

## Planning applications committee

**Date:** Thursday, 08 June 2023

**Time:** 13:00

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

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. The meeting will be live streamed on the council's YouTube channel.

**Annual training for members will commence at 9:00 am.**

**There will be an informal pre-application briefing for members at 12:00 noon on 22/00501/PREAPP; Debenhams building, Orford Place, Norwich NR1 3RZ; Mancroft Ward.** The proposal is for redevelopment of the site to deliver student accommodation, retaining the ground floor and lower ground floor level for retail use. Committee members, ward councillors and interested parties are welcome to attend.

### Committee members:

#### Councillors:

Driver (chair)  
Calvert  
Champion  
Hoechner  
Lubbock  
Peek  
Price  
Prinsley  
Sands (M)  
Sands (S)  
Stutely  
Thomas (Va)  
Thomas (Vi)  
Young

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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



communication for all

If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

## Agenda

### Page nos

#### 1 Appointment of vice chair

To elect a vice chair for the ensuing civic year

#### 2 Apologies

To receive apologies for absence

#### 3 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)

#### 4 Minutes

To approve the minutes of the meetings held on:

**13 April 2023**

5 - 6

**27 April 2023**

7 - 20

#### 5 Planning applications

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

Further information on planning applications can be obtained from the council's website: <http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 13:00;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available

	<b>Summary of planning applications for consideration</b>	21 - 22
	<b>Standing duties</b>	23 - 24
<b>5a</b>	<b>Application no 3/00271/F &amp; 23/00272/L 30 Bethel Street, Norwich</b>	25 - 40

Date of publication: **Wednesday, 31 May 2023**





**Planning applications committee**

**09:30 to 10:10**

**13 April 2023**

Present: Councillors Driver (chair), Sands (M), Bogelein, Champion, Grahame, Lubbock, Peek, Sands (S) and Young

Apologies: Councillors Davis, Stutely, Thomas (Va) and Thomas (Vi)

**1. Declarations of interests**

There were none.

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meetings held on 9 March 2023.

**3. Application no 22/01341/F John Youngs Ltd, 24 City Road, Norwich NR1 3AL**

The planner (case officer) presented the report with the aid of plans and slides. The application was for the installation of a flue to service a biomass boiler. There had been two objections concerning noise from the fan and concerns about air pollution from emissions from the flue. The proposal would enable the applicant to burn their own waste and as the boiler and flue would be more efficient, reduce carbon emissions.

During discussion the planner and the planning team leader answered members' questions. Members were advised that the planning application had been assessed by the environmental protection team and was not considered to increase air pollution. The height of the flue was higher than the windows of houses in Terrace Walk and a significant distance from residential properties. Members also noted that no planning permission was required to replace the biomass boiler. The brick chimney would remain in place, with the flue beside it and it was subject to building control. The harm to the heritage assets (St Mark's Church and the Bracondale Conservation Area) was considered "negligible" because of the distances involved.

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

During discussion members noted that there was an existing biomass boiler and that with technological advances, the replacement boiler and flue would be more efficient than the current biomass boiler and brick chimney.

Councillor Driver (chair), ward councillor for Lakenham, said that he had never received any complaints about the operation of the use of a biomass boiler on this site. He considered the taller flue would provide cleaner air for residents and would be better for the environment.

A member commented that from his experience where a school had a biomass fuel boiler installed and it had increased pollutants, he would be concerned if the application was for the installation of a biomass fuel boiler without evidence to support it on environmental grounds. Another member said that she considered that the development management policy on air quality should be strengthened and that reports to the committee should contain more information on environmental issues.

A member referred to the duties of public authorities under the Natural Environment and Rural Communities Act 2006 and suggested that the air quality was monitored to protect residents and biodiversity. The planning team leader explained that there was already a biomass boiler in place and that a condition to monitor air quality would not meet the criteria for conditions set out in the National Planning Policy Framework (NPPF) or the council was required to do. She suggested that the applicant was issued with an informative to require that the installation of the flue was in accordance with the manufacturer's guidelines. During discussion members concurred with this proposal. Members considered that the Environment Agency or the appropriate agency would act if the biomass boiler and flue were not maintained or compliant.

**RESOLVED**, unanimously, to approve application 22/01341/F at John Youngs Ltd 24 City Road Norwich NR1 3AL and grant planning permission subject to the following conditions:

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

### **Informative**

The flue should be installed in accordance with the manufacturer's guidelines.

CHAIR



**Planning Applications Committee**

**09:30 to 17:45**

**27 April 2023**

Councillors Driver (chair), Sands (M), Champion, Davis, Galvin<sup>1</sup>  
Grahame, Lubbock, Peek, Sands (S), Stutely, Thomas (Va), Thomas  
(Vi) and Young

**1. Procedural matters**

Some members expressed concern that there had been insufficient time for them to read the report in full (item 3, Application no 22/00434/F – Anglia Square, including Land and Buildings to the North and West, Norwich) because of its size. It was noted that members had had access to the papers online and that the agenda had been published within the statutory timescale. Paper copies of the agenda had been available for members to collect from City Hall but had not been posted, and a member considered that these should have been couriered to members. A member also suggested that the committee would benefit from a site visit.

Councillor Stutely moved, and Councillor Davis seconded, that consideration of the planning application for Anglia Square be deferred to provide members with an opportunity to read the papers fully and conduct a site visit. Discussion ensued. On being put to the vote with 4 members voting in favour (Councillors Stutely, Davis, Peek and Grahame) and 9 members voting against (Councillors Driver, Sands (M), Sands (S), Champion, Galvin, Lubbock, Thomas (Va), Thomas (Vi) and Young) the motion was lost.

(The committee had a short adjournment at this point whilst legal advice was sought and reconvened at 10:10 with all members present, as listed above.)

The Head of Legal and Procurement (Monitoring Officer) advised the committee that officers would provide a comprehensive presentation to the committee. Following the presentation, members would then have an opportunity to consider whether to proceed to determine the application or could decide to defer the decision for a site visit and/or a future meeting. If the committee agreed to proceed and an individual member considered that they did not have sufficient information to make an open and transparent decision, then they could withdraw from the meeting at that point.

The chair agreed with this proposal and reiterated the advice that a member could withdraw later in the meeting if they had insufficient information to make a decision.

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<sup>1</sup> Appointed to the vacancy following Councillor Bogelein's resignation from the council

As a point of personal explanation, Councillor Stutely confirmed that he had read all the papers but had brought the motion because he had not been able to cross reference points with the relevant planning policies.

## **2. Declaration of Interests**

There were none.

## **3. Application no 22/00434/F – Anglia Square, including Land and Buildings to the North and West, Norwich**

The Senior Planner (case officer) presented the report with the aid of plans and slides and introduced the report. A full description of the site was appended to the report. The presentation took members through the proposals for the site, the phasing of the development and showed how the development would be viewed from the surrounding area.

The Development Manager read out the supplementary report of updates (which had been circulated to members of the committee in advance of the meeting and is available on the council's website with the papers for the meeting.) The report summarised two representations; a petition from Norwich Renters Collective, with 949 signatures; submission of letters and a summary report from private studio holders at Gildengate House; further submissions from Save Britain's Heritage (SAVE) and an alternative vision for Anglia Square by Ash Sakula architects, submitted during the planning process; and a representation from Councillor Carlo. All issues raised had been addressed in the main report. The supplementary report also contained corrections to the text and proposed an additional condition to remove permitted development rights for changes from commercial to residential to ensure the mix of uses supported the function of a large district centre.

A member referred to emails from Shelter which had been sent to members of the committee and asked whether its comments had been included in the committee report. The Development Manager explained that Shelter had not made a representation to the council as part of the planning consultation and therefore its comments were not included in the report.

The Head of Planning and Regulatory Services by way of introduction said that she had been involved with the team in the preparation of this application and was assisting the Executive Director of Development and City Services with the Housing Infrastructure Funding (HIF) from Homes England associated with this application. She then presented each of the main issues as set out in the report.

(The committee adjourned for a break and reconvened with all members present, as listed above.)

A representative of Historic England addressed the committee and outlined its objections to the proposed development. Historic England would like to see the Anglia Square quarter developed and considered the removal of unsympathetic buildings and partial reinstatement of the street pattern an improvement on the previous scheme. This scheme would not deliver a development that the city deserved. The height and massing of the proposed development was not in keeping with the character of the historic city and would cause a high-level harm to the



significance of St Augustine's Church and 2-12 Gildencroft and harm to other listed buildings in St Augustine's Street, Magdalen Street and Doughty's Hospital, and the Norwich City Centre Conservation Area. She referred to the provisions to protect conservation areas and heritage assets under the Planning (Listed Building and Conservation Area) Act 1990 and the National Planning Policy Framework (NPPF) and said that development should not be at the cost of the character of the city.

A representative of Save Britain's Heritage (SAVE) addressed the committee and outlined its objections to the proposed development including that it did not allay its concerns about the previous application, which included that 1100 homes was too many for the site and a third more than allocated, resulting in a scheme that was out of scale and capable of providing good quality affordable homes. The 12 large blocks necessary to provide the dwellings, 50 per cent of which would be single aspect, harmed the character of the City Centre Conservation Area, characterised by 2 to 3 storey buildings. It also proposed to bulldoze a historic building in Pitt Street. This scheme was in receipt of the largest public housing grant in Homes England's history, was likely to be exempt from paying CIL (Community Infrastructure Levy) and the affordable housing contribution was reduced by 23 per cent. It was not the only viable solution. A conservation led approach submitted by Ash Sakula Architects provided an alternative. It was a poor example for other developers considering brownfield sites in Norwich.

A representative on behalf of the Norwich Society addressed the committee and said that he understood the council's position after 13 years of austerity and, the financial constraints of the council, but this was not the only viable option for development of this site, despite the committee team being told that it was twice in 4 years. The developer had been inflexible in changing aspects of the development scheme. The Norwich Society concurred with the views of Historic England and SAVE. It considered that there were viable options like the alternative proposal offered by Ash Sakula Architects and that should members approve the application at this meeting, other options would be lost. A scheme based on the site allocation for 800 homes would provide a city development that the city could be proud of.

Councillor Osborn, Mancroft ward councillor, addressed the committee and acknowledged that many residents wanted to see the site developed. Anglia Square had a unique function for the local community. This proposal did not offer good quality affordable housing, with single aspect, poorly lit flats that would get worse with climate change. He was aware that the public subsidy could be lost but supported the local community views concerned about the lack of affordable housing and considered that a better scheme could come forward rather than regret the approval of this one.

A resident addressed the committee objecting to the scheme on heritage and housing grounds. This included concerns about the: massing and height, density to achieve 1100 homes on the site, that 50 per cent of homes would be single aspect and would require air conditioning to remove excess heat; too many one bed flats and energy efficiency and level of affordable housing; and the viability of the scheme.

A representative of Norwich Renters Collective spoke in support of the nearly 1,000 signatories who had signed its petition opposing the development on the grounds that it should provide 33 per cent of affordable housing, at a time when it was more

important, given the housing crisis with people struggling to rent, high energy costs and rents in the private rental sector, and questioned that the viability of a development that could not be brought forward for development without public funding, reduced affordable housing and exemption from CIL, given increased land values, and that the committee should consider an alternative development scheme.

A representative of the private studio holders at Gildengate House addressed the committee and outlined her objections to the scheme, referring to the community who used Anglia Square daily, calling for the committee to reject the proposal and consider a viable alternative space. The scheme was not in the best interests of the city and would take “decades” to unravel if the committee approved it.

A local resident confirmed that he supported the previous comments on heritage issues regarding the issue of the possible remains of St Olave’s church in the southwest of the site. A listing application for the flint stable block contained fabric from the church and evidence of early burials had been found and it should not be demolished.

(Copies of a representation made by Councillor Schmierer, Mancroft ward councillor, were circulated at the meeting and it is available on the council’s website with the papers for the meeting.)

A representative for Weston Homes addressed the committee in support of the planning application. He referred to the planning history of the previous application which had been approved by the committee and recommended for approval to the Secretary of State by the Planning Inspector. The developers had taken the comments of the Secretary of State on the call-in application seriously and consulted a wide range of stakeholders to bring forward this application. It was a comprehensive scheme that had been designed from scratch and would be brought forward by Weston Homes as the single developer. He then outlined how this scheme differed from the previous one, including reduced floor space and car parking spaces. The 3 to 8 storey buildings fell below the skyline reducing the impact on long distance views across the city and were spread across the site, and the overall scale and mass of the development had been reduced. Many objections failed to provide an alternative. The development would provide 288 direct jobs with a further 292 individuals joining from Norwich and the eastern counties and would bring in £36 m into the local economy; 1100 new homes of which 10 per cent would be affordable meeting the needs of the city. The scheme also provided a community hall, Changing Places facilities, a larger Anglia Square, community gardens, 200 trees and an 85 per cent biodiversity net gain, improvements to the yellow pedalway, energy efficient homes, with 50 per cent having air source heat pumps. A strong recommendation for the developers was its customer satisfaction level was 91 per cent. The company was experienced at providing quality homes and had committed £6m over the last 7 years, and expected to develop the scheme over the next 7 to 8 years.

(At the request of the Head of Legal and Procurement, members confirmed that they had all the information required to determine this application and that the presentations had supplemented their reading of the report.)

(The committee adjourned for lunch from 13:15 to 14:00. The committee reconvened with all members present, as listed above.)

Discussion ensued in which then Senior Planner, Head of Planning and Regulatory Services and Development Manager answered members' questions, together with the other officers in attendance as appropriate.

Members sought further information on the viability assessment for affordable housing and the mechanisms to review it at 30 per cent/60 per cent/90 per cent occupation of the development. The Development Strategy Manager explained that these percentages were closely aligned to the phasing of the development and an opportunity to review the affordable housing provision on site at 90 per cent occupation elsewhere in the city. Viability would also be assessed at the reserved matters stage. Later in the meeting, the Development Strategy Manager said that he considered the phasing of the reviews based on occupation was in his experience unique within the city, due to the size and scale of the development. The Development Manager said that the reviews would be set out in the S106 agreement with the developer. There had been incidences where reviews increased the developer's contribution, but it was important to note that the level of affordable housing delivered on this site would not go down.

The Senior Planner explained the application of the vacant building credit to this development and that it had the effect of reducing the policy compliant affordable level from 33 per cent to 22.6 per cent. Members were also advised that allocation of affordable housing was worked out in units rather than total floorspace. In reply to a suggestion that land values varied, the Development Strategy Manager said that the valuation was made on the current land use plus 15 per cent profit.

The Senior Planner advised members that in the first phase the affordable housing would comprise 11 two bed houses and the remainder flats (35 one bed flats).

In reply to a question, the Head of Planning and Regulatory Services said that limited weight should be given to the Ash Sakula scheme, previously put forward by Historic England, for 600 homes, and by SAVE, now for circa 780 homes. The proposal did not include assessments for viability, habitat or heritage amongst other things. In August 2022, she and the Development Manager, had met to discuss it with SAVE. Requests for information on viability had not been provided in the intervening period. Compulsory purchase was not an intervention that the council could make. In reply to a question, the Head of Planning and Regulatory Services said that a previous planning application for the site, before the call-in application, had been predominantly retail and commercial, including a supermarket, and had been deemed unviable because of changing market conditions. The Development Manager referred members to paragraph 258 of the report which set out the reasons for the failure to unlock this site for development.

A member referred to the deterioration of the site and asked what powers the council had to enforce the owners to maintain the site. The Development Manager said that the authority could place a S215 compliance order (Town and Country Planning Act 1990) on the site and a charge on the land if they did not comply which would affect future viability. A planning application had been submitted and it was better that the site was developed which would address these issues. There were parts of the site that were no longer in use including the multi-storey car park which were unsafe, and the roof of the former nightclub had been fenced off.

In reply to a member's question regarding the land evaluation given that a public subsidy was required to bring it forward, the Development Strategy Manager said the basis of the land evaluation in line with the standard Royal Institute of Chartered Surveyors (RICS) guidance, had taken the existing land use with a premium to bring that site forward. In true viability terms, 10 per cent affordable housing was above what the developer would be expected to offer. In policy terms (JCS4 and the NPPF), 33 per cent affordable housing was a starting point for negotiation and these policies allowed for reconsideration.

The Development Manager reiterated that there had been insufficient information to carry out an independent assessment on the Ash Sakula scheme, put forward by SAVE.

A member referred to paragraph 205 of the report and the wider income generated by the regeneration of Anglia Square and asked for further information on the likelihood of the private sector delivering this in the coming years. The Development Manager said that the three sites mentioned in the report (Barrack Street, St Mary's Works on George Street, and St Georges Street) were allocated for housing in the North City Centre Area Action Plan. The regeneration of Anglia Square could bring forward a further 700 to 750 dwellings on these sites and if delivering the Greater Norwich Local Plan level of affordable housing, 21 to 28 per cent more affordable housing. Anglia Square would improve the value of residential dwellings in this area and the viability of the adjacent sites. It was possible that the council owned site could be brought forward for development by the council's wholly owned company.

In reply to a member's question on the 5 per cent contingency cost, the Senior Planner said that the developers had their own inhouse contractors and could control costs. The Development Strategy Manager confirmed that costings were based on the Building Cost Information Service Construction Data (BCIS). Members were assured that the costs were verified by Avison Young on the council's behalf. A member suggested that due to rising costs there should be a viability review at 70 per cent. The Senior Planner said that the proposed occupation review levels worked as 30 per cent would be triggered part way through phase 2 allowing scope for all onsite provision of additional affordable housing within phase 3. Viability impacted the following phase. The Development Strategy Manager said that the phasing enabled the developer to finance the affordable housing.

The Head of Planning and Regulatory Services, in reply to a question, advised members that receipt of the HIF from Homes England was uncertain. She referred to paragraphs 226 and 227 of the report. If the committee approved the planning application, the council would need to apply for a deed of variation on the contract and enter into discussions with Homes England. These conversations should take place by the end of the summer. Members were advised that the HIF was not transferrable to another site. This could result in reputational damage to the council and reduce its credibility to bid for external funding in the future.

In reply to a question, the Development Strategy Manager confirmed that the evidence in the Housing Needs Assessment 2021 supported the need for one and two bed flats. There were more flatted developments in the city centre. The Local Plan minimum number of dwellings on this site was 800 and these were most likely to have been flatted development. The council's Home Options Team advised that 60 per cent of all applicants on the housing waiting list required one bed

accommodation. This scheme would also provide affordable housing for families with 11 two bed houses provided to the north of the site. The Senior Planner commented that the site was surrounded by the strategic road network and was a large district centre, and that flatted development was more suited to the location than traditional forms of family housing.

Members were advised that commercial use was predominantly on the ground floor in the detailed application. The outline application would deliver more ground floor access to residential accommodation. Images of town houses or duplexes at ground floor level had been shown in the pre-application drawings, particularly in the four storey blocks G and J with parking at the front, which would be considered at the reserved matters stage. Town houses had not been discouraged as part of the scheme.

In reply to a member's question, members were advised that the 555 cycle spaces were for the 365 dwellings delivered in the detailed part of the planning application. There was a minimum provision of one space per 1 bed flat and two spaces for the 2 bed larger flats. Bike stalls would be co-located with principal entrances into the flats. Members noted that there was no policy requirement to provide electric charging facilities for cargo bikes.

Discussion ensued on the Secretary of State's view that the use of single aspect dwellings was "a significantly sub-optimal design solution" and noting that the current application reduced this by a third. Members sought clarification that each dwelling would have adequate daylight/sunlight. It was considered that dual aspect would be more beneficial. The Development Manager said that each flat had been assessed for daylight/sunlight levels, some were fine and others marginal. Consideration had been made to other amenities, which included access to the communal gardens and balconies. Most flats had access to external amenity space. Members were advised that the safety of balconies would be covered by Building Regulations. The Senior Planner assured members that the number of single aspect dwellings was less than the call-in application and that each flat had been assessed individually. The level of amenity was considered satisfactory. The developers confirmed that single aspect flats were saleable.

The Policy Project and Transportation Manager confirmed, in response to a question from a member, that the use of different surfaces and a small kerb would make it clear where to walk or ride a bike on the extended section of St George's Street, which forms part of the yellow pedalway. There would be points where the cross movement of pedestrians meant the design would not separate pedestrians from cyclists. The width of the cycle path on St George's Street would be 3 metres (on the revised landscape plans) and designed for two-way cycle movements.

The committee considered the provision of car club spaces. It was noted that it was the same provision as for the call-in scheme, which was up to 5 spaces as requested by the car club. Members were advised that the site was in a sustainable location which encouraged a modal shift to sustainable modes of transport.

The Senior Planner answered members' questions on the provision of car parking for residents, pointing out that 11 spaces would be for the 11 dwellings (houses) and that the remainder of parking spaces would be sold to residents individually.

In reply to a question, the Development Manager referred to the report and explained that this scheme did not provide capital costs for the provision of health care for potential residents. The Greater Norwich Growth Partnership forecast provision for development. Under the S106 agreement floor space would be held for the NHS for a period of 6 months and would be available at the market rate.

Members were advised that additional bus stop provision would be in phase 2 of the development.

In reply to a question, the Senior Planner referred to paragraph 775 which set out the details of the proposed surface water strategy that would result in a betterment to the Anglia Water network and met its requirements.

A member asked what the economic and social benefits would result from the scheme. The Economic Development Officer - Policy and Projects and the Economic Development Manager advised the committee on the benefits which included the creation of apprenticeships and other opportunities in construction, new job opportunities in shops and other businesses, from increased footfall, and wider benefits to the locality and wider area. Members were assured that the figures submitted by the applicant had been measured against the industry standard.

(The committee adjourned for a short break between 15:45 and 16:00, and reconvened with all members present, as listed above.)

A member asked that members were consulted on the S106 agreement in detail to consider the management of the community hub, its capacity and location of fire exits, as it effected the viability of the space and its success depended on its management. The Development Manager said that the S106 agreement was a contract which set out the obligations of the developer, as set out in the table in the report, was subject to negotiation and drafted so that it was enforceable. However, authority was delegated to officers to finalise the exact wording of the agreement. The S106 covered the provision of the space for the community hub and, whilst capacity was an issue for fire and building regulations, officers negotiating the fitting out of it could refer to capacity to ensure that the hub was a usable space.

The Senior Landscape Architect acknowledged that it was a challenge to get planting podiums right but was aware that the developers were experienced. The irrigation and care of the plants was covered by condition. There would be careful selection of plants including drought proof ones. The scheme would provide 200 new trees and make a significant contribution through street planting and green roofs to the green infrastructure links, with the nearest green open space at Gildencroft Park. The Development Manager drew members' attention to the developer's obligations under S106 to pay the Norfolk Green Infrastructure and Recreational Avoidance and Mitigation Strategy (GIRAMS) which was a countywide contribution, to mitigate for the additional growth and impact on designated sites. Natural England was satisfied that a condition be applied to planning consent. The applicant was also contributing to enhancements to facilities at Wensum Park and Gildencroft Park.

The committee then considered the heritage assets. The Policy, Projects and Transport Manager commented on the significance of the medieval Grade I listed St Augustine's church; only medieval church surviving in that part of the city centre,

with an intact form plan and tower, refaced with brick in the 18<sup>th</sup> century, that featured as a landmark in the local area. Any harm that would be caused to its fabric or in the case of this application to its setting had to be given great weight in the assessment. Other features taken into consideration were its setting surrounded by a large churchyard and in relationship to the cottages at 2-12 Gildencroft, as the parish church for the area and the surrounding street pattern.

In reply to a question, the Policy, Projects and Transport Manager commented on the buildings listed in paragraph 12 of the report where applications had been made in the last 12 months for the statutory listing of buildings. Members were advised that when considering the justification for the demolition of buildings in Pitt Street the council had applied the same reasoning to 43-45 Pitt Street which was locally listed and the brick and flint warehouse building to the rear of 47-51 Pitt Street.

The Head of Planning and Regulatory Services referred to the NPPF and said that the officers' assessment was that the development would cause less than substantial harm to St Augustine's church, which was at the lower end of the scale, and that harm had been weighed against the wider public benefits of the proposals.

The Historic Environment Senior Officer (Strategy and Advice), Norfolk County Council, said that he had advised council officers on both this and the call-in application. In 2005 he had been involved in a survey of the brick and flint building to the rear of Pitt Street. There was no doubt that it was within the churchyard of the former St Olave's church. The survey provided no evidence that the fabric of the building was medieval and that materials were later than burials found at the site. He referred members to paragraph 14 of the report and said that as there was a remote possibility that some medieval fabric was present, specific conditions had been requested as well as a wider archaeological survey. The Development Manager said that the archaeological significance of this part of the site was recognised which was why it would be in the first phase of the development.

Discussion ensued on the massing of the buildings in the proposed scheme in comparison to the call-in scheme and considering the Secretary of State's judgement on the call-in scheme, informed by the Planning Inspector through the public inquiry (as set out in table at paragraph 487). A member asked for the justification of the massing of the blocks, acknowledging the development required density to achieve viability. The Policy, Projects and Transport Manager referred to the views that had been displayed in the presentation and that this demonstrated that the current scheme was invisible from the Cathedral Meadows. The Secretary of State had considered the call-in scheme had a neutral impact on the conservation area. Members had to be mindful that the reduced scale of the current scheme could therefore be considered beneficial. The community review panel indicated that the unique character of Anglia Square was appreciated. The Head of Planning and Regulatory Services said that the council did not agree with the organisations that considered that any development should defer to a low-rise benchmark that predates the current buildings on site and read out paragraph 517 in its entirety. Members were advised that the planning authority was in broad agreement with the Secretary of State and Planning Inspector in relation to the previous application and had used it as the benchmark for the current application.

Further discussion ensued on the impact of Sovereign House and large-scale development of the site in the 60s and 70s. Members were advised that the

proposed blocks were modulated across the site to achieve the density of housing required and minimising the impact on the historic environment. Paragraph 486 set out the beneficial change to the character of the conservation area that could be achieved by this development.

In reply to a question, the Head of Planning and Regulatory Services said that the assessment on the impact of the scheme on heritage assets was detailed and defensible. The Development Manager commented that officers had adjusted their assessment where the Secretary of State and Planning Inspector, considering the call-in application, had indicated that the level of harm had been underestimated.

Members then asked several questions on the report. This included: confirmation that the assessment of £25k as a median salary was considered accurate; noting that some flats would have more than one occupant; that there would be post boxes in the lobby areas of the apartment blocks and Amazon collection boxes at the community hub. Members were advised that the private studio use at Gildengate House did not meet the definition to require protection of community facilities under policy DM22.

Members also sought reassurance that the phasing of the construction would allow businesses to remain open and operational and limit the scale of demolition and construction taking place at any point in time. A medium sized retail food store was proposed for Block M as well as smaller retail units, suitable for the district centre use.

The Senior Planner provided clarification that the heat source pumps were to provide hot water for the new homes not space heating. There was scope for solar panels, but these had not been specified. All the flat roofs would be green. The scheme delivered biodiversity net gain and sustainable drainage. The developer had exceeded the policy requirement.

Members were advised that the planning consent for the previous under the flyover scheme had lapsed. There was provision under the S106 agreement for a public realm scheme to be delivered by the developer or by the council.

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

Discussion ensued in which members commented on the application.

Members commented that many elements of the scheme came down to viability. It was regrettable that no more than 10 per cent affordable housing could be achieved on the site. The development would provide more homes and some affordable homes. No other viable alternative had been presented. The scheme would regenerate a deprived area of the city centre and improve its appearance. The scheme delivered much needed housing in the city.

Other members considered that they could not support the application and that there could be a better scheme available in the future. Concern was expressed that the scheme did not deliver more affordable housing and that privately rented properties were too expensive for many residents. The proposal lacked parking for carers, did not provide cycle parking for all residents, and should include solar panels. Members



also expressed concern on heritage grounds in relation to the demolition of buildings in Pitt Street. The design of the scheme with its single aspect windows, was more “Riverside” than a reflection of the Brutalist buildings that currently comprised Anglia Square.

During discussion a member sought clarification on the policy position regarding funding of healthcare. Members were advised that funding was through general taxation and did not allow for CIL or S106 to be used to fund health provision.

The chair and several members of their committee expressed their gratitude to the officers for the work they had put in to bring this application to the committee.

**RESOLVED** with 8 members voting in favour (Councillors Driver, Sands (M), Sands (S), Peek, Galvin, Thomas (Va), Thomas (Vi) and Lubbock) and 5 members voting against (Councillors Stutely, Davis, Champion, Grahame and Young) to approve application no. 22/00434/F - Anglia Square including land and buildings to the north and west and grant planning permission, subject to the completion of a satisfactory legal agreement to include provision of affordable housing and matters listed in paragraph 784 of the report and subject to the following conditions:

- 1 Time limits
- 2 In accordance with plans, drawings and details
- 3 Details to be approved (detailed blocks) – external materials, windows/ reveals, eaves and verges, louvres, doors, balconies, external flues etc, rainwater goods, street signs and lettering and shopfronts,
- 4 Details to be approved (detailed landscape) – hard and soft, play, ecology enhancements, public art, street furniture and management arrangements
- 5 Details to be approved - new canopy for Anglia Square
- 6 Detailed blocks - noise attenuation (for dwellings)
- 7 Details to be approved - Block B: boundary wall treatment /gateway leading to St Leonard play area
- 8 Blocks B - small mammal gaps
- 9 Outline elements – reserved matters to be approved layout, external appearance and landscaping
- 10 In accordance with parameter plans – additional details at RM, noise assessment (external spaces), BNG report, fire statement, Arboricultural Impact Statement formation of access from St Crispins Road
- 11 In accordance with phasing plan
- 12 Limits - maximum quantum of floorspace and dwellings
- 13 Reserved matters for blocks G, H and E to include a minimum amount of floorspace for commercial uses: Block G – min 420sqm GIA on the Anglia Square/Botolph Street frontage; Block H – min 360sqm GIA on Anglia Square frontage + min of 160sqm GIA on Botolph Street frontage; Block E – min 80 sqm GIA on Botolph Street frontage
- 14 Block M - provision of foodstore (min 559sqm) limitation on sale % non-convenience goods
- 15 Block D – provision of community hub floorspace (550sqm hub, 146sqm community hall)

- 16 Block A and KL - provision of 3 x large format units - limited to Class E(a)
- 17 Provision - minimum of 200 sqm. (Gross Internal Area (GIA)) of floorspace for purposes within Use Class E(b) food and drink and/or Sui Generis drinking establishments with expanded food provision
- 18 The commercial floorspace shall include a minimum of ten units, each with a ground floor area between 70 and 150sqm (NIA)
- 19 Construction and Environmental Management Plan – submission, approval, implementation
- 20 Demolition statement - submission, approval, implementation
- 21 Clearance of trees/hedges etc - outside of nesting season (standard condition)
- 22 Demolition and Construction Traffic Management Plan and Access Route
- 23 Archaeology - requirement for written scheme of investigation (WSI). Implementation in accordance with WSI
- 24 Warehouse to rear of 47-51 Pitt Street - historic building recording – bespoke, to be agreed
- 25 Warehouse to rear of 47-51 Pitt Street – requirement for WSI for the controlled and supervised dismantling
- 26 Three parish boundary markers on the side wall of 53-55 Pitt Street - to be stored and reinstated on the new buildings in as close to the same location as possible
- 27 Lifting, safe storing and re-using of the cobble setts on Botolph Street
- 28 Contamination - investigation, remediation, verification
- 29 Unknown contamination – standard condition
- 30 No drainage system for the infiltration of surface water drainage into the ground is permitted other than with the express written consent
- 31 Piling operations requirement for Piling Method Statement shall be submitted to and approved
- 32 Surface water drainage / flood risk condition as required by LLFA
- 33 Flood warning and evacuation
- 34 Scheme for on-site foul water drainage works, including connection point and discharge rate,
- 35 Phases 3 and 4 – further noise impact assessment to establish noise attenuation requirements
- 36 Phase 4 – further air quality monitoring to establish need for mitigation measures
- 37 Conditions required by local highway authority in relation to phasing of off –  
site highway works  
Including (but not limited to):  
Phase 1 – New Botolph Street and Edward Street crossings  
Phase 2 - Magdalen Street improvements including to bus stops and passenger waiting and new crossing  
Phase 3 - Cherry Lane and new St Crispins access  
Phase 4 - Pitt Street frontage  
  
Plus: street frontage improvements, protection of visibility splays
- 38 Details (each phase) bike and bin stores

- 39 Details (each phase) Delivery and Servicing Management Plan
- 40 Electric vehicle charging provision
- 41 Limitation on use of residential parking - no use as commuter or contract parking
- 42 Demolition of Sovereign House prior to any part of Blocks E, EF, F
- 43 Details - crime prevention measures
- 44 Details - flues/extraction for any food/drink uses
- 45 No PD - Plant/machinery – details required
- 46 No PD – Communication apparatus /antennae
- 47 Compliance - 10% - M4(2) of the 2015 Building Regulations for accessible and adaptable dwellings.
  
- 48 Compliance - 110 litres/person/day water efficiency set out in part G2 of the 2015 Building Regulations for water usage.
  
- 49 Scheme – water efficiency for non-residential units
- 50 Compliance – National described space standards
- 51 Travel plan - residential
- 52 Travel plan - commercial
- 53 Scheme – Heritage interpretation
- 54 Remove permitted development rights for changes of use from commercial to residential.

**Informatives**, including:

Norwich airport information relating to procedure for crane notification.

None of the development (business or residential) will be entitled to on-street parking permits offered by the council.

Those required by local highway authority and utility operators.

CHAIR



**Summary of planning applications for consideration****ITEM 5****08 June 2023**

<b>Item no</b>	<b>Application no</b>	<b>Location</b>	<b>Case officer</b>	<b>Proposal</b>	<b>Reason for consideration at committee</b>	<b>Recommendation</b>
5a	23/00271/F and 23/00272/L	30 Bethel Street Norwich NR2 1NR	Nyasha Dzwowa	Installation of 2no. air conditioning units at roof level.	Objections	Approve



## **STANDING DUTIES**

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

### **Equality Act 2010**

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

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

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

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

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

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

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

### **Crime and Disorder Act, 1998 (S17)**

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

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

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

### **Natural Environment & Rural Communities Act 2006 (S40)**

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

### **Planning Act 2008 (S183)**

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

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

#### ***Article 8 – Right to Respect for Private and Family Life***

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



**Report to** Planning Applications Committee

**Report of** Head of Planning & Regulatory Services

**Subject** Applications 23/00271/F and 23/00272/L - 30 Bethel Street, Norwich, NR2 1NR

**Reason for referral** Objections

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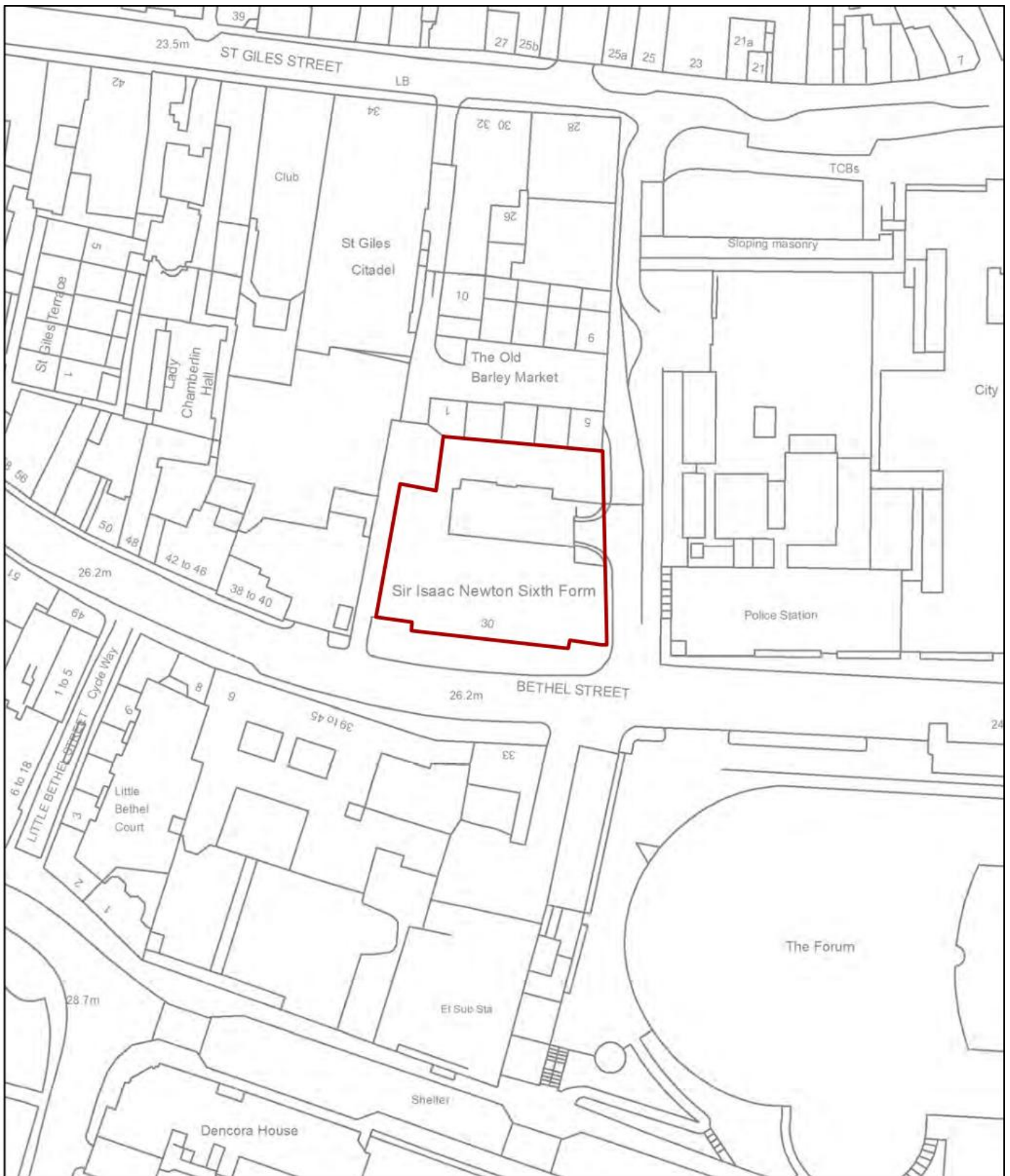
Item

5a

<b>Ward</b>	Mancroft
<b>Case officer</b>	Nyasha Dzwowa - <a href="mailto:nyashadzwowa@norwich.gov.uk">nyashadzwowa@norwich.gov.uk</a>
<b>Applicant</b>	Inspiration Trust

<b>Development proposal-</b> 23/00271/F and 23/00272/L		
Installation of 2no. air conditioning units at roof level.		
<b>Representations</b>		
Object	Comment	Support
2	0	0

<b>Main issues</b>	<b>Key considerations</b>
1	Design and Heritage
2	Amenity
<b>Expiry date</b>	16 June 2023
<b>Recommendation</b>	Approve



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Planning Application No 23/00271/F & 23/00272/L  
Site Address 30 Bethel Street

Scale 1:1,000

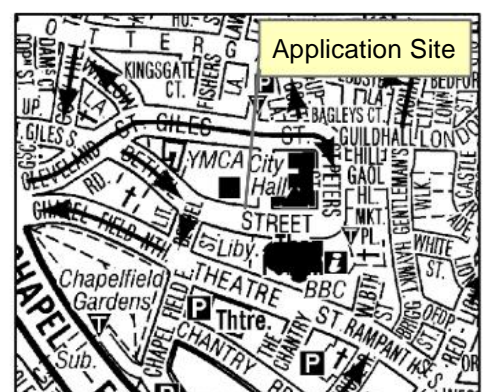


**NORWICH**  
City Council

PLANNING SERVICES



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## The site and surroundings

1. The subject site is located north of Bethel Street within the Civic Character Area of the City Centre Conservation Area. The building was formerly used as a fire station and is now in use as Sir Isaac Newton Sixth Form.
2. The site is surrounded by listed buildings to the west, south and east, creating group value with the grade II\* Listed City Hall and Police Station which were all constructed in the 1930s. To the north of the site there is residential dwellings in The Old Barley Market and some residential properties are also located south of the site on the opposite side of Bethel Street.
3. The subject building is Grade II listed and the list describes it as follows:

Fire Station of 1932-34, by Stanley G Livock.

### MATERIALS

The station is constructed of red brick with Portland stone dressings, built on a concrete frame, with a tiled, hipped roof.

### PLAN

The plan comprises a three storey front range incorporating vehicular access on ground floor, with leisure rooms and crew accommodation above and staircases and pole access at each end. Family accommodation is in the three and four storey western range, at right-angles to the front block and office accommodation and entrance to the drill yard at the east elevation. Further garaging and a practice and hose drying tower are at the rear, adjoining the former Weights and Measures Office.

### EXTERIOR

The facade has eight, double-height, square panelled doors framed by stone pilasters supporting an entablature with the words 'FIRE STATION' affixed. Pedestrian access is through similarly designed doors at the west and east ends. That to the west has a simple moulded stone surround, but the east door has a square fanlight above with curvilinear glazing bars, and stone pilaster architrave. Centrally positioned above each vehicle door is a 28-light Crittall window with a square brick head, and above each pedestrian door, there is a window opening with ogee-shaped head, moulded stone surround and balcony with cast-iron balustrade. On the second floor, there are fourteen smaller 16-light Crittall windows. Centrally placed is a stone plaque with the City coat of arms and date 1934, supporting a flag pole. Both the west and east elevations have similar arrangements of fenestration; the east block is shorter to allow access to the drill yard framed by curving enclosure walls culminating in brick and stone piers adorned by 1930s lanterns. At the rear of the front block, vehicle doors lead to the drill yard on the ground floor where a later C20 partial covering has been erected. Additional garaging is accommodated at the ground floor of the western block and in the practice tower block to the rear. The latter, integrated into the former Weights and Measures office, incorporates the four storey slightly projecting practice and hose drying tower styled as a campanile, with a deeply recessed entrance door with moulded stone surround and recessed window openings with square heads at each storey until the fourth which has an arched brick head. Above, a dentil cornice and louvred openings on each side are topped by a pyramidal roof supporting a weather vane depicting a fire engine, perhaps a unique feature. Throughout, all windows appear

to have the original Crittall frames and the 1930s rainwater goods remain.

## INTERIOR

There is a remarkable of original fixtures and fittings in all blocks with the exception of the former Weights and Measures office which was not part of the original station and does not contain any contemporary fittings apart from the staircase. The original doors and window furniture largely remain throughout. In the front block, the vehicle door fittings survive, as does the tiled wall surrounds in the vehicle bay, original poles and staircases. Only the two flights and the balustrade of the east staircase have been replaced. The first floor former library and snooker room have original wooden panelling. The crew rooms on the second floor largely have original basins and radiators. In the western block, individual flats for the station officers are arranged off each landing, with identical layout of rooms and most with their original simple cornices and fireplaces with tiled surrounds.

## HISTORY

From the mid C19 onwards, Fire Stations began to appear all over the country, usually following the formation of a local brigade by the Police, insurance companies and local individuals. In the later C19, the Norwich municipal fire engine was kept beneath the Sheriff's office at the Guildhall, relocating to larger premises in Pottergate in 1899. Changing requirements prompted the need for additional facilities and the Bethel Street Fire Station was designed as a key building in the visionary new Civic Centre at the heart of the City, conceived during the 1920s. The layout of the centre was designed to integrate with the historic buildings of Norwich and is described by Pevsner as 'one of the best examples of municipal town planning in England.'

City Hall (James and Pierce, 1937-38) was intended to be the first of the buildings constructed, but in the event the Fire Station, by Norwich architect Stanley Livock, was built first in 1932-34. Photographic evidence of the Fire Station when it was being constructed, and after it was first opened, confirms that the building is little altered.

## SOURCES

Pevsner, N 'Norfolk 1 Norwich and the North-east' 1962, revised 1997, p. 163  
City of Norwich Corporation, 'City of Norwich Plan' 1945

## REASONS FOR DESIGNATION DECISION

The Bethel Street Fire Station is designated for listing in grade II for the following principal reasons.

\*It is substantially intact with a remarkable survival of fixtures and fittings

\*It has architectural quality of design, portraying gravitas and authority combined with successful functionality, and it forms a thoughtful and well balanced composition.

\*It has group value with the II-\* listed City Hall and Police Station, and is a key building in the Civic complex in the historic Norwich city centre.

LISTING NGR: TG2277308481

## Constraints

4. City Centre Conservation Area  
Grade II Listed  
City Centre Leisure Area  
Area of Main Archaeological Interest  
Areas for Increased Parking  
City Centre Parking Area

## Relevant planning history

5. The records held by the city council show an extensive planning history, with the following being recent or relevant to this proposal.

Ref	Proposal	Decision	Date
22/00402/F	Installation of roof top air conditioning unit and associated pipework.	APPR	15/06/2022
22/00404/L	Relocation of 2 No. timber stud walls, reconfiguration of lighting and flooring and installation of air conditioning unit and associated pipework.	APPR	15/06/2022
22/01334/F	Installation of an electric vehicle charging point and relocating the cycle storage. (Retrospective)	APPR	17/03/2023
22/01336/L	Installation of an electric vehicle charging point and relocating the cycle storage. (Retrospective)	APPR	17/03/2023

## The proposal

6. Two applications are brought before the committee. The first application is for full planning permission (23/00271/F) and the second is for listed building consent (23/00272/L).
7. Both applications seek to install 2 air conditioning units on the north wing of the building. The units will be installed 7.7m away from the edge of the roof closest to Old Barley Market on the northern building. The units will allow for better thermal comfort for staff and students in two classrooms on the ground floor.

## Representations

8. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below.

Issues raised	Response
The additional units will generate noise and pollution which will affect residents of The Old Barley Market	See main issue 2

## Consultation responses

9. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

## Design and conservation

10. A Conservation and Design Officer was consulted and they have no objection to the proposed.
11. The Officers assessment concluded that “The air-con units will have less than substantial harm on the listed building and character and appearance of the conservation area, but still a level of harm at the lower end of the scale.”
12. However, the following conditions were recommended;
- a) To screen the units or set them further back.
  - b) Details and sample of the finish of the units to be submitted for assessment.
  - c) Details of service routes to be submitted for assessment.

## Environmental protection

13. The Adrian James Noise Report ref 13521 Report 1.docx dated 27<sup>th</sup> January 2023 finds that the noise from the air conditioning units would not have a negative impact on the closest receptors provided the units are only run during the opening hours of the college and not run at night. I have no objections to the installation of these units but would like to condition the operating hours to 8am till 5pm.

## Assessment of planning considerations

### Relevant development plan policies

14. **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
15. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM9 Safeguarding Norwich’s heritage
  - DM11 Protecting against environmental hazards

### Other material considerations

16. **Relevant sections of the National Planning Policy Framework July 2021 (NPPF):**
- NPPF12 Achieving well-designed places
  - NPPF16 Conserving and enhancing the historic environment

## Case Assessment

17. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning 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: Design & Heritage

18. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 126-136 & 189-208
19. 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.
20. The proposed air conditioning units will be mounted on the roof of the northern building on the site, this will be an addition to the existing equipment on the roof. The new units will be the tallest equipment on the roof of the northern wing of the site. The units would be partially visible from the street level on Ingham Street and within the boundary of the property, therefore impact on the wider area is minimal. There is no visibility from Bethel Street which is the principal elevation.
21. In response to the Conservation Officers comments, the recommendation to screen the units to mitigate the impact on the heritage asset is acknowledged however this is not considered to be necessary as other equipment on the site can be partially seen from Ingham Street. Further, visibility is from a side elevation which has less historic significance therefore, the harm is considered to be have been minimised. Within the surrounding area it is common to have partial visibility of equipment on the roof, therefore, screening is not considered to be necessary. The Officer also recommended setting the units further back from the edge, this is not possible as the recommendation in the Noise Impact Assessment is for the units to be positioned at least 6m away from the residential properties. Therefore, repositioning the units would increase noise for residents. It is considered that the harm to the character and significance of the listed building and the surrounding conservation area is less than substantial. The proposed units are small scale equipment and they will not significantly impact the design and character of the building or its surrounding.
22. The recommendation to attach a condition regarding the material and colour of the units has been considered and it is concluded that this is not necessary as the

specification provided clearly shows the appearance of the units. Furthermore, the proposed units are the same as the existing air conditioning unit on the southern part of the building, which was approved in 2022.

23. Sufficient information has been submitted to show that the units can be serviced without causing significant harm to the physical fabric of the building. Internally the building is modern with few features of historic significance. However, it is considered necessary to condition that full service route details are submitted for further assessment to avoid unnecessary harm to historic fabric.
24. The less than substantial harm identified is considered to be outweighed by the public benefit of providing a comfortable learning and working environment for students and staff and by modernising the building's facilities in order that it may continue to be occupied and maintained. The proposal therefore satisfies paragraph 202 of the National Planning Policy Framework.

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

25. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
26. In the objections concerns were raised regarding the proposed units causing disturbance to the residents of The Old Barley Market by noise generated by the proposed units. Objections also expressed concerns regarding pollution from the proposed units.
27. The proposed units are air conditioners and will not emit any form of pollution from the classrooms they serve.
28. The units will be positioned on the roof of the northern building and will be set back from the frontage of the building by 0.66m and also be positioned 7.7m away from the roof edge closest to the nearest receptors at The Old Barley Market.
29. The proposed units would only be used during the hot summer months and would only operate during daytime hours. The units would not have an adverse impact on nearby residential dwellings as the plant sound rating level will be at least 2dB below the background noise level during the day.
30. The Council's Environmental Protection Officer was satisfied with the findings of the Noise Impact Assessment which concluded that the units will not have an adverse impact on nearby residential dwellings however a condition limiting the hours of operation has been recommended in order to reduce the cumulative impact of the additional units. Furthermore, it is recommended to add a condition for the units to be installed using anti-vibration mountings to further reduce the impact on amenity.

### **Other matters**

31. **Assessment of Impacts under the Conservation of Habitats & Species Regulations 2017 (as amended)**

Site Affected: (a) Broadlands SAC/Broadland Ramsar

(b) River Wensum SAC

Potential effect: (a) Increased nitrogen and phosphorus loading



(b) Increased phosphorous loading

The application represents a 'proposal or project' under the above regulations. Before deciding whether approval can be granted, the council as a competent authority must undertake an appropriate assessment to determine whether or not the proposal is likely, either on its own or in combination with other projects, to have any likely significant effects upon the Broads SAC, and if so, whether or not those effects can be mitigated against.

The Council's assessment is set out below and is based on advice contained in the letter from Natural England to LPA Chief Executives and Heads of Planning dated 16 March 2022.

Broads SAC/Broadland Ramsar.

Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND

Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer:NO

The answer to this question is based on the NE advice that development not including overnight accommodation generally does not need to be included in an assessment.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

River Wensum SAC

Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND

Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer:NO

The answer to this question is based on the NE advice that development not including overnight accommodation generally does not need to be included in an assessment. In addition, the discharge for WwTW is downstream of the SAC.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

## **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 proposed units will have a minimal impact on the amenity of nearby residential properties and will have less than substantial harm on the Grade II Listed Building and the surrounding Conservation Area. 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**

(1) To approve application 23/00271/F at 30 Bethel Street, Norwich NR2 1NR and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Hours of operation;
4. Anti-vibration mountings;

(2) To approve application 23/00272/L at 30 Bethel Street, Norwich NR2 1NR and grant listed building consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Servicing details.

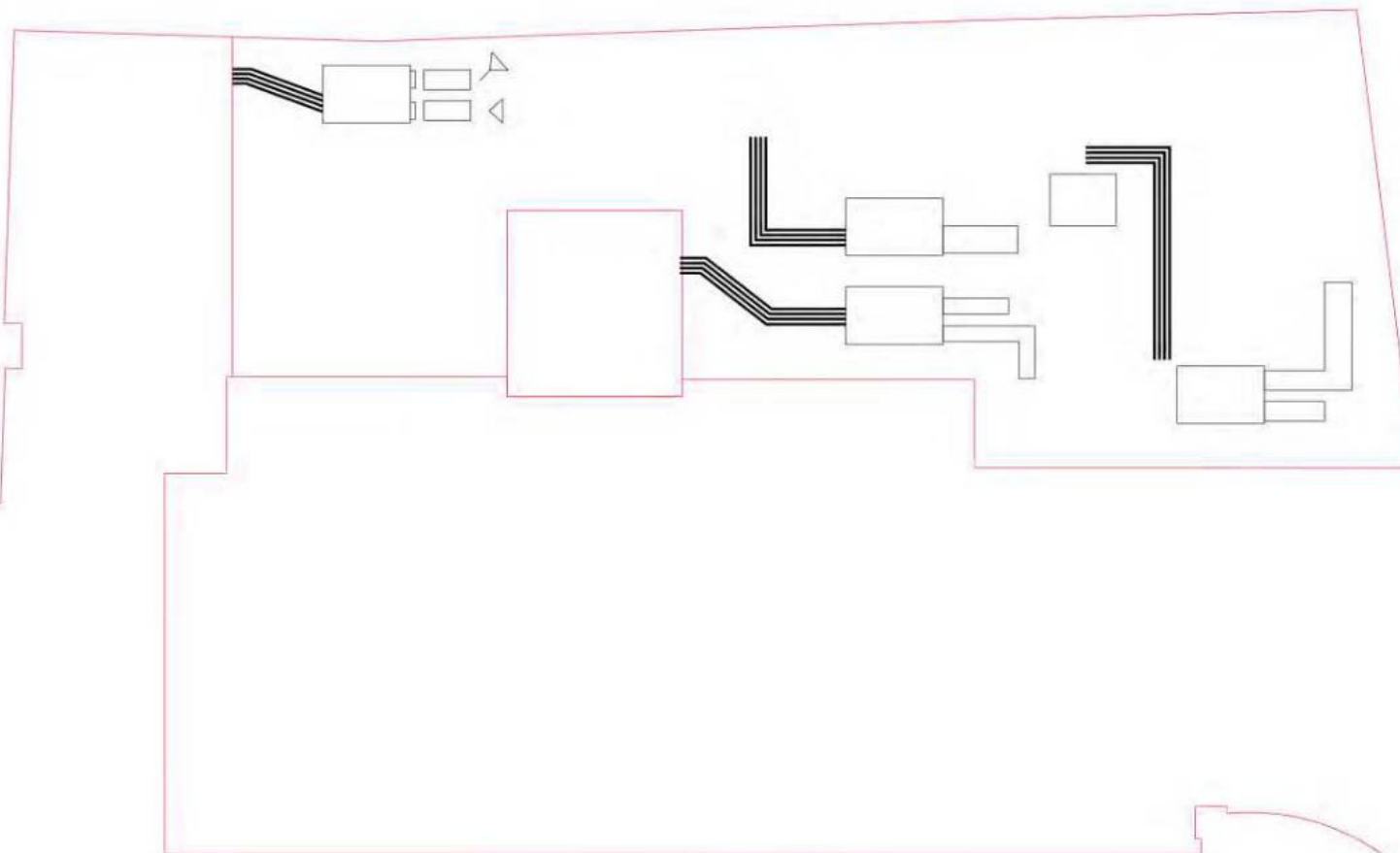
Reason for approval:

The proposed works will have minimal impact on the overall special architectural and historic interest of the Grade II listed building and the Conservation Area. The works are beneficial to the long-term use of the Grade II listed building. The proposal is therefore considered to be in accordance with the objectives of NPPF, Policy 2 of the Adopted Joint Core Strategy (March 2011) and policies DM1, DM3 and DM9 of the Norwich Development Management Policies Local Plan (December 2014).



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D01 First Issue		Scale @ 1:50	Drawn By	Check By
Project No: 305060		Scale @ 1:50	Drawn By: AJJ	Check By:

**Ingleton Wood** Roberts and Corporation

**Vision, form and function**

**Internal Alterations**  
 Sir Isaac Newton Six Form  
 Norwich  
 NR2 1NR

Client: Inspiration Trust

View: Roof Plan  
 Existing

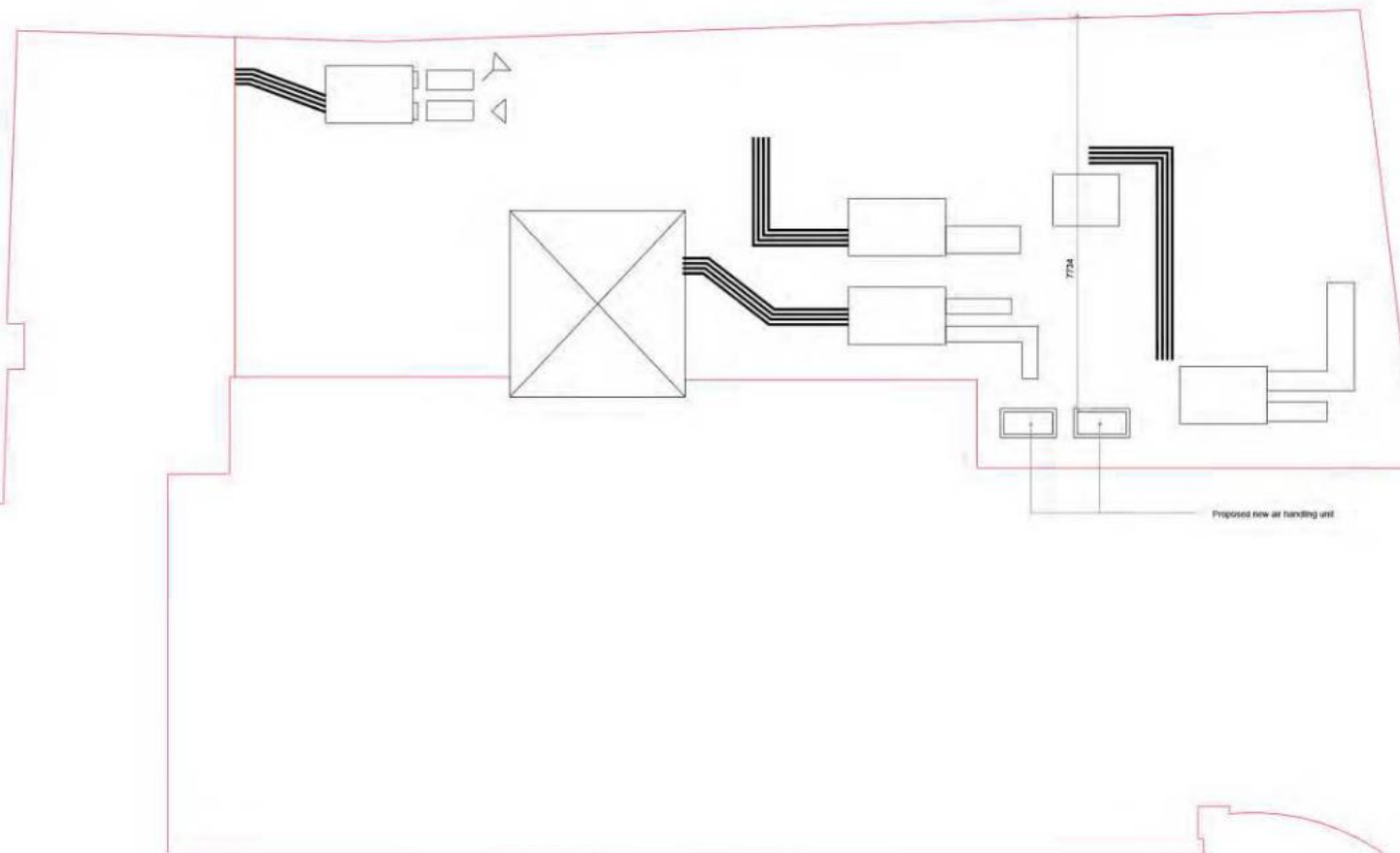
Drawing Number: 305147-IWD-XX-XX-DR-B-2001

Sheet: S2	Purpose of Issue: Planning	Revision: P01
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0011	Final Issue	0000135	12/04/2020
0011	Final Issue	0000135	12/04/2020
0011	Final Issue	0000135	12/04/2020

Project No.	Scale @ A1	Drawn By
305147	1:50	AJ

**Ingleton Wood**      **Project and Construction Consultants**

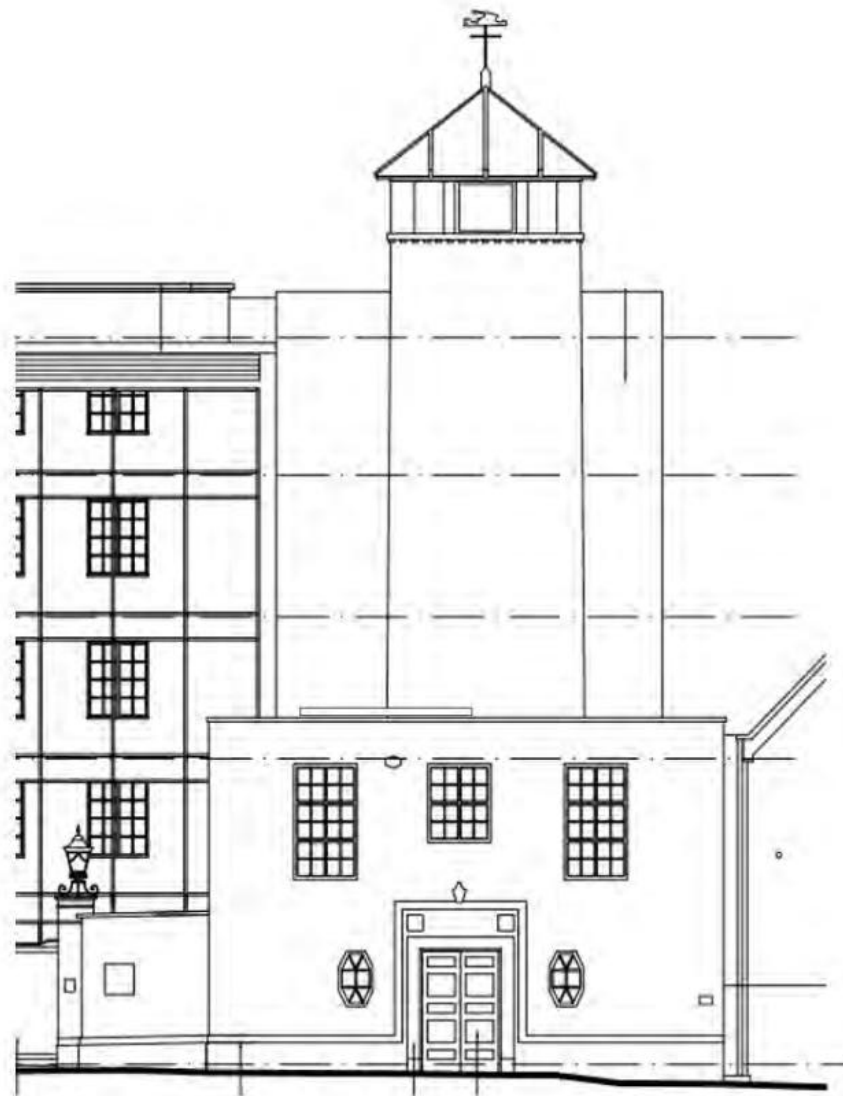
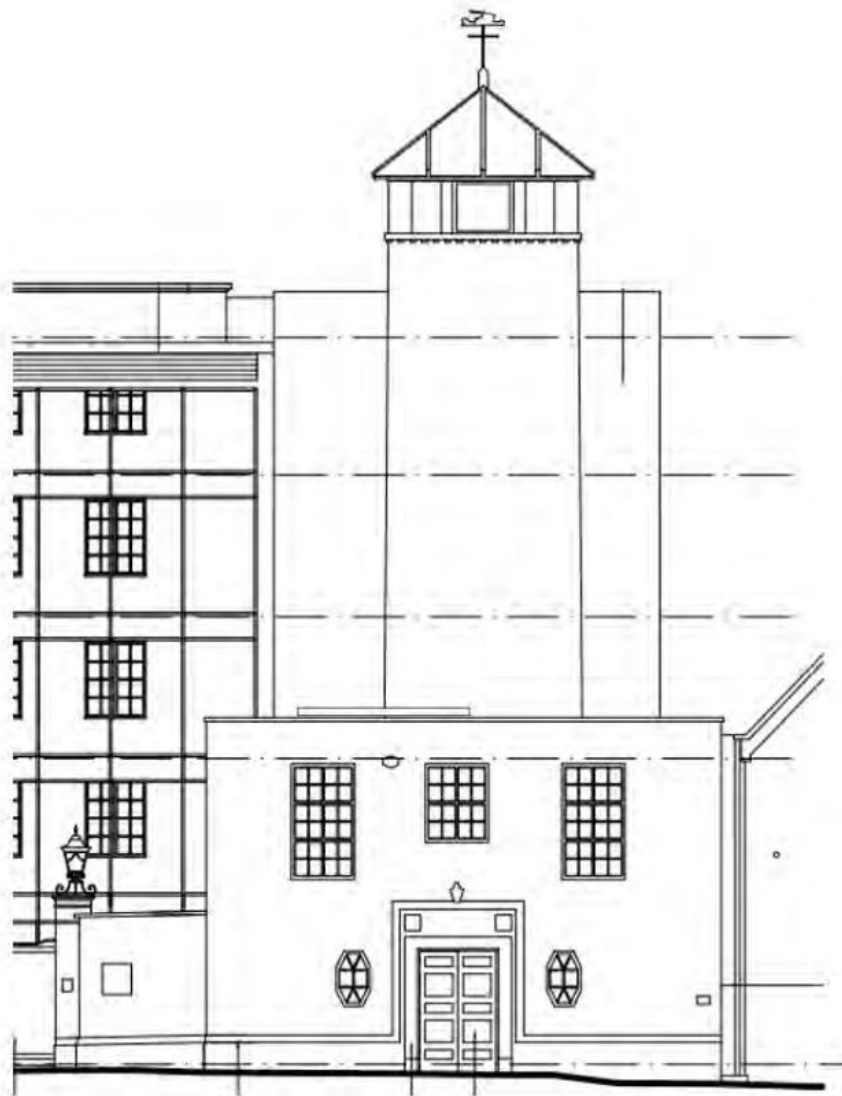
Vision, form and function  
Internal Alterations  
Sir Isaac Newton Sixth Form  
Norwich  
NR2 1NR

Client  
Inspiration Trust

View  
Roof Plan  
Proposed

Drawing Number  
305060-IWD-XX-XX-DR-B-2002

Sheet No.	Purpose of Sheet	Page No.
S2	Planning	P01



Project Name	Ingleson Wood Ltd.	Version	01
Project No.	ISNEW-01	Scale	1:250
Project Date	2023-01-01	Sheet No.	01



Vision, form and function  
Listed Building Consent  
Sir Isaac Newton Sixth Form  
Ber Street  
Norwich

Sir Isaac Newton Sixth Form

Existing and proposed east elevation

Project Name	Ingleson Wood Ltd.	Version	01
Project No.	ISNEW-01	Scale	1:250
Project Date	2023-01-01	Sheet No.	01



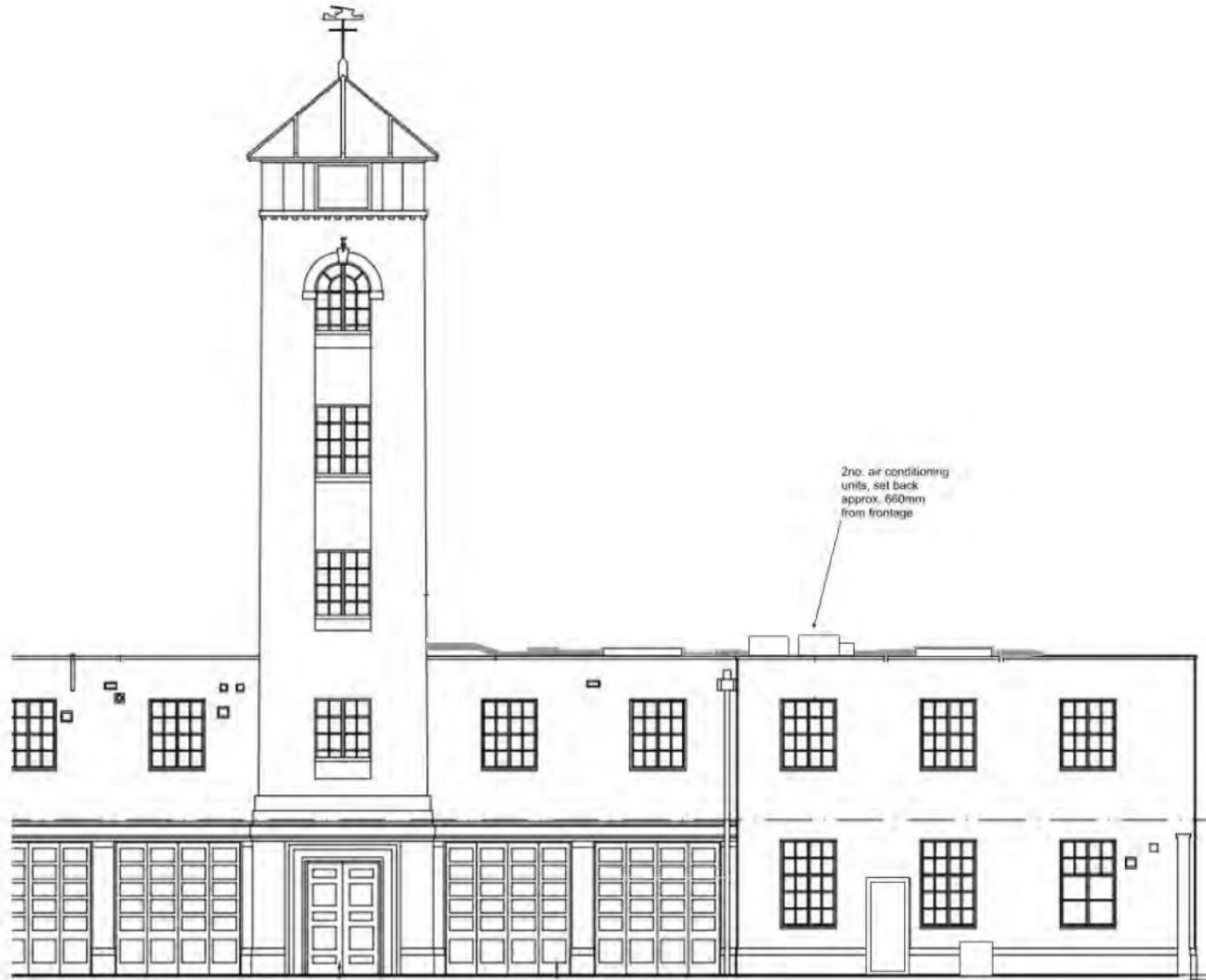
Students should be advised that this drawing is for information only and is not a contract. It is the responsibility of the client to ensure that the drawing is used for the purpose intended. The drawing is not to be used for any other purpose without the written consent of the architect. This drawing is to be used for the purpose of the design and is not to be used for any other purpose without the written consent of the architect.



Project Name	Project No.	Scale	1:50
Client Name	Client No.	Drawn By	Drawn Date



Vision, form and function  
Project  
Listed Building Consent  
Sir Isaac Newton Sixth Form  
Ber Street  
Norwich.  
Client  
Sir Isaac Newton Sixth Form  
Date  
Existing South Elevation  
Project Number  
ISANEW-IW-01-00-DR-A-5000  
Drawn By  
S2  
Information  
P1



Project Name	Project No.	Version	Rev.
ISANEW-1W-01-00-DR-A-5001	01	01	01
Project No.	Sheet No.	Scale	Unit
01	01	1:50	mm



Vision, form and function  
Project  
Listed Building Consent  
Sir Isaac Newton Sixth Form  
Ber Street  
Norwich.

Sir Isaac Newton Sixth Form

Proposed South Elevation

Project Name	Project No.	Version	Rev.
ISANEW-1W-01-00-DR-A-5001	01	01	01
Project No.	Sheet No.	Scale	Unit
01	01	1:50	mm

