

Planning applications committee

Date: Thursday, 08 July 2021

Time: 10:00

Venue: Council Chamber, City Hall

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

Committee members:

Councillors:

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

For further information please contact:

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Information for members of the public

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

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

Agenda

Page nos

1 Apologies

To receive apologies for absence

2 Declarations of interest

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

3 Minutes

5 - 10

To approve the accuracy of the minutes of the meeting held on 10 June 2021.

4 Planning applications

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 4 above are required to notify the committee officer by 10:00 on the day before the meeting. The planning applications committee's procedures are set out in the council's constitution.

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

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

Please note:

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

- The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.

Summary of planning applications for consideration	11 - 12
Standing duties	13 - 14
4(a) Application no 21/00494/F – Chamberlain House, 5 Guildhall Hill	15 - 50
4(b) Application no 21/00561/F – 90-92 Colman Road	51 - 60
4(c) Application nos 21/00355/PDD and 21/00428/F - 1 Ferry Road, Norwich, NR1 1SU	61 - 94
4(d) Application no 21/00665/F - Land and Garages Rear of 2 to 20 Hanover Road, Norwich	95 - 122

Date of publication: **Tuesday, 29 June 2021**



Planning applications committee

10:00 to 12:30

10 June 2021

Present: Councillors Driver (chair), Button (vice chair, following appointment), Bogelein, Everett, Grahame, Lubbock, Maxwell, Peek, Sands (M), Sands (S) (substitute for Councillor Thomas (Va)), Stutely and Youssef

Apologies: Councillors Giles and Thomas (Va)

1. Appointment of vice chair

RESOLVED to appoint Councillor Button as vice chair for the ensuing civic year.

2. Declarations of interests

Councillor Stutely explained that he had called in item 4 (below) Application no 21/00277/F, 1 Fairmile Close, because of the number of objections from local residents and confirmed that he did not have a predetermined view.

Councillor Driver declared an other interest in item 4 (below) Application no 21/00277/F, 1 Fairmile Close, because one to the objectors was known to him.

3. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 13 May 2021.

4. Application no 21/00277/F, 1 Fairmile Close

(Councillor Driver had declared an interest in this item.)

The planner (case officer) presented the report with plans and slides, including images of the daylight and shadow study provided by the applicant. The committee were advised that there had been recent construction works, including the erection of Heras fencing, because of flooding had occurred, caused by a leaking pipe. No construction works had commenced in relation to this application. Members were also referred to the supplementary report of updates to reports which was circulated at the meeting and available on the council's website, which contained the reasons

for calling in the application to committee for a decision because of strong local views and concerns raised about the impact upon a glass house in the adjacent garden.

The area development manager read out the statement on behalf of a resident of Fairmile Close, under the special arrangements whilst numbers attending meetings were limited. The resident's concerns included: impact on conservation area and its "semi-rural" appearance; the design and massing and impact on residential amenity and loss of privacy; concern for risk to the structure of glass house in an adjacent garden and concern about the impact of construction vehicles on the cedar tree in front of the applicant's house. (The statement was reproduced in full in the supplementary report and is published on the website.)

The adjacent neighbour and two other residents of Fairmile Close addressed the committee with their objections to the proposal. The adjacent neighbour objected to the size and mass of the proposed development which he considered was contrary to DM2 and was detrimental to their residential amenity and also impacted on the use of their study, used for home working, and displayed images which were circulated at the meeting. The study was not classed as a primary room in planning terms and therefore not given sufficient weight as the neighbours both worked at home. The neighbours considered that a smaller extension would not have so great an impact and block out the majority of the light to their study. The other neighbours commented on their concerns about the narrowness of the close and damage to property from construction traffic; impact on residential amenity to the residents of the four houses and two houses in Lime Tree Road by changing the character of the mid-century houses on the close, that the massing and size of the extension was too large and that the application would extend the footprint by 70 per cent; that it would cause loss of light in adjacent gardens and concerns about loss of privacy from overlooking, and damage to the cedar tree in the applicant's front garden.

The agent addressed the committee in support of the application. He confirmed that there had been a water leak on the property and that no construction works associated with this application had been commenced as the applicants were waiting for planning consent. The proposed extension was to accommodate the applicants' family. The agent had worked with the case officer and altered plans to a hipped roof style in response to concerns about the loss of light to the neighbour's study. The neighbour had agreed to a 2 metre high fence in front of the building line that would obscure the study window from sunlight because of their concerns about security and privacy. The agent commented on the design which would improve the appearance at the front of the property and confirmed that he agreed with the officer's assessment of heritage and conservation and amenity issues, as contained in the report. Details of surface water mitigation would be provided. There was no proposal to remove any trees from the site.

The planner commented that planning consent was recommended subject to conditions, four of which were related to the trees on the site. The planner, together with the area development manager, referred to the reports and presentation and answered members' questions. This included confirmation that other houses in the close had single storey extensions. Planning permission had been granted for an extension and double garage at no 2 Fairmile Close. Part of the assessment was the increase in the footprint in comparison with other houses in the close and that there was adequate room on the site for the extension. Members were advised that

the glass house, within the curtilage of the Grade II* listed building adjacent to the application site, would not be affected by the massing of the proposed extension or at risk of damage during construction. Officers advised the committee that there was no distinct building line to the front of the properties in the close. The single storey part of the extension would be in front of the main house but did not infringe the building line. There was no tree preservation order on the Cedar tree. The tree officer had considered that the tree had high amenity value but as there was no risk of its removal did not warrant a tree preservation order. There would be no long-term harm to the tree from this development. Members were also advised that damage to property from contractors was a civil matter but that considerate construction, such as the use of smaller vehicles could be considered. The committee also sought confirmation that in planning terms the use of a room as a study was a habitable room but was not given the same material planning consideration as a room in primary use, such as a lounge or a bedroom. The designated use of the room was determined by the floor plan and its current use. The existence of the planning permission for the neighbouring property for a double garage and extension was a material consideration for this application.

The chair moved and the vice chair seconded the recommendations as set out in the report.

Discussion ensued in which members considered that the size of the proposed two storey extension, with its height and massing, was inappropriate and would have an adverse impact on the residential amenity of no 2 Fairmile Close. Members considered that a home office should be assessed as a primary habitable room and that planning legislation should change to reflect the increase in home working and that such rooms should not be considered as secondary, requiring less sunlight. The outlook from the study would be on to a solid wall. Members considered that it was important that people had good working conditions. Members also expressed concern about the preservation of the Cedar tree at the front of the building and commented that they could not accept that construction would not put the glass house in the adjacent property at risk.

During discussion a member said that she would be abstaining from voting because she considered that she did not have enough information to make a decision without a site visit. In reply, another member commented on the officer's well written report and presentation and said that the committee had sufficient information to make a decision at this committee.

On being moved to the vote, with no members voting in favour of approval, 9 members voting against (Councillors Youssef, Grahame, Bogelein, Lubbock, Button, Sands (S), Sands (M), Everett and Stutely) and 3 members abstaining (Councillors Peek, Maxwell and Driver) the motion to approve was lost and the application not determined.

Members then considered their reasons for refusal. Members considered that whilst they had concerns about the health of the cedar tree, the tree officer's assessment was that there would be no long-term damage to the tree from this development. Also, that there was no evidence to support concerns that the glass house or the adjacent Grade II* listed building would be harmed by this proposal. However, members considered that the impact on the amenity from the size and mass of the extension on the neighbouring property would result in loss of daylight and outlook to

the ground floor study room. Members also considered that the form and character of the area would be adversely affected by the extensions, with the single storey element of the proposal extending in front of the property and the rear extension being excessively large and visible from the road. The area development manager advised the committee not to use the building line in their reasons for refusal on the grounds of it being detrimental to the form and character of the area because it would not be defensible on those grounds. The size and massing of the extensions being visible over the top of no 2 Fairmile Close and the street scene was defensible.

During discussion members sought further information about the glass house which comprised four glass walls and was built against the brick boundary wall, and whether it should be protected as a heritage asset under DM9. On the advice of the area development manager members considered that this was not a defensible reason for refusal. There was no reason to consider that it would be harmed by this application.

Councillor Bogelein moved and Councillor Lubbock seconded that the planning application be refused on the grounds of the detrimental impact that the extension would have on no 2 resulting in loss of light and lack of outlook to the study, and that the massing and height of the extensions would adversely affect the character and form of the area.

RESOLVED, with 9 members voting in favour (Councillors Youssef, Grahame, Bogelein, Lubbock, Button, Stutely, Everett, Sands (S) and Sands (M)), 1 member voting against (Councillor Driver) and 2 members abstaining from voting (Councillors Maxwell and Peek) to refuse Application no 21/00277/F, 1 Fairmile Close on the grounds that the massing and size of the extension is detrimental to the amenity of no 2 Fairmile Close and loss of light and outlook to the window its study; and, the massing and height of the extension adversely affects the character and form of the area; and to ask the head of planning and regulatory services to provide reasons for refusal in policy terms.

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

1. As a result of loss of light, overshadowing and an over-bearing relationship, the proposed two storey rear extension would result in an unacceptable impact upon the amenity of the adjacent neighbour, number 2 Fairmile Close, and in particular to windows serving a ground floor study. The proposal would therefore conflict with Policy DM2 of the Development Management Policies Local Plan 2014.
2. The proposed extensions fail to respect the character and local distinctiveness of the area by virtue of their scale, form and siting. The single storey front and side extension would protrude significantly forward of the host dwelling forming an incongruous feature in the streetscene. The impact of this extension would be exacerbated by the height of the roof, which serves to increase its mass. The rear extension would be visible in the streetscene and partially obscure an existing visual gap between no. 1 Fairmile Close and no. 2 Fairmile Close, which provides views to the south west. Both extensions together would significantly increase the footprint and mass of the dwelling, and result in a development which would be overly dominant and fail to

respect either the character or local distinctiveness of the local area, conflicting with DM3 of the Norwich Development Management Policies Local Plan 2014 and policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014).)

(Councillor Stutely left the meeting at this point.)

5. Application no 20/01238/F at 6 Music House Lane

The planner (case officer) presented the report with the aid of plans and slides. The reason for the application to install a shepherd's hut was for a space to provide therapy for children. She referred to the supplementary report of updates to reports (circulated at the meeting and available on the council's website) and recommended two additional conditions relating to requiring the details of paving slab to level the site and to ensure that the hut was static and could not be moved around the site.

The area development manager read out a statement on behalf of a local resident whose property adjoined the site. The resident commented that the new location for the hut was directly behind his garden; would be visible over the fence; and, spoil the view of the Sue Lambert building. (The statement was reproduced in full in the supplementary report and is published on the website.)

The planner referred to the report and presentation and answered members' questions. She confirmed the location of the hut and that it had double doors which were glazed at the top. The hut would be in a secure area managed by the Trust.

The chair moved and the vice chair seconded the recommendations as set out in the report, with the additional conditions as set out in the supplementary report.

Discussion ensued in which a member expressed some concern about safeguarding of visitors to the facility. Members were reassured that the Trust was experienced with safeguarding issues and there was a fence surrounding the area. It was also noted that the Trust had agreed to the limitation on the hours of use for the hut.

RESOLVED, unanimously, to approve application 20/01238/F at 6 Music House Lane and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Hours of use limited to between 09.00-17.00 Monday to Friday only;
4. Standard condition requesting slab level details;
5. The Shepherds Hut is retained in the site shown on the location plan and not moved.

(Councillor Everett left the meeting at this point.)

6. Application no 21/00247/F, New Ferry Yard, King Street, Norwich

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

In reply to a question, the planner said that the allocation of the electric charging points would be the responsibility of the management company of the development

to address. There was potential for further charging points to be installed. The area development manager said that some of these could come under permitted development rights in the future or subject to planning permission.

RESOLVED, unanimously, to approve application 21/00247/F at New Ferry Yard, King Street, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Protection of trees in line with arb report;
4. Retention of electric charging point;
5. Detail of appearance of electric charging point (CP14).

Informative:

- Considerate construction hours.

CHAIR

Summary of planning applications for consideration

ITEM 4

8 July 2021

Item No.	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	21/00494/F	Chamberlain House, 5 Guildhall Hill	Lara Emerson	Conversion and change of use of existing building, demolition of existing retail (E) unit and extension to provide a new retail (E) unit, a reconfigured retail unit and a hotel (C1) with restaurant and ancillary accommodation and new flexible space for commercial, business and service and/or hot food takeaway (E and or sui generis).	Objections	Approve subject to the satisfactory completion of a legal agreement
4(b)	21/00561/F	90-92 Colman Road	Lara Emerson	Installation of new shopfront and kitchen extraction flue.	Objections	Approval
4(c)	21/00355/PDD and 21/00428/F	1 Ferry Road	Maria Hammond	Change of use from office to 8 no. residential apartments with retention of office use at ground floor and Extensions and external alterations to create additional residential and commercial floor space, including one additional storey comprised of two residential apartments.	Objections and Area Development Manager discretion	Grant prior approval and approve planning application
4(d)	21/00665/F	Land and Garages Rear of 2 to 20 Hanover Road	Maria Hammond	Demolition of garages and construction of 4 no. dwellinghouses.	Objections	Approval

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 July 2021

Report of Head of planning and regulatory services

Subject Application no 21/00494/F – Chamberlain House,
5 Guildhall Hill

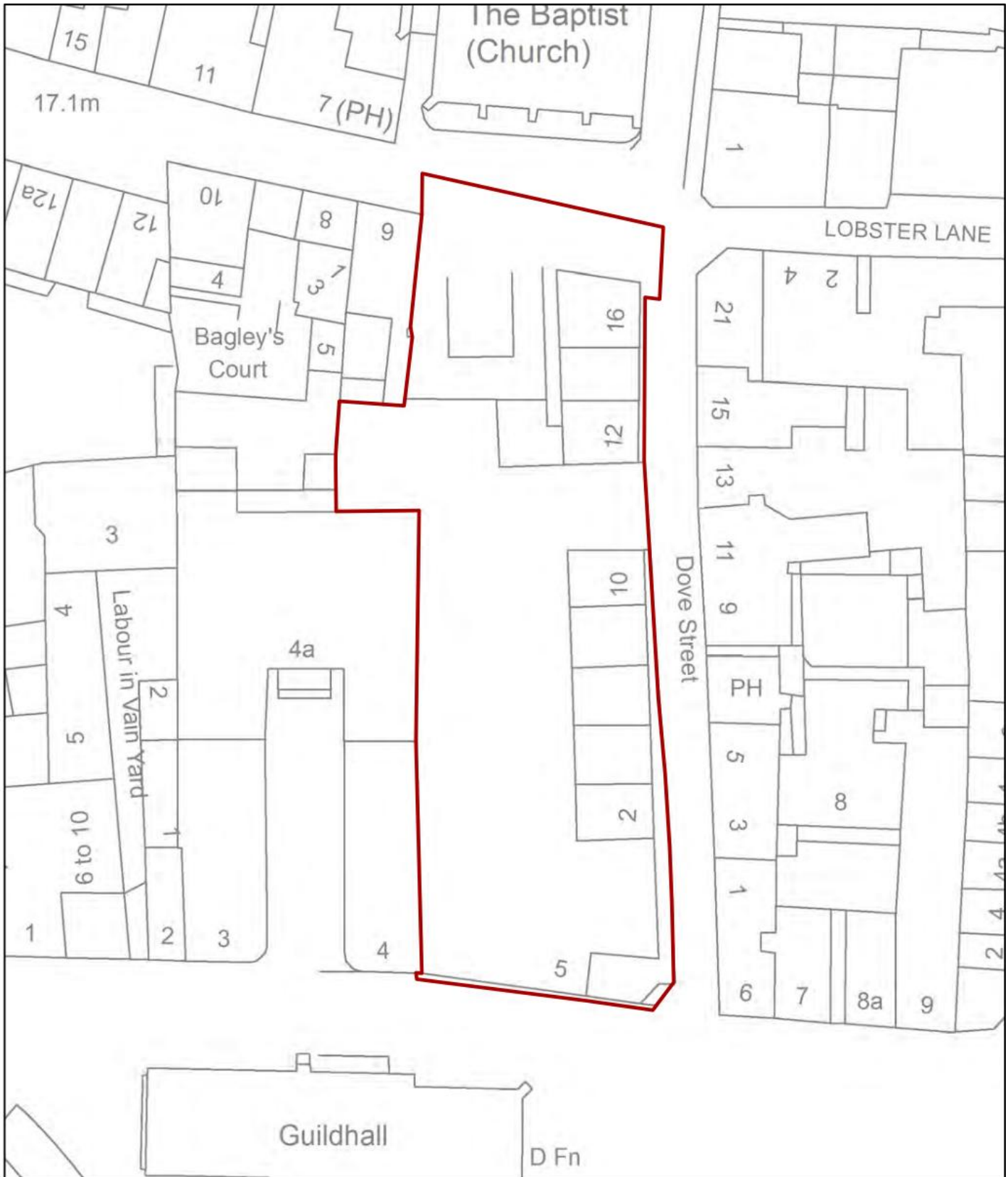
**Reason
for referral** Objections

4(a)

Ward	Mancroft
Case officer	Lara Emerson laraemerson@norwich.gov.uk
Applicant	Associated British Foods Pension Trustees Ltd

Development proposal		
Conversion and change of use of existing building, demolition of existing retail (Use Class E) unit and extension to provide a new retail (Class E) unit, a reconfigured retail unit and a hotel (Class C1) with restaurant and ancillary accommodation and new flexible space for commercial, business and service and/or hot food takeaway (Class E and or Sui generis use class).		
Representations		
Object	Comment	Support
4	0	3

Main issues	Key considerations
1. Principle of development	Loss of office space, creation of hotel use, expansion of retail uses.
2. Design & heritage	Height, massing, detailing, materials.
3. Transport & servicing	Loss of service yard, provision of on-street loading bay.
4. Trees	Impact on silver maple tree in the highway.
Expiry date	16 July 2021
Recommendation	Approve subject to the satisfactory completion of a legal agreement



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Planning Application No 21/00494/F

Site Address Chamberlin House, 5 Guildhall Hill

Scale 1:500

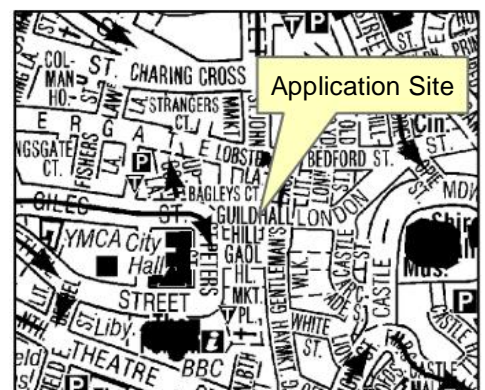


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PLANNING SERVICES



Page 16 of 122



The site, surroundings & constraints

1. Chamberlain House is a large building in the city centre that stretches from Guildhall Hill to Pottergate along the west side of Dove Street. It stands at 4 storeys high at the Guildhall Hill end with a grand frontage facing the street and reduces down to 1 ½ storeys in height at the Pottergate end, with a more modern 20th Century form of development here. There is a large service yard accessed from Pottergate, which slopes down from street level.
2. The building was originally in use as the Chamberlain Department Store but it has been extended and modified over the years. The ground floor houses a small supermarket (with a shop floor measuring approx. 800m²), accessed from the corner of Guildhall Hill and Dove Street, and five small retail units (ranging in size from 30m² to 70m²) running along Dove Street and forming part of the Norwich Lanes. The upper floors are currently vacant but have most recently been in use as offices.
3. The site forms part of the City Centre Conservation Area (Elm Hill & Maddermarket Character Area), which is a densely developed urban core made up primarily of historic buildings. The application site is surrounded almost entirely by nationally and locally listed buildings, with the Guildhall and the Church of St John the Baptist being the highest graded heritage assets in the vicinity (both Grade I).
4. There is a silver maple tree within the highway on the corner of Pottergate and Dove Street which has recently been protected via a Tree Preservation Order (TPO 570).
5. The service yard is noted as a 'negative floorscape' within the conservation area appraisal. The shop units fronting Dove Street, including the retail units to be demolished are also identified as 'negative buildings'. The maple tree is noted as an 'important tree' along with the trees within the churchyard opposite.
6. Other constraints:
 - City Centre Retail Area, with the southern end within the primary retail zone and frontage, and the northern end within the secondary zone
 - City Centre Leisure Area
 - Area of Main Archaeological Interest

Relevant planning history

7. The table below shows the planning records that the council holds for the site. Of note is application 20/00773/F which was submitted last year and later withdrawn following officer advice. The applicant has instructed a new design team who have been engaged in productive pre-application discussions including a presentation to members of planning applications committee.

Ref	Proposal	Decision	Date
4/1991/0170	Installation of new shopfronts on Guildhall Hill and Dove Street and installation of air conditioning plant on rear roof.	Approved	17/05/1991

Ref	Proposal	Decision	Date
4/1995/0090	Two internally illuminated fascia signs.	Approved	02/03/1995
4/1995/1059	2 internally illuminated fascia signs.	Approved	25/01/1996
4/1995/0089	Installation of new shopfronts on Guildhall Hill and Dove Street frontages.	Approved	02/03/1995
4/1996/0036	Internally illuminated wall mounted information sign.	Approved	16/02/1996
4/2000/0729	Alterations to rear service yard.	Approved	13/08/2001
4/2002/1291	Condition 3a and 3b details of brickwork and handrails of previous permission 4/2000/0729/F 'Alterations to rear service yard'	Approved	14/01/2003
4/2002/0846	Installation of : 1) Two sets of internally illuminated fascia lettering. 2) Internally illuminated projecting sign. 3) Free standing direction sign.	Approved	20/11/2002
4/2002/0249	Installation of cashpoint machine in shop frontage and associated pod in foyer	Approved	26/04/2002
4/2002/0833	Alterations to shopfront and formation of new store entrance	Approved	25/06/2003
03/00191/F	Installation of two refrigeration units on the flat roof at the rear of the building.	Approved	21/11/2003
03/00424/D	Condition 2 : Details of the appearance of the refrigeration units, for previous permission 03/00191/F 'Installation of two refrigeration units on the flat roof at the rear of the building'	Approved	19/12/2003
10/01285/A	Display of: 1) 2 No. internally illuminated fascia signs; 2) 2 No. non-illuminated fascia signs; 3) 2 No. internally illuminated hanging signs; 4) 10 vinyl signs window/ATM signs.	Approved	27/08/2010
12/00484/F	Replacement glazed screen and exit doors, including installation of timber facade welcome wall.	Approved	25/04/2012
12/00485/A	Installation of: 1) 2 No. non-illuminated Tesco Metro projecting signs; 2) 1 No. non-illuminated Tesco Metro corner fascia sign; 3) 1 No. non-illuminated Tesco Metro front fascia sign (Guildhall Hill); 4) 1 No. non-illuminated Tesco Metro side fascia sign (Dove Street); 5) 1 No. non-illuminated Welcome 'Hello' Directory sign; 6) 1 No. non-illuminated 3D lettering 'Hello' sign.	Withdrawn	28/05/2012

Ref	Proposal	Decision	Date
12/00798/F	Installation of 4 No. new condenser units on roof.	Approved	13/07/2012
12/01468/A	Retrospective application for the Installation of: 1) 2 No. non illuminated Tesco Metro bus stop hanging signs; 2) 3 No. non illuminated fascia signs;	Approved	05/10/2012
20/00773/F	Conversion and change of use of existing building, demolition of existing retail (A1) unit and extension to provide a new retail (A1) unit, a reconfigured retail unit and a hotel (C1) with restaurant and ancillary accommodation.	Withdrawn	22/09/2020
20/01583/A	Display of: 1) 3 No. internally illuminated fascia signs; 2) 2 No. internally illuminated projecting signs; 3) 7 No. non-illuminated graphic signs.	Approved	09/02/2021

The proposal

8. The scheme retains the primary building, including the small supermarket and 4 of the 5 small retail units. The C20th extension, which houses the northern-most retail unit, is to be demolished. The development builds over the service yard to provide additional commercial space. The extensions stand at 5-storeys tall (including mezzanine) and the building is to be used for:
- A 91-bedroom hotel, including reception space and guest restaurant on the mezzanine, first, second and third floors.
 - One new retail unit on the Dove Street/Pottergate corner (measuring 53m²) and one on the Pottergate frontage (measuring 16m²).
 - A re-configured service area for the supermarket and hotel within the basement, accessed from Pottergate.
 - A new loading bay on Pottergate.
 - An enlarged and improved public realm around the maple tree.
 - Pruning works and ongoing maintenance of the maple tree to be carried out by the applicant.

Summary information

Proposal	Key facts
Scale	
Total floorspace	1243m ² additional floorspace
No. of storeys	5 storey extension (including mezzanine)
Max. dimensions	Maximum 18.5m tall
Construction	

Materials	Current building retained as existing. Materials for the extension are as follows: Walls: red brick, glazed green brick (to ground floor shopfronts), white render (to rear elevations). Roof: bronze toned zinc diamond shingle cladding. Windows & doors: bronze toned aluminium with precast stone surround.
Energy and resource efficiency measures	Air source heat pumps provide 17% of the energy required for the retail units, and 11% for the hotel.
Ancillary plant and equipment	To be located within three contained areas on the roof and within the top floor.
Transport matters	
No of car parking spaces	Car-free development.
No of cycle parking spaces	12 cycle spaces available to hotel staff within the basement
Servicing arrangements	The service yard is to be built over, so the servicing of the hotel and supermarket is to be carried out from a new layby on Pottergate.
Economy	
Jobs	65 full-time jobs to be created in addition to the 77 existing jobs.

Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.
10. 3 letters of support have been received, including 1 from the Norwich Society which praises the design and the overall proposed use of the site. The other 2 letters of support are from local traders who welcome the increase in tourists and footfall which the hotel would bring, and the associated revenue to independent businesses.
11. 4 letters of objection having been received citing the issues as summarised in the table below.

Issues raised	Response
Additional retail units are unnecessary with so many already in the area	See Main Issue 1: Principle of Development.
Concern about disruption to vehicular access on Pottergate during construction	See Main Issue 3: Transport & Servicing.
The development would increase competition within the hotel market, there is insufficient demand for another hotel in the city	See Main Issue 1: Principle of Development.

Issues raised	Response
Delivery arrangements need to be agreed	See Main Issue 3: Transport & Servicing.
Lack of consultation with local businesses	The application has been advertised in the usual way, via letters to neighbours and via a site notice and press notice.
Concern that the layby on Pottergate will be used by hotel guests	See Main Issue 3: Transport & Servicing.
The scale and massing will compete with the setting of the listed building opposite the site and the adjacent tree	See Main Issue 2: Design & Heritage.
If a non-independent hotel opens in the Norwich Lanes, there is a very good chance it would attract national brands to the new retail units	See Main Issue 1: Principle of Development.
The majority of the hotel's profit would leave the local economy and the county	The type of hotel operator is not something that can be controlled by planning

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

13. The conservation officer has been heavily involved in the evolution of the design and is now supportive of the proposals, including height, mass and materials.
14. Some queries/concerns have been raised about detailing of the shopfront, the junction between old and new on Dove Street, the proportions of the service doors on Dove Street and Guildhall Hill, the retention of sash windows within the top floor and the materials/window proportions on the courtyard elevations.

Design South East

15. Design South East (DSE) is an independent organisation which provides design advice. DSE carried out a design review of the scheme at pre-application stage and the panel was supportive of the overall development. Their main feedback was as follows:
- Consider hotel entrance location - explore the option of relocation to Dove Street

- Improve Guildhall Hill/Dove Street ground floor facade
- Consider material treatment to linking façade between the existing building and the new extension
- Window sizes - could the new extension match the existing proportions
- Detailing of the new extension, consider brick detailing - remove soldier course at base of red brickwork, introduce double soldier to parapet. Review articulation to glazed brickwork at ground floor.
- Review options for pre-cast window surround, look at Goldsmith Street example.
- Accentuate chamfered corner - potential to step up parapet at corner.
- Increase active frontage to Pottergate
- Can the Pottergate elevation be flush with the adjoining terrace?
- Review artwork location.

Environmental protection

16. I note the information submitted by the applicant and request the following:

- Unknown contamination condition
- Condition requesting details of extract ventilation or fume extraction systems
- 5 conditions relating to protection of dwellings from noise
- Informative relating to handling and disposal of asbestos
- Informative notifying future occupants of the location within an area with potential for high levels of noise

Highways

17. Having been involved in previous negotiations with the applicant, appraised submitted information and carried out a site visit, I am content that the proposed development would be acceptable in highway terms, subject to recommended conditions. The site is well-located for the proposed use and there are numerous benefits to be had from the revised

- Minimum 5.2m clearance below proposed signage
- Cycle storage to be agreed
- Construction worker parking arrangements to be agreed
- Construction traffic management plan to be agreed

- Works to be carried out in accordance with the agreed construction traffic management plan
- Service delivery and management plan to be agreed
- Highway boundary to be demarcated
- Off-site landscaping scheme to be agreed
- Off-site landscaping scheme to be carried out
- Travel information plan to be agreed
- Travel information plan to be implemented prior to occupation

Informatives:

- Highway works require consent

Landscape

18. With regard to the townscape and visual assessment elements, the Heritage and Townscape Visual Impact Assessment (HTVIA) by Node, has been undertaken in line with best practice guidance and by suitably qualified professionals. I am broadly in agreement with the conclusions of the assessment, however feel some elements of the resulting site proposals require further consideration in order to adequately fulfil the design principles as set out in the HTVIA, and subsequently local policy.
19. In the interests of good design, amenity, and biodiversity, prior to decision it is recommended that the case officer seek further clarification and improvement on:
 - the western and courtyard elevations,
 - treatment of courtyards and lightwells,
 - feasibility of utility cabinet relocation on Pottergate, and
 - the proposed highway boundary.
20. It is recommended that condition LA1 [the standard landscaping condition] is applied to any decision notice. Depending on the additional information submitted in respect of the above comments, I may advise that this standard condition be amended to require detail of specific items relevant to this development proposal. Further consideration of how arboricultural trials, methods, and monitoring sit within the design process and the sequence of development will also be required so that suitable trigger points can be agreed with the applicant.

Norfolk historic environment service

21. If planning permission is granted we would ask that these be subject to a programme of archaeological work in accordance with National Planning Policy Framework 2019 paragraphs 199 and 189. A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service. Please note that we now charge for our services.

Norfolk police (architectural liaison)

22. Supportive of the overall proposals and makes some reference to operational methods and product specifications which could enhance the security of the building.

Natural areas officer

23. No comments.

Anglian Water

24. Anglian Water have assets on or near to the site and an informative should be added to the decision notice to make this clear. The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows. Anglian Water advise that a condition is added requiring details of surface water drainage management.

Tree protection officer (Norwich City Council)

25. The proposed tree works are acceptable, and the tree should be pruned by 2-3m on all sides for good arboricultural management and consistency across the canopy.
26. Works around the tree, including the installation of the corten planter will need to be carefully carried out, and the following conditions should be applied:
- TR4 (arboricultural supervision) for work involving the planter
 - TR6 (arboricultural works to be carried out by a qualified arborist)
 - TR7 (works in accordance with submitted tree documents)

Tree protection officer (Norfolk County Council)

27. The proposed tree works are acceptable. Care will need to be taken when working around the tree so as not to disturb roots.

Assessment of planning considerations

Relevant development plan policies

28. **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
 - JCS5 The economy
 - JCS6 Access and transportation
 - JCS7 Supporting communities
 - JCS8 Culture, leisure and entertainment
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS11 Norwich city centre
 - JCS19 The hierarchy of centres

29. 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
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM16 Supporting the needs of business
- DM17 Supporting small business
- DM18 Promoting and supporting centres
- DM20 Protecting and supporting city centre shopping
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

30. Relevant sections of the National Planning Policy Framework July 2018 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF6 Building a strong, competitive economy
- NPPF7 Ensuring the vitality of town centres
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

31. Supplementary Planning Documents (SPD)

- Main town centre uses and retail frontages SPD adopted Dec 2014
- Landscape and trees SPD adopted June 2016
- Heritage interpretation adopted Dec 2015

Case Assessment

32. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the 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

33. Key policies and NPPF paragraphs – DM1, DM18, DM20, JCS19, NPPF sections 7 and 11.
34. The proposals involve the loss of office space, changes to retail space and the creation of a hotel.

Loss of office space

35. There are two floors of office space that are proposed to be converted to hotel rooms within the proposals. It is understood that the offices have been vacant since 2019.
36. The local plan includes policies which seek to protect city centre office floorspace, but in light of the permitted development rights which allow offices to be converted to dwellings via a prior approval process, it is not considered reasonable to resist the loss in this case. Further, the office space is relatively poor quality and lacks desirable facilities such as ground floor reception space and parking, so it is understood that the spaces may be difficult to let.

Changes to retail space

37. Currently the building includes a small supermarket on the ground floor, and the lease for this unit also includes use of the basement (storage) and first floor (staff rooms). It is understood from the applicant that the supermarket does not make use of all of its basement and first floor space. The building also contains a run of small retail units along the ground floor of Dove Street.
38. The proposals seek to convert the first floor ancillary office space to hotel use, to demolish the retail unit at the northern end of the building, and to create two new small ground floor retail units within the proposed extension. The remainder of the retail spaces will remain as existing. The overall impact on retail floor space is a loss but this is primarily due to the loss of the large supermarket staff room on the first floor. The retail frontage is to increase by 9m which is a benefit to the shopping area.
39. The two new retail units are located in prime location on busy city centre streets, and whilst they are small in size (especially the 16m² unit on Pottergate), it is considered that a mix of sizes is appropriate to provide space to retailers at various stages within their business journey. It is understood that local independent retailers have already expressed an interest in the units, so the proposals are considered to complement rather than compete with the existing offer. One objector to the scheme has raised concerns about the units being occupied by national brand retailers, which is considered very unlikely given their small size, and is not a material planning consideration in any case.
40. The proposal description refers to a flexible retail use for the new units which is considered reasonable considered a) the speculative nature of the development; and b) the new changes between main town centre uses which are now permitted without consent. There is provision within the application description for the retail units to be used for hot food takeaways, which would likely be a market-stall type offer given the size of the units and any extraction would need to be agreed.

41. The alterations to the retail offer are considered positive overall, and therefore comply with the aims of the planning policies seeking to protect city centre shopping floorspace.

Creation of a hotel

42. The proposed hotel use is a 'main town centre use' as defined within the National Planning Policy Framework and should therefore be directed towards sustainable city centre locations such as this. The site is ideally situated close to services and local transport routes. Visitors using the 91-bedroom hotel will support local businesses including shops, restaurants, cafes, museums and the market and will likely make use of local taxi companies and city centre car parks during their stay.
43. One objector has raised concerns about the impact of the new hotel on the city's competitive hotel market and has questioned whether there would be any demand for more hotel rooms. The hotel use is not directly controlled by any planning policy and is instead a use which the market can capably control. A variety of accommodation options will stimulate healthy competition within the market.
44. The hotel use is considered a very appropriate use of this underused city centre site.

Conclusion

45. The proposed hotel, by attracting overnight visitors, and the retail units, by attracting additional footfall, will help to support the vitality and viability of The Lanes and the wider city centre.
46. The proposed development is considered acceptable in principle, and the acceptability of the application is therefore subject to the detailed considerations discuss below.

Main issue 2: Design & heritage

47. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 124-132 & 184-202.
48. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.
49. The Pottergate end of the site, where new extensions are proposed, sits on a prominent corner plot and within a sensitive historic setting. The proposed design is therefore crucial to a successful redevelopment. The scheme has been subject to close scrutiny through pre-application discussion with case officers, members and has been subject of a Design Review Panel carried out by Design South East (see comments summarised above).

50. The extension at the northern end of the site on the corner of Pottergate and Dove Street will first be assessed in terms of its proposed footprint, then its height and massing, and then its architectural details and materials. The changes to the remainder of the existing building will then be assessed, and then the proposed public realm works. Lastly, the development's impact on heritage assets will be evaluated.

Extension – footprint

51. In design terms, it would be preferable for a new building on the corner of Pottergate/Dove Street to fill the plot in order to have a presence on the corner akin to those on other corner buildings on the junction (i.e. Thorns and The Iron House). However, this is not possible due to the need to protect the silver maple tree which sits within the highway. As such, the building is set back from the corner, but retains a presence by using a chamfer which is typical of corner plots within the city centre.
52. The site currently has a large, sloped service yard facing onto Pottergate which is identified as negative floorscape within the conservation area appraisal. The service yard creates a stretch of dead frontage on an otherwise vibrant shopping street and is an eyesore with its collection of delivery trolleys and floor markings, and the poor quality extensions and alterations of the buildings behind which are brought into view. The redevelopment of the site opens up an opportunity to make more efficient use of this area whilst recreating a building frontage along this part of Pottergate. Clearly servicing needs to be accommodated elsewhere on the site – see main issue 3 – so it is necessary to set the building line further back than the adjacent terrace (6-10 Pottergate).

Extension – height & massing

53. The existing retail unit on the corner of Pottergate and Dove Street is markedly low when viewed against its neighbouring properties and it lacks the presence and interest that one might expect from the site. As such, there is an opportunity to add considerable height here. The height of the extension has been dictated by the height of the host building and is considered appropriate in this urban setting, especially with recessive upper floors.
54. The massing is split into an active ground floor with large openings, a solid middle section with regular arrangement of windows and the top roof zone. Splitting the elevation into these three distinct elements follows the precedent of the existing building and the surrounding streets to create a legible building form.
55. The rear of the proposed extension is visible from some rear windows and courtyards on Pottergate (i.e. Bagleys Court). The height and lack of detailing in this view makes for a negative addition, but some improvements have been secured during the course of the application (different material to top floor, variation in window sizes).

Extension – detailing & materials

56. The ground floor has traditional shopfront proportions and uses a glazed brick to emulate the Royal Arcade. The window openings are framed by stone surrounds and follow typical patterns with windows becoming smaller towards the top of the building. It is proposed to use a textured brick similar to those found on historic

buildings around the site for the majority of the facades, but with a diamond shaped shingle at the upper level to provide a subtle reference to the Guildhall facade. This provides a contrast with brickwork below and a modern interpretation of the roofscape with dormer windows.

57. The junction between the old and the new buildings is compromised by the fact that the retail tenant at no.12 Dove Street is remaining in-situ. This means that the shopfront needs to retain, with an extension built above. The applicant's team have sought to tackle this challenge by extending the metal shingles down to meet the shopfront. This creates a bit of an awkward junction with the new brick façade beyond, and on the upper level there is a point at which the angle of the new roof will extend above the angle of the existing roof. Officers have raised this points and the applicant's team have been unable to come up with a better solution. Given the overall merits of the scheme and the known challenges with the build, the junction between old and new is accepted.
58. In order to provide servicing access on Pottergate, some of the frontage needs to be dedicated to servicing. Through negotiations, it is understood that the servicing arrangements have been reduced as much as possible, and thus the maximum amount of active frontage has now been achieved. The detailing of the service doors will be agreed via condition.
59. A large area on the upper floors of the Pottergate frontage has been identified for art work. A permanent installation will be agreed via condition, with the works expected to be commissioned by a local artist.

Alterations elsewhere on the building

60. The entrance to the hotel is proposed to be located on Guildhall Hill, within a secondary/staff supermarket entrance. The entrance is to be treated with the same green glazed bricks as on the extension, new double doors and separate hotel signage (subject to separate consent). It is unfortunate that the hotel lifts are to be located immediately behind the west-most windows so that all of the windows on that edge of the building will need to be screened internally. Officers have discussed these concerns with the applicant's team, but have been unable to secure a more appropriate solution.
61. The 'studio' on the top floor is to be used for plant and machinery, along with some areas of the roofs. According to the plans, none of this will be visible from street level, including the removable louvres on the north-facing studio dormer windows.
62. The Dove Street entrance is to be reconfigured as a service door for the hotel, and minor amendments here will tidy up the appearance.

Public realm works

63. The scheme involves pruning works to the silver maple tree within the highway to facilitate the built form of the development and to even up the crown. The applicant also proposes to resurface the street, relocate street furniture and install a new tree planter. The area around the corner could be used for café seating in future.

Impact on heritage assets

64. There is a physical attachment between the building and the Grade II listed Subscription Library and an area of the party wall is to be amended to facilitate the proposed development. Further, the proposed extension is located very close to the Grade II listed no.6 Pottergate, with potential impacts on its foundations. It is understood that this work can be carried out without causing damage to the listed buildings, but a full schedule of works is requested via condition. Separate listed building consent may also be required.
65. The site sits within the Elm Hill & Maddermarket Character Area and adjacent to the Civic Character Area within the City Centre Conservation Area. There are numerous heritage assets within close proximity of the site, and some further afield which have the potential to be impacted by the proposals. The applicant has commissioned a thorough Heritage, Townscape and Visual Impact Assessment, the conclusions of which offers agree with.
66. The heritage impact assessment identifies moderate to major degrees of beneficial impact to the significance of:
- Norwich City Centre Conservation Area
 - 6 Pottergate
 - Church of St John the Baptist
67. Minor degrees of beneficial impact to the significance of:
- Nos. 2 to 4 (consec).including the Norfolk & Norwich Subscription Library
 - The Guildhall
 - City Hall including Police Station
 - Church of Peter Mancroft
 - 24 Gentleman's Walk
68. Low degrees of minor adverse impact (less than substantial harm)to the significance of:
- Bagley's House, Bagley's Court
 - Norwich Castle
69. As outlined in the assessment, the development offers enhancements for eight of the ten assessed heritage assets. As such, in accordance with NPPF para.200, the proposed development should be given positive weight by the local planning authority when determining the application on account of the proposal presenting "... opportunities for new development... within the setting of heritage assets to enhance or better reveal their significance".
70. In accordance with NPPF para.196, the low levels of less than substantial harm to two designated heritage assets should be weighed against the public benefits of the

proposal in determining the application. In this regard, the many heritage benefits of the scheme as a whole can be weighed as a public benefit. Notably, enhancement of Norwich City Centre Conservation Area through the replacement of identified architectural and public realm detractors with high quality new development that provides uses that add to the life of the city, together with the creation of more active frontages along key city streets.

71. Furthermore, the identified enhancements to the public realm along Pottergate can be weighed as a public and environmental benefit - contributing to objective (c) of the NPPF's overarching sustainable development objectives (para.8).
72. Balancing all factors, both positive and negative, the proposed development is considered to have a net minor-moderate beneficial impact upon the significance of the affected heritage assets, and/or the experience of that significance from with their settings.

Conclusion

73. The overall impact of the proposed development is considered to be positive, especially considering the negative impact which the current development has on the street scene and wider conservation area.

Main issue 3: Transport & servicing

74. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
75. The proposed hotel and mixed use scheme is centrally located, benefiting from a highly accessible location. There are excellent opportunities for travel to the site by a range of transport modes, and a car-free development is considered appropriate in this location. The hotel entrance is located on Guildhall Hill, very close to a taxi rank and a large number of cycle stands. A small amount of staff cycle storage is proposed within the basement, which is limited given the size of the development proposed, but adequate considering the range of on-street cycle parking available in the vicinity (including covered and secure storage at St Andrews Car Park). A Travel Information Plan will be required to ensure that sustainable travel options are appraised and utilised by the site management when it becomes operational.
76. The extant supermarket will see the removal of its rear service yard and will have a new service access to Pottergate. A significant benefit of the proposed on-street loading arrangement on Pottergate for the hotel and supermarket is that delivery vehicles can pull up alongside the building without the need to reverse into position, as is the case at present. This arrangement will significantly reduce the risk of conflict with pedestrians and cyclists. To facilitate on-street loading there will need to be minor changes to the paving design and levels on Pottergate to allow for a smooth surface for goods cages to be wheeled between the truck and the service entrances of the hotel and supermarket. The Transport Statement confirms that most vehicles will be able to pass by if a truck is loading. However, if another large vehicle wishes to pass by, it will need to continue along Lobster Lane, as it won't have sufficient space to make a sweeping turn into Maddermarket. The risk of this occurring is low, as most trucks passing along Pottergate wish to access Bedford Street and would do so via Lobster Lane. However, if a passing truck wishes to turn into Maddermarket and encountered a truck loading for the supermarket or hotel,

this passing vehicle would probably need to wait. This risk is possible, and it is for this reason that a Delivery and Service Plan is to be subject to a condition to minimise this congestion risk and to seek to co-ordinate deliveries for the hotel and supermarket. By far the largest trucks that use this part of Pottergate are those associated with the supermarket (and a similar size will likely be used for the hotel). Any other trucks are smaller, and therefore likely to be able to either: a) make the turning into Maddermarket whilst the layby is occupied; or b) continue down Lobster Lane to access Bedford Street.

77. Given the new set back building line on Pottergate and associated new extent of paving, this will need agreement on the new highway boundary. With mutual agreement the applicant has agreed to dedicate an extent of paving on Pottergate for highway purposes, and the new highway boundary to be marked out in paving detail and metal studs. It is understood that the paving around the street tree will need to be re-levelled due to root heave damage, and a new tree surround provided, which is acceptable. It is understood that the applicant is willing to modify and maintain the tree crown for a period of time. A commuted sum for maintenance will be payable for these highway improvements that will be payable via the s106 agreement. A corner bell bollard is proposed at the corner of 6 Pottergate to protect its corner from approaching trucks. Overall, these works will require a hard landscaping scheme approved and a Small Highway Works Agreement to approve the works and dedicate any land as highway. The telephone cabinet will need to be relocated with agreement with Openreach at the applicant's expense.
78. The applicant proposes a new cafe use on the corner of Dove Street and Pottergate which will have outside tables and chairs that would enliven the street scene. This is only possible due to the set back of the building line, as space at this corner is tight and vehicular movements require all of the highway to make turns.
79. During the demolition and construction phase there will need to be careful consideration of the safety and movement of road users around the site, with particular regard to vulnerable pedestrians and cyclists, and to the unrestricted operation of the highway network. Traffic routes, timings of vehicular access, hoarding and parking arrangements will all be considered.

Main issue 4: Trees

80. Key policies and NPPF paragraphs – DM7, NPPF paragraph 170.
81. There is a mature silver maple tree within the highway on the corner of Pottergate and Dove Street. The tree is protected by TPO 570 and is owned by Norfolk County Council. The tree is within a raised brick planter which is suffering from considerable heave due to the gradual growth of the tree roots. The tree has not been pruned for some time and the crown overhangs the existing retail unit.
82. The footprint of the development has been designed to allow the tree to be retained. The extension is pulled further back from the tree than the existing retail unit, but stands taller, so the overhanging crown on the southern side of the tree would need to be pruned quite significantly (approx. 3-4m), especially during the construction period. As per best arboricultural practice, and in order to visually even up the tree, the rest of the crown would be pruned back a similar amount. The resultant tree would appear considerably smaller. However, the tree needs pruning anyway, and the applicant has offered to pay for the maintenance of the tree for a

period of 20 years, so it is considered that there is an overall benefit to the long-term health of the tree.

83. The tree works and ongoing maintenance are to be secured via a legal agreement, and the construction works are to be carried out under the supervision of an arborist. Both the city council and county council tree protection officers are supportive of this approach.

Other matters

84. Compliance with other development plan policies is specified below.

Requirement	Relevant policies	Compliance
Amenity	DM2, DM11	There may be a minor impact on light and outlook to the rear windows of 6 Pottergate, but the impact is considered acceptable, as demonstrated by the applicant's submitted daylight/sunlight assessment. Plant and machinery is to be agreed by condition to minimise noise impact. The Environmental Protection Officer recommends conditions protecting hotel guests from street noise, but it is not considered necessary to impose those in this case given the commercial use.
Biodiversity	DM6	Yes - subject to condition. Existing building does not appear to be used as a roost. Pied wagtail, starling and possibly swift boxes to be installed.
Energy efficiency	JCS1, JCS3 & DM3	Yes - subject to condition. 11% of the site's energy to be generated by on-site air source heat pumps
Water efficiency	JCS1 & JCS3	Yes - subject to condition.
Sustainable urban drainage	DM3 & DM5	Yes - subject to conditions recommended by Anglian Water.
Contamination	DM11	Yes - subject to conditions recommended by Environmental Protection.

Equalities and diversity issues

85. There are no equality or diversity issues.

Section 106 Obligations

86. The applicant has offered to carry out trees works and maintain the crown of the silver maple highway tree for a period of 20 years. A commuted sum for maintenance will be payable via a s106 agreement, with the signatories being the applicant, Norwich City Council and Norfolk County Council (the owners of the tree).

Local finance considerations

87. 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

88. The proposed redevelopment makes efficient use of the site and would make a positive contribution to the street scene. The development offers a sustainably located hotel, and new retail units which would enhance the vitality and viability of the shopping area. The works to the public realm and highway tree would offer further enhancement. The public benefits are considered to outweigh the identified minor impacts to the significance of two heritage assets.
89. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

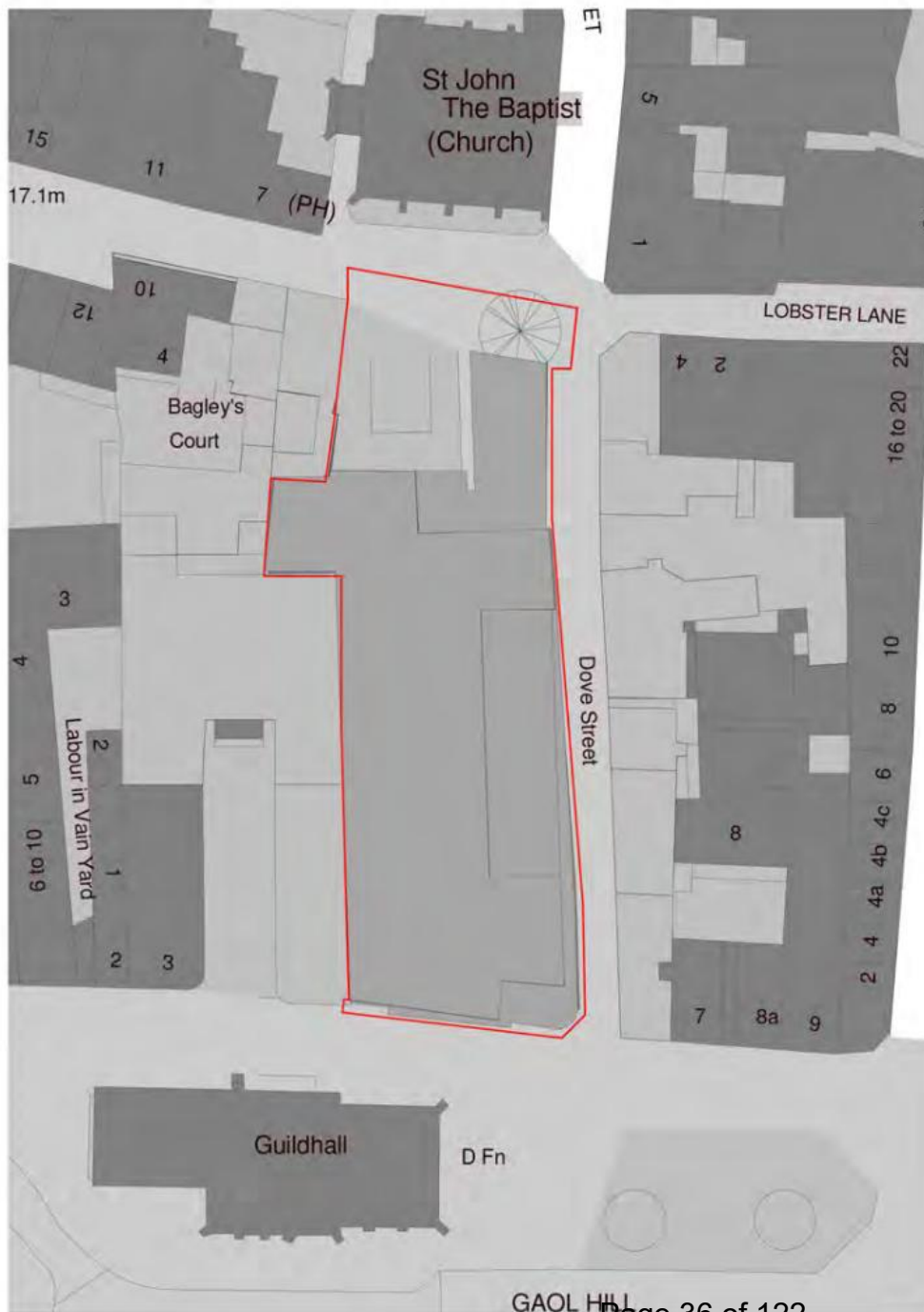
Recommendation

To approve application no 21/00494/F and grant planning permission, subject to the satisfactory completion of a legal agreement, and, subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials to be agreed, including detailing of windows, doors and junctions between the existing building and the extension;
4. Landscaping scheme to be agreed;
5. Artwork to be agreed;
6. Construction management plan to be agreed;
7. Archaeological investigations to be agreed;
8. Surface water drainage scheme to be agreed;
9. Travel information plan to be agreed;
10. Delivery and servicing plan to be agreed;
11. Blue plaque – location to be agreed;
12. Schedule of works relating to protection of adjacent listed buildings;
13. Cycle storage product specification to be agreed;
14. Bird boxes to be agreed;
15. No site clearance during bird nesting season without consent;
16. Plant and machinery and extract ventilation to be agreed;
17. Arboricultural supervision for work involving the planter;
18. Arboricultural works to be carried out by a qualified arborist;
19. Works in accordance with submitted tree documents;
20. Unknown contamination – halt work and report;
21. Air source heat pumps and water efficient components to be installed in accordance with energy & sustainability statement.

Informatives:

1. Separate advertisement consent may be required;
2. Listed building consent may be required;
3. Highway works require consent;
4. Asbestos disposal;
5. Anglian Water have assets on or near to the site.



Notes:
This drawing may be used for the purposes of Planning Applications. Land Registry will be kept up-to-date with the scale for it used, and where it is used for other purposes, it is the user's responsibility to ensure it is used for the correct purpose. All drawings are to be checked in situ. Drawings may be amended without notice. The drawing and site plan are provided for information only. All drawings are to be used in accordance with the relevant standards. Copy of this drawing is to be kept on file.

Key

Site application boundary

A 24/05/21 KM Issued for planning
Rev Date SR Notes

0 2 4 6 8 10
SCALE 1:250

AWW
London 100 Vauxhall Street, SE11 5JH
Norwich 100 Vauxhall Street, SE11 5JH
020 7185 8000
01753 551 000
01753 551 000
100 Vauxhall Street, SE11 5JH
020 7185 8000

Project Title
Chamberlain House
Norwich

Drawing Title
Existing Block Plan

Drawn	Checked	Date
A1	GCT	26/02/20
Drawn	Checked	Date
PLANNING	4378	
Drawing Reference	0111	Version A



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Registers will be legal advice when the scale bar is used, and where it is used that
the drawing is not intended to be used as a legal document. It is not intended to be
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Changes to the drawing must be made in accordance with the drawing and must be
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checked by the architect. All dimensions are to be checked on site.

Key

Site application boundary

A 24/03/21 KM Issued for planning MJS
Rev Date Rev Status Date

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SCALE 1:150

Drawing Originator

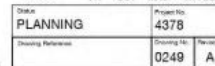
AWW

Location: 100 Station Street, DC1 3QD 0027140/002
Project: 100 Station Street, DC1 3QD 01762 081/082
Notes: 100 Station Street, DC1 3QD 01762 081/082
Notes: 100 Station Street, DC1 3QD 01762 081/082

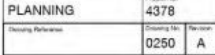
Project Title
Chamberlain House
Norwich

Drawing Title
Proposed Site Plan

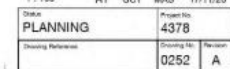
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Status	PLANNING	A1	GCT	MAS	17/11/20
Project No.	4378				
Drawing No.	0151				
Revision	A				



Page 38 of 122



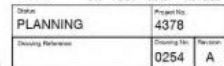
Page 39 of 122



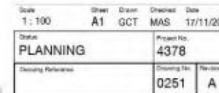
Page 40 of 122



Page 41 of 122

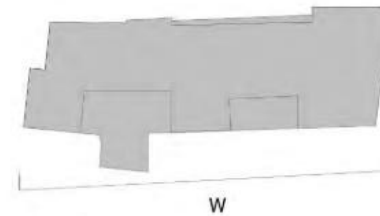


Page 42 of 122





0351 - Proposed Courtyard Elevation West
1 : 100



Key Plan

- Key (Proposed new materials noted only)
- Mixed red brick in Flemish bond with vertical soldier course detail
 - Glazed brick with green tones. Alternate as textured course detail to columns and as header.
 - Bronze toned zinc diamond shingle cladding
 - Bronze toned aluminum window/door/frame framing and louvers
 - Pleather white
 - Bronze toned mesh aluminum
 - Obscure window film
 - Bronze toned louvers
 - Dark gray painted timber
 - Dark gray acoustic louvers
 - Dark gray metal cladding

Retained windows marked/repainted as required with new secondary glazing installed/checked. Existing bricks are repaired/repainted as required. Existing foot railing to be removed and cable and post tied detailer installed.

ALL SURVEY DIMENSIONS TO BE CONFIRMED.

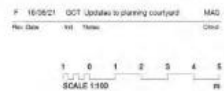


Table 1

Drawing Originator
AWW
 London - 109 Watlington Street, SBT 2D8
 Plymouth - East Quay House, PL4 8HJ
 Bristol - prior + more, 65 - 67 Redcliffe Street, BS2 1DB
 0253 7780 0030
 01752 261 252
 0117 829 7589
 RIBA Chartered Practice
 www.aww.co.uk

Proposed Courtyard Elevation West

Date	Drawn	Checked	Date
As indicated	A1	GCT	MAS 15/01/21
Status		Project No.	
PLANNING		4378	
Drawing Reference		Drawing No.	Revision
		0351	F

An architectural rendering of a proposed building facade. The central focus is a multi-story brick building with a prominent entrance featuring large glass windows and a sign that reads "GARDEN DISTRICT GARDEN DISTRICT". To the left of this building is a smaller, light-colored structure with a clock tower. To the right is a white, modern-looking building with a large arched window. The background is a light blue sky, and the foreground is a dark grey ground plane.

Key Personnel new materials and colors

- Mixed red brick & Flemish bond with white mortar
- Brickwork with green lines
- Decorative and/or carved cornice to be added - add to tender
- Brickwork to be decorated with white mortar
- Brickwork to be decorated with mortar and/or colored mortar tending to brown
- Flashed white
- Brickwork to match adjacent
- Claywork to match tiles
- Brickwork to match
- Dark grey painted plaster
- Dark grey textured finishes
- Dark grey to white cladding

Other design notes for public art - art plan

- Surface material and/or material finish to be specified by artist
- Details to be submitted as future proposals

The above information is provided for informational purposes only. It is not intended to be a contract. The artist is responsible for the final design and construction of the public art. The artist is responsible for the final design and construction of the public art. The artist is responsible for the final design and construction of the public art.



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED



E 10/06/15 10:27 Updates to planning worksheet
 A 20/05/15 08:00 moved for planning
 New Date 00 00:00:00 15

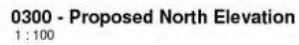
0 0 0 0 0 0
 SCALE = 1000

Page 46 of 122

-  Area designated for public art - art plan by condition
-  Surface mounted external/ internal graphic signage/ projecting sign. Details to be submitted as future application

Retained windows repaired/replaced as required with new secondary glazing installed behind. Existing balconies repaired/replaced as required. Existing bird wiring to be removed and cable and post bird deterrent installed.

ALL BUTTRESS DIMENSIONS TO BE CONFIRMED.

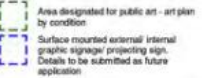


A photograph of the exterior of 'The Green' store. The building has a distinctive green brick facade. Large glass windows and doors with gold-colored frames are visible. A sign above the entrance reads 'THE GREEN'. The store is located on a street corner, with a brick building visible above it.

- Bronze toned aluminium window/door and louvres



Details PLANNING	Project No: 4378	
Drawing Reference	Drawing No. 0300	Revision G



ALL SURVEY DIMENSIONS TO BE CONFIRMED:



Client _____

Sherry Ogden

AWW

London - 108 Watton Street, T21 9GB 020 7480 9000
Thyngs - East Quay House, PL1 2HH 01752 281 280
Exeter - post + main, 45 - 57 Baskin Street, EX1 1GB 01392 908 2956

RIBA-Chartered Practice www.uk.com

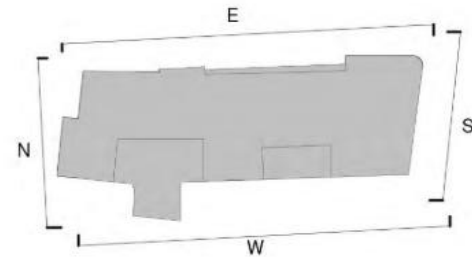
Project Title
Chamberlain House
Norwich

Ordering Title
Proposed South Elevation

Scale:	Sheet:	Drawn:	Checked:	Date:
As indicated	A1	GCT	MAS	17/11/20
Status:		Project No:		
PLANNING		4378		
Drawing Reference:		Drawing No:	Revision:	
		0302	H	





0301 - Proposed East Elevation
1 : 100



Key Plan

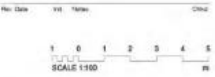
- Key (Proposed new materials noted only)

- | | |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
|  | Meerd red brick in Flemish bond with vertical solid course detail |
|  | Glazed brick with green tones. Alternate extruded course detail to columns and as header |
|  | Bronze toned zinc diamond shingle cladding |
|  | Bronze toned aluminum window/door/corral framing and louvers |
|  | Render white |
|  | Bronze toned mesh aluminum |
|  | Obscure window film |
|  | Bronze toned louvers |
|  | Dark gray painted timber |
|  | Dark gray acoustic louvers |
|  | Dark gray metal cladding |

- Area designated for public art - art plan by condition
- Surface mounted external/ internal graphic signage/ projecting sign. Details to be submitted as future application

Rotated windows repaired/painted as required with new secondary glazing installed behind. Glazing windows repaired/replaced as required. Existing bed rafter to be removed and cable and post bed cleat installed.

ALL SURVEY DIMENSIONS TO BE CONFIRMED.



Editor

Dialing Originator

AWW

London - 101 Waterloo Street, 1011 1020 003 7190 6000
Plymouth - East Quay House, PL4 0HX 01752 261 200
Needle - joined a main, 45 - 57 Waldean Street, B01 1JN 0117 829 2388

RSC: Chartered Practice www.rsc.com

Project Title
Chamberlain House
Norwich

Drawing Title

Proposed East Elevations

Issue	Sheet	Drawn	Checked	Date
As indicated	A1	GCT	MAS	17/11/20
Status		Project No.		
PLANNING		4378		
Drawing Reference		Drawing No.	Revision	
		0301	H	

Chamberlain House: Landscape Plan



- Key
- 1

Proposed tree planter surround: corten steel, ht. 450mm
- 2

Existing cobbles to vehicle zones, with granite channels
- 3

Flag paving to pedestrian/cycle zones
- 4

Flush granite setts to demarcate delivery zone
- 5

Stainless steel studs demarcating proposed area of adoption
- 6

3/4 iron bell bollard to replace existing



Existing granite setts to vehicle areas



Existing granite channels



Existing slab paving to Pottergate footways



Cafe outdoor seating



Potential lighting to existing tree



Corten surround to root-flare of existing tree

Rev.	Date	Revision Notes / Status	Drawn	Checked
01	17.05.21	Preliminary Issue	WBS	WBS

Title: Landscape Plan

Project: Chamberlain House
 Drg no: 2102-MWA-00-XX-DR-L-0001
 Rev: 01 Status: P
 Scale: 1:200@A3

Date: 01.03.21

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 Chalfont St Giles,
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 +44 (0)7537 89560
 Matthew.Wigan@matthewwigan.com
 www.matthewwigan.com

Report to Planning Applications Committee

Item

8 July 2021

Report of Head of planning and regulatory services

Subject Application no 21/00561/F – 90-92 Colman Road

Reason Objections

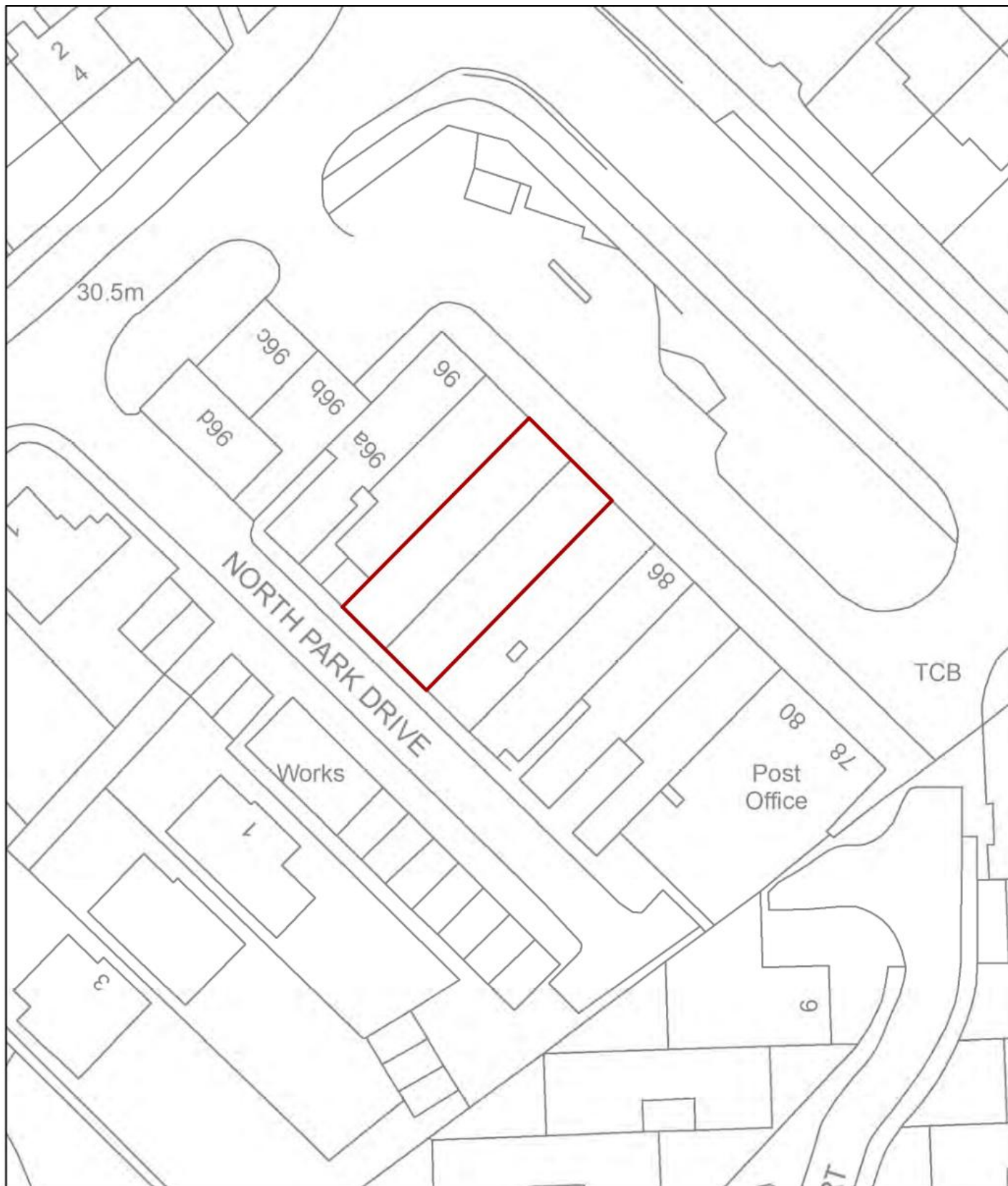
for referral

4(b)

Ward	Eaton
Case officer	Lara Emerson laraemerson@norwich.gov.uk
Applicant	Mr Ceker

Development proposal		
Installation of new shopfront and kitchen extraction flue.		
Representations		
1 st round of consultation		
Object	Comment	Support
4	0	0
2 nd round of consultation (revised description)		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1. Principle of development	Change of use from retail (Class E) to restaurant with ancillary takeaway (Class E).
2. Design	Appearance of shopfront and kitchen extraction flue.
3. Amenity	Noise and odour from extraction flue.
Expiry date	16 July 2021
Recommendation	Approve



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Planning Application No 21/00561/F
Site Address 90-92 Colman Road

Scale 1:500

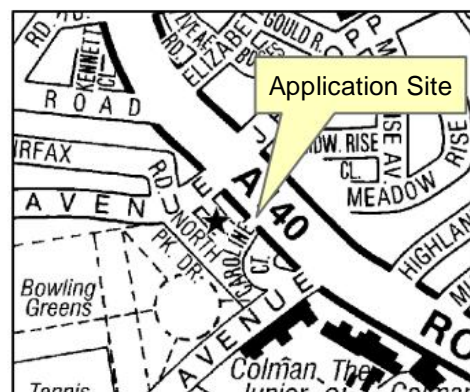


NORWICH
City Council

PLANNING SERVICES



Page 52 of 122



The site, surroundings & constraints

1. The subject site is located in a vacant former double retail unit within a shopping parade on the outer ring road at the junction of Colman Road and North Park Avenue, to the west of the city centre. The main parade of shops is a three-storey building running parallel to Colman Road with retail and other commercial units on the ground floor and flats above which are accessed from the rear above single storey outshoots that service the commercial units. It is a mid-twentieth century development.
2. The site is accessed from North Park Avenue on a small sub-section of Colman Road to the north west or directly from Colman Road to the east. A 10m wide, tree lined grass verge separates the highway access to the parade from Colman Road.
3. To the rear of the parade is North Park Drive, a short cul-de-sac running the length of the parade giving access to the rear of the shops and flats on the north-eastern side and to a number of garages/converted garages/storage units on the opposite (south-western) side.
4. There is a residential chalet bungalow to the rear of the parade located at the corner of North Park Avenue and North Park Drive.
5. To the front of the site is a small forecourt area which slopes down towards the highway. The surrounding area also comprises residential properties to North Park Avenue and on the opposite side of Colman Road.
6. The site is within the Colman Road (The Parade) Local Retail Centre.
7. The application site is within a critical drainage area and there is a risk of surface water flooding along the front of the parade and on North Park Avenue.

Relevant planning history

8. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
09/00429/F	Installation of air conditioning and external condenser at rear of shop.	Approved	13/07/2009
09/00483/A	Installation of: 1) One internally illuminated fascia sign. 2) One internally illuminated projecting sign.	Approved	13/07/2009

The proposal

9. The application was originally submitted and advertised as 'Change of use from retail (Class E) to mixed use restaurant and takeaway (Classes E and Sui Generis) with external alterations'. However, upon a review of the submitted information, the primary use of the unit is to be as a dine-in restaurant (Class E) rather than takeaway (sui generis). As both the existing and proposed used fall within the same use class, the change does not require consent.
10. The changes to the shop front do, however, require consent as does the installation of an extraction system. The description of the proposal was changed to reflect this and re-advertised as 'Installation of new shopfront and kitchen extraction flue'.

11. The proposals would see the installation of a new shopfront with deeper windows on the frontage to match those in adjoining units and a new single glazed door in the centre. The plans also show the location of an extraction system exiting through the flat roof at the rear of the building, similar to those installed in units either side of the application site.
12. The works are to facilitate a change of use from retail (Class E) to restaurant with ancillary takeaway. Given the amount of internal seating indicated on the plans, and the applicant's description of the proposed use, it appears that If the mix of uses were to change in future, consent may be required.

Representations

13. 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. The description of development was changed during the course of the application (to reflect the fact that the change of use does not require consent) and neighbours were re-consulted. Two letters of representation were subsequently received citing the same issues previously raised.

Issues raised	Response
Parking concerns	The change of use does not require consent. See main issue 1: Principle of development.
Too many food outlets already in the area, the area needs shops	The change of use does not require consent. See main issue 1: Principle of development.
The opening hours are too long, customers would cause noise disturbance	The change of use does not require consent. See main issue 1: Principle of development.
Litter concerns	The change of use does not require consent. See main issue 1: Principle of development.
Illuminated signage would disturb residents opposite	See Main Issue 1: Design.
Odour/noise from the extractor fan	See Main Issue 2: Amenity.

Consultation responses

14. 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

15. The information submitted regarding the noise and odour impacts of the proposed extraction equipment is acceptable. I recommend that all equipment is installed with anti-vibration mountings and in maintained in accordance with the manufacturer's specification.

16. The developer should be reminded of their legal obligations with regards to asbestos.

Highways

17. Comments were only received for the change of use as initially advertised and are therefore not material to the planning application before committee. No revised comments were received to the subsequent re-consultation.

Assessment of planning considerations

Relevant development plan policies

18. **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
 - JCS5 The economy
19. **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
 - DM11 Protecting against environmental hazards
 - DM16 Supporting the needs of business
 - DM17 Supporting small business

Other material considerations

20. **Relevant sections of the National Planning Policy Framework July 2018 (NPPF):**
- NPPF2 Achieving sustainable development
 - NPPF6 Building a strong, competitive economy
 - NPPF7 Ensuring the vitality of town centres
 - NPPF8 Promoting healthy and safe communities
 - NPPF14 Meeting the challenge of climate change, flooding and coastal change

Case Assessment

21. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the 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

22. Key policies and NPPF paragraphs – DM18, DM20, DM21, NPPF paragraphs 85-90.
23. The application site is currently a vacant retail unit, last used by Boots as a chemist. The proposed use is as a restaurant with ancillary takeaway. It has been confirmed by the applicant that the majority of customers would dine-in, and indeed the site plan submitted shows that there would be approximately 80 seats within the restaurant. Following recent changes made by the government to the Use Classes Order, both the existing and proposed uses are Class E (commercial, business and service) so the change of use can be carried out without the need for planning permission. As such, our local policies relating to the protection of retail uses within defined centres cannot reasonably be applied in this case.

Main issue 2: Design

24. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 124-132.
25. The proposal does not involve any significant material changes to the exterior of the building, since the building already includes a large glazed shop front to the elevation facing Colman Road.
26. An external flue and extract system will exit the building through its roof and follow the plane of the flat roof to the rear. The properties which form the Colman Road parade already have an assortment of extensions and equipment at the rear. The proposed equipment will mainly be obscured from view by the parapet around the perimeter of the flat roof of the building.
27. Concerns have been raised by neighbours about disturbance from illuminated signage, but any advertisements would be subject to a separate advertisement consent application.

Main issue 3: Amenity

28. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
29. There are a number of residential properties located in the surrounding area, including flats directly above the premises and further away on North Park Drive to the south-west (rear).
30. The proposal involves the installation of an extraction system and flue exiting through the roof of the building and to the rear away from the direction of residential properties. Details of the extraction system equipment have been submitted and considered by the council's public protection team who raise no objection subject to its installation and maintenance in accordance with the submitted details.

Other matters

31. The site is located within a critical drainage area. However, as there will be no increase in the built form on site, it is not considered necessary to require details of measures to manage the risk of surface water flooding.

Equalities and diversity issues

32. There are no equality or diversity issues.

Local finance considerations

33. 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

34. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

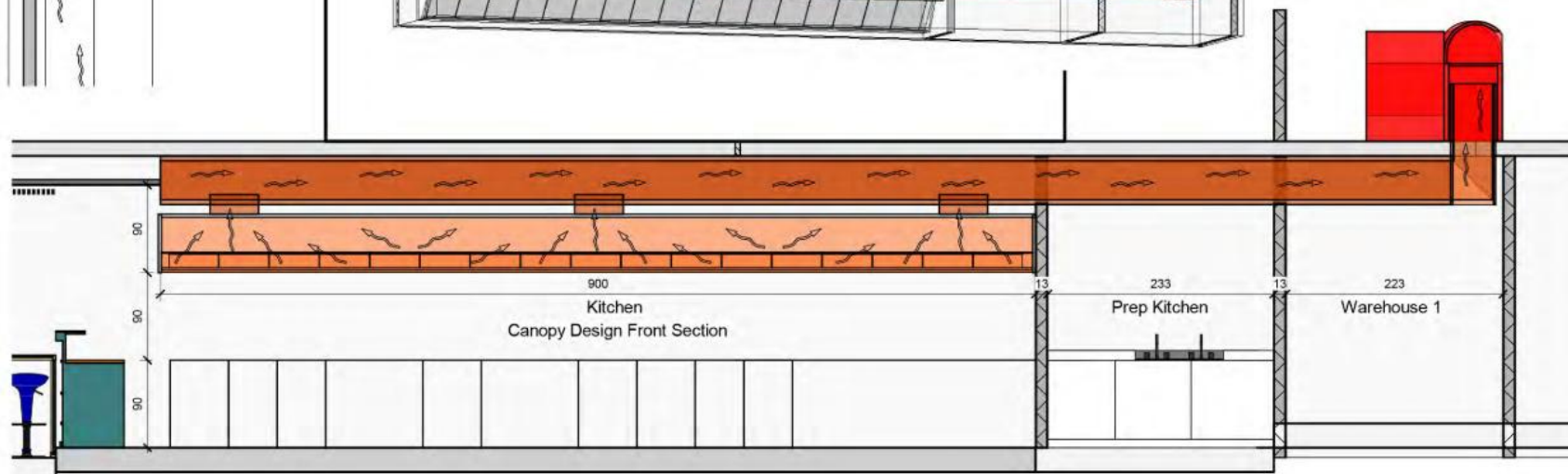
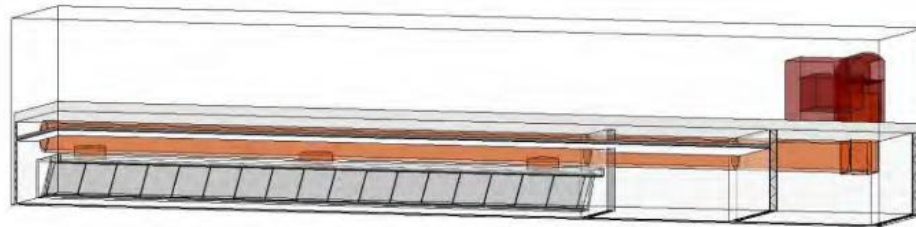
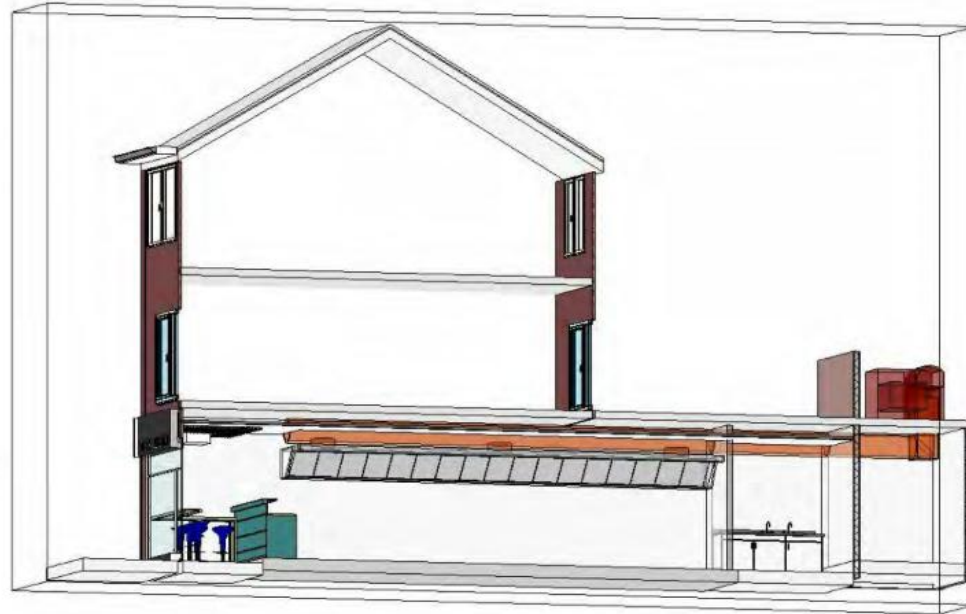
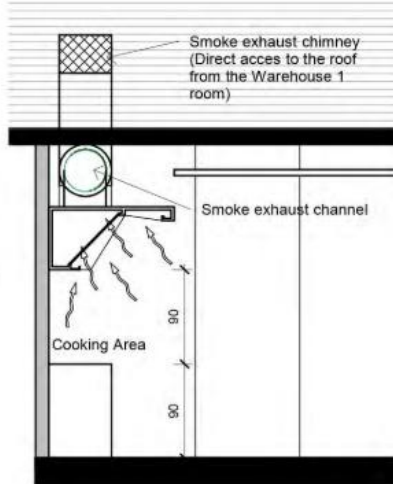
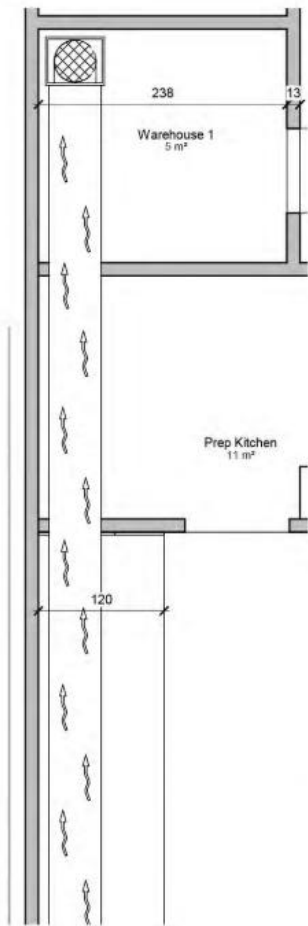
Recommendation

To approve application no 21/00561/F for 90-92 Colman Road and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Extraction equipment to be installed in accordance with submitted details and fixed using anti-vibration mountings.

Informatives:

1. Asbestos;
2. Adverts may require consent.



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**BB DESIGN AND
TECHNOLOGY**

PROJECT: The Sultan Restaurant and
Coffee Shop

LOCATION: 90-92 colman road
Norwich NR47EH

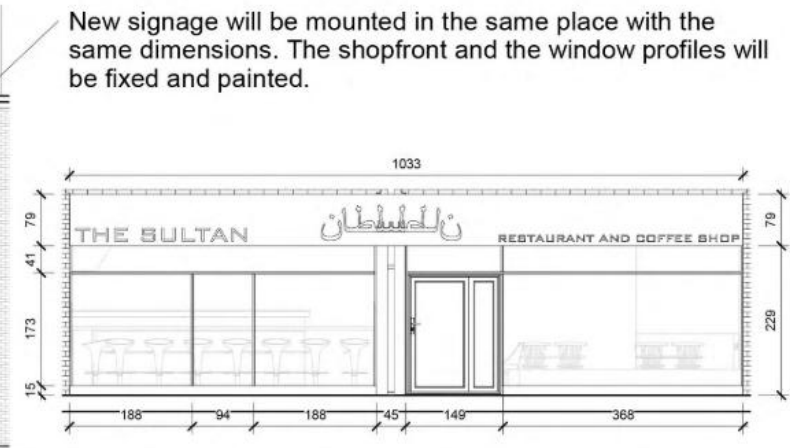
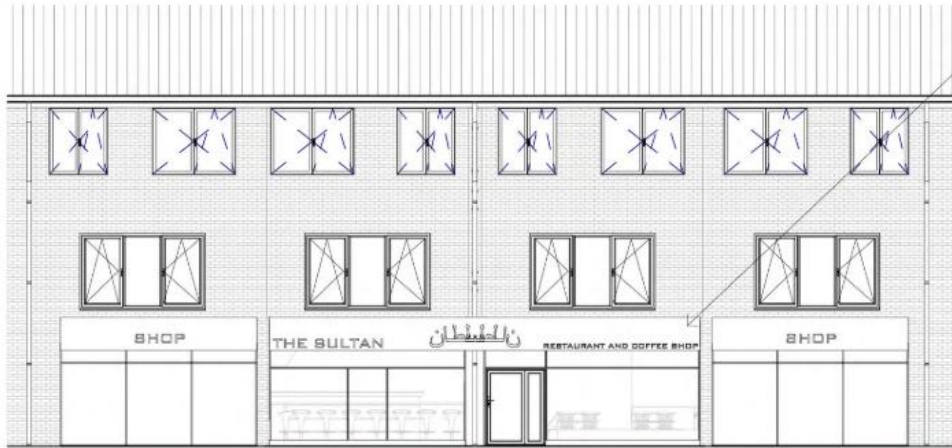
CLIENT: Mr Cengiz Ceker

DRAWING
TITLE: Canopy Design Sheet

DRAWING
NUMBER:

DATE: 04.03.2021 PHASE:

SCALE: 1/50 AUTHOR: BB



New signage will be mounted in the same place with the same dimensions. The shopfront and the window profiles will be fixed and painted.

While designing the sign, a design suitable for the current view will be applied by taking the lighting and color choices of the adjacent shops into consideration.

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BB DESIGN AND
TECHNOLOGY

PROJECT: The Sultan Restaurant and
Coffee Shop

LOCATION: 90-92 Colman Road
Norwich, NR47EH

CLIENT: Mr Cengiz Ceker

DRAWING
TITLE: Shopfront Design

DRAWING
NUMBER:

DATE: 04.03.2021 PHASE:

SCALE: Various AUTHOR: BB

Report to Planning applications committee

Item

8 July 2021

Report of Head of planning and regulatory services

Subject Application nos 21/00355/PDD and 21/00428/F - 1 Ferry Road, Norwich, NR1 1SU

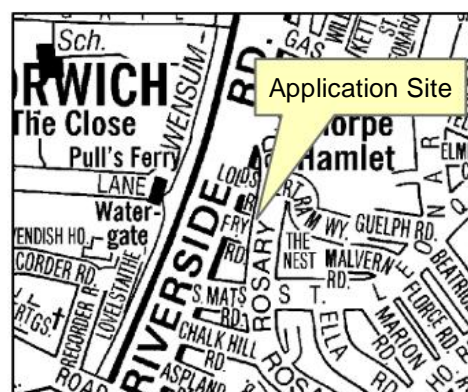
Reason for referral Objections

4(c)

Ward:	Thorpe Hamlet
Case officer:	Maria Hammond - 07717 451417 - mariahammond@norwich.gov.uk
Applicant:	Fielden House Developments

Development proposal		
21/00355/PDD: Change of use from office to 8 no. residential apartments with retention of office use at ground floor.		
21/00428/F: Extensions and external alterations to create additional residential and commercial floor space, including one additional storey comprised of two residential apartments.		
Representations		
Object	Comment	Support
7	0	0

Main issues	Key considerations
1	Principle of loss of office use and new residential use
2	Design and heritage
3	Amenity for future occupiers
4	Amenity of neighbouring occupiers
5	Transportation
6	Ecology
7	Trees
8	Flood risk
9	Contamination
Expiry date	11 July 2021
Recommendation	21/00355/PDD: grant prior approval 21/00428/F: approve planning application



The site and surroundings

1. These two applications concern a four-storey detached office building at the eastern end of Ferry Road, a short cul-de-sac leading off Riverside Road to the east of the river. The building is locally listed and is finished in brown brick with a flat roof. It was designed by Fielden and Mawson architects in 1966 and subsequently occupied by them, a situation which has continued to the present day.
2. The principal elevation faces west down Ferry Road towards the river and features bands of glazing across each floor. The first-floor projects over the ground floor on this elevation and the upper two floors are set further back from the west and south. A connected stair tower and chimney which sit towards the southeast corner are distinctive features and protrude above the main roofline. A hard surfaced car park exists across the front elevation.
3. The site abuts Rosary Road to the east where ground levels are significantly higher so only the top storeys extend above the street level on this elevation. An external staircase runs along the southern boundary and there is an additional pedestrian access into the second floor of the building via a bridge from Rosary Road.
4. A locally listed two storey residential terrace runs along Riverside Road with gardens backing onto the application site and the end of terrace property at the opening into Ferry Road has been extended to the rear and comprises a number of flats.
5. On the southern side of Ferry Road, there is a vehicular access to a locally listed early twentieth century detached mansion in use as offices.
6. North of the site, Lollards Road is a short residential cul-de-sac that runs parallel with Ferry Road off Riverside Road. A two-storey terrace of Victorian dwellings runs along the southern side with rear elevations facing towards the application site and rear gardens abutting it. These dwellings sit on slightly lower ground than the application site.
7. On the higher ground along Rosary Road there is a terrace of three dwellings directly opposite the site and The Nest residential development extends either side and to the rear of this terrace with dwellings of three storeys closest to Rosary Road and four storeys further east.

Constraints

8. As noted above the application concerns a locally listed building which is described as: "1970. 4 storeys, dark brown brick faced, over reinforced concrete framework. Asphalted flat roof concealed by parapet. Continuous runs of windows on each level in metal frames. Rectangular tower to south face, corners bevelled."
9. It is within the St Matthews Conservation Area and all neighbouring buildings to the south and west are also locally listed.
10. Trees along the northern and southern boundaries are protected by TPO. The site is also within the city centre parking area and a controlled parking zone.

Relevant planning history

11.

Ref	Proposal	Decision	Date
04/00347/A	Installation of externally illuminated name sign adjacent to main entrance.	APPR	28/04/2004
15/01622/TCA	Tree works	NTPOS	19/11/2015

The proposal

12. This report covers two related applications.
13. The first (21/00355/PDD) seeks prior approval for the change of use of the upper levels of the office building to eight dwellings. In accordance with Part 3, Class O of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) this change of use benefits from permitted development rights, subject to an application to the local planning authority who must consider whether prior approval is required of a limited range of considerations which are assessed below.
14. The prior approval application proposes retaining the ground floor as self-contained office space and providing eight flats of two and three bedrooms over the first, second and third floors.
15. The second application (21/00428/F) seeks planning permission for alterations and extensions to the building, related to the above change of use, and also to provide two additional dwellings in an additional storey.
16. The ground floor would be extended out to fill the existing space under the first-floor overhang to the west elevation and a small lobby would be added on the south elevation to provide independent access from the rest of the building.
17. Small extensions at first floor level around the stair tower would provide communal lobby space and separate office and residential cycle stores. A lift would also be added. The existing second and third floors would be extended and provided with roof terraces over the existing first floor and the new fourth floor would cover the same extent as the third. The chimney would be removed and the stair tower would be extended 0.9 metres higher.
18. Across the extended building, openings would be altered with the west elevation retaining the largest areas of glazing. The roof terraces on the west elevation would have glazed balustrades but the returns on the north elevation would have higher level and more solid screens. On the east elevation, there would be three Juliet balconies. The whole building would be clad in new materials as described below.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	10 in total: eight through conversion under permitted development rights and two new build
No. of affordable dwellings	None. Affordable housing cannot be sought on permitted development and the two new build dwellings subject to the full planning application are below the policy threshold.
Total floorspace	1135 sqm existing floorspace, plus 604 sqm new build. 265sqm to be retained in office use.
No. of storeys	Four existing and one new storey proposed.
Max. dimensions	15.2 metres high, 2.6 metres higher than existing. No increase in ground floor footprint.
Density	101 dwellings per hectare
Appearance	
Materials	Anthracyte metal wrap to ground floor, copper textured cladding to first, second and third floors with standing seam cladding to top floor. Stair tower brickwork retained with expanded metal above. Light grey membrane to flat roof. Anthracyte grey windows and doors.
Energy and resource efficiency measures	Building fabric to be improved with insulation, high performance windows and ventilation to minimise heating demand.
Operation	
Opening hours	Office hours: 07:30 to 19:00 Monday to Friday.
Transport matters	
Vehicular access	As existing from Ferry Road.
No of car parking spaces	12 in total: two for office and ten for residential. Two EV charge points.

No of cycle parking spaces	Ten within car park and 12 each in separate office and residential stores at first floor level
Servicing arrangements	Existing office bin store retained. Residential bin store with capacity for 5 no. 1100l bins on Rosary Road frontage.

Representations

19. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Letters of representation from seven different parties across the two applications (including re-consultation on revised drawings) 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
Not against conversion and welcome building being kept up but object to some aspects.	See main issue 1 for consideration of the principle of conversion
Existing north elevation windows are to rooms that would not result in overlooking but proposed will.	See main issue 4
West-facing terraces will result in overlooking and noise disturbance. Why not solid screening?	See main issue 4
Loss of privacy, including to bedrooms, living areas and private spaces	See main issue 4
Additional light pollution to neighbouring properties and bats	See main issues 4 and 6
Extension will block light, believe assessment is required. Light already hindered by other developments.	See main issue 4
Assessment only considers daylight levels to proposed dwellings. Shows windows could be reduced further.	See main issues 3 and 4
Right to Light issues	The impact on light to neighbouring properties is assessed below with regard to planning policies. Individual 'rights to light' are a separate legal matter to be resolved between the applicant and adjacent landowners.

Issues raised	Response
Significant impact on well being	See main issue 4
Wall of glass and cladding would overlook important recreation area on Bertram Green and remove its view of the city which makes a connection between The Nest and the city, including views of the cathedral	See main issues 2 and 4
Office not substantially used for several decades will be in permanent occupation, including when neighbouring gardens are in use at weekends and evenings	See main issue 4
Bat and bird boxes recommended	See main issue 6
Consider green roof and solar panels	See main issue 8 concerning the green roof. The development is of a scale below the policy threshold to require renewable energy generation and the applicant is proposing to significantly improve the building fabric for energy efficiency.
Suggest a residential visual amenity assessment is conducted	See main issue 4
Significantly sized building will impact on feel of Rosary Road	See main issue 2
Poor design, not very attractive and exacerbated with additional floor. No design justification for adding an extra storey to the original award winning design. Fifth storey out of scale with other buildings on Rosary Road and conflicts with stepped convention on hillside.	See main issue 2
Loss of brickwork across building and ivy on stair tower.	See main issue 2
Existing building is strong example of 1960s architecture. Neglect has not diminished its underlying qualities. Ought to be considered for grade II listing. Preserving remaining stock of modern 60s architecture is imperative.	The significance of the building is recognised in its local listing and the proposal is assessed in section 2 below on this basis.
Equivalent of five storey building within minimum distance for 2 storey properties	See main issue 4. There are no policy requirements for buildings to be specific

Issues raised	Response
	distances apart and each scheme is considered on its own merits.
Trees outside site would require pruning.	Noted. Work on third party land would require consent from the appropriate landowner.
Construction will be difficult in proximity to boundaries	Not a material planning consideration. If any work is required to be carried out from third party land, that is a private matter to be resolved separately.
Consider compensation for additional overlooking, noise and loss of light. Neighbouring trees should be pollarded at developer's expense.	These are private matters and not material planning considerations.
Problem of loss of privacy still exists with revised drawings and they do not address over dominance and loss of light from additional floor	See main issue 4
Increased traffic - Riverside Road already very busy at peak times, environmental impact and additional noise.	See main issue 5

Consultation responses

20. 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

21. Consider it highly likely that asbestos containing materials will be contained within the fabric of the building and recommend an informative note.

Highways

22. Following initial feedback there have been improvements which are welcome.
23. Extant car parking court will offer 2 spaces for the office and 10 spaces for residential. EV chargepoints are proposed for 2 spaces which is welcome. It is understood that the management company will allocate car park parking spaces to residents and deal with any on-site parking issues that may arise.
24. Dwellings will not have on-street parking permit entitlement, but the office will have business permit entitlement.

25. Cycle stores are quite compact and careful attention will need to be given to the choice of cycle parking product, this can be subject to condition. Bin storage will be within a store where a dropped kerb is proposed for collection purposes.
26. Overall, this is successful strategy for provision of car and cycle parking matters. There is a need for a Construction Management Plan to be submitted by condition.

Citywide Services

27. The design statement drawing shows 5 x 1100l bins. Would recommend a split of 3 refuse. There would need to be a dropped kerb.

Ecologist

28. There is habitat on site suitable for nesting birds, including the flat roof, as such removal of this vegetation should avoid the nesting season. If external works to the development cannot be undertaken outside of the nesting period a check for clearance 48 hours prior to clearance/works must be undertaken.
29. An invasive plant species was found within the vegetation bank to the rear (yellow archangel). Dense vegetation should be cleared by hand so habitat can be reinstated if hedgehog nests are found.
30. The development will impact one day roost, used by a common pipistrelle (*Pipistrellus pipistrellus*). This is a weep hole, and on the west elevation. The report advises that a bat license will therefore be required. The development will have a high impact to individual bats, but a low scale impact to the common pipistrelle population locally.
31. The site is not of high importance to bats given that there are a multitude of higher quality roosting opportunities within the local area. To mitigate against the harm and provide enhancement for the site the following is recommended: external lighting scheme to be designed/agreed with an ecologist, lighting should be minimised during the construction phase and at least one bat box erected to replace roost, ideally on the west elevation near the NW corner.
32. Recommended conditions: landscape details, in accordance with report recommendations for mitigation and enhancement, timing of external works.

Tree protection officer

33. No objections from an arboricultural perspective. However, changing to residential use may lead to an increased pressure to prune/remove trees - it should be made clear to future residents that conservation area restrictions apply to the trees here.

Assessment of planning considerations

Relevant development plan policies

34. **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

35. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM17 Supporting small business
- 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

36. Relevant sections of the National Planning Policy Framework February 2019 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF6 Building a strong, competitive economy
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

Case Assessment

37. 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

38. Key policies and NPPF paragraphs – DM12, NPPF sections 5, 6 and 11

Conversion of office space to residential

39. Since 2013 there have been permitted development rights to convert offices to dwellings as part of the Government's drive to increase housing supply. A full planning application is therefore not required and the principle of the change of use is beyond consideration. The local planning authority can only consider whether prior approval of the following matters is required:
- (a) transport and highways impacts of the development;
 - (b) contamination risks on the site;
 - (c) flooding risks on the site;
 - (d) impacts of noise from commercial premises on the intended occupiers of the development; and,
 - (e) the provision of adequate natural light in all habitable rooms of the dwellinghouses.
40. These matters all addressed in the assessment below. It should be noted that this limited range of considerations (a to e) excludes matters such as affordable housing and renewable energy and the application can only be assessed against the NPPF, and not development plan policies.
41. The proposal would retain the ground floor in office use and it is noted that Fielden and Mawson intend to continue to occupy this reduced space and retain their presence in the building.

Alterations, extensions and two new build dwellings

42. Unlike the prior approval application, the full planning application for these building operations is subject to assessment against the development plan with regard to other material considerations.
43. In terms of the principle of the two new build dwellings on the additional floor, the site is not subject to any of the exclusions from Policy DM12, would not compromise any wider regeneration proposals and would contribute a mix of dwellings to the area. The principle of the provision of two new dwellings here is therefore acceptable subject to consideration against the other criteria of Policy DM12 and policies in the assessment below.
44. In respect of the principle of providing an additional floor and extending the building to facilitate the creation of new dwellings, section 11 of the NPPF encourages the effective use of land, including using airspace above existing premises for new homes where it would be consistent with the prevailing height and form of neighbouring properties and overall streetscene, is well-designed and can maintain safe access and egress. The proposal would accord with this by making more efficient and effective use of what is currently an underused site in a highly sustainable location and would do so within the footprint of the existing building. The consistency with the character of the area, design and access matters are assessed below.
45. In determining this planning application, it must be considered as a proposal for two new dwellings and associated external alterations. The cumulative provision of ten dwellings across the two applications does not trigger policy considerations relevant to proposals of this scale in the determination of the planning application (e.g. affordable housing, renewable energy, etc.).

Main issue 2: Design and heritage

46. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF sections 12 and 16
47. The existing building is distinctive in its scale and appearance and a good example of 1960s architecture by a renowned local firm. This significance is recognised in its designation as a locally listed building (non-designated heritage asset).
48. It is, however, in a deteriorating condition and in need of some repair, it has also been under-utilised in recent years. The proposal, therefore, represents an opportunity to bring the building back into a more efficient beneficial use that can, in principle, help conserve its significance longer term.
49. The proposed alterations would substantially change its scale and appearance by extending existing floors out, altering the fenestration pattern and providing new facing materials. The principal west elevation of the existing building is characterised by the stepping back of the ground floor and top two floors and the strong horizontal bands of glazing between brickwork. The proposals would retain a small recess to the face of the ground floor and the second and third floor roof terraces and new fourth floor would be stepped back from the face of the first floor and the form of the top floor in broken up in scale and materials. A staggered arrangement of floors would therefore be retained on this principal elevation and the roof terraces would help retain a horizontal emphasis across it.
50. The additional storey would add 2.6 metres to the height of the building, and it would extend no higher than the height of the existing chimney (to be removed) but the most significant impact of the additional scale is the extension of the top three storeys across the full width of the building. The existing four storey building is not insubstantial in scale but its situation set back from Ferry Road and on what is effectively the valley side, as well as the presence of other substantial buildings, including the three storey former mansion to the immediate south and three and four storey residential development on higher ground at The Nest to the east, means it does not dominate the area. In this context, it is considered that the modest additional height and more substantial additional mass would not appear out of scale or over-dominant.
51. With regard to paragraph 118(e) of the NPPF, safe and independent access would be provided to the office and residential parts of the building.
52. Other than the existing stair tower, the whole building is proposed to be clad in a new palette of materials so the majority of the distinctive brown brickwork would be lost. However, the new copper cladding would retain some reference to the colour and texture and the use of a contrasting standing seam on the ground and top floors and a translucent extruded material to the top of the stair tower would complement this and help break up the bulk and mass of the extended building.
53. Overall, it is considered that in design and heritage terms the proposed extensions and alterations would result in a distinctly different building to the existing that would represent a new phase in its life. However, characteristic features of the existing building would be referenced and it would not appear as a wholly new building. The proposals would also address the existing deteriorating condition and therefore enhance the building fabric, appearance and environmental performance. One representation has suggested the architecture of the existing building is significant

enough to be statutorily listed but the application must be determined on the basis it is locally listed.

54. The Conservation Area Appraisal notes that stepped roofscapes are characteristic of the area between Riverside Road and Rosary Road and the proposal would retain this. As the Conservation Area is characterised by late nineteenth century development, the existing building is noted to be one of a number of unique properties of special interest in the sub-area around Ferry Road. The proposals would retain its presence as a unique and more contemporary feature in an historic setting, updating the appearance of the building for the 21st Century.
55. Elevated public views from Rosary Road across to the river and cathedral beyond are also an important local feature. The existing upper levels largely block these from the pavement level of Rosary Road, but glimpsed views, including of the cathedral, can be gained in the narrow gaps between the building, chimney and stair tower. These are only glimpsed views and not as significant as those to the north of the building or in other gaps along the road and the infill to attach to the stair tower will have full height glazing across much of its width, retaining some filtered views. It is not therefore considered there would be any significant loss of important public views that would harm the Conservation Area or local amenity.
56. Accordingly, it is not considered that the proposals would cause any more than negligible harm to the Conservation Area or setting of adjacent locally listed buildings. It would also result in public benefits by providing a more efficient and effective use of the land, facilitating the provision of ten new dwellings.
57. Subject to a condition requiring agreement of the precise materials to be used, the planning application for extensions and alterations is considered to be acceptable in design and heritage terms.

Main issue 3: Amenity of future occupiers

58. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 180-182

Provision of adequate natural light in all habitable rooms

59. In 2020, the permitted development rights were amended to include consideration of the provision of natural light. Previously there was no provision to consider the quality of amenity for future occupiers in prior approval applications.
60. An Internal Daylight and Sunlight Report has been submitted which concludes all habitable rooms would enjoy good levels of daylight in accordance with BRE guidance for average daylight factor standards but one bedroom would not receive a good level of daylight distribution (38.9% no sky line, compared to general 80% target or reduced urban target of 50%). As the average daylight factor for this room would be 1.3%, compared to the 1% target, and it is one of two bedrooms in a flat with a much better performing living space and external terrace, this is not unacceptable.
61. All but two living rooms would meet BRE criteria, with one failing only on winter months sunlight hours (2% of available sunlight, compared to a target of 5%) and the other receiving lower light levels (3% for winter months and 16% of annual probable sunlight hours, compared to a target of 25%) due to overshadowing from a

recessed balcony which provides external amenity space and would itself receive good sunlight. This room has windows on two elevations and would have good outlook.

62. The report gives weight to the urban location of the site and reduces the targets accordingly, concluding that, in the context of the site, the overall levels of sunlight would be good to all units. When each flat is looked at as a whole, it is considered that there would be adequate provision of natural light and, in respect of criterion (e) of Class O of the permitted development rights, prior approval can be granted.
63. Recently the permitted development rights have also been amended to include a requirement for compliance with minimum space standards, however this amendment to the regulations came into force after the prior approval application was validated so cannot be a consideration in the determination of this application. Nevertheless, it is noted that all proposed flats subject to the prior approval application would exceed minimum standards and provide generous living accommodation, with five of the dwellings proposed through change of use also benefitting from external amenity space.

Impacts of noise from commercial premises on the intended occupiers

64. Another consideration on the prior approval application is whether the intended residential occupiers would be impacted by noise from neighbouring commercial premises. In this case, it is not considered that the retained ground floor office or adjacent office building to the south would generate such noise as to harm residential amenity.

Standard of amenity to new build dwellings and altered office space

65. The two fourth floor flats would both exceed space standards, receive adequate natural light and enjoy good outlook and roof terraces on the west elevation. It is therefore considered they would offer a high standard of amenity for future occupiers in accordance with Policy DM2.
66. The reduced and altered office space would provide satisfactory working conditions.

Main issue 4: Amenity of neighbouring occupiers

67. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 180-182
68. This is a matter which can only be considered in the determination of the planning application.

Overshadowing and loss of light

69. Representations have objected to the proposal on the basis of the extensions being over-dominant and resulting in overshadowing and a loss of light. As considered above, in design terms the extensions are considered appropriate in scale to the setting. In amenity terms, consideration must be given to context of this site at the edge of the city centre where housing density is relatively high and enjoys a less spacious setting than more suburban locations.

70. The mass of the building would not extend any closer to neighbouring dwellings, but the expansion of the existing second and third floors to the south would represent a noticeable change for those neighbouring dwellings to the east across Rosary Road, those to the north on Lollards Road and those to the west on Riverside Road.
71. Due to the position, orientation and set back of the additional mass of the second and third floors relative to the neighbouring Rosary Road dwellings it is not considered material harm would be caused in terms of overshadowing or loss of light. There is a distance of over 16 metres across Rosary Road between the application building and front elevation of the terrace to the east at the closest point. The additional storey would not intersect a 25 degree line from the centre point of the ground floor windows of the Rosary Road dwellings and therefore, in accordance with BRE guidance, daylight and sunlight levels would not be adversely affected and submission of a more detailed assessment of this matter is therefore not necessary.
72. The neighbouring dwellings on Lollards Road are 21 metres north of the building. As they sit on ground approximately 1.5 metres lower than that at the front of the application building, the apparent height of the building is increased but is partly screened, to varying degrees through the year, by the trees along the boundary which are taller than the building.
73. Where the building would be extended to the west, a new 2.5 metre wide section of the north elevation would increase in height by approximately 7.8 metres. This is directly south of one dwelling in the neighbouring terrace and at more oblique angles to others. As the solid extension of footprint would be set back 6.5 metres from the north elevation, the high return walls to the roof terraces facing north are proposed to have a mesh material with some transparency and the dwelling directly to the north also shares part of the boundary with the higher bulk of the rest of the existing building, it is not considered this additional mass would result in any additional overshadowing or loss of light that is unacceptable.
74. The upward extension would slightly intersect a 25 degree line drawn from neighbouring ground floor windows in Lollards Road indicating there would be some additional overshadowing and loss of light when the sun is to the south, however this impact is considered marginal given the small level of intersection. These windows and the rear gardens will already experience overshadowing from the existing building (and trees) and this will vary through the day and year. As a result of the development, the physical extent of overshadowing and period of the day and year within which it would occur would slightly increase. However, having regard to the existing situation, the additional impact is not considered to be so significant as to be unacceptable, particularly when weighed against the benefits of the proposal.
75. The relative position and distance to the neighbouring dwellings backing onto the site from Riverside Road is considered to mitigate any unacceptable impact to these properties.

Overlooking, loss of privacy and disturbance

76. Objections have also raised concern about overlooking and loss of privacy and have observed that the proposal would increase the intensity of occupation.

77. It is acknowledged that the existing offices have not been occupied to full capacity for a number of years. Any amenity impacts to neighbouring occupiers will have therefore been reduced. However, the building could be brought back to full capacity as offices at any time and therefore the main difference resulting from the proposal would be the occupation of the building 24/7 and by ten independent households each with their own comings and goings. As noted above, this is a predominantly residential area in a busy location at the edge of the city centre so it is not considered this level of occupation would be out of character or so significant as to cause an unacceptable level of disturbance to neighbouring occupiers.
78. With regards to overlooking, there would be new windows and roof terraces facing neighbouring dwellings west, north and east. The proposal has been amended to reduce the number and extent of windows on the north elevation and to introduce high level mesh screens on the north elevations of the roof terraces. As a result, the only windows besides high level or obscure glazed ones would be for bedrooms and secondary windows to open plan living areas. Overlooking from bedrooms would be less than from living areas and those living areas have significant full height openings to roof terraces on the west elevation with views towards the river and cathedral.
79. Given these factors, the presence of existing windows on this north elevation and the urban context of the site where there are existing dwellings with various windows around the site, it is not considered any overlooking or loss of privacy to the north would be so significant as to be unacceptable. It shall be necessary to agree the mesh material to be used on the return walls of the roof terraces to ensure these provide privacy whilst allowing some light through and to require all bathroom windows to be obscure glazed by condition.
80. To the west, the roof terraces would provide open views, including towards the rear of properties on Riverside Road. However, these are considered to be a sufficient distance away and already overlooked at oblique angles from neighbouring dwellings and the application building to not suffer any unacceptable additional overlooking or loss of privacy. Similarly, the relationship of the terraces to neighbouring dwellings is such that any disturbance from use of the six external terraces, individually or cumulatively, would not be unacceptable. As discussed further below, external lighting to the terraces and other areas should be agreed by condition to manage any adverse impacts.
81. The east elevation proposes Juliet balconies to a second floor living room and one bedroom each on the third and fourth floors. The floor level of the second floor is below the road level so there would be no direct views from this living room to the neighbouring dwellings across the road. Those neighbouring dwellings have windows within a couple of metres of the back edge of the footpath so are exposed to passing views, rather than being within private spaces. Whilst the views from the Juliet balconies and other third and fourth floor windows on the east elevation would be fixed, they would all to be bedrooms which would be occupied for a relatively low proportion of the day and are within flats that have roof terraces and openings on the west elevation with a much more attractive outlook. It is not considered that the low and transient level of use of the stair tower would cause any overlooking. When regard is given to the urban location and the fact it would affect the front of properties on Rosary Road rather than the more private rear areas, it is not considered material harm would occur through overlooking or loss of privacy.

Other amenity considerations

82. With regards to the impact of the proposal on views from neighbouring dwellings towards the development, it has been suggested that a more thorough assessment should be undertaken. The scale of change proposed is not considered to justify any further assessment and the distance of neighbouring dwellings from the building and the acceptable design approach are considered to mitigate any harm to the outlook of neighbouring dwellings.
83. Concern has also been raised about the loss of views and harm to amenity of a communal residential amenity space across Rosary Road. A small portion of this space is directly opposite the narrow gaps between the chimney and stair tower where glimpsed views towards the city can be gained and, as considered above, there is not considered to be any unacceptable loss of public views nor overlooking or overshadowing in this direction.
84. It is also not considered the amenity of the occupiers of the office building to the south would be unacceptably affected by the proposed extensions and alterations.
85. In the interests of protecting amenity and ensuring appropriate traffic management during construction, it is considered necessary to require agreement of a construction method statement.
86. As noted above, regard should be had to the urban location and reasonably busy environment of this site. This is an area of the city known to suffer from crime and anti-social behaviour. When the offices are not occupied at night and weekends, the environment around it has been described as hostile and unwelcoming and drug use has occurred in secluded parts of the site. It is considered that residential use of the building with 24/7 occupation represents an opportunity to provide more passive surveillance and activity which would help deter antisocial behaviour and improve the environment in and around the site. This would be to the benefit of the local community and weighs in favour of the proposal.

Main issue 5: Transport

87. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9
88. The transport and highway impacts of the proposed eight dwellings from the conversion of the existing floorspace must be considered as part of the prior approval application and those of the proposed new build flats must be assessed as part of the planning application
89. Each dwelling would be provided with one parking space and more than one cycle space per dwelling. This is a highly sustainable site within walking distance of many amenities, on a bus route and within proximity to the train station. The parking provision is appropriate and it is not considered that the proposal would generate a level of traffic that would contribute to congestion or pose any additional risk to highway safety. Incorporating electric vehicle charging points is welcomed.
90. The proposal has been amended to increase cycle storage including provision at ground floor level. The majority would, however, be at first floor level, accessed by the existing external stair that would be fitted with a cycle channel to aid access.

Whilst this is sub-optimal, there is limited external space to provide additional storage and subject to agreeing the cycle channel and storage details, the proposal is not unacceptable in this respect.

91. The office would retain its existing refuse arrangements and the dwellings would be served by a new bin store accessed from the pedestrian bridge to Rosary Road and sited in an enclosure at the back of the footpath with a new dropped kerb for collection. The capacity, siting and provision of a dropped kerb are appropriate and the design of a secure enclosure should be agreed by condition to ensure this is appropriate in appearance and does not create any nuisance or amenity issues.

Main issue 6: Ecology

92. Key policies and NPPF paragraphs – JCS1, DM6, NPPF section 15
93. A Preliminary Ecological Appraisal and Roost Assessment found some potential for breeding birds to use the site and some habitat suitable for hedgehogs. More significantly it noted that each elevation has a considerable number of 'weep holes' (small gaps in the brickwork) which have potential to be used by roosting bats.
94. Accordingly, three further surveys at dawn and dusk have been undertaken which found one individual common pipistrelle using a day roost on the west elevation. This would be lost as a result of the development due to the proposed external alterations. Given that it is one of the most common and widespread bat species that would be affected and that there is more significant and better quality roosting opportunities in the surrounding area, this is not unacceptable subject to registration with the Bat Mitigation Class Licence scheme and requiring measures to exclude bats from this and any other potential roost across the building prior to commencing external works.
95. The surveys also observed some foraging activity but concluded the site is of low importance for foraging and commuting, particularly given the more optimal foraging habitats nearby along the river and at Mousehold Heath and Ketts Heights. External lighting during construction and occupation could disrupt foraging and commuting behaviour so sensitive lighting schemes should be agreed by condition.
96. The building is assessed to be of low potential for bat hibernation.
97. Appropriate mitigation measures are proposed to protect breeding birds and hedgehogs. These measures and the inclusion of at least one replacement bat roost feature and other enhancements to biodiversity should be secured by condition to secure appropriate protection and enhancement.

Main issue 7: Trees

98. Key policies and NPPF paragraphs – DM7, NPPF paragraph 170
99. A group of three mature sycamores, protected by TPO, lie within gardens to the immediate north of the building. These, and three other trees to the east and south, would not be directly affected by the construction works but some minor facilitative pruning may be required. In addition, it is acknowledged the proposed residential use may increase pressure to prune or remove the trees over its lifetime. Any such work would require an application to the Council and, in the case of the closest trees to the north, also the consent of the third party owners.

Main issue 8: Flood risk

100. Key policies and NPPF paragraphs – JCS1, DM5, NPPF section 14
101. Flooding risks on the site must be considered as part of the prior approval application. There is no identified risk of fluvial or surface water flooding on the site so there would be no risk to future occupants.
102. The building works proposed in the full planning application would not increase the impermeable area of the site so would not create additional surface water run-off. A representation suggests that a green roof, with potential benefits for surface water attenuation and biodiversity, should be used, however it does not form part of the proposal and it is not unacceptable without it.

Main issue 9: Contamination

103. Key policies and NPPF paragraphs – DM11, NPPF paragraphs 178-179
104. Contamination risks on the site are one of the considerations for prior approval. In this case, there is likely to be asbestos within the building and the risk of this can be satisfactorily managed with an informative note on both approvals.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Water efficiency	JCS 1 & 3	Yes subject to condition (on planning permission)

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. This report covers two inter-related applications which follow different processes and require different considerations.
111. Sufficient details have been submitted to consider the transport and highways impacts, contamination risks, flooding risks on the site, impacts of noise from commercial premises on the intended occupiers of the development and provision of adequate natural light in all habitable rooms of the proposed eight flats which would be created through the change of use of the existing office space. As assessed above, it is considered that prior approval of these matters can be granted.
112. This assessment is, however, dependant on the extensions and alterations proposed in the planning application being completed and therefore it is necessary to grant prior approval subject to a condition that these are completed prior to first occupation. Furthermore, it means that it is not possible to grant prior approval, without also granting planning permission for this operational development.
113. In terms of the acceptability of the planning application for the operational development and provision of two additional dwellings, it is acknowledged that representations have raised concern about the impacts of the increased scale and more intense use on neighbouring amenity and the character of the area. In assessing this, regard has been had to the urban location at the edge of the city centre and in this context, the relatively modest scale of change is not considered to result in unacceptable harm to the amenity of neighbouring occupiers.
114. The proposal would deliver a number of public benefits. The extensions and alterations are considered to have been appropriately designed to represent a new phase in the building's life which would not cause any unacceptable harm to the character of the area or significance of heritage assets. The design is a high quality one which would lead to a more efficient use of the land, delivering 10 new dwellings with overall high levels of occupier amenity in addition to maintaining office provision on the ground floor. The extensions and provision of residential units would likely have a positive impact in increasing natural surveillance of Rosary Road and other surrounding areas of the site, it is anticipated this would have a positive impact in helping to deter anti-social issues which may currently occur in the vicinity of the building.
115. A number of conditions are recommended below to ensure there are no unacceptable impacts on amenity, transportation and ecology and subject to these the planning application 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:

- (1) application no. 21/00355/PDD - 1 Ferry Road Norwich NR1 1SU and grant prior approval subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No occupation of the approved development prior to completion of all works approved in application 21/00428/F

Informative notes

- Risk of asbestos
- Trees within and adjacent to site protected by Conservation Area designation and tree preservation order

And,

- (2) application no. 21/00428/F - 1 Ferry Road Norwich NR1 1SU and grant planning permission subject to the following conditions:

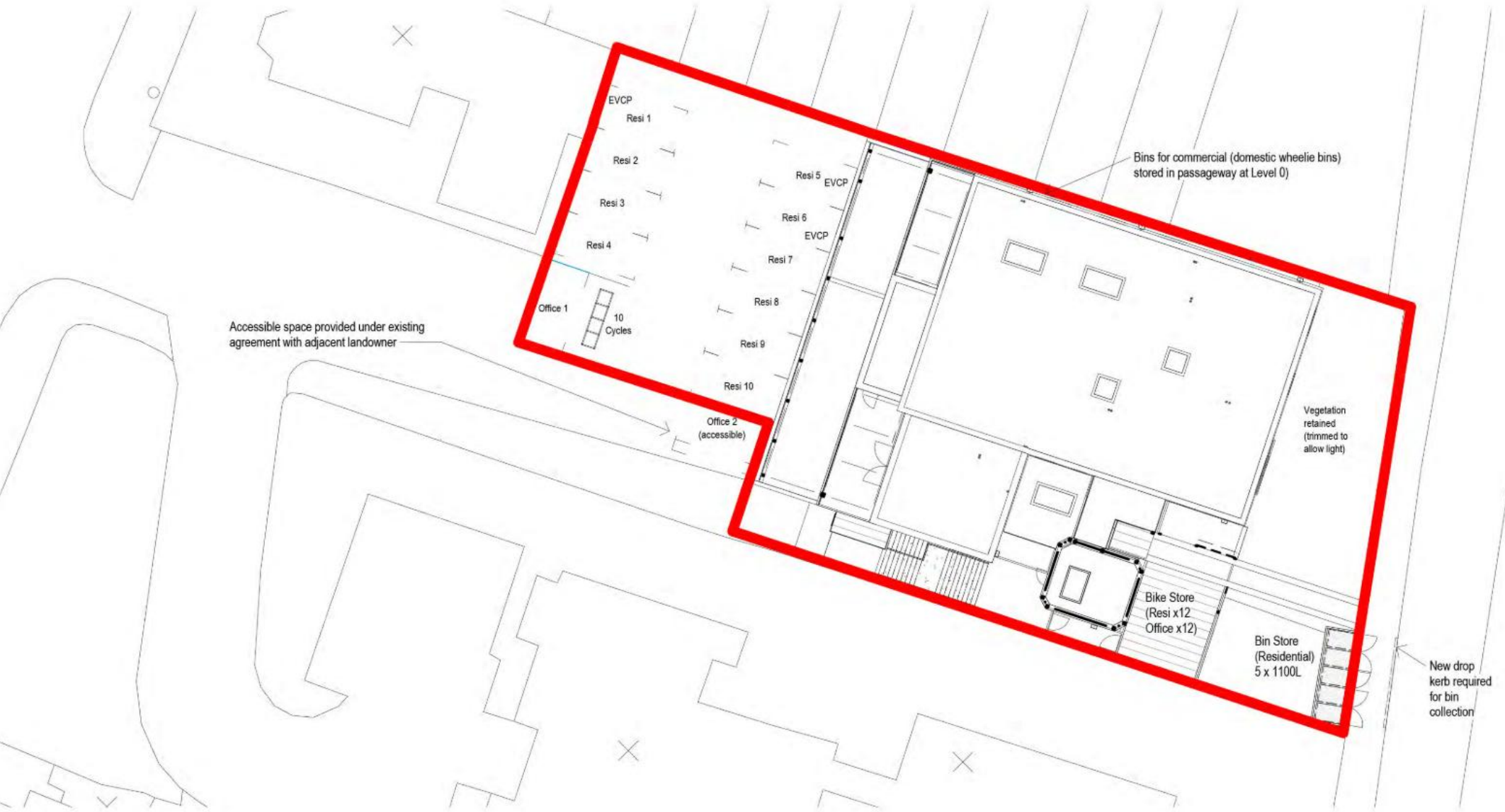
1. Standard time limit;
2. In accordance with plans;
3. Materials to be agreed;
4. Bin and cycle store and cycle channel designs to be agreed and provided prior to first occupation;
5. Parking to be laid out as agreed prior to occupation;
6. Construction method statement to be agreed;
7. Landscape scheme to incorporate new soft landscaping, bat sensitive external lighting and removal/management of invasive species to be agreed;
8. Work to be undertaken in accordance with ecology survey mitigation recommendations, enhancements to be agreed;
9. Timing of vegetation removal to protect nesting birds;
10. No works affecting the external walls of the building shall be carried out other than in strict accordance with the provisions of Bat Surveys Report;
11. Bathroom windows to be obscure glazed;
12. Water efficiency.

Informative notes

- Risk of asbestos
- Trees within and adjacent to site protected by Conservation Area designation and Tree preservation order

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 38 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 have been recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.



Proposed Site

1 : 200



Rev	Date	CHK	DRW	Revision Description
Q	07 01 2021	RT	DT	Issued for pre-app
T	12 02 21		DT	Planning DRAFT
X	08 03 21		DT	For Planning Submission
Y	09 03 21	RT	DT	Final Planning
AA	23 04 21		DT	Amendments following planning comments
DD	29/04/21		DT	Parking amendments

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29/04/2021 15:34:58

EVCP - Electric vehicle charging point (or duct for future provision)

Existing boundary treatments retained
All trees retained (shrubs and vegetation trimmed for access and maintenance)

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Page 82 of 122
Proposed Site Plan

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JOB Refurbishment of Feilden House

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U	24 02 21		DT	Final Planning Draft
V	25 02 21		DT	Client tweaks and integration of structure
W	26 02 21		DT	Areas checked
X	08 03 21		DT	For Planning Submission
Y	09 03 21	RT	DT	Final Planning

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DRAWING

East elevation - Busa Road

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1 North Elevation 1 : 100

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Key

Obscured Glazing



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North Elevation
Page 84 of 122

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Y	09 03 21	RT	DT	Final Planning

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W	26 02 21		DT	Areas checked	
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Page 86 of 122
Westgate - Riverside / Ferry Rd

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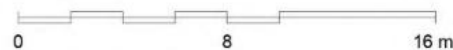


Key to Rooms

- Bathroom
- Bedroom
- Kitchen/Dining
- Living Room
- Office
- Utility

Existing Point Cloud survey data shown super-imposed (grey) for height reference

Revision Schedule				
Rev	Date	CHK	DRW	Revision Description
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North arrow section

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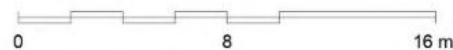


Key to Rooms

- Bathroom
- Bedroom
- Kitchen/Dining
- Living Room
- Office

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East-End Section

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Level 0

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1 Level 1
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AA	23 04 21		DT	Amendments following planning comments

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Level 1 Residential

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Level 2
1 : 100

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Level 2 Residential

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1 Level 3
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Level 3 - Residential

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1 Level 4 1 : 100

Revision Schedule				Revision Description
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X	08 03 21		DT	For Planning Submission
Y	09 03 21	RT	DT	Final Planning
AA	23 04 21		DT	Amendments following planning comments

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Level 4 Residential
Page 93 of 122

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Report to Planning Applications Committee

Item

8 July 2021

Report of Head of planning and regulatory services

Subject

Application no 21/00665/F - Land and Garages Rear of 2 to 20 Hanover Road, Norwich

Reason

for referral

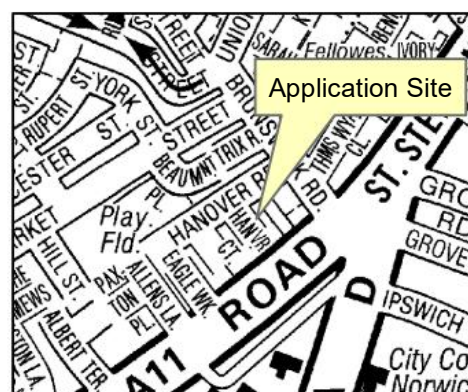
Objections

4(d)

Ward	Town Close
Case officer	Maria Hammond - 07717 451417 - mariahammond@norwich.gov.uk
Applicant	Orwell Housing Association Ltd.

Development proposal		
Demolition of garages and construction of 4 no. dwellinghouses.		
Representations		
Object	Comment	Support
11	0	0

Main issues	Key considerations
1	Principle of loss of garages and parking and provision of new housing
2	Design and heritage
3	Amenity
4	Transportation
5	Ecology
Expiry date	5 July 2021
Recommendation	Approve



The site and surroundings

1. The site consists of a garage block and surface car park accessed from Hanover Road within the Town Close area of the city.
2. The garage block contains 12 garages and there is parking for a further 29 cars using a parking permit system.
3. To the south-east of the site are residential properties dating from the Georgian period which front onto Newmarket Road. To the south-west are some two storey flats dating from the late twentieth century. To the north-west are Victorian terrace properties and their gardens, and to the north-west bungalows within Hanover Court which date from the mid-twentieth century.

Constraints

4. The site is just outside the boundary of the Newmarket Road Conservation Area, however the footpath access from Newmarket Road and adjacent properties on Newmarket Road which adjoin the site are part of the Conservation Area. These properties are all locally listed, and so is the Doctor's surgery which is adjacent to the footpath.

Relevant planning history

5. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
16/01742/F	Demolition of existing garages. Erection of 2 No. two bed houses and 2 No. 1 bed bungalows.	APPR	20/01/2017
18/00289/F	Demolition of garages and construction of 4 No. dwellinghouses.	APPR	15/05/2018

The proposal

6. The application proposes the demolition of the garages and construction of four dwelling houses. This is the same development as approved in permission 18/00289/F which expired in May 2021 without implementation (see appended report). That scheme was a revision of a previous approval from 2017 and all form part of the Council's programme for a registered provider to deliver new affordable housing on available Council land.
7. Since the previous approval, ownership of the land has transferred to Orwell Housing Association and in August 2020 a large part of the parking area was fenced off in anticipation of the commencement of development. There have been no other changes in the circumstances of the site since the previous grant of permission.
8. The scheme proposes siting a pair of semi-detached bungalows in the northeast corner of the site and a two-storey block comprising two flats towards the southwest. Each dwelling would have a private garden and one car parking space, with nine additional parking spaces around the site retained for local residents in controlled parking zone S.

9. This is identical to the 2018 approved scheme and additional details relating to the conditions of that permission have been submitted.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	Four
No. of affordable dwellings	All four to be available for affordable rent
Total floorspace	1 bed flats: 50-56sqm (meets minimum standards) 1 bed bungalows: 50sqm (meets minimum standards)
No. of storeys	Flats – two storey, bungalows – single storey
Max. dimensions	Flats – 7.3m approx. Bungalows – 4.8m approx.
Density	38 dwellings per hectare
Appearance	
Materials	Red stock facing brick, dark grey concrete pantile roof tiles, White uPVC double glazed windows, composite front doors
Transport matters	
Vehicular access	From Hanover Road
No of car parking spaces	13 (4 dedicated spaces for the new dwellings, 9 spaces for general use within zone S).
No of cycle parking spaces	Each unit would have a secure cycle store.
Servicing arrangements	Bin collection to take place from properties.

Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 11 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
Unacceptable invasion of privacy	See main issue 3
Two storey building will obscure and limit light	See main issue 3
Not clear if rear drive access would be retained	See main issue 4
Reduction in parking spaces in overcrowded area. Loss of spaces elsewhere locally.	See main issues 1 and 4
Residents have need to park close to home	See main issues 1 and 4
Parking problems experienced since car park closed in 2020.	See main issues 1 and 4
Previous parking surveys inaccurate and incorrect. Should be updated.	See main issues 1 and 4
Increase in traffic on tight route (including during construction) will endanger pedestrians and cyclists and access for	See main issue 4

Issues raised	Response
emergency services will be nearly impossible	
Proposed layout is poor and more parking could be provided	See main issues 2 and 4
Design is below national standards – rooms smaller than national guidelines	See main issue 3 – each dwelling and each bedroom satisfies minimum space standards
Why has previous permission not been implemented?	See main issue 1
Benefit of housing for eight people would be at cost to over 100 residents on Hanover Road and Newmarket Road and the wider area	See main issue 1
Design is lacklustre	See main issue 2
Should be car free in accordance with DM32	See main issue 4
Bungalows too close to boundary wall and this party wall should be re-built or strengthened. Foundation works may damage neighbouring dwelling.	Party wall issues are a private matter to be resolved between the relevant land owners
Unhappy 'spare' parking spaces are alongside existing gardens and concern about potential health impacts	See main issue 3
Amenity impacts from construction on residents and doctor's surgery	See main issue 3

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.

Environmental protection

12. The site investigation undertaken is not considered to be sufficient as it only analysed two soil samples, one of which does not appear to have been located in a proposed garden area. Additionally, the potential contamination from the previous site usage as a timber yard was not specifically assessed in the chemical analysis.
13. Contaminated land conditions recommended

Highways

14. The site has been subject to a previous planning consent, highway and parking matters were commented on then.
15. I have no objection on highway grounds to the principle of residential development on this site. The site has an extant vehicular access to Hanover Road that will be retained and is suitable for its intended use for these four dwellings. The site also benefits from a pedestrian access via an alleyway to Newmarket Road that is satisfactorily retained and incorporated into the site.

16. It is understood the site will provide 1 parking space per dwelling and the new dwellings will not be entitled to on-street parking permits for surrounding streets, which is compliant with local plan policy. In addition, it is proposed to provide 9 'spare' parking spaces which would be assigned to the city council's housing department and could then be made available to Hanover Road car park housing permit holders (which is restricted to adjacent residents to the site, but excludes the new dwellings) which overall will help ensure that there is no loss of parking amenity.
17. An amendment off-street Traffic Regulation Order was secured following consultation to ensure that the 9 spare parking spaces would be included in the Hanover Road off-street Housing car park permit scheme.
18. In terms of the overall proposed site layout, in highway terms it allows for the satisfactory access by car or refuse truck, access to car parking spaces and sufficient space for these vehicles to turn around and exit in a forward gear. Consideration has been given for pedestrian access to the alleyway to Newmarket Road. It is understood that freeholders of dwellings fronting Newmarket Road that back onto the site have cited access rights that need to be retained by any development layout on this site. This is a civil matter to resolved between the LPA/applicant and the freeholders, as the site is not highway.
19. There appears to be satisfactory provision for cycle parking within garden sheds.
20. The revised Construction Traffic Management Plan is acceptable.

Landscape and Ecology

21. The methodology and conclusions of the Ecology report are accepted: habitats on site are of negligible ecological value; demolition of the garages is unlikely to pose a particular risk to Bats; and no further surveys are likely to be required. The mitigation recommendations are supported.
22. The Construction Method Statement should be revised to include the relevant recommendations of the Ecology report regarding excavations and storage of materials.
23. Any new fencing should be provided with small mammal access points at approximately 6m intervals. The recommendations to provide Swift and bat boxes are supported.
24. Currently the scheme is predominantly hard landscape which would create a very stark environment. This is not consistent with character the proposed residential use and is important not only for the character of the area and the quality of environment of the residents but also for local biodiversity networks. The landscape design proposed would be acceptable with enhancements to areas of soft landscape, boundary treatments and entrance design.

Citywide Services

25. This will be alternate weekly collection so will be individual wheelie bins.

Assessment of planning considerations

Relevant development plan policies

26. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery
 - JCS6 Access and transportation
 - JCS20 Implementation
27. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM5 Planning effectively for flood resilience
 - 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

Other material considerations

28. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**
 - NPPF2 Achieving sustainable development
 - NPPF5 Delivering a sufficient supply of homes
 - NPPF9 Promoting sustainable transport
 - NPPF11 Making effective use of land
 - NPPF12 Achieving well-designed places
 - NPPF14 Meeting the challenge of climate change, flooding and coastal change
 - NPPF15 Conserving and enhancing the natural environment
 - NPPF16 Conserving and enhancing the historic environment
29. **Supplementary Planning Documents (SPD)**
 - Landscape and trees SPD adopted June 2016
30. **Advice Notes and Guidance**
 - Water efficiency advice note October 2015
 - Internal space standards information note March 2015

Case Assessment

31. 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

32. Key policies and NPPF paragraphs – JCS4, DM12, DM13, NPPF sections 5 and 11
33. The principle of the loss of the existing garages and parking and redevelopment of the site with housing has previously been considered acceptable in the 2017 and 2018 permissions, the latter of which expired during consideration of the current application.
34. Those previous permissions, and the recency of the expiration of the 2018 permission, are a material consideration that must carry some considerable weight in the determination of this application. The weight that can be attributed to the previous consents should only be lessened by any material planning changes to the circumstances of the site, the development plan and other material considerations since they were determined.
35. In terms of the circumstances of the site, the main change has been the fencing off of a large part of the car park in 2020 when the applicants took ownership and hoped to commence development. As a temporary measure during construction, those properties which have private parking spaces accessed through the site have been offered alternative parking locally. In addition, a 22 space car park on Beaumont Place which was not previously available for use by zone S parking permit holders has recently been made available for use by all zone S permit holders. This is considered to be a material change in circumstances which will reduce parking pressure in zone S, helping to mitigate the loss of parking within the application site itself. This is considered to be a change which weighs in favour of the proposal and to which some weight can be attached.
36. Surrounding the site, one property which backs on to the site has been extended to the rear with single storey highly glazed additions and the impacts of the proposal on amenity are considered below.
37. The adopted development plan (Joint Core Strategy and Development Management Policies) has not changed since consideration of the previous proposal. However, there have been some minor revisions to the National Planning Policy Framework. One revision material to the assessment of this proposal is the introduction of section 11 which advises on planning decisions to promote an effective use of land in meeting the need for homes (and other uses). This section gives substantial weight to the value of using suitable brownfield land, such as the application site, within settlements for homes and promotes and supports the development of under-utilised land and buildings.

38. In the assessment of the previous proposals, it was considered that the provision of new affordable housing offered significant benefits which outweighed the limited harm resulting from the loss of parking. Having regard to section 11 of the NPPF, it can now also be considered that this represents a more effective and efficient use of this sustainably located, brownfield site in a residential area than the existing use for car parking.
39. The weight given to the benefits of the new housing in the previous applications was reinforced by the five year housing land supply position which at the time of the determination of the previous application stood at 4.61 years within the Greater Norwich area. There is now a 6.16 year supply of land for housing and therefore this site would not contribute to making up the deficit and the weight to be given to the benefit should be reduced. However, this housing land supply figure has been calculated including the previously approved four dwellings so the previous permission made a small contribution to the requirement which would be lost should this identical proposal not be approved. Therefore, it remains the case that the benefits of redeveloping this site for new housing outweigh the loss of parking and the proposal is acceptable in principle.

Main issue 2: Design and heritage

40. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 124-132 and 184-202
41. The design and layout remain as previously approved.
42. Additional details of the materials and hard and soft landscaping have all been submitted. It is acknowledged that there would be a high proportion of hard landscaping and the more verdant character of surrounding streets would not be reflected. However, following some amendments to the hard and soft landscape design, it is accepted that this is appropriate within the constraints of the site and would represent an enhancement to visual and residential amenity and biodiversity compared to its existing condition. The materials for the buildings are also considered appropriate to their design and setting.
43. It therefore remains the case that the design is appropriate to the site and would preserve the character of the adjacent Conservation Area and setting of locally listed buildings.

Main issue 3: Amenity

44. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
45. As noted above in response to a representation, all dwellings comply with minimum space standards for the overall floorspace and space within bedrooms.
46. Representations have raised concern about loss of privacy and overshadowing. There would be no windows on the elevation facing towards the neighbouring properties on Newmarket Road so there would only be oblique views from the first floor flat and it is not considered the openings on the other elevations of any dwelling would result in any direct or unacceptable overlooking or loss of privacy.

47. In terms of overshadowing and loss of light, the two-storey flat building would sit north of the closest neighbouring dwellings and a sufficient distance from all others not to create any significant or unacceptable impacts.
48. Concern has also been raised about the potential health impacts from car parking spaces adjacent to gardens. Whilst in some areas of the site car parking will be closer to neighbouring dwellings than at present, overall there would be a net reduction in the number of vehicles accessing and parking on site so it is not considered there would be additional health impacts.
49. Representations have raised concern about amenity impacts during the construction period. As required by a condition on the previous permission, a construction method statement has been submitted which proposes an identified access route (considered below), scheduled deliveries, measures to reduce noise, dust and other pollution, material storage, ecological mitigation, wheel washing and waste management. Delivery and working hours are proposed to be 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and no work on Sundays or Bank Holidays. Communication with neighbours is proposed to be established and direct contacts provided for the project and site managers to address any issues should they arise. These proposals are considered appropriate to mitigate any unacceptable disruption and amenity impacts during construction.

Main issue 4: Transport

50. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
51. As with the previous proposals, there has been significant concern about the loss of existing parking and impacts on existing residents, however as considered above, it remains the case that the benefits of the proposal outweigh this loss of parking.
52. The parking provision, at one per dwelling with nine additional spaces for local permit holders, is acceptable within standards and each new dwelling would have a garden shed for cycle storage and space for bin storage.
53. It has been suggested that this should be a car-free development and the location of the site does accord with the requirements of Policy DM32. This suggestion has been put to the applicants who have advised that their requirements remain unchanged since approval of the previous scheme and the application should be determined as submitted with one space per new dwelling.
54. It is appreciated there is concern about the dangers from traffic accessing the site during construction and occupation via tight turns in narrow local roads. The Highway Authority consider the access to be suitable for the development and have recommended a dedicated construction access route which has been adopted in the submitted method statement and should be followed throughout construction.
55. Some neighbouring properties have pedestrian and vehicle access through the site. As with the previous scheme, these routes would be retained.

Main issue 5: Ecology

56. Key policies and NPPF paragraphs – JCS1, JCS2, DM6, NPPF paragraphs 170, 175-177.

57. An ecology survey of the site found no suitable habitat for breeding birds, bats or other protected species and proposes mitigation measures to address the low risk during demolition and construction. To enhance the biodiversity of the site, bat and bird boxes are proposed to be incorporated and new fences would include small mammal access gaps. The landscape scheme also includes areas of shrub and tree planting which will enhance the interest and appearance of the site relative to its existing covering entirely with hardstanding.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Water efficiency	JCS1 & JCS3	Yes subject to condition
Sustainable urban drainage	DM3 & DM5	Areas of soft landscaping and permeable paving will reduce the existing impermeable area of the site. Infiltration to soakaways is not possible here and the reduced volume of surface water run-off will use the existing public sewer connection.
Contamination	DM11	An initial investigation has been undertaken but further sampling shall be required once the existing garages in the area of proposed gardens are demolished. Further investigation and mitigation recommended by condition.

Equalities and diversity issues

59. There are no equality or diversity issues.

Local finance considerations

60. 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

61. This application effectively proposes renewing a recently expired permission to redevelop a site of garages and car parking with four new dwellings and some replacement parking. There have been some minor changes in the considerations material to the assessment of the proposal, with one of these being the provision of access to a new car park for zone S permit holders, helping to mitigate against the loss of parking from the application site. None of the changes are so significant as to

alter the conclusion that the benefits of new housing outweigh the partial loss of parking and there are no other unacceptable impacts weighing against the proposal.

62. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application no 21/00665/F - Land and Garages Rear of 2 to 20 Hanover Road Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans (including material details, landscape scheme, ecology report and construction method statement);
3. All construction traffic to use approved route;
4. Contamination investigation;
5. Hard landscape scheme (including car and cycle parking and bat and bird boxes) to be implemented prior to first occupation;
6. Landscape maintenance;
7. Previously unidentified contamination;
8. Imported topsoil;
9. Water efficiency.

Informative note:

- The new dwellings will not be entitled to parking permits (the Hanover Road housing permits, or for the adjacent controlled parking zone on-street permits).
- Asbestos advice



Ground Floor Plan
Plot 1
1b2p Flat
50.00m² GIA (+5.48m² stairwell for upper floor flat)



First Floor Plan
Plot 2
1b2p Flat
55.04m² GIA (incl stairwell)



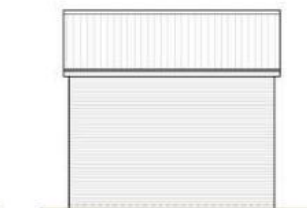
proposed south elevation 1:100



proposed south-east elevation 1:100



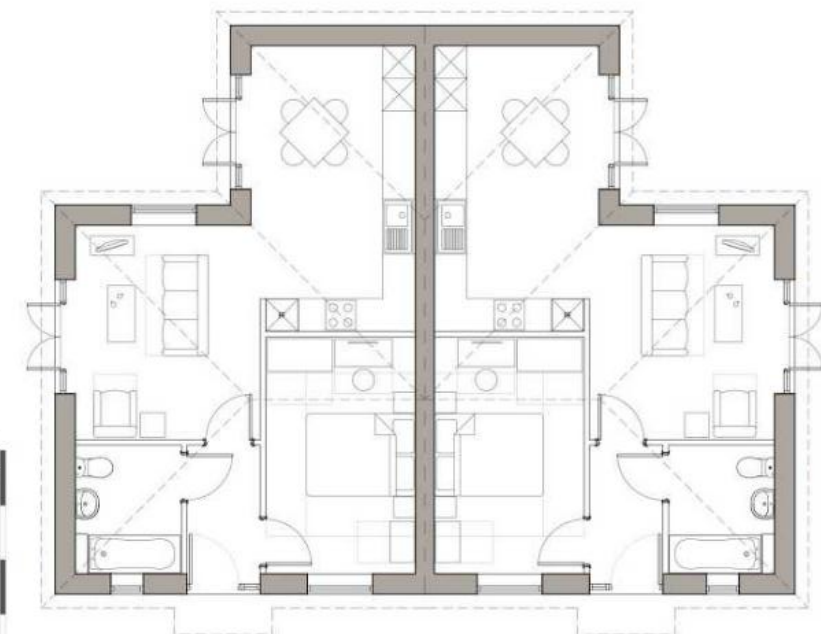
proposed south-west elevation 1:100



proposed north-west elevation 1:100

Notes on Materials (for all plots 1-4):

- Bricks to external walls: Terra New Red Multi GR Stock facing brick. Solder courses where indicated on elevations.
- Roof Tiles: Sandsoft Stone Concrete Interlocking Tiles, Color: Terracotta Red.
- Windows: White uPVC Double Glazed Units.
- Doors: Composite Front Doors (Colour Black) and White uPVC Double Glazed Rear Doors.
- Fences and Soffits: White uPVC.
- Bargeboards: White uPVC.
- Rainwater Goods: Black uPVC.
- Roof Pitch: 27.5 and 45 degrees to flats - 35 degrees to bungalows.



Plot 3 Ground Floor Plan
1b2p Bungalow
50.0m² GIA

Plot 4 Ground Floor Plan
1b2p Bungalow
50.0m² GIA



Proposed South-West Elevation - Plots 3-4 - 1:100



Proposed North-West Elevation - Plots 3-4 - 1:100



Proposed South-East Elevation - Plots 3-4 - 1:100



Proposed North-East Elevation - Plots 3-4 - 1:100



Date	Revision	Description	Drawn	Checked
06/06/16	1	External Consultation Materials submitted	AW	AW
06/06/16	2	Revised to client comments	AW	AW
06/06/16	3	Revised to client comments	AW	AW
06/06/16	4	Revised to client comments	AW	AW
06/06/16	5	Revised to client comments	AW	AW

peterwellsarchitects

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Project: NCC GARAGE SITE, LAND TO REAR OF HANOVER ROAD, NR2 2HD

Client: ORWELL HOUSING

Proj Title: PROPOSED FLOOR PLANS AND ELEVS

Proj Status: PLANNING

Date: AUG 2016

Scale: 1:50/100 @ A1

Proj No.: PB770-PL04

Revision: F

Report to Planning applications committee

10 May 2018

Report of Head of planning services

Subject Application no 18/00289/F - Land and garages rear of 9 to 23 Newmarket Road, Norwich

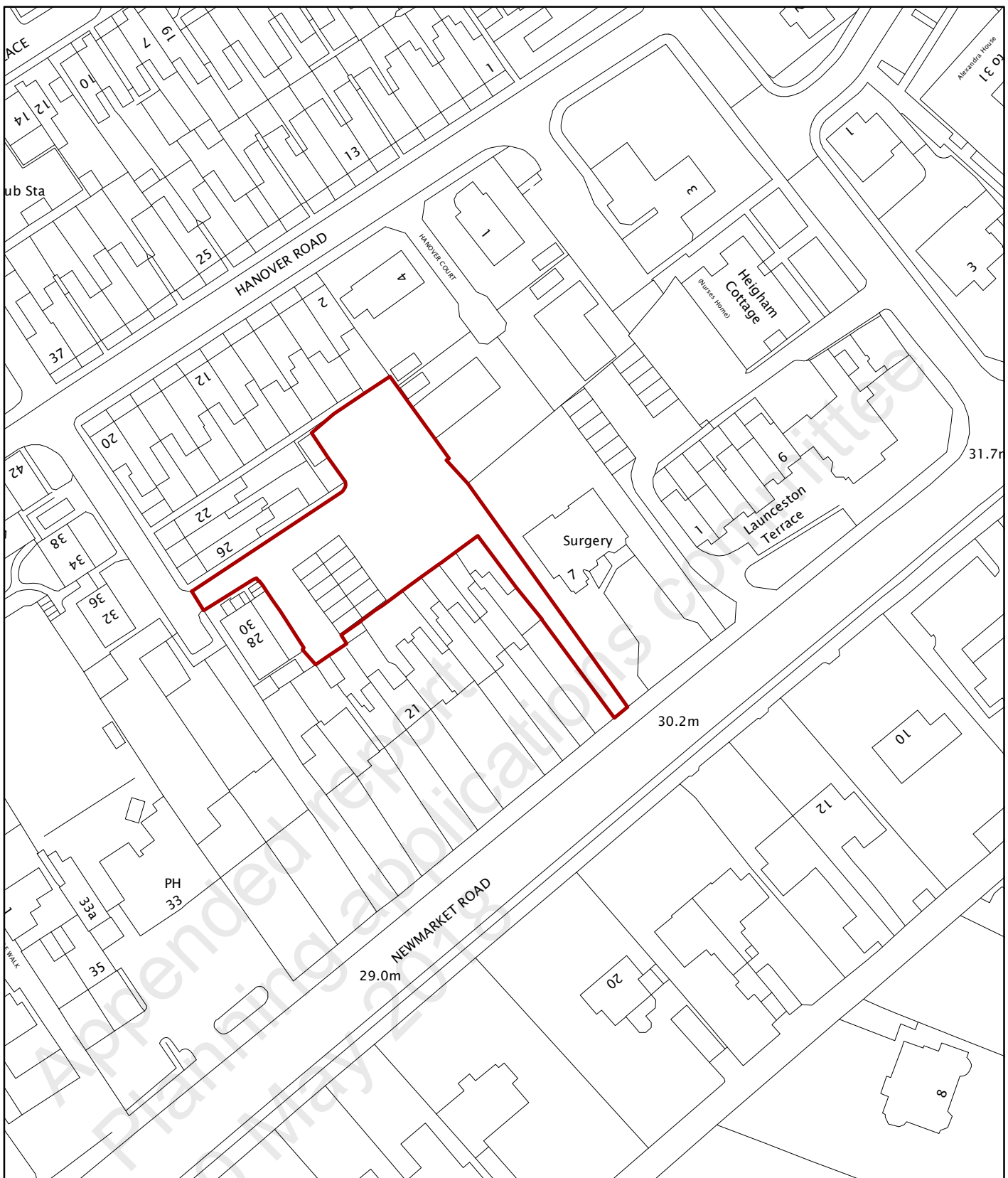
Reason for referral Objection and city council owned land

4(b)

Ward:	Town Close
Case officer	Robert Webb - robertwebb@norwich.gov.uk

Development proposal		
Demolition of garages and construction of 4no. dwellinghouses.		
Representations		
Object	Comment	Support
42	1	0

Main issues	Key considerations
1	Principle of development
2	Design and heritage
3	Amenity and parking
4	Flood risk
Expiry date	20 April 2018
Recommendation	Approval



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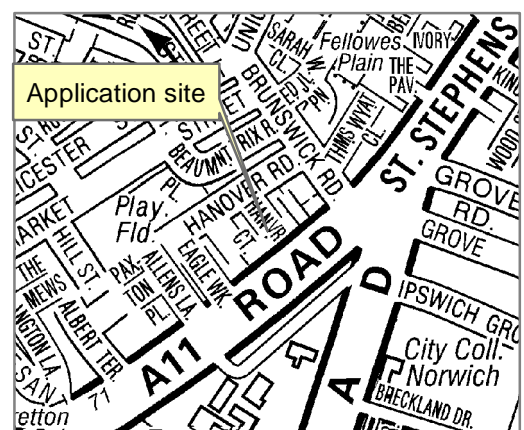
Planning Application No 18/00289/F
 Site Address Land and garages rear of
 9 to 23 Newmarket Road
 Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES

Page 110 of 122



The site and surroundings

1. The site consists of a garage block and surface car park owned and managed by Norwich City Council and accessed from Hanover Road. It is within the Town Close area of the city.
2. The garage block contains 12 garages and there is parking for a further 29 cars using a parking permit system.
3. To the south-east of the site are residential properties dating from the Georgian period which front onto Newmarket Road. To the south-west are some two storey flats dating from the late twentieth century. To the north-west are Victorian terrace properties and their gardens, and to the north-west bungalows within Hanover Court which date from the mid-twentieth century.

Constraints

4. The garage/parking court is not within the Conservation Area however the footpath access from Newmarket Road and adjacent properties on Newmarket Road which adjoin the site are part of the Conservation Area. These properties are all locally listed, and so is the Doctor's surgery which is adjacent to the footpath.

Relevant planning history

5.

Ref	Proposal	Decision	Date
16/01742/F	Demolition of existing garages. Erection of 2 No. two bed houses and 2 No. 1 bed bungalows.	Approved	20/01/2017

The proposal

6. The proposal relates to one of a number of sites identified by Norwich City Council in 2016 as having the potential to accommodate new affordable housing to be developed by a registered provider, Orwell Housing Association. Under the programme, a total of 66 affordable units were granted planning permission across the city and many of these are currently under construction.
7. Planning permission for a similar scheme on this site was granted under application reference 16/01742/F in January 2017. Since the grant of permission there has been an issue relating to a claimed right of vehicular access from the owner of no. 23 Newmarket Road which abuts the car park. This has resulted in a review of the proposal which has led to the replacement of the pair of semi-detached houses in the centre of the site with a pair of 1 bedroom flats within a two storey building. This allows the right of access to no.23 to be maintained. The two bungalows at the northern end of the site are unchanged. Each unit would have one dedicated parking space. The scheme maintains a number of parking spaces which could be used by all

residents within Zone S, and following revisions to the plan this would be maintained at 9 spaces, the same as the previously approved scheme.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	4
No. of affordable dwellings	4
Total floorspace	1 bed flats: 50-56sqm (meets minimum standards) 1 bed bungalows: 50sqm (meets minimum standards)
No. of storeys	Flats – two storey, bungalows – single storey
Ridge height	Flats – 7.3m approx. Bungalows – 4.8m approx.
Density	38 dwellings per hectare
Appearance	
Materials	Red stock facing brick, dark grey concrete pantile roof tiles, White uPVC double glazed windows, composite front doors
Transport matters	
Vehicular access	From Hanover Road
No of car parking spaces	13 (4 dedicated spaces for the new dwellings, 9 spaces for general use within zone S).
No of cycle parking spaces	Each unit would have a secure cycle store.
Servicing arrangements	Bin collection to take place from properties.

Representations

- Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 43 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
Concern at the loss of garages and parking spaces, including the availability of parking within the Zone S permit parking area.	See main issues 1 and 3
Difficulties with parking can be particularly stressful when you are unable to find a space close to your house after working a long shift.	See main issues 1 and 3
Concern about insufficient access for medical needs, family visitors and house maintenance vehicles.	See main issues 1 and 3
Concern about impact on Brunswick Road Dental Practice, in terms of accessibility for visitors as we only have one visitor permit.	See main issues 1 and 3
Concern about impact on Orb Hair Salon due to increased parking pressure.	See main issues 1 and 3
The proposal would devalue our homes	Loss of value is not a material planning matter.
No objection to more housing but allowing more parking permits than spaces should be re-thought. How about one permit per address?	This is not a matter that can be dealt with as part of the determination of this application.
There are safety concerns about residents having to find parking at a considerable distance from their properties and having to walk a considerable distance home when its dark or late at night is unacceptable.	See main issues 1 and 3
Concerns about impact of construction work and contractors vehicles	The impact of construction work is not a planning matter but the developers will be encouraged to follow the principles of the considerate constructors scheme.
The design of the properties is very lacklustre, the proposed design should be of period character.	See main issue 2
The Council's parking surveys were inaccurate and did not reflect usage at peak times.	The surveys were carried out at a variety of times including evenings and weekends.
The loss of parking spaces has caused friction in what was once a friendly community.	See main issue 1 and 3

Issues raised	Response
The proposal will impact on light to existing properties.	See main issue 3

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.

Highways (local)

10. No objection on highways grounds.

Norwich Society

11. The Norwich Society commented on the previous application for this site (16/01742/F – Land and garages rear of 2 – 20 Hanover Road) as follows:

‘Once again this is an under-whelming design and the loss of residents’ parking will cause issues in the surrounding streets.’

We considered the new proposals at our meeting last Thursday. The revised scheme actually reduces the number of car park spaces allocated for the rest of Zone S (i.e. all other residents of Hanover Road, Newmarket Rd and all other Zone S permit holders) from 9 to 7. This is in addition to the loss of parking spaces in Beaumont Place. Also we consider that there is no improvement to the design quality of the proposals. Please note that we therefore maintain our objections to the proposals.

Assessment of planning considerations

Relevant development plan policies

12. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery
 - JCS6 Access and transportation
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
13. **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
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM29 Managing car parking demand in the city centre
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

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

- NPPF0 Achieving sustainable development
- 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
- NPPF12 Conserving and enhancing the historic environment

Case Assessment

15. 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

16. Key policies and NPPF paragraphs – JCS4, DM12, NPPF paragraphs 49 and 14.
17. The recent approval under application reference 16/01742/F which was for a similar development and also for affordable housing purposes is a significant material consideration. There has been no significant change in local or national planning policy since the grant of that permission which would indicate the application should be dealt with differently in terms of the principle of development.
18. It should also be noted that the latest figures indicate there is a 4.61 supply of land for housing in the Norwich Policy Area, which is some way short of the 5 years of supply required by government. This is a consideration which weighs in favour of the proposal. The principle of development is considered acceptable in light of the previous decision and the land supply situation. The main issues to be considered are therefore the changes to the proposal from the previous approved scheme.

Main issue 2: Design and heritage

19. Key policies and NPPF paragraphs – JCS2, DM3, DM9 NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
20. The design of the bungalows previously approved is relatively unchanged, although they have been enlarged slightly to ensure they meet the national minimum space standards, which is welcomed. The two bedroom flats would be similar in scale to the semi-detached properties which were approved previously; however they would feature a gable which differs from the previous design. The design is simple but acceptable, given the context of the site, which is at the rear of several properties and not within a prominent location. The style of the buildings is generally in keeping with the character of the surrounding area. The proposal would conserve the character of the nearby conservation area.
21. The layout of the site allows for pedestrian and vehicle access, provides some small private outdoor amenity space for each dwelling and provides a new landscaped area close the pedestrian pathway from Newmarket Road. The parking layout allows adequate room for parking and turning.
22. Amendments have been made during the application process which adds some new detailing to the elevations, changes the materials to a red-multi brick and red pantile roof, and adds a further 2 parking spaces.

Main issue 3: Amenity and parking

23. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
24. The proposal would not cause material harm in terms of overlooking, overshadowing or loss of privacy due to the scale of development, the orientation of the buildings and positioning of windows.
25. A number of residents have raised concerns regarding the impact of the proposal on parking congestion in the locality. It should be reiterated that the principle of developing the car park has been accepted. Following amendments the proposal would maintain the 9 parking spaces for inclusion within the permit parking zone that were originally proposed and in addition would maintain/provide vehicular access to a further property compared to the original scheme. As a result the parking provision of the scheme would be no less than the previous approval.
26. Notwithstanding this, it remains the view of officers that delivering new affordable housing, both in the context of an urgent need for more affordable dwellings and also the lack of a five-year land supply of housing in the Norwich Policy Area is a significant benefit which outweighs the limited harm identified in terms of the loss of parking. Furthermore, in considering the application in the context of guidance within paragraph 14 of the National Planning Policy Framework, it is considered that the loss of the parking would not *significantly and demonstrably* outweigh the benefits of the proposal, and it therefore follows that the application should be approved.

Main issue 4: Flood risk

27. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103. The site is within Flood Zone 1 and therefore at a low risk from flooding from rivers, however it is within a critical drainage area where there is a higher risk of surface

water flooding. The application is accompanied by a Flood Risk Assessment which states that the development would maximise the use of soft landscaping and incorporate permeable paving. There would be a significant reduction of surface water run-off compared to the existing situation. The proposal complies with the relevant policies.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition
Contamination	DM11	Yes subject to condition

Other matters

29. 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.

Equalities and diversity issues

30. There are no significant equality or diversity issues.

Local finance considerations

31. 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.
32. 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.
33. In this case local finance considerations are not considered to be material to the case.

Conclusion

34. 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. 18/00289/F - Land And Garages Rear Of 9 To 23 Newmarket Road Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of facing and roofing materials; windows; joinery; boundary treatments, walls and fences to be submitted
4. Details of hard and soft landscaping to be submitted
5. Water efficiency
6. Contamination risk assessment and report to be submitted
7. Unknown contamination to be addressed
8. Control on imported materials

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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



