

Report for Resolution

Report to Planning Applications Committee
Date 17 May 2012
Report of Head of Planning Services
Subject 12/00106/F 19 Leopold Road Norwich NR4 7AD

Item
5(7)

SUMMARY

Description:	Erection of 3 No. terraced houses fronting Melrose Road and 1 No. detached dwelling fronting Leopold Road (revised proposal).
Reason for consideration at Committee:	Objections
Recommendation:	Approve
Ward:	Eaton
Contact Officer:	Mr Lee Cook Senior Planner 01603 212536
Valid Date:	2nd February 2012
Applicant:	Ben Kemp Limited
Agent:	David Futter Associates Limited

INTRODUCTION

The Site

Location and Context

1. The site is located on the north-eastern corner at the junction of Leopold Road and Melrose Road. The site was used as a motor garage believed since the 1940's, recently by Roys Motor Company. The site is currently used for the sale of second-hand cars. The garage buildings previously on site were demolished some time ago. With the exception of a portacabin unit in the northernmost corner, the site features no other noteworthy development other than a concrete hardsurface. The site is set within a predominantly residential area. Leopold Road and Melrose Road are characterised by a mix of Victorian terraced and later semi-detached housing. The Beehive public house is located directly opposite the site on Leopold Road.

Constraints

2. The Environment Agency have previously identified that the site is situated within Groundwater Source Protection Zone 2.

Planning History

06/00090/F - Proposed residential development consisting of 5 no. three-bedroom townhouses and 2 no. two-bedroom apartments. This scheme proposed a built form along Leopold Road and a corner building adjacent to the road junction which was forward of the building lines in the area. Concerns raised were that the building was over-dominant, led to overlooking and overshadowed adjacent spaces. The application was withdrawn on 20/03/2006.

06/00414/F - Redevelopment of site for 6 flats with associated parking (revised drawings and revised description) was approved by committee on 20/07/2006. This scheme proposed an L shaped footprint on the south-east side of the site, being constructed within adjacent building lines. The building did not run the full length back along Leopold Road.

06/01063/F - Proposed residential development consisting of 8 no. 2 bedroom apartments. This scheme was similar to the first 2006 application but with the corner building pulled back from the roadway and depth of buildings along Leopold Road being reduced. The application was refused on 22/12/2006. Reasons included issues of over-intense development; amenity issues from disturbance and enclosure; and over-dominance of the building. Forecourt parking was also considered to be visually intrusive.

07/01159/F - Erection of a small local centre comprising 5 no convenience units within use classes A1, A2, A3, D1, D2 and B1 and 5 no. flatted dwelling units with associated parking. The application was refused on 11/12/2007 and the subsequent appeal dismissed. The scheme effectively filled the site. Parking was accessed from Melrose Road with balcony area above. Reasons included impact of retail use; design of the building which was considered to be bulky and over-dominant in the street scene; overlooking (which was not a significant issue at appeal); and impacts of servicing and customer parking.

08/00325/F - Erection of small local centre comprising five convenience units within use classes A1, A2, A3, D1, D2 and B1 and five flatted dwelling units with associated car parking. The application was refused on 29/05/2008 and the subsequent appeal dismissed. Again the scheme effectively filled the site, parking accessed from Melrose Road with balcony area above. Reasons included design of the buildings scale and form which was considered to be detrimental to character and townscape; noise and loss of privacy from the elevated amenity space; impacts (including overlooking) from maintenance of the raised landscape bed; and impacts of parking on the highway.

11/00108/F - Development of 5 No. 3 bedroom town houses, 1 No. 1 bedroom flat and 1 No. 2 bedroom flat. The scheme proposed 4 houses along Leopold Road, a corner block of flats and a further house facing onto Melrose Road. The application was refused on 21/04/2011. In some respects this was a similar footprint to earlier 2006 applications with a continuous built form running along Leopold Road. Reasons for refusal included overdevelopment; inadequate amenity space; impacts on existing and future residents (noise disturbance and overlooking (particularly from unit 4)); no provision for affordable housing; and no play space contribution being offered.

11/01245/F - Erection of 4 No. terraced houses together with garaging and ancillary works. The application was refused on 14/09/2011. The 4 houses faced Melrose Road and virtually filled the width of the site. 4 Garages and forecourt were provided onto Leopold Road at the rear. Reasons for refusal included concerns on impact on the streetscene and character of the area; development forward of the building line; and that garaging and forecourt would dominate the streetscene and would not address the Leopold Road frontage.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

3. The scheme proposes the erection of 3 No. terraced houses fronting Melrose Road and 1 No. detached dwelling fronting Leopold Road. Alterations to the highway are proposed in relation to existing spaces for dropped kerbs which provide access to the commercial use. These works will provide additional space on the highway throughout the day to provide for car parking for the scheme.
4. Following consultation and discussion with the architect a revised proposal was submitted for consideration. This altered the size of the single dwelling making it smaller and moving it away from the rear boundary with 52 Melrose Road and also reduced the size of the rear extension to the end terrace unit. These changes allowed the three terrace units to increase their garden space and created a larger gap between the terrace and the detached unit to allow more light into this space and adjacent garden.

Representations Received

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 8 letters of representation were initially received citing the issues as summarised in the table below. Following revision of the scheme and reconsultation 3 letters of representation have been received which repeated some of the points below.

Issues Raised	Response
The houses will not have any off road parking spaces. Existing parking problems will be added to by the development and create dangers to pedestrians (children at CNS school) and dangers close to the junction. More should be done to increase parking within the proposal	Paras 12, 24 and 25
Other commercial uses in the area generate additional traffic	Paras 12, 24 and 25
Development of this number of dwellings is excessive. 2 or 3 houses would be more appropriate.	Paras 16 and 18
Development will overlook the front aspect of properties on Melrose Road opposite. The height of the buildings will also block the light to these existing houses.	Paras 18 and 19
The development will overlook and overshadow adjacent gardens	Paras 18 and 19
The single dwelling is not in keeping.	Para 20
The design is not acceptable and will not add anything to the street scene. The end of the terrace presents a large blank gable end to the roadway.	Paras 20, 21, 22 and 23

Concerned about repeated submission of applications.	Except in very specific circumstances when repeat applications follow dismissed appeals the Planning Act does not prevent applicants from submitting proposals which seek to overcome previous concerns expressed about individual proposals.
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6. **Norwich Society:** These are yet more new plans for this site which do not “turn the corner” satisfactorily. The terrace houses appear acceptable but the detached house is incongruous and poorly designed, particularly in relation to the window proportions. We agree with Transportation’s comments.
7. Policy HBE12 of the Local Plan requires that developers should demonstrate that appropriate attention has been given to the height, scale, massing and form of new development. Significant new developments will be required to demonstrate in their design these relationships with their surroundings through assessments and analysis of visual impact and relationships from all main viewpoints.
8. We feel that this development proposed does not give appropriate attention to the scale, massing and form of the new development in relation to the surrounding, existing buildings. For example, the detached house is incongruous with the surrounding buildings (all terraces) and the proportion of the windows are out of scale and proportion with the building itself. Additionally, the development as a whole does not “turn the corner” satisfactorily.
9. No further comment was received from the Society in relation to the revised proposal.

Consultation Responses

10. **Historic Environment Service:** Service trenches immediately to the south of the proposed development area uncovered a Bronze Age socketed axe during digging works in 1983. Bronze Age axe heads were prestige items, and represented a considerable investment in wealth, and hence while they do occur as casual losses, they also occur in association with funerary monuments and with hoards (usually interpreted as metal recycling). Occasionally they occur in votive (religious) deposits, although these are more frequently associated with water.
11. The initial objections based on the absence of an archaeological field evaluation to support an earlier application in accordance with PPS5 were withdrawn based on restoration works that have previously taken place on the site, the activity of which is considered likely to have disturbed the ground and removed any heritage assets at the site. Given previous use as a petrol station there is unlikely to be any impact and HES have repeated this comment in relation to this new application.
12. **Transportation:** I think this approach represents a reasonable approach to this shallow site. Whilst the houses do not have any off-street parking, providing it would remove almost as much on-street provision as can be retained by this approach (because access would sterilise any on-street space), and in this mostly terraced housing area, parking on-street is normal practice. Additionally, this scheme achieves a reasonable street frontage that respects the lines of the existing streets, whilst providing reasonable garden areas all of which would be compromised by trying to provide car parking on the site. Bin and bike stores are fine. Please condition the re-instatement of the kerbs on the adjacent highway where the existing

accesses are to be removed prior to occupation of the houses

13. **Pollution Control:** The residential end-use is a sensitive one, and there is a possibility of contamination due to the historic use of the site. I therefore suggest conditions for a site investigation to determine this. I have also suggested a condition to prevent light nuisance, along with informatives for the demolition and construction phases.
14. NB I have viewed the site investigation dated Nov 2006 by NPL Ref S07:750. The results suggest that contamination is low, with only low level impacts from petroleum hydrocarbons and slightly elevated carbon dioxide. This report will satisfy parts 1 to 3 of our standard condition. We will require the site to be validated after the proposed remediation is completed, as per part 4 of the condition. The protection suggested in relation to gas ingress should be picked up by building control, though I recommend that this requirement is brought to the attention of the developer at an early stage. I also recommend that the EA are consulted on this application as they may wish to comment on the potential impact on groundwater.
15. **Environment Agency:** The scale of development is below the threshold for consultation with the Agency. Although the Environment Agency were not consulted on this application, they have previously identified that the site is situated within a Groundwater Source Protection Zone 2, and have suggested further investigatory/mitigation measures to be conditioned upon the development proposal should planning consent be granted.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Promoting sustainable transport

Delivering a wide choice of high quality homes

Requiring good design

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the historic environment

Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008

ENV7 Quality in the built environment

T14 Parking

WM6 Waste Management in Development

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 5 The economy

Policy 6 Access and transportation

Policy 9 Strategy for growth in the Norwich Policy Area

Policy 12 Urban renewal

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

EP1:	Contaminated Land
EP18:	High standard of energy efficiency for new development
EP20:	Sustainable use of materials
EP22:	High standard of amenity for residential occupiers
EMP3:	Protection of small business units and land reserved for their development
HBE3:	Archaeology
HBE12:	Design
HOU13:	Proposals for new housing development on other sites
NE9:	Comprehensive landscaping scheme and tree planting
TRA5:	Approach to design for vehicle movement and special needs
TRA6:	Parking standards – maxima
TRA7:	Cycle parking standards
TRA8:	servicing standards
TRA10:	Contribution by developers for off-site works to access the site

Other Material considerations

Written Ministerial Statement: 23 March 2011: Planning for Growth
Support of enterprise and sustainable development.
The Localism Act 2011 – s143 Local Finance Considerations

Principle of Development

Policy Considerations

16. The proposals will provide 4 dwellings within a current underused brown field site. The re-use of land is encouraged under policy. To meet minimum housing density under policy HOU13 a scheme would need to deliver at least 3 dwellings. In respect of this revised proposal the scheme provides dwellings at approximately 66 dwellings to the hectare which would be appropriate for this urban setting. The scheme is laid out to respect amenity in the area and has adequate garden space, alternative provision for parking and space for servicing. As such the scheme accords with local and national policies for development and re-use of land and will assist in adding to the stock of housing in the Norwich area.
17. Both Joint Core Strategy policy 5 and saved policy EMP3 of the City of Norwich Replacement Local Plan require consideration to be given to safeguarding a supply of sites and premises for small business needs. The clear regeneration benefits of the scheme and its contribution to meeting housing needs in a predominantly residential area outweigh the loss of the commercial space and the loss of these commercial premises can be accepted in this instance due to their location within a residential area and nature of the business use which can lead to highway and amenity impacts within the area.

Impact on Living Conditions

Overshadowing, Overlooking, Loss of Privacy and Disturbance

18. The scheme provides 2 blocks (a detached dwelling and 3 terrace dwellings). The terrace follows on from adjacent property on Melrose Road and has a typical footprint/building relationship found in such areas. Windows and openings in the single dwelling are positioned to avoid any significant overlooking of private areas to adjacent properties. Careful consideration has also been given to the relationship of the proposed buildings to the surrounding area. The first floor room to the single dwelling is designed as a subservient rather than main bedroom to reduce its potential occupancy and windows designed at a level and with some obscure glazing

to limit overlooking impacts. The distance between the two blocks has also been opened up to increase light into and through the site. The revised proposed layout achieves appropriate distances between new and existing buildings and would not, as a result, create overshadowing or overlooking problems.

19. The scheme provides a reasonable standard of living and garden spaces which would provide an attractive living environment and which would integrate well with the character of the area. The proposed landscaping around the site should additionally provide further separation between properties and reflects the character of the townscape of the area. A secure alleyway to the side of unit 1 has been provided which includes access to the rear of each new property.

Design

Site Layout and Building Design

20. The surrounding area has a variety of styles of buildings with a predominance of terraces and two storey buildings. The proposed layout shows 2 building blocks, 1 being a detached house and the other being a terrace of 3 houses. The 2 proposed blocks are each appropriate in scale and form and maintain a relatively simple type of domestic dwelling within this area. Their position within the site has, in part, been limited by the corner location of the site but despite this constraint the scheme should create an attractive and well laid out development space.
21. The houses are two storeys in height, with rooms in the roof, and continue the line of terrace housing which continues beyond each frontage of the site. The end to the terrace repeats the design character of the end terrace directly opposite and despite the properties to the other corners of the junction having hipped roofs the gable end design proposed is considered to be acceptable and in keeping with local design details. Landscaping is proposed in front of these units as well as other areas of landscape on the site. These garden elements should complete the line of existing houses and provide an attractive setting to the proposed development. Each house has a reasonable size garden to provide attractive private spaces. The proposed additional landscaping will enhance the biodiversity value of the site.
22. The provision of off-site parking bays makes best use of the space available and, by avoiding forecourt type parking, will relate well to the area and help improve the final street scene on this corner. The buildings use simple roof forms and façade treatments with a limited range of building materials to the walls, joinery and details. It is suggested that details of materials form a condition of any consent and subject to these details the design is considered to be acceptable.
23. The development should enliven the character of the area and provide an attractive living environment. The development will be enhanced by additional landscaping within the site itself. Again details are suggested covering hard and soft landscaping for the site to ensure an acceptable final finish.

Transport and Access

Car Parking, Servicing and Cycling Parking

24. One of the issues which arises from the application is the resolution of a satisfactory layout and form of parking which adequately serves both the existing and proposed residential units without causing highway safety or parking issues. The scheme provides new parking areas along the south east and south west sides of the site by removing the dropped kerb serving the commercial use and creating 5 potential parking spaces which can be used throughout the day. The spaces remain clear of the road junction and provide on-street parking which is the norm for the area. This helps maximise site potential and helps create a workable development whilst also increasing off-site parking space for future residents. Other on street parking can still

take place within the area without detriment to safety or access.

25. Proposed levels of parking, although proposed off-site, are in line with the maximum suggested in Appendix 4 of the Adopted Local Plan and as such this level of provision accords with local policy and advice on encouraging sustainable modes of transport and car usage.
26. Each property has been designed with sufficient storage space to accommodate the bin requirements for the site, with a communal bin store space provided to stand bins on collection days. The facilities are capable of access from the adopted highway and as such make an adequate provision for servicing. Adequate cycle storage is also capable of being provided with the scheme. Each house has a rear garden gate leading to a path within the development to improve access to external storage spaces. These aspects of the development enhance the design and operation of the scheme and long term amenity value for the residents.

Environmental Issues

Site Contamination and Remediation

27. A desk based assessment has been submitted with the application which identifies potential pollutants at the site. Given the sensitive residential end use it is considered necessary to condition a site investigation and a scheme of remediation and mitigation to be carried out as appropriate. It is also suggested to take up the advice of the Environment Agency in relation to protection of the local aquifer and add conditions in relation to management of contamination.

Archaeology

28. Given the Historic Environment Service's revised comment that restoration works have previously taken place on the site, the activity of which is considered likely to have disturbed the ground and removed any heritage assets at the site no further archaeology conditions are suggested.

Sustainable Construction and Water Conservation

29. The size of the development is below the threshold for an energy efficiency statement; however the design and access statement submitted with the application details that the applicants are committed to a number of sustainable construction methods. The agent has indicated that the scheme can be designed to incorporate facilities to limit internal water consumption. It would therefore be reasonable to impose a condition requiring the development to meet appropriate levels of water usage as promoted by JCS policy 3.

Lighting

30. On site lighting to external spaces and individual lights to the proposed dwellings could potentially cause amenity and design issues for the area and it is suggested that conditions are imposed requiring details to be agreed for the final scheme to ensure appropriate location and levels of illumination.

Trees and Landscaping

Planting

31. The scheme provides potential for additional landscaping to enhance the setting of the development and amenity of the area. The site layout is designed to run round the corner as with similar end house gardens within the area. An indication is given for hedging to be provided around parts of the site which should enhance the use of the garden areas. The proposed planting would improve the street scene and add value to landscape diversity within the area. Conditions are therefore suggested requiring new landscaping to be provided in accordance with a scheme to be agreed to ensure that these enhancements are delivered.

Conclusions

32. It is considered that the commercial site is not currently providing an effective use of land and having weighed up the relevant planning policy surrounding the loss of the commercial site and redevelopment for housing, on balance it is considered that the proposals are acceptable in principle. The proposed scheme provides an appropriate arrangement of 4 houses with associated parking and servicing. The buildings respond to the constraints and topography of the site and are positioned to limit potential amenity impacts to adjacent properties and should lead to an attractive development in accordance with local and national policy. The development of 4 dwellings would also contribute to the provision of housing in Norwich. The proposed development achieves a good standard of design and would be well integrated with the surrounding area and provide an interesting development within this part of the City.

RECOMMENDATIONS

To approve Application No 12/00106/F 19 Leopold Road Norwich NR4 7AD and grant planning permission, subject to the following conditions:-

1. Commencement of development within three years;
2. Development to be in accord with drawings and details;
3. Details of facing and roofing materials; boundary treatment, walls and fences; external lighting; joinery and glazing to rear of unit 1;
4. Details of cycle storage, bin stores;
5. Details of off site highways works;
6. Details of Landscaping, planting and site treatment works;
7. Landscape maintenance;
8. Site contamination investigation and assessment to be carried out and if contamination is found a scheme of remediation and mitigation to be agreed and carried out. Should during development, contamination not previously identified be found development is to cease pending details to deal with contamination;
9. Details of contamination verification report; and
10. Monitoring and maintenance of contamination and implementation of any contingency action required.

Reasons for approval:

It is considered that the commercial site is not currently providing an effective use of land and having weighed up the relevant planning policy surrounding the loss of the commercial site and redevelopment for housing, on balance it is considered that the proposals are acceptable in principle. The proposed scheme, subject to conditions, provides an appropriate arrangement of 4 houses with associated parking and servicing. The buildings respond to the constraints and topography of the site and are positioned to limit potential amenity impacts to adjacent properties and should lead to an attractive development in accordance with local and national policy. The development of 4 dwellings would also contribute to the provision of housing in Norwich. The proposed development achieves a good standard of design and would be well integrated with the surrounding area and provide an interesting development within this part of the City. The decision has been made with particular regard to the National Planning Policy Framework; policies ENV7, T14 and WM6 of the East of England Plan 2008; policies 1, 2, 3, 5, 6, 9, and 12 of the Joint Core Strategy (March 2011); and saved policies EP1, EP18, EP20, EP22, EMP3, HBE3, HBE12, HOU13, NE9, TRA5, TRA6, TRA7, TRA8

and TRA10 of the City of Norwich Local Plan (Adopted Version 2004) and to all material planning considerations.

Informatives

Considerate construction and timing to prevent nuisance;

Protection suggested in relation to gas ingress;

Materials removed from site should be classified and disposed of at suitable licensed facilities.



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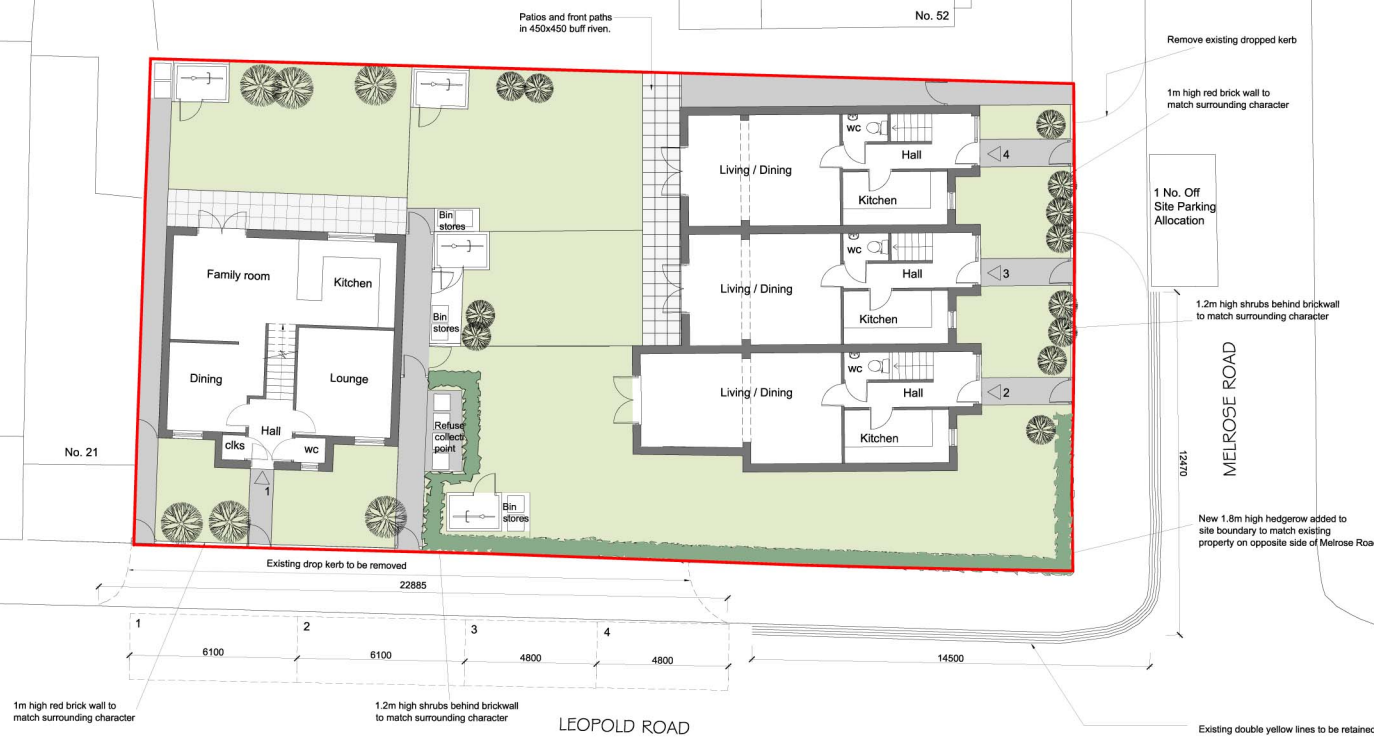
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Site Address 19 Leopold Road
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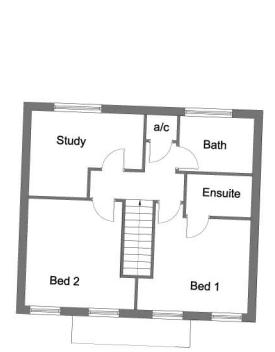
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PLANNING SERVICES

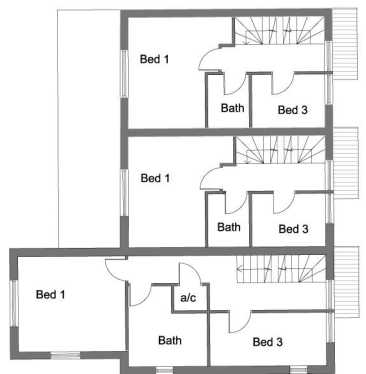




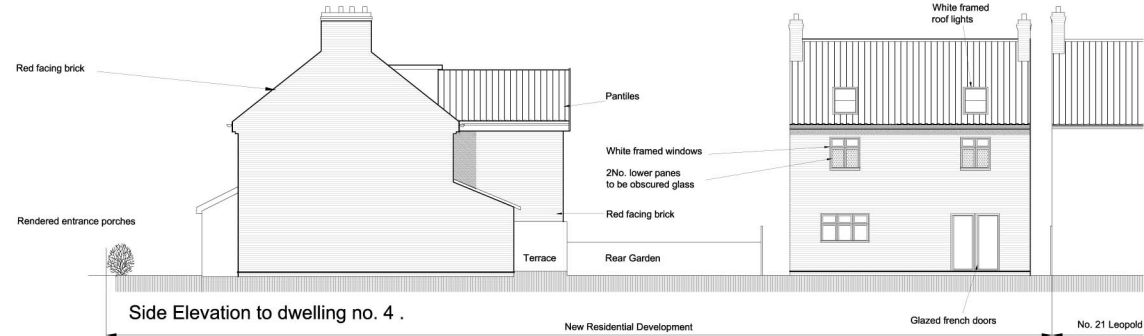
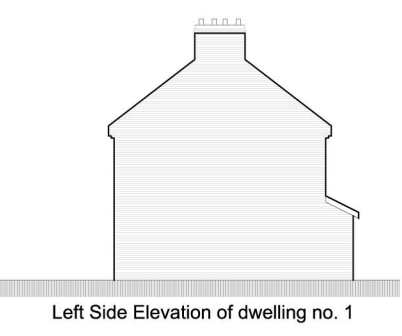
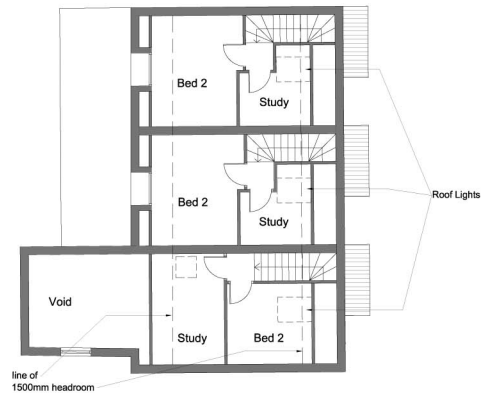
Ground Floor Plan .



First Floor Plan .



Second Floor Plan .



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H. Dwelling no. 1 set back to adj. building line	08-03-12 n/c
G. Dwelling nos 1 & 2 revised in accordance with Planning Officer's requirements	06-03-12 n/c
F. Left Side elevation to dwelling no. 1 added	01-02-12 n/c
E. Side elevation to dwelling no. 4 added	27-01-12 n/c
D. Existing yellow lines on highway added & widths of entrance paths revised	13-12-11 n/c
C. Minor amendments as per clients request	01-11-11 CJH
B. Design proposal amended in accordance with LPA's recommendations	04-10-11 n/c
A. Side Elevation added as requested by Planning Officer	02-08-11 n/c
rev:	date:

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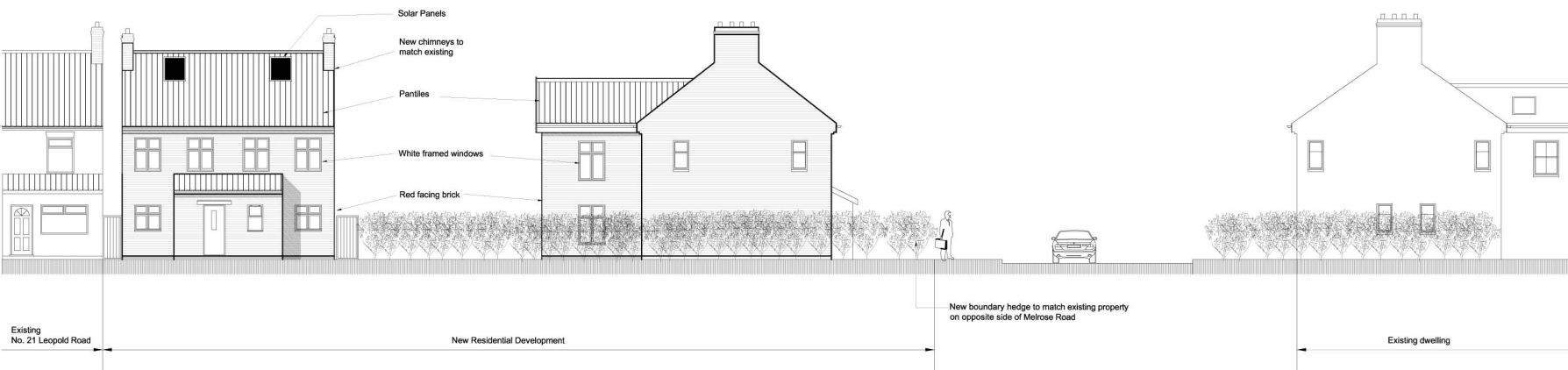
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Project:
Proposed housing development at Leopold Road, Norwich.

Client:
Ben Kemp Ltd

Drawing:
Floor Plans & Location Plan

Drawn by: n/c	Checked by: DF	Org. No.	Rev.
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Leopold Road Elevation

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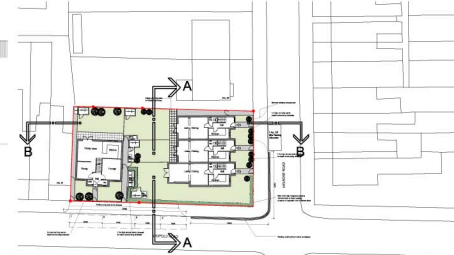
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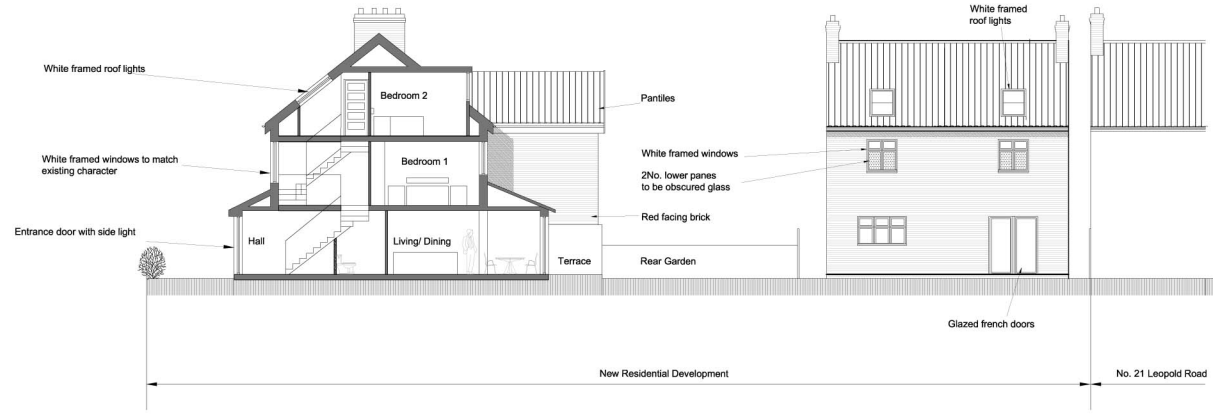
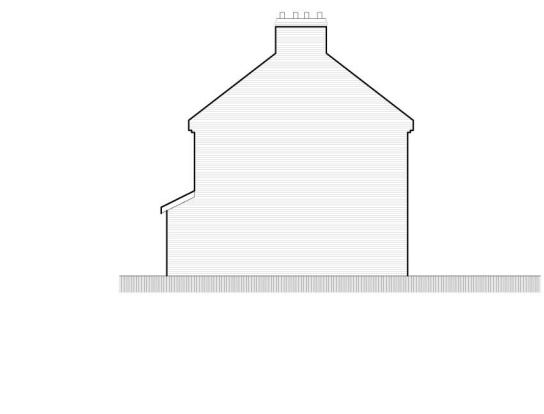


Melrose Road Elevation



Section A-A
(Rear Elevation)

J. Dwelling 1 set back to adj. building line	08.03.12 nlc
H. Dwelling 1 & 2 amended in accordance with Planning Officer's requirements	02.03.12 nlc
G. Right Side Elevation to dwelling no.1 title amended	01.02.12 nlc
F. Side Elevation to dwelling no.1 added	27.01.12 nlc
E. Solar panels added for renewable energy requirements	14.12.11 nlc
D. Minor amendments made as per Clients request	01.11.11 CJH
C. New design scheme incorporating LPA's recommendations	03-10-11 nlc
B. Rear extension added to Leopold Road elevation	05-08-11 nlc
A. Section B-B revised	02-08-11 rfc
rev:	date:



Section B-B

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Project:

Proposed housing development at Leopold Road, Norwich.

Client:

Ben Kemp Ltd

Drawing:

Elevations and Sections

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