

Planning Applications Committee

Section C

11 December 2008

Agenda Number:	C1
Section/Area:	OUTER
Ward:	NELSON
Officer:	Anne Napier
Valid Date:	26th September 2008
Application Number:	08/01034/F
Site Address :	223 Earlham Road Norwich NR2 3RQ
Proposal:	Construction of 3 no. new houses (Revised details).
Applicant:	Mr David Knowles
Agent:	Mr Stephen Tring

THE SITE

The site is located to the west of the city centre within an established largely residential area. Immediately to the east of the site is a detached dwelling and beyond this a row of older terraced properties. The site backs onto the cemetery, which is an Historic Park and included within the English Heritage Register of Parks and Gardens in 2001 and is also a site of nature conservation interest. To the west are detached dwellings fronting Earlham Road. Opposite the site are a variety of dwellings, detached, semi-detached and terraced, and the junction with Christchurch Road is in relatively close proximity to the site. To the west, also backing onto the cemetery, is the more recent development of Fairhaven Court, a small cul-de-sac of detached dwellings that is separated from the application site by the garden of the adjoining property.

The site is some 1540 square metres in area and is currently part of the residential garden of the two-storey 223 Earlham Road, although this existing dwelling doesn't form part of the application site. The application site comprises land to the side and rear of the dwelling and it rises by some 5 metres from the frontage (south) to the rear (north). Along the western boundary of the site is a three metre wide non-development zone which is subject to an existing covenant thought to be held by the nearby church. This strip consists of a steep planted bank with the neighbouring house to the west (no.225) positioned at a level some 2 metres higher than the proposed site garden level. Both the bank and its tree and hedge screening are proposed to be retained.

RELEVANT PLANNING HISTORY

06/00425/F - Erection of two-storey rear extension, new pitched roof over existing flat roof and replacement garage (revised proposal). (Approved - 07/07/2006)

08/00816/F - Construction of 3 No. new houses. (Withdrawn - 05/09/2008)

THE PROPOSAL

It is proposed to construct 3 no. new houses on the application site, one to the site frontage and two set to the rear of the site, all served by a proposed new access. The existing dwelling at 223 would continue to be served by the existing access and a new defined garden area would be created for this dwelling. A three metre strip of land would be retained to the west of the existing dwelling, separating that site from the proposed new access, together with a 25 metre garden to the rear. The frontage to Earlham Road would effectively be divided into two.

Each of the proposed new dwellings would be four bedroom properties, each with their own garden and parking space. The proposed new access is sited to the east of the proposed new plot and would allow access to the two dwellings to the rear. The properties have been designed to avoid issues of overlooking and the scale and heights of the properties take into account the dwellings adjoining the site, making use of the difference in levels within the site. The properties to the rear have been, in part, set into the existing bank to the rear, facilitating the turning of vehicles on site and enabling provision to be made for a courtyard to the frontage of these properties, whilst the garden and access to it is retained at its existing level to the rear of the dwellings. No windows are proposed to the east and west aspects of any of the proposed three dwellings.

The Design and Access Statement states that the houses will be constructed using sustainable methods and operating systems, solar panels, passive ventilation, rain water harvesting, with the use of timber, brick and glass materials. The property fronting Earlham Road is proposed to be of more traditional elevational treatment with a more contemporary style being used for the dwellings to the rear.

A Tree Survey, Arboricultural Implications Assessment and Arboricultural Method Statement have been submitted as part of the proposals. These demonstrate that the trees on site vary in terms of their size, condition and the amenity value that they provide. Whilst some trees would need to be removed to facilitate the development, the majority of these comprise poorer Category C trees. Since the application was first submitted, revised proposals have been prepared that amend the access and bin storage arrangements at the site frontage. These revisions have also led to the loss of two additional trees on the site frontage which is proposed to replace with new specimen planting.

CONSULTATIONS

The original application and the revisions received on 4 November 2008 were advertised in the press and neighbours notified.

Letters of representation have been received from 28 local residents and these raise concerns on the following matters:

- Development of the site would create a precedent for other similar developments, there is no need for the development and it would represent an overdevelopment of the site
- The proposal would have an adverse impact on pedestrian and vehicular highway safety, due to the location of the access in a hazardous position, the lack of visibility achievable, the increased congestion that would occur, the width of the proposed driveway, the loss of on-street parking that would result, the disruption to traffic that would occur during construction and the lack of a dedicated pedestrian access to the dwelling on the site frontage
- The design of the dwellings would be out of keeping and detrimental to the character of the local area and the retention of the trees on the site would result in the proposed use of solar panels and passive ventilation being ineffective
- The proposal would have a detrimental impact on the living conditions and well-being of the residents of neighbouring properties due to the loss of light and privacy, increased noise and disturbance and overlooking, including of gardens
- The proposal would have an adverse impact on the adjoining cemetery which is an historic park and site of nature conservation interest
- The proposal would be detrimental to biodiversity due to the loss of trees involved, the loss of urban greenspace and the loss of habitat
- The proposal would lead to problems of drainage and the use of impermeable surface treatments would lead to an increased risk of flooding.

Natural Areas Officer:

Expressed concerns at the loss of trees on the site and the ecological impact that the development of this site on the biodiversity of the area. This garden along with other large gardens on Earlham Road forms, in ecological terms, an

extension to the cemetery which is a site of considerable ecological value. The development of part of the site might well result in some loss of biodiversity. Although, individually, this may not be significant, the continuing development of large gardens such as this is a cause for concern.

PLANNING CONSIDERATIONS

Relevant national policy guidance:

PPS1 – Delivering sustainable development
Supplement to PPS 1 – Planning and climate change
PPS3 – Housing
PPS9 – Biodiversity
PPG13 - Transport

Relevant East of England Plan policies:

H1 – Regional Housing Provision
ENV7 – Quality in the Built Environment
WM6 – Waste management in development

Relevant Local Plan Policies:

HOU1 – Provision of new housing to meet needs
HOU13 – Proposals for new housing development on other sites
EP22 – High standard of amenity for residential occupiers
EP16 – Water conservation and sustainable drainage systems
EP18 – High standard of energy efficiency for new development
EP20 – Sustainable use of materials
HBE12 – High quality of design, with special attention to height, scale, massing and form of development
TRA5 – Approach to design for vehicle movements
TRA6 – Parking standards - maxima
TRA7 – Cycle parking standard
SR8 – Protection of historic parks and gardens
NE7 – Protection of locally designated sites of nature conservation interest
NE8 – Management of features of wildlife importance and biodiversity
NE9 – Comprehensive landscaping scheme and tree planting

ASSESSMENT OF MAIN ISSUES

Principle of development:

National planning policy PPS3 encourages more efficient use of land through housing development at higher densities where this can enhance the character and quality of the area. Both the adopted Replacement Local Plan and the adopted East of England Plan stress the importance of promoting housing in appropriate and accessible locations which minimise the need to travel and thus to promote sustainable objectives and to help ensure the delivery of the regional housing target for the Norwich Area.

The Earlham Road area is considered suitable in general terms for additional housing development and limited intensification, providing that this takes account of the character and amenity of the surrounding area, the effect on adjoining occupiers and, in this instance, the impact on character and wildlife interest of the adjoining cemetery.

Impact on the form, character and appearance of the area and the cemetery:

Whilst the area is characterised by frontage development along Earlham Road with these dwellings having long rear gardens backing onto the cemetery, there is also a small development of properties set to the rear of some gardens in very close proximity to the site. Therefore, as a form of development, it is considered that the erection of one dwelling to the site frontage and two dwellings to the rear of the site would not be out of keeping with the pattern of development in the surrounding area.

There is a variety of dwelling styles on the frontage of Earlham Road and the design of the proposed frontage dwelling would, in terms of its height, scale and massing, reflect the existing character of development and the detached nature of the property would not be out of keeping with other similar properties of this nature adjacent to and opposite to the site. The dwellings to the rear of the site have made use of the different levels within site to provide for an acceptable standard of living accommodation and to minimise the impact of such development on the wider area. The properties at Fairhaven Court are visible from adjoining sites and the proposed new dwellings, in terms of their height and scale, are not considered likely to be significantly intrusive within the area.

Although the dwellings to the rear would be of a more contemporary design, the site is not within a conservation area nor within the curtilage of a listed building nor likely to affect the setting of a listed building. The design details of all three dwellings are considered acceptable and the development enables private amenity space for each property to be created and minimises the potential impact of loss of privacy or overlooking between the future residents of the properties.

Although the proposed development would be visible from the cemetery, it would be no more so than numerous other long established and modern domestic properties within the area. In this case, it is not considered that the fact of visibility in itself constitutes a sufficiently adverse impact on the setting of the cemetery to be a significant concern. Similarly, in terms of the impact on the character of the cemetery, although the general ambiance is of quiet contemplation within a semi-natural context, it is considered that, given the number of established gardens in the vicinity, the proposal is unlikely to lead to any greater disturbance than may already occur through the use of other domestic gardens, vehicle movements or grounds maintenance. However, in order to afford sufficient protection to the Registered space, additional landscaping to the rear boundary is recommended to be conditioned.

Therefore, in these respects, it is considered that the development is acceptable in respect of PPS1, PPS3 and saved policies HOU1, HOU13 and HBE12.

Impact on loss of trees, loss of garden land and biodiversity:

Although a number of trees would be lost on the site, these are generally lower quality trees and their loss is not considered to have wider impacts in terms of their impact on the character and appearance of the area. Following the revisions to the access arrangements to facilitate improved visibility and bin storage, two additional trees would be lost to the site frontage and it is proposed to replace these with two specimen trees. Taking into account the quality of the existing trees and the contribution that they make to the character and appearance of the area this is considered to be an acceptable form of mitigation. In addition to the significant number of trees to be retained on site, it is also recommended, as stated above, that a landscaping condition be imposed that, in part, requires supplementary planting to the rear boundary.

In terms of the impact on biodiversity and the loss of habitat, the proposal is considered to be more finely balanced. Although, it is acknowledged that the loss of garden land is of great concern to many local residents and others, it is considered that, when taking into account other similar developments that have occurred in close proximity to the site, it would not be appropriate to resist the principle of development of this site on the ground of loss of garden land. Rather, the wider issue may be a matter that members may wish to address through the development of specific policy.

Furthermore, whilst the scheme would contribute to the wider loss of this type of habitat, it is considered that the individual loss of this garden would be unlikely to have a significant adverse impact on the nature conservation interest of the adjoining cemetery or on particular species. For this reason, it is not considered appropriate to require the developer to undertake surveys of the site nor is refusal recommended on this ground. However, it is recognised that measures to enhance the biodiversity interest of the site when developed would be beneficial and it is considered that this could be achieved through the imposition of a condition requiring a landscaping scheme for the site.

Therefore, taking into account the circumstances outlined above, on balance it is considered that the proposal meets the requirements of PPS9 and saved policies SR8, NE7, NE8 and NE9 in respect of these issues.

Highway impact:

Although the development has led to a great many concerns about the impact of the proposal on pedestrian and vehicular safety, the proposal is not considered likely to result in any detrimental impact in this regard. The additional traffic associated with the development proposed is not considered likely to have any significant impact on the capacity of Earlham Road. The access into the site is considered to be acceptable in terms of the numbers of dwellings to be served

and the parking and turning to be provided. Revised plans have been prepared which demonstrate that the visibility achievable would meet that required by the Manual for Streets. Adequate bin storage provision is also incorporated at the site frontage and sufficient cycle storage is provided for each dwelling. Following concerns raised, a dedicated pedestrian access and entrance for the frontage dwelling has been incorporated within the scheme. Therefore, the proposal is considered acceptable in these respects and to meet the requirements of PPG13 East of England Plan WM6 and saved policies TRA5, TRA6 and TRA7.

Effect on the living conditions of neighbouring residents:

The design of the proposed dwellings is such that they are not considered likely to lead to detriment to the living conditions of neighbouring residents due to overlooking, overshadowing or loss of privacy. In terms of noise and disturbance, whilst the development at the rear of the site would result in a more intensive use of the site, when taking into account the size of the adjoining gardens and the proximity of the proposed new dwellings to the existing properties, it is not considered that this impact would be significant. Similarly, although the access to the rear of the site would result in vehicles passing between two properties on the site frontage, given that only two dwellings would be served by the access and that space has been provided between the access and the frontage dwellings, this too is not considered likely to result in the detriment to the living conditions of those residents. Therefore, the proposal is considered to meet the requirements of saved policy EP22 in these respects.

Conclusion:

For the reasons outlined above, the principle of the development in this area is considered acceptable and would not have a detrimental impact on the form, character and appearance of the area or on the character of the adjoining Historic Park. The details of the scheme are such that the proposal is considered acceptable in terms of its impact on pedestrian and vehicular highway safety and unlikely to be detrimental to the living conditions of existing or future occupiers. The loss of the trees on site is considered acceptable subject to suitable replacement planting and the loss of biodiversity is, on balance, considered acceptable in this instance subject to additional landscaping.

RECOMMENDATIONS

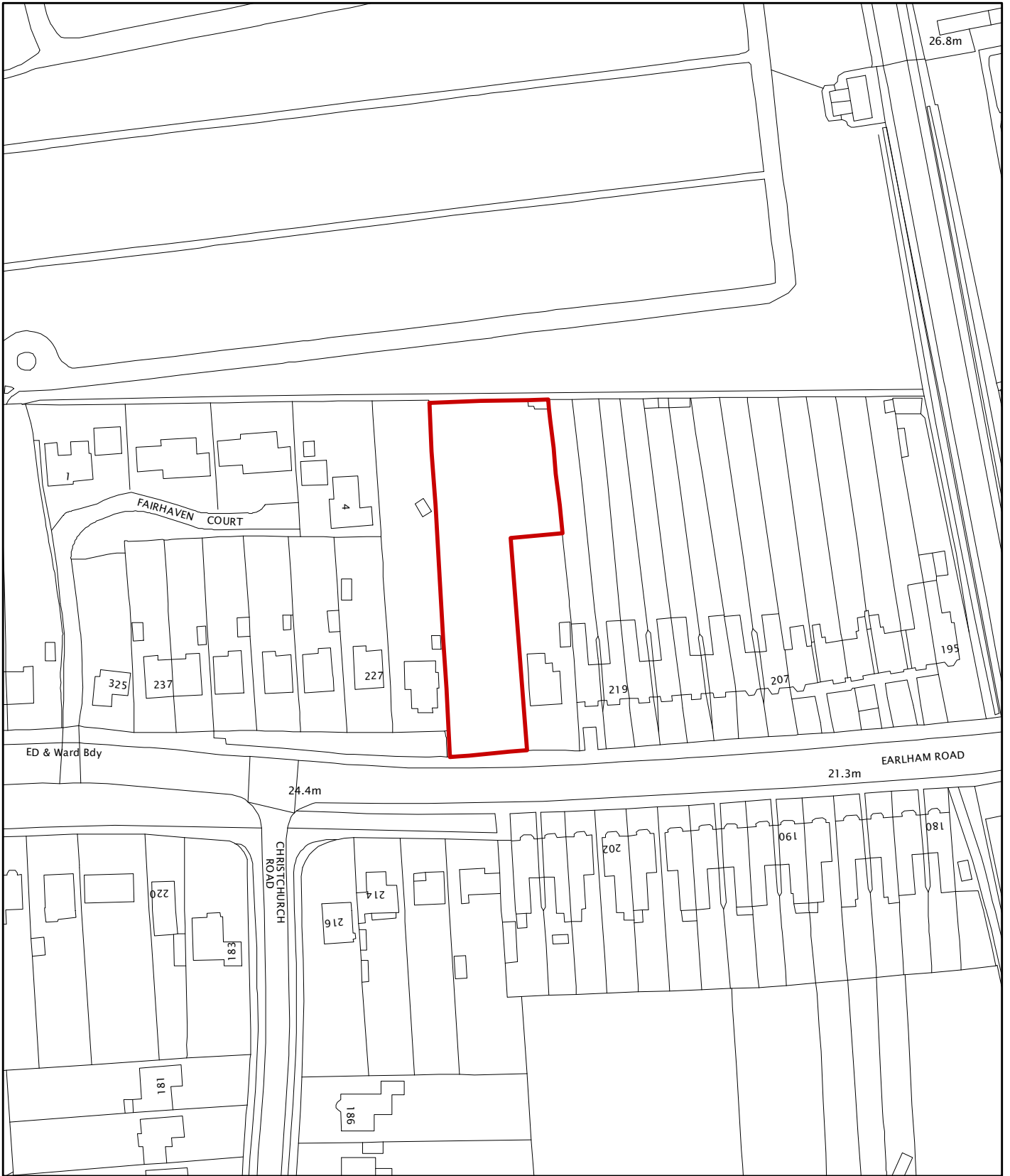
APPROVE PLANNING PERMISSION subject to the following conditions:

1. Time limit
2. Precise details of external materials
3. Hard and soft landscaping scheme, including tree planting, to be agreed
4. Landscaping to be carried out and maintained
5. Tree protection
6. Provision of bin storage, cycle storage, access, parking and turning areas prior to first occupation of any dwelling and retention thereafter

7. Precise details of rainwater harvesting, solar panels and passive ventilation measures to be submitted and agreed
8. Surface water drainage details for the site to be submitted and agreed

REASON FOR APPROVAL:

The principle of the development in this area is considered acceptable and would not have a detrimental impact on the form, character and appearance of the area or on the character of the adjoining Historic Park. The details of the scheme are such that the proposal is considered acceptable in terms of its impact on pedestrian and vehicular highway safety and unlikely to be detrimental to the living conditions of existing or future occupiers. The loss of the trees on site is considered acceptable subject to suitable replacement planting and the loss of biodiversity is, on balance, considered acceptable in this instance subject to additional landscaping. Therefore the proposal is considered to meet the requirements of PPS1, PPS3, PPG15, PPS9, East of England Plan policies H1, ENV7 and WM6 and saved policies HOU1, HOU13, EP22, EP16, EP18, EP20, HBE12, TRA5, TRA6, TRA7, SR8, NE7, NE8 and NE9 of the City of Norwich Replacement Plan 2004.



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Planning Application No - 08/01034/F
 Site Address - 223 Earlham Road
 Scale - 1:1250



NORWICH
City Council

DIRECTORATE OF REGENERATION
AND DEVELOPMENT

