



**NORWICH**  
City Council

### Planning applications committee

**Date:** Thursday, 11 October 2018

**Time:** 09:30

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

#### Committee members:

##### Councillors:

Driver (chair)  
Maxwell (vice chair)  
Bradford  
Brociek-Coulton  
Henderson  
Malik  
Peek  
Raby  
Ryan  
Sands (M)  
Stutely  
Trevor  
Wright

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## Agenda

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**1 Apologies**

To receive apologies for absence

**2 Declarations of interest**

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

**3 Minutes**

**5 - 16**

To approve the accuracy of the minutes of the meeting held on 13 September 2018

**4 Planning applications**

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

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

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

Please note:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available
- The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.

**Summary of applications for consideration (including enforcement cases)**

**17 - 18**

**Standing duties**

**19 - 20**

4(a)	Application no 18/00973/F - Union Building 51 - 59 Rose Lane, Norwich	21 - 30
4(b)	Application no 18/01065/F - Paston House 11 - 13 Princes Street, Norwich, NR3 1AZ	31 - 46
4(c)	Application no 18/00639/F and 18/00640/L- 45 - 51 London Street, Norwich, NR2 1HX	47 - 64
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4(e)	Application no 18/01154/F - 2 Mornington Road, Norwich, NR2 3NB	73 - 82
4(f)	Enforcement Case 18/00003/ENF – Land at Holt Road, Norwich	83 - 102
4(g)	Enforcement Case 18/00080/ENF – 15 Suckling Avenue, Norwich, NR3 2SY	103 - 108
5	Review of the Scheme of Delegation	109 - 116

**Purpose** - This report proposes amendments to the current scheme of delegated powers that will enable certain applications to be determined at officer level without referral to committee. The need for delegation relates to three key areas: speed of determining applications; cost; and ensuring that committee focuses on applications of major importance or wider significance.

6	Prospect House Development Brief	117 - 182
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**Purpose** - Development brief providing site specific policy for the redevelopment of the site of Prospect House on Rouen Road

Date of publication: **Wednesday, 03 October 2018**





**Planning applications committee**

**9:30 to 13:35**

**11 September 2018**

Present: Councillors Driver (chair), Maxwell (vice chair), Bradford, Brociek-Coulton, Malik, Peek, Raby (from item 3), Ryan (to the end of item 10), Sands (M), Stutely, Trevor (to the end of item 10) and Wright

Apologies: Councillor Henderson

**1. Declarations of interest**

Councillors Driver, Raby and Wright declared an other interest in item 3 (below), Application no. 18/00534/F - The Cock Long John Hill, Norwich, NR1 2LY because they were members of the Campaign for Real Ale (CAMRA) but had not individually commented on the application.

Councillor Malik declared a predetermined view in item 7 (below) Application 18/00112/F - Land between 18 and 20 West Parade, Norwich, because in his role as Nelson ward councillor he had met with residents and supported their objections to the proposal.

Councillors Brociek-Coulton and Driver declared an other interest in item Enforcement Case 16/00167/ENF – Café Britannia, Britannia Road, Norwich. Britannia Barracks because they were secretary and chair of Norwich in Bloom which was given free use of rooms for its committee meetings. Councillor Maxwell, Crome ward councillor and chair of the Mousehold Heath Conservators, declared a pre-determined view in that she was representing local residents. Councillor Bradford declared an other interest in that he was a member of the Mousehold Heath Conservators.

Councillors Malik and Stutely referred to item 10 (below), Enforcement Case 17/00151/ENF – 137 Unthank Road, Norwich and asked that it be recorded that they had met with residents and the owner of 137 Unthank Road in their capacity as ward councillors but did not have a predetermined view on this enforcement case.

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meeting held on 9 August 2018.

### 3. Application no 18/00534/F - The Cock Long John Hill, Norwich, NR1 2LY

(Councillors Driver and Wright had declared an interest in this item. Councillor Raby declared an interest when he arrived at the meeting. Councillor Raby having arrived after the start of the presentation on this item could not participate in the debate or determination of the application.)

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

During discussion the planner referred to the report and answered members' questions. She confirmed that the building had been designated as an asset of community value after it had been purchased by the current owners.

Councillor Stutely said that he considered that the community should have had the opportunity to lease the premises before it was developed. The planner also answered members' questions on the viability of the premises as a public house.

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

Councillor Driver, Lakenham ward councillor, said that it was a shame that this public house by the river had been lost. It was no longer a viable business and local people had not patronised it. Councillor Wright said that it was a balanced decision and that whilst the loss of a public house was regrettable, there was a need for more housing.

**RESOLVED** with 10 members voting in favour (Councillors Driver, Maxwell, Bradford, Brociek-Coulton, Malik, Peek, Ryan, Sands, Trevor and Wright) and 1 member voting against (Councillor Stutely) (Councillor Raby not being present for consideration of the entire item abstained) to approve application no. 18/00534/F - The Cock Long John Hill, Norwich, NR1 2LY as a departure to the development plan and grant planning permission subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Construction environment management plan
4. Landscaping scheme
5. Biodiversity enhancements
6. Lighting scheme
7. Management plan for landscape corridor
8. Water exclusion strategy measures
9. Flood response plan
10. Surface water management plan
11. Minimum finished floor level
12. Written scheme of archaeological investigation
13. Heritage interpretation measures
14. Arboricultural site brief
15. Arboricultural site meeting and further details
16. Arboricultural supervision
17. Materials to be used in external alterations to pub to match existing
18. Provision of parking and servicing prior to first occupation
19. Water conservation

20. Remove permitted development rights – boundary treatments

21. Remove permitted development rights – curtilage buildings

#### Informative Notes

1. Construction management
2. Section 38 highways agreement
3. Protected species

#### Article 31(1)(cc) 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 some subsequent amendments, the application is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

#### 4. Application no 18/00961/NF3 - 78 Cadge Road, Norwich, NR5 8DG

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

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

During discussion members noted that the loss of a takeaway food retail shop was acceptable because it was not in a local centre and that there was a local centre in the vicinity which offered services including a fish and chip shop.

Councillor Sands said that he welcomed the development as there was a shortage of single bedroom flats and this provided an option for people to move from two bedroom properties where they were liable to pay the “bedroom tax” to move.

**RESOLVED**, unanimously, to approve application no. 18/00961/NF3 - 78 Cadge Road Norwich NR5 8DG and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials to match;
4. Landscaping scheme;
5. Bin and cycle storage;
6. Water efficiency;
7. Tree protection provision for the street tree.

#### Article 31(1)(cc) 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 application has been

recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

**5. Application no 18/01130/F - 26 Vulcan Road South, Norwich, NR6 6AE**

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

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

**RESOLVED**, unanimously, to approve application no. 18/01130/F - 26 Vulcan Road South, Norwich, NR6 6AE and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Design of screen;
4. Full details of holding water tank, including capacity, overflow and interceptors.

Article 31(1)(cc) 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, the application has been recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

**6. Application no 18/00861/NF3 - Site of Proposed Communal Heating Plant, Barnards Yard, Norwich**

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

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

Discussion ensued in which the planner referred to the report and answered members' questions. The proposal was for a temporary arrangement to locate the heating system in a shipping container. Members sought confirmation that the unit would be on hard standing (two car park spaces) and that there was insulation to prevent noise. Members were advised that environmental protection officers did not object to the proposal. The planner explained that a temporary solution to the location of the communal heating plant was necessary as the residents of Barnards Yard would be without heating over the winter. Members concurred that there should be a noise condition to mitigate the impact of the relocated plant.

During discussion, Councillor Wright commented that the report lacked information about the plant, its impact and the fuel that would be used. The area development manager (inner) explained the reasons for the relocation of the plant and that it was



gas fuelled. Other members considered that a decision should not be delayed to a future meeting as this was a temporary measure which would help the residents.

The chair then moved the recommendations as set out in the report with the additional condition to control the noise of the plant.

**RESOLVED** with 11 members voting in favour (Councillors Driver, Maxwell, Raby, Brociek-Coulton, Malik, Trevor, Ryan, Sands, Stutely, Peek and Bradford) and 1 member abstaining from voting (Councillor Wright) to approve application no. 18/00861/NF3 - Site of proposed Communal Heating Plant Barnards Yard Norwich and grant planning permission subject to the following conditions:

1. Temporary consent for 18 months from the date of decision;
2. In accordance with plans;
3. Dimensions of structure limited to: 6.06m in length, 2.44m in width and 2.6m in height;
4. Sound insulation measures to be agreed.

#### **7. Application 18/00112/F - Land between 18 and 20 West Parade, Norwich**

(Councillor Malik had declared a predetermined view in this item. He therefore left the meeting whilst the committee debated the issue and did not take part in the determination of the application.)

The planner presented the report with the aid of plans and slides. During her presentation she referred to the supplementary report of updates to reports which summarised a further response from a resident on the amended plans and confirmation from Norfolk Fire and Rescue service that it had no comments to make on this application.

The adjacent neighbour (no 18 West Parade) addressed the committee and outlined her objections to the proposed development, which included: that the scale of the development; concern that the arboricultural assessment was incorrect; loss of light to an attic bedroom (a photo of the room was displayed), and that no daylight assessment had been provided by the applicant, that the gap between the houses was too close and out of character for the streetscene. A representative of the West Parade Residents' Association spoke on behalf of residents and outlined their objections to the scheme. These included concern for the potential use of the building to be a house in multiple occupation and calling on restricted hours during construction. A resident living opposite to the application site, also addressed the committee. He said that he did not object to the principle of development on this site and considered a single house "ideal". He considered that the two semi-detached houses were too wide for this site; created a "mini-terrace" effect which was out of keeping with neighbouring houses and was concerned about the parking arrangements and that there was not sufficient room for a hedge at the front of the property.

Councillors Malik and Carlo, Nelson ward councillors, addressed the committee and outlined their concerns. Councillor Malik said that the proposal was an overdevelopment of the site and expressed concern that the applicant had not supplied information about loss of light to the garden and a habitable room of no 18. He referred to local planning policy and called on members to reject the application

and said that residents had indicated that a single house would be acceptable. Councillor Carlo said that housing development on this site was acceptable but this application was too large and over-development of the plot. The area was in a conservation area, with locally listed buildings in the vicinity. The semi-detached houses and narrow gaps between the adjacent buildings created a continuous “wall” whereas there were significant gaps between most of the buildings in West Parade. The trees had been wrongly named on the plans.  
(Councillor Malik left the meeting at this point.)

The planner referred to the report and commented on the issues raised by the speakers. She pointed out that there were other plots of a similar size further down West Parade, a variety of house types including semi-detached, and that she considered that semi-detached houses on this site was not out of character. Planning consent was subject to landscaping details being agreed including the boundary treatments. The bedroom of no 18 met BRE guidelines. The roofline had been amended to a hip roof. All developments in the street were at least two storeys high and a single storey building would be out of character. She confirmed that there was mitigation against potential flood risk and that the council’s arboricultural officer had confirmed that the plans showed the correct location of the trees.

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

During discussion, the planner and the area development manager (inner) referred to the report and answered members’ questions. The planner confirmed that the reference in paragraph 28 to the number of bedrooms for the proposed dwellings should be corrected to three. She also answered questions on the topography of the site in relation to drainage, and confirmed the resident of no 18’s assertion that the trees had not been measured from her property but that the arboricultural officer was content with the measurements of the trees and the arboricultural report submitted by the applicant. Members were advised that the proposed dwellings could become houses in multiple-occupation under permitted development rights. There were no restrictions on any other house in the street. Members were advised that chalk workings were not an issue with this site.

Discussion ensued in which members expressed concern that this proposal for two semi-attached houses was over development of the site and would have a negative impact on the character of West Parade. Members also commented on the negative impact that this proposal would have on the adjacent property (no 18) and the terraced building effect that a continuous row of buildings would have on the character of West Parade. The chair and vice chair having listened to the views of members withdrew the motion to approve. Councillor Sands moved and Councillor Wright seconded a motion to refuse the application on the grounds that the proposed development of two dwellings was too wide for the site and its proximity to the neighbouring properties and lack of gaps between buildings would be detrimental to the character of the conservation area and West Parade. Members were advised that loss of light to the property would be less sustainable than other reasons for refusal.

**RESOLVED** with 10 members voting in favour (Councillors Sands, Wright, Driver, Maxwell, Raby, Brociek-Coulton, Ryan, Stutely, Peek and Bradford) and 1 member voting against (Councillor Trevor) to refuse application no. 18/00112/F - Land

between 18 and 20 West Parade, Norwich because it was over development of the site and detrimental to the amenity of the character of the conservation area and West Parade and to ask the head of planning services to provide reasons for refusal in planning policy terms.

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

1. The proposed development by virtue of the number of dwellings, the width of the plot and proximity of the units to the boundaries of the site would be inconsistent with the character of the area and would result in less than substantial harm to the character of the conservation area contrary to sections 12 and 16 of the NPPF and policies DM3, DM9 and DM12 of the adopted Development Management Policies Local Plan 2014.
2. The proposed development by virtue of the number of dwellings, the width of the plot and proximity of the units to the boundaries of the site would be inconsistent with the character of the area and would result in less than substantial harm to the character of the conservation area contrary to sections 12 and 16 of the NPPF and policies DM3, DM9 and DM12 of the adopted Development Management Policies Local Plan 2014.

(The committee adjourned for a short break at this point. Councillor Malik was readmitted to the meeting. With the exception of Councillor Raby all members listed were present.)

#### **8. Application no 18/01013/F - 60 Borrowdale Drive, Norwich, NR1 4NS**

(Councillor Raby having arrived after the start of the presentation on this item could not participate in the debate or determination of the application.)

The planner presented the report with plans and slides. There had been no objections to the proposed extension.

**RESOLVED**, unanimously, to approve application no. 18/01013/F - 60 Borrowdale Drive, Norwich, NR1 4NS and grant planning permission subject to the following conditions:

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

#### **9. Application no 18/01025/F - 1 Leopold Close, Norwich, NR4 7PR**

The planner presented the report with plans and slides.

An immediate neighbour addressed the committee and outlined her objections to the scheme displayed with pictures taken from her property. She referred to covenants on the land restricting further development and that when she had purchased her house had not expected this garden space to be developed. Her objections to the proposal included the development would reduce the ratio of garden to footprint from

3:1 to 1:1 and was not in character with surrounding houses; that it would cause overshadowing of adjacent gardens; and would exacerbate car parking.

Councillor Lubbock, Eaton ward councillor, addressed the committee on behalf of local residents who opposed the proposed development. This included concerns that this was overdevelopment of a small site and would compromise the amenity of the neighbouring properties; and, that a single storey building would be more appropriate than a chalet building, that to egress the site drivers would need to back out into traffic, and there was no light assessment, and recommending specific hours of construction.

The planner, together with the area development manager (outer), referred to the report and responded to the issues raised by the speakers and answered members' questions. The issue of the covenant was a civil matter and separate from the planning process. There was a mixture of housing types in Leopold Road and a chalet bungalow was considered appropriate. In terms of construction practice, it would be difficult to enforce for a small single dwelling scheme. It was proposed that there would be a landscaping scheme which would include biodiversity enhancements including bird and bat boxes. A member said that whilst he was not opposed to the proposal, it would have been improved if it was turned round on the site.

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

Councillor Wright expressed concern about the impact of the proposed access, which was situated on a bend, would be a hazard to pedestrians as this was a major pedestrian and cycle route to the CNS and other schools in the vicinity. He was also concerned that the covenant was established to preserve the gardens and the character of the area. Councillor Stutely said that he was opposed to the application because the proposed development was too large for the site and a smaller property with a front entrance would be more acceptable.

**RESOLVED** with 9 members voting in favour (Councillors Driver, Maxwell, Raby, Malik, Trevor, Ryan, Sands, Peek and Bradford) and 3 members voting against (Councillors Wright, Brociek-Coulton and Stutely) to approve application no. 18/01025/F - 1 Leopold Close Norwich NR4 7PR and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials;
4. Bins and bike storage;
5. Landscaping scheme including biodiversity enhancements;
6. SUDS;
7. Water efficiency.

## **10. Enforcement Case 17/00151/ENF – 137 Unthank Road, Norwich**

The planner presented the report with plans and slides.

A local resident, who was also vice president of the Norfolk Association of Architects, addressed the committee and outlined his support for enforcement action but pointing out that this needed to replace the tiles with slate and the correct materials for the windows and shop front, as the building had a detrimental impact on the on the conservation area. Councillor Davis, Town Close ward councillor, spoke in favour of demolishing the building and that she considered the building to be “garish” and out of character of the surrounding buildings. Councillor Carlo, Nelson ward councillor, said that the building was a “curious eyesore” and out of character with the predominantly Victorian buildings. She also considered that the building should be demolished as this would send a message to developers not to breach planning conditions.

The planner, together with the area development manager (outer), referred to the report and commented on the issues raised by the speakers and answered members’ questions. Members were advised that 137 Unthank Road was not in the conservation area. The breach in conditions could be addressed by improving the appearance of the front and side elevations of the building. Members were cautioned against demolition as any enforcement action could not require the site to be redeveloped and might result in the plot becoming an empty site that was not redeveloped for years.

The chair moved and vice chair seconded that enforcement action should be authorised to serve a breach of condition notice as recommended in the report.

During discussion a member asked whether the flat above the shop was lived in. The planner said that the owners were in the process of moving into the flat when she last visited to take measurements. She explained that the flat was for members of the applicant’s family to live in. Demolition would mean that the family became homeless.

Members were advised that the applicant had failed to agree materials with officers as part of the original planning permission. The applicant had now got a structural engineer to submit revised plans detailing the changes that could be made to the building to bring it in line with the proposal that was previously granted planning permission. It was not a timber frame building and it would not be practical to remove the front wall as the first floor rested on the lintel. Members noted that the works to resolve the breaches of planning conditions would include painting the front and sides of the building and would replicate painted brick work on adjacent buildings.

During discussion members expressed their dissatisfaction with the appearance of the building and that the development had not been carried out in accordance with the conditions of the planning permission. The committee considered the proposed enforcement action and whilst some members would have preferred demolition to ensure that the building was fully aligned with the approved plans, they were concerned about displacing the residents of the flat and the potential for the site to become derelict. Members were advised that an enforcement notice requiring demolition could be appealed by the applicant. It was advised that there was no right of appeal against a breach of condition notice. The area development manager (outer) pointed out that compliance to the conditions, 2, 3 and 5 of the approved permission would redress the breaches to the façade of the shopfront. Members were also advised that action should be proportionate and not contravene Article 8 of

the Human Rights Act. The breach of condition notice would set out what the applicant had to do and the timeframe in which works should be undertaken, and officers would monitor progress. Members considered that the works should be carried out within a reasonable timescale.

Councillor Trevor expressed concern that the under-enforcement for this breach in planning conditions could set a precedent to other applicants.

**RESOLVED**, with 11 members voting in favour (Councillors Driver, Maxwell, Raby, Wright, Brociek-Coulton, Malik, Ryan, Sands, Stutely, Peek and Bradford) and 1 member voting against (Councillor Trevor) to authorise enforcement action up to and including prosecution in order to secure compliance with conditions 2, 3, 4 and 5 of permission 16/00759/F through the:

- (1) carrying out of works on site to ensure the building is constructed in accordance with the submitted revised plans to bring the development in line with the approved scheme under 16/00759/F; and,
- (2) submission of an appropriate landscaping scheme which was required under condition 5 of permission 16/00759/F.

(Councillors Ryan and Trevor left the meeting at this point.)

#### **11. Enforcement Case 16/00167/ENF – Café Britannia, Britannia Road, Norwich**

(Councillors Brociek-Coulton, Bradford and Driver had declared an interest in this item. Councillor Maxwell had declared a pre-determined view in this item and left the room during the item and before the debate and determination of the request for enforcement action.)

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

The residents of nos 1 and 7 Britannia Road addressed the committee and outlined their concerns about the impact of the café on residents. One resident said that Option B to close the café would be preferable but failing that Option C with a new entrance would be acceptable. Their concerns included: that the commercial activities were not a social enterprise ancillary to the prison and that the proposed opening hours were the current opening hours; that access to the café should be moved away from the adjacent house; that the car-parking and noise from café patrons had caused unacceptable levels of anxiety and stress to the residents. The second resident expressed concern about the parking congestion on Britannia Road which he attributed to the café, that there was a problem with speeding vehicles and that that visitors and dog walkers found it difficult to park at the Britannia Road car park.

The director of the Britannia Enterprises confirmed that the café was part of the social enterprise which was core to the prison's rehabilitation programme. Britannia Enterprises would be happy to put the required measures in place. The car park was free and therefore used by people who walked into the city as well as other leisure users. Visitors to the café were asked to be considerate of residents and no alcohol was sold on the premises. As part of the prison, the Minister of Justice

considered that the operation of the café is a workshop and does not require planning permission.  
(Councillor Maxwell left the meeting at this point.)

The senior planner referred to the report and responded to the issues raised.

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

Discussion ensued in which members considered moving the access to the café, recognising the need for level access for wheelchair users and pushchairs. A member pointed out that disabled access was currently through the back of the café. Members were advised that officers would do the best that they could do to achieve disabled access from the front of the building. Some concern was expressed that moving the access would require a breach in the wall in front of Britannia Barracks which was a Grade II listed building. A member suggested that the design of the new entrance should be subject to planning permission. The planner said that the wall was not listed and the design and conservation officer had been consulted.

Members were also advised that Britannia Café was central to the operations of Britannia Enterprises as it provided the core training for its other outlets. The use of the building was therefore considered acceptable by the majority of members. Members noted that the café was not operational after 22:00 and that hours of operation would need to be taken into account for any future licensing applications. The committee also sought further information about parking on the street and were advised that cars parked at 7:30 indicated some commuter parking rather than visitors to the café which was not open at that time. It was not reasonable to expect the social enterprise to fund measures to improve parking. Members were advised that for security reasons, there was not access from the road at the rear of the café.

During discussion members concurred that there should be a new entrance to the café and that once open the current gate adjacent to no 1 Britannia Road should be closed off.

Councillor Bradford, Crome ward councillor and member of Mousehold Heath Conservators, said that he considered that the café had become too large a commercial concern with a large annual turnover. The Britannia Road car park had always been free of charge and historically had been used by visitors to the heath.

**RESOLVED**, with 8 members voting in favour (Councillors Driver, Raby, Wright, Brociek-Coulton, Malik, Sands, Stutely and Peek), 1 member voting against (Councillor Bradford) to agree that the operation of the café is acceptable subject to authorising enforcement action, up to and including prosecution, and to serve a notice which will allow the current uses to continue, providing the following measures are complied with:

- (1) The provision of a new pedestrian entrance, closer to the front door of the café and better positioned for the car park, reducing the flow of people using the entrance next to no. 1 Britannia Road and therefore reducing the impact in terms of noise and privacy on the occupier of that property. It is recommended that this should be installed and opened within 12 months of the date of the enforcement notice, to allow sufficient time for the access to be designed and constructed, given that it involves work to a curtilage listed wall.
- (2) The installation of cycle parking at a suitable location within the site, to encourage alternative modes of transport and reduce parking pressure. This should be provided within 12 months of the date of the notice.
- (3) A restriction on opening hours so that the uses may operate between the hours of 07.30 and 22.00 on any day. This is a standard requirement to protect the amenity of neighbouring occupiers given the location of the site within a residential area. It is recommended that this restriction comes into effect 28 days following the serving of the notice.
- (4) A restriction on the ability to change use without applying for planning permission. Current permitted development rules allow cafes to change use to a range of different uses such as a hotel, residential school, or temporarily to an office or shop. There are further permitted development rights that could apply to the shop. It is recommended that a restriction is applied allowing the premises to be operated as a café, shop, and function rooms, within the current areas of the building(s) only and with no change of use permitted without formal planning approval, as a number of potential uses that might otherwise be permitted development may be considered unacceptable in this location. This restriction should come into effect 28 days after the serving of the enforcement notice.

CHAIR.



# Summary of planning applications for consideration

# ITEM 4

11 October 2018

Agenda Item No.	Application No	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	18/00973/F	Rooftop Gardens, Union Building, Rose Lane	Lara Emerson	Alterations and change of use of rooftop terrace west to restaurant (Class A3).	Objections	Approve
4(b)	18/01065/F	Paston House, 11-13 Princes Street	Joy Brown	Roof infill to provide 7 no. flats and other external works	Objections	Approve
4(c)	18/00639/F & 18/00640/L	45 - 51 London Street Norwich	Katherine Brumpton	Change of use from bank (Class A2) to restaurant/bar (Class A3) and installation of ventilation system.	Objections	Approve
4(d)	18/01177/F	9 Clabon Second Close	Steve Polley	Two storey side and single storey rear extensions.	Objections	Approve
4(e)	18/01154/F	2 Mornington Road	Steve Polley	Replacement outbuilding, garden store, fence and gates.	Objections	Approve
4(f)	18/00003/ENF	Land at Holt Road, Norwich	Robert Webb	Unauthorised use of the land for the stationing of residential caravans and a portaloo, the storage of waste, the erection of a fence adjacent to the highway and the laying of a hard surface.	Seeking authority for enforcement action to be taken	Authorise enforcement action
4(g)	18/00080/ENF	15 Suckling Avenue	Stephen Little	Construction of bike shed/shed in front garden	Seeking authority for enforcement action to be taken	Authorise enforcement action



## STANDING DUTIES

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

### **Equality Act 2010**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Report to** Planning Applications Committee

**Item**

11 October 2018

**Report of** Head of planning services

**Subject** Application no 18/00973/F - Union Building 51 - 59 Rose Lane, Norwich

**4(a)**

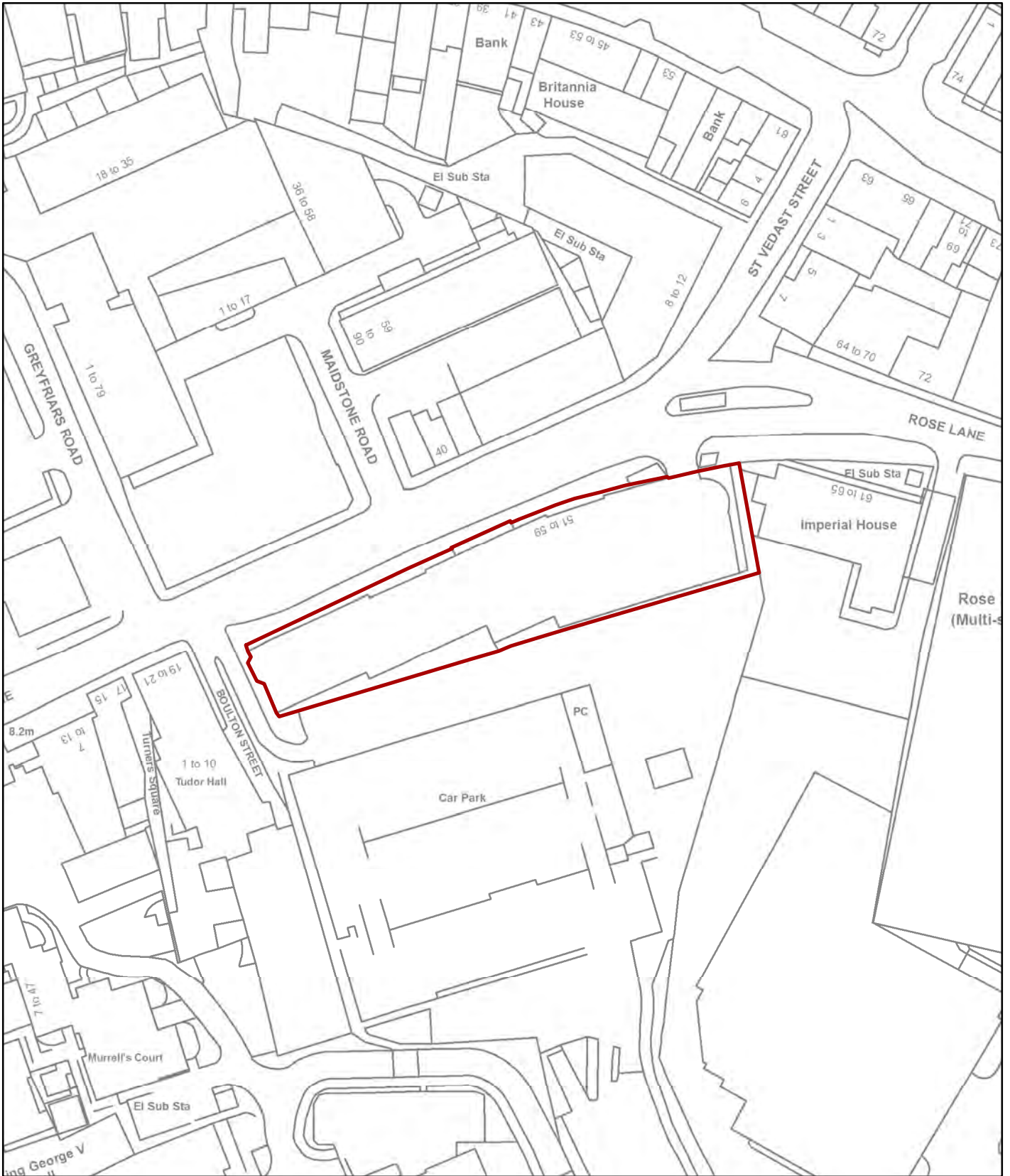
**Reason for referral** Objections

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

<b>Development proposal</b>		
Alterations and change of use of rooftop terrace west to restaurant (Class A3).		
<b>Representations</b>		
Object	Comment	Support
4	0	0

<b>Main issues</b>	<b>Key considerations</b>
1. Amenity	Noise, overlooking.
2. Design & heritage	Appearance, impact on heritage assets.
<b>Expiry date</b>	15 October 2018 (extended from 23 August 2018)
<b>Recommendation</b>	Approve



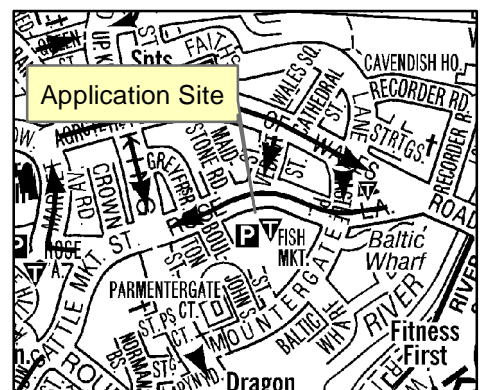
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Planning Application No 18/00973/F  
 Rooftop Gardens Union Building  
 Site Address Rose Lane  
 Scale 1:1,000



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## The site, surroundings & constraints

1. The site is a large office block known as the Union Building. The top floor has consent for use as a public restaurant and the eastern roof top has consent for use as a dining area in association with this.
2. The site is within the City Centre Conservation Area and lies adjacent to the Grade II Listed Tudor Hall. The site is within the office development priority area.
3. There are a number of residential uses nearby.

## Relevant planning history

Ref	Proposal	Decision	Date
4/1989/1157	Erection of additional floor on existing office building together with new pitched roofs to create 1483 sq.m. of offices.	Refused	07/12/1989
4/1990/0860	Installation of window cleaning equipment.	Approved	14/01/1991
4/1991/0624	Installation of additional windows.	Approved	06/02/1992
4/1992/0091	Installation of fire exit at side of building.	Approved	11/03/1992
4/1995/0946	Installation of satellite dish on roof of building.	Approved	04/01/1996
4/1995/0273	Installation of one 1m. diameter satellite dish.	Approved	05/05/1995
09/00100/F	Replacement of air conditioning system including refit of safety rail around the perimeter of the roof.	Approved	23/04/2009
15/00748/F	Alterations to main entrance, relocation of staff canteen to level 6, change of use of existing canteen to staff carparking area, conversion of office space on level 1 to staff gym and children's nursery.	Approved	10/08/2015
16/00129/F	Change of use of top floor to restaurant (Class A3).	Approved	12/04/2016
16/00532/F	Use of roof terrace for dining area in association with restaurant and erection of acoustic screen.	Approved	01/06/2016
16/01330/D	Details of Condition 6: acoustic screen of previous permission 16/00532/F.	Approved	05/10/2016
16/01343/F	Construction of awning over roof top restaurant area.	Approved	07/11/2016
16/01594/VC	Variation of Condition 4 (16/00129/F) to prevent opening of the premises between 00:00 and 06:59 to 01:30 and 06:59 on any day.	Refused	06/12/2016
18/00967/F	Construction of a structure over the fire escape stair at level 7 (Retrospective).	Pending consideration	
18/00972/F	Construction of awning (Retrospective).	Approved	26/09/2018

## The proposal

4. The proposal is for the change of use of the western roof terrace to additional dining space (use class A3). Associated alterations include the erection of an acoustic barrier and installation of a door between the internal and external areas.

## Representations

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

Issues raised	Response
Overlooking	See main issue 1 which relates to amenity.
Noise	See main issue 1 which relates to amenity.
Additional traffic	See paragraph 18

## Consultation responses

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

## Design and conservation

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

## Environmental protection

8. Noise impact assessment requested & subsequently received. Satisfied that the noise impact assessment adequately assesses the noise situation and identified mitigation measures which are required to be carried out to prevent the proposals having an unacceptable impact on the amenity of neighbours.

*NB: a subsequent report has established that these mitigation measures have now been implemented.*



## Assessment of planning considerations

### Relevant development plan policies

9. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan 2014 (JCS)**
  - JCS2 Promoting good design
  - JCS5 The economy
  - JCS6 Access and transportation
  - JCS8 Culture, leisure and entertainment
10. **Norwich Development Management Policies Local Plan adopted Dec 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM9 Safeguarding Norwich's heritage
  - DM11 Protecting against environmental hazards
  - DM16 Supporting the needs of business
  - DM18 Promoting and supporting centres
  - DM23 Supporting and managing the evening and late night economy
  - DM28 Encouraging sustainable travel

### Other material considerations

11. **Relevant sections of the National Planning Policy Framework 2018 (NPPF)**
  - NPPF Section 6 - Building a strong, competitive economy
  - NPPF Section 8 - Promoting healthy and safe communities
  - NPPF Section 12 - Achieving well-designed places
  - NPPF Section 16 - Conserving and enhancing the historic environment

### Case Assessment

12. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Council's standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

#### Main issue 1: Amenity

13. Key policies – JCS2, DM3, NPPF section 12.
14. The main issue with the terrace is the potential disturbance to the dwellings nearby. A submitted noise impact assessment has determined that the clear acoustic barrier adequately protects against excessive disturbance. The barrier, which is installed on all sides of the terrace, was initially incorrectly installed with large gaps

allowing noise to escape. Following negotiations, these gaps have now been sealed and a subsequent report from a noise consultant confirms that there will be no adverse impact on nearby neighbours. Hours of opening will be restricted to 7am-midnight in accordance with the other recent consents, and no changes to the amplification equipment or acoustic barriers will be permitted without express consent.

15. The increase in activity may lead to some overlooking to the new flats on Rose Lane to the north and the flats on Boulton Street to the west. However, since the terrace is set at a distance of at least 17m from any of these properties, this raises no particular privacy issues.

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

16. Key policies – DM9, NPPF sections 12 & 16.
17. The acoustic barrier and the terrace's dining furniture are visible from a number of views, including from the top of Rose Lane near Market Avenue. The acoustic barrier is clear which reduces its visual impact and the frameless approach has been successful on the east terrace. The proposal causes no harm to the significance of any nearby heritage assets including the listed building and character of the wider conservation area.

## **Other matters**

18. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: transport (the measures agreed via application 16/00129/F are sufficient for this small increase in capacity).

## **Equalities and diversity issues**

19. There are no significant equality or diversity issues.

## **Local finance considerations**

20. 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**

21. 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.

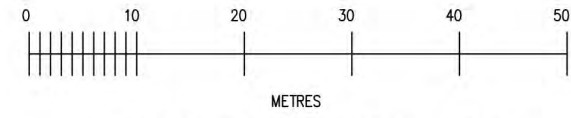
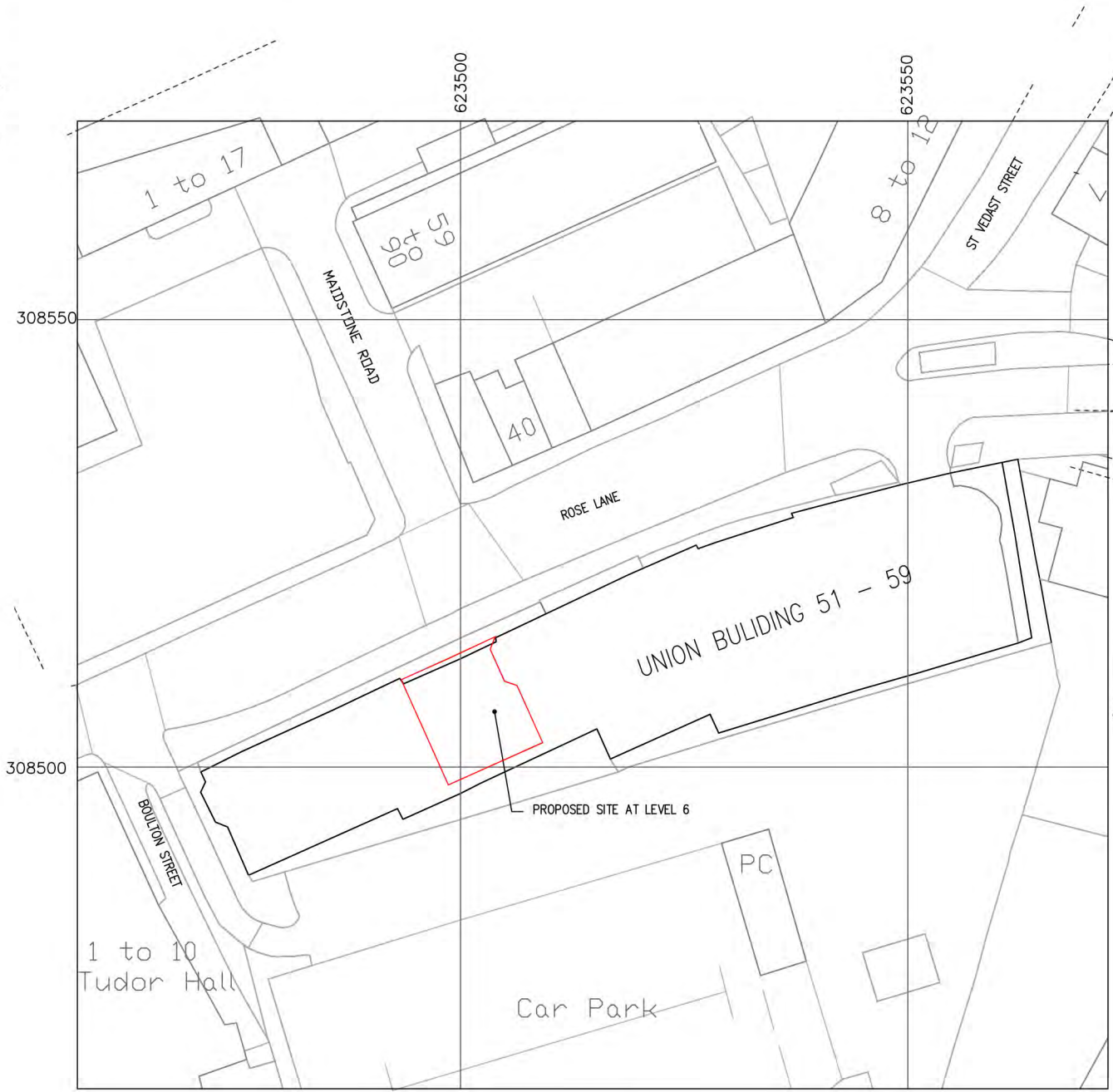
## **Recommendation**

To approve application no. 18/00973/F - Union Building 51 - 59 Rose Lane Norwich and grant planning permission subject to the following conditions:

1. In accordance with plans;
2. Only to be open between 7am-midnight;
3. Acoustic barrier and amplification equipment as set out within the noise impact assessment to be retained in perpetuity and not to be modified without express consent;
4. No plant to be installed without consent.



NORTH



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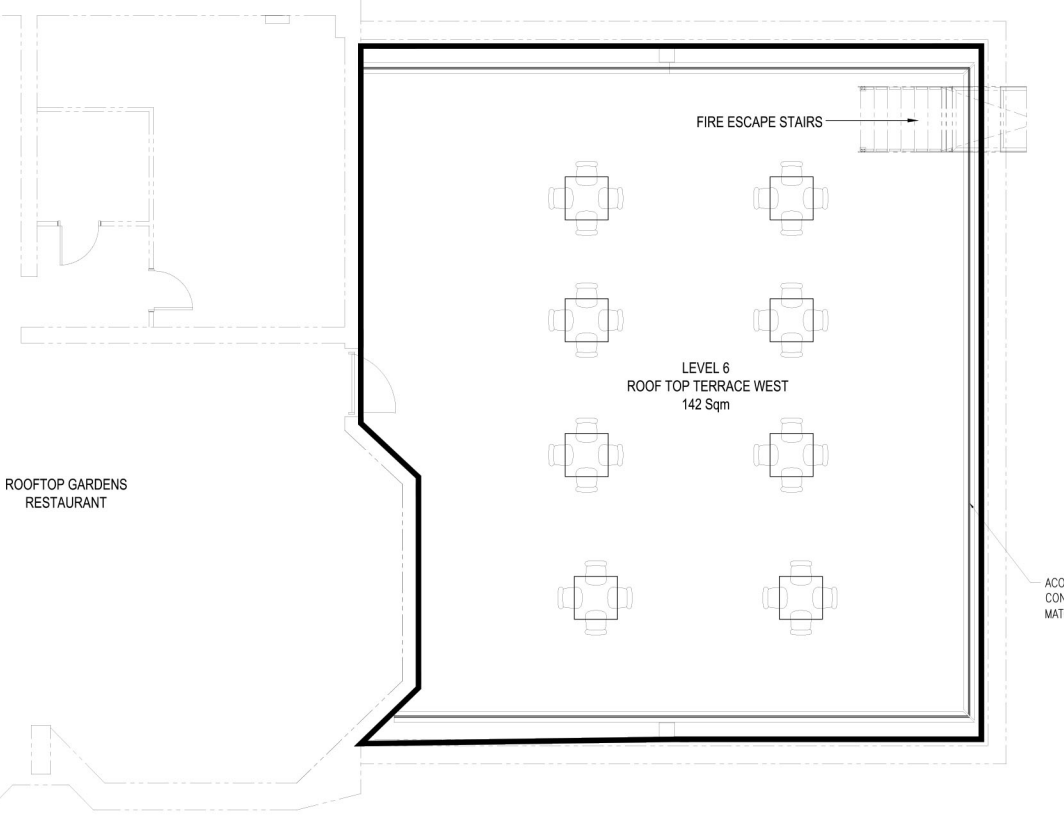
SITE PLAN  
SCALE 1:500

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PROJECT TITLE ROOFTOP GARDENS, UNION BUILDING, NORWICH, NR1 1BY									
CLIENT	-	W/O No. RT01	DRAWING SIZE A3	SCALE 1:500					
<b>ENVISION</b>				UNION BUILDING 33-59 ROSE LANE, NORWICH, NORFOLK NR1 1BY TEL: 01603 273623					
DRAWING TITLE SITE PLAN									
DRAWING NUMBER	RT01-S-10			SHEET No. 001	REVISION A1				

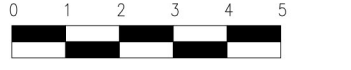
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NOTES:  
 1. ALL DIMENSIONS ARE APPROXIMATE AND IN MILLIMETRES O.N.O

NORTH



PLAN ON PROPOSED ROOFTOP TERRACE WEST



A1	ISSUED FOR PLANNING	26.06.18	DF						
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CLIENT	GC ROOFTOP LTD	W/O No. RT01	CAD FILE No.	SCALE A1@1:50	ENVISION CAD UNION BUILDING 51-59 ROSE LANE, NORWICH, NORFOLK NR1 1BY TEL: 01603 273623				
DRAWING TITLE ROOFTOP TERRACE WEST PROPOSED PLAN									
DRAWING NUMBER	RT01-P-10		SHEET No. 001	REVISION A1					



**Report to** Planning applications committee

**Item**

11 October 2018

**Report of** Head of planning services

**Subject** Application no 18/01065/F - Paston House 11 - 13  
Princes Street, Norwich, NR3 1AZ

**4(b)**

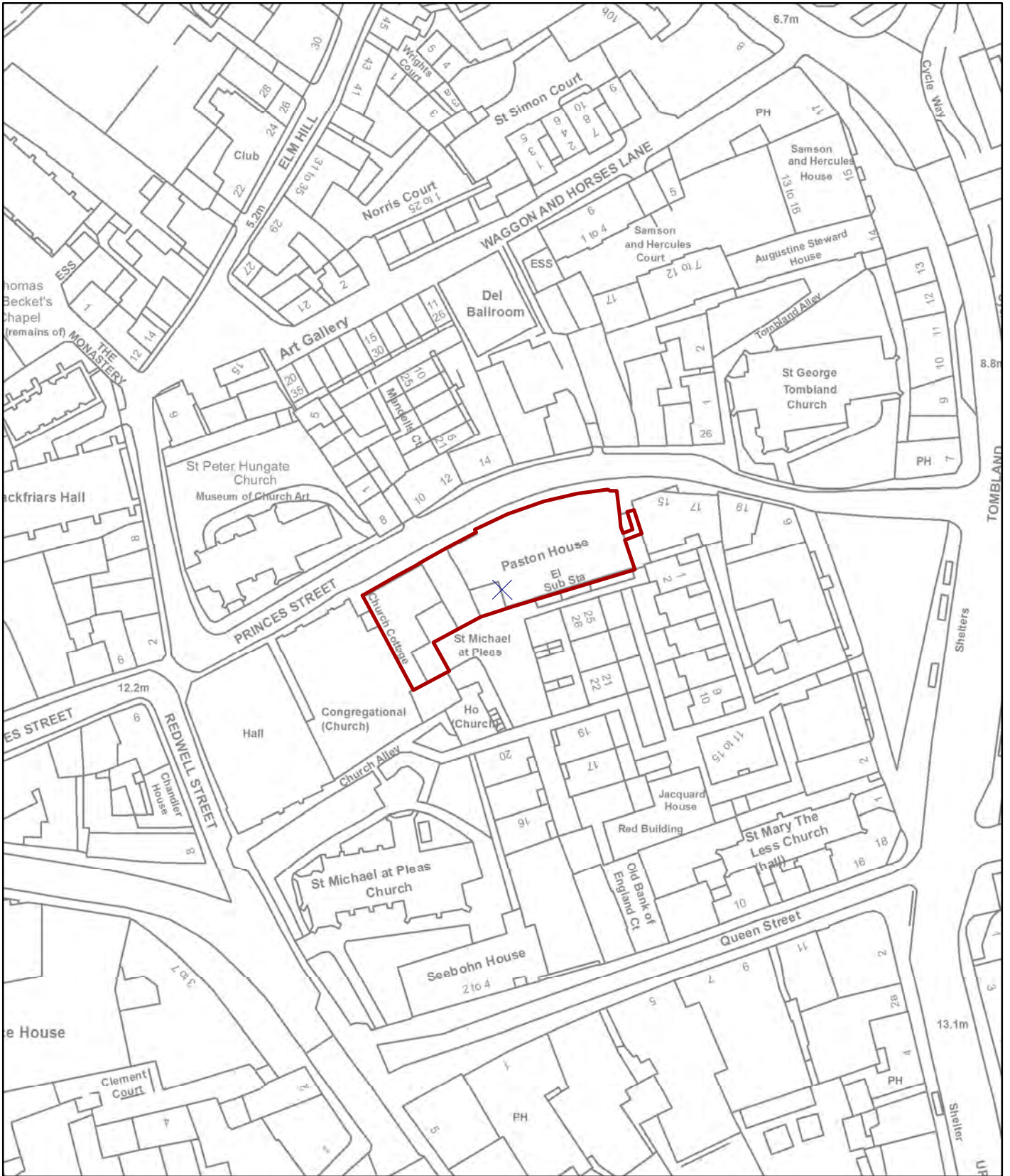
**Reason  
for referral** Objection

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

<b>Development proposal</b>		
Roof infill to provide 7 No. flats and other external works.		
<b>Representations</b>		
Object	Comment	Support
3	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Principle of proposal	Contributing towards Norwich's five year land supply in a central, sustainable location. The proposal increases the number of units from the previous consent.
2 Design and heritage	Impact of the proposal upon the streetscene, neighbouring listed buildings and wider conservation area.
3 Transportation	Car free development within a central, sustainable location and provision of cycle parking and bin storage.
4 Amenity	Impact upon neighbouring residents and occupiers and living conditions for future residents.
<b>Expiry date</b>	12 September 2018 (extension of time agreed until 18 October)
<b>Recommendation</b>	Approve



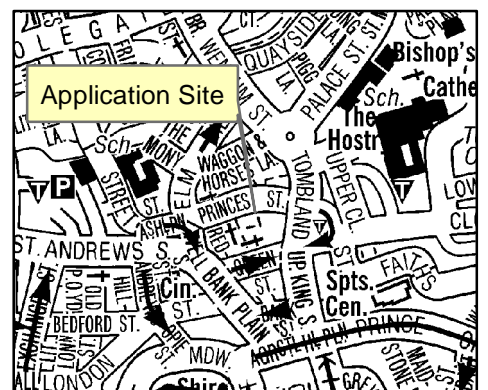
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Planning Application No 18/01065/F  
 Paston House  
 Site Address 11-13 Princes Street  
 Scale 1:1,000



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PLANNING SERVICES





## The site and surroundings

1. The site, a three storey modern building, is situated on the southern side on Princes Street. It is a former office building which is currently being converted to 62 residential dwellings under a prior approval application (16/01606/PDD). The plans for this application depict these dwellings but they do not form part of this application.
2. Princes Street is within the city centre. The United Reformed Church is located directly to the west of the building with there being offices to the east and to the rear there are large three storey blocks of flats (St Michael at Pleas) which are at right angles to Paston House and the adjacent 15/17 Princes Street.
3. The site is situated within the City Centre Conservation Area and the building is situated in close proximity to a number of listed building including 8-18 Princes Street (opposite) and the United Reformed Church along with the Church House.

## Relevant planning history

4. There is an extensive planning history for the site. The most relevant applications are set out below. In summary the site already has prior approval consent for the conversion of the building from office to residential and full planning permission for the infill of the roof to provide 4 no. flats.

Ref	Proposal	Decision	Date
16/01606/PDD	Change of use from offices (Class B1(a)) to residential (Class C3) to provide 62 residential units.	AEGPD	04/01/2017
17/00459/F	Roof extension to facilitate provision of 11 no. student flats and on-site managers' accommodation.	WITHDN	26/04/2017
17/00868/F	Roof infill to provide 4 No. flats.	APPR	31/07/2017
17/01837/D	Details of Condition 1: Cycle storage and refuse servicing of previous permission 16/01606/PDD.	APPR	04/01/2018
17/01838/F	Alterations to front elevation.	APPR	03/01/2018

## The proposal

5. The conversion of Paston House from office accommodation to residential has already been agreed under a prior approval application (16/01606/PDD) and work has commenced to implement this.
6. This application seeks to infill and convert the roof space to 7 no. self contained flats. Roof lights are proposed to both planes of the roof along with windows in the

gable ends at third floor level. Consent has previously been granted (17/00868/F) for the infilling of the roof space but the previous application was for 4 no. 3 bedroom flats whereas this application seeks 7 no. 1 bedroom flats. There are also changes to the external appearance as the high level horizontal windows at the ridge have been omitted and there are a number of changes to the external appearance including changes to the gable ends. The application also seeks the insertion of a stairwell on the north side of the building which will partially infill the recessed upper floor bay of the main façade. The staircase extension will be approximately 3.7m in height, rising above the existing parapet level. It will retain a set back. The proposal also includes some alterations to the fenestration including making some of the narrowing windows into square windows to create more consistent fenestration and a lift overrun.

7. The application as submitted also included the provision of vehicular access from Princes Street and the provision of three car parking spaces at basement level which required automatic sliding gates and a car lift to provide access from the street level to the basement. Concerns were raised with the applicant regarding this element of the proposal as it was felt that this would appear incongruous within the streetscene and would also reduce the amount of cycle parking and bin storage. The applicant has subsequently removed this element of the proposal.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	7
No. of affordable dwellings	0
Total floorspace	468sqm
No. of storeys	One (at third floor)
Max. dimensions	47m (length) x 17.5m (depth) x 3.5m (height)
<b>Appearance</b>	
Materials	Red brick, render, aluminium windows
Energy and resource efficiency measures	None
<b>Transport matters</b>	
Vehicular access	None
No of car parking spaces	0

<b>Proposal</b>	<b>Key facts</b>
No of cycle parking spaces	49
Servicing arrangements	Spaces will be provided at ground floor level for 13 x 1,100 litre bins. The bins will be collected by a private waste company.

## Representations

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

<b>Issues raised</b>	<b>Response</b>
The roof infill will raise the height of the building making it four storeys. This will cause more overshadowing down the street.	See main issue 4.
The provision of rooflights and a flat wall will impact upon the streetscene, nearby listed buildings and the wider conservation area.	See main issue 2.
The car lift and provision of parking will cause public safety concerns and have a negative impact on the historic conservation area. Princes Street is a narrow historic cobbled street with two way traffic. Pedestrians mainly walk on the southern footpath and therefore traffic leaving the development will be a danger to pedestrians. Furthermore with Plumbers Arms Alley being so narrow this means that it is difficult for vehicles to manoeuvre and enter – this will be the same for the proposed development which could cause traffic issues and cause obstruction to the carriageway. It would be better if entry to the car parking spaces was via St Michael at Plea flats.	This element of the proposal has now been omitted.

## 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. No written comments received.

## **Highways (local)**

11. No objection on highway grounds subject to the consideration of negative issues arising from the introduction of car parking and a lift. The provision of car parking using a mechanical lift is innovative and although tight, the tracking study indicates that it is feasible. There are extensive waiting restrictions on Princes Street and that helps ensure that there would not be on street obstruction for vehicles leaving or entering the site. There are some concerns with regards to the lift and this are the provision of possible mini traffic lights on the exterior to advise motorists when the lift is no operation, the possibility that inbound motorists will have to wait for the lift to become available (wait on the road) and that the proposal will provide a dead frontage onto the streetscene of Princes Street. The preference would be that the site remains car free and this element of the proposal is omitted from the application.

## **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
  - JCS11 Norwich city centre
  - JCS20 Implementation
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
  - DM9 Safeguarding Norwich's heritage
  - 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**

14. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF0 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
- NPPF16 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 – DM12, DM13, NPPF5 and NPPF11.
17. The principle of the conversion of Paston House to 62 units has already been established under the previous prior approval application and therefore the key consideration with this application is the provision of seven flats.
18. Policy DM12 sets out where residential development will be permitted. In this case the land is not designated for other uses, is not within a specified distance from notifiable hazardous installations and is not within or adjacent to the Late Night Activity Zone or a defined retail area. Therefore, the principle is acceptable subject to it meeting with a number of criteria set out within DM12 and DM13.
19. The site is situated within a central sustainable location and is in close proximity to other residential accommodation. It will not compromise the delivery of wider regeneration proposals and as explained within the following sections will not have a detrimental impact upon the character and amenity of the area. Norwich does not currently have a five year land supply and the provision of 7 no. additional units will help contribute towards this. The new NPPF also sets out in paragraph 118 that planning decision should support opportunities to use the airspace above existing residential and commercial premises for new homes and in particular they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed and can maintain safe access and egress for occupiers.
20. Furthermore, planning permission was granted for the creation of 4. no self-contained flats through the infilling and conversion of the existing roof space in 2017 (17/00868/F) which is a material consideration. This new application seeks to intensify this through the provision of 7 no. units by reducing the size of the flats from three bedrooms to one bedroom.

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

21. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF12 and NPPF16.

22. Paston House is a modern building within the conservation area and is of no architectural merit. The building is mainly three storey and consists of seven main blocks each of which differs at ground floor level from the other block. It is understood that Paston House was originally constructed as 27 residential properties with retail on the ground floor and the use of the building changed to offices around 1997. Paston House attempted to reflect its historic surroundings through its proportions (aided by the bays, separated by pilasters), jettied and variations in window fenestration, roof height and colour. It is however a modern building and does not have any historic significance in its own right. It is considered to be of neutral significance overall.
23. Although Paston House is not listed or is not of any historic significance, it is situated within the conservation area and is opposite and adjacent to listed buildings. Therefore it is important to consider the impact that the proposed changes will have upon heritage assets.
24. The main characteristics of the building will be retained, including the vertical brick pilasters which help provide well proportioned plot widths. The changes to the fenestration at upper floor levels will provide more uniformity and the alterations at ground floor level should on the whole improve the overall appearance of the building. There was concern that the introduction of a vehicular access, parking and a sliding gate would be incongruous and could have a detrimental impact on the streetscene. This element has now been omitted.
25. The proposed stairwell extension on the north side of the building will partially infill the recessed upper floor bay of the main façade. The staircase extension will be approximately 3.7m in height, rising above the existing parapet level. It has been reduced in size since the previous application and the use of materials and retaining a set back will ensure that it is not overly dominant within the street scene.
26. Overall it is considered that the material choice is in keeping with the existing building. Furthermore the insertion of rooflights will have a minimal impact upon the streetscene as due to their height and the shallow pitch of the roof they are not overly visible.
27. Therefore taking into consideration the previous consents on the site, it is not considered that this proposal will have any additional harm on the conservation area or neighbouring listed building and the design is considered to be of good quality.

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

28. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF9.
29. The site is centrally located and within this location car free development is acceptable. There were concerns regarding the proposed vehicular access, the provision of three car parking spaces at basement level and the car lift; however this element of the proposal has now been omitted.
30. The application seeks to provide 49 no. cycle spaces. The total number of units on the site will be 69. Given the central location, the constraints of the site and that 62 of the units were converted under a prior approval application, the level is considered acceptable. There is sufficient space to accommodate 13 no. bins. This

is lower than would normally be expected for 69 units. The applicant has set out that the block will have a private waste collection which will be a lot more frequent than the Council waste collection so the number of bins is acceptable. A condition will be attached to any future permission requiring a detailed waste management plan which will need to set out the detailed arrangements for collection.

31. Overall therefore it is not considered that the proposal will have any significant highway implication.

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

32. Key policies and NPPF paragraphs – DM2, DM11, NPPF12.

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

33. The site is situated in close proximity to a number of other units however despite the close distances, it is not considered that the proposal will have any adverse implications for privacy. The roof lights will be openable for ventilation purposes but given the height of the building and the shallow pitch of the roof, their inclusion is not considered to introduce unacceptable amenity impacts on the neighbouring properties. No additional windows are proposed through this application to the south and therefore there will be no significant additional overlooking to the residential units to the south or to their amenity spaces. There may be an element of overlooking from the new windows in the eastern side elevation however the views of the properties on the north side of Princes Street will be oblique views and the distances involved are around 15 to 20m and the windows to the properties directly to the east (above 15-17 Princes Street) are obscure glazed serving a residential staircase.
34. Previously there was plant and machinery on the roof and this has now been removed and all plant and machinery will be internal. Due to the close proximity to neighbouring properties it is recommended that a condition be attached to control any external plant in the future.
35. It is not considered that the proposed development would increase loss of light or overshadowing to any neighbouring residents as the proposal mainly involved the infiling of the roof with the overall ridge height of the building increasing by less than 1m.

#### **Living conditions for future residents**

36. All seven flats will meet the national space standards and the large rooflights will ensure that all flats have good levels of light and ventilation. None of the flats will have any form of external amenity space as the building has no curtilage to utilise for this purpose and the design of the roof does not allow for the creation of balcony areas. Given the location of the site near to a number of public squares and open spaces, this was considered acceptable under the last application where the units could have been occupied by families as they were all 3 bedroom units. It is now proposed that all of the units are one bedroom flats and therefore the need for outside space is considered less. Therefore it is considered acceptable in this instance and overall it is felt that the creation of new homes outweighs any harm caused by the lack of private amenity space for this small number of dwellings.

## Compliance with other relevant development plan policies

37. 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	No – see main issue 3.
Car parking provision	DM31	Not applicable
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Not applicable

## Other matters

38. 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.

- The number of units is less than 11 so there is no policy requirement for the provision of affordable housing.
- The number of units proposed is less than 10 so there is no policy requirement for the provision of renewable energy. A condition should be attached to ensure that the units are water efficient.

## Equalities and diversity issues

39. There are no significant equality or diversity issues. The flats are serviced by a lift.

## Local finance considerations

40. 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.

41. 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.



42. In this case local finance considerations are not considered to be material to the case.
43. The development would be CIL liable as the proposal involves new residential floorspace.

## **Conclusion**

44. The proposal will provide 7 units of residential accommodation which will contribute towards Norwich's five year land supply. The proposal is of good design and taking into consideration the previous consents on the site, it is not considered that this proposal will have any additional harm on the conservation area or neighbouring listed building. The proposal will have no additional impact upon the highway network, will provide good living conditions for future residents and will have little impact upon neighbouring properties. The development is therefore 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. 18/01065/F - Paston House 11 - 13 Princes Street Norwich NR3 1AZ and grant planning permission subject to the following conditions:

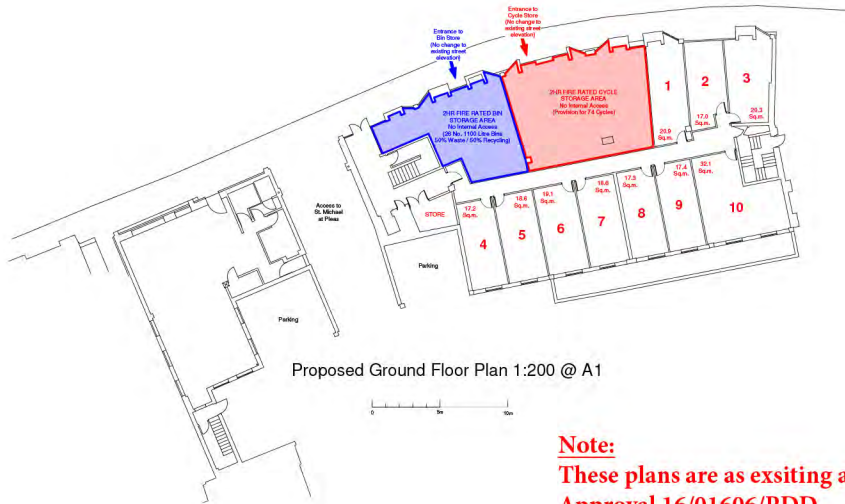
1. Standard time limit;
2. In accordance with plans;
3. No plant or machinery
4. Details of cycle parking.
5. Bin storage to be provided prior to occupation
6. Waste Management Plan
7. Water efficiency

### **Informatives:**

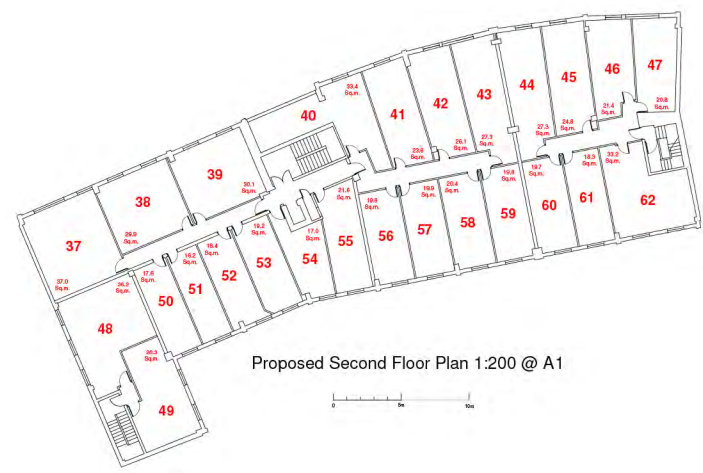
No parking permits

### **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 (2018) as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.



Proposed Ground Floor Plan 1:200 @ A1



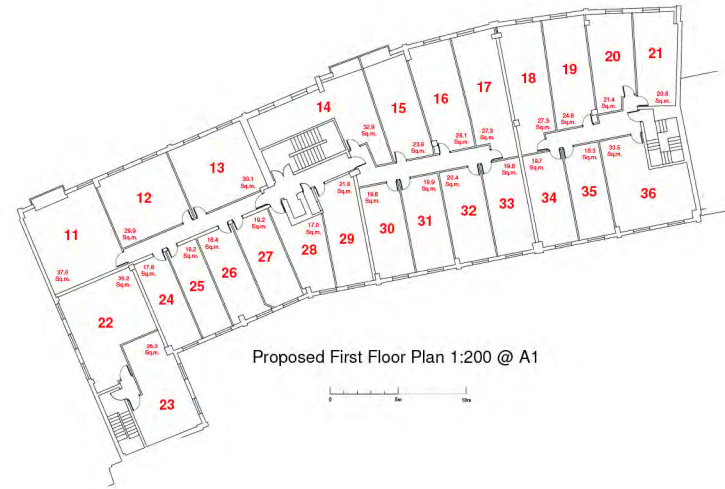
Proposed Second Floor Plan 1:200 @ A1

**Note:**  
 These plans are as existing and as approved under Prior Approval 16/01606/PDD.

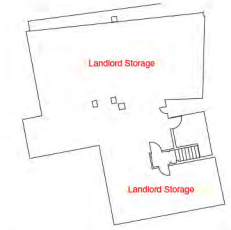
The site is currently under construction.



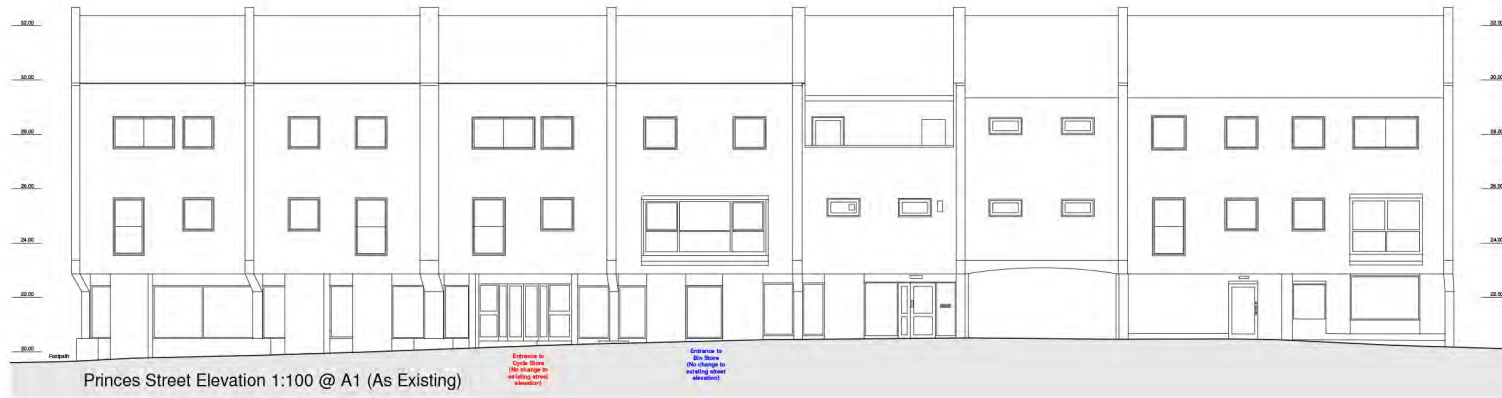
Double Storey Cycle Storage  
 (Provision for 74 Cycles)



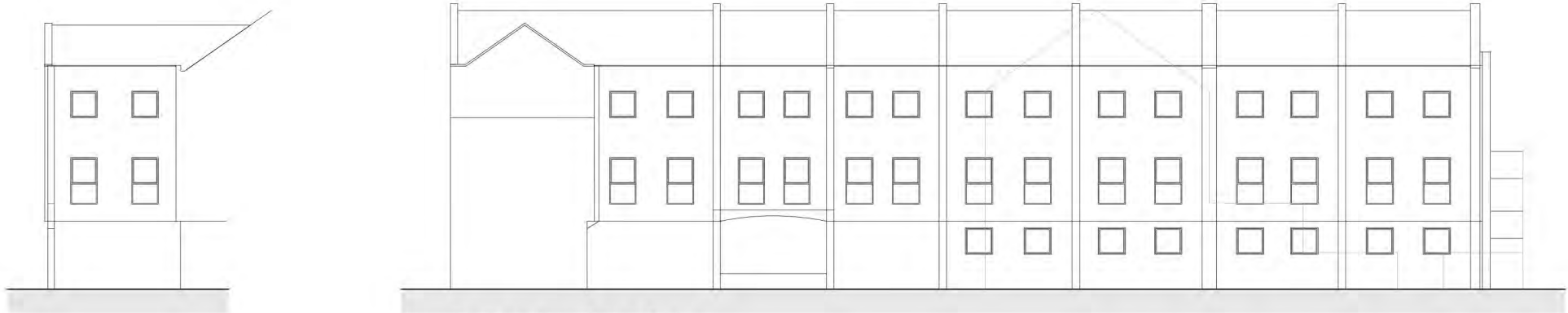
Proposed First Floor Plan 1:200 @ A1



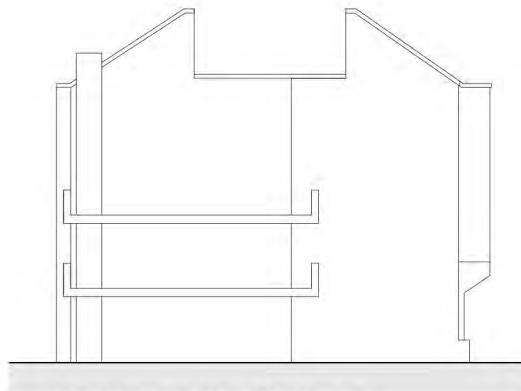
Proposed Basement Floor Plan 1:200 @ A1



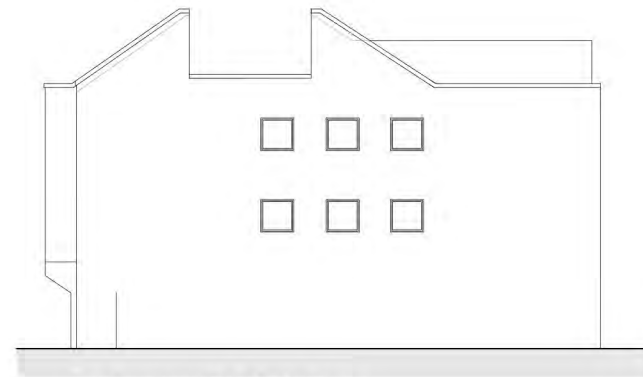
Princes Street Elevation 1:100 @ A1 (As Existing)



Rear Elevation 1:100 @ A1 (As Existing)



Section Through 1:100 @ A1 (As Existing)



Side Elevation 1:100 @ A1 (As Existing)

Revision A 3.15.16 Attention for Planning Permission

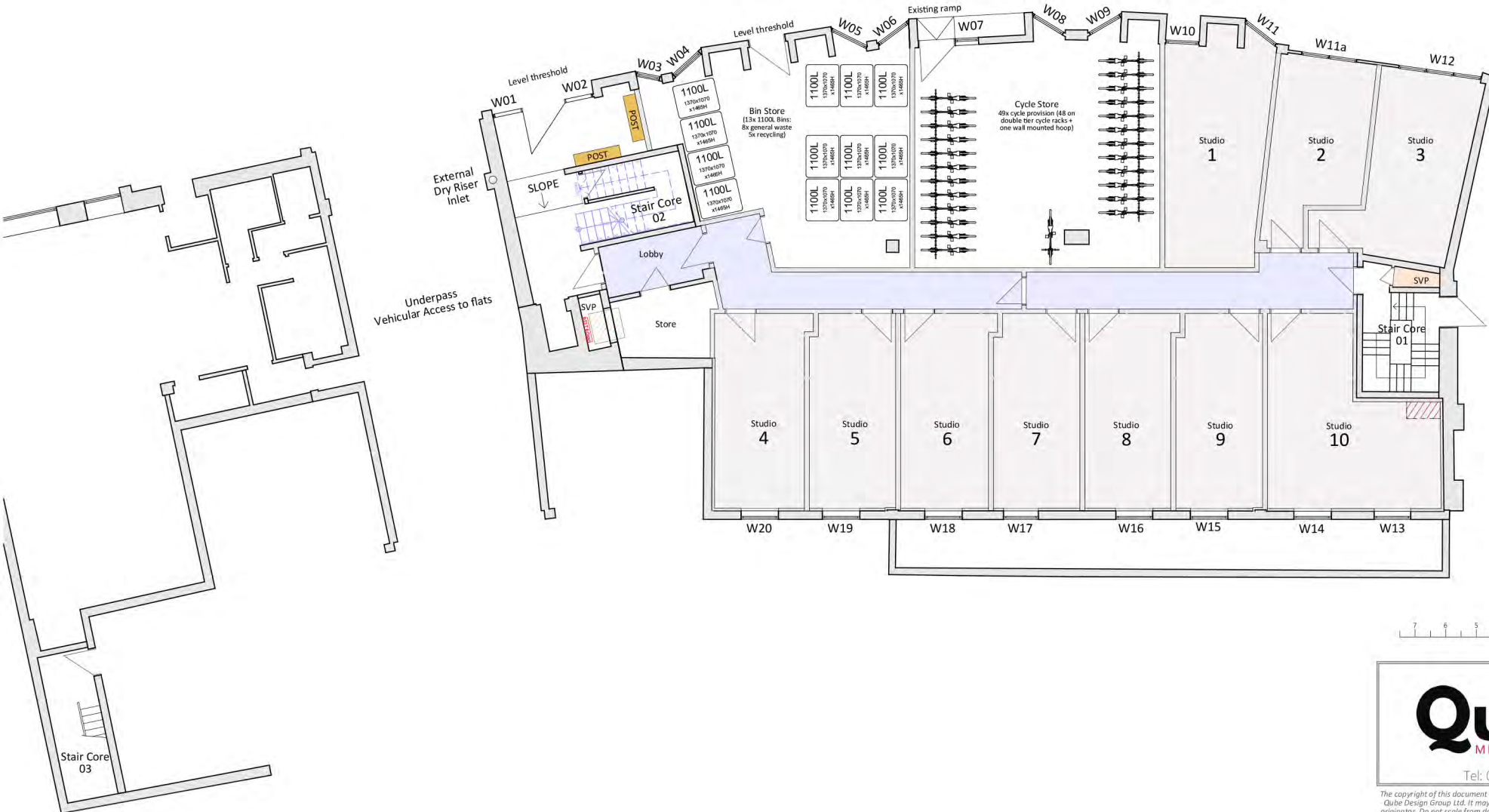
# PASTON HOUSE, PRINCES STREET, NORWICH

Page 43 of 182

## EXISTING ELEVATIONS

**Anglia Design**  
 architects | interior designers  
 mail@angliadesign.co.uk www.angliadesign.co.uk  
 London Office: 30 Rankin House, Newcourt Street, St. James Wood, London NW5 7AD  
 Tel: 020 7722 9559 Fax: 0207 131 3824  
 Norwich Office: 11 Charing Cross, Norwich, Norfolk, NR2 4XJ  
 Tel: 01603 666376 Fax: 01603 764337

Proposed Residential Conversion (C3) at  
 Paston House, Princes Street, Norwich, Norfolk.  
 For Steeple Court Ltd  
 Date: March 2016 Scale: 1:200 Dwg No. TL-3708-16-4A  
**Existing Elevations**



**Qube**  
MINDFUL DESIGN

Tel: 07508 713 784

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Client  
**Steeple Court Developments**

Project Details  
**Princes House  
Princes Street  
Norwich**

Document Title  
**GA - Ground Floor**

Scale @ A2 <b>1:100</b>	Drawn by <b>G.Buck</b>	Checked by
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Purpose of Issue <b>PLANNING</b>	Status <b>P1</b>
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Drawing number <b>2018 - 03 - 1000</b>	Rev <b>B</b>
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**Qube**  
MINDFUL DESIGN  
Tel: 07508 713 784

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Client  
**Steeple Court Developments**

Project Details  
**Princes House  
Princes Street  
Norwich**

Document Title  
**GA - Third Floor**

Scale @ A2  
**1:100**

Drawn by  
**G.Buck**

Checked by

Purpose of Issue

Status

Drawing number  
**2018 - 03 - 1003**

Rev



Princes Street Elevation - Proposed

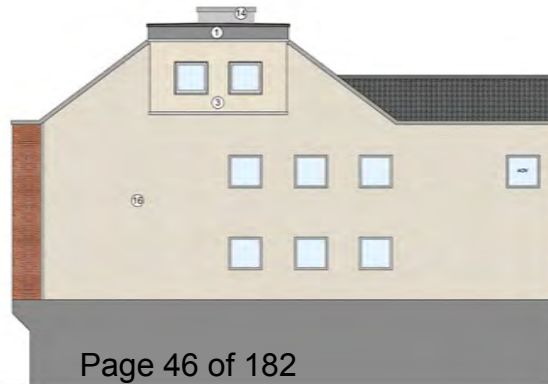
- Key:
- 1 Hard-Plank roof upstand (colour 'Iron Grey')
  - 2 Proposed new stair well roof structure, with continuation in Hard-Plank Iron Grey
  - 3 New render (colour 'Biscuit')
  - 4 New opaque windows in stair well to match existing
  - 5 Replacement Bay window. Render to be painted in mid-grey, windows to match existing
  - 6 Main entrance door in PPC Aluminium with fully glazed side lights.
  - 7 Solid timber entrance doors
  - 8 Gated access to underground carpark.
  - 9 New window element in PPC Aluminium
  - 10 Tilted vent for bathroom and kitchen extraction colour to match brick or render
  - 11 Existing Roof tiles to remain
  - 12 Velux windows
  - 13 Obscure panel to match mid-grey elements on ground floor.
  - 14 Lift overman
  - 15 Recessed Render panel
  - 16 Painted facade (Colour 'Biscuit' - RAL 1015)



St. Michael at Plum Elevation - Proposed



East Gate Elevation - Proposed



West Gate Elevation - Proposed



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Client

Steeple Court Developments

Project Details

Princes House  
Princes Street  
Norwich

Document Title

Proposed Elevations

Scale @ A1

1:100

Drawn by

G.Buck

Checked by

Purpose of Issue

PLANNING

Status

P1

Drawing number

2018 - 03 - 1200

Rev

**Report to** Planning applications committee

**Item**

11 October 2018

**Report of** Head of planning services

**Subject** Application no 18/00639/F and 18/00640/L- 45 - 51  
London Street, Norwich, NR2 1HX

**4(c)**

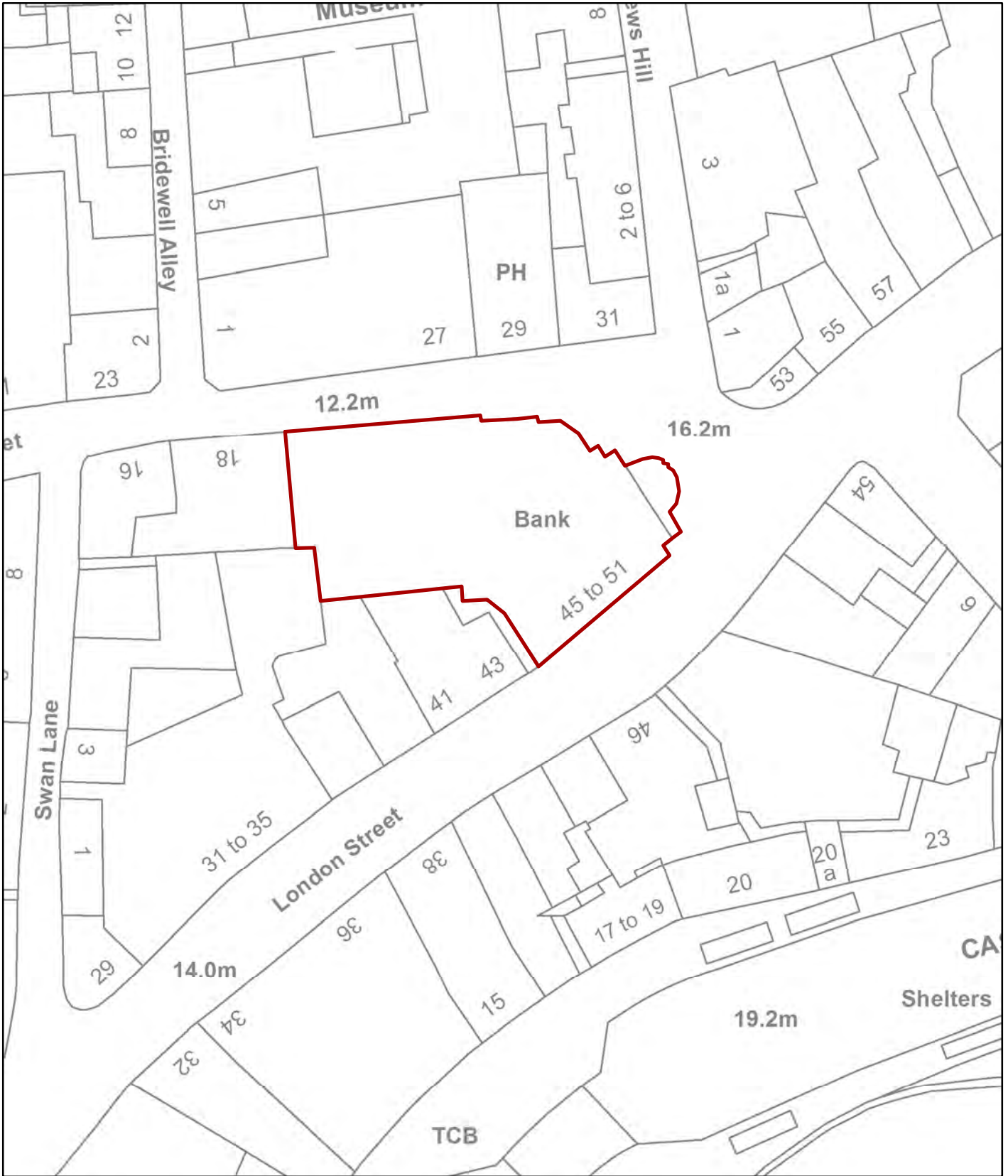
**Reason  
for referral** Objections

---

<b>Ward:</b>	Mancroft
<b>Case officer</b>	Katherine Brumpton - <a href="mailto:katherinebrumpton@norwich.gov.uk">katherinebrumpton@norwich.gov.uk</a>

<b>Development proposal</b>		
Change of use from bank (Class A2) to restaurant/bar (Class A3) and installation of ventilation system.		
<b>Representations</b>		
Object	Comment	Support
3	0	0

<b>Main issues</b>	<b>Key considerations</b>
1	Principle of proposed use
2	Design and Heritage
3	Amenity
<b>Expiry date</b>	25 June 2018
<b>Recommendation</b>	Approve



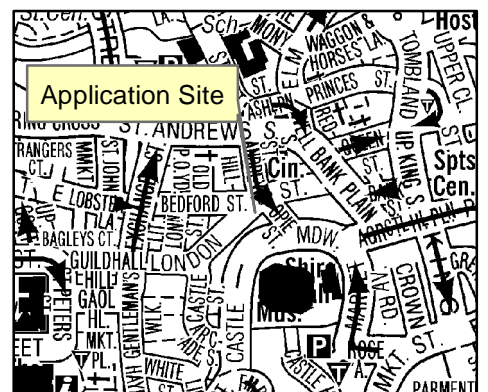
© Crown Copyright and database right 2018. Ordnance Survey 100019747.

Planning Application No 18/00639/F & 18/00640/L  
 Site Address 45 - 51 London Street  
 Scale 1:500



**NORWICH**  
 City Council

PLANNING SERVICES





## The site and surroundings

1. The site is triangular in shape and sits on the corner of London Street and Bedford Street and consists of a Grade II listed building dating from 1924. It appears to have been built for National Westminster Bank and was in continual use by them until October 2017 when it was vacated. It is currently empty. A later 20<sup>th</sup> century extension is located along Bedford Street. The ground floor is in retail use and is in separate ownership.
2. The site levels fall to the west, especially the north west, which results in the basement having windows to the north elevation only, facing Bedford Street.
3. The building covers 3 floors, to include a basement. The principal elevation is to the east and is accessed via semi-circular steps set between 4 columns. The building has neo- classical detailing and is finished in stone. A clock tower sits in the middle of east elevation. A large banking hall is served by a large domed cupola.
4. The area is in a mixed use, with retail and food and drink uses (restaurants, cafes and public houses) all being common.

## Constraints

5. City Centre Conservation Area.
6. The building subject to this application is Grade II Listed Building, and it borders several other Grade II properties to the west and south. There are also other Grade II and locally listed buildings within the immediate area.
7. Area of Main Archaeological Interest.
8. Primary Retail Area and Defined Retail Frontage.
9. City Centre Leisure Area.

## Relevant planning history

10.

Ref	Proposal	Decision	Date
4/1998/0371	Conversion of banking offices at rear to form retail unit (Class A1) including new pedestrian entrance and relocation of service till	APCON	24/07/1998
06/00502/L	Installation of air conditioning system including external condenser unit.	APPR	01/08/2006
09/00119/F	Removal of redundant air handling plant and replacement with new. Installation of edge protection handrail.	APPR	06/04/2009

Ref	Proposal	Decision	Date
09/00120/L	Removal of redundant air handling plant and replacement with new. Installation of edge protection handrail.	APPR	06/04/2009
11/01509/L	Alterations to banking hall including removal of non original partition and 2 No. tellers and formation of new transaction wall.	APPR	14/10/2011
17/00536/F	Removal of 2 No. ATMs and associated works. Replacement with stone wall.	APPR	16/05/2017
17/00537/L	Removal of 2 No. ATMs and associated works. Replacement with stone wall.	APPR	16/05/2017
17/00541/L	Removal of external signage.	APPR	05/06/2017
17/00697/L	Removal of internally hung memorial plaque from 45-51 London Street.	APPR	24/07/2017

## The proposal

11. To convert the building site into a restaurant and bar. No extensions are proposed however several alterations are required in order to facilitate the conversion. Access to the basement, ground and second floor would be available to the public.
12. Externally a ramp is proposed in order to provide access for wheelchair users. New extract ventilation and chiller units are proposed which would be located on the roof of the 20<sup>th</sup> century section. Repairs will be carried out where necessary.
13. Internally the modern furniture and partitions will be removed, as will some stud walls. Small sections of stud partitioning will be installed in the ground floor and basement to create an accessible WC and further WCs accordingly. A bar would be installed within the former banking hall. A commercial kitchen would be located within the 20<sup>th</sup> century section on the first floor.
14. The proposal has been re-advertised and re-consulted on following the submission of the scheme to include a ramp. Revised plans were received to include a revised location plan. This period finishes on 10 October 2018; members will be updated at Committee on any additional comments or representations received.
15. Any advertisements are to be covered under a separate application.
16. An application to stop up the Highway to enable the erection of the access ramp has now been submitted to the National Transport Casework (NTC) team. The documents are available to view until 15<sup>th</sup> November 2018 at Norwich City Council.

## Summary information

<b>Proposal</b>	<b>Key facts</b>
<b>Operation</b>	
Opening hours	<b>07:00 to 23:00 on any day and trade deliveries and collections between 07:00 and 19:00 Monday to Saturday only.</b>
Ancillary plant and equipment	<b>New extract ventilation and chiller units</b>

## Representations

17. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 3 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

<b>Issues raised</b>	<b>Response</b>
Overall strategy of London Street should be considered before coming to a decision on this application. A retail study was produced in 2014 for BID which highlighted the need for a strategy to be put in place if there is a wish to maintain the retail occupation of the street. The number of units in a food and bar use may start to undermine the critical mass of retail.	See main issue 1.
Introducing another late night establishment will increase the anti-social behaviour already experienced within the area (including vomit, broken glass and damage to premises).	See main issue 3.
The Lanes is characterised by independent businesses and this proposal would allow another chain to move in.	This is not a material planning consideration, consent would run with the land and is not for a specific operator.
The building is a landmark and a beautiful building. It is shocking that such a poorly rated establishment would be allowed in by the council.	This is not a material planning matter.

Issues raised	Response
Introducing another business with direct competition with many existing businesses can only lead to more business closures.	This is not a material planning matter.
Outside seating is welcomed but must be sited to ensure that people with mobility/visual impairments can negotiate successfully.	The application does not include outside seating.
Bringing the building back into use is a positive, and this scheme appears to be acceptable.	No comment.
Provision of a changing places toilet would be welcomed.	This has been raised with the agent but unfortunately there is not the room given the constraints of the listed building. However a wheelchair accessible ground floor WC is proposed (with baby changing facilities) and an ambulant user WC located in the basement.

## Consultation responses

18. 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

19. Following discussions and the submission of amended plans the proposal is considered acceptable, with the imposition of suitable conditions.
20. The proposal is generally considered to represent a sympathetic scheme, and conditions can be added to finalise some details such as floor coverings.
21. The ramp will cause less than substantial harm to the building, but I am satisfied that on this occasion the public benefits outweigh the harm in accordance with the requirements set out in the NPPF, notably access for wheelchair users.
22. Final comments to be verbally updated to members at committee.

### Environmental protection

23. The extract system provides an appropriate solution for noise and odour issues.
24. The use of the premises mainly for restaurant use is appropriate up to 23:00, the use of the premises past this time should be supported by a noise impact assessment that identifies and quantifies any issues from entertainment and customer noise and its impact on local residential uses. Such an assessment has not been submitted therefore a condition is recommended which restricts the

opening hours to 07:00 and 23:00 on any day. In addition a condition should be added to restrict trade deliveries and collections between 07:00 and 19:00 Monday to Saturday.

### **Highways (local)**

25. A construction management plan will be essential, to include consideration of skips, hoardings, contractor traffic, demolition traffic etc. Early discussions with the street works team will be important.
26. A restaurant will also generate vehicular traffic associated with food, waste and potentially home deliveries. Careful consideration will need to be made to waste management on the site and how it would be serviced on-street
27. There is no provision for staff or customer cycle parking. I appreciate that space within the building or on-street may not be available for cycle parking in this instance.
28. No objection to the installation of a ramp, subject to the successful application of a stopping up notice of the highway.

## **Assessment of planning considerations**

### **Relevant development plan policies**

29. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS2 Promoting good design
  - JCS5 The economy
  - JCS6 Access and transportation
  - JCS7 Supporting communities
  - JCS8 Culture, leisure and entertainment
  - JCS11 Norwich city centre
30. **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
  - DM7 Trees and development
  - DM9 Safeguarding Norwich's heritage
  - DM11 Protecting against environmental hazards
  - DM16 Supporting the needs of business
  - DM18 Promoting and supporting centres
  - DM20 Protecting and supporting city centre shopping
  - DM23 Supporting and managing the evening and late night economy
  - DM28 Encouraging sustainable travel
  - DM30 Access and highway safety
  - DM31 Car parking and servicing

## Other material considerations

### 31. Relevant sections of the National Planning Policy Framework March 2018 (NPPF):

- NPPF1 Achieving sustainable development
- NPPF4 Decision-making
- NPPF6 Building a strong, competitive economy
- NPPF7 Ensuring the vitality of town centres
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF16 Conserving and enhancing the historic environment

### 32. Supplementary Planning Documents (SPD)

- Main town centre uses and retail frontages SPD adopted December 2014

## Case Assessment

33. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### Main issue 1: Principle of development

34. Key policies and NPPF paragraphs – DM1, DM18, DM20, DM23, NPPF sections 6 and 7.

35. The building is currently unused but up until October 2017 was used as a bank, the proposal would convert the whole building to a restaurant/bar.

36. The site falls within a Primary Retail Area, Defined Retail Frontage and City Centre Leisure Area.

37. Policy DM18 states that within Primary Retail Areas and Defined Retail Frontages main town centre uses such as restaurants are permitted where; their scale is appropriate and the proposal does not conflict with the overall sustainable development criteria (set out in DM1) and (where appropriate) policies DM20 and 21 are complied with. Policy DM20 requires a change of use to restaurant to only be permitted where there would be no harmful impact upon the vitality and viability of the area and individual streets, and where it would not result in the proportion of A1 retail uses at ground level falling below an indicative level.

38. The main town centre uses and retail frontages SPD expands policy DM20 further, providing assessments of the frontage zones and guidance on appropriate uses beyond retail. The site falls within The Lanes East zone. The SPD encourages an indicative minimum of 70% retail for the defined retail frontage, with further expansion of cafes and restaurants particularly in London Street and Bedford Street

to be supported. Concentrations of non-retail uses which would result in continuous runs of inactive ground floor frontage should be discouraged.

39. The submitted Design and Access Statement states that the restaurant would be open during the day and have an active frontage. As above the immediate neighbours are largely retail, with both immediately adjacent neighbours on London Street and Bedford Street in active retail use. Whilst the level of activity during the day may be reduced from its previous use as a bank, the proposal would not result in the loss of an active frontage. The proposal is therefore considered to comply with the SPD as it would not result in a continuous run of inactive frontage, it is a supported use within this zone, and no loss of retail would occur.
40. Compliance with DM18 is also considered to be achieved. Located within the city centre the scale of the proposal is considered acceptable, and it would not conflict with the overall sustainable development set out in DM1.
41. **Main issue 2: Design and Heritage**
42. Key policies and NPPF paragraphs – JCS2, DM3, DM9 and NPPF sections 12 and 16.
43. Discussions with the agent have led to amended plans being submitted, which are considered to represent a more sympathetic conversion. However the amended plans do include the introduction of an external ramp, which is discussed below.
44. Discussions have been had regarding the repairs and finish schedule, however details are to be conditioned. The proposed works largely include retaining and repairing rather than replacing or removing.

#### Basement

45. The layout of this floor is largely unchanged. Some modern partitions are removed and a reconfiguration of the WCs proposed. Otherwise the main space is to be a private dining room, with ancillary rooms to be used for storage. All existing security doors, grilles and freestanding safes are to be retained in situ.
46. The fire escape leading onto Bedford Street is to have its existing original steel and timber security doors and frame labelled, and photographed for record purposes, then carefully removed and stored elsewhere on site. Due to their weight and construction, they cannot function as fire escape doors. New timber fire escape doors would be installed, with the leaf and frame to match the existing.

#### Ground Floor

47. The existing modern teller counters, reception desk and furniture would all be removed from the banking hall. The stud walls within the modern section on this floor would largely be removed to create a large dining area across both the original building and modern extension. The rooms along the side of the banking hall would be used as a snug, DDA compliant WC, lobby and ancillary rooms such as a glass wash area.
48. The proposed ramp would be sited to the south of the main entrance and run alongside the building. Two additional semi-circular stone steps would be installed to allow for a level access. Whilst the ramp would be a permanent addition the

submitted design would allow the existing stone steps to remain in situ below. Details would be conditioned.

### **First Floor**

49. Most of the original building at this height is a void.
50. A commercial kitchen would be installed within the extension on the first floor; this includes the introduction of ducts and vents which are discussed more below. Stud walls will be altered too, however given the age of this section of the building this raises no concerns.

### **Second Floor/Roof**

51. The original building comprises a section of flat roof around the lantern serving the banking hall, a large meeting room and associated kitchen and WC. The proposal would use the meeting room as another private dining area and utilise the facilities with some minor amendments.
52. The proposed vents and ducts would be sited on the flat roof of the extension. The design has been amended to reduce their visual impact. The main vertical flue would run alongside a wall and would not be significantly higher than the existing flues. It would be finished in a matt colour to reduce its visibility.

### **Conclusion**

53. Whilst harm has been identified from the proposal, from the installation of a ramp, this harm is considered to be less than substantial. Paragraph 196 of the NPPF advises that where such harm is identified it should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Despite lengthy discussions and investigations there is considered to be no other practical or desirable way of obtaining disabled access to the building. Regardless of the proposed use, disabled access would always be desirable. As such in this case it is considered that the public benefits outweigh the harm as disabled access helps provide the building with a viable long term use.
54. The other elements of the scheme are considered to represent a development which is sympathetic to the heritage asset and would serve to preserve the building.

### **Main issue 3: Amenity**

55. Key policies and NPPF paragraphs – DM2, DM11, and NPPF section 12.
56. The area is mixed in use with retail, restaurants/cafes, public houses, university classrooms, a church, a cinema and several dwellings being found within The Lanes East. Residential uses are normally, if not exclusively, flats above other uses.
57. No extensions or additional windows are proposed. The change to the impact upon neighbour's amenity would arise from the change of use, and potentially the introduction of new extract ventilation and chiller units. No noise impact assessment has been submitted.



58. Given the locality the proposed use is considered to be consistent with the character of the area; there is a public house on the opposite side of Bedford Street and a late night bar further down Bedford Street. With a suitable condition restricting the opening times the impact is considered acceptable.
59. The vents and chiller units are considered to have an acceptable impact upon neighbours.
60. The amenity of users of the development is considered acceptable.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>No – however given the central location and space restrictions preventing any provision the lack of provision is considered acceptable in this case.</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>

### **Other matters**

62. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation.
63. A whitebeam tree is located to the front of the building (east). This is a street tree and is owned by Norwich City Council. The proposed ramp and works to the steps are not anticipated to impact the tree, including its Root Protection Area (RPA). However details of the ramp are to be conditioned. Should there be any impact this can be addressed when the condition is discharged.

### **Equalities and diversity issues**

64. There are significant equality issues. The provision of an access ramp to the front of the building will result in less than substantial harm. This has been discussed further within the Design and Heritage section above.
65. Use of the existing life shafts for DDA compliant access has been explored, but they are unfortunately too small and there is no feasible way to enlarge either lift.

### **Local finance considerations**

66. 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.

67. 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.
68. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

69. The proposed use is considered to be appropriate and acceptable. The alterations required to the listed building are also considered to be acceptable, once the public benefits are weighed against the less than substantial harm identified.
70. Therefore with appropriate conditions the development is considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

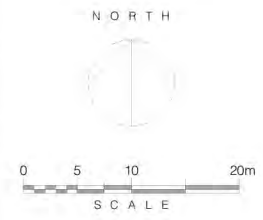
- (1) To approve application no. 18/00639/F - 45 - 51 London Street Norwich NR2 1HX and grant planning permission subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. Heritage Interpretation;
  4. Not open to public;
  5. Restricted delivery hours;
  6. Submission waste disposal details;
  7. Construction method statement.

and

- (2) To approve application no. 18/00640/L - 45 - 51 London Street Norwich NR2 1HX and grant planning permission subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. Details to be submitted;
  4. Requirement for schedule and specification of repairs;

## **Article 31(1)(cc) 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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



Rev	Date	Initials	Details
Purpose of Issue			
BLOCK PLAN			
<b>RICHARD PEDLAR ARCHITECTS</b> ARCHITECTURE • CONSERVATION • URBAN DESIGN			
<small>RP/CA 4, Grove Road, Redland          Bristol, BS6 6LU • 0117 974 2612          www.rpca.co.uk • info@rpca.co.uk</small>			
Project	Proposed Cosy Club at 45 London Street, Norwich, Norfolk		
Client	Loungers Ltd.		
Type	Block Plan		
Drawing No.	LNG3815.BPA		
Scale	1:250 @ A1	Date	APRIL 2018
<small>Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information to be taken from figured dimensions.</small>			



EAST ELEVATION

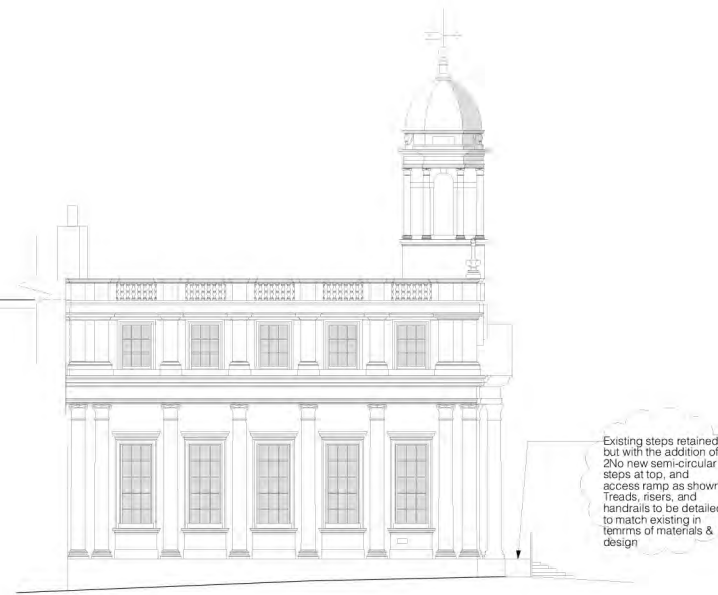
existing boiler flue

New commercial extract flue - refer to separate details provided by Partridge Ventilation - note that this is not visible from either London Street or Bedford Street

New external ductwork to be powder coated in matt finish to match existing brickwork - RAL8028 Terra Brown (Matt)

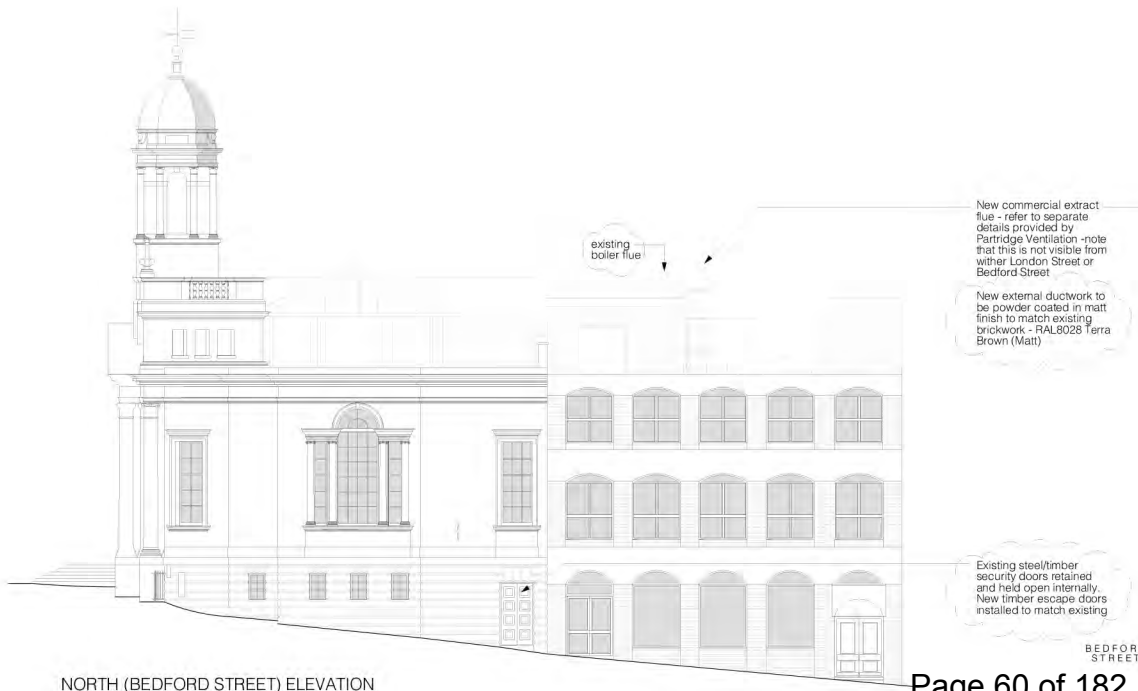
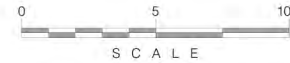
Existing steps retained, but with the addition of 2 No new semi-circular steps at top, and access ramp as shown. Treads, risers, and handrails to be detailed to match existing in terms of materials & design

SOUTH (INTERNAL) ELEVATION of modern building - not visible from London Street



Existing steps retained, but with the addition of 2 No new semi-circular steps at top, and access ramp as shown. Treads, risers, and handrails to be detailed to match existing in terms of materials & design

SOUTH (LONDON STREET) ELEVATION



NORTH (BEDFORD STREET) ELEVATION

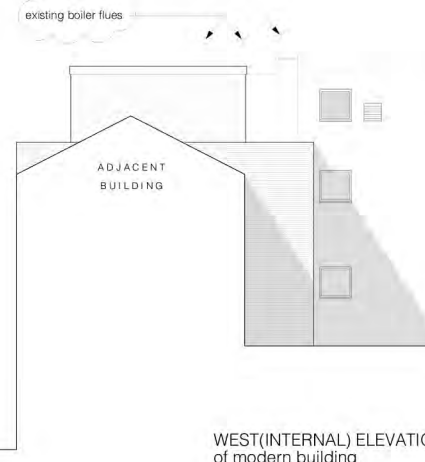
existing boiler flue

New commercial extract flue - refer to separate details provided by Partridge Ventilation - note that this is not visible from either London Street or Bedford Street

New external ductwork to be powder coated in matt finish to match existing brickwork - RAL8028 Terra Brown (Matt)

Existing steel/timber security doors retained and held open internally. New timber escape doors installed to match existing

BEDFORD STREET



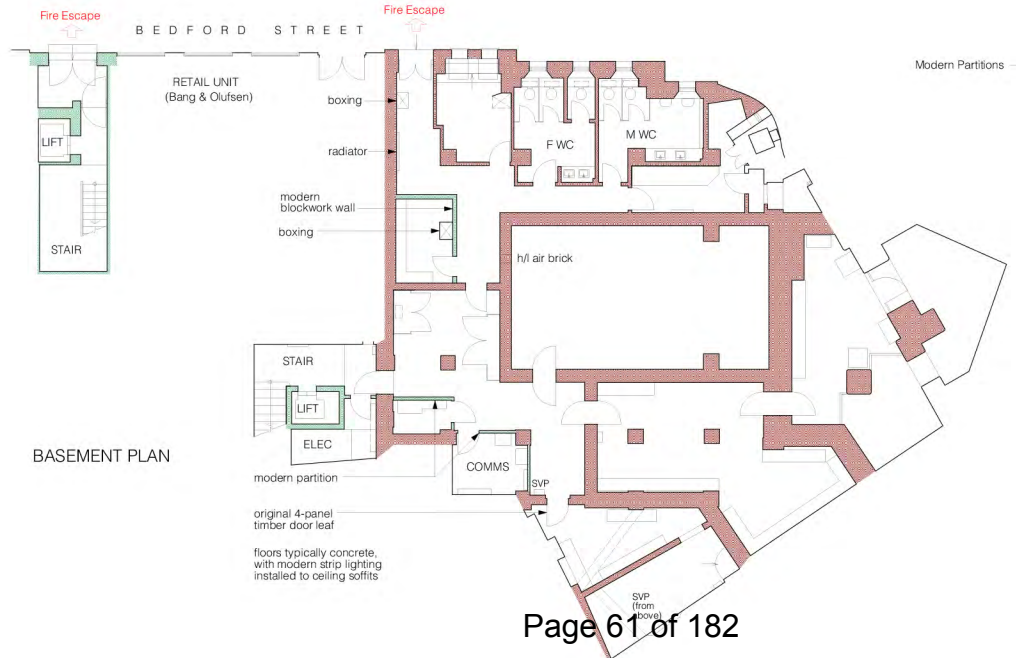
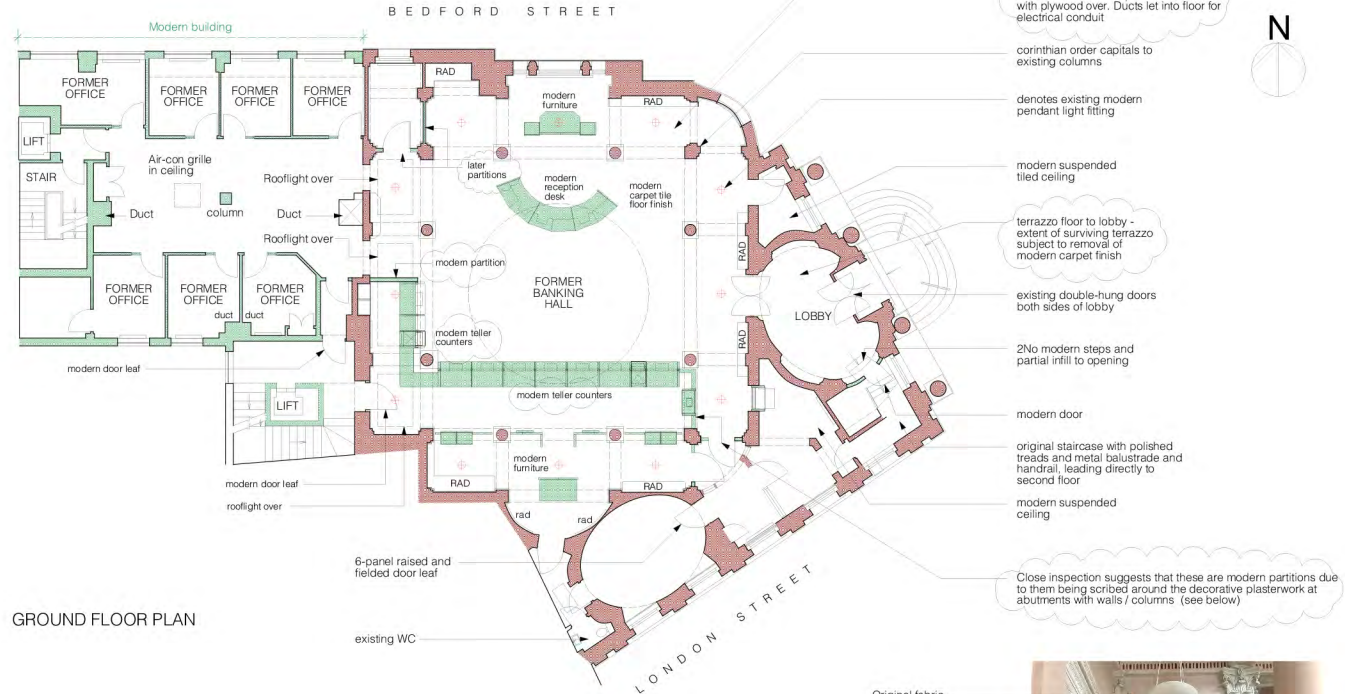
existing boiler flues

ADJACENT BUILDING

WEST (INTERNAL) ELEVATION of modern building



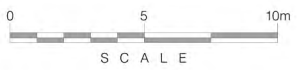
**PHOTO OF ORIGINAL BANKING HALL**  
 looking west towards new extension - note lack of partitions perpendicular to west wall and in north west corner of banking hall



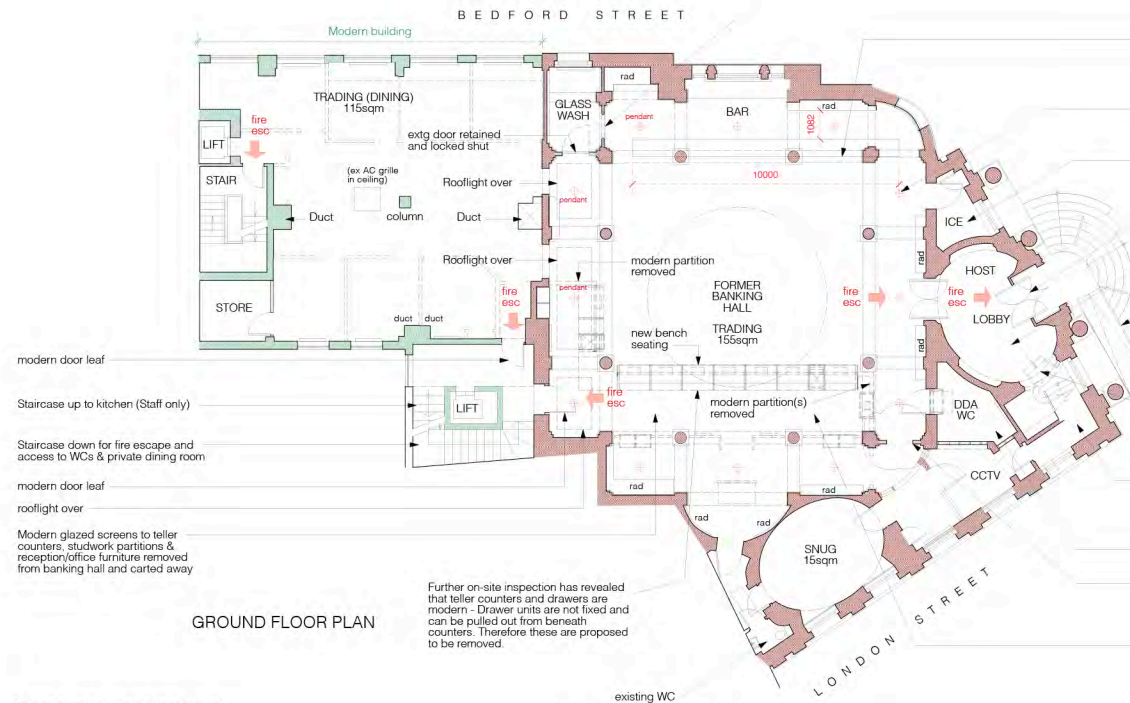
**PHOTOGRAPH - SE corner of Banking Hall**  
 looking South towards London Street from Banking Hall - note modern partition is scribed around decorative plasterwork. Arched infill at higher level is original

**FABRIC KEY**

	Original Fabric (assumed)
	Later/less important fabric of some heritage value
	Modern Fabric



B	14.06.18	DR	Colours and notes amended following further onsite inspection
A	30.05.18	SF	Colour key of filler desk amended
Rev	Date	Initials	Details
Purpose of Issue			
SURVEY			
<b>RICHARD PEDLAR ARCHITECTS</b> ARCHITECTURE • CONSERVATION • URBAN DESIGN			
RPCA 4 Grove Road Redland Bristol BS6 6LJ • 0117 974 2612 www.rpca.co.uk • info@rpca.co.uk			
Project	Cosy Club at 45 London Street Norwich Norfolk NR2 1HX		
Client	Loungers Ltd		
Title	Existing Basement & Ground Floor Plans		
Drawing No.	LNG3815.01B		
Scale	1:100 @A1	Date	Mar 2018
<small>Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information to be taken from figured dimensions only</small>			



GROUND FLOOR PLAN

Existing original steel and timber security doors & frame to be retained in situ and held open at all times - due to their weight and construction, they cannot function as fire escape doors.

Further on-site inspection has revealed that teller counters and drawers are modern - Drawer units are not fixed and can be pulled out from beneath counters. Therefore these are proposed to be removed.

New outward opening timber fire escape doors to be installed. Door leafs & frame to match external appearance of existing doors.

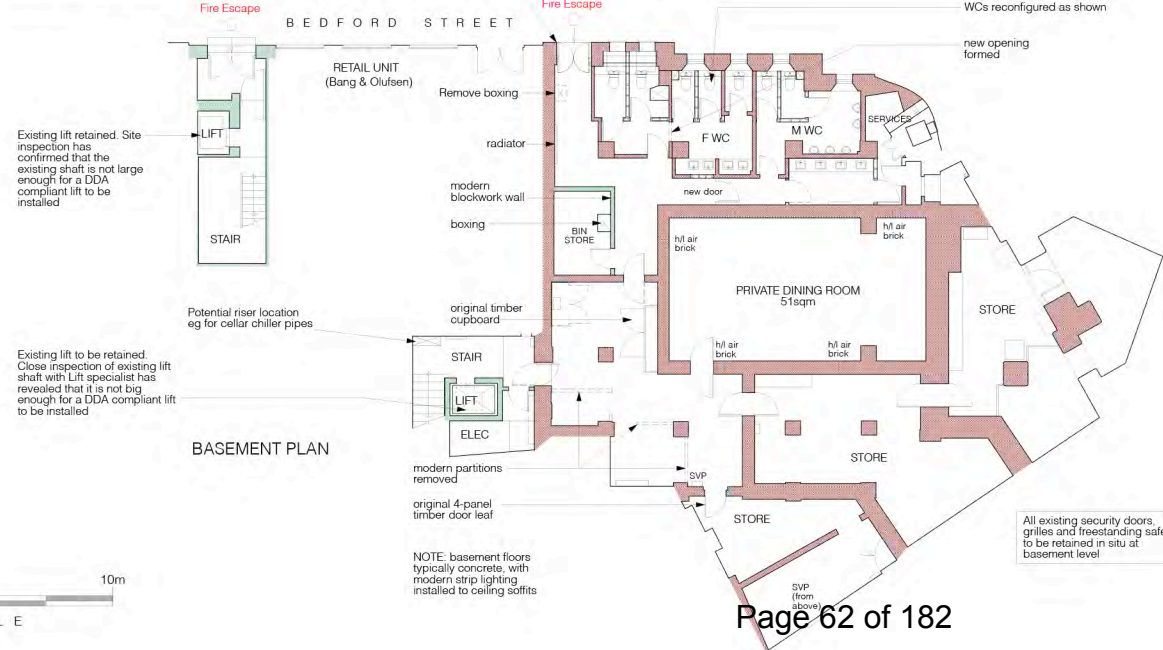
- new opening formed in modern partition to provide direct access between bar & glass wash
- Front of bar set out along centre line of columns
- denotes existing modern pendant light fitting
- modern suspended tiled ceiling
- existing double-hung doors both sides of lobby
- existing surviving terrazzo floor finish to lobby to be exposed and retained
- Retain existing steps - add 2 no semi-circular steps to top to simplify landing, and install ramp as shown to detail. Materials and handrail are to match existing. Due to steepness of ramp, provide appropriate signage and a call button for wheelchair users for staff assistance with gaining access to the building from the entrance on Bedford Street
- Remove 2No modern steps and partial infill to opening, form 2No new steps to integrate with base of existing staircase
- original staircase with polished treads and metal balustrade and handrail, leading directly to second floor
- modern suspended ceiling
- retain later partition and door architraves below arch. Remove doors and store securely in basement
- all modern carpet tiles to the floors to be removed throughout banking hall. However, existing floor has been found to be concrete and plywood, with electrical duct and conduits let into it. Therefore, new timber floating floor is to be overlaid above, as per detail (below)

**FABRIC KEY**

- Original Fabric (assumed)
- Later fabric of some heritage value
- Modern Fabric

**PROPOSED FLOOR FINISH TO GF TRADING AREAS**

- 20mm RECLAIMED TIMBER BOARDS
- 20mm SW BATTENS



BASEMENT PLAN

Existing lift retained. Site inspection has confirmed that the existing shaft is not large enough for a DDA compliant lift to be installed

Existing lift to be retained. Close inspection of existing lift shaft with Lift specialist has revealed that it is not big enough for a DDA compliant lift to be installed

NOTE: basement floors typically concrete, with modern strip lighting installed to ceiling soffits

All existing security doors, grilles and freestanding safes to be retained in situ at basement level

- D 30.08.2018 SF Partition retained to SE of banking hall
- C 16.07.2018 DR amends where bubbled
- B 14.06.2018 DR amends where bubbled
- A 29.05.2018 SF WCs to basement amended to match existing fabric description. Works to teller counters amended. Lift works amended. Items added re: retaining existing security doors and safes, retain ex. floor and wall finishes, wheelchair access

Rev Date Initiate Details  
Purpose of Issue

**SCHEME DESIGN**  
**RICHARD PEDLAR ARCHITECTS**  
ARCHITECTURE - CONSERVATION - URBAN DESIGN

RPCA 4 Grove Road Reading  
Bristol BS6 6JJ • 0117 974 2612  
www.rpca.co.uk • info@rpca.co.uk

Project **Cosy Club at 45 London Street**  
Norwich Norfolk NR2 1JU

Client **Loungers Ltd**

Title **Proposed Plans**

Drawing No **LNG3815.101D**  
Scale **1:100 @A1**  
Date **Mar 2018**

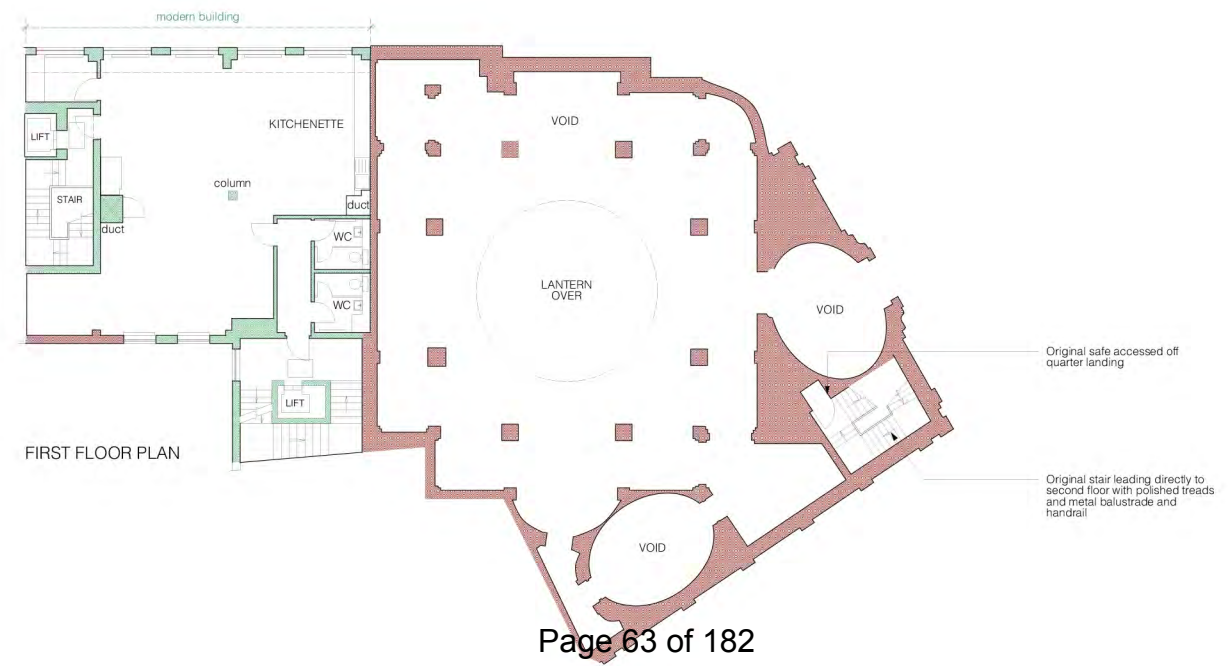
Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information to be taken from figured dimensions only.



FABRIC KEY	
	Original Fabric (assumed)
	Later fabric of some heritage value
	Modern Fabric



SECOND FLOOR PLAN

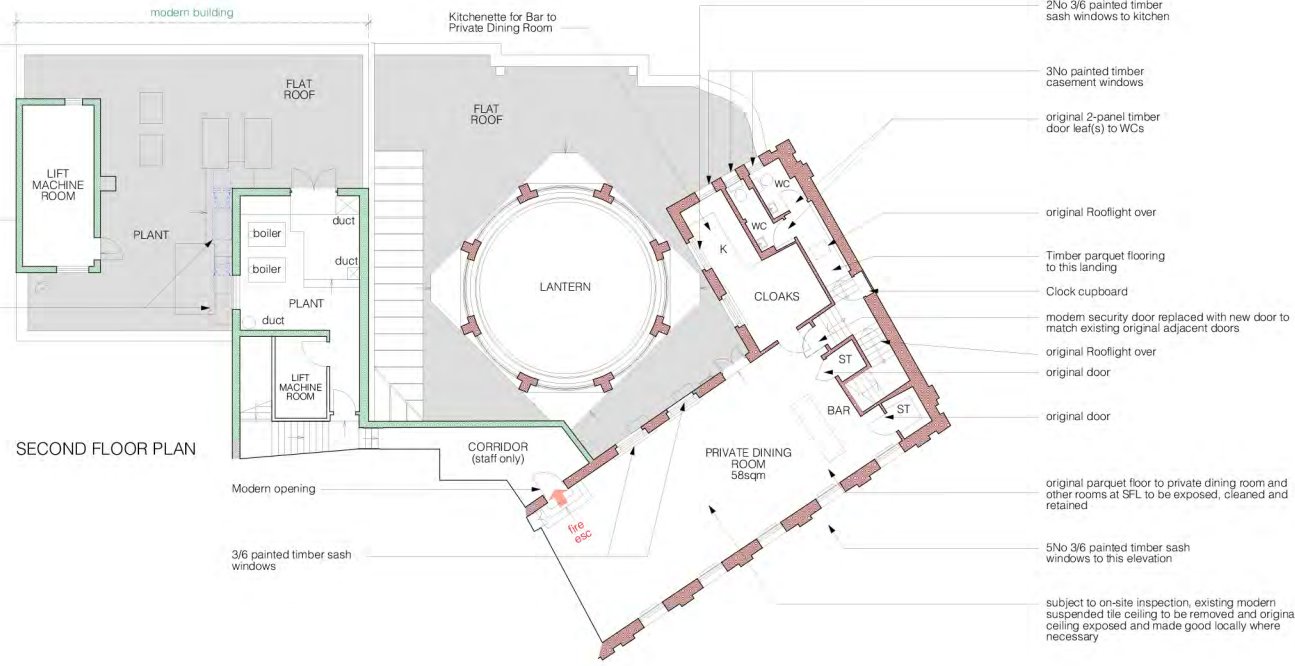


FIRST FLOOR PLAN



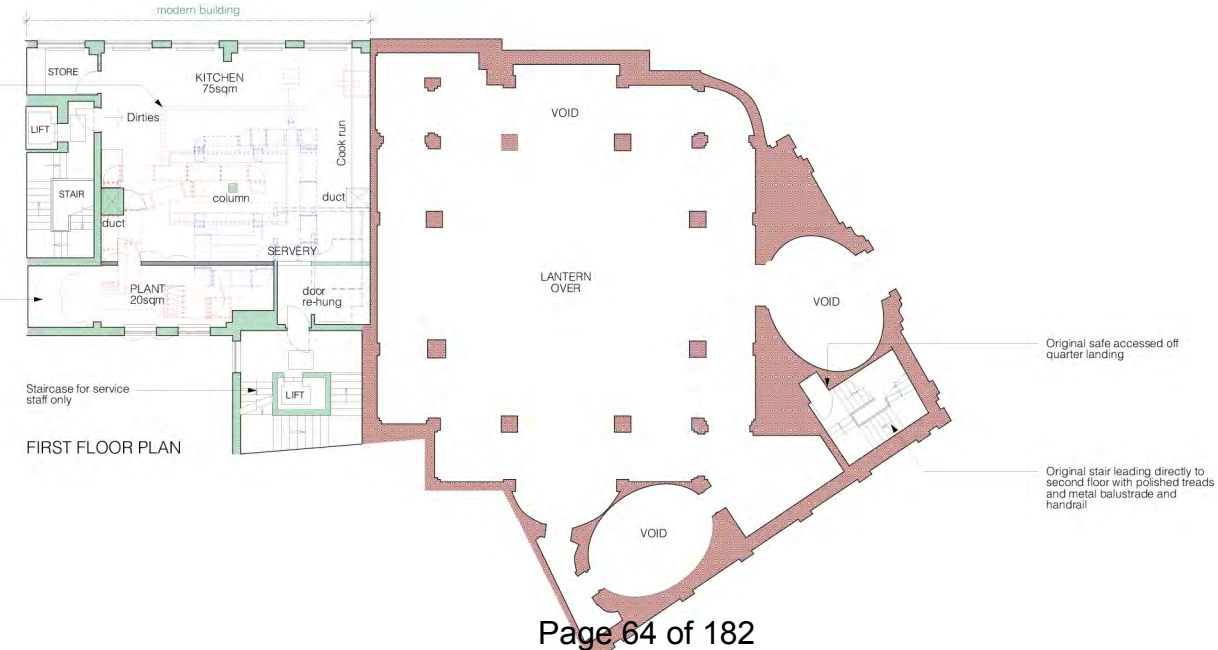
Rev	Date	Initials	Details
Purpose of Issue			
SURVEY			
<b>RICHARD PEDLAR ARCHITECTS</b>			
ARCHITECTURE • CONSERVATION • URBAN DESIGN			
RPCA 4 Grove Road Redland Bristol BS6 6JJ • 0117 974 2612 www.rpca.co.uk • info@rpca.co.uk			
Project	Cosy Club at 45 London Street Norwich Norfolk NR2 1HX		
Client	Loungers Ltd		
Title	Existing Plans		
Drawing No.	LNG3815-02-		
Scale	1:100 @A1 1:200 @ A3	Date	Mar 2018
Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information to be taken from figured dimensions only			

- Original Fabric (assumed)
- Later fabric of some heritage value
- Modern Fabric



New commercial extract and supply ventilation system installed - refer to separate details provided by Partridge Ventilation

- 2 No 3/6 painted timber sash windows to kitchen
- 3 No painted timber casement windows
- original 2-panel timber door leaf(s) to WCs
- original Rooflight over
- Timber parquet flooring to this landing
- Clock cupboard
- modern security door replaced with new door to match existing original adjacent doors
- original Rooflight over
- original door
- original door
- original parquet floor to private dining room and other rooms at SFL to be exposed, cleaned and retained
- 5 No 3/6 painted timber sash windows to this elevation
- subject to on-site inspection, existing modern suspended tile ceiling to be removed and original ceiling exposed and made good locally where necessary



New commercial extract and supply ventilation system installed - refer to separate details provided by Partridge Ventilation

Internal Plant Room

- Original safe accessed off quarter landing
- Original stair leading directly to second floor with polished treads and metal balustrade and handrail

Rev	Date	Initials	Details
D	16.07.2018	DR	ventilation layout revised to internalise some of the mechanical equipment
C	03.07.2018	DR	amends to kitchen to include plant room
B	14.06.2018	DR	amends to second floor layout to retain as existing
A	29.05.2018	SF	Floor finish to PD Room indicated

Purpose of Issue  
SCHEME DESIGN

**RICHARD PEDLAR ARCHITECTS**  
ARCHITECTURE • CONSERVATION • URBAN DESIGN

RPCA 4 Grove Road Redland  
Bristol BS6 6JJ • 0117 974 2612  
www.rpca.co.uk • info@rpca.co.uk

Project: Cosy Club at 45 London Street  
Norwich Norfolk NR2 1HU

Client: Loungers Ltd

Title: Proposed Plans

Drawing No: **LNG3815.102D**

Scale: 1:100 @ A1  
1:200 @ A3  
Date: Mar 2018

Responsibility is not accepted for errors made by others in scaling from this drawing. All construction information to be taken from figured dimensions only





**Report to** Planning applications committee

**Item**

11 October 2018

**Report of** Head of planning services

**Subject** Application no 18/01177/F - 9 Clabon Second Close,  
Norwich, NR3 4HQ

**4(d)**

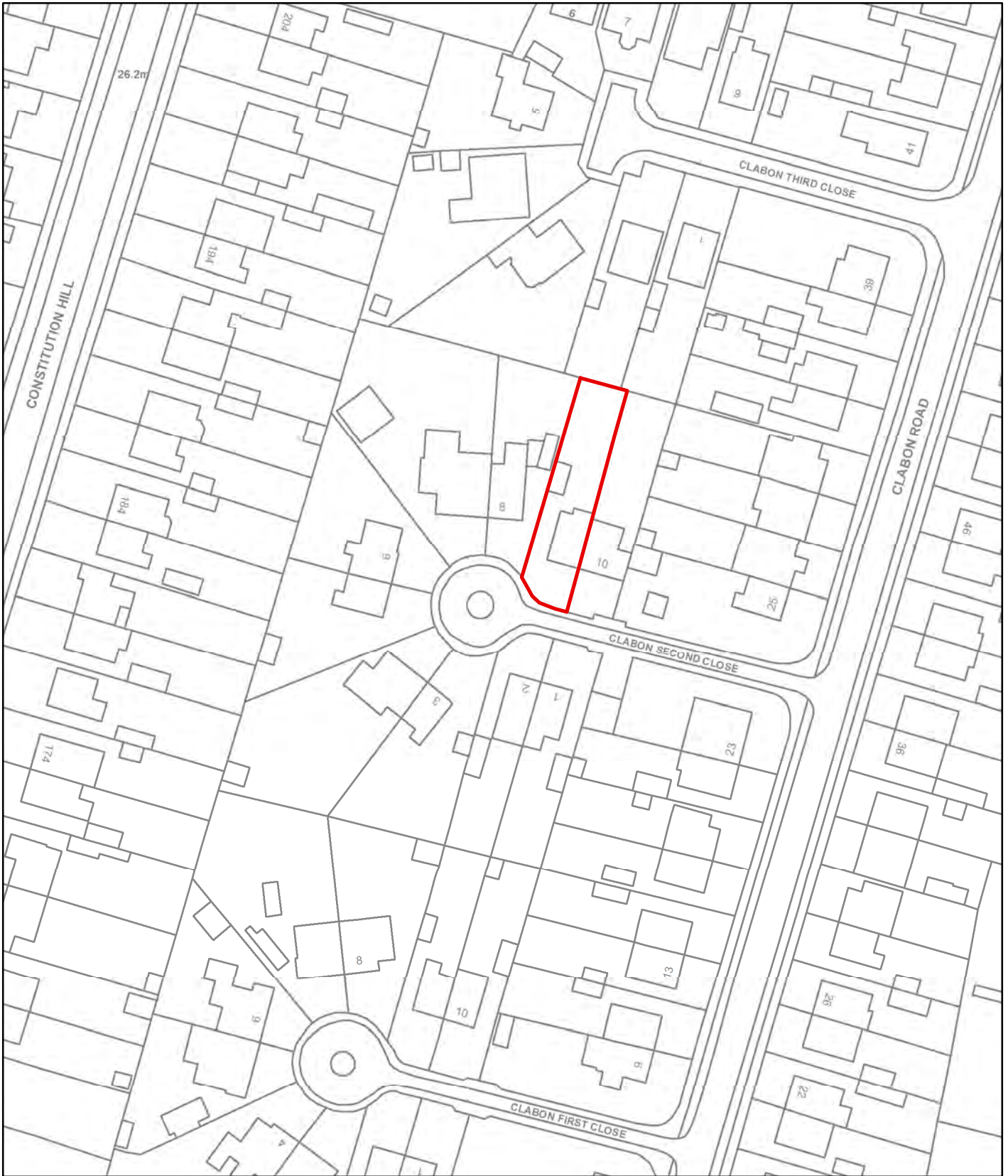
**Reason  
for referral** Objection

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

<b>Development proposal</b>		
Two storey side and single storey rear extensions.		
<b>Representations</b>		
Object	Comment	Support
2	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Scale and Design	The impact of the development within the context of the original design / surrounding area
2 Residential Amenity	The impact of the proposed development on the neighbouring properties, nos. 8 and 10; loss of light, outlook, privacy.
<b>Expiry date</b>	2 October 2018
<b>Recommendation</b>	Approve



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Planning Application No 18/01177/F  
 Site Address 9 Clabon Second close  
 Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES



## **The site and surroundings**

1. The site is located to the north side of Clabon Second Close to the north of the city. The prevailing character of the area is predominantly residential, primarily consisting two-storey semi-detached dwellings constructed circa 1940 as part of a wider development centred on Clabon Road. Properties have typically been constructed on plots with front gardens, driveways leading to detached garages and larger rear gardens.
2. The subject property is a two-storey semi-detached dwelling typical of the area in both form and appearance having been constructed using red bricks, pebble dash and clay coloured pantiles. The site features a front parking area, driveway to the side leading to a detached single garage and a larger rear garden. The property has previously been extended by way of a small single storey flat roof extension to the rear. The site boundaries are marked by a tall brick wall and mature planting where the two adjoining properties meet and a mixture of mature planting elsewhere to the rear. The site is bordered by the adjoining property to the east no. 10 and no. 8 to the west, a similar semi-detached dwelling.

## **Constraints**

3. Critical Drainage Catchment: Catton Grove and Sewell.

## **Relevant planning history**

4. There is no relevant planning history.

## **The proposal**

5. The proposal first involves the removal of the existing garage located within the rear garden, adjacent to the western boundary and the existing single storey rear sections.
6. A 2.8m x 6.8m two storey side extension is then to be constructed. The extension is of a hipped roof design with a matching eaves height of 5.3m and a ridge height of 8m, 0.3m lower than the original. The side extension includes a store room and utility room at ground floor level, with a set of garage doors to the front elevation, and two single bedrooms at first floor level. The extension is to be constructed using matching materials including red facing bricks, render and clay coloured pantiles.
7. A 6m x 3.6m single storey extension is to be constructed across the original rear wall of the property. The extension has been designed with an asymmetrical roof which is 4.5m tall at its highest central point, 2.7m tall on its western elevation and 2.5m tall along the boundary shared with the adjoining property. The extension provides an enlarged living space and includes bi-folding doors which open directly onto the rear garden. The extension is to be constructed using a more contemporary pallet of materials grey coloured windows, doors and cladding, albeit with rendered walls as the primary finish.

## Representations

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

Issues raised	Response
The height of the rear extension will result in a loss of light to internal and external amenity spaces at no. 10 Clabon Second Close.	See main issue 2.
The height of the rear extension will result in a loss of outlook from no. 10 Clabon Second Close.	See main issue 2.

## Consultation responses

9. No consultations have been undertaken.

## Assessment of planning considerations

### Relevant development plan policies

10. **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
11. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design

### Other material considerations

12. **Relevant sections of the National Planning Policy Framework 2018 (NPPF)**
- NPPF Section 12 - Achieving well-designed places

### Case Assessment

13. 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: Design**

14. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12.
15. The proposal will have a significant impact on the overall appearance of the subject property with the two storey side extension in particular resulting in a change from the current situation. The single storey rear extensions will have less of an impact on the appearance of the property as they will not be visible from the highway. The side extension is however to be constructed using matching materials and is of a design which is subservient to the original dwelling, by being stepped back from the front and with a lower ridge line. This ensures that the design of the original dwelling remains clearly legible.
16. It should be noted that a number of neighbouring properties have constructed extensions of a similar scale and design including no. 7 Clabon Second Close. However the fact that number 8 sits further north compared with number 9 means the extension proposed here is likely to be more prominent when viewed from the end of the close. Having said this, on balance the proposed extensions are not considered to result in such harm to the character of the area as to warrant refusal of the proposals.

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

17. Key policies and NPPF paragraphs – DM2, DM11, NPPF section 127.
18. The two storey side extension will have a limited impact on the residential amenities of neighbouring properties as a result of its siting, design and distance from neighbouring properties. Given the location of window openings overlooking of neighbouring properties would be limited. There is some potential for loss of light to the frontage of number 8 Clabon Second Close during the morning however this would be limited due to the layout of number 8 with the front door being the most effected opening. As such, the two storey side extension will not cause significant harm to neighbouring residential amenities by way of overshadowing, loss of privacy or loss of outlook.
19. Particular concern has been raised that the rear extension will result in a loss of light to the internal and external amenity spaces to the rear of the adjoining property, no. 10 Clabon Second Close. The tallest part of the rear extension is to be constructed 1.6m from the shared boundary which is marked by a 2.5m tall brick wall and mature planting. The proposed rear extension is to measure only 2.5m along the shared boundary, approximately the same height as the boundary wall. It is therefore considered that the extension will result in some noticeable change to the current situation, albeit without resulting in a significant loss of light to the neighbouring property, with there being only some impacts during a small number of hours of the day, during the summer months only.
20. Particular concern was also raised that the rear extension would result in a loss of outlook from the adjoining property as a result of the proposed height of the roof. The siting of the extension and distance from the boundary will ensure that no significant loss of outlook occurs.

21. The proposal will assist in enhancing the residential amenities of the occupiers of the subject property as the internal living space is enlarged without significant loss of external amenity space. The proposal is therefore considered to be acceptable in amenity terms.

### **Equalities and diversity issues**

22. There are no significant equality or diversity issues.

### **Local finance considerations**

23. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
24. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
25. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

26. The proposal will result in an enlarged dwelling which is considered to be of an appropriate scale and design, which does not cause significant harm to the character and appearance of the subject property, or surrounding area.
27. The proposed development will have a limited impact upon the residential amenities of neighbouring properties with no significant harm being caused by way of overshadowing, overlooking or loss of outlook.
28. 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**

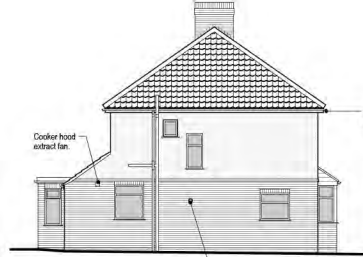
To approve application no. 18/01177/F - 9 Clabon Second Close Norwich NR3 4HQ and grant planning permission subject to the following conditions:

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

...



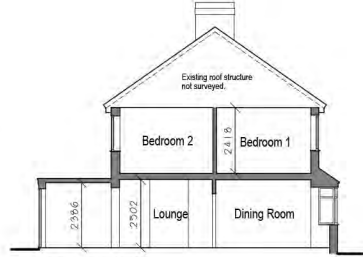
Front Elevation



Side Elevation



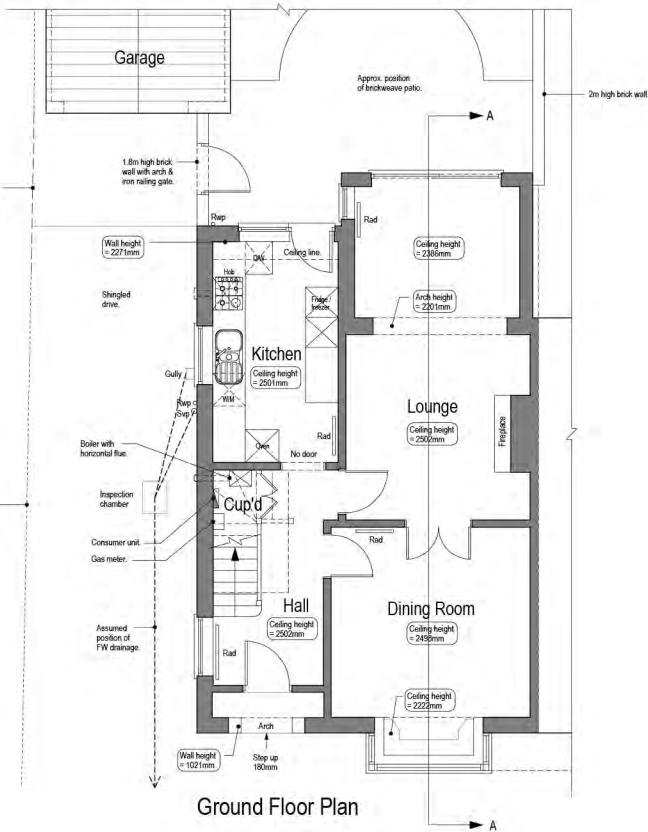
Rear Elevation



Section A-A



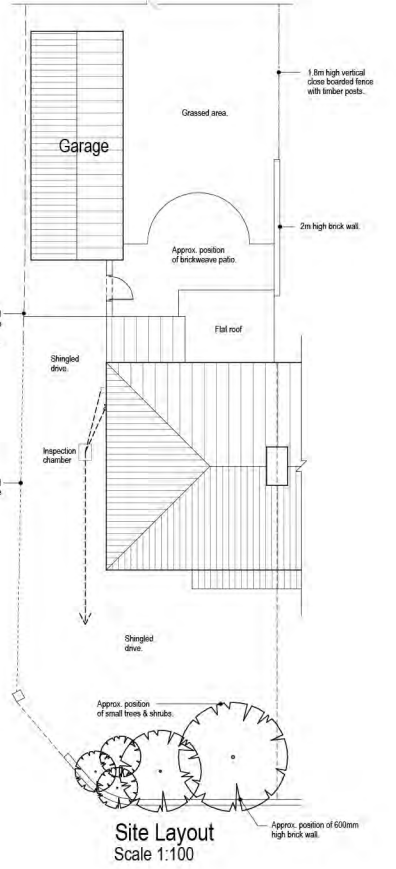
Location Plan  
Scale 1:1250



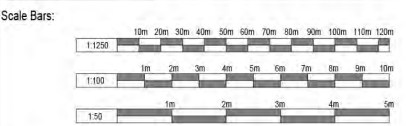
Ground Floor Plan



First Floor Plan



Site Layout  
Scale 1:100



**DRAWINGS**  
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**GENERAL**  
All works are to be carried out with the relevant current British Standard Codes of Practice and Building Research Digest Figures, and to be to the approval of the local Authority and all Statutory Undertakings. All materials shall be suitable for the purpose intended and shall be used strictly in accordance with the manufacturer's recommendations. All necessary calculations are to be submitted to the Local Authority for approval prior to the commencement of work on site.

It is the owners responsibility to ensure that the property and site is free from any onerous or unusual restrictions, covenants or easements.

**PARTY WALL ACT 1996**  
Attention is drawn to the Party Wall Act 1996. The client or owner must give notice in writing to neighbours of the intended building operation and excavations and receive approval of same.

**CDM 2015 REGULATIONS**  
Attention is drawn to the Construction (Design and Management) Regulations and specification are intended for Planning & Building Regulation purposes only, the scope of this does not go any further. It is the duty of the client under the regulations to appoint a 'Principal Contractor'. There is no obligation for the client to appoint a 'Principal Designer'. The 'Principal Contractor' will then take on the role of 'Principal Designer' for purposes of the 'pre construction' and 'construction' phases of the project under the CDM 2015 regulations when it gets under way, in order that a Health & Safety File and construction plan, is provided for the HSE, in order to reduce risks through the design processes of construction etc.

PROJECT:	ALTERATIONS & EXTENSIONS TO 9 CLABON SECOND CLOSE, NORWICH, NORFOLK.		
CLIENT:	MR & MRS POWELL		
DRAWING TITLE:	EXISTING PLANS, ELEVATIONS, SECTION A-A, SITE LAYOUT & LOCATION PLAN		

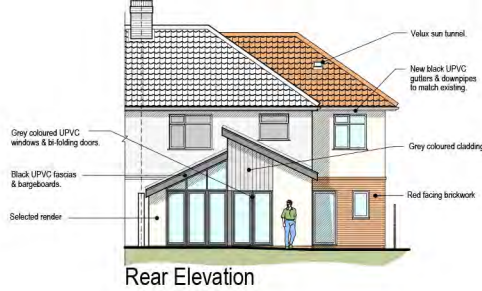
REVISION:

**Studio | 35**  
ARCHITECTURAL DESIGN STUDIO

BESPOKE NORFOLK

**PLANNING SUBMISSION**

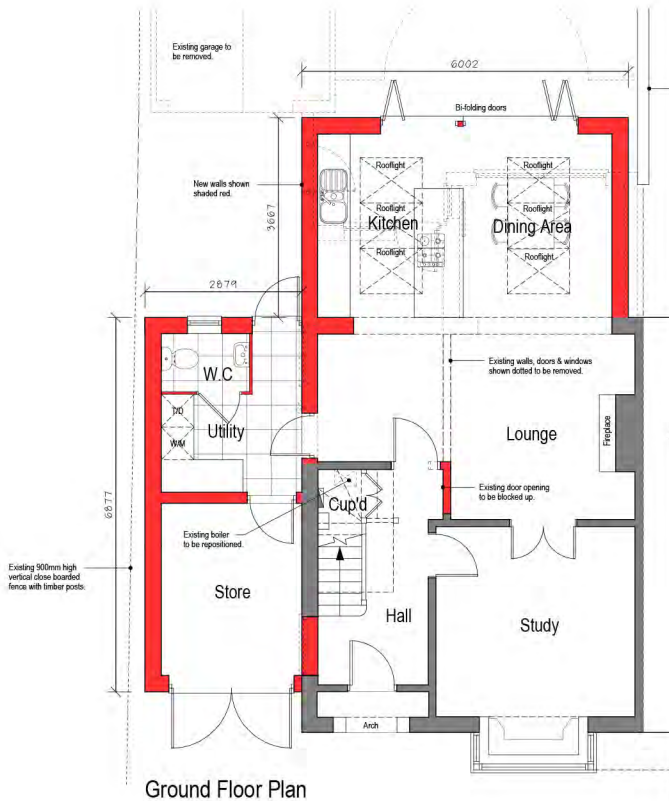
SCALE:	1:50 1:100 1:1250	PAPER SIZE:	A1	DATE:	MAY 2018	DRAWN BY:	●
JOB:	3544	DRG NO.:	S01	REV:			



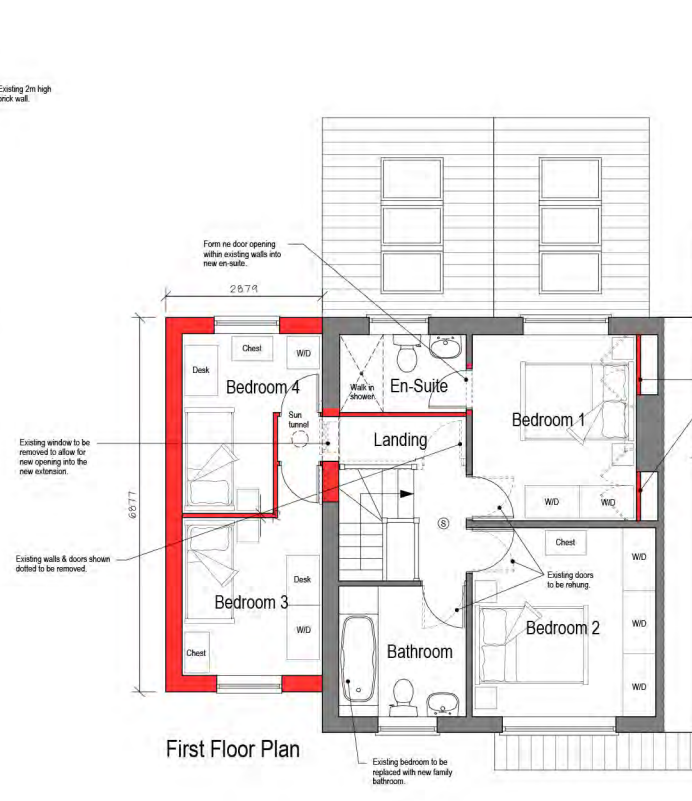
Rear Elevation

Side Elevation

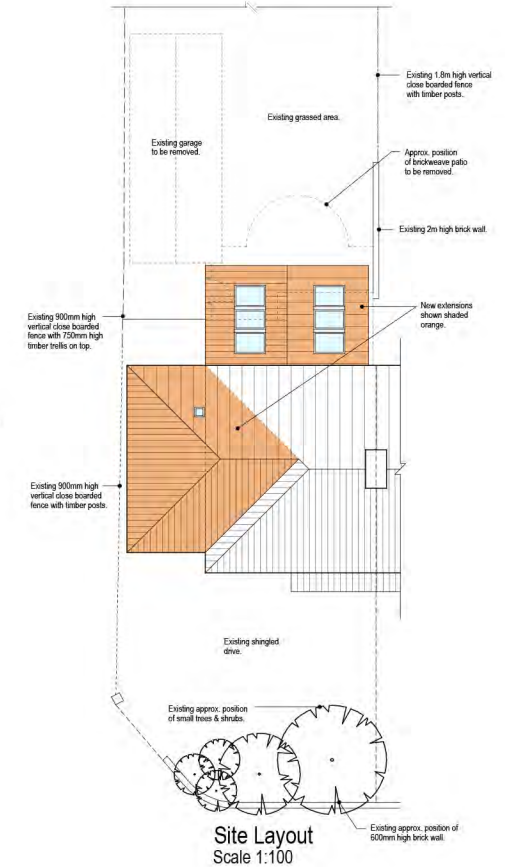
Front Elevation



Ground Floor Plan



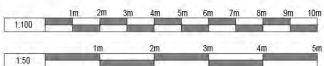
First Floor Plan



Site Layout Scale 1:100

REVISION: A Corner omitted, bi-fold doors added & elevation amended 28/07/18

Scale Bars:



DRAWINGS:-

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GENERAL:-

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PROJECT: ALTERATIONS & EXTENSIONS TO 9 CLABON SECOND CLOSE, NORWICH, NORFOLK.

CLIENT: MR & MRS POWELL

DRAWING TITLE: PROPOSED PLANS, ELEVATIONS, & SITE LAYOUT

Studio 35 BESPOKE NORFOLK ARCHITECTURAL DESIGN STUDIO

PLANNING SUBMISSION

SCALE: 1:50 1:100 1:1250	PAPER SIZE: A1	DATE: AUGUST 2018	DRAWN BY: [Symbol]
JOB: 3544	DRG NO: PL01	REV: A	



**Report to** Planning applications committee

**Item**

11 October 2018

**Report of** Head of planning services

**Subject** Application no 18/01154/F - 2 Mornington Road  
Norwich NR2 3NB

**4(e)**

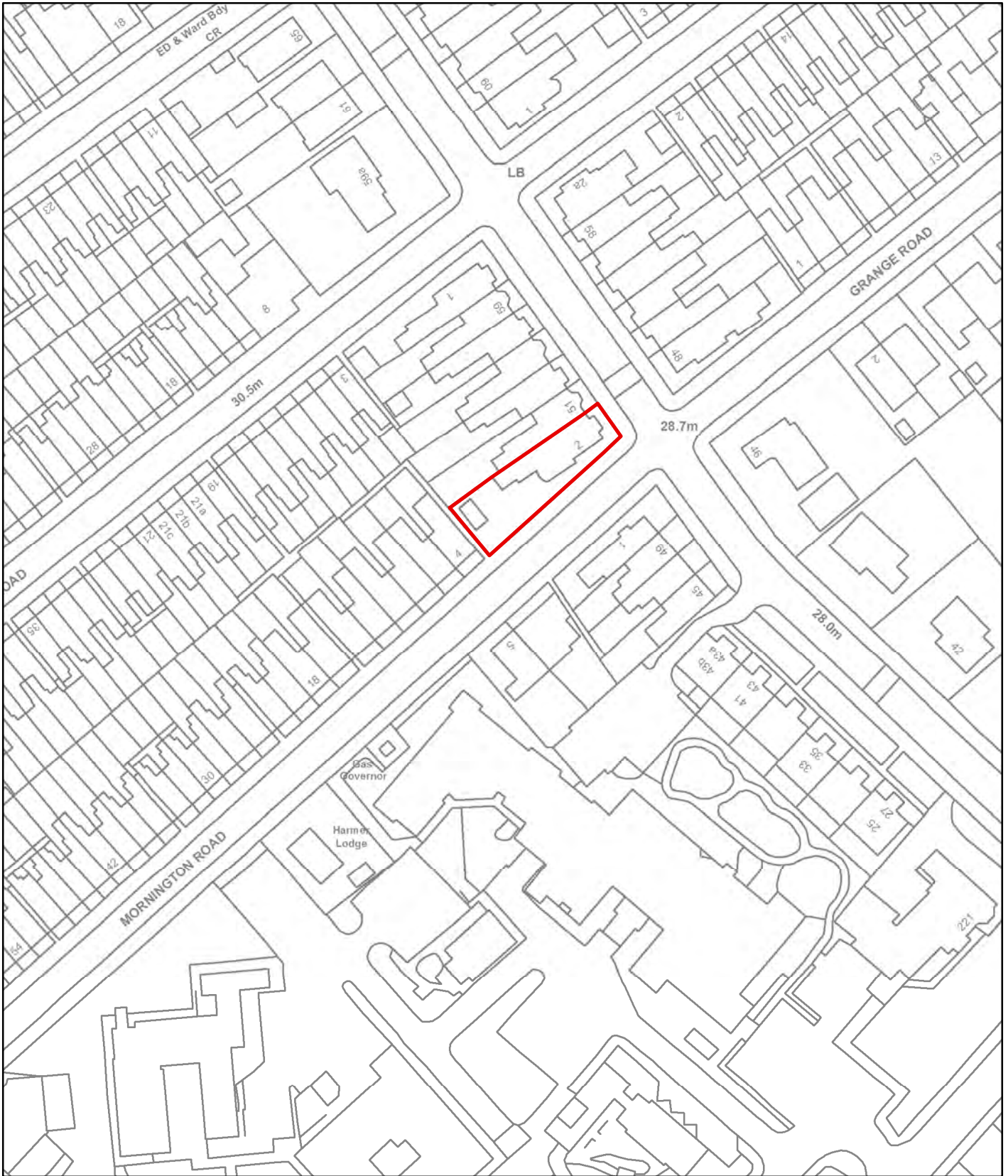
**Reason  
for referral** Objection

---

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

<b>Development proposal</b>		
Replacement outbuilding, garden store, fence and gates.		
<b>Representations</b>		
Object	Comment	Support
2	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Scale and Design	The impact of the development within the context of the original design / surrounding area / adjacent listed buildings.
2 Amenity	The impact of the development on the neighbouring properties.
<b>Expiry date</b>	24 September 2018
<b>Recommendation</b>	Approve



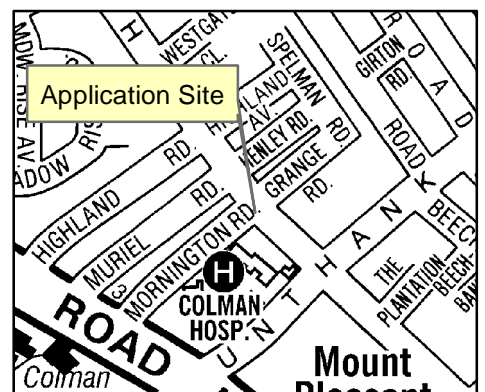
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Planning Application No 18/01154/F  
 Site Address 2 Morningson Road  
 Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES



## The site and surroundings

1. The site is located to the north of Mornington Road, at the crossroads with Christchurch Road to the south of the city. The subject property is a large end of terrace dwelling constructed circa 1900 primarily using red bricks. The terrace forms part of a row of properties fronting Christchurch Road, however the principle elevation of no. 2 faces onto Mornington Road. The site features a small front garden / main entrance area and a garden located to the side and front.
2. The prevailing character of the area is predominantly residential with most properties forming terraces. Beyond the end of the garden is an alleyway which separates the site from a row of terrace properties which are statutory listed.
3. Works have been completed within the past 12-15 months to replace a garage located to the rear of the site and fencing which fronts Mornington Road. A wedge shaped outbuilding has subsequently been constructed within the south-west corner of the garden. The outbuilding is of a flat roof design approximately 2.7m tall and includes a 7.6m elevation fronting Mornington Road with a garage door and half-size door serving a bin store. The outbuilding also abuts the neighbouring alleyway serving properties forming part of a listed terrace on Mornington Road with a wall measuring approximately 6.3m. The outbuilding has been constructed using timber and has been finished in a light coloured stain with only the garage door having been painted a dark grey colour.
4. A replacement fence has also been installed along the boundary fronting Mornington Road. The fence is made from timber and includes a section of trellis, taking the total height to approximately 2m.
5. All of the works undertaken have been done so without the benefit of planning permission and the case was reported to planning committee on 08 March 2018 where members resolved to serve an enforcement notice requiring removal of the outbuilding.
6. Following an negotiation with the owners, a revised scheme has been discussed which now forms the basis of this application.

## Constraints

7. Adjacent to terrace at 4 – 18 Mornington Road is grade II listed.

## Relevant planning history

- 8.

Ref	Proposal	Decision	Date
04/00483/F	Erection of replacement garage.	Approved	13/07/2004
17/01308/F	Replacement rear garden room.	Refused	10/11/2017
18/01199/F	Replacement rear garden room.	Pending consideration	

Ref	Proposal	Decision	Date
	This is a resubmission of 17/01308/F involving the removal and replacement of the conservatory on the property.	.	

## The proposal

9. The proposal is for a revised, reduced scale version of the existing outbuilding and fence. The outbuilding is to be set back from the boundary fronting Mornington Road by 2.5m, reducing the width to 5.7m, and the depth along the boundary shared with the alleyway to 3.8m. The revised design also includes a 2.6m flat roof and a garage style door, however the second bin store door has been removed. The outbuilding is to be finished in a dark grey coloured paint / stain and the elevation abutting the shared alleyway is to be clad to match the rest of the outbuilding.
10. The recently installed fencing is to be removed and replaced with a gate and fencing measuring 1.5m in height. The same fencing is also to be installed along the 2.5m section along the boundary shared with the alleyway.

## Representations

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

Issues raised	Response
The outbuilding is too large and will dominate the street scene / adverse impact on setting of adjacent listed buildings.	See main issue 1.
'Pine' finish is inappropriate.	See main issue 1.
The proposed fence is too tall.	See main issue 1.
Rainwater collects on flat roof and spills into alleyway.	See other matters.
Outbuilding encroaches onto alleyway.	See other matters.

## 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. No comments submitted.

## 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)**
  - 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

### Other material considerations

16. **Relevant sections of the National Planning Policy Framework 2018 (NPPF)**
  - NPPF Section 12 - Achieving well-designed places
  - NPPF Section 16 – 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 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: Design & Heritage

18. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF sections 12 and 16.
19. The proposed design represents a reduction in scale of the existing outbuilding which does not benefit from planning consent. The key change to the outbuilding which will have the biggest impact is the stepping back from the boundary by 2.5m. This crucially results in the outbuilding being constructed in line with the forward building line of the row of listed terraces on Mornington Road. The impact of the outbuilding on the street scene and the setting of the listed buildings is therefore significantly reduced.

20. Particular concern has been raised that the outbuilding harms the appearance of the street scene and setting of the adjacent listed buildings, by way of its scale and 'pine finish'. As discussed above, the reduced scale and a new building line matching the listed buildings will significantly reduce the impact of the outbuilding. The painting / staining of the outbuilding in a dark grey colour will also assist in reducing the impact of the outbuilding. It is considered reasonable to add a condition requiring that the outbuilding is painted / stained prior to its use commencing.
21. Paragraph 196 of the NPPF states that less than substantial harm to a designated heritage asset should be weighed against the public benefits of the proposal. In this case whilst there will remain a degree of harm this will be extremely limited and on balance it is considered that given the benefits to the occupier, the fact that this is a rear garden area and the existence of a former smaller building in this location the proposal can be considered to be acceptable.
22. Concern was raised regarding the appearance of the wall abutting the alleyway as it has remained unfinished in its current plywood form. The proposal includes the addition of new timber cladding to this wall, ensuring that it is of an appropriate finish.
23. Particular concern has also been raised that the proposed fencing is too tall and will cause harm to the character of the area. The proposed fencing and gate is to be 1.5m tall, which is very close in scale to the original, previously replaced fencing. As such, the proposed fencing is considered to be appropriate for the site. .
24. Should members be minded to approve the application, in order to ensure that the current outbuilding and fence are removed in an appropriate timeframe, it is recommend that an enforcement notice is served requiring that the existing outbuilding to be removed.

## **Main issue 2: Amenity**

25. Key policies and NPPF paragraphs – DM2, DM11, NPPF section 127.
26. The proposals will have a very limited impact on the residential amenities of neighbouring properties by virtue of the scale and siting of the outbuilding and fencing. The current outbuilding, projecting forward of the Mornington Road building line may result in some loss of outlook. As such, the revised design is considered to be an improvement on the current situation. The proposal is therefore considered to be acceptable in amenity terms.

## **Other matters**

27. Concern has been raised that the cladding of the wall abutting the alleyway will encroach onto land outside of the application site. There is no evidence that the current structure encroached onto neighbouring land. The revised structure proposed here is being relocated and it will be for the applicant to ensure that it is constructed within their boundaries.

## **Equalities and diversity issues**

28. There are no significant equality or diversity issues.

## **Local finance considerations**

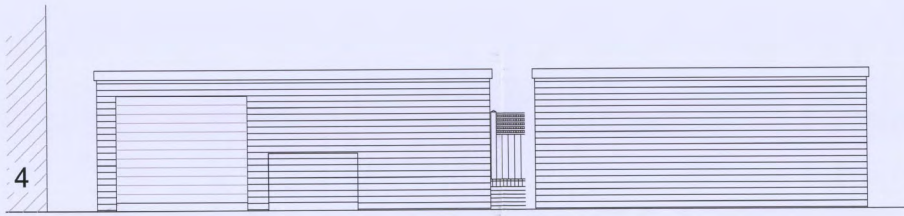
29. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
30. 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.
31. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

32. The proposal represents a revised scheme which is of an improved layout, scale and design, whilst the proposal will continue to cause less than substantial harm to the significance of the adjacent terrace, subject to an appropriate colour finish such harm is considered to be limited. On balance the proposals are considered to be acceptable and therefore the recommendation is to approved subject to the conditions detailed within the recommendation below.
33. Members resolved to take enforcement action against the existing outbuilding at their meeting of 08 March 2018 to require the removal of the outbuilding and fencing, the making good of the highway, the removal of demolished materials from site and the provision of a replacement 1.2m fence. It is recommended that this resolution is altered to still authorise the issue of such a notice with the exception that the replacement fence and/or gates be required 7.6m back from the western boundary and be up to 1.5m tall.

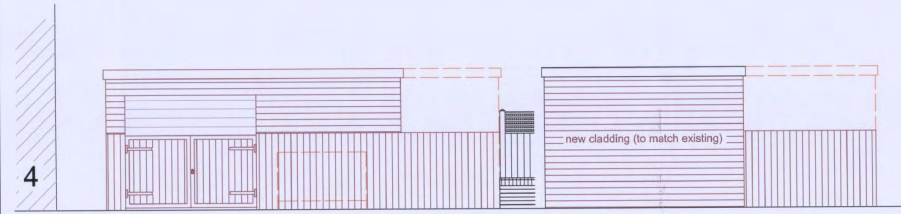
## **Recommendation**

- (1) To approve application no. 18/01154/F - 2 Mornington Road Norwich NR2 3NB and grant planning permission subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. Outbuilding to be painted / stained prior to use.
- (2) To authorise enforcement action up to and including prosecution in order to:
  1. secure the removal of the existing outbuilding;
  2. secure the removal of the existing fencing fronting Mornington Road between the western boundary and a point 7.6m back from that boundary (+/-0.1m);
  3. making good of the highway;
  4. removal of all demolished materials from site; and
  5. provision of a replacement 1.5m high fence/gates.



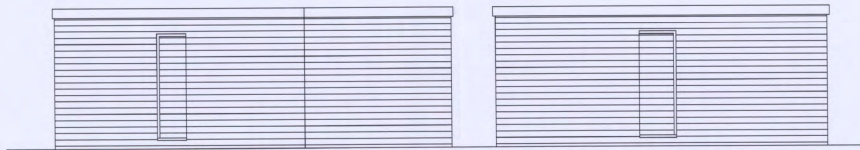
front elevation

side elevation



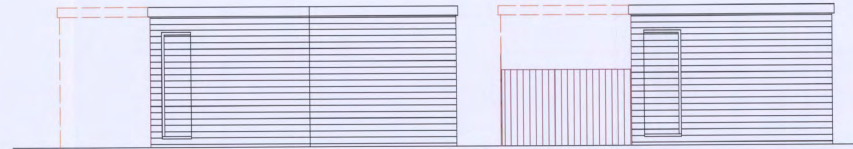
front elevation

side elevation



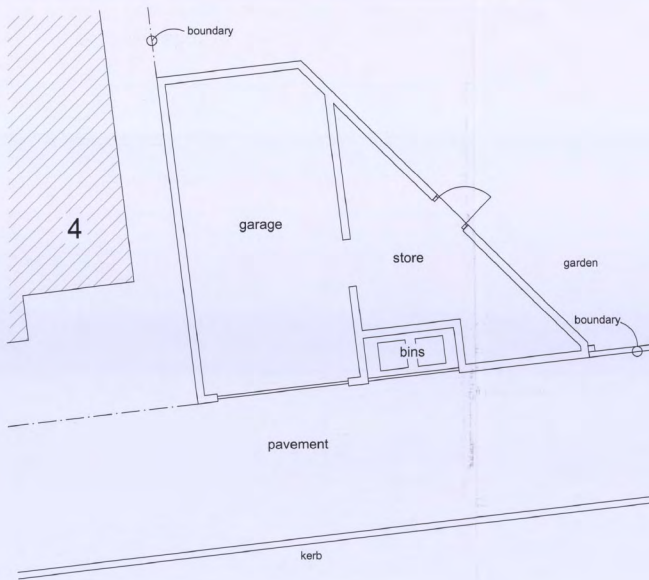
rear elevation

side elevation

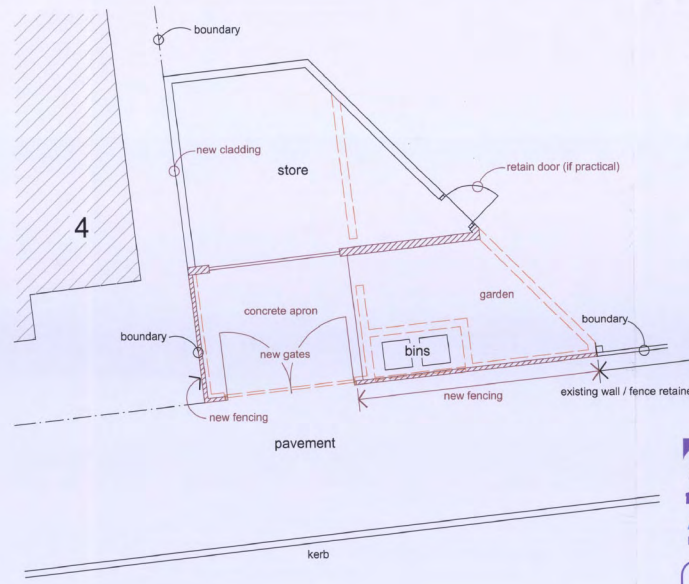


rear elevation

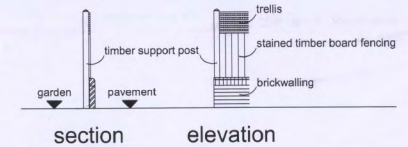
side elevation



plan  
existing



plan  
proposed



section elevation  
existing wall / fence details

Organisational Development  
30 JUL 2018  
Post Room

- existing house
- existing retained
- existing demolished
- proposed

**ARCHITECTURAL DESIGN**  
**ALAN RAWLINGS**

Stable Cottage  
Ball Inn Yard  
The Street  
Bowdleswell  
Norfolk  
NR20 4RR

01362 688151

alanarchdesign@btinternet.com

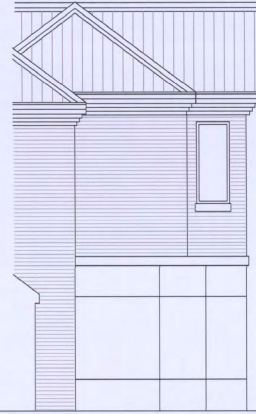
Client Mark Searcey / Maria O'Connell 2 Mornington Road Norwich		Project Outbuilding alterations	
Drawing	planning	Dwg no	872 / 11
Date	05 / 07 / 18	Rev	@ A1
		Scale	1 : 50



if in doubt ask • do not scale



front elevation



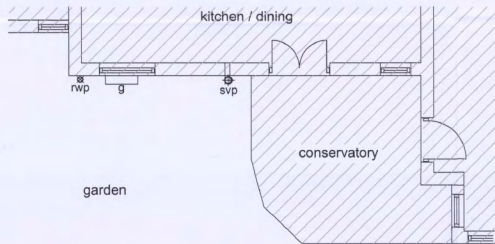
side elevation



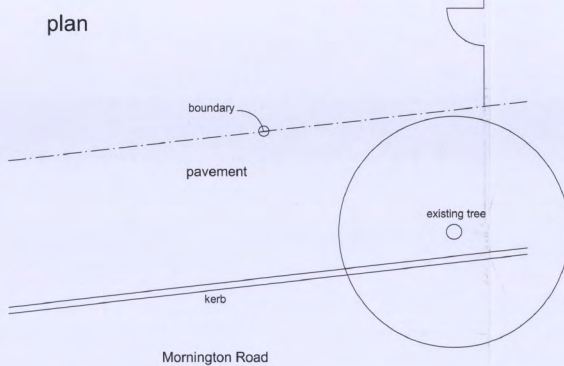
front elevation



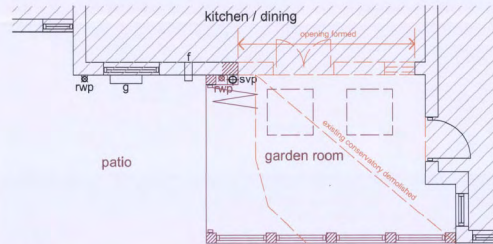
side elevation



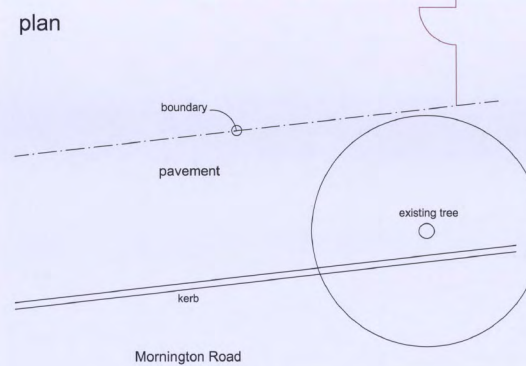
plan



existing


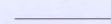




plan



proposed

Organisational Development  
30 JUL 2018  
Pati Room

-  existing house
-  existing retained
-  existing demolished
-  proposed

**AR** CHITECTURAL DESIGN  
ALAN RAWLINGS

Stable Cottage  
Bell Inn Yard  
The Street  
Sandwich  
Norfolk  
NR20 4RR

01362 688151

alanarchdesign@btinternet.com

Client Mark Searcey / Maria O'Connell 2 Morningson Road Norwich		Project Proposed extension	
Drawing	revised planning	Drg no	872 / 12
Date	13 / 08 / 18	Scale	1 : 50 @ A1



**Report to** Planning applications committee  
11 October 2018

**Item**

**Report of** Head of planning services

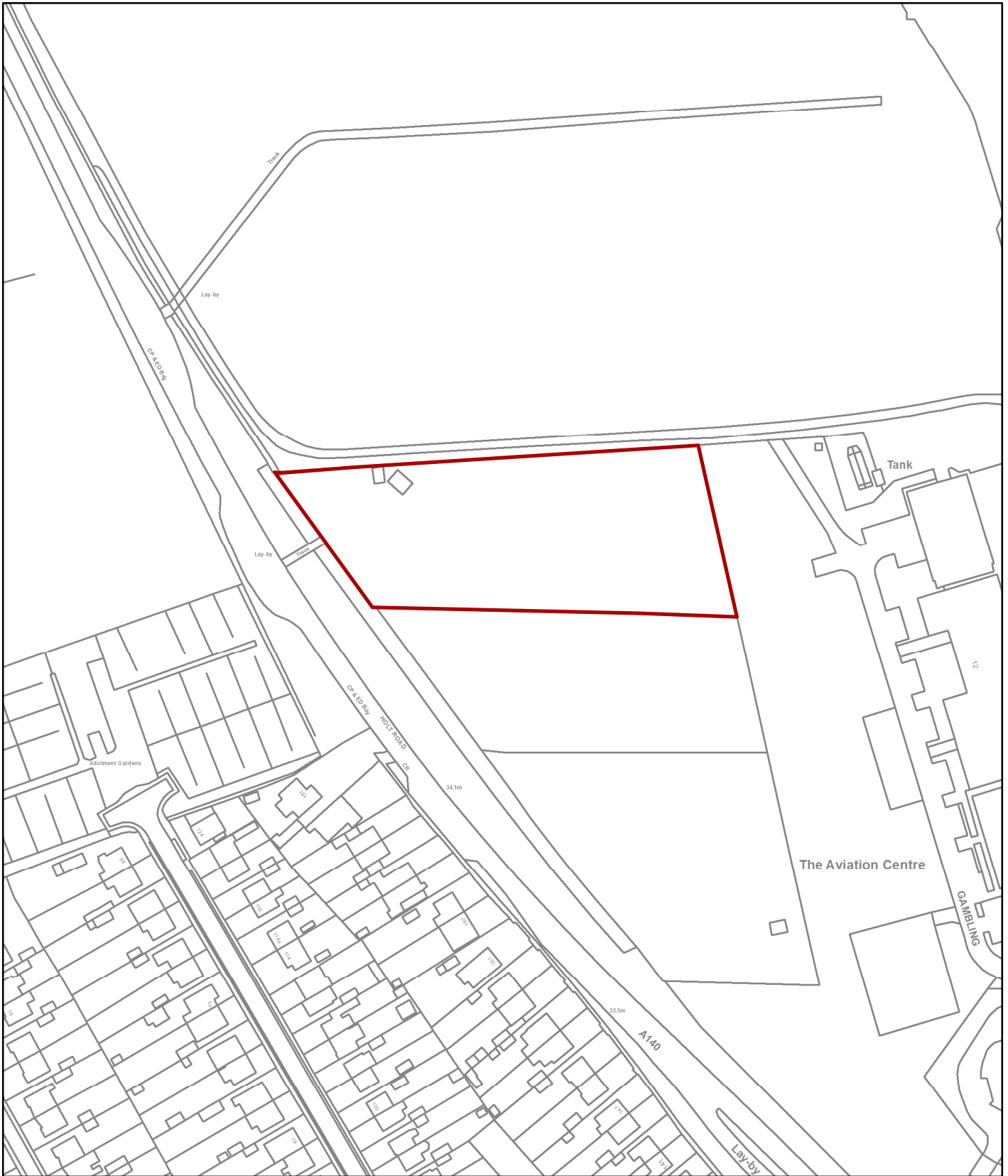
**4(f)**

**Subject** Enforcement Case 18/00003/ENF – Land at Holt Road,  
Norwich

---

**Summary**

<b>Summary</b>	
<b>Description of breach</b>	Without planning permission the use of the land for the stationing of caravans for residential purposes, the laying of a hard surface, the stationing of a portaloo, the storage of waste and the erection of a 2m boundary fence and gate.
<b>Recommendation</b>	Authorise enforcement action to cease the use of the land for the stationing of residential caravans and remove any caravans, portaloo, frontage fence and hardstanding.
<b>Ward</b>	Catton Grove
<b>Contact Officer</b>	Robert Webb <a href="mailto:robertwebb@norwich.gov.uk">robertwebb@norwich.gov.uk</a>



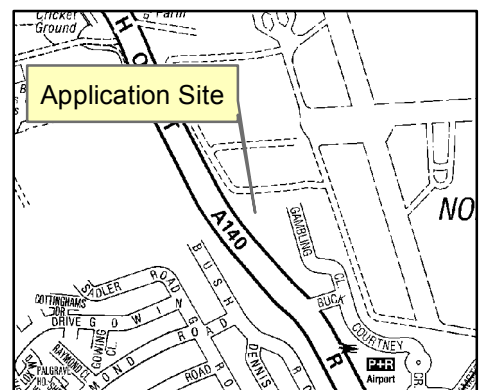
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Planning Application No 18/00003/ENF  
 Site Address Land at Holt Road  
 Scale 1:2,000



**NORWICH**  
City Council

PLANNING SERVICES



## **Report**

### **The breach**

1. The breach of planning control is that without planning permission the land is being used for the stationing of residential caravans. Additional development which does not benefit from planning permission includes a 2m high (approx.) fence alongside the frontage with Holt Road, the siting of a portaloo, an area of gravel surfacing, and an area where waste has been deposited and is being stored. Further details on the land and development are provided within the previous report includes in Appendix A.

### **Background**

2. The case was reported to committee on 9 August 2018 with a recommendation to authorise enforcement action to cease the use of the land for the stationing of residential caravans (see Appendix A), albeit with an 18 month compliance period. At that meeting members did not support the recommendation and resolved to defer the item to allow consideration of the option of under enforcement, whereby the use of the land could be allowed to continue subject to certain measures being implemented. Officers were asked to investigate the option of under-enforcement, and report the matter back to a future meeting.
3. This report provides a summary of measures which in the view of officers, having had reference to government guidance and case law could and could not be sought via an enforcement notice.

### **Measures which could be required via the serving of an enforcement notice**

4. The following measures could be required via an enforcement notice. A reason is provided as to why it would be expedient to require the measure.
  - a) A requirement that the site be occupied for residential purposes by the particular individual concerned and his immediate family only and should the family cease to occupy the land for residential purposes the use of the land for residential purposes shall cease and all caravans and portaloo's shall be removed from the land.

Reason: The development conflicts with development plan policies however regard has been had to the particular circumstances of the individual and his family and the current lack of available traveller pitches in the Norwich area.

- b) A requirement that no more than two caravans be stationed on the land for the purposes of residential occupation.

Reason: To minimise the impacts on the amenity of the area and to avoid an over-intensive use of the vehicular access.

- c) A requirement to limit the extent of the residential curtilage to a defined area close to Holt Road. No caravans shall be sited outside of this area.

Reason: To minimise the impact of the development on the amenities of the area.

- d) A requirement to set the boundary fence back by 2m and reduce its height to no higher than 1.8m.

Reason: to improve the visual appearance of the site and to allow suitable space for a hedge to be planted.

- e) A requirement to plant a hedge along the frontage of the boundary to screen the fence.

Reason: To improve the visual appearance of the site.

- f) A requirement to ensure that any access gates shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.

Reason: In the interests of highway safety.

### **Matters which could not be resolved via an enforcement notice**

5. Members are asked to note that the above measures would not resolve the primary planning concerns regarding the use of the land for the stationing of residential caravans, which relate to highway safety, an unsustainable location, noise impacts and drainage.
6. In relation to highways, it is the position of Norfolk County Council as Highway Authority that the A140 Holt Road is a Principal Route in the County Council Route Hierarchy with its primary intention being to carry traffic freely and safely between centres of population. Accordingly there are strong restrictions on new accesses or any intensification of use of existing access which will interfere with the free flow of traffic on the Principal Route. The Highway Authority has requested it to be reported that it continues to object in principle to the creation of a new residential vehicular access in this location due to highway safety concerns.
7. In addition to this, even if the principle of a new access was accepted in this position, it would require significant highway improvement works which would not be proportionate to require given the relatively small scale of development, and the fact it would involve works on land outside of the occupiers control.

8. In terms of the location, it would not be possible to require a new footpath to be constructed linking to the existing built up area further to the south, because it would not be proportionate and also because it would involve works to land which is outside of the occupiers control.
9. With regard to noise, given the proximity of the site to the airport runway, there is no mitigation which could be reasonably sought which would adequately address the significant noise impacts on the site, particularly given the low levels of sound insulation of a typical caravan.
10. Consideration has been given to whether a more permanent foul drainage solution could be provided, such as a septic tank or package treatment plant. However such systems are costly and it is unlikely to be considered reasonable to require the implementation of such a system through an enforcement notice. It is also unknown whether the ground conditions are suitable for such a system.
11. For these reasons officers remain concerned that the option of under-enforcement would adequately address the planning harm caused by the development including on the amenities of the occupiers of the land.

#### **Other matters**

12. Since the item was last reported to committee, Norwich Airport has raised a concern regarding waste which is being stored at the site. There is a concern that there is potential for rubbish and debris to blow onto Airport land causing a safety issue. There is further concern that a number of animals have escaped from the paddock onto Airport land. The Council could utilise powers under section 215 of the Town and Country Planning Act 1990 to require the removal of waste from the land and it is likely this option will be pursued if the situation does not improve. The control of animals is not a planning matter and this is the responsibility of the owner.
13. A concern has been raised by the owner of the neighbouring paddock to the south regarding animals escaping onto their paddock and the potential for waste to blow onto the site. Once again the control of animals is not a planning matter and the owner of the paddock has the ability to secure the site through the erection of fencing along the boundary should they wish to. The serving of a Section 215 notice would assist in dealing with any problems relating to waste.

#### **Conclusion and recommendation**

14. The officer view on the planning merits of the case remains the one which is set out in the previous committee report which is included in Appendix A, and the recommendation remains that enforcement action is taken to require the use of the land to cease, after 18 months.
15. Notwithstanding this, at the request of Members a number of requirements which could be enforced whilst allowing the use to continue have been set out in this report. The scope of these requirements is limited and they would not overcome the main planning concerns which officers have regarding the use of the site.

16. However should members be minded to allow the use to continue, it is recommended that authority is granted to allow officers to take enforcement action using the method of under-enforcement, up to and including prosecution, to require the occupier to carry out and comply with the measures and restrictions set out in paragraph 4 of this report in full.



**Report to** Planning applications committee  
09 August 2018

**Report of** Head of planning services

**Subject** Enforcement Case 18/00003/ENF – Land at Holt Road,  
Norwich

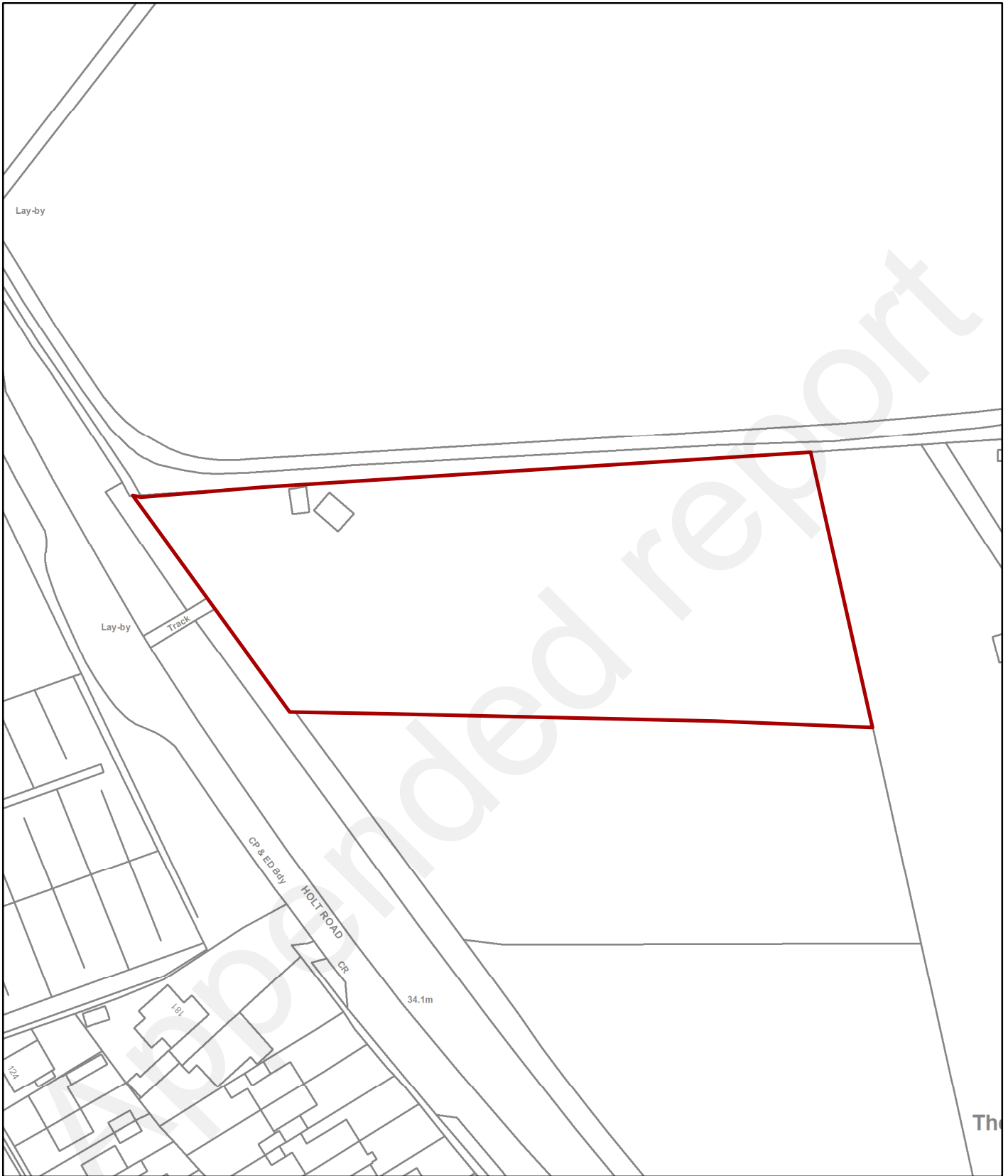
Item

4(g)

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**Summary**

<b>Description of breach</b>	Without planning permission, the use of the land for the stationing of caravans for residential purposes, the laying of a hard surface, the stationing of a portaloo, the storage of waste and the erection of a 2m boundary fence and gate.
<b>Recommendation</b>	Authorise enforcement action to cease the use of the land for the stationing of residential caravans and remove any caravans, portaloo, frontage fence and hardstanding.
<b>Ward</b>	Catton Grove
<b>Contact Officer</b>	Robert Webb <a href="mailto:robertwebb@norwich.gov.uk">robertwebb@norwich.gov.uk</a>



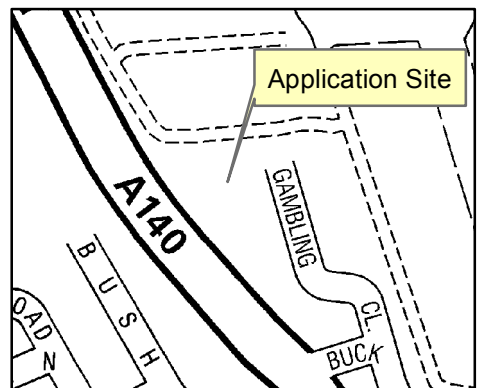
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Planning Application No 18/00003/ENF  
 Site Address Land at Holt Road  
 Scale 1:1,250



**NORWICH**  
 City Council

PLANNING SERVICES



## **The site**

1. The site is a paddock next to the A140 Holt Road, adjacent to land controlled by Norwich Airport and immediately to the south of the main airport runway. To the east is Gambling Close, including the headquarters of the East Anglian Air Ambulance Service. To the south are further paddocks, with the A140 to the west and allotments on the opposite side of the road. The site is accessed via an informal vehicle access from Holt Road. The caravans and portaloo are located close to the access on the western side of the site next to Holt Road. The majority of the site which includes the remainder of the paddock remains undeveloped.

## **Relevant planning history**

2. There is no relevant planning history for the site.

## **The breach**

3. The breach of planning control is that without planning permission the land is being used for the stationing of residential caravans. Additional development which does not benefit from planning permission includes a 2m high (approx.) fence alongside the frontage with Holt Road, the siting of a portaloo, an area of gravel surfacing, and an area where waste has been deposited and is being stored.
4. The breach was reported to planning officers in January 2018. In the first instance, officers visited the site to ascertain what works had been carried out. A Planning Contravention Notice was served in May 2018 in order to establish the facts of the case. Officers have subsequently met with the family and partner services to establish their circumstances. The family are ethnic Romany gypsies and have stated that they have occupied the land since October 2017.
5. In terms of the unauthorised development, at the time of writing (July 2018), there are two touring caravans on the land which are being occupied for residential purposes and a portaloo. There is a close boarded timber fence on the front (western) boundary which is approximately 2m high and requires permission by virtue of its height and the fact it is adjacent to a highway. In addition there is gravel hardstanding at the point of access and within the western part of the site, and there is an area where waste has been deposited close to the northern boundary.
6. There are a number of structures which have been stationed/erected which do not require planning permission. These include animal huts, gates and fencing within the site which is not higher than 2m and is not adjacent to a highway. Historic photos suggest there has been an informal access from Holt Road at this location for some time. It is likely this was used to access the paddock on an infrequent basis. It is therefore not suggested that a new vehicular access has been created, however the laying of gravel has formalised the access and the residential occupation has led to an intensification of its use.

7. In terms of landownership, the occupiers have stated they are the owners of the land, however no evidence has been forthcoming to prove this. No other person claiming to own the land has come forward. The land is currently unregistered. The planning merits of the development are assessed irrespective of land ownership.

## **Assessment**

8. The government's definition of gypsies and travellers, for the purposes of planning policy, is set out in the *National Planning Policy for Traveller Sites, August 2015* document. This states "gypsies and travellers" are:

"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."

9. The family has stated that they are ethnic Romany gypsies who in the past have led a nomadic habit of life. However they have sought to find a permanent base in order to provide their young children with a more settled environment, in particular to help them get an education. It is considered therefore that the occupiers meet the government's definition of gypsies and travellers for the purposes of planning policy, and relevant policies pertaining to gypsies and travellers apply.
10. In accordance with planning law, the merits of the case are determined in accordance with relevant development plan policies, which include policies within the Norwich Development Management Policies Document (adopted 2014), the Norwich Site Allocations and Site Specific Policies Document (adopted 2014) and the Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted 2011, amendments adopted 2014). Material considerations include policies in the revised National Planning Framework (NPPF) July 2018, the National Planning Policy for Traveller Sites, August 2015, the Council's standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below.
11. In terms of the planning merits of the case, there are a number of factors weighing for and against the development. These must be weighed as part of a planning balancing exercise in order to determine whether it is expedient to take enforcement action or whether the use of land is considered acceptable and it is not expedient to take action.

## **Development plan policy**

12. The site is part of a larger site specific allocation within the Site Specific Allocations and Site Specific Policies Plan, under policy R30, for airport related development or business development for B1/B2/B8 purposes. Outline planning permission has recently been granted for a commercial vehicle hire company to operate from the southern part of the allocated site, to the south of the paddock

which is occupied by caravans. In addition the Norwich Northern Distributor Road (NNDR) has recently been completed, which improves road links within close proximity of the site. It is reasonable to assume these factors are likely to result in demand for the remainder of the site to be developed for commercial uses in the future. The use of the land for residential purposes is not consistent with this allocation and this weighs against the use of the land for residential occupation.

13. Policy DM14 of the Development Management Policies Plan sets out criteria for dealing with proposals for new gypsy and traveller sites. The policy states:

“Proposals for the development of additional sites within Norwich to meet the identified needs of the traveller community will be permitted where:

- (a) safe access to the site can be obtained through an appropriate layout with good visibility, without the loss of natural screening;
- (b) the site has good access to public transport, services and community facilities including shops, healthcare facilities and schools;
- (c) the development will not have a significant detrimental impact on the character and amenity of the area; and
- (d) the proposed site is of sufficient size and in a location to meet the on-site needs of occupiers, having regard to current national standards for site design and management, including for the provision of appropriate services and infrastructure.”

14. With regard to criterion (a), there is significant concern about the transport implications of the proposal. Norfolk County Council Highways has indicated that it objects in principle to the more intensive use of the access associated with residential use at this point on the A140, because increased vehicle turning movements in this location impacts upon the free-flow of traffic on what is part of the strategic highway network. It should be noted that Policy DM 30 of the Development Management Policies Plan document states that new access onto such routes will only be permitted where there is no practical alternative from a more minor route and they would not prevent or restrict the implementation of necessary highway or junction improvement works associated with the corridor.

15. A further problem is that there is no pedestrian footpath leading directly to or from the site. Anyone wishing to walk to or from the site needs to walk along a grass verge and cross the busy A140 to get to the nearest footpath. Access on foot is therefore not particularly safe and the arrangement is likely to lead to a reliance on the private car. This is not considered to represent a safe or sustainable location/access for the siting of a residential caravan(s), and conflicts with policies DM28 and DM30 of the Development Management Policies Plan Document and policy 6 of the Joint Core Strategy.

16. With regard to criterion (b), although the site is located close to the urban area of Norwich, with its associated facilities, as stated above there is no footpath access to the site. Trips to local services and facilities are therefore likely to rely on the use of the car, or by an unsafe walking route.

17. In terms of criterion (c), the site is enclosed by a severe looking and large timber fence, which is not sympathetic to the character of the area, which is generally one of hedgerow boundaries. The current situation therefore causes harm to the character of the area, contrary to the provisions of policies DM3, JCS2 and JCS12. However this could potentially be mitigated by an alternative form of boundary treatment, which may include some planting. In terms of other amenity impacts, it is not considered that material harm would occur because the use is residential for one family and there are currently no other properties immediately adjacent to the site.
18. With regard to criterion (d), the site is of a sufficient size to meet the on-site requirements of the occupiers. However another factor weighing against the proposal is the close proximity of the Norwich airport runway and airport land which is directly to the north of the site. Whilst exact noise levels are unknown, it is reasonable to assume that the presence and proximity of the runway is likely to cause significant noise disturbance for occupiers when planes are taxiing, taking off and landing. The caravans are also sited very close the A140, which in combination with the airport is likely to result in high levels of background noise which are unlikely to be suitable for residential occupation, particularly given the low levels of sound insulation provided by a typical caravan. This conflicts with policy DM2 of the Development Management Policies Plan Document.
19. A further consideration is that the development represents a very low density form of development, being for one family on a relatively large piece of land. Such a low density of development does not make for an efficient use of the land and also means the benefits of the proposal are somewhat limited.
20. In addition, policy DM14 states:
- “The council is committed to meeting the recognised need for at least 21 additional pitches for Gypsies and travellers in Norwich over the remainder of the plan period, of which a minimum of 8 pitches should be provided by the end of March 2016. The council is seeking to meet at least the immediate needs through grant applications to be submitted by the end of 2014. This may also address some or all of the remaining need to 2026.
- Should it not be possible to identify sites capable of meeting needs up to 2026 through the above process, the council will produce a short focussed Local Plan which will have the objective of identifying and allocating additional sites for Gypsies and travellers to meet identified needs up to 2026. The Local Plan may be produced for Norwich or a wider area through joint working with adjoining local authorities and, if needed, will be commenced within one year and completed within two years of adoption of this plan.”
21. The aim of providing 8 additional pitches by the end of March 2016 has not been met. Planning permission for a further 13 pitches at the existing site in Swanton Road was granted in January 2017 however this has not yet been delivered due to an ongoing legal dispute. To date the Council has not produced a ‘short focussed Local Plan’ as potentially envisaged by the second paragraph.

22. In terms of assessing the development against the requirements of policy DM14, whilst the proposal does not accord with the criteria for new sites, it is also concluded that to date the Council has not met the identified need set out within the final two paragraphs of the policy.

### **National guidance**

23. The revised NPPF contains a number of relevant policies which are pertinent to the development. Paragraph 59 emphasises the importance of addressing the needs of groups with specific housing requirements which taken in isolation, the use accords with this aim.

24. Paragraph 80 states that “significant weight should be placed on the need to support economic growth, and productivity, taking into account both local business needs and wider opportunities for development”. Paragraph 91 emphasises the importance of creating healthy communities, including enabling and supporting healthy lifestyles and layouts which encourage walking and cycling. Paragraph 102 requires consideration to be given to the impact of development on transport networks, and paragraph 108 aims to ensure “safe and suitable access to the site can be achieved for all users”. Paragraph 109 expects planning permission to be refused on highways grounds if there would be an unacceptable impact on highway safety. Paragraph 123 states “where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site...local planning authorities should refuse applications which they consider fail to make efficient use of land”. Paragraph 124 deals with good design, and emphasises the need to ensure that developments “will function well and add to the overall quality of the area...are visually attractive...are sympathetic to local character...which promote health and well-being, with a high standard of amenity for existing and future users.” The development is considered to conflict with all of these requirements.

25. Paragraph 58 states:

“Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control.”

26. Guidance within the National Planning Policy for Traveller Sites is a material consideration in the assessment of the breach. Although there is no specific policy or guidance relating to enforcement, in relation to planning applications it states that:

“Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

(a) the existing level of local provision and need for sites;

- (b) the availability (or lack) of alternative accommodation for the applicants;
  - (c) other personal circumstances of the applicant;
  - (d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites;
  - (e) that they should determine applications for sites from any travellers and not just those with local connections.”
27. In terms of criterion (a), there are no sites currently available for travellers in the Norwich Area. There are plans to extend the traveller site at Swanton Lane in Mile Cross, but it is anticipated it may be another year before additional pitches are available. In terms of the need for sites, data from the *Norfolk Caravans and Houseboats Needs Assessment* (October 2017) states that demand for gypsy and traveller pitches in the ‘Greater Norwich’ area (which includes Broadland, Norwich and South Norfolk) currently exceeds supply. Between 2017 and 2022, for families that ‘have not permanently ceased to travel’, it is estimated that based on a supply of 22 pitches and a need of 37 pitches, an additional 15 pitches are required.
28. It is concluded that the lack of current available pitches, together with the evidenced need for more sites between 2017 and 2022, weighs in favour of the use of the land.
29. With regard to criterion b), it is understood that although the family who are occupying the site have family in the local area, they do not currently have alternative accommodation in terms of a permanent pitch available to them. They have stated that they have an aversion to living in bricks and mortar, which is a characteristic which is commonly held by gypsies and travellers. In relation to criterion (c), the occupiers have stated that they have sought to find a permanent base in order to provide their daughters with a more settled environment, in particular to help them get an education. It is considered that the need of the family is genuine, and weight should be attached to their circumstances.
30. In terms of (d), the *Norfolk Caravans and Houseboats Needs Assessment* (2017) sets out likely key considerations in identifying new sites to include:
- (a) The affordability of land suitable for the development of new sites and the cost of development
  - (b) The need to ensure that new provision are within reasonable travelling distance of social, welfare and cultural services
  - (c) The need to carefully consider the proximity of new provisions to existing provisions i.e. whether social tensions might arise if new provisions are located too close to existing provisions
  - (d) The sustainability of new provisions i.e. ensuring that they do not detrimentally impact on the local environment and do not place undue pressure on the local infrastructure.



31. The document also identifies the need to connect to public transport and provide highways access and utilities. The suitability of the site in terms of the suggested criteria is therefore mixed because it meets some but not all of the locational criteria, notwithstanding the planning policy considerations which have been set out in this report.
32. The family do have local connections, with members of their extended family residing in South Norfolk. It is therefore considered that criterion (e) is not relevant.

### **Housing land supply position**

33. The matter of housing land supply is relevant both in terms of consideration of the permanent use of the land for the stationing of caravans to be occupied by gypsies and travellers, and also for the temporary use of the land as such. The current five year housing land supply for the Norwich Policy Area (NPA) is set out within the Greater Norwich Growth Board's Joint Core Strategy annual monitoring report on 14 March 2018. The housing land supply assessment shows that against the Joint Core Strategy (JCS) requirements there is 4.61 years supply in the Norwich Policy Area, a shortfall of 1,187 dwellings. Consequently relevant policies for the supply of housing in the NPA cannot be considered up-to-date.
34. Paragraph 11 of the revised NPPF reaffirms the presumption in favour of sustainable development. For decision taking, the revised NPPF sets out that where the policies which are most important for determining the application are out-of-date, permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. A situation where relevant policies may be out-of-date includes where the local planning authority cannot demonstrate a five year supply of deliverable housing sites. It is therefore necessary to establish whether the proposal represents sustainable development, as defined within paragraph 8 of the NPPF, which refers to the economic, social' and environmental objectives.
35. **The economic objective** - The use of land would not result in much economic benefit, except for the very modest impact of an additional family spending money in the area. It does however have the potential to prevent the development of land for employment purposes or airport related development, which represents a significant adverse impact in terms of the economy. There is also the possibility that the presence of a traveller site in such close proximity to the airport could give rise to future complaints about airport expansion which could inhibit economic growth. The proposal therefore has a significant adverse effect in terms of the economic objective.
36. **The social objective** - In terms of this objective the use assists in meeting the needs of one family in terms of the requirement for land on which to settle. However this land is not considered to be a safe or accessible location for residential development. The impact in terms of the social objective is therefore considered to be neutral.

37. **The environmental objective** - Regard is had to the current visual appearance of the site, which is not in keeping with the character of the area. Consequently the development is considered to have a moderate adverse effect in terms of the environmental objective.
38. Overall, when measured against the above objectives, the development does not represent sustainable development. It is therefore considered that the presumption in favour of development as set out in paragraph 11 of the revised NPPF does not apply to the permanent use of the land for the stationing of residential caravans.
39. A further material consideration, applying to the grant of temporary planning permission is set out in paragraph 27 of the *National Planning Policy for Traveller Sites* document. This states:
- “If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission. The exception is where the proposal is on land designated as Green Belt; sites protected under the Birds and Habitats Directives and / or sites designated as Sites of Special Scientific Interest; Local Green Space, an Area of Outstanding Natural Beauty, or within a National Park (or the Broads).”
40. Whilst an application for temporary permission has not been made, it is necessary to consider the merits of a temporary use when deciding whether it is expedient to take enforcement action. Whilst significant weight is attached to the land supply situation, it is noted that significant conflict has been found with a number of development plan policies which do not relate to housing supply, and are therefore considered up-to-date. Further significant conflict with the revised NPPF has also been identified. The level of conflict is such that it would be inappropriate to grant any form of planning permission. However, in having regard to the land supply situation and the needs of the family, a lengthy period with which to comply with the notice (18 months) is recommended.

### **Planning balance**

41. In terms of the planning balance, it is clear that there are factors weighing strongly both in favour and against enforcement of the unauthorised development. The following matters weigh significantly in favour of the development and against enforcement:
- (a) The current lack of gypsy and traveller site provision in the Norwich area;
  - (b) The lack of a 5 year housing land supply;
  - (c) The personal circumstances of the family concerned that have ceased to travel due to the educational needs of their children.
42. The following matters weigh significantly against the development and in favour of enforcement:

- (a) The objection in principle from the highway authority to the formalisation and intensification of the vehicle access onto the A140. An alternative option would be to provide an access from Gambling Close, however this would not be easy to secure because the land is in private ownership. It would not therefore be reasonable to require the occupier to move the access, and therefore the harm caused cannot be easily mitigated.
- (b) The lack of a footpath leading to the site combined with the position of the site on a busy 'A' road where vehicles travel at high speed means the access is not safe for pedestrians and likely to lead to a reliance on transport by private car. This could be mitigated by the provision of a new pathway, but it would need to be a very long pathway which would not be proportionate to require, and the occupier does not have control of the land to help secure such a path. It is therefore considered this harm is not easy to mitigate against.
- (c) The proximity to the airport runway and associated significant noise impacts from airplanes taking off and landing on occupiers of the site. By its nature, a caravan is unlikely to contain particularly good sound insulation and noise from aeroplanes is likely to be very difficult to mitigate.
- (d) The visual harm to the character of the area caused by the appearance of the land, in particular the close boarded fencing on the site frontage. It is considered this could be mitigated with a replacement boundary treatment which is more in keeping with the character of the area.
- (e) The conflict with the site allocation for employment/airport development. It is not possible to mitigate against this conflict.

43. The following matters weigh moderately against the development:

- (a) Locating new residential development in such close proximity to the airport runway may inhibit future expansion by Norwich Airport, to the detriment of the local and regional economy. It would not be possible to mitigate against this conflict.
- (b) The development is very low density and does not make an efficient use of the land.

44. On balance, whilst the needs of the family are acknowledged and there are clear factors which weigh in favour of the development, it is noted that the benefits are limited to one family. The factors weighing against the proposal are considerable and most of them are very difficult or impossible to mitigate against. In this instance it is considered that the harm outweighs the benefits, because despite the identified need the site is simply not suitable or sustainable for residential occupation, when assessed against policies of the development plan and national guidance. The proposal conflicts with development plan policies DM2, DM9, DM28, DM30 of the Norwich Development Management Policies document, policy R30 of the Site Allocations and Site Specific Policies

document, policies JC2, JCS6 and JCS12 of the Joint Core Strategy and relevant policies of the revised NPPF.

### **Equality and Diversity considerations**

45. The Human Rights Act 1998 came into effect on 2 October 2000. :

- (a) Article 1 of the First Protocol (the peaceful enjoyment of one's possessions), is relevant in this case. Parliament has delegated to the council the responsibility to take enforcement action when it is seen to be expedient, proportionate and in the public interest.
- (b) Article 6: the right to a fair hearing is relevant to the extent that the recipient of the potential enforcement notice and any other interested party ought to be allowed to address the Committee as necessary. This could be in person, through a representative or in writing.

46. Article 8(1) of the European Convention on Human Rights (ECHR) is engaged. This states the following:

- “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 this right except such as is 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 protection of the rights and freedoms of others.”

47. Enforcement action to require the occupation of the land for residential purposes to cease would represent an interference of the rights contained within Article 8(1). However it is noted that the ECHR provisions do not go as far as to allow an individual's preference for their place of residence to override the general interest. The planning merits of the development have been assessed in accordance with planning law and it has been found by officers that the harm caused to the general interest outweighs the needs of the individuals in this case. In addition a generous period of compliance is recommended, which allows the occupiers to continue living on the land in the short term and represents a reasonable time period to find an alternative site. It is therefore concluded that the Article 8 rights are not violated.

### **Equality Act 2010**

48. As part of the Public Sector Equality Duty (PSED), which is set out in section 149 of the Equalities Act 2010, A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

49. In addition, the following further requirement at section 149(3) of the above mentioned act applies:

“Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.”

50. A ‘relevant protected characteristic’ includes race, which is relevant in this case because it concerns ethnic Romany people.

51. In interpreting this legislation, a case could be made that in light of the current lack of provision for traveller sites in the Norwich area, it would not be expedient to take enforcement action to require the use of land to cease because this would run counter to the aims of the PSED legislation. Accordingly weight is attached to this matter in the overall balancing exercise. However weight is also attached to the unsuitable nature of the site for long term residential occupation, which it should be noted is considered to be just as unsuitable for a C3 general needs residential dwelling as it is for the stationing of caravans for residential use by travellers. It is therefore considered that allowing travellers to reside at land which is considered unsuitable for any form of residential occupation could represent a form of discrimination, which the Act aims to prevent.

52. On the basis of this balancing exercise, it is concluded that taking action to ensure the use of the land ceases would not conflict with the PSED requirements. In addition, allowing a reasonably lengthy period for compliance, as set out below, is considered to be a proportionate measure which would assist in meeting the requirements of the PSED legislation.

### **Recommendation**

53. On the basis of the above assessment it is recommended that the planning committee authorises enforcement action, up to and including to ensure the use of the land for the stationing of residential caravans ceases, together with ensuring the removal of the caravans, portaloo, frontage fencing, gravel surfacing and waste, up to and including .

54. Taking account of the needs of the family, relevant appeal history and case law in similar circumstances in other parts of the country, it is recommended that a relatively long period of compliance is imposed. This will allow the family to

continue living at the site in the short term, minimising disruption to them whilst allowing them ample time to relocate. It is therefore recommended that a compliance period of 18 months is imposed from the date of an enforcement notice being served.

### **Alternative options**

55. Members may not wish to take enforcement action, but this option is not encouraged because it would lead to an unsustainable form of development as outlined above.
56. Members may wish to authorise enforcement action but impose a shorter compliance period, to ensure the use ceases more quickly. Having looked at similar instances where local authorities have attempted this for a single family unit, Inspectors have tended to impose longer compliance periods following appeals. This is because of the needs and rights of the individuals concerned, and the fact that it is not easy to find alternative accommodation or land, particularly where family members attend a local school or have health issues and attend a local GP practice. Therefore a shorter compliance period is not recommended.
57. Members may wish to authorise enforcement action but impose a longer compliance period. Having had regard to other cases involving unauthorised traveller pitches a timescale of 18 months is fairly consistent with the approach taken elsewhere. Members may have their own view taking into account the facts of the case, but in this instance 18 months seems a reasonable length of time that balances the need for the occupiers to find alternative land whilst ensuring that the harm that is caused by their occupation of the site does not persist longer than is necessary.

**Report to** Planning applications committee  
11 October 2018

**Item**

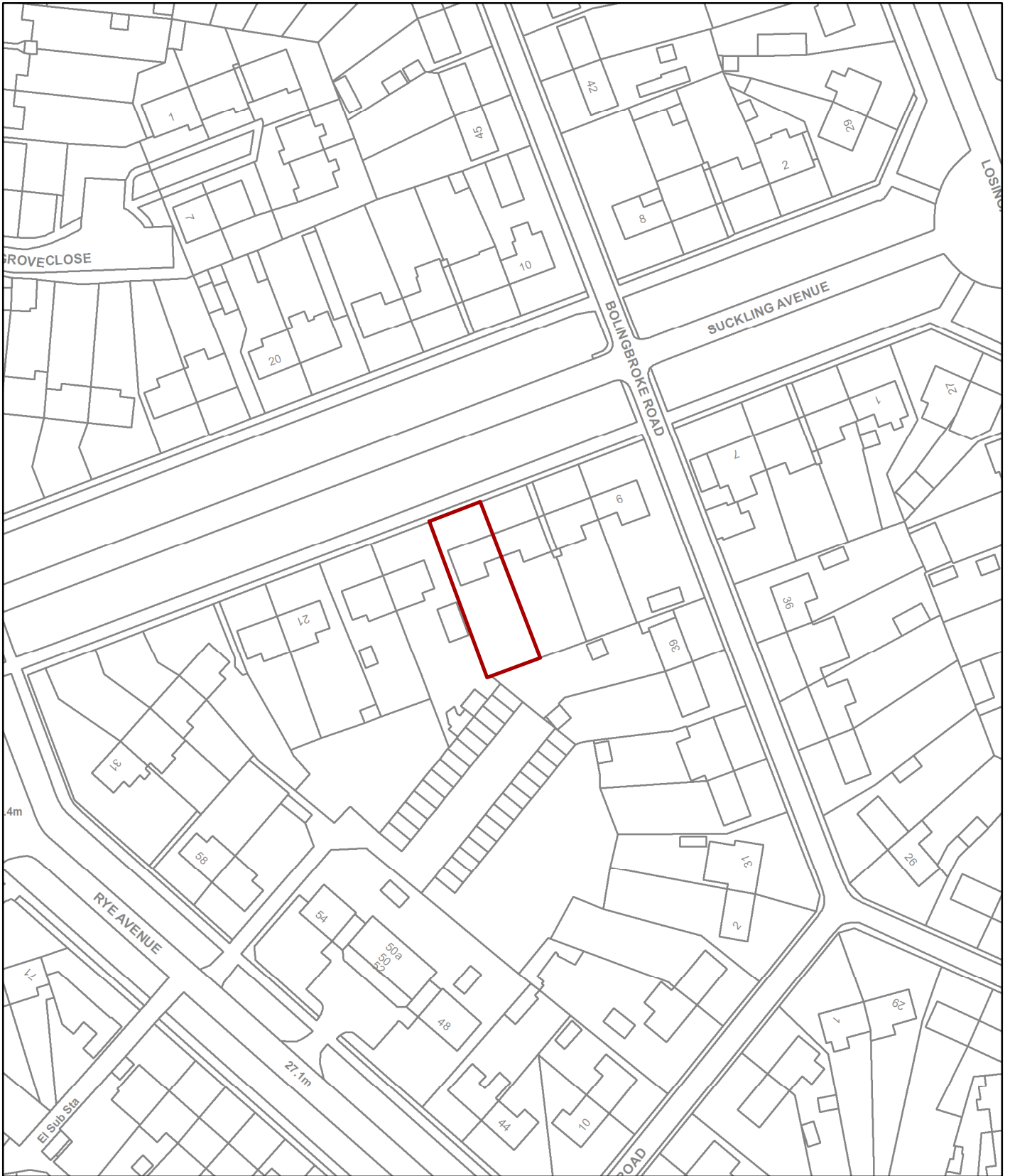
**Report of** Head of planning services

**4(g)**

**Subject** Enforcement Case 18/00080/ENF – 15 Suckling Avenue,  
Norwich, NR3 2SY

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<b>Summary</b>	
<b>Description of breach</b>	Construction of bike shed/shed in front garden.
<b>Recommendation</b>	Authorise enforcement action up to and including prosecution in order to secure: Removal of bike shed/shed.
<b>Ward</b>	Mile Cross
<b>Contact Officer</b>	Stephen Little <a href="mailto:stephenlittle@norwich.gov.uk">stephenlittle@norwich.gov.uk</a>



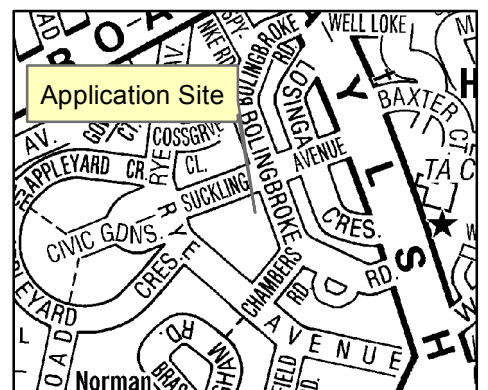
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Planning Application No 18/00080/ENF  
 Site Address 15 Suckling Avenue  
 Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES





## **Report**

### **The site**

1. The site is located on the south side of Suckling Avenue, a suburban street 2.5km north of the city centre which is characterised by two-storey local authority/ex-local authority dwellings of which the subject property is typical.
2. The street is situated within sub area A of the Mile Cross Conservation Area which, as described in the Conservation Area Appraisal, forms “the first phase of development [of the Mile Cross estate] characterised by generous spaces and classically styled houses, based on Georgian designs”.
3. The subject property is locally-listed and is an attractive red-brick/grey-tiled two-storey 1920s dwelling at the west end of a terrace of four. 4m to the west is no.17 with the boundary fence 1m distant from the subject dwelling itself. The overall width of the garden is 10.25m, with the rear garden approximately 17.5m in length and the front garden 6.25m from the dwelling to the front fence.
4. The front of the gardens is set back approximately 12m from the road itself behind a pavement and substantial grass verge. Mature trees are irregularly positioned along this verge, though there are none directly in front of the subject property itself.

### **Relevant planning history**

5. No recent history

### **The breach**

6. Without planning permission carrying out the following operations:
  - a) Construction of bike shed/shed in front garden

### **Relevant policies**

National Planning Policy Framework:

- NPPF12 Achieving well-designed places
- NPPF16 Conserving and enhancing the historic environment

Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS):

- JCS2 Promoting good design

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

- DM3 Delivering high quality design
- DM9 Safeguarding Norwich’s heritage

## Justification for enforcement

7. A large bike shed has recently been constructed in the front garden of the above property. As outlined in Article 3, Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), this does not fall under Permitted Development due to being forward of the wall forming the principal elevation of the dwelling house.
8. The home owner has been advised that, if the structure was to become the subject of a planning application, it would be unlikely to be approved for the reasons outlined below.
9. The shed is of poor design, being windowless and constructed of corrugated metal sheets, black on its sides and roof, red to the front and open to the rear (facing the house). It is relatively large, covering an area approximately 4.5m across x 2m in depth. It is approximately 1.8m high at its highest point nearest the dwelling, sloping down to approximately 1.5m at the front. It is approximately 0.5m from both the front of the garden and the boundary of the adjoining property at no.13.
10. Mile Cross is significant in being one of the first schemes in the country to be based on garden suburb principles. That properties should have open and verdant frontages, with the front elevations of dwellings neatly aligned, is key to the design of the estate. Suckling Avenue is of particular value forming the axis of the first phase of development and being, as described in the Conservation Area Appraisal, "by far the grandest and widest avenue within the estate with wide verges and a vista of mature trees".
11. The subject property is locally-listed and is one of the earlier architect-designed properties, completed by 1928 and of neo-Georgian design. It provides a good example of houses in the area which, as described in the Conservation Area, have "a clear coherence in the way that they have been designed" with "good proportioning and simple but effective architectural detailing". This all adds weight to the importance of preserving the quality of the street scene.
12. As outlined in the Conservation Area Appraisal, the "quality of the housing within the estate overall can be harmed by introducing alien features". While, in giving examples, it specifically refers to "front extensions using inappropriate materials", the impact of a structure of this size and nature to the front of the house has to be considered in similar terms.
13. The structure completely dominates the front view of the property and is an immediately noticeable feature when viewing from elsewhere on the street, having a noticeably negative impact on the street scene.
14. While the occupant of the property may have understandable concerns in terms of preventing cycle theft, it should be noted that there is substantial garden to the rear of the property and adequate space at the side of the house to provide access for cycle users.

15. In summary, the bike shed is a dominant and unattractive feature, any benefit of which is not considered to outweigh the notable harm it represents to the character of the Conservation Area. As such, the bike shed is not considered acceptable in either design or heritage terms.

### **Equality and diversity Issues**

16. The Human Rights Act 1998 came into effect on 2 October 2000. In so far as its provisions are relevant:
  - (a) Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the Council the responsibility to take enforcement action when it is seen to be expedient and in the public interest. The requirement to secure the removal of the unauthorised structure is proportionate to the breach in question.
  - (b) Article 6: the right to a fair hearing is relevant to the extent that the home owner or any other affected party is allowed to address the Committee as necessary. This could be in person, through a representative or in writing. There is also a right of appeal against any formal enforcement action that may be taken.

### **Conclusion**

17. For the reasons outlined above the works are considered to result in harm to the character and appearance of the conservation area. As such it is recommended that authorisation is given to serve an enforcement notice seeking removal of the bike shed.

### **Recommendation**

18. Authorise enforcement action up to and including prosecution in order to secure removal of bike shed/shed.



**Report to** Planning applications committee  
11 October 2018  
**Report of** Head of planning service  
**Subject** Review of the scheme of delegation

**Item**

**5**

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## **Purpose**

This report proposes amendments to the current scheme of delegated powers that will enable certain applications to be determined at officer level without referral to committee.

The need for delegation relates to three key areas: speed of determining applications; cost; and ensuring that committee focuses on applications of major importance or wider significance.

## **Recommendation**

To approve for use with immediate effect the changes to the scheme of delegation as summarised in this report and set out in full at Appendix 2.

## **Corporate and service priorities**

The report helps to meet the corporate priorities of a safe clean and low carbon city, a prosperous and vibrant city, a fair city, a healthy city with good housing and value for money services.

## **Financial implications**

If the recommendations in this report are adopted, the number of items referred to committee would be reduced in terms of enforcement and tree preservation reports. There would be a proportionate reduction in costs to the council in terms of officer time and materials involved in the preparation of the agenda and the administration of the committee itself.

**Ward/s:** All wards

**Cabinet member:** Councillor Stonard - sustainable and inclusive growth

## **Contact officers**

Graham Nelson, Head of planning services	01603 212530
David Parkin, Area Development Manager (Inner)	01603 212505
Mark Brown, Development Manager (Outer)	01603 212542

**Background documents** - None

# Report

## Background

1. In 2013, the planning applications committee agreed the current scheme of delegated powers. A copy is attached to this report. Under this scheme approximately 10% of applications are determined by committee.
2. In summary, the current scheme of delegation provides that applications may be determined at officer level unless:
  - (a) Major applications (10 or more dwellings or more than 1000m<sup>2</sup> of new floor space) – One or more objections OR ‘serious’ departure from the development plan.
  - (b) All other applications – Two or more objections OR petition > 50 or more ‘local’ residents OR ‘significant’ departure from the development plan.
  - (c) NCC applications – EXCEPT ‘minor’ alterations OR ‘minor’ changes of use OR where the recommendation is to approve and there are no material objections.
  - (d) Enforcement – Authority to serve enforcement notice.
  - (e) Tree Preservation Orders – Confirmation of an Order where there is an objection.
  - (f) Members may call in an application within 14 days of publication on the weekly list.
  - (g) All applications for Prior Approval are dealt with under delegated powers.
3. Under the current scheme of delegation during 2017 (calendar year) 96 items were dealt with by committee:

(a) Householder (domestic extensions)	=	27%
(b) Other (changes of use, listed buildings)	=	11%
(c) Minor (residential development of less than 10 units or commercial development of less than 1000m <sup>2</sup> new floor space)	=	37%
(d) Major ((residential development of more than 10 units or commercial development of more than 1000m <sup>2</sup> new floor space)	=	7%
(e) Enforcement	=	14%
(f) TPO	=	4%
4. Of the 96 items dealt with by committee, all but 4 were determined in accordance with the officer recommendation. The 4 that went against recommendation were:-
  - (a) 2 householders – 1 was refused, 1 was deferred and ultimately withdrawn. Of these two applications, 1 was called in, the other was referred because of objections;

(b) 1 minor – referred due to 8 objections

(c) 1 major – referred because of 33 objections

### **Arguments for change**

5. In many respects, the scheme of delegation is working adequately although it does result in the committee dealing with a significant proportion of smaller (householder and minor) applications rather than larger, more significant proposals. Notwithstanding this, there are two issues that require changes to be made to the scheme.

### ***Permission in Principle***

6. On 1 June 2018 the Town and Country Planning (Permission in Principle) (Amendment) Order 2017 came into effect. The Order made it possible for applications to be made for permission in principle (PIP) for development of fewer than 10 houses that is primarily residential, i.e. it may contain some non-residential development (less than 1000 square metres) on sites of less than 1 hectare.
7. PIP is a concept introduced by central government with the intention of speeding up planning permission for the principle of developing land by removing the requirement to submit detailed supporting information that can often be required even through the current outline planning process. The information requirements are vastly reduced and consist mainly of plans identifying the land. A PIP lasts for 3 years and must be followed by an application for technical details consent (TDC) within that time frame, otherwise it will expire. The TDC, as the name suggests, requires full details of the proposal. Only after the grant of both PIP and TDC does a development have planning permission.
8. Significantly for the scheme of delegation, the time scale for determining both PIP and TDC is significantly shorter and no extensions of time are allowed. Consequently, PIP and TDC applications for development of less than 10 houses must be determined in no more than 5 weeks. The committee cycle would not allow this to happen if applications had to be referred under the current scheme of delegation.

### ***Enforcement & Tree Preservation Orders***

9. At the moment, all proposals to serve planning enforcement notices have to be referred to committee. This can be confusing and impede the council's ability to effectively negotiate on problem sites. The ability to serve notices more promptly could act as a deterrent to unauthorised development in the first place and provide more leverage in resolving breaches that have already taken place. Similarly, the ability to confirm TPOs even if there are some objections would streamline the process.

### ***Receipt of Objections***

10. On 24 July 2018, a meeting of informal cabinet agreed amendments to the development management service standards. Amongst these was that objections to planning applications should only trigger a referral to planning applications committee provided that the objections were received within the statutory consultation period. Objections received outside this period (normally 21 days) would still be considered but the decision could be made under delegated authority. Members would still be

able to request that applications were referred to planning applications committee, as they can at the moment. Changes to the scheme of delegation are required to enact this change.

### ***City Council Applications***

11. The current scheme of delegation allows city council applications to be delegated where relating to minor alterations to any property or minor changes of use. It also allows applications to be delegated where the recommendation is to approve and there are no material planning objections. This differing approach to city council applications has evolved from an earlier scheme of delegation which required all city council schemes to be reported to committee. On reflection the scheme as it stands now gives city council applications preferential treatment over non-city council applications. It is recommended that city council applications simply follow the same procedure as non-city council applications to ensure a consistent approach.

### **Proposed amendments**

12. In order to reflect the issues raised above, it is recommended that the following amendments are made, which are set out in full in Appendix 2:-

- (a) Enforcement – Service of Enforcement Notices may be authorised by the head of planning services

Result - Would have removed 13 applications from committee meetings in 2017

- (b) Tree Preservation Orders – Confirmation of TPO's may be authorised by the head of planning services with the exception of cases which have attracted 5 or more objections unless the TPO relates to a site where there is already a TPO (for example, the order needs refreshing because it is old).

Result - This would have removed 4 applications from committee meetings in 2017

- (c) Applications for Permission in Principle (PIP) and for Technical Details Consent (TDC) are determined under delegated powers.

- (d) Receipt of objections – should trigger referral to planning applications committee as they do at the moment provided that they are received within the statutory consultation period or, in the case of amended proposals, within any subsequent formal consultation period.

- (e) Delete the section relating to city council applications and allow such applications to be determined in an identical manner to other non-city council applications.



## **APPENDIX 1 – CURRENT SCHEME OF DELEGATION**

### **A. Planning applications, conservation area applications, listed building applications and hazardous substances consent applications**

All applications will be determined by the head of planning services with the exception of the following:

- i. approval of major\* planning applications if there is one or more objection raising material planning issues or if the proposal would represent a serious departure from the development plan.

\* major is defined by central government as applications for 10 or more dwellings, outline applications for residential development on sites over 0.5ha, or offices, research, industrial, warehousing or retail development over 1,000 sq m or over 1ha for outline applications.

- ii. approval of applications (other than major planning applications\*) and
  - a) subject to two or more objections from neighbours and/or other third parties citing material planning issues unless these two or more objections are received after the relevant cut-off date for the inclusion on the agenda of the planning applications committee, and where a subsequent scheduled committee meeting does not fall between the end of the application consultation period and within 54 days of receipt of the application (to allow two days for a decision to be communicated to the applicant); and/or
  - b) where there is a petition signed by 50 or more local residents (identically worded letters will be treated as a petition); and/or
  - c) where the proposal would represent a significant departure to the approved development plan.
- iii. Applications submitted by the city council, relating to council owned property, excluding minor alterations to any property (such as replacement windows to the council's housing stock) or minor changes of use or applications where the recommendation is to approve and there are no material planning objections.
- iv. Where a member of the city council requests, within 14 days of the publication of the weekly lists, and an appropriate planning justification is made, that the application be referred to the committee for decision.
- v. Applications submitted by a member of the city council, a member of staff employed in the planning service or who works in a professional capacity in a field closely related to the planning service or their immediate family defined as husband / wife / partner / son / daughter / mother / father / brother / sister /and equivalent in-laws as either applicant or agent.

### **B. Prior notifications**

All applications will be determined by the head of planning services with the exception of the following:

- i. in the case of telecoms cabinets, masts or antennae under Part 24 of The Town and Country Planning (General Permitted Development) Order 1995 as amended which are subject to two or more objections from neighbours and/or other third parties citing issues of siting and/or appearance (these being the only matters for which prior approval is required) that the head of planning's decision must be subject to consultation with the chair and vice chair of the planning applications committee if one or more ward councillors so request within 21 days of advertisement, neighbour consultation or publication of the weekly list.

**C. Planning enforcement**

All decisions will be made by the head of planning services with the exception of:

- i. The approval of the service of an enforcement notice under Section 172 of the Town and Country Planning Act 1990 or Section 38 of the Planning (Listed Buildings and Conservation Areas Act 1990).

**D. Tree Preservation Orders (TPOs) and applications for tree works in conservation areas or protected by TPOs**

All decisions will be made by the head of planning services with the exception of:

- i. The confirmation of a tree preservation order served where there is an objection to that order.

**E. Other**

Any Items which the deputy chief executive considers appropriate to refer to the planning applications committee.

## **APPENDIX 2 – PROPOSED SCHEME OF DELEGATION**

### **A. Planning applications, conservation area applications, listed building applications and hazardous substances consent applications**

All applications will be determined by the head of planning services with the exception of the following:

(1) approval of major<sup>1</sup> planning applications if:

(a) subject to one or more objection raising material planning issues provided that said objections are received within the statutory consultation period or, in the case of revised plans, any subsequent formal consultation period; or

(b) the proposal would represent a serious departure from the development plan.

(2) approval of non-major<sup>2</sup> applications if:

(c) subject to two or more objections from neighbours and/or other third parties citing material planning issues provided that said objections are received within the statutory consultation period or, in the case of revised plans, any subsequent formal consultation period;

(d) there is a petition signed by 50 or more local residents (identically worded letters will be treated as a petition); or

(e) the proposal would represent a significant departure to the approved development plan.

(3) Where a member of the city council requests, within 14 days of the publication of the weekly lists, and an appropriate planning justification is made, that the application be referred to the committee for decision.

(4) Applications submitted by a member of the city council, a member of staff employed in the planning service or who works in a professional capacity in a field closely related to the planning service or their immediate family defined as husband / wife / partner / son / daughter / mother / father / brother / sister /and equivalent in-laws as either applicant or agent.

### **B. Prior notifications**

All applications will be determined by the head of planning services with the exception of the following:

(1) In the case of telecoms cabinets, masts or antennae under Part 25 of The Town and Country Planning (General Permitted Development) Order 2015 as amended which are subject to two or more objections from neighbours and/or other third parties citing

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<sup>1</sup> major is defined by central government as applications for 10 or more dwellings, outline applications for residential development on sites over 0.5ha, or offices, research, industrial, warehousing or retail development over 1,000 sq m or over 1ha for outline applications.

<sup>2</sup> the opposite of major as defined above.

issues of siting and/or appearance (these being the only matters for which prior approval is required) that the head of planning's decision must be subject to consultation with the chair and vice chair of the planning applications committee if one or more ward councillors so request within 21 days of advertisement, neighbour consultation or publication of the weekly list.

**C. Planning enforcement**

All decisions will be made by the head of planning services.

**D. Tree Preservation Orders (TPOs) and applications for tree works in conservation areas or protected by TPOs**

All decisions will be made by the head of planning services with the exception of:

- (1) The confirmation of a tree preservation order served where there are 5 or more objections to that order **unless** the order relates to a site upon which there is an existing order.

**E. Applications for Permission in Principle and for Technical Details Consent**

All decisions will be made by the head of planning services.

**F. Other**

Any Items which the director of regeneration and development considers appropriate to refer to the planning applications committee.

**Report to** Planning applications committee  
 11 October 2018

**Report of** Head of planning services

**Subject** Prospect House Development Brief

**Reason for referral** Development brief

Item

6

<b>Ward:</b>	Mancroft
<b>Case officer</b>	Ben Webster - <a href="mailto:benwebster@norwich.gov.uk">benwebster@norwich.gov.uk</a>

<b>Development proposal</b>
Development brief providing site specific policy for the redevelopment of the site of Prospect House on Rouen Road.
<b>Representations</b>
See attached consultation report at appendix 2.

<b>Main issues</b>	<b>Key considerations</b>
1	Impact on the historic built environment.
2	Impact on residential amenity.
<b>Expiry date</b>	Not applicable
<b>Recommendation</b>	To approve development brief as set out in appendix 1.

## The site and surroundings

1. It is a 1.03ha site in the city centre bounded by Thorn Lane, Rouen Road and the rear of properties on Golden Ball Street and Ber Street. It is currently occupied by Prospect House, the headquarters of Archant, and surface car parking associated with the business. Prospect House was built in 1969 and contains 85,000 sq ft of office floorspace. The development brief assumes that Prospect House will be demolished.

## Constraints

2. The site lies within the city centre conservation area. There are no listed buildings on the site but it is adjacent to several listed buildings and within the setting of many others. These are identified in section 2 of the development brief at appendix 1. The site is near the top of the Ber Street ridge and slopes from west to east down towards the River Wensum. The policy designations that apply are explained in section 2 of the development brief.

## The background

3. The site is not allocated within the Norwich Site Allocations Plan (2014) as it was not a development opportunity when the plan was produced. It is in a prominent position in the city centre, close to existing offices and the primary retail area, and its redevelopment offers significant potential for contributing to the vibrancy of the city centre and to its sub-regional role.
4. When Archant approached the city council it was agreed that the principle of redevelopment was supported and such a significant site needed to have a site specific policy to guide its development. This development brief provides that policy.
5. The brief will be a material planning consideration when decisions are made about any planning application that is subsequently submitted for the site.

## Representations

6. A public consultation inviting comment on the draft Prospect House development brief was held between 29 June 2018 and 3 August 2018. The brief itself was available and its content was summarised in an exhibition held in City Hall and at Prospect House for the first two weeks of the consultation period. All the material was available on the city council's website. It can be viewed at:

[https://www.norwich.gov.uk/info/20005/planning/2133/closed\\_consultation\\_prospect\\_house\\_site/1](https://www.norwich.gov.uk/info/20005/planning/2133/closed_consultation_prospect_house_site/1)

7. The consultation was publicised through:
  - (a) A news release issued by the City Council which resulted in an article in the EDP and Evening News;
  - (b) Letters sent to businesses and residents inviting them to comment;
  - (c) Emails sent to the following stakeholder organisations inviting them to comment: Bicycle Links, Norwich Business Improvement District, Castle Mall, Norwich Cycling Campaign, Historic England, King Street Neighbours, Kings Church, Norfolk Museums Service, Norwich Society, Wensum Sports Centre.
8. The city council's design conservation and landscape manager attended the exhibition at City Hall on 5 July and 13 July 2018 and two meetings:
  - (a) Residents of Warminger Court 23 July 2018 at Warminger Court;
  - (b) King Street Neighbours 1 August 2018 at the Last Man Standing PH on King Street.
9. The comments have been compiled in the consultation report at appendix 2 with an officer response to each comment.

## Changes made to the brief following consultation

10. The following changes have been made to the development brief in response to issues raised in the consultation:

- (a) The height parameters for buildings have been better explained in a “heat map” with reference to the conclusions of the building heritage assessment.
- (b) The height thresholds have been reduced:
  - (i) on the corner of Thorn Lane and Ber Street to respond to concerns about reduced daylight to residents of Warmingier Court
  - (ii) on a north south axis through the centre of the site to avoid obscuring the view of St John de Sepulchre church from the Castle
  - (iii) on the north west corner to reduce the potential for harm to the setting of the following heritage assets: Woopack PH, St John the Baptist Church and All Saints Westlegate.
- (c) Minimum dwelling and office accommodation quantities have been introduced to avoid underdevelopment of the site.
- (d) Strengthening the need to retain the Bernard Meadows sculpture on the site as a result of it becoming a listed building.
- (e) Include a requirement for charging facilities for electric cars.
- (f) Indicating that children’s play space should be provided at the centre of the site and Thorn Lane itself should not be designed as a public space in order to avoid creating a nuisance for people living in Warmingier Court.
- (g) Grey water recycling from roofs has been added as part of the options to be used to reduce surface water runoff.
- (h) Endorsement of the value (though not a requirement) of an architectural competition to improve architectural quality.
- (i) Recognition of the archaeological sensitivity of the site.

### **Equalities and diversity issues**

- 11. There are no significant equality or diversity issues.

### **Conclusion**

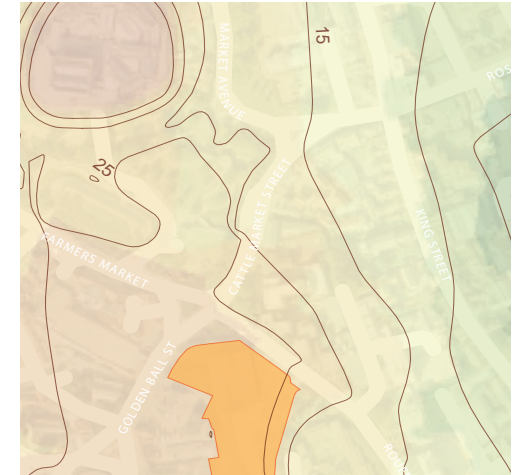
- 12. The development brief, which has been amended in response to public comment, now provides a set of development principles that will maximise the chance of a good quality redevelopment being designed for the site. It will provide a site specific policy against which a planning application can be evaluated.

### **Recommendation**

- 13. To approve the revised development brief featured in appendix 1.

# Prospect House site development brief

Version: Final  
Date: 11.10.18





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## 1.0 Background

### 1.1 Development opportunity

1.1.1 Archant own and occupy a 1.03ha site bounded by Rouen Road, Thorn Lane, Cattle Market Street and the rear of properties on Ber Street (fig.1 & 2). Prospect House is the only building on the site and it has been Archant's headquarters since it was completed in 1969. Archant announced in late 2017 that they were reviewing their property holdings at the Prospect House site. The building contains 85,000 sq ft of office floorspace. Archant have concluded that the building is too large for their needs, would require major investment if retained and fails to make the best use of the site due to the large open areas of car parking surrounding it. It is assumed that Prospect House will be demolished in any redevelopment. Historic England have confirmed that it is not good enough to be listed and a certificate of immunity from listing has been issued.

### 1.2 Purpose of the document

1.2.1 The site is not allocated within the Norwich Site Allocations Plan (2014) as it was not a development opportunity when the plan was produced. It is in a prominent position in the city centre, close to existing offices and the primary retail area, and its redevelopment offers significant potential for contributing to the vibrancy of the city centre and to its sub-regional role.



01. Prospect House Site. 04. Castle Green & Gardens 07. Norwich Rail Station. 10. Norwich City Football Club.  
02. Castle Mall. 05. River Wensum. 08. Chapelfield Shopping.  
03. Norwich Castle. 06. Norwich Market. 09. Norwich Cathedral.

Figure 1 - Site location.

1.2.2 When Archant approached the City Council in late 2017 it was agreed that the principle of redevelopment was supported and such a significant site needed to have a site specific policy to guide its development. This development brief provides that policy.

1.2.3 The document will be submitted to the Council's Planning Applications Committee for approval in October 2018 following public consultation. The brief will be a material planning consideration when decisions are made about any planning application that is subsequently submitted for the site.

1.2.4 The Greater Norwich Local Plan (GNLP) is being produced by Broadland District Council, Norwich City Council and South Norfolk Council, working together with Norfolk County Council through the Greater Norwich Development Partnership. The GNLP will provide the planning strategy and identify the sites for growth across the three districts of Broadland, Norwich and South Norfolk until 2036 and once adopted will supersede the JCS. It is currently anticipated that the GNLP will be adopted in autumn 2021. Archant has made a submission to the GNLP call for sites requesting that it be considered for inclusion as a development site and developed in accordance with this brief.

### 1.3 Neighbouring site ownership (fig.2)

1.3.1 There are three adjoining sites owned by the council:

- 10-14 Ber Street.  
Plans are currently being drawn up for this this vacant site by Norwich Regeneration Ltd, the wholly-owned development company set up by the council. There is a close relationship with the Prospect House site and the co-occurrence of development proposals has been co-ordinated to maximise the synergy between the two sites.
- 22-24 Ber Street.  
On a long leasehold to Metropolitan Properties Limited and occupied by World of Beds.
- Paradise Place  
48 flats of which 27 are occupied by council tenants and 21 bought through the right to buy scheme.

1.3.2 Sites in private ownership within the wider block are:

- The Woolpack Inn, Golden Ball Street
- 4 - 8 Ber Street
- Emms Court, off Ber Street
- 16-20 Ber Street



#### Ownership

##### Norwich City Council

- 1 10-14 Ber Street
- 2 22-24 Ber Street
- 3 Paradise Place

##### Private Ownership

- 4 The Woolpack Inn
- 5 4-8 Ber Street
- 6 Emms Court
- 7 16-20 Ber Street

Figure 2 - Site ownerships.

## 2.0 Analysis

### 2.1 Planning policy – city centre

2.1.1 The Prospect House site is located within Norwich City Centre as defined in Norwich's local plan and the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk. It is covered by a number of local plan designations being:

- within the office development priority area, city centre leisure area, city centre conservation area, and area of main archaeological interest
- just outside the primary retail area
- adjacent to an open space area and woodland.

2.1.2 It is located in a highly sustainable location in the city centre, adjacent to public transport routes.

2.1.3 JCS Policy 11 promotes an enhanced regional role for the city centre as the main focus for retail, leisure and office development, with housing and educational development reinforcing its vibrancy. Redevelopment of brownfield (previously developed) sites will contribute to the economic, social, physical and cultural regeneration of the city centre. The JCS also promotes expansion of the city centre's function as an employment centre, including provision of high quality office premises and a diversity of employment uses across the area. JCS 11 also highlights the importance of improvements to the public realm, open spaces, walking and cycling provision and sustainable transport access.

2.1.4 The JCS key diagram (fig.3) shows that the

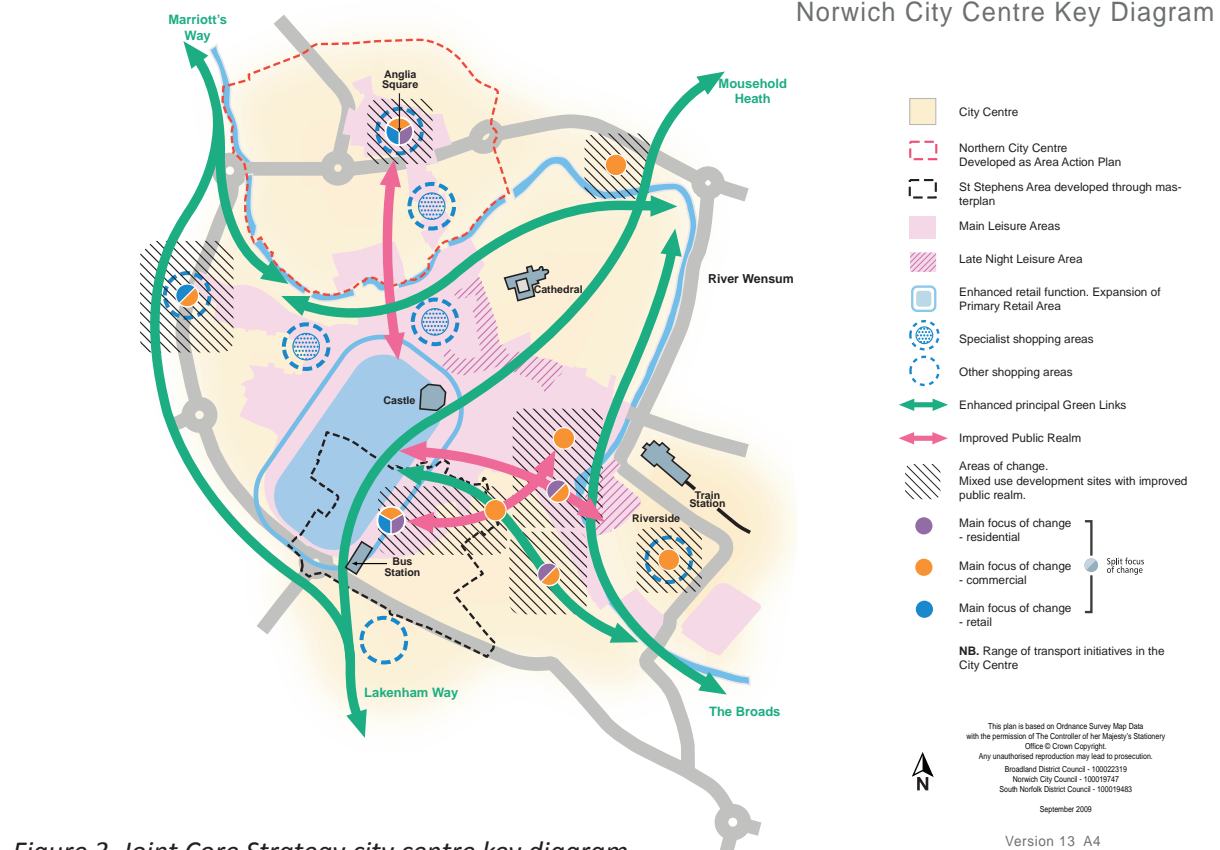


Figure 3 Joint Core Strategy city centre key diagram

Archant site lies between two key areas of change – the Rose Lane / Mountergate area, which is identified as a major focus of commercial development, and the St Stephen's Street area which is promoted for retailing, offices and housing.

2.1.5 Norwich Site Allocations Plan was adopted in December 2014 and makes two allocations in the vicinity of the Archant site including:

- 10-14 Ber Street (CC3) – proposed for a mix of

uses including retail or complementary uses at ground floor level; residential on upper floors (min 10 dwellings) – 0.1ha;

- Land at Garden Street (CC10) - mixed use redevelopment with in the region of 100 dwellings, an element of office / business uses, and replacement car parking – 1.08 ha in total;

## 2.2 Planning policy - offices

- 2.2.1 Redevelopment of the Archant site will involve the loss of existing office space on the site. The site is not designated as an employment site, but does fall within the Office Development Priority Area defined by policy DM19.
- 2.2.2 Policy DM19 implements the strategic priorities of the Joint Core Strategy (Policies 9 and 11) in identifying land to deliver a net increase at least 100,000 sq.m of new office floorspace in the city centre to 2026 and to secure provision of high quality office premises. It seeks to protect high quality office space and encourage the upgrading of poor quality and smaller offices. The JCS growth strategy (which is the basis for DM19) is predicated upon levels of growth which are unlikely to be achieved. The GNLP Growth Options Document states that office provision in the city centre has fallen by 8% since the start of the JCS planning period in 2008.
- 2.2.3 An Employment, Town Centre and Retail Study was commissioned by the Greater Norwich authorities (Norwich City Council, Norfolk County Council, South Norfolk Council and Broadland District Council) in 2017 to provide evidence for the emerging GNLP (GVA, November 2017). This study identifies a more positive picture for potential future of office based employment in the city centre. The enhanced growth forecast shows an estimated additional demand to 2036 for Greater Norwich as a whole to around 170,000 sqm of B1a (office) / b (R&D) floorspace. The GNLP states that a large proportion of this should be allocated in the city centre to help sectors based in

the centre to grow, to realise sustainability benefits, and achieve the economic benefits of agglomeration.

- 2.2.4 The study's Strategy Advice report identifies the Norwich urban area's role as the principal focus and driver of the Greater Norwich economy, and a magnet for people from the wider area to work, shop and visit. Norwich city centre's employment offer is changing and the study identifies an increasing 're-urbanisation' of business activity (driven by wider business trends and small business creation within the creative and media sector in particular) back to locations which offer a broader range of services to employees, such as the city centre. The GVA evidence suggest that there is now growing demand for high quality and flexible office space in the city centre in attractive and accessible locations, with the main city centre growth sectors identified as digital, cultural and creative industries and financial services.
- 2.2.5 Prospect House was constructed in the 1960s so the office accommodation is dated. As such the loss of this office space would not be protected by DM19. However the policy does require that any redevelopment of this site will be expected to include an element of office floorspace. Provision of new offices as part of the development of the site, replacing the existing lower grade accommodation with purpose built, flexible and attractive high quality office space as part a mix of uses, would meet the requirements of DM19 and help to support the vitality and viability of this part of the city centre.

- 2.2.6 The provision and retention of high quality office accommodation is a crucial element of the city council's development strategy for Norwich. The Archant site is an established location for office use in the Office Development Priority Area and is situated in a key interface between the South City Centre area and the St Stephen's Street area / primary retail area. Retention of a significant part of the site for office use would contribute to a substantial office base in the city centre which is considered critical to maintaining the long term viability and vitality of the city as a retail and visitor destination and a major employment hub. Ideally this provision should be in a prominent location such as the Golden Ball Street frontage or the junction of Ber Street and Thorn Lane.
- 2.2.7 Archant is a major employer in the city centre. The civic importance of Archant and its predecessor businesses as the gatherers and distributors of news about the city has always been reflected in its occupancy of visible and proud building in the city centre. The council strongly wishes to see Archant remain on the site in new office accommodation although planning legislation does not enable the council to restrict the occupancy of office space to a particular occupier.

## 2.3 Planning policy - Housing

2.3.1 JCS policy 4 reflects evidence on housing needs and seeks that 1,833 homes will be provided each year within the Norwich Policy Area (NPA) between 2008 and 2026, of which at least 8,500 are to be provided in the City Council's administrative area. Since adoption of the JCS market conditions have meant that the rate of building has been below that necessary to achieve the levels set in the JCS both within the City Council area and across the wider NPA, notwithstanding a very large stock of unimplemented planning consents.

2.3.2 The level of housing need in the emerging GNLP is based on the latest housing needs assessment - the Strategic Housing Market Assessment (SHMAA) for Central Norfolk, which was published in July 2017. The Regulation 18 plan identifies Norwich as having the capacity for an additional 1,500 homes to 2036 that are not already allocated in planning documents. There is potential to increase this figure further and the Archant site represents an opportunity to deliver much-needed additional housing in a sustainable location.

2.3.3 The SHMAA also looks at property size and tenure issues. Of the predicted need for market housing arising from the City, approximately 36% of the needs will be for 1 and 2 bed roomed properties. 38% of all housing need in the City is generated by households who are not able, or predicted to be able, to meet their own needs in the housing market (either by private rented or owner occupied housing) and therefore are in need of affordable housing. Of these

households, 68% will have a need for 1 and 2 bed roomed properties.

2.3.4 JCS policy 4 requires that 33% of all housing on larger development sites is delivered in the form of affordable housing. The policy further states on sites for 16 dwellings or more the tenure split for the affordable housing should be 85% social rented and 15% of intermediate tenures. The SHMA 2017 shows the annual need by property type and tenure as:-

Norwich	Property Type	Market Housing	Affordable Rented Housing	Low Cost Home Ownership	Total
Flat	1 bedroom	50	90	9	149
	2+ bedroom	55	47	10	112
House	2 bedroom	54	25	6	85
	3 bedroom	231	53	17	301
	4+ bedroom	56	17	3	76
<b>Total</b>		<b>446</b>	<b>232</b>	<b>46</b>	<b>724</b>

2.3.5 Whilst the SHMA shows a high need for 2-bedroom flats and 3-bedroom houses for affordable housing, in reality we have a surplus of these since the spare room subsidy was introduced and therefore the council is currently seeking an affordable housing provision comprising 1-bedroom flats, 2-bedroom houses or larger 4+ bedroom houses. This site lends itself to higher density flatted development due to its location and topography however some housing on the site would be welcome.

2.3.6 Providing affordable housing in separate blocks would allow for easier disposal, management and maintenance and allows any registered provider or the council to keep service charges

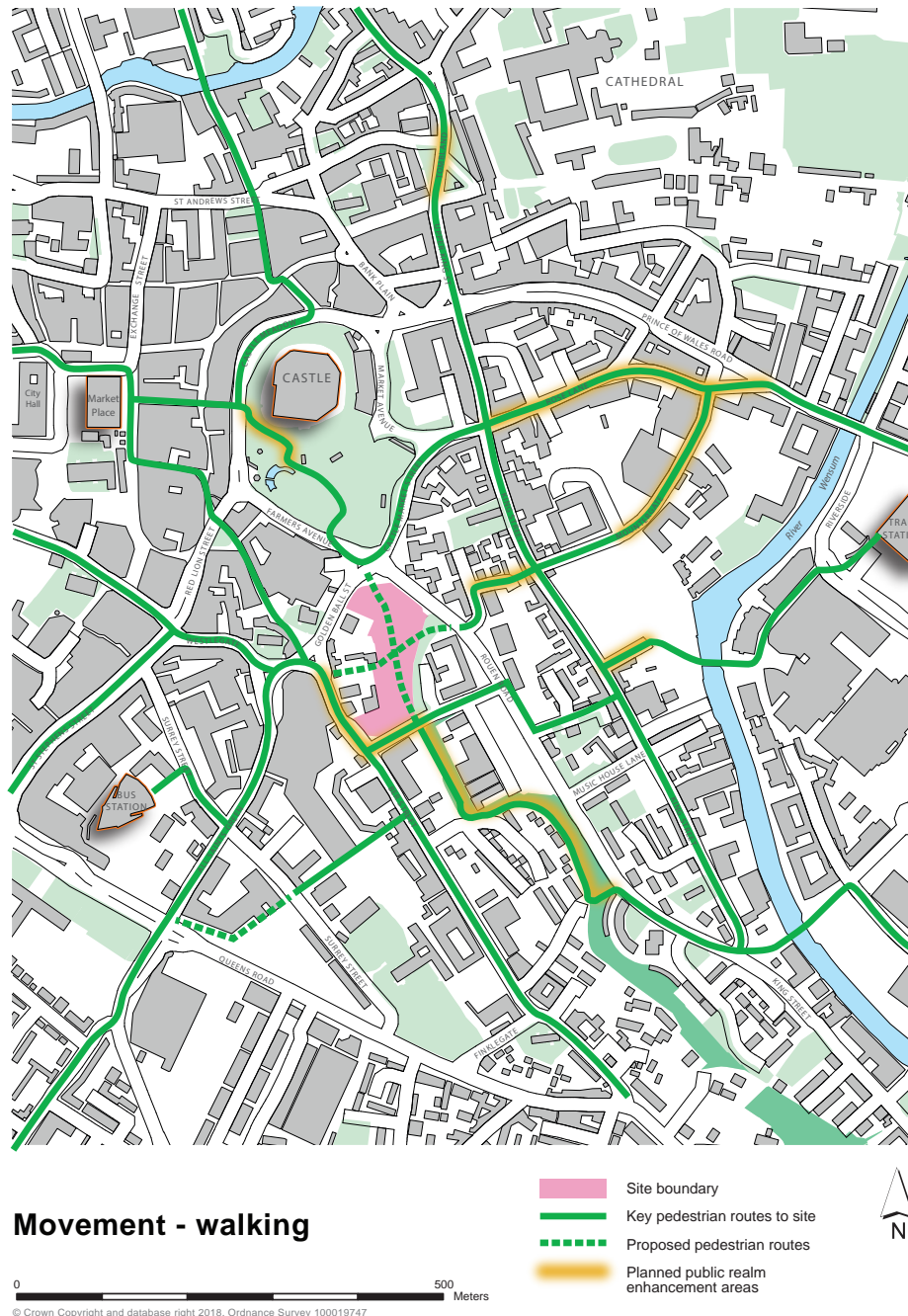
to a minimum. However, it is important that there is no visible distinction in quality of location, outlook or design that would identify those blocks as affordable housing or give residents an inferior quality of accommodation.

2.3.7 Current planning practice guidance 2014, para 21, states that local planning authorities should plan for sufficient student accommodation, whether communal or self-contained buildings, and on or off-campus. Policy DM13 sets out criteria to guide residential institutions and student accommodation, whilst DM12 sets out principles for all residential development.

2.3.8 The council is currently experiencing a significant increase in the number of planning applications and requests for pre-application advice for purpose-built student accommodation. There are approximately 2,520 units of student accommodation currently either under construction, with planning consent, or pending a planning decision, and a further approximately 980 units proposed through the pre-application process or understood to be coming forward, giving a total of around 3,500.

2.3.9 The council has commenced a study to investigate the need for new student housing in Norwich to inform consideration of planning applications and potential future planning policy. Evidence gathered to date suggests that although there is a significant gap between the current provision of student bed spaces in the city (in the region of 5,000) and the total number of students (around 17,500 full-time students at the University of East Anglia and Norwich University of the Arts). Further investigation

Figure 4



is required into the universities' anticipated growth and trends such as growth in international students, and likely demand for living in purpose built accommodation beyond the first year.

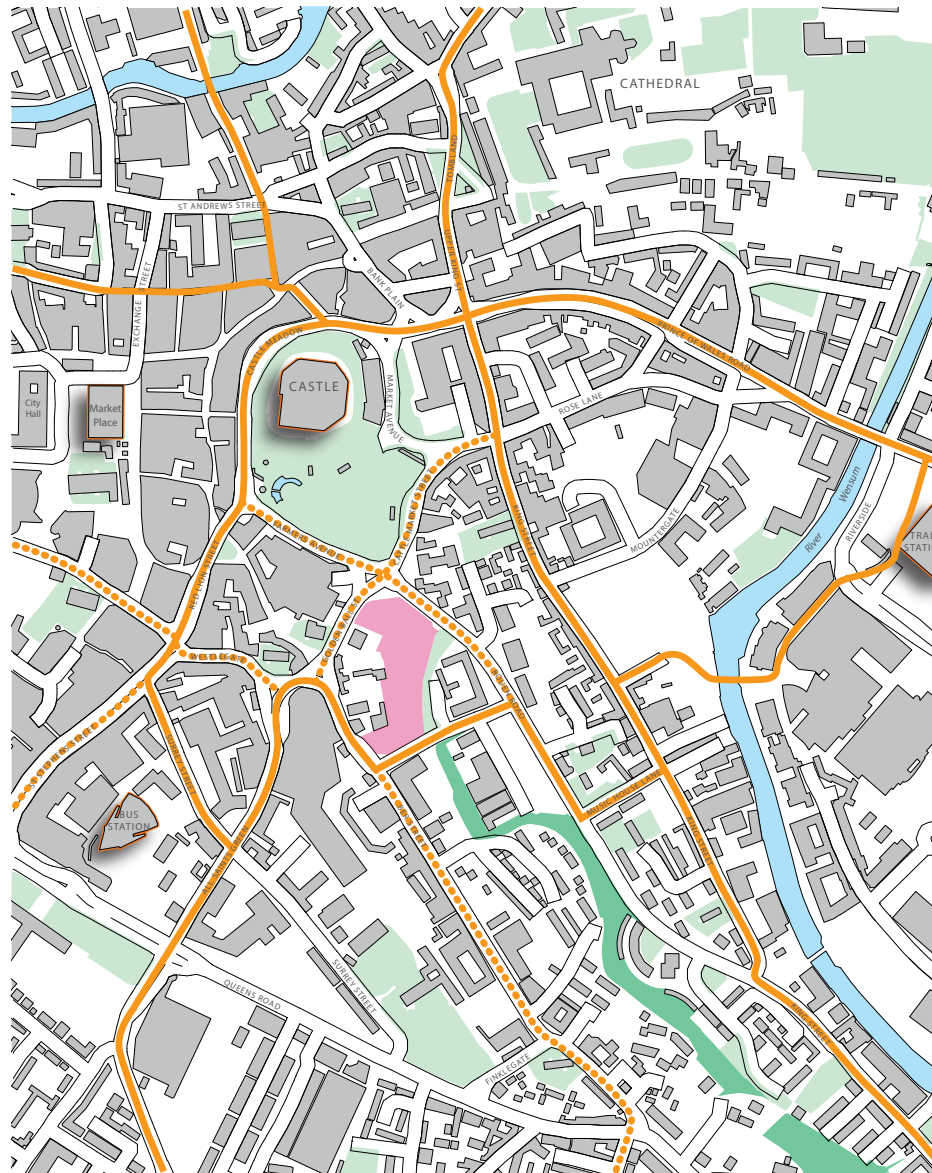
2.3.10 The Prospect House site is suitable in principle for student housing provision, being in a city centre location with sustainable transport links. However, in light of the emerging evidence referred to above, the council would prefer to see the provision of general market housing and an element of affordable housing in line with JCS policy 4. This would make a significant contribution to meeting objectively assessed need for market and affordable housing in the city centre.

## 2.4 Planning policy – retail

2.4.1 The Greater Norwich Employment, Town Centre and Retail Study Strategy Advice (2017), produced as evidence for the GNLP, states that the GNLP will need to positively plan for the development of additional comparison (non-food) floorspace over the course of the plan period. It identifies a requirement for 11,100-15,000 sqm of additional comparison retailing provision in the Norwich urban area to 2027.

2.4.2 The evidence study notes that comparison goods shopping is the reason that the vast majority of people visit the city centre, and that the city centre is a top 15 ranked shopping destination nationally. It recommends that the majority of the identified comparison goods requirement for the Norwich urban area is accommodated in the city centre. It goes on to state that the council should ensure new comparison retailing is well-related to the existing shopping circuit in the city centre.

Figure 5



**Movement - cycling**

- Site boundary
- Pedalway (existing or proposed)
- Site access non-pedalway connections



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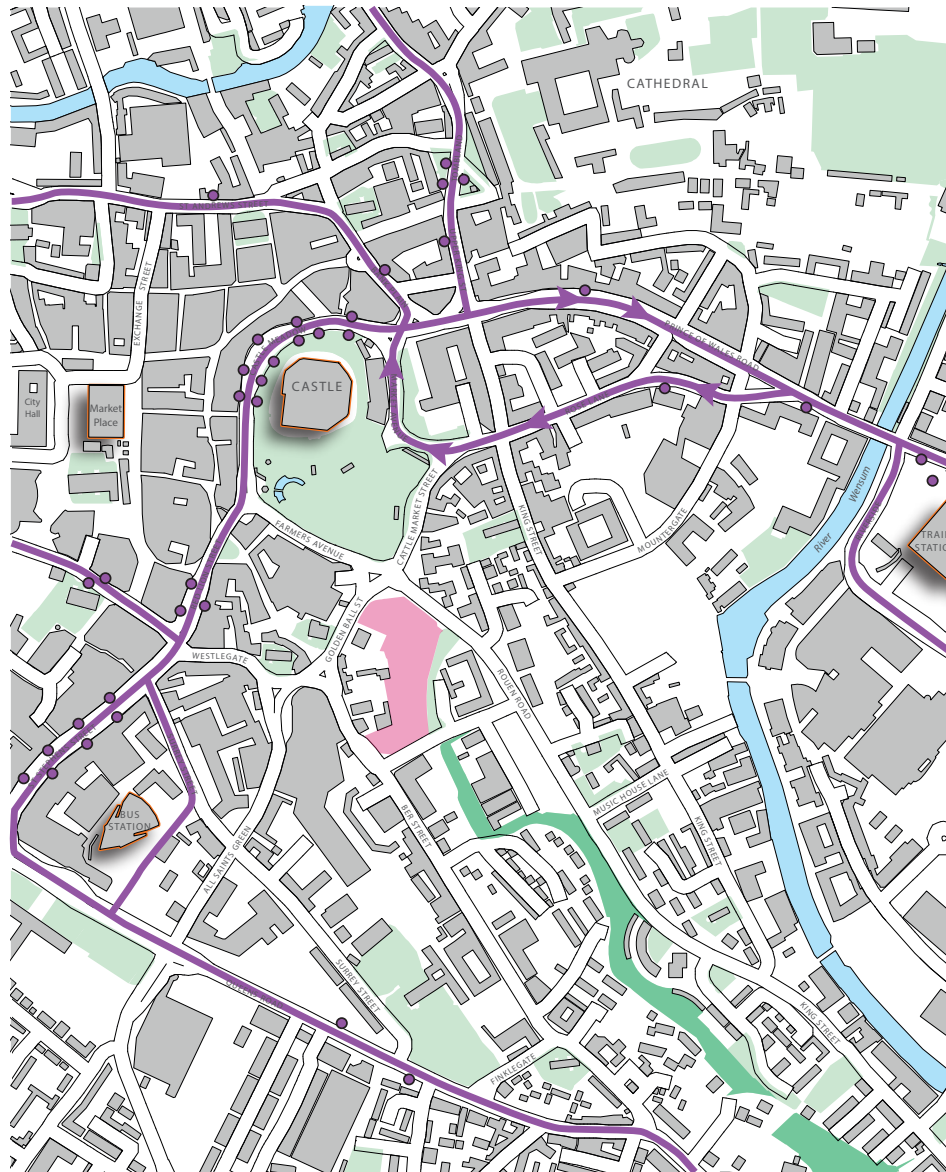
2.4.3 The site is outside but directly adjacent to the primary retail area. Given this closeness to the main retail centre, the site has the potential to contribute to the strength of the city centre by including retail as part of the mix of uses. Any retail development must be well related and well connected to the existing primary retail area, particularly to nearby shopping provision at John Lewis, Westlegate and Timber Hill. The recent changes to traffic circulation in the Westlegate area and associated public realm improvements, have helped reinforce links between the Ber Street / Golden Ball Street area and the Stephen's Street area / primary retail area. The ground floor on Ber Street would be an appropriate location for additional retail. Given the site's location within the city centre leisure area, leisure and hospitality uses would also be appropriate in principle as part of a mix of uses, subject to the policy considerations set out in DM18.

**2.5 Movement and parking**

- 2.5.1 This site has better access to sustainable transport and public car parks than any other development site in Norfolk.
- 2.5.2 Policy DM28 of the adopted Development Management Policies Plan (DMPP) encourages sustainable travel, including cycle and pedestrian links, and maximising accessibility to and permeability of development sites for pedestrians.
- 2.5.3 The local walking network is shown in figure 4. It shows that the most direct route from the train station to the bus station and the St Stephens part of the city centre is via the Lady Julian Bridge, Thorn Lane and Westlegate. Thorn Lane is very steep and as a respite from the arduous climb the Prospect House site offers the opportunity to connect to Ber Street on an easier gradient



Figure 6



**Movement - buses**

- Site boundary
- Bus routes
- Bus stops

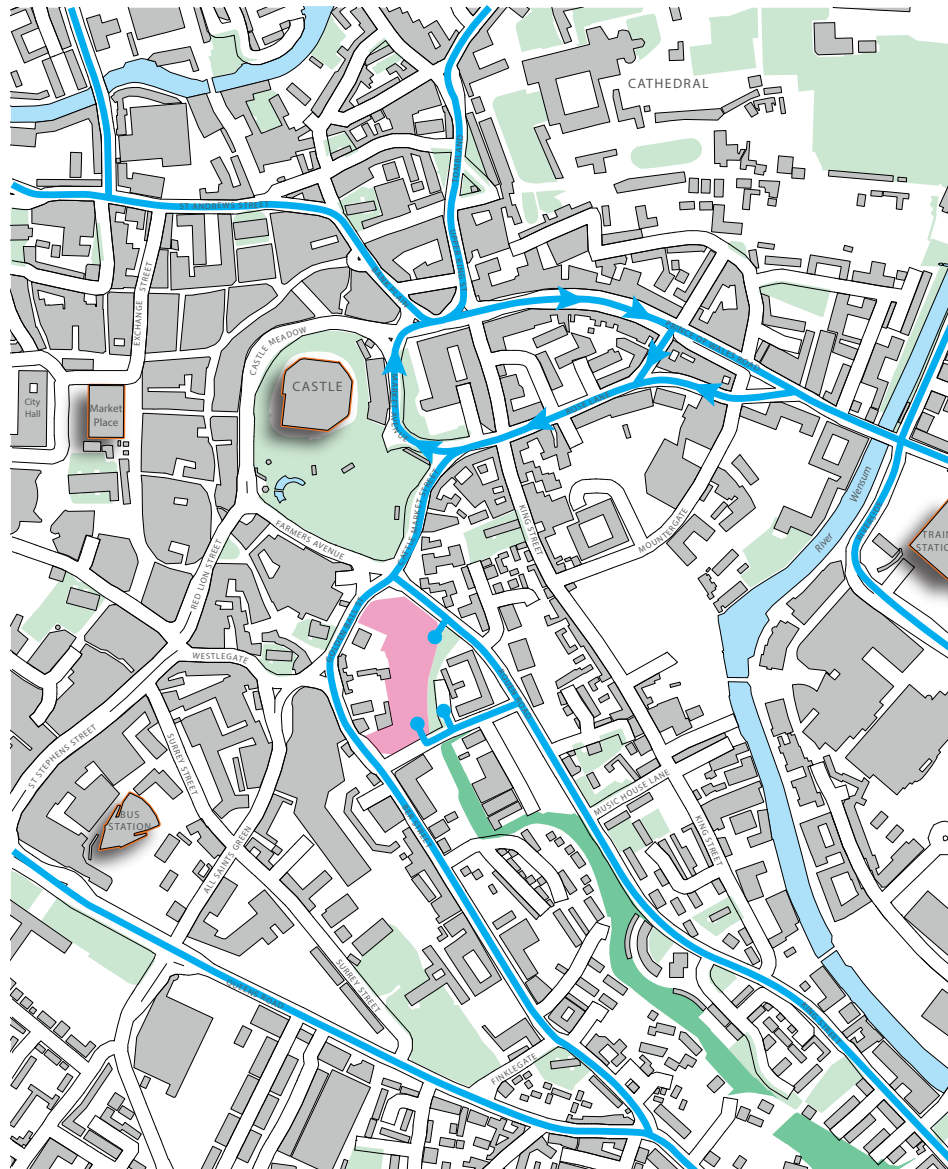


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via new public spaces on the site and to 10-14 Ber Street. A north-south connection from the lower part of King Street and the Carrow Works site to Castle Gardens and the market place on the alignment of the wooded ridge can also be provided through the site.

- 2.5.4 The local cycling network is shown in figure 5. The orange pedalway passes the site on Thorn Lane en route between the train station and Brazengate via Thorn Lane. The main challenge of this section of the pedalway is the gradient on Thorn Lane. National cycle route 1 passes close to the site along King Street.
- 2.5.5 Bus routes and bus stops are shown in figure 6. The site is a short walk along Westlegate, All Saints Green and Farmers Avenue to the highest concentration of bus services in Norfolk.
- 2.5.6 General traffic is shown in figure 7. It passes the west edge of the site along Ber Street and Golden Ball Street and the east edge of the site along Rouen Road. Thorn Lane is closed to traffic at its west end. The location of vehicular access to the site should ensure that vehicular movements do not undermine the creation of a safe and attractive environment and minimise impacts on the surrounding road network. The most appropriate solution is likely to focus vehicular access on the north eastern edge of the site, with access taken from Rouen Road. Any secondary access from Thorn Lane must be compatible with an enhanced pedestrian connection across Thorn Lane on the alignment of the wooded ridge.
- 2.5.7 The level of parking on this site should be minimised given its highly sustainable location and car-free housing would be strongly encouraged. Although the maximum level of parking for any housing element (set out in Appendix 3 of the DMPP) is 1 space per household, it would be expected that the level would be substantially lower

Figure 7



**Movement - general traffic**

- Site boundary
- General traffic routes
- Potential traffic access to site
- One-way traffic

0 500 Meters  
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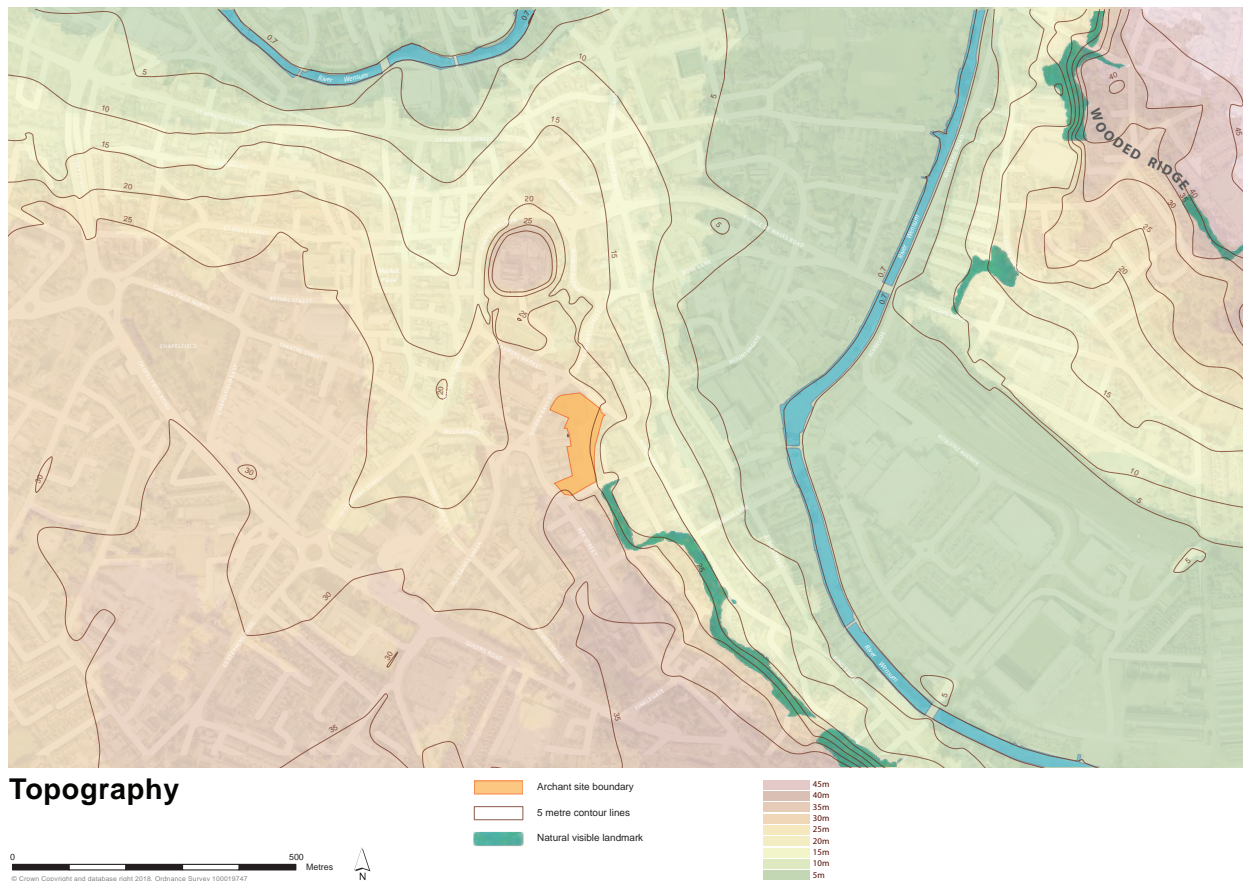
than this. Parking for employment uses are specified in Appendix 3. No parking would be allocated for retail uses. Provision of a car club parking space and car club vehicle will be expected for a development of over 100 units. If car parking is provided on the site it would be preferable for it to be contained beneath the buildings at the northern end of the site.

2.5.8 The air quality baseline review that was completed in March 2018 indicated that the operation of the development as a result of changes in traffic emissions as well as any centralised combustion plant has the potential to impact on the city centre air quality management area as well as nearby residents (e.g. Paradise Place and at the rear of Ber Street). These impacts will need to be quantified as part of an application process and mitigated. Mitigation measures could include:

- Limitations on car parking, provision of cycle parking, electric vehicle charging, pedestrian routes
- Planting
- Energy and thermally efficient housing
- Commercial servicing strategy
- Travel plan
- Optimal flue height for any combustion plant.
- Location of ventilation extracts for any covered parking to avoid emissions affecting existing or new residents.

The report concluded that if suitable mitigation is provided air pollutant concentrations are not a constraint to development at the site.

Figure 8



## 2.6 Topography, green Infrastructure and views

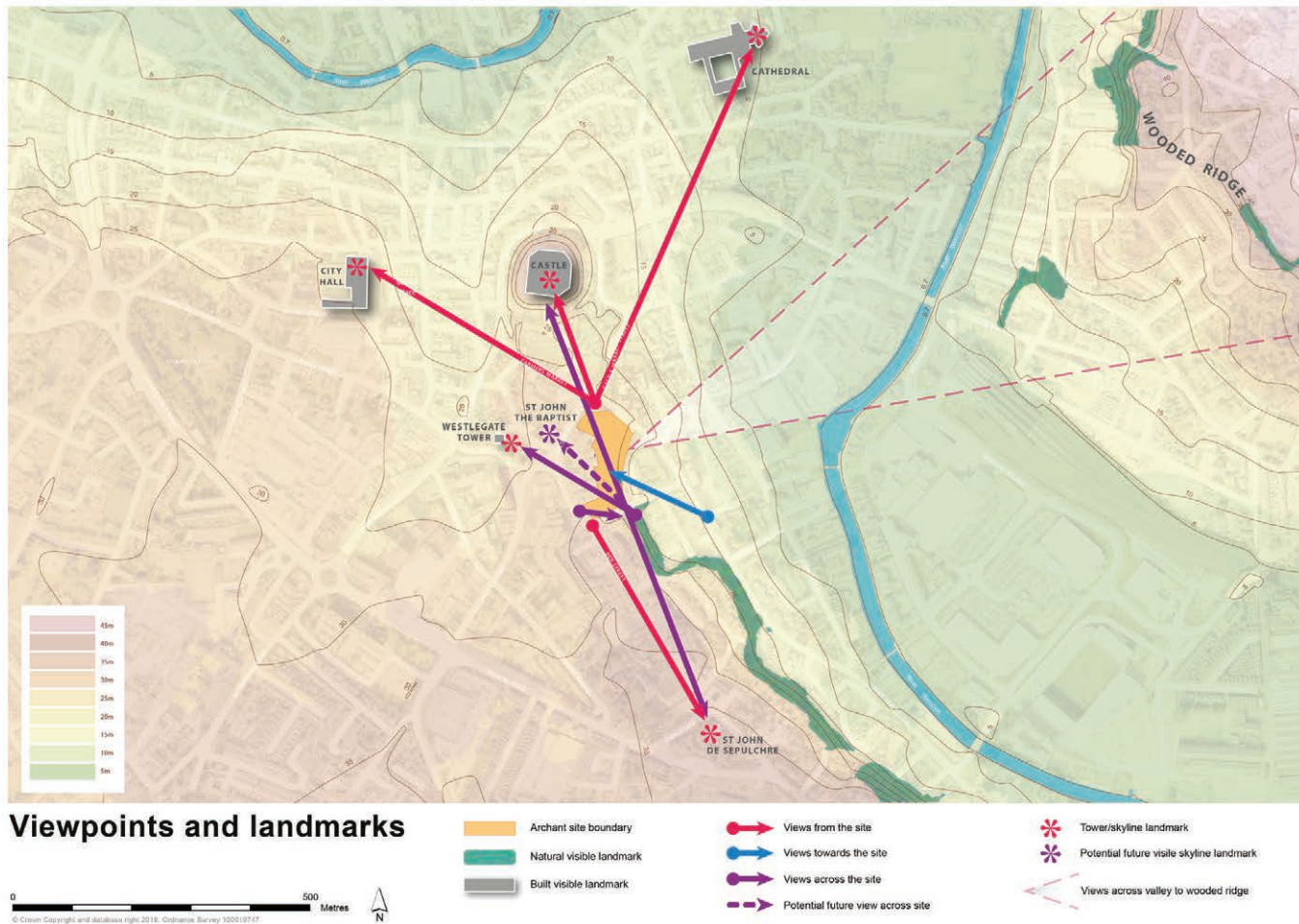
2.6.1 The city centre key diagram (Fig. 3) highlights principal green links that the JCS seeks to enhance. One of these is the wooded ridge within the study area. The wooded ridges of the city are valued green areas lying to the top of the Wensum and Yare river valleys on steeply sloping ground between 10-25 metres elevation. Much of the wooded ridges within the city are still in existence although some areas have become fragmented as a result of development over time. Norwich City Council's Development Management Policies Local Plan (2014) objective 9 and policies DM3, DM6 and DM8 concern green infrastructure and are applicable to the study area.

2.6.2 The Norwich Site Allocations and Site Specific Policies Local Plan (2014) includes policy CC10 relating to land at Garden Street near Prospect House. The policy requires protection and enhancement of the wooded ridge, enhanced landscaping, green infrastructure and improved pedestrian and cycle links through the site.

2.6.3 At 20-25 metres elevation, Prospect House sits near the top of the valley side with land sloping steeply away to the east towards the river Wensum; the plateau lies to the south-west at 30 metres. (fig.8)

2.6.4 The dominant topographical feature within the study area is the ridge line extending north-south at 20-25 metres elevation. The ridge widens out as it moves through the Prospect House site and rises to a 25 metre elevation at the junction of Rouen Road, Cattle Market Street and Golden Ball Street. Figure 9 clearly illustrates why the Castle was strategically positioned at the end of the ridge overlooking the river below. This ridge line is generally wooded and undeveloped because the slopes are steep. Instead, development is found above on the plateau

Figure 9



and terraced below the ridge where slopes are gentler and building conditions more favourable.

2.6.5 The majority of the development site is relatively level and in effect is set on a terrace between Paradise Place and mixed development on Ber Street. The only exception is the on-site car park adjacent to Thorn Lane which extends westwards up a slope to match levels on Ber Street.

2.6.6 This terracing leaves some areas of banked grassland, some with tree planting, which have limited functional use. These banks are located between Ber Street and lower car park levels, and between the main site and Paradise Place.

2.6.7 There are a number of local ground level vantage points for views to and from the site to other local landmarks. Figure 9 show the locations of these landmarks and lines of sight across the city.

- Norwich Castle
- Norwich Cathedral
- City Hall clock tower
- Westlegate Tower
- St John de Sepulchre

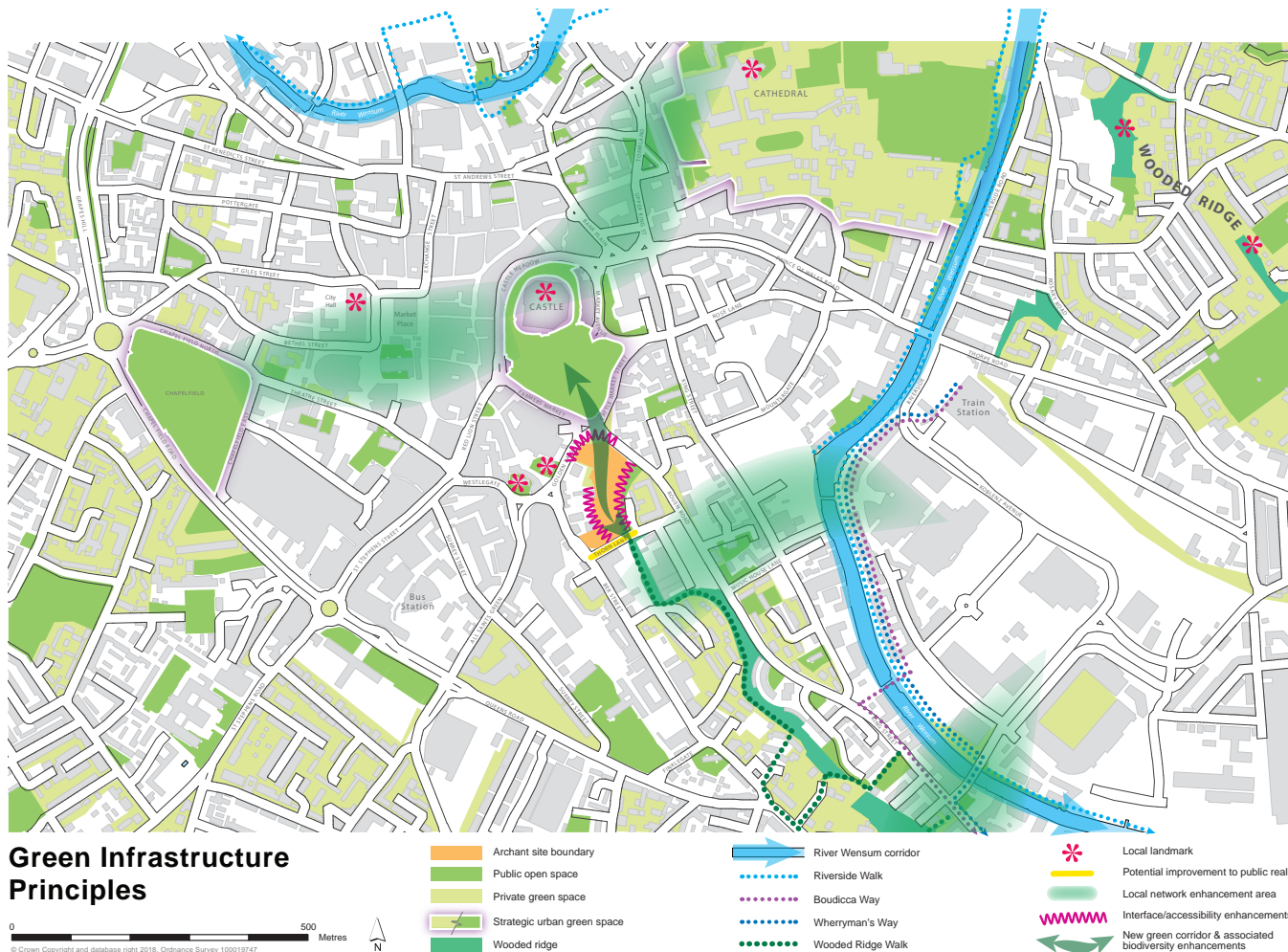


Figure 10

2.6.8 The view from the corner of Golden Ball and Cattle Market Street at the northern part of the site is particularly impressive where Norwich Cathedral and Castle can be seen.

2.6.9 The main entrance of Prospect House to the northern extent of the site is the location of a large piece of sculpture by Bernard Meadows, which was recently given protected listed status. Although views to this artwork are currently restricted by level changes and trees, this is a feature which contributes to the heritage of the site and must be retained; there is a clear opportunity to create an improved public realm and integrate the sculpture as a distinctive landmark (fig.11).

2.6.10 Figure 10 shows Prospect House within the wider green infrastructure context. It includes both public and private green space at a relatively large scale, and is derived from Joint Core Strategy baseline information as well as an assessment of aerial imagery. It also shows the sister corridor to the opposite ridge comprised Mousehold Heath and the Thorpe wooded ridge, components of which can be seen from some parts of the site.

2.6.11 Although Prospect House lies on the wooded ridge corridor, the building interrupts the flow and consistency of the tree-covered ridge. The Castle Gardens lie to the north of the site and are a significant area of greenspace within the city centre. There is opportunity to improve the connectivity between the wooded ridge and Castle Gardens to enhance this green infrastructure corridor.

2.6.12 Development at this site should seek to improve connectivity between the city's strategic green infrastructure components including the Wooded Ridge, Castle Gardens and Green, Chapelfield Gardens, Norwich Cathedral / The Great Hospital and the River Wensum. Measures should enhance biodiversity and network connectivity through a combination of interventions at different levels including:

- street tree planting,
- public open space,
- Sustainable Urban Drainage (SUDS),
- green roofs / walls
- Integral bird / bat boxes and
- private green space.

2.6.13 Any enhancements made to the green infrastructure network should be for wildlife and public benefit. Links between the Wooded Ridge Walk, the Wensum Riverside Walk, Norfolk Trails and Yare Valley Walks should be considered alongside biodiversity enhancement measures.



Figure 11 - Bernard Meadows sculpture (1970)

2.6.14 Any potential redevelopment should take into account and exploit existing views to landmarks and visible skylines from site vantage points. The sister wooded ridge to the other side of the Wensum Valley is of particular note, as well as views to local landmarks such as Norwich Castle, Norwich Cathedral, City Hall, St John de Sepulchre, and Westlegate Tower.

2.6.15 Given that the site is over 1ha in size and is likely to have the capacity for over 100 homes, its redevelopment is likely to trigger the requirement in policy DM8 for on-site provision of informal publicly accessible recreational open space and younger children's playspace. This should be an integral part of the design of the development and ideally overlooked by homes.

2.6.16 New public spaces should be created within and on the edge of the development site that relate well to the pedestrian routes identified in the previous section and are framed by buildings within the site and the adjacent 10-14 Ber Street site:

- Adjacent to the upper section of Thorn Lane. The recent closure to through traffic makes this possible. It will welcome people into the development who are walking up Thorn Lane or crossing from the wooded ridge walk.
- In the centre of the site at the intersection of a new east-west route from Ber Street to Rouen Road and the new north-south route from Thorn Lane to Castle Gardens / Farmers Avenue.
- Connected spaces at the north end of the site that provide a protected residential courtyard and an elevated terrace on the Golden Ball Street frontage with views to the Castle and Cathedral.






Figure 12

## 2.7 Trees and ecology

2.7.1 The trees on the site have been surveyed and a constraints plan produced (fig.12) with an accompanying schedule identifying the species, size, age, physiology and structure. It also ascribes an importance to the trees which is an important factor in determining whether they are an asset to the site and should be protected in redevelopment proposals. The trees on the Golden Ball Street frontage, on the wooded bank adjacent to Paradise Place and on the side of Rouen Road are recommended to be retained. The three London Plane trees (one off site and two within the raised terrace area) are particularly good specimens. There should be extensive planting of new trees within the public spaces on the site, to provide an attractive environment for residents and encourage people to walk through, and to connect the wooded ridge between Thorn Lane and Castle Gardens. This is especially important if loss of existing trees on the site needs to be mitigated. The council's supplementary planning document for Landscape and Trees provides detailed guidance.

2.7.2 The ecology survey has concluded that the site is of low nature conservation importance. No statutorily protected species were identified although three bird species that are 'red-listed' by the RSPB for their declining populations were found: linnets, house sparrows and herring gulls. No habitat would be lost through the redevelopment of the site. Opportunities exist to boost biodiversity through retention of mature trees, planting new trees and other vegetation and installation of boxes for birds, bats, hedgehogs and insects.

-  Category A: Trees of high quality and value
-  Category B: Trees of moderate quality and value
-  Category C: Trees of low quality and value

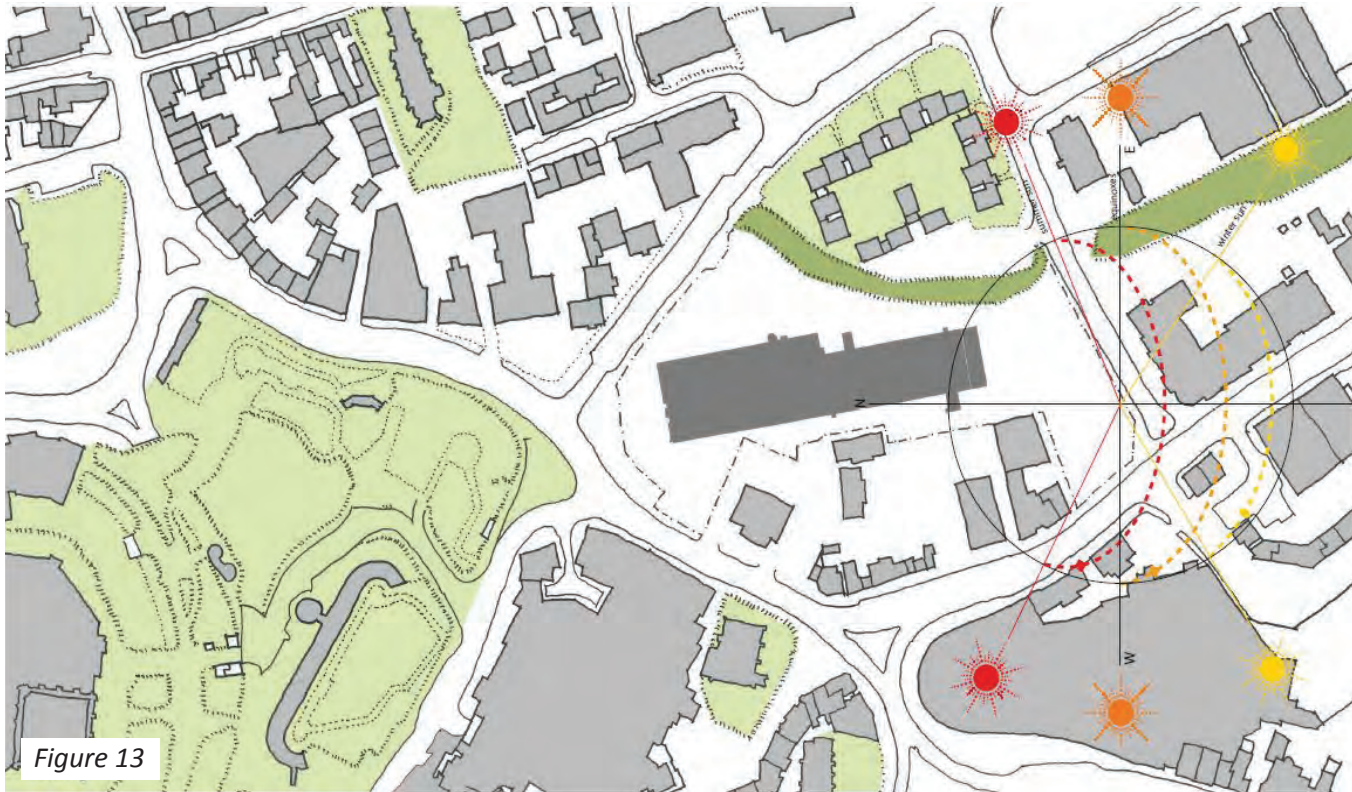


Figure 13

**2.8 Flood risk and drainage**

2.8.1 A Flood Risk and Drainage Briefing note (April 2018) has been produced and it finds that:

2.8.2 The risk of surface water flooding to the development is low. External ground levels should have a nominal fall away from any entrances to buildings, with ground levels maintained above the adjacent highway.

2.8.3 Foul and surface water runoff should connect into Anglian Water’s sewer network, due to the presence of contamination on the site and the lack of an adjacent watercourse. It should

discharge via gravity with pumping being avoided.

2.8.4 A reduction in the current rate of discharge of surface water of 50% is essential, requiring 305m<sup>3</sup> of retention. An increase to greenfield rate may be required, which would entail 531m<sup>3</sup> of attenuation.

2.8.5 Attenuation should be provided through a variety of sustainable urban drainage techniques including, but not limited to, ponds, blue roofs, swales, bio-retention areas, green roofs and permeable paving.

2.8.6 Thorn Lane is identified on the Environmental Agency’s mapping as being at risk of surface water flooding. It is important that any proposed accesses into the site do not create new flow routes from Thorn Lane into the development, with ground levels sloping up from the highway.

**2.9 Energy**

2.9.1 The requirements of JCS policy 3 should be met. These include a requirement to include sources of decentralised and renewable or low-carbon energy providing at least 10% of the scheme’s expected energy requirements and to demonstrate through a design and access statement whether there is scope to exceed this. The site has good exposure to sunlight so mounting photovoltaics on roofs could be part of the approach. (See sun path diagram fig 13)

**2.10 Ground conditions**

2.10.1 A ground conditions strategy for the site was produced in April 2018 following a desk top study in October 2017.

2.10.2 Potential sources of ground contamination include above and below ground fuel tanks, former operational areas of the former print works, a transformer and made ground. Investigation of these features is required prior to redevelopment and should include assessment of the risk to groundwater and the ground gas and vapour regime.



2.10.3 Based on the information presented in the desk study, significant widespread contamination at the Site is unlikely. However, localised soil and groundwater contamination around potentially contaminative features is possible. Ground investigation would help to establish the nature and extent of existing contamination and feasible options for its remediation.

2.10.4 Materials balances should be investigated at an early stage to identify opportunities for materials re-use on-Site or suitable permitted sites for disposal. The potential for some soils classified as hazardous for waste disposal purposes cannot be discounted, particularly close to the fuel tanks. However, re-grading the site presents an opportunity for re-use of soils as part of cut and fill operations providing they are chemically and geotechnically suitable. The CL:AIRE Definition of Waste: Development Industry Code of Practice (DoWCoP) can be used to facilitate material re-use subject to appropriate sampling and testing, risk assessment and compliance with the requirements of the DoWCoP.

2.10.5 Historically, the Site has undergone several phases of redevelopment. Therefore, consideration should be given to the potential presence of buried obstructions and constraints they present to foundation design.

2.10.6 The Site is indicated to be in Source Protection Zone 2 – outer catchment. Restrictions can be placed on potentially contaminative development and activities in SPZs. However, considering development does not include potentially significant contaminative activities,

it is likely restrictions will be limited to a planning condition requiring a foundation works risk assessment to assess potential risks to groundwater from the preferred foundation solution.

2.10.7 Ground investigation and remediation would be undertaken as part of redevelopment, which follows the approach in the Council's Contaminated Land Strategy. This approach could be secured by inclusion of contaminated land planning conditions.

2.10.8 Upon completion of the Development and implementation of appropriate remediation measures, the site would be expected to meet the requirements of NPPF that as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

## 2.11 Design and historic built environment

2.11.1 A built heritage assessment has been produced to inform this brief.

2.11.2 The site lies within the city walls. In the past there have been a number of churches in or close to the site. St Michael at Thorn, after which Thorn Lane was named, was built in the late eleventh or early twelfth century. It stood in the south east corner of the site at the junction of Thorn Lane and Ber Street. It was demolished in the late 1940s after suffering bomb damage. St Martin in Balliva church lay within the northern edge of the proposed development site and associated archaeological remains may extend

into the red line area." Surviving churches in the vicinity are All Saints Timberhill, St John the Baptist Timberhill, St Peter Parmentergate, St Julian's Church and St John de Sepulchre. The location of these and other lost churches can be seen on the 1789 map (fig.14). The main approach to the Castle was from the south, passing adjacent to the site along Ber Street.

2.11.3 The 1885 map (fig.15) shows the intricate pattern of streets and terraced buildings that lay on the site at the end of the nineteenth century. All these were removed during the 1960s as part of slum clearance projects. At this time Rouen Road was constructed and the site now occupied by Prospect House was cleared and levelled.

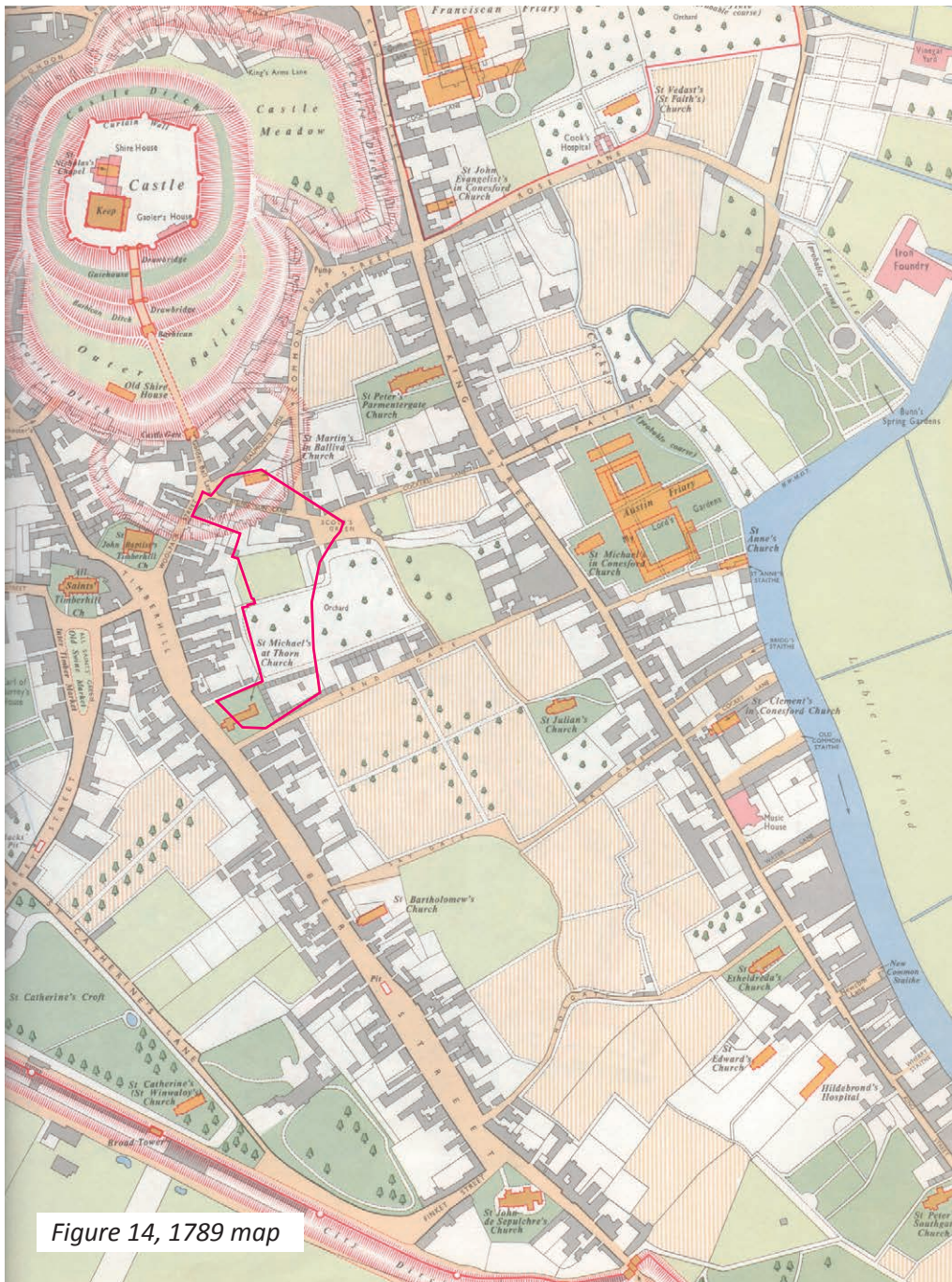


Figure 15, 1885 map

Figure 14, 1789 map

2.11.4 The site is within the city centre conservation area. The conservation area extends across the whole area of the medieval city and is divided up into character areas. The site lies within the Ber Street character area. This character area is described as being “a fragmented area as a result of slum clearances and Second World War bomb damage. Remnants of its earlier character and buildings survive along the long and wide Ber Street, behind which, towards Rouen Road, lies a predominantly mid C20 local authority housing area. The Finkelgate area, at the southern end of Ber Street, leads out across the City Wall boundary into the residential Bracondale area, whilst the northern end of Rouen Road contains a number of large office buildings.”

2.11.5 The appraisal map (fig.16) identifies Prospect House as a negative landmark due to its bulk and massing which is out of scale with the remaining historic development in the area. It also has a poor relationship with the surrounding streets due to the lack of a built frontage on Rouen Road or Thorn Lane and the prominence of surface car parking.

2.11.6 There are 97 listed buildings within 250m of the site. These heritage assets are identified in figure 17. The built heritage assessment considers their history, setting, views, how the setting contributes to their significance and how the site contributes to their significance. Those listed as grade 1 that may be relevant to the site:

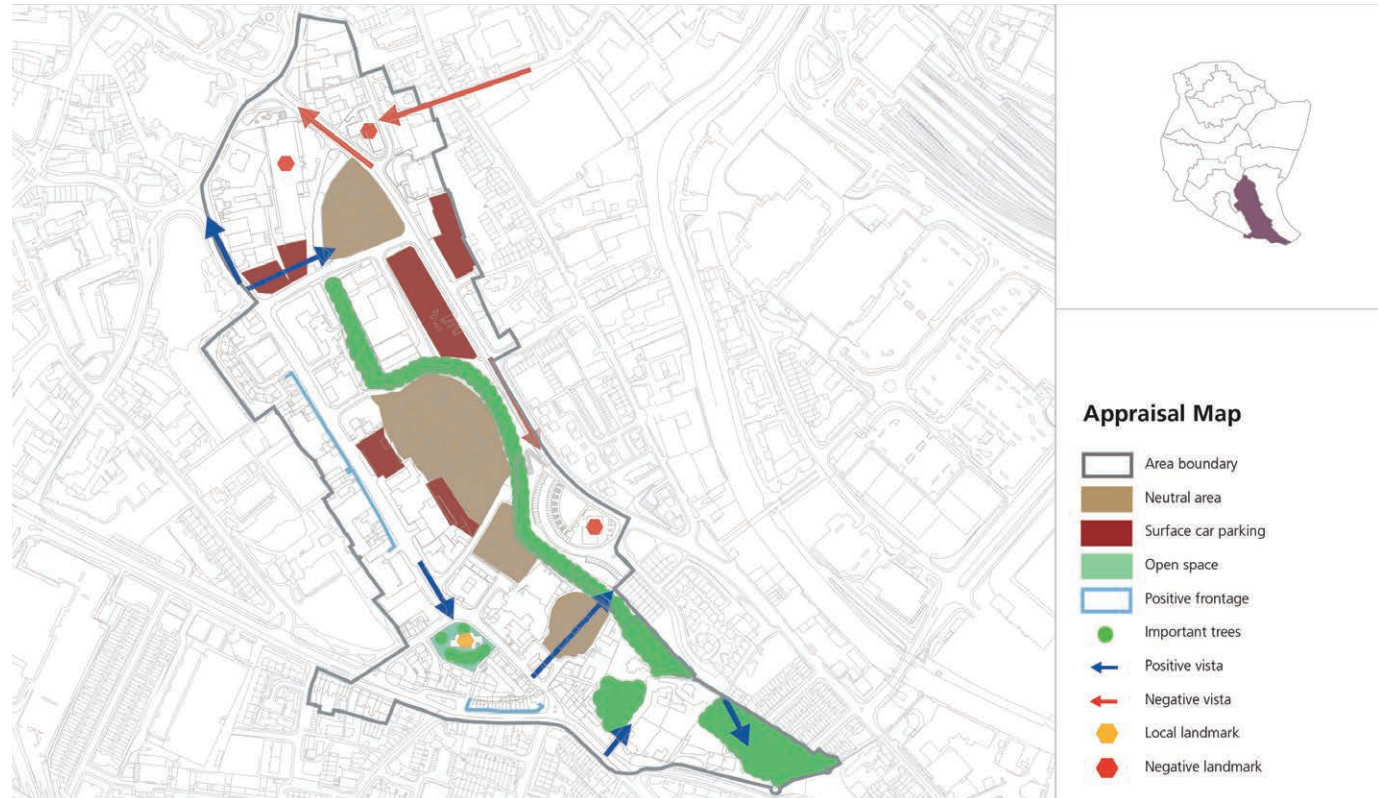
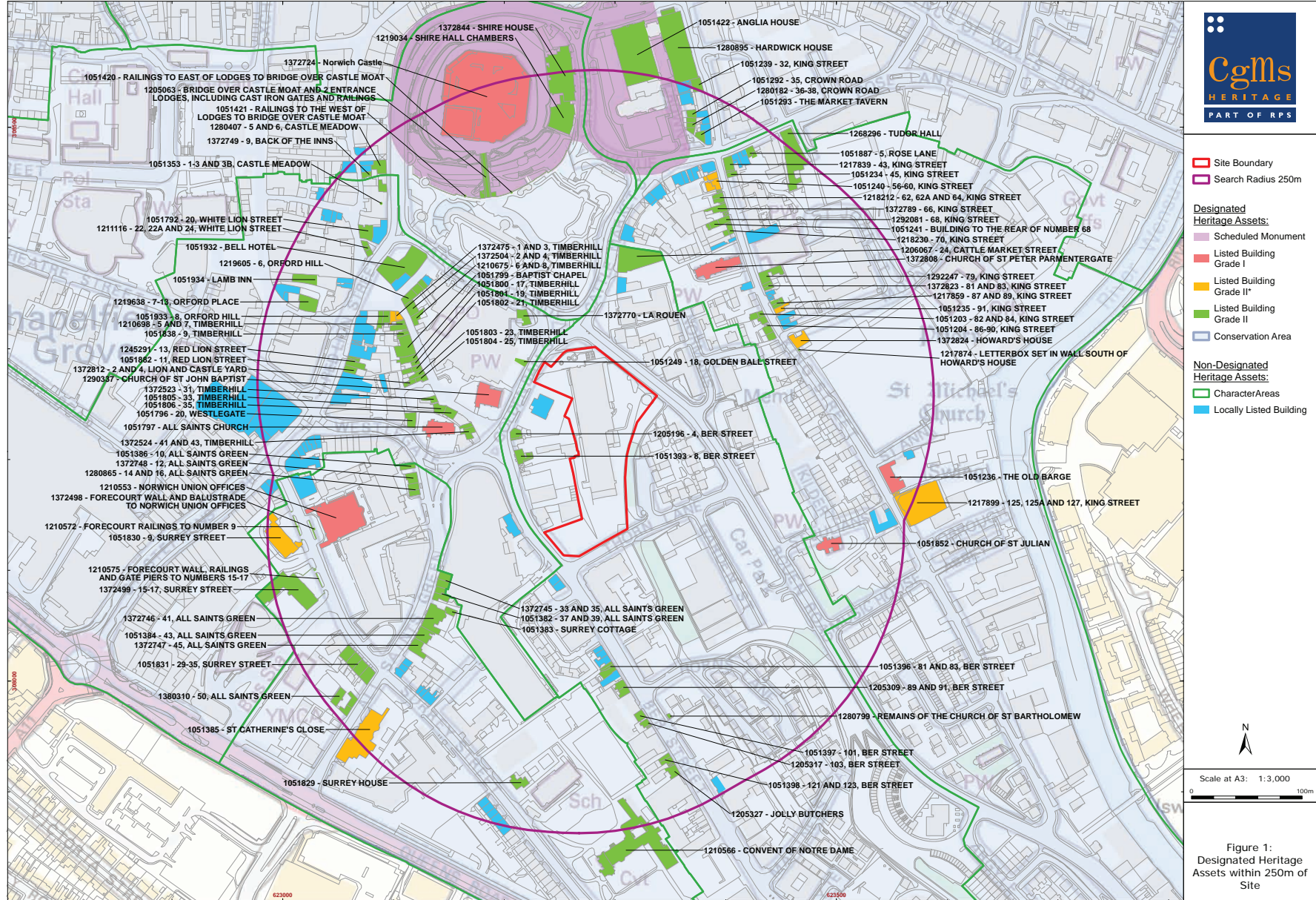


Figure 16 - City centre conservation area appraisal Ber Street character area.

- Church of St John the Baptist, Timberhill
- All Saints Church, Westlegate
- Church of St Peter Parmentergate, King Street
- Church of St Julian, St Julians Alley
- Dragon Hall, 115-123 King Street
- Church of St John de Sepulchre, Ber Street
- Castle, Castle Meadow
- Anglican Cathedral, The Close
- Roman Catholic Cathedral
- Church of St Peter Mancroft, St Peter’s Street
- City Hall, St Peter’s Street
- Church of St Giles, St Giles Street

2.11.7 Other listed buildings that are very close to the site are:

- 18 Golden Ball Street
- 1 Farmers Avenue
- 4 Ber Street
- 8 Ber Street
- 24 Cattle Market Street
- Timberhill, Westlegate and All Saints Green group
- Ber Street group south of the site



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 The Dataset contained in this material was obtained on 28.02.18

Figure 17 - Designated heritage assets with in 200m of site.

2.11.8 The Woolpack PH, sitting immediately adjacent to the site, is locally listed.

2.11.9 The development of the site must respect the statutory duty to preserve or enhance the special character of the conservation area as defined in the conservation area appraisal and the requirements of development management policy DM9 and NPPF paragraphs 184 to 202. The management and enhancement policies in the appraisal include:

- Reinstatement of a strong building line along Ber Street
- Views to and from the Ber Street ridge must be preserved and enhanced
- Development on Rouen Road and the east side of Ber Street must respect the important topography of the area.
- In areas of low significance the prevailing scale of existing buildings should be respected, but the careful siting of taller buildings and use of larger scaled buildings in appropriate locations will be encouraged, provided that they do not negatively impact on important views of city wide and local landmarks or affect the setting of listed buildings.

2.11.10 The information from the built heritage analysis enabled a “heat map” to be produced that seeks to identify the height thresholds above which buildings on different parts of the site are likely to have a major impact on the setting of heritage assets (see figure 18). Existing heights are shown

in figure 19. The annotations on the heat map provide a detailed commentary and rationale for the recommended storey height thresholds taking into account the impact of both proximate and more distant identified heritage assets and the likely impact of new development on the viewpoints identified in Figures 20 & 21. Sixteen viewpoints have been identified where it is anticipated that development proposals would be visible in the context of designated heritage assets, representative townscape and the city centre conservation area as well as its wider setting. Detailed proposals would require further evaluation of the viewpoints as part of a future planning application including a Townscape and Visual Impact Assessment. The heat map should be treated with caution and its limitations and applicability are explained in appendix 1.

2.11.11 The sensitivity to the surrounding built heritage is not the only constraint on building height and massing. The relationship with neighbouring residents is also important. The new buildings should not have an unacceptable impact on the amount of sunlight or daylight that enters their properties. The most sensitive relationship is with the occupants of flats in the lower levels of Warmingier Court that face Thorn Lane. The development site is to the north which means that sunlight will not be affected other than in the late afternoon and evening in mid-summer when the sun sets over John Lewis. However, the amount of visible sky and daylight will be affected. It is inevitable that there will be some reduction in daylight given that a surface car park currently lies opposite. In order to judge an acceptable amount of daylight loss a rule of thumb would be to keep new building below








Figure 19



# BUILT HERITAGE SENSITIVITY—HEAT MAP

## Sensitivity to Built Heritage Assets—Heat Map

### Colour Key:

-  **Violet—Extreme sensitivity:** buildings above 4 storeys likely to have a major impact on the setting of heritage assets
-  **Red—Very High sensitivity:** buildings above 5 storeys likely to have a major impact on the setting of heritage assets
-  **Orange—High sensitivity:** buildings above 6 storeys likely to have a major impact on setting of identified heritage assets
-  **Yellow—Medium sensitivity:** buildings above 7 storeys likely to have a major impact on setting of identified heritage assets
-  **Green—Low sensitivity:** buildings above 8 storeys likely to have a moderate-major impact on setting of identified heritage assets. Buildings of 9 storeys plus likely to have a major impact on setting of heritage assets of high significance within the extended setting of the Site.

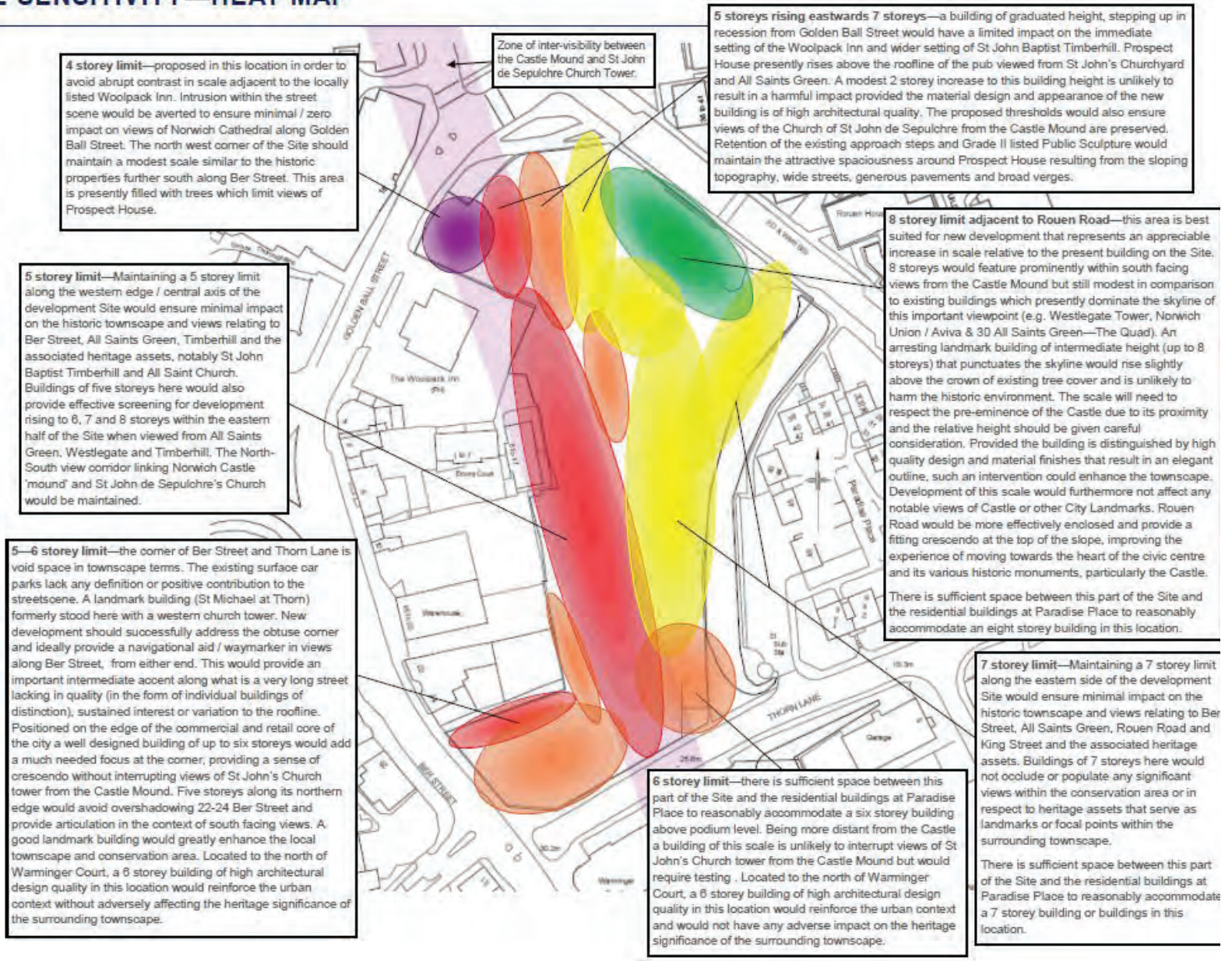


Figure 18

the level of a 45 degree line drawn from the ground floor windows of the building. When a planning application is produced for the site the architectural proposals would need to be tested against the BRE guidance in “Site layout planning and sunlight” (2011). At this stage we have taken a cautious view that a building predominantly in the range of 4-5 office storeys at 4.2m floor to ceiling height will not unacceptably reduce the daylight available to the residents of Warminger Court. The buildings erected on the part of the site close to Emms Court are restricted in height to 4-5 residential storeys and there should be sufficient distance between the building to avoid unacceptable overlooking or overshadowing. The properties at Paradise Place do not have their main residential windows facing towards the site and there is a buffer of trees so taller buildings would be allowed on the east site of the site.

2.11.12 The height thresholds proposed for the site, which have been determined through a combination of built heritage and residential sensitivity, are shown in figure 22. At this stage these parameters are indicative. When a planning application is prepared for the site the thresholds may be adjusted in response to architectural treatment, information on visual impact in relation to heritage impact and development viability.

2.11.13 The prominence of this site and its location within the conservation area will require a high quality architectural response. A design competition would be a good way of maximising the prospects of a good architectural outcome, especially for prominent buildings at the



Figure 20

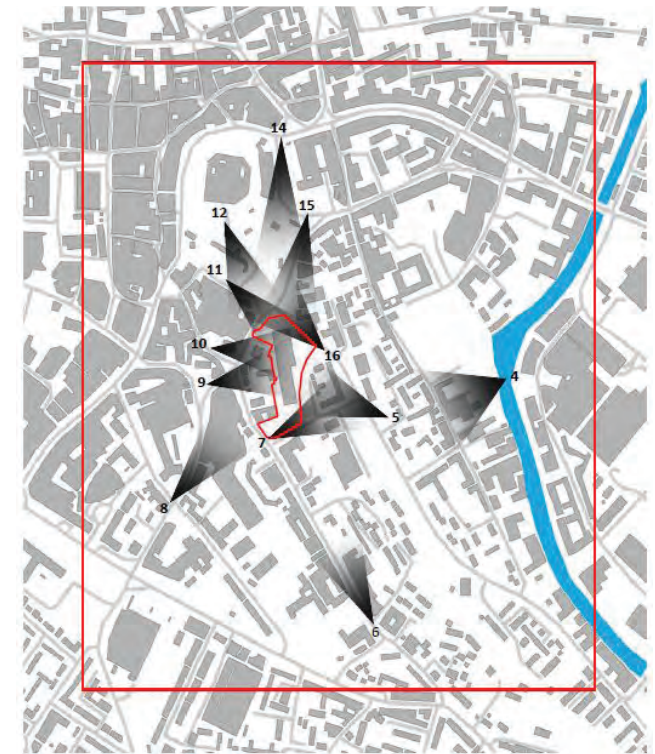


Figure 21

corner of Thorn Lane and Ber Street and at the northern end of the site.

- 1 - Mousehold Avenue (northeast corner of allotments)
- 2 - Motram Monument, St James' Hill
- 3 - Ketts Heights (Armada beacon)
- 4 - Lady Julian Bridge
- 5 - St Julian's Alley (10m NW of St Julian's Church)
- 6 - Ber Street (south) west side opposite junction with Mariner's Lane
- 7 - Ber Street (north) west side opposite junction with Thorn Lane

- 8 - All Saints Lane (Surrey Street junction)
- 9 - South of All Saints Churchyard, Westlegate
- 10 - Timberhill, approx 20m west of St John Baptist Church
- 11 - Farmers Avenue (north side) west of road entrance to Castle Mall Gardens
- 12 - Castle Mound (south side) west of bridge over Castle Moat
- 13 - Magdalen Street (west side) at junction with Edward Street
- 14 - Bank Plain (north side) at junction with Market Avenue
- 15 - Market Avenue (north side) opposite junction with Cattle Market Street
- 16 - Rouen Road (east side) adjacent to Rouen Road

# Building Height Thresholds

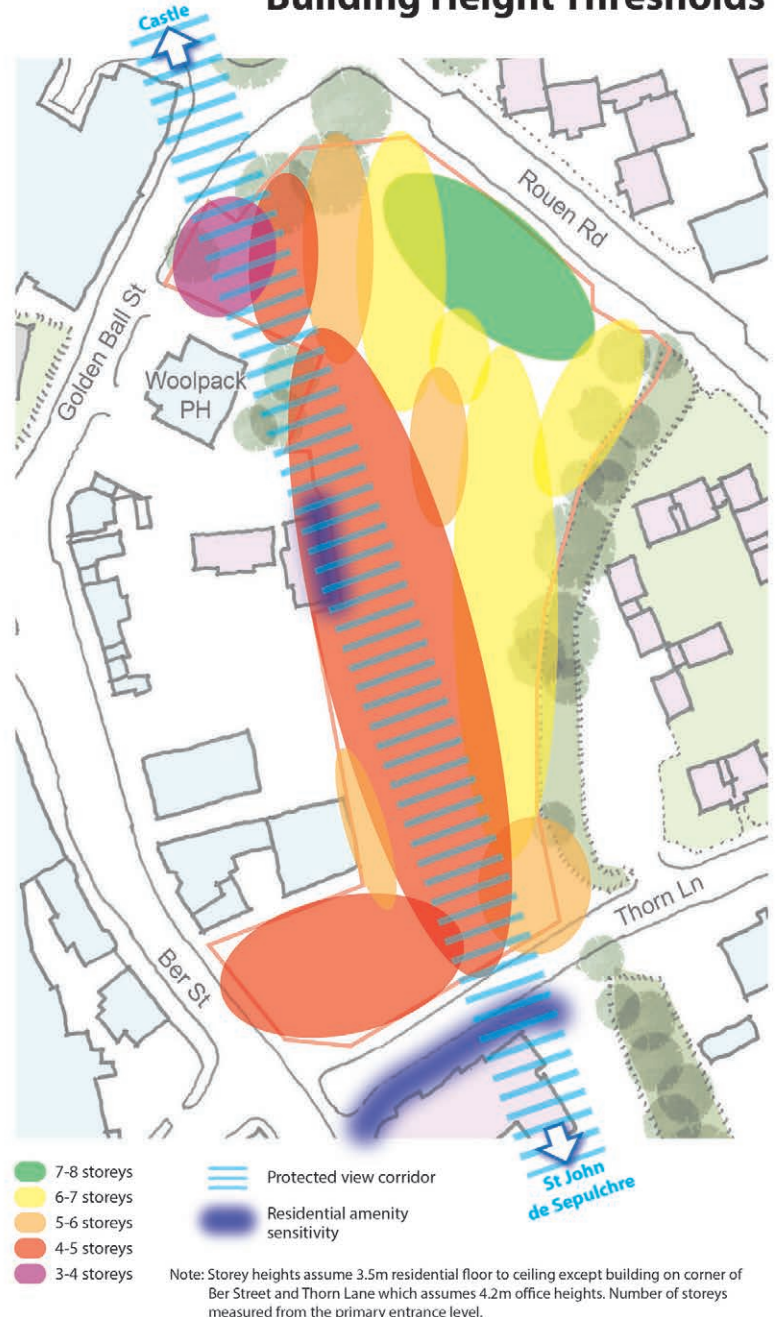


Figure 22



### 3.0 Development principles

Development of the site must fulfil the following development principles:

#### A. Planning Policy - Uses

- A.1 The existing lower grade accommodation should be replaced with purpose built, flexible and attractive high quality office space, ideally in a prominent location such as the Golden Ball Street frontage or the junction of Ber Street and Thorn Lane.
- A.2 A residential-led development with market housing and affordable housing is welcome on the site. At least 33% of units should be affordable, split 85% social rented and 15% of intermediate provision. They should be predominantly 1-bedroom flats. 2-bedroom houses would also be welcomed. The affordable housing should be provided on-site (not off-site commuted payment) in separate blocks with no visible distinction in quality of location, outlook or design.
- A.3 Retail can be part of the mix of uses providing it is well connected to the existing primary retail area, such as the ground floor on Ber Street.
- A.4 A minimum of 250 dwellings and 30,000 sq ft office space should be provided on site in order to ensure that this centrally located brownfield site makes an appropriate contribution to housing provision and that jobs are retained in the city centre

#### B. Pedestrian routes and public spaces

- B.1 New pedestrian routes across the site should be provided east-west through from 10-14 Ber Street to Rouen Road and north-south from Thorn Lane to Cattle Market Street.
- B.2 New public spaces should be created:
- Adjacent to the upper section of Thorn Lane.
  - In the centre of the site at the intersection of a new east-west route from Ber Street to Rouen Road and the new north-south route from Thorn Lane to Castle Gardens / Farmers Avenue
  - As connected spaces at the north end of the site that provide a protected residential courtyard and an elevated terrace on the Golden Ball Street frontage with views to the Castle and Cathedral

#### C. Vehicles

- C.1 The main vehicular access should be off Rouen Road. A secondary access could be at the lowest part of the site on Thorn Lane providing it does not undermine the quality of the public space and pedestrian connection to be created on the upper part of Thorn Lane.
- C.2 A car-free development is encouraged and if car parking is included it should be substantially below 1:1 for household. No parking would be allocated for retail uses. A car club parking space and car club vehicle must be provided.
- C.3 Any car parking should be contained beneath the buildings at the northern end of the site. Electric charging facilities for vehicles should be

provided

#### D. Landscape

- D.1 The recently listed Bernard Meadows sculpture must be retained within the new development.
- D.2 Boost biodiversity within the site to support green infrastructure connections between the Wooded Ridge, Castle Gardens and Green, Chapelfield Gardens, Norwich Cathedral / The Great Hospital and the River Wensum should be enhanced including: Sustainable Urban Drainage (SUDS), green roofs and walls, retention of mature trees, planting new vegetation and installing boxes for birds, bats, hedgehogs and insects.
- D.3 Existing views to the Castle, Cathedral, City Hall, St John de Sepulchre, and the wooded ridge should be enhanced.
- D.4 Informal publicly accessible recreational open space and younger children's playspace should be provided towards the middle of the site in places that are overlooked by homes.
- D.5 Grade A and B trees should be retained, especially those on the Golden Ball Street frontage with extensive planting of new trees within the public spaces on the site.

#### E. Energy

- E.1 Generate at least 10% of the scheme's expected energy requirements through sources of decentralised and renewable or low-carbon energy.

- E.2 Dealing with water by ensuring: a) external ground levels have a nominal fall away from any entrances to buildings, with ground levels maintained above the adjacent highway, b) foul and surface water runoff connect into Anglian Water’s sewer network and discharge by gravity; c) at least 50% reduction in discharge of surface water from the site using the a combination of the following SUDS techniques: ponds, blue roofs, swales, bio-retention areas, green roofs, grey water recycling from roofs and permeable paving.
- E.3 Ground investigation and remediation secured by inclusion of contaminated land planning conditions.

F Historic built environment

- F.1 Preserve or enhance the conservation area and avoid harm to the setting of listed buildings.
- F.2 Reinststate a strong building line along Ber Street.
- F.3 Development on Rouen Road and the east side of Ber Street must respect the topography of the area.
- F.4 The height thresholds proposed for the site, which have been determined through a combination of built heritage and residential sensitivity, are shown in figure 22. At this stage these parameters are indicative. When a planning application is prepared for the site the thresholds may be adjusted in response to

architectural treatment, information on visual impact in relation to heritage impact, residential amenity and development viability.

- F.5 The prominence of this site and its location within the conservation area will require a high quality architectural response.
- F.6 The site has archeological potential. A developer must seek to minimise harm to heritage assets with archaeological interest through its design and demolition / construction methodologies and maximise the public benefits of any archaeological investigations carried out at the site through community engagement, research partnerships and wide-ranging dissemination of the results. An archaeological desk based assessment should be submitted with, or at least prior to the determination of, a planning application in accordance with NPPF (2018) paragraph 189. Based on the findings of the assessment there may be a need for some pre-determination evaluation trenching, particularly around the site of St Michael at Thorn church

4.0 Illustrative proposal

4.1 When detailed plans are developed for the site they will need to comply with the development principles and parameters in section 3. These development principles could be fulfilled by many different permutations of development on the site. One way that these principles and parameters can be satisfied is illustrated in this section.

1. Routes & Public Squares



Figure 23

2. Key Views

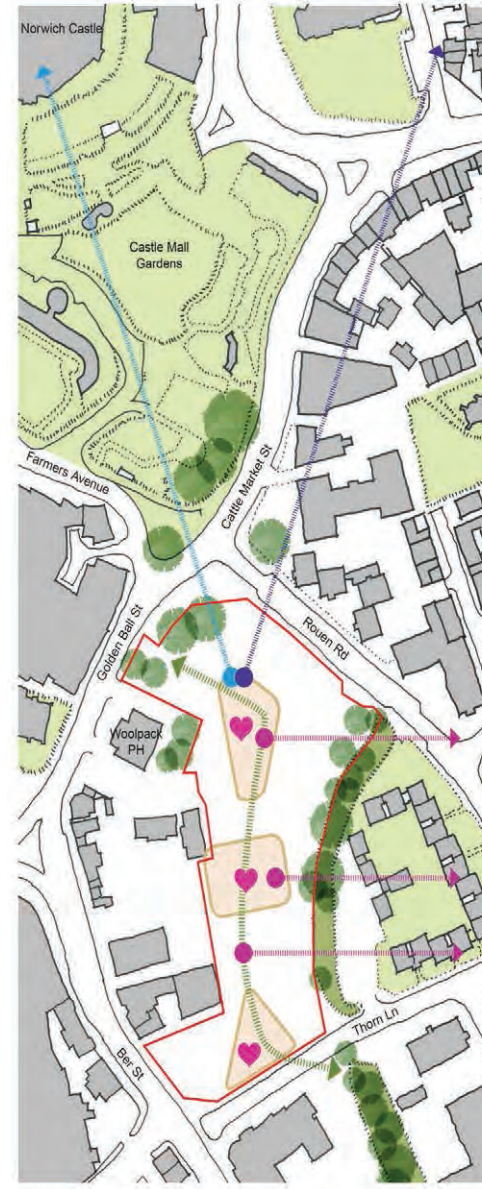


Figure 24  
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3. Illustrative Site Layout & Building Uses



Figure 25

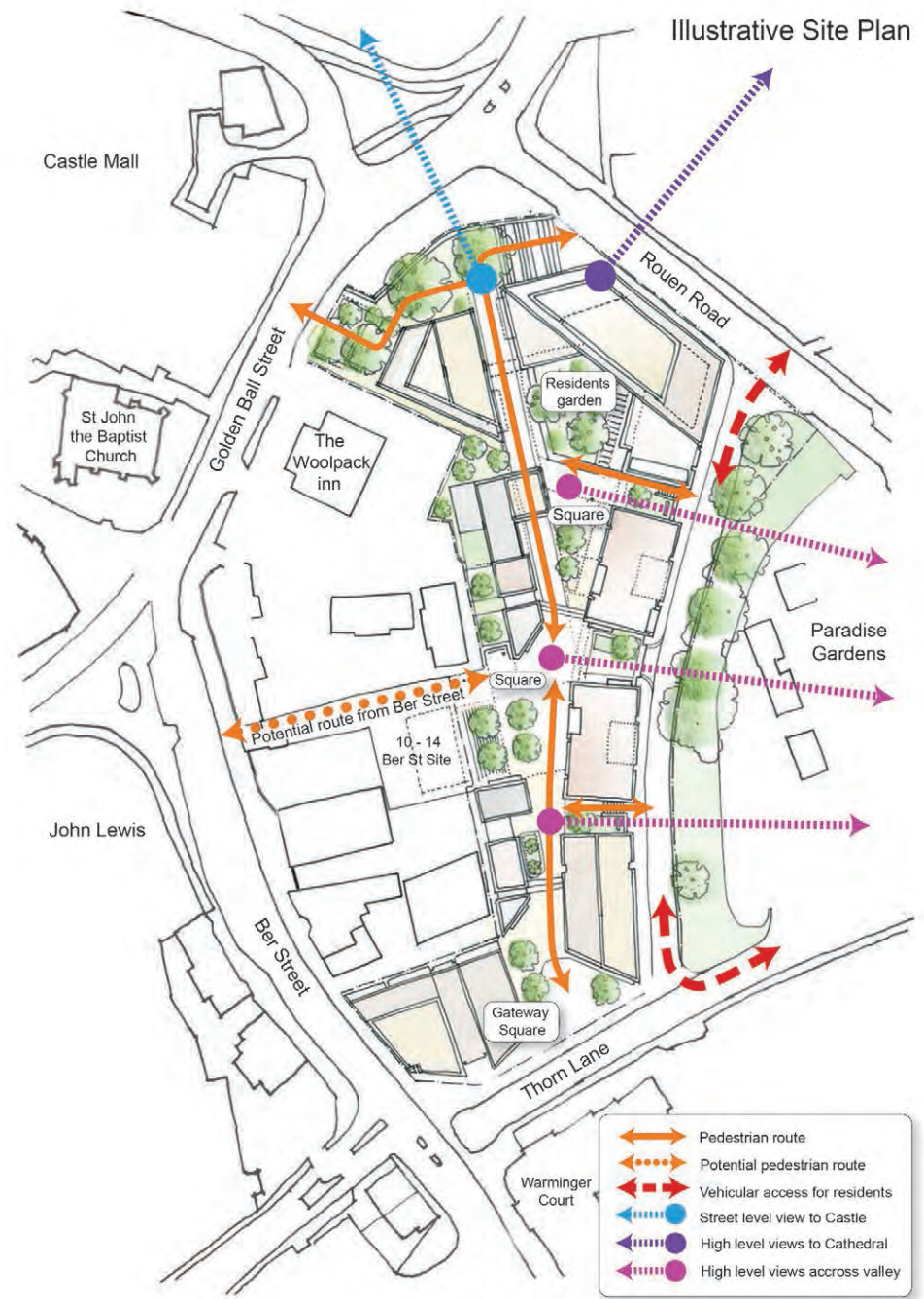


Figure 26

## Appendix 1 – Using the heat map (fig. 18)

The purpose of the heat map diagram (fig 18) is to indicate where and to what extent development on the site is likely to have an impact on the setting of heritage assets covered within the assessment (i.e. within a 250m radius plus the City Landmarks). The likely magnitude of impact will be gauged in proportion to the scale of proposed development, proximity to heritage receptors and the relative sensitivity of those receptors. The various degrees of sensitivity (represented by a clearly legible heat-associated colour spectrum) indicate the recommended thresholds for the scale of new development in each part of the site. The heat map is intended to serve as a guide for the design development and in helping to determine what the likely magnitude of impact would be if the proposed threshold is exceeded in isolation. Where coloured zones on the map may overlap it is to be assumed that the zone of higher sensitivity takes precedent over any less sensitive zones adjacent. It should be noted that the proposed Heat Map will provide general guidance and does not in itself comprise an assessment of impact. The precise gauge for the impact on setting, and thereafter heritage significance, is one of professional judgement and will need to take account of the detailed design, architectural vocabulary and effect of the material finishes used throughout the development as well as its cumulative impact.

In terms of practical guidance the Heat Map will seek to establish an indicative upper threshold beneath which new development of good design quality would not be expected to have a major impact, whether adverse or beneficial, on the setting of heritage assets. It is acknowledged that the cumulative impact that may result from new development which approaches the recommended thresholds in all the parts of the site cannot be deduced by reference to the proposed thresholds alone. Likewise, it is accepted that where the thresholds are exceeded development is likely to have a major impact on the setting of heritage assets, potentially causing a degree of harm. Additional factors, however, such as the present conditions of the site and the overall design quality of the scheme, will need to be taken into consideration in order to determine the level of harm that proposed development will ultimately give rise to. Similarly the aggregate impact on cumulative heritage significance and townscape is something which will need to be judged independently and is beyond the scope of what the Heat Map is able to convey in terms of qualitative guidance.

The annotations on the heat map provide a detailed commentary and rationale for the recommended storey height thresholds taking into account the impact of both proximate and more distant identified heritage assets and the likely impact of new development on the viewpoints identified in Figures 20 & 21.

## Appendix 2 - Prospect House Development Brief

### Consultation report

#### Background

A public consultation inviting comment on the draft Prospect House development brief was held between 29 June 2018 and 3 August 2018. The brief itself was available and its content was summarised in an exhibition held in City Hall and at Prospect House for the first two weeks of the consultation period. All the material was available on the city council's website. It can be viewed [here](#).

The consultation was publicised through:

- A news release issued by the City Council which resulted in an article in the EDP and Evening News
- Letters sent to businesses and residents within the area identified in appendix 2.1 inviting them to comment.
- Emails sent to the following stakeholder organisations inviting them to comment: Bicycle Links, Norwich Business Improvement District, Castle Mall, Norwich Cycling Campaign, Historic England, King Street Neighbours, Kings Church, Norfolk Museums Service, Norwich Society, Wensum Sports Centre.

The city council's design conservation and landscape manager attended the exhibition at City Hall on 5 July and 13 July 2018 and two meetings:

- Residents of Warminger Court 23 July 2018 at Warminger Court (approx 35 residents attended)
- King Street Neighbours 1 August 2018 at the Last Man Standing PH on King Street (approx. 15 people attended)

#### Analysis of responses

Comment was invited via an online survey. The survey was structured to ask people whether they agreed with each group of development principles in the draft brief. If they did not agree they were invited to say what was wrong or missing from those principles.

There were 32 responses to the online survey. 16 of the respondents supplied their property address and of these 8 live close to the site including 4 at Warminger Court. The balance of positive and negative responses is calculated and the free text responses for each question are reproduced in the tables below. An officer response is given to each comment.

Letters were received from Historic England and John Lewis (see appendix 2.2). A response to these is offered in the planning committee report.

**Development principles for uses – Text in draft brief reproduced below**

- A.1 The existing lower grade accommodation should be replaced with purpose built, flexible and attractive high quality office space, ideally in a prominent location such as the Golden Ball Street frontage or the junction of Ber Street and Thorn Lane.
- A.2 A residential-led development with market housing and affordable housing is welcome on the site. At least 33% of units should be affordable, split 85% social rented and 15% of intermediate provision. They should be predominantly 1-bedroom flats. 2-bedroom houses would also be welcomed. The affordable housing should be provided on-site (not off-site commuted payment) in separate blocks with no visible distinction in quality of location, outlook or design.
- A.3 Retail can be part of the mix of uses providing it is well connected to the existing primary retail area, such as the ground floor on Ber Street.

Question 1a Do you agree with the development principles for uses (A1-3)?	Number	Percentage
Yes	15	47%
No	16	50%
No response	1	3%

Question 1b If you do not agree with the development principles for uses (A1-3) what is wrong or missing?		
Ref	Comment	Officer response
1	I'm surprised by the requirement that affordable housing should be in separate blocks (rather than integrated throughout the development).	Affordable housing providers generally prefer clusters of housing which makes management administratively easier (e.g. shared communal areas, service charge levels). What is important is that these clusters are not too large and that the architecture is indistinguishable for the private sale housing so no stigma attaches to the affordable housing and that it is of equal quality.
2	I agree in principle but the height of the proposed buildings are completely	The proposals have been modified since the consultation to reduce the height

	out of scale with surrounding structures.	thresholds in line with the built heritage assessment that informs the brief.
3	The social percentages, though understood, are too high. There should be more properties overlooking the castle. There is room for the site to be higher, I would have thought. Keeping jobs in the city is good.	It is important to provide homes for people who cannot afford to buy or rent in the market. The majority of the site is likely to be market housing so there will be a balanced community. The tallest area of building on the site is likely to contain flats with a view of the castle. It would be inappropriate to build the flats higher than the levels shown in the brief because this would have a damaging effect on the setting of surrounding heritage assets e.g. Woolpack pub.
4	Prospect House is a building in a prominent position in Norwich - any change makes a significant difference to the landscape. It is a fine example of Brutalist architecture and its flint facing is a counterpoise to the historic Norwich Castle.	Agreed that changes to the site will make a significant difference to the landscape. The built heritage assessment and Historic England have concluded that it is well below the quality needed for the building to be listed and it is regarded as a negative building in the conservation area appraisal. The site can be better used if Prospect House is replaced. Furthermore, the floor plan of Prospect House does not lend itself to efficient and economically viable conversion due to the depth of the floorplate.
5	The architecture of prospect house is a fine example of brutalist architecture and is a landmark of the city. Instead of pulling it down you should focus on repurposing it so that we can celebrate its rich history. We do not need even more new flats in this city either.	See comment ref 4 about the retention of Prospect House. More flats are needed because there is a housing shortage and it is a good building type to efficiently and intensively develop centrally located brownfield sites.
7	A bit concerned re- social housing?	The nature of the concern is not explained in the comment.
8	High rise will block sunlight from my current apartment. Housing estate would lower property value. Green areas may attract layouts.	The site is not to the south of residential properties and therefore the reduction in sunlight would be low. A "housing estate" is not proposed and, although the effect on existing resident's property values is not a material planning consideration, it is expected creating a high quality development on a site that has large



		areas of surface car parking would generally increase property values.
9	Large numbers of flats in this area already. Why develop yet more?	See comment ref 5 about the need for flats.
10	<p>The first part of any assessment in a conservation area is that of the merit of existing buildings. Prospect House is well designed and sits extremely well in its position on the hill and does not attempt to compete with the castle. It should be earmarked for retention.</p> <p>The second thing that should be done is the assessment of what outstanding needs the city has that this site might need. The most obvious is that the city needs a facility to cater for tourist coach trips. Many operators will not come to the city because of this lack and the tourist trade suffers quite badly as a result. The other need is for a school in the area. The county has eyes on the Rouen Road car park but this site would be suitable, and the car park site is much more suitable for housing.</p>	<p>See comment ref 4 about the retention of Prospect House. The position on the hill can be better exploited through the construction of taller buildings there that emphasise the topography. Providing a facility for tourist coaches is not needed here. The city has a strategy for this – short stay is provided on Rouen Road and long stay at P&amp;R sites. Using the Prospect House site for this purpose would be a waste of a valuable site.</p>
11	<p>Rouen Road has seen a significant increase in traffic since one road has been shut and traffic lights removed. With more houses and increased footfall to the area, I can only see this getting worse. Unless there is a restructure to Rouen Road to facilitate more cars and increased foot fall to the proposed premises, I can only see this negatively impacting existing residents.</p>	<p>Traffic congestion data has been analysed to check what effect the recent traffic changes have had on Rouen Road. This shows that 2018 levels are very similar to 2015 and 2016 before the work was carried out. Redesigning Rouen Road to facilitate more cars would induce demand for more people to drive and own cars. The recent design changes made it possible for people to walk and cycle between Rouen Road and Farmers Avenue, which was almost impossible before. The way to reduce traffic is to locate development near public transport and make it easy to access the development on foot and by bicycle. This is the approach advocated in the development brief. The current use of the site for employment with generous car parking would generate a higher level of traffic than city centre homes that would be developed on the site. A</p>

		<p>planning application for new employment development on the site is likely to be accompanied by a travel plan that would reduce the traffic generated compared to the current employment use.</p>
12	<p>I am a resident of Warmingier Court, my flat is situated on THE UPPER END OF THORN LANE. By erecting office space on the junction of Ber Street/Thorn Lane which according to the development brief could be 5-7 levels high; we are 4 levels; will considerably block out my natural daylight and sunlight. Also I will have no view out of my windows as ONE SIDE OF Ber Street will be completely obstructed (on the same side as World of Beds). By including retail within this mix you then bring a lot more footfall and with that: ultimately much more noise. As the site is now a car park to the Archant building, on Thorn Lane, this is kept to a minimum because the staff just park and go into building until such time as they then leave again at night. When they have a fire alarm practice the noise scale goes up considerably because the assembly site is the top end of the car park, but this is very intermittent and I understand this is an important procedure. The Prospect House development by the very nature of its content will have a considerable impact from the point of view of noise at all times of day and night, I know it will be considerable as I have experience of when the "football" fans go down Thorn Lane and really considerable noise from the people who go the Waterside via Thorn Lane on a Friday and Saturday night starting at 10pm and going on until 5am and you are lucky if you manage a couple of hours sleep at a time. This site will really create and amplify these problems from the fact of the public areas that are being created right through to the intrusion of the office/retail space that is being</p>	<p>The concerns about levels of daylight enjoyed by residents on the lower levels of Warmingier House the face Thorn Lane have led to a reduction in the height threshold for buildings on this edge of the development from 5-7 to 4-5 storeys. The concerns about sunlight, as distinct from daylight, are not supported because the development is immediately to the north of Warmingier Court. The view from these flats is currently over an ugly surface car park and the blank side of World of Beds, although longer range views of the city can be seen too due to the empty nature of the site. These longer range views will inevitably be obscured by any development of the site and replaced by a positive and carefully designed building frontage and a public space within the site. The opening hours of any retail / café space on the ground floor would need to be controlled to avoid nuisance to residents. It is true that more people will walk up Thorn Lane from King Street to Ber Street as the area is improved and pedestrian connections become more attractive. Some of those people may be boisterous, which is regrettable. However, when the area has a more positive cared-for feeling resulting from good quality development one hopes that this will influence peoples' behaviour. The new public spaces within the development are likely to be privately managed with the responsible organisation wishing to protect new residents against nuisance and keep the spaces well maintained with a collateral benefit for neighbours. The speed of traffic in Ber Street is likely to reduce slightly in response to a</p>

	<p>created. You only need to look outside the Forum, every available space is used including the steps but there is not a high area of residential buildings around there and certainly not a retirement complex. There is already a considerable amount of traffic going up and down Ber Street because of the Westlegate Development: what motorbike does 20 mph? Graffiti and litter, noise, noise, noise at all times and no natural light/sunlight, what sort of existence is that? Westlegate in my opinion is a "ghost" of what was created by the Council, everything has faded, the garden areas are not respected by the public, too much litter and not enough bins, what is to say what the Prospect House development will look like in 2-3 years time after the building work has finished which will be maybe a couple of years of "hell" for the residential areas.</p>	<p>stronger built frontage because the current empty site at the corner of Thorn Lane and Ber Street reduces the perception of motorists that they are passing through a tight city centre environment.</p>
13	<p>I do not agree with more retail frontage when the city already has high level of retail vacancy, unless this is part of a bigger plan to redevelop John Lewis.</p>	<p>The development brief does not require retail space within the development and it will only be provided if there is market demand for it. It is not part of a bigger plan to redevelop John Lewis but the presence of John Lewis and the recent improvements to Westlegate make this part of Ber Street feel more connected to the main city centre shopping areas.</p>
14	<p>Prospect House should be preserved as a fine example of Brutalist Architecture. There is already an oversupply of retail space and one/two-bedroom flats in Norwich. Numerous retail units across the city stand empty so building more is deleterious to the demographic and economic mix of the city.</p>	<p>See comment ref 4 on the retention of Prospect House, ref 13 on the provision of more retail space and ref 5 on the need for flats.</p>
15	<p>Why destroy Prospect house? It will cost a lot more to demolish and rebuild new office space. Why not re-invest in and re-purpose the original building? One of the best things about Norwich is the mix of different</p>	<p>See comment ref 4 on the retention of Prospect House.</p>

	<p>architectural styles, however Brutalist and modernist buildings are disappearing from the city's landscape. There was probably a point in history at which the cathedral seemed outmoded, or the architecture on Elm Hill appeared unattractive and not fit for purpose - if they had been destroyed imagine how different those parts of Norwich would be today! While it is not desirable or affordable to maintain all old buildings, some, such as Prospect House, should be kept for future generations. These should not just be the buildings which those in power deem "attractive" or aesthetically pleasing.</p>	
16	<p>No need for high building on corner of Ber Street/Thorn Lane, will block out light, and spoil the view from our apartment, no need for retail units, there are plenty of empty shops around Norwich.</p>	<p>See comment ref 12 on building heights at the corner of Ber Street and Thorn Lane and comment ref 13 on the provision of more retail space.</p>
17	<p>There is no leisure facilities - swimming, gym - need more affordable sites with cheap parking. Norwich has the most expensive parking - and smallest spaces. Also need more Youth projects (clubs, etc).</p>	<p>The Rouen Road and John Lewis car parks are next to the site so there is sufficient parking in the area. We have a cap on the provision of car parking overall and to encourage people to use P&amp;R. There is a swimming pool and gym quite nearby at riverside and a gym on London Street. There is no identified demand for youth facilities in this location and no justification for insisting that a developer provide / subsidise its provision.</p>

**Development principles for pedestrian routes and public spaces – Text in draft brief reproduced below**

- B.1 New pedestrian routes across the site should be provided east-west through from 10-14 Ber Street to Rouen Road and north-south from Thorn Lane to Cattle Market Street.
- B.2 Public spaces should be created that relate well to the new pedestrian routes:
- Upper section of Thorn Lane should be created.

- Centre of the site at the intersection of the east-west and north-south routes
- North end of the site with views to the Castle and Cathedral.

Question 2a Do you agree with the development principles for pedestrian routes and public spaces (B1-2)?	Number	Percentage
Yes	18	56%
No	11	34%
No response	3	9%

Question 2b If you do not agree with the development principles for pedestrian routes and public spaces (B1-2) what is wrong or missing?		
Ref	Comment	Officer response
18	I think that a statement about the importance of green space within the development is needed. If the intention is for a green corridor to link the ridge to the castle, then I think this should be made explicit in the nature of the public spaces. In my opinion a predominantly paved area would be unacceptable in this location - it needs to incorporate green space at every level (more akin to the castle mall parkland rather than the recent John Lewis pedestrianisation).	Agree with the sentiment but the importance of green space is adequately covered in development principles D2 and D5 in the landscape section with no need to amend the section on pedestrian routes and public spaces. To do so would be duplication.
19	Again in principle I agree with pedestrian routes through the site but would suggest that Thorn Lane be reopened to allow traffic from the King Street area to exit the city more quickly.	Reopening Thorn Lane would not be a good idea because it would conflict with the enhancement of the street as a pedestrian and cycle route and with traffic access to John Lewis car park. It could only be compatible with the John Lewis car park if traffic lights were installed, but this would lead to queuing and associated air pollution around Warmingier Court. This is a peak hour problem that is likely to be alleviated if there is less commuting associated with office use on the site.
20	In principle I agree with the pedestrian access. However to avoid traffic chaos in Rouen Road, rather than public space could the top of Thorn Lane be reopened to allow traffic from King	See comment 11 and 19.

	Street area to move more quickly away from the city centre.	
21	Thorn Lane should be reopened to traffic. High levels of stationary traffic at peak times cause pollution.	See comment 19.
22	As before - I do not agree with the pulling down of prospect house to make way for new routes.	One of the benefits of demolishing Prospect House and replacing it with a series of buildings with smaller footprints is that it enables better pedestrian movement through the area which enhances peoples' experience of the conservation area and the wooded ridge landscape feature.
23	Access for Ambulances, Taxis which use Thorn Lane for residents of Warming Court. Access in Warming Court residents Car Park not often able to be used.	Ambulances are not and will not be restricted and taxis are entitled to pick up and drop off on Ber Street.
24	Pedestrian route and open space should be at the junction of Ber Street & Thorn Lane.	There is a stronger urban design argument in favour of building a frontage on this corner to complete the street. Furthermore, the traffic on Ber Street would not make it as attractive a location for people to sit outside compared to the centre of the site on the alignment of the wooded ridge.
25	If the upper section of Thorn Lane is created, how do we at Warming Court access our site? Again my concern obviously is how near are you going to bring members of the public to the flats, where is my privacy? Both with the public spaces and the office/shop development that you will create.	There will be no change to essential access. The proposed streetscape enhancement at the top of Thorn Lane would not be designed to encourage people to sit out in front of the Warming Court flats. A new building would inevitably attract visitors and users of the building.
26	The current building should be preserved and no new routes or walkways should be created.	See comment reference 4.
27	Don't destroy Prospect House.	See comment reference 4.
28	By closing off upper part of Thorn Lane will make it difficult for access for disabled buses to collect elderly and disabled people from Warming Court who rely on these vehicles to	See comment 23.

	get to local day centres.	
29	This will lead to an increase in noise and anti-social behaviour in the area. It's bad enough now with the drunks on Friday/Saturday nights using Thorn Lane as their route home to south of the city.	See comment 12.

### Development principles for vehicles – Text in draft brief reproduced below

- C.1 Main vehicles should access the site from Rouen Road. A secondary access could be at the lowest part of the site on Thorn Lane providing it does not undermine the quality of the public space and pedestrian connection to be created on the upper part of Thorn Lane.
- C.2 A car-free development is encouraged and if car parking is included is should be substantially below 1:1 for household. No parking would be allocated for retail uses. A car club parking space and car club vehicle must be provided.
- C.3 Any car parking should be contained beneath the buildings at the northern end of the site.

Question 3a Do you agree with the development principles for vehicles (C1-3)?	Number	Percentage
Yes	14	44%
No	14	44%
No response	4	12%

Question 3b If you do not agree with the development principles for vehicles (C1-3) what is wrong or missing?		
Ref	Comment	Officer response
30	I have great concern regarding the increased traffic entering and exiting Rouen Road. At peak times the queue waiting to enter Golden Ball St can be as far back as St Julian's Church. I suggest reopening the top of Thorn Lane and also providing a slip road for traffic turning left at the top of Rouen Road. At present if a car is turning right it blocks any farther movement of traffic from exiting	See comment ref 11 and 19.

	Rouen Road.	
31	<p>I have great concern regarding the traffic in Rouen Road. At peak times the queue to exit onto Cattle Market Street backs up beyond St Julian's church. A filter lane to turn left at the top of Rouen Road could help to ease the problem.</p> <p>This site is a great opportunity for electric car parking. But let's be realistic, too much limitation on cars will deter people from living in the city - just look at St Ann's Quarter - one per flat.</p>	<p>See comment ref 11.</p> <p>The brief has been amended to include a requirement for electric car parking.</p> <p>Recent experience of completed city centre schemes indicates that car parking is often under used due to the ease of walking to work and facilities, which is why we encourage developers to provide less than 1:1.</p>
32	<p>Lower Thorn Lane no good for residents of Warmingier Court. Residents would not be able to walk up Thorn Lane to their homes.</p>	<p>The meaning of this comment is unclear.</p>
33	<p>There are already a large number of flats etc in this area with no parking provision. While the council may aspire to create a car free environment it is not practical and there will be many issues for those people using the permit areas.</p>	<p>There will be no entitlement to permit parking by new residents of this development so it will not place additional pressure on car parking in the area.</p>
34	<p>Car parking on a 1:1 basis is too high. As a resident it is already a struggle to exit Rouen Road without sitting in an extended queue.</p>	<p>We need to adhere to our local plan policy of a maximum of 1:1 but would encourage a lower level. Residential car parking in the city centre results in fewer traffic movements than commuter parking associated with office development, especially at peak times.</p>
35	<p>Car parking beneath the buildings will create another level, to re-iterate we are only 4.</p>	<p>Noted. This has been taken into account in the assessment of heights, which are measured from the entrance podium level.</p>
36	<p>The existing building should be preserved with the existing car park. There is no provision for safe and secure cycle parking. New cycle routes should be created.</p>	<p>See comment ref 4 on the existing building. Cycle parking will be provided in line with the local plan policy. There is no need to introduce new cycle routes through the site because connectivity is already good and the east-west gradients would prevent it.</p>
37	<p>Don't destroy Prospect House.</p>	<p>See comment ref 4 on the existing building.</p>
38	<p>Access needed for disabled and elderly</p>	<p>There are no plans to restrict these</p>



	vehicles at top of Thorn Lane.	vehicles.
39	Terrible - no spaces for retail or leisure - totally stupid.	Unclear whether this comment is requesting or rejecting the inclusion of retail and leisure in the scheme.
40	If there is no on-site retail parking, then retail premises will be a waste of time. No vehicular access at all should be allowed from the site onto Thorn Lane. This is to maintain the peace and quiet in Paradise Place.	Shops in the city centre work very well without dedicated parking providing they can make deliveries. Shoppers and staff have ample opportunities to park in nearby car parks or P&R. The main vehicular access would be from Rouen Road. The traffic levels associated with any secondary access from Thorn Lane would be assessed at application stage in relation to the impact on residents of Paradise Place.

**Development principles for landscape – Text in draft brief reproduced below**

- D.1 The Bernard Meadows sculpture should be reinstated within the new development.
- D.2 Boost biodiversity within the site to support green infrastructure connections between the Wooded Ridge, Castle Gardens and Green, Chapelfield Gardens, Norwich Cathedral / The Great Hospital and the River Wensum should be enhanced including: Sustainable Urban Drainage (SUDS), green roofs and walls, retention of mature trees, planting new vegetation and installing boxes for birds, bats, hedgehogs and insects.
- D.3 Existing views to the Castle, Cathedral, City Hall, St John de Sepulchre, and the wooded ridge should be enhanced.
- D.4 Informal publicly accessible recreational open space and younger children’s playspace should be provided on site in places that are overlooked by homes.
- D.5 Grade A and B trees should be retained, especially those on the Golden Ball Street frontage with extensive planting of new trees within the public spaces on the site.

Question 4a Do you agree with the development principles for landscape (D1-5)?	Number	Percentage
Yes	17	53%

No	8	25%
No response	7	22%

Question 4b If you do not agree with the development principles for landscape (D1-5) what is wrong or missing?		
Ref	Comment	Officer response
41	As before, I think a statement is missing here regarding the explicit nature of the landscape. I think it is important that the public spaces feel predominantly green, rather than predominantly paved. This requires substantial planting and green landscaping below eye level (as well as trees above).	The analysis and policy D2 put sufficient stress on the importance of planting for amenity and biodiversity.
42	Hopefully the open areas would be green spaces rather than tarmac or paved areas - a much more pleasant environment for people and wild life.	Noted.
43	I can't take the wooded ridge point seriously if the council allows the path behind the old people's flats to be rubbish and graffiti strewn. The Meadows statue has a role as public art but will be wasted on the site. Should go somewhere more prominent in the City or say Sainsbury centre. Trees should be in proportion. The ones currently on the Castle side are a species much too big for a cityscape.	The completion of the wooded ridge through the site would encourage more use and support the case for investment in the wooded ridge through the community infrastructure levy to reduce anti-social behaviour. The Meadows statue is now listed and must remain on the site. Disagree about the size of the trees which provide a range of environmental services and are a visual foil for the large building on the site.
44	Tree on Thorn Lane opposite Warming Court, please don't remove!	The tree report has concluded that this tree is category C and its removal can be justified. Its retention is incompatible with development of a positive new building on this part of site.
45	Please no children's playspace near the Warming Court development, the public spaces that will be created virtually opposite will generate enough noise 24-7. Encouraging the wildlife and anything "green" is happily accepted.	Children's playspace would be best situated towards the centre of the site away from traffic and where it can be overlooked by the new homes. Policy D4 has been modified to reflect this.

	The Bernard Meadows sculpture should stay where it is and the existing building (Prospect House) should be preserved as a historic landmark of Norwich. The sculpture represents hot metal - and as such reflects the importance of the building to Norwich as the long-standing headquarters of the region's local newspaper. To take it out of context would be disastrous and a gross disservice to the history and the people of Norwich.	The Meadows sculpture is now listed and must remain on the site.
46	Plant some more hedges or build a roof garden - don't demolish Prospect House.	See comment ref 4 on the removal of Prospect House.
47	I agree with D3, enhance the views of the castle etc. But if you build on the corner of Ber Street and Thorn Lane you will block out our views unless the buildings are single storey.	A single storey building on the site would look absurd and be a waste of important city centre development land. The loss of long views from Warmingier Court is an inevitable result of development of any sensible scale.
48	Absolute guarantee of ALL existing trees on the Archant site safeguarded throughout any development. Any play spaces must be centrally located to avoid noise nuisance to current dwellings.	The policy expects all grade A and B trees to be retained. Some of the other trees may need to be removed because they sit within areas of surface car parking that can be more positively used for building.

**Development principles for energy, water and land – Text in draft brief reproduced below**

- E.1 Generate at least 10% of the scheme's expected energy requirements through sources of decentralised and renewable or low-carbon energy.
- E.2 Dealing with water by ensuring: a) external ground levels have a nominal fall away from any entrances to buildings, with ground levels maintained above the adjacent highway, b) foul and surface water runoff connect into Anglian Water's sewer network and discharge by gravity; c) at least 50% reduction in discharge of surface water from the site using a combination of the following SUDS techniques: ponds, blue roofs, swales, bio-retention areas, green roofs and permeable paving.

E.3 Ground investigation and remediation secured by inclusion of contaminated land planning conditions.

Question 5a Do you agree with the development principles for energy, water and land (E1-3)?	Number	Percentage
Yes	22	69%
No	4	12%
No response	6	19%

Question 5b If you do not agree with the development principles for energy, water and land (E1-3) what is wrong or missing?		
Ref	Comment	Officer response
49	Not enough detailed information.	It is sufficiently detailed for a development brief.
50	Demolishing and rebuilding on this site is environmentally harmful. There is already a huge strain on our waste water system, due to overdevelopment in the city centre. The existing building should be preserved and converted - that is the greenest option.	It is true that the embodied energy in the building will be wasted through the process of demolition but this will be more than offset by the clearance of the site allowing a more dense development thereby avoiding greenfield development that generates carbon emission through a greater need to travel by car.
51	The proposals E1, 2 and 3 are good, but could roof water be captured as grey water for toilet flushing and other non-food or health related water uses? Could the target for renewable energy generation be higher?	Grey water recycling from roofs has been added to policy E2. This brief cannot set a higher target for renewable energy generation than the JCS.

**Development principles for historic built environment – Text in draft brief reproduced below**

- F.1 Preserve or enhance the conservation area and avoid harm to the setting of listed buildings.
- F.2 Reinstate a strong building line along Ber Street.
- F.3 Development on Rouen Road and the east side of Ber Street must respect the topography of the area.

F.4 The scale of building proposed for the site should respond to the sensitivity of smaller scale historic buildings and neighbouring residential uses and the opportunity of prominent parts of the site for greater architectural emphasis. Three broad height parameter areas are proposed for the site (number of storeys measured from the primary entrance level):

- The lowest buildings (4-5 storeys) should be positioned along the west edge of the site close to listed buildings and residential flats at the rear of Ber Street.
- A moderate scale of buildings (5-7 storeys) could be positioned: a) on the east edge of the site to emphasise the dramatic topography but with sensitivity towards the Paradise Place flats, which have their main windows and spaces on the side away from Prospect House and b) the corner of Ber Street and Thorn Lane where there is a opportunity to emphasise the street corner but a need to fit into the context of historic Ber Street and the transition of scale with the neighbouring buildings
- The highest element of the development (7-8 storeys) should be positioned at the north end of the site with its greater distance from heritage assets, the location addressing the edge of a large open space and to provide an eye-catching termination of the view along Cattle Market Street.

At this stage these parameters are indicative. When a planning application is prepared for the site the thresholds may be adjusted in response to architectural treatment, information on visual impact in relation to heritage assets and development viability.

F.5 The prominence of this site and its location within the conservation area will require a high quality architectural response.

Question 6a	Number	Percentage
Do you agree with the development principles for the historic built environment (F1-5)?		
Yes	11	34%
No	16	50%
No response	5	16%

Question 6b		
If you do not agree with the development principles for the historic built environment (E1-3) what is wrong or missing?		
Ref	Comment	Officer response
52	I strongly feel that a specific reference is required here to the prominence of the castle. The castle is arguably the most prominent building in the city,	Agree that it is important to maintain the prominence of the Castle. An annotated built heritage heat map has been added to the brief that refers to

	<p>and is immediately adjacent to this site. I believe that this development brief is missing a specific statement regarding the maximum absolute height of the development relative to the castle. All buildings in this development, and particularly those at the north end, must be substantially (eg, 5m) below the absolute height of the castle, to maintain its prominence over the city centre. I am very concerned that an unspecific statement of "7-8 storeys" could allow scope for a building to approach the prominence of the castle, particularly if it were built up from the highest point of the site.</p>	<p>the sensitivity of the setting of the castle and views from it. The submission of a planning application will need to demonstrate that the development does not diminish the pre-eminence of the Castle.</p>
53	<p>I do not consider a 7/8 storey building at the top of Rouen Road to be at all sympathetic with surrounding buildings. This is already an elevated site and no amount of planting would be able to hide such a monster. Can lessons please be learnt from the St Anne's Quarter abomination that dwarfs Dragon Hall and the other old buildings in the oldest street in the city.</p>	<p>Disagree. The prominent northern end of the site adjacent to Rouen Road lends itself to a bold architectural statement providing the architectural quality is very high.</p>
54	<p>This is outrageous. It cannot be the purpose of a consultation such as this to define the heights attainable when no detailed planning has been considered. The council should further be ashamed of itself in trying to bring together 5 separate points above, with sub elements, and expect consultees to only be able to say yes to all. Does not this invalidate the consultation overall?</p>	<p>It is vital that the brief sets principles for the height of future development of the site against which a planning application can be tested. Consultees were able to offer unrestricted comment in the free text areas that have been faithfully reproduced here.</p>
55	<p>Mostly. However a need for residents at Warminger Court on Thorn Lane side to still be able to enjoy view from their homes with no loss of light.</p>	<p>See comment ref 12.</p>
56	<p>It is important that the apartments in Warminger Court are not deprived of their light. Buildings close to Thorn Lane/Ber Street corner should be low</p>	<p>See comment ref 12.</p>

	rise.	
57	Ber Street and Thorn Lane building at 5 to 7 storeys too high.	Agreed. The height threshold has been reduced from the draft brief in response to the public consultation.
58	The proposed idea of up to 8 storeys will be an eyesore. We have a very high building in All Saints Green which impinges on the visual impact of the street and the council seems determined to create more high rise buildings in inappropriate areas.	See comment ref 53. The council regards Pablo Fanque House as a good piece of design. However it does not set a precedent because the context is different to Prospect House.
59	F 1,2,3 and the first paragraph of F4 are fine but are contradicted by the proposed building heights that follow.	The built heritage assessment heat map that has been added to the brief explains the logical connection between F1-3 and F4.
60	Former site of St Michael at Thorn should be a public open space	This would not be a successful area for a public space being close to traffic and a car park entrance. The corner needs a strong building edge to complete the street with public spaces inside the development.
61	No - see 1st page. Archant's car park I thought was built on top of St Michael at Thorn Church ruins resulting from the Baderkar Raids during the 2nd world war. Was there a churchyard? Are the remaining ruins under this car park? Should there be an archaeological dig before work commences?	Archant's car park is in the location of the demolished ruins of St Michael at Thorn Church. There would need to be an archaeological dig before work commences.
62	The height of the proposed development is inappropriate. An unfortunate precedent has been set by the development opposite John Lewis.	See comment 58 and 59.
63	Prospect House itself is a historic building and should be preserved and protected. To remove this landmark takes away from the surrounding buildings rather than enhancing them.	See comment ref 4.
64	Prospect house should be listed then you wouldn't be able to demolish it.	See comment ref 4
65	5-7 storey buildings on corner of Ber Street and Thorn Lane totally	See comment ref 57.

	unacceptable, far too high.	
66	Cast iron guarantee that Paradise Place will not be overlooked, the existing trees will not be removed, and noise reduction measures will be in place.	The windows in the Paradise Place development that face the site are secondary windows with the focus of Paradise Place being within the courtyard. The trees between Paradise Place and the development can remain and if any noise reduction measures are required by environmental health this would be imposed at planning application stage.

### Question 7

A suggested illustration of a development that would meet the principles is set out in section three of the draft brief and shown on exhibition boards six and seven. What are your thoughts on this illustrative development?

Ref	Comment	Officer response
67	The building at the north end is much too tall for its location. I like the concept of the pedestrian routes through the site, but they are too paved to reflect the wooded ridge or castle mall parkland. I feel that the access road cuts the site off from the wooded ridge, rather than the development providing a gateway to it (access from a single direction would be much preferable).	See comment ref 53. The extent of vegetation shown in the illustrative scheme image should not be taken literally. If access can be achieved from Rouen Road that would be preferable but it may not be possible to have only one access point so the possibility of a secondary access on Thorn Lane is retained.
68	I consider the scale - height - of the proposed buildings to lack any consideration of the surrounding area. Perhaps a competition should be held for the top of Rouen Road to ensure we all get a building we can be truly proud of rather than another rabbit hutch development like St Anne's Quarter where financial gain has clearly taken over from anything that might resemble architecture! I question whether the infrastructure can cope with this scale of development. Traffic, GP surgeries, schools etc.	The new built heritage assessment heat map explains why the proposed height thresholds are compatible with the surrounding area. In addition there has been a reduction on height in some areas from the draft brief. The idea of an architectural competition is a good one and this tool is now endorsed (though not required) in the brief. CIL payments would enable new infrastructure to be provided.
69	It can be higher. More flats overlooking the castle would be better. The levels at the low end of the site aren't fully exploited. The trees as shown could	Higher buildings would damage the setting of sensitive heritage assets and residential amenity. The bench and



	<p>accommodate at least three more levels. The bench on Golden Ball Street has been used by drug users and should be built over. This is not an important green space given the rest of the site design.</p> <p>My main concern would be the loss of the present Prospect House as a historic building. The facade with its Bernard Meadows sculpture is a major contribution to Norwich city centre. The front part of the building should be retained and more modern building added to the rear in a sympathetic fashion.</p>	<p>surrounding area would be redesigned to reduce the likelihood of anti-social behaviour resulting from concealed spaces. See comment 4 on Prospect House.</p>
70	<p>I like the idea of a new street being created. It makes sense for it to cross Thorn Lane and be ready to continue through the middle of Rouen Road car park when it is converted to housing. Furthermore the corner of that site could be a turning head for closing off Rouen Road to through traffic.</p>	<p>The new street would assist the pedestrian connection to future buildings on the Rouen Road car park site. There is no plan to close of Rouen Road to through traffic.</p>
71	<p>Please respect residents at Warmingier Court. Our homes in later stages of life!</p>	<p>See comment ref 12.</p>
72	<p>I think this development could be very attractive and an asset to the city. It is important that when it is developed low maintenance is considered as we have enough areas of the city now that are not well maintained.</p>	<p>Noted.</p>
73	<p>Very overcrowded from aerial view.</p>	<p>The aerial view is not one that anyone would experience in reality. It is the ground level experience that matters.</p>
74	<p>Too high for this prominent position.</p>	<p>The topography of the site and its surrounds deserves to be emphasised and celebrated through substantial buildings.</p>
75	<p>Gateway Square should be at the top of Thorn Lane.</p>	<p>It will be within the development to avoid causing nuisance to residents of Warmingier Court.</p>
76	<p>Very concerning INDEED.</p>	<p>The reason for the concern is not explained.</p>
77	<p>The illustrative development shows that there is no architectural merit to this development. To remove a fine</p>	<p>The illustrative images in the draft brief were intended to help visualise the layout and massing of buildings</p>

	example of Brutalist architecture and replace it with this anodyne collection of buildings would be a travesty and a shameful disservice to Norwich.	rather than be interpreted as proposed architectural treatments. They have been removed from the final brief.
78	The design will be dated in 3 years.	See comment ref 77.
79	The frontage facing the castle should be no higher than the existing building. Open areas are good but look small on the illustration and often seem to be sacrificed when final plans are submitted.	See comment ref 53. The policies relating to landscape will ensure that the open areas will not be sacrificed.
80	This very much depends on the actual finished look. These initially look tall and as at the Carrow Rd flats the finish could be disastrous and look cheap or could enhance the area. You are, of course, in the hands of the developers who will cite costs if you try to get a more harmonious finish - looking up Farmers Avenue is a vital view point and the outside finish should reflect the use of flint etc in the historic architecture.	Noted.
81	I agree with redeveloping the area, but I think local residents' opinions should be valued, we bought our retirement property because of the location and lovely views of the city and castle, we do not want 5 or 6 storey building a few feet in front of our windows blocking out light and our views. There is no need for any more retail units in Norwich there are plenty of empty units.	See comment ref 12. Shops will not be provided if there is no market demand.
82	As a considerable development of St Anne's is currently in process, where is the demand for housing coming from. If additional city residents, where is the infrastructure, work, doctors, schooling being provided.	There remains a significant unmet demand for housing as shown by the Strategic Housing Market Assessment and the length of the council's housing waiting list. CIL will provide money to pay for additional infrastructure.
83	Appropriate use of space.	Noted.
84	Ok.	Noted.
85	Yes pleasing to the eye.	Noted.

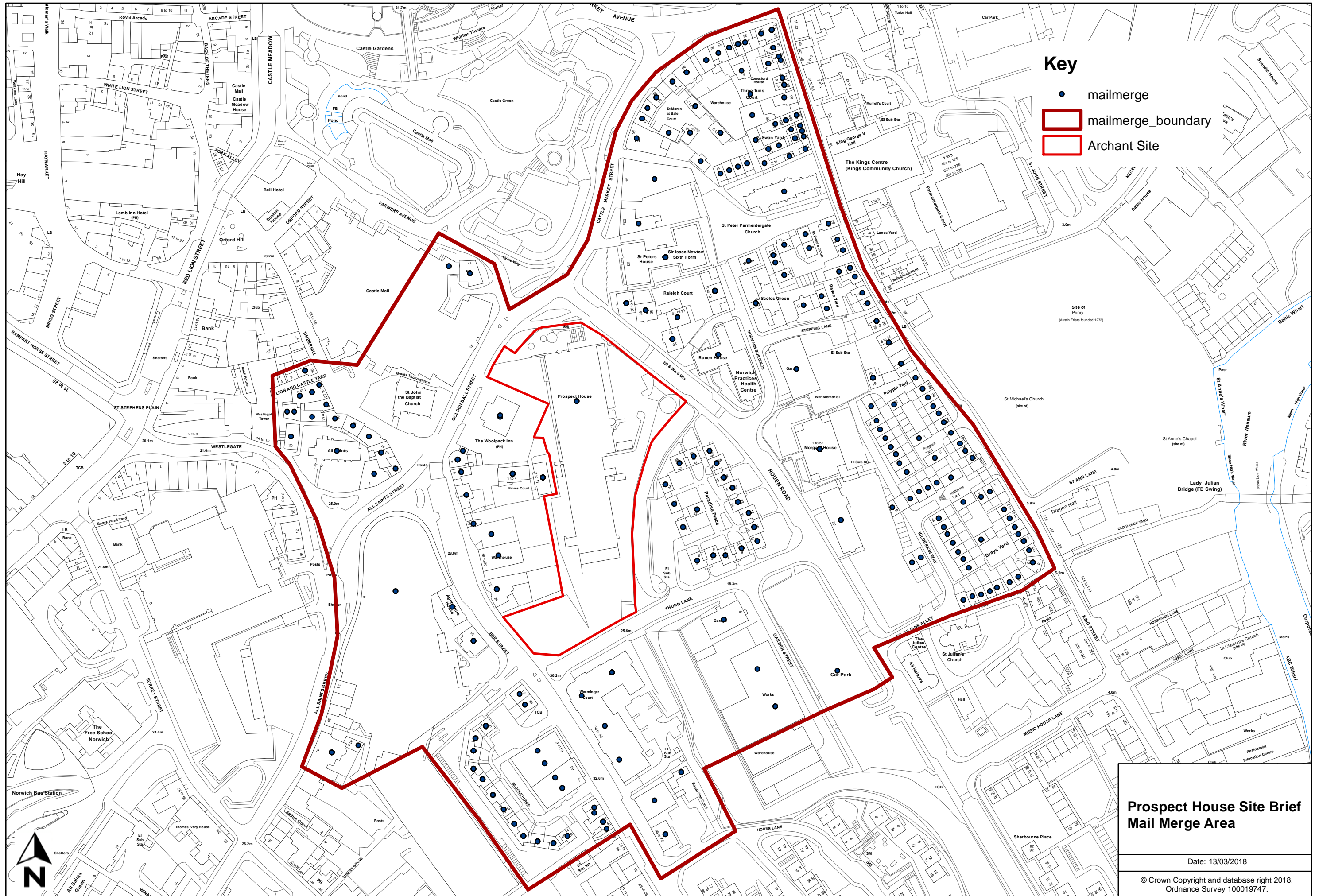
86	It's an impression. Whatever the planners say, it will be amended by the developers to maximise their profits, at the cost of local people. The Councillors will wring their hands and say "Oh we need the housing".	The development brief is being produced to ensure this does not happen. Councillors are concerned about design quality as well as housing.
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**Question 8**  
Do you have any other comments on the draft development brief?

Ref	Comment	Officer response
87	A good start, but missing key points about the absolute height relative to the adjacent historic castle, and about the nature of the green walkways needed to merge with the wooded ridge.	The level of impact of the development on the castle would be a combination of height, distance and bulk. The built heritage heat map has taken this relationship into account. The height thresholds set by the brief are subject to further testing at planning application stage. Similarly a planning application submission would include more detail about the nature of the green walkway within the development. The brief is establishing the basic principles of the development.
88	I do believe the area does need to be tidied up and I accept housing is much needed as are open spaces. The pathways through the site will open up the area too which is a good thing. However I don't think full consideration has been given to residents along King Street who have to exit the city via Rouen Road (and a tortuous route along Ber Street to then go out to the ring road or towards St Stephens) or travelling towards the football ground. Turning right at this last junction is a nightmare and Rouen Road looks as if it might go the same way. Opening the top of Thorn Lane could ease congestion considerably and allow vehicles to exit the city more quickly thus producing less pollution. I question that existing infrastructure will cope with the increase in population in the area. I, and my neighbours, are strongly against a building of 7/8 storeys at the top of Rouen Road. We feel this will be another blot on our	See comment ref 11 and 19 on traffic. See comment ref 53 on building height at the northern end of the site.

	landscape similar to the scale of St Anne's Quarter on the surrounding buildings.	
89	The council has to get this site right. It's important to the city, it's a landmark location. ECN should be encouraged to stay.	Agreed.
90	You have every reason to be proud of this design brief.	Thank you.
91	Maintaining the ridge sounds good in theory but as a resident of Warming Court, I know what a mess the area is to the east of our development. Its future should be considered at the same time including, if necessary, closing it to the public.	See comment ref 43.
92	Need plenty of CCTV cameras. Access needed on Thorn Lane for ambulances, fire engines, taxis and carer's vehicles to park.	Cameras could be provided within the open spaces if this is considered necessary to discourage anti-social activity. However, a better solution would be to design spaces with active surveillance to discourage crime and anti-social behaviour. Essential access would be retained.
93	Access for building contractors and residents both need to be considered. Rouen Road is currently struggling to allow cars to exit the road and if additional traffic is caused or traffic is obstructed from building work, this will not have a good impact on the local area.	See comment ref 11.
94	Have a monument to free speech in the central square.	Noted.
95	No it's very informative.	Noted.
96	I object strongly to the draft development brief.	Noted.
97	The Bernard Meadows sculpture has been a significant feature in this part of the city for many years, please can it be incorporated in at least as prominent a manner in any new development.	Yes, especially because the sculpture is now a listed building.

98	The basic ideas are very sound - unfortunately as I have just mentioned- you are in the hands of developers who will always cite cost as a brake on any really suitable development. Reflecting the flint and stone of the surrounding buildings - in the way that the Castle Mall outside wall does would help. The look of the Riverside / Carrow Rd development is surely to be avoided. However I appreciate that the EDP building is pretty awful - we have just got used to it!	Noted.
99	I agree it is only a draft, and eventually there may be plans drawn up and then would like to be consulted again.	Noted.
100	Yes. I have visited Sentinel House and was appalled that such an awful redevelopment was approved. The internal corridors are narrow and flightless certainly inaccessible for wheelchairs. The apartments have borrowed light in most bedrooms. The air circulation system will have to be on all the time to provide air. The main living rooms are all kitchen/lounge/diners some less than 12 feet square. How can people be expected to live in these little rabbit hutches. PLEASE ENSURE THIS DEVELOPMENT HAS ADEQUATE MINIMUM ROOM SIZES.	Sentinel House was converted under permitted development rules that prevent the local planning authority regulating room sizes or layout.
101	Please factor in people who live outside the city who might want to drive in to visit and see the historic places - think about parking - park and ride does not do the job. Park and ride is too expensive for children of Norwich.	Comment outside the scope of this consultation.
102	It's a wonderful idea, but not fully thought out. What actual control will the Council and the Planners have once the site is cleared and building is promised but "Needs amending in the light of current financial and market constraints"?	The local planning authority will have sufficient control through any subsequent planning application to ensure that the development is of a good quality.



**Key**

- mailmerge
- mailmerge\_boundary
- Archant Site

**Prospect House Site Brief  
Mail Merge Area**

Date: 13/03/2018

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Mr Ben Webster  
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Norwich  
NR2 1WP

Direct Dial: 01223 582721

Our ref: PL00470882

13 August 2018

Dear Mr Webster

**Prospect House site, Rouen Road/Thorn Lane/Cattle Market Street,  
Norwich, Norfolk  
Draft development brief for redevelopment of site**

Thank you for consulting Historic England on the development brief for the Prospect House site off Rouen Road, Norwich. We appreciate the opportunity to comment on the development proposals and the impact they might have on the historic significance of the conservation area and nearby listed buildings at an early stage in the project.

The site stands on rising ground within the walled medieval city of Norwich in the area between King Street and Ber Street, two important streets which formerly lead to gates in the city walls. Until the later 18th and early 19th centuries this area was characterised by scattered low-density development with several sizeable open spaces. In the later 19th century this area was developed with terraces of houses in-filling much of the open space and some more substantial industrial premises.

During the later 20th century the area was dramatically transformed with wholesale clearance of Victorian and earlier building and changes to the historic street pattern. Scoles' Green, Rising Sun Lane and Globe Lane were all removed and Cattle Market Street widened, all with the loss of historic buildings around them. Rouen Road was also created and modern office buildings were constructed around its northern end which are entirely out of scale with historic development, particularly in height where they often exceed the height and bulk of even the Victorian factories. Prospect House is one of these buildings. Further south along Rouen Road the new building is less dense and smaller in scale, more in keeping with the general character of the historic area. The Paradise Place development is an example of this.

On Ber Street itself historic development was more dense, reflecting the value of property fronting this major route. There has also been a significant amount of demolition and replacement building on Ber Street where it joins the western side of the Prospect House site but the pattern of property boundaries can still be seen. There are a number of historic buildings on Ber Street and Golden Ball Street where they follow the northern and western sides of the site along with modern building of a similar scale, if not form. At the junction of Ber Street and Thorn Lane, an historic



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street which marks the southern edge of the site, is a car part on the site of St Michael at Thorn church.

Prospect House itself is a large modern office building, a single block of building larger than even most of the modern office buildings at the northern end of Rouen Road and far exceeding any historic building surviving or removed in this part of the conservation area. For this reason it is identified as a negative building in the conservation area character appraisal, as is the smaller Rouen House on the other side of Rouen Road. However, it is not without architectural interest in its own right and so has been recently considered for statutory designation by Historic England's listing team.

During this process the sculpture by Bernard Meadows which stands at the Cattle Market Street entrance to Prospect House has been considered as part of the building. Section 2.6.10 of the Development Brief proposes the retention of this sculpture. Not only is Meadows' sculpture an important work of art but it appears to have been considered with reference to its location, which contributes to its interest. Furthermore, the entrance steps to Prospect House act as a large 'plinth' upon which the sculpture is raised. These have a curved, angled form and are faced in flint. The use of the local vernacular building material for this plinth (unlike the concrete of the building) and the curved form appear to be direct references to the sculpture's setting in the historic city and even to military architecture, perhaps suggesting a bastion, ravelin or similar outwork and thus referring to Norwich Castle. This design should be given careful consideration and the sculpture not only retained but the entrance 'plinth' on which it sits brought into designs for new development.

Turning to the setting of the Prospect House site and the impact upon it of the proposed building the Development Brief (2.11.1) refers to a built heritage assessment having been produced and used to inform the brief. We have not seen this assessment. Also there does not appear to have been any visual impact assessment and the images of proposed of the new building in the brief are not scale elevations or sections through the site showing neighbouring buildings. Although storey heights are mentioned in the design principles and multi storey buildings are shown in the sketch views there is no storey height plan included. It is therefore unclear what level of understanding of the historic environment has informed drafting of the Brief and on what basis the impact of buildings of the heights proposed has been assessed and considered appropriate.

It is therefore difficult for us to fully assess the impact of the proposed development on the conservation area and nearby listed buildings or understand the basis on which the Development Brief has been produced in terms of the historic environment. We would very much like to see this documentation before giving a definitive view of the impact of the proposed development.



However, on the basis of the information available we would accept the principle of a mixed use development for the site with general market housing and possibly commercial and retail space. Given the context of the site on the south and eastern sides new building designed in a contemporary style would also seem appropriate and there is potential for structures of some size and height. New building at the northern end of the site has the potential to be viable in context of a number of individual heritage assets as well as sensitive parts of the conservation area. The new building on Ber Street also raises issues for the conservation area as well as buried archaeology.

Before considering the design of any new building on the Ber Street car park part of the site it should be stressed that this is the site of the medieval parish church of St Michael at Thorn. There does not appear to be any reference to the archaeological potential of this site in the Development Principles and the need for the capacity of the site for any new building to be informed by accurate assessment of this at an early stage.

If this issue is satisfactorily addressed Development Principle F4 refers to the Ber Street site as a corner plot on Thorn Lane which could be emphasised architecturally. This may be the case, but we consider that a seven storey building could be excessive in this location. The building shown on the proposed aerial view sketch is also a deep, bulky, single mass of building out of scale with any building on this side of Ber Street. This block might 'reinstate a strong building line on Ber Street' (Development Principle F2) but does not seem to 'respond to the sensitivity of smaller scale historic buildings' (Development Principle F4). At five stories maximum, with a fine grain of building and elements descending the hillside Warminger Court on the opposite corner of Thorn Lane seems a more appropriate response to the setting in scale and massing, if not necessarily in design detail. Following archaeological assessment we would suggest the form and scale of new building on the car park site should be thoroughly reconsidered with reference to the historic environment as required by the Development Brief's Principle F4.

Turning to the larger part of the development site the Development Brief (2.11.5) notes that the conservation area character appraisal considers Prospect House a negative feature in the area because it is 'out of scale with the remaining historic development in the area.' The illustrations in the Brief suggest that new building would comprise blocks of smaller footprint than Prospect House. This could avoid the single bulk of that building, although the blocks along Rouen Road and beside a Paradise Place appear very close together. The street level sketch of Rouen Road/Paradise Place shows very little of the new buildings but the aerial view does suggest they might appear more as a single line of building. Without elevations it is difficult to assess this effect, but there is certainly potential for new build to address Rouen Road and perhaps to be built to the height of the modern buildings before stepping down to better respond to the scale of Paradise Place.

Development Principle F4 suggests that eight storey buildings might best be situated at the northern end of the site because of their 'greater distance from heritage assets'. These are presumably the blocks facing Rouen Road and Golden Ball Street. It is not clear which heritage assets have been considered to be at sufficient distance to not be affected by buildings of this height, but several individual buildings are close enough to be visually affected and the site itself is inside a designated heritage asset, the conservation area.

It should be considered how such tall buildings would appear in views from Golden Ball Street alongside and potentially above existing buildings which make a positive contribution to the conservation area including the Woolpack public house and number 4 Ber Street. The top of the four storey Prospect House can be seen almost at the roof top level of the Woolpack so it is very likely an eight storey structure will be far more prominent. The churchyard of St George Timberhill, a grade II\* listed medieval building, is elevated above the level of Golden Ball Street making it likely that a new tall building would be even more prominent in views from it. Responding to the sensitivity of smaller scale historic buildings is Development Principle F4. This should be a key objective on Golden Ball Street, All Saints Street and Timberhill just as on Ber Street but we are uncertain if this will be achieved with new buildings of the height proposed in the northern end of the development site.

Another heritage asset potentially affected by buildings of seven or eight storeys at the northern end of the development site is Norwich Castle. This is referred to in the Development Brief, but chiefly in terms of long distance views of it in which the proposed new buildings might feature. However, Cattle Market Street and Golden Ball Street mark the extent of the castle bailey and views from the southern side of castle gardens are significant, as are those from the castle mound and keep. The impact of significantly taller buildings in views from these parts of the castle and the wider castle complex should therefore be carefully considered. The sketch view from Farmers' Avenue does not help in assessing this impact and in fact suggests the new buildings would be little higher than the existing trees even though Prospect House is of a similar height when seen from a similar viewpoint. We would therefore suggest that buildings of eight stories in height would actually be larger than the sketch suggests and recommend more accurate assessment is carried out before the principle of buildings of this height is taken forward in the Brief.

In summary, while the Prospect House site has considerable potential for development, especially on the eastern and southern sides towards Rouen Road and Paradise Place, the conservation area and setting of listed buildings on the western and northern sides could place considerable constraints on the form and scale of new building.

We are concerned that new building on the site of St Michael at Thorn church may have been proposed not only without consideration of its archaeological sensitivity but

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that the height and bulk of the proposed building illustrated in sketches would not achieve the aims of the Development Brief's own Design Principle F4 of responding to the sensitivity of smaller scale historic buildings and the character of this part of the conservation area. It should therefore be reconsidered before the Brief is taken forward.

It is more difficult to accurately assess the impact on the historic environment of other parts of the proposed development. At the northern end of the site, where the Bernard Meadows sculpture and its flint 'plinth' could be retained as part of the new development new buildings up to eight stories in height have the potential for negative impact on Golden Ball Street and Timberhill as well as Ber Street and potentially the setting of Norwich Castle. Further assessment of this should be carried out, but we are concerned that building of this height might not be suitable in this location and feel the maximum height of these buildings should be reduced before the Brief is taken forward.

As noted above we would welcome the chance to see the built heritage assessment which was produced to inform the Development Brief and recommend that visual impact assessment of buildings of the proposed heights should be carried out at an early stage. Development Principle F4 states that when a planning application is prepared 'thresholds' (presumably including massing and height) could be adjusted in response to information on the visual impact on heritage assets. We are concerned that this should be done well before that stage and that there is at present insufficient information on which to accept principles of height and massing of new building across much of the site.

We hope this advice is helpful. We would very much welcome receiving a copy of the built heritage assessment and any other visual or design assessment which has been carried out following which we would like to advise the Council further but please do not hesitate to get in touch should you wish to discuss the matter at this stage.

Yours sincerely,



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- Edinburgh
- Glasgow
- Manchester

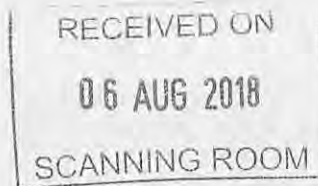


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02 August 2018

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Dear Sir/Madam,

**PROSPECT HOUSE SITE DEVELOPMENT BRIEF  
REPRESENTATIONS ON BEHALF OF JOHN LEWIS PARTNERSHIP**

On behalf of John Lewis Partnership (JLP), we submit representations to the public consultation draft version of the Prospect House Site (the "Site") Development Brief, and wish to take this opportunity to register our client's interest in the on-going preparation of the Development Brief.

The John Lewis Department Store is located within the Town Centre on All Saints Green. The Store is a key anchor in the Town Centre and a significant contributor to its retailing offer and overall vitality and viability. Part of the shop's frontage, as well as the customer car park entrance and the entrance to the "Click and Collect" facility front on to Ber Street, which forms part of the western boundary of the Development Brief area. The entrance to the Store customer car park is located immediately opposite the existing Prospect House car park.

In terms of proposed uses, the draft development principles for the Site include retail, providing it is well located to the existing primary retail area, such as at ground floor level along Ber Street. The draft development principles also include provision for replacement, high-grade office space, ideally in a prominent location such as the Golden Ball Street or the junction of Ber Street and Thorn Lane. This latter option would sit directly opposite the entrance to the John Lewis customer car park and close to the customer collection area.

As well as providing improved connectivity though the Site, the Development Brief also seeks to reinstate a strong building line along Ber Street. In terms of building height, it is anticipated that the lower building heights will be on the western Ber Street frontage, with a height of 4-5 stories. It is noted that the existing buildings along this frontage currently range between 1-3 stories.

Overall JLP is supportive of the draft Development Plan for the Site. The proposals will help to rejuvenate this part of the City and make it more attractive for shoppers and visitors to the Town Centre generally. In particular, the plans to open up the Site to improve connectivity to Ber Street are welcomed. However, there are concerns about the building height, and going forward, JLP would like to understand the height implications of the proposed buildings on Ber Street, such as the effect on sunlight to the department store.

Additional retail is also welcomed, although the scale, exact location and the type of retail proposed should be complementary to the existing retail. The provision of A3 and A5 uses should be considered carefully to ensure that these do not have an adverse effect on the area. JLP would also like to understand the potential impact on vehicle movements and pedestrian access on Ber Street, both as a result of the development, and during the construction phase.

Therefore, whilst John Lewis is supportive of the principle of the emerging Development Brief, they would like to be kept informed of its progress, along with any planning applications coming forward at the Site. We also ask that particular attention is paid to the following:

- The effect of the building height along Ber Street on the existing properties;
- The scale and type of retail uses to be provided on the site;
- The effect of on vehicle and pedestrian flows along Ber Street; and
- The effect of the constriction phase on the wider area, with particular regard to John Lewis's operations.

I trust that you are able to consider these representations in respect of the further development of the Prospect House Site Development Brief. If you do have any queries or require any further information please contact Craig Blatchford (0207 866 8607) or Harriet Humphrey (020 7312 7541).

Yours faithfully



**Montagu Evans LLP**

