

Report for Resolution

Report to Planning Applications Committee
Date 11 November 2010
Report of Head of Planning Services
Subject 10/01422/F 216 Newmarket Road Norwich NR4 7LA

Item
5 (1)

SUMMARY

Description:	Demolition of existing house, erection of 2 No. houses and 2 No. bungalows with new access road, site works, drainage etc.	
Reason for consideration at Committee:	Objection	
Recommendation:	Approve	
Ward:	Eaton	
Contact Officer:	Ms Anne Napier	Planning Development Team Leader 01603 212502
Valid date:	3rd September 2010	
Applicant:	NMR Ltd	
Agent:	MMBL	

INTRODUCTION

The Site

Location and Context

1. The application site of approximately 0.443ha is located to the south side of the A11 Newmarket Road, immediately adjacent to the point where the A11 becomes a dual carriageway with a slip road leading down into Cringleford and Eaton.
2. The site lies within a predominantly residential area and to the north-east of the site and to the north-west on the opposite side of the A11 are large residential properties within generous plots. To the south-east and south-west of the site are smaller, more modern, two storey dwellings in more modest plots, located within Chestnut Hill, an estate form of development, accessed off Church Lane.
3. The application site is currently occupied by a large three storey property, originally one dwelling but more recently converted to three flats. The property has been unoccupied for sometime and is in a derelict state, having also been subject to vandalism. Issues regarding site security have been raised by local elected representatives and measures have been taken on site to try to prevent unauthorised access to the site.
4. The current vehicular and pedestrian access to the site is located on the north-west corner of the site, adjacent to the access point to the neighbouring 214 and at the point where the slip-road exits the main A11 road.

Constraints

5. A number of trees exist on the site and the application is supported by a Tree Survey and Arboricultural Impact Assessment.
6. The site is outside, but close to, three neighbouring Conservation Areas – Newmarket Road, Eaton and Unthank and Christchurch.

Topography

7. In terms of levels, the site sits approximately 1.5 metres above the level of Newmarket Road with a retaining 2 metre high wall to the site frontage. The application site is relatively flat, but is approximately 1 metre higher than the adjoining land to the south-west and south-east.

Relevant Planning History

08/01063/F - Demolition of existing flats, erection of 18 No. flats in two blocks of 9 with associated access, parking and site works. (Withdrawn - 13/01/2009)

8. The above application was submitted and consultations were carried out in respect of the proposals. A strategic highway objection was received from the County Council and the application was recommended for refusal, primarily for this reason. The application was withdrawn, after the publication of the agenda but prior to determination by the Planning Applications Committee.
9. Since the withdrawal of the previous application, a number of discussions have taken place with the developers to seek to overcome the concerns raised previously.

The Proposal

10. The current application seeks permission for the demolition of the existing building containing three flats on the site and the redevelopment of the site for two detached houses to the site frontage and two detached bungalows to the rear (south-east) of the site. The development proposes the relocation of the access to the site from the north-east corner to a point at the south-west of the site, further down the slip-road towards Eaton. The existing access point would be retained as a refuse/ recycling bin collection point. A bin storage area would be provided within the site to serve all four dwellings.
11. It is proposed to retain the existing wall to the frontage of the site, with the exception of the section required to be removed to form the new access point to serve the site, but to remove the existing more modern addition to the top of the wall, which blocks out the view of the site, and replace it with iron railings. This would provide increased visibility into the site. A hedge would be planted within the wall where required to provide privacy to the rear gardens of the frontage plots.
12. With regards to the other existing boundaries of the site, it is proposed to retain the existing hedges and fences, with hedges trimmed and fences repaired where necessary maintenance is required. Within the development site, it is proposed to subdivide the plots with close boarded fences and brick walls.
13. The two houses to the site frontage have followed a traditional vernacular approach to their design, which includes elements such as steeply pitched roofs, the use of narrow-gabled projecting elements, pitched roof dormer windows, brick arch detailing and tall

chimneys. The two bungalows to the rear of the site complement the dwellings to the frontage and have been included within the scheme to address concerns about possible overlooking to neighbouring properties to the south and south-east. All four dwellings would be constructed from traditional materials of stock facing bricks and red clay pantiles.

14. The scheme as originally submitted has been amended to re-site the single storey dwelling on plot 3 some 3 metres further from the site boundary to reduce the impact of the proposal on the adjoining dwellings in Chestnut Hill. In addition, the roof of the bungalow has been amended from a gable roof to a hipped roof and the ridge height has been reduced by approximately 1 metre. Similar alterations have been made to the bungalow on plot 4 and, in addition, the proposed double garage has been amended to a single garage to facilitate the re-siting of the adjoining dwelling on plot 3.

Representations Received

15. Adjacent and neighbouring properties have been notified in writing about the application as originally submitted and as amended subsequently. The time period for comment on the amended proposals expires on 11 November 2010. To date, one letter of representation has been received citing the issues as summarised in the table below.

16.

Issues Raised	Response
Demolition and replacement of existing wall to site frontage – would prefer the existing lower portion of the wall to be retained	This is proposed as part of the scheme submitted – see paragraph 11
Queried whether the scheme proposes the removal of tree shown as T2 on tree survey drawing	The tree is outside the site boundary and not the responsibility of the applicants. No works are proposed to the tree.
Queried the proposed works to the carriageway and slip-road hatching to the A11	See paragraphs 18 and 23

17. **Norwich Society:** This is a fine site looking out over the Yare valley. What a wasted opportunity this is. The original house has been allowed to deteriorate, but is still repairable and restorable. Could it not be converted into interesting apartments instead of demolishing it? The application is for four extremely dreary mundane buildings, crowding the site and with awkward provision for entry/exit, and refuse collection. It is a shame to upset the streetscape with this inappropriate use of a spectacular site, which cries out for a decent architect design.

Consultation Responses

18. **Transportation:** There have been extensive discussions on this site and this proposal has been detailed to take account of the issues raised:

- The access road is wide enough for two cars to pass and to allow access for a fire engine (and for it to turn) within the areas provided.
- Bin collection is possible without the vehicle accessing the site, which is necessary because vehicles of this scale cannot access and turn within the site without overrunning into the individual gardens.
- Removal lorries will struggle, and will have to reverse out of the site. However, this will

be a rare event.

- Parking exceeds our normal standards, but artificially restraining it on developments such as this is not beneficial, as the sites are easily capable of providing extensive areas of hard standing.
- Garages are large enough to provide for both car parking and bike storage.
- The road works described on plan EA 4692/02 are essential to ensure that the access to this site is as safe as reasonably practicable and should be conditioned so that these works are in place prior to first occupation.
- Conditions are also necessary to require the provision of the bin store, collection point, the footway between them and also the access gate to Newmarket Road.
- The developer will need to agree works within the highway with the Highway Authority in due course.

19. Tree Officer:

- An Arboricultural Method Statement (AMS) is required for the demolition of the existing building where it conflicts with the Root Protection Area (RPA) of T9.
- Bungalow 4 is proposed too close to RPA of T9; root pruning may be a possibility but will require an AMS which should include foundation detail that shows a DPC grade liner to keep wet concrete leachate out of the root soil profile.
- Paved footpath within RPA of T8 should be reconfigured to be outside the RPA or should be of a no-dig construction to the Council's approval and constructed under arboricultural supervision.
- The coal bunker to be removed will require inclusion in the AMS.
- Tree protection measures should be conditioned.

20. Historic Environment Service (Archaeology): The area close to the junction of Newmarket Road and Eaton Road was previously C19th flint mines and then lime workings. It is quite possible that this area extends further north therefore the developers should be informed. An archaeological evaluation condition should form part of any consent and trial trenches are recommended to identify if there are any mine workings below (for subsidence reasons as well as archaeological).

21. City Engineer: I am not aware of any mine workings in the area of the junction of Newmarket Rd and Eaton Rd. In my view a refusal could not be justified on the basis of lack of ground conditions information prior to determination.

22. Natural Areas Officer:

- Although the presence of bats within the property is not known, due to the location of the dwelling, the age, size and design of the house and its dereliction, it is possible that bats may be using the house as a roost and as a result a survey is recommended plus an informative concerning protected species and the cessation of work if any are found on site. Bats are more likely to roost in houses in the summer months rather than use

them for hibernation.

- In addition, the trees to be removed or have ivy removed from them should be checked by a bat surveyor prior to works being undertaken.
- Any tree felling, vegetation clearance or the demolition of any outbuildings present should be undertaken outside the bird breeding season (approx March – early September).
- As this house has a large garden, it is possible that Grass Snake and Slow-worm, both of which are known to occur locally and are protected by law against deliberate or 'reckless' killing, may be present. A simple survey for these species is recommended to be undertaken after they emerge from hibernation in early spring (late March - early May). If any reptiles were to be found, there is suitable alternative habitat nearby and they could be easily relocated.
- Conditioning the surveys to take place prior to work being carried out would be entirely acceptable, bearing in mind that the surveys are intended to address the possibility of protected species being present, rather than responding to positive evidence that they are actually there. Also, as bats tend to come and go quite frequently from temporary roosts in buildings and trees, a survey timed to take place closer to the time work commences is likely to be of more value

23. County Council as Strategic Highway Authority:

I note from the design and access statement at paragraphs 1.0 and 5.2 that Norwich City Planning & Transportation Officers advised they are prepared to support a scheme for four dwellings on this site. I would point out that this is not a view shared by Norfolk County Council as Local Highway Authority and we have not been party to any such discussion with your officers.

Within my response to you dated 18 December 2008, I pointed out that the site currently comprises of three flats and: -

“Whilst recognising that the new access does offer minimal improvement over the existing situation, I would not wish to see any intensification greater than one flat on this site. Please also note that flats produce less traffic than residential dwellings and accordingly this response should not be taken to read that if the application were to be amended, a similar number of residential dwellings would be supported.”

The current intention is to provide four dwellings, which we have stated we will not support. I note the situation has changed slightly in that the posted speed limit has reduced and the applicant intends to extend the central reserve. However, these points were previously examined and discounted as they only overcome part of our safety concern. In any event, to alter the central reservation of a strategic route a safety audit will be required. The safety auditors have previously indicated they would not be supportive of this.

The proposal seeks to increase the existing usage of the site from 3 flats to a total of 4 dwellings. According to TRICS database, a flat would generate some 3 to 5 vehicle movements per weekday, (i.e. an existing total 9 to 15 movements) whilst a dwelling represents some 8 to 10 movements (i.e. 32 to 40 movements). Accordingly, this proposal will significantly increase the number of traffic movements, albeit at a slightly different access, onto the strategic highway network.

The proposed new access exits directly onto a slip road in close proximity to a point where vehicles turn off the A11 Newmarket Road. The A11 Newmarket Road and its associated slip road are designated a Principal Route under the County Council's adopted Route Hierarchy and has the primary function of carrying traffic safely and freely between centres of population. In this respect it also carries a significant volume of traffic.

Confusion will occur at this location when vehicles signal left to turn into the site access but other motorists using the slip road misinterpret the signal as being intended for the turning movement off the main A11 carriageway. In this manner motorists will incorrectly judge the rate of deceleration and be unable to reduce their speed, leading to a high probability of tail end collision.

Given the close proximity of the proposed access to the main A11 carriageway, an accident on the slip road at this point also carries a significant propensity to overspill onto the main A11 itself and thereby cause a serious incident.

Due to the speed and volume of traffic, any accidents occurring as a result of increased movements at the sites access are likely to cause personal injury. The probability of an accident occurring is regarded as high and the severity of such an accident is also regarded as being significant. Accordingly, I have no hesitation in recommending refusal for the following reasons: -

- HDCR 05** The proposed development would lead to a significant increase in slowing, stopping and turning movements on a slip road forming part of the A11 Newmarket Road, at a point likely to cause accidents and unwarranted interruption to the free flow of traffic to the detriment of highway safety. Contrary to Development Plan policies.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 – Delivering Sustainable Development

Supplement to PPS1 – Planning and Climate Change

PPS3 – Housing

PPS9 - Biodiversity

PPG13 – Transport

PPS5 – Planning for the Historic Environment

Relevant Local Plan Policies

City of Norwich Replacement Local Plan 2004

HOU13 – Proposals for new housing development on other sites

HOU6 – Development requirements for housing proposals

HBE12 – High quality of design

EP18 – Energy efficiency in development

TRA6 – Parking standards – maxima

TRA7 – Cycle parking standard

TRA8 – Servicing provision

TRA10 – Contribution by developers to works required for access to the site

TRA18 – Major road network

NE8 – Management of features of wildlife importance and biodiversity

NE9 – Landscaping scheme & tree planting

SR7 – Provision for child's equipped play space

Supplementary Planning Documents and Guidance

Trees and Development

Open space and play provision

Energy efficiency

Principle of Development

Policy Considerations

24. Saved policy HOU13 considers the residential development of non-allocated sites and requires the assessment of proposals in terms of access, design, density, private garden space, accessibility, impact on the character and appearance of the surrounding area and mix of housing types within sites. Saved policy HBE12 requires a high standard of design for new development. PPS5 requires that the significance of the heritage assets around the site that may be affected are enhanced by the development proposed.
25. Saved policies TRA6, TRA7 and TRA8 require adequate provision to be made on site for car and cycle parking and servicing in accordance with the Council's standards. Saved policy TRA10 requires the developer to meet the cost for all improvements to the site required to directly as a consequence of their proposals, including those required to provide adequate access to the site. Saved policy TRA18 prevents the creation of new access points on the major road network unless there is no practical alternative.

Other Material Considerations

26. In addition to the above main policy considerations, there is also a need to consider energy efficiency, the landscaping of the development and the trees on site and to ensure that adequate provision is made for child play space within the locality to meet the needs of the development.

Housing Proposals

Housing Numbers and Density

27. The site area is approximately 0.341 ha. The density is therefore approximately 12 dwellings per hectare. Although the previous minimum density figure of 30dph that was contained within PPS3 has now been abolished, this figure is much lower than the normal requirement for 40 dwellings per hectare as contained within saved policy HOU13 of the Replacement Local Plan.
28. However, this lower density development of substantial detached properties is considered to be in keeping with the character of the area in the vicinity of the site whilst also representing an increase in density over the current use of the site. It also reflects the constraints associated with access to the site.
29. Previously, as garden land, the site would have been considered as 'brownfield' or previously developed land. Since the amendments to PPS3 in June this year, the site is no

longer considered as 'previously developed land'. This, however, does not mean that development of the site cannot take place, but that the development should be in keeping with the form, character and appearance of the area. These criteria are reflected in saved policy HOU13.

30. As indicated above, the development of the site does propose a more intensive development than previously exists (with a proposed change from 3 flats to 4 dwellings) which represents a more efficient use of land whilst, it is considered, resulting in a form of development which is in keeping with and respects the form, character and appearance of the existing development within the area.

Impact on Living Conditions

Overlooking, loss of privacy and overshadowing

31. The application details are such that the scheme is considered unlikely to result in any problems associated with overlooking, loss of privacy or overshadowing. The two storey properties to the front have been designed so that there are unlikely to be any issues between the two properties concerned or those to the rear of or adjoining the site.
32. The dwellings to the rear are proposed to be single storey and are set some distance away from the boundaries of the site. Despite the change in levels between the application site and the adjoining sites on Chestnut Hill, the nature of the development is such that impacts of this type are considered unlikely.

Overbearing Nature of Development

33. The scheme as originally submitted indicated that plot 3 would be located close to the boundary of the site and include details such as a steeply pitched gable roof. The garden depths of the neighbouring properties on Chestnut Hill are not excessively large and concern was expressed that the proposed development would be overbearing for the residents of those existing dwellings, due to the proximity between the properties and the difference in land levels concerned.
34. Consequently, amendments have been made to the scheme to re-site the dwelling on plot 3 some three metres further from the boundary and to amend the design details of the scheme to propose a hipped roof with a lower ridge height. These changes are considered to have successfully addressed the concerns raised previously and the scheme, as amended, is not considered likely to be unacceptably overbearing for the existing adjoining residents.

Design

Layout, form, scale and height

35. The proposed development includes a single point of vehicular access into the site from the Eaton Road slip-road, which would serve all four dwellings and include a turning head within the site. A communal bin storage area would also be provided and this would be linked to the current access into the site by a footpath to the proposed bin collection point, separated from Newmarket Road by a gate. It is recommended that precise details of the boundaries to and within the site, the hard-surfacing of the roads, footways and parking areas within the site and the bin storage area are conditioned as part of any permission.
36. The layout of the development is of a small group of properties, each being a substantial detached dwelling set in its own individual spacious plots. Although this scheme is of a type which is found in other parts of Norfolk, it is a significant move away from the high density urban style of development often seen within Norwich and, consequently, is very in keeping with the existing development surrounding the site, both on Chestnut Hill and Newmarket Road.
37. The two storey dwellings to the site frontage, although served by the new access road and with garages to the rear of the plots, are designed to ensure that elevation to Newmarket Road contributes positively to the street scene, whilst also providing an acceptable degree

of privacy for the future occupiers of the dwellings.

38. The two bungalows to the rear of the site have been reduced in scale and height from the details originally submitted and the resulting design is considered to be acceptable and to complement both the proposed new dwellings on the site frontage and the existing development around the site.

Conservation Area – Impact on Setting

39. The site is located between three Conservation Areas but is not considered likely to have any impact on or affect the setting of any of those areas, due to the distances involved, the topography of the area and the screening that exists, largely through existing trees outside the site.
40. Although the existing property is imposing, being three storeys high, and distinctive in character, it is not considered to be worthy of retention in its own right. It is not a listed building, it is outside any Conservation Area and it is set back some distance from the road. This, coupled with the screening that exists to the site frontage, limits quite considerably the contribution that the property makes to the street scene and the character of the area. In contrast, the proposed development is considered likely to result in a positive contribution to the character and appearance of the area.
41. The site is not within the river valley as shown within the Local Plan proposals map and, although it is located on the brow of the hill, it is separated from the river valley by the existing development within the adjoining settlement of Eaton and the A11 flyover. It is not considered, contrary to the comments of the Norwich Society, to be a spectacular site or one which has uninterrupted or important views over the Yare Valley.
42. Although the building is also in very poor condition and the site has been the subject of anti-social behaviour and vandalism in the past, these considerations have not been given a significant weight in the assessment of merit as regards the current scheme. Although it may be possible to repair and restore the existing building and to return it to a single dwelling or several flats, it is important to assess the merits of the scheme which has been submitted, rather than other alternative forms of development which may also be possible.

Energy Efficiency

43. Recent changes to Part L of the Building Regulations have introduced a requirement for all new dwellings to be built to meet energy efficiency requirements equivalent to code level 3 of the code for sustainable homes. The construction of the proposed dwellings to this standard, it is considered, would enable the development to meet the Local Plan policy and SPD requirements as regards renewable energy and energy efficiency.

Transport and Access

Vehicular Access and Servicing

44. Subject to conditions, the access and servicing arrangements within the site are considered acceptable.
45. However, in respect of access arrangements to serve the development from the adjoining highway, a strong objection has been received to the proposal from the County Council as strategic highway authority due to concerns about the impact of the development on the A11, a principal route within the county route hierarchy.
46. In the main, the concerns relate to the potential increase in traffic generation that is likely to occur as a result of the development and the proposed use of an access which is considered to be unsatisfactory.
47. It is considered by the County Council, that the increase in the number of properties on the site from three flats to two houses and two bungalows is likely to lead to a significant increase in the number of vehicle movements to and from the site each day. Although the proposal involves the relocation of the existing access away from the junction of the A11 and its slip-road to a point within the site that is furthest from that junction, this improvement to the existing access arrangements is not considered sufficient to outweigh

the concerns about the increase in traffic movements associated with the proposed development of the site.

48. Very careful consideration has been given to the concerns expressed by the County Council. Indeed, similar concerns expressed on the previous scheme for 18 flats on the site resulted in a recommendation of refusal. However, in this instance, on balance, it is considered that the benefits associated with the redevelopment of the site and the relocation of the existing access point would be sufficient to outweigh the potential increase in risk that may occur associated with an increase in vehicle movement from the site as a result of the development proposed.
49. The development proposes the relocation of the access to the site some 60 metres to the south-west of the existing access. The access point would be provided with curved radii and a visibility splay of 2.4mx90m. The access would be of a sufficient width (4.1m) to allow two vehicles to pass. The existing point of access is at the far north-east corner of the site and is typical of an access designed to serve a limited number of dwellings off a private drive. It is located in a position so that, currently, the vehicles entering or leaving the site do so directly from or onto the A11, at the point at which the slip-road exit from the A11 is located.
50. Experience suggests that the use of this existing access point does cause confusion for other drivers and, even with the reduction in the speed limit that has recently come into effect on Newmarket Road, the current access is located in a position which is very likely to cause problems of highway safety. Although the proposed new access position is not ideal, it is considered that its relocation and upgraded design represents a significant improvement to the current situation. If there were no increase in the number of dwellings proposed on the site, this would result in a clear and significant improvement to highway safety as compared to the existing situation.
51. However, in this case, the development proposes an increase in one dwelling over the existing number of flats on the site. This is likely to lead to an increase in traffic generation from the site and, notwithstanding the improvements to the access that would also result from the development, this is considered, by the County Council, to be unacceptable. The issue is therefore whether the use of the proposed access located in a better, but not ideal location, and off the main A11 carriageway by a greater number of vehicles per day is likely to lead to an increase in risk of an accident occurring, and whether any increase in risk is outweighed by the other benefits associated with the development of the site.
52. Following the previous recommendation of refusal for the earlier proposal for 18 flats, discussions have taken place with the developers. Taking into account the concerns expressed previously and recognising that any improvements proposed to the access arrangements were unlikely to be able to propose a completely satisfactory design, due to the constraints of the site, the developers were made aware that any significant increase in the number of dwellings on the site was unlikely to be supported. The scale of development proposed in this case, in relation to the numbers of dwellings proposed on the site, represents a considerable reduction compared to that previously proposed. A previous increase from 3 flats to 18 flats has been replaced with a proposed increase from 3 flats to 2 houses and 2 bungalows.
53. The Council's saved policies from the Replacement Local Plan and central government guidance strongly support the construction of new dwellings, subject to certain criteria being met. Amongst other things, one of the criteria that needs to be met is to ensure that suitable and adequate access arrangements to the site can be provided. In this instance, the site is not one which has never been developed. Access arrangements exist which already serve three dwellings on the site.
54. The current proposals represent an opportunity to increase the number of dwellings on the site, albeit by one only, and introduce a mix of dwelling types on the site. It is understood that the number proposed represents the minimum figure considered viable to enable the development of the site to take place. Issues concerning viability can change with market

conditions. If the current scheme is not considered to be acceptable, it is possible that the redevelopment of the site for a lesser number of dwellings may be considered a feasible option at some point in the future. However, this is not certain and it is also possible that the site could remain in its current state and undeveloped for some time.

55. Whilst fully accepting the concerns expressed by the County Council as regards the potential for an increase in risk of an accident associated with the proposed increase in dwelling numbers on the site, it is considered that, on balance, in this instance, the other material considerations taken into account in respect of the proposal and the benefits associated with the redevelopment of the site as proposed, including the relocation and improvement to the existing access arrangements, would outweigh this concern and, unusually, would justify a recommendation of approval contrary to the advice of the strategic highway authority.

Car and Cycle Parking, Cycle Routes and Pedestrian Links

56. The development makes adequate provision for car and cycle parking within the site as there is a parking area and garage for each dwelling. The existing cycle path and footway on the highway adjoining the site frontage would not be adversely affected by the proposal.

Environmental Issues

Ground conditions & Archaeology

57. Consultation responses suggest that the site may have some archaeological interest in respect of possible flint mines and lime workings. It is therefore recommended that an archaeological evaluation condition is imposed on any permission granted, together with a condition requiring trial trenching for both potential archaeological and ground conditions reasons.

Biodiversity & protected species

58. Comments have been provided by the Council's Natural Areas Officer which indicate that, due to the nature of the site currently, it is possible that there may be some species present on the site which, if present, would need to be taken into account during its development. Consequently, it is recommended that conditions requiring surveys and limiting the timing of works to outside the bird breeding season are imposed on any permission granted.

Trees and Landscaping

Loss of Trees or Impact on Trees

59. The Council's Tree Officer has not objected to the proposed removal of some of the trees on site and has recommended that conditions be imposed to further limit the impact of the development on the trees to be retained.

Replacement Planting

60. Replacement planting is proposed as part of the scheme and it is considered that this would effectively mitigate against the loss of the trees to be removed. It is therefore recommended that a landscaping condition is imposed which would include reference to replacement tree planting.

Planning Obligations

Open Space and Play Equipment

61. Notwithstanding the provision of garden areas for each dwelling, due to the size of the properties concerned, a development of this nature triggers, under saved policy HOU4, a requirement for a contribution to be made towards the provision of or an enhancement to an equipped child play-space within the vicinity of the site.
62. The application was submitted with a unilateral undertaking from the developer agreeing to pay a commuted sum towards this provision should planning permission be granted.

Negotiations have taken place regarding the precise wording of the undertaking and it is anticipated that a revised version will be submitted imminently.

Conclusions

63. On balance and taking into the account the concerns expressed with regard to the increase in numbers of dwellings on the site compared to the existing and the resulting potential impact on highway safety, the redevelopment of the site is considered acceptable in principle, representing an acceptable form, layout, density and design of development which would be in keeping with the existing development around the site and would not have any impact on the significance of the Conservation Areas and other heritage assets in the vicinity of the site. The dwellings proposed would be provided with adequate parking, bin storage and collection and amenity space and would be unlikely to have an adverse impact on the neighbouring properties. Subject to conditions, the development is considered likely to have an acceptable impact on biodiversity, protected species and the existing trees on site worthy of retention and to provide for suitable landscape and mitigatory replacement planting. Subject to the unilateral undertaking provided, the scheme as proposed is considered to make provision for the demand for children's play space likely to result from the development to be met. The benefits of redeveloping the site as proposed are considered, in this instance, to be such as to outweigh the concerns about the potential impact on highway safety. The proposal is therefore considered to be in accordance with PPS1, PPS3, PPS9, PPG13 and PPS5 and with saved policies HOU13, HOU6, HBE12, EP18, TRA6, TRA7, TRA8, TRA10, TRA18, NE8, NE9 and SR7 of the City of Norwich Replacement Local Plan 2004 and all other material considerations.

RECOMMENDATIONS

To approve Application No (enter application number and address) and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 planning obligation by 30 November 2010 to include the provision of contributions for the provision or enhancement of child play space in the vicinity of the application site and subject to the following conditions:
 1. Standard time limit for commencement (3 years)
 2. In accordance with submitted plans and details
 3. Precise details of the facing materials for the dwellings, the boundaries to and within the site, the hard-surfacing of the roads, footways and parking areas within the site and the bin storage area to be submitted and agreed prior to development, carried out in accordance with the agreed details prior to occupation and maintained as such thereafter
 4. Archaeological evaluation
 5. Trial trenching
 6. Bat survey of all structures and trees prior to any works on site commencing, including site clearance and vegetation/ tree removal
 7. All site clearance and demolition works to be undertaken outside bird breeding season (March-September)
 8. Species survey for grass snake and slow worm to be undertaken March- May prior to any other works on site being carried out
 9. All trees to be retained shall be protected during construction
 10. Arboricultural method statement to be provided to cover the demolition of the existing building, the removal of the coal bunker, the footpath construction and the foundation details of plot 4
 11. Prior to first occupation of any dwelling, the access road to be constructed in accordance with the submitted drawings and the existing point of access stopped up and made unavailable for vehicular use, in accordance with details to be first submitted and agreed with

the local planning authority, and retained as such thereafter

12. Landscaping condition including replacement tree planting

13. No development to take place until a scheme to ensure that all vehicles leaving the site turn left only onto the sliproad leading to Eaton Street has been submitted to and agreed in writing by the local planning authority. The scheme shall relate to all vehicles visiting or servicing the site, both during construction and post-occupation and the scheme shall be in operation throughout the construction period and prior to the first occupation of any dwelling and shall remain in operation thereafter.

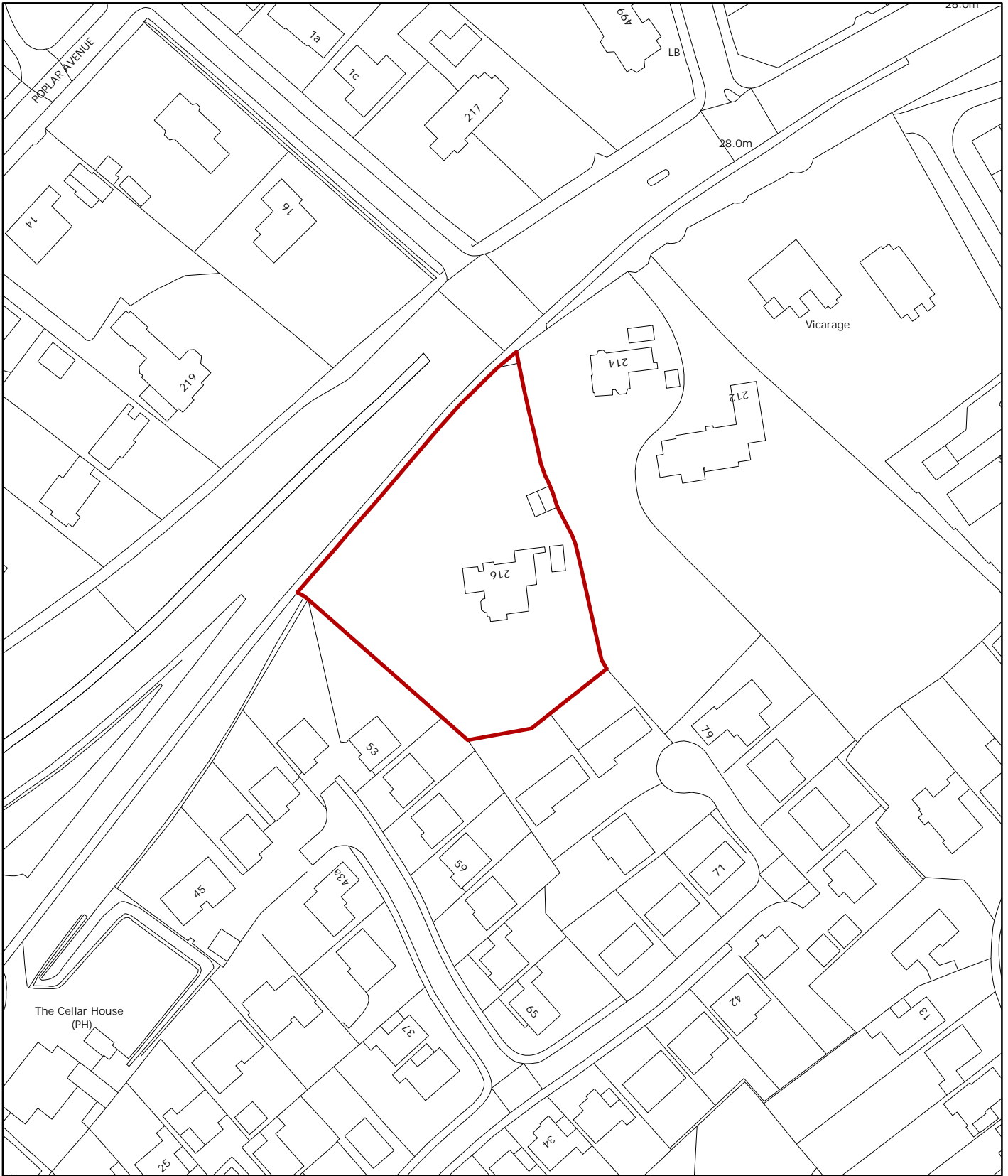
Informatives:

1. Construction timings
2. Any protected species found on site, work to cease and permission from Natural England obtained

(Reasons for approval: On balance and taking into the account the concerns expressed with regard to the increase in numbers of dwellings on the site compared to the existing and the resulting potential impact on highway safety, the redevelopment of the site is considered acceptable in principle, representing an acceptable form, layout, density and design of development which would be in keeping with the existing development around the site and would not have any impact on the significance of the Conservation Areas and other heritage assets in the vicinity of the site. The dwellings proposed would be provided with adequate parking, bin storage and collection and amenity space and would be unlikely to have an adverse impact on the neighbouring properties. Subject to conditions, the development is considered likely to have an acceptable impact on biodiversity, protected species and the existing trees on site worthy of retention and to provide for suitable landscape and mitigatory replacement planting. Subject to the unilateral undertaking provided, the scheme as proposed is considered to make provision for the demand for children's play space likely to result from the development to be met. The benefits of redeveloping the site as proposed are considered, in this instance, to be such as to outweigh the concerns about the potential impact on highway safety. The proposal is therefore considered to be in accordance with PPS1, PPS3, PPS9, PPG13 and PPS5 and with saved policies HOU13, HOU6, HBE12, EP18, TRA6, TRA7, TRA8, TRA10, TRA18, NE8, NE9 and SR7 of the City of Norwich Replacement Local Plan 2004 and all other material considerations.)

(2) where a satisfactory S106 legal obligation is not completed prior to 30 November 2010 that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 10/01422/F 216 Newmarket Road for the following reason:

1. The development as proposed is considered likely to lead to an increased demand for children's play space and the scheme as submitted does not make adequate provision for such demand to be met either on site or within the vicinity of the site.



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Planning Application No - 10/01422/F
Site Address - 216 Newmarket Road
Scale - 1:1,250



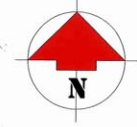
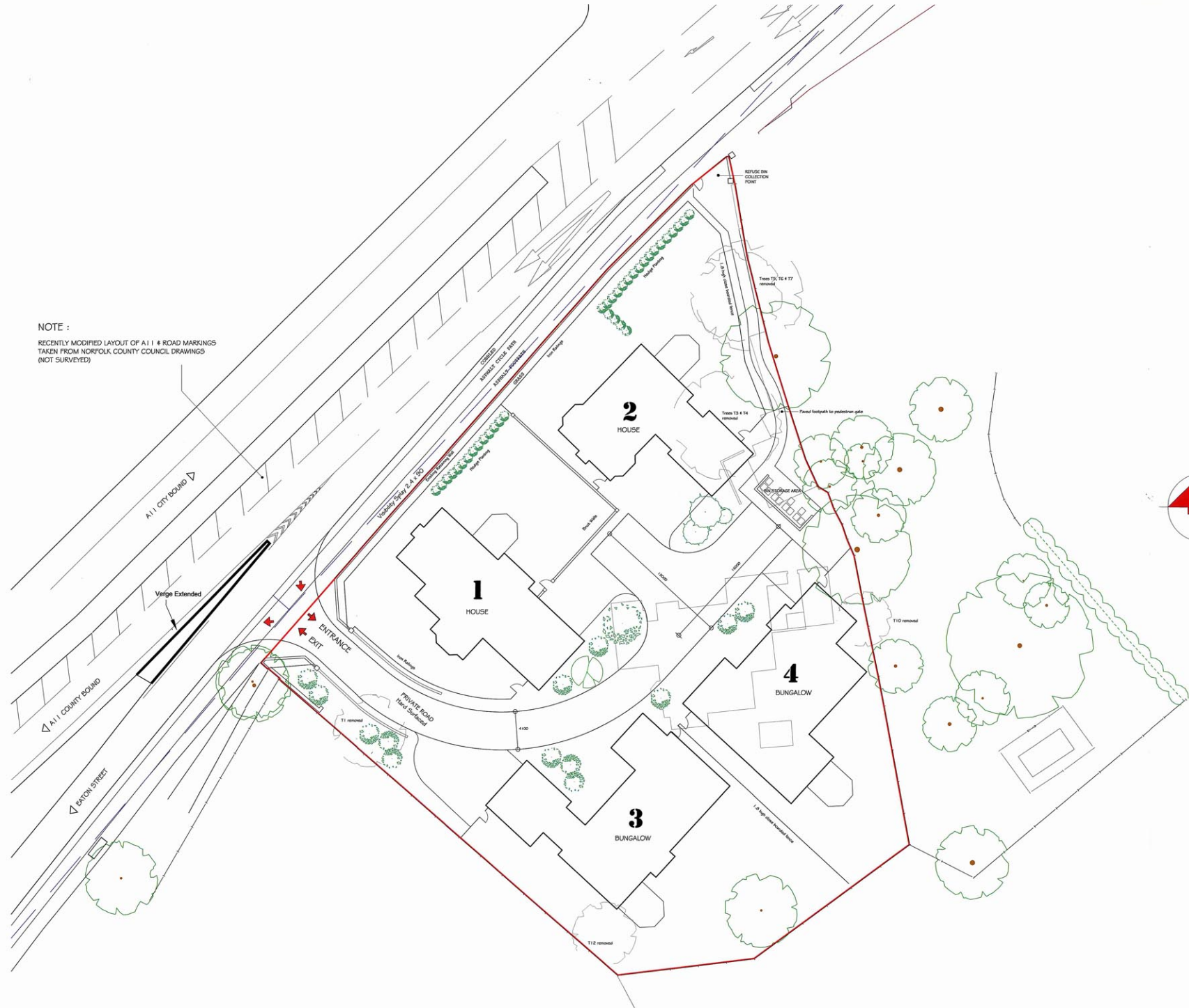
NORWICH
City Council

PLANNING SERVICES



General notes:
All dimensions should be checked on site and not scaled from the drawing.
All dimensions are in millimetres unless stated otherwise.

NOTE :
RECENTLY MODIFIED LAYOUT OF A11 # ROAD MARKINGS TAKEN FROM NORFOLK COUNTY COUNCIL DRAWINGS (NOT SURVEYED)



A	Plot 4 garage reduced in size, bungalows 3 & 4 moved north - eastward	grc	Oct 10
No	Revision/issue details	By	Date



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Tel: 0207 262 1077 Fax: 0207 262 6347
email: london@mmbi.co.uk
www.mmbi.co.uk

client:
NMR Ltd.

job title:
Residential Development
216 Newmarket Road
Norwich

drawing title:
Proposed Site Layout

PRELIMINARY CONTRACT	<input checked="" type="checkbox"/>	TENDER CONSTRUCTION	<input type="checkbox"/>
checked by:	date:	scale:	drawn by:
rwt	July 10	1:200@A1	grc
DRAWING NO:	EA4692/02	A	

This drawing has been produced using CAD and should not be amended manually.