

Report to Planning applications committee
Date 18 April 2013
Report of Head of planning services
Subject 12/01991/O Land At Junction With Aylsham Road
 Copenhagen Way Norwich

Item
5(2)

SUMMARY

| | | |
|---|--|----------------------|
| Description: | Outline planning application for the erection of 2 No. two bed flats and 2 No. three bed duplex apartments (revised proposal). | |
| Reason for consideration at Committee: | Objection | |
| Recommendation: | Approve | |
| Ward: | Catton Grove | |
| Contact Officer: | Jo Hobbs | Planner 01603 212526 |
| Valid Date: | 20th October 2012 | |
| Applicant: | Mr Robert Snowling | |
| Agent: | Mr Robert Snowling | |

INTRODUCTION

The Site

Location and Context

1. The site is located on the junction of Copenhagen Way and Aylsham Road in the ward of Catton Grove. The site forms a triangular plot of land that is currently a grassed area with a low wooden rail around the site.
2. To the north east of the site are three storey townhouses forming 1-7 Copenhagen Way. To the west of the site are industrial units in B-class employment uses. To the south of the site are residential units facing onto Aylsham Road and a car parking area for flats further along Copenhagen Way.
3. The wider site was formerly Pointer's Abattoir, which has subsequently been redeveloped for housing and a retail food store. These uses both use the access onto Aylsham Road adjacent to the current application site.
4. The land forms a small part of the wider emerging allocation R13 under the Site Allocations Plan Development Plan Document. The document is at the stage of submission and has gone through several rounds of consultation to date. The proposed allocation is housing with some starter employment units. The site covers 233 to 277 Aylsham Road over 1.49 hectares.

Planning History

5. Outline planning permission (4/94/0924/O) was granted in September 1996 for the overall development of the abattoir site, comprising residential, a retail food store, associated car parking and off site highway works. Details of this outline application

were subsequently agreed under the following applications:

- 4/1999/0365/D: retail food store, including access, parking (on site now developed for flats by Broadland Housing Association), servicing and landscaping approved in October 1999
 - 4/2001/0061/D: 78 dwellings approved in November 2001
 - 4/2001/0867/D: construction of 12 parking spaces (on current application site)
6. A site near the current application site also has planning history relevant to this application. A development of 6 flats by Broadland Housing Association initially secured a parking area on the current application site to off-set the impact on parking pressures of the new residential and retail developments. This was secured through a Section 106 agreement under application 04/01305/F. However when the application was renegotiated under application 06/01243/F an agreement could not be reached with the land owners to use this plot of land as car parking.
7. To cover the issue of parking the applicants instead were reminded of the parking details that had been agreed under condition application 4/2001/0867/D.
8. The only other relevant planning applications to the site are:
- 04/01314/F- residential development consisting of two bungalows. This application was withdrawn in March 2005 due to the legal agreement for the use of the land for car parking as referred to above.
 - 4/00/0746/F – external alterations and formation of new car parking area (use in association with adjacent light industrial unit). Refused 19 October 2000 on the grounds of piecemeal development of land identified for housing within the local plan and for the intended use of the land as replacement parking for occupiers on Aylsham Road affected by the new road junction and related works, and on grounds of loss of visual amenity of the site.

Equality and Diversity Issues

9. There are no significant equality or diversity issues. The proposed dwellings would be subject to building regulations, therefore level access for those with reduced mobility or disabilities would be considered.

The Proposal

10. The application is for outline consent for the residential use of the land to provide 4 dwellings. All matters have been reserved to be agreed at a later date. The proposal therefore seeks approval for the principle of the development only and that such a development is feasible having regard to indicative information submitted.

Representations Received

11. 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.

| Issues Raised | Response |
|--|------------------|
| Impact on traffic, parking, road safety and transport network | Paragraph 33 |
| Suggested alternative use as community allotment or open space | Paragraph 44 |
| Over-development of plot of land | Paragraphs 20-21 |
| Detrimental to residents' amenity | Paragraphs 22-30 |
| | |

Consultation Responses

12. Environmental Health - No objections, conditions required relating to contamination, noise to future occupants of flats, lighting and disturbance during construction phase.
13. Local Highways Authority - No objections. Vehicle crossover will need to be built to local highway's authority specification.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 4 – Promoting sustainable transport

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

Statement 10 – Meeting the challenge of climate change, flooding and coastal change

Statement 11 – Conserving and enhancing the natural environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 4 – Housing delivery

Policy 6 – Access and transportation

Policy 9 – Strategy for growth in the Norwich Policy Area

Policy 12 – Remainder of Norwich area

Policy 20 - Implementation

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE9 – Comprehensive landscaping scheme and tree planting

HBE12 – High quality of design

EP16 – Water conservation

EP17 – Water quality re. treatment of runoff from car parks

EP22 – Protection of residential amenity

HOU13 – Criteria for other housing site proposals

HOU18 – Criteria for conversion or construction of multi-occupied dwellings

TRA5 – Sustainable design to reduce car use to minimum

TRA6 – Parking standards
TRA7 - Cycle parking standards
TRA8 – Servicing provision

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011
The Localism Act 2011 – s143 Local Finance Considerations
Emerging policies of the forthcoming new Local Plan (submission document for examination, April 2013):

Site Allocations Development Plan Document – Pre-submission policies (April 2013).

R13: 233 to 277 Aylsham Road

Development Management Policies Development Plan Document – Pre-submission policies (April 2013).

DM1 Achieving and delivering sustainable development
DM2 Ensuring satisfactory living and working conditions
DM6 Protecting and enhancing the natural environment
DM11 Protecting against environmental hazards
DM12 Ensuring well-planned housing development
DM28 Encouraging sustainable travel
DM31 Car parking and servicing

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. The 2011 JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

Principle of Development

Policy Considerations

14. The site is located within an existing residential and commercial area, with public transport links and district and local centres within easy walking distance. The site is currently undeveloped land but has previously formed part of the wider industrial use of the former Pointer Abattoir site. Therefore it is considered to be previously developed land.
15. The site is in a fairly accessible location and would make use of previously developed land. The principle of residential development on this site is therefore considered to be acceptable.
16. The key issues to consider the proposed outline application for 4 residential flats are principle of development on this site, land contamination, scale and form, amenity for neighbouring dwellings, amenity for future residents of the dwellings,

car parking in the context of the surrounding redevelopment site and local finance considerations. There are also issues relating to provision of adequate parking, cycle storage and refuse storage for future residents, appropriate landscaping including the use of permeable paving and water efficiency.

17. The proposals have been revised through the course of the application. The number of flats has reduced from 6 to 4 and the layout has changed to respond more positively to its context and relationship to surrounding development.

Land contamination

18. The site is known to have a former industrial use, and the desk top report submitted with the application recommends further intrusive work to be done to establish the likely contaminants to be present. This could then lead to appropriate mitigation strategies to be identified.
19. Any soil being imported into landscaped areas should also be certified or tested for suitability to ensure no contaminants are imported into the site. Conditions are recommended as such to cover these two issues.

Design

20. Whilst the proposed development would still be quite a significant amount of built form within the site, it would be in line with the density of the surrounding development in Copenhagen Way. The height of the buildings are stepped down from the height of the townhouses to relate to the lower lying, two storey development along Aylsham Road. The layout of the site is now parallel to the existing townhouses which respects the setting of these existing buildings to a much better degree. The development now also has better regard for the site to the west, should this land be redeveloped in the future as intended under the emerging site allocation.
21. The final appearance, materials and design details have been reserved to be agreed. The overall height, width and depth parameters within the site are considered to lead to an acceptable scale and form of development.

Residential amenity

Outlook, privacy, daylight and direct sunlight

22. The impact of the proposed development needs to be considered in relation to residential amenity. The precise appearance and form of the development would be agreed through reserved matters. The plans submitted with the application indicated the maximum height of development and the minimum distances of the building from the boundaries of the site. This indicates the largest possible building that would be permitted at the reserved matters stage. The likely impact of the development can be determined from these plans.
23. The orientation of the development leads to the dwellings predominantly having an effect on the residential dwellings at 1-7 Copenhagen Way to the north of the site. The proposed dwellings would lead to some loss of outlook, direct sunlight and daylight, in particular to the ground floor of the three storey townhouses. The development has been laid out to leave a courtyard area in between the proposed development and these existing dwellings.
24. Whilst the proposed development would be close to the existing townhouses, the

surrounding area is quite densely developed. The design and scale of the development has been significantly reduced from the original proposals in response to suggestions to relate the development better to the context of the site. Whilst the proposed development would still be quite a significant amount of built form within the site, it would be in line with the density of the surrounding development in Copenhagen Way. Given the urban context of the site it is not considered reasonable to refuse development on the basis of some loss of outlook, daylight and direct sunlight. The extent of the loss of outlook in an urban context is higher than what would be acceptable in a less urbanised area.

25. The extent of loss of daylight would be minimal. There would be more of a presence of built form adjacent to 1-7 Copenhagen Way, but this would not be to a level that would lead to significantly lower light levels into the dwellings. The height of the proposed development in relation to the surrounding existing development would lead to some loss of direct sunlight more so in winter months and some loss of daylight to the lower floors, but this is not considered to be to an extent that would justify refusal considering the urban context of the site.
26. Other surrounding development at 113 to 123 Copenhagen Way would be to the north east leading potentially to some loss of direct sunlight. However due to the distance between the proposed development and these dwellings, and the presence of existing one and a half storey industrial buildings to the west of the site the additional built form would not have a significant impact on these dwellings.
27. In relation to overlooking it has been demonstrated that bedroom windows could be provided on the north east facing windows which would lead to less overlooking in comparison to living rooms or kitchens. The distance between these and neighbouring windows at 1-7 Copenhagen Way would be at least 15m within the indicative details submitted. Whilst this is quite close it is considered to be unreasonable to refuse the application on the grounds of overlooking due to the density of the surrounding development and urban context of the site.

Noise

28. The site is adjacent to both light industrial units and also Aylsham Road. Both would lead to noise to future residents of the proposed dwellings. A condition is recommended for noise insulation to be provided to meet acceptable noise levels, with the use of suitable windows and acoustic ventilation as required.
29. An informative note is also recommended to remind developers of appropriate hours of construction work to protect the amenity of surrounding residents.

Lighting

30. As part of the reserved matter for landscaping, details of the location and specifications of lighting around the site are recommended to be submitted and approved to prevent any loss of amenity to surrounding neighbouring residents.

Amenity space

31. The site has some amenity space around built form. The space in front of the built form is not that private and would be overlooked by pedestrians and motorists along Aylsham Road and Copenhagen Way. There is however some amenity space to the rear of the site that could be used for clothes drying and general outdoor amenity space.
32. It has been demonstrated that space could be provided for refuse and cycle storage

on the site. The proposed development is therefore considered to be able to provide an acceptable level of outdoor amenity space for the future residents of the site based on the indicative plans submitted.

Transport

Highway network

33. The impact of the development on the existing highway network has been raised in a letter of representation. The addition of four residential units is not considered to lead to a significantly increased level of pressure on the transport network from additional cars and vehicles using the surrounding roads.

Parking for existing development on Copenhagen Way

34. The planning history of the site shows that the application site was previously identified for extra parking for the housing development on Copenhagen Way. However, under application 06/01243/F (residential development of 9 affordable flats to south of site) the additional car parking in the area was identified to not be justified. Whilst the initial plans proposed to provide replacement parking to compensate for the loss of parking with the development of Copenhagen Way, eventually the replacement car parking proposed was not highly used.

35. Local plan policy also seeks to reduce car parking where possible to try and promote the use of sustainable transport such as the bus network or cycling. Given the location of this site on a main bus route into the city and adjacent to local and district services the loss of car parking would be acceptable in this instance.

36. The benefits of the proposed development should also be considered against the costs of losing car parking spaces. In this instance the provision of 4 dwellings is considered to promote housing development in a sustainable location and provide much needed homes in Norwich.

Car parking, cycle storage and refuse storage for proposed development

37. Car parking has been provided on the site on a basis of one parking space per dwelling in line with the maximum parking standards.

38. Cycle storage and refuse storage have not been indicated but the site is more than capable of accommodating these. These details can be agreed at the reserved matters stage of the application.

Landscaping

39. The matter of landscaping has been reserved. A successful landscaping scheme would enable the development to be softened and help the overall appearance blend into the surrounding streetscape.

40. The landscaping along the east boundary with 1-7 Copenhagen Way would also be important to ensure the ground floors of the adjacent townhouses had some form of planting for screening to the car park area without a solid fence that would block light and outlook.

41. The matter of landscaping is reserved and so final details of this and maintenance of the communal areas will be agreed through reserved matters.

Water efficiency

42. Under local policy the only requirement would be for the new dwellings to meet Code for Sustainable Homes Level 4 for water, which is water usage of only 105 litres per person per day. A condition is recommended to ensure this is achieved.

Local Finance considerations

43. Under Section 143 of the Localism Act the council is required to consider the impact on local finances, through the potential generation of grant money from the New Homes Bonus system from central government. The completion of new dwellings would lead to grant income for the council. This is a material consideration but in the instance of this application the other material planning considerations detailed above must be fully considered.

Other matters raised in letters of representation

44. The use of the land as a community allotment has been raised in a letter of representation. This application and report can only consider the proposed development put forward. In the absence of policies or allocations to use the land as an allotment this cannot be a reason to refuse this application.

Conclusions

45. The site is in an accessible location to public transport and local services and forms previously developed land. The former use of the land for car parking as overspill for the development on Copenhagen Way was not greatly used when in place and in line with local policy to reduce car parking where possible in accessible locations, the loss of this land for parking is considered to be acceptable.
46. Whilst the development would represent a significant amount of built form within the plot of land, the proposed development is considered to be in keeping with the density and overall built form of the surrounding area, in particular along Copenhagen Way. The development has been stepped down to recognise the fact development is to a lower scale along Aylsham Road.
47. Based on the indicative information submitted it is considered that a scheme can come forward at the reserved matters stage which satisfactorily preserves the residential amenity of neighbouring residents.
48. Subject to agreement of reserved matters relating to appearance, layout, access and landscaping, and conditions relating to ground contamination, noise and water conservation it is considered the development is in accordance with saved policies NE9, HBE12, EP16, EP17, EP22, HOU13, HOU18, TRA, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan (2004), policies 1, 2, 3, 4, 6, 9, 12 and 20 of the adopted Joint Core Strategy (2011), paragraphs 9 and 14 and statements 4, 6, 7, 10 and 11 of the National Planning Policy Framework (2012), and all material considerations.

RECOMMENDATIONS

To approve Application No 12/01991/O at land at junction of Aylsham Road and Copenhagen Way and grant planning permission, subject to the following conditions:-

Standard time limit for outline application

Prior approval of reserved matters of layout, scale, external appearance and landscaping including lighting, permeable paving and longer term management of landscaping

Water conservation

Ground contamination – intrusive study

Imported material

Identification of further ground contamination

In accordance with plans in respect of parameters for height and distances of built form to plot boundaries as shown on plan 2054/005 received on 08 March 2013.

Protection of individual proposed dwellings from noise – daytime and night time

Informative:

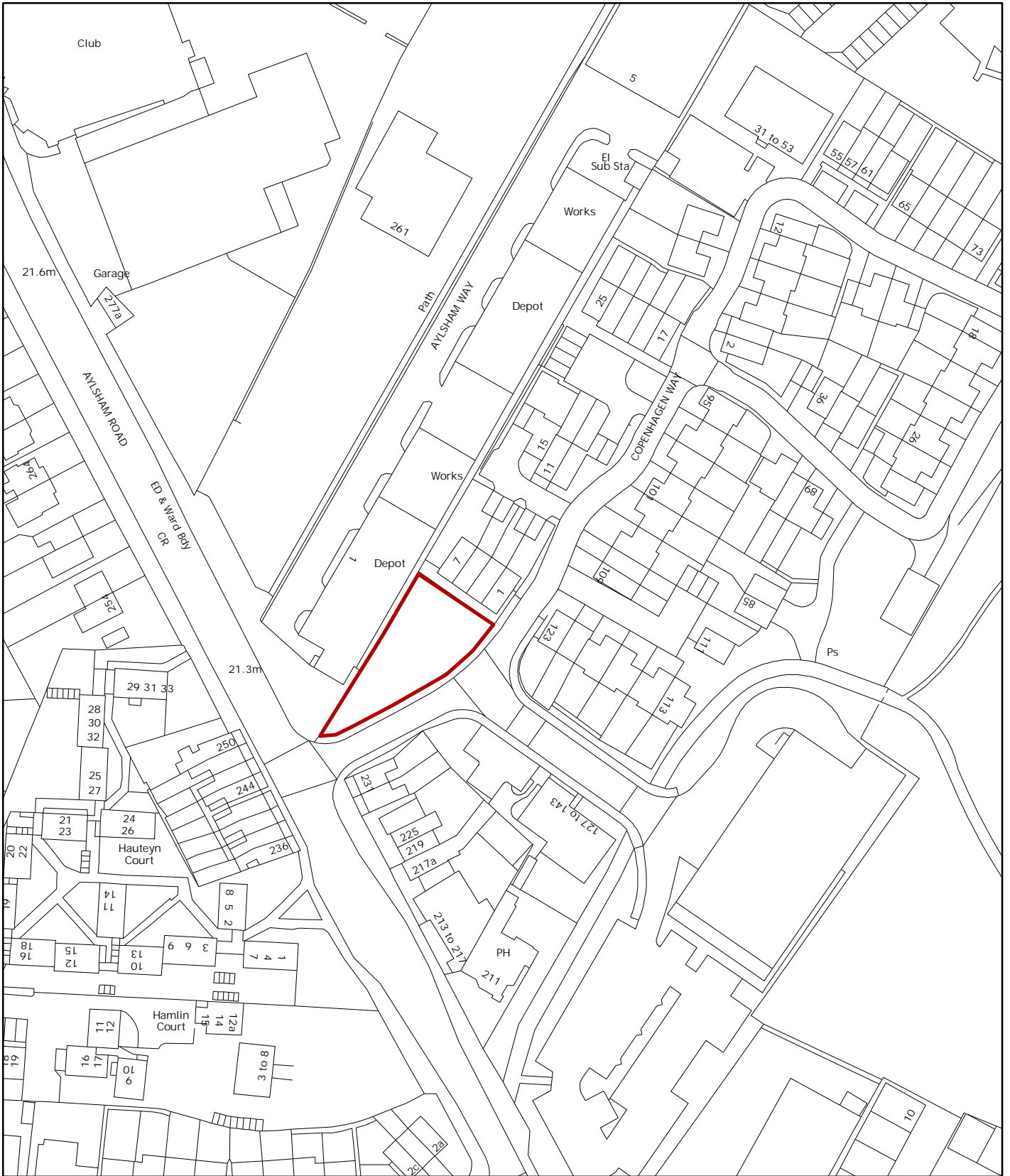
1. Outline permission only, no permission granted for specific layout or design of development. Further submission of reserved matters required.
2. Vehicle crossover to council specification
3. Construction working hours

(Reasons for approval: The site is in an accessible location to public transport and local services and forms previously developed land. The former use of the land for car parking as overspill for the development on Copenhagen Way was not greatly used when in place and in line with local policy to reduce car parking where possible in accessible locations, the loss of this land for parking is considered to be acceptable. Based on the indicative information submitted the proposed development, subject to submission of reserved matters and conditions, would be in keeping with the scale and form of surrounding development, would make good use of this urban site and would not lead to a significant loss of outlook, privacy, daylight and direct sunlight to neighbouring dwellings at 1-7 Copenhagen Way, by virtue of the overall scale and form of existing surrounding development and by virtue of the minimum distances from the boundaries indicated on submitted plans.

It is therefore considered the development is in accordance with saved policies NE9, HBE12, EP16, EP17, EP22, HOU13, HOU18, TRA, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan (2004), policies 1, 2, 3, 4, 6, 9, 12 and 20 of the adopted Joint Core Strategy (2011), paragraphs 9 and 14 and statements 4, 6, 7, 10 and 11 of the National Planning Policy Framework (2012), and all material considerations.

Article 31(1)(cc) Statement

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



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Planning Application No 12/01991/O

Site Address Land adjacent to junction of Aylsham Road with Copenhagen Way

Scale 1:1,250



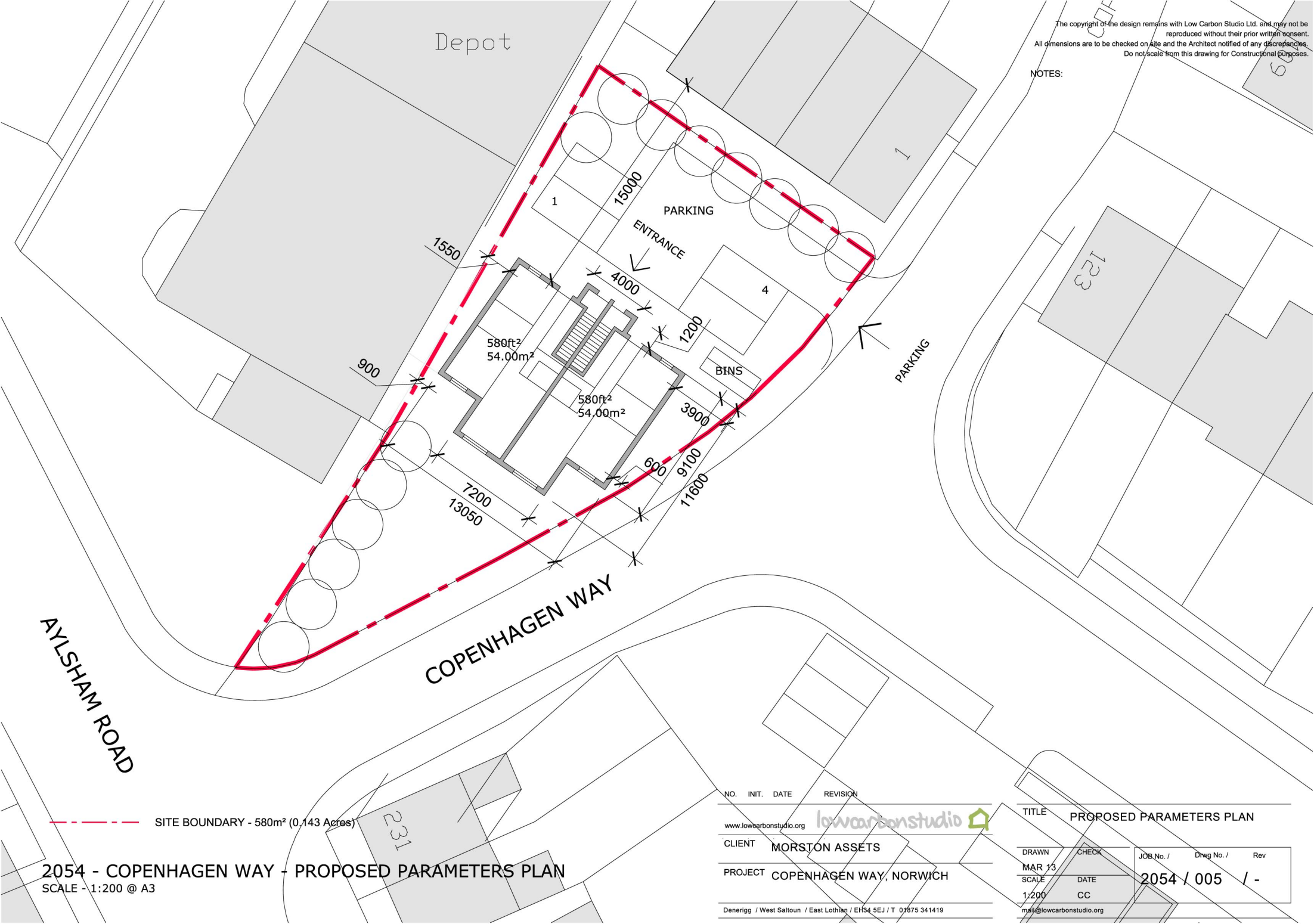
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PLANNING SERVICES



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NOTES:



AYLSHAM ROAD

COPENHAGEN WAY

Depot

--- SITE BOUNDARY - 580m² (0.143 Acres)

2054 - COPENHAGEN WAY - PROPOSED PARAMETERS PLAN
 SCALE - 1:200 @ A3

| NO. | INIT. | DATE | REVISION |
|---|-------|------|----------|
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| CLIENT MORSTON ASSETS | | | |
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| TITLE | | PROPOSED PARAMETERS PLAN | | |
|--------------------------|-------|--------------------------|------------|-----|
| DRAWN | CHECK | JOB No. / | Drwg No. / | Rev |
| MAR 13 | | 2054 / 005 / - | | |
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