

## Planning Applications Committee: 10 January 2019

### Updates to reports

**Application:** 18/01524/F  
**Address:** Mary Chapman Court, Duke Street  
**Item no:** 4(b)  
**Pages:** 49-88

#### Relevant appeal decision on nearby site

An appeal against the refusal to grant planning permission for a student accommodation block at the site known as 'Car Park rear of Premier Travel Inn, Duke Street' has been dismissed. See appeal decision reference APP/G2625/W/18/3204095 attached. The council's application reference number is 17/01078/F.

#### Officer response

Given the proximity of the appeal site to the application site, and the similarities between the two schemes, it has been considered necessary to supplement the officer's committee report with regard to the particular issues raised by the inspector.

#### Height & impact on heritage assets

- The inspector notes that the appeal scheme "would, in all respects, be too tall relative to the localised townscape and therefore appear harmfully dominant" (paragraph 9). First of all, it is worth pointing out that the appeal scheme is taller than the application scheme by approximately 3m. The inspector goes on to note that the scale of the appeal scheme is inappropriate in relation to neighbouring buildings. Specifically "it would not reduce in scale to a sufficient extent as it would still tower over this locally listed building and its setting [Jane Austen College]" (paragraph 7) and the "proposed building would also be notably taller than the adjacent hotel and would entirely dwarf the Millhouse, which is a heritage asset" (paragraph 6). In this regard, the application scheme has been designed to have a tall element which steps down to two storeys adjacent to the adjacent NUA Duke Street Building, but nevertheless could be considered to dwarf this locally listed building.
- The application scheme has a building line which steps forward of the existing blocks on Duke Street, so views of the adjacent locally listed building will be restricted. Given the other constraints on the site (need to limit height overall and particularly close to the 3 storey residential development at Barnards Yard, desire to keep development away from the river to avoid canyoning) it would be difficult to develop the application site without blocking views of the NUA Duke Street Building. The inspector makes a similar comment with regard the appeal site: "The proposal would also largely block views of the Jane Austen College from Duke Street, but it would be difficult to develop the appeal site without this negative impact occurring" (paragraph 8).
- The inspector goes on to point out particular aspects of the appeal scheme which make it inappropriate and harmful to the character of the conservation area. Specifically, he notes that the appeal scheme "would have a vertical

emphasis that would have the appearance of a tower block in views along Duke Street” and that this “would be out of character with the horizontal emphasis of buildings elsewhere along the river” (paragraph 6). The application scheme avoids this issue since it has been designed with a horizontal emphasis more akin to the positive and characterful elements of the conservation area such as the NUA Duke Street Building and the Former Eastern Electricity Board Building.

- The inspector points out that the appeal site is identified as a ‘neutral area’ in the conservation area appraisal and that it “neither enhances nor detracts from the significance and special interest of the CA” (paragraph 5). Indeed the open nature of the appeal site “permits views across it to the Jane Austin College, which is a well detailed and characterful period building” (paragraph 5). In contrast, the application site contains two building blocks which are identified as ‘negative buildings’ in the conservation area and therefore the demolition of these blocks and the regeneration of this site brings about benefits to the conservation area which are not apparent in the appeal scheme.
- In paragraph 7, the inspector notes that “the building’s height, in combination with its width, would create a dominant and discordant ‘canyoning’ effect along the river”. The application scheme has been set some 20m back from the river so this same impact cannot be argued to have been replicated.

Great weight has been given to the preservation of heritage assets. While the application scheme is considered to cause less than substantial harm to the conservation area and surrounding heritage assets in some respects, the scheme also serves to enhance the conservation area in other respects, in contrast to the appeal scheme. The less than substantial harm caused by the application scheme can be weighed against the public benefits of the scheme. The application scheme is accompanied by different public benefits to the appeal scheme. Since there is a net loss in number of student bedrooms, the application scheme does not contribute to the council’s housing supply. However, the application scheme distinguishes itself from the appeal scheme since it includes the provision of a well-designed riverside walk, public open space and educational facilities. In this case it is considered that the less than substantial harm caused to heritage assets is outweighed by the public benefits of the scheme.

#### Impact on amenity

The inspector concludes that “the appeal scheme would harm the living conditions of some of the occupants of the north facing flats in Dukes Palace Wharf” (paragraph 22). In the case of the appeal scheme, 16 windows would experience a notable further reduction in daylight. In the case of the application scheme, 2 windows within Dukes Palace Wharf would experience the same impact. This negative impact on amenity is not considered reason enough for refusal of the application, given the overall level of compliance and the overall public benefits of the scheme.

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**Application:** 18/01402/VC  
**Address:** 286 Dereham Road  
**Item no:** 4(d)  
**Pages:** 99-112

**Additional representation:**

Full endorse. There deserves to be a local mosque in a historic building and within the community.

**Additional submission on behalf of applicant:**

A copy of a document with 26 signatures in support of the proposal.