No. two bed dwellings and 3 No. three bed dwellings.	APPR	08/07/2014
13/01687/L	Demolition of building to rear of Crystal House with the exception of the end east wall; Alterations to building to enable change of use and extension to the first floor of Crystal House from retail (Class A1) to 1no. two bed flat (Class C3); rebuilding at rear to provide 4no. two bed dwellings and 3no. three bed dwellings.	APPR	17/04/2014
16/00595/F	Demolition of building rear of Crystal House to develop 10 No. dwellings.	CANCLD	09/03/2017
16/00596/L	Demolition of building rear of Crystal House to develop 10 No. dwellings.	REF	14/07/2016
17/00288/D	Details of Condition 12: archaeological Written Scheme of Investigation and Condition 15: detailed schedule of the methods of works of previous permission 13/01686/F.	APPR	12/04/2017

## The proposal

8. The applications seek full planning permission and listed building consent for the following:

- The demolition of the workshop buildings (including the rear eastern wall)
  - Construction of a new building to the rear of Crystal House which will accommodate seven apartments (1 no. three bedroom, 5 no. two bedroom and 1 no. one bedroom apartments) and part of an eighth flat which will have a total of 4 no. bedrooms. Provision will also be made for seven car parking spaces, cycle storage for eight bikes, bin storage and ancillary storage for the ground floor retail units. The proposed building is five storeys, although only the ground floor will occupy the full available area of the site with the first, second, third and fourth floors each being set back and staggered. Amenity space for the residents will be provided by a combination of roof terraces and balconies. The new building will be attached to Crystal House by a three storey link;
  - The change of use of the first floor of Crystal House from retail (Class A1) to part of 1 no. flat (Class C3). Also included in the proposal is the refurbishment of Crystal House, the removal of the existing mezzanine floor and staircase, the subdivision of the existing first floor area into an open plan living/dining/kitchen area, master bedroom, ensuite and dressing room for flat 6 and the installation of a glass screen behind the existing front external windows. The ground floor is to remain retail.
9. During the process of determining the application, there have been a number of changes to the proposals which has resulted in two consultations. These changes have largely been made to address concerns raised by case officers and include the following changes.
- There has been a change in the total number of units . The application as submitted was for a total of nine units. This was then reduced to seven units. This meant that the basement was no longer required and also resulted in a proposal that was slightly less bulky. By setting each floor in this also meant that the views of the church would be slightly less restricted.
  - The applicant was then informed by the Council that despite the number of units being below 11, the development would still need to provide an off site affordable housing unit as the overall size of the development was greater than 1,000 sqm. The applicant subsequently increased the number of units back up to eight, in order to make it viable to provide this level of contribution. This was done without making any changes to the external appearance of the building.
  - As mentioned above, the application as submitted included a basement. Concern was raised by Norwich City Council regards to the excavation of a basement and the provision of a car lift so close to the listed building. This element of the proposal was subsequently omitted.
  - Changes were made to the materials and to the 'link' between the new building and Crystal House. This helped break up the mass.
  - The proposal as submitted included the retention of the east wall (as per the previous consent). Information submitted by the applicant shows that it would be extremely challenging to retain the wall due to its poor condition and



therefore the loss of the wall is now proposed; although material will be salvaged and incorporated into a new wall.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	8 (1 no. 4 bedrooms, 1 no. 3 bedroom, 5 no. 2 bedroom and 1 no, 1 bedroom)
No. of affordable dwellings	A contribution of £213,614.09 will be secured by s106 for off site affordable housing provision. (This is policy compliant).
Total floorspace	Retail unit – 175 sq m (net) Residential – 987 sq m (net)
No. of storeys	Five
Max. dimensions of rear addition	Height – 13.55m Depth – 34m Width – 20.5m
<b>Appearance</b>	
Materials	Red brick to match existing Western red cedar timber cladding (natural) and larch timber cladding (black) Rainscreen cladding (chalk, pebble, argent grey) Dark Grey aluminium windows and doors
<b>Operation</b>	
Opening hours	None detailed
Ancillary plant and equipment	None detailed
<b>Transport matters</b>	
Vehicular access	Access to ground floor car parking from Pigg Lane
No of car parking spaces	7
No of cycle parking spaces	8
Servicing arrangements	14 sq m bin store for residential units and 13 sq m bin store for retail unit

## Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two periods of re-consultation were also undertaken on proposed amendments.
11. Letters of representation have been received from seven people citing the issues as summarised in the table below. Several of the objectors including the Norwich Society and Lsi architects submitted letters of representation to all three consultation. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
This is a well-considered scheme; however we are concerned that the 5 <sup>th</sup> floor will make the building too overbearing for the frontages opposite Pigg Lane and it may appear too dominant in relation to the setting of Crystal House. The whole scheme should be lowered by 1 storey.	See main issue 2
This grade II listed building which is a unique and remarkable structure needs to be protected from unsuitable development. Crystal House is now the only remaining ironwork and glass façade on a building in Norwich which makes it very important. The proposal is unsympathetic to the history of the area. There are too many multiple – storey buildings in Norwich which spoil the appearance of the area. Norwich City Council should do its utmost to stop the damage to this building, at least its front range.	See main issue 2
The proposal will block views of the church.	See main issue 2
There was originally concern about the lack of details on materials but some of these concerns have been overcome by the submission of further information. There are still reservations regarding the rainscreen cladding on the south elevation as although Lsi architects are happy with the principle, they need to be satisfied that it does not step beyond the boundary and be happy with the panel jointing. The timber cladding needs to be non-combustible as within 1m of the boundary and should be able to be	See main issue 2

Issues raised	Response
maintained from the applicant's site.	
The proposed structure is overbearing, will overshadow neighbouring properties and deprive neighbouring residents of St Martin at Bale Court of privacy and natural light. It will therefore affect the quality of lives.	See main issue 4
The proposal will result in loss of light and will overlook the Drill Hall to the south which is offices for Isi architects. The south elevation is significantly different to the previous approval as the screens to the balconies have been removed, planting has been removed and some balconies are not so set back. The timber fins will partially obscure lower level views but they will still not offer much privacy, security to the site to the south or protection from fumes. Planting has now been reintroduced in the form of living screens; however this should be maintained to a height of at least 1.8m.	See main issue 4
There are a number of concerns with regards to how the building will be built and maintained without having to gain access across the site to the south as the building will be built right up to the boundary. There have also been some concerns with regards to whether any parts of the building e.g. cladding, foundations will encroach over the boundary and also what will happen to the existing steel stanchions on the boundary between the application site and the site to the south. They are the last remaining feature of the original 'drill hall', are in the ownership of Isi architects and there is no intention to remove them.	Party wall issues are a civil matter.
It is noted that the east wall will now be demolished. This wall ties into the neighbouring wall (site to the south). How will the new wall tie in with the existing?	Condition 4 of application 17/00205/F will require details of the new wall and as part of this details should be submitted of how it will be attached to section of wall to the south.

## Consultation responses

12. 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

#### ***Comments on application as submitted:***

13. Insufficient information has been provided on the proposed alterations to the principle listed building. For example it remains unclear what works are proposed to the existing highly significant cast iron windows. Furthermore insufficient details have been provided on proposed thermal and noise insulation to the building and details are lacking on how the residential space would be heated, cooled or ventilated.
14. The historic building report fails to properly identify the significance and setting of the building or attempt to justify the impacts of the proposed development on the significance of the building. It is recommended that the applicant seeks advice from a heritage consultant.
15. There are serious reservations regarding the excavation of a basement and the provision of a car lift. The engineering report does not assess the potential level of harm or fully assess the impact upon the structural stability and appearance of the listed building.
16. With regards to the proposed rear additions the height and detailed design means that the new building will not be subservient to the principle listed building and the proposal has far more visual bulk and impact than the previous consent. A number of improvements are suggested.
17. In its current form the proposal would result in significant harm to the special interest of the listed building and fail to result in a development of high quality contextual design.

#### ***Comments on 1<sup>st</sup> revisions:***

18. There is still insufficient information on a number of proposed alterations including details of services, noise and thermal insulation, mechanical ventilation, internal partitions and alterations to the glazing on the front façade. There is also insufficient information to justify the loss of the eastern wall.
19. With regards to the new additions the use of materials helps to break down the visual bulk but there is still concern with regards to the uppermost 5<sup>th</sup> storey. It should be removed or reverted to the past form. There is also concern with regards to the use of red cedar cladding to the upper floor and white/cream render. The proposed grill fronting Pigg Lane are regrettable and would be better as decorative iron work grilles.
20. In its current form the proposal could result in harm to the principal listed building.

### ***Comments on final plans***

21. The proposed internal layout is far preferable to that permitted under the extant consent but great care is required to ensure that all new internal additions can be accommodated without undue harm to the surviving special interest of the building. Further details will be required but most can be secured by condition.
22. With regards to the rear addition, this is largely informed by the previous extant consent. The careful selection of high quality materials for all external surfaces will be imperative in ensuring a successful development and would continue to object to the use of red cedar cladding at the upper most level as this would be incongruous material at main roof level partially visible from the Castle.
23. No objection to the demolition of the eastern wall subject to the reuse of materials in its reconstruction.
24. A number of conditions have been proposed for any future planning permission/listed building consent.

### **Historic England**

25. No comments. Advice should be sought from Norwich City Council's conservation adviser.

### **Council for British Archaeology**

26. No comment

### **Ancient Monument Society**

27. Insufficient information has been submitted so we are not able to fully assess the impact that the proposal would have on the listed building. We are particularly concerned about suggested changes to the showroom's fenestration and the insertion of residential units in the main building. The impact of the proposed extension on the setting of Crystal House and surrounding heritage assets has not been analysed either. An up-to-date Historic Building Report needs to be produced. We therefore object to the application.

### **Norfolk historic environment service**

28. The proposed development site lies within the centre of the medieval city close to St Peter Parmentergate church and where previous investigations have recorded archaeological remains of medieval date. There is potential that heritage assets with archaeological interest will be present. If planning permission is granted this should be subject to a programme of archaeological mitigatory work.

### **Victorian Society**

29. We are concerned about the proposal to adapt the first floor of Crystal House to an apartment as the change of use would entail some material alterations. Some would remove harmful interventions made since the building was first built (e.g. the enlargement of the trapdoor and the insertion of the central stair) but others would result in some degree of harm (e.g. alterations to the floor, loss of east windows). Most harmful however is the alterations to the character of the space. Crystal

House has been a showroom over two storeys since it was first built and the whole point of the expansive glazing is the public display of goods on both floors. This continued single use underpins its significance and the horizontal division would harm this significance by destroying the coherence of the commercial character. Whatever goes on in the interior will impact on the perception of the exterior and attempts to obstruct views into the interior by for example installing curtains or blinds will change the entire aspect of the building from the street. The optimum viable use of the building is a showroom or retail space and there are no arguments within the application to demonstrate that the continued use as retail would not be viable.

30. We also have concerns regarding the demolition of the buildings to the rear of Crystal House. The buildings to the rear afford an important reminder of Norwich's industrial past and this development will simply obliterate this. A sensitive scheme could surely retain at least the walls along Pigg Street. The proposed buildings are too bulky and risk overwhelming Crystal House. The removal of a storey would help as would the careful choice of materials.

### **Environmental protection**

31. The Noise Impact Assessment does adequately identify noise impacts and proposes suitable solutions to these issues. I note however that the plan for flat 6 does not indicate that these measures have been undertaken as there is no acoustic attenuation shown on the large windows to the road frontage of the building. Without protection from noise the granting of planning permission should not be granted.

### **Highways (local)**

32. No objection. Residential use is acceptable. Refuse storage, cycle storage, car parking layout and vehicle access is all acceptable. The development should also help make Pigg Lane feel safer for pedestrians by providing overlooking and natural surveillance. For refuse collection, the refuse vehicles will have to dwell on Cattle Market Street. Doors should not open onto Pigg Lane. Clarification is required on the type of tether for cycle parking. A construction management plan will need to be secured by condition.

### **City Wide services**

33. The stores look OK but the issue will be whether they can block the pedestrian crossing for the collections. The alternative would be to reverse in, but I'm not sure there would be the clearance for it. Recommend replacing the 360 litre bins with another 1,100 litre bin meaning they have 2 x 1,100 litre bins for refuse and 1 x 1,100 litre bins for recycling.

### **Landscape and biodiversity**

34. The plans show roof terraces with small trees. These terraces represent the only opportunities for planting so would make a positive contribution. However it is not clear how these trees could be planted. The principle of the living privacy screens on the roof terraces are acceptable and present some potential for biodiversity. A specific condition may be needed as the practicalities involved in such planting on the roof can be challenging and need an irrigation system.

35. The bat and nesting bird survey is adequate. The demolition of the warehouse building (B) and conversion of the listed building (A) is unlikely to have an adverse impact on bat foraging opportunities or bat commuting routes although there will be a loss of some potential bat roost features within the warehouse (B). A condition should be attached to any future permission requiring a method statement for bats and nesting birds. No further ecological enhancements have been suggested. An ecological consultant should be engaged to see if other measures such as bird and bat boxes can be incorporated into the detailed design. A condition should also be attached requiring a detailed landscaping scheme including ecological enhancements
36. Pigg Lane is an important part of a pedestrian route linking Castle Mall with King Street. If construction activity for the development were to cause damage to surfacing, this should be adequately re-instated which should form a condition.

#### **Norfolk police (architectural liaison)**

37. A number of recommendations are made including that the development should achieve secured by design. Cyclists should be able to lock both wheels and crossbar and the integral car park should be designed to prevent unauthorised access.

#### **Norfolk Fire and Rescue Service**

38. There are a number of flats with bedrooms that would be considered to be inner rooms to the open plan lounge/kitchen areas. This is not acceptable under building regulations unless an alternative method of escape is provided.

#### **Private sector housing**

39. There are a number of flats with bedrooms that have no means of escape other than via a risk room. The windows to the bedrooms therefore need to be egress windows provided that the drop to ground level is not exceeding 4.5m. Alternatively a means of escape without passage via a risk room is required.

## **Assessment of planning considerations**

#### **Relevant development plan policies**

40. **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
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS11 Norwich city centre
  - JCS20 Implementation

**42. 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
- DM6 Protecting and enhancing the natural environment
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel
- 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**

**43. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

**44. Supplementary Planning Documents (SPD)**

- Affordable housing SPD adopted March 2015

**Case Assessment**

45. 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**

46. Key policies and NPPF paragraphs – DM12, DM13, DM18, NPPF paragraphs 49 and 14.
47. The provision of eight residential units on this site will help to meet the housing needs within Norwich as identified within policy 4 of the adopted Joint Core Strategy and the principle of converting Crystal House to residential at the 1<sup>st</sup> floor level and buildings seven units to the rear has already been established under the extant



planning consent (13/01686F) which was granted in July 2014. The site will provide 1 no. four bedroom apartment, 1 no. three bedroom apartment, 5 no. two bedroom and 1 no. one bedroom apartments. All of the units are spacious and with the exception of the one bedroom apartment would be suitable for family living. Due to the proposed building being five storeys, the density will be relatively high but it is not considered that the density will be out of keeping with the character of the city centre and the proposal also provides outdoor amenity space for all units and a car parking space for all but one of the units. Policy 4 of the Joint Core Strategy and policies DM 12 and DM13 of the Local Plan set out the criteria against which residential developments will be assessed. These issues along with other material considerations are discussed within the report.

48. The proposal retains retail at ground floor level but will result in the loss of retail at first floor level. Given that the site is not within a retail area, the principle of this limited loss is considered acceptable. The main issue with regards to the change of use of the first floor to residential is whether this can be achieved without harming the significance of the listed building. This is discussed below.
49. The site also has the benefit of planning permission 13/01686/F, which has been implemented and can be completed. The presence of this permission is therefore a material consideration.

## **Main issue 2: Design and heritage**

50. Key policies and NPPF paragraphs – JCS, 1, JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.

### ***Impact on Listed Building***

51. Crystal House is a two storey grade II listed building which was originally constructed as a showroom, workshop and foundry for Holmes and Sons, who manufactured and assembled agricultural machinery. The use of the building is related to the cattle market, which for many years was located on the bailey area of the castle prior to the Castle Mall redevelopment. The west (front) elevation is the most significant part of the building with windows making up the majority of the elevation. It was designed in this way to catch the eye of passers-by and to allow goods within to be displayed to maximum effect. The building has a five bay frontage with huge windows in each bay except the central one of the ground floor which is the entrance. The design of the building was highly fashionable for its date (c1863) and the design of the frontage clearly draws upon the design and innovation of Paxton's Crystal Palace of 1851. The frontage utilises an iron frame and curtain glass wall with the ironwork displaying an elegant use of detail with a lily pattern copied from Crystal Palace. Internally the large open plan ground and first floors enabled the flexible display of agricultural machinery and a clear view in from the street. It remains an eye catching building within the townscape and benefits from all four of the heritage values set out in the Conservation Principles 2008 (aesthetic, evidential, historic and social/communal) to varying degrees.
52. Due to the importance of the front façade, it is important that no significant changes are made to the glazing and that a sense of space is preserved. The ground floor is to continue to be used as retail. The previous consent allowed for the ground floor to be subdivided into two smaller units with an entrance lobby in the centre which would provide access to the residential units behind. It also allowed for toilets and

staircases to the rear of each retail unit and a new mezzanine which was to be used as ancillary office space. This application no longer seeks to subdivide this space or have a mezzanine which is considered to be a significant improvement to the previous consent as it will allow the space to remain relatively unaltered, open and subsequently there will be significantly less impact upon the front façade. The existing mezzanine and stairs are a later insertion and therefore their removal is not resisted.

53. It is acknowledged that the conversion of the upper floor will affect the character of the building as the horizontal division of Crystal House will remove the commercial coherence that the building was designed to have. However, the principle has already been established under the previous consent and this application largely retains the openness of both the ground and first floor levels in a way that the previous application did not. With the previous consent, the upper floor was to be quite significantly divided up with two bedrooms, two bathrooms, open plan kitchen, dining and living area, corridor and an 'internal conservatory'. With the current proposal the majority of the space will remain unaltered with a very large open plan kitchen, diner and lounge occupying the majority of the space with only the right hand bay being divided off to create a master bedroom towards the front and an ensuite and dressing room towards the rear.
54. The previous scheme also included a recessed glazed element which consisted of a screen of bi-folding doors set back around 1.2m from the front glazing which would in effect create an 'internal conservatory'. This has now been omitted and instead it is proposed to have secondary glazing. Details of this will need to be conditioned and subject to joins within the secondary glazing aligning with the bays and glazing bars of the front façade it is not considered that this will have a significantly detrimental impact upon the significance of the building and will provide thermal and noise insulation without further dividing up the internal space or altering the glazing on the front elevation. Secondary glazing will also be necessary on the existing side windows, details of which can be conditioned.
55. In addition to the front façade there are a number of other interesting and original fixtures and features such as a winch and fireplaces which are to be retained. A condition should be attached to any future permission requiring an inventory to be produced and for all important historic features to be retained

### ***Demolition of the workshops***

56. Some of the rear workshops have already been demolished in accordance with the previous consent. The demolition of these workshops was considered acceptable as although they were considered to be of some historic interest they were a remnant of a larger group of industrial buildings, they had undergone later alteration and were more utilitarian in nature. The retention of the north elevation was discussed back in 2014 and although Historic England said that they would have preferred to have seen the north and east walls retained and incorporated into the new build, the applicant submitted details in the form of a surveyor's report which provided evidence of quite severe structural failure. Furthermore the surveyor's report concluded that the north wall was not fit for retention and could not be viably refurbished. It was also considered at the time that the building was in such a poor state of repair and had a thin brick skin, it would have been very difficult to achieve a conversion to meet modern building regulations without extensive internal work. Historic England subsequently said that if the authority was satisfied with the

structural report then they had no objection to its demolition subject to appropriate recording prior to demolition.

57. The previous consent included the retention of the lower section of the east wall which faces onto St Peter Parmentergate church; however this application proposes its demolition. This section of the wall contains earlier flint fabric and although it is considered to provide a historic transition to the churchyard setting of the church, it is in poor state of repair and has significant structural problems. Canham Consulting (structural engineers) produced a report in January 2017 which looked at how this wall could be retained. They concluded the following: *"To the east of the site (rear), exists a panel of flint masonry, which we understand the Planning Authority would like to retain. We would challenge the practicality and possibility of this; the wall is in poor condition, is likely that further inherent defects are present and we consider that it would be a significant risk to attempt to retain the wall."*
58. On this basis although its loss would be regrettable, subject to material from the wall being retained and incorporated into a new wall, it is not considered that there would be significant harm in its loss.

### ***Layout, form, height, scale and materials***

59. Although the site fronts onto Cattle Market Street, it is also publically viewable on the north and east elevations from the unadopted alleyway (known as Pigg Lane) which links through to the churchyard of St Peter Parmentergate and is viewable from the Castle Gardens. On the opposite side of Pigg Lane is the 19<sup>th</sup> century public house which is currently closed but was most recently known as the Owl Sanctuary. This building has structural issues at the rear, but being locally listed there would be a presumption of retaining and repairing the existing building rather than demolition. To the south of the site is a car park for Isi architects, behind which lies the very tall form of St Peter House (office block with prior approval consent to convert to residential), which to some extent dominates the backdrop in views. Crystal House is adjacent to the Old Drill Hall which is a three storey locally listed building currently in use as offices for Isi architects.
60. In considering the impact of the new build, it is important that it does not dominate over the retained front range and does not have a detrimental impact upon the setting of Crystal House and St Peter Parmentergate church; however taking into consideration the size and footprint of the existing building, it is also important that the building is designed with its own strong and distinctive form that is clearly readable as a separate element from the historic front range. The buildings will be attached, but it is considered that the front range will retain its identifiable independent form both internally and externally.
61. Prior to part demolition, the existing workshops occupied the entire footprint of the rear section of the site and the ridge height of the workshop ranged from 8m at the eastern most point to 6.3m where the building connected to Crystal House. The proposed building will occupy the same footprint but in terms of the overall height, it is proposed to increase this significantly. At its highest point, the new building will be 13.5m high and the link between the new apartments and Crystal House will be 9m high on the northern side stepping up to 11m on the southern side. However due to the topography of the site, the overall height will be 0.2m lower than the ridge line of the front range so will not be visible from Cattle Market Street when

looking straight on at Crystal House. Furthermore although the overall height of the rear building will be significantly higher than the existing building, only the ground floor will occupy the entire footprint with the first, second, third and fourth floors all being recessed and set back so that they do not over dominate when looking down the lane and do not detract from the setting of the churchyard and the dominance of the church to the east.

62. With regards to the height it has been suggested by Norwich City Council's design and conservation officer, the Norwich Society and the Victorian Society that removing a storey would help to reduce the overall height and bulk which would mean that the proposal would have less of an impact. However we do have to be mindful that a scheme of this height and form has previously been allowed and as the permission has been implemented can be built out. It is acknowledged that the upper floor of this proposal is different from the previous scheme due to it being slightly more blocky and due to the proposed western cedar cladding which at first may appear slightly bright and prominent; however overtime this will weather to a silver/grey. Therefore on balance it is considered that the difference in the form of the approved scheme and what is proposed will not be appreciated from street level immediately adjacent to the site or from more elevated points further afield and therefore, on balance, we feel that the form of the upper storey as proposed is acceptable.
63. With regards to other changes to the previous approval, it should be noted that the overall footprint of the new building is slightly less. Previously the first floor occupied the entire footprint of the site whereas it is now proposed for this to be set back and recessed which provides this unit with a terrace but also has the advantage of making the overall building slightly less bulky and means that views of the church are slightly less restricted than the previous consent. The link between the new building and Crystal House is also set in further which gives more of a visual break and some of the upper floors also occupy slightly less space than the previous consent which again helps break up the mass and helps open up the view of the church tower.
64. Therefore as with the previous scheme although the new building is of some height, the broken and recessive massing should ensure that the overall building form is recessive and 'sits back' into the site rather than becoming overly dominant and therefore it is considered that the overall form is acceptable.
65. The north and east elevation are modelled with a fenestration that provides an active frontage onto the lane which will increase surveillance significantly and the fenestration has also been designed to provide some vertical emphasis to counteract the horizontal emphasis of the overall form, replicating the traditional approach to elevation treatment.
66. The materials proposed include red brickwork to match the original building, black and natural timber cladding, chalk, pebble and grey rainscreen cladding and grey aluminium windows and doors. The principle of these materials are considered acceptable and but to ensure that the proposal is of high quality details of these materials should be conditioned. Details of the grilles/louvres fronting Pigg Lane should also be conditioned as there is an opportunity here to provide decorative iron work grilles which could celebrate the past use of the site as an iron foundry.

### ***Conservation Area – Impact on Setting***

67. The site is situated within the Ber Street character area of the City Centre Conservation Area and as such policy DM3 of the Local Plan, policy 1 of the Joint Core Strategy and section 12 of the NPPF are of particular importance. The demolition of the existing building and the principle of a new building of this scale has already been established as part of the previous consent. Other than the loss of the east wall, it is not considered that the changes will impact upon the conservation area. Overall it is considered that the layout of the proposed building respects historic plots and that the design does not dominate over the retained front range and does not have a detrimental impact upon the setting of Crystal House and St Peter Parmentegate church. Furthermore by virtue of the upper floors being recessed on the north and east elevations, this allows views of the church to be retained. As such it is not considered that the proposal will have a harmful impact upon the character and appearance of the conservation area. As set out in the sections above, the loss of the eastern wall is regrettable; however it is not considered that its loss will have a significantly harmful impact upon the conservation area.

### **Main issue 3: Transport**

68. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.

#### ***Vehicular Access, Traffic Generation and Car Parking***

69. The proposal includes parking for seven cars which is acceptable and accords the local plan. The car park is situated within the ground floor level of the building so does not dominant the layout of the proposal at all.
70. Access to the car park will be via the existing unadopted lane to the north of the site. The entrance to the car park area is positioned as far as possible up the lane and the width of the entrance is satisfactory. The previous proposal included an electronic operated roller shutter to aid the entrance and exit of cars thereby minimising disruption on the lane to pedestrians and meaning that cars are not waiting on the lane for any length of time with their engines running. A condition should be attached to any permission to ensure that this is provided as part of this application.

#### ***Cycle Routes and Pedestrian Links***

71. The lane to the north of the site is identified within the proposals map as forming part of the green links network. The lane is considered to form a key pedestrian link between Cattle Market Street, Castle Mall and the wider primary retail area with King Street and Riverside. It is considered that this proposal will help promote this link as both the lane and churchyard will have better surveillance due to the presence of a number of windows on the north and east elevations.

#### ***Cycling Parking and bin storage***

72. An area of covered and secure cycle parking is to be provided which will be of sufficient size to accommodate eight cycles, one for each flat. The local plan sets out that 1 bedroom units should have 1 space, 2 and 3 bedroom units should have 2 space and 4 + bedrooms should have 3 spaces. Although this does meet the

standards, given the central location, the constraints of the site and the new bike rental scheme in Norwich, this level of parking is considered acceptable. Ideally a separate secure bike store would be provided for the residential units rather than this being situated within the car park, but unfortunately the constraints of the site do not allow for this. Given that the car parking area will be secure, this is considered acceptable subject to a condition to ensure that a suitable method of tethering the cycles is provided and that it is suitably laid out to accommodate eight cycles. Cycle parking for the retail units can also be made available within one of the secure stores.

73. It is proposed to have a bin store for the residential units and a bin store for the retail. Both are of sufficient size and are located as close to Cattle Market Street as is feasibly possible. A condition should be attached to any permission to ensure that the stores are provided prior to occupation.

#### **Main issue 4: Amenity**

74. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

##### ***Impact upon neighbouring residents***

75. With regards to the impact upon neighbouring residents and occupants the main issues for consideration are the impact upon the Old Drill Hall to the south which is currently in use as offices, the residential dwellings at St Martin At Bale Court to the north/east and St Peter's House which has prior approval to be converted from office to residential accommodation.
76. Concern has been raised by the occupants of the offices to the south that the proposal will result in a loss of privacy and loss of light due to the height and proximity of the building. With regards to overlooking, the previous scheme was designed to minimise overlooking with balconies being screened by brick walls or louvers and high level windows or obscure glazing. This current proposal does not have the same extent of screening as previous proposed but it is still considered that the louvres will help minimise overlooking from the rooms itself and also when future residents are sat down on the balconies. It is acknowledged that residents could stand at the balconies and overlook the car park and rear elevation of Isi architects but given the distances it is considered that the level of overlooking will be acceptable. It is also worth noting that prior approval has been granted for the conversion of St Peter House to residential and planning permission has been granted for two additional floors towards the rear of the building which will also have external amenity space, but again due to the distances involved it is not considered that this will raise any particular concern.
77. With regards to loss of light and overshadowing, it is acknowledged that the proposal may have an impact due to the height of the proposed building being greater than the existing building. However due to the orientation, the level of overshadowing will be at a minimal level and although the distance between the two properties is only around 15m, it is considered that this is a sufficient distance to ensure that the loss of light is at an acceptable level.
78. In relation to the properties to the north/east, the main issue for consideration is the impact upon 12 St Martin at Bale Court as this property is situated only round 5m from the site. The other properties at St Martin at Bale Court are all situated at least

15m from the site with most of the windows facing onto the churchyard rather than onto the site so the loss of light and overshadowing should be minimal. 12 St Martin at Bale Court does however have a window within the rear elevation which faces directly onto the lane and the site. With regards to loss of light and overshadowing, it is acknowledged that there may be some impact; however where the proposed building is closest to the neighbouring property (the north east corner of the site) the height of the building is no greater than the existing building due to the building only being single storey at that point. As such it is considered that light levels are not likely to be significantly worse than they are currently and any loss of light will be at an acceptable level. The loss of privacy has also been raised by neighbouring residents and due to there being roof terraces on the north and east sections of the proposed building at first, second, third and fourth floor levels, it is considered that there is potential for some overlooking. This will however be at a minimal level and it is considered that the benefits of increased surveillance over the lane and churchyard outweigh the slight increase in overlooking to neighbouring properties.

### ***Impact on neighbouring properties - noise and disturbance***

79. The provision of balconies on the south elevation has been an area of concern for the offices to the south particularly due to the proximity to the boundary. The distance between the buildings is around 15m so it is acknowledged that if people are using their balconies during the day when people are working in the offices, there may be minimal levels of noise. However this is a city centre location where there is background noise already and a certain level of noise can be expected.
80. Neighbouring residents at St Martin at Bale Court have also raised concern that an increase in traffic using the lane to access the car park will result in an increase in noise and disturbance. Subject to an electronic operated roller shutter being installed this will aid the entrance and exit of cars meaning that cars are not waiting on the lane for any length of time with their engines running. There are also a number of Juliet balconies on the northern elevation and roof terraces which face onto the lane. Therefore there may be some additional noise to residents at St Martin at Bale Court; however this is not considered to be at a significant level particular bearing in mind the city centre location.
81. In summary it is considered that the impact upon the living and working conditions of the neighbouring properties is acceptable, particularly taking into consideration that this is a city centre location where a former workshop building existed on the site. Furthermore it is not considered that the proposal will prejudice the future development of the neighbouring site. The proposed building is five storey and will be built on the boundary of the site however this does not rule out the extension of the building to the south.

### ***External amenity space for future residents***

82. Policies DM2, DM12 and DM13 of the Local Plan set out that residential use should be permitted subject to the provision of satisfactory external amenity space (private or communal) adjoining the property with appropriately located bin storage, cycle storage and drying areas.
83. Due to the constraints of the site, it is not possible to provide a large amount of amenity space however all but one of the flats (a 2 bedroom flat) have either a recessed balcony or terrace with some flats having more than one area of outdoor

space. Particularly given that the site is adjacent to two areas of publicly accessible recreational open space (St Peter Parmentergate Churchyard and Castle Mall gardens) the level of amenity space is considered good and satisfies the requirements of the Local Plan.

84. With regards to the external amenity space on the south elevation there will be potential noise from the car park to the south at some points during the day; however the noise impact assessment concludes that noise levels when considered over the full 16 hour daytime period, would be below the WHO serious annoyance threshold.

### ***Internal living conditions***

85. The internal space for all eight of the apartments is considered sufficient to meet the needs of future residents. The flats range in size from 72 sq m to 278 sq m which means all units are generously sized and well exceed minimum space standards. All flats benefit from good levels of light.
86. One area of concern is the impact that road traffic will have upon the living conditions of future residents. A noise impact assessment has been submitted with the application which adequately identifies noise impacts and proposed suitable solutions to these issues. For the flats within the new build section to the rear the mitigation measures (doubled glazed windows) will be easy to achieve; however one of the main concern with regards to the conversion of the upper floor of Crystal House to residential is how this flat can have adequate sound insulation without affecting the fenestration on the front façade. The previous application included large glass bifolding doors set 1.2m behind the front façade; however this application now proposes secondary glazing. The noise impact assessment would suggest that the proposed secondary glazing is sufficient in terms of acoustic attenuation and subject to the details of the glazing being agreed by condition, this should also be acceptable from a heritage point of view.
87. Furthermore some form of mechanical ventilation will be necessary for this flat and again the challenge will be how this can be installed without harming the listed building. Again this should form a condition of any future consent.
88. The noise impact assessment also considered the potential noise from the retail unit below as under permitted development rights there would be potential to change this unit to a potentially more noisy use such as a restaurant on a temporary basis. As part of the application details have been provided of the proposed separating floor construction at Crystal House and subject to this being installed in accordance with the details then noise transmissions to the upper floor should be at an acceptable level. It is therefore not necessary to remove permitted development rights.

### **Main issue 5: Biodiversity and landscaping**

89. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118. Key policies and NPPF paragraphs – DM3, DM8, NPPF paragraphs 9, 17 and 56.
90. There is little scope for landscaping on the site due to the proposed new building occupying the entire site; however there are amenity areas for all but one of the flats and it is important that these are well landscaped to maximise their use. The



plan shows small trees and living privacy screens which represent the only opportunities for planting so would make a positive contribution. The practicalities however of both the living privacy screens and the planting of trees can be challenging and therefore a condition should be attached to any permission requiring details of any hard and soft landscaping to these amenity areas and including specific details about the tree planting and the living screens.

91. Furthermore the lane adjacent to the site is unadopted but forms part of a pedestrian route linking Castle Mall with King Street. If construction activity for the development were to cause damage to surfacing, this should be adequately re-instated which should form a condition
92. The bat and nesting bird survey is adequate. The demolition of the remaining warehouse building and conversion of the listed building is unlikely to have an adverse impact on bat foraging opportunities or bat commuting routes although there will be a loss of some potential bat roost features within the warehouse. A condition should be attached to any future permission requiring a method statement for bats and nesting birds. Furthermore there may be further opportunities for ecological enhancements on the site (i.e. bird and bat boxes) so as part of the landscaping condition consideration should be given to ecological enhancements.

#### **Main issue 6: Affordable housing viability**

93. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraph 50.
94. Policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk required the provision of 20% affordable housing on all sites of 5 or more dwellings; however National Planning Practice Guidance published in March 2014 and amended in November 2014 now stipulates that ‘contributions should not be sought from developments of 10 units or less, and which have a maximum combined floorspace of no more than 1000 sqm’.
95. Initially the applicant was incorrectly advised by the Council that no affordable housing contribution would be required due to the number of units being below 11 and due to the floorspace of the residential being less than 1000 square; however the applicant was later advised that an affordable housing contribution would actually be required due to the combined gross floorspace exceeding the 1,000 square metres threshold. In order for an offsite contribution not to make the scheme unviable the applicant subsequently increased the number of units from seven to eight (which is still one less than the application as submitted).
96. With the previous application the applicant and the Council contacted Registered Providers within the area and none of the Registered Providers were interested in taking on the units. Registered Providers have not been contacted again but given the response previous and given that RPs are generally reluctant to take on the management of a small number of affordable units on relatively small sites proposed for flatted developments, the provision of a contribution to allow affordable housing to be provided off site is acceptable.
97. Appendix 1 of the interim statement sets out a schedule of level of payments that will be acceptable in lieu of on site provision which is set at a level that will enable the city council to typically deliver a unit equivalent in type to those being provided for the development. In this case the contribution would equate to £213,614.09. The

applicant has agreed to sign up to a policy compliant s106 which means that the full contribution towards affordable housing will be payable upon occupation of the first flat. The recommendation for approval of the application is subject to the signing of the s106 agreement.

98. The development is also CIL liable. The current payment has been calculated at £109,620.80. The first instalment of CIL for the previous scheme has already been paid so £20,413.41 can be discounted.

### **Compliance with other relevant development plan policies**

99. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>No – see main issue 3</b>
Car parking provision	DM31	<b>Yes subject to condition</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>
Energy efficiency	JCS 1 & 3 DM3	<b>Not applicable</b>
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>
Sustainable urban drainage	DM3/5	<b>Not applicable</b>

### **Other matters**

100. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: List relevant matters.
101. **Archaeology** - The site is situated within the Area of Main Archaeological Interest and there is a possibility that the burial ground associated with the church could encroach onto the site. A programme of archaeological works is needed for the works taking place at the rear of the site. Conditions should be attached to any approval to ensure that this is carried out.
102. **Plant and machinery** - Currently there are no detailed proposals for any plant, machinery, ventilation or extraction to be installed on this site. Should this be required then full details of the specification and siting would be required so this should be included as a condition of any consent. Furthermore it is proposed that this is a mixed use site and although currently there is no need for any form of extraction relating to the retail unit, a condition should be attached to any

permission requiring full details of any extraction should the nature of the business at ground floor level change which necessitates this in the future.

103. **External lighting** - No details of external lighting have been provided with the application. This should be conditioned to ensure that there is sufficient lighting and surveillance whilst making sure that it does not have a detrimental impact upon the living conditions of future and existing residents or upon biodiversity.
104. **Energy and water** - The proposal is for less than 10 dwellings and as such there is no policy requirement for the development to provide any of the expected energy requirement through renewable energy. In relation to water efficiency, policy 3 of the Joint Core Strategy sets out that new housing development must reach Code for Sustainable Homes level 4 for water. A condition should be attached to any permission to ensure that the development is constructed in accordance with part G2 of the 2015 Building Regulations for water usage.
105. **Drainage** – As reported within the committee report for application 13/01686/F the applicant proposed to connect the foul and surface water to the existing sewer (subject to approval by Anglian Water) and the understanding is that this is proposed as part of this application too. Although it is not normal practice within new developments for surface water to connect to the existing sewer, given the constraints of the site, there are limited opportunities for other means such as soakaways. Furthermore it should be noted that the existing and proposed buildings will occupy the same footprint so there is no change to the amount of impermeable surfacing of the site.

### **Equalities and diversity issues**

106. There are no significant equality or diversity issues.

### **Local finance considerations**

107. 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.
108. 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.
109. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

110. The principle of the conversion of the upper floor of Crystal House to residential and the erection of a new five storey building to accommodate a further seven flats has already been established as part of the previous extant planning permission. The residential units will help meet the housing need in Norwich and will provide family housing in a central, sustainable location.

111. There are a number of differences between this application and the previous approval, the majority of which are considered to be improvements to the extant permission. In particular retaining a single unit at ground floor level rather than subdividing the space will help preserve a sense of space and will mean that the very important front façade remains largely unaltered. At first floor level, although it is acknowledged that the change of use will to some extent affect the character of the building as the horizontal division of Crystal House will remove the commercial coherence of the building; the current proposal is an improvement to the previous consent as it involves less subdivision of the upper floor.
112. With regards to the new build, although the height has remained the same as the previous consent, the total floorspace has been reduced slightly with the first floor now being set back and recessed. This helps make the building appear less bulky and makes it sit better within its setting. It is acknowledged that the building is still significantly larger than the workshops which it replaces; however it does not go above the ridge line of the front range of Crystal House and due to each floor being set back and recessed, it is considered that the building does not appear overly dominant and does not detract from the setting of the churchyard and St Peter Parmentergate church. This current proposal does include the loss of the lower section of the east wall which was previously to be retained, but subject to the flint, ashlar and brick being salvaged and re-used in the new flint wall construction, this is considered acceptable.
113. The proposal will provide good living conditions for future resident of the site with all flats having generous internal space and all but one having private external amenity space in the form of balconies or roof terraces. There is potential for noise disturbance to flat 6; however subject to secondary glazing being installed this can be satisfactory dealt with. Details of the glazing will be required by condition to ensure that it does not affect the significance of the building. Seven of the eight flats will have car parking and all flats will have one secure cycle parking space, access to which is via the unadopted lane to the north of the site. Bin storage for the residential units and the retail unit is well located given the constraints of the site.
114. Although the proposal may result in some loss of light and overlooking to the offices directly to the south, it is considered that this will be minimal and at an acceptable level. The proposal may also have a minimal impact upon the neighbouring residents at St Martin at Bale Court given the number of windows and Juliet balconies on the north elevation, but it is considered that the increased surveillance to the land and churchyard will be significantly beneficial to the safe use of the land and churchyard and this will outweigh the slight increase of overlooking to residential properties.
115. Overall therefore it is felt that this current application will result in a more sympathetic conversion of Crystal House than the extant consent and will also result in a development to the rear which is slightly less bulky and will have less impact upon the views of the church than the previous consent. As with the extant permission the proposal will also provide a policy compliant off site affordable housing contribution and CIL contribution. The development is therefore considered to be 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

- (1) To **approve** application no. **17/00205/F** - 24 Cattle Market Street Norwich NR1 3DY and grant planning permission subject to the completion of a satisfactory legal agreement for a contribution of £213,614.09 toward off site affordable housing provision and subject to the following conditions:
1. Standard time limit;
  2. In accordance with plans;
  3. Details of:
    - a) all external windows and doors to include depth of reveal, details of heads, sills, lintels and glazing;
    - b) Juliet balconies, balconies and roof terraces
    - c) external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
    - d) proposed meter and alarm boxes;
    - e) eaves and verges at a scale not less than 1:20;
    - f) all new external materials including manufacturer, product name and colour;
    - g) brick work (sample to indicate brick, bond and mortar)
    - h) rainwater goods (to be cast iron or painted aluminium)
  4. Demolition/reconstruction statement relating to the rear flint/stone/brick wall fronting St Peter Parmentergate Church to include re-use of salvaged materials from existing wall
  5. Scheme for the provision of heritage interpretation
  6. Construction method statement
  7. Details of tether for bikes
  8. Details of roller shutter to car park
  9. External Lighting
  10. Method statement for bats and nesting birds.
  11. Bird nesting season
  12. Landscaping including details of tree planting, living screens (to be maintained to height of 1.8m)
  13. Details of ecological enhancement works
  14. Any damage to Pigg Lane to be made good
  15. No extraction/ventilation unless in accordance with scheme to be approved.
  16. Water efficiency
  17. Provision of car parking and bin store
  18. Archaeological written scheme of investigation
  19. Stop work if unidentified features revealed
  20. Retail premises not to open before 07:00 or after 22:00 on any day.
  21. No trade deliveries or collections before 07:00 or after 19:00 Monday to Saturday.  
No trade deliveries on Sunday or Bank Holidays
  22. Slab levels of new building

### Informatives:

- 1) Businesses and residential properties not entitled to on-street parking permits
- 2) Street naming
- 3) To be aware of traffic management proposals for Cattle Market Street.

## Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

(2) To **APPROVE** application no. **17/00201/L** - 24 Cattle Market Street Norwich NR1 3DY and grant listed building consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of
  - a) All new internal and external plant, services & service routes and risers to the principal listed building (drainage, ventilation, heating, cooling, hot and cold water, mechanical & electrical, fire protection, thermal and acoustic insulation, lighting scheme).
  - b) Schedule of internal finishes to walls, ceilings and floors;
  - c) All new secondary glazing system within the principal listed building
  - d) Position, material and appearance of all new partition work and doors
  - e) Any new fixed blinds to the window openings in the principal listed building
  - f) Any new rainwater goods to the principal listed building
  - g) Repairs and cleaning schedule for the external windows, brickwork and render of the principal listed building
  - h) Cleaning/decoration methodology to external details of external decoration to render, joinery and metalwork;
4. Listed building – making good
5. Preservation and protection of features including:
  - a) Existing windows to the front and flank elevations
  - b) Internal floorboards
  - c) Internal fireplace
  - d) Internal winch

### Informatives:

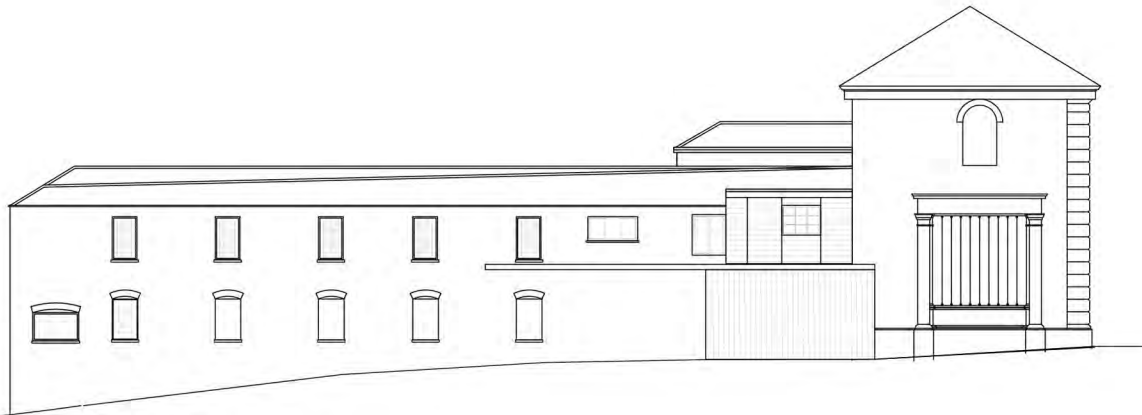
- 1) Listed Building reminder on enforcement
- 2) Retain original fabric of building

### Reason for approval:

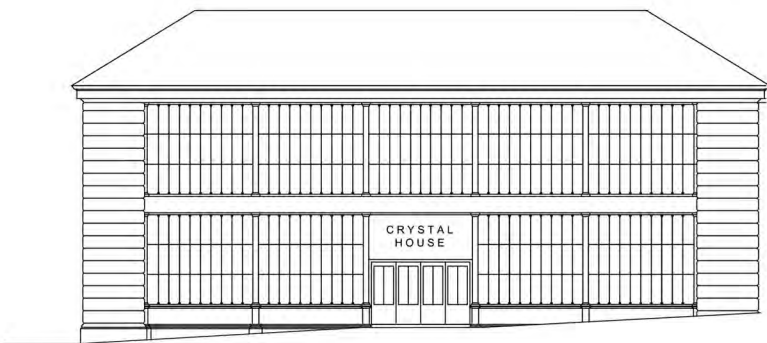
The proposed conversion of the upper floor of Crystal House to residential and the construction of a new five storey building to the rear will result in some impact to the special architectural and historic interest of the building and the character and appearance of the conservation area. However the principle of this form of development has already been established under the previous planning permission and listed building consent. There are a number of differences between this proposal and the previous extant consents, but with the exception of the removal of the eastern wall, the changes are considered to be an improvement and will result in a more sympathetic conversion of the principle listed building and an extension to the building which will be slightly less bulky and have less of an impact upon the views of St Peter Parmentergate Church. With regards to the eastern wall, subject to the flint, ashlar and bricks being salvaged and

re-used in the new flint wall construction, this is considered acceptable. Overall therefore the level of harm to this heritage asset and its setting is considered to be less than substantial.

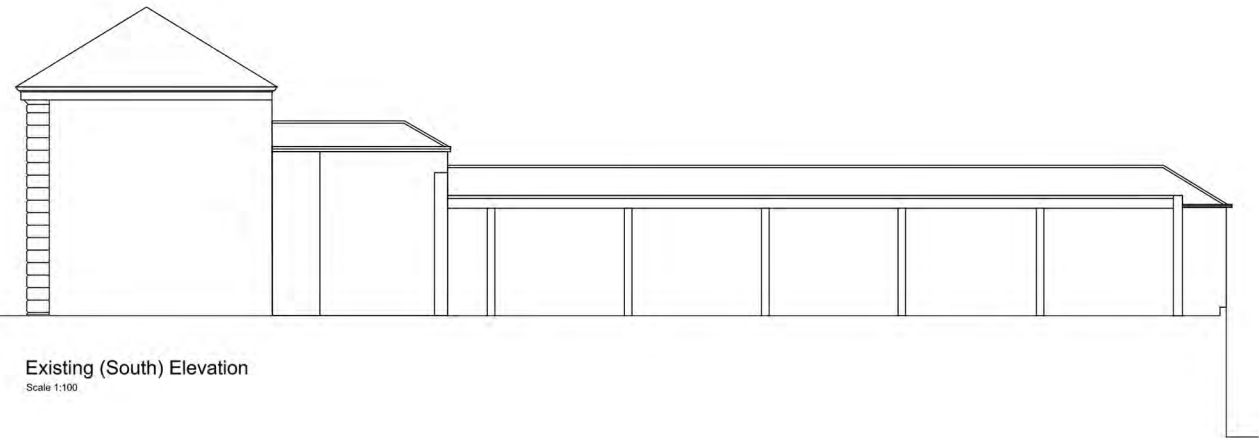
In accordance with paragraph 134 of the NPPF, this harm must be weighed against the potential 'public benefits' of the proposals. In this case it is considered that the provision of family housing within this central sustainable location will outweigh any harm. The proposed works are therefore considered to not lead to any significant harm to the heritage asset in accordance with the National Planning Policy Framework, policies 1 and 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and policies DM1, DM3 and DM9 of the Norwich Development Management Policies Local Plan (December 2014).



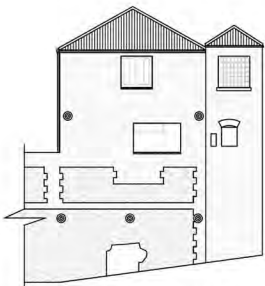
Existing Pigg Lane (North) Elevation  
Scale 1:100



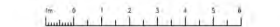
Existing Cattle Market St (West) Elevation  
Scale 1:100



Existing (South) Elevation  
Scale 1:100

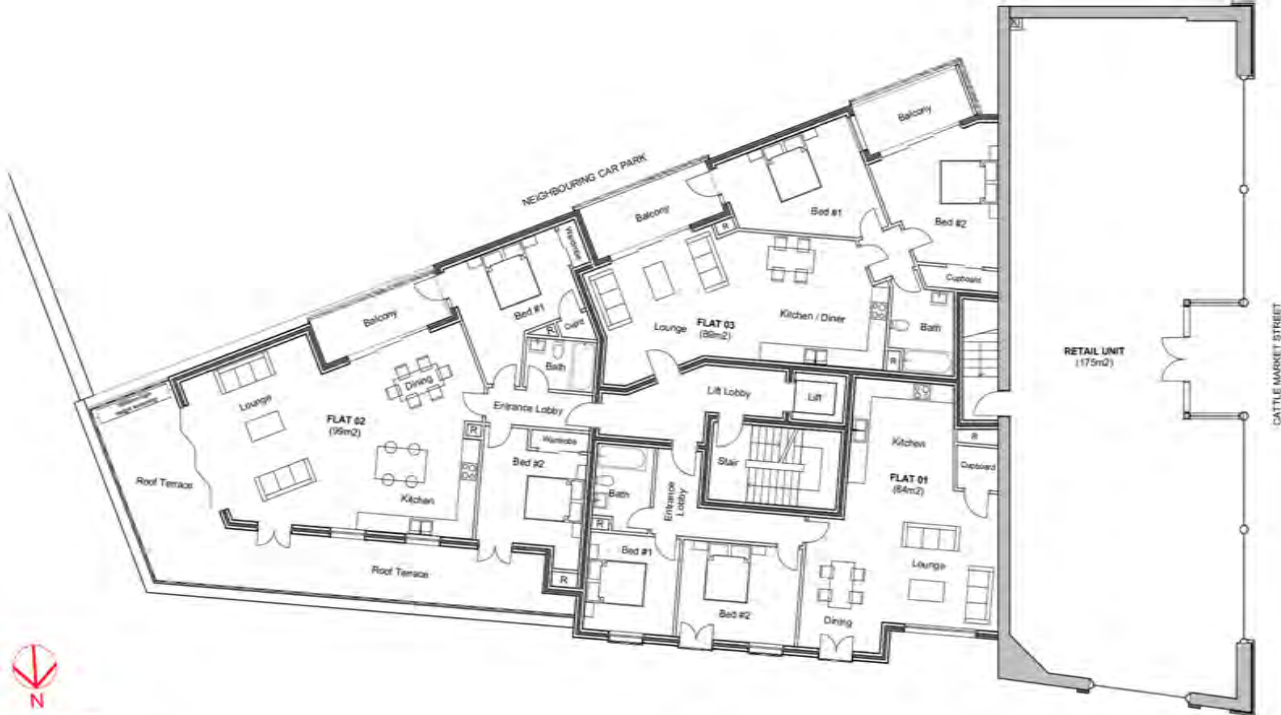


Existing (East) Elevation  
Scale 1:100

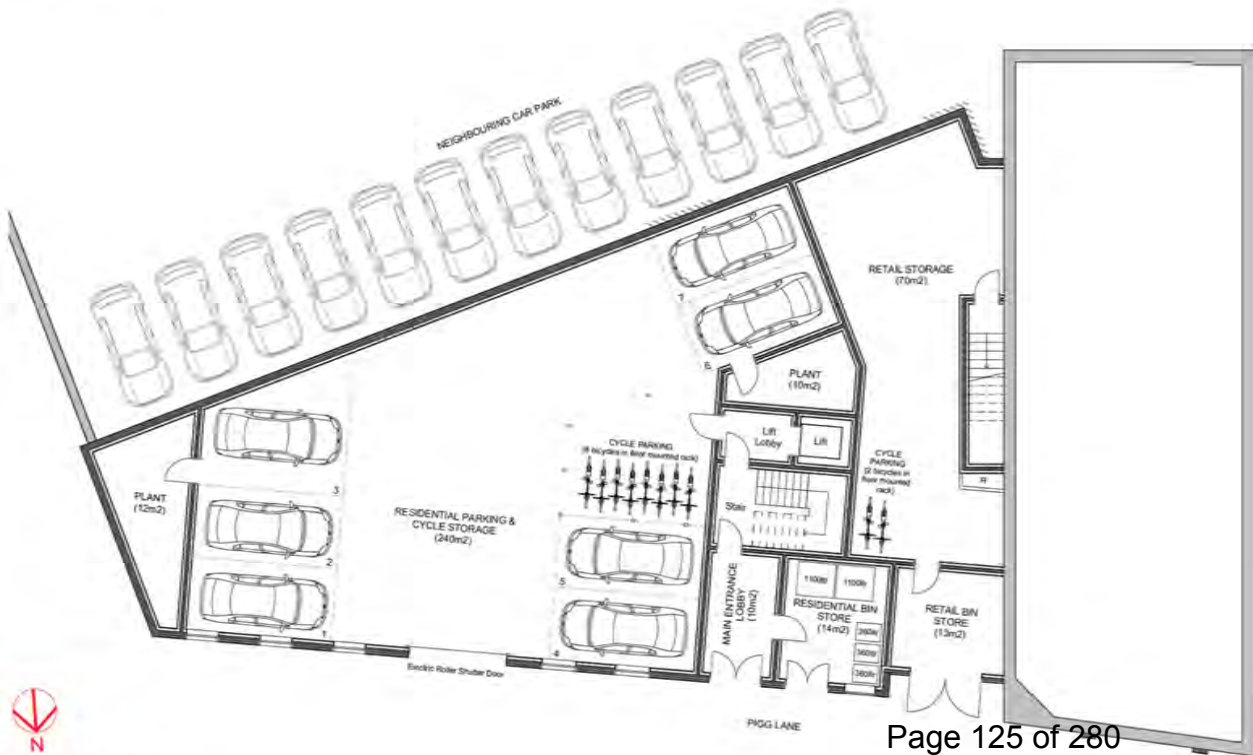


A	27.04.2017	Added Existing Network wall on the East elevation	PS	GB
Rev	Date	Description		
<div><h1>Richard Pike Associates</h1><p>Building, Design and Planning Specialists</p><p>Jonathan Scott Hall Thorpe Road Norwich Norfolk NR1 1UH</p><p>t: 01603 611323 e: info@richardpike.co.uk www.richardpike.co.uk</p><div></div></div>				
<b>Project Details</b> <div>Proposed Redevelopment of Crystal House, 24 Cattle Market St, Norwich</div>				
<b>Client</b> Mr R Pratt				
<b>Drawing</b> Existing Elevations				
<b>Date</b> October 2016				
<b>Scales</b> 1:100@A1		<b>Drawn PS</b>  Checked LA		
<b>Drawing No.</b> 9440-05A		<b>Issue</b> FOR COMMENT ONLY		
All dimensions must be site checked and not scaled from this drawing				





First Floor Plan



Ground Floor Plan



Accommodation Schedule (Areas = N/A)

Flat Number	Beds	Baths	Area m <sup>2</sup>
Flat 01	2	1	84
Flat 02	2	1	99
Flat 03	2	1	89
Flat 04	2	1	82
Flat 05	1	1	72
Flat 06	4	3	278
Flat 07	2	3	102
Flat 08	3	3	181
<b>Total</b>			<b>987</b>



Mr Richard Pratt

Redevelopment of Crystal House  
 24 Cattle Market Street  
 Norwich

General Arrangement  
 Ground & First Floors

Scale: 1:100  
 Drawn by: GAB  
 Checked by: GL

Planning: P2

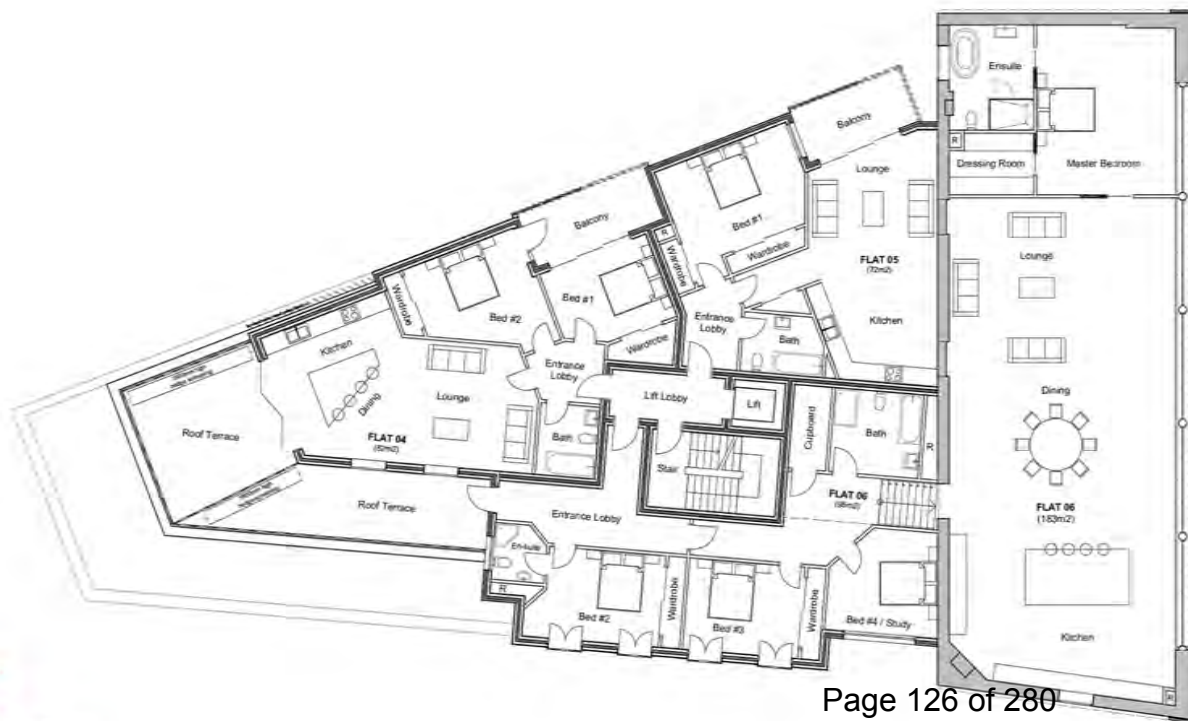
Drawing Number: 18002 - C&T - ALL - ALL - PLN - 1000 A



Third Floor Plan



Second Floor Plan



3 | Location Key  
1:1000

Accommodation Schedule (Areas = N/A)

Flat Number	Beds	Baths	Area m2
Flat 01	2	1	84
Flat 02	2	1	99
Flat 03	2	1	89
Flat 04	2	1	82
Flat 05	1	1	72
Flat 06	4	3	278
Flat 07	2	3	102
Flat 08	3	3	181
<b>Total</b>			<b>987</b>

8	02	Reserve (Reserve)	848	02	11.02.13
8	03	Reserve (Reserve)	848	03	11.02.13
8	04	Reserve (Reserve)	848	04	11.02.13
8	05	Reserve (Reserve)	848	05	11.02.13
8	06	Reserve (Reserve)	848	06	11.02.13
8	07	Reserve (Reserve)	848	07	11.02.13
8	08	Reserve (Reserve)	848	08	11.02.13



Client

Mr Richard Pratt

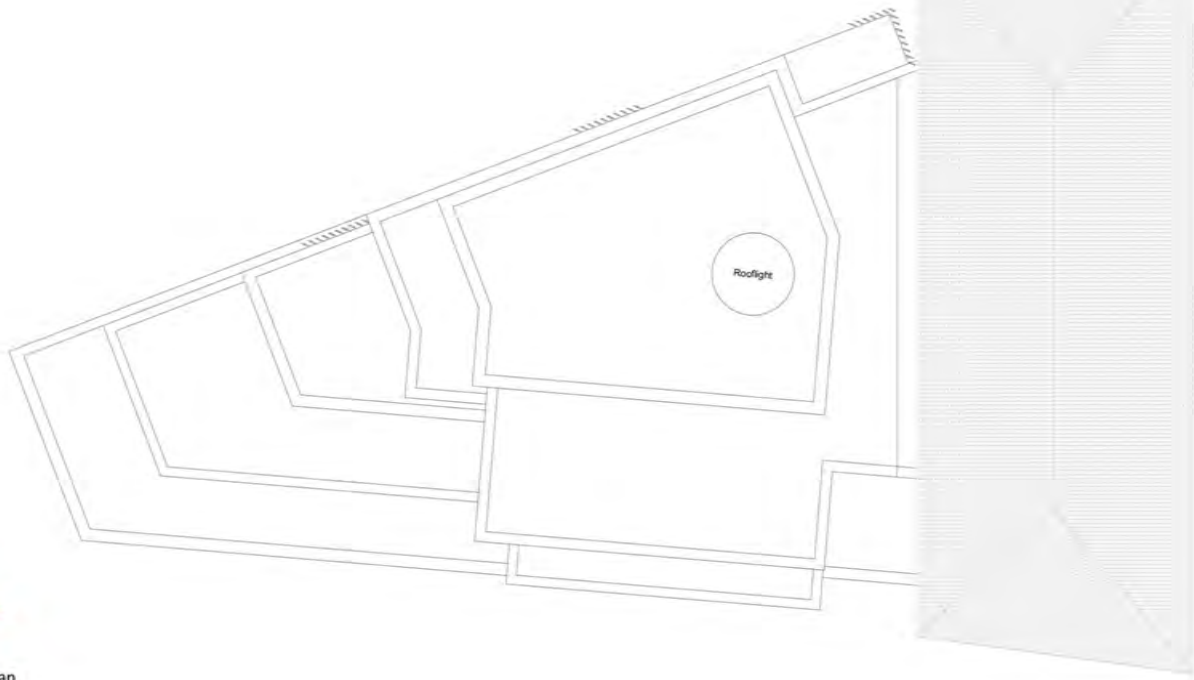
Project Details  
**Redevelopment of Crystal House**  
24 Cattle Market Street  
Norwich

Document Title  
**General Arrangement  
Second & Third Floors**

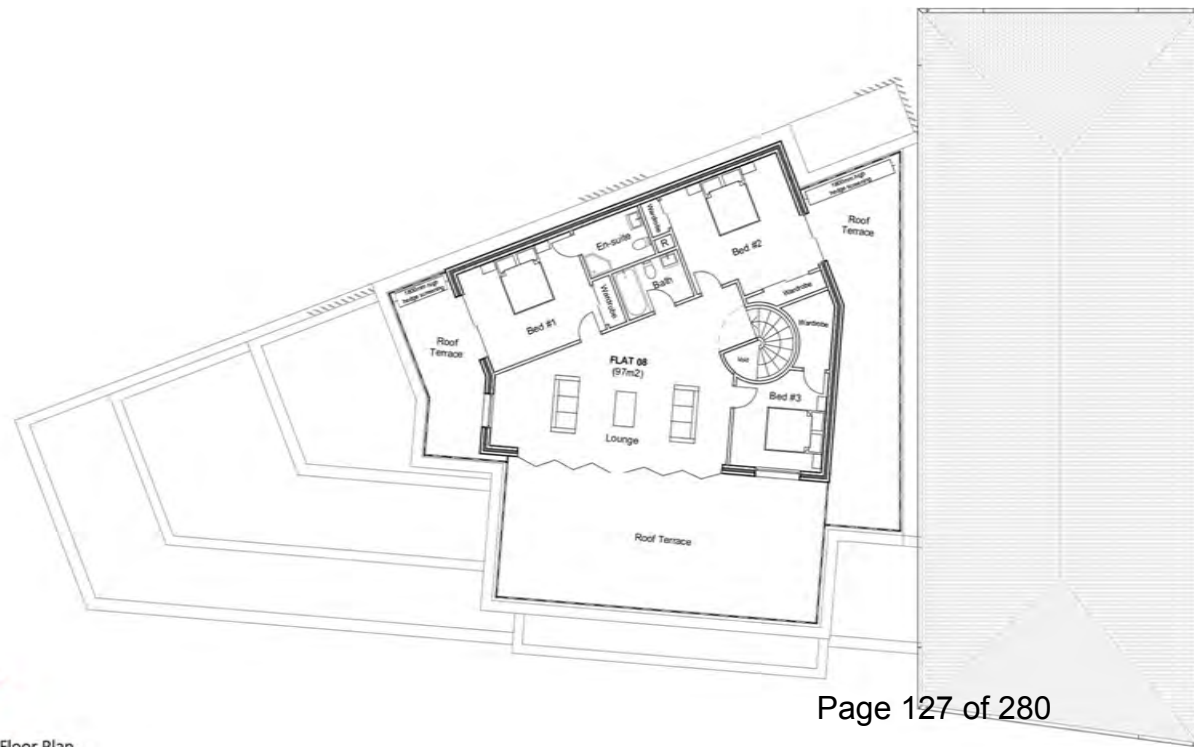
Scale: 1/100  
Drawn by: GAB  
Checked by: GL

Purpose of Issue  
**PLANNING**  
P3

Drawing Number	18002-C&T-ALL-ALL-PLN-1001	1001	B
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Roof Plan



Fourth Floor Plan



Location Key  
1:1000

Accommodation Schedule (Areas = N/A)

Flat Number	Beds	Baths	Area m <sup>2</sup>
Flat 01	2	1	84
Flat 02	2	1	99
Flat 03	2	1	89
Flat 04	2	1	82
Flat 05	1	1	72
Flat 06	4	3	278
Flat 07	2	3	102
Flat 08	3	3	181
Total			987

P1	01	Planning submission	GAB	GL	25.01.18
Issue	001	Issue	Issue	Issue	Issue

**C&T** CONSULTANCY LTD  
Suite 2, The Old Dairy, Elm Farm Business Park, Wymondham, Norfolk, NR18 8JH  
T: 01503 465777

**DESIGN**  
**MANAGE**  
**CONSTRUCT**

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Client

Mr Richard Pratt

Project Details

Redevelopment of Crystal House  
24 Cattle Market Street  
Norwich

Document Title

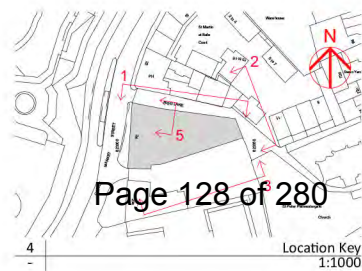
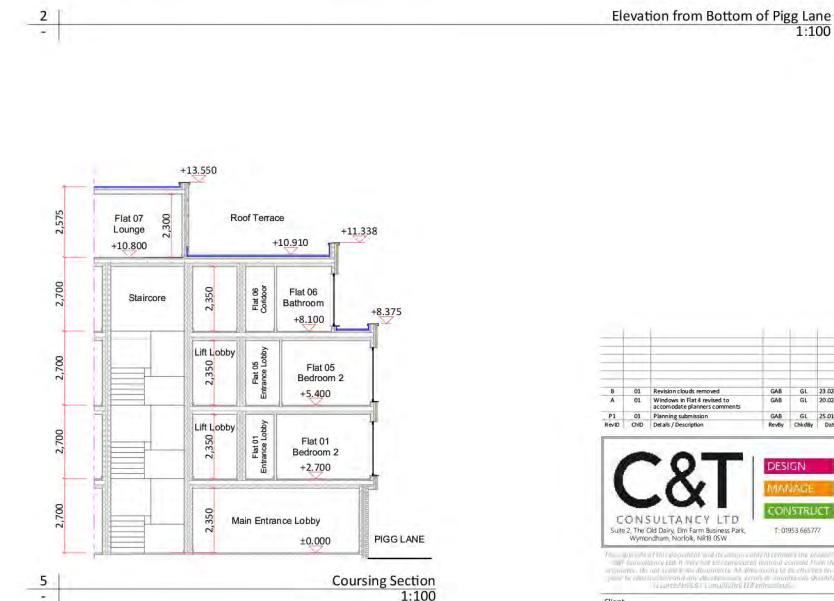
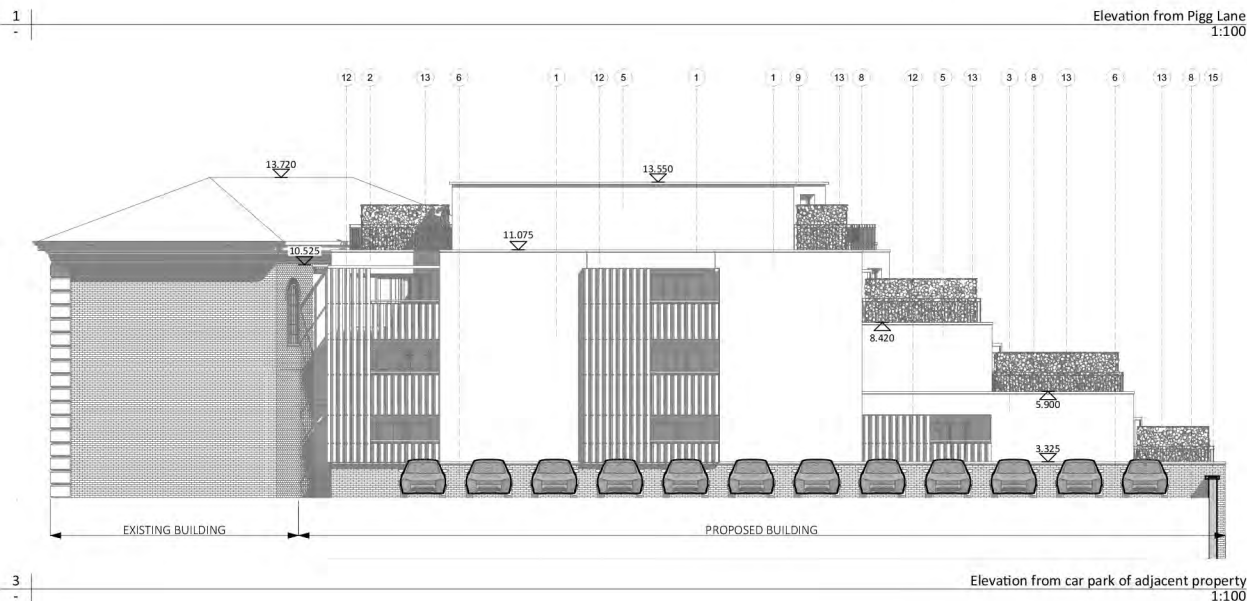
General Arrangement  
Fourth Floor & Roof Plan

Scale @ A1: 1:100  
Drawn by: GAB  
Checked by: GL

Purpose of Issue: PLANNING  
Status: P1


Drawing Number	Project	Issue	Drawn by	Checked by	Status
18002 - C&T - ALL - ALL - PLN - 1002					






ITEM	Facade Treatment / Element	Product / Material Description	Colour Reference
1	Through-coloured fibre cement rainscreen cladding	Marley Eternit - Equitone (Tectivo) or similar	Chalk (TE90)
2	Through-coloured fibre cement rainscreen cladding	Marley Eternit - Equitone (Tectivo) or similar	Pebble (TE20)
3	Through-coloured fibre cement rainscreen cladding	Marley Eternit - Equitone (Tectivo) or similar	Argent Grey (TE15)
4	Horizontal Timber Cladding	Larch	Black
5	Vertical Timber Cladding	Western Red Cedar	Natural
6	Brick	To closely match original building	Red
7	Stone infill to replicate original building	Rubble wall	Flint
8	Balustrade / Railings	Wrought Iron Style Painted Metal	Dark Grey
9	Parapet Capping	PPC aluminium	Dark Grey
10	Door / Louvre / Window (in brickwork)	PPC aluminium	Dark Grey, Brick Soldier Course & Cill
11	Door / Window (in cladding)	PPC aluminium	Dark Grey
12	Balcony privacy screening	Vertical timber fins (species to be decided)	Natural
13	Living privacy screening	1800mm h hedge in planter (species to be decided)	Natural
14	Original retained window	Metal	Red
15	Existing wall of neighbouring property	Brick	Red

B	01	Revision (check received)	GAB	GL	23.03.18
A	01	Version 1 of Part 1 issued to accommodate planner's comments	GAB	GL	20.03.18
P1	01	Planning submission	GAB	GL	25.01.18
Re-01	01D	Draft / Description	Reidy	Chadley	19.01.18



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Wynderford, Northolt, North West



DESIGN  
IMAGINE  
CONSTRUCT

T: 01924 360377

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Client

**Mr Richard Pratt**

Project Details

**Redevelopment of Crystal House**  
24 Cattle Market Street  
Norwich

Document Title

**Detailed Elevations & Coursing Section**

Scale @ A1  
**1:100**

Drawn by  
GAB

Checked by  
GL

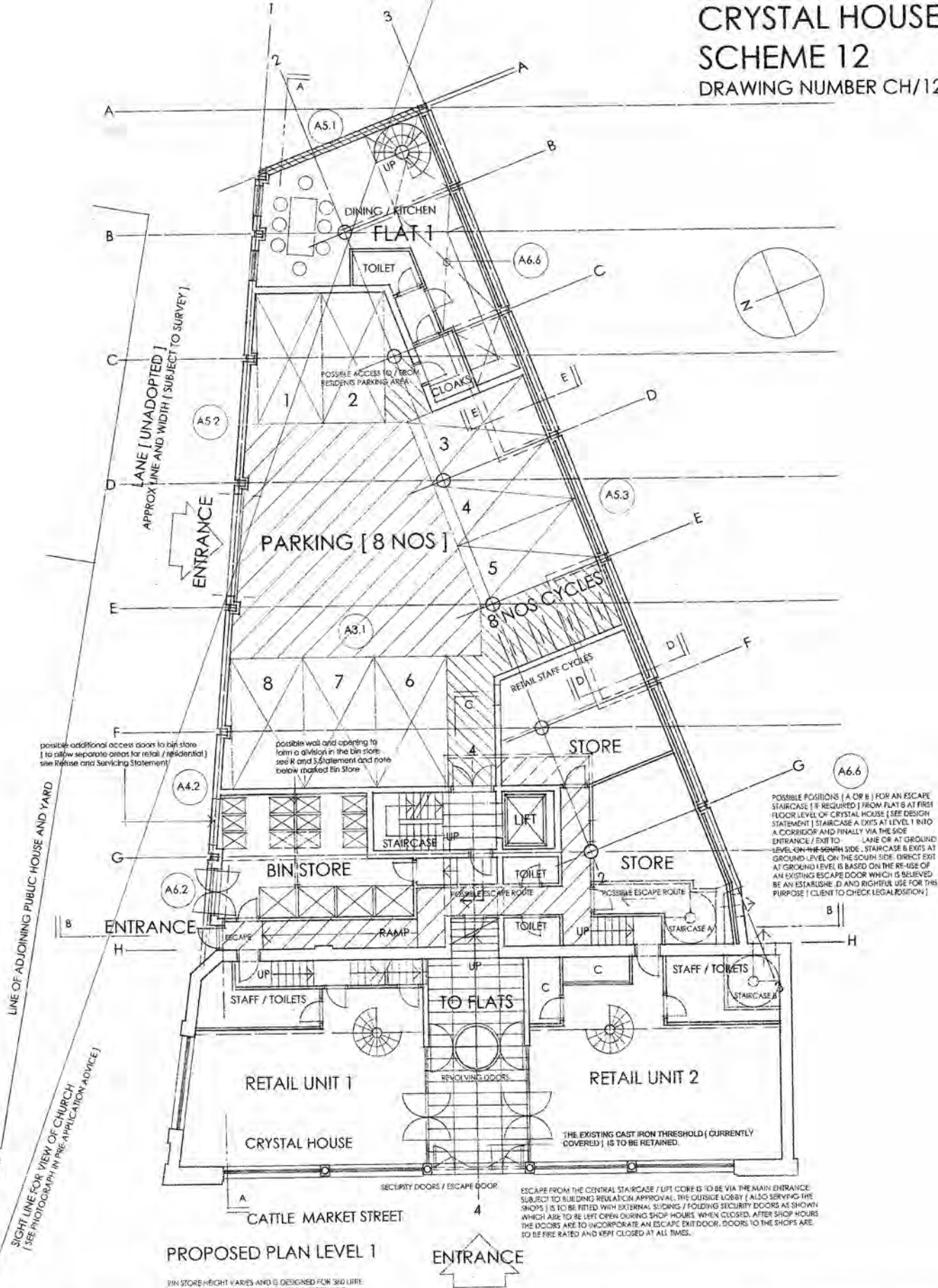
Purpose of Issue

PLANNING

Status  
**P3**

Drawing Number					
drawing / signature	date	scale	rev	number	rev
18002 - C&T - All	All	All	ELV	2000	8

CRYSTAL HOUSE  
SCHEME 12  
DRAWING NUMBER CH/12/39 R4



BIN STORE

PIN STORE HEIGHT VARIES AND IS DESIGNED FOR 360 LITE ZONE IN THE LOWER AREA WHERE THERE IS RESTRICTED HEADROOM OF 2100. THE STORE IS TO BE SHARED WITH THE RETAIL UNITS AS NECESSARY. 12 NOS. 360 LITE AND 4 NOS. 1100 LITE WHEELED BINS ARE TO BE PROVIDED BASED ON THE REQUIREMENT FOR EIGHT FLAT 1 SOME SINGLE BEDROOM ONLY) AND TWO RETAIL UNITS (1 NO. 1100 BIN / 2 HOUSEHOLDS FOR NON-RECYCLABLE WASTE AND 1 NO. 1100 BIN / 4 HOUSEHOLDS FOR RECYCLABLE WASTE | PLUS ANY SURPLUS REQUIREMENT TAKEN UP WITH THE SMALLER BINS.

COLLECTION VEHICLE CAN REVERSE DOWN LANE OR  
COLLECT FROM TOP OF LANE IN CATTLE MARKET STREET

ESCAPE FROM THE CENTRAL STAIRCASE / LEFT CORNER IS TO BE VIA THE MAIN ENTRANCE. SUBJECT TO BUILDING REGULATION APPROVAL, THE OUTSIDE LOBBY ( ALSO SERVING THE SHOPS ) IS TO BE FITTED WITH EXTERNAL SLIDING / FOLDING SECURITY DOORS AS SHOWN WHICH ARE TO BE LEFT OPEN DURING SHOP HOURS. WHEN CLOSED, AFTER SHOP HOURS THE DOORS ARE TO INCORPORATE AN ESCAPE EXIT DOOR. DOORS TO THE SHOPS ARE TO BE FIRE RATED AND KEPT CLOSED AT ALL TIMES.

<b>job title</b>	<b>dwg title</b>
PROPOSED PART DEMOLITION ALTERATIONS AND EXTENSION TO FORM EIGHT APARTMENTS AT CRYSTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12	PROPOSED PLAN LEVEL 1 ( PARKING / LOWER LEVEL PLAT 1 / SHOP STORAGE ETC ) AND GROUND FLOOR OF CRYSTAL HOUSE ( TWO SHOPS AND MAIN ENTRANCE TO SHOPS AND FLATS 1-8 )

client	date	scale	dwg no
RICHARD PRATT	OCT 2011	1:100 [A2]	CH / 12/39 R4 *

**SNELL ASSOCIATES**  
THE STUDIO THE STREET SHOTESHAM NORFOLK NR15 1AP  
t/1 01508 558554 mobile 07710 572772 email - ps@petersnell.plus.com  
**DESIGN & ARCHITECTURE**

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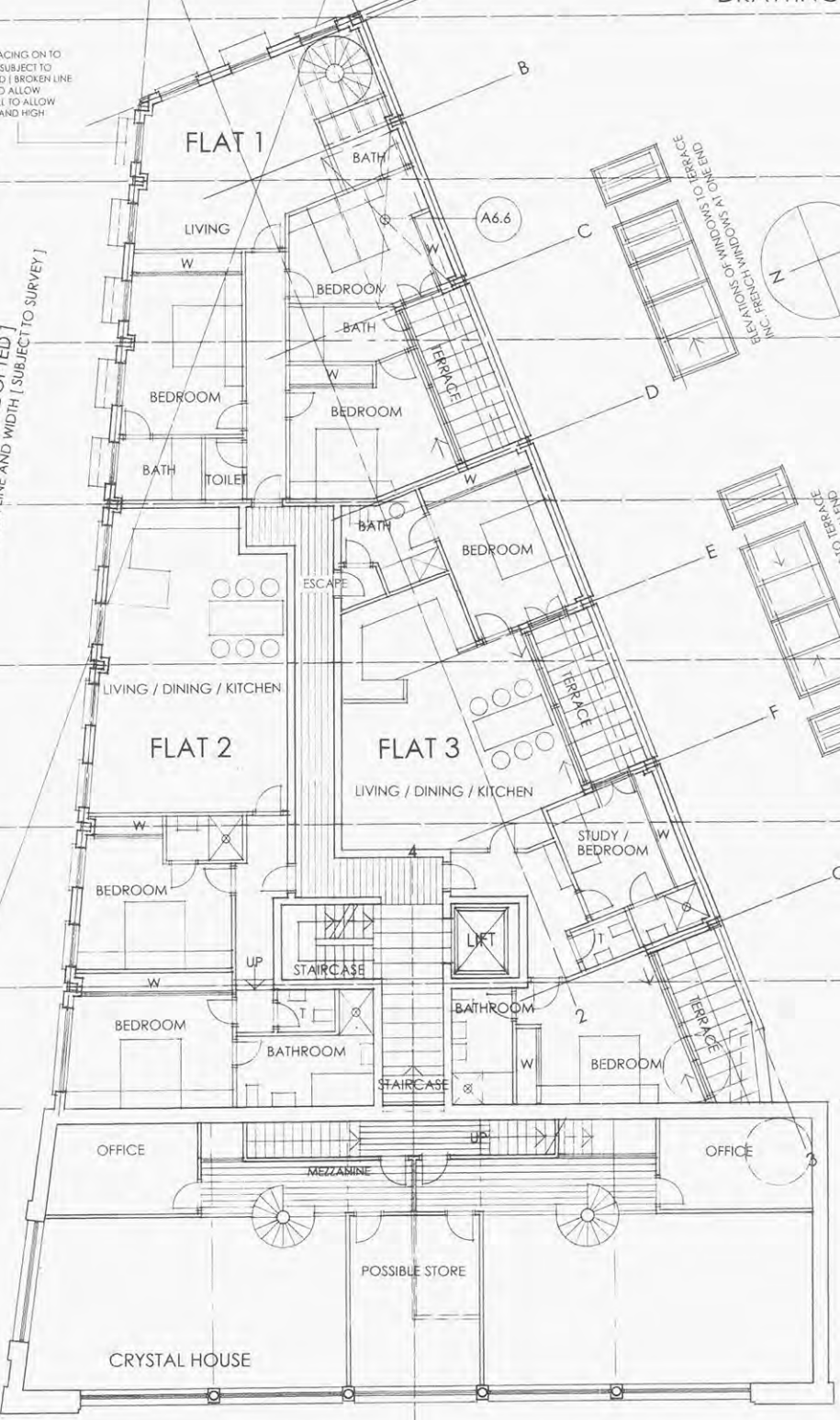
BALCONIES ARE SHOWN FACING ON TO LANE BUT THESE ARE SUBJECT TO DIMENSIONS TO BE AGREED (BROKEN LINE SHOWS MINIMUM DEPTH TO ALLOW DOORS TO OPEN OUT). ALL TO ALLOW PASSAGE OF FIRE ENGINE AND HIGH VEHICLES AS NECESSARY

LANE [UNADOPTED] APPROX LINE AND WIDTH [SUBJECT TO SURVEY]

13 FEB 2014  
CORPORATE RESOURCES  
POST ROOM

LINE OF ADJOINING PUBLIC HOUSE AND YARD

SIGHT LINE FOR VIEW OF CHURCH (SEE PHOTOGRAPH IN PRE-APPLICATION ADVICE)



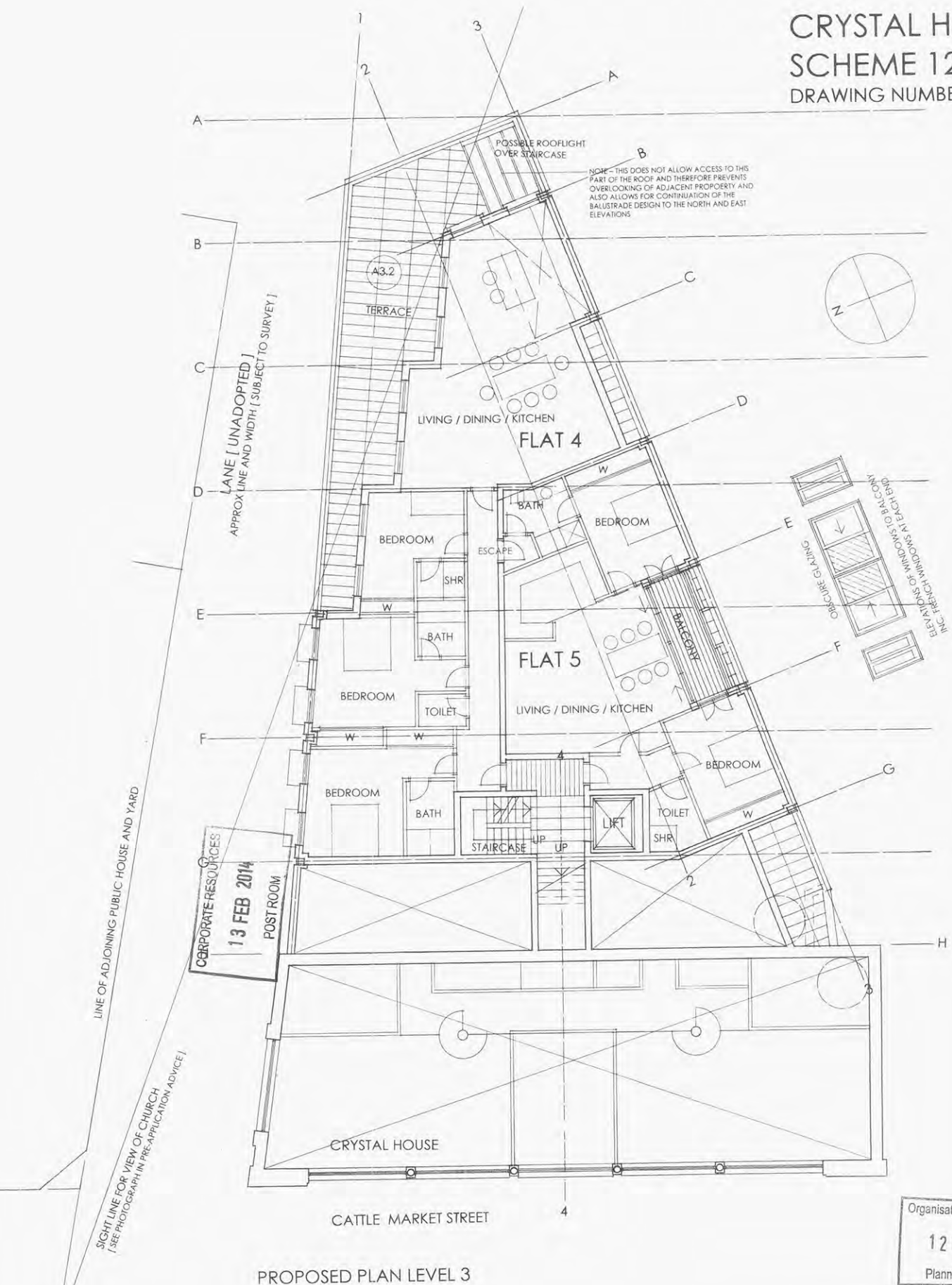
PROPOSED PLAN LEVEL 2

Organisational Development  
12 FEB 2014  
Planning Reception

job title PROPOSED PART DEMOLITION ALTERATIONS AND EXTENSION TO FORM EIGHT APARTMENTS AT CRYSTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12	dwg title PROPOSED PLAN LEVEL 2 [ UPPER LEVEL OF FLAT 1 / FLATS 2 AND 3 / ] AND MEZZANINE LEVEL IN CRYSTAL HOUSE [ WITH ACCESS TO OFFICES / STAFF ROOMS / TOILETS ETC ]
client RICHARD PRATT	date OCT 2011
	scale 1 : 100 [ A2 ]
	dwg no CH/12/40R4

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# CRYSTAL HOUSE SCHEME 12 DRAWING NUMBER CH/12/41R4

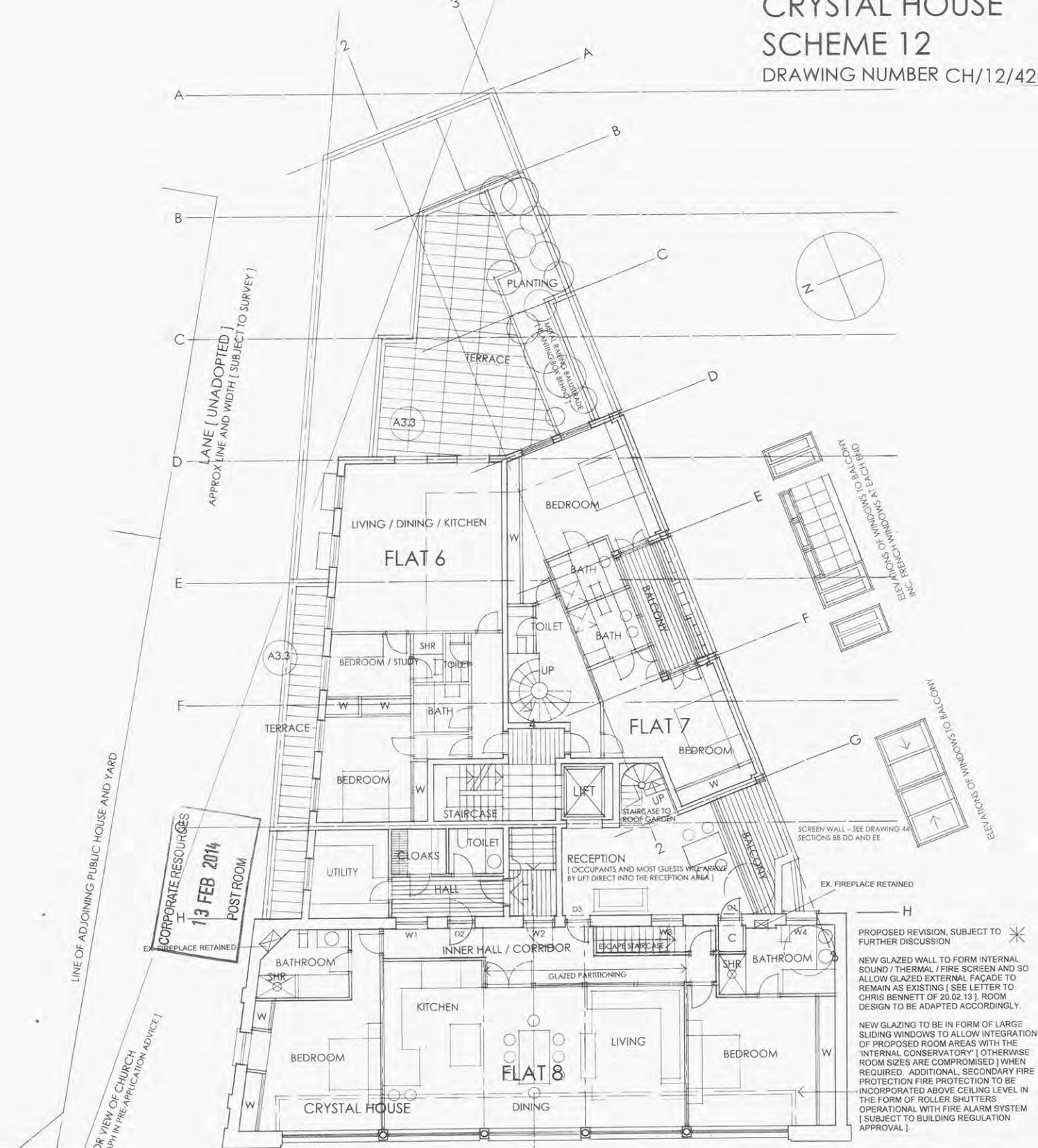


Plan approved under application 13/01686/F  
Page 131 of 280

job title PROPOSED PART DEMOLITION ALTERATIONS AND EXTENSION TO FORM EIGHT APARTMENTS AT CRYSTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12	dwg title PROPOSED PLAN LEVEL 3 (FLATS 4 AND 5)
client RICHARD PRATT	date OCT 2011
	scale 1:100 [A2]
	dwg no CH/12/41R4

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CATTLE MARKET STREET  
PROPOSED PLAN LEVEL 4

FIRST FLOOR OF CRYSTAL HOUSE TO BE CONVERTED TO FORM FLAT 8 INCLUDING EXTENSION INTO NEW BUILDING WITH ROOF GARDEN OVER

FURTHER DETAILS OF ALL INTERNAL ALTERATIONS TO CRYSTAL HOUSE TO BE BASED ON THE LAYOUT AS SHOWN ON THIS DRAWING AND DESCRIBED IN THE DESIGN AND ACCESS STATEMENT. GIVEN THAT A FULL SURVEY AND APPRAISAL OF THE EXISTING STRUCTURE IS TO TAKE PLACE ONCE THE BUILDING HAS BEEN VACATED, IT IS HOPED THAT ALL WORKING DETAILS CAN BE SUBMITTED FOR APPROVAL VIA CONDITION.

THE 4 NOS. EXISTING WINDOWS [W1 - W4] AND 1 NO. DOOR OPENING [D1], ALL IN THE BACK [EAST] ELEVATION, ARE TO REMAIN AND 2 NOS. NEW DOOR OPENINGS [D2 AND D3] ARE TO BE FORMED TO PROVIDE THE CONNECTIONS FROM THE NEW BUILDING THROUGH TO THE FIRE PROTECTED BACK AREA OF THE FLAT 8 LAYOUT [THE INNER HALL / CORRIDOR]. D2 IS TO CONNECT WITH THE HALL AND D3 WITH RECEPTION.

CONSIDERATION TO BE GIVEN TO AN ALTERNATIVE TO THE ABOVE WHEREBY THE ORIGINAL IRON FRAME WINDOW W1 IS TO BE REMOVED AND RE-INSTALLED IN THE POSITION OF W4 [WHERE THE EXISTING WINDOW IN TIMBER IS THOUGHT TO BE LATER]. THIS WOULD MAKE THE OPENING W1 AVAILABLE FOR FITTING WITH A DOOR ETC. AND DISPENSE WITH THE NEED FOR D2.

THE LAYOUT OF THE ROOMS IS SUCH THAT THE MAIN GLAZED WEST WALL IS TO REMAIN UNINTERRUPTED BY ANY PARTITIONING ETC. OTHER THAN INTO TWO OF THE DIVIDING COLUMNS. THIS WILL ALSO PRESENT THE MINIMUM OF CHANGE TO THE APPEARANCE OF THE GLAZING AS VIEWED FROM OUTSIDE.

Organisational Development  
12 FEB 2014  
Planning Reception

job title PROPOSED PART DEMOLITION ALTERATIONS AND EXTENSION TO FORM EIGHT APARTMENTS AT CRYSTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12	dwg title PROPOSED PLAN LEVEL 4 [FLAT 6 AND LOWER LEVEL OF FLAT 7] AND FIRST FLOOR OF CRYSTAL HOUSE [TO BE CONVERTED TO FLAT 8]
client RICHARD PRATT	date OCT 2011
	scale 1:100 [A2]
	dwg no CH/12/42R5

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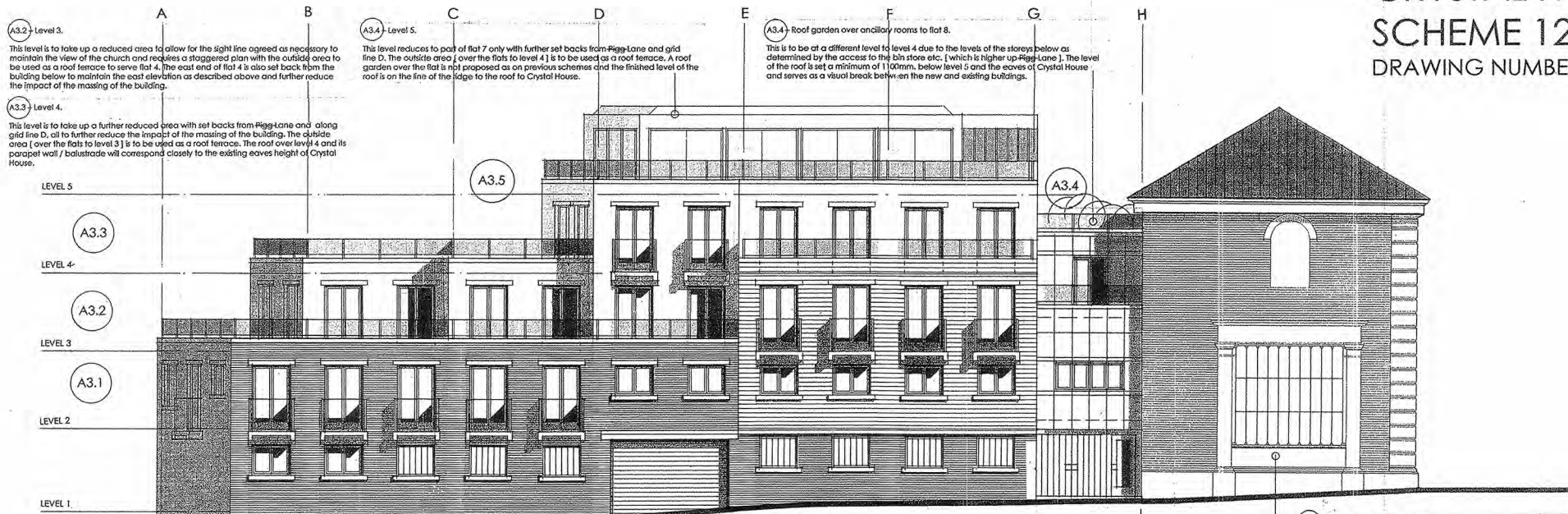
THE ADDITIONAL INSULATION TO THE ROOF IS TO BE INSTALLED ABOVE THE EXISTING BOARDING [ WITH SLIGHT INCREASE TO THE EXISTING RIDGE HEIGHT ].

job title PROPOSED PART DEMOLITION ALTERATIONS AND EXTENSION TO FORM EIGHT APARTMENTS AT CRYSTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12	dwg title PROPOSED PLAN LEVEL 5 [ UPPER LEVEL FLAT 7 AND ROOF GARDEN TO FLAT 8 ]		
client RICHARD PRATT	date OCT 2011	scale 1 : 100 [ A2 ]	dwg no CH/12/43R5

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# CRYSTAL HOUSE SCHEME 12 DRAWING NUMBER CH/12/46R



## PROPOSED LANE [ NORTH ] ELEVATION

A3.2 - North elevation [ see drawing number 12 / 46 ].

The frontage directly on Pigg Lane is to be as described under item A4.2 and the steel frame will be a strong element of the design. It is intended to reflect the structure of the original workshop building and its industry. The dark grey pointed frame is to be evident throughout all of the elevations through to the upper storey and give a vertical emphasis to the various areas of external walls.

The middle grey aluminium framed windows [ casement side opening or sliding ] continue the vertical pattern and there are two windows to each bay where these serve level 2, some of which are full height french windows opening out onto small cantilevered balconies in precast concrete with glass or metal railings.

However, these may prove to be within the minimum width required for fire engine access and are subject to further discussion. If all or some of the balconies at the bottom end of Pigg Lane can not be constructed, they will be replaced by windows as shown at this level between grid lines D - G.

Further balconies are shown at level 3 in the boarded [ painted or natural ] section of the elevation and are again repeated at level 4 between grid lines D and E. Windows set in brickwork at levels 1, 2 and 3 are to have precast concrete sills and lintels, again to reflect the original industrial building. Elsewhere, where windows are to be incorporated in a cladding system, these will not be workable / suitable and the cladding will be taken up to the openings.

In addition to the openings described above there are to be repeat French windows opening on to the various roof terraces at levels 3 and 4.

The top level 5 [ flat 7 ] is to be more open and extensively glazed on its north and east sides with larger sliding full height windows looking over a private roof terrace. Given that this part of the elevation will not be easily seen from most angles, its slightly different character is thought to be acceptable and also appropriate to the 'penthouse' status.

The balustrade and parapet wall detail [ see item A5.1 ] is to be repeated throughout this elevation including the link section as below.

The entrance to the car park area [ level 1 ] is positioned as far as possible up Pigg Lane and also is as wide as possible, all to facilitate entry / exit. It is to be fitted with an electrically operated roller shutter, finish to be agreed.

The 'link' section of building set between grid lines G and H is to be finished in cladding as for the rest of the upper elevation and described under item A4.2. The windows are set at different levels to correspond with the floor levels of this part of the building which serve the side entrance, bin store, ground floor of Crystal House and flat 8 in the first floor of Crystal House. The vertically boarded door unit at entrance level incorporates the double bin store doors and the glazed side entrance door leading into the back corridor.

All colours of boarding and other cladding are to be agreed subject to presentation of samples etc. It is thought that the boarding could be left in its natural colour [ as for the original boarding over the original entrance ] and the cladding to the link could be in a darker, perhaps contrasting colour to the cladding to the main body of the north elevation.

A3.1 - The lower levels 1 and 2.

These two levels are to take up most of the height of the original north side of the existing building and include in the new work the end east facing return wall [ see A1.1 ]. They are to occupy the full available area of the site [ other than the noted terraces below ] and the top of the balustrade correspond with the eaves line as existing, so allowing the same view as existing of the church from Pigg Lane.

A2.2 - Areas.

The site and existing buildings have yet to be thoroughly surveyed and all dimensions / angles / levels etc. to be checked. The approximate, total internal floor areas, including the flats and all staircase, lift and common areas [ based on information available and the scheme drawings ], in square metres and in square feet in brackets, at each level are as follows -

Ground floor of Crystal House - Entrance and 2 nos. shops - 178 [ 1915 ].  
First floor of Crystal House - part of flat 8 - repeat of above 178 [ 1915 ].

Level 1 - car parking etc. as above - 433 [ 4659 ].  
Level 2 - flats 1, 2 and 3 etc. - 406 [ 4369 ] not including 3 nos. external south terraces.  
Level 3 - flats 4 and 5 etc. - 277 [ 2981 ] not including roof terrace, balcony and high levels over bedrooms to flats 2 and 3 at level 2.  
Level 4 - flats 6, lower level of flat 7 and part flat 8 etc. - 248 [ 2668 ] not including roof terraces and balconies.  
Level 5 - upper level of flat 7 and spiral staircase from lower level of flat 8 to roof garden - 108 [ 1162 ] not including roof garden to flat 8, roof terrace and balcony.

Total internal floor areas of new building - 1,472 [ 15,839 ].

Approximate floor areas of each flat are as follows -

Flat 1 [ on two levels ] - 56 [ 603 ], level 1 and 107 [ 1151 ], level 2 - total 163 [ 1754 ] not including terraces.  
Flat 2 109 [ 1173 ].  
Flat 3 121 [ 1302 ] not including terraces.  
Flat 4 145 [ 1560 ] not including roof terrace.  
Flat 5 93 [ 1001 ] not including balcony.  
Flat 6 80 [ 861 ] not including roof terrace.  
Flat 7 [ on two levels ] - 77 [ 829 ], level 4 and 87 [ 936 ], level 5 - total 144 [ 1765 ] not including roof terraces and balconies.  
Flat 8 Within new build - 58 [ 624 ], levels 4 and 5 and first floor of Crystal House - 178 [ 915 ] - total 236 [ 2539 ].

Total floor areas of flats - 948 [ 10,201 ].

B1.1 - West, North and South walls.

Grade II Listed Crystal House has long been recognised as an important building due to its decorative cast iron and large glass windows. Particular care is to be given to all restoration / refurbishment works. All features of the west [ facing Cattle Market Street ], north [ facing Pigg Lane ] and south walls are to be completely refurbished as necessary and remain as existing other than alterations to the doors to the existing front entrance [ see description below under B1.2 ].

A4.1 - Steel frame etc.

Subject to Structural Engineer's advice in due course, the proposal is for works above ground level to be a steel framed construction throughout, complete with precast concrete floors and some of the roof areas. The building will be a hybrid in the sense that the external wall constructions and finishes, though integrated with the steel frame, change at the higher levels.

A4.2 - Walls.

The wall construction up to the top of the parapet wall at level 3, fronting Pigg Lane and between grid lines A and E is to be a cavity wall faced in brickwork to match as closely as possible with the end wall facing east which is to be retained [ extent to be agreed ]. This same construction between grid lines E and G is to be taken up to level 2 only with the two storeys above this height a fully insulated construction of timber framework, finished externally in timber boarding.

The above external finishes are to be set between the steel frame which is to be expressed with the addition of a non-structural steel channel fitted over the fire proofing to the main frame. All brickwork is to be capped in precast concrete coping.

All other external walls above the brickwork are to be in fully insulated timber / metal framework to receive a rainscreen cladding system finished in Alphonso terracotta tiling by Jones & Taylor or Berrill panels or similar. In some more limited areas rendering may be agreed as a suitable option [ see items under A5 below ].

ALL CIRCLED NOTES REFER TO THE  
DESIGN AND ACCESS STATEMENT

job title	dwg title		
PROPOSED PART DEMOLITION ALTERATIONS AND EXTENSION TO FORM EIGHT APARTMENTS AT CRYSTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12	PROPOSED PIGG LANE [ NORTH ] ELEVATION		
client	date	scale	dwg no
RICHARD PRATT	OCT 2011.	1 : 100 [ A2 ]	CH / 12/46 R4 *

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t/ 01508 558554 mobile 07710 572772 email - ps@petersnell.plus.com  
**DESIGN & ARCHITECTURE**

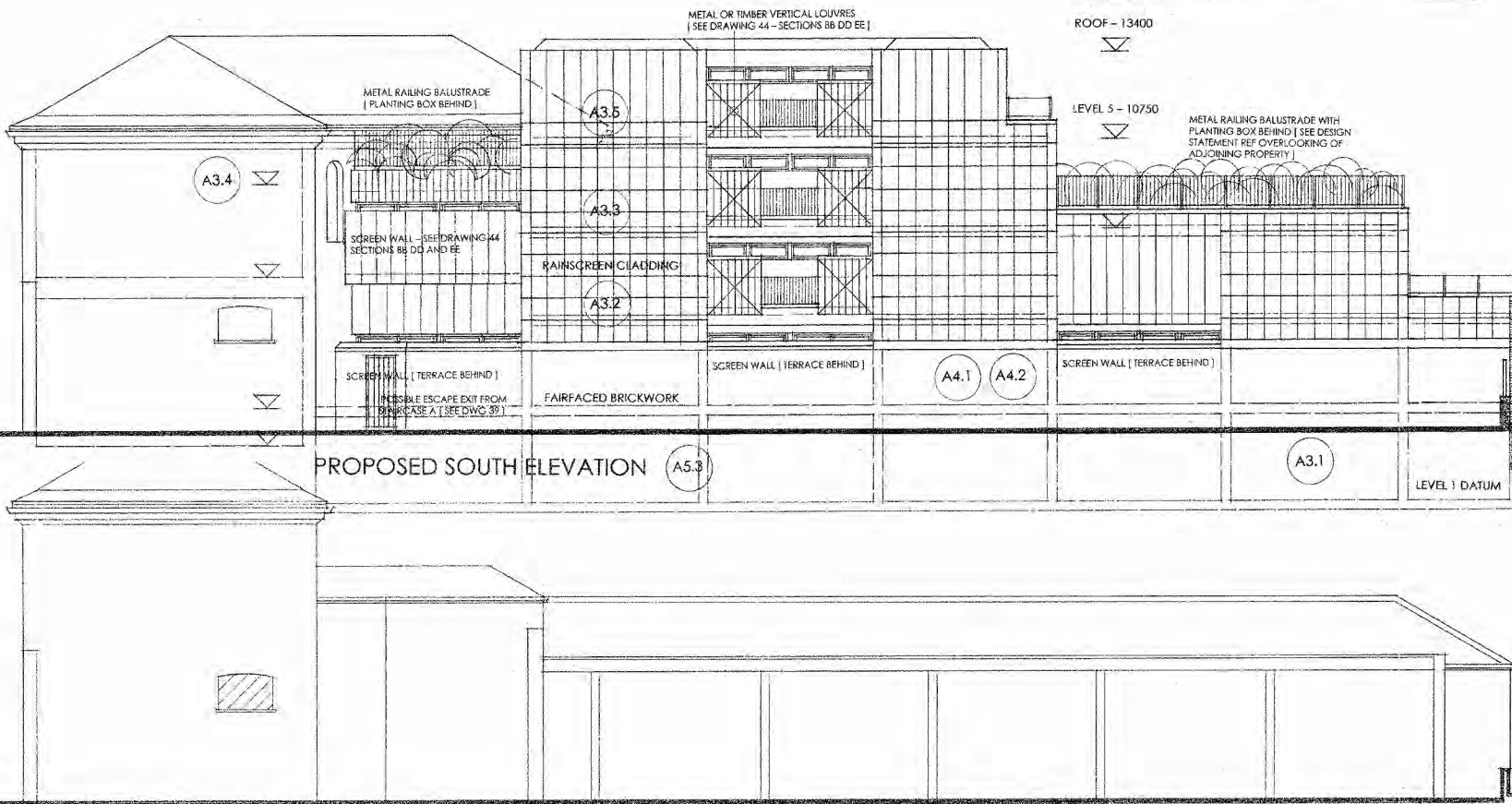
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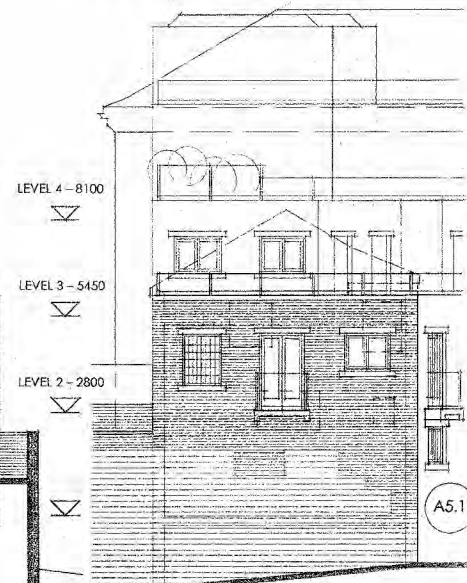
# CRYSTAL HOUSE SCHEME 12 DRAWING NUMBER CH/12/45

In order to avoid any overlooking from the roof terraces, permanent planting in raised beds (or in one instance a ridge not on grid line D) is shown on drawings numbers 12/42 [plan at level 4] and 12/43 [plan at level 5]. These areas are to be positioned behind the railings and of sufficient width to prevent any access to the outside edge. The railings are to be increased in height to maintain the 1100mm safety requirement. See also sections AA, BB, CC and EE on drawing number 12/44.

Similar planting etc. can be incorporated to provide the same screening on the north and east sides of the building if so required.

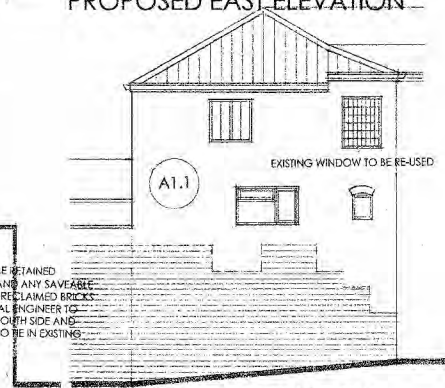


PROPOSED SOUTH ELEVATION



PROPOSED EAST ELEVATION

EXISTING SOUTH ELEVATION



EXISTING EAST ELEVATION

A3.1 - The lower levels 1 and 2.

These two levels are to take up most of the height of the original north side of the existing building and include in the new work the end east facing return wall [see A1.1]. They are to occupy the full available area of the site (other than the raised terraces below) and the top of the balustrade correspond with the eaves line as existing, so allowing the same view as existing of the church from Reg Lane. The building on the south side is to extend to the boundary with the exception of the three terraces at level 2 as set in recesses (three sided light wells) screened by brick walls.

A3.2 - Level 3.

This level is to take up a reduced area to allow for the sight line agreed as necessary to maintain the view of the church and requires a staggered plan with the outside area to be used as a roof terrace to serve flat 4. The east end of flat 4 is also set back from the building below to maintain the east elevation as described above and further reduce the impact of the massing of the building. The building on the south side is to extend to the boundary with the exception of further recesses to correspond with those at level 2.

A3.3 - Level 4.

This level is to take up a further reduced area with set backs from Reg Lane and along grid line D, all to further reduce the impact of the massing of the building. The outside area (over the flats to level 3) is to be used as a roof terrace. The roof over level 4 and its parapet wall / balustrade will correspond closely to the existing eaves height of Crystal House. The two recesses on the south side continue through to this level.

A3.4 - Roof garden over ancillary rooms to flat 8.

This is to be at a different level to level 4 due to the levels of the storeys below as determined by this access to the bin store etc. (which is higher up Reg Lane). The level of the roof is set a minimum of 1100mm, below level 5 and the eaves of Crystal House and serves as a visual break between the new and existing buildings.

A3.4 - Level 5.

This level reduces to part of flat 7 only with further set backs from Reg Lane and grid line D. The outside area (over the flats to level 4) is to be used as a roof terrace. A roof garden over the flat is not proposed as on previous schemes and the finished level of the roof is on the line of the ridge to the roof to Crystal House. The central recess on the south side continues through to this level.

A5.3 - South elevation [see drawing 12/45].

The elevation is to be as described under item A4.2, except that the upper part of the elevation, unlike the north elevation, it does not set back at the various levels but does include recessed areas (or three sided light wells) for concealed terraces and balconies, the central one of which runs the full height of the building.

The terrace / balcony areas are as described under items A3.1, 2, 3 and 5 and as detailed on drawing number 12/44. Section DD and EE show the brick wall screening to the level 2 terraces. The balcony Plan and Section DD show the proposed vertical metal (or timber) louvers which screen two thirds of the balcony and both sets of french windows, all to prevent overlooking of the adjoining property. The only exposed windows are those of high level in the rooms. The diagonal lines illustrate the possibility for sunlight from the south aspect to reach the terraces and balconies.

The balcony to flat 8 is to be screened by a clad wall 1800mm high as shown on Section 88 of drawing number 12/44 so, in effect, this balcony and the lower terraces are not seen from the adjoining premises and read as hidden on the elevation.

The finishes to the walls at the higher levels is to be as for the north elevation - terracotta tile or enamel panel rainscreen cladding. The top of all walls up to level 5 are to be constructed as parapets to receive copings and railings as described under items A4.1 and A5.1.

A3.1 - East facing wall.

The existing building is to be demolished down to existing ground level with the exception of the three storey back east facing wall which is the end of the wedge shaped site. The full extent of the wall to be retained, including its returning corner is to be determined on site and agreed with the Planners.

It is clear that the north and south sections are two separate phases of work as a straight joint runs all the way up. The lower half of the south side is caused flint with the occasional brick. There is a band of 3 courses of brickwork which can be seen to continue further to the south of the site and may be associated with the churchyard wall and Aided burial vault. The remains of a later building hide a section to the south.

The upper part of the southern half is in red Flemish bond brickwork and there is evidence of previous windows. Also, there are existing windows. The northern section is all brickwork associated with both phases of the north elevation (top third is a later build). Again, there are existing windows. None of the windows have been identified to be of particular interest / importance.

A5.1 - East elevation [see drawing number 12/45].

The existing wall is to be retained as described under item A1.1 with as much of the existing brickwork left undisturbed as possible. However some repair / restoration work will prove necessary including to those areas around the windows to be removed and replaced with the new windows to the upper level of flat 1. It is thought that the existing iron frame window might be repositioned over the proposed internal corner staircase.

The parapet wall (approx. 450mm above the roof level) is to receive a glass or metal railing balustrade to an overall height of 1100mm, subject to detail and further discussion with the Planners. It is thought that a simple and small section metal frame and railings will be sufficient.

EXISTING FLINTWORK WALL TO BE RETAINED  
END WALL ABOVE FLINTWORK AND ANY SAVEABLE  
BRICKWORK IS TO BE REBUILT IN RECLAIMED BRICKS  
TO MATCH EXISTING. STRUCTURAL ENGINEER TO  
INVESTIGATE CORNER ETC. TO SOUTH SIDE AND  
DESIGN NEW CONSTRUCTION TO BE IN EXISTING  
WALL AS NECESSARY

job title	dwg title
PROPOSED PART DEMOLITION ALTERATIONS AND EXTENSION TO FORM EIGHT APARTMENTS AT CRYSTAL HOUSE, CATTLE MARKET STREET, NORWICH - SCHEME 12	EXISTING BACK [EAST] AND SIDE [SOUTH] ELEVATIONS AND PROPOSED EAST / SOUTH ELEVATIONS
client	date
RICHARD PRATT	OCT 2011
scale	dwg no
1:100 [A2]	CH / 12/45 R4*

**SNELL ASSOCIATES**  
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**DESIGN & ARCHITECTURE**

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**Report to** Planning applications committee

**Item**

8 March 2018

**Report of** Head of planning services

**Subject** Application nos 17/01355/F and 17/01356/L - The Marlpit  
Hellesdon Road, Norwich, NR6 5EQ

4(d)

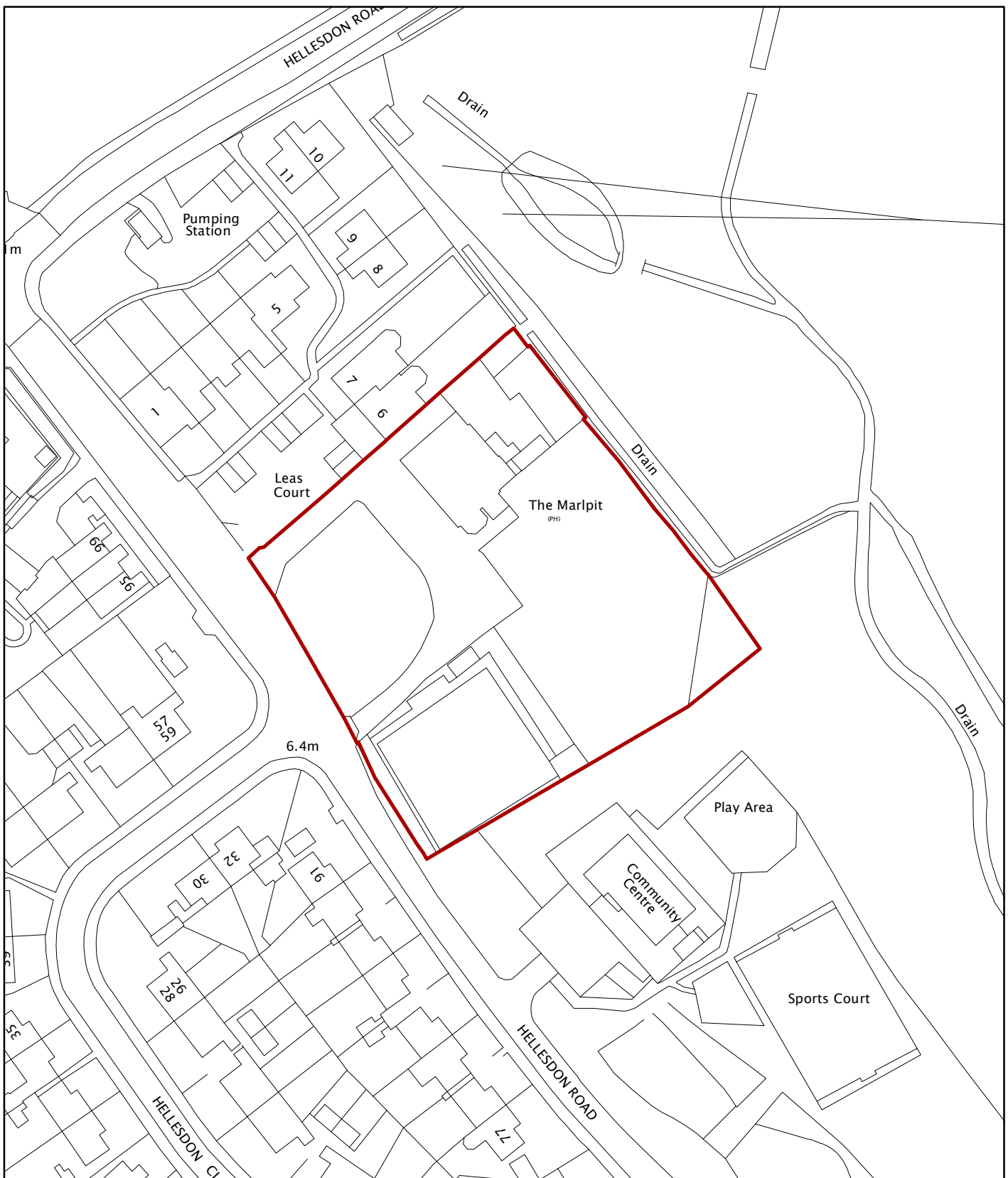
**Reason  
for referral** Objections

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<b>Ward:</b>	Wensum
<b>Case officer</b>	Robert Webb - <a href="mailto:robertwebb@norwich.gov.uk">robertwebb@norwich.gov.uk</a>

Development proposal		
Alterations and extension to existing public house to reinstate pub, including new restaurant, 5 no. guest bedrooms, toilets, cart shed and car park. New barn-style building to accommodate 5 no. dwellings with new vehicle access and associated parking.		
Representations		
Object	Comment	Support
4	1	20

Main issues	Key considerations
1	Principle of development
2	Design and heritage
3	Open space
4	Viability
5	Transport
6	Amenity
7	Flood risk
8	Biodiversity, trees and landscaping
9	Five year housing land supply considerations
<b>Expiry date</b>	14 November 2017
<b>Recommendation</b>	Approval



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Planning Application No 17/01355/F & 17/01356/L  
 Site Address Marlpit Public House

Scale 1:1,000

Application site

## The site and surroundings

1. The site is the Marl Pit Arms Public House and its grounds, located on Hellesdon Road, on the western side of Norwich. It consists of the main pub building which is Grade II listed, a curtilage listed coach house and further outbuildings, as well as open land around the buildings which is predominantly laid to lawn and currently used for grazing.
2. To the north east of the site are water meadows with Marriott's Way path and River Wensum on the far side of the meadow. To the south-east is the Marl Pit Community Centre. To the south-west is Hellesdon Road and a number of residential dwellings, including in Hellesdon Close. North-west of the site, there are dwellings in close proximity to the pub within Leas Court.

## Constraints

3. The pub and outbuildings are grade II listed. The majority of the open land around the site is designated as protected open space. The majority of the site is located within flood zones 2 and 3. The adjacent water meadow is a County Wildlife Site (CWS). The pub is also listed as an Asset of Community Value.

## Relevant planning history

4.

Ref	Proposal	Decision	Date
4/1989/0841	Demolition of barn at rear.	Refused	26/10/1989
16/00006/ACV	Nomination as an asset of community value.	Approved	07/07/2014

## The proposal

5. The proposal is the refurbishment and extension of The Marlpit Arms public house and the erection of 5 new dwellings in a standalone building sited on the position of the former bowling green. The pub would be renovated and restored and 5 new bed and breakfast rooms would be created on the first floor and within the loft. The existing coach house at the rear of the pub would be converted to provide a new bar and function room, and this would be connected to the pub by a new kitchen extension which links the main pub to the coach house at the rear. A small extension would be built on the side of the coach house to accommodate new toilet facilities.
6. The dwellings would be constructed in a contemporary two-storey 'barn' form and positioned to the south-east of the pub. There would be 3x 3 no. bedroom dwellings and 2x 2 no. bedroom dwellings. A new vehicle access would be created to serve the dwellings.

7. New car parks to serve both the pub and dwellings would be provided. There would also be new structures to accommodate cycles, and a new outbuilding in the pub garden to accommodate a smoking shelter and provide storage. A comprehensive landscaping scheme would be provided.

It should be noted the scheme originally included a pavilion extension to the pub, together with a proposal for a small 'glamping' site. These elements were withdrawn from the scheme following officer advice due to them being located within flood zone 3b. It is understood the applicant may explore the possibility of these in the future with the submission of a separate application.

## 8. Summary information

<b>Proposal: Dwellings</b>	<b>Key facts</b>
<b>Scale</b>	
Total no. of dwellings	<b>5</b>
Internal floorspace	<b>All dwellings meet the national minimum space standards.</b>
No. of storeys	<b>2</b>
<b>Appearance</b>	
Materials	<b>Extensions to pub: similar/matching bricks and new slate roofs.</b>  <b>Housing: similar/matching bricks to pub, slate roof and oak cladding.</b>
<b>Operation</b>	
Opening hours	<b>Pub: 11:00-23.00 Monday to Friday, 11:00-23.30 Saturdays and 11.00-22.30 Sundays.</b>  <b>Coach House: 11.00-00.30 Monday to Saturday and 11.00-23.00 Sundays.</b>
<b>Transport matters</b>	
Vehicular access	<b>From Hellesdon Road</b>
No of car parking spaces	<b>21 for pub, 8 for the dwellings.</b>
No of cycle parking spaces	<b>To be confirmed, but cycling storage will be provided on site.</b>



## Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 24 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised in support	Response
The pub is an extremely important part of the community and is sorely missed. The pub is located in a deprived ward and has the potential to act as an important hub for the community. The plans will bring benefits in terms of new jobs, visitors and training, as well as the restoration of the pub. The applicant has worked closely with the Friends of the Marlpit group.	N/A
The owner has supported local organisations, such as Angelica's Rainbow Ltd, allowing us to graze animals on the land.	N/A
The Marlpit pub plans fit the area and I am excited by the proposed plans. The fit of the pub with the Marriots Way cycle route, community garden and river works well.	N/A
The five new houses will mirror the converted barns opposite and are designed sympathetically.	N/A
The business will raise the profile of the area bringing prosperity and give this part of the city a much needed facility.	N/A
The new houses will increase the security of the adjacent community centre. Increased footfall will be good for the community centre and there will be the opportunity for joint working. A new pavement along the front would be welcomed to improve access. Proposal will improve social fabric of the area.	N/A
The owner of the pub will promote community activities such as the Marlpit community garden.	N/A
It's a fantastic opportunity to restore the Georgian farmhouse [pub]. The owner is very passionate about the history of the site and	N/A

<b>Issues raised in support</b>	<b>Response</b>
local area.	
The proposal will provide the potential for volunteer opportunities for the Future Projects/Norfolk Community College clients.	N/A
If the pub were to reopen it would become an important stopping off point for users of the Marriots Way which will enhance the leisure offer of the area.	N/A
Proposal is supported by the Friends of Marlpit Paddocks community group. The design opens up vistas to the paddocks [CWS meadow] from various areas which has not been achieved in the past. We are also supportive of the wider benefits the proposal will bring.	N/A
The development will make a small contribution to the need for housing.	N/A
The proposal is supported by the "Friends of the Marlpit pub" group.	N/A
<b>Issues raised as comments</b>	
Welcome the management plan	N/A
This extension abuts the side fence of 6 Leas Court. There will be a need for a gap between the two properties for fence maintenance, and maintenance of the toilet block extension, and weed control.	See main issue 6
Would prefer the vehicle access to be further away from Leas Court and traffic calming measures on Hellesdon Road.	See main issue 5
It would be wrong to create a pathway across the County Wildlife site.	There is no proposal to create a pathway across the County Wildlife site within this application.
<b>Issues raised in objection</b>	
The current state of the pub is a blot on the landscape.	See main issue 2

<b>Issues raised in support</b>	<b>Response</b>
Concerns over the residential caravan on the site and freight containers.	Developers are entitled to have a residential caravan on site whilst undertaking work. This would be removed once the works to the pub are completed.
How will the Council ensure the funds from the sale of the housing will be used to fund improvements to the pub?	See main issue 4
Developing the flood zone is a major concern, the proposal could exacerbate flood risk to surrounding properties.	See main issue 7
The location of the new vehicle access would cause disruption. The road is very busy and additional traffic would increase the risk of accidents. Only a single parking bay is provided for the residential properties.	See main issue 5
The development could have a negative effect on the county wildlife site meadow.	See main issue 8
Concerns about noise impacts from pub and glamping.	See main issue 6
Concerns about the erosion of the green space and landscape character.	See main issues 2 and 3
The whole site should be protected as it is a listed building, object to the new houses.	See main issues 2, 9 and conclusion.

## Consultation responses

10. 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.

### Local member, Cllr Sandra Bogelein

11. Request for the application to be reported to committee in the event of a recommendation of refusal.

### Design and conservation

12. Detailed feedback provided on proposal which has resulted in amendments to the design, such as the removal of the Juliet balcony on the rear elevation and the retention of the original main opening to the coach house. Following amendments

no objections are raised and the application is supported given the overall benefits in terms of enhancing the heritage asset.

### **Environmental protection**

13. I would suggest the following condition is appropriate to prevent the use from affecting local residential uses. No loudspeaker, amplifier, relay or other audio equipment shall be installed or used outside the building the subject of this permission.

### **Environment Agency**

14. Comments on original plans (which included a pavilion and 'glamping' site within flood zone 3b):
15. Object to this application in principle because part of the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located. We therefore recommend that the application is refused planning permission on this basis. We previously raised a holding objection because outdated flood levels had been used in the previous FRA. The correct flood levels have now been used, and these have informed our objection as detailed below.
16. We object to this application in principle because part of the proposed development falls into a flood risk vulnerability category that is inappropriate to the flood zone in which the site is located. We therefore recommend that the application is refused planning permission on this basis. We previously raised a holding objection because outdated flood levels had been used in the previous FRA. The correct flood levels have now been used, and these have informed our objection as detailed below. We have further concerns regarding the impact of the development on flood storage.
17. Our objection in principle is due to the inappropriate location of development in Flood Zone 3b. However, it may help the applicant to note that the Marlpit Arms and Residential Dwellings are not located in Flood Zone 3b, and are not inappropriate for the Flood Zone 3a.
18. Awaiting comments on revised plans which remove the pavilion and glamping at time of writing.

### **Highways (local)**

19. No objection on highways/transportation grounds. The former use of the site as a public house establishes this land use, the proposed residential block other uses ancillary to the new pub/restaurant are compatible with regard to the layout and vehicle access to the site. The close proximity of the site to the adjacent suburban area enables ease of access to the pub on foot and by cycle especially by Marriott's Way, the car park provision on the site should be adequate, there is ample unrestricted parking on street nearby. The proposed residential parking area appears adequate and the new vehicle access to the site is acceptable.
20. Recommendations made with regard to providing a safe pedestrian route along site frontage and putting in place parking restrictions. The details of this would be sought via a section 278 agreement.

## **Hellesdon Parish Council.**

21. Support the proposals.

## **Norwich Society**

22. We are delighted to see a community project such as this which sounds very exciting and we look forward to seeing it completed.

## **Norfolk historic environment service**

23. Based on currently available information the proposed development will not have any significant impact on the historic environment and we do not wish to make any recommendations for archaeological work.

## **Norfolk Wildlife Trust**

24. Norfolk Wildlife Trust have no objection with regard to impacts on adjacent Marlpit Meadows County Wildlife Site. We would advise that a condition is put in place to minimise lighting overspill onto the CWS

## **Landscape/Natural areas officer**

25. Comments on original submission:
26. The ecological value of the site is probably low due to the clearance which has taken place. The proposed tree planting would compensate for the loss of existing trees. Bats are a primary concern at this location. The ecology survey results revealed signs of usage by at least 2 species of bats within existing buildings. A European Protected Species and Mitigation License would be required. This requires an application to Natural England and is not a matter for planning conditions. There are concerns about the level of up lighting given the presence of bats, the lighting scheme should be reconsidered. The proposals should include mitigation/enhancement features as recommended by the Ecological Survey.
27. Comments on amended plans:
28. Recommendations made regarding more native species planting, fruit trees, clarity on the design of the cycle rack, private amenity spaces and boundary treatments. [The majority of points have been addressed by the applicant within a revised landscaping plan]

## **Tree protection officer**

29. I have no objections to the removal of the plum tree, T15 and the cherry T25. It is disappointing the car park area around the birch tree, T27 cannot be reconfigured to allow its retention, however, the proposed replacement planting is more than adequate to mitigate its loss. The tree protection measures provide good protection for retained trees on site. Please condition TR7, works on site in accordance with the AIA, AMS and TPP.

# Assessment of planning considerations

## Relevant development plan policies

### 30. **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
- JCS7 Supporting communities
- JCS8 Culture, leisure and entertainment
- JCS12 The remainder of the Norwich urban area including the fringe parishes
- JCS20 Implementation

### 31. **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
- DM8 Planning effectively for open space and recreation
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development
- DM16 Supporting the needs of business
- DM22 Planning for and safeguarding community facilities
- DM23 Supporting and managing the evening and late night economy
- DM28 Encouraging sustainable travel
- DM29 Managing car parking demand in the city centre
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM33 Planning obligations and development viability

## Other material considerations

### 32. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities

- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

## **Case Assessment**

33. 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**

34. Key policies and NPPF paragraphs – DM1, DM8, DM12, DM16, DM22, JCS7, JCS8, NPPF paragraphs 49 and 14.
35. The application site is quite constrained in planning terms, because it features a listed building, significant areas of designated open space, is within flood zones 2 and 3 (higher risk zones) and is adjacent to a county wildlife site. In addition there are two different aspects to the proposal, these being the extensions and renovations to the pub, and the construction of 5 new dwellings. The policy considerations relating to the different aspects of the proposal are not the same. To determine the principle of development it is therefore necessary to closely examine the various impacts of the proposal and weigh the overall benefits versus the harm. These matters are set out in the following sections of this report.
36. The public house is listed as an Asset of Community Value. This is a material consideration in the determination of the application. Any proposal that retains the community use of the site as a public house is welcomed in this regard.

### **Main issue 2: Design and Heritage**

37. Key policies and NPPF paragraphs – JCS2, DM3, DM9, JCS2 NPPF paragraphs 9, 17, 56, 60-66, and 128-141.
38. The building was originally constructed in the early 19<sup>th</sup> century as the farm house to Lower Hall Farm with associated coach house to the rear and is grade II listed. The buildings external appearance from Hellesdon Road remains largely unaltered since construction with its timber framed sash windows and panelled door intact. To the rear, later twentieth century additions and alterations to the rear fenestration have caused harm to the buildings overall character and appearance, so too has the use of concrete roof tiles upon the main roof form and the loss of historic chimney stacks & pots. The principal elevation facing Hellesdon Road contributes significantly to its overall heritage value, the surviving original timber framed fenestration and unaltered front elevation being of particular aesthetic significance.

In addition the openness and greenery of the building's curtilage contribute to the setting of the listed building.

39. The surviving historic form and fabric of the interior also contribute to the buildings heritage value. The surviving internal plan form at ground floor level has been heavily altered in the conversion from farmhouse to public house with the original stair removed and replaced and large steels installed to allow for a more open plan area (although down-stand beams and nibs survive to help indicate the buildings original form). At the upper floor level, the historic plan is more evident with lath and plaster timber partitioning, timber skirting boards and historic doors and architraves and some original wide and later date floor boards. The unaltered original king post roof structure is also considered to be of significance, being original structural form and fabric – contributing the buildings authenticity and completeness.
40. Extensions and renovations to pub
41. The works to the pub comprise three main parts. These are the renovation and refurbishment of the main pub building, the construction of a new extension to the rear to provide a kitchen, and the conversion and extension of the coach house.
42. In terms of the works to the pub, the proposal would lead to the restoration and renovation of the listed building, resulting in significant enhancements, these include the repair of existing sash windows, a new single Georgian style front door with a refurbished door surround and installation of a fanlight, and re-roofing the building with natural slate. In addition the rear elevation of the building, which has been unsympathetically altered in the 20<sup>th</sup> Century would be improved with the installation of new windows in keeping with the period character of the property, and the reduction in height of a modern chimney addition. A new pitched roof would be added to the existing flat roof extension to the rear which would be a further improvement. Internally, the building would be renovated in a sympathetic manner, largely retaining the floorplan of the existing building, which in itself has been altered over the years.
43. A degree of harm would be caused by the cutting of the historic crown post roof form to create a letting room in the roof. However given the overall improvements that are being made, this is considered acceptable.
44. The kitchen extension would be single storey and subservient to the main pub building, and the renovated coach house would be re-roofed and sympathetically altered and extended to provide new facilities.
45. **New dwellings**
46. The dwellings would take the form of a contemporary construction in the form of a barn, with a slate roof and brick of a similar appearance to the bricks on the pub. There would be several dormer windows and a number of high level windows which would provide good levels of natural light. The building would be orientated and positioned in such a way that mirrors the position of the historic barn (Leas Court) on the opposite side of the pub. Negotiations have taken place during the application process which has resulted in a much improved design.



47. The dwellings are well-proportioned internally, exceeding the national minimum space standards. They would benefit from external amenity space; the details of boundary treatments would be controlled by condition. The parking and servicing arrangements would take place to the southern side of the dwellings, which has the benefit of minimising impacts on the setting of the listed pub. The disadvantage of this is that the principle (northern) elevation of the building will not be the most active one and is unlikely to be used as the main entrance for occupiers of the houses.
48. Given the constraints of the site this arrangement is considered to be an acceptable compromise, however details of boundary treatments and the external areas should be carefully planned and controlled to avoid harmful impacts on the listed building from unsuitable fencing etc. A condition is recommended removing householder permitted development rights for extensions, outbuildings and fencing, to avoid domestic clutter which could detract from the setting of the historic buildings.

### **Parking areas , cartshed and cycle store**

49. The car parks would be surfaced with a golden resin bound gravel finish which would be sympathetic to the heritage assets. The cartshed and cycle store would be sympathetic additions using traditional materials.

### **Main issue 3: Open space**

50. Key policies and NPPF paragraphs – DM3, DM7, DM8, NPPF paragraphs 9, 17, 56, 109 and 118.
51. Much of the open land around the pub is designated as protected open space in the local plan. As a result development proposals are subject to the provisions of policy DM8 of the local plan, which only allows development in specific circumstances, where:
  - a) *The proposal would result in an overall qualitative or quantitative improvement to recreational facilities (either within the open space or on an alternative accessible site in the locality); and*
  - b) *The benefits to sport or recreation would outweigh the loss of that open space.*
52. In terms of criterion (a), the application states that the proposal would lead to an overall qualitative and quantitative improvement to recreational activities within the site. It is envisaged that the new facilities would be used to provide activities such as indoor bowls, workshops, yoga, talks and events. In terms of recreational purposes, it is accepted that compared to the very recent history of the site, where the pub has been closed to the public, there would be a qualitative improvement to recreational facilities if the plans are implemented. These include the reopening of the pub and its garden to patrons as a general improvement to the recreational capacity of the area.
53. Whether the proposal meets criterion (b) is not as straightforward. Building on a significant proportion of the open space would have a detrimental impact on the green and open characteristics of the site and the contribution this makes to the character of the area, including the setting of the listed building. In visual terms therefore, its loss would be significant.

54. In terms of sport, the site was previously occupied by a bowling green, which the application states ceased to be used in 2013. A letter from the former club secretary of the Marlpit bowls team which accompanies the application explains that membership numbers had declined because of deterioration in the maintenance of the green when the pub was under previous ownership. The closure of the pub in 2014 appears to have been the determining factor in the closure of the Marlpit team. The bowling green has since been dismantled. The letter states there has been little desire for the team to be resurrected as many of the former members joined other teams. Whilst consultation carried out by the applicant identified a minority interest in playing bowls at the Marlpit should the opportunity arise, there appears little appetite for resurrecting the club.
55. Notwithstanding this, aside from the occasional indoor bowls which would take place in a fairly confined space within the coach house, the application proposes no new sporting facilities on the site itself, however bike and canoe hire is proposed. Overall it is considered there would be a marginal benefit to sport compared to the existing situation simply through the potential for indoor bowls to be available. When compared to the previous use of the site as a bowling green, the outcome is negative, but it is recognised that use of the green ceased some time ago.
56. The benefits to recreation are more significant. On the basis that the pub is reopened to the public, and provides a wide range of facilities and events, together with a place for people to meet and spend their leisure time, then it is considered the loss of the open space is justified given the significant recreational benefits that could flow from the proposal, which could serve the local community and visitors from further away.
57. This triggers a further three criteria within policy DM8, with development proposals being required to meet with all of three. Each of these is addressed in turn:
- a) The proposal would not cause significant harm to the amenity or biodiversity value of the open space;*
58. The visual amenity provided by the current open space is significant, particularly given that it forms an important part of the setting of the listed buildings. The biodiversity value of the site is less significant, with it mainly being covered with grass and some trees which are predominantly on the boundary.
59. The simple fact that the proposal would lead to a loss of a significant portion of the open space means that in a sense, significant harm is caused in particular to the amenity value of the open space. The proposal conflicts with criterion (a) in this regard.
- b) an assessment shows that the site is no longer required for or is demonstrably unsuitable for its original intended purpose.*
61. Given the information about the decline of the Marlpit bowls team, it is accepted that the site is no longer required for its original intended purpose. In addition the bowling green has been removed, so is no longer suitable.
- c) there is no viable or reasonably practicable means of restoring or re-using it for an alternative form of open space.*
62. In considering this criterion, regard is had to the need for significant investment in the pub to make it a viable business. The proposal would lead to the restoration of

some of the open space in terms of the beer garden. It is considered unlikely that a developer would propose an alternative type of open space on site, certainly not one that was accessible by the general public. This matter is discussed further in the next section on viability.

#### **Main issue 4: Viability**

- 63. Given the conflict with part of policy DM8, officers have requested information on the financial viability of the proposal to ensure that there is a reasoned justification for the development of the houses as a means to generate funds for the works to the pub, and that the housing development and redeveloped pub would be viable. The information provided has demonstrated that the housing would be viable and deliver a profit which would contribute towards the cost of the works to the pub.
- 64. The majority of the funding is being provided by the applicant's business partner's private funds and via bank loans and a business appraisal has been provided by a chartered surveyor in support of the application. At the time of writing an updated schedule of funding was being prepared to reflect the revised plans. This should be available in time for the committee meeting and a summary will be provided to members.
- 65. What is apparent is that significant private investment is required in addition to the financial contribution from the profit from the housing. Officers are therefore content that the housing can be considered as enabling the development works to the public house subject to appropriate conditions. It is therefore reasonable for the developer to seek to raise funds by developing part of the site. A condition is recommended to control the phasing of the works, to ensure that the pub is refurbished and reopened to the public as part of the first phase of development and prior to first occupation of the dwellings.

#### **Main issue 5: Transport**

- 66. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
- 67. The proposal would provide sufficient vehicle and cycle parking for the pub and dwellings and no objection is raised by the Highway officer. A condition is recommended seeking the provision of parking restrictions in the vicinity of the pub, partly to protect the walking route to the pub, and also to ensure adequate visibility is maintained at the access points. With regards to concerns raised about highway safety and proximity of the vehicle access to Leas Court, it is not anticipated there would be a particularly high number of vehicle movements given the relatively small size of the parking areas. In addition visibility at the access points would be satisfactory.
- 68. The proposal provides opportunities to promote sustainable travel and recreation due to the proximity of the pub to the Marriot's Way cycle path and river Wensum. The transport impacts of the proposal are considered acceptable.

#### **Main issue 6: Amenity**

- 69. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

##### **Amenity impacts for neighbouring occupiers**

70. It should be noted that the use of the site as a public house is an established one and there are pre-existing amenity impacts associated with this use. The assessment is therefore whether the proposed redevelopment of the public house and new dwellings would cause unacceptable impacts.
71. With regards to the pub, the most significant change which may result in greater amenity impacts would be the conversion of the coach house to a bar and function room, which is in close proximity to dwellings in Leas Court. A detailed noise assessment has been provided which makes recommendations in terms of sound insulation and controlling noise output and confirms that noise impacts would be within acceptable limits. A condition is recommended to secure implementation of these measures.
72. In terms of the proximity of the extension to the coach house with the boundary to the adjacent property in Leas Court, it is acceptable to build up to the boundary, and maintenance of the fence would be possible from the other side.
73. The new building for the dwellings would be of a scale and siting that would not cause harm by way of overshadowing, overlooking or loss of privacy to existing residential properties. In addition the use of the upper floors of the pub for bed and breakfast purposes is unlikely to cause significant impacts.

#### **Amenity impacts for proposed occupiers**

74. Consideration has been given to the residential amenity of future occupiers of the barn dwellings, given their proximity to the pub. Whilst it is anticipated there would be a degree of noise and disturbance, it is considered that effective management and conditions to control the opening hours of the pub, and use of the beer garden should keep these to within acceptable limits. To a certain extent, the occupiers of the houses would also be aware of the proximity of the pub when buying or renting the properties.
75. Overall, the amenity impacts of the development are considered acceptable, subject to conditions.

#### **Main issue 7: Flood risk**

76. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
77. The site is almost entirely within flood zones 2 and 3, with part of the site to the rear being within flood zone 3b (the functional flood plain). Under government guidance, this zone is only suitable for essential infrastructure (defined as transport, utilities and wind turbines), following an 'exception test'. This has resulted in changes to the proposal, including the removal of a glamping site and pavilion building that were to be located within this zone and were not acceptable in that location.
78. The extension to the pub and converted coach house would be within zone 3a. These uses are acceptable providing the exception test is passed. There are two parts to the test - proposed development should show that it would provide wider sustainability benefits to the community that outweigh flood risk, and that it will be safe for its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall. In terms of the first part, it is considered that the benefits of a reopened pub that can act as a community hub are considerable. A Flood Risk Assessment (FRA) has been carried out which confirms that whilst development

may be prone to flooding, it would be safe in terms of the ability for people to evacuate the building if required.

79. The new houses would be primarily within flood zone 2, with the one furthest from the road being within flood zone 3a. For the dwellings it would normally be necessary to apply a 'sequential test'. The aim of the sequential test is to steer development towards sites with a lower risk of flooding. However national guidance suggests a pragmatic approach should be taken when dealing with proposals for extensions to existing buildings, and where there are wider sustainability benefits that would arise. In this instance, the purpose of the housing is to generate funds to redevelop the pub and reopen the building as a community facility. It is reasonable to assume that alternative sites were not available to the applicant.
80. This means that the 'exception test' can be applied. For the reasons given above, there are considered to be wider sustainability benefits which apply to the proposal which justifies the development of the housing and extension to the pub. The FRA demonstrates that the dwellings would be flood resilient and safe evacuation could take place in the event of a flood during very extreme circumstances.
81. In terms of off-site impacts, a sustainable surface water drainage scheme, required by condition would ensure that any increased surface water runoff will entirely be contained within the site. The FRA confirms that the development would have a negligible impact upon flood storage capacity within the wider catchment area.
82. For these reasons it is considered the sequential and exception tests are passed and the development is acceptable with regards to flood risk.

#### **Main issue 9: Biodiversity, landscaping and trees**

83. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
84. Some evidence of bats being present was found when surveys of the existing buildings were carried out. A European Protected Species and Mitigation License would be required. This requires an application to Natural England which is a separate requirement to planning. Otherwise the ecological value of the site is relatively low and would be enhanced by the proposal for significant new planting.
85. The frontage of the site would be softened by a new hedgerow, and a number of new trees would be planted to create an avenue along the pedestrian route to the pub. A small wildflower meadow is also proposed. The applicant has taken on board a number of suggestions from the landscape officer. Whilst a small number of existing trees would be removed, including the silver birch at the front of the pub, these losses are justified to facilitate the development and would be mitigated by the new planting proposed.

#### **Main issue 10: Five-year housing land supply considerations**

86. The Council is currently unable to demonstrate a five year housing land supply within the Norwich Policy Area (NPA). At the time of writing it stands at 4.7 years worth of supply. As a result the requirements of paragraphs 14 and 49 of the NPPF apply, in that housing applications should be considered in the context of a presumption in favour of sustainable development, with relevant policies for the supply of housing not considered up to date where a five year supply of housing sites cannot be demonstrated.

87. In the light of the narrow interpretation of policies for the supply of housing supported by the supreme court (May 2017), the policies which are particularly relevant to this proposal, such as policy DM7, DM8 and DM22 are not considered to be policies for the supply of housing for the purposes of paragraph 49 of the NPPF and are considered to be up-to-date. As such the second half of the presumption in favour of sustainable development does not apply and the proposals should be considered in accordance with the development plan unless material considerations indicate otherwise.

### **Compliance with other relevant development plan policies**

88. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes subject to condition</b>
Car parking provision	DM31	<b>Yes subject to condition</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>
Sustainable urban drainage	DM3/5	<b>Yes subject to condition</b>

### **Equalities and diversity issues**

89. There are no significant equality or diversity issues.

### **Local finance considerations**

90. 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.
91. 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.
92. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

93. The development would result in significant benefits in terms of the restoration and enhancement of the listed buildings, and the reopening of the pub as a community

facility and business which is likely to have a more viable and sustainable future. Further benefits would arise from the delivery of additional housing and from the contribution the scheme would make to the local economy.

94. A degree of conflict has been identified with policy DM8 with regards to development of designated open space, and development within higher risk flood zones 2 and 3 is proposed. However these matters should be weighed against the benefits of the proposal, which are considerable.
95. The cost associated with redeveloping the site and restoring the listed buildings is significant, and the funds generated from the sale of the dwellings would make a contribution towards meeting these costs. It is considered highly unlikely that an alternative operator would invest significant funds whilst re-using all of the land around the pub for open space purposes. In addition the design proposed is a high quality one, being of a scale which is sensitive to the characteristics of the site and using traditional materials.
96. It is concluded that the benefits of the proposal in terms of restoring the listed building and reinstating the pub as a community facility, outweigh the conflict with policy DM8 in this instance. The benefits also justify development within the higher risk flood zones, following confirmation within the FRA that the development would be safe and resilient from the risks of flooding, and not materially increase flood risk elsewhere.
97. In assessing the proposal regard is also had to the current housing land supply situation within the Norwich Policy Area, and the presumption in favour of sustainable development. In this regard the delivery of five new dwellings would be a further benefit. The proposal is also consistent with the buildings listing as an Asset of Community Value, and it is noted there is significant community support for the proposal, including from a number of community groups such as the Friends of the Marlpit pub and the Marlpit Community Centre amongst others.
98. For these reasons it is recommended that planning permission and listed building consent is granted subject to conditions.

## **Recommendation**

- (1) To approve application no. 17/01355/F - The Marlpit Hellesdon Road Norwich NR6 5EQ and grant planning permission subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. No occupation of the dwellings to take place until the works to the pub building (not including the works to the coach house) have been completed and the building is trading as a public house and open to the public.
  4. Standard contamination condition
  5. Imported topsoil to be certified
  6. Materials to be approved prior to development
  7. Boundary treatments to be approved
  8. Water efficiency
  9. Surface water drainage scheme
  10. Flood warning/evacuation plan
  11. Finished floor levels



12. Landscaping in accordance with approved plan
13. No occupation of dwellings until parking has been provided
14. No occupation of dwellings until cycle parking and bin storage has been provided
15. No operation of bed and breakfast facilities and coach house, or occupation of dwellings to take place until TRO secured to make changes to parking/waiting restrictions on Hellesdon Road
16. Householder permitted development rights removed
17. Extract ventilation or fume extraction systems to be approved
18. No loudspeaker, amplifier, relay or other audio equipment to be installed or used outside the buildings.
19. No use of the coach house as a bar and function room until sound insulation measures have been implemented.
20. Opening hours restricted to the following:
  - Monday to Saturdays between 08.00-12.00 for the main pub building and between 08.00-12.30 for the coach house
  - Sundays and bank holiday Mondays between 08.00-11.00 for the pub and coach house (except on New Years Eve or Sundays where the following day is a bank holiday, in which case the restriction is the same as for Monday – Saturday).
21. Operations on site in accordance with tree protection plan, implications assessment and method statement.

And:

(2) To approve application no. 17/01356/L - The Marlpit Hellesdon Road Norwich NR6 5EQ and listed building consent subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to be submitted including all materials to be used, new internal and external services, details of noise/acoustic insulation, new internal architectural features, details of new stairways.
4. Listed building – making good
5. Work to match retained fabric

### **Article 35(2) Statement:**

The local planning authority in making its recommendation has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the applications are recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.



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## CADS

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CLIENT  
BEADPOISED ARCHITECTURE

READSPICER ARCHITECTURE	
DATE	ADDRESS

THE MARLPIT PUBLIC HOUSE

HELLEDON ROAD  
NORWICH

NORFOLK; NR6

FILE
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EXISTING FLOOR PLANS

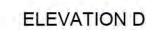
1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

DRAWN BY JH	DATE JUL 2015	SCALE 1:100	SHEET SIZE A1
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CHECKED BY NAME	DATE MM/YY	APPROVED BY NAME	DATE MM/YY
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DRAWING No.			REVISION

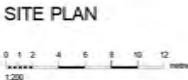
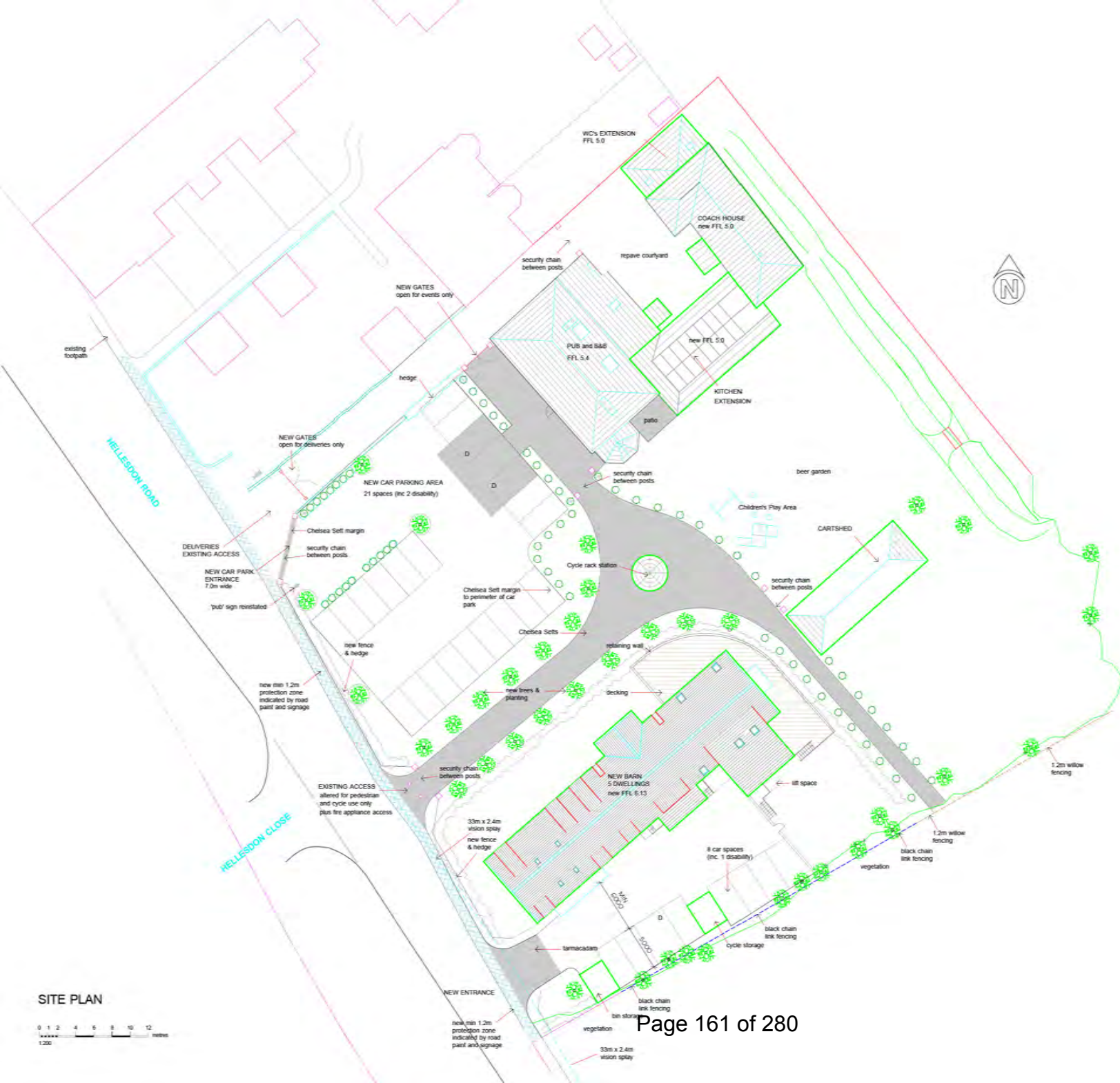
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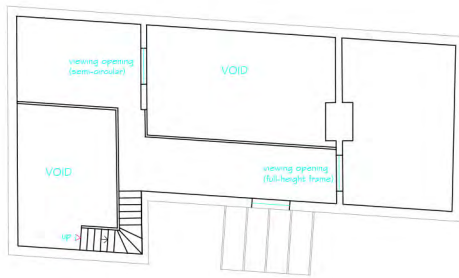


- I. 16/02/18 Pavilion and link omitted
- M. 16/02/18 Pub Garden side omitted
- G. 01/02/18 Finition of site boundary corrected
- F. 30/01/18 Rectangle adjacent to pub patio removed
- T. 24/01/18 Dormer roofs to New Barn changed to gables
- D. 11/01/18 Numerous amendments to parking areas, etc.
- C. 03/01/18 Roof plan of New Barn updated
- B. 18/12/17 Extent of protected route amended
- A. 20/11/17 Car parking to new barn amended
- Na. Date: Revision:

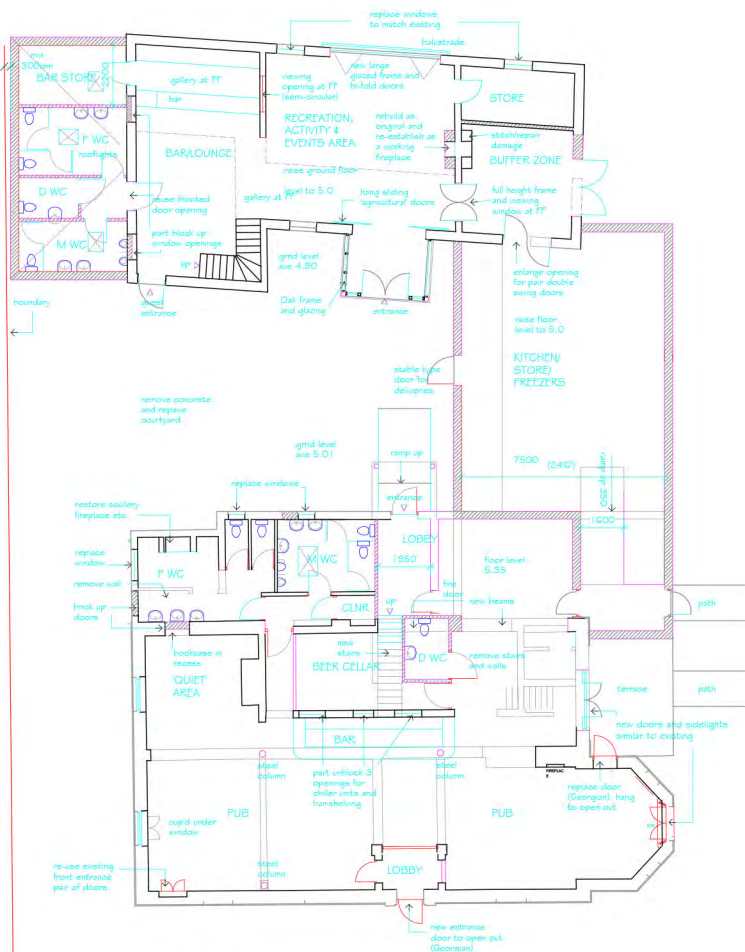
WILLIAM GLOVER Architectural Technologist MCAT  
THE OLD STABLES 1 GRANGE FARM BARNs BRAMERTON  
NORWICH NR14 7DW TEL: (01508) 538893 Email: mail@wgllover.co.uk

CLIENT: MARLPIT ESTATES LTD  
JOB: THE MARLPIT ARMS HELLESDON ROAD NORWICH  
TITLE: SITE LAYOUT PLAN  
DATE: APR - 2017 SCALE: 1:200 DRWG: 10781-1011

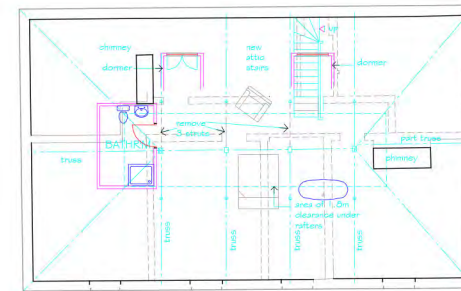




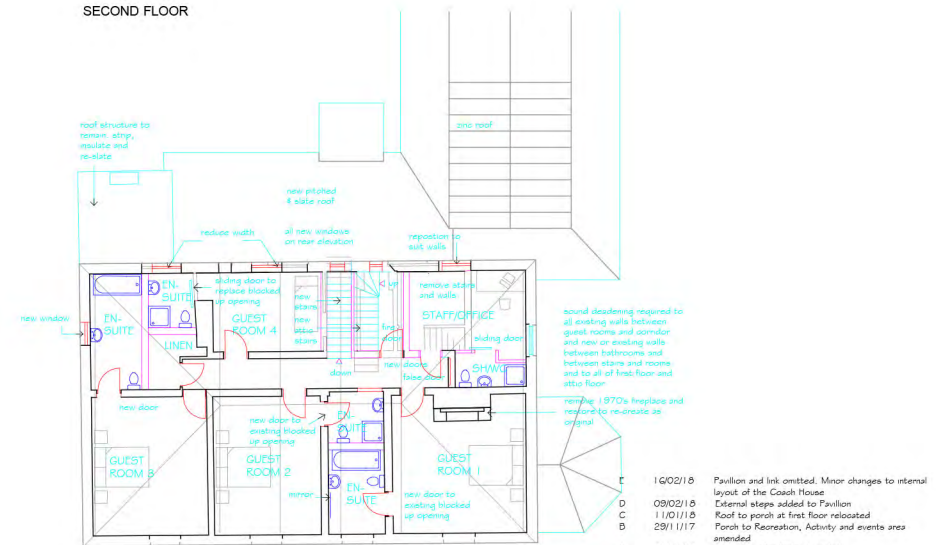
FIRST FLOOR (GALLERY)



GROUND FLOOR



SECOND FLOOR



FIRST FLOOR

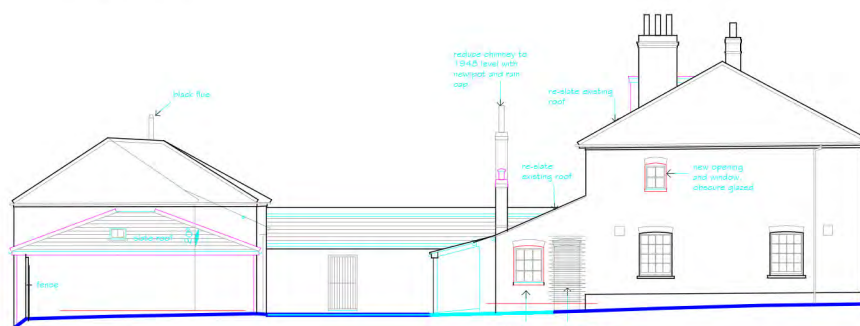
16/02/18	Pavilion and link omitted. Minor changes to internal layout of the Coach House
09/02/18	External steps added to Pavilion
11/01/18	Roof to porch at first floor relocated
29/11/17	Porch to Recreation, Activity and events area amended
21/11/17	First floor plan (gallery) added
	Juliet balcony changed to dormer on second floor
No.:	Date:
Revision:	

WILLIAM GLOVER Architectural Technologist MCAT  
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NORWICH NR14 7DW TEL : (01508) 538893 Email: mail@wrglover.co.uk

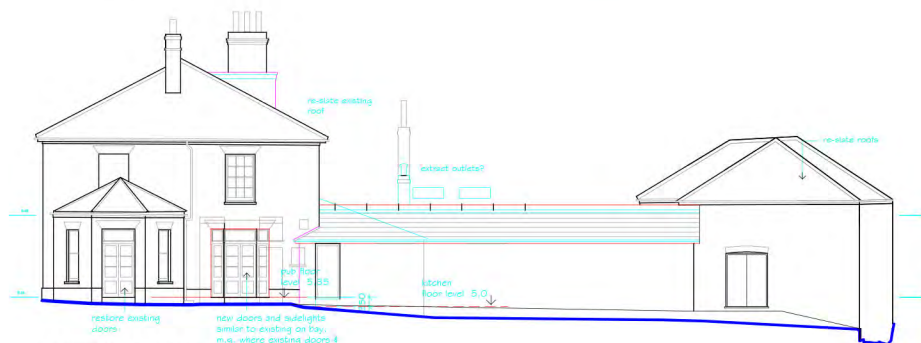
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JOB : THE MARLPIT ARMS, HELLEDSON ROAD, NORWICH  
TITLE : PROPOSED GROUND, FIRST FLOOR AND ATTIC PLANS  
DATE : APR - 2017 SCALE : 1:100 DRWG : 1078(-)02 E



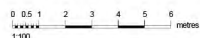
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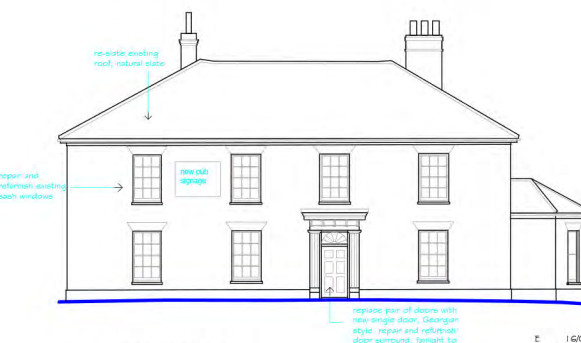
NORTH WEST ELEVATION



**SOUTH EAST ELEVATION**



COURTYARD NORTH EAST ELEVATION



SOUTH WEST ELEVATION

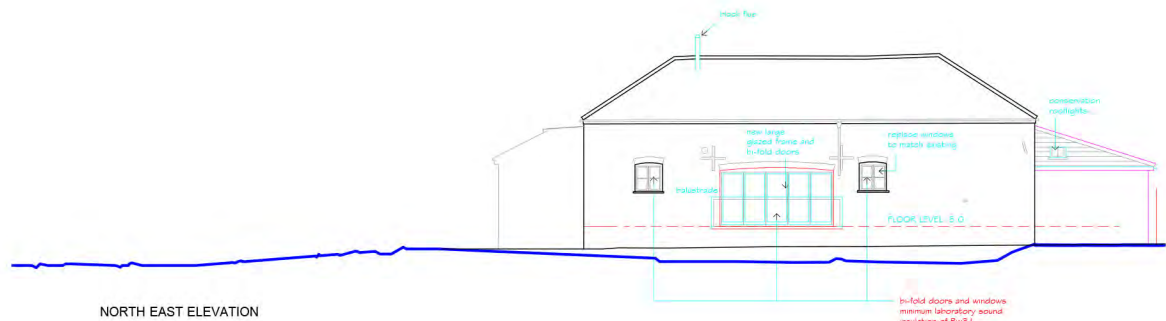
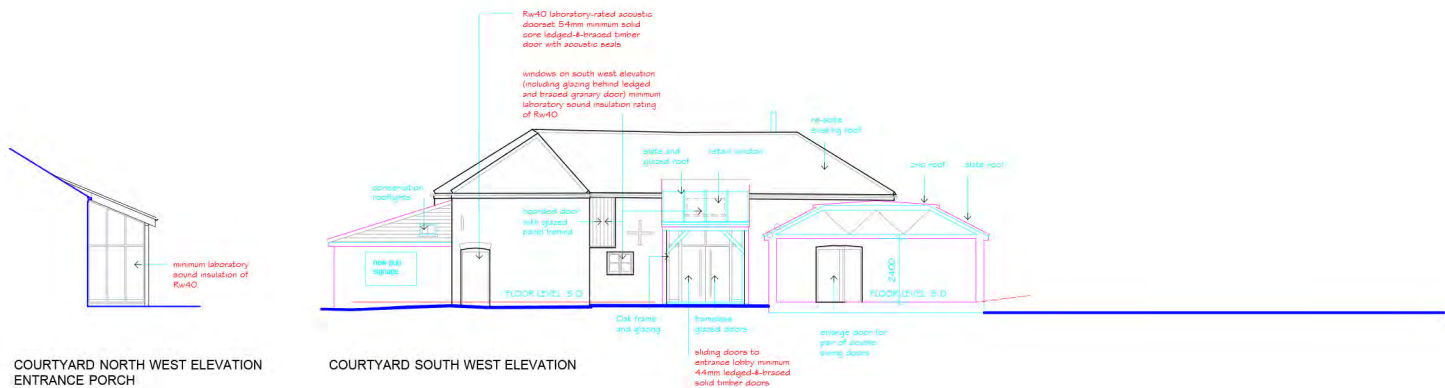
No. :      Date:      Revision

CLIENT : MARLPIT ESTATES LTD.

**JOB :** THE MARLPIT ARMS, HELLESDON ROAD, NORWICH

**TITLE:** PROPOSED ELEVATIONS 1

DATE : APR - 2017 SCALE : 1:100 DRWG : 1078/(-)03E

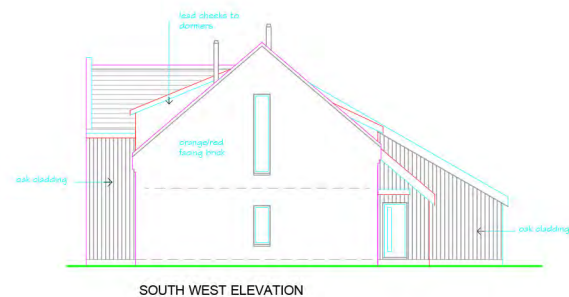


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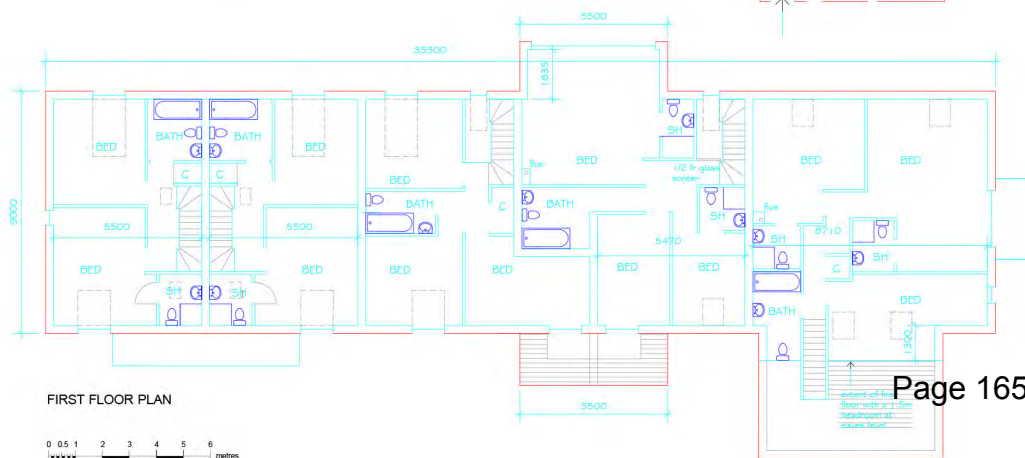
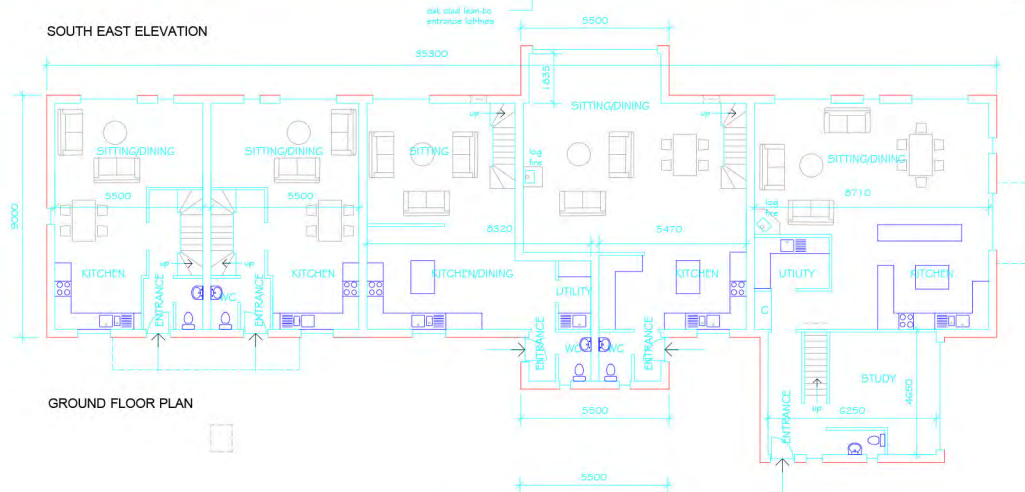
G	12/02/18	Pavilion and link omitted
F	08/02/18	Pavilion building supported on steel beams and posts External steps added to pavilion Acoustic specifications added
E	24/01/18	Cladding omitted from toilet extension
D	18/01/18	Number of leaves decreased to bi-fold doors on north-east elevation
C	11/10/17	North-east wall to Coach House-Pavilion link and Toilet/Cellar extension amended to western red cedar cladding Porch to Recreation, Activity and Events area amended
B	29/11/17	North west elevation of porch added
A	21/11/17	
No.:	Date:	Revision:

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CLIENT : MARLPIT ESTATES LTD.  
JOB : THE MARLPIT ARMS HELLESDON ROAD, NORWICH  
TITLE : PROPOSED ELEVATIONS 2.  
DATE : APR - 2017 SCALE : 1:100 DRWG : 1078(-)04G



Doors  
all doors and frames to be in  
timber, painted  
Windows  
Windows generally to be  
finished powder coated  
aluminium  
The gable glazing to be  
powder coated aluminium  
externally and painted timber  
internally



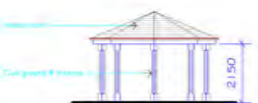
D 24/01/15 Sides of gable to south elevation clad in oak  
All timber cladding to be in oak  
Dormer roofs changed to slate with lead cheeks  
Zinc parapet cappings omitted  
Window and door specifications amended  
General amendments to elevations  
Extent of wall cladding indicated  
Revision

A 12/01/15

No: Date:

WILLIAM GLOVER Architectural Technologist MCIAI  
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CLIENT: MARLPIT ESTATES LTD.  
JOB: THE MARLPIT ARMS, HELLEDSON ROAD, NORWICH  
TITLE: 5 DWELLINGS, PLANS AND ELEVATIONS.  
DATE: APR - 2017 SCALE: 1:100 DRWG: 1078(-)05B

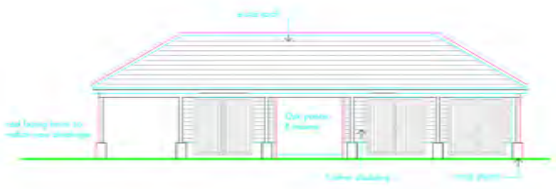


ELEVATION

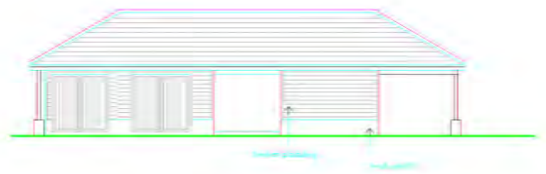


PLAN

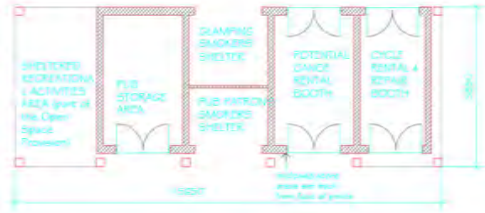
CYCLE RACK STATION



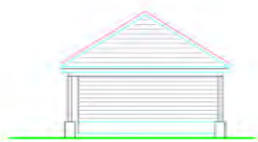
NORTH WEST ELEVATION



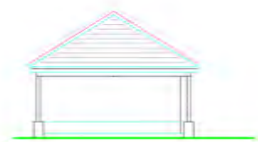
SOUTH EAST ELEVATION



PLAN



SOUTH WEST ELEVATION



NORTH EAST ELEVATION

B	2/40/1/15	Notes added to cycle rack station
A	1/70/1/15	Cycle rack station added
No.	Date	Revision

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THE OLD STABLES 1 GRANGE FARM BARN BRAMERTON  
NORWICH NR14 7DW TEL: (01508) 538803 Email: will@glover.co.uk

CLIENT : MARLPIT ESTATES LTD

JOB : THE MARLPIT ARMS, HELLESDON ROAD, NORWICH

TITLE : PROPOSED CARTSHED BUILDING AND CYCLE RACK STATION

DATE : APR - 2017 SCALE : 1:100 DRWG : 10784-008



**Report to** Planning Applications Committee  
**Report of** 8 March 2018  
**Subject** Head of Planning Services  
 Application no 17/01664/F - Land North West Side of 25 -  
 27 Surrey Street Norwich  
**Reason for referral** Objection

**Item**

**4(e)**

<b>Ward</b>	Mancroft
<b>Case officer</b>	Lara Emerson - <a href="mailto:laraemerson@norwich.gov.uk">laraemerson@norwich.gov.uk</a>

<b>Development proposal</b>		
Construction of five storey building and basement including ground floor restaurant (Class A3), first floor retail space (Class A1), hotel (Class C1) and 1no. apartment (Class C3).		
<b>Representations</b>		
Object	Comment	Support
1	0	1

<b>Main issues</b>	<b>Key considerations</b>
1. Principle of Development	Provision of restaurant, retail, hotel and residential floorspace in this location.
2. Design & heritage	Height, scale, form, detailing, impact on setting of listed buildings and conservation area.
3. Transport	Car parking, cycle parking, refuse storage and collection arrangements. Highway works.
4. Amenity	Living conditions for future and neighbouring occupants.
<b>Expiry date</b>	14 March 2018 (extended from 30 January 2018)
<b>Recommendation</b>	Approve





## The site, surroundings & constraints

1. This is the vacant site of the former single-storey ticket office at the bus station, on the north-east side of Surrey Street. The site sits in a prominent position on the corner with the entrance to the bus station. The site is currently enclosed by a close boarded fence and is overgrown with buddleia and scrub.
2. A variety of uses surround the site. To the south-east is a partly occupied office at 25-27 Surrey Street, and beyond that the residential flats of 29-35 Surrey Street. To the north is the entrance to the bus station, and beyond that the Norwich Free School for primary aged pupils. On the opposite side of Surrey Street is the 7-9 storey Aviva offices and to the south-west (rear) is the YMCA accommodation and ground floor café and beyond that, a new complex of student flats fronting Queens Road. To the west of the site is the Norwich bus station.
3. The site is within the City Centre Conservation Area and the Area of Main Archaeological Interest and there are a number of listed buildings in the vicinity of the site.
4. The local plan does not include any specific development plan allocations for this or neighbouring sites, but the site is affected by these designations: City Centre Regeneration Area (policy DM5); Area for Increased Parking (DM29); Office Development Priority Area (DM19); and the site is also within the St Stephens Street Masterplan Area Boundary.

## Relevant planning history

Ref	Proposal	Decision	Date
07/01120/F	Erection of three-storey building for B1 office use including toilet facility linked to adjacent bus station.	Approved	03/04/2008
14/01816/F	Erection of four storey building providing B1 (office) and/or A1 (retail)/A2 (professional services) use at ground floor and 10 No. residential flats above.	Refused	14/07/2015
16/00431/F	Erection of eight flats with office (Class B1), retail (Class A1) or financial/professional services (Class A2) uses at ground floor level.	Approved	22/06/2016

## The proposal

5. The proposal is for the construction of a five storey building with basement and central stair core and lift. The building provides the following uses:
  - Restaurant with kitchen and separate café on the ground floor with entrance on the bus station elevation
  - A day spa on the first floor accessed through a shared lobby from Surrey Street
  - 26 bed boutique hotel on the second and third floors accessed through the shared lobby from Surrey Street

- Penthouse apartment on the fourth floor accessed through the shared lobby from Surrey Street
6. The building extends to the site boundaries at ground floor but is stepped back from the adjacent office block from first floor level upwards. The penthouse apartment is stepped back further from the front and rear boundaries to provide two terraces. The upper floors, supported by a column, overhang an area of extended pavement on Surrey Street.
  7. Whilst the proposed building has a unified appearance overall, the various uses of the building are to be visually differentiated. The building is proposed to have a glazed shopfront to the restaurant and café at ground floor, a brise soleil to the retail space on the first floor, brick elevations with aluminium windows to the hotel at the second and third floors and a metal clad penthouse on the fourth floor.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	1
No. of affordable dwellings	n/a
Floorspace	<b>Restaurant: approx. 350m<sup>2</sup></b> <b>Retail: approx. 400m<sup>2</sup></b> <b>Hotel: approx. 800m<sup>2</sup></b> <b>Penthouse: approx. 310m<sup>2</sup></b> <b>Total floorspace including circulation space: 2,175m<sup>2</sup></b>
No. of storeys	5
Max. dimensions	<b>Footprint 14m x 42m</b> <b>17.5m total height</b>
<b>Appearance</b>	
Materials	<b>Brick, metal cladding, aluminium windows</b> <b>Full details to be agreed</b>
Energy efficiency measures	<b>To be agreed</b>
<b>Operation</b>	
Opening hours	<b>Retail: 07:30 - 20:30</b> <b>Restaurant: 08:00 - 23:30</b>
Plant and equipment	<b>To be agreed</b>
<b>Transport matters</b>	
No of car parking spaces	1
No of cycle parking spaces	6
Servicing arrangements	<b>Deliveries and refuse collections to be taken from bus station</b>

### Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 1 letter of support has been received from the Norwich

Society. 1 letter of objection has been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

<b>Issues raised</b>	<b>Response</b>
Loss of light to adjacent office block	See main issue 4 relating to amenity.
Overlooking from terrace into adjacent office block	See main issue 4 relating to amenity.

### **Consultation responses**

9. 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**

10. The works as proposed will not be harmful to the setting of multiple listed buildings. The development of a currently unused and over-grown, prominent corner site in the city centre, with a high quality scheme would result in an enhancement of the wider setting.
11. Although the overall height of the proposed development is an increase over the previously approved scheme, it is an appropriate scale relative to the adjacent buildings and due to the 'set-back' penthouse on the fifth floor will not dominate over the existing buildings. A simple, contemporary form is preferred for this site so as not to detract from the classical form of the adjacent listed buildings. The proposed form should also attempt to offer an additional level of interest to the setting. In this setting it is advised that this should be achieved through exemplary high quality design and finish rather than a singularly identifiable feature. The proposed form of the development is as a result of continued negotiation and some of the more complicated design elements will require conditioning. It is suggested that these conditions should be pre-commencement.
12. The proposal will result in an enhancement to the character and appearance of the wider setting, which is a conservation area and considered to be 'significant' in the character appraisal.

### **Historic England**

13. No comments.

### **Environmental protection**

14. No comments.

### **Highways (local)**

15. No objection in principle.
16. Construction management plan required as a pre-commencement condition; this will require consent from Highway Authority (Streetworks team) and Norfolk County Council (landowner of adjacent bus station site).

17. Private car parking garage for one vehicle may be provided on the Surrey Street side of the site, potentially with residential refuse storage incorporated.
18. S278 agreement (fees apply) for highway improvement will be required to resurface the footway and provide protective bollards. Should a private garage be provided within the site, the adjacent streetlight on Surrey Street will require relocation (all costs met by applicant).
19. Written agreement with Norfolk County Council with regard to vehicle access to bus station service road during construction and post completion e.g. for maintenance access to the exterior of the building.
20. A refuse management plan for the site is strongly advised. Given the constraints of means of access to the rear the use of Winnals Yard is strongly advised.

### **Highways (strategic)**

21. The pavement at the corner of the site is a pinch point and should be widened. There will be a need for the applicant to negotiate a wayleave with Norfolk County Council to allow access to the restaurant entrance.

### **Norfolk Historic Environment Service**

22. The site has already undergone an archaeological evaluation as part of a previous application (16/00431/F) and therefore we do not wish to make any recommendations for archaeological work.

### **Norfolk Constabulary**

23. Detailed comments on a variety of security measures including safety glass and CCTV.

### **Lead Local Flood Authority**

24. No comments.

### **Norwich City Council Citywide Services**

25. Bin lorries will not be able to stop in the bus station to collect residential waste. Suggest they move the bin store to Surrey Street.

### **Norwich City Council Streetworks**

26. This is a constrained site and a road closure or significant traffic management would have a major impact on the bus station, especially as we also have the St Stephens Towers development going on for at least the next year on the other side of the station and our own major junction remodelling at the Brazengate junction. Suggest imposing a condition requiring a construction management plan.

### **Assessment of planning considerations**

#### **Relevant development plan policies**

27. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan 2014**

- 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
- JCS19 The hierarchy of centres

**28. Norwich Development Management Policies Local Plan adopted Dec 2014**

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development
- DM16 Supporting the needs of business
- DM18 Promoting and supporting centres
- DM20 Protecting and supporting city centre shopping
- DM28 Encouraging sustainable travel
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

**Other material considerations**

**29. Relevant sections of the National Planning Policy Framework March 2012**

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF12 Conserving and enhancing the historic environment

**Case Assessment**

30. 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, the council's 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**

31. Key policies and NPPF paragraphs – DM12, DM18, DM20, NPPF paragraphs 14, 21, 22, 24 and 49.
32. The site has been vacant for over a decade since the demolition of the former ticket office. This is a sustainably situated and prominent city centre brownfield site which

is ideal for some form of development. There is an extant consent for a 4 storey development comprising commercial uses on the ground floor and residential flats above.

33. The application proposes a mix of commercial and residential uses. The commercial uses (restaurant, café, retail and hotel) all fall with the National Planning Policy Framework's definition of main town centre uses. As such, policy DM18 of the Local Plan applies, which seeks to direct main town centre uses to defined retail centres. In this case, with the site being adjacent to a public transport hub and on a key pedestrian route between the bus station and St Stephens Street, a sequential test has not been deemed necessary. The provision of commercial uses here is unlikely to compromise the vitality and viability of the city centre or other defined retail centres. The benefits of the scheme and the exceptionally sustainable location of the site are considered to outweigh this conflict with policy. The St Stephens Area Masterplan (2011) encourages active retail and restaurant uses on this busy pedestrian route to enliven the area and improve the pedestrian environment.
34. A condition is recommended which restricts the first floor to a spa use and for no other uses within Use Class A1. A spa is considered to complement the hotel use and surrounding business uses, and other retail uses may cause more harm to defined retail centres.
35. Residential development on the site accords with the criteria set out within DM12 but in any case, the principle of residential development has already been established due to the most recent consent (16/00431/F).
36. The principle of restaurant, café, retail, hotel and residential uses on the site is considered acceptable in principle subject to the other policy and material considerations detailed below.

## **Main issue 2: Design & Heritage**

37. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56 and 60-66, 128-141.
38. Surrey Street is varied in terms of its architecture being made up mostly of modern office blocks and classically proportioned historic buildings. The site sits on a prominent corner plot and so it is considered that a bold and outstanding design is needed. That being said, the site sits within the City Centre Conservation Area and in the vicinity of many listed buildings and so the design must respect and respond to this sensitive historic setting.
39. There is an extant consent for a 4 storey development which follows broadly the same footprint as the proposed scheme. The proposed building is 5 storeys high (taller than the 4 storey consented scheme by 2.4m), but with the top floor being set back from the front and rear boundaries to reduce its visual impact on the street scene. Whilst the proposed building has a unified appearance overall, the various uses of the building are proposed to be visually differentiated. The building is proposed to have a glazed shopfront to the restaurant and café at ground floor, a brise soleil to the retail space on the first floor, brick elevations with aluminium windows to the hotel at the second and third floors and a metal clad penthouse on



the fourth floor. Precise materials and details are proposed to be agreed by condition.

40. The design of the scheme has been improved upon during the course of the application to secure a simple design with a hierarchy of windows which responds to the classical proportions seen on 29-35 Surrey Street and the Free School. The façade is broken up horizontally by using different design elements for each of the building uses, and the two entrances help to break up and define the frontage on the ground floor.
41. The proposal is considered to respect, enhance and respond to the character and local distinctiveness of the area in accordance with policies DM3 and DM9 of the Local Plan.

### **Main issue 3: Transport**

42. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
43. The site sits in a highly accessible location within easy walking distance of the whole city centre and being particularly well served by the bus station. The Yellow and Blue Pedalways pass the site providing excellent access by cycle from all over the city.
44. The site provides a garage for the penthouse apartment which can be used for the parking of 1 car and the storage of bicycles. A staff cycle storage room is shown on the ground floor which provides secure and covered cycle parking for 6 bikes. This is below policy requirements (14 secure and covered cycle spaces required for the commercial units within the development). The cycle storage room is also not in the ideal location at present since it can only be accessed through the internal shared lobby. A condition is recommended which requires further details of the location and number of cycle parking spaces. There is ample provision of visitor cycle parking within the public cycle stands opposite the site within the bus station.
45. Bins are proposed to be stored in a shared bin store accessed from the bus station. It is understood that the applicant is in the process of drawing up an agreement with Norfolk County Council in order to be able to service the development from their land. A refuse management plan is required by condition as it is important that the servicing of the development does not disrupt the efficient operation of the bus station or cause an obstruction to traffic on Surrey Street. Subject to an assessment of rights of access, it may be concluded that the best option is to service the commercial parts of the development from Winnals Yard, to the rear of the site. Consideration will also be given to the storage of the residential refuse bins within the garage fronting Surrey Street.
46. A travel plan is proposed to be secured by condition which will ensure that the sustainable travel options are effectively communicated to staff and visitors.
47. Some works to the highway are required due to the provision of a garage on the Surrey Street elevation. A dropped kerb needs to be installed along with line painting and the relocation of a street light. All of these works will be paid for by the developer.

48. The development allows for the widening of the pavement on Surrey Street and on the corner with the bus station, which is beneficial on this busy pedestrian route. The council intends to adopt this additional strip of pavement.
49. The site sits in a critical transport corridor and it is essential that the construction of the development is carefully managed to avoid disruption to bus services and the efficient movement of traffic within the city centre. As such, a construction management plan is required by condition.

#### **Main issue 4: Amenity**

50. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

#### **Impact on neighbouring occupiers**

51. The site to the south-east, known as 25-27 Surrey Street, is a 5 storey office block with large windows on all elevations. The proposed development extends all the way to the boundary on the ground floor but steps away from this boundary from first floor upwards, sitting at 3m from the neighbouring building at its closest point. It is important to note that development of this site should not be unduly prejudiced by the fact that the neighbouring office block has windows on a side elevation facing towards a city centre site which could reasonably be expected to be developed.
52. Whilst it is appreciated that the proposed development may lead to some loss of light and outlook to the windows closest to the development, it is worth noting that offices are less sensitive to loss of light than, say, housing. The affected rooms also appear to be served by a number of other large windows and the affected windows face north (where low levels of light can be expected in any case).
53. There are windows proposed within the second and third floors facing towards the neighbouring office block which serve hotel rooms and are set at a distance of 6 metres from windows within the neighbouring site. 6 metres is a reasonable distance to protect users from overlooking and in any case hotel guests using these rooms could choose to close their blinds to protect their own privacy. The terrace on the top floor also provides potential overlooking opportunities into the top floor windows of the neighbouring site. However, occupants would need to stand at the very edge of the large terrace in order to gain views into the neighbouring windows. It is not considered that any of these issues cause unreasonable impacts on the amenities of the users of the neighbouring office block.
54. To the north west of the site there is a YMCA building used as a café on the ground floor and providing temporary accommodation above. The elevation facing towards this site has a number of small windows which serve a stairwell and are therefore not particularly vulnerable to loss of outlook, light or privacy.
55. The uses proposed here are not particularly noisy in themselves, but will involve people coming and going at all hours. This is not likely to cause a particular nuisance to the surrounding occupiers.

#### **Amenity of future occupants**

56. The only potential amenity concern for the uses proposed at ground to third floor is the privacy and protection from noise for the guests using the hotel rooms on the

second and third floors. There are hotel room windows proposed within the second and third floors which are set at a distance of 6m from windows within the neighbouring office block. 6 metres is a reasonable distance to protect users from overlooking and in any case hotel guests using these rooms could choose to close their blinds to protect their own privacy. In addition, the office is likely to be empty outside of office hours. The previously consented scheme was supported by a noise assessment which concluded that the flats, which were proposed on all upper floors, could be adequately protected from the noise generating use at the bus station. As such, it is reasonable to conclude that measures can be used to protect the less vulnerable hotel use. Details of such protection are required by condition.

57. The top floor penthouse is the most vulnerable use proposed within the building. The unit is very generously sized and has ample outside space provided on two terraces. The windows are afforded with excellent light, outlook and privacy. The penthouse is accessed through a communal lobby. The management of the building and the access rights of the users of the various facilities within the building are an important detail, which will be agreed by condition. The previously consented scheme was supported by a noise assessment which concluded that the flats, which were then proposed on all upper floors, could be adequately protected from the noise generating use at the bus station. Details requested by condition include acoustic protection within the external construction, mechanical ventilation and sound protection within the floor between the hotel use and the residential use.
58. The proposed development has been carefully designed on this tightly constrained site to provide appropriate relationships between existing and future occupiers. The proposed development is considered to adequately protect the amenities of neighbouring and future occupants in accordance with policy DM2.

### **Other matters**

59. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation.
- Surface water management - scheme requested by condition
  - Biodiversity - no site clearance during the bird nesting season
  - Energy & water conservation - measures to be agreed by condition
  - Security measures and prevention of crime - details requested by condition

### **Equalities and diversity issues**

60. There are no significant equality or diversity issues.

### **Local finance considerations**

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

## **Conclusion**

62. The development provides a high quality landmark building on a prominent city centre brownfield site. The commercial uses within the building will complement the city centre retail offer on this key pedestrian route to and from the bus station. The development also provides a large city centre residential apartment in a sustainable location. The development has been well designed to protect the amenities of neighbouring and future occupiers. 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**

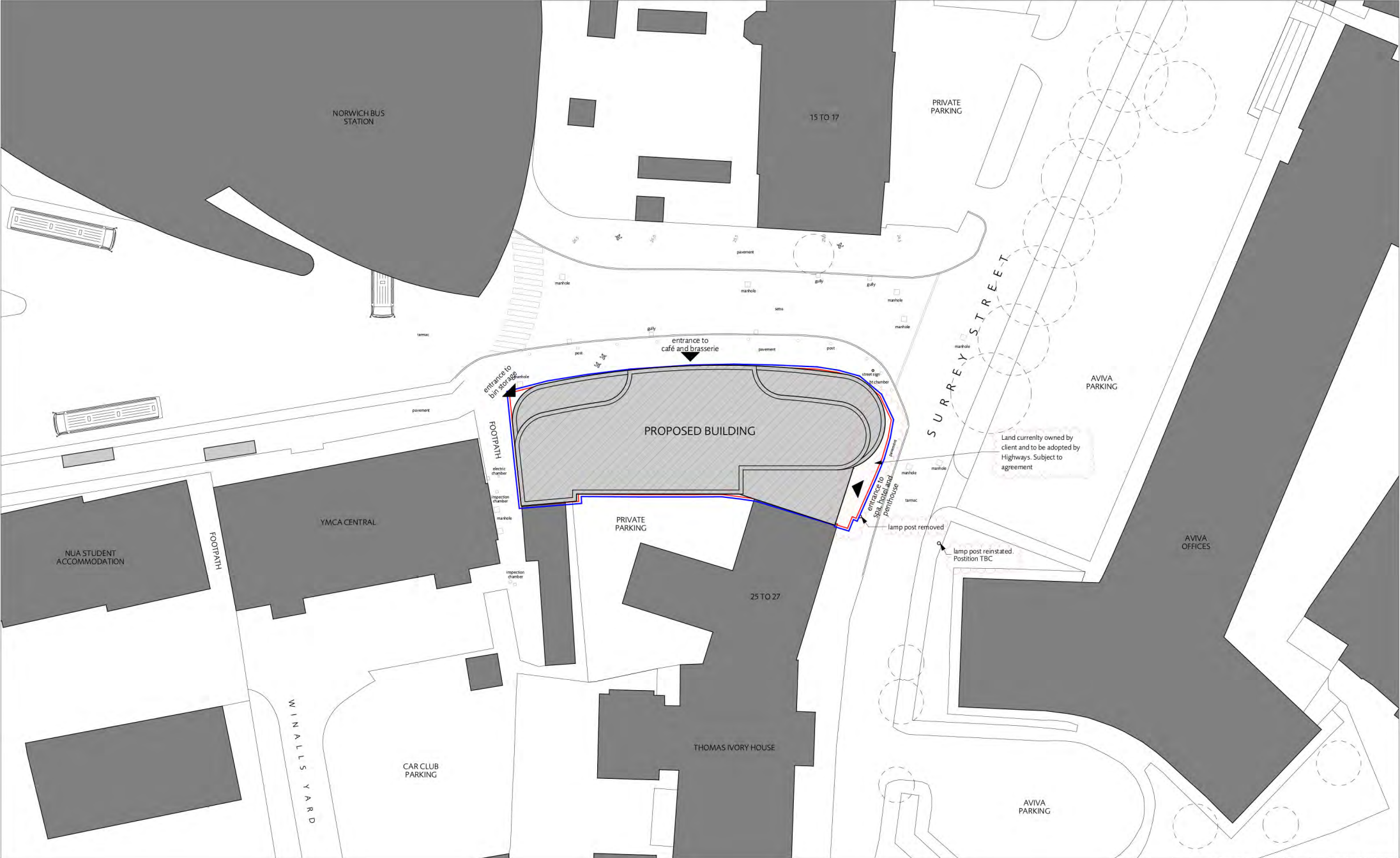
To approve application no. 17/01664/F - Land North West Side of 25 - 27 Surrey Street Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. SUDs including consideration of green roof;
4. Travel plan;
5. Agree location and number of cycle spaces;
6. No site clearance within bird nesting season;
7. External materials to be agreed;
8. Energy efficiency measures to be agreed;
9. Construction management plan to be agreed;
10. Security measures to be agreed, to include:
  - (a) Fire retardant, anti-graffiti and laminated glass at ground floor
  - (b) CCTV scheme to be agreed
  - (c) External lighting scheme to be agreed
  - (d) Details of the access rights of users of the various facilities and how this will be controlled
11. Acoustic measures to be agreed (windows and mechanical ventilation) for second-fourth floors including floor between hotel and apartment;
12. Highway works (including dropped kerb, line painting, works to pavement and relocation of street lights) to be agreed and implemented as agreed;
13. Refuse management plan to be agreed;
14. Water conservation measures to be agreed;
15. No plant and machinery to be installed without permission;
16. First floor to be spa and no other use within A1.

### **Informatives:**

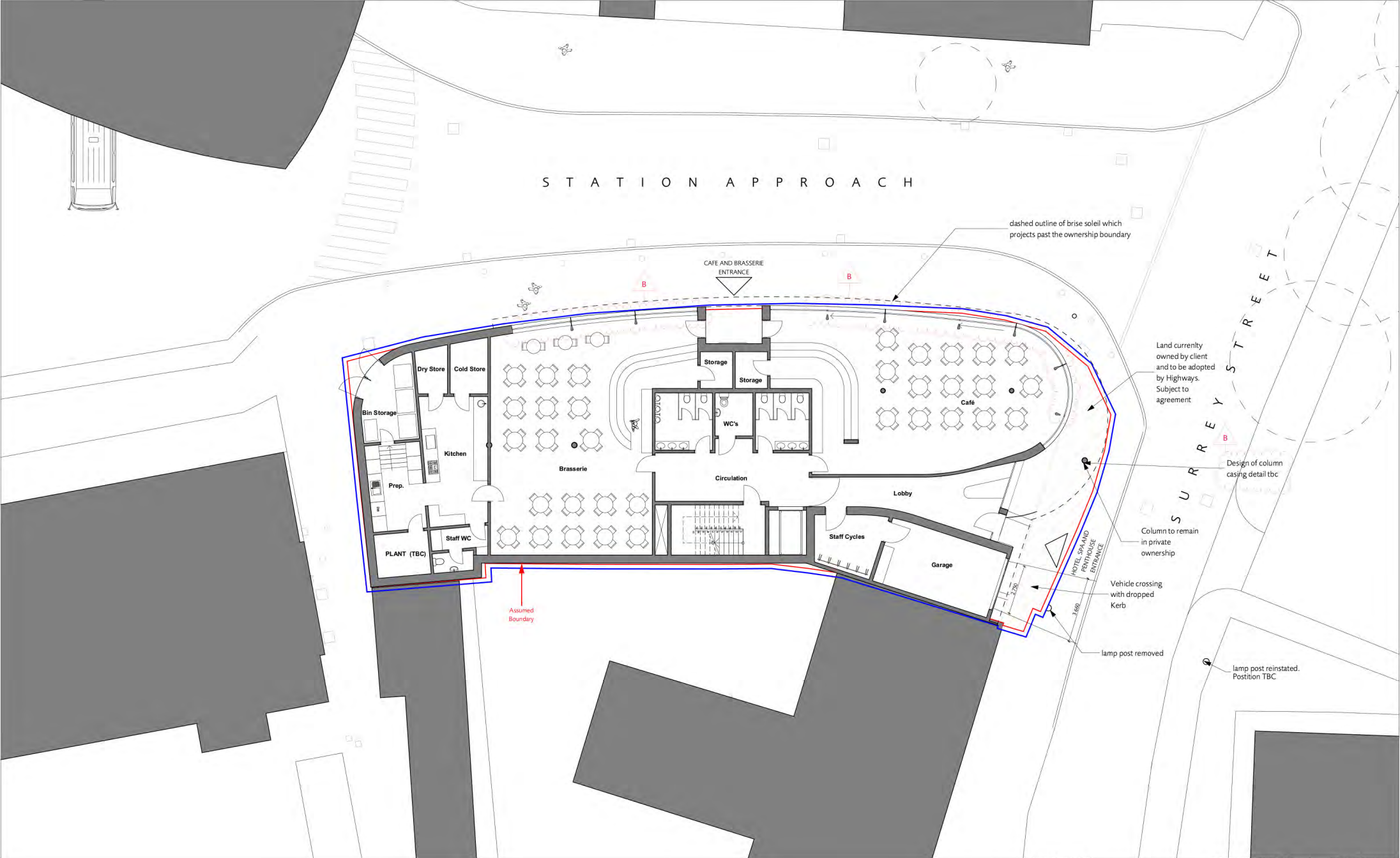
1. Not entitled to on-street parking permits;
2. Contact the city council regarding postal addressing of the scheme;
3. Should the applicant wish the highway authority to adopt the extended paving on Surrey Street under the overhang to the back of building line, this would require a S38 agreement (fees apply). This would also trigger the requirement for a building overhang license;

4. Adverts require separate consent.



PLANNING SUBMISSION		HUDSONArchitects	
status	11/10/2017	issued for planning	10000401
revisions	18/01/2018	Revised land ownership (Change hatch) + lamp post relocation	10000401
job		Former Tower Office Site	10000401
address		10000401	10000401
title		SITE PROPOSED	10000401
scale		1:5000000	1:5000000
date		11/10/2017	11/10/2017
job reference		10000401	10000401
drawing number		10000401	10000401
revision		10000401	10000401
TTO		P-001	A
Do not scale off dimensions. Check all dimensions on site and against any approved drawings by Architect immediately. This drawing is copyright.			





APPROX AREAS (m <sup>2</sup> )	
Café:	120
Brasserie:	130
Kitchen:	60
WC's:	45
Storage:	25
Lobby:	25
Circulation:	45
Delivery Store:	25
Staff Cycles:	12

\* Subject to input from consultants on structures and m&e. Subject to further review for building regs compliance. Location and size of electrical transformer t.b.c.

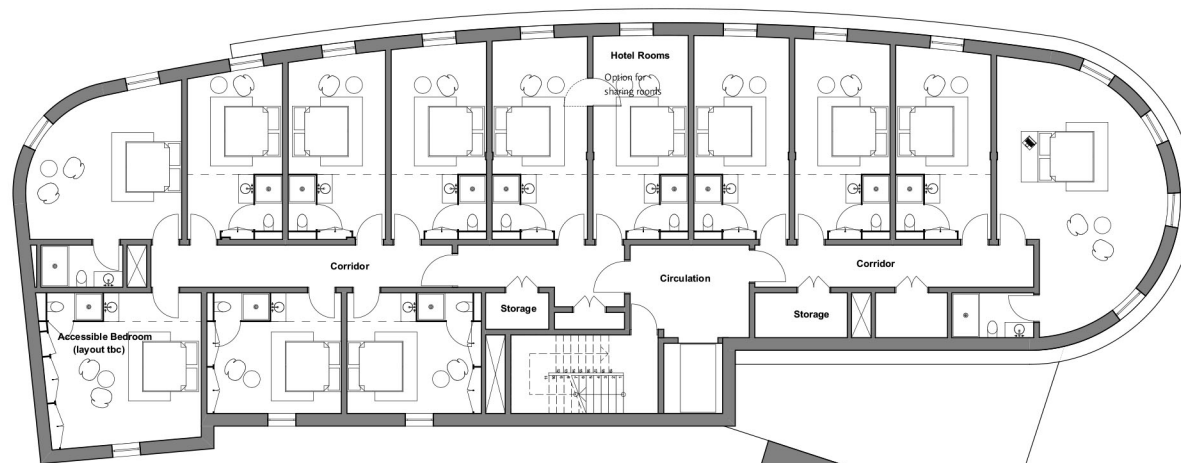
PLANNING SUBMISSION		HUDSONArchitects	
revision	11/10/2017	issued for planning	11/10/2017
A	18/01/2018	Revised land ownership (Orange hatch) + Lamp post relocation	18/01/2018
B	16/02/2018	Clamping detail revised	16/02/2018
JOB: Former Tower Office Site		ADDRESS: 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 249, 251, 253, 255, 257, 259, 261, 263, 265, 267, 269, 271, 273, 275, 277, 279, 281, 283, 285, 287, 289, 291, 293, 295, 297, 299, 301, 303, 305, 307, 309, 311, 313, 315, 317, 319, 321, 323, 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377, 379, 381, 383, 385, 387, 389, 391, 393, 395, 397, 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425, 427, 429, 431, 433, 435, 437, 439, 441, 443, 445, 447, 449, 451, 453, 455, 457, 459, 461, 463, 465, 467, 469, 471, 473, 475, 477, 479, 481, 483, 485, 487, 489, 491, 493, 495, 497, 499, 501, 503, 505, 507, 509, 511, 513, 515, 517, 519, 521, 523, 525, 527, 529, 531, 533, 535, 537, 539, 541, 543, 545, 547, 549, 551, 553, 555, 557, 559, 561, 563, 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JOB: Former Tower Office Site		ADDRESS: 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 249, 251, 253, 255, 257, 259, 261, 263, 265, 267, 269, 271, 273, 275, 277, 279, 281, 283, 285, 287, 289, 291, 293, 295, 297, 299, 301, 303, 305, 307, 309, 311, 313, 315, 317, 319, 321, 323, 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377, 379, 381, 383, 385, 387, 389, 391, 393, 395, 397, 399, 401, 403, 405, 407, 409, 411, 413, 415, 417, 419, 421, 423, 425, 427, 429, 431, 433, 435, 437, 439, 441, 443, 445, 447, 449, 451, 453, 455, 457, 459, 461, 463, 465, 467, 469, 471, 473, 475,	



APPROX AREAS (m <sup>2</sup> )	
Spa:	220
Retail:	62
Salon:	120
Circulation:	45

\* Subject to input from consultants on structures and m&e. Subject to further review for building regs compliance. Location and size of electrical transformer t.b.c.

PLANNING SUBMISSION		HUDSONArchitects	
status	11/12/2017	issued for planning	11/12/2017
revision	A	16/02/2018	Spacing of trees adjusted
address		37 & 40 Leinster Road HQ479 100 LEINSTER ROAD LONDON 90 Cavers Street EC2M4JF www.hudsonarchitect.co.uk info@hudsonarchitect.co.uk	
job		Former Crompton Office Site	
survey sheet		Survey Sheet	
address		Plot No. 3	
area		ALFORD ROAD	
title		FIRST FLOOR	
scale		1:100M/A1	date 11/12/2017
TTO		P-110-A	
[plot reference] [drawing number] [revision]			
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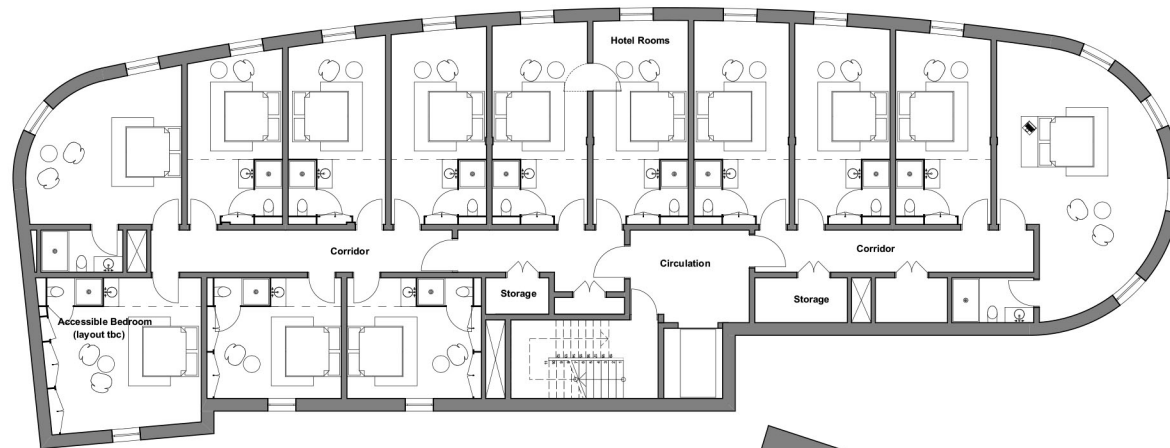
APPROX AREAS (m<sup>2</sup>)  
(same as third floor)

3x Superior Room:	115
10x Standard Room:	245
Corridor:	45
Circulation:	35
Storage:	10

\* Subject to input from consultants on structures and m.e. Subject to further review for building regs compliance. Location and size of electrical transformer t.b.c.



PLANNING SUBMISSION		HUDSONArchitects	
status	11/10/2017 issued for planning	10000000	27 St Andrew Street N2 4TP
revision		10000000	10000000
address	10000000	10000000	10000000
site	10000000	10000000	10000000
scale	1:1000000	10000000	10000000
date	11/10/2017	10000000	10000000
job reference	drawing number	revision	
TTO	P-120	-	
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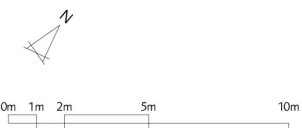


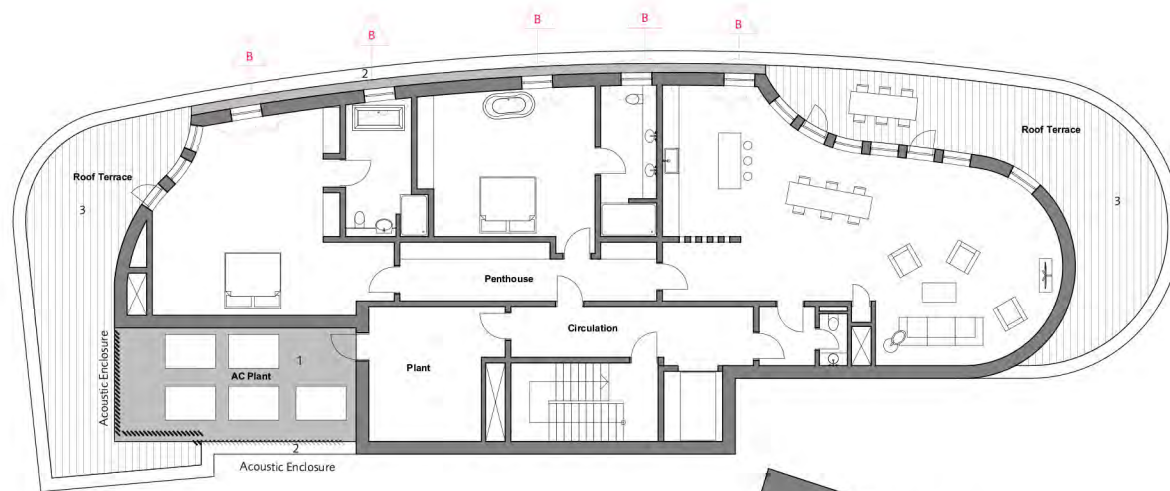
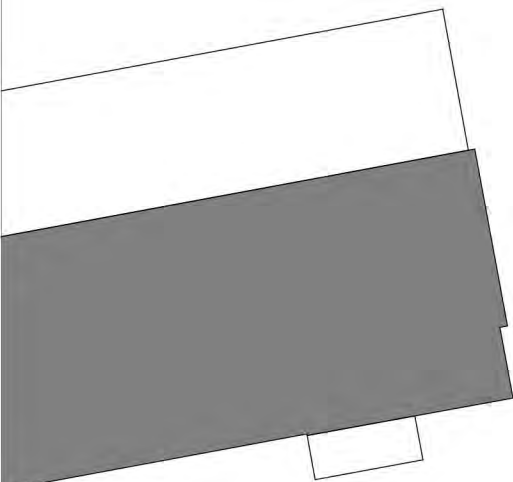
APPROX AREAS (m<sup>2</sup>)  
(same as second floor)

3x Superior Room:	115
10x Standard Room:	245
Corridor:	45
Circulation:	35
Storage:	10

\* Subject to input from consultants on structures and m&e. Subject to further review for building regs compliance. Location and size of electrical transformer t.b.c.

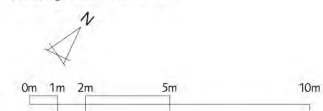
PLANNING SUBMISSION		HUDSONArchitects	
status	11/10/2017 issued for planning	10000000	27 St Andrew Street N2 4TP
revision		10000000	10000000
address	10000000	10000000	10000000
title	10000000	10000000	10000000
scale	1:1000000	10000000	10000000
date	11/10/2017	10000000	10000000
job reference	10000000	10000000	10000000
drawing number	10000000	10000000	10000000
revision	10000000	10000000	10000000
TT0	P-130	10000000	10000000
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# KEY

- 1 single ply membrane roof, colour grey
- 2 aluminium capping, colour grey
- 3 decking, material + colour tbc



APPROX AREAS (m<sup>2</sup>)  
Penthouse: 310  
Roof Terrace: 110  
Circulation: 30

\* Subject to input from consultants on structures and m&e. Subject to further review for building regs compliance. Location and size of electrical transformer t.b.c.

## PLANNING SUBMISSION

revision	date	description
1	11/12/2017	Issued for planning
A	16/02/2018	Window positions adjusted
B	21/02/2018	Window positions and widths adjusted

## HUDSONArchitects

17 St Andrew Street, 1024 47P  
1st Floor, 1024 47P  
LONDON  
EC1A 1BB  
www.hudsonarchitects.co.uk  
info@hudsonarchitects.co.uk

job: Former Tower Office Site

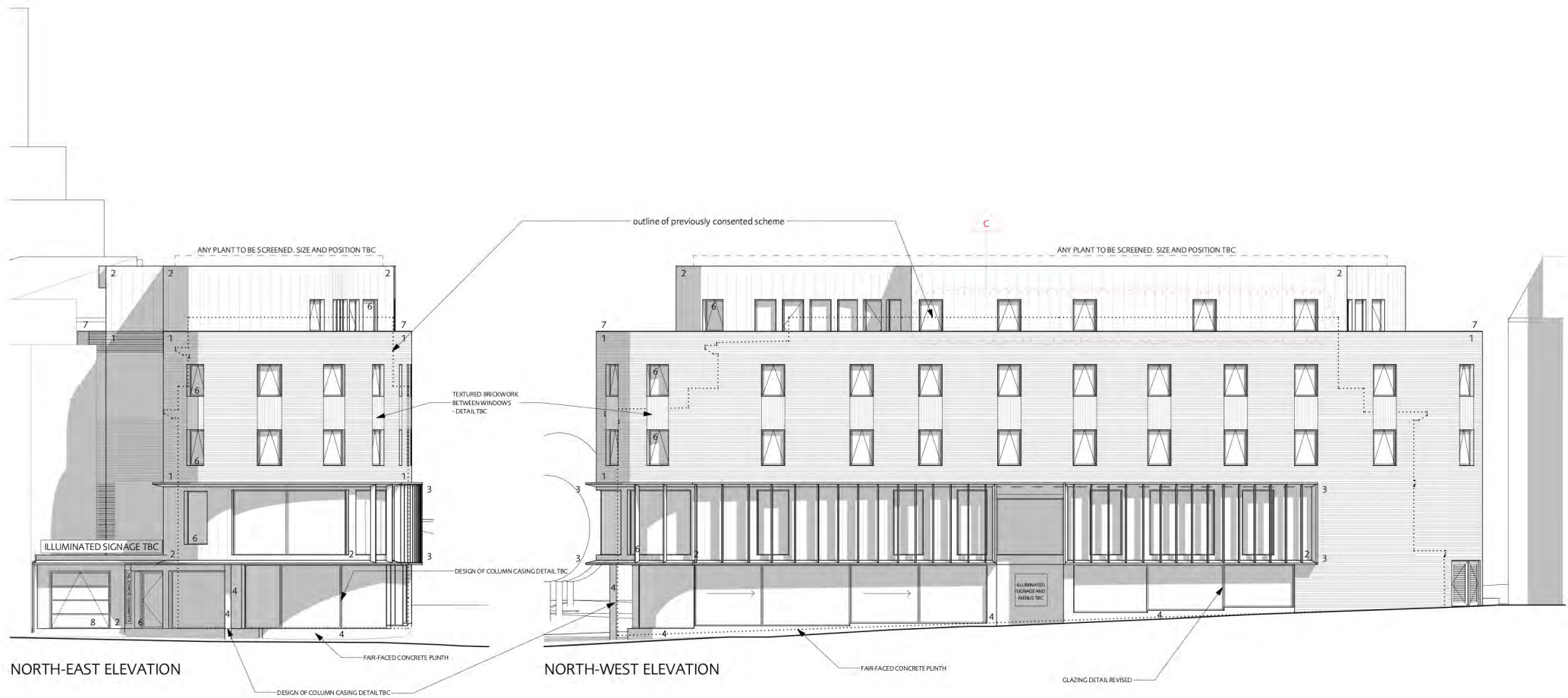
address: 1024 47P

site: FOURTH FLOOR

scale: 1:1000000 date: 11/12/2017

TT0 P-140 B

Do not scale off drawings. Check all dimensions on site and against any approved drawings for Architect approval. This drawing is copyright.



## KEY

- 1 red brick
- 2 metal cladding, colour grey
- 3 brise soleil, colour grey
- 4 concrete plinth, colour grey
- 5 acoustic enclosure, colour grey
- 6 aluminium door/window, colour grey
- 7 aluminium capping, colour grey
- 8 Garage door to be mounted flush and to match finish of walls adjacent.

0m 1m 2m 5m 10m

PLANNING SUBMISSION			HUDSONArchitects		
status	11/10/2017	issued for planning	NOV0802	27 St Andrew Street, NG2 4TP	
revisions			NOV0802	NOV0802	
A	22/01/2018	2nd floor windows made to meet revised height and garage info	LONDON	30 Leicester Street, EC1M 6EE	
B	16/02/2018	Person height reduced, glazing and fire details revised, brick in fire details added	www.hudsonarchitects.co.uk	info@hudsonarchitects.co.uk	
C	21/02/2018	Fourth floor window widths and positions adjusted			
			job	Former Tower Office Site	
			address	NET 201	
			site	ALSO PROPOSED	
			view	NORTH-EAST + NORTH-WEST	
			scale	1:1000/1	date 11/10/2017
			job reference	Drawing number	revision
			P-200 C		
			Do not scale off dimensions. Check all dimensions on site and report any apparent discrepancy to Architect immediately. This drawing is unapproved.		



**Report to** Planning Applications Committee  
**Report of** 8 March 2018  
**Subject** Head of planning services  
Application no 18/00008/F - 82 Unthank Road,  
Norwich, NR2 2RW  
**Reason for referral** Objections

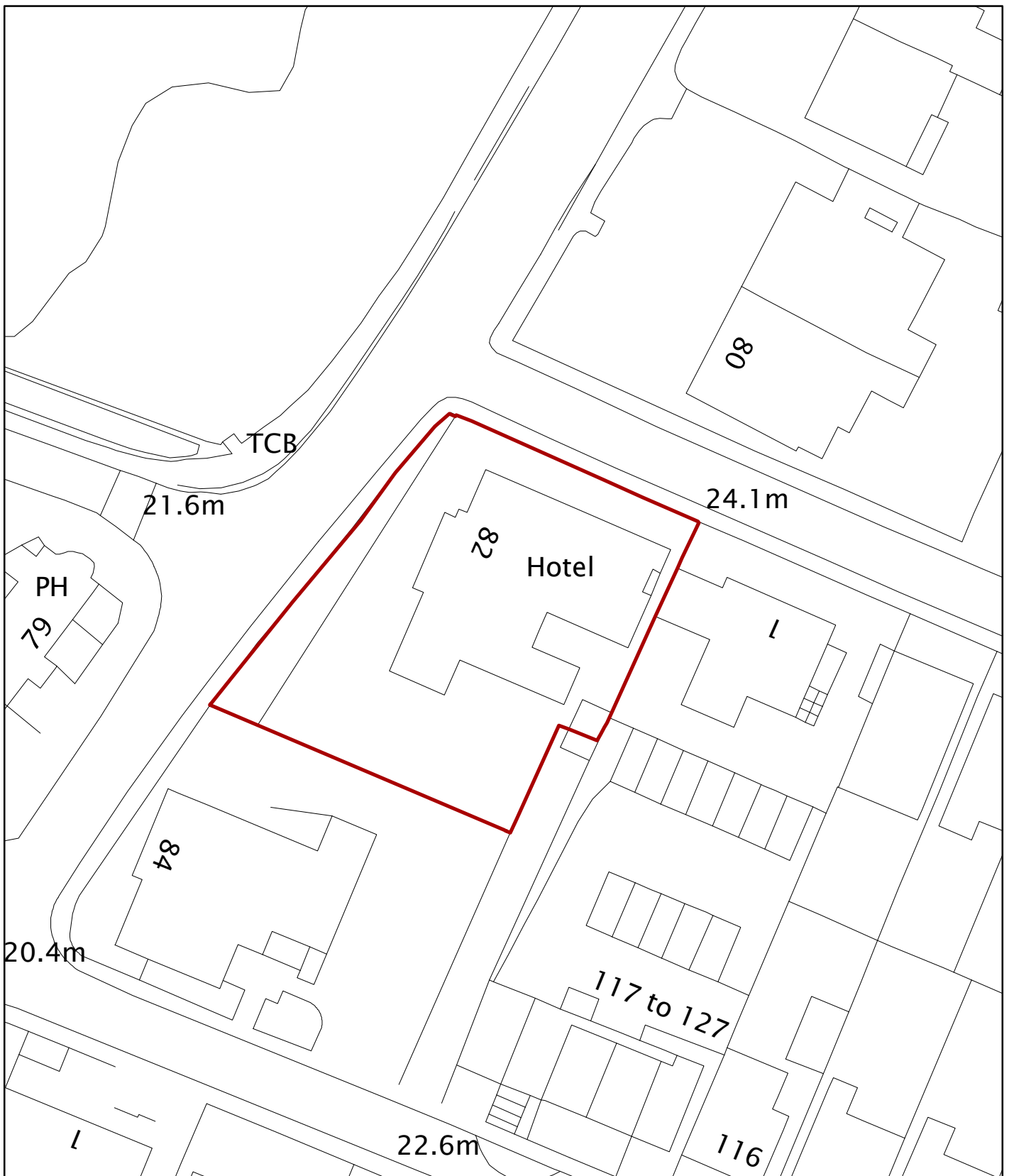
**Item**

**4(f)**

<b>Ward</b>	Town Close
<b>Case officer</b>	Lara Emerson - <a href="mailto:laraemerson@norwich.gov.uk">laraemerson@norwich.gov.uk</a>

<b>Development proposal</b>		
Single storey rear extension including first floor terrace, external alterations, associated new lighting and landscaping works.		
<b>Representations</b>		
Object	Comment	Support
2	0	0

<b>Main issues</b>	<b>Key considerations</b>
1. Design & heritage	Impact on character and appearance of locally listed building & wider conservation area.
2. Amenity	Loss of outlook, light, privacy.
<b>Expiry date</b>	8 March 2018
<b>Recommendation</b>	Approve



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Planning Application No 18/00008/F  
Site Address 82 Unthank Road

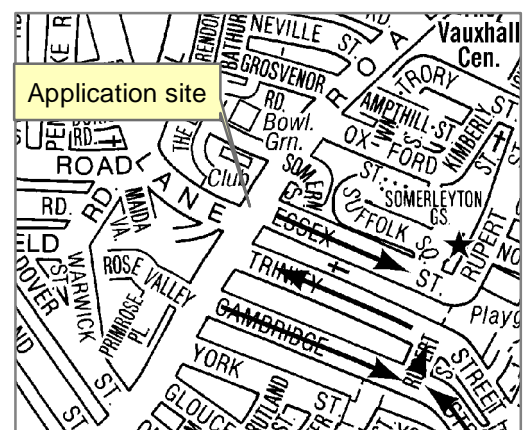
Scale 1:500



**NORWICH**  
City Council

PLANNING SERVICES

Page 188 of 280



## The site, surroundings and constraints

1. This substantial mid Victorian villa has been built in the Gothic Revival style and is a former rectory dating from the 19<sup>th</sup> Century. The building is located at the edge of the Unthank Road shopping centre on the corner with Essex Street. To the south of the property is Tesco Express and a site on Trinity Street which is currently under construction and will provide a flatted development. To the east of the site is a detached residential dwelling known as 1 Essex Street. The property has been added to and altered over the years and has most recently been in use as a 22 bedroom hotel.
2. The property is locally listed and is located within the Heigham Grove Conservation Area. This part of the conservation area is subject to an Article 4 Direction which seeks to protect the area's historic character by removing permitted development rights for a range of development including alterations to a building which front a highway and replacement of windows and doors.
3. The site is also within the critical drainage catchment.

## Relevant planning history

Ref	Proposal	Decision	Date
15/01390/F	Demolition of hotel and erection of 6 No. houses of multiple occupation comprising 2 x 5 bed and 4 x 6 bed (use class C4).	Refused	18/12/2015
18/00010/A	Display of 3 No. externally illuminated fascia signs.	Approved	12/02/2018

## The proposal

4. The proposal is for a single storey rear extension, window replacement works and installation of 5 cycle stands, an external staircase, walkway and terrace

## Representations

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Overlooking from terrace	See main issue 2 relating to amenity.
Historical noise and anti-social behaviour issues at this site	See main issue 2 relating to amenity.

## Consultation responses

6. 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**

7. This is not an application that I intend to provide conservation and design officer comments on because it does not appear on the basis of the application description to require our specialist conservation and design expertise. This should not be interpreted as a judgement about the acceptability or otherwise of the proposal.

## **Assessment of planning considerations**

### **Relevant development plan policies**

8. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan 2014**
  - JCS2 Promoting good design
9. **Norwich Development Management Policies Local Plan adopted Dec 2014**
  - DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM9 Safeguarding Norwich's heritage
  - DM16 Supporting the needs of business

### **Other material considerations**

10. **Relevant sections of the National Planning Policy Framework March 2012**
  - NPPF0 Achieving sustainable development
  - NPPF1 Building a strong, competitive economy
  - NPPF7 Requiring good design
  - NPPF12 Conserving and enhancing the historic environment

## **Case Assessment**

11. 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, the council's 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: Design & Heritage**

12. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
13. The proposed works comprise a small flat roof rear extension which, due to its size and location, will have a minimal impact on the appearance of the building. The extension is to be constructed of red brick which is considered appropriate against the painted brick of the main building (to be repainted light grey).

14. Some of the modern casement windows are to be replaced with white painted timber sliding sashes which is considered to enhance the appearance of the building.

### **Main issue 2: Amenity**

15. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
16. The proposed extension, due to its size and location, will not cause any loss of light or outlook to neighbouring occupants. Some
17. Neighbours have raised concerns about overlooking from the first floor terrace and the access walkway. Overlooking towards 1 Essex Street from the terrace on the east elevation is to be restricted by a 1.8m high opaque glass screen. The walkway providing access to rooms on the south elevation is only 1.2m wide and is therefore unlikely to be used for sitting out. In any case, a 1.8m high opaque glass screen will restrict any overlooking into the development which is currently under construction on Trinity Street.
18. Whilst the proposal is not for a change of use, the applicant has provided a management plan which details the way in which the site will be operated as a hotel:
- CCTV cameras to run 24 hours a day across the site
  - The on-site concierge team will be available 7 days a week to deal with any anti-social behaviour issues. There will be a number available to call out of hours.
  - Housekeeping staff will keep the internal and external spaces clean and tidy on a daily basis.
19. The proposals are considered to adequately protect the amenity of neighbouring occupiers in accordance with policy DM2.

### **Other matters**

20. The works do not constitute a change of use. Serviced apartments can operate within the C1 Hotel use class and it is understood that the hotel will have daily housekeeping and rooms will be bookable through hotel websites.

### **Equalities and diversity issues**

21. There are no significant equality or diversity issues.

### **Local finance considerations**

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

## **Conclusion**

23. The development provides for minor alterations to an existing business premises. The works are considered to be 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. 18/00008/F - 82 Unthank Road, Norwich, NR2 2RW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Glass screens to be obscure glazed to a specification of not less than the equivalent of classification 5 of Pilkington glass and to be fitted and maintained prior to occupation of the rooms to which they relate.



Existing Vehicular Access to be Retained

Victorian Street Lights

Existing Trees to be retained

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FOR Planning Application to Norwich City Council



REV F	22-02-19: Zone Smoking Shelter Removed, 1800 Security Screen Glass Amended
REV E	21-02-19: Zone Smoking Shelter Location Amended
REV D	21-02-19: Zone Smoking Shelter Location Amended
REV C	21-02-19: Zone Smoking Shelter Amended
REV B	15-02-19: Security Screen Note Amended, Zone Smoking Shelter Added
REV A	15-02-18: Flat Roof Note Amended



Studio 10 Nethercrossford, 93-95 King Street, Norwich NR1 1PW  
Tel 01603 656 151  
info@camarchitects.co.uk - www.camarchitects.co.uk

Client:  
The LODGE HOTEL Projects Ltd

Project Details  
Alteration to Provide Single Storey Extensions and Staircase

Project Address  
82 Unthank Rd  
NORWICH  
NR2 2RW

Drawing Title  
Site Plan as Proposed

Job No. 1423	Drawing Number 1423-APL06	Date 22-02-18	Scale 1:200 @A3	Revision F
Drawn AP	Checked IM	CSO Date		



**Report to** Planning applications committee

**Item**

8 March 2018

**Report of** Head of planning services

**Subject** Application no 17/02023/MA - Kingdom Hall of Jehovah's Witnesses, Clarke Road, Norwich, NR3 1JL

4(g)

**Reason for referral** Objections

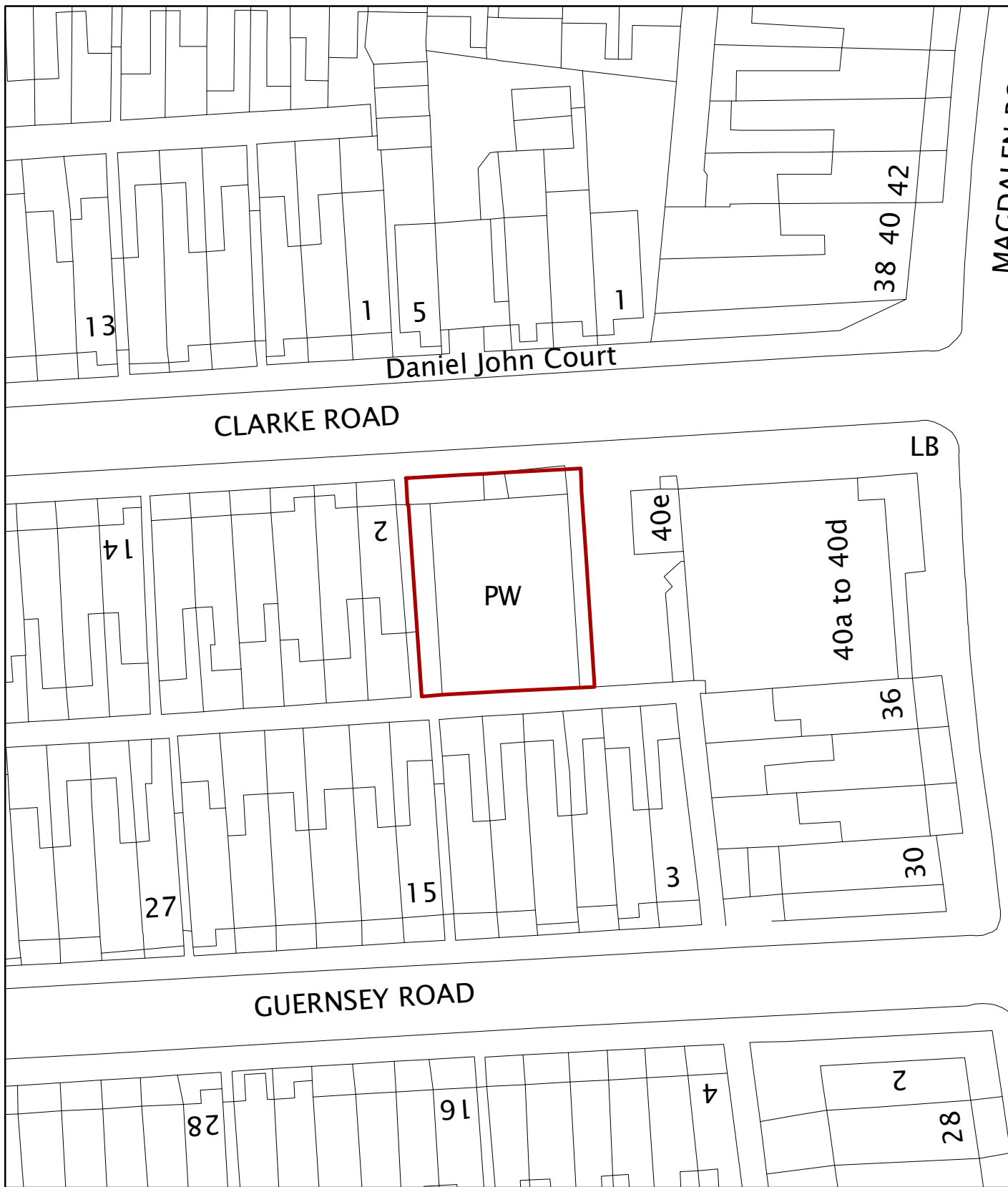
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<b>Ward:</b>	Sewell
<b>Case officer</b>	Charlotte Hounsell - <a href="mailto:charlottehounsell@norwich.gov.uk">charlottehounsell@norwich.gov.uk</a>

Development proposal		
Amendment to previous planning permission 16/00563/F to: simplify facade; alter internal layout; add balcony to rear lounge.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Principle of development	Previously approved consent
2 Design	Impact on character of surrounding area
3 Amenity	Internal space and impact upon neighbouring dwellings
4 Transport	Access to site and parking provision
<b>Expiry date</b>	14 February 2018
<b>Recommendation</b>	Approve





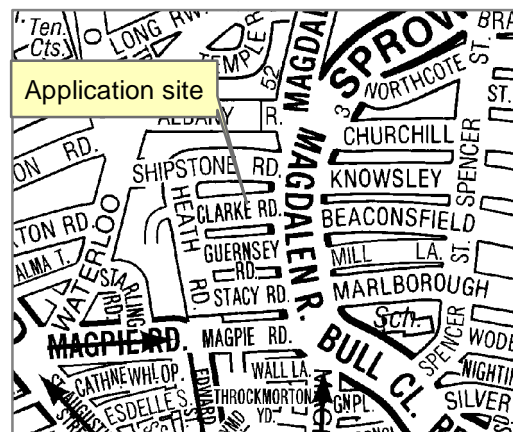
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Planning Application No 17/02023/MA  
 Site Address Kingdom Hall of Jehovah's Witnesses  
 Clarke Road  
 Scale 1:500



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## The site and surroundings

1. The site is located on the South side of Clarke Road, North of the City Centre. Clarke Road slopes away towards the West. To the rear of the site is a small alley which provides access to the rear gardens of properties along Clarke Road and Guernsey Road. The immediate neighbours are largely residential, however a convenience store (Tesco Express), with an attached maisonette, is located to the east of the site.
2. The site previously housed Kingdom Hall of Jehovah's Witnesses which took up the majority of the site. The hall has now been demolished and is currently empty.

## Constraints

3. The site is located within an Area of Archaeological Interest
4. The site is located in a critical drainage area.
5. The site is within a Controlled Parking Zone (CPZ)

## Relevant planning history

6.

Ref	Proposal	Decision	Date
4/1997/0675	Erection of pitched roof on existing flat roof and internal alterations	APCON	17/11/1997
16/00563/F	Demolition of existing building and erection of 3 No. dwellings (revised plans).	APPR	08/11/2016
17/00405/D	Discharge of Condition 3 (a) and (d): landscaping details; Condition 4: external materials; Condition 6: water efficiency and Condition 7: bicycle and refuse of previous permission 16/00563/F.	CANCLD	05/10/2017

## The proposal

7. The proposal is an amendment to previously approved consent 16/00563/F.
8. The previous permission granted consent for three 2 ½ storey terraced dwellings with integral garages and three bedrooms each.
9. The current application seeks amendment to that application including small changes to the size of the dwellings, changes to the internal layout and the exterior appearance of the dwellings.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	3
Total floorspace	406sqm (including attic space)
No. of storeys	2.5
Max. dimensions	14.80m x 10.80m, 5.00m at the eaves and 8.80m maximum height
<b>Appearance</b>	
Materials	Likely to be brick and render with aluminium windows and doors. Details to be secured by condition.
<b>Transport matters</b>	
Vehicular access	Single integral garage per dwelling. No parking permits to be issued.
No of car parking spaces	One space per dwelling within the garages (3 total).
No of cycle parking spaces	Sufficient bicycle storage can be accommodated on site and details to be secured by condition.
Servicing arrangements	Sufficient bin storage can be accommodated on site and details to be secured by condition.

## Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Loss of light to neighbouring window	See Main Issue 3
Overlooking from balconies at the rear	See Main Issue 3
Insufficient parking provision which would result in additional parking pressures in the	See Main Issue 4



Issues raised	Response
surrounding area. Traffic impact report not provided.	
Highway safety concerns regarding access/egress from garages	See Main Issue 4
Maintenance issues due to proximity with neighbouring buildings	See Other Matters

## Consultation responses

11. 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.

### Highways (local)

12. No objection on highway grounds. It is not clear from the application where bins and bikes will be stored. Recommendations: Construction Management Plan as condition; to explain how demolition/construction traffic will be managed. For skips, hoardings etc. permits will be required from our Streetworks team. Dropped kerb work will require reconstruction of the footway to an adoptable standard (fees apply for road opening notices). Our Engineer Ken Willis can advise on technical requirements and streetworks permits. Note: a utility cover is present within the footway; this will need consent with the relevant utility to reconstruct it. These residential properties will not be entitled to on street parking permits.

## Assessment of planning considerations

### Relevant development plan policies

13. **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
  - JCS4 Housing delivery
14. **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
  - DM12 Ensuring well-planned housing development
  - DM28 Encouraging sustainable travel
  - DM30 Access and highway safety
  - DM31 Car parking and servicing
  - DM32 Encouraging car free and low car housing

## **Other material considerations**

### **15. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change

## **Case Assessment**

16. 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**

17. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
18. The principle of constructing three terraced dwellings on this site has previously been accepted under permission 16/00563/F. As an amendment to that application, the purpose of the current application is to assess the acceptability of the changes.

### **Main issue 2: Design**

19. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
20. The amendment to the proposal includes changes to the exterior appearance of the dwellings. The overall size of the buildings is altered to be slightly smaller overall than in the previous scheme. The proposal includes alterations to the fenestration arrangements which include grey windows and doors of a more contemporary style. Details of the materials for the windows and doors is secured by condition.
21. The dormer windows at the rear of the site are of slightly different dimensions to those approved as part of the previous application. However, this is not considered to raise any additional design or amenity related issues.
22. The external finish is proposed as facing brick and render with grey windows and doors. Whilst this is considered to be a more appropriate suite of materials in this context, minimal details have been given and therefore further information should be requested by condition.
23. Overall, the amendments to the design are considered to be an improvement to the previously approved scheme.

24. The site is located in an Area of Archaeological Interest. No report was submitted with this application, however Norfolk Historic Environment Service advised under the previous application that the proposed development would be unlikely to have any impact upon archaeological remains.

#### **Main issue 5: Transport**

25. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
26. Concerns were raised that the proposal would result in increased parking pressures in the surrounding area.
27. New dwellings in this location are permitted to be car free or provide a maximum of 1 parking space per dwelling in accordance with Appendix 3 of the local plan. Therefore the proposal provides a policy compliant level of parking. Whilst it is noted that the proposal would result in the loss of some on street parking to provide access to the garage, it should be noted that the same level of parking was included in the previously approved proposal and therefore the principle of the parking arrangement has already been accepted. The Transportation Officer has also confirmed that the new dwellings would not be eligible for on street parking permits.
28. Further concerns were also raised regarding possible highway safety issues relating to access and egress from the garages. The Transportation Officer did not raise any concerns regarding access to the garages. As above, the principle of integrated garages to provide on-site parking has already been accepted under the previous application.
29. An objector identified that a traffic impact report had not been submitted for this application. However, transport statements are not required for residential applications of this scale and it is not considered proportionate to request this information. The Transportation Officer has been consulted on the application and also did not request this information.

#### **Main issue 6: Amenity**

30. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
31. The internal layout and dimension of the buildings have changed slightly resulting in a very small reduction in the amount of internal space. However, all of the dwellings meet the Technical housing standards – nationally described space standards for a three bedroom three storey dwelling.
32. Concerns were raised regarding the potential for loss of light to a neighbouring first floor window at No. 2 Clarke Road. The amended proposal would be built slightly closer to the neighbouring dwelling reducing the gap from approx. 1.60m to 1.00-1.20m gap to the existing dwelling. Whilst the alterations to the scheme may result in some additional overshadowing to this window, it is not considered to be significantly different compared with the approved scheme. It should also be noted that this window appeared to be obscure glazed and is therefore unlikely to serve a primary living space.

33. Concerns were also raised regarding the inclusion of Juliet balconies on the rear elevations of the new dwellings resulting in a loss of privacy. These balconies were originally proposed removed from the last scheme and were therefore not included on the approved plans.
34. Two windows at first floor were approved on the rear elevation of each of the dwellings under application 16/00563/F. Insertion of a Juliet balcony is normally considered to be permitted development and therefore could be added to the previous scheme, once built, without requiring consent. The level of overlooking resulting from the construction of these new dwellings was considered acceptable under the previous application and the impacts from the proposed Juliet balconies are not considered to differ compared with a window in the same location.
35. Therefore, the changes to the scheme are not considered to be significantly detrimental to future occupier or neighbouring amenity compared with the previously approved scheme.

### **Compliance with other relevant development plan policies**

36. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes subject to condition</b>
Car parking provision	DM31	<b>Yes – policy compliant level</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>

### **Other matters**

37. Concerns were raised regarding the reduction in space between 2 Clarke Road and the proposed dwellings resulting in difficulty maintaining the gable walls. Whilst there is a small reduction in the space between the dwellings, this is not envisaged to cause future maintenance issues.

### **Equalities and diversity issues**

38. There are no significant equality or diversity issues.

### **Local finance considerations**

39. 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.

40. 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.
41. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

42. The amendments to the scheme are considered to be acceptable and would not result in a detrimental impact upon the design, character of the surrounding area or future occupier and neighbouring amenity compared with the previously approved scheme. 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. 17/02023/MA - Kingdom Hall of Jehovahs Witnesses, Clarke Road, Norwich, NR3 1JL and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Landscaping;
4. Details of materials of dwellings;
5. Removal of PD rights;
6. Water efficiency;
7. Bin and bike storage;

## **Article 35(2) statement**

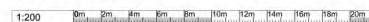
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



LOCATION PLAN  
Scale 1:1250



SITE LAYOUT  
Scale 1:200



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All works to be carried out to the satisfaction of the Appointed Approved Building Control Inspectorate and in accordance with the Building Regulations (up to and including the April 2013 amendments), CDM Regulations, British Standards, Codes of Practice, I.E.E Regulations, and all current By-laws and Manufacturers details and instructions together with the NHBC Building Guarantee Standard.

The materials and products specified in the construction notes or on drawing form an integral part of the design and performance of the building/s. These MUST NOT be substituted with other materials or products without reference to the Architects

### CDM REGULATIONS 2015

**Client Note: Health & Safety is your responsibility!**

Construction works to be carried out in accordance with the Construction Design Management Regulations 2015 ("CDM 2015").

The Main Contractor is to prepare a Construction Phase Plan before commencing work on site. The Contractor is to collate a Health & Safety Plan during the work on site. Furthermore, the Contractor is to collate a Health & Safety Plan during the works, ensuring it is kept up to date until the works are complete. Alternatively the Health & Safety Plan may be carried out by the Principal Designer. Please contact DFAL to assist.

The Main Contractor is to carry out the construction work in reference to a Design Risk Assessment prepared by DFAL.

### COMMUNITY INFRASTRUCTURE LEVY ('CIL')

Any necessary assumption of Liability and Claims for Exemption for Self Build Development Application Forms are to be completed and submitted to the Local Planning Authority before construction works commence on site. DFAL take no responsibility for any financial liability in this respect as this lies with the client.


Please contact DFAL should you require further assistance.

A Dormer windows revised

12/02/2018

rev:

date:



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t: 01603 787778 f: 01603 787496  
e: info@dfal.tv w: www.dfal.tv



Chartered Practice

Project:

Norman Mews, Clarke Road, Norwich  
Residential Development - 3 terrace  
houses

Client:

D&W Properties

Drawing:

Site Layout & Location Plan

Drawn by:

AM

Checked by:

DF

Scale:

1:200 & 1:1250 @A1

Date:

December 2017

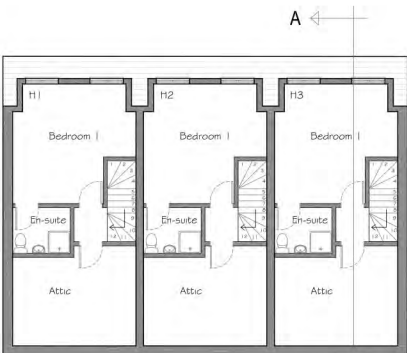
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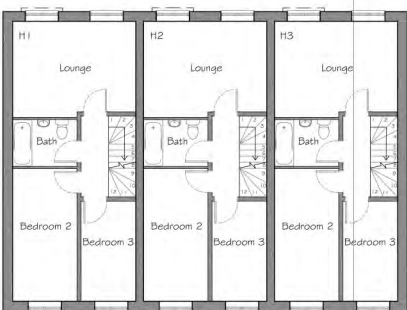
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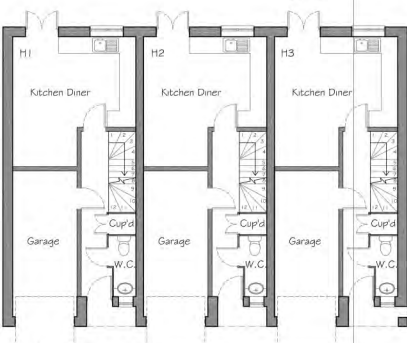




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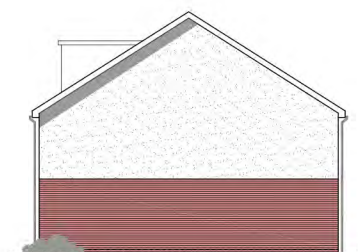
FIRST FLOOR



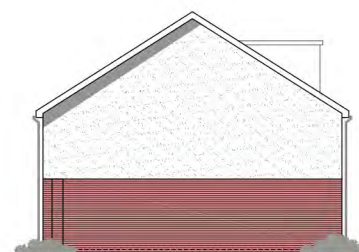
GROUND FLOOR



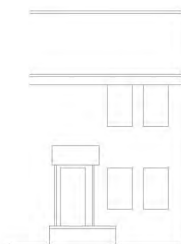
Section A-A



Side Elevation



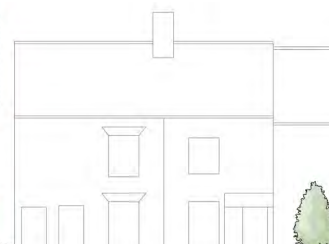
Side Elevation



Street Elevation



Front Elevation



Rear Elevation



Front Elevation



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All works to be carried out to the satisfaction of the Appointed Approved Building Control Inspectorate and in accordance with the Building Regulations (up to and including the April 2013 amendments), CDM Regulations, British Standards, Codes of Practice, I.E.E Regulations, and all current By-laws and Manufacturers details and instructions together with the NBS Building Guarantee Standard.

The materials and products specified in the construction notes or on drawing form an integral part of the design and performance of the building's. These MUST NOT be substituted with other materials or products without reference to the Architects

CDM REGULATIONS 2015

Client Note: Health & Safety is your responsibility!

Construction works to be carried out in accordance with the Construction Design Management Regulations 2015 ("CDM 2015").

The Main Contractor is to prepare a Construction Phase Plan before commencing work on site. The Contractor is to collate a Health & Safety Plan during the work on site. Furthermore, the Contractor is to collate a Health & Safety Plan during the works, ensuring it is kept up to date until the works are complete. Alternatively the Health & Safety Plan may be carried out by the Principal Designer. Please contact DFAL to assist.

The Main Contractor is to carry out the construction work in reference to a Design Risk Assessment prepared by DFAL.

COMMUNITY INFRASTRUCTURE LEVY ("CIL")

Any necessary assumption of Liability and Claims for Exemption for Self Build Development Application Forms are to be completed and submitted to the Local Planning Authority before construction works commence on site. DFAL take no responsibility for any financial liability in this respect as this lies with the client.

Please contact DFAL should you require further assistance.

rev:	date:
<b>architects and consulting engineers</b>  <b>dfal</b> david Futter Associates Ltd Arkitech House, 35 Whiffier Road Norwich, Norfolk, NR3 2AW t: 01603 787778 f: 01603 787496 e: info@dfal.tv w: www.dfal.tv	
RIBA Chartered Practice	

Project:  
**Norman Mews Clarke Road  
Residential Development - 3 terrace  
houses**

Client:  
**D&W Properties**

Drawing:  
**Proposed Floor Plans & Elevations**

Drawn by: AM	Checked by: n/c	Orig. No.	Rev:
Scale: 1:100 @A1		<b>6778 P01</b>	-
Date: December 2017			



**Report to** Planning applications committee

**Item**

8 March 2018

**Report of** Head of planning services

**Subject** Application no 17/02024/F - Bowthorpe Road Methodist Church, Bowthorpe Road, Norwich, NR5 8AB

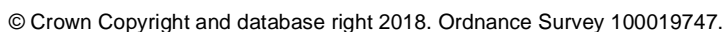
**Reason for referral** Objection

4(h)

<b>Ward:</b>	Wensum
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

Development proposal		
New church hall. Demolish dangerous structure.		
Representations		
Object	Comment	Support
4	0	0

Main issues	Key considerations
1 Principle of development	The expansion of a community facility
2 Amenity	The impact of the development on neighbouring properties (no. 10 Old School Close to the north and others)
3 Design	The impact of the development on the character and appearance of the area.
4 Trees	The impact of the development on the trees located on / close to the site.
5 Landscaping	The suitability of the landscaping scheme submitted.
6 Transport	The suitability of the access and transport arrangements on site.
7 Biodiversity	The impact of the development on the biodiversity of the site.
<b>Expiry date</b>	15 February 2018
<b>Recommendation</b>	Approve



Bowthorpe Road Methodist Church

Scale

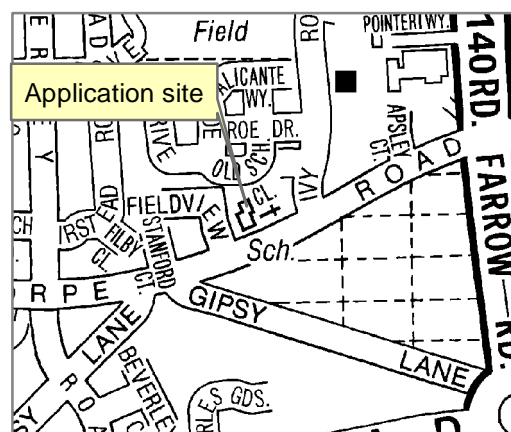
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**NORWICH**  
City Council

## PLANNING SERVICES

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## **The site and surroundings**

1. The site is located on the north of Bowthorpe Road to the west of the city. The site until recently featured 2 no. church halls constructed separately during the 1950's and 1970's which had been joined together to form one larger premises. The front building was constructed using red bricks and featured a flat roof, while the main hall building was located directly behind. This building was of a much simpler traditional hall design typical of the post-war era featuring a dual-pitched tiled roof constructed using pre-cast concrete panels. To the rear of the site is the later church hall which features a more ornate front elevation and was constructed wholly from brick. A link annexe was also built to connect the 2 elements.
2. The site is accessed via 2 separate entrances to the front, one on the west side led to a parking area at the rear and the other on the east leads to the 70's built church hall. In front of the site is grassed area with a number of trees and beyond the concrete parking area to the rear is another garden area marking the northernmost portion of the site.
3. The site is bordered by 302 Bowthorpe Road to the east, a detached house recently used as a physiotherapy clinic which now has planning permission to be converted into a large HMO. To the west is number 302A Bowthorpe Road, a detached dwelling and to the north are properties located on Old School Close, the closest of which is no. 10 a two storey semi-detached dwelling which includes a conservatory to the rear.
4. The prevailing character of the area is a mixture of residential, small shops and religious with the Earlham Cemetery being located directly across the road to the south. The site has previously operated as a traditional Methodist Church throughout its life, however following its sale to the Chinese Methodist Church improvements are now being sought to create more usable site as parts of the current premises are in a poor state of repair.
5. There are a number of mature trees located within and adjacent to the site.

## **Background and context**

6. This application has been submitted following an enforcement investigation which identified that a previous approval on site incorrectly showed the distance between an approved Church Hall Extension and its boundary.
7. This proposal is a resubmission of the previously approved application (ref. 16/00414/F) which was submitted with an inaccurately drawn site layout plan. The northern site boundary was originally shown to be a greater distance from the approved building than the correct distance. As a result, the replacement church hall currently under construction is being built closer to the northern boundary shared with properties on Old School Close. The disparity in distance is 4.5m at its greatest point which is considered to have materially different impacts to the originally approved application.
8. Constructed work has commenced on site following the granting of an earlier consent. The demolition of the church hall has nearly been completed in full and the replacement hall has been partly constructed.

## Relevant planning history

9.

Ref	Proposal	Decision	Date
16/00414/F	Demolition of some existing structures. Erection of church hall extension.	Approved	11/07/2016
17/01061/D	Details of Condition 3: Materials, Condition 4: Landscaping, Condition 5: Ecology and arboricultural statement, Condition 6: Refuse and cycle storage, and Condition 7: AIA, tree protection and method statement of previous permission 16/00414/F.	Pending consideration	

## The proposal

10. The proposal is for the demolition of one of the church halls and for the construction of a replacement church hall. The proposal also includes alterations to the existing access and parking arrangements.
11. A larger replacement church hall is to be constructed towards the rear of the site, the front elevation of which is close to being in line with the rear most existing church hall. The replacement hall measures 26.8m x 14m in plan form and will feature a dual pitched roof with an eaves height of 3.2m and a maximum ridge height of 7.7m.
12. It was discovered that the originally approved site layout plan had been drawn incorrectly following the raising of concerns from the neighbouring property to the north that the replacement church hall was being constructed in the wrong location. During a site visit carried out in November 2017, various key measurements were recorded. The findings concluded that the replacement church hall was being constructed to the correct design and size, however the northern boundary was closer to the development than previously indicated. Three points were measured, from the north-east corner of the replacement church hall – due north to the boundary, from the northern apex of the site – due south to the replacement church hall, and the mid-point between the two.
13. The originally approved layout plan indicated distances from east to west across the three points of 11.5m, 13m and 15m. The correct distances recorded were in fact 7m, 9.5m and 11.7m. This has therefore resulted in a difference in distances measured of 4.5m, 3.5m and 3.3m.



## Summary information

Proposal	Key facts
<b>Scale</b>	
Total floorspace	375m <sup>2</sup>
Max. dimensions	26.8m x 14m x 7.7m
<b>Appearance</b>	
Materials	<p>Profiled metal sheet roofing</p> <p>Fibre cement weather boarding</p> <p>Aluminium façade panels to front elevation</p> <p>Red brick</p> <p>UPVC and aluminium windows and doors</p>
<b>Operation</b>	
Opening hours	<p>Sunday 11:30-17:30</p> <p>Monday 11:00-16:00</p> <p>Some Saturdays in Summer for UEA student 15:00-21:00</p> <p>Coffee morning Tuesday to Friday from 9:00-12:00.</p> <p>No use beyond 10.00pm.</p>
<b>Transport matters</b>	
No of car parking spaces	36
No of cycle parking spaces	10

## Representations

- Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 4 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Loss of light / overshadowing to main living space of no. 10 Old School Close.	See main issue 2
Increase in noise pollution	See main issue 2
Value of property will decrease	See other matters

## 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.

## Environmental protection

16. No comments made.

## Highways (local)

17. No comments made.

## Tree protection officer

18. Condition compliance with the Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS).

## Assessment of planning considerations

### Relevant development plan policies

19. **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
  - JCS6 Access and transportation
  - JCS7 Supporting communities
  - JCS8 Culture, leisure and entertainment
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
20. **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
  - DM6 Protecting and enhancing the natural environment
  - DM7 Trees and development
  - DM22 Planning for and safeguarding community facilities
  - DM28 Encouraging sustainable travel

- DM30 Access and highway safety
- DM31 Car parking and servicing

## **Other material considerations**

### **21. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities

## **Case Assessment**

22. 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**

23. Key policies and NPPF paragraphs – JCS7, JCS8, DM22 and NPPF paragraph 8.
24. The site has been in use as a Methodist Church since the construction of the original church hall in the 1950's. The expansion of the site in the 1970's with the additional church hall was reflective of the demand at the time. The site has recently been purchased by the Chinese Methodist Church which is currently experiencing an expansion in the numbers of its congregation. As the original church hall is currently in a poor state of repair, its replacement represents the best means for the continued use of the site.
25. The proposal is therefore considered to be in accordance with policy DM22 of the local plan which seeks to assist in the safeguarding of community facilities.

### **Main issue 2: Amenity**

26. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17
27. Particular concern has been raised regarding the potential loss of light and overshadowing of the main living spaces of the neighbouring property to the north, 10 Old School Close, caused by the proximity of the replacement church hall to the boundary.
28. A shadow assessment has been submitted by the applicant which assesses the impact of the replacement church hall on the neighbouring property to the north, 10 Old School Close. The shadows assessment indicates that the replacement church hall is likely to result in some overshadowing of the neighbouring rear garden and conservatory across the months of November, December, January and February during the middle part of the day.

29. A detailed assessment of the impacts of the daylight and sunlight reaching the neighbouring property has been submitted by the applicants. Planning policy and building regulations do not define requirements for the amount of daylight reaching a dwelling. As a result, the assessments have been carried out using the criteria defined by the BRE in 'Site Layout Planning for Daylight & Sunlight (SLPDS)', and 'BS 8206-2- Code of practice for skylighting'. The assessment considered the impacts of the replacement church hall on the daylight, sunlight and amenity space.
30. The initial part of the assessment seeks to confirm the distance between the replacement church hall and the main living space. The test results confirm that the distance of the new development is less than three times its height above the lowest window. As such, the following test seeks to confirm whether the replacement church hall will subtend more than 25 degrees at the lowest window. The test confirmed that the angle is greater than 25 degrees, requiring that a more detailed assessment was then required. The ratio of the direct skylight illuminance falling on a vertical face at a reference point (the centre of a window) to the simultaneous horizontal illuminance under an obstructed sky, is known as the vertical sky component (VSC). The BRE test requires that VSC will be adversely affected if after a development it is both less than 27% of the overall available diffuse light and less than 0.8 of its former value. The distribution of daylight reaching the neighbouring rooms was also assessed. The test results confirmed that all the windows met the BRE planning guidance for VSC and the daylight distribution. Whilst some windows were below 27% this was the case pre-development and available diffuse light post development would be 0.98 of its former value for those windows (this ranges between 0.95 and 1 depending on the window).
31. The total available sunlight hours reaching the neighbouring property were also assessed. The test confirms whether windows in habitable rooms in domestic buildings that face within 90 degrees of due south receive a minimum of 25% of the total annual probable sunlight hours, to include a minimum of 5% of that which is available during the winter months between September 21 and March 21. The test result confirmed that all of the assessed windows that face within 90 degrees of due south meet the BRE planning guidance for available sunlight hours with percentages of total annual probable sunlight hours ranging between 47 to 72% and 8 to 23% for winter months (depending on the window). As a proportion of its former value this ranged between 0.94 to 1 for year round sunlight hours and 0.8 and 1 for winter.
32. Finally a test was carried out to determine the impacts of the replacement church hall on the outdoor amenity space of the neighbouring property. The test seeks to confirm that at least 50% of the garden receives no less than two hours of direct sun on the spring equinox, 21 March. In this instance, the test results confirmed that the amount of light reaching the amenity space meets the BRE guidance (being 54%).
33. It can therefore be concluded that the replacement church hall will have some negative impacts upon the residential amenities of 10 Old School Close. Some overshadowing during parts of the day will occur over the winter months. In spite of this, the test carried out confirms that the occupiers of the neighbouring property will continue to benefit from sufficient sunlight and daylight to be considered to have an adequate level of amenity under BRE guidance.

34. Particular concern has been raised by the occupiers of other properties located to the north and northeast of the site, nos. 14 and 9 Old School Close respectively. The large size of the building and the impacts upon light reaching neighbouring properties are noted as their main concerns. These properties are considered to be a sufficient distance from the replacement church hall for there to be no significant impacts on their residential amenities and any impact would be less than 10 Old School Close, hence the focus the impacts on number 10.
35. Concern has also been raised that the replacement church hall has been built too close to the neighbouring boundary of 15 Fieldview to the west and a loss of light will occur as a result. The rear garden of the neighbouring property abuts the application site and the neighbouring dwelling is located approximately 15m from the boundary. As such, the layout of the site, design of the replacement church hall and distance between buildings will ensure that significant harm is not caused by way of overshadowing or loss of light.
36. With regard to noise and light pollution emanating from the site, it is expected that the proposal will result in an intensification of the use of the site, resulting in greater numbers of visitors. It is not however expected that this will result in significant harm being caused to neighbouring residential amenities by way of noise or light pollution as the site is well screened from neighbouring properties and the hours of operation are to be predominantly focused around times of worship.
37. The replacement church hall is therefore considered to have some detrimental impacts on the neighbouring property to the north, however such impacts are not considered significant enough to refuse the application on amenity grounds. The impacts of the development on other neighbouring properties are limited only.

### **Main issue 3: Design**

38. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
39. The design is to be relatively simple however the front elevation is to include a central section of full height glazing creating a feature of the main entrance, with the aluminium curtain wall forming a cross. The apex of the rear gable end is also to be finished with a glazed section.
40. The proposed hall is to be finished using contemporary materials in contrast to the existing 1970's brick built church hall. The sides and rear are to be finished using Marley Eternit Cedral Lap fibre cement weather boarding, the roof is to be finished with metal sheet roofing embossed in aluminium and the side windows made from UPVC. The front elevation is to also feature a section a Trespa solid colour glazing panels.
41. Overall, the proposed replacement church hall is of a relatively high standard of design. The reorganisation of the site will allow for a more efficient use of the space as the new hall is sited towards the rear. The retention of the 1970's structure to be used as a Sunday school is welcomed as it features an ornate front elevation which will form a more prominent feature of the site. The glazing panels to the front elevation will create an open and light internal space which will vastly improve on the current structure.

42. A detailed landscape layout plan and associated details have been submitted which outlining the finish materials to be used. The materials chosen are from a contemporary pallet which is considered to be appropriate for the site.

#### **Main issue 4: Trees**

43. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
44. A number of mature trees are located within the site including 4 no. Lime Trees marking the front boundary and 3 no. fruit trees towards the rear of the site. There are also a number of mature trees located within neighbouring sites close to the site boundary.
45. The 4 no. Lime Trees to the front of the site contribute significantly to the verdant character of the area which is partly created by the close proximity of the cemetery opposite. Their retention within the scheme is welcomed.
46. The 3 no. fruit trees to the rear are to be removed as they lie within the proposed footprint of the church hall. In order to mitigate their loss, replacement trees are to be planted in accordance with the submitted AIA.
47. Trees neighbouring the site will not be removed or harmed as part of the construction provided that works are carried out in accordance with the submitted AIA.

#### **Main issue 5: Landscaping and open space**

48. Key policies and NPPF paragraphs – DM3, DM8, NPPF paragraphs 9, 17 and 56.
49. The detailed landscape layout plan also includes details of the external landscaping features. The details include low level lighting to aid security and navigation within the site, new tarmac area to the front to provide the new car parking spaces, and much of the existing soft landscaping to the boundary is to be retained.
50. The existing close boarded fencing and sections of hedgerow marking the boundary are to be retained. The retention of the existing trees and hedgerows will help to preserve the verdant character of the front of the site. The overall landscaping details area considered to be acceptable.

#### **Main issue 6: Transport**

51. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
52. The site is accessed directly from Bowthorpe Road with 2 no. vehicular entrances fronting the highway. The demolition of existing buildings on the site allows for the front section of the site to be used as a car parking area.
53. The existing accesses are to be retained with there being an entrance and exit point. 31 no. car parking spaces are to be provided with 10 no. being located along the west and east boundaries respectively. 11 no. spaces are to be arranged in a chevron formation within the central section of the car parking area. A revised car park layout has been submitted following consultation with the transportation officer to ensure easy egress to and from the site.



54. The site is located within close proximity of one of the main bus routes serving surrounding residential areas. The route operates between the UEA and city centre, with services available 7 days a week.
55. 10 no. covered cycle spaces are to be installed to the side of the new church hall, beyond a lockable gate. The stands are to be Sheffield style cycle stands, secured to the ground underneath a curved roof Castleford shelter, manufactures details of which has been submitted. .

### **Main issue 7: Biodiversity**

56. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
57. The site contains a number of mature trees and hedges as well as an area of open green space. The site is therefore likely to form the habitat for some species however it has been determined that the site is of low ecological value, unsuitable for protected species.
58. The submitted ecology report concludes that the roof spaces of the buildings already demolished did not form roosting spaces for bats. The report also concludes that none of the trees on or adjacent to the site contain bat roosting features. No evidence relating to other protected species was collected from the site.
59. The ecology report concluded that there is little or no habitat on the site likely to be suitable for any endangered species. As such, the submitted landscaping scheme ensures that the majority of mature trees and hedgerows are to be retained on site and the grassed areas are to be reinstated upon completion of construction.
60. The loss of habitat provided by the 3 no. fruit trees is to be mitigated by the planting of replacement trees. The detailed landscaping scheme indicates that the existing hedge and grass areas adjacent to the entrance of the site are to be retained, the existing grassed area to the rear is to be re-levelled and re-seeded and replacement fruit trees planted to the rear of the site.

### **Equalities and diversity issues**

61. There are no significant equality or diversity issues.

### **Local finance considerations**

62. 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.
63. 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.
64. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

65. The development will cause some harm to the neighbouring property to the north of the site, no. 10 Old School close as some overshadowing occurs particularly in the middle part of the day during winter months. The level of residential amenity remains adequate in terms of the BRE guidance. The negative impacts in terms of amenity must be weighed against the benefit of providing a new community facility on the site and in this case it is not considered that the harm outweighs the benefits in this case.
66. The development will result in an improved and expanded church hall which is considered to be of benefit to the local community, in accordance with policy DM22 of the local plan.
67. The design of the replacement church hall, layout of the site and landscaping details are all considered to be acceptable.

## **Recommendation**

To approve application no. 17/02024/F - Bowthorpe Road Methodist Church Bowthorpe Road Norwich NR5 8AB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans and materials details;
3. In accordance with the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan;
4. Implementation of landscaping scheme and replacement trees;
5. Provision of cycle and refuse storage.



Revisions:

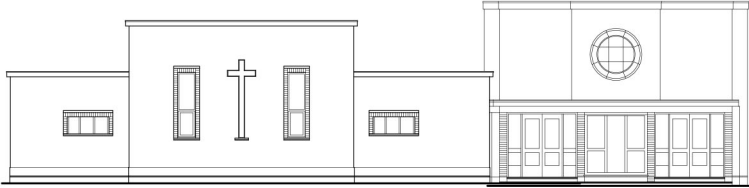
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Job Title: <b>Bowthorpe Road Methodist Church</b>		
Drawing Title: <b>Proposed site location plan</b>		
Scale: <b>1:1250</b>	Drawn By: <b>MC</b>	Date: <b>Nov 2015</b>
Job Number: <b>C765/3</b>	Drawing Number: <b>02/A</b>	

**WCP** THE WHITWORTH CO-PARTNERSHIP LLP  
CHARTERED ARCHITECTS AND SURVEYORS

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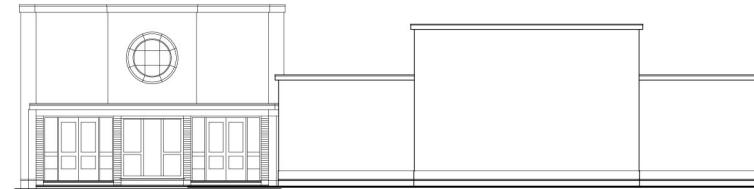
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NORTH ELEVATION (Scale: 1:100)



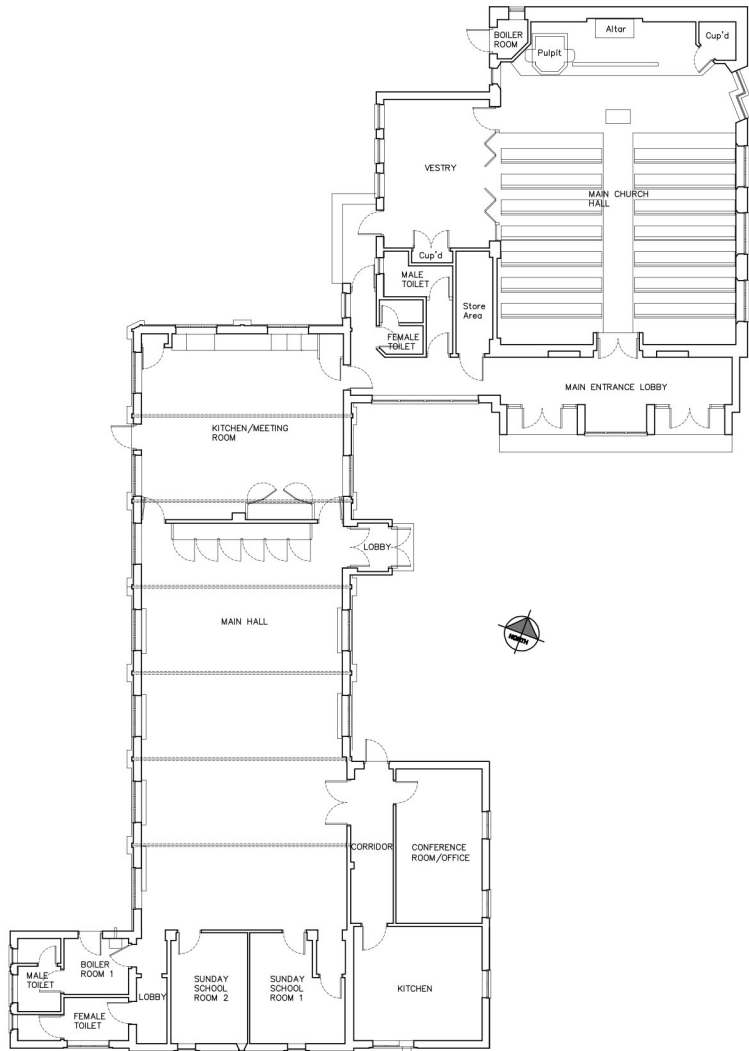
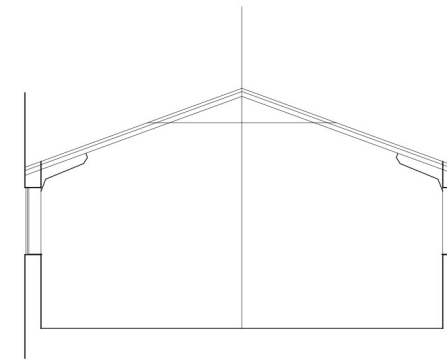
EAST ELEVATION (Scale: 1:100)



WEST ELEVATION (Scale: 1:100)



SECTION A-A (Scale: 1:50)



GENERAL LAYOUT PLAN (Scale: 1:100)

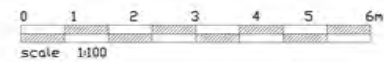
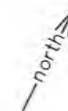
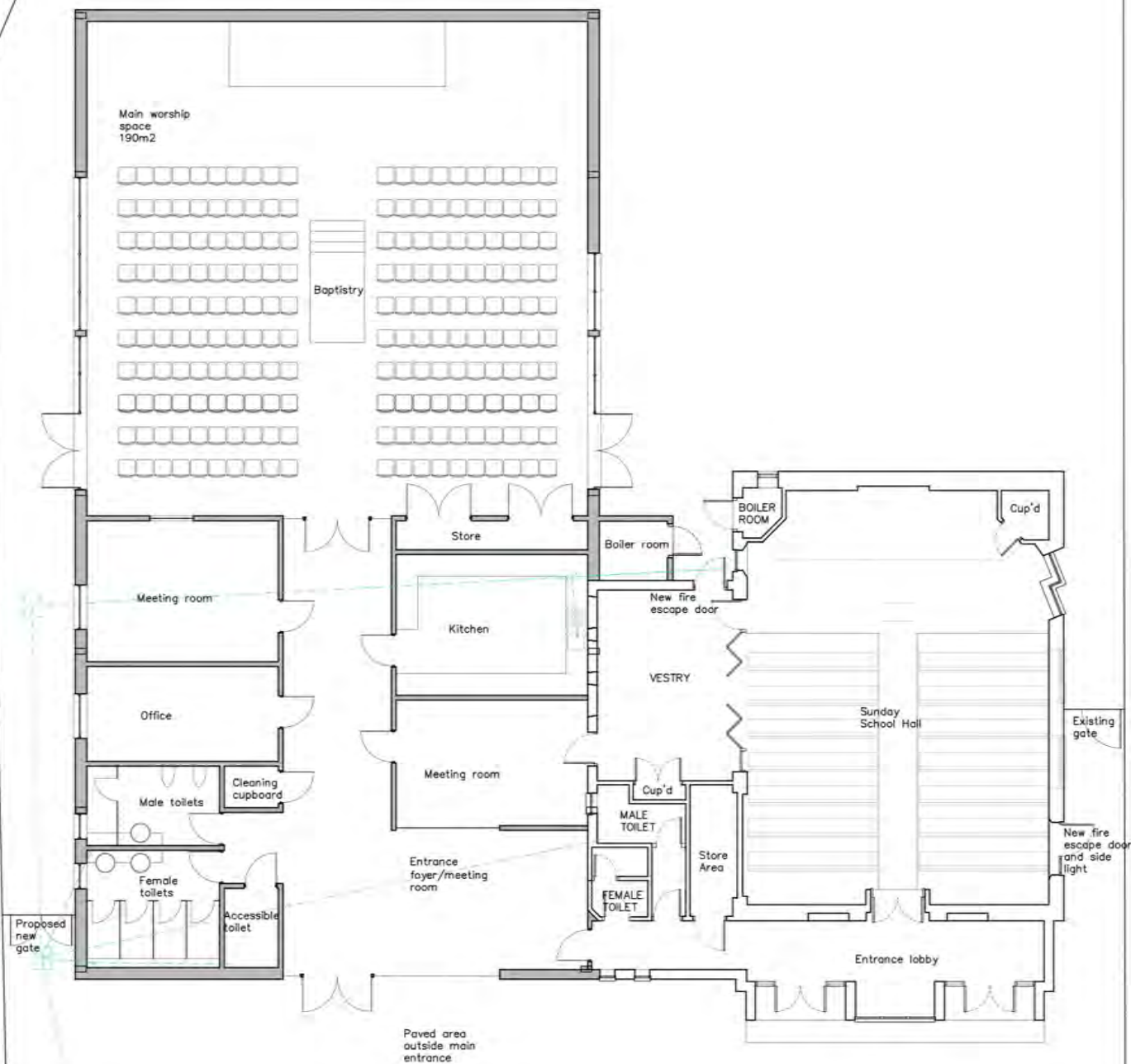
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Job Title: BOWTHORPE METHODIST CHURCH, BOWTHORPE, NORWICH		
Drawing Title: GENERAL PLAN - EXISTING		
Scale: 1:100	Drawn By: B.J.H.	Date: AUGUST 2015
Job Number: C765/2	Drawing Number: 01	

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Revisions:

Client:  
Bowthorpe Road Methodist Church

Job Title:  
Proposed New Church building

Drawing Title:  
Proposed plan

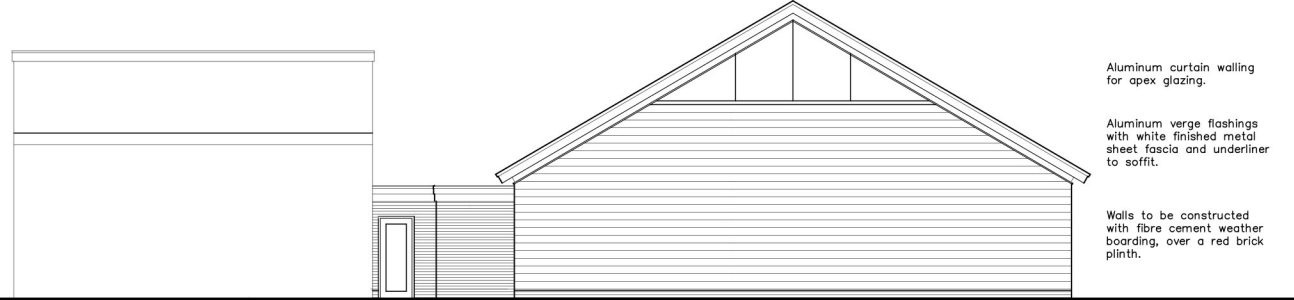
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C765/3	04A	

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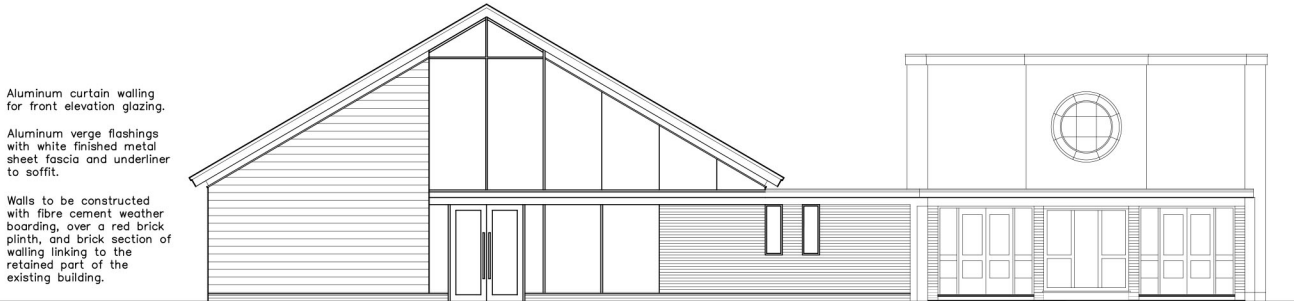
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Proposed North Elevation (Scale:1:100)



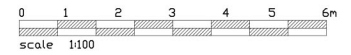
Proposed West Elevation (Scale:1:100)



Proposed South Elevation (Scale:1:100)



Proposed East Elevation (Scale:1:100)



Revisions:

Client:		
Bowthorpe Road Methodist Church		
Job Title:		
Proposed New Church building		
Drawing Title:		
Proposed elevations		
Scale:	Drawn By:	Date:
1:100 @ A2	MC	Feb 2016
Job Number:	Drawing Number:	
C765/3	15/A	

**WCP** THE WHITWORTH CO-PARTNERSHIP LLP  
CHARTERED ARCHITECTS AND SURVEYORS

1 The Close, Norwich, Norfolk, NR1 4DH  
T: 01603 626782 F: 01603 726826 info@whitcp.co.uk www.wcp-architects.com

NOTE:  
Do not scale from this drawing. Confirm all dimensions on site. Refer any discrepancies to the Architect before work is put in hand. Read this drawing in conjunction with the relevant sections of the specification, schedule of works and other drawings.

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External lighting key

- Low level bollard lighting to illuminate the edges of the parking area. To be Cyl by Luter
- Downward facing wall mounted external light fittings to illuminate access way to the cycle storage area. To be Mini LEDspot by Luter
- 100x100mm illuminated Oak posts forming bollard lights outside the front of the building. To be constructed in accordance with detailed drawing.
- Bulk head light over rear door as Tamble Euralux

Adjacent ground graded up to meet new raised level at a maximum gradient of 1:21

Geotextile membrane laid over Celweb grid, with 25mm shingle laid over to form surface to parking areas.  
Celweb grid 150mm deep laid over ground and filled with clean gravel as manufacturers recommendations.  
Existing undisturbed ground surface.

Typical construction detail for no-dig car park surface 1:10

Revisions:  
Rev A - Minor amendments - June 2017  
Rev B - External lighting added - June 2017  
Rev C - Non-dig construction details added - August 2017  
Rev E - planting and nest boxes added - December 2017

Client:  
Norwich Methodist Circuit  
Job Title:  
Bawthorpe Methodist Church, Bawthorpe, Norwich  
Drawing title:  
Proposed external works plan  
Scale:  
1:100 @ A1  
Drawn By:  
MC  
Date:  
Nov 2016  
Job Number:  
C785/3  
Drawing Number:  
52/E

WCP THE WHITWORTH CO-PARTNERSHIP LLP  
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**Report to** Planning applications committee

**Item**

8 March 2018

**Report of** Head of planning services

**Subject** Application no 17/01832/F - 40 Bluebell Road, Norwich,  
NR4 7LG

**4(i)**

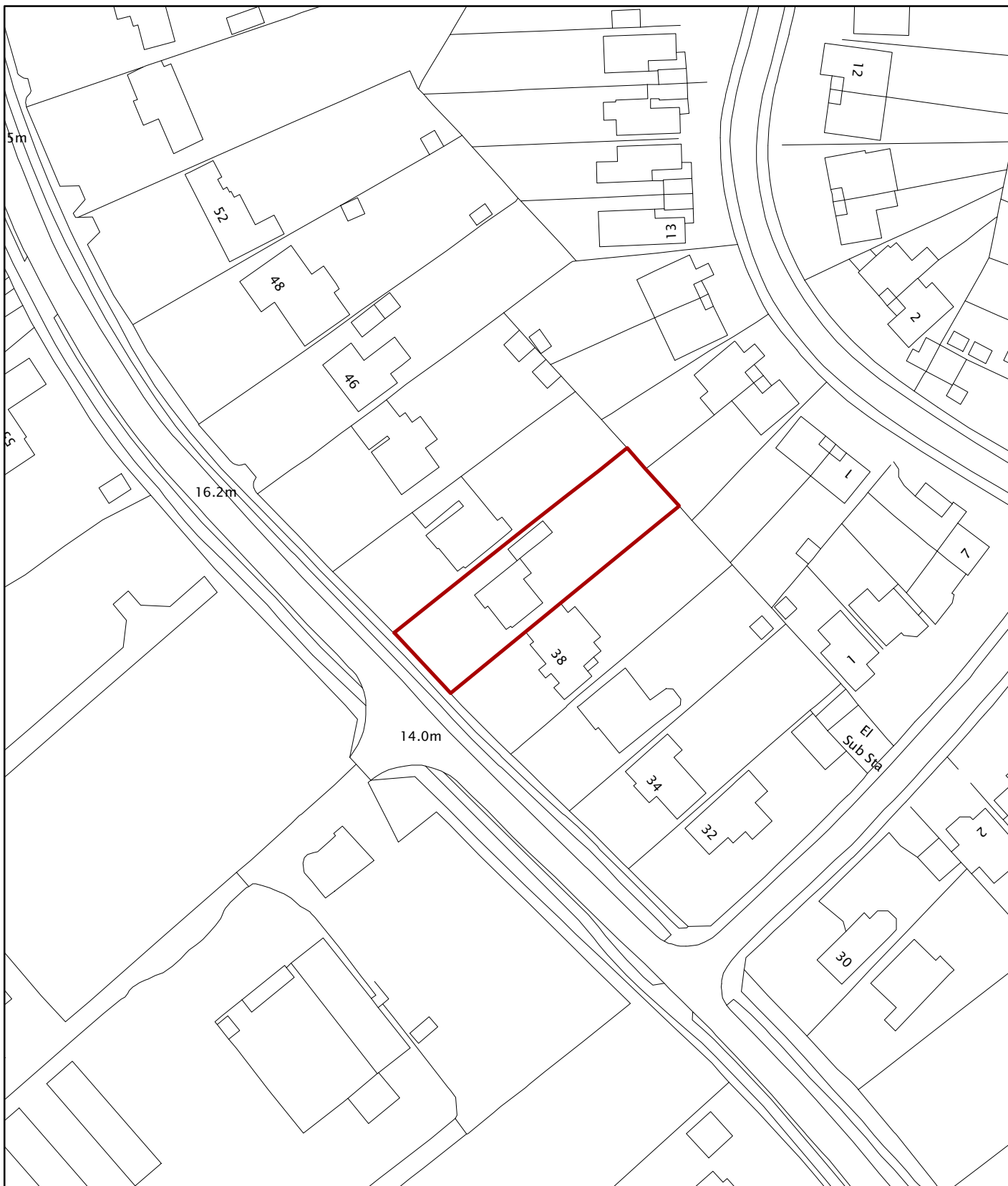
**Reason  
for referral** Objection

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<b>Ward:</b>	Eaton
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

Development proposal		
Two storey rear extension.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Design	The impact of the development within the context of the surrounding area
2 Amenity	The impact of the development on the neighbouring properties.
<b>Expiry date</b>	9 January 2018
<b>Recommendation</b>	Approve



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Planning Application No 17/01832/F  
Site Address 40 Bluebell Road

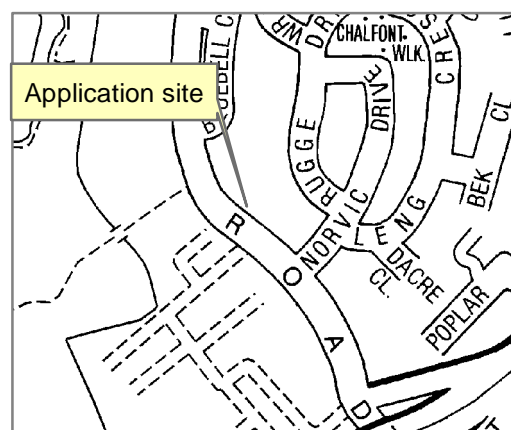
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

Page 226 of 280



## The site and surroundings

1. The site is located to the north of Bluebell Road, within Eaton to the south-west of the city. The predominant character of the area is residential with most properties located to the north of the road having been constructed on elevated ground with the River Yare Valley opposite to the south. Properties are typically detached two-storey dwellings constructed during the middle part of the twentieth century.
2. The subject property is a two storey detached dwelling constructed circa 1960 using red bricks, concrete plain tiles and decorative hanging tiles to the front elevation. The design is of a simple dual-pitched roof and includes a single storey flat roof section to the front and an attached flat roof garage / outbuilding to the rear, accessed via a side driveway. The site features a front garden / parking area and a large rear garden, the layout of which is typical of the area.
3. The site is bordered by no. 42 Bluebell Road to the north-west and no. 38 Bluebell Road to the south-east, both similar two storey detached dwellings. No. 42 has previously been extended by way of a two storey rear extension and a conservatory to the rear. The site boundaries to the rear are marked by a 1.8m tall close boarded fence and mature planting.

## Relevant planning history

4. There is no relevant planning history.

## The proposal

5. The proposal first involves the demolition of the single storey link structure which connects the garage to the rear of the dwelling. A 7.3m x 4m two storey extension is then to be constructed across part of the rear elevation, with a 1.4m gap remaining on the north-western corner. The extension features a hipped roof with an eaves height of 4.3m and ridge height of 6.6m, both matching the original. At ground floor level, a single storey section is to be added to the rear measuring 4.6m x 1.9m in plan form. The single storey section features a sloping roof with an eaves height of 2.4m and maximum height of 3.5m.
6. It should be noted that the proposal being assessed represents a revised scheme from that originally submitted. The original design included a two storey rear extension featuring a gable end which extended across the entirety of the rear of the original dwelling. The design has since been revised by the applicant in order to seek to mitigate the concerns expressed by neighbours of the site.

## Summary information

Proposal	Key facts
<b>Scale</b>	
No. storeys	Two and single storey
Max. dimensions	See attached plans

<b>Appearance</b>	
Materials	Materials to match including red brick; concrete roof tiles and white UPVC windows and doors

## Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

<b>Issues raised</b>	<b>Response</b>
The impact of the development on the residential amenities of the next door property (no. 42) by way of loss of light to main living room / conservatory.	See main response 1
Loss of privacy / increase in overlooking of side area / rear garden caused by the proposed development (no. 38).	See main response 1
The two storey rear extension is overly large / out of keeping with sizes of neighbouring properties.	See main response 2

## Consultation responses

8. No Consultations responses.

## Assessment of planning considerations

### Relevant development plan policies

9. **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
10. **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

## **Other material considerations**

### **11. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF7 Requiring good design

## **Case Assessment**

12. 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.
13. Residential extensions are acceptable in principal. The key considerations are amenity and design as discussed further below.

## **Main issue 1: Amenity**

14. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
15. Particular concern has been raised regarding the potential loss of light to the main living room and conservatory serving no. 40. The main living room of no. 40 extends from the front elevation to the rear, where a conservatory has been added. The living room is served by windows to the front, a single window on the side elevation and the light from the conservatory. The proposed two storey extension is to be constructed a minimum of 6m from the neighbouring side wall as a result of the step in the design when compared to the original scheme, which extended all of the way across. The revised design also features a hipped roof which assists in reducing the overall bulk of the extensions. The distance between properties and the revised design will assist in ensuring that sufficient light reaches the main living spaces of the neighbouring property and that residential amenity is not significantly harmed.
16. Particular concern has also been raised regarding the potential loss of privacy which may occur as a result of the proposed development which includes the provision of 1 no. side facing window and 2 no. rear facing windows at first floor level. The proposed side facing window is to serve an existing bedroom and is to face directly across the flat roof of the car port serving no. 38. The side elevation is a blank wall with no windows or features. It should be noted that there is a slight step in the building line between the two properties, resulting in the rear of no. 38 having been constructed noticeably further back within its plot than the subject property. As such, the proposed new window will not allow for any views of any living spaces and will not result in a loss of privacy.
17. The rear facing windows at first floor level are both to serve new bedrooms. They will allow for views of the rear garden and some views across neighbouring gardens. The views afforded to the occupants of these rooms are considered to be typical of the area and do not significantly alter the current situation.

18. The proposal will enhance the residential amenities of the occupiers of the subject property as the internal living space is enlarged without significant loss of external space. The proposal is therefore considered to be acceptable in terms of amenity.

### **Main issue 2: Design**

19. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
20. Particular concern has been raised that the proposed development is overly large and is not in keeping with neighbouring properties which have been predominantly enlarged at ground floor level only. It is accepted that the proposal is for a sizable extension, however it is not considered to be overly large for the subject property or the surrounding area. The revised design which now includes a step to the rear extension is very similar in size and style to the neighbouring extension already in place at no. 40. The extension will largely not be visible from the highway and as such does not impact on the character and appearance of the front elevation, ensuring that no changes to the street scene are visible.
21. The proposed extensions are to be constructed using matching materials and are considered to be of an appropriate scale and design. As such, the proposal is considered to be acceptable in design terms.

### **Equalities and diversity issues**

22. There are no significant equality or diversity issues.

### **Local finance considerations**

23. 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.
24. 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.
25. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

26. The extension will have a limited impact upon the amount of light reaching the main living spaces of the neighbouring property, however such impact will be minimal as a result of the distances, the design and scale of the extension.
27. The potential loss of privacy is minimal as the proposed window at first floor level is to directly face a flank elevation.
28. The proposal will result in an extended dwelling which is of an appropriate scale and design, both reflecting the character of the original dwelling and that of the surrounding area.

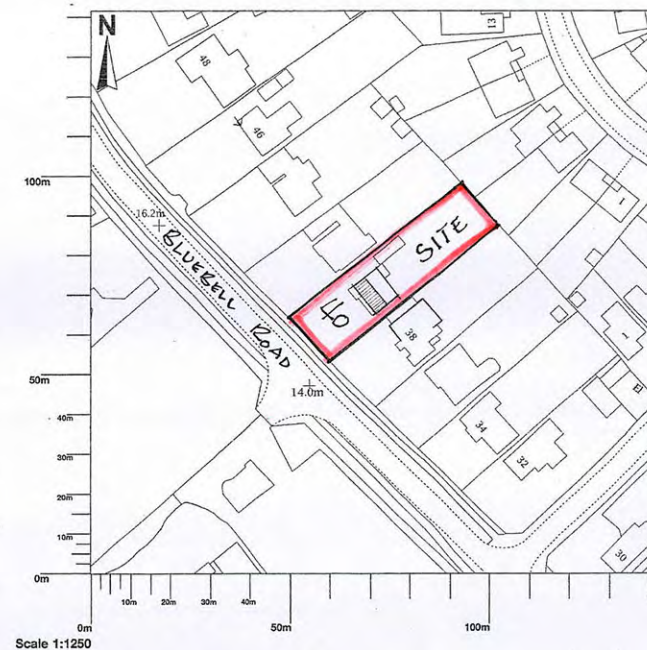
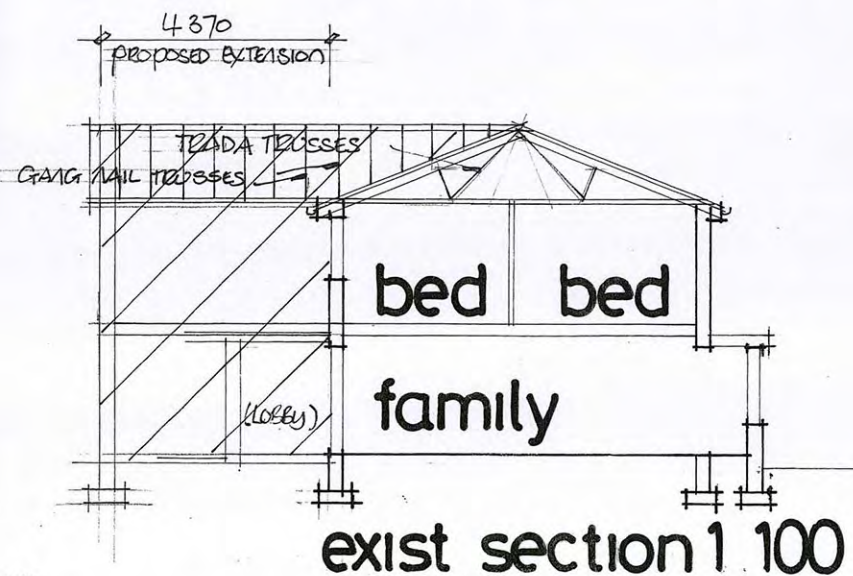
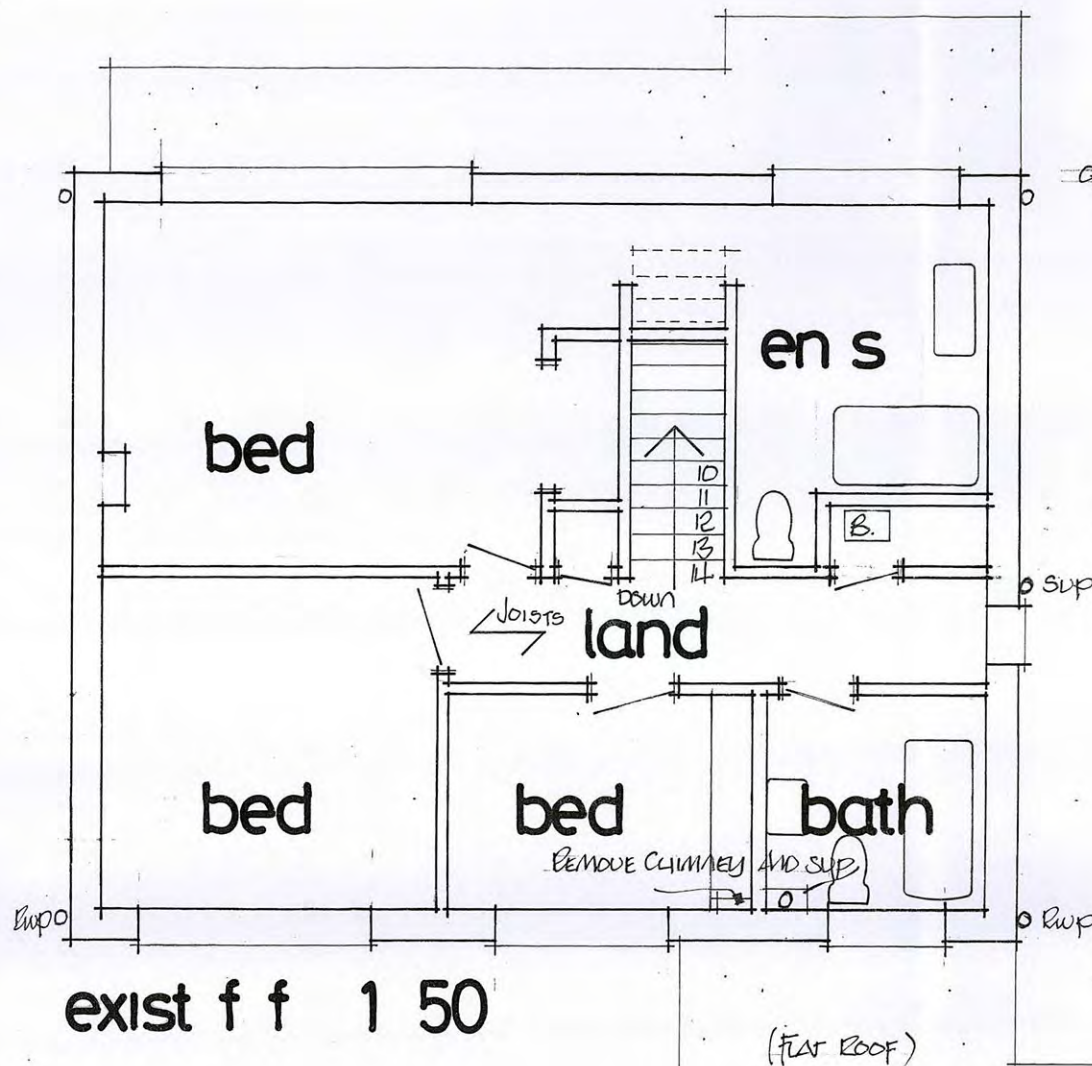


29. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 17/01832/F - 40 Bluebell Road Norwich NR4 7LG and grant planning permission subject to the following conditions:

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

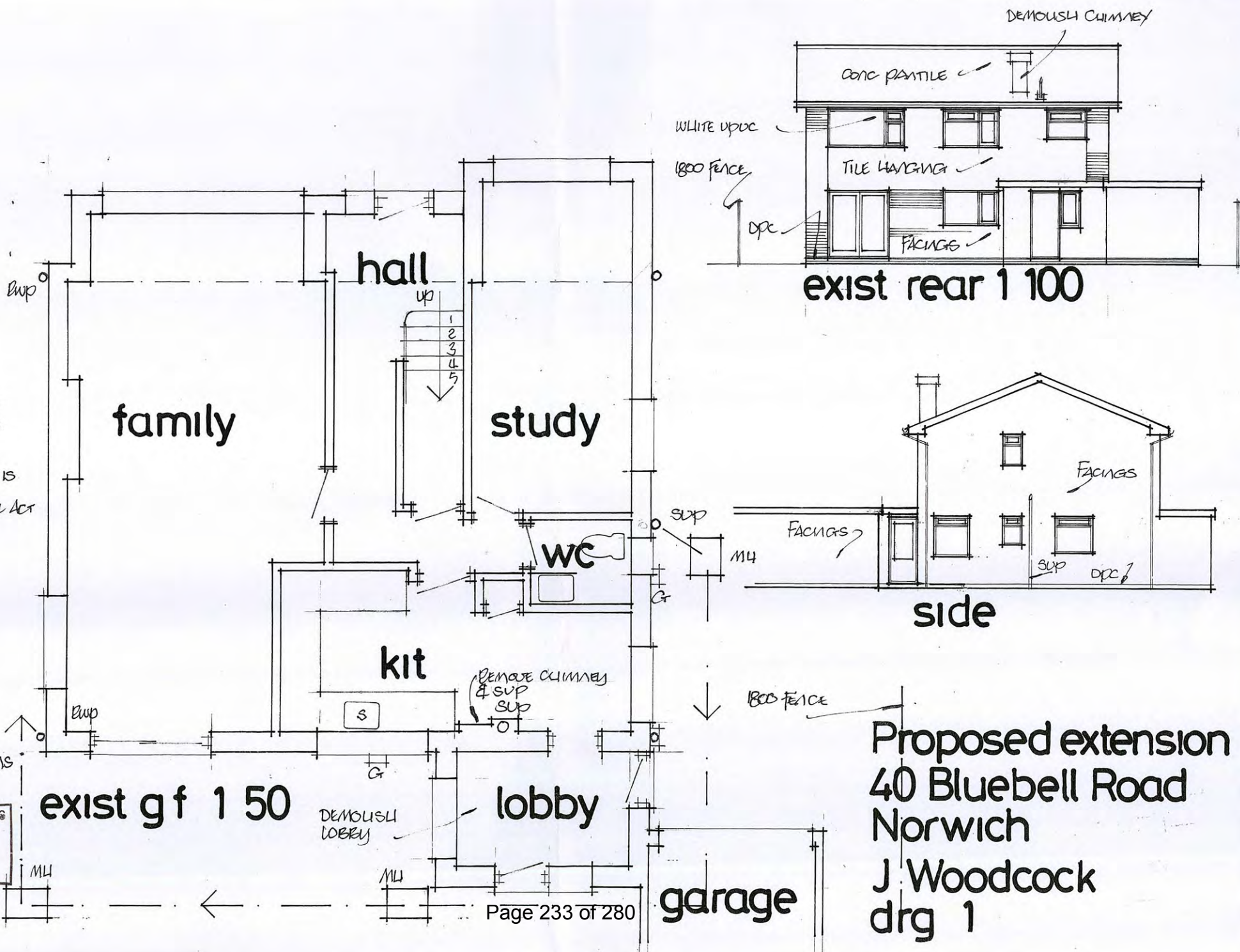


40 Bluebell Road  
drg 2

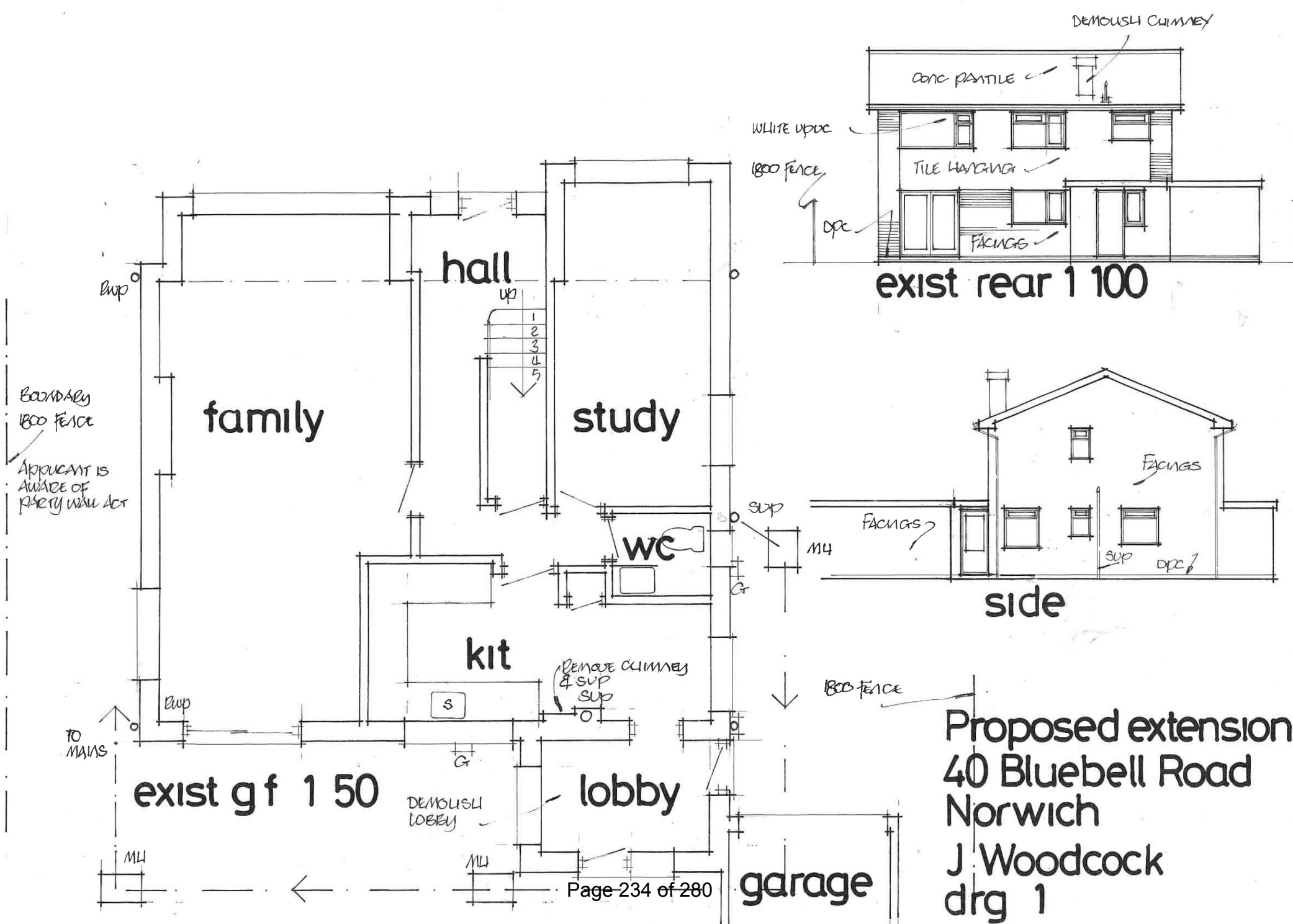


CORPORATE RESOURCES  
4 NOV 2017  
POST ROOM

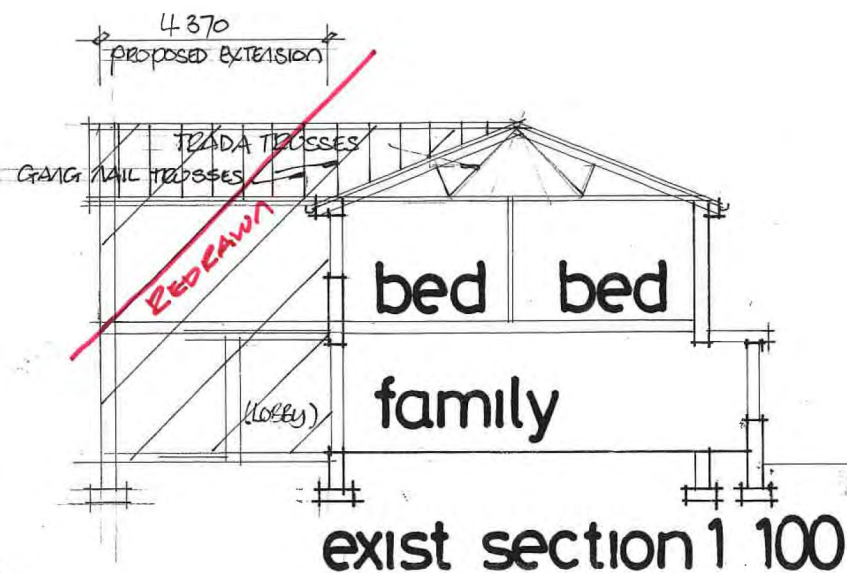
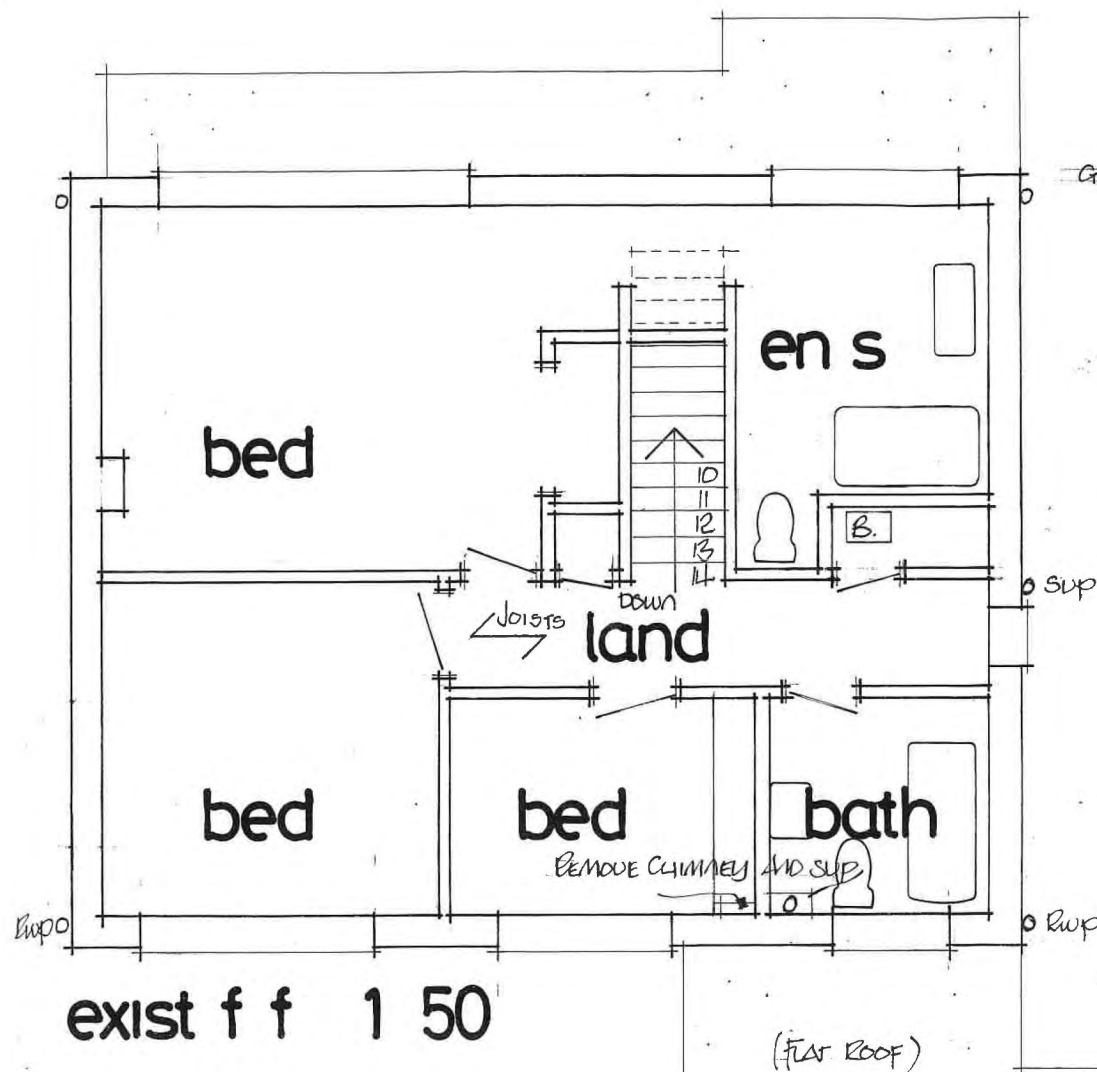
BOUNDARY  
1800 FENCE  
Applicant is  
AWARE OF  
PARTY WALL ACT



Proposed extension  
40 Bluebell Road  
Norwich  
J Woodcock  
drg 1

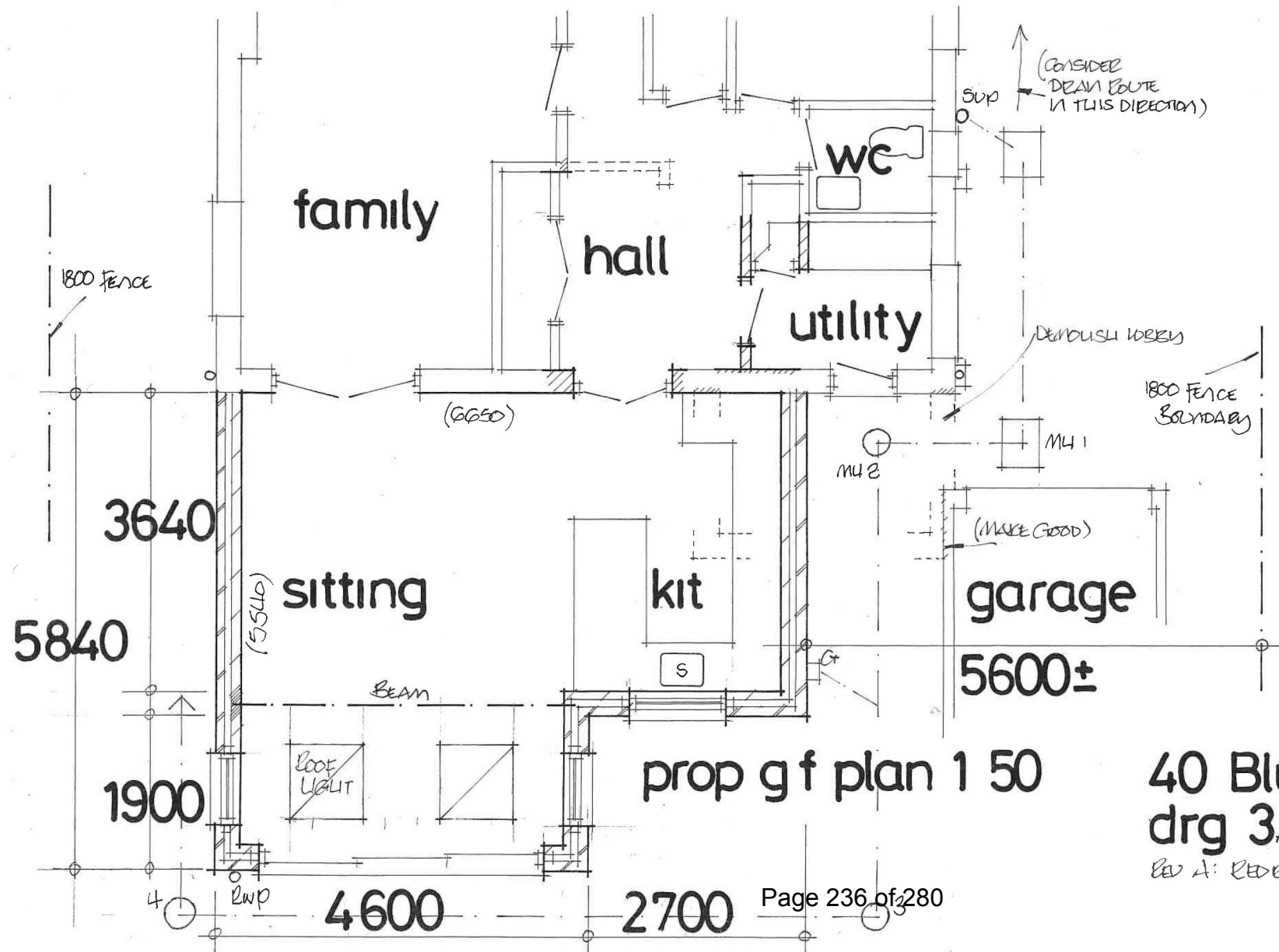


Proposed extension  
40 Bluebell Road  
Norwich  
J. Woodcock  
drg 1

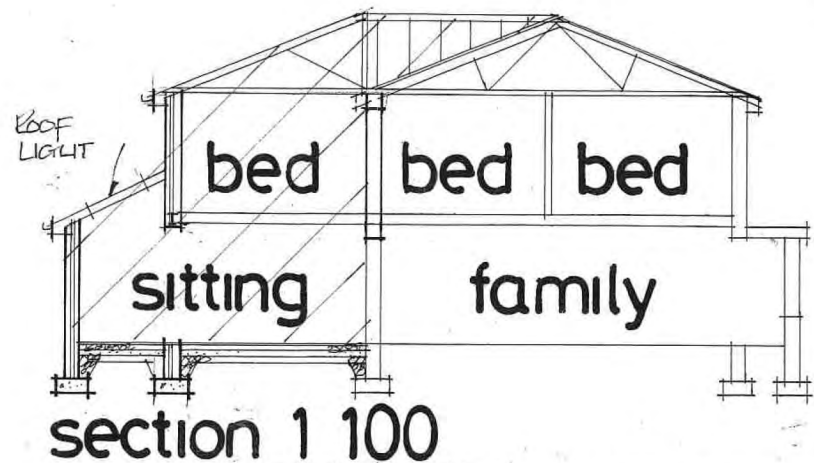
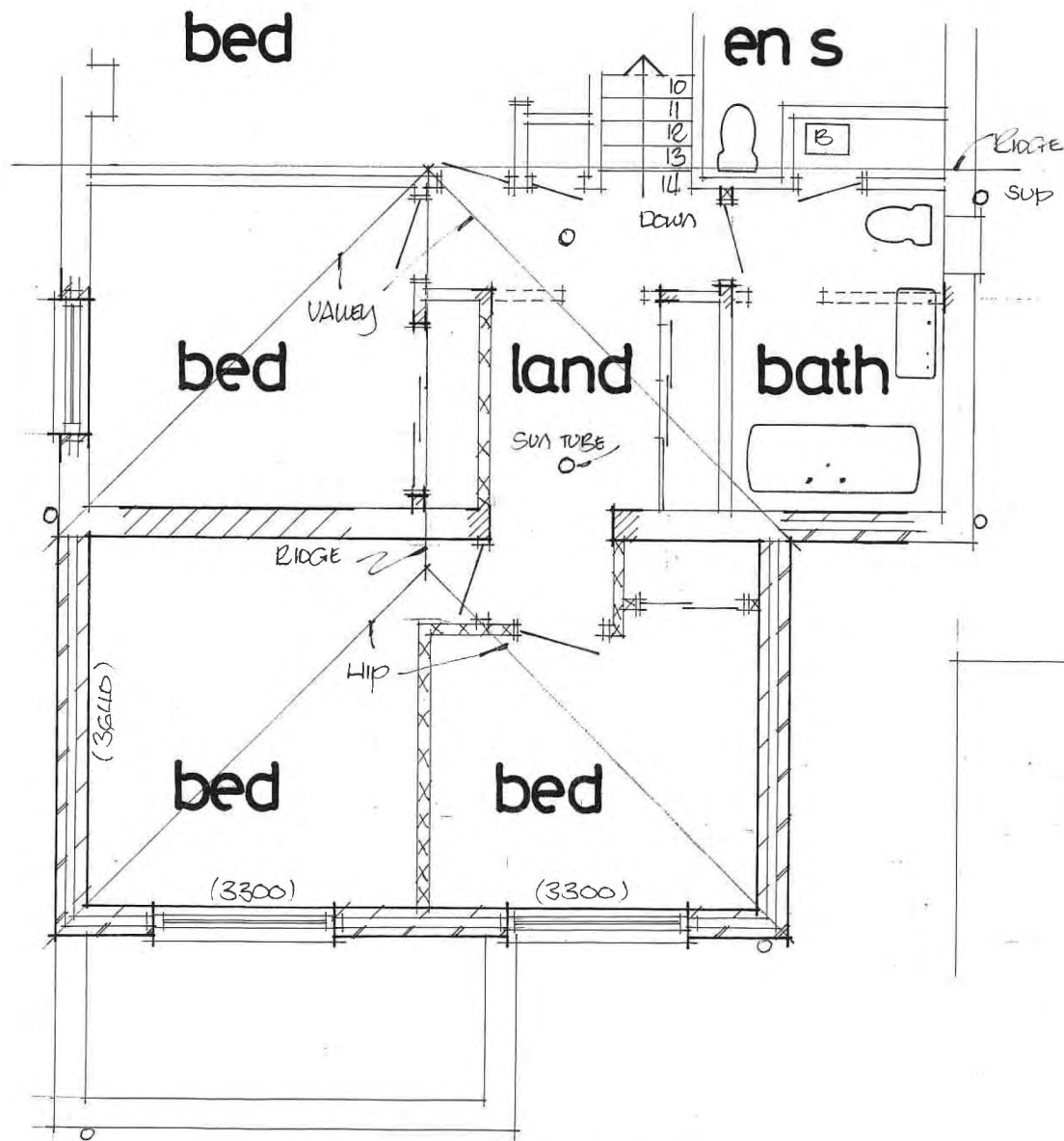


40 Bluebell Road  
drg 2





40 Bluebell Road  
drg 3A  
REV A: REDRAWN

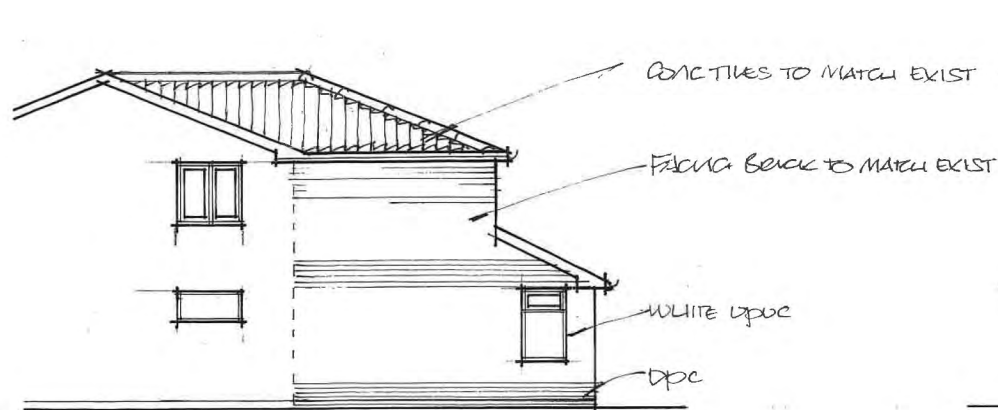


40 Bluebell Road  
drg 4A

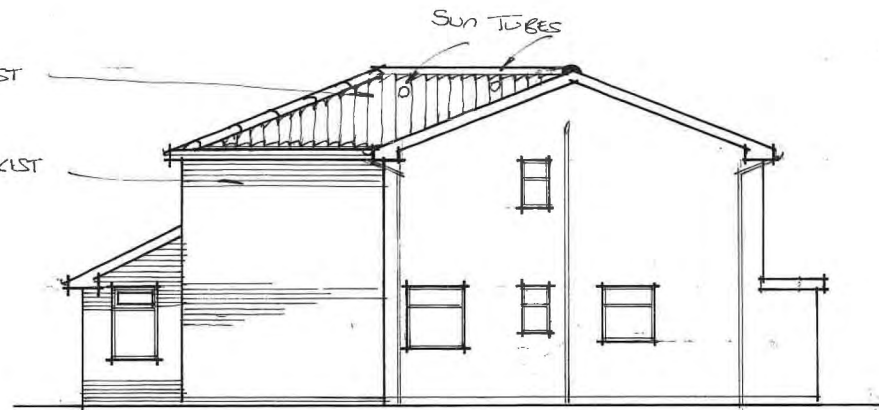
REV A: REDRAWN

proposed f f plan 1 50





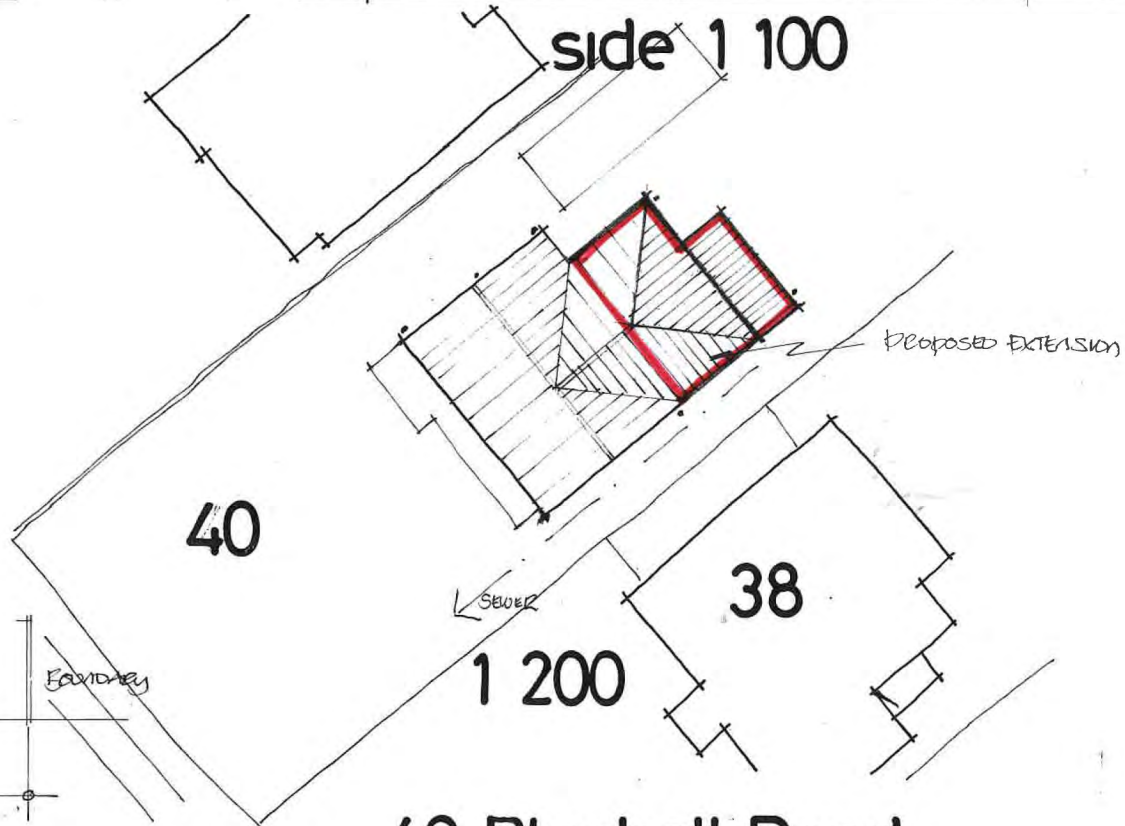
proposed side



side 1 100



rear



40 Bluebell Road  
drg 5

**Report to** Planning applications committee

**Item**

8 March 2018

**Report of** Head of planning services

**Subject** Application no 18/00060/F - 77 Brian Avenue,  
Norwich, NR1 2PD

**Reason  
for referral** Objection

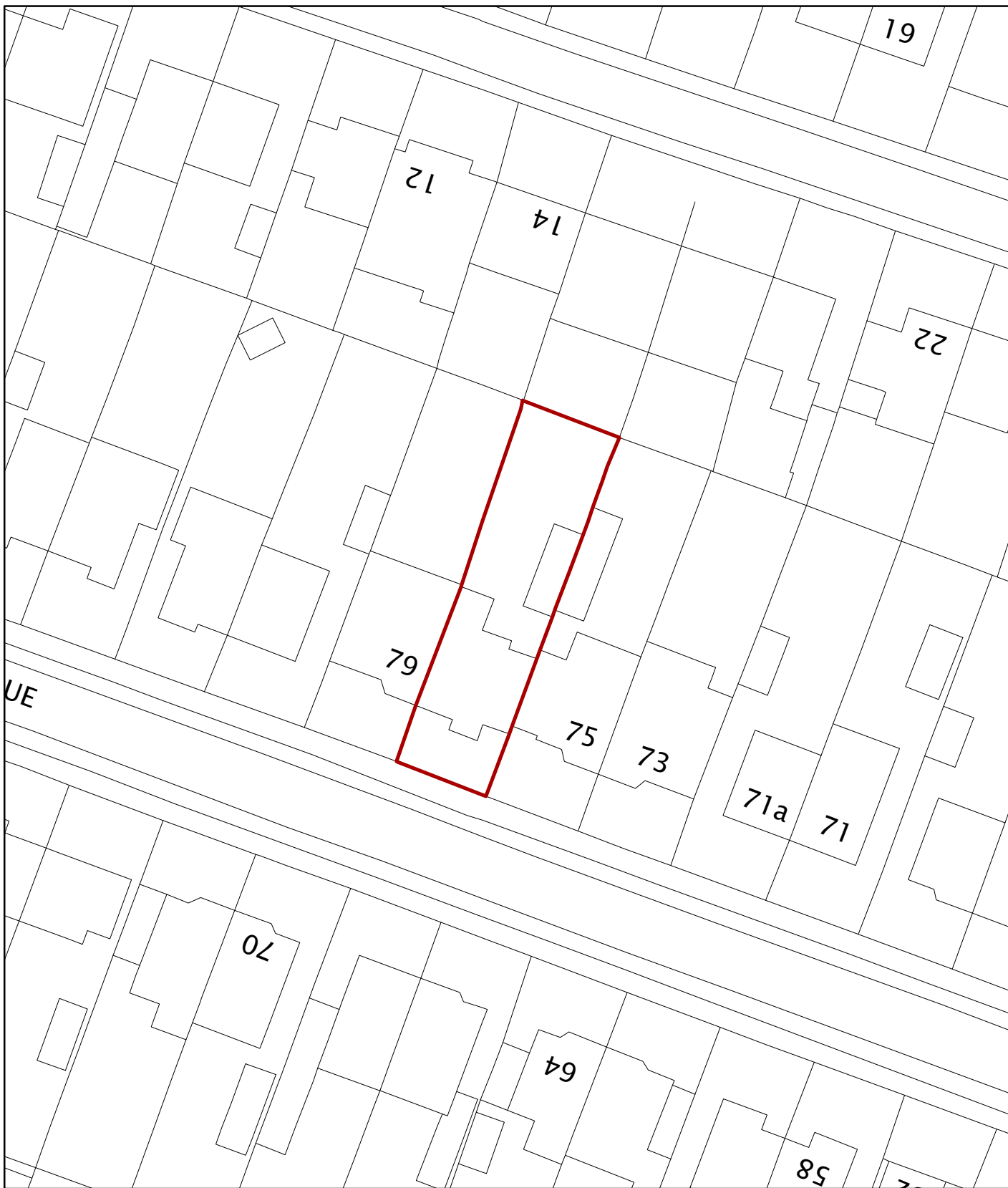
4(j)

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<b>Ward:</b>	Town Close
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

Development proposal		
Single storey side and rear extension with loft conversion.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1 Design	The impact of the development within the context of the original design / surrounding area.
2 Residential Amenity	The impact of the development on neighbouring properties (nos. 14 & 16 Auriana Avenue and 79 Brian Avenue) to the side and rear in terms of loss of privacy.
<b>Expiry date</b>	7 March 2018
<b>Recommendation</b>	Approve



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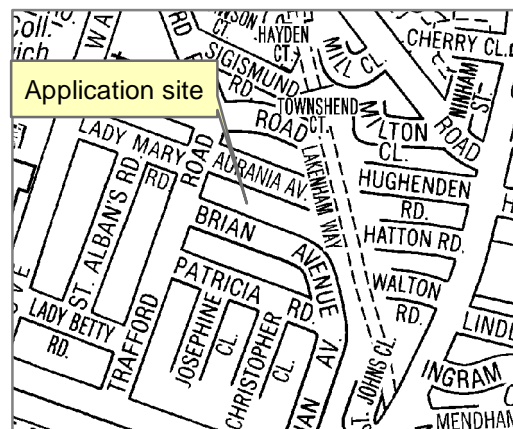
Planning Application No 18/00060/F  
 Site Address 77 Brian Avenue

Scale 1:500



**NORWICH**  
 City Council

PLANNING SERVICES



## **The site and surroundings**

1. The site is located to the north side of Brian Avenue, to the south of the city. The predominant character of the area is residential with most properties having been built in the 1930s as two storey semi-detached dwellings. Plots typically feature small front gardens with driveways to the side and larger rear gardens. Many of the properties within the area have been altered or extended over time, mainly by way of single storey side and rear extensions.
2. The subject property is a two storey semi-detached dwelling constructed circa 1930 using red bricks, red coloured pantiles and white coloured windows and doors. The site features a small front garden, driveway which leads to a car port constructed along the side elevation, a timber garage / shed beyond to the rear and a larger rear garden. The property has previously been extended by way of a single storey front porch and a conservatory to the rear.
3. The site is bordered by the adjoining semi-detached dwelling to the west, no. 79 Brian Avenue which mirrors the appearance of the subject property, and no. 75 Brian Avenue to the east, a similar semi-detached dwelling. Beyond the rear garden are similar properties located on Auriana Avenue.

## **Relevant planning history**

4. There is no relevant planning history.

## **The proposal**

5. The proposal first involves the demolition of the car port, timber garage and rear conservatory. A single storey side and rear extension is then to be constructed, effectively wrapping around the north-east corner of the dwelling. The rear section extends into the rear garden by 3.2m and extends across the entire rear and 1.7m beyond the side elevation, with a total width of 8.2m. The side section extends a total of 9m along the rear and side, resulting in a 3.8m step to the front elevation. The design features a simple sloping roof with an eaves height of 2.5m and a maximum height of 3.5m. The extension is to be constructed using matching red bricks and pantiles.
6. The proposal also includes alterations to facilitate the conversion of the roof space into habitable accommodation. The first alteration is the enlargement of the roof by converting the original hipped design into a gable end. A 6m x 2.5m dormer window is then to be added to the rear roof slope and two roof lights added to the front roof slope.

## **Representations**

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

<b>Issues raised</b>	<b>Response</b>
The impact of the development on the character and appearance of the subject property and wider area.	See main issue 2.
Loss of privacy / increase in overlooking caused by rear dormer.	See main issue 3.

## **Consultation responses**

8. No consultations have been undertaken.

## **Assessment of planning considerations**

### **Relevant development plan policies**

9. **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
10. **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

### **Other material considerations**

11. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
  - NPPF7 Requiring good design

### **Case Assessment**

12. 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 council's 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**

13. The proposal includes three distinct elements for consideration; the single storey side and rear extension, the conversion of the hipped roof to a gable and the construction of a rear dormer extension. In this instance, it is therefore considered

necessary to first determine which elements of the proposal require planning consent. The construction of a single storey side and rear wrap around extension is not considered as a form of permitted development and thus requires full planning consent.

14. Part 1 Class B of the Town and Country Planning (General Permitted Development) Order 2015 allows for the enlargement of roofs within dwellinghouses provided that they satisfy the requirements of the order. In this instance, the key issues to consider are whether the enlargements extend beyond the plane of any roof slope which forms the principal elevation of the dwellinghouse and fronts a highway, and whether the cubic content of the enlarged roof space exceeds the cubic content of the original roof space by more than 50m<sup>3</sup>.
15. The extension of the roof converting the hipped design into a gable end does not extend higher than the plane of the original roof as it follows the form of the original. The combined enlarged volume of roof space created by the dormer and gable extension is approximately 45m<sup>3</sup>. As such, the enlargements and alterations to the roof would fall under permitted development and do not require planning consent.

### **Main issue 2: Design**

16. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
17. The single storey side and rear extension is considered to be of an appropriate scale and design, fitting in well with the appearance of the subject property. The scale and design is typical of the area with there being a number of neighbouring properties, including the adjoining semi, which have already constructed similar extensions.
18. Particular concern has been raised regarding the enlargements to the roof, in particular that the original 1930's character will be harmed and that the dormer is overly large. It is accepted that the enlargements to the roof will have an impact on the overall appearance of the subject property and will have some impacts on the wider character. However given that the proposed roof alterations can be constructed using permitted development rights, refusing consent for those alterations would have no effect as they can be constructed without express planning permission. The design merits of the roof extension are not therefore considered further as part of this assessment.
19. Materials will be conditioned to match the existing dwelling.

### **Main issue 3: Amenity**

20. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
21. The proposal will assist in enhancing the residential amenities of the occupiers of the subject property as the internal living space is improved without significant loss of the external space.
22. The single storey side and rear extension is of a scale and design which will not cause any harm to neighbouring residential amenities by way of overshadowing, loss of light, loss of privacy or loss of outlook.



23. Particular concern has been raised that the proposed dormer will result in a loss of privacy as new views towards neighbouring properties are made possible. The windows to be installed within the rear facing dormer and the front facing roof slope are forms of permitted development and as such their potential impacts are not therefore considered further as part of this assessment.

### **Other matters**

24. Concern was raised that the proposal will result in the value of properties being harmed. Such a concern is a non-material consideration and as such is not considered as part of this assessment.

### **Equalities and diversity issues**

25. There are no significant equality or diversity issues.

### **Local finance considerations**

26. 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.
27. 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.
28. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

29. The proposal will result in an extended dwelling which is of an appropriate scale and design, both reflecting the character of the original dwelling and that of the surrounding area.
30. The enlargements of the roof space are permitted development.
31. 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**

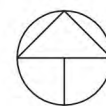
To approve application no. 18/00060/F - 77 Brian Avenue, Norwich, NR1 2PD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials to match the existing dwelling.



SITE BLOCK PLAN 1:500

Existing outbuilding and conservatory demolished  
Extension shown in orange



NORTH



SITE LOCATION PLAN 1:1250



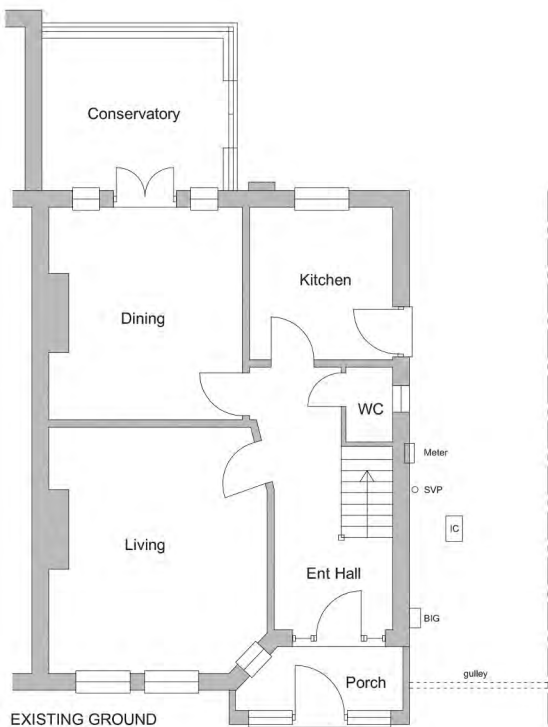
EXISTING FRONT ELEVATION



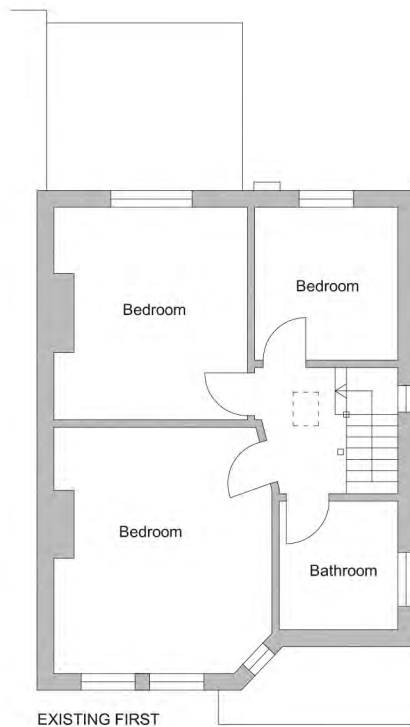
EXISTING REAR ELEVATION



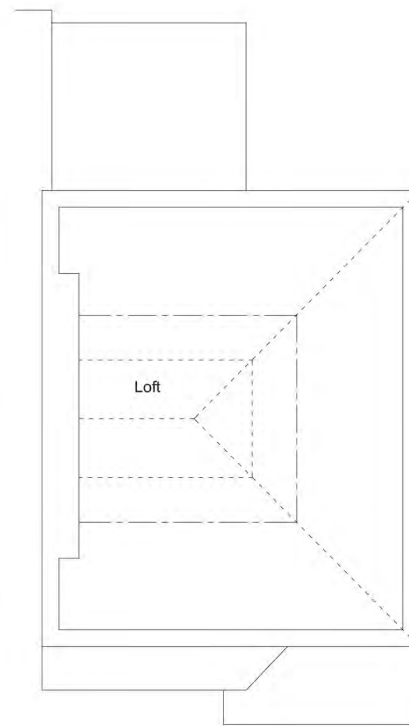
EXISTING SIDE ELEVATION



EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN





PROPOSED FRONT ELEVATION

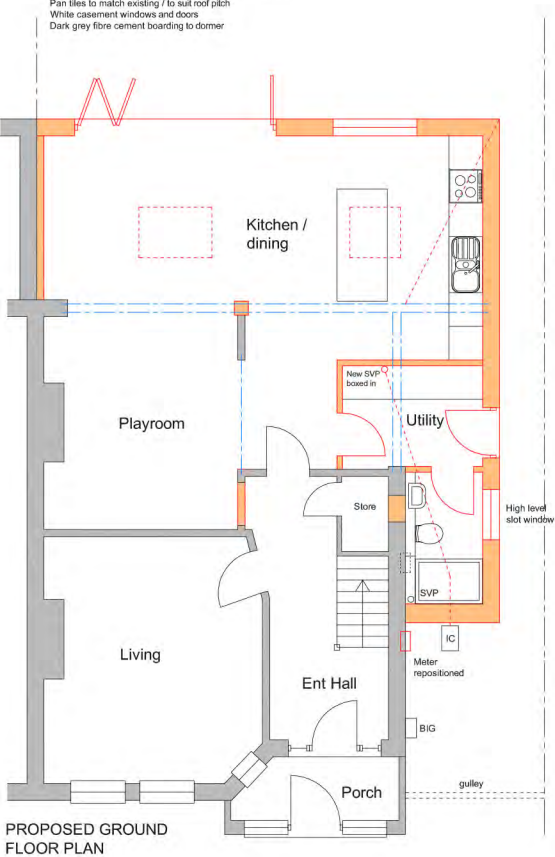
Facing brickwork to match existing  
Pan tiles to match existing / to suit roof pitch  
White casement windows and doors  
Dark grey fibre cement boarding to dormer



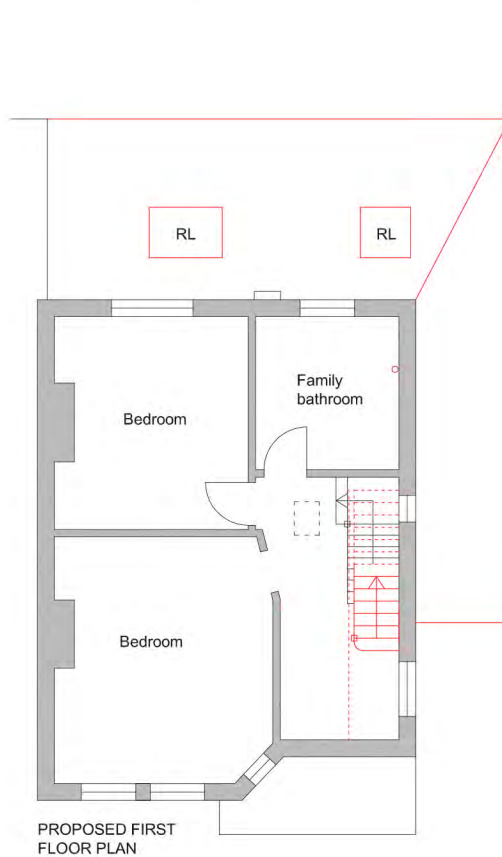
PROPOSED REAR ELEVATION



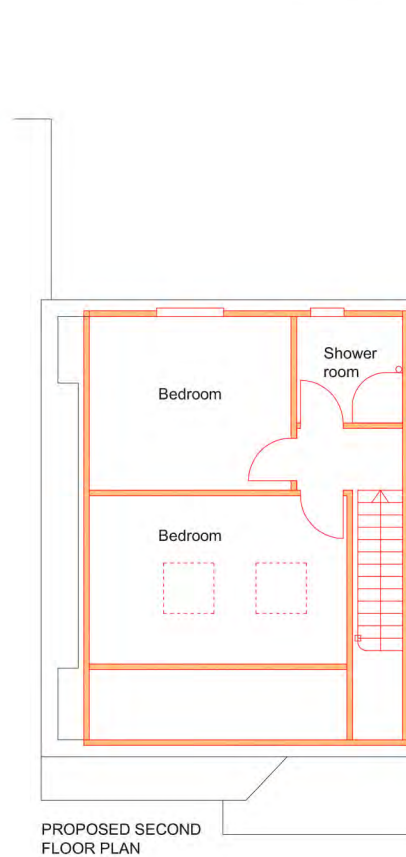
EXISTING SIDE ELEVATION



PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN





**Report to** Planning applications committee

**Item**

08 March 2018

**Report of** Head of planning services

**Subject** Application no 17/02026/F - 39 Constable Road, Norwich,  
NR4 6RW

**Reason  
for referral** Objections

**4(k)**

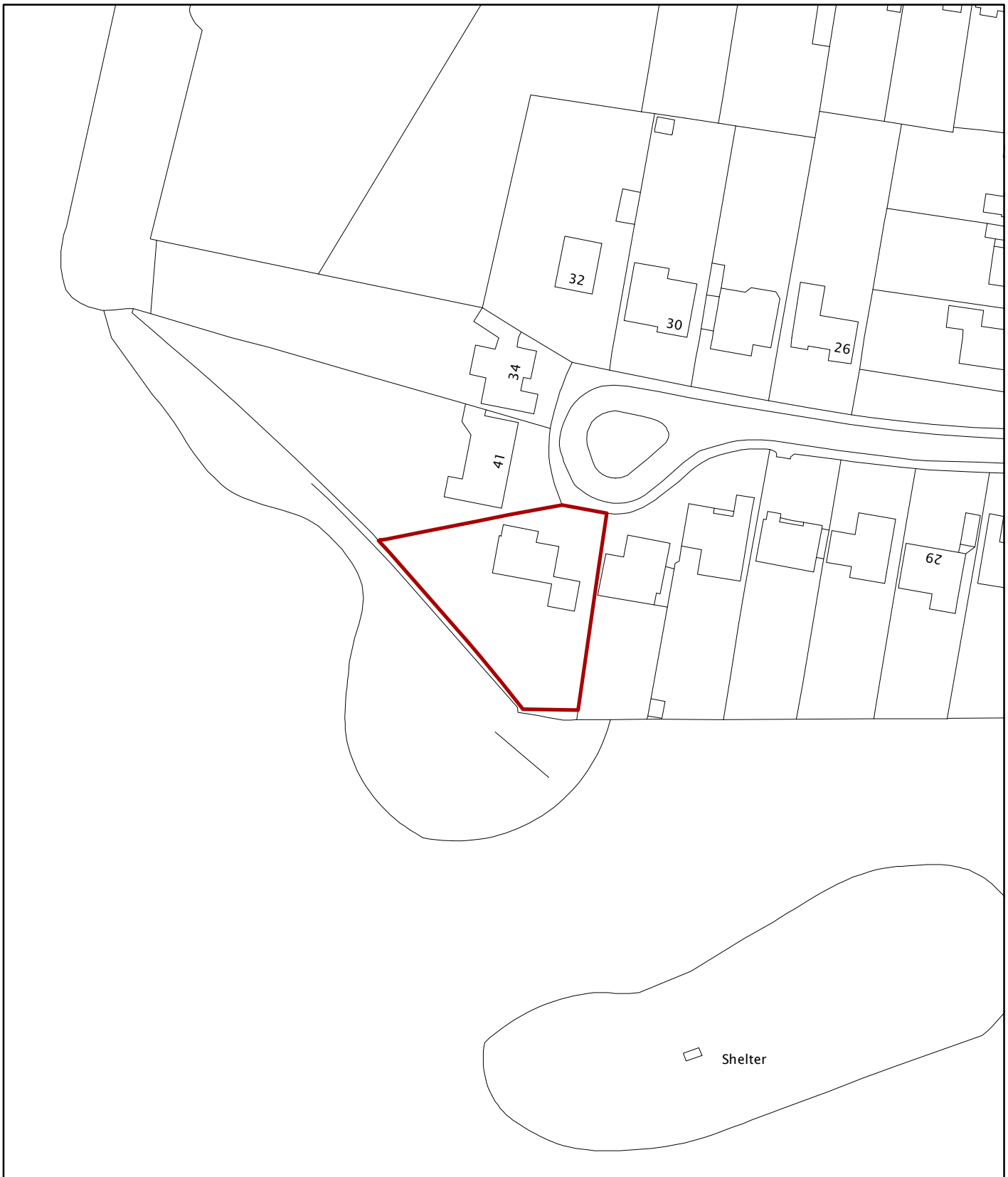
---

<b>Ward:</b>	Eaton
<b>Case officer</b>	Stephen Little - <a href="mailto:stephenlittle@norwich.gov.uk">stephenlittle@norwich.gov.uk</a>

Development proposal		
Two storey rear extension.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Scale, form and design	The visual impact on the character of the area
2 Residential amenity	The impact on the neighbouring properties: loss of light to living room windows and garden of no.37. Loss of privacy to neighbouring properties.
<b>Expiry date</b>	15 February 2018
<b>Recommendation</b>	To approve





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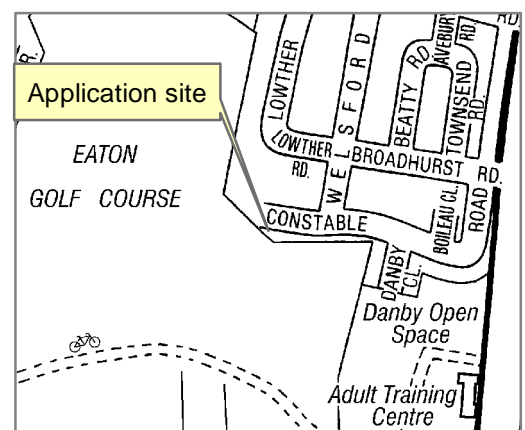
Planning Application No 17/02026/F  
 Site Address 39 Constable Road

Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES



## **The site and surroundings**

1. The site is located on the south side of Constable Road, a quiet suburban residential street 2.5km south of the city centre and on the edge of the urban area. The road consists of detached bungalows and two-storey houses typical of sixties era construction, but with a variety of form, size and styling. The properties have fairly substantial gardens, typically setting the dwellings back from the road by 8-10m and extending approx. 20m to the rear.
2. The subject property is toward the end of the road, with this section of the road forming a loop at the end of a cul-de-sac. It is a chalet-bungalow two storey property with gable ends on its east and west elevations and dormers facing north and south. On the dwelling's north side is a small single storey flat-roof section.
3. To the east is 37 Constable Road. The dwellings themselves are 9m apart and the rear of no.38 is almost aligned with the rear elevation of no.39, sitting just slightly to the south by 0.8m. The rear of both properties are south-facing but angled slightly toward the west.
4. The garage of no.39 extends off the south-east corner of the dwelling, extending 4.2m to the rear of the main section of the house with its eastern wall 3.7m from the neighbouring dwelling. To the north-west is no.41 which is about 2.5m away from the subject dwelling at its closest point.
5. To the south and east is the Eaton Golf Club course with trees along the south of the garden providing partial screening. The golf course is included within the Yare Valley character area, the boundary of which follows the southern boundary of the garden, and which receives specific protection under the Local Plan to preserve its environmental quality, biodiversity and character.

## **Constraints**

6. Adjacent to: Yare Valley Character Area (Policy DM6) & designated Open Space (Policy DM8)

## **Relevant planning history**

7. There is no relevant planning history.

## **The proposal**

8. The proposal is for the construction of a two-storey flat-roofed extension and first floor dormer to the rear of the subject property. The extension is relatively large, measuring 5.4m from the ground floor rear of the property and 6m further than the existing rear dormer and 1m further than the existing garage, with its roof measuring 7.8m in length. The top floor of the extension is 7.4m wide, set in from the east elevation by 0.2m, with the ground floor slightly narrower at 7.3m. The extension has a small overhang at its south end, with its first floor measuring 0.7m further than the ground floor.
9. Toward the west of the building a new dormer will be added, which will extend almost to the eaves of the house, with styling to match the extension.

10. The extension will be clad in vertical boarding. The precise materials and colour are yet to be decided on, though it has been relayed that real timber cladding or high quality fibre cement boards are both being considered. The materials will be subject to condition. It is proposed to re-clad the existing north facing dormer and ground floor front section to match the new extension.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total floorspace	<b>73m<sup>2</sup></b>
No. of storeys	<b>2</b>
Max. dimensions	<b>Length: 7.9m (at roof top) Width: 7.4m; 11.1m if dormer included</b>
<b>Appearance</b>	
Materials	<b>Vertical boarding, materials to condition</b>

### Representations

11. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Scale too large compared to current dwelling	See main issue 1
Out of proportion with size of plot	See main issue 1
Disturbance during works	See other matters
Overshadowing of garden at no.37 and overbearing design causing loss of 'openness'	See main issue 2
Overshadowing of living room and bedrooms at no.37	See main issue 2
Loss of privacy	See main issue 2
Loss of smaller property/diversity of dwellings	See other matters
A single storey extension would be preferable	See other matters

## Consultation responses

### Tree protection officer

12. No comments received. (No trees affected)

## Assessment of planning considerations

### Relevant development plan policies

13. **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
14. **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
  - DM6 Protecting and enhancing the natural environment
  - DM9 Safeguarding Norwich's heritage

### Other material considerations

15. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
  - NPPF7 Requiring good design
  - NPPF8 Promoting healthy communities
  - NPPF9 Protecting Green Belt land
  - NPPF10 Meeting the challenge of climate change, flooding and coastal change
  - NPPF11 Conserving and enhancing the natural environment
16. **Supplementary Planning Documents (SPD)**
- Landscape and Trees SPD adopted June 2016

### Case Assessment

17. 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: Scale, Form and Design**

18. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
19. At a full size of 7.4 wide and 7.8m long at its roof, the proposed extension is relatively large, and also can be said to represent a significant change in the form of the subject property. It is not what could be considered subservient to the current dwelling and Policy DM3(f) specifically refers to avoiding 'dominant or incongruous extensions'. However, to be refusible on those grounds and for that factor to outweigh others in the proposal's favour, we would need to demonstrate that the relative dominance of the extension would cause harm to the character of the area, with particular consideration given to views from the public realm.
20. Although the extension will be visible from a small section of Constable Road, it could not be considered visually dominant or obvious enough to represent a significantly negative impact. It is also the case that the properties on the road are of a variety of size and form and there is a lack of distinctive or consistent features which merit specific consideration.
21. The building's position just outside the border of the Yare Valley Character Area, of which the golf course forms a part, is also a relevant factor. However, the golf course wouldn't generally be considered public space as it is a paid-for facility and not a Public Right of Way. Even if visibility from the course was taken into account, it is the case that there is extensive screening provided by trees to the south of the property, partly on the boundary of the garden, but also at various places on the course itself. The extension would not be visible from further afield, such as from Marston Lane, and would only be seen from a small section of the golf course.
22. The new extension increases the floor area of the main dwelling by 47%. While this is a substantial increase, it isn't excessive and being on a relatively large plot, it could not be considered over-development.
23. It is arguable whether the modern design is in keeping with the existing dwelling and, when considered in combination with its size, whether this would justify the term 'incongruous'. The extension does to some extent reflect the current dormer arrangement, although the plans do represent a significant scaling-up of the design feature. The plans do include proposals to re-clad the north facing dormer and ground floor front section to match the new extension, which will achieve a visual tie-in with the existing property. Ultimately, opinions will differ as to whether the design of the extension is a bold and exciting contrast or brash and insensitive but, overall, it cannot be considered sufficiently devoid of merit to justify refusal on these grounds.
24. Precise details of materials and colour of the boarding are yet to be decided and will be subject to a condition. It has been indicated that real timber cladding or high quality fibre cement boards are under consideration.

## **Main issue 2: Amenity**

25. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
26. Concerns have been raised that the extension will cause an unacceptable level of overshadowing to the neighbouring property, no.37 to the east. The main factor to

consider is the extent of increased overshadowing for the south and west facing downstairs living room windows of no.37.

27. While the existing garage at no.39 already causes a fair degree of overshadowing to this living room, the extension will cause some additional loss of direct light and this is most likely toward the end of the day during the summer months when the setting sun is more directly to the west and more likely to be above the line of the garage. However, at the most, from the centre of the west facing downstairs window, the extension will only affect 25-30 degrees of horizontal vision. The extension is 9m from the dwelling at no.37 and for most of the daylight hours when the majority of direct sunlight will be experienced through the south facing window, the extension will have no effect. In respect of overshadowing of upstairs windows, this is likely to be marginal.
28. While any loss of light is regrettable, in this case it is not at a level which could be considered unacceptable. A sunlight analysis has been provided by the agent, however it has been given little weight in the determination of the application due to concerns over its accuracy. Given the distances to the neighbouring property and the orientation of site, this is not a case where a sunlight analysis would be required.
29. Overshadowing of the garden at no.37 has also been mentioned as a concern, though the extent to which we can consider this a material planning concern is very limited at best and the actual level of overshadowing is well within the bounds of acceptability.
30. While undoubtedly the relatively large mass of the extension will have some effect on the aspect of the neighbouring garden at no.37 and some loss in the feeling of 'openness', the distance of approx. 8m between the extension and the border means it will not be sufficiently overbearing for this to be considered unacceptable.
31. In respect of potential loss of privacy, the windows on the east elevation toward nos 37 & 35 are small and approx. 1.9m above floor level, so are unlikely to represent an overlooking concern. The larger windows on the south elevation are toward the west of the extension which will reduce any perception of overlooking to the east. With the south elevation further to the south than the current dormer and less of the neighbouring gardens within easy view, it is arguable whether the extension represents more of an overlooking issue than the current situation.
32. A small juliet balcony is planned for the west elevation. As there are gaps in the vegetation/screening toward no.41 this potentially could increase the perception of overlooking for residents of that property. However, at 1.75m wide, it is a fairly modest opening and doesn't represent a significant change on the current upstairs window and so, on balance, is considered acceptable.

### **Other matters**

33. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
34. There are no identified aspects of the planned construction which would cause disturbance during works to be a material planning concern.



35. The loss of a smaller property and, therefore, of the diversity of properties on offer in the area is a marginal and questionable point and not a matter for consideration in this context.
36. One neighbour objection has made a specific reference to a single storey extension being preferable. While this may have advantages in terms of amenity for the neighbours, we have to assess the plans as they are and would need a planning justification to ask them to make this change. For reasons described above, we don't feel that policy would justify such a request.
37. There were inaccuracies in the plans and site plan as originally submitted, but following discussion with the agent these have since been corrected.

### **Equalities and diversity issues**

38. There are no significant equality or diversity issues.

### **Local finance considerations**

39. 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.
40. 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.
41. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

42. The proposal will result in an extended dwelling and attractive living space for the occupants. Although there may be an argument that the extension is excessive and/or out of keeping, this has to be weighed against other factors and, in particular, the difficulty of demonstrating harm to the character of the area means that, on balance, its scale and form are considered acceptable. The level of impact on the amenity of neighbouring properties is also judged to be acceptable.
43. 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. 17/02026/F - 39 Constable Road Norwich NR4 6RW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to be provided of materials and colour of vertical boarding.



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## Location Plan

scale: 1:1250

- |  |            |
|--|------------|
| E. Site Plan updated as requested by LPA   | 280218 n/c |
| D. Site Plan updated as requested by LPA   | 220218 n/c |
| C. Site Plan updated                       | 300118 n/c |
| B. Site Plan updated to suit Location Plan | 300118 n/c |
| A. Site Plan updated to suit Location Plan | 300118 n/c |

Rev: \_\_\_\_\_ Date: \_\_\_\_\_

architects and consulting engineers



Chartered Practice

**dfal**

david futter associates ltd

Architects: 35 Whittier Road,  
Norwich, Norfolk, NR2 2JH

T: 01603 267778 F: 01603 267456  
e: info@dfal.co.uk w: www.dfal.co.uk

Project: 39 Constable Road, Norwich

Client: Holdgate, Dr D

Drawing: Proposed Site Plan & Location Plan

Drawn By: n/c  
Checked By: DF  
Rev: No  
Orig: No

Scales: 1:200 & 1:1250 @ A1  
Date: December 2017

6810 SL01E



Rear Elevation



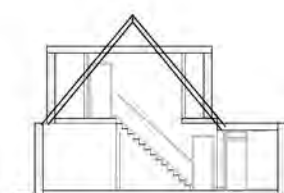
Right Elevation



Front Elevation



Left Elevation



Section A:A



Ground Floor



First Floor

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Please contact DFAL should you require further assistance.

PRELIMINARY

architects and consulting engineers

**dfal**

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e: info@dfal.co.uk w: www.dfal.co.uk

RIBA #

David Futler Associates Ltd

Project:		39 Constable Road	
Client:		Holdgate, Dr D	
Drawing:		Existing's Floor Plans and Elevations	
Drawn by:	Checked by:	Dwg. No.	Rev.
AM	DF	6810 S01	-
Scale:	1:50, 1:100 @ A1		
Date:	September 2017		





FRONT ELEVATION (North)



LEFT ELEVATION (East)



REAR ELEVATION (South)



RIGHT ELEVATION (West)

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CDM REGULATIONS 2015

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Please contact DFAL to assist.

The Main Contractor is to carry out the construction works in accordance to a Design Risk Assessment prepared by DFAL.

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SCALE BARS

SCALE

LENGTH

1:50

1m 2m 3m 4m 5m

G. First floor projection revised to LPAs request	260218
	n/c
F. Windows revised to clients request	230218
	n/c
E. Design Scheme revised in accordance with clients request	181217
	n/c
D. Design Scheme revised in accordance with clients request	151217
	n/c
C. Design Scheme revised in accordance with clients request	141217
	AM
B. Design Scheme revised in accordance with clients request	011217
	n/c
A. Design Scheme revised in accordance with clients request	241117
	n/c

architects and consulting engineers

**dfal**

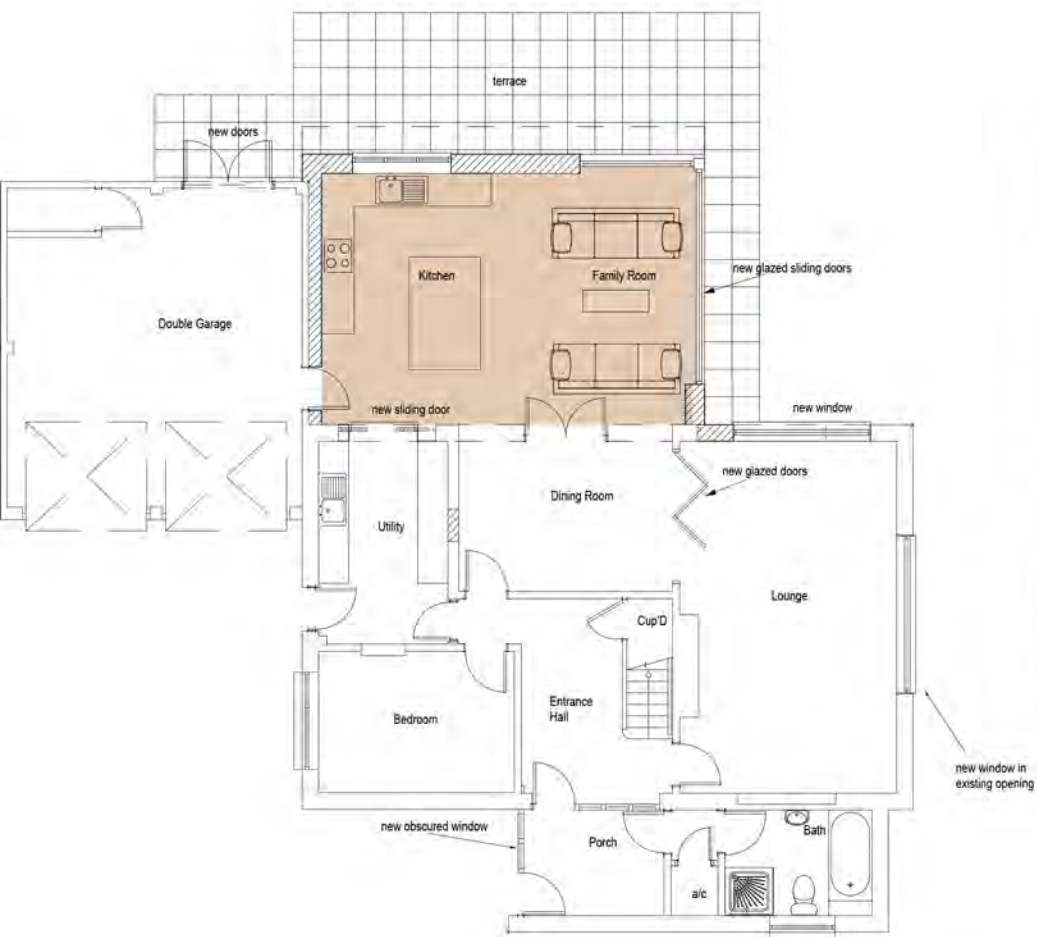
david Futter Associates Ltd

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RIBA Chartered Practice

Project:	39 Constable Road, Norwich
Client:	Holdgate, Dr D
Drawn:	Proposed Elevations
Drawn By:	n/c
Checked By:	DF
Scale:	1:50 & 1:100 @ A1
Date:	November 2017
Ref No:	6810
Dwg No:	P02G



Ground Floor Plan



First Floor Plan

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The materials and products specified in the construction details of the drawings are an integral part of the design and performance of the building. These MUST NOT be substituted with other materials or products without reference to the Architect.

**CONTRACT CONDITIONS 2015**

**Check Note: Health & Safety is your responsibility!**

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Please contact DFAL for advice.

The Main Contractor is to carry out the construction work in accordance with a Design Risk Assessment prepared by DFAL.

**COMMUNITY INFRASTRUCTURE LEVY (CIL)**

Any necessary consideration of Liability and CIL for the Local Development Application Form will be completed and submitted to the Local Planning Authority before construction works commence on site.

DFAL takes responsibility for any financial liability in the respect on this line with the client.

Please contact DFAL, should you require further assistance.

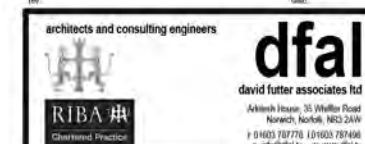
**SCALE BAR**

**SCALE**

**LENGTH**

1:50 1m 2m 3m 4m 5m

- F. Plans updated to suit site plan 230218 n/c
- E. Design scheme revised in accordance with clients request 181217 n/c
- D. Design scheme revised in accordance with clients request 151217 n/c
- C. Design scheme revised in accordance with clients request 141217 AM
- B. Design scheme revised in accordance with clients request 011217 n/c
- A. Design scheme revised in accordance with clients request 241117 n/c



Project: 39 Constable Road, Norwich

Client: Holdgate, Dr D

Drawings: Proposed Floor Plans

Drawn By: n/c

Checked By: DF

Ref No: 6810

Orig No: P01F

Scale: 1:50 @ A1

Date: November 2017

**Report to** Planning applications committee  
08 March 2018

**Report of** Head of planning services

**Subject** Enforcement Case – 159 Drayton Road, Norwich

**Item**

**4(I)**

<b>SUMMARY</b>	
<b>Description:</b>	Construction of outbuilding, driveway and retaining wall to the front of the property.
<b>Reason for consideration at committee:</b>	Enforcement action recommended.
<b>Recommendation:</b>	<p>Authorise enforcement action up to and including prosecution in order to secure:</p> <ul style="list-style-type: none"> <li>• removal of the outbuilding;</li> <li>• removal of the hard surfacing;</li> <li>• removal of the retaining wall;</li> <li>• regrading of the front garden area; and</li> <li>• installation of a replacement fence.</li> </ul>
<b>Ward:</b>	Mile Cross
<b>Contact officer:</b>	Stephen Polley <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

### **The site**

1. The site is located on the north side of Drayton Road to the west of the city. The subject property is two storey end of terrace dwelling forming part of a 4 dwelling terrace. The predominant character of the area is residential, primarily consisting of two-storey terrace dwellings with small front and larger rear gardens constructed as part of the Mile Cross housing development circa 1930. The properties on the north side of the road have been constructed on higher ground than the highway, resulting in there being a slope up towards the houses. The properties here typically feature picket fences, hedgerows and gated steps leading to the front doors.
2. The site is bordered by the adjoining terrace property to the east, no. 157 Drayton Road and no. 1 Finn Crescent to the west. The site boundaries to the front are marked by a 1.8m tall close boarded fence topped with a trellis to the east, and mature planting to the west.





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Planning Application No 17/00118/ENF  
 Site Address 159 Drayton Road

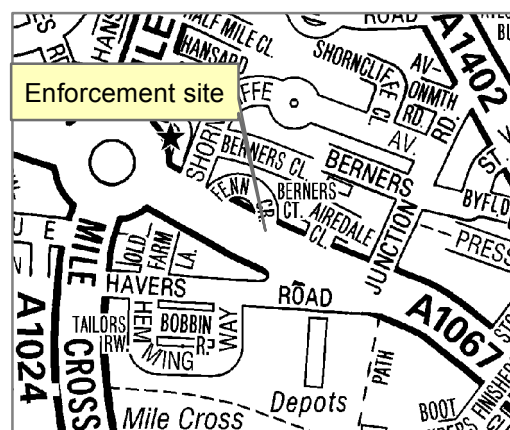
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## **Relevant planning history**

3. There is no relevant planning history.

## **The breach**

4. Without planning permission carrying out the following operations:
  - a) The laying of a hard surface to the driveway;
  - b) The raising of the front garden area / construction of retaining wall fronting the highway;
  - c) The construction of an out-building within the front garden.

## **Relevant policies**

National Planning Policy Framework:

- NPPF7 Requiring good design

Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS):

- JCS2 Promoting good design
- JCS6 Access and transportation

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
- DM30 Access and highway safety
- DM31 Car parking and servicing

## **Justification for enforcement**

1. Between 2008 and 2012 the western half of the original front garden was dug out and a sloping driveway created with access to the highway across the grass verge. The driveway remained as an unfinished earth/gravel surface until at least September 2015 after which it was surfaced in concrete. During the spring of 2017, the front garden was further developed by way of a retaining wall across the remaining section of the front boundary. The ground behind was infilled and levelled, effectively raising the level of the front garden.
2. The front section of the garden now features a sloping roof outbuilding measuring approximately 4m x 4m in plan form and 2.5m tall. The outbuilding is screened by a 1m tall close boarded fence to the front and side. A downpipe has been installed to the front which empties directly onto the adjacent footway.
3. The creation of the concrete driveway requires planning permission as it is considered to represent the provision within the curtilage of a dwellinghouse of a hard surface which is situated on land between a wall forming a principle elevation of the dwellinghouse and the highway, and the area of the ground covered is greater than 5 square metres. It is therefore considered appropriate to undertake enforcement action to seek

the removal of the hard surfacing, however the creation of the driveway appears to have been carried out over four years ago and is therefore immune from enforcement action.

4. The out-building cannot be considered as a form of permitted development as a result of its location within the site, which is forward of a wall forming part of the principle elevation of the original dwellinghouse.
5. The development of the front garden area in such a way is considered to be harmful to the character and appearance of the subject property and wider area. The area is characterised by rows of terrace dwellings arranged with front gardens with only pedestrian access via a gate and path, and larger rear gardens. The particular row of four dwellings within the terrace shared with the subject property had until the recent changes remained unaltered in their appearance until the works outlined above had been carried out.
6. Particular concern has been raised that the outbuilding will result in a loss of light and outlook to a neighbouring property. It is accepted that the out-building, which is located within close proximity of the neighbouring living room will result in some loss of outlook, however the impact to the amount of light reaching the neighbouring living room is limited. The proximity of the out-building to the main living room window of the subject property is however likely to result in some harm being caused to both outlook and light.
7. The construction of the outbuilding within close proximity of the main living spaces of both the subject property and next-door-neighbour are likely to result in a loss of light and outlook, causing a degree of harm to the occupiers standard of amenity.
8. As such, the developments are considered to be contrary to policy DM3 of the Development Management Policies Development Plan Document adopted 2014.
9. Enforcement action is therefore required to seek to removal of the hard surfacing, boundary fence, retaining wall and outbuilding. Remediation work is also required to return the front garden area to its original state by regrading the front garden area to its original level and by installing a replacement boundary fence of a design to match the neighbouring properties, of a height no taller than 1.2m. In order for the site to be returned to its original verdant character, turf is to be laid to the front garden area.

### **Equality and diversity Issues**

5. The Human Rights Act 1998 came into effect on 2nd October 2000. In so far as its provisions are relevant:
  - (a) Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the Council the responsibility to take enforcement action when it is seen to be expedient and in the public interest. The requirement to secure the

removal of the unauthorised building works in the interests of the visual amenity of the area is proportionate to the breach in question.

- (b) Article 6: the right to a fair hearing is relevant to the extent that the recipient of the enforcement notice and any other interested party ought to be allowed to address the committee as necessary. This could be in person, through a representative or in writing.

## **Conclusion**

6. For the reasons outlined above the works are considered to have a significant detrimental impact on the character and appearance of the property and street scene. In addition, the outbuilding has resulted in a degree of harm to the occupiers of the neighbouring property and future occupiers of the subject property.

## **Recommendation**

Authorise enforcement action up to and including prosecution in order to secure:

- removal of the outbuilding;
- removal of the hard surfacing;
- removal of the retaining wall;
- regrading of the front garden area and laying of turf; and
- installation of a boundary fence of no more than 1.2m in height.



**Report to** Planning applications committee  
08 March 2018  
**Report of** Head of planning services  
**Subject** Enforcement Case – 2 Mornington Road, Norwich

**Item**

4(m)

SUMMARY	
<b>Description:</b>	Construction of outbuilding forward of the front elevation.
<b>Reason for consideration at committee:</b>	Enforcement action recommended.
<b>Recommendation:</b>	Authorise enforcement action up to and including prosecution in order to: <ul style="list-style-type: none"><li>• secure the removal of the outbuilding;</li><li>• secure the removal of the fencing;</li><li>• making good of the highway;</li><li>• removal of all demolished materials from site; and</li><li>• provision of a replacement 1.2m high fence.</li></ul>
<b>Ward:</b>	Nelson
<b>Contact officer:</b>	Stephen Polley <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

### The site

1. The site is located to the north of Mornington Road, at the crossroads with Christchurch Road to the south of the city. The subject property is a large end of terrace dwelling constructed circa 1900 primarily using red bricks. The terrace forms part of a row of properties fronting Christchurch Road, however the principle elevation of no. 2 faces onto Mornington Road. The site features a small front garden / main entrance area and a garden located to the side and front.
2. The prevailing character of the area is predominantly residential with most properties forming terraces. Beyond the end of the garden is an alleyway which separates the site from a row of grade II listed terrace properties at 4-18 Mornington Road.

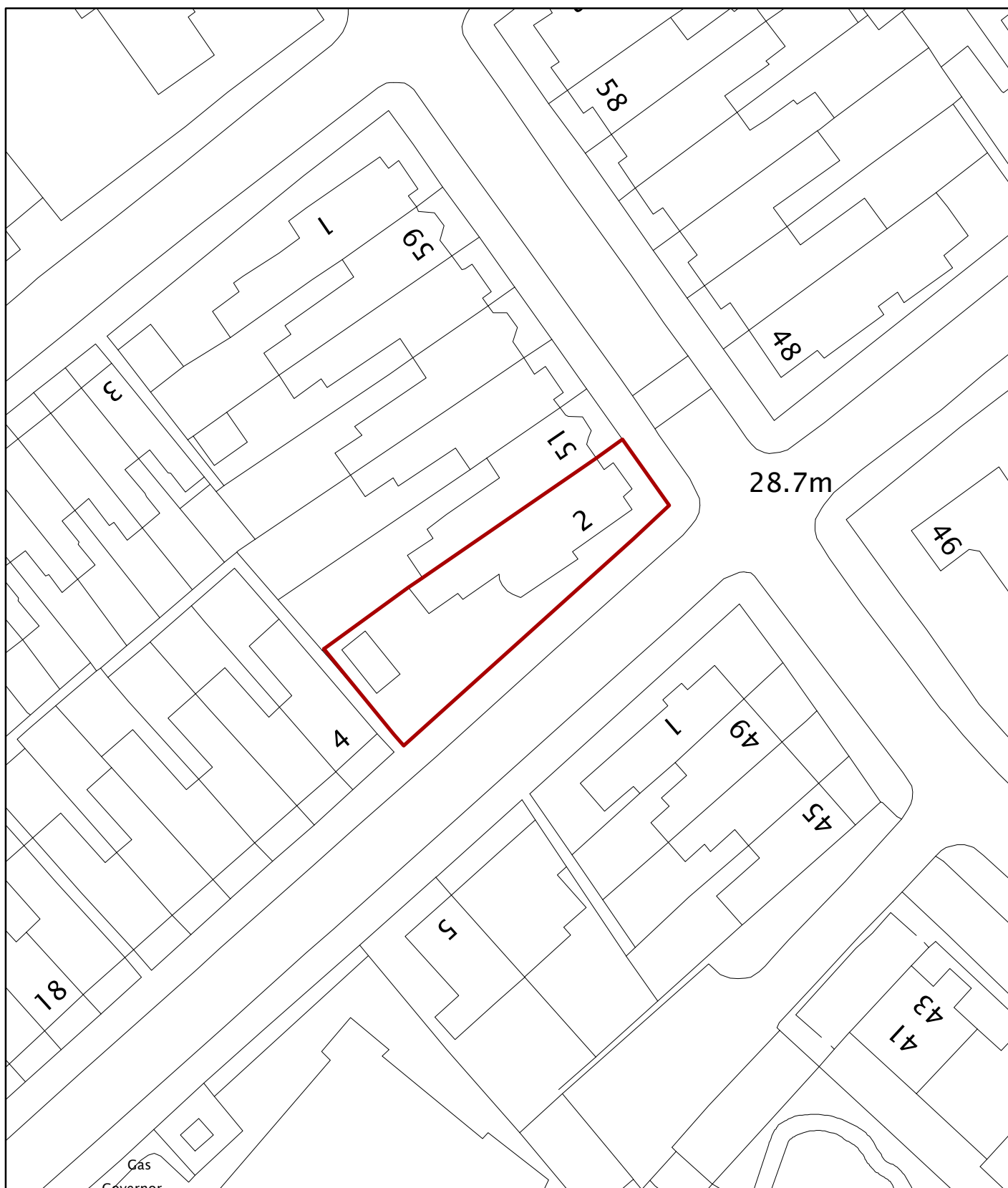
### Relevant planning history

3. Application ref. 17/01308/F Replacement rear garden room. Refused 24.10.2017. This does not relate to the same development which is the subject of this report but relates to a small extension in the location of an existing conservatory on site.

### The breach

4. Without planning permission carrying out the following operations:





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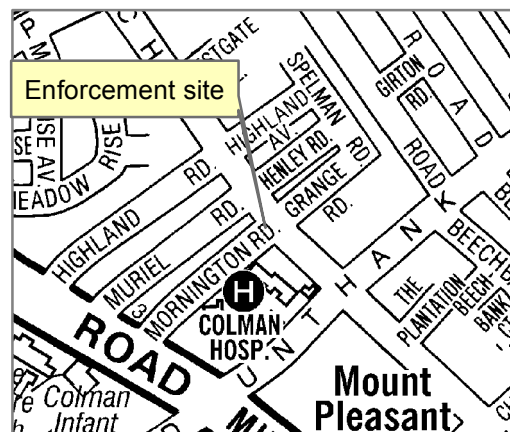
Planning Application No 17/00131/ENF  
Site Address 2 Mornington Road

Scale 1:500



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- a) The construction of a large timber outbuilding forward of the principal elevation; and
- b) The installation of a boundary fence fronting Mornington Road.

## **Relevant policies**

National Planning Policy Framework:

- NPPF7 Requiring good design
- NPPF12 Conserving and enhancing the historic environment

Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS):

- JCS2 Promoting good design
- JCS6 Access and transportation

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

## **Justification for enforcement**

5. Within the past twelve months a boundary fence approximately 1.2-1.5m tall and small shed have been removed from the garden. In their place a substantial flat roof out-building has been constructed within the south-west corner of the garden. The outbuilding has been constructed partially onto the adjacent footway where a garage size and 'half-height' door have been installed, each with concrete access / egress slopes onto the footway. The outbuilding is over 2m in height and has been left in a semi-natural state, resulting in an orange colour, apart from the larger door which has been painted grey. The outbuilding is approximately 4m wide where it fronts the highway and extends along the majority of the alleyway to the western boundary of the property. Whilst there has been an historic access in this location onto the highway in erecting the outbuilding works have been undertaken to the footpath without consent from highways to provide a small ramp up to the garage.
6. The remaining section of the boundary fronting Mornington Road has been marked by a 2m plus close boarded fence and trellis combination, secured by concrete posts.
7. The works which have been carried out constitute operational development and cannot be considered as a form of permitted development as a result of the outbuildings location within the site, which is forward of a wall forming part of the principle elevation of the original dwellinghouse. The replacement fence cannot be considered as a form of permitted development as it has been constructed adjacent to a highway used by vehicular traffic and exceeds one metre in height above ground level. Both the out-building and replacement fence appear to

have been constructed within the past 12 months and as such are not immune from enforcement action.

8. The construction of an outbuilding of this scale, forward of the principle elevation and fronting a highway as well as the installation of a 2m tall fence are considered to be harmful to the character and appearance of the subject property and wider street scene. The proximity of the development to the listed buildings on Mornington Road is considered to be harmful to their setting resulting in less than substantial harm in terms of paragraph 134 of the NPPF. Any benefits of the proposal in question are considered to fall some way short of mitigating the harm to the adjacent terrace and street scene. As such, the outbuilding and fence are considered to be contrary to policies DM3 and DM9 of the Development Management Policies Development Plan Document adopted 2014 as well as paragraph 134 of the NPPF.
9. Enforcement action is therefore required to seek the removal of the outbuilding and fence in order to restore the original character and appearance of the site. Remediation work is also required to ensure that the highway is returned to a good state of repair following the work. A replacement boundary fence should be re-instated along the Mornington Road frontage at a height no higher than 1.2m above ground level.

### **Equality and diversity Issues**

10. The Human Rights Act 1998 came into effect on 2nd October 2000. In so far as its provisions are relevant:
  - a. Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the Council the responsibility to take enforcement action when it is seen to be expedient and in the public interest. The requirement to secure the removal of the unauthorised building works in the interests of amenity is proportionate to the breach in question.
  - b. Article 6: the right to a fair hearing is relevant to the extent that the recipient of the enforcement notice and any other interested party ought to be allowed to address the Committee as necessary. This could be in person, through a representative or in writing.

### **Conclusion**

11. For the reasons outlined above the outbuilding and fence are considered to have a detrimental impact on the character and appearance of the property, street scene and setting of the neighbouring listed buildings and as such it is recommended that enforcement action be authorised as per the recommendation below.

### **Recommendation**

To authorise enforcement action up to and including prosecution in order to:

1. secure the removal of the outbuilding;

2. secure the removal of the fencing;
3. making good of the highway;
4. removal of all demolished materials from site; and
5. provision of a replacement 1.2m high fence.



**Report to** Planning applications committee

08 March 2018

**Report of** Head of planning services

**Subject** Enforcement Case 17/00006/ENF – 17-19 Castle Meadow

**Item**

4(n)

Summary	
<b>Description</b>	Basement in use as a dwelling in breach of refused application ref 15/01805/F and subsequent dismissed appeal APP/G2625/W/16/3155779.
<b>Reason for consideration at committee</b>	Enforcement action recommended
<b>Recommendation</b>	Authorise enforcement action to secure the cessation of the use of the basement as a dwelling.
<b>Ward</b>	Mancroft
<b>Contact Officer</b>	Lara Emerson <a href="mailto:laraemerson@norwich.gov.uk">laraemerson@norwich.gov.uk</a>

## The Site

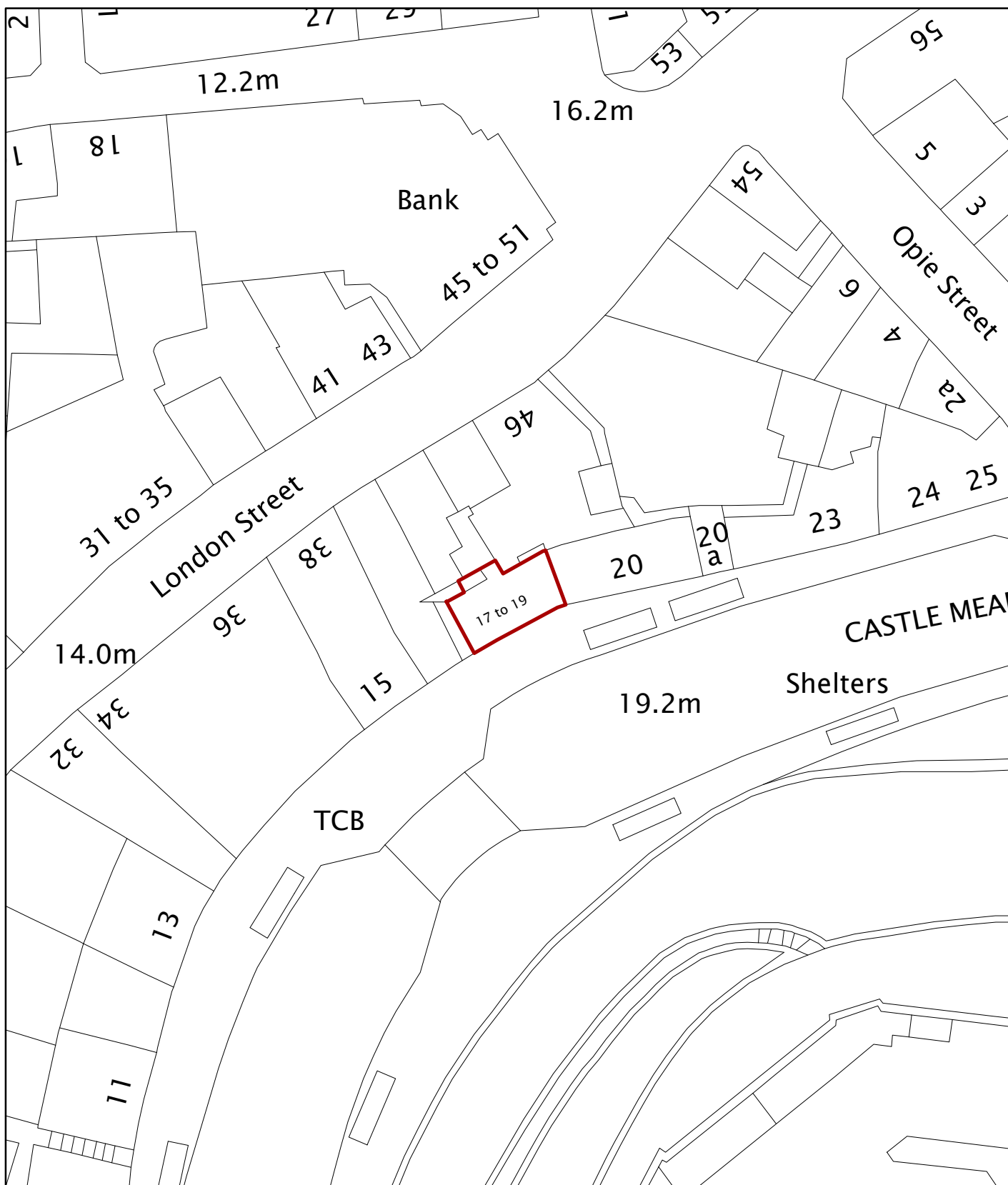
1. 17 -19 Castle Meadow is a three storey mid terraced building situated on the north western side of the road. The 20th century building is occupied by a café on the ground floor and has a contemporary style shop front on the left-hand side of the frontage and three single doors on the right-hand side at ground floor level. Of these three doors, the first serves the ground floor café, the middle door gives access to the basement and the last door provides access to the two bedsits on the first and second floors of the building.
2. The site is situated within City Centre Conservation Area and the site is located on opposite Norwich Castle, which is a Grade I listed building and a Scheduled Ancient Monument.

## Relevant planning history

3. An application for the change of use of the basement to a single dwelling was refused on 25 January 2016 (application reference 15/01805/F). The reason for refusal was:

The proposal would have a significant detrimental impact on the residential amenity and living conditions of any future occupiers particularly due to the restricted size of the proposed accommodation and its lack of adequate natural daylight and outlook, contrary to Policies DM2 and DM13 of the Norwich Development Management Policies Local Plan, adopted December 2014.





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Planning Application No 17/00006/ENF

Site Address 17 - 19 Castle Meadow

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4. The applicant then appealed this decision (appeal reference APP/G2625/W/16/3155779). The appeal was dismissed on 12 December 2016 with the inspector agreeing that the unit offered a poor quality of accommodation. The appeal decision is attached as an appendix to this report.

### **The Breach**

5. Council Tax records show that the basement has been in use as a single dwelling since 10 April 2014.

### **Policies and Planning Assessment**

National Planning Policy Framework (March 2012):

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes

Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan 2014:

- JCS3 Energy and water
- JCS4 Housing delivery
- JCS5 The economy

Norwich Development Management Policies Local Plan adopted Dec 2014:

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM8 Planning effectively for open space and recreation
- DM12 Ensuring well-planned housing development
- DM18 Promoting and supporting centres
- DM20 Protecting and supporting city centre shopping

### **Justification for enforcement**

6. The use of the basement as a dwelling is a breach of planning control and it has already been determined that planning permission would not be granted for this change of use due to the poor living environment provided to occupants. The appeal decision (reference APP/G2625/W/16/3155779) is attached as an appendix to this report and gives a thorough planning assessment of the material change of use.
7. It is considered expedient for the council to serve an enforcement notice to require the cessation of the use of the basement as a dwelling. The change of use took place on 10 April 2014, and the council has the ability to enforce for a period of 4 years (up to 10 April 2018). The serving of an enforcement notice is therefore a matter of urgency.

## **Equality and Diversity Issues**

8. The Human Rights Act 1998 came into effect on 2 October 2000. In so far as its provisions are relevant:
  - a. Article 1 of the First Protocol (the peaceful enjoyment of one's possessions), is relevant in this case. Parliament has delegated to the council the responsibility to take enforcement action when it is seen to be expedient and in the public interest.
  - b. Article 6: the right to a fair hearing is relevant to the extent that the recipient of the enforcement notice and any other interested party ought to be allowed to address the committee as necessary. This could be in person, through a representative or in writing.

## **Conclusion**

9. The breach of planning control is detrimental to the amenity of the occupants of the flat which suffers poor levels of light and outlook. It is expedient for the council to take enforcement action against this breach of planning control.

## **Recommendation**

10. Authorise enforcement action against the use of the basement as a single dwelling.

---

## Appeal Decision

Site visit made on 21 November 2016

**by D J Board BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 12 December 2016**

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**Appeal Ref: APP/G2625/W/16/3155779**

**17 Castle Meadow, Norwich, Norfolk, NR1 3DH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Dritan Duraj against the decision of Norwich City Council.
  - The application Ref 15/01805/F, dated 27 November 2015, was refused by notice dated 25 January 2016.
  - The development proposed is Proposed Change of Use to Basement from Class Use A1 (Shop) to Class Use C3 (Dwelling / Flat).
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. At the time of my site inspection the change of use had already taken place. The term retrospective is not an act of development. I have dealt with the appeal on the basis that planning permission is sought for the change of use of the basement to a dwelling.

### Main Issues

3. The main issue is whether the dwelling would provide acceptable living conditions for future occupiers with particular regard to the size of accommodation, outlook, daylight and sunlight.

### Reasons

4. The Council is concerned that the numerical area of the unit would be below standard. It has 'advisory minimum standards' for accommodation size in place and the officers report refers to the national space standards. The quantity of accommodation is a factor in its acceptability. Nevertheless it is not the only consideration. Its usability is also a critical element. In this case, even if I were to accept the Council's calculation of floor space as being below standard, it would not alter the usability of the space. The layout of the unit is regular in shape. The main area being large enough to accommodate furniture with space to move around. I note that the kitchen and bathroom areas would utilise mechanical ventilation, which is not unusual, but are of a reasonable size and well lit.
5. The unit is at basement level. It is open plan and single aspect with three windows facing the 'lightwell' area on the plans. The 'lightwell' is treated with glass bricks at pavement level. These are laid out in groups within the

pavement in front of the ground floor unit (coffee shop), entrance doors to the other flats and the basement itself. The arrangement of the bricks for the 'lightwell' does not create a solid expanse of glazing. In addition it is located in an area where it could be obscured by the use of the shop unit or access points to the flats. As such, even with the south facing aspect, the amount of daylight and sunlight to the unit below would be limited.

6. The glass bricks are visible from within the unit when looking out of the window. However, there are not any significant views outside or of the skyline. In addition, whilst the location of the unit is close to Castle Gardens and is not family accommodation, there is no dispute that the flat does not have direct access to outside space or that it would not be possible to provide it. The appellant highlights that there are other developments that do not have outside space, including the first and second floor flats of this building and that a report on light could be produced. However, I do not have the detail of other examples or a report. Nevertheless the other units are in the upper floors of the building which the plans show benefiting from large windows. Therefore in contrast to the appeal scheme these units would have adequate outlook, daylight and sunlight making the provision of outdoor space less critical.
7. The appellant has suggested that a screen could be put in place within the light well. It is submitted that a large size screen could be used to present a live stream of the outside activity. However, I am concerned that this would not be enforceable. The occupier of the unit could choose to turn it off and the Council would have no practical means of monitoring its use day to day. Therefore I attach very limited weight to this proposal as a benefit for future occupants.
8. Overall, whilst the size of the accommodation is not necessarily harmful, the quality of the accommodation is. The absence of outlook taken in combination with the restricted daylight and sunlight lead me to conclude that the proposal does not provide adequate living conditions for future occupiers with particular regard to outlook, daylight and sunlight. It would be in conflict with policies DM2 and DM13 of the Norwich Development Management Policies Local Plan which amongst other things seek new development that provides a high standard of amenity, satisfactory living conditions and adequate light and outlook and conversions to flats to achieve a high standard of living conditions for future occupiers. It would also be in conflict with the Framework which seeks a high quality design and good standard of amenity for all existing and future occupants of land and buildings.

#### *Other matters*

9. I note that the scheme would provide a dwelling suitable for a single/young person in a location that is sustainable with access to facilities and public transport, there would be no flood risk issues, cycle parking and refuse storage could be provided, it is not in a prime employment area and there were no objections to the scheme on matters of noise. However, none of these matters alter my findings on the main issue.
10. The site is located within the City Centre Conservation Area (CA). The current appearance of the site is not harming the character and appearance of the area. The change of use has no significant external changes and would not have an adverse impact on the fabric of the building. Accordingly the proposal would preserve the character of the Conservation Area in which it is located.

11. The appellant submits that lawful use of the basement is A1 and that the change of use would benefit from permitted changes under Class M if it was not in a CA. In particular that Class M would not impose any requirement to assess the quality of the resultant accommodation. Whilst this may be the case the facts remain that the proposal requires planning permission. As such it falls to be considered against the development plan and there is no lawful residential scheme that could be implemented. As such I attach very limited weight to this consideration.
12. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case there is clear conflict with the development plan and I attach only limited weight to the other material considerations in this case.

### **Conclusion**

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*D J Board*

INSPECTOR



