

Report to Planning applications committee
Date 12 September 2013
Report of Head of planning services
Subject 13/01203/F Site of Former Garages at 41 - 43 Churchill Road Norwich

Item
5(5)

SUMMARY

Description:	Erection of 3 No. one bedroom flats and 1 No. two bedroom flat.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Sewell
Contact Officer:	Tracy Armitage Senior Planner - Development 01603 212502
Valid Date:	25th July 2013
Applicant:	Mr D Shields
Agent:	Mr Howard Brooks

INTRODUCTION

The Site

Location and Context

1. No 41-43 is a vacant site situated on the southern side of Churchill Road. Garages were previously located on the site, but these have been cleared and the site is now overgrown. Directly to the east of the site is an adopted passage providing access to the rear of the two adjacent blocks of terraces. Churchill Road is characterised by uniform two-storey terraced houses fronted by short gardens. Churchill Road is a controlled parking zone.

Planning History

4/2002/0950 - Development of site with two terraced houses (APPR - 04/07/2003)
08/00514/F - Development of site with two terraced houses (renewal of planning permission 4/2002/0950/F) (APPR - 21/08/2008)
08/00960/F - Development of site with two terraced houses. (APPR - 22/12/2008)
13/00027/F - Erection of 2 No. three bedroom dwellings. (APPR - 25/04/2013)

Equality and Diversity Issues

There are no significant equality or diversity issues

The Proposal

2. Erection of a two storey building with additional rooms in roof space, creating four flats (1x 2bed and 3x 1bed).

Representations Received

3. 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
Scale and height of the building	Para. 14
Side windows overlooking passage	Para. 14
Lack of parking	Para. 17-19
Two houses preferable form of development	A scheme for 2 dwellings has been approved 25/04/13 – permission valid for 3 years from that date.
Loss of view over the City and RC Cathedral	A building of the scale proposed has already been approved ref 13/00027/F

Consultation Responses

4. Environmental Health recommend a precautionary condition relating to the discovery of any previously unknown contamination and imported topsoil and an informative to prevent nuisance during the construction stage.
5. Local Highway Authority – No objections

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

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

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

HBE12 High quality of design, with special attention to height, scale, massing and form of development

EP1 Contaminated land

EP2 Testing for ground stability conditions

EP16 Water conservation and sustainable drainage systems

EP22 High standard of amenity for residential occupiers

HOU13 Proposals for new housing development on other sites

TRA6 Parking standards – maxima

TRA7 Cycle parking standard

TRA8 Servicing
TRA9 Car Free Housing

Pre-submission Development Management Policies of the Development Plan April 2013

DM1 Achieving and delivering sustainable development

DM2 Ensuring satisfactory living and working conditions

* **DM3** Delivering high quality design

DM12 Principles for all residential development

DM31 Car parking and servicing

This policy is currently subject to objections or issues being raised at pre-submission stage and so only minimal weight has been applied in its content. However, the main objectives of ensuring appropriate design remains in place through Local Plan policy HBE12

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. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. 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.

Other Material Considerations including:

Written Ministerial Statement: Planning for Growth March 2011

The Localism Act 2011 – s143 Local Finance Considerations

Key issues for consideration

- Suitability of the site for residential development
- Scale of the development proposed
- Amenity consideration for future residents and adjacent residents

Principle of Development

Policy Considerations

6. The application site historically was occupied by two terraced houses of a comparable form and scale to the terraces repeated either side of Churchill Road. During the 1930s subsidence occurred and the properties were demolished.
7. The site is within a residential area and the principle of the erection of two dwellings has been established over a number of previous planning consents (more recently with applications 12/00140/F and 13/00027/F). Previous applications have been informed by the findings of site investigations into the suitability of the ground conditions for redevelopment. The investigations have found no evidence of underlying voids and recommended piling as a method of construction.
8. The application for flats rather than two terraced houses has been submitted given

the applicants concerns that the occupiers of the dwellings would not be eligible for residential parking permits. Given that the three bedroom units are likely to attract families, the applicant believes that the lack of parking will deter both purchasers and tenants. He believes that smaller units will be more marketable since they are more likely to be occupied by singles or couples who are more likely to be non-car owners.

9. Saved Policy HOU17 of the Local Plan states that the conversion of two storey terraced houses to flats, bedsit or other types of multiple occupation will not be permitted. This policy would apply to the existing terraced properties on Churchill Road. The policy recognises the existing high density of development in such areas and the possible noise, disturbance and parking issues associated with further intensification.
10. Although the application is for new build and therefore not directly within the scope of HOU17, the proposal seeks to intensify the historic use of the land to create four flats in an area of predominantly small family housing. Development at this scale resulted in the originally submitted plans proposing:
 - the sole means of access to 3x flats be via adopted side passage
 - windows to habitable rooms directly fronting the communal passage
 - ground floor living room windows overlooking communal amenity space
 - sole windows to bedrooms facing an adjacent blank wall
11. The agent was advised that on the basis of the original plans the proposed scheme did not provide future occupiers with a high standard of amenity required by Policy EP22 and that outlook and privacy would be compromised.
12. Amended plans have been submitted that seek to address amenity concerns. The internal layout of two flats has been revised:
 - Repositioning bedrooms to the rear – providing enhanced outlook
 - Providing private amenity space for the ground floor rear flat - ensuring reasonable level of privacy.
13. These revisions allow for a satisfactory level of amenity for future occupiers. The occupiers of each flat would have reasonable living conditions, levels of outlook, privacy and have access to outdoor amenity space. The communal side passage adjacent to the site provides an accessible bin storage area for the number of flats proposed.

Design

14. In terms of the scale and appearance of the flats, the proposed building is directly comparable with the two dwellings previously approved. The appearance of the building from the road is identical, the flats appearing as two terraced houses. As approved previously the eaves and ridge height are higher than the adjoining property, such stepping is a feature along Churchill Road given the local topography and the gradient of the road. The side elevation of the building includes a number of additional windows and these will directly face the adopted side passageway. However, following revision, these windows comprise kitchen and secondary windows to living areas and their location is considered acceptable and would indeed provide improved surveillance of the access passage. The building as previously approved includes a rear dormer and as a very similar appearance to the

scheme for two dwellings other than including additional window openings. The appearance of the rear elevation is considered acceptable.

Impact Residential Amenity

15. The footprint of the proposed building is marginally larger than that approved by virtue of planning application ref. 13/00027/F, the two storey projecting element extending approximately 0.5m further to the rear. The proposed rear element would be approximately 3.0 metres deeper than the adjoining two storey wing of the adjacent terraced house (no. 39 Churchill Road) where there is a bedroom window in the southern elevation.
16. Whilst it is considered there would be some degree of harm to the daylight currently achieved to this neighbouring bedroom (particularly in the morning), the south facing aspect of the rear of the properties means that the impact is not considered to be significant enough to refuse planning permission.

Car parking and cycle storage

17. There would be no off or on street parking provided or available for the development. The surrounding area is characterised by residential properties with no curtilage parking and as a consequence Churchill Road is heavily parked. The road is within a Controlled Parking Zone and existing residents have access to residential parking permits. It is policy of the Council that new dwellings constructed within existing controlled parking zones will not be eligible for residential parking permits.
18. Saved Policy TRA 9 allows car free housing developments in locations of high accessibility and where on street parking controls are in force. The site is well related to the city centre and to public transport routes. On this basis the Local Highway Authority has raised no objection to the development.
19. Secure cycle parking is proposed within the communal amenity space.

Local Finance Considerations

20. Under Section 143 of the Localism Act the council is required to consider the impact on local finances. It is a material consideration when assessing this application. In this case the financial considerations are relatively limited and therefore limited weight should be given to them.

Financial liability	Liable	Amount
New Homes Bonus	Yes	Based on council tax band, for six years
Council Tax	Yes	Band not yet known
CIL	Yes	£15,750
Business rates	No	-

Conclusions

21. The development is considered to be in accordance with the relevant policies of the adopted Development Plan. A total of four dwellings will be delivered in a sustainable location and will contribute to the supply of one and two bedroom

homes within the city.

RECOMMENDATIONS

To approve Application No (13/01203/F at 41-43 Churchill Road, Norwich) and grant planning permission, subject to the following conditions:-

1. Standard time limit
2. In accordance with plans
3. Approval of external facing materials
4. Approval of boundary fence details
4. Approval and provision of bin and cycle storage facilities
5. In accordance with recommendations in ground conditions report
6. Contamination/top soil restrictions
7. Provision of water efficiency measures

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 and has approved the application subject to appropriate conditions and for the reasons outlined above.



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Planning Application No 13/01203/F
Site Address 41-43 Churchill Road

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES





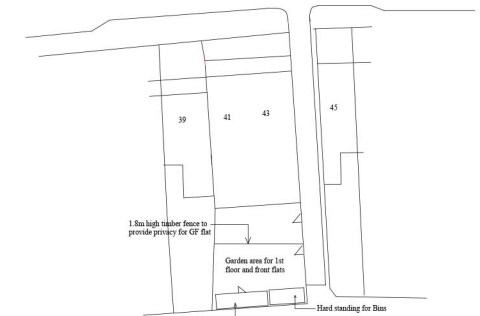
SIDE ELEVATION



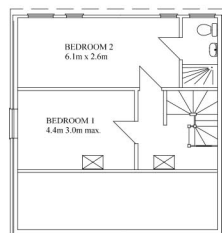
FRONT ELEVATION



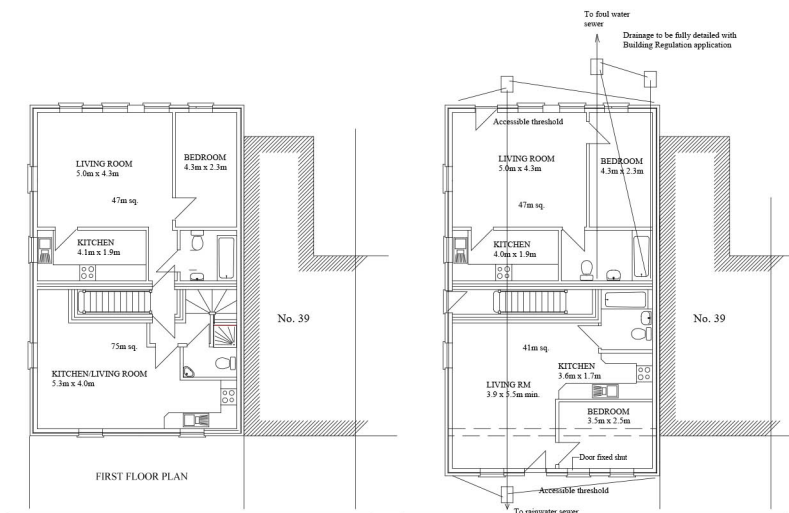
REAR ELEVATION



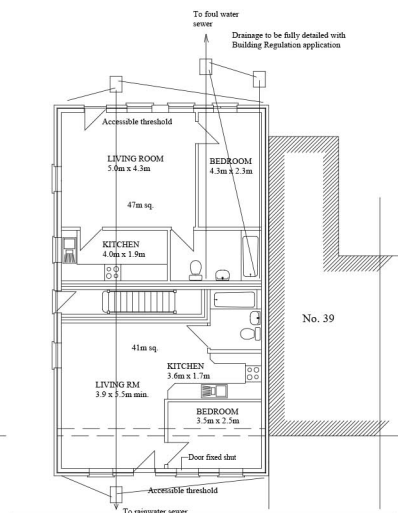
BLOCK PLAN 1 : 250



SECOND FLOOR PLAN



FIRST FLOOR PLAN



GROUND FLOOR PLAN

15/08/13 Amended as requested by planning to swap positions of kitchen and bedroom to first and ground floor flats and to provide amenity areas.
13/07/13 Windows and doors altered and elevations amended. Block plan added



Client	Mr Shields
Site Address	41-43 Churchill Road Norwich NR3 4PX
Project	Proposed New Flats
Scale	1 : 100

Plan No. HB/011004d	
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