



## PLANNING APPLICATIONS COMMITTEE

Date: **Thursday 12 September 2013**

Time: **9.30am – Pre-application presentation (details below)**  
**10.30am – Committee**

Venue: **Mancroft room, City Hall**

### COMMITTEE MEMBERS:

#### Councillors:

Bradford (chair)  
Gayton (vice chair)  
Ackroyd  
Blunt  
Brociek-Coulton  
Button  
Grahame  
Jackson  
Little  
Neale  
Sands (S)  
Storie

### FOR FURTHER INFORMATION PLEASE CONTACT -

Committee officer: Jackie Rodger  
Tel. No: 01603 212033  
E-mail: [jackierodger@norwich.gov.uk](mailto:jackierodger@norwich.gov.uk)

Democratic services  
City Hall  
Norwich  
NR2 1NH

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## AGENDA

Page No.

### Pre-application briefing – Dukes Wharf

Please note that the applicants will be presenting a pre-application briefing on their proposals for an application in respect of the development of the site at Dukes Wharf (before the formal business of the planning applications committee.)

Committee members, ward councillors and other interested parties are welcome to attend.

(The formal business of the committee will commence at 10.30am).

**1. Apologies**

**2. Public questions**

To receive questions from the public (notice to be given to the committee officer by 10am on the day before the meeting.)

**3. Declarations of interest**

(Please note that it is the responsibility of individual members to declare an interest prior to an item if the members arrive late for the meeting).

**4. Minutes**

**5**

To agree the accuracy of the minutes of the meeting held on 15 August 2013.

**5. Planning applications**

**17**

(Report of the head of planning services)

**Purpose** - To determine the current planning applications as summarised on pages **13-14** of this agenda.

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 5 above are required to notify the committee officer by 10am on the day before the meeting.

Further information on planning applications can be obtained from the council's website:- <http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 10.30am.
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available.
- The committee will adjourn for lunch at a convenient point between 1pm and 2pm if there is any remaining business.

4 September 2013



If you would like this agenda in large print, audio, Braille, alternative format or in a different language, please call Jackie Rodger, Senior committee officer on 01603 212033 or email [jackierodger@norwich.gov.uk](mailto:jackierodger@norwich.gov.uk)

## Access



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There are two lifts available in City Hall giving access to the first floor committee rooms and the council chamber where public meetings are held. The lifts accommodate standard sized wheelchairs and smaller mobility scooters, but some electric wheelchairs and mobility scooters may be too large. There is a wheelchair available if required.



A hearing loop system is available.

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## PLANNING APPLICATIONS COMMITTEE

9.30am to 11.35am

15 August 2013

Present: Councillors Bradford (chair), Gayton (vice chair), Ackroyd, Blunt, Button, Brociek-Coulton, Gihawi (substitute for Councillor Sands (S)) (from item 5 below), Henderson (substitute for Councillor Grahame), Jackson, Little, Neale, and Storie

Apologies: Councillors Grahame and Sands (S)

### 1. DECLARATION OF INTERESTS

There were no declarations of interest, however Councillor Ackroyd, subsequently declared an other interest in item 7 (below), application no 13/01034/F, Merchants Court, St Georges Street, Norwich, in that her son worked for one of the objectors to the development.

### 2. MINUTES

**RESOLVED** to approve the minutes of the meetings held on 25 and 29 July 2013.

### 3. APPLICATION NO 13/01121/F 2 ELSTEAD CLOSE, NORWICH, NR4 6LU

The planner (development) presented the report with the aid of plans and slides. During her presentation the planner referred to the supplementary report of updates to reports, which was circulated at the meeting, and contained a summary of a representation from the residents of the neighbouring property, 1 Elstead Close, which had been received after the publication of the papers for the meeting, and the officer response. The revised plans that had been submitted by the applicant were displayed to the committee. Members were advised that there was a discrepancy in the land levels of 0.5m which did increase the impact of the proposal on the adjacent property. The alteration to the plans reduced the height of the north-west of the roof by 1m, allowing more light into 1 Elstead Close.

Discussion ensued in which the planner answered members' questions. Members noted that the principal rooms of the adjacent property most affected from loss of light would be the dining room, and that although no sunlight study had been submitted, by the applicant, the revised plans mitigated against the affect of the extension on the neighbouring property. It was noted that the residents of the neighbouring property had been unable to comment on the revised plans. Members were advised that the proposed roof space was to be used as a roof void.

**RESOLVED**, unanimously, to approve 13/01121/F for 2 Elstead Close and grant planning permission, subject to the following conditions:-

1. Commencement within 3 years;
2. In accordance with plans.

Informative:

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.

#### **4. APPLICATION NO 13/00870/F, UNIT A YAREFIELD PARK, OLDHALL ROAD, NORWICH NR4 6FF**

The planning development manager presented the report with the aid of plans and slides, including views from the surrounding countryside to demonstrate the impact that the development would have on the Yare Valley. He also referred to the supplementary report of updates to reports which was circulated at the meeting and said that the applicant had submitted additional information on water conservation measures.

Discussion ensued in which the planning development manager referred to the report and answered members' questions. Members considered the access arrangements and the details of the travel plan. A member pointed out that consideration should be given to those parents who wanted to drop off students near the college rather than at Harford Park and Ride.

During discussion on the design of the conversion of the warehouse to a college, members did not object to the height of the tower but expressed dissatisfaction with the proposed colour (yellow) and considered that there should be further negotiation with the applicant. Members noted that the building complied with sustainable energy requirements and that building regulations would ensure that there was adequate insulation.

Members welcomed the proposal which would benefit the young people of the city and replace the unsatisfactory facilities at the college's Ipswich Road site. The committee concurred that the proposal made good use of the current warehouse and it was considered that the tower would be an aesthetic feature but that there needed to be further consultation with the applicant about its colour.

**RESOLVED**, unanimously, to approve application no 13/00870/F at Unit A Yarefield Park, Oldhall Road, Norwich NR4 6FF, and grant planning permission, the following conditions:

1. Development to commence within 3 years;
2. Development to be in accordance with the approved plans and details, subject to the finish of the tower being approved by the head of planning services;

3. Restriction on pupil age (14 years upwards) and capacity (600 pupils at any time) unless otherwise agreed in writing with the head of planning;
4. The development shall be constructed to include water conservation measures designed to maximise water conservation. No use of the development hereby approved shall take place until the water conservation measures and appliances have been installed and brought into use and these shall thereafter be permanently retained;
5. No use of the development until the following features have been provided and made available for use as per the approved plans:
  - on-site bus stop;
  - landscaped entrance forecourt;
  - all new security fencing;
  - new internal amenity area landscaping;
  - car parking facilities and layout as per plan, service bays, delivery area and external sports area marked out;
  - pedestrian safety markings at entrance and across adjoining site entrance;
  - cycle parking;
  - scooter parking;;.
6. No use of the development until the cycle network infrastructure improvements as listed in the Travel Plan have been provided and made available for use. Specifically these shall include:
  - a new access / up-ramp / chicane from Ipswich Road to Fountains Road;
  - flush kerbs at Hall Road opposite Fountains Road;
  - flush kerbs at Hall Road opposite Sandy Lane;
  - signage on road and above road from Fountains Road;
  - signage on road along Bessemer Road;
  - safety measures / markings on road across entrance to Oldhall Road at Hall Road junction;
  - providing bus stop on the site to connect to Anglian Bus service;
  - improvements to existing bus stops on the Park & Ride route (if P&R is used);
7. No use of the development until the waiting restrictions in the local area have been improved and/or extended as set out in the Travel Plan, and the site has been marked up as a 'no drop-off zone'.
8. No use of the development until appropriate lighting has been provided for the pedestrian route connection between the site and Ipswich Road, in accordance with a scheme first submitted to and approved in writing by the local highways authority.
9. No use of the development until the photovoltaic panels have been installed on site and made operational in accordance with the details set out in the energy report and in the locations shown on the roof plan;
10. Upon commencement of use, to implement the Travel Plan and monitor accordingly;

11. Any external lighting within the site is to be agreed first by the Local Planning Authority and retained in accordance with the approved details thereafter;
12. Servicing and deliveries by HGVs required to take place outside usual college opening hours;
13. The installation of any plant or machinery for permanent fitting at the premises shall be in accordance with a scheme approved by the Council for the reduction, where necessary, of the level of noise and vibration emanating from the premises.

**5. APPLICATION NO 13/00737/U EPIC CENTRE, 112 - 116 MAGDALEN STREET, NORWICH, NR3 1JD**

(Councillor Gihawi was admitted to the meeting during this item.)

The planning team leader (development) presented the report with the aid of plans and slides.

During discussion the planning team leader and the planning development manager referred to the report and answered questions. Members noted that the application regulated the use of the building and considered that the studio doors should be kept shut whilst the studios were in use to prevent disturbance to residents in the neighbouring properties and users of the other studios. Members considered that an informative or condition the applicant to manage the use of the facilities should be applied. Further restrictions on the use of the venue for public entertainment would be covered by licensing regulations.

A member suggested that the location of the proposed cycle storage racks could conflict with the installation of the new cycle contra-flow and that officers should ensure that this would be taken into account at the time.

**RESOLVED**, with 11 members voting in favour (Councillors Bradford, Gayton, Ackroyd, Blunt, Button, Brociek-Coulton, Henderson; Jackson, Little, Neale, and Storie) and 1 member abstaining (Councillor Gihawi, who was not being present for the entire item) to approve application No 13/00737/U, 112-116 Magdalen Street, Norwich, NR3 1JD and grant planning permission, subject to the terms of a satisfactory S106 obligation to include the provision of contributions towards off-site cycle storage, and subject to the following conditions:

1. Development to commence within 3 years;
2. Development to be in accordance with the approved plans, including the interior layout / uses of each room as per approved proposed ground floor plan 01-01-14-2-1059 04;
3. Development to be restricted to a maximum of 240 students at any time;
4. In the event of the applicant not fulfilling the planning obligation the use shall not commence until a scheme has been submitted to and agreed in writing by the local planning authority in consultation with the Highways Authority for the

provision of appropriate levels of off-site cycle storage, and the cycle storage has been provided and made available for use in accordance with the approved scheme.

5. No amplified music to be played until the noise mitigation measures have been installed in accordance with the approved acoustic assessment recommendations within Chapter 6 of the Adrian James Acoustics Ltd report ref 10720/1, received 1 July 2013.
6. Maximum sound levels in the rooms marked 'Rehearsal Room 2' and 'Rehearsal Room 3' on Proposed Ground Floor Plan ref no. 01-01-14-2-1059 04, shall be limited to 99dB LAeq(5 mins) in total across all frequency bands and also 97dB Leq(5 mins) in the 63Hz octave band.
7. Upon commencement of the use, the Travel Information Plan is to be implemented and made available to all users of the development, and promoted in accordance with the provisions of the Travel Information Plan.
8. Within three months of commencement of the use, suitable fire hydrant provision equivalent to delivering a minimum of 20 litres of water a second shall be provided and made available for use in accordance with the requirements of the Norfolk Fire Service.
9. Hours of use to be restricted to 0800 – 2130 Monday to Friday, and 0900 – 1700 on Saturdays, Sundays and Public Holidays.
10. No external plant and machinery to be installed without prior approval of the LPA in respect of noise containment and protection of residential amenity.
11. In addition to the recommendations within Chapter 6 of the Adrian James Acoustics Ltd report ref 10720/1, received 1 July 2013, no use of Performance Space/"Live Venue"/Rehearsal, Recording Space (Studio 3) on Proposed Ground Floor Plan ref no. 01-01-14-2-1059 04, shall take place until a new inner door lobby to the north-east stairwell has been provided and fitted with automatic closers. Once provided, this shall be retained thereafter. The automatic closers for the lobby doors shall be operational whenever Studio 3 is in use and the lobby doors shall not be left open at any time except for servicing or in the case of an emergency.

**6. APPLICATION NO 13/01163/F MAYBANK, 8 POPLAR AVENUE, NORWICH, NR4 7LB**

The planner (development) presented the report with the aid of plans and slides.

Members noted that this was a retrospective application to amend the position of the previous permission and that the mini treatment drainage system had been relocated so that it could be accessed for annual maintenance from the highway. The system was completely sealed and would not release odours.

**RESOLVED**, unanimously, to approve application no 13/01163/F, 8 Poplar Avenue and grant planning permission, subject to the following condition:

1. Maintenance in accordance with manufacturer guidelines.

Informative:

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.

**7. APPLICATION NO 13/01034/F, MERCHANTS COURT, ST GEORGES STREET, NORWICH**

(Councillor Ackroyd declared an other (non-pecuniary) interest in this item.)

The planner (development) presented the report with the aid of plans and slides, and referred to the supplementary report of updates to reports which was circulated at the meeting and summarised a late representation from the Norwich Society and a further comment from the Norfolk Historic Environment Services.

During discussion the planner answered members' questions and referred to the report. Members considered the objections that had been raised by the management of The Playhouse and noted that provided that the company continued to use good practice when moving stage equipment and instruments late at night this would mitigate against possible complaints from future residents and that the most affected would be those in the lower floors which was outside the scope of the application. Members also noted that revised plans, which allowed more light into the ground floor office, would address the concerns of the occupants of the office on the ground floor of the building, regarding the light well.

The planner said that the options for landscape enhancements were limited but that the conditions would seek to require that any changes were mitigated. A member suggested that bird boxes and replacement planting should be included.

**RESOLVED**, unanimously, to approve application no 13/01034/F at Merchants Court, St Georges Street, and grant planning permission, subject to the following conditions:-

1. Standard time limit

2. In accordance with plans
3. Approval of external materials of bricks, tiles, windows and doors
4. Details of internal elevations of the new atrium area and terraces
5. Details of rainwater goods types and locations, ventilation mechanisms and locations for bathrooms and kitchens, conservation rooflights and entrance canopy
6. Compliance with Arboricultural Implications Assessment
7. Landscaping – including permeable paving and replacement planting
8. Provision of bird boxes.
9. Removal of vegetation outside of bird nesting season
10. No more than 5 car parking spaces to be used in conjunction with flat
11. Provision of cycle storage
12. Details of location, size and appearance of refuse store
13. Archaeology – works to stop if artefacts uncovered
14. Water conservation for new dwellings
15. Flood proofing measures
16. Flood warning and evacuation plan
17. Additional noise survey to assess appropriate noise attenuation around plant and mechanical ventilation to flats where required

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.)

Informative Note:

1. Requirement for protected species licence;
2. Tree protection barriers.

**8. APPLICATION NO 13/00892/U 5A ST STEPHENS STREET, NORWICH, NR1 3QL**

The planner (development) presented the report with the aid of plans and slides.

During discussion the planner referred to the report and answered members' questions. He explained that policy SHO10 applied to retail shopping areas and that the change of use of the premises to a betting shop was within the threshold.

Some members welcomed the proposal to bring a vacant property back into use.

**RESOLVED**, with 8 members voting in favour (Councillors Bradford, Gayton, Button, Brociek-Coulton, Henderson, Little, Gihawi, Stonard), with 2 members voting against (Councillors Ackroyd and Neale) and 2 members abstaining (Councillors Blunt and Jackson) to approve application no 13/00892/U at 5A Stephens Street and grant planning permission, subject to the following conditions:-

1. Standard time limit;
2. Development in accordance with plans.

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.

CHAIR



# Applications for submission at planning applications committee

12 September 2013

ITEM

5

Item No.	Case Number	Page	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
5(1)	13/01152/F and 13/01153/L	17	Hellesdon House, 28 Hellesdon Mill Lane	Jo Hobbs	Extension and alteration of water tower to convert to 1 No. dwelling; alteration of stable attached to main house to convert to 1 No. dwelling and; erection of 1 No. dwelling within curtilage of Hellesdon House adjacent to 18 Hellesdon Mill Lane	Objections	Approve
5(2)	13/00852/U	31	Bluebell Road Norwich NR4 7LG	Jo Hobbs	Change of use from retail (Class A1) to children's nursery (Class D1) for a period of two years.	Objections	Approve
5(3)	13/01122/O	43	76 St Clements Hill Norwich NR3 4BW	Jo Hobbs	Development of land at rear of 76 St Clements Hill using existing shared drive access from Chamberlin Road for erection of 2 No. semi-detached single storey dwellings	Objections	Approve
5(4)	13/00970/F and 13/00971/L	57	Site At All Saints Green, Winnalls Yard and Queens Road.	Rob Parkinson	Demolition of 52 & 54 All Saints Green. Redevelopment of site and erection of 228 bedroom student accommodation. Conversion of 50 All Saints Green to allow a range of commercial uses (A1, A2, A3, B1 and D1 Use Classes).	Objections Major devt	Approve

Item No.	Case Number	Page	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
5(5)	13/01203/F	99	41-43 Churchill Road	Tracy Armitage	Erection of 4 flats	Objections	Approve
5(6)	13/01002/F	107	5 Kinver Close	Lara Emerson	Erection of timber store in rear garden.	Objections	Approve
5(7)	13/01313/NF3	113	23, 27 And 29 Trory Street	James Bonner	Window replacement works to front elevations (timber to PVC).	Objections	Approve
5(8)	12/01444/F	121	Norwich Family Life Church Heartsease Lane Norwich NR7 9NT	Lee Cook	Erection of new church building (Class D1) incorporating preschool, sports and community facilities.	Review of the use of a S106 agreement for securing a travel plan	Approve

## **STANDING DUTIES**

**In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.**

### **Equality Act 2010**

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

### **Crime and Disorder Act, 1998 (S17)**

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

### **Natural Environment & Rural Communities Act 2006 (S40)**

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

### **Planning Act 2008 (S183)**

- (1) Every Planning Authority should have regard to the desirability of achieving good design

### **Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law**

#### ***Article 8 – Right to Respect for Private and Family Life***

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

**Report to** Planning applications committee  
**Date** 12 September 2013  
**Report of** Head of planning services  
**Subject** 13/01152/F & 13/01153/L - Hellesdon House 28 Hellesdon  
Mill Lane Norwich NR6 5AY

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**Item**  
**5(1)**

## SUMMARY

<b>Description:</b>	Extension and alteration of water tower and associated buildings to convert to 1 No. five bedroom dwelling; alteration of stable attached to main house to convert to 1 No. two bedroom dwelling and; erection of 1 No. five bedroom two storey dwelling within curtilage of Hellesdon House adjacent to 18 Hellesdon Mill Lane (revised design).
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approve both applications
<b>Ward:</b>	Wensum
<b>Contact Officer:</b>	Jo Hobbs Planner 01603 212526
<b>Valid Date:</b>	19th July 2013
<b>Applicant:</b>	
<b>Agent:</b>	Mr Kevin Cole

## INTRODUCTION

### The Site

#### Location and Context

1. The site is located in Hellesdon to the north west of the city, near to the River Wensum. To the west of the site is the river Wensum, Hellesdon Mill to the north. The surrounding areas to the north, east and south of the site are predominantly residential.
2. The site is within the Hellesdon Conservation Area, with the main building of Hellesdon House forming a Grade II listed building. Within the site is the main house with attached stables, a separate water tower with stables and other minor structures around the garden including a water fountain, grotto, former kennel enclosure and landscaped gardens. The site is around 0.98ha in size.
3. The site has mature vegetation and trees across the site and the site is subject to a Tree Protection Order (TPO.35). The site has recently been re-landscaped in consultation with the council's tree officer.
4. Part of the site is also within flood zone 2 and 3, as the land slopes down significantly from the east to the west as the river is to the west of the site. This change in land level also leads to the residential dwellings to the east of the site being at a significantly higher land level than the main house and water tower. The site is also within the outer area of the Health and Safety Executive consultation zone for Bayer Crop Science.

## Planning History

5. There is no relevant planning history to the proposed development. There are according to council tax records three residential units on site. The main dwelling and two dwellings forming The Coach House and The Carriages, which form flats in the main building.

## Equality and Diversity Issues

6. There are no significant equality or diversity issues.

## The Proposal

7. The application is for the conversion of the water tower to a separate dwelling, conversion of the ground floor stables on the main house to a separate flat and construction of a new dwelling to the south of the site.

## Representations Received

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Three letters of support and two letters of objection have been received. The letters of objection cite the issues as summarised in the table below.

9. Letters of support:

Issues Raised	Response
Good to see historic building being brought back to a good state of repair	Noted
General support for proposals	Noted
New dwelling to south of site will have no adverse impact on adjacent 18 Hellesdon Mill Lane	Paragraphs 24-27

10. Letter of representation:

Issues Raised	Response
Traffic, parking and accessibility concerns – alternative exit proposed	Paragraphs 41-48
Loss of trees	Paragraphs 55-57
Emergency vehicle access	Paragraphs 60-62
Disturbance from construction traffic	As above
Unstable land	As above
Sewer connections	As above

## Consultation Responses

11. Historic Environment Service (Archaeology) – no objections.
12. Local Highway Authority – no objections subject to conditions.
13. Natural Areas Officer – no objections subject to mitigation measures.
14. Norwich Society – support sensitive development of water tower and stables.

15. Health and Safety Executive – does not advise against the development.

## **ASSESSMENT OF PLANNING CONSIDERATIONS**

### **Relevant Planning Policies**

#### **National Planning Policy Framework:**

Statement 4 – Promoting sustainable transport

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

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

Statement 11 – Conserving and enhancing the natural environment

Statement 12 - Conserving and enhancing the historic environment

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

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 4 – Housing delivery

Policy 6 – Access and transportation

Policy 9 – Strategy for growth in the Norwich Policy Area

Policy 12 – Remainder of Norwich area

Policy 20 – Implementation

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

NE1 – Protection of environmental assets from inappropriate development

NE3 – Tree protection control of cutting, lopping etc.

NE8 – Management of features of wildlife importance and biodiversity

NE9 – Comprehensive landscaping scheme and tree planting

HBE4 – Other locations of archaeological interest

HBE8 – Development in Conservation Areas

HBE9 – Listed buildings and development affecting them

HBE12 – High quality of design

EP3 – Health and safety consultations

EP16 – Water conservation and sustainable drainage systems

EP18 – High standard of energy efficiency for new development

EP22 – High standard of amenity for residential occupiers

HOU13 – Proposals for new housing development on other sites

HOU15 – Conversion of vacant or underused parts of buildings

HOU18 – Conversion of larger properties to multiple occupation

TRA3 – Modal shift measures in support of NATS

TRA5 – Approach to design for vehicle movements and special needs

TRA6 – Parking standards – maxima

TRA7 – Cycle parking provision

TRA8 – Servicing provision

#### **Supplementary Planning Documents and Guidance**

Trees and Development (Adopted September 2007)

#### **Other Material Considerations**

Written Ministerial Statement: Planning for Growth March 2011  
The Localism Act 2011 – s143 Local Finance Considerations  
Interim Statement on the off-site provision of affordable housing December 2011  
Enabling development and conservation of significant places. English Heritage, 2008

### **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.

### **Emerging DM Policies**

(Please note that these policies were submitted to the Planning Inspectorate on 17<sup>th</sup> April 2013. After this time some weight can be applied to these policies. Some policies subject to objections have not been included in this list as these issues are unlikely to be resolved within the time frame of the application, and therefore should not be given much weight.)

- DM1** - Achieving and delivering sustainable development
- DM2** - Ensuring satisfactory living and working conditions
- DM3** - Delivering high quality design
- DM6** - Protecting and enhancing the natural environment
- DM7** - Trees and development
- DM9** - Safeguarding Norwich's heritage
- DM11** - Protecting against environmental hazards
- DM12** - Ensuring well-planned housing development
- DM13** - Communal development and multiple occupation
- DM28** - Encouraging sustainable travel
- DM30** - Access and highway safety
- DM31** - Car parking and servicing

## **Principle of Development**

### **Policy Considerations**

16. The proposed development entails the creation of three new dwelling units within the existing curtilage of the listed building of Hellesdon Hall. Two of the dwellings, in the stables and water tower, would be adjacent to the listed building, whilst the third dwelling has intentionally been designed to relate more to the development to the south of the site rather than the main listed building.
17. The principle of additional residential units in this location is acceptable in principle, as the site is in an existing residential area which is served by some public transport routes, and makes efficient use of existing residential land.
18. The new dwelling would be on land currently used as garden land for Hellesdon House. The National Planning Policy Framework identifies such land to be greenfield land, which should preferably not be developed over brownfield land. In paragraph 55 of the NPPF however it is clearly stated that local planning authorities should set policies to protect garden land as they see fit. The council does not have such a policy and so an



assessment must be made on the suitability of the site for housing through other principles set out in the NPPF and local policy.

19. The site however is in a fairly accessible location, well within the urban area and in an area of existing housing. Therefore the principle of the development on the site is considered to be acceptable subject to meeting the requirements of other development plan policy.
20. The key considerations for the proposed development are affordable housing, residential amenity of existing and future residents, design and impact on heritage assets, access and transport considerations, flood risk, archaeology, water conservation, impact on trees, landscaping and local finance considerations.

## **Housing Proposals**

### **Affordable Housing**

21. The number of dwellings proposed is under the threshold of 5 dwellings which requirement affordable housing, but as the site is over 0.6ha policy 4 of the Joint Core Strategy requires 33% of dwellings provided on site to be affordable.
22. The policy requirement has been considered in terms of this application and what the application aims to achieve. The development of the new dwelling aims to increase the land value to enable monies to be raised to repair and refurbish the water tower. In this instance the uplift in value of the land would be put towards heritage interest rather than the social interests of affordable housing. In this instance it is considered acceptable that no affordable housing is provided on the site.

### **Density of development**

23. The density of development is considered to be acceptable as the site is set within sufficient grounds for future residents to have amenity space and space for parking, refuse storage and cycle storage. The development therefore would not have an adverse impact on the surrounding area.

## **Impact on Living Conditions**

### **Existing residents**

24. The converted stables and water tower would be at sufficient distance to surrounding neighbouring dwellings. There would not be any loss of amenity from these proposed dwellings. The existing flats on site would experience more residential use on the site, but there is sufficient space on site and distance between residential windows for no loss of amenity. The water tower would have two windows on upper floors facing east. Due to significant changes in land levels, a distance of over 25m and there only being garages and forecourts directly to the east of the site, it is not considered necessary to require obscure glazing on these windows.
25. The new dwelling would be closer to existing development, in particular 18 Hellesdon Mill Lane. The proposed dwelling would be to the north of the existing dwellings, which would prevent there being any loss of daylight or direct sunlight. The existing mature trees around the site screen the development to some degree.
26. The new dwelling has been designed to only have rooflights at a higher level looking towards the dwelling to the south. Overlooking has been reduced to an acceptable level. There is one first floor side window on the neighbouring dwelling, but this is only a side window and at sufficient distance from the neighbouring dwelling to not have an adverse impact on the outlook of neighbouring residents.

27. Given that the existing use of the land is residential garden and curtilage there is a certain amount of noise from the residential use. The proposed development would increase the level of residential use which could increase the noise. However, given the density of the overall development and size of the site it is not considered to lead to a loss of amenity to any surrounding neighbours.

#### **Future residents of site**

28. The proposed dwellings would have sufficient amenity space to provide a good standard of amenity. Residents of the water tower and stables would have access to the gardens of the main house. The new dwelling would have a good sized garden surrounding the site.

29. The residents of the water tower and new dwellings would receive good levels of outlook and privacy. The converted stables would have a good level of privacy, although the outlook would be slightly reduced by the high windows on the stables. The floor level has been increased, partly to preserve the brick flooring but also to provide better views out of the windows. Given the small nature of the unit and the good sized windows provided the outlook is considered to be sufficient.

### **Design**

#### **New dwelling**

30. The new dwelling is located in the southern most corner of the site, at some distance and visual detachment from the main house. There are mature trees around the site of the proposed new dwelling that would screen this development from the surrounding area to some degree.

31. In assessing whether it was acceptable to allow the subdivision of the curtilage of the listed building, the justification of the new dwelling was considered. The new dwelling was required to provide uplift in value of the land to enable funds to be raised to make much needed repairs to the water tower and stables. The water tower was previously covered in ivy for many years, which covered some significant structural weakening of the building. When the ivy was cleared a few years ago some significant cracks were uncovered on the water tower. The stables also have some areas of significant damage on the entrance porch. The aim of the current application is to ensure the listed structures on site are brought back into a good state of repair. The monies raised from the value of the new dwelling would enable the refurbishment of the water tower and stables to secure their long term retention.

32. To ensure the water tower is repaired and to ensure the justification for the new dwelling, a condition is recommended for the water tower to be refurbished prior to works commencing on the new dwelling to the south of the site.

33. The design of the new dwelling has been amended throughout the course of the application to ensure it is of an appropriate scale and that it does not link to the main house on site. The design, choice of brickwork and use of boundary treatment on site have all been selected to ensure the new dwelling remains as detached as possible from the existing house. A red brick has been chosen, whereas the main house has a white brick. Also a boundary fence and mature planting along the north boundary will provide a good visual break between the two areas of the site.

34. The design of the dwelling has been considered in the context of the surrounding conservation area. There are a variety of different architectural styles in the surrounding conservation area to the south of the site. Provided good quality materials are used, the proposed design is considered to be acceptable to the surrounding conservation area. A condition is recommended for external facing materials to be agreed.

### **Water tower**

35. The proposals to the water tower entail conversion of the water tower and existing stables, with extension to the north east elevation, east elevation of the stables and to the south east of the tower. The alterations will not be highly visible when viewed from the main house as they are predominantly behind the existing built form of the water tower.

36. The proposed extensions to the stables retain the existing layout of the building to a large degree which is welcomed as the original character of the building is retained. The stable doors are also proposed to be retained internally to retain the original features where possible.

37. The proposed alterations and extensions to the existing water tower are therefore considered to be a sympathetic modification to the existing building that will preserve the building in the longer term.

### **Stables**

38. The stables attached to the main house at ground floor currently form one open room with three horse stalls within. The building also has an open entrance porch which is in a poor state of repair currently with a tin roof.

39. The proposed conversion would create a two bedroom flat at the ground floor, retaining many of the original features of the stables. One partition would need to be removed, but the majority would be retained. The existing stable floor has exposed bricks which have been worn down from use over the years. It is proposed to cover the bricks at the entrance to the stables with a toughened glass to expose this feature still. The remaining floors will be covered with a suspended floor to retain the existing bricks in situ and to raise the level of the floor to enable views out of the raised windows. The ironwork fittings within the stables are to be retained as well.

40. The conversion of the stables are therefore considered to be a sensitive alterations to the existing building which retains the character of the original use, whilst providing a re-use that will ensure the longer term maintenance of the building.

### **Transport and Access**

41. The addition of extra traffic to the road from the additional dwellings has been considered. The additional three dwellings being created would not lead to a level of traffic that would merit refusal of the application on this ground. The additional traffic would not lead to increased congestion, and if following the speed limits would not reduce highway safety. It is difficult to refuse the application on this basis as there would be such a small increase in number of cars using the road. A site layout plan has been submitted to show car parking, refuse storage and cycle storage locations.

42. An alternative vehicle exit has been identified for the new dwelling to the south of the site in a letter of representation. This would use the exit to the north west of the site near the main house. The issue with this arrangement would be a long driveway along the historic garden of the house and also a connection of the new house to the main house. This is not desirable in terms of the relationship of the listed building to the new dwelling. These need to be detached from each other to ensure the character of the listed building is retained.
43. The new access to the south west of the site onto Hellesdon Mill Lane is not considered to have a significant amount of traffic entering and exiting the site, and is therefore considered to be acceptable in terms of highway safety and access.

### **Refuse storage and collection**

44. A joint refuse storage area is proposed adjacent to the north east entrance to the site. This would contain the refuse storage for the main house, stable and water tower. The communal refuse storage would be wheeled out to the highway on collection days.
45. A condition is recommended for the details of the refuse storage area, including screening materials to be put in place around the enclosure, to be agreed.

### **Car Parking**

46. The site layout plan received indicates 8 defined parking spaces and two other areas for parking within the grounds of the listed building. These are mostly existing parking spaces with two new spaces formed adjacent to the north east entrance to the site. The maximum number of parking spaces for the dwellings in or near to the main house would be 7 under the local plan.
47. However, as these parking spaces already exist it is difficult to prevent parking. In any case, there is sufficient parking within the site to ensure no on-road parking is required. If residents chose to park on the road it is difficult to prevent this in the absence of parking restrictions. Parking restrictions through a Traffic Regulation Order would only be reasonable if there was no parking in the site leading to parking on roads surrounding the development.
48. An area of hardstanding is provided adjacent to the new dwelling to the south of the site. This has space for two cars within the maximum parking standards. Again, sufficient off-road space is provided.

### **Cycling Parking**

49. Cycle parking spaces have been provided for the water tower and stables conversion. No cycle storage has been provided for the new dwelling but there is sufficient space around the grounds for a cycle storage shelter to be included. A condition is recommended for these details to be agreed.

## **Environmental Issues**

### **Flood Risk**

50. The site is partly within flood zone 3a and 3b. The new dwelling, stable and water tower are all within the lower risk flood zone 1, with the access to the north east of the site on higher ground. As the main access for the new dwelling is via the south west of the site which is in a higher risk flood zone, a flood evacuation plan enabling access

across the garden of the main house to the north east exit on higher ground. A pedestrian gate out of the site of the new dwelling is proposed. Conditions are recommended for the flood evacuation plan to be agreed and these details to be made available to future occupants of the new dwelling.

### **Archaeology**

51. An archaeological investigation was carried out prior to the application being submitted. No artefacts were found and so no further investigation is required. A condition is recommended to require works to stop if any further archaeological items are found.

### **Water Conservation**

52. Given the small number of dwellings proposed there would be no requirement for on-site renewable energy provision. The new dwellings would need to meet Code for Sustainable Homes level 4 for water usage. A condition should be applied to any consent to ensure as such.

### **Biodiversity**

53. A protected species survey was carried out on the water tower but the building was found to have limited roosting niches indicating it to be less likely bats were present. A further survey is recommended to be conditioned to confirm the initial findings. The stables adjoining the main house are currently in use and the proposals would only disturb a small open porch area on the building where bats are unlikely to roost. As the site is within a river valley and there is high quality foraging areas to the west of the site along the river, enhancement measures to provide bat roosting boxes are recommended.
54. The proposals to entail the development of a new dwelling on former garden land. This area of land has been used as garden land and was not considered to contain any habitat that protected species would rely on. The increased planting along the northern boundary to this site was considered to adequately mitigate the development of this land and enhance the biodiversity value.

### **Trees and Landscaping**

#### **Impact on Trees**

55. There are a number of mature trees around the site that form an important part of the setting of the Grade II listed building. An Arboricultural Implications Assessment has been submitted to demonstrate that the new development on site would not be within the root protection zones of trees on site.
56. The new driveway for the new dwelling to the south of the site could have an adverse impact on the root protection areas it would go through. To ensure that appropriate methods of hand digging any soil to be removed and an appropriate membrane to stop leachate from concrete affecting tree roots, an additional Arboricultural Method Statement is recommended to be conditioned.
57. The remaining gardens are already well landscaped. However a condition is recommended for landscaping details to be agreed, including new paving in the courtyard to the rear of the water tower and boundary fence details to the new dwelling.

## Local Finance Considerations

58. 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. The benefits from the finance contributions for the council however must be weighed against the above planning issues however.

Financial Liability	Liable?	Amount
New Homes Bonus	Yes	Based on council tax band. Payment of one monthly council tax amount per year for six years.
Council Tax	Yes	Band not yet known
Community Infrastructure Levy	Yes	£36,000 (indexed)
Business Rates	No	-

59. Community Infrastructure Levy would be liable for the three dwellings as they are new development.

## Other matters raised in letters of representation

60. Concerns have been raised over sewer connections and access for emergency vehicles. These issues are covered by other consents and so are not covered by planning legislation. The existing road does provide access for emergency vehicles however and so it is not unreasonable to think that the existing roads can be used for such access.

61. The stability of land within the garden has also been raised, but no building operations are proposed within the garden. Any land stability issues would therefore not be a result of this planning application.

62. Lastly concern has been raised over disturbance from construction traffic. The site is relatively detached from neighbouring properties for there to be disturbance by works on site adjacent to the main house. The new dwelling to the south of the site would be closer to neighbouring dwellings at 18 Hellesdon Mill Lane. An informative note is therefore recommended to advise the applicants of construction practices to minimise disruption to neighbouring dwellings.

## Equality and Diversity Issues

63. The proposed uses are private dwellings. As such they will be subject to building regulation to ensure good accessibility. Whilst the site is not in a highly accessible location, leading to some reliance on private car which younger people may not have access to, this does not raised significant equality issues.

## Conclusions

64. The proposed alterations, extensions and new build to form three new dwelling units on the site will provide the refurbishment of the existing listed buildings, ensuring their future good maintenance through use as residential units. The new dwelling to the south of the site is considered to be acceptable in this instance due to the benefits that this will enable to the water tower. A condition is recommended to ensure that the

financial benefits from the new house are used to refurbish the water tower.

65. The new development will have a minimal impact on the existing listed building, and through use of good materials on the new dwelling will be positive additions to the surrounding conservation area. The new dwelling is sufficiently detached from the setting of the listed building, both visually and in terms of design and appearance to not have an adverse impact.
66. Subject to the recommended conditions below both applications are recommended for approval.

## **RECOMMENDATIONS**

To approve:-

(1) Application No 13/01152/F at Hellesdon House, 28 Hellesdon Mill Lane and grant planning permission, subject to the following conditions:-

1. Standard time limit
2. In accordance with plans
3. Prior approval of all external facing materials, rainwater goods, conservation rooflights and stringcourse and rear wing banding detail on new dwelling
4. Works to water tower and stable complete before commencement of new dwelling to south of site
5. Works to stop if archaeological artefacts found during works
6. Water conservation
7. Landscaping details including:
  - a. hard landscaping details to the rear of the converted water tower
  - b. boundary fence to north boundary of new dwelling
  - c. entrance gates to site of new dwelling
8. Flood evacuation plan details to be agreed and made available to future residents
9. Refuse and cycle storage details to be agreed
10. Car parking to be provided as shown on site plan
11. Compliance with AIA
12. Additional Arboricultural Method Statement for construction of driveway to new dwelling and refuse storage area
13. Additional bat survey to determine precise usage of water tower by protected species and ecology enhancement measures – including bat boxes, native landscaping planting

Article 31(1)(cc) Statement

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

Informative note:

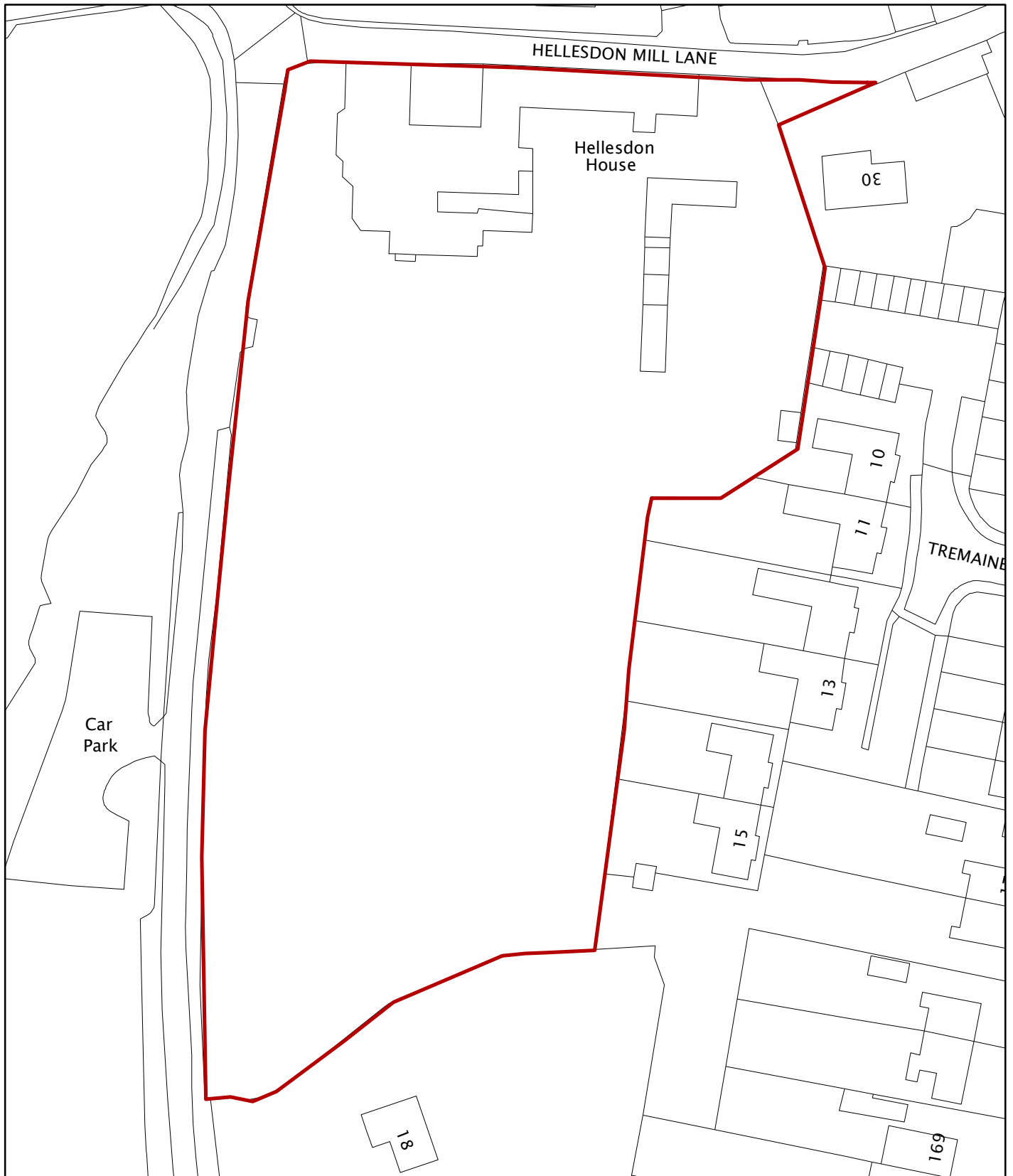
1. Tree protection barriers
2. Construction to reduce disturbance
3. Protected species licence

(2) Application No 13/01153/L at Hellesdon House, 28 Hellesdon Mill Lane and grant listed building consent, subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Prior approval of all external materials, including paving, to be used on and around stables and water tower
4. Details of:
  - (a) suspended floor and ventilation in stables
  - (b) glazing and fanlights over doors in stables
  - (c) stud wall and ceiling work to be installed in stables
  - (d) refurbishment of entrance door to stables
  - (e) ventilation grills to be retained and any works to these required
  - (f) ironmongery to be retained within stables and water tower as required
  - (g) treatment and any repair of original and proposed new walls in the water tower
  - (h) new roof to stable porch
5. Photographic record of interior of stable (including flooring) and water tower
6. Make good any damage

(Reasons for approval: The decision is made with regard to policies HBE8, HBE9, and HBE12 of the adopted City of Norwich Replacement Local Plan (November 2004), policy 2 of the adopted Joint Core Strategy (2011) and statements 7 and 12 of the National Planning Policy Framework (2012). The alterations and extensions to the stables and water tower are of suitable scale and appearance to make sympathetic alterations to the existing listed building, with key features of both building being retained to keep the existing layout and character of the buildings.)





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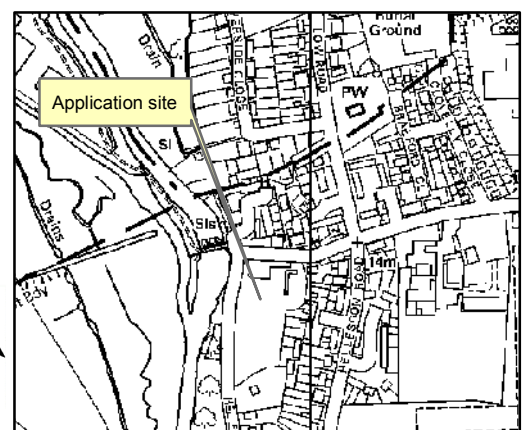
Planning Application No 13/01152/F & 13/01153/L  
 Site Address Hellesdon House  
 28 Hellesdon Mill Lane

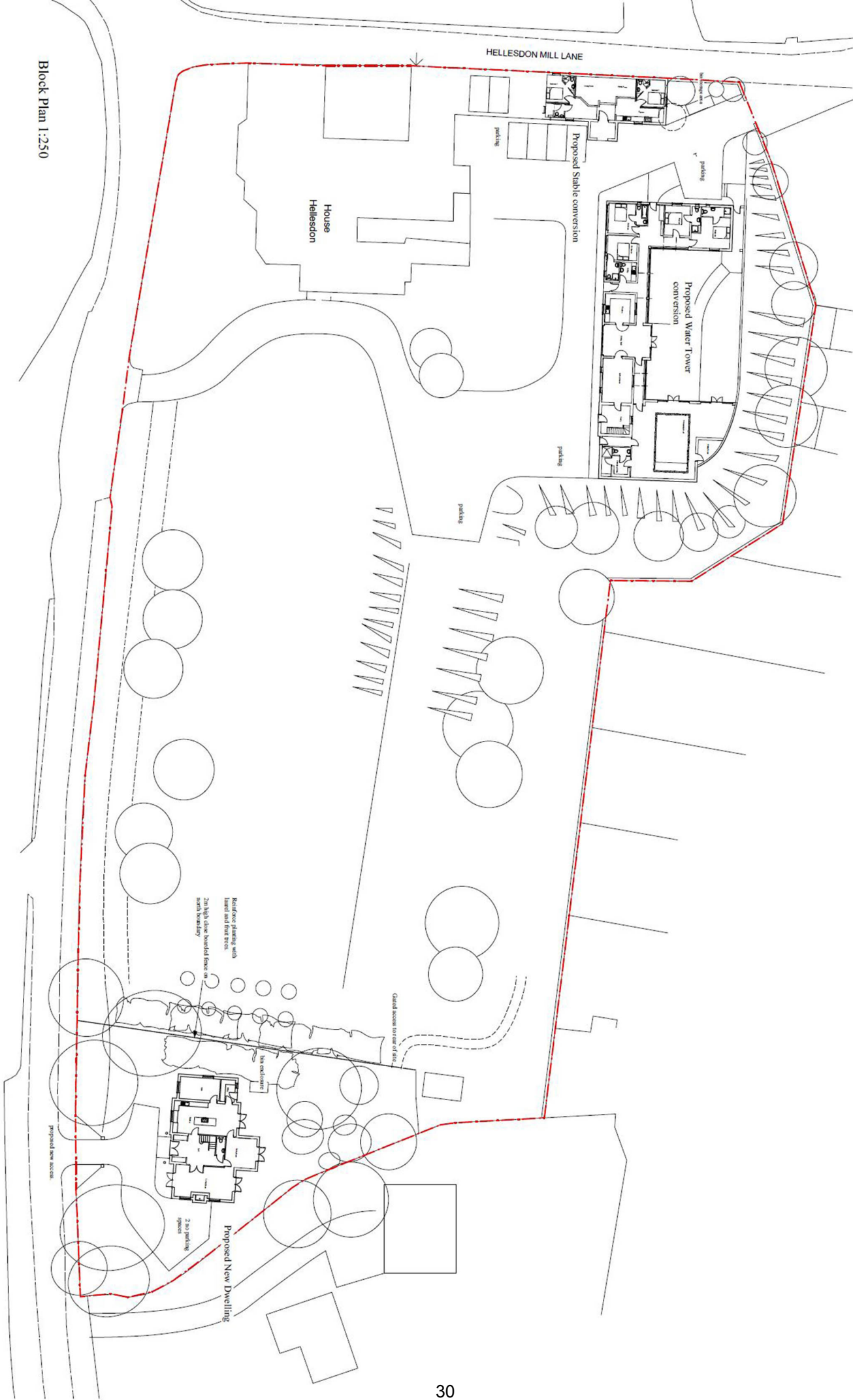
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**NORWICH**  
 City Council

PLANNING SERVICES





**Report to** Planning applications committee  
**Date** 12 September 2013  
**Report of** Head of planning services  
**Subject** 13/00852/U Summer Garden & Leisure Buildings The Old  
Saddlery Bluebell Road Norwich NR4 7LG

**Item**  
**5(2)**

## SUMMARY

<b>Description:</b>	Change of use from retail (Class A1) to children's nursery (Class D1) for a period of two years.
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approve
<b>Ward:</b>	Eaton
<b>Contact Officer:</b>	Jo Hobbs Planner 01603 212526
<b>Valid Date:</b>	11th July 2013
<b>Applicant:</b>	Mr Laurence Pollington
<b>Agent:</b>	Mr Joseph Long

## INTRODUCTION

### The Site

#### Location and Context

1. The site is located to the south side of Bluebell Road to the south west of the city. The site is within the river valley of the river Yare under the local plan for Norwich. The site is also adjacent to urban greenspace.
2. To the south east of the site is Eaton and the link road to the A11. To the north west of the site is the University of East Anglia.
3. The site forms part of a wider commercial site, currently occupied by Bartrum Mowers. The access to other commercial uses on site is via the same entrance as the application site.
4. The application site forms a long, single storey building of relatively modern construction. To the Bluebell Road side of the building is a large area of hard standing used for parking. The rear of the building is a grassed area with some decking, although in a poor state of repair.
5. The surrounding uses of land include the river valley to the south west, along with the commercial/agricultural use where Bartrum Mowers are located. To the north west and south east of the site there are dwellings on the southern side of Bluebell Road. To the northern side of Bluebell Road are residential dwellings along this road.
6. Bluebell Road forms a green link and strategic cycle network under the local plan. To the south side of the road there is an off-road cycle path that runs past the entrance to the site. In the immediate vicinity there is only one road accessed off

Bluebell Road, which is Norvic Drive.

## **Planning History**

7. There are a number of planning applications relating to the use of this building. These demonstrate a restricted retail use in conjunction with the main horticultural/agricultural use on site.
  - 08/00313/F - Use of land for the standing and display of temporary garden buildings. Approved 25 June 2008.
    - o Condition 2 - restricting development to display of sheds, sectional buildings and ancillary goods only.
  - 881123/O - Erection of extension to provide office. Approved 05 October 1988.
  - 841347/A – non-illuminated name sign and logo at Norfolk Saddlery Centre. Refused 12 February 1985.
  - 820277/F – Erection of timber blacksmiths workshop excluding furnace equipment. Approved 24 May 1982. Temporary consent for 5 years.
  - 781281/CU – Garden centre incorporating in horticultural lawn mower sales, storage and service building. Approved 8 February 1979.
    - o Condition 7 – the sale, repair and maintenance of machinery shall be restricted to law mowers and garden machinery both for horticultural use only.
  - 751700/CU – Use of vacant land for garden centre, nursery and agricultural purposes. Approved 5 December 1975.

## **Equality and Diversity Issues**

8. There are some equality or diversity issues.

## **The Proposal**

9. The application is for the change of use for the existing retail unit to a childrens nursery. The applicant has requested a temporary consent for two years due to a lease issue, this is discussed later in the report.
10. The proposal would include use of the adjoining car park, creation of a play area and reinstatement of a decking area to the rear of the building.

## Representations Received

11. Adjacent and neighbouring properties have been notified in writing. 1 letter of support has been received for the nursery in this location. 23 letters of objection have been received citing the issues as summarised in the table below.

12.

Issues Raised	Response
Precedent set for development in the river valley	Paragraph 19
Impact on river valley and wildlife	Paragraphs 15-18
Traffic	Paragraphs 27-40
Highway safety of junction, in particular with cycle lane and footpath	Paragraphs 31-33
Noise	Paragraph 41
Unauthorised parking on main road	Paragraph 34-38
Flooding	Paragraph 49
Air quality	Paragraph 27-30
Ofsted consultation	Consultation with regulatory body not a statutory requirement to the planning application. Consent to operate the nursery would need to be sought by the operator from Ofsted in due course.

## Consultation Responses

13. Local Highway Authority – No objections subject to Travel Information Plan.

## ASSESSMENT OF PLANNING CONSIDERATIONS

### Relevant Planning Policies

#### National Planning Policy Framework:

Statement 4 – Promoting sustainable transport

Statement 7 – Requiring good design

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

Statement 11 – Conserving and enhancing the natural environment

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

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 6 – Access and transportation

Policy 7 – Supporting communities

Policy 9 – Strategy for growth in the Norwich Policy Area

Policy 12 – Remainder of Norwich area

Policy 19 – The hierarchy of centres

Policy 20 – Implementation

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

NE9 – Comprehensive landscaping scheme and tree planting  
HBE12 – High quality of design  
EP16 – Water conservation and sustainable drainage systems  
AEC7 – Childcare provision  
TRA3 – Modal shift measures in support of NATS  
TRA5 – Approach to design for vehicle movement  
TRA6 – Parking standards  
TRA7 – Cycle parking provision  
TRA8 – Servicing provision

## **Other Material Considerations**

The Localism Act 2011 – s143 Local Finance Considerations  
Written Ministerial Statement: Planning for Growth March 2011

## **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.

## **Emerging DM Policies**

(Please note that these policies were submitted to the Planning Inspectorate on 17<sup>th</sup> April 2013. After this time some weight can be applied to these policies. Some policies subject to objections have not been included in this list as these issues are unlikely to be resolved within the time frame of the application, and therefore should not be given much weight.)

**DM1** - Achieving and delivering sustainable development  
**DM3** - Delivering high quality design  
**DM6** - Protecting and enhancing the natural environment  
**DM22** - Planning for and safeguarding community facilities  
**DM28** - Encouraging sustainable travel  
**DM30** - Access and highway safety  
**DM31** - Car parking and servicing

## **Principle of Development**

### **Policy Considerations**

14. The principle of the nursery use in this location raises the following issues:- the location of the use within the river valley and in terms of accessibility, transport and highway safety, impact on residential amenity, the appearance of development,

water conservation and local finance considerations.

## **Location of use**

### **Impact on River Valley**

15. The site is within a defined river valley which restricts the type of development permitted. Development is only permitted in association with agriculture and forestry, outdoor sport and recreation or other uses that are appropriate to the purpose of this policy.
16. The purpose of the policy is to protect the river valley from inappropriate development that would erode the natural environment through its activities. The harm that the proposed use would lead to on the river valley needs to be considered.
17. The harm that the proposed use could lead to is an increased level of activity within the river valley from traffic movements. The actual nursery itself would only cover a small area of land and its use would not lead to any material harm to the natural environment or any biodiversity on the site. The traffic movements in and out of the site would lead to increased activity, but given the location of the car park adjacent to Bluebell Road and behind the existing single storey building, the extent of harm to the river valley would be minimal.
18. The proposed use would be located furthest away from the actual river and on a site that already has a commercial use attributed to it. It is also material that the application is for the change of use of the building and not operational development comprising the construction of new buildings. Therefore the visual and ecological harm on the river valley would be minimal. The additional harm that this nursery would lead to would therefore not be sufficient to merit refusal on this basis. The small size of the nursery would not lead to sufficient harm to merit refusal of the application on grounds of impact on the river valley or inaccessible use.

### **Setting a precedent**

19. The issue of precedence has been raised in a letter of representation. Each development must be assessed on its only merits and any subsequent application on the site would have to be fully assessed for impact and harm. This application is only the change of use of an existing building and does not involve any significant operational development in the river valley. Therefore it is not considered that there would be other similar circumstances elsewhere on this site.

### **Accessibility**

20. The National Planning Policy Framework seeks to promote sustainable transport in section 4 of the document. This includes the requirement for development that will generate significant traffic movements to be located in a place where the need to travel will be minimised and sustainable transport modes can be maximised.
21. Policy AEC7 of the local plan requires new childcare provision to be in a location that maximises local community access. The site on Bluebell Road is within 400m of the Eaton District Centre. Whilst this is not strictly an edge-of-centre site (300m), the site is quite close and benefits from good pedestrian and cycle links from the centre and surrounding residential area.
22. A travel plan is required under the Local Plan for any nursery that has 50 or more children attending the site. A travel plan in this instance could be used to identify

sustainable transport modes to the site from the surrounding area, and promote use of the buses and walking.

23. A Travel Plan would create a significant amount of work in implementing and monitoring the site which would be disproportionate to the size of the proposed business and use. A Travel Information Plan would therefore be more suitable to promote sustainable transport and is suggested as a condition of any approval.

### **Alternative sites**

24. The applicant has not demonstrated any other sites that are in more accessible locations. The site is however on the edge of a residential area and on public transport routes. As identified above this is also quite close to the district centre of Eaton.

### **Recent Government guidance**

25. The provision of childcare and educational facilities has been identified as a key issue in guidance and policy released from central Government. Paragraph 72 of the National Planning Policy Framework advises great weight should be given to the need to create and expand schools. A policy statement was also released by Communities and Local Government on Planning for Schools Development (August 2011). This statement identified that local authorities should have a positive and proactive approach to enabling schools to be provided. Whilst this did not specifically relate to nurseries, these also provide education for children and so is applicable to this case.
26. There is a current consultation by Communities and Local Government for further changes to permitted development rights. These changes will enable nurseries to open in former offices, hotels, residential institutions, leisure and assembly uses and agricultural buildings. These changes are proposed to come into force in April 2014 and demonstrate similar central government approach to nurseries as schools. The application site does form a use in conjunction with the agricultural use on site. Therefore it may be possible for this use to change under permitted development rights in future.

## **Transport and Access**

### **Traffic**

27. The proposed use should preferably be located within or near defined centres or closely associated and well linked to its residential catchment, to enable people to travel by sustainable methods. The proposed use would result in a large number of people visiting the site throughout the course of the day, to drop off and collect children. Given the age ranges of children at the nursery it is highly unlikely that children would access the site by themselves. The location on the edge of a residential catchment would also lead to more potential car journeys, compared to if the site was within a residential area.
28. This could result in a number of traffic movements per day. Given that there are 30 full time equivalent children attending the nursery and 50 registered at any one time the movements would be around 60 to 100 per day. These are likely to be concentrated when sessions start and end rather than spread out through the whole day. Concerns have been raised in letters of representation over the existing traffic in the area leading to congestion on the roads and air quality.



29. The former use of the site must be considered when looking at the additional harm the future use would cause. The previous use of restricted retail would have led to a certain number of vehicles accessing the site. Whilst the proposed use would lead to a more concentrated number of vehicle movements when sessions start and end, these would not be sufficient to lead to significant traffic congestion or air pollution when compared with the previous potential traffic levels. The size of the site is only 138sq.m. and with the recommended Travel Information Plan the level of car trips can be reduced to some degree and to an acceptable level.
30. It is recognised that there are high levels of traffic in the area at present with the junction of the A11 being close by. However, the change of use of this site would not lead to a significant enough additional impact on the road network or air quality to merit refusal of the application on this ground. The guidance promoting the provision of educational uses is also a material consideration when balancing these issues. This is considered further in the conclusion.

### **Highway safety**

31. The entrance to the site is of concern, as this does not have good visibility for cyclists and pedestrians entering the site. There could also be increased conflict for cyclists passing the site on the cycle lane if an increased number of cars were using this junction at peak hours.
32. This would be a deterrent to people accessing the site through more sustainable methods of transport. Measures could be taken however to improve the entrance to the site to remind vehicles of the nursery use and the potential for cyclists and pedestrians.
33. A condition is recommended for signage to be agreed and installed for the duration of the use of the nursery.

### **Car Parking**

34. A large area of land is identified for car parking, which from scaled plans appears to potentially accommodate 40 cars. The maximum parking standard for the proposed use of this size is 4 spaces. The proposed car parking spaces are therefore significantly over-provided.
35. This could be controlled through condition however to ensure that a more appropriate number of car parking spaces are provided. In conjunction with the Travel Information Plan it is recommended that parking spaces are reduced to an acceptable level, with a suitable drop-off area for parents/guardians temporarily visiting the site to drop off children. A condition is recommended to request the layout of the parking area be agreed.
36. It is also suggested that a one way system is introduced entering and exiting the car park, with a drop off-bay for older children near the entrance to the site. A condition is recommended for car parking to be agreed.
37. The issue of parking on the main road has also been raised. The provision of a good sized car park and dropping off area would prevent the need to drop off on the road. This would also be recommended to be part of the Travel Information Plan, advising visitors to not stop on the main road. However, in the absence of parking controls on the main road it would be difficult to stop this from happening.

38. To introduce parking controls on the main road a Traffic Regulation Order would be required. However, the proposed change of use does not entail a significant enough amount of floorspace to justify this requirement. As the applicant can also provide parking within the site it would be unreasonable to request this order is put in place.

### **Cycle Parking**

39. Cycle storage is proposed on the site along with a buggy store. There is sufficient space near the entrance to the site for this structure. A condition is recommended for these details to be agreed, ensuring the storage space is covered and secure. A minimum of 3 spaces for staff and 3 spaces for visitors are required.

### **Vehicular Access and Servicing**

40. The site has sufficient space for refuse storage and servicing to take place within the car park. There is space for an 11m rigid base delivery vehicle as required by the local plan. This detail is recommended to be shown in the condition relating to car parking on the site. A condition is also recommended for the appearance of the refuse store to be submitted and agreed.

## **Impact on Living Conditions**

### **Noise and Disturbance**

41. The proposed nursery would be on the edge of a residential area. There may be noise associated with the nursery, but the nearest residential dwellings would be at a sufficient distance for this not to be significant enough to merit refusal of the application on this ground. Schools and nurseries are normally located within residential areas.

### **Overlooking and privacy**

42. Given that the site is an existing commercial building and the distance to the nearest residential dwellings there would not be a significant loss of privacy or residential amenity from the proposed use.

### **Amenity of future occupiers**

43. In emerging policy 2 of the Development Management Policies, the amenity of future occupiers of the site must also be considered. The proposed use would be sensitive to noise and pollution to some degree. However, considering the distance of the use to the nearest buildings on site there is not considered to be significant issue for future occupiers. The land is not designated employment land, and only has a horticultural use on site which has a less intense nature to its use.

## **Design and landscaping**

### **Appearance of development**

44. The building would require minor amendments to enable the change of use. These would be sufficiently minor alterations to windows, doors, the decking area and access ramps into the building, which would not lead to a significant impact on the overall appearance of the building.

### **Landscaping**

45. The change of use would require more fences to be installed around the site to ensure the safety of children attending the nursery. The site is relatively screened

from the main road by existing mature vegetation and the existing building which would not make these fences highly visible to the surrounding area.

46. As the site is within the river valley however a condition is recommended to agree the materials, colour and precise design of the fences to be installed to ensure that they are of appropriate appearance in the river valley.

## **Environmental Issues**

### **Water Conservation**

47. Under policy 3 of the Joint Core Strategy, all development must maximise water efficiency. This would only be reasonable if development was being built from new or if new fixtures and fittings were being installed. From the plans it appears that new toilets are being installed only.
48. As the policy only requires water efficiency to be maximised for new development it is not considered reasonable in this instance to condition water efficiency.

### **Flooding**

49. Flooding has been raised as an issue in a letter of representation. The site is in flood zone 1, the lowest risk flood zone. The proposed use would not increase the chance of flooding as it proposes no operational development. Therefore the development, although in the river valley, is not considered to lead to an increased risk of flooding.

## **Temporary Permission**

50. The applicants have specifically requested a two year permission. This is due to the terms of their lease only allowing use of the site if occupied on the basis of a temporary permission.
51. Temporary permissions must be justified under the provision set out in Planning Circular 11/95. Under paragraph 110 of this circular a temporary use may be justified if a short term use of the building is requested by the applicants, as is the case here. However there is no other planning justification for such a temporary consent and it is arguable that the condition is not justified or necessary. After two years the applicants would need to re-apply for a permanent use or cease the use on the site.

## **Local Finance Considerations**

52. Under Section 143 of the Localism Act the council is required to consider the impact on local finances, through the potential generation of income through business rates. The operation of a business from premises would generate income for the council. This is a material consideration but in the instance of this application the other material planning considerations detailed above must be fully considered.

## **Equality and Diversity Issues**

53. There are no significant equality or diversity issues. The site is located in a fairly accessible location, but the age range of children who would use the nursery would be accompanied by an adult for drop off and collection. Therefore the location would not disadvantage people who did not have access to a private car.

54. Given the use of the building it is likely that level access would be provided for younger children in push chairs. A condition is recommended for level access to be provided into the building.

## **Conclusions**

55. The site of the proposed nursery is outside of any defined centres but is in an accessible location near a district centre, on public transport routes and on the edge of a large residential area. There is current Government guidance to promote the provision of school and educational facilities, with new permitted development rights for nurseries without the need to apply for planning permission.
56. The site is however within a defined river valley and so any harm resulting from the proposal must be carefully considered. The main source of harm resulting from the proposals would be the additional activity and car movements within the river valley. The site is however quite far away from the river and the harm the proposed use would have on the environmental quality of the river valley would be relatively minor.
57. The harm of additional traffic will also be mitigated through the use of a Travel Information Plan to promote public transport and shared transport where possible.
58. The harm resulting from the proposed development given the previous use on the site is therefore not considered sufficient to merit refusal of the application. The impacts must also be balanced against the presumption in favour of development of new educational establishments. In this instance the proposed use is considered to be acceptable given its small size, distance from the river and traffic mitigation measures. Subject to recommended conditions, the application is recommended for approval.

## **RECOMMENDATIONS**

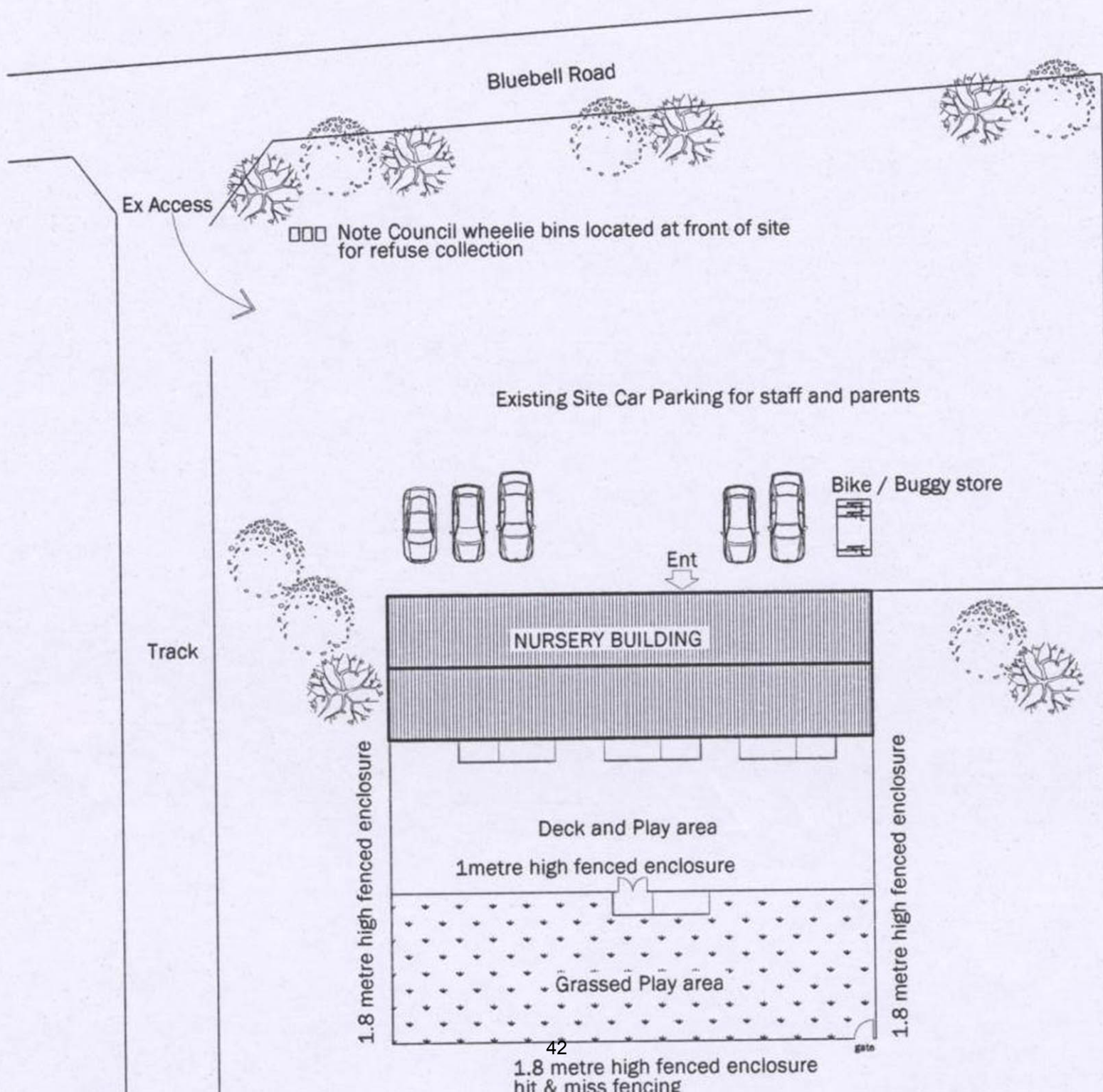
To approve Application No 13/00852/U at Summer Garden & Leisure Buildings, The Old Saddlery, Bluebell Road, and grant planning permission, subject to the following conditions:-

1. Use to cease after two years
2. In accordance with plans
3. Landscaping details – all new boundary treatments
4. Travel Information Plan
5. Signage at entrance to nursery and in car park
6. Car park layout, including drop-off bay and direction of car and servicing vehicle movements through the site to be agreed
7. Cycle parking and refuse storage provision to be agreed
8. Level access provided

### **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.





**Report to** Planning applications committee  
**Date** 12 September 2013  
**Report of** Head of planning services  
**Subject** 13/01122/O 76 St Clements Hill Norwich NR3 4BW

**Item**  
**5(3)**

## SUMMARY

<b>Description:</b>	Development of land at rear of 76 St Clements Hill using existing shared drive access from Chamberlin Road for erection of 2 No. semi-detached single storey dwellings, each with detached single garages.
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approve
<b>Ward:</b>	Sewell
<b>Contact Officer:</b>	Jo Hobbs Planner 01603 212526
<b>Valid Date:</b>	31st July 2013
<b>Applicant:</b>	Mr John Rose
<b>Agent:</b>	Mr Richard Anderson-Dungar

## INTRODUCTION

### The Site

#### Location and Context

1. The site is located on St Clements Hill to the north of the city. The area is predominantly residential in character, although Sewell Park College is located on the east side of St Clements Hill, along with Sewell Park open space to the south of the school.
2. The site itself is located to the rear of 76 St Clements Hill. This application seeks to subdivide the garden, with access from an existing track from Chamberlin Road along the rear boundaries of 78, 80 and 82 St Clements Hill.
3. It is within the Sewell Conservation Area and the buildings at 76, 78, 80 and 82 St Clements Hill are all locally listed buildings. The site forms the rear garden of 76 St Clements Hill at present, with some evidence of vegetable gardens and some ornamental and fruit trees on the site.

### Planning History

4. Two applications for the same development on the site have been withdrawn. The most recent being after councillors deferred the decision on the application at committee on 17 January 2013. The reason for the deferral was that an ecology survey was requested to fully assess the application.

**12/00133/O** - Outline planning application for the development of land at rear of 76 St Clements Hill with access from Chamberlin Road for 2 No. semi-detached single storey dwellings with detached garages.

**12/02041/O** - Outline planning application for the development of land at rear of 76 St Clements Hill with access from Chamberlin Road for 2 No. semi detached single storey dwellings with detached single garages.

## Equality and Diversity Issues

5. There are no significant equality or diversity issues.

## The Proposal

6. The application is an outline application for the development of the rear garden of 76 St Clements Hill with two semi-detached dwellings. Access to these dwellings would be from Chamberlin Road.
7. The application has provided details of access, appearance, layout and scale, with landscaping as a reserved matter.

## Representations Received

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 1 letter of support and 20 letters of objection have been received citing the issues as summarised in the table below.

9. Letter of support

Issues Raised	Response
Site is currently an eyesore, development welcomed	Noted
Pests are living on the site and moving to neighbouring gardens	Noted

10. Letters of objection

Issues Raised	Response – see paragraph(s)
Principle of development	13-18
Loss of garden land	13-18
Setting a precedence	56
Development is not sustainable development	14
Impact on conservation area	28-34
Out of scale development and poor design	28-34
Impact on biodiversity concerns over survey	46-50
Legal challenge in relation to right of access	This is a separate matter to the application and is not a material consideration for the planning application.
Development would not meet housing need or provide dwellings that are affordable to most	57



Noise disturbance	21
Privacy	21-23, 26
Loss of light and overshadowing	25
Pollution from cars	45
Concern over construction disturbance	21
Loss of view	There is no right to a view under planning law.
Loss of security and increased crime	32
Landscaping details unacceptable	33-34
Impact on drains and sewers around site	58
Loss of and lack of parking (increased insurance costs from removal of off-road parking)	35-40
Highway safety (also in relation to school children)	35-40
Increased maintenance costs for access track	59
Structural damage to dwellings on Chamberlain Road	60
Water for new dwellings	43
Loss of trees	51-53
Reference to previous bungalow on site incorrect	61
CIL Liability	53-54
Ownership of access track	The applicant has confirmed they have ownership rights to the land and served notice on other parties with interests in the land.
Applications with significant opposition should be refused	It is a legal requirement to consider all planning application for acceptability in terms of the adopted development plan.
Views of political parties in Norfolk	As above.
Exemption from change of use of offices to residential identified sufficient land for new housing.	18
Insufficient information submitted by application	Sufficient information was received to legally validate and consider the application.
Financial benefits to council insignificant	53
Financial advantage from conservation funding sources	55

## Consultation Responses

11. Natural Areas Officer – no objection provided mitigation measures are followed.
12. Local Highway Authority – no additional comments to previous applications (previously no objection).

# **ASSESSMENT OF PLANNING CONSIDERATIONS**

## **Relevant Planning Policies**

### **National Planning Policy Framework:**

Statement 4 – Promoting sustainable transport  
Statement 6 – Delivering a wide choice of high quality homes  
Statement 7 – Requiring good design  
Statement 10 – Meeting the challenge of climate change, flooding and coastal change  
Statement 11 – Conserving and enhancing the natural environment  
Statement 12 – Conserving and enhancing the historic environment

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

Policy 1 – Addressing climate change and protecting environmental assets  
Policy 2 – Promoting good design  
Policy 3 – Energy and water  
Policy 4 – Housing delivery  
Policy 6 – Access and transportation  
Policy 9 – Strategy for growth in the Norwich Policy Area  
Policy 12 – Remainder of Norwich area  
Policy 20 – Implementation

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

NE8 – Management of features of wildlife importance and biodiversity  
NE9 – Comprehensive landscaping scheme and tree planting  
HBE8 – Development in conservation areas  
HBE12 – High standard of design  
EP16 – Water resource conservation  
EP17 – Water quality re. treatment of runoff from car parks  
EP18 – Energy efficiency in development  
EP19 – Renewable energy in development  
EP22 – Protection of residential amenity  
HOU13 – Criteria for all other housing sites  
TRA5 – Sustainable design to reduce car use to a minimum  
TRA6 – Parking standards  
TRA7 – Cycle parking provision  
TRA8 – Provision in development for servicing

### **Supplementary Planning Documents and Guidance**

Trees and development SPD (2007)  
Sewell Conservation Area Appraisal (2010)

### **Other Material Considerations**

The Localism Act 2011 – s143 Local Finance Considerations  
Written Ministerial Statement: Planning for Growth March 2011

### **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.

### **Emerging DM Policies**

(Please note that these policies were submitted to the Planning Inspectorate on 17<sup>th</sup> April 2013. After this time some weight can be applied to these policies. Some policies subject to objections have not been included in this list as these issues are unlikely to be resolved within the time frame of the application, and therefore should not be given much weight.)

**DM1** - Achieving and delivering sustainable development

**DM2** - Ensuring satisfactory living and working conditions

**DM3** - Delivering high quality design

**DM4** - Providing for renewable and low carbon energy

**DM6** - Protecting and enhancing the natural environment

**DM7** - Trees and development

**DM9** - Safeguarding Norwich's heritage

**DM12** - Ensuring well-planned housing development

**DM28** - Encouraging sustainable travel

**DM30** - Access and highway safety

**DM31** - Car parking and servicing

### **Policy Considerations**

13. The application is in outline, but as the site is in a conservation area and surrounding by existing residential development matters relating to access, appearance, layout and scale have been submitted. The only matter that has been left as a reserved matter is landscaping. Therefore the concerns relating to the quality of the landscaping scheme and the provision of fencing for privacy to neighbours would be dealt with as a reserved matter.
14. There is a presumption in favour of sustainable development within the National Planning Policy Framework. This requires development that accords with the development plan to be approved without delay. The acceptability of the proposed development in terms of the development plan is considered further in the report below.
15. The key considerations are the principle of residential development, design and impact on conservation area, impact on residential amenity (existing neighbours and occupants of proposed dwellings), impact on trees on site, provision of refuse storage, car parking and cycle parking and energy and water.
16. The new dwellings would be on land currently used as garden land for 76 St Clements Hill. The National Planning Policy Framework identifies such land to be greenfield land, which should preferably not be developed over brownfield land. In paragraph 55 of the NPPF however it is clearly stated that local planning authorities should set policies to protect garden land as they see fit. The council does not have such a policy and so an assessment must be made on the suitability of the site for housing through other principles set out in the NPPF and local policy.

17. The site however is in an accessible location, well within the urban area and in an area of existing housing. Therefore the principle of the development on the site is considered to be acceptable subject to meeting the requirements of other development plan policy.
18. Existing housing land supply has been raised in letters of objection. Although there is a 5 year land supply in Norwich, government policy is very clear in that there should be a positive view taken of new housing development that are in accord with national and local policies. There is a continuing need to find “windfall” sites of this nature to deliver the housing required over the longer term.
19. The considerations relating to design and amenity require due consideration however, as outlined below. The density of the scheme proposed is considered further under amenity.

## **Impact on Living Conditions**

20. There are two key areas relating to amenity – the amenity of existing residential occupants surrounding the site and the amenity of future occupiers of the proposed dwellings.

### **Existing neighbours**

21. The proposed dwellings would lead to a certain level of disturbance from noise and overlooking of people living in the dwellings and accessing the dwellings along the existing track. However given the fact that only two dwellings are proposed and the close proximity of a number of other residential uses in the surrounding area, the addition of two further households is not considered to lead to an unacceptable level of noise or loss of amenity. An informative note is recommended relating to construction traffic to reduce the impact to the neighbours during the construction phase.
22. The access to the dwelling would be along an existing vehicle access to the rear of dwellings at 78 and 80 St Clements Hill and the rear garden that forms the application site. This track was being used at the time of the site visit for these properties to access garages to the rear of their dwellings. The access track is adjacent to the side and rear facing windows of 6 Chamberlain Road. These windows are to more private rooms of the dwelling than the front room for example, by virtue of their location to the rear of the dwelling. Therefore consideration must be given to the additional overlooking these residents would receive.
23. However, given the existing access for 78 and 80 St Clements Hill there is already an existing level of overlooking received by the residents. On balance the additional overlooking from pedestrians and car users accessing the proposed dwellings would not be a sufficient increase in overlooking to merit refusal of the application. The benefit the scheme would bring of two additional dwellings must be weighed against the harm caused, but in this instance the harm is not considered to be sufficient to merit refusal of the whole application. The matter of landscaping has been reserved. It is recommended that this reserved matter include details of appropriate screening along the west boundary of this access path to mitigate this impact.
24. The proposal would lead to some built form which would be visible to surrounding residents. However the distance to this development in conjunction with the low

eaves would not lead to a loss of outlook that would be sufficient enough to merit refusal of this application. The single storey garage units would only be 0.8m higher than a 2m boundary fence which could be built under permitted development rights. The closest rear windows on Chamberlain Road would be over 13m away. The additional 0.8m height would therefore not be sufficiently close to merit refusal of the application on this ground. The highest point of the roof on the new dwelling at 5.8m would be over 25m away from the rear windows of Chamberlain Road. Again this built form would not be sufficiently close to merit refusal on the grounds of a loss of outlook, particularly given the fact the development is in the urban context of a city.

25. The orientation of the proposed buildings in conjunction with the distance to the nearest dwelling windows facing the site and presence of existing built form to the south of the site would lead to no significant loss of daylight or direct sunlight to main habitable rooms in the neighbouring dwellings. The structure adjacent to boundary fences may lead to some overshadowing of neighbouring garden land, but the structures would only be 0.8m above a standard sized boundary fence as identified above. It is therefore difficult to justify refusal of this scheme on this basis.
26. The dwellings would have all windows at ground floor as they are proposed to be single storey dwellings. This would not lead to sufficient overlooking to merit refusal of the application given that the proposed dwellings are around 20m from neighbouring windows. The roof space is however quite tall which could lead to a mezzanine floor being installed, particularly as there are rooflights shown. To ensure the privacy of residents to the north of the site a condition is required that any window below 1.7m from the finished floor level to be fixed shut and obscure glazed. This would ensure the privacy to the rear of dwellings along Chamberlain Road.

### **Future occupants**

27. The proposed dwellings provide outdoor amenity space to a standard that would be acceptable. Matters relating to refuse, car parking and cycle storage are considered below, but the outdoor amenity space provided is considered to be of sufficient size and has an adequate level of privacy to be acceptable.

## **Design**

### **Layout, scale and form**

28. The design of the dwellings contrasts the architectural style of the existing buildings in the surrounding area. There are a mixture of design styles from the 1930s locally listed building fronting onto St Clements Hill to the mid 20<sup>th</sup> century terraced housing along Chamberlain Road and 21<sup>st</sup> century block of flats to the south west of the site, as identified in the Sewell Conservation Area Appraisal.
29. As the site is not highly visible from St Clements Hill or other parts of the conservation area identified in the above appraisal a more contemporary architectural style is considered to be acceptable on the site. There are some viewpoints through to this development however and the existing surrounding residents would have clear views to the site. The proposed dwellings would not be that close to locally listed buildings along St Clements Hill, and there are no statutory listed buildings in the vicinity of the site.
30. The development is considered to be a sympathetic addition to the existing site,

with an architectural style, scale and form that complements the existing surrounding development, historic locally listed building and surrounding conservation area through using a more contemporary style of development that maximises the use of materials that have a more natural appearance.

31. The overall design, scale, mass, form and choice of materials are therefore considered to be acceptable. Conditions are recommended for materials to be agreed.
32. The security of the site has been raised as an issue as the access road would not be gated. The addition of two dwellings has raised concerns that it would lead to increased intruders and crime on the site. The access road is already open enabling access. The addition of dwellings would increase surveillance compared to the current use as a rear garden and the likely potential is for crime to be reduced rather than increased.

### **Materials and landscaping**

33. The acceptability of the appearance of the proposed dwelling would rely on the choice of the final materials, landscaping details both planting and hard surfaces. All hard surfaces should be permeable to reduce surface water runoff.
34. Conditions are recommended for the external facing materials and boundary treatments to be agreed. Landscaping is to be agreed as a reserved matter under a separate application.

## **Transport and Access**

### **Highway safety**

35. The impact of two additional dwellings and associated cars accessing Chamberlain Road has been considered. The domestic nature of the use would lead to relatively low frequency of use of the driveway, which would not be sufficient to merit refusal of the application on this ground.
36. There would be a very small amount of additional parking pressure on Chamberlain Road from this new development, as parking is provided on the site. Future residents are unlikely to park their cars on Chamberlain Road out of sight from their dwelling when they have a space outside their dwelling. Also the small area of parking on the current access track used for parking by neighbours. There is space for 1-2 cars on the access track, which if displaced onto the highway would not lead to a significantly increased number of cars parking on the highway to merit refusal of the application on parking grounds.
37. Access from St Clements Hill instead has been suggested in a letter of representation. The issue with access onto this road would be firstly a greater impact on the appearance of the conservation area and secondly St Clements Hill being a more trafficked road. The proposed access onto Chamberlain Road is therefore considered the more suitable access in planning terms.
38. The safety of this junction being used has been considered. The access track has a pavement either side which provides visibility for motorists when entering the highway. The track is already used by residents who have garages or parking areas to the rear of dwellings on St Clements Hill. Chamberlain Road is a residential road and so it would be unreasonable to refuse the application on the basis of two new

residential accesses onto the road.

39. The increased insurance costs from removal of off-road parking have also been raised. If a land owner has enabled parking on their land and then removes the right there is no control under planning legislation to prevent this. The access to the site may have been used as parking, but this was only at the discretion of the land owner.
40. Therefore there is not considered to be a sufficiently adverse impact on access or highway safety to Chamberlain Road to merit refusal of the application on this ground.

### **Vehicular Access and Servicing**

41. Refuse bins have been provided to the required number and have ample space for storage within the site. The bins would need to be collected from the highway on Chamberlain Road which would involve residents moving the bins to this location. This could block the access road and lead to noise that would disturb adjacent residents but due to the low frequency of this once a week this would not lead to a sufficient enough issue to merit refusal of the application.
42. There is space for car parking on the site and garages are provided that would enable secure and covered cycle storage. These requirements are therefore considered to be met. A condition is recommended to ensure these are provided on site prior to first occupation.

## **Environmental Issues**

### **Water and energy**

43. Under local policy the only requirement would be for the new dwellings to meet Code for Sustainable Homes Level 4 for water, which is water usage of only 105 litres per person per day. This could be conditioned to any approval. The purpose of this policy is to ensure there is sufficient water for all new dwellings. This issue has been considered at a strategic level by the Joint Core Strategy. Sufficient water supplies were identified subject to this water usage being conditioned for all new dwellings.
44. As the proposal is only for two dwellings there is no policy requirement for renewable energy to be provided on site.

### **Air quality**

45. The emissions from cars accessing the new dwellings have been raised in letters of representation. The number of cars resulting from two new dwellings would not be sufficient enough to lead to air quality concerns. There are also existing garages along the access road into the site where current residents could run engines. The number of dwellings and space in between the dwellings however would not lead to a sufficiently adverse impact that would merit refusal of the application.

### **Biodiversity**

46. The site was formerly garden land which was been used for vegetable growing with the remaining area mown grass. A protected species survey has been carried out. The survey found no evidence of significant habitat that protected species rely on. Any protected species seen on the site are likely to be in transit and not relying on the site for habitat.

47. There are also a number of surrounding dwellings with good sized gardens, with the proposed development only occupying part of this existing corridor of natural environment. The surrounding gardens, however unlikely, could suffer a loss in habitat at any time through occupants removing vegetation and replacing with other structures such as patios or decking. As garden land is in private ownership it is difficult to prevent people from removing plants and habitat that support wildlife. In this instance however there is no habitat within the garden that protected species solely rely on, and appropriate mitigation measures can be taken.
48. To mitigate against possible loss of habitat and enhance the biodiversity of the site a number of conditions are recommended, including replacement planting to encourage bees and insects, fencing with holes in the base to allow hedgehogs and amphibians to move through the site and careful site clearance to take account of different species that could be using the site.
49. It is therefore not considered reasonable to refuse the application on the grounds of impact on biodiversity given the absence of habitat that protected species rely on.
50. Concerns have been raised over the time of year the survey was completed and that it was cold in April. The survey does not just look for protected species, it considers the potential for habitat to be present which if lost would be detrimental to the protected species. As no habitat was found that protected species rely on it is not considered reasonable to refuse the application on this ground.

## Trees and Landscaping

### Loss of Trees or Impact on Trees

51. An Arboricultural Implications Assessment has been submitted with the application to show the impact on the proposed trees. Two trees are identified to be affected by the proposed development. Tree T2 is proposed to be removed and replaced after completion of the development. This is a category C tree and so is not of sufficient value to merit its retention. A replacement tree is however recommended to be conditioned to replace this tree that is to be removed.
52. Conditions are also recommended for works to be in accordance with the AIA, siting of new services and protection of root protection areas during construction.

### Local Finance Considerations

53. 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. The benefits from the finance contributions for the council however must be weighed against the above planning issues however.

Financial Liability	Liable?	Amount
New Homes Bonus	Yes	Based on council tax band. Payment of one monthly council tax amount per year for six years.
Council Tax	Yes	Band not yet known
Community Infrastructure Levy	Yes	£13,575 (indexed)
Business Rates	No	-

54. Community Infrastructure Levy would be liable for the two dwellings as they are



new development.

55. In a letter of representation sources of funding for conservation have been identified. The impact of the development on the potential to receive these has been raised. The development would not be highly visible to the surrounding conservation area and the development is not that large in the context of the conservation area. It is therefore considered unlikely that this development would impede the ability to apply for future funding in relation to the conservation area.

### **Other matters raised in letters of representation**

56. The issue of precedence has been raised in a letter of representation. Each development must be assessed on its own merits and any subsequent applications for similar developments would have to be fully assessed for impact and harm. It is therefore not possible to refuse an application on setting a precedent, only the harm that an actual application would result in.
57. The affordability of the dwellings has been raised. Under the National Planning Policy Framework there is a presumption in favour of sustainable development, enabling new homes to be built where appropriate. The affordability of homes for sale on the private market is not a matter that planning can intervene in. The delivery of affordable housing by registered social landlords is a separate matter, but these dwellings are private dwellings and there is no requirement for affordable housing on a scheme of this size under joint core strategy policy 4. Therefore the affordability of these cannot be taken into consideration when determining the acceptability.
58. The impact on drains and sewers around the site would be a matter covered by separate consents. The area is an existing residential area and the application only proposes two new dwellings. The connection to drains and sewers would therefore be possible.
59. The maintenance of any private track or pipes off the highway under private land is a civil matter outside the remit of planning legislation.
60. The issue of structural damage caused during construction is also a civil matter which cannot be controlled by planning legislation. The new development would need to conform to the building regulations.
61. A reference has been made to a previous bungalow on the site. No evidence of this can be found in the historic records for the site. The application is however assessed on the basis that the site is currently garden land, as this is its previous established use.

### **Conclusions**

62. The proposed development would lead to additional residents, traffic, overlooking and development within the conservation area. However, the extent of harm that this new development must be considered and balanced against the benefits of delivering two new dwellings to Norwich and the direction of national policy to deliver new homes where possible. In this instance the harm of the new development has been considered but the impact on residential amenity is not sufficient enough to merit refusal of the application. The increased traffic to the development would be relatively minor and the impact on the key heritage assets of St Clements Hill reduced by the low visibility of the scheme from the main views within the conservation area.
63. It is therefore considered that the proposed two dwellings would not lead to

sufficient harm to merit refusal of this application.

## **RECOMMENDATIONS**

To approve Application No 12/02041/O at land to the rear of 76 St Clements Hill and grant planning permission, subject to the following conditions:-

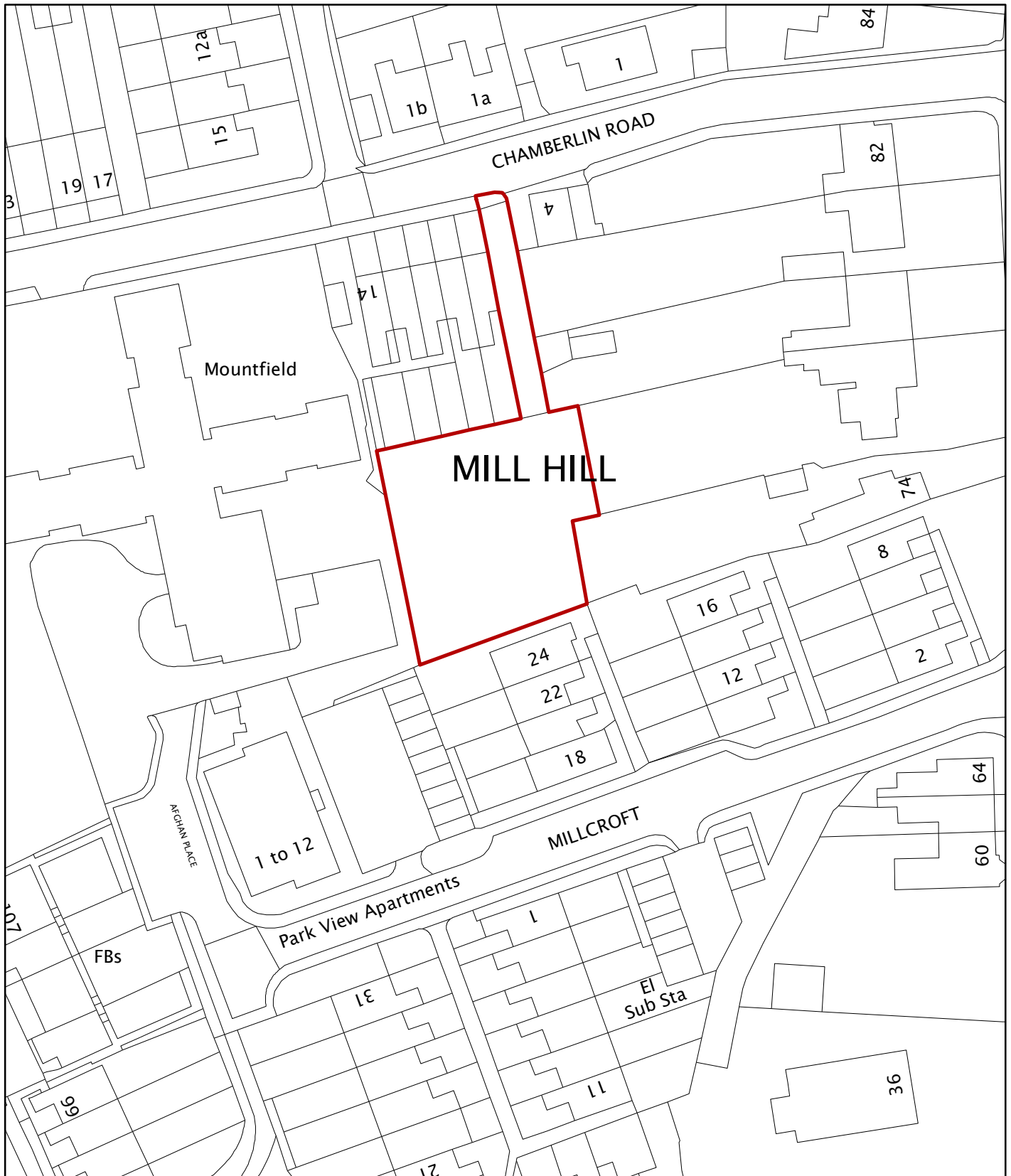
1. Application for the approval of reserved matter to be made not later than 3 years from date of permission;
2. Commencement of development 2 years from the date of approval of the last reserved matter to be approved;
3. Matters to relate to landscaping – including mitigatory replacement planting;
4. Details of
  - external facing materials
  - boundary treatment
  - obscure glazing on rooflights
5. Car parking, cycle storage and bin stores provided prior to first occupation;
6. Compliance with AIA, AMS and Tree Protection Plan implemented prior to commencement;
7. Siting of new services
8. Enhancement measures for biodiversity followed
9. Site clearance outside of bird nesting season
10. Demolition of composting areas by hand and relocation of any amphibians found
11. Water efficiency

### 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.

### Informative notes:

1. Considerate construction
2. Tree protection barriers
3. Protected species licence



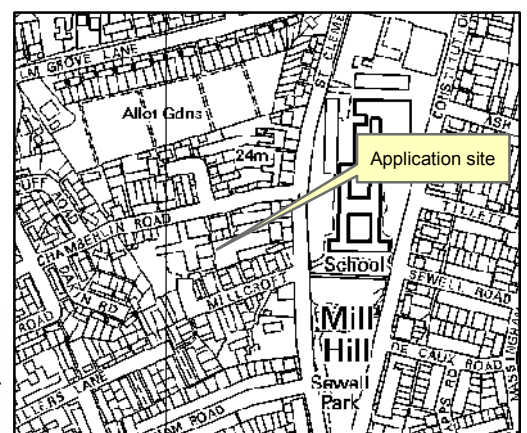
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Planning Application No 13/01122/O  
 Site Address 76 St Clements Hill  
 Scale 1:750



**NORWICH**  
 City Council

PLANNING SERVICES



**NOTES**

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**DRAWING STATUS**

T - Tender  
P - Preliminary  
C - Construction  
R - Record

Proposals subject to the following:-  
Contract  
Local Authority approval  
Statutory Authority approval  
Survey  
Detailed Design  
Public Utility requirements

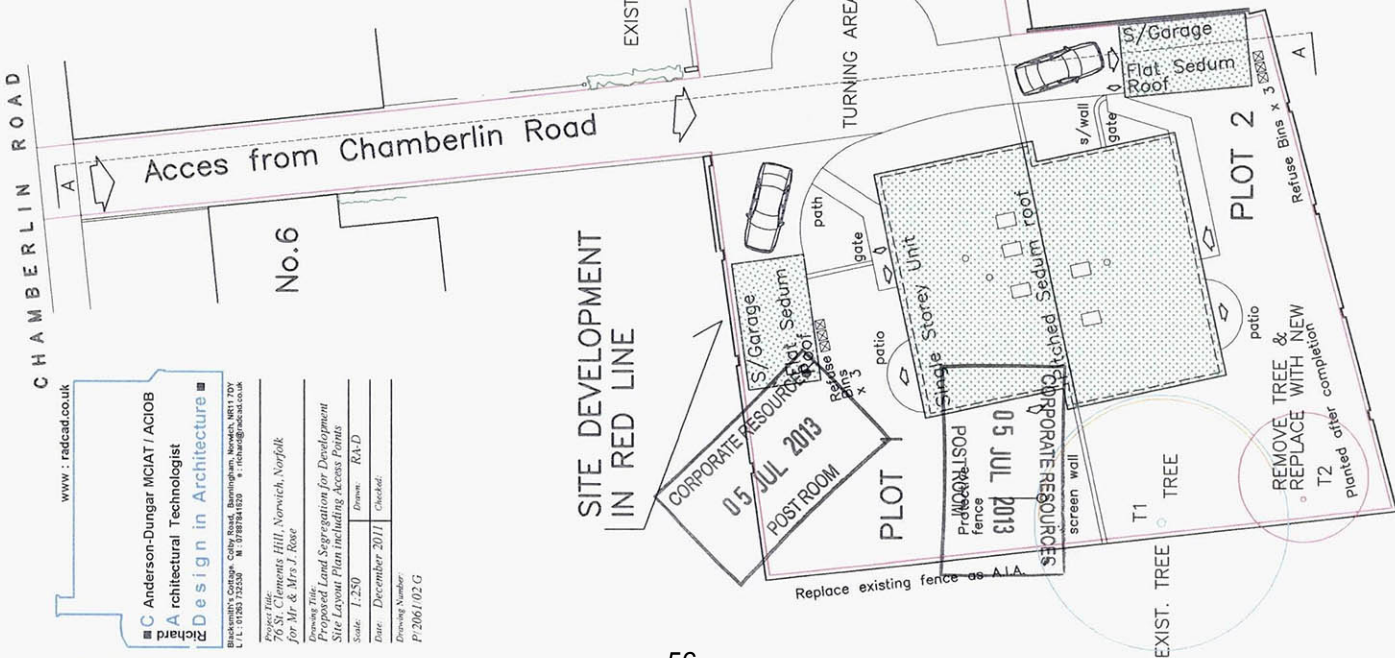
TREE LOCATIONS & REFS			
ref	DBH	CS	Species
T1	400	6000	Sycamore
T2	New	-	Field Maple
T3	200	3000	Silver Birch

SYMBOL LEGEND	
	TREE LOCATION GENERAL
	DBH
	CS
	TRUNK DIA.
	CROWN SPREAD
	HEDGE
	T/FENCE OR GATE
	TREE REMOVED
	GARDEN WALL
	BOUNDARY BUILDING
	OS GRID
	PROTECTIVE FENCING
	CAT. B TREE
	CAT. R TREE
	DOOR OR ENTRANCE



**SITE LOCATION PLAN 1:1250**



# SITE LAYOUT MASTER PLAN

- 0 02013 P14 2 / No 76 & P14 1 under new owner / Blue line omitted
- F 02012 Design adjusted to suit Chamberlin Road / Millcroft / Drawings moved 1 metre
- T1 spread confined on trunk / Landscape walls adjusted
- E 02012 Design reduced in impact
- D 02012 T1 given further protection
- C 02012 Additional info. for P.O. added
- B 02012 76 Rear boundary squared off
- A 12011 76 Rear Garden increased 10m-D as advised by Owners Estate Agent

Size / Date / Description / Drawn / C.A.D.

**Report to** Planning applications committee  
**Date** 12 September 2013  
**Report of** Head of planning services  
**Subject** 13/00970/F and 13/00971/L: Site At All Saints Green,  
Winnalls Yard and Queens Road, Norwich.

**Item**  
**5(4)**

## SUMMARY

<b>Description:</b>	<p><b>13/00970/F:</b> Demolition of 52 and 54 All Saints Green. Redevelopment of site and erection of 228 bedroom student accommodation with associated management facilities and amenities. Conversion of 50 All Saints Green to allow a range of commercial uses (A1, A2, A3, B1 and D1 Use Classes). Associated landscaping, public courtyard and car parking.</p> <p><b>13/00971/L:</b> Demolition of 52 and 54 All Saints Green and repairs of 50 All Saints Green.</p>	
<b>Reason for consideration at Committee:</b>	<p>Objections  Major Development</p>	
<b>Recommendation:</b>	<p>13/00970/F: Approve, subject to meeting planning obligations.  13/00971/L: Approve,  And both subject to not receiving any objections to the contrary by the National Planning Casework Unit, on behalf of the Secretary of State for Communities and Local Government.</p>	
<b>Ward:</b>	Mancroft	
<b>Contact Officer:</b>	Rob Parkinson	Senior Planning Officer: 01603 212765
<b>Valid Date:</b>	22nd June 2013	
<b>Applicant:</b>	Alumno Developments	
<b>Agent:</b>	Mrs Isabel Lockwood, Bidwells	

## INTRODUCTION

### The Site

#### Location and Context

1. The site is located on the corner of Queens Road and the bus station entrance, extending north-east to include the existing vacant buildings at 50-54 All Saints Green, between the single-storey pitched-roof All Saints Green Air Cadet shooting range and the 3-storey terraces fronting Surrey Street. The site at the corner of Queens Road and Bull Lane was formerly part of the larger plot occupied by the Norwich Co-Op until the late 90's, used for stabling and deliveries vehicles.
2. Part of the original Co-Op site has already been developed for the existing YMCA accommodation building to the north, facing opposite the bus station, with vehicular access taken from Winnalls Yard. The YMCA houses 34 bedrooms in the short-stay hostel, and café and community use rooms at the ground floor.
3. Ivory House to the east is a converted townhouse fronting All Saints Green. It now contains 7 flats but has extant planning permission from 2011 to be able to be converted into 12 flats, and provide a 3-storey extension to contain 8 more flats on the site of the adjoining car park to the north, which would combine to provide 20



flats within Ivory House in total.

4. The general building form in the area is of tall and bulky buildings to the south and west along Queens Road and St Stephens Road (offices and the Travelodge hotel), and smaller 2-3 storey buildings to the north-east on Surrey Street and All Saints Green. There is very little residential in the area, other than the 7 flats in Ivory House and the YMCA accommodation. Surrounding uses comprise the Sainsbury's foodstore and Marsh offices to the south, the Bus Station, YMCA and shops and offices of St Stephens Road to the west, the Free School and offices of Surrey Street to the north, and Ivory House, the Air Cadet building, offices and smaller services to the east along All Saints Green and Surrey Street.

## **Constraints**

5. The whole site is within the city centre conservation area, in the All Saints Green Character area, which is considered to be a significant part of the city centre. No. 50 All Saints Green is a Grade II Listed Building. 52 and 54 All Saints Green are associated workshop outbuildings used in association with the stables at no. 50, but are not themselves listed, and are 'curtilage buildings' to the principle listed building.
6. The existing buildings (50-54 All Saints Green) were originally curtilage outbuildings to 35 Surrey Street when they were all used by a surgeon in the late C19 and early C20. With the refurbishment of the terrace block in 35 Surrey Street in the mid noughties and construction of new rear extensions, they do now appear disconnected from the original 'parent' building, and being of some size and in separate use for a number of years, can now be considered stand alone buildings divorced from their original setting. 52-54 have been substantially altered and remodelled since, particularly on their street frontage which is currently uniform plain white washed walls.
7. Ivory House to the east on Queens Road adjoins the site and fronts All Saints Green with its rear elevation facing the student block site. This is a four-storey Grade II Listed Building built in 1771 as a Georgian townhouse. St Catherine's House on All Saints Green opposite Winnalls Yard is a Grade II\* listed building. The 3-storey terraces of 29-35 Surrey Street are all statutory listed buildings. Opposite the north-east corner of the site, 47-51 All Saints Green and 40-46 Surrey Street are all locally-listed buildings.
8. The St Stephens Street Area Masterplan identifies the Bus Station as a key development site in the area and a specific landmark destination, close to the 'gateway' into the city centre created by the Brazen Gate / All Saints Green crossroads. The application site is sandwiched between both locations.

## **Topography**

9. The area generally slopes quite dramatically downhill towards the north-east corner and Queens Road is much higher than the levels of 50 All Saints Green, although the levels within the site are fairly flat.

## **The Proposal**

10. There are three main elements to the development proposed:

- Development on vacant land fronting Queens Road and the bus station, to

provide a new student accommodation block of between 6-8.5 storey heights on the Queens Road frontage, comprising 228 student bedrooms, studios and communal facilities and management units, with entrance to the bus station and vehicle access from Winnals Yard, with car parking spaces, substation and landscaping;

- Refurbishment of 50 All Saints Green, a Grade II listed building (of 193 sq.m. floorspace), in preparation of being brought back into use in the future;
- Demolition of 52 and 54 All Saints Green (former workshop buildings) (of 123 sq.m. floorspace) in the curtilage of the listed building, to be replaced by a new 'pocket park' off the street.

## Planning History

**06/00840/F** – YMCA Building - Erection of 68 residential units, 34 bedroom hostel, conversion of existing buildings to 2 residential units, leisure use, retail/cafe unit and associated works (Revised Proposals). (Approved 10/01/2008).

**08/00349/D** - Condition 11 and 12: Details of Archaeological Mitigation for previous planning permission 06/00840/F "Erection of 68 residential units, 34 bedroom hostel, conversion of existing buildings to 2 residential units, leisure use, retail/cafe units and associated works". (Approved - 30/05/2008).

**10/01763/F** – Ivory House - Conversion of the existing seven flats into 12 No. flats and the erection of an adjoining building as a new extension to facilitate the provision of a further eight flats (providing a total of 20 No. flats). (Approved – 19/01/2011).

11. There is an approved scheme for 50 All Saints Green to be put to residential use (within permission 06/00840/F), which could still be provided should a developer choose to do so. This permission included a 7-storey L-shaped tower building addressing the Queens Rd / bus station corner and also included the conversion of 50 All Saints Green into a 3-bed house and no. 52-54 into a 2-bed flat with shared courtyard between the two. In the same permission, the new development would be closer to Ivory House than the current proposal.

## Equality and Diversity Issues

Disabled access is possible throughout the site and within the new accommodation building via lifts. Access to 50 All Saints Green should be possible once refurbished, although planning conditions can try to secure access if the listed building allows. Specific disabled-parking and allocated accommodation is provided within the complex.

## Representations Received

12. **Pre-application consultation:** Pre-application public exhibitions and consultation took place and results are summarised in the Statement of Community Involvement, including presentations and feedback from the Greater Norwich Design Review Panel, English Heritage and the Norwich Society. A presentation to Members on 21<sup>st</sup> May also introduced the scheme.
13. **Greater Norwich Design Review Panel:** At pre-application stage the Panel broadly welcomed the scheme although they felt the density of units was low, the design should aim to be more horizontal in appearance and should aim to be uniform in its height. The Panel supported the proposal for a new public space and

recommended that more energy investigations should be made.

14. **The formal application:** The application has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Four letters of representation have been received citing the issues as summarised in the table below.

15.

Issues Raised	Response
<b>Objections:</b> 1. The development (as seen in the artists impressions in the newspaper) would look 'ugly' and be a 'monstrosity'.	Paragraphs 59-67.
2. The development is not sensitive enough to respect the Georgian buildings. It is: - too large; - too close to the road; - too utilitarian in nature and will detract from All Saints Green.	Paragraphs 68-81.
<b>Support:</b> 1. Student accommodation in the city is needed and a positive asset for the city.	
2. City College Norwich supports the development as an excellent potential location for its students. Should a review of dedicated accommodation show demand, this would be high quality and well managed accommodation.	

## Consultation Responses

16. **Norwich Society:** Concerns have been raised regarding: the design not being of high enough quality; being inappropriate next to Ivory House; being too large and too dense; inappropriate entrance facing the bus station; being too 'hard' against the street; creating a stark appearance; using inappropriate brick colours. Support for the refurbishment of 50 All Saints Green and improvements to its setting, and no specific objection to demolition of the stables.

17. Their full comments state: "We have misgivings about this scheme despite our initial support. This is a very important site on the edge of the city centre and has long been ready for the right type of development. It requires buildings of high design quality to "lift" the area and it must be sympathetic to Ivory House. It is right to increase the density towards south west corner, but is such a high density proposal suitable for this site? The building rises to 7/8 stories similar to the adjacent hotel but is this necessary? Would 4/5 stories be more appropriate. The main entrance to the building is located on the bus station side with what appears to be a tight entrance space for such a large scale building. This entrance has no direct vehicle access due to it being on the bus station road. The building is very tight to its boundary and this does not allow any "softening" at the junction of the building and the ground on the key Queens Rd and bus station elevations. This results in a stark appearance. We also take issue with the selected brick colour. We are pleased to see that No 50 All Saints Green will be refurbished in the proposals and the building given a higher profile in the streetscape."

18. **Historic Environment Service (Archaeology):** An archaeological evaluation has



taken place in the past 6 years which is sufficient to allow the scheme to be approved in principle subject to conditions requiring prior agreement of an archaeological Written Scheme of Investigation before development or demolition commences, followed by analysis and publication of any finds prior to occupation.

19. Although the demolition can be accommodated without detriment to the site's archaeology, justification is needed for the demolition of the stables (52 and 54 All Saints Green).
20. **English Heritage:** (summary) – the new student residence block is acceptable in principle, and the repair of 50 All Saints Green is welcome, but there are concerns about the ability of the proposed works to secure a future use of the building.
21. **(a) The new block of student flats** – No objection subject to careful detailing and finish of construction. The site has been a vacant plot for many years; despite being adjacent to the line of the medieval city wall its historic context has been significantly degraded by widespread demolition and construction of large modern buildings and the inner ring road. There is still more of a modular and vertical feel to the new development than would be ideal but the design improves the building's horizontal emphasis through its fenestration and reduces its scale and emphasis. The proposed significant distance between the new building and Ivory House, combined with the matching lower height of the closest part of the building and the separation created by landscaping, means the impact on Ivory House has been reduced.
22. **(b) The works to 50 All Saints Green** – There were initial concerns that further information should be provided and a list of repairs agreed before determining this application because of there being some uncertainty in the submitted documents about the extent of repair and restoration works to be provided. Since the applicant provided further information, however, the comments of 03/09/13 have confirmed that this concern has been reduced as the proposed schedule of repairs is comprehensive and shows the commitment to the building's preservation. As such English Heritage consider the works to repair the building and arrest deterioration can now be supported
23. **(c) Proposed demolition of 52 and 54 All Saints Green and creation of the replacement public open space** – The demolition has not been adequately justified and it is recommended that the demolition is not approved. The demolition would be premature, not based on evidence about possible uses for the listed building, and harmful to its significance.
24. There are concerns that the demolitions will cause a degree of harm to the significance of no. 50 All Saints Green by removing these ancillary and curtilage structures from its setting; in a historic building context the character of the site would change from being an enclosed working yard to becoming an open public space, and from a building's viability point of view the practicalities of securing a viable future use are compromised.
25. Whilst the demolition could in future be justified if it led to public benefit through future re-use of no. 50, the case has not yet been presented to justify the demolition being necessary to secure the continued reuse of no. 50 All Saints Green. It is regrettable that the new development has not been extended to include the remainder of the site by finding a new use for the building, but although the new public space may benefit the public realm and conservation area the application

does not provide evidence that it will help secure a future for no. 50 All Saints Green, and may even discourage potential new users. No options appraisal nor marketing evidence has been presented to justify demolition as the most appropriate form of action, so there is no opportunity to gauge the types of use that may emerge; given the building(s) have been out of use for such a long period of time it is recommended that the Council does not support any development that could discourage possible uses, as it cannot be in the best interests of the building to remove private curtilage space if such space can provide essential to a future user.

26. There are concerns that removing the buildings and replacing them with a public open space will reduce the opportunities for conversion and reuse of no. 50 All Saints Green because the curtilage will be reduced and the setting will become public, and potential occupants could be discouraged from taking up a use at the site as there is no curtilage space.
27. In later comments received 03/09/13 English Heritage have been encouraged by the prospects of the applicant's suggested re-use by a gallery operator, but still remain concerned about the demolition if the exhibition space were not to materialise or have to end its occupancy. In their opinion the demolition works could either prohibit further beneficial uses or the replacement pocket park could dissuade new users at No.50 who may not appreciate a publically-accessible open setting outside their premises.
28. The 3/9/13 additional response from English Heritage is: "As regards the new use for no. 50, the expression of interest from a gallery operator is a most welcome development. This would certainly be a good, publicly beneficial use of the site and the proposed public space in front of the building could be a key part of that use. I remain of the view that a degree of harm to the significance of no.50 would result from the removal of the curtilage buildings. However, giving the principle building 'street presence' would clearly be of benefit to the proposed arts use and forming the new open space does have some public benefits in itself.
29. Of course, it is possible this use might not materialise and while creating a 'street presence' may be equally appealing to many other prospective users I remain concerned that the degree of public access proposed might also discourage some. The current application for planning permission for the new residences does present a window of opportunity to take no.50 as far forward as possible. On balance I would not wish to formally oppose the proposed creation of the new space in front of no.50, but would suggest conditions about its exact design and control of public access should remain flexible enough to respond to emerging expressions of interest from possible users of the building and allow for the creation of more managed, less public areas relating to the buildings' users as need be."
30. **Victorian Society:** Strongly object to the demolition of 52-54 All Saints Green due to the harm its loss would cause to the setting of the stable building and that of the conservation area in which it stands. It is a modest building as befits its humble purpose, but has charm and character in its architecturally decorative roof and internal salvaged ceiling. The buildings contribute positively to the setting of the stable building (no. 50) and conservation area, both of which would be harmed if the workshop were lost. There is no guarantee of the stable building's future preservation without the workshop buildings, and the whole should be retained and

restored based on a well-researched new use.

31. Also object to the student accommodation block which is considered out of scale with the sensitive historic context and would harm the character and setting of both the stable and workshop complex and the conservation area. Overall, the scheme is damaging and pays little regard to the sensitive historic context.
32. **Environment Agency:** No objection subject to use of conditions to protect the water environment. The submitted geotechnical report and site investigations show the development to pose a low risk to the highly sensitive groundwater. A precautionary condition and advice is offered to protect controlled waters.
33. **Anglian Water:** No objections in principle (sewage treatment works and foul water sewerage networks both have capacity), although Anglian Water are yet to confirm that the proposed surface water sustainable drainage system will avoid harm to any of their assets.
34. **Norfolk Constabulary:** Are pleased to report that following pre-planning consultation with the architects all of the police recommendations have been incorporated within the scheme, to address student vulnerability and safety and minimise crime risk. Should policy have allowed, the police would have liked Section 106 funds to assist with additional policing around this development.
35. **County Council as Strategic Highway Authority:** The proposed development will not have a material impact on the Strategic Road network of Norfolk. The local highways and transport issues can be dealt with by the City Council under the terms of the local highways agreement between Norfolk County Council and Norwich City Council.
36. **Local Highway Authority Transport Planner:** There will be no impacts on the strategic highway network. This is an optimal location for sustainable transport options by bus, coach, walk, cycle, taxi and close access to Norwich railway station. No general able-bodied car parking is proposed so transport impacts should be minimal, although conditions should agree a car parking layout and management plan. There is currently very limited visibility into the site from All Saints Green, but this will be improved by the demolition works and traffic movements using the site being very low. The temporary and short-term nature of moving-in / departure days can be overcome by agreement of a management scheme by conditions. Subject to agreement of a revised Travel Plan, the scheme is acceptable subject to Winnals Yard being brought up to adoptable standard with contributions to account for street tree provision and maintenance. The Travel Plan, however, is not yet sufficiently well developed and should include contributions for providing a Car Club car. [See paragraphs 115-117].
37. **Travel Plan Officer:** Acceptable in principle, but the submitted Travel Plan is not considered extensive enough at present and should only be used as an Interim Travel Plan for further development (to be informed by surveyed travel behaviour); once revised it could be subsequently adopted as a Full Travel Plan. The Travel Plan as submitted is inadequate due to not providing a car for the Car Club. [See paragraphs 115-117].
38. **Environmental Health Officer (Public Protection):** No objections in principle although there are some minor issues that will need attending to.

39. **(a) Noise** – A noise assessment has identified that some parts of the development are likely to be exposed to significant levels of noise from road traffic and buses in the bus station. With modern building techniques and suitable glazing this is unlikely to be an issue, however, and the report identifies some design criteria for the building and presents window specifications to mitigate these effects which should be taken into account in the final design. Therefore, permission can be granted as long as conditions are used to require the development to apply the criteria suggested in the acoustic report.
40. **(b) Plant and machinery** – No details of any proposed plant and machinery or extraction gear have yet been provided. These should be subject to conditions to prevent possible nuisance to both residents of the development and users of surrounding properties, including the hotel.
41. **(c) Contamination** – The ground report and site investigation has identified some slightly elevated levels of a few existing contaminants on site, but because the type of new use will present a low risk to users and much of the site will be hard-landscaped, any potential risk to human health should be low (because the source-pathway-receptor routes will be broken in these areas). Precautions should nevertheless be taken in the areas of soft landscaping and planting, which will require the importation of clean topsoil or a cover system as recommended in the reports, and any permission should be conditional on them being met.
42. **(d) Air quality** – The air quality report is satisfactory, using acceptable methodology and following recognised guidance and worst case scenarios. The report concludes that there will be no exceedence of the relevant air quality objectives felt by the proposal at the measured sensitive receptor locations, and no further assessment is needed.
43. **(e) Construction** - The air quality report does note that there may be slight adverse short-term effects during the construction phase, and recommends suitable mitigation measures which should be followed and the Council's usual advisory note on Construction Working Hours should be applied to any consent.
44. **Natural Areas Officer:** The site ecology survey has adequately addressed the relevant issues concerning this application, so there are no further comments to make.
45. **Fire Service:** Support in principle – conditions will be needed to ensure a dry fire main is provided with access to a hard standing for a pumping appliance within 18m of each fire main inlet, with access to within 18m of the inlet, with an additional hydrant required to service the riser mains.

## ASSESSMENT OF PLANNING CONSIDERATIONS

### Relevant Planning Policies

#### National Planning Policy Framework:

Paragraph 14 – Presumption in favour of sustainable development

Paragraphs 203-206 – Planning conditions and obligations

Section 1 – Building a strong, competitive economy

Section 2 – Ensuring the vitality of town centres

Section 4 – Promoting sustainable transport

Section 6 – Delivering a wide choice of high quality homes  
Section 7 – Requiring good design  
Section 10 – Meeting the challenge of climate change, flooding and coastal change  
Section 11 – Conserving and enhancing the natural environment  
Section 12 - Conserving and enhancing the historic environment

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

Policy 1 – Addressing climate change and protecting environmental assets  
Policy 2 – Promoting good design  
Policy 3 – Energy and water  
Policy 4 – Housing delivery  
Policy 5 – The economy  
Policy 6 – Access and transportation  
Policy 9 – Strategy for growth in the Norwich Policy Area  
Policy 11 – Norwich City Centre  
Policy 20 – Implementation

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

NE4 – Street trees to be provided by developers  
NE9 - Comprehensive landscaping scheme and tree planting  
HBE3 – Archaeology assessment in Area of Main Archaeological Interest  
HBE8 - Development in Conservation Areas  
HBE9 – Development affecting Listed Buildings  
HBE12 - High quality of design in new developments  
HBE13 – Protection of major views and height of buildings  
HBE14 – Gateways to City and quality design  
EP1 - Contaminated land  
EP6 – Air Quality Management Areas  
EP16 - Water conservation and sustainable drainage systems  
EP17 –Protection of watercourses from pollution from stored material, roads & car park  
EP18 - High standard of energy efficiency in new developments  
EP20 - Sustainable use of materials  
EP22 - High standard of amenity for residential occupiers  
TVA8 - Heritage interpretation  
EMP2 - Expansion of existing businesses  
HOU2 – Mix of uses including housing on sites in the City Centre  
HOU5 - Accessible housing  
HOU6 – Contribution to community needs and facilities by housing developers  
HOU9 (allocation A35) – Sites allocated for mixed use development including housing  
HOU18 – Conversion of properties to houses of multiple occupation and building flats  
TRA3 – Modal shift measures in support of NATS  
TRA5 - Approach to design for vehicle movement and special needs  
TRA6 - Parking standards - maxima  
TRA7 - Cycle parking standards  
TRA8 - Servicing provision  
TRA9 – Car free housing - criteria  
TRA10 – Contribution by developers for works required for access to the site  
TRA11 – Contributions for transport improvements in the wider area  
TRA12 – Travel Plans for employers and organisations in the city  
TRA14 - Enhancement of the pedestrian environment and safe pedestrian routes  
TRA15 - Cycle network and facilities  
TRA18 - Major road network  
CC10 – Bus Station area – mix of uses and conditions

## **Supplementary Planning Documents and Guidance**

Energy Efficiency and Renewable Energy (Adopted December 2006)

Heritage Interpretation (Adopted December 2006)

City Centre Conservation Area Appraisal (September 2007)

Statement of Community Involvement (March 2010)

The St Stephens Street Area Outline Masterplan (2009).

## **Other Material Considerations**

Written Ministerial Statement: Planning for Growth March 2011.

The Localism Act 2011 – s143 Local Finance Considerations.

DCLG Definitions of general housing terms: Definitions for local authorities compiling data (November 2012).

## **Emerging policies of the forthcoming new Local Plan *Development Management Policies Development Plan Document* (submission document for examination, April 2013):**

- DM1** Achieving and delivering sustainable development
- \* **DM2** Ensuring satisfactory living and working conditions
- \* **DM3** Delivering high quality design - [only limited weight can be applied]
- \* **DM6** Protecting and enhancing the natural environment
- DM9** Safeguarding Norwich's heritage
- \* **DM11** Protecting against environmental hazards
- \* **DM12** Ensuring well-planned housing development
- DM13** Communal development and multiple occupation
- \* **DM16** Employment and business development
- DM17** Supporting small business
- \* **DM28** Encouraging sustainable travel
- DM29** Managing car parking demand in the city centre
- \* **DM30** Access and highway safety – [only limited weight can be applied]
- \* **DM31** Car parking and servicing
- DM32** Encouraging car free and low car housing
- DM33** Planning obligations and development viability

## **Procedural Matters Relating to the Development Plan and the NPPF**

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. The 2011 JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application.

The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate. In the case of policies marked by an \*, there are objections lodged to their use, so only very minimal weight has been given to their application. Policies DM3 and DM30 are subject to further consideration so no weight has been applied but their principles are similar to those of adopted and saved Local Plan policies HBE8, HBE12, TRA3, TRA5, TRA6 and TRA7.

## **Principle of Development and Policy Background**

### **Housing provision**

46. This is an acceptable, highly sustainable location for this form of development. The site is an allocated site in the adopted Replacement Local Plan (2004) identified in policies HOU9 (A35) and CC10 for 70 dwelling units of market housing development in a mixed use scheme, comprising this site and the already-built bus station and Travelodge sites. Although market housing was anticipated in policy, the Government's position is that such student housing developments are able to contribute to the city's overall housing provision. At the most basic level, accommodating students in this form of housing will help retain or even release conventional housing stock for more general market housing.
47. The Government's definition of whether such student housing can make a contribution to a required housing provision means that the student accommodation can count towards the additional c.3,000 homes requirement of the Joint Core Strategy on a ratio of 1 'flat cluster' of 6-11 bedrooms counting as 1 'housing unit'.
48. Therefore, despite the development being on a site earmarked for more conventional forms of housing, the student housing will still contribute towards meeting the city's required housing targets. As the number of applicable 'units' depends on the number of communal kitchens (in this case 26 units or 'flat clusters' are provided), it will not be a like-for-like substitute for 228 market houses, nor achieve the equivalent number of houses originally anticipated by policy (70 homes in policy HOU9), so will require further housing land allocations elsewhere. It will however house 228 people who would otherwise be likely to rent private property in the city, if it were not to be built. In principle it is an appropriate use for the site and is not a loss of allocated housing land.

### **Criteria for development**

49. As part of its mixed use policy allocation, the site was expected to deliver office and leisure uses (along with the replacement bus station and hotel). Either may be possible within the restored listed building, although clearly not of the same scale anticipated, but other sites elsewhere remain available for office and leisure uses if a demand exists, and in this particular area the St Stephens Street Masterplan may present more opportunities than those originally envisaged when the Local Plan was agreed, in 2004.
50. Such student housing or developments of multiple occupation need to meet certain criteria within their design (HOU18), including being appropriate to the area, accessible, providing on-site amenity space and being of a density appropriate to the area. Design merits are considered in detail below and are broadly supported, and the density of development is appropriate for the relatively high-rise nature in this highly accessible city centre location.
51. In terms of emerging policy, submitted Development Management Policies Plan DM Policy 13 sets out detailed criteria for the development of communal accommodation and houses in multiple occupation, which are largely consistent to saved policy HOU18. However, additional emphasis is placed on ensuring compatibility with surrounding non-residential uses and ensuring appropriate amenity and landscaping provision. When considered against this emerging policy

the proposals are also successful in meeting the criteria and will provide both appropriate servicing, refuse and cycle storage and a high quality landscaping scheme. In terms of parking there are minimal levels proposed, and much less than the amount that might be allowed for the market housing anticipated by policy.

### **Other Material Considerations**

52. The proposal to promote new use within 50 All Saints Green is supported and could provide beneficial tourism, business and leisure uses. Conditions can ensure the final use minimises the potential impact on neighbouring businesses at All Saints Green and Surrey Street. The range of possible uses, however, should be allowed to be as broad as can possibly be accommodated within the listed building in order to improve feasibility of re-use.
53. The St Stephens Street Area Masterplan identifies the Bus Station as a key development site in the area and a specific landmark destination, close to the 'gateway' into the city centre created by the Brazen Gate / All Saints Green crossroads. The whole site is seen as a 'poorly defined space'. Nominal land use suggestions in the Masterplan comprise residential use fronting the bus station and All Saints Green and Winnals Yard, and behind and within 50 All Saints Green. Commercial use development would be positioned to be fronting the whole of Queens Road.
54. Whilst these possibilities are not mirrored by the application, the St Stephens Street Area Masterplan is not a binding policy, only a guidance document to inform future policy such as the emerging Site Allocations Plan or future Supplementary Planning Documents / Area Action Plans. It is worth noting that the Site Allocations Plan as submitted does not propose specific development at this site because of there being an extant and part-implemented housing permission in place at the site (albeit nothing has commenced on the actual site).

## **Impact on Living Conditions**

### **Noise and Disturbance**

55. The development is generally away from residential uses and has been designed carefully to take account of the neighbouring sites, to ensure that residents and sensitive businesses should not experience serious detrimental impacts. The site is managed with staff accommodation on site so any disturbance that might arise can be managed.

### **Overlooking and Loss of Privacy**

56. Despite the perceived height of the development, overlooking is low to the south given the commercial setting and break from the road, and far enough from the rear of the development to the north to be of only minimal impact. The YMCA does not have any 'active' windows on its south elevation that could be affected as the four windows are for communal corridors.

### **Overshadowing**

57. The building is tall but the layout of the building has responded to its neighbours to avoid affecting them. The YMCA is in line with the adjoining proposed development and any shadow from the Queens Road frontage is unlikely to extend as far as the rear elevation of those properties on Surrey Street. The gap to Ivory House has been seen to prevent loss of light and overshadowing, whilst maintaining privacy



through selective tree planting.

### **Overbearing Nature of Development**

58. Although tall, the building's staggered roof line and articulation will be interesting and will minimise any feeling of it being overbearing and overdominant.

### **Design of the new student accommodation building**

59. In assessing the design of the new building there are two elements: Firstly, the overall scale and form and its relationship with the surrounding conservation area and neighbouring listed buildings. Secondly, the attention to detail at a smaller scale relating to how the building will become 'animated' and viewed at close quarters and able to respond to its neighbours and help the public interaction with the building.

60. It is considered that the location demands a building of stature and robustness and quality in its appearance, because it is part of the city's new gateway, the bus station, and is located against a busy dual carriageway and entrance to the bus station. Similarly, the St Stephens Street Area Masterplan identifies the Bus Station as a key development site in the area and a specific landmark destination, close to the 'gateway' into the city centre created by the Brazen Gate / All Saints Green crossroads, the approach to which is said to lack presence.

### **Layout and Form**

61. The form of the building has taken into account the setting of Ivory House and the YMCA building to the north by stepping-up to provide a key landmark at the entrance to the bus station. The corner of the plot has been animated and a rooftop glazed communal room adds additional emphasis and interest; although it is slightly set back from the building line, it will be visible from the bus station forecourt and further along Queens Road. The step-down into the bus station site is considered very successful and the Queens Road elevation goes some way to providing the horizontal emphasis considered necessary to reduce the scale of mass and bulk of the building, especially when viewed as a neighbour to Ivory House. At this particular site the St Stephens Masterplan identifies a missing east-west pedestrian link from All Saints Green to the bus station, and these proposals will provide that public route.

62. The building line along Queens Road is slightly staggered and this combines well with the descending storey heights towards Ivory House to make the elevation interesting; as a result the development is less dominant in its relationship to Ivory House, and has more emphasis towards the Travelodge / Bus Station end of the site. In order to prevent the design becoming too vertical a sense of horizontality has been claimed by revising the pattern and arrangements of the windows, fenestration and banding strips used in the brickworks. Although English Heritage would prefer even more horizontality, and the site is considered to offer a good location for adventurous and innovative architecture, the design is still bold and successful in responding to its context.

63. The detail at the smaller scale will also be important to the success of the design. By using brick, rather than render or panels of cladding, the building is both bold and of status, and yet grounded by using a strong, permanent and durable material. By contrast, the large scale Travelodge building opposite is lighter in colour but has a feeling of being hugely bulky and of being clumsily assembled. The white

rendering and flat texture and building line have caused the hotel to appear even bigger and overpowering in the streetscene. Since the overall appearance of this proposed building is heavily reliant on brick choice this element is essential as it will have a significant impact on the way the building is read in the street scene and how it feels in terms of massing and bulk / dominance; brick choices in a multi-brick or blend combination will provide a strong texture and interest and help find a satisfactory balance that achieves a statement without being overbearing as a uniform brick choice could be. With such a large brick building there may well be constraints with regards to cost and to some extent availability at the time of construction, but the applicant has proposed a very successful range of brick choices which it is felt will, in combination with appropriate fenestration, go some way towards preventing any suggestion of the development becoming brutal and/or stark in appearance.

64. The windows and doors have been deliberately simplified by using simple metal framing so that the use of the building provides the animation, through its interior décor scheme and at night when the building can be lit in either a subtle or an imaginative fashion. The activity of communal rooms will add interest and activity to the street scene, though whether or not the management company or final occupants would look to apply any opaque glazing or screening to prevent loss of amenity would need to be agreed by conditions.

#### **Security and Secured by Design:**

65. Access to the courtyard is controlled and secure from both Winnalls Yard and the north, and from access via the entrance lobby from the bus station supervised by staff. Perimeter security fencing appears appropriate and planting choice can further deter intruders or antisocial behaviour. The south elevation to the YMCA building is relatively active and surveillance of the path to the bus station will benefit from windows in the upper levels of the student housing north elevation to further reduce any potential for antisocial behaviour. Lighting shall have a uniform coverage and includes all external doors and walkways. Other security features are also used such as secure glazing, access control and key fobs, internal lighting and individual letter boxes
66. Conditions will determine final materials choice (brick selection, fenestration) with close attention given to detailed elements in construction, and a lighting scheme to set-off the building and provide activity.
67. To conclude, the scale and overall design is considered appropriate for a building in this context where the grain of the area now is very different to historic patterns following the introduction of the ring road. The large scale and attention to the detailed aspect of the design is considered successful and necessary to demonstrate that this is a gateway to a growing, modern city with a new type of use the like of which hasn't been seen in the city centre before, which is presented in a high quality of design.

#### **Impact on the conservation area:**

##### **Scale and Form**

68. The massing of the proposed building is consistent with the scale of neighbouring developments, and the previous approval on the same site (permission 06/00840/F), and this part of the city centre has been seen to ably accommodate such a building within the historic context. As the conservation area appraisal recognises, the scale of modern development has previously been damaging but

now presents an opportunity for similar scale development of this site to both fit in and improve the situation:

69. *"This [All Saints Green Character Area] is characterised by groups of good C18 and C19 houses, together with the outstanding Edwardian headquarters of Norwich Union. These are now mostly in office uses and their settings are largely dominated by late C20 office developments of considerable scale. Consequently the townscape is rather fragmented due to the juxtaposition of buildings of varying scale, overly-assertive newer buildings on odd building lines and areas of open land / surface car parking."*
70. Development along Queens Road has always addressed the street although has dramatically changed over time. Terraced houses built on the site of the historic city wall addressed the original line of Queens Road before it was widened in the 1960s/70s, and the current lay-by / slip-road was itself a terraced-housing rear alleyway with more housing to the north alongside Ivory House. Having widened the road and created the dual carriageway effect, the space on and around Queens Road has as a result become wide and expansive; it is felt entirely appropriate to provide new buildings of some scale in this location to try and frame or give context to the space.
71. Further, the site is now the modern 'gateway' to the city for many, being as it is at the entrance to the bus station. It is interesting to see the site in context in aerial views which demonstrates that all buildings other than those on Surrey Street are of significant mass: Travelodge, the Norfolk Towers, Bus station, Marsh and St Catherine's House. Currently, on its own, the existing large scale Travelodge arguably fails to have sufficient gravitas and quality of design to act as an appropriate gateway and landmark building for this important destination. Therefore, it is considered important and appropriate to introduce a large scale building that can address the corner through its articulation, but which has more solidity and 'presence' through its choice of materials, proportions and detailing, than the large neighbouring developments.
72. The applicant has provided more images to clarify the building's appearance at close quarters. These images of the development at street level better demonstrate the texture and subtle colour variation of the type(s) of multi brick approach to be used, in combination with successful window detailing which helps create set back and shadow lines from the reveals, for example. As a result it can be seen that the proposed student accommodation building's design will be beneficial by providing interest at close quarters and not appearing too dominant nor too brutal. Overall, the proposed building in this application will be of a very high quality of design, and will have texture, variety and a better horizontality than its neighbour and should be applauded for being a larger-scale building that actually feels more grounded, interesting and engaging

### **Recognition of Historical Grain**

73. In terms of historical context, the traditional grain or layout of this part of Norwich has been extensively altered over time through the development of large scale commercial buildings, principally by Norwich Union (following their occupation of townhouses along Surrey Street in the 19<sup>th</sup> century) and more latterly the existing Travelodge on the opposite corner, and new bus station, of C21st.
74. Some concern has been raised that the scale and mass of the new building is

inappropriate for the historic context of the site and its position close to Ivory House. This is important, but in terms of historic context, the changes in this area and modern 'grain' of development means there needs to be a change in design emphasis at this site. It would not necessarily be appropriate to try and recreate a historic street pattern here, and attempting to introduce thinner plot sizes would be somewhat artificial when this historic pattern was based around construction of smaller scale buildings. To try and replicate former historic patterns of development would be inappropriate when such major changes have occurred in the recent past to remove previous references to historic form.

75. In terms of the historic context, the Georgian surroundings referred to in objections is on the east and north-east corners of the development, namely Ivory House and the altered terraces of Surrey Street, including the much-altered original 'host' building, no. 35 Surrey Street, on the same side of All Saints Green, and the St Catherine's House on the opposite side which is Grade II\* listed. This historic context is best seen in views from the corner / crossroads of All Saints Green and Surrey Street. It can be seen in that context that the new student block would be sufficiently far away and separated from the historic buildings that it will not to be seen as juxtaposition against the historic form. In fact, it can be argued that the historic context is much better served by the demolition and 'pocket park' proposals which give a clearer view of the main historic building at 50 All Saints Green and improve the setting and views of historic buildings either side and opposite.

#### **Contribution to the St Stephens Street Area Masterplan**

76. In terms of delivering the Masterplan's main visions, the application follows the anticipated L-shaped development at the back of the footpaths, but land ownership constraints currently prevent proposed residential development at the rear of the student block in combination with the Air Cadet centre; this may be possible in the future and the application does not prevent this in principle, but the recommendations of the masterplan are not binding policy.
77. Important views / long views are not identified either towards or across the site within either the Local Plan, Conservation Area nor St Stephens Area Masterplan. The Masterplan's 'poorly defined space' will be much improved by the removal of the buildings at the back of the footpath which currently create an 'inactive/negative frontage' and contribute to the feeling of pedestrian congestion in the area. The pocket park will provide an opportunity for seating and improved public realm
78. Development is suggested in the masterplan to take effect along the whole length of the site's Queens Road boundary but this is not really considered to be appropriate if the building is to be of any scale because of the need to allow south-facing daylight and amenity for Ivory House and the student accommodation, and to provide a 'break' to the listed building. The development along Queens Road, including that suggested next to Ivory House, is actually suggested to be of a similar scale to that proposed, some 5-6 storeys. Green roofs are proposed within both the Masterplan and the application.
79. The St Stephens Masterplan identifies the existing hard-paved area adjacent and directly south of Ivory House as the point where an improved gateway environment into the city centre should be created from Brazen Gate. Whilst the approach to the Brazen Gate gateway may continue to lack presence until that area is developed, the application development will improved the setting and approach to that area by its landscaping and innovative design, and hopefully encourage further

development of the corner site.

### **Impact on the neighbouring Listed Buildings:**

80. The four-storey Ivory House on the corner of All Saints Green / Queens Road is one of only a few remaining buildings from the C18th period which created terraces of large high-status villas. Indeed, Ivory House originally had an extensive rear curtilage comprising half of the width of the application site along Queens Road.
81. The proposed siting of the building and associated landscaping scheme combine to re-create an impression of the previous garden to Ivory House; this is considered beneficial from both a historic reference perspective and in terms of designing to minimise impacts on neighbours. Given that the importance of Ivory House is seen predominantly from All Saints Green, it would be inappropriate to try and create a pastiche or be too conservative or deferential when designing the building on Queens Road.

### **Impact on the Listed Buildings on site:**

#### **Demolition of the curtilage buildings**

82. The site at the corner of Queens Road and Bull Lane was formerly part of the larger plot occupied by the Norwich Co-Op until the late 90's, last used for stabling and deliveries vehicles. All former buildings on the site have been demolished, with the exception of those at 50, 52 and 54 All Saints Green.
83. Originally all three buildings on site (50, 52 and 54 All Saints Green) were built between 1895 and 1903 as ancillary curtilage buildings to no. 35 Surrey Street. By the mid C20 the buildings had become detached from the curtilage and were being used for various uses, including by the Norwich Co-operative Society and most significantly in terms of communal use as a dance school from 1952 to 1972.
84. The Grade II-listed No. 50 All Saints Green is the principal listed building and was designed as a stables building by the prominent Norwich architect A F Scott. 52 and 54 are later buildings designed to provide a garden room. The interesting Jacobean style roof within no.54 is thought to have been added during the time when the building was an auction room in the mid to late C20. The application's Heritage Impact Statement provides excellent detail and a very realistic and considered assessment of the heritage value and significance of the properties.
85. English Heritage are of the view that demolishing the outbuildings and removing its private yard will cause harm to the significance of the listed building, contrary to paragraph 134 of the National Planning Policy Framework, and there is no evidence to justify the harm as a public benefit through bringing the building back into beneficial use. They consider that retaining the buildings will enable the applicant to explore the widest possible range of potential uses for 50 All Saints Green and find a successful future for the building, and recommend that the outbuildings are either retained and repaired to become part of the new complex for 50 All Saints Green, or the yard area shown as becoming part of the private demise for a future occupant.
86. Looked at on their own merits, rather than within a historical context, 52 and 54 All Saints Green are currently dilapidated and obstructive towards use of the pavement and setting of All Saints Green. They are inward-facing and offer only a harsh appearance in the street scene, and are not complementary to the conservation

area. In themselves there is little historical architectural merit because they contain only an interesting lantern on the boundary wall and an ornate interior ceiling, and were not considered worthy of being designated listed buildings in their own right when English Heritage had the opportunity to do so previously. However, English Heritage consider their value to be in the group context with no. 50 and their removal would cause harm by the loss of the appreciation of the setting and importance as a historic cluster. On balance, however, it is considered by planning officers that their removal will open-up the view of 50 All Saints Green and improve the street scene provided that an appropriate development is put in their place, of which the 'open space / pocket park' concept is considered the most appropriate option.

87. Officers suggested that uses for residential or visitor / guest house accommodation at these buildings could be attractive as a business and facility linked to the main student accommodation use; however, it was agreed that the implications of doing so would entail significant changes to the original interior and layout, and elevations, by providing internal rooms within the original open plan building and providing new windows for example. Consequently it was considered more appropriate to try and attract a viable non-residential use in principle which could work within the historic interior and open-plan layout of the principle listed building. In doing so, the creation of a 'public' area would be beneficial to some uses as it provides an improved setting, yet possibly restrictive to other uses as it could create a management issue or conflict between uses. The latter issue is hoped to be controlled by the site not actually becoming public and hence able to be controlled by the general site management.
88. Paragraphs 129-140 of the NPPF offer guidance on the assessment of heritage applications. The NPPF states that heritage asset significance should be accounted for when making decisions on proposals that impact on heritage assets, LPAs should aim to bring assets into beneficial use and consider the positive contribution they can make to sustainable communities, local character and distinctiveness. Whilst 'great weight' should be given to the assets conservation (as suggested by the Victorian Society), weighting is proportional, so lesser weight can be afforded to preservation of curtilage buildings within the setting of a Grade II building, particularly where harm can be justified. 'Substantial harm' or loss of assets of Grade II buildings does not need to be "wholly exceptional" as it would had the building been Grade II\* or Grade I listed.
89. In this instance the harm to the non-listed curtilage buildings will be keenly felt in themselves, by their complete demolition, but in the value of the principle listed building the public benefit will outweigh that harm by creating an improved setting and promoting its continued re-use. This is particularly important as 50 All Saints Green is a Building at Risk and the conservation area will benefit from the development of the replacement pocket park.
90. In addition to achievement of 'substantial public benefit' being able to justify the proposed works, NPPF paragraph 133 sets out certain criteria by which to consider substantial harm or loss of assets; if all are satisfied then the proposals may be justified:
- The nature of the asset prevents all reasonable uses of the site; and,
  - No viable use of the asset can be found in the medium term through appropriate marketing that enables their conservation; and,

- Conservation by public funding or ownership is demonstrably not possible; and,
- Harm or loss is outweighed by the benefits of bringing the site back into use.

91. All the above have been satisfied. Notwithstanding the public benefit created by the pocket park, there are proposed uses earmarked which give as much security of use as possible in the current economic climate, and which allow public access, but they rely on demolition taking place first. There have been no attempts made to sell or market just 50-54 All Saints Green for re-use because of the prevailing economic climate not being conducive to finding a feasible use given the levels of initial investment required; if any proposals were to be feasible residential use might be the most feasible but even with an extant planning permission in place this has not materialised. Finally, because English Heritage have in the past specifically declined to 'list' 52-54 All Saints Green in their own right, it would be unlikely for public funding to be provided for works to these 'unlisted' buildings that would otherwise remain in private ownership.

92. NPPF paragraph 137 goes further, stating that LPAs should look for opportunities to new development to better reveal the significance of heritage assets. Proposals should be treated favourably where they preserve elements of a site which make a positive contribution an asset, or which better reveal the significance of a heritage asset. It is therefore considered appropriate to allow the 'harm' to these minor curtilage buildings as a means to create the significant benefit of bringing the principle building back into use, provide it with an improved and visible setting open to the street, and create the public realm improvements to the conservation area.

93. To secure these necessary enhancements to the public realm and listed building, conditions will require their provision prior to the first occupation of the student accommodation block, which is appropriate and follows guidance within paragraph 136 of the NPPF.

### **Re-use of the principle listed building (50 All Saints Green)**

94. The planning history has demonstrated that residential use of 52 and 54 All Saints Green is possible in plan form (permission 06/00840/F included the conversion of 50 All Saints Green into a 3-bed house and no. 52-54 into a 2-bed flat with shared courtyard), but it must be noted that the planning permission to do so was only as part of the wider redevelopment of the whole site, with its obvious viability and site purchase requirements. Nevertheless, in practice there has not been any registered interest (neither publically nor confidentially) towards redeveloping just 50 and 52-54 All Saints Green separate from the larger main part of the site; it has to be assumed that the current building layout and condition of the site dissuades investment and restricts potential alternative use. Certainly at 52-54 All Saints Green the buildings in themselves are small, low-level and lacking in specific curtilage space so would be difficult to use for purposes other than as part of a wider use of no. 50, which itself is currently 'unseen' at the moment as it is hidden by the two smaller buildings positioned hard against the street edge.

95. The National Planning Policy Framework at paragraph 134 describes how demolition and harm to a listed building could be justified through providing a "public benefit". English Heritage are concerned that the justification has been inadequate as the proposals do not demonstrate how a new use will be made possible by the demolition and how the demolition will therefore create 'public benefit'. The overriding objective of the works to the listed building and its setting

should be to secure the future of the listed building through a viable use, and as yet this has not been shown definitively how it will work but there are encouraging signs of the building being occupied for a longer-term use.

96. It is a shame that the new development has not been extended to include the remainder of the site by finding a new use for 50 All Saints Green itself, but the potential immediate uses of the building which could be linked to the main student block are restricted to refuse and cycling stores or potentially the site manager's accommodation. The site demise does not really lend itself to linking these uses into the development if they were situated within no. 50 All Saints Green, and besides it would be a shame to restrict the building's use and merits to being a storeroom. Neither is it considered appropriate to assume that a site manager's residential flat could be accommodated in the listed building; the implications of doing so are potentially extensive and could require fairly significant up-front costs for exploratory works for a use which may not be compatible if floorplans and services would eventually compromise the building's historic interest.
97. At pre-application stage the applicant was requested to do their utmost to find a viable use for no. 50 All Saints Green and to try and accommodate the curtilage buildings if possible. Understandably the opportunity to market the site was restricted when the building and its potential are unknown at present, but the applicant approached both city universities and considered options such as office or gallery uses, and is understood to have received encouraging responses. Overall, some comfort can be taken from the fact that the main development requires its setting and neighbouring uses to be high quality as an important factor to its success. It can be expected that the applicant will look for a use at no. 50 All Saints Green that can become some form of exhibition space or a use which is complimentary and compatible with the student accommodation.
98. It is certainly appropriate to try and ensure that any potential new use at the building is appropriate to its listed status and able to accommodate its historic assets, is appropriate to its neighbours, and is able to complement and avoid being compromised by the student housing development at the main site. To do so a range of new uses are suggested by Officers, which will be established by planning condition. By approving a mix of possible uses now, planning legislation allows a use to be implemented and thereafter changed to a new use from those permitted within 10 years without needing a specific, second planning permission.
99. Under the provisions of the Town and Country Planning (General Permitted Development) Order 1995 1990, Part 3 Class E, developments that include options for multiple alternative uses within their planning permission are entitled to swap between use types within the same permission within the first 10 years after the planning permission has been granted, without the need for prior express planning consent, providing that they do not result in a breach of planning condition attached to that permission. This is considered to give as much flexibility to the applicant as possible, and also allows a permission to be reconsidered should the applicant find a different use to those listed, and hence apply to vary the condition (supporting the necessary listed building design information as appropriate).

### **Summary of heritage implications**

100. In terms of planning policy, the Planning (Listed Buildings and Conservation Areas) Act 1990 establishes that the LPA shall have special regard to the desirability of preserving listed buildings and their setting (paragraphs 16.2 and



66.1 of the Act), and the desirability of preserving and or enhancing the character of appearance of a conservation area (paragraph 72). The NPPF builds on this to caution against harm to the significance of listed buildings and conservation areas by alterations or development in their settings (NPPF paragraph 132), confirming that conserving heritage assets is a core principle to sustainable development and planning. At paragraph 137 the NPPF states that proposals should be treated favourably both when they preserve elements of the setting of heritage assets and when they better reveal the significance of heritage assets.

101. In this proposal, the demolition of ancillary buildings will remove and potentially harm the original immediate historic setting of the listed building. There is however only limited historic connection remaining in the original purpose of the buildings now that they are very disconnected from their original setting as part of no. 35 Surrey Street; they appear stand-alone and separate entities.
102. However the removal will (it is considered by Officers) be able to better reveal and greatly enhance the listed building and appearance of the surrounding conservation area; they currently create a negative street frontage in the conservation area and prevent views of number 50, which itself is the principle listed building, so preventing its full appreciation. The proposals will therefore combine to regenerate this site and provide a small 'public' space to the benefit of the conservation area. Given the proposals are of such a high quality of design, the attractiveness of the space should mean it is used by local workforces and help enhance this part of the city centre as an office environment.
103. It is quite understandable how English Heritage have arrived at their position of concern for the loss of the curtilage facilities prohibiting the re-use of the main building. On balance, however, despite their concerns and the in-principle objection from the Victorian Society, it is considered more likely that demolition of the buildings on All Saints Green will promote a future use of 50 All Saints Green rather than hinder it. Development has so far not been forthcoming for the historic buildings, and lack of use has seen them fall into disrepair and become Buildings at Risk. As such, it is considered reasonable to assume that a new approach should be considered especially in the currently challenging economic climate.
104. In terms of encouraging a new use, planning conditions will agree the type of landscape maintenance and final form of the design of the space. Both the open space and building will be managed to ensure that it is maintained in suitable condition or provided with a different design or layout of the space dependent on the requirements or concerns of the final user at 50 All Saints Green. The demolition and creation of the 'pocket park' will lead to improvements to the conservation area and the entrance to the site will greatly increase the attractiveness and visual recognition of the site as a business / attraction destination. Certainly, whilst the rest of the site is developed and used as a student housing area, and whilst the building is promoted for re-use, the new quasi-public open space setting will be very beneficial to the city and the setting of the main listed building, in a similar way to that experienced at the Assembly House on Theatre Street.

## **Transport and Access**

### **Transport Assessment and Car Parking**

105. Ordinarily the higher density of this form of development, especially in a car-free

scheme such as this, could give rise to increased pressure on on-street and off-street parking as well as requiring highly accessible public transport links. However, there will be no impacts on the strategic highway network from this scheme. This is an optimal location for sustainable transport options by bus, coach, walk, cycle, taxi and close access to Norwich railway station.

106. Other than a car club parking space, no able-bodied car parking is proposed for residential uses, so transport impacts should be minimal. However, conditions should agree a car parking layout and management plan; for example, no parking spaces are identified for 50 All Saints Green or operational parking, which would improve the viability of finding a new use for the building if it had a degree of parking.
107. A condition will require the development to create a shared surface design along Winnalls Yard to maximise space available for movement and use for loading for the mixed use building and hosting the car club bay on adopted land. Such a design would raise the quality of the access route and provide a more secure and 'residential' feel. The extent of adopted land will be expected to run through to the bus station along the alleyway between the student housing block and the YMCA. To be adoptable the entrance and access route must be a shared surface, low speed design with pedestrian zone restrictions and lighting.

### **Vehicular Access and Servicing**

108. The Queens Road lay-by next to Ivory House and parallel to the road is a favoured drop-off and collection point and known to be promoted as a 'park and stride' site for the Surrey Street and Fire Station Free Schools, so any reliance on the lay-by to serve this site should be minimal.
109. There is very limited visibility into the site from All Saints Green but this will be improved by the demolition of the stable block and traffic movements using the site will be very low. The temporary and short-term nature of moving-in / departure days can be overcome by agreement of a scheme by conditions. Subject to agreement of the Travel Plan, the scheme overall is acceptable.
110. During construction, ideally, the construction traffic serving the site would be routed to avoid All Saints Green to prevent conflict with cyclists on this designated cycle route. However, there are no alternative options to access the site safely and the access is such to require controlled speeds and care on the approach, so is not considered a significant issue.

### **Cycle Routes and Pedestrian Links**

111. The site is ideally located for ease of cycling access, being on the yellow and blue pedalways with a close connection to the pink pedalway serving the UEA, which is soon to be enhanced through the Cycle City Ambition Grant. Access from and to Winnalls Yard is made complicated by the high enclosed walls at the junction with All Saints Green, but this will be lessened by the demolition of the stables. Access via the bus station is feasible for cyclists pushing bikes as the pavements are wide enough for shared use. The St Stephens Masterplan identifies a need for new routes via Winnalls Yard to connect All Saints Green with the bus station area, and this scheme achieves that in two areas, by maintaining the through route and bringing it to adoptable standard on the north side of the YMCA building, and by creating a passage way through to the south of the YMCA building.

112. There is concern that All Saints Green is too heavily trafficked for the only vehicle / cycle access into the site, but car use will be negligible and the patterns of student travel behaviour and hours of use at the site will see cyclists dispersed throughout the day and very few needing to encounter peak hour traffic. The small number of cars allocated for use at 50 All Saints Green is also unlikely to cause a detrimental impact on traffic flows around the site. It is suggested that in designing a formal entrance into the site a vehicle crossover or pedestrian/cyclist priority measure is included in the landscaped designs.

### **Cycling Parking**

113. Cycle use has been estimated at a lower rate of cycling than is experienced in Norwich, perhaps based on projections from experience in locations less popular with cyclists. Current UEA experience achieves 19% cycle commuting amongst staff and students, and it is considered appropriate for this scheme to aim towards 20% cycle uptake as a primary mode of transport. To promote cycling, the bike storage should be in a secure and covered location, being visible and close to the main entrance; this has been achieved and will provide a 70% cycle parking / student bedroom quota.
114. Cycle storage provision for residents is acceptable (70% provision with 160 stands including a racking system) and the Travel Plan can do more to promote cycling further. However, some cycle storage for visitors is needed at the entrance (5 hoops are suggested), and no cycle storage is shown at present for the users and visitors to 50 All Saints Green; these additional stands and stores can be incorporated into a final landscaping schemes to be agreed by conditions.

### **Travel Plan**

115. The submitted Travel Plan is not considered extensive enough at present and should only be used as an Interim Travel Plan requiring further development based on surveyed travel behaviour before revision and subsequent adoption as a Full Travel Plan. The Travel Plan includes appropriate objectives and targets and anticipates appointing a Travel Plan Coordinator, but lacks actual measures and campaigns to change behaviour, budgeting for measures or proposals for monitoring. This may be partially understandable as the Travel Plan has not yet been able to use survey results given the students and their teaching destination(s) are not yet known. There is plenty of scope to rectify the Travel Plan shortcomings prior to the first use through using conditions and the advice of Norfolk County Council's Travel Plan Officer. Such features will need to include advice such as the Travel Plan being clear in the way it promotes cycling to residents and cycle route information.
116. The Travel Plan Officer and Transport Planner believe a Car Club Car should be provided to the Car Club pool as part of the Travel Plan measures (as well as the on-site parking space) to help reduce any potential need for future use of cars. However, although the arguments are finely balanced, Planning Officers are not asking for this additional measure; it is considered unjustified to require a car to be provided in this instance when the site will be car-free and the access road will be assigned a parking-free designation, and because the site is sufficiently isolated from potential off-site parking locations, and because the scheme will be managed and will include a car ownership restriction in its tenancy agreement with students.
117. Overall, a revised Travel Plan is considered to be sufficient without an actual car being provided and can be conditioned to be revised and introduced to feature

providing the on-site Car Club space, the potential use of a Brompton-bicycle 'pool', and its own car-ownership enforcement measures. A Travel Information Plan will also be required to be created and brought into use upon the eventual first use of the 50 All Saints Green building.

## **Environmental Issues**

### **Site Contamination and Remediation**

118. Planning conditions will resolve the minor areas of contamination on site and prevent risk to occupants and groundwater systems.

### **Waste Management**

119. The refuse store locations and access for larger collection and servicing vehicles are adequate and waiting restrictions adjacent to the site do not require changing. A condition will require the details of refuse management to be agreed. Adoption of Winnals Yard will ensure the student housing site can benefit from public refuse collections.

### **Noise**

120. The application's noise assessment has identified the potential for students to be affected by the significant levels of noise from the road and bus traffic, including idling at the bus station. The scheme has shown how it can utilise modern building techniques and use acoustic glazing to reduce or prevent these impacts. Conditions will be used to require use of the identified design criteria and acoustic glazing properties to at least the levels presented in paragraph 4.3 of the submitted acoustic report.

### **Air Quality**

121. The results of the air quality report show that future students should not be exposed to pollutant concentrations above the relevant objective health standards. Conditions will secure use of good practice in construction to control dust and particulates.

### **Flood Risk**

122. The site is not in a flood risk zone. Although it is less than 1ha. in area so a flood risk assessment is not necessary, a flood assessment has been provided. This has identified a minor degree of flood risk which can be managed through providing a sustainable drainage system and maintenance. The landscaping scheme therefore includes an attenuation pond system to contain any excessive surface water and allow gradual infiltration.

123. Initially Anglian Water could not confirm if they were satisfied with the drainage proposals, but have undertaken to reply before the meeting. Conditions will ensure the scheme is constructed with this feature and secure an agreed form of drainage maintenance plan.

### **Archaeology**

124. The former archaeological evaluations which took place as a requirement of conditions 11 and 12 of planning permission 06/00840/F occurred in 2006/07 and used trial trenches which uncovered evidence of structures and made ground from as early as medieval periods. This was sufficient to understand the picture of the area and therefore allows this scheme to be approved in principle subject to conditions requiring prior agreement of an archaeological Written Scheme of

Investigation before development or demolition commences, followed by analysis and publication of any finds prior to occupation.

### **Energy Efficiency and Renewable Energy**

125. The building has been designed to achieve a BREEAM 'Very Good' target rating, including better-than-Building Regulations building fabric insulation and air tightness to reduce heat loss, heat recovery on ventilation and plant, energy efficient lighting, and green roofs.
126. A Combined Heat and Power unit is proposed as a decentralised energy system to provide up to 40% of the building's hot water and heating requirements (made up of 46% improvements by thermal efficiency and 30% by energy generation efficiency), and in doing so reduce the carbon emissions by 17% (12% when 'lifestyle' / 'behavioural' energy use is counted). Overall, the applicant believes energy efficient measures and the CHP system can save more than 25% building energy use compared to a 'standard' building.

### **Water Efficiency and Conservation**

127. Water conservation is improved by using dual-flush WCs and low-flow fittings, and the sedum roof and attenuation moat are beneficial to minimising water 'loss' from the cycle.
128. However, the scheme has not provided details on how much water use is predicted per resident; being a residential scheme in all but name, it is considered necessary to use a planning condition to require the development to be built to achieve the usual standards of maximum water use of 104 l/person/day (Code level 4) as required by JCS Policy 3.

### **Plant**

129. Conditions will be used to control noise and disturbance from plant and machinery, extraction equipment and fume systems, at both the housing and the new use of no.50.

### **Lighting and CCTV**

130. Lighting of the building and the landscaping can be both subtle and effective, but should be controlled and linked to the landscape plans to protect amenity and avoid traffic hazards.
131. The site may consider using CCTV systems; if this is the case a condition will be in place to ensure the field of views and the style of CCTV cameras and installations are first agreed.

### **Trees and Landscaping**

132. There are no existing landscaping, trees or natural features on the site and these proposals offer a chance to introduce some natural softening of the hard urban environment in this area. Generally the landscape proposals are well considered, demonstrating sensitive solutions and a simple design approach to achieve a high quality design. This is an area of the city centre with very little green space at present and the new pocket park addressing All Saints Green will greatly improve the streetscape and improve the setting and visibility of the old stable building. Whilst sound principles have been shown in a possible landscape scheme, the final details can be tailored here to suit the building's function; for example introducing paths where natural desire lines might will be create, or

providing sculptures linked to the internal use, and providing heritage interpretation through its design. Conditions can also agree any lighting to this open space.

133. At the front of the building on Queens Road and on the bus station elevation, landscaping is kept to minimum to respond to the relatively harsh street environments and the style of hard landscaping already in place (i.e. the spherical bollards at the lay-by). Although the Norwich Society have requested that landscaping be provided on the bus station and Queen Street side it is not considered appropriate for a large scale urban building in a heavily used urban site which needs to abut the pavement; the Society's comment on 'starkness' may be overcome if there are more details on the brick, such as being quite textured/varied in terms of firing colour. Further along Queens Road the setting of Ivory House and the privacy and 'garden' environment of the student block is much improved by using more engaging boundary treatments, possibly with a low wall and railings with hedging behind, though a balance has to be found between providing interest to the streetscape and security and privacy to the students garden behind.
134. Within the development, at the rear of the student block, Winalls Yard will benefit from the landscape scheme proposals, and additional tree planting either side of the access road will greatly improve the entry and access route. These street trees will also soften the site and provide more of a buffer between the new student block and the historic buildings, and improve the management of car use in this space. The alleyway route to the Bull Lane footway, immediately adjacent to Norwich Bus Station will help to improve the permeability of the site. It should be designed to be open, well lit and of ample width for shared-use.
135. The 'student garden area' at the rear is an enclosed space but offers great variety and has been designed carefully by creating three distinct areas. Hard landscaping around the rear façade provides circulation routes (with some buffer strips next to study room windows), whilst a central square provides vehicle collection and access to the plant room and refuse stores. Soft landscaping is provided either side of the square in the form of a drainage 'moat' attenuation pond (albeit being usually dry) which provides a divide between the building and the amenity spaces, and a lawn with tree planting is proposed along the rear curtilage of Ivory House and in the gap against Queens Road. These will all give students some amenity space in which to spread out, as well as creating some interesting sculptured landforms such as the site's attenuation pond 'moat' for surface water.
136. There is limited opportunity for planting in this garden space as the scheme needs to ensure sunlight still reaches the rear of the site and Ivory House, and as a result any trees facing Queens Road might need to be smaller in stature, but these can still benefit the site through providing noise and air pollution buffers. Screening trees are intended in the area directly behind Ivory House to maintain existing residential privacy. The mix of hard and soft landscaping in the site overall will help create a sense of student community with amenity spaces linked to entrances into the building. The finer points of the landscaping scheme, such as species choice, biodiversity enhancement, form of boundary treatments and hard landscape materials, management and maintenance plans, and a form of heritage interpretation measures to pay homage to the buildings' former use and setting, can all be confirmed as part of a comprehensive package of details to be agreed by condition, based on the principles already shown.

## **Local Finance Considerations**

137. There are said to be significant benefits brought to the city by the 'student pound', but this is not considered a relevant material consideration.
138. The development is liable to pay contributions through the Community Infrastructure Levy. Charged at the current tariff of £5 per sq.m. of internal floorspace, less the 123sq.m. floorspace lost to demolition, this would be in the region of 7,166 sq.m. at £5 = £35,830.00

## **Planning Obligations**

### **Affordable Housing**

139. Although this scheme is able to 'count' towards the city's demand for housing, student housing schemes can not be required to provide, nor make off-site contributions towards, affordable housing as there is no planning policy basis in Norwich to do so.

### **Street Trees in the Adopted Highway**

140. Providing trees in the proposed adopted highway of Winnalls Yard will require a maintenance contribution of £987 per tree index linked to cover 25 years of maintenance. Once the trees have been provided and the road built to an adoptable highway standard and operated satisfactorily for 12 months, the Council will be willing to adopt. In this case a landscaping layout scheme must first be agreed for Winnalls Yard before the permission is issued and the number of required street trees are confirmed.

## **Conclusions**

141. Notwithstanding the use for specific student accommodation on allocated housing land, this is an appropriate development for this site. The proposals have been carefully considered to sit alongside the neighbouring historic area of the city centre, whilst still providing a building of stature and high quality design for this important gateway location. The development will minimise harm to neighbouring uses and preserve the amenity of residents in Ivory House and the YMCA, and by providing a public access route to the bus station will benefit the community at large. Although the scheme will involve demolition of some relatively minor outbuildings within the curtilage of the Grade II listed building, the resultant public benefit and improvements to the character and appearance of the conservation area, and the setting of the principle listed building, will outweigh the harm of their removal. In doing so, the scheme will bring back into use a listed building which is on the 'buildings at risk' register and has been sadly neglected for a number of years, and will promote regeneration in this key site in the city centre.

## **RECOMMENDATIONS**

All recommendations are made subject to not receiving any objections to the contrary by the National Planning Casework Unit, on behalf of the Secretary of State for Communities and Local Government.

- (1) To approve application No 13/00970/F at the site at All Saints Green, Winnalls Yard and Queens Road, Norwich, and grant planning permission, subject to: the completion of a satisfactory S106 agreement or other mechanism for securing planning obligations to secure financial contributions for street tree maintenance, and

subject to the following conditions:-

- 1 Standard time limit – commence within 3 years.
- 2 Development to be as per approved plans and strategies.
- 3 Uses of 50 ASG
  - Uses permitted within use classes B1, A1, A2, A3, D1, D2.
  - No use within D1 and D2 uses without a prior agreement of a travel / transport impacts management plan.
  - No use of amplified music without prior agreement of limiting noise levels and positions and types of speakers, and scheme for noise insulation / impacts mitigation.
  - No installation of flues and fume / extracts gear or other plant and machinery without prior approval of design, location and noise mitigation measures etc.

Demolition of 52-54 All Saints Green

- No demolition of 52-54 All Saints Green to take place until a written contract for the redevelopment of 50, 52 and 54 ASG has been obtained.

Provision of Pocket Park

- No occupation of the student accommodation until the pocket park has been provided.

Design of pocket park

- To include heritage interpretation measures as part of the public interaction within the landscape features. (i.e. sculpture features or designs, complemented by info boards inside based on the Heritage Statement).

4 Archaeology

- Pre-commencement prior agreement of an archaeological Written Scheme of Investigation before development or demolition commences,
- followed by analysis and publication of any finds prior to occupation of student block.

5 Fire hydrants

- No commencement until a fire hydrant provision scheme is agreed, to ensure a dry fire main is provided with access to a hard standing for a pumping appliance within 18m of each fire main inlet, with an additional hydrant required to service the riser mains, unless otherwise agreed with the LPA in consultation with the Fire Officer.

6 Design materials – to be approved prior to commencement of construction of walls of student block, to be agreed with samples

- brick choice / selection / blends.
- mortar choices (to be a light colour), and to be in accord with a brick sample panel tbc.
- fenestration.
- roofing.
- rainwater goods etc.
- glazing frames and profiles.
- opaque glazing or screening.

7 Design of substation – to be agreed prior to commencement of sub-station

- final design to be agreed;



- materials to be agreed

## 8 50 ASG

- No occupation of student block until the works of essential maintenance have been completed to a standard to be approved by LPA, in accord with the measures listed in the July 28<sup>th</sup> 2013 list
- no works to be carried out without approval of further precise details to be agreed in writing based on those principles shown in the May 2013 Schedule of Works doc.
- Scheme to show any ability to salvage materials and ceiling and reuse if possible.

## 9 Landscaping - to be agreed and provided prior to occupation

- Hard and soft landscaping scheme for the student block;
- Hard and soft landscaping scheme for the pocket park and setting of 50 All Saints Green;
- Heritage interpretation measures to be included in the pocket park and 50 ASG;
- Maintenance and management plans for landscaping;
- Standard ongoing maintenance requirements for the first 5 years.

## 10 Travel Plan

- The TP shall only be considered an Interim TP;
- Prior to first occupation of the student block, to improve the Interim TP and create a Full TP, to feature: monitoring, budgeting, live travel information, website, targets for improving behaviour, measures based on up-to-date and relevant survey data once learning destinations are established, and proposals for promoting a bike-pool hire scheme to promote cycling towards a minimum 20% cycling rates, and mechanism for preventing car ownership as part of accommodation lease agreements.
- Prior to first use of 50 ASG, to create a Travel Information Plan for the future use and users of 50 All Saints Green, relevant to its eventual use.

## 11 Access into site – landscaping and highways works – provide prior to occupation

- Provide a scheme for securing access arrangements and parking restrictions and traffic controls and to be agreed and if approved to ensure arrangements have been made for restrictions to be put in place prior to occupation. (i.e. TRO costs and Highways procedure).
- To agree a scheme and to build Winnalls Yard and the pedestrian route to the bus station between the YMCA and the north elevation of the student accommodation block, to an adoptable standard, as part of which:
  - (a) In designing a formal entrance into the site a vehicle crossover or pedestrian/cyclist priority measure needs to be included in the landscaped designs.
  - (b) to investigate whether the height of the brick wall at the entrance, on the south side of Winnalls Yard, could be reduced in height.
  - (c) street trees.
  - (d) car club bay.
  - (e) short-term loading bay.
  - (f) street furniture (e.g. benches between trees)
  - (e) shared surface.
  - (f) visitor cycle hoops.
  - (g) sufficient room for loading vehicle turning circles.

12 Construction

- Use of good practice construction measures as recommended in AQ report.

13 Parking zones (in non-adopted land) – to be arranged prior to first student occupation

- Car park design and layout and allocation of spaces, including operational parking for the student block, and any parking proposed as being needed for 50 All Saints Green.
- Management plan for off-highway spaces, including allocations and operational parking only.
- Details of any specific student moving-in / departure loading area, to show convenient arrangements and access.

14 Cycle parking – to be agreed prior to first occupation

- Details needed, including the racking system within the accommodation.
- Landscape scheme to provide some visitor cycle stands (suggest 5 hoops).
- Details of cycle storage for users of 50 ASG.

15 Refuse storage – to be agreed prior to first occupation

- Details needed for both students block and 50 ASG.
- Refuse and servicing management plan (if not publically refuse serviced).

16 Contamination – to be provided during construction

- (EHO) – treatment in areas of soft landscaping and planting through importation of clean topsoil or a cover system as proposed in paragraph 7.6.1 of the environmental report.
- All imported topsoil and subsoil for use on the site shall either (a) be certified to confirm its source and that it is appropriate for its intended use. No occupation of the development shall take place until a copy of the certification has been submitted to the Local Planning Authority; or (b) in the absence of suitable certification, analysis of the imported material will be required along with evaluation against the derived assessment criteria for this site.
- Verification of the remediation to be provided and approved prior to first occupation.

- (EA and EHO precautions) If, during development, contamination not previously identified is found to be present at the site then no further development, unless otherwise agreed in writing with the local planning authority, shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

17 Noise – to be agreed prior to first occupation

- require use of the identified design criteria and acoustic glazing properties to at least the levels presented in paragraph 4.3 of the submitted acoustic report, unless further changes are first agreed in writing with the LPA.

18 Plant and machinery details

- No plant or machinery, including extract ventilation or fume extraction systems, shall be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority. The detailed scheme shall include the position of ventilation, fume or flue outlet points and the type of filtration or other fume

treatment to be installed and used in the premises in pursuance of this permission, together with a schedule of maintenance. No use of the premises as hereby permitted shall take place until the approved scheme has been installed and is operational and thereafter it shall be retained in full accordance with the approved details and the maintenance of the system, including any flue, shall be carried out in accordance with the scheme as agreed.

19 Lighting scheme – prior to occupation

- building lighting scheme
- pocket park lighting and landscaping

20 Water efficiency – to be agreed prior to first occupation

- student block shall be required to be designed to meet Code Level 4 for water use (105l/p/day).
- 50 ASG shall include water efficient measures to be agreed prior to use.

21 Energy efficiency – to be agreed prior to first occupation

- implement efficiency measures as proposed upon first occupation.
- Provide 10% scheme as proposed and be operational on first occupation.

22 Waste management – to be agreed prior to first occupation

- provide refuse stores.
- management and collection scheme to be agreed.

23 Drainage – to be agreed prior to first occupation

- to be built with drainage scheme in place and operational prior to use.
- To agree drainage management and maintenance prior to use.

## Informative Notes

1 Construction good practice

- The applicant should contact the County Council and request that the permissive footpath through the Bus Station / Bull Close Lane be converted to shared use for pedestrians and cyclists to improve cycling convenience.
- Located within the city centre controlled parking zone; therefore not entitled for resident or business permits.
- Scheme may benefit from signage - Signage of All Saints from All Saints Green required condition  
e.g. 'Halls of Residence' directional sign at junction with site access – suggest liaison with Highways.
- Bins to be purchased by the applicant prior to occupation, (trade waste)
- Development not eligible for on street parking permits.
- Street naming and numbering queries to be directed to Kay Baxter, tel 01603 21 2468 (Mons & Tuesdays only)
- Shared surface practice note can be obtained from Transportation dept: Design and materials to be agreed with transportation and planning officers  
[transport@norwich.gov.uk](mailto:transport@norwich.gov.uk)
- Pedestrian zone TRO required £1695 + signage.
- 

2 EA – re contamination works

- Piling & other penetrative ground improvement techniques:

For development involving piling or other penetrative ground improvement methods on a site potentially affected by contamination a suitable Foundation Works Risk Assessment based on the results of the site investigation and any remediation, should be undertaken. This assessment should underpin the choice of founding technique and any mitigation measures employed, to ensure the process does not cause, or create preferential pathways for, the movement of contamination into the underlying aquifer, or impact to surface water quality.

Surface water management:

Where soakaways or other infiltration systems are proposed for the disposal of surface water, our general requirements are as follows:

1. Soakaways or other infiltration systems shall only be used in areas on site where they will not present a risk to groundwater, with the depth of soakaway kept to a minimum to ensure that the maximum possible depth of unsaturated material remains between the base of the soakaway and the top of the water table, ensuring that a direct discharge of surface water into groundwater is prevented.
2. Soakaways shall not be constructed in land affected by contamination, where they may promote the mobilisation of contaminants and give rise to contamination of groundwater.
3. Only clean water from roofs shall be directly discharged to soakaway.
4. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention 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. Following considered negotiations with the applicant and amendments made, at both the pre-application stage and during the course of the formal application, the application has been approved subject to appropriate conditions and for the reasons outlined above.

(2) To approve application No 13/00971/L and grant listed building consent, subject to the following conditions:

- 1 Commence within 3 years.
- 2 Development to be as per plans and repair schedules.
- 3 Archaeology  
Pre-demolition - agreement of an archaeological Written Scheme of Investigation before demolition commences, followed by analysis and publication of any finds prior to first use of 50 ASG.
- 4 50 ASG  
– precise details of the repairs to be undertaken prior to commencement.  
- details of a scheme to provide disabled access where possible.

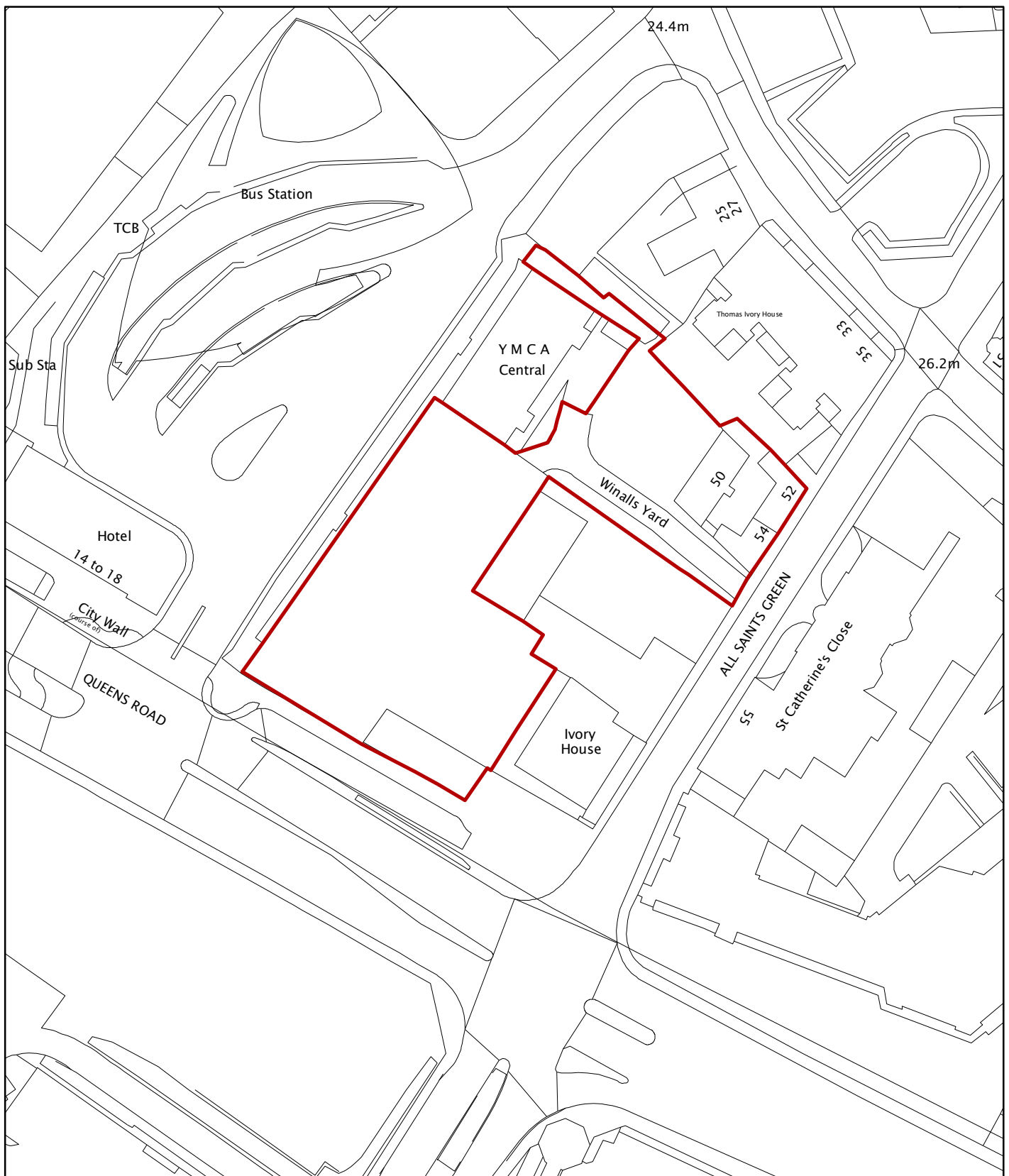
## 5 Precautionary condition

- Any damage caused should be restored within 2 months.

(Reasons for approval: The development proposals have been carefully considered to sit alongside the neighbouring historic area of the city centre, whilst still providing a building of stature and high quality design for this important gateway location. The development will minimise harm to neighbouring listed buildings and provide significant benefits to the public realm. Although the scheme will involve demolition of the relatively minor outbuildings within the curtilage of the Grade II listed building, the resultant public benefit and improvements to the character and appearance of the conservation area, and the setting of the principle listed building, will outweigh the harm of their removal. In doing so, the scheme will bring back into use a listed building which is on the 'buildings at risk' register and has been sadly neglected for a number of years, and will promote regeneration in this key site in the city centre. As such the development and works to the listed building are considered to be appropriate, acceptable and in accordance with the objectives of the NPPF, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) and saved policies HBE8, HBE9 and HBE12 of the adopted City of Norwich Replacement Local Plan (2004).

### Article 31(1)(cc) Statement:

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations. Following considered negotiations with the applicant and amendments made, at both the pre-application stage *and during the course of the formal application*, the application has been approved subject to appropriate conditions and for the reasons outlined above.



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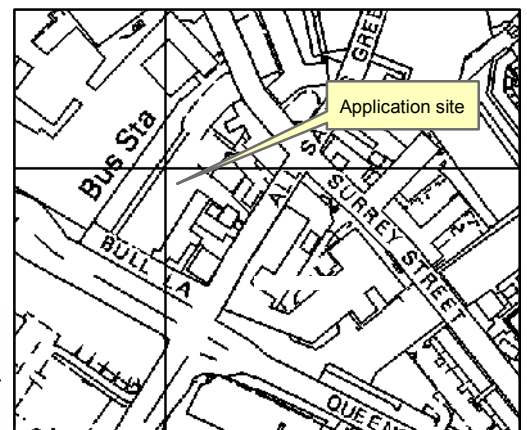
Planning Application No 13/00790/F & 13/00971/L  
 Site Address Site at All Saints Green,  
 Winnalls Yard and Queens Road

Scale 1:1,000



**NORWICH**  
 City Council

PLANNING SERVICES





**All Saints  
Green**

[illegible]

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PROJECT  
ALUMNO DEVELOPMENTS  
STUDENT RESIDENTIAL  
ALL SAINTS GREEN, NORWICH

TITLE	SITE PLAN
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DRAWING NUMBER  
0118 AL 010

DATE 010513	DRAWN BY MS	SCALE 1:150
PLOT DATE	CHECKED BY NC	PROJECT NUMBER 0118



1. Facing Brick, Stretcher bond. (Brick type TBC)
2. Blonde Facing Brick, Soldier course. (Brick type TBC)
3. Proprietary Aluminium Window System.
4. Proprietary Aluminium Window System, glazing flush with brickwork.
5. Translucent glazing metal cladding system.
6. Proprietary glazed curtain walling system.
7. PPC Aluminium flashing, Dark Grey.
8. AOV Louvers



ALUMINO DEVELOPMENTS

B	Planning Issue	250613
A	Amendments to Elevations	300413
Rev	Revision(s) - (Date)	Date

Carson &amp; Partners

The Gymnasium  
55 Kingsway Place, Sans Walk  
London EC1R 3JJ  
+44 (0)203 443 0036  
+44 (0)11 41 442 0036  
[www.cantamandorment.com](http://www.cantamandorment.com)

ALUMINO DEVELOPMENTS  
STUDENT RESIDENTIAL  
ALL SAINTS GREEN, NORWICH

QUEENS RD  
ELEVATION

STANDARD NUMBER	REVISION
0118 PL 301	B

DATE 15.04.13	CHARGE BY MS	SCALE 1:100
PLANT DATE	CHECKED BY NC	PROJECT NUMBER 0118



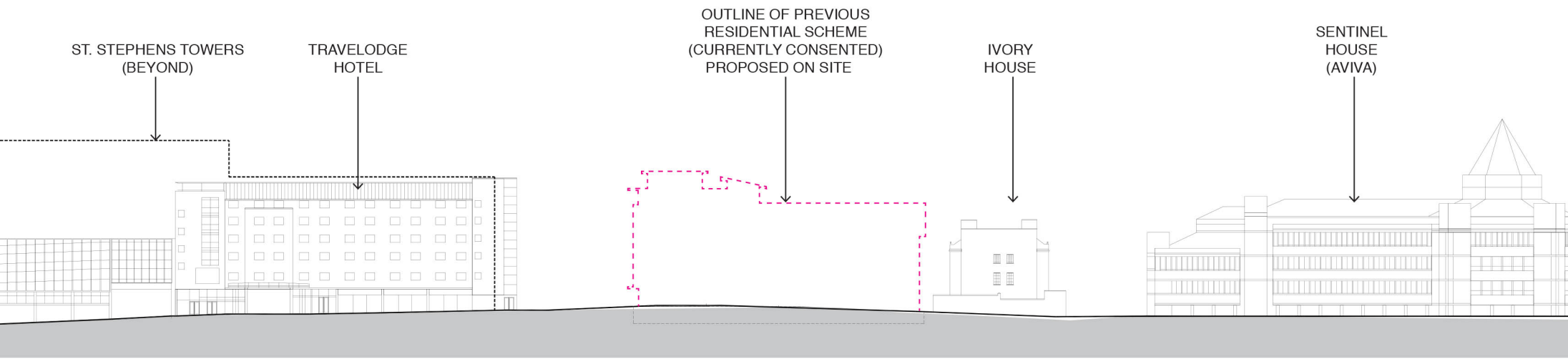


VIEW ALONG QUEENS ROAD FROM BRAZEN GATE



VIEW FROM BUS STATION / BULL LANE





**Notes:**  
 Do not scale from this plan.  
 Use figured dimensions only.  
 To be read in conjunction with the architect's and engineer's plans, specifications and all relevant project documents.  
 Refer 246-L-04 for indicative cross-section of the moat.  
 Refer to the engineer's drawings for drainage and attenuation.



**Key:**

- a. Part of historic garden wall to be retained.
- b. Lawn - trimmed with stack bonded bricks
- c. Buffer planting - large lavenders
- d. Benches - 1200mm long
- e. Resin bound gravel surface
- f. Rectangular paving to entrance to the building
- g. Slatted panel fence - Western Red Cedar 1800mm high
- h. Back of existing pavement
- j. Edge of roadway in Winnal's Yard
- k. Trees to screen car park
- l. Roadise planting in Winnal's Yard
- m. Proposed location of sub-station
- n. Climbers on rear of building

rev	date	comments

Project: ALL SAINTS GREEN, NORWICH  
 Drawing title: **Proposed pocket park at No 50**  
 Drawing No: 246-L-03-(PL)  
 Date: 23.05.13  
 Scale: 1:200 @ A3  
 Revision:  
 Status: PLANNING



**Notes:**

Do not scale from this plan.  
Use figured dimensions only.  
To be read in conjunction with the architect's and engineer's  
plans, specifications and all relevant project documents..



rev	date	comments

Project: ALL SAINTS GREEN, NORWICH  
Drawing title: **View of proposed pocket park at no.50**  
Drawing No: 246-L-07-(PL)  
Date: 23.05.13  
Scale: nts  
Revision:  
Status: PLANNING



**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

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

<b>Financial liability</b>	<b>Liable</b>	<b>Amount</b>
<b>New Homes Bonus</b>	Yes	Based on council tax band, for six years
<b>Council Tax</b>	Yes	Band not yet known
<b>CIL</b>	Yes	£15,750
<b>Business rates</b>	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**  
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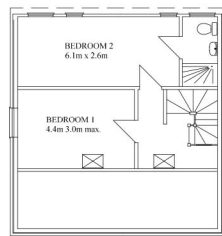
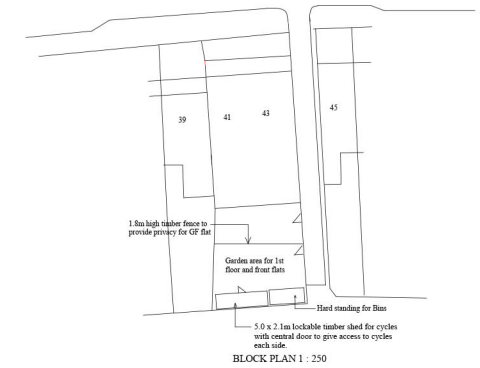
SIDE ELEVATION



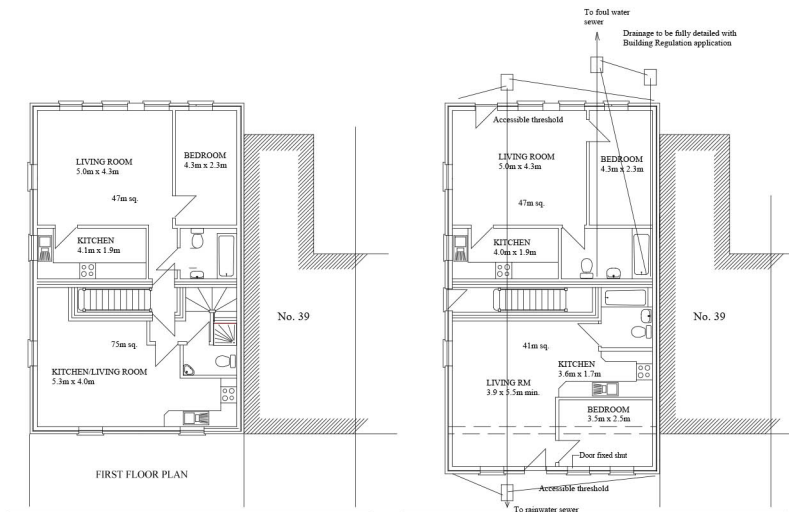
FRONT ELEVATION



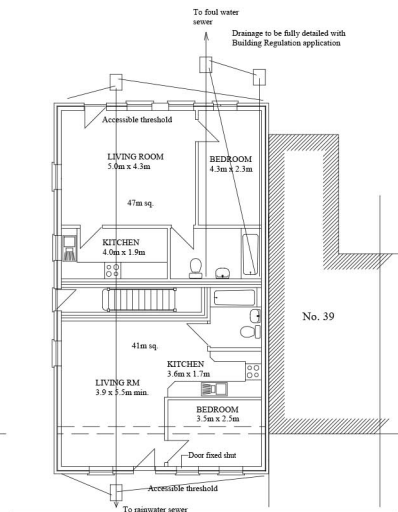
REAR ELEVATION



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

<b>Howard Brooks</b> <small>MRCB</small> <small>The Gable Brundall Road Blifield Norwich NR13 6LB  Phone 01603 715653 Email howardbrooks@btinternet.com</small>	
Client	Mr Shields
Site Address	41-43 Churchill Road  Norwich NR3 4PX
Project	Proposed New Flats
Scale	1 : 100
Plan No. HB/011004d	

**Report to** Planning applications committee  
**Date** 12.09.2013  
**Report of** Head of planning services  
**Subject** 13/01002/F 5 Kinver Close Norwich NR4 7QZ

**Item**  
**5(6)**

## SUMMARY

<b>Description:</b>	Erection of timber store in rear garden.
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approve
<b>Ward:</b>	Eaton
<b>Contact Officer:</b>	Lara Emerson Planner 01603 212257
<b>Valid Date:</b>	5th July 2013
<b>Applicant:</b>	Mr Mike Payne
<b>Agent:</b>	Mr Tristan Scott

## INTRODUCTION

### The Site

#### Location and Context

1. The site is located at the end of Kinver Close in Eaton.. The area is made up of residential dwellings of a variety of sizes and styles.
2. The site itself is generous and irregularly shaped and measures 70m by 32m at its extents. The application property is a substantial new detached two storey dwelling with double garage.

#### Constraints

3. The site lies on the edge of the Newmarket Road Conservation area but was included because, at the time of designation, this property was the garden of 111 Newmarket Road.
4. There is a large beech tree (not subject to a TPO) in the garden of 7 Mile End Close near to the boundary with 5, Kinver Close.

#### Topography

5. The application site is level but the properties to the north-west, closest to the proposed siting of the timber store, lie on land that it is slightly higher.
6. A pile of excavated earth lying to the rear of the site has lead to concerns from neighbours that the ground level is being raised. However, we have had confirmation from the agent that the ground level is to remain as it is and that the excavated earth will be removed or spread thinly across the whole site.

## Planning History

None relevant

## Equality and Diversity Issues

There are no significant equality or diversity issues.

## The Proposal

7. The proposal is for a timber store in the north-west corner of the garden of 5, Kinver Close, at an angle with and 3-4m from the boundary with 7, Mile End Close. The store measures 8m by 4m and stands 3.3m tall to the ridge and 2.3m to the eaves. Its walls are finished with timber cladding and its pitched roof is covered in grey slate tiles. 3m of the entrance end of the store is to be left open with only timber columns to its edges. The base of the building will be a reinforced raft style base.

## Representations Received

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 3 letters of representation have been received citing the issues as summarised in the table below.

9.

Issues Raised	Response
The height of the proposed timber store will cause a loss of outlook for 5 and 7 Mile End Close	Paragraph 14
The height of the proposed timber store will cause a significant loss of light to the gardens of 5, 7 and 9 Mile End Close and to the shed at 5 Mile End Close	Paragraph 15
Trees within falling distance of the proposed timber store	Paragraph 20
The artificially raised ground in this area of the garden would increase the height and impact of the timber store	Paragraph 21
The exact positioning of the store appears to vary in different plans	Paragraph 22
Owing to its size, there is the potential for various uses of the timber store, specifically as a garage	Paragraph 23

## Consultation Responses

10. No internal or external consultations have been undertaken.

# 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 12 - Conserving and enhancing the historic environment

## Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and



## **South Norfolk 2011**

Policy 2 – Promoting good design

Policy 12 – Remainder of Norwich area

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

HBE8 – Development in conservation areas

HBE12 - High quality of design

EP22 – Protection of residential amenity

## **Emerging DM Policies**

DM2 - Ensuring satisfactory living and working conditions

DM3 - Delivering high quality design

DM7 - Trees and development

DM9 - Safeguarding Norwich's heritage

## **Principle of Development**

### **Policy Considerations**

11. The most relevant policies to this proposal are HBE8, HBE12 and EP22 of the Replacement Local Plan which relate to conservation areas, design and residential amenity.

## **Impact on Living Conditions**

### **Loss of Privacy**

12. The proposed timber store has no windows and is not expected to be in regular use and so poses no threat to the privacy of adjoining neighbours. The timber store will act as a barrier between properties and may in fact protect the privacy of occupants at 7, Mile End Close as well as future occupants of 5, Kinver Close.

### **Loss of Outlook and Overbearing Nature of Development**

13. The proposed timber store is to be located 3-4m from the boundary with 7 Mile End Close and 3m from the boundary with 5 Mile End Close. Given that the properties themselves are set back some 35m from the boundary with 5 Kinver Close, there is no effect on the outlook from rear windows. The timber store would only be visible from the furthest extents of these gardens and will stand approximately 1.5m taller than the fence. As such it is not considered to have a particularly oppressive, dominant or overbearing impact on the properties at 5, 7 or 9 Mile End Close.

### **Loss of Light**

14. The proposed location of the timber store leads to potential concerns about loss of light to 5, 7 and 9 Mile End Close. The considerable distance (approx 35m) between the rear boundary and the dwellings means that there is no potential for loss of light within the dwellings themselves.
15. Owing to the timber store's height and proximity to the rear boundary, the proposal would lead to some loss of light to the garden of 7 Mile End Close and, to a lesser extent, the gardens of 5 and 9 Mile End Close. The timber store will be located 3-4m from the boundary fences, which already stand approximately 1.8m high. There is also significant vegetation along the boundary with 5 Mile End Close which already blocks out some sunlight. The proposal can be expected to reduce the light for no more than 2m of the 35m long gardens, and not for the full day. This is not considered to be a significant enough impact to warrant refusal of the application.

## **Design**

### **Form**

16. The proposed timber store cannot be viewed from public land but is considered an attractive and appropriate development for its setting.

### **Scale**

17. The subject property is a large detached dwelling set within a generous plot of land and as such this timber store is not considered to be of an inappropriate scale.

### **Conservation Area – Impact on Setting**

18. The proposal is insignificant in scale, cannot be viewed from public land and is set at the furthest extent of the conservation area. As such it is not considered to have any impact on the appearance of the conservation area itself.

## **Trees and Landscaping**

### **Loss of Trees or Impact on Trees**

19. The proposed timber store is to be built using a raft style slab base rather than dug foundations. This will spread the load to avoid compacting the earth around tree roots and be constructed above ground so as not to interfere with tree roots. As such there will be very minimal impact on the roots of the large beech tree located within the garden of 7, Mile End Close which lies around 8m from the proposed timber store.

## **Other issues raised**

20. There is confirmation from the agent that the ground level is to remain as existing and that the pile of earth is simply excavated earth from the building of the main house.
21. The discrepancy around the exact positioning of the timber store has probably arisen due to the differences between superseded and revised location and block plans. A conversation with the agent confirms that the timber store is to be built 3-4m from the boundaries with 7 Mile End Close and 5 Mile End Close in accordance with the revised location and block plans. If granted permission, the decision notice will state this.
22. It can be assumed that the intended use for the timber storage is as a storage and workshop area. A conversation with the applicant confirms this. If granted permission, the timber store has the potential to be used as a garage but this is considered unlikely since the maximum car size that could be accommodated would be 3m by 2m which is the approximate size of a Smart car.

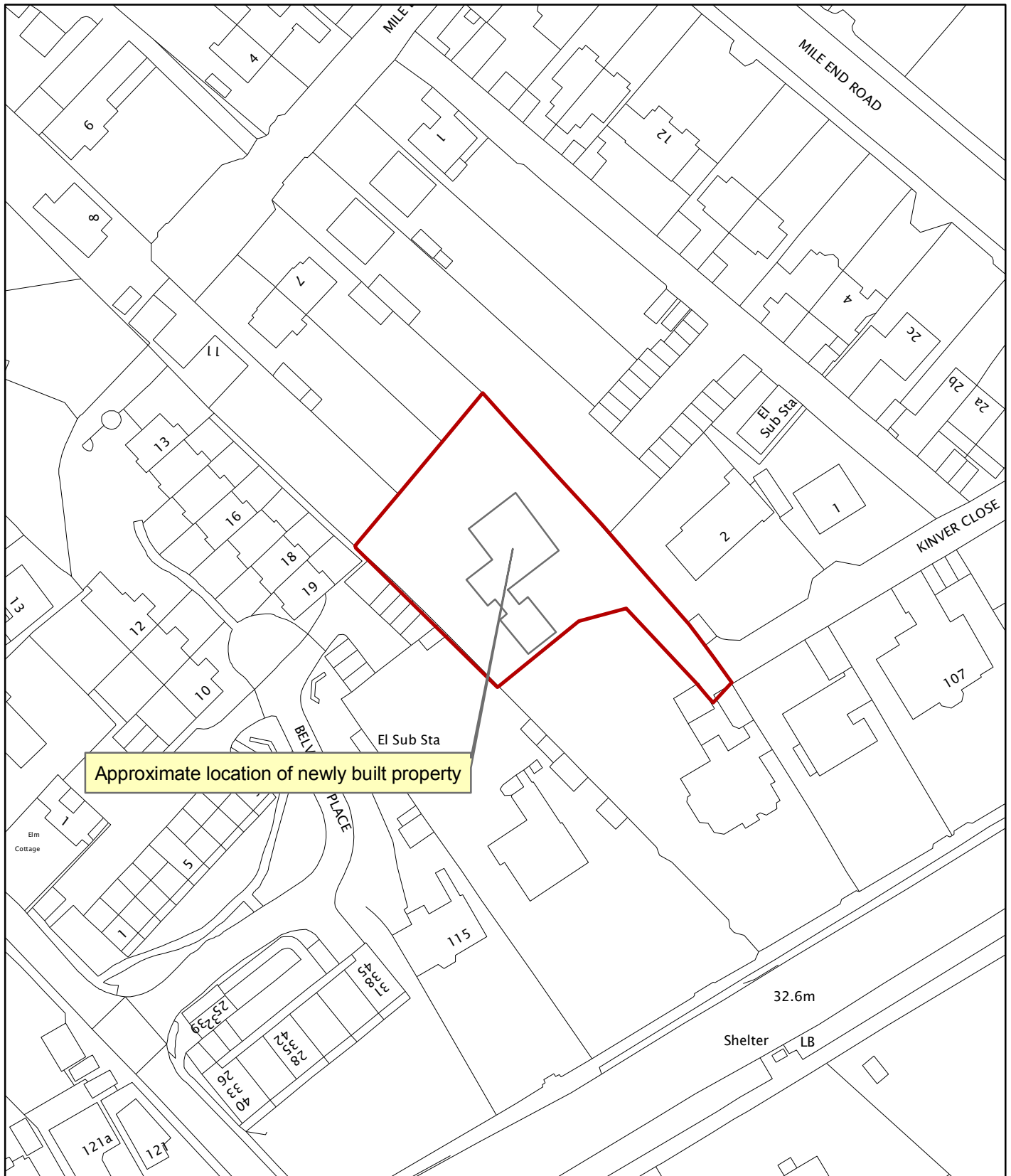
## **Conclusions**

23. It is considered that the design is appropriate for the setting and that there would only be an insignificant impact on the residential amenity of adjacent neighbours. The proposal will have no impact on the wider conservation area. As such the proposal accords with the criteria set out within policies HBE8, HBE12 and EP22 of the City of Norwich Replacement Local Plan and policy 2 of the Joint Core Strategy.

## **RECOMMENDATIONS**

To approve Application No 13/01002/F for 5 Kinver Close and grant planning permission, subject to the following conditions:-

- 1) 3 year time limit
- 2) In accordance with plans
- 3) Floor levels to be agreed.



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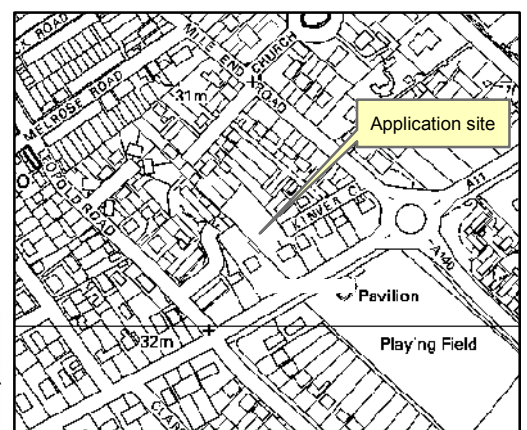
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Site Address 5 Kniver Close

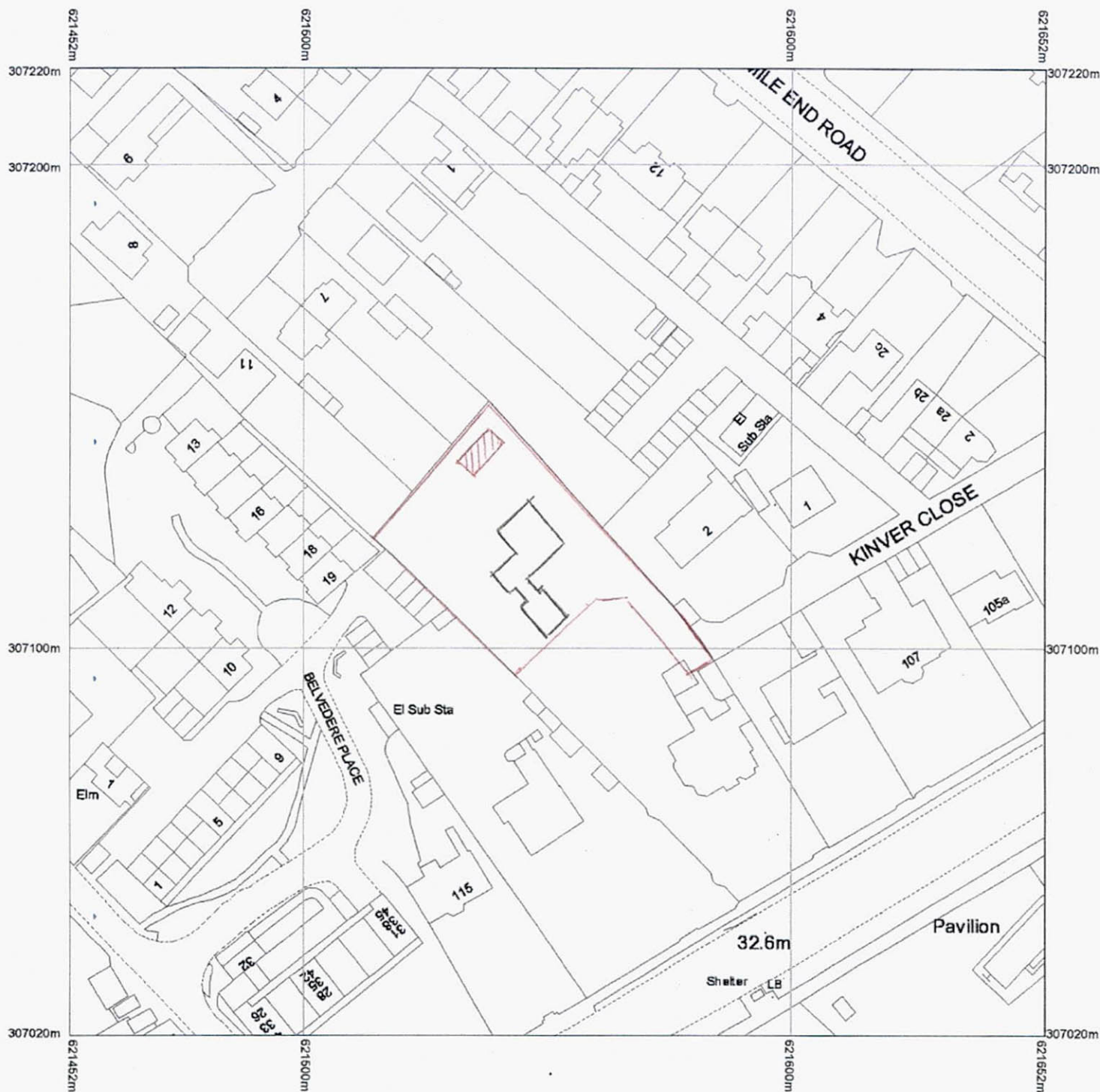
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**NORWICH**  
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PLANNING SERVICES





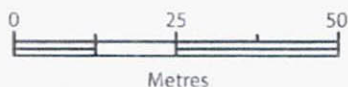
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 Centre coordinates: 1122, 307120  
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**Report to** Planning applications committee  
**Date** 12 September 2013  
**Report of** Head of planning services  
**Subject** 13/01313/NF3 23, 27 & 29 Trory Street Norwich NR2 2RH

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**Item**  
**5(7)**

## SUMMARY

<b>Description:</b>	Window replacement works to front elevations
<b>Reason for consideration at Committee:</b>	Objections
<b>Recommendation:</b>	Approve
<b>Ward:</b>	Town Close
<b>Contact Officer:</b>	Mr James Bonner Planner 01603 212542
<b>Valid Date:</b>	16 August 2013
<b>Applicant:</b>	Norwich City Council
<b>Agent:</b>	Mr Neil Jarvis

## INTRODUCTION

### The Site

#### Location, Context and Constraints

1. The windows affected by this proposal are on the houses 23, 27 and 29, all located on the south side of Trory Street. The properties make up a row of locally listed mid 19th Century Victorian terrace that stretches from number 33 to the west to number 9 on the corner with Kimberly Street. The site is within the Heigham Grove conservation area and within this there are a number of other locally listed properties such as those along the east side of Kimberly Street and the majority of those along the streets to the west and those parallel to the south. Just to the north east is Winchester Tower, a local landmark. There are no statutory listed buildings within view.
2. The properties in question are subject to an Article 4 direction, which covers 11 – 17 and 21 – 35 (odds). The direction removes the ability for people to make certain alterations to their properties without the need for planning permission. With specific relevance to this case it covers the replacement of the windows on the front elevation, hence the need for an application that would otherwise be Permitted Development. As explained in the conservation area appraisal ‘individually the houses have relatively simple facades, but when viewed together the houses provide a harmonious grouping, with a strong sense of rhythm in the repetitive arrangement of proportioned windows and regular placement of chimney stacks at high level’. The erosion of this uniformity is the context for the Article 4 direction and therefore the application and so is referred to throughout the report.

## Planning History

**13/01047/NF3** - Window and door replacement works to houses. (WITHDRAWN - 09/08/2013)

## Equality and Diversity Issues

There are no significant equality or diversity issues.

## The Proposal

3. This is an application for the replacement of the windows on the front elevation of three council owned houses. Windows and doors at the rear are also being changed but as they are not covered by the Article 4 direction, they are replaced under Permitted Development and are not part of the application.

4. The existing status of each property's windows are as follows:

Number 23: This property had two large white timber windows in the front elevation, both featuring two sections, each with Georgian bars to give a total of twelve panes between each section. The top window section was a top-hung casement and the bottom fixed. Due to misunderstanding about the extent of the Article 4 direction, in April 2013 the first floor window was replaced with a top-hung white PVC casement window with stuck-on Georgian bars (also twelve pane) and two trickle vents. Following a local resident's complaint, planning conservation officers intervened before the ground floor window was changed.

Number 27: This property has an additional window on the first floor. All three windows are a similar style to the remaining ground floor window of No.23 in that they are white timber top hung casements.

Number 29: The windows are virtually identical to those on No.27.

5. An application was previously submitted (13/01047/NF3) in response to enforcement action being taken against the unlawful window replacements at No.23. The application proposed windows on all three properties to match the replaced window on number 23. This was deemed unacceptable and was withdrawn.

6. The current proposal is for all of the front windows to be replaced with white PVC vertical sliding sashes with Georgian bars to create a twelve pane window to match the majority of street's windows. This has been discussed with the council's conservation officer and he is supportive of the proposals. Crucial to the acceptability of the windows is the manner in which they sit in the brick reveal. This will be explained further in paragraph 18. The window specifications are crucial to ensuring the design of the window is correct. The following will be conditioned on each window:

- Georgian bars that are chamfered and not moulded
- No window horns

## Representations Received

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received citing the issues as summarised in the table below.

8.

Issues Raised	Response
In the 1960s No.23 was a showhouse to demonstrate what could be done with older properties. The council have since let it slip with poor maintenance. The proposals are not in-keeping with the conservation area.	For the design and impact on conservation area see paragraphs 15 – 21.
We have concerns about the proper process for conservation areas such as here and the style should be Georgian sash, preferably in wood.	For the process see paragraphs 4 and 5.  For the design and impact on conservation area see paragraphs 15 – 21
PVC windows and doors are not in keeping with the conservation area. Wood is more appropriate.	Front doors have been removed from the revised scheme. For the design and impact on conservation area see paragraphs 15 – 21.

## ASSESSMENT OF PLANNING CONSIDERATIONS

### Relevant Planning Policies

#### National Planning Policy Framework:

Statement 7 – Requiring good design

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

Statement 12 – Conserving and enhancing the historic 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

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

HBE8 – Development in Conservation Areas

HBE12 – High standard of design in new development

EP18 – High standard of energy efficiency in new development

#### Supplementary Planning Documents and Guidance

Heigham Grove Conservation Area Appraisal (March 2011)

Heigham Grove Article 4 Direction Guidance Notes (May 2011)

### Other Material Considerations

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

DM1 – Achieving and delivering sustainable development



\*DM3 – Delivering high quality design  
DM9 – Safeguarding Norwich's heritage

\* – only limited weight has been applied to DM3 because there is an objection to its submission, but its objectives of protecting and enhancing the local distinctiveness and character (part c) are still broadly supported by existing Local Plan policies HBE8 and HBE12.

## **Principle of Development**

### **Policy Considerations**

9. The principle of the development is dependent on the windows' design and their impact upon the character of the streetscene and wider conservation area. Accordingly it principally will be determined against policies such as HBE8 and HBE12 of the Replacement Local Plan and policy 2 of the Joint Core Strategy. The conservation area appraisal and Article 4 guidance will help to direct the decision.
10. The increase in energy efficiency has less of a bearing on the decision compared to design as the reason for the application is the Article 4 direction, in this case a control specifically managing character. However some weight can be attached to policies like EP18 of the RLP and policy 1 of the JCS.

### **Article 4 direction and the conservation area**

11. The General Permitted Development Order exempts many small developments from the need for planning permission. The designation of a conservation area has some restriction on the types of Permitted Development enjoyed by householders and generally refers to development such as dormers and side extensions rather than the replacement of windows and doors.
12. Houses in a conservation areas do not by default have their Permitted Development rights removed for replacing windows and doors; this is done by the local planning authority making an Article 4 direction on the properties. The Article 4 direction covering the Heigham Grove area came into force on the 6 June 2011 and is used to manage change at the front and side of the properties, principally seeking to preserve the appearance of the street frontages in this area. The overarching point is to try and reverse the gradual erosion of places like Trory Street's desirable uniformity or 'group value'.
13. The acceptability of the proposals therefore hinges on whether the windows are incongruous within the row of terraces when seen against the design of the original sashes which make up the historic character of the street that the Article 4 direction wishes to either maintain or reinstate.

## **Design**

14. The report will now look at the design of the windows with the aim of the Article 4 direction in mind – to preserve or reinstate the character of the area. Specific to this setting, this involves 6 over 6 vertical sash windows that historically are made of timber.



15. Alongside the choice of materials, the importance of their detailing is key to the window's appearance and therefore acceptability. The use of 'horns' – small strips of wood either side of the frame at the bottom – gives an indication of the date of the windows. In this case no horns have been specified with the intention of more successfully reflecting the historic context of the properties.
16. An additional important detail is the use of chamfered window bars to replicate putty – another welcome detail that helps to improve the visual quality of the windows to be more in line with their original design.
17. Perhaps the most important specific is the manner in which the window unit is fitted into the opening. The detailed drawing shows the whole window set back 100mm from the outer brick face and the frame also set back in the reveal, ensuring only 32mm of each jamb is visible.
18. The PVC sill is optional and depends on the state of the stone sill when the existing window and sill are removed. It is more than likely sills will be required to cover the damage but it is considered unnecessary to demand a wooden sill as the clear difference in materials would instead detract from the visual quality of the windows.
19. As there is a small garden separating the properties from the highway, a clear distinction in the prominence of windows is apparent when seen against other Article 4 properties such as the locally listed properties along Calvert Street. Details like glazing bars and the way the window sits within the reveal are arguably more important than the material in cases like this. In addition the applicant emphasises the need to reduce the maintenance of the properties. In the circumstances the use of an appropriately detailed PVC window is acceptable as it provides a cost-effective means of improving the energy efficiency of the properties whilst bringing an improvement to the uniformity of the terrace.

#### **Article 4 and Conservation Area – Impact on Setting**

20. The impact of the new windows must be assessed against what is existing and not an "ideal" window. The new windows are a major improvement over the existing casements (which themselves were inconsistent with the original character) and are considered to be of a well-thought-out design that respects and improves the character of not only the street scene but also that of the wider conservation area.

### **Environmental Issues**

#### **Energy Efficiency**

21. The proposed windows will bring about a drastic improvement to energy efficiency over the existing single glazed timber windows. This is in line with the policy 1 of the Joint Core Strategy, saved policy EP18 of the Replacement Local Plan and emerging policy DM1, of which substantial weight can be attached.

### **Local Finance Considerations**

22. None.

### **Conclusions**

23. The Article 4 direction which necessitates the need for an application here requires any new windows to respect the character of the terrace and the strength of the houses as a harmonious group. Despite not being of timber construction the design

of the proposed replacement windows respect the shared architectural characteristics of the houses in the street and this is clearly demonstrated by the details provided. The proposed sash windows are an improvement over the existing timber casement windows not only when closed but importantly when open. Given the relatively less prominent nature of the elevations the use of PVC over timber is acceptable as their design ensures they are not incongruous but are in fact an improvement to the street scene. Due to the improvements to both occupier amenity and energy efficiency, the windows – which will require less future maintenance by the Council – are on balance considered acceptable and in accordance with the policy objectives of the National Planning Policy Framework, policies 1 and 2 of the Joint Core Strategy, saved policies HBE8, HBE12 and EP18 of the City of Norwich Replacement Local Plan (Adopted Version November 2004 and all other material considerations.

24. Article 31(1)(cc) Statement

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

## **RECOMMENDATIONS**

To approve Application No (13/01313/NF3) and grant planning permission, subject to the following conditions:-

- 1 – Standard time limit
- 2 – In accordance with the approved plans



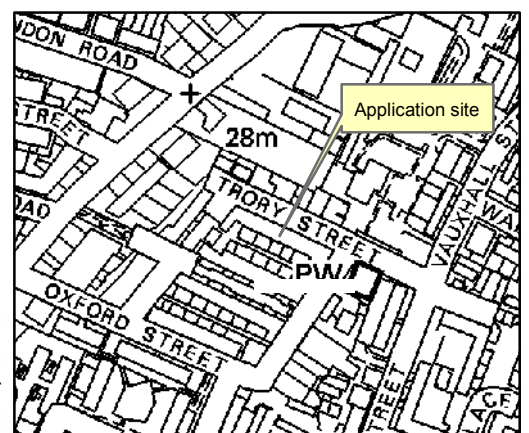
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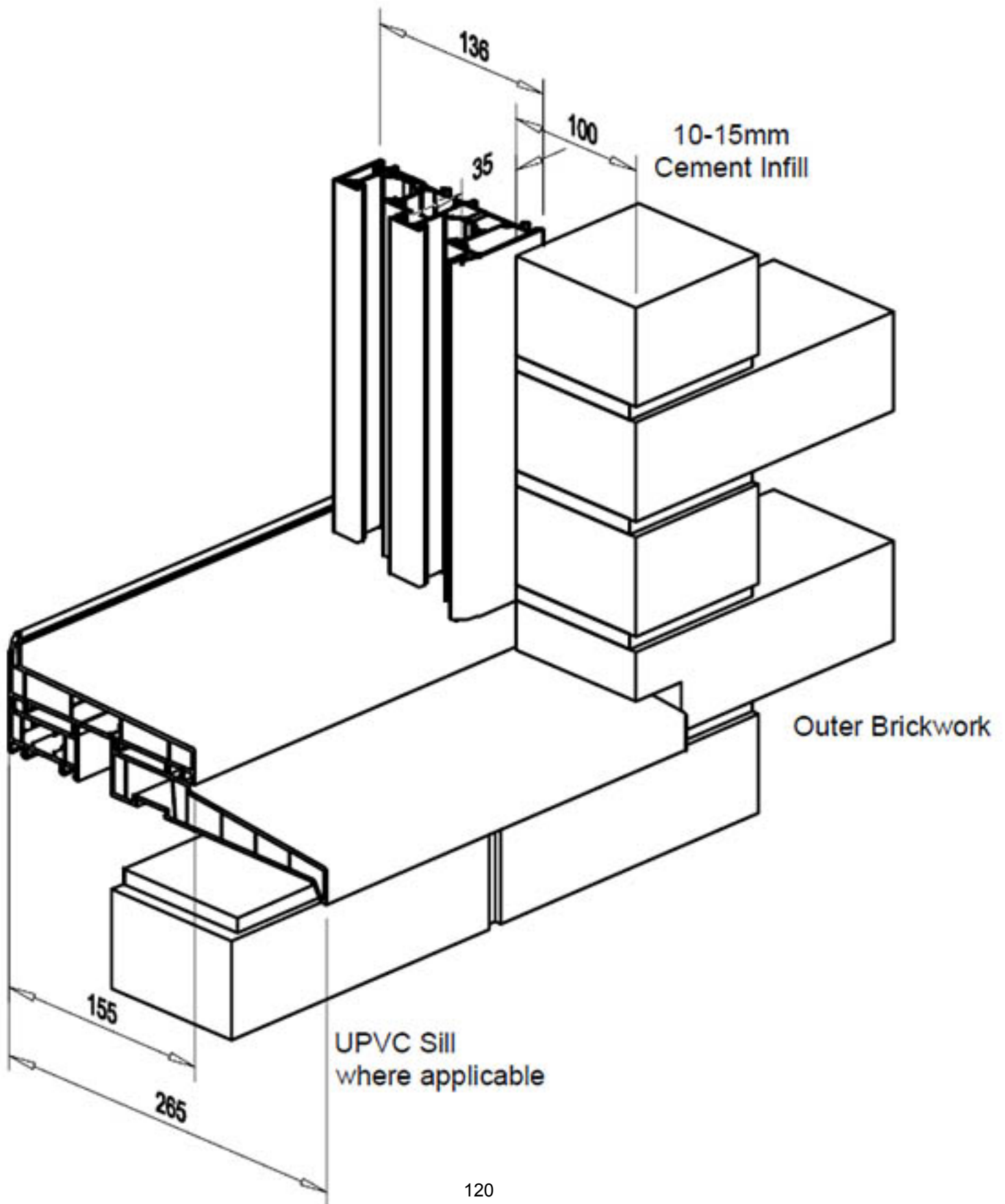
Planning Application No 13/01047/NF3  
 Site Address 23,27 and 29 Trory Street  
 Scale 1:700



**NORWICH**  
 City Council

PLANNING SERVICES





**Report to** Planning applications committee  
**Date** 12 September 2013  
**Report of** Head of planning services  
**Subject** 12/01444/F Norwich Family Life Church Heartsease Lane  
Norwich NR7 9NT

**Item**  
**5(8)**

## SUMMARY

<b>Description:</b>	Erection of new church building (Class D1) incorporating preschool, sports and community facilities.
<b>Reason for consideration at Committee:</b>	Review of Committee resolution
<b>Recommendation:</b>	Approve subject to conditions
<b>Ward:</b>	Crome
<b>Contact Officer:</b>	Mr Lee Cook Senior Planner 01603 212536
<b>Valid Date:</b>	13 November 2012
<b>Applicant:</b>	Norwich Family Life Church
<b>Agent:</b>	Chaplin Farrant Limited

## UPDATE FOR MEMBERS

- Members will recall this item was presented to committee on 18 April this year when Members agreed to approve the application subject to a S106 agreement and conditions. Members also agreed enforcement action to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings after 15 months have expired from the date of the decision notice and the taking of legal proceedings, including prosecution if necessary. The earlier recommendation for enforcement action is unchanged by this report. Copies of the report and minutes are attached for information.
- As reported previously the County Highways Authority has in the past routinely levied a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority can require a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge were therefore suggested as being secured by a Section 106 Legal Agreement in line with County Council comments on the application. To date, the applicant and agent have not progressed with the completion of a S106 agreement.
- A review of the use of S106 agreements to secure travel plan Bonds and monitoring charges following the introduction of the Community Infrastructure Levy has been undertaken. It should also be noted that the County Council has not recently consistently requested the use of S106 agreements and has sought travel plan requirements through the use of conditions on planning permissions including on large major schemes. The County Council in this particular case, now state that a voluntary travel plan would be proportionate with the scale of development and likely travel patterns envisaged. As this would not be monitored (or bonded) a S106 would not be necessary.

## Conclusions

4. Given the above and the option of securing travel plans through the use of planning conditions it is appropriate to revise the previous recommendation to avoid the need for a specific S106 in this instance. This will also help secure a release of planning permission for the applicant.

## RECOMMENDATIONS

To approve Application No 12/01444/F Norwich Family Life Church Heartsease Lane Norwich NR7 9NT and grant planning permission, subject to:

(1) the following conditions:

1. Standard time limit;
2. In accordance with approved plans and drawings
3. Non-residential development to be used as D1 and D2 uses as shown on floor plan only
4. Details of recessed panels, joinery, glazing, roofs, brick and cladding finishes, bin store, external lighting and CCTV equipment to be agreed
5. Details of proposed levels to be agreed
6. Details of relocation of the existing portakabin buildings
7. Details of arboricultural supervision and method statement to be agreed
8. Development to be in accordance with submitted AIA, tree protection plan and details as above
9. Tree protection to be retained and no changes etc within tree protection areas unless agreed
10. Details of hard and soft landscaping, including surfacing materials, boundary treatments, enclosures within the site, additional replacement tree planting, replacement green space, biodiversity enhancements to include bat and bird boxes and fence gateways, implementation programme, written specifications and a management method statement detailing how the planting will be maintained, to be agreed
11. Development to be in accordance with submitted ecology report
12. Intrusive investigation and remediation, as necessary, for contamination to be undertaken
13. Submission of verification report in respect of remediation of contamination
14. Measures to deal with unexpected contamination
15. Details of verification of imported topsoil
16. Details of sustainable drainage and surface water drainage strategy
17. Details for standards and features for water conservation to be agreed
18. Details of all plant and machinery associated with the development
19. Details of all extract, fume and flue systems associated with the development
20. Details and setting of noise limiter
21. Details for boundary noise levels to be agreed
22. Details to be agreed to provide at least 10% of energy demand from decentralised low or zero carbon sources
23. Details of the access road, car and coach parking, cycle parking, loading/unloading and turning areas
24. Details of scheme for provision for on site parking for construction workers for the duration of the construction period

25. Details of wheel cleaning facilities for construction vehicles
26. For the duration of the construction period all traffic associated with the construction of the development shall use the approved wheel cleaning facilities
27. Details of Interim Travel Plan
28. Implementation of the Interim Travel Plan and details during the first year of occupation of a Full Travel Plan based on the Interim Travel Plan
29. No use to take place unless waiting restrictions have been installed from Rider Haggard Road to Salhouse Road on both sides of Heartsease Lane
30. No use to take place unless shared use cycle/footway has been installed from Valley Drive to Salhouse Road along Heartsease Lane
31. Details archaeological site monitoring
32. Details of provision of fire hydrants

#### Article 31(1)(cc) Statement

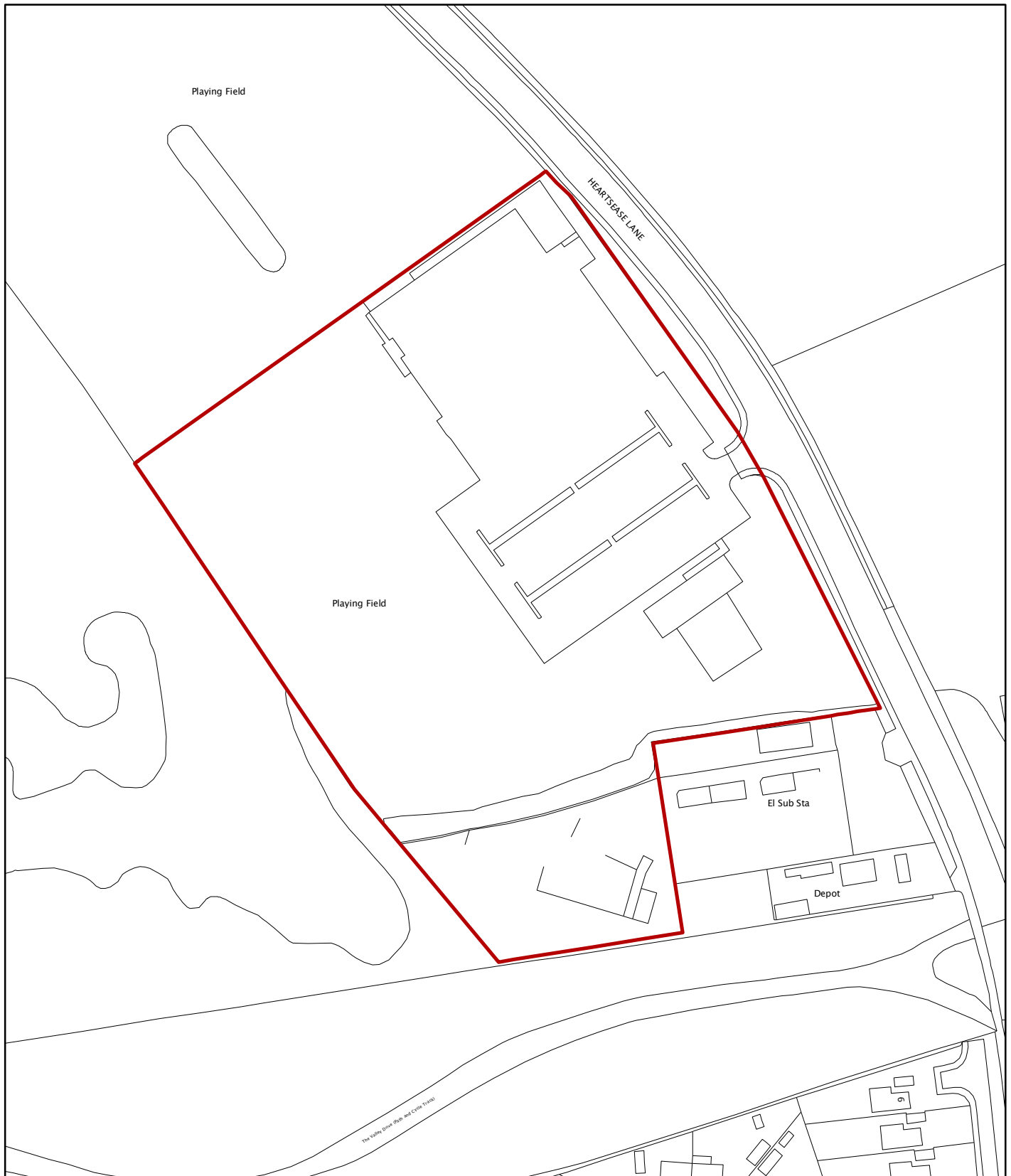
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report for the planning applications committee meetings on 18 April and 12 September 2013.

#### Informatives

1. Considerate constructors scheme (to avoid noise and disturbance)
2. Environment Agency advice on drainage and contamination
3. Anglian Water advice on AW assets
4. Norfolk County Council advice on travel information
5. Works within the highway and transport contact

(2) to note the earlier authorisation of enforcement action within the minutes of the meeting held on 18 April 2013 to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings and the taking of legal proceedings, including prosecution if necessary.

Appendices – extract from the minutes of the planning applications committee meeting held on 18 April 2013 and report to planning applications committee – 18 April 2013



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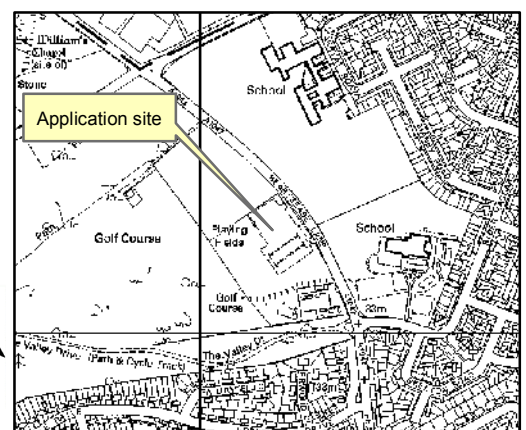
Planning Application No 12/01444/F  
 Site Address Norwich Family Life Church  
 Heartsease Lane

Scale 1:1,500



**NORWICH**  
 City Council

PLANNING SERVICES







**EXTRACT FROM THE MINUTES OF  
PLANNING APPLICATIONS COMMITTEE  
HELD ON 18 APRIL 2013**

**8. APPLICATION NO 12/01444/F, NORWICH FAMILY LIFE CHURCH  
HEARTSEASE LANE, NORWICH, NR7 9NT**

The senior planner (development) presented the report with the aid of plans and slides, and answered members' questions.

During discussion members considered the future use of the building and were advised that the use was limited to that stipulated in the application. Members also discussed the period that would be allowed before enforcement action was taken for the removal of the portakabin building. Members were advised that 15 months should be sufficient for the applicants to comply with the notice and a construction timetable had formed part of their submissions, indicating times when activities should be completed. The council would not take immediate enforcement action if after that time the new building was close to completion. The senior planner advised members that children attending the schools on the other side of Heartsease Lane had easier access as those schools served a large residential catchment on that side of the road. The portakabins on the proposal site were on the opposite side of the road where people had to cross a busy road or arrive by car which therefore limited use on this detached site and was deemed to be in location terms "not sustainable" for a pre-school venue. The travel plan and improved cycle access, plus the range of uses with the main application however made the site more acceptable, managed and accessible.

**RESOLVED**, unanimously, to approve application no 12/01444/F Norwich Family Life Church, Heartsease Lane, Norwich, NR7 9NT and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include costs of reviewing and monitoring a Travel Plan annually and Bond to ensure that the Travel Plan targets are met; and
- (2) subject to the following conditions:
  1. Standard time limit;
  2. In accordance with approved plans and drawings;
  3. Non-residential development to be used as D1 and D2 uses as shown on floor plan only;
  4. Details of recessed panels, joinery, glazing, roofs, brick and cladding finishes, bin store, external lighting and CCTV equipment to be agreed;
  5. Details of proposed levels to be agreed;
  6. Details of relocation of the existing portakabin buildings;
  7. Details of arboricultural supervision and method statement to be agreed

8. Development to be in accordance with submitted AIA, tree protection plan and details as above
9. Tree protection to be retained and no changes etc within tree protection areas unless agreed
10. Details of hard and soft landscaping, including surfacing materials, boundary treatments, enclosures within the site, additional replacement tree planting, replacement green space, biodiversity enhancements to include bat and bird boxes and fence gateways, implementation programme, written specifications and a management method statement detailing how the planting will be maintained, to be agreed
11. Development to be in accordance with submitted ecology report
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32. Details of provision of fire hydrants

#### Informatives

1. Considerate constructors scheme (to avoid noise and disturbance)
2. Environment Agency advice on drainage and contamination
3. Anglian Water advice on AW assets
4. Norfolk County Council advice on travel information
5. Works within the highway and transport contact

#### Reasons for approval:

1. It is considered that the clearance and redevelopment of the site for the erection of a new church building (Class D1) incorporating preschool,

- sports and community facilities is acceptable in principle, subject to a legal agreement to secure the travel plan requirements.
2. Subject to conditions, the proposal is considered to be an appropriate use for this site, which although located outside of an existing centre is in an accessible location and the nature of the precise uses proposed would complement the surrounding predominantly residential area.
  3. The design and layout of the proposal is considered acceptable and provides adequate replacement green space and biodiversity and tree protection measures and would be unlikely to cause detriment to the visual amenity of the area or Mousehold Heath. The access and parking is considered suitable to meet the needs of the proposal and, subject to further details and travel plan, is unlikely to result in adverse impact on the adjoining highway network.
  4. Subject to conditions the development is considered to meet the requirements of the NPPF, policies 1, 2, 3, 5, 6, 7, 9, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies AEC2, EP16, EP18, EP20, EP22, HBE12, NE1, NE7, NE8, NE9, SR3, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11 and TRA12 of the City of Norwich Replacement Local Plan 2004 and relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013) and all other material considerations.
- (3) authorise enforcement action to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings after 15 months have expired from the date of the decision notice and the taking of legal proceedings, including prosecution if necessary.

**APPENDED REPORT**  
**Planning applications committee 18 April 2013**

**Report to** Planning applications committee  
**Date** 18 April 2013  
**Report of** Head of planning services  
**Subject** 12/01444/F Norwich Family Life Church Heartsease Lane  
Norwich NR7 9NT

**Item**  
**5(6)**

## **SUMMARY**

<b>Description:</b>	Erection of new church building (Class D1) incorporating preschool, sports and community facilities.
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approve subject to conditions and a S106 agreement
<b>Ward:</b>	Crome
<b>Contact Officer:</b>	Mr Lee Cook Senior Planner 01603 212536
<b>Valid Date:</b>	13th November 2012
<b>Applicant:</b>	Norwich Family Life Church
<b>Agent:</b>	Chaplin Farrant Limited

## **INTRODUCTION**

### **The Site**

#### **Location and Context**

1. The application site forms part of open land to the south of Heartsease Lane, this roadway forms part of the outer ring road. The site was previously occupied by a Church building sited adjacent to the roadway. The site has been enclosed and used for a number of years for community uses and now temporarily holds classroom and office facilities in a small group of portakabins on the eastern side of the site. The car park for the former church also remains on the northern part of the site.

#### **Constraints**

2. The land in question also has various green spaces which are allocated in the Local Plan and the provision and appearance of these spaces links with other green spaces to the south and north of Heartsease Lane to form an open and attractive vista. The site also forms part of the approach and setting of Mousehold Heath to the south and west.

#### **Topography**

3. The site lies towards the top of Mousehold Heath and historically (in 19<sup>th</sup> and 20<sup>th</sup>C) has been used for military purposes. The areas surrounding the site also historically formed part of gravel workings in this area. More recently the site was used by the Gothic Social Club and areas of green space as now marked on the Local Plan reflect the areas of bowling green; rifle range and sports pitch on various parts of the site. Whilst most of the site is flat it does slope down to Mousehold Heath in the

south east corner.

### **Planning History**

Application **4/1989/0859** for change of use from social club (Class D2) to a creche and community centre (Class D1) was approved in November 1989. This was followed by application **4/1991/0529** for the erection of church/community centre with associated access and parking which was refused by Committee in August 1991. The application was refused on grounds of visual impact and prominent building; poor landscape setting; design and materials; and lack of public access to/from adjacent areas. Members, however, accepted the principle of community use and encouraged further negotiation for an alternative scheme.

Application **4/1992/0105** for the erection of a revised church building/community centre with associated access and parking was approved by Committee in January 1994. The building had a smaller bulk and single storey elements surrounding a central hall. Application **4/2003/0155** for an amendment to the parking layout was approved in June 2003. Following construction and a period of occupation of the site the Council has been advised that the church was struck by lightning and burnt down. Following an approach to the Council for a means of reintroducing church activities on the site application **06/00323/F** for the temporary standing of portable classrooms and office building on site was granted temporary permission in May 2006. The permission expired on 18<sup>th</sup> May 2009. Some discussion about the site took place initially in 2006 and more active discussion about bringing the site back into use in an appropriate manner has continued since 2008.

In 2009 following appointment of architects the church were advised that it would be difficult to accommodate a further temporary building on site and, as no commitment appeared to be in place to build a permanent replacement in the short term, advice was also been given that an open ended temporary permission would also not be acceptable. The site appears to be too small for a very large church building being proposed at that time and further information requested to address the constraints identified for the site. The suggestion has also been made by Officers that a permanent building could be built in a phased manner to enable a managed and sustainable redevelopment which could be added to when funds became available.

Application **09/00249/F** for the erection of replacement temporary church building was refused by planning committee in June 2009. Application **09/00453/F** for use of land to extend the existing temporary standing of portable classroom and office for a further five years was refused in September 2009 and although the buildings are being shown on the layout for the proposed church, no formal resolution of this matter has been agreed and no application for renewal has been submitted and as such the buildings are unauthorised.

### **Equality and Diversity Issues**

Various issues relating to the development are reviewed below. The proposals for a new church and associated facilities should help delivery of services to the local community however there are not considered to be significant equality or diversity issues.

## **The Proposal**

4. The development is for the erection of a new church building (Class D1) incorporating preschool, sports and community facilities. The siting of the building is more central to the site than the previous church and through this revised layout also involves the reorganisation of green spaces within the site.

## **Representations Received**

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.
6. **Norwich Society:** We are keen to encourage rebuilding on this site but the design needs refinement. The drawing was of blocks of colour so not easy to visualise. Fussy brickwork.

## **Consultation Responses**

7. **Environment Agency:** No objection in principle but requests conditions and informatives in the event of consent being granted. See assessment below.
8. **Anglian Water:** No objection in principle and comments that foul drainage for the area has available capacity for the development but suggests informatives in relation to connections and on site AW assets. Also requests surface water strategy condition.
9. **Norfolk Constabulary:** No objection in principle but comment on Crime Prevention Measures and site history. Recommend that the development incorporates principles of "Secured by Design" and suggest detailing to ensure: overlooking of car park area to prevent nuisance; overlooked and secure bike stores; suitable landscaping; secure perimeter fencing and defensive parking; site lighting; and secure doorsets, glass and windows.
10. **County Council as Strategic Highway Authority:** No objection to the proposal given that it is for a replacement facility. Requests conditions and informative in the event of consent being granted. See assessment below.
11. **Historic Environment Service:** No objection in principle but requests conditions for monitoring of further works. See assessment below.
12. **Fire Service:** No objection in principle but requests the provision of fire hydrants on site by way of condition on any permission.
13. **Local highway authority:** No objection in principle to this and the layout is mostly fine in transport terms of parking restriction, off site works and travel plan etc, see assessment below.
14. **Natural areas (parks and gardens):** No objection in principle but comments on species known to be in the area; adoption of recommendations in the ecological report; boundary treatment for 'permeability', see assessment below.
15. **Environmental protection:** No objection in principle but comments raised on

matters of noise, contamination etc, see assessment below.

## **ASSESSMENT OF PLANNING CONSIDERATIONS**

### **Relevant Planning Policies**

#### **National Planning Policy Framework:**

Promoting sustainable transport

Requiring good design

Promoting healthy communities

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Conserving and enhancing the historic 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 5        The economy

Policy 6        Access and transportation

Policy 7        Community facilities

Policy 9        Strategy for growth in the Norwich Policy Area

Policy 12       Urban renewal

Policy 20       Provision and support of infrastructure, services and facilities

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

AEC2        Local Community Facilities - criteria

EP16        Water conservation and sustainable drainage systems

EP18        High standard of energy efficiency for new development

EP20        Sustainable use of Materials

EP22        Amenity

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

NE1        Protection of Environmental Assets from inappropriate development

NE7        Protection of locally designated sites of nature conservation interest

NE8        Tree and habitat protection and enhancement

NE9        Landscaping of new development

SR3        Criteria for development on Urban Greenspace/PAROS

TRA3        Modal shift

TRA5        Approach to design for vehicle movement and special needs

TRA6        Maximum parking standards

TRA7        Cycle storage

TRA8        Servicing standards

TRA10       Contribution by developers for off-site works to access the site

TRA11       Contributions for transport improvements in wider area

TRA12       Travel plans for employers and organisations in the City

#### **Supplementary Planning Documents and Guidance**

Trees and Development SPD – September 2007

#### **Other Material Considerations**

Written Ministerial Statement: Planning for Growth March 2011

The Localism Act 2011 – s143 Local Finance Considerations

Emerging policies of the forthcoming new Local Plan (submission document for



examination, April 2013):

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

- DM1** Achieving and delivering sustainable development
- DM2** Ensuring satisfactory living and working conditions
- \* **DM3** Delivering high quality design
- DM4** Providing for renewable and low carbon energy
- DM6** Protecting and enhancing the natural environment
- DM7** Trees and development
- DM8** Planning effectively for open space and recreation
- DM9** Safeguarding Norwich's heritage
- \* **DM11** Protecting against environmental hazards
- DM22** Planning for and safeguarding community facilities
- DM28** Encouraging sustainable travel
- \* **DM30** Access and highway safety
- DM31** Car parking and servicing
- DM33** Planning Obligations and development viability

\* These policies are 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, protecting amenity and ensuring safe passage around and within a development and prioritising pedestrian and cycle passage remains in place through Local Plan policies HBE12, EP22, TRA3, TRA5 and TRA8.

**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.

**Principle of Development**

**Policy Considerations**

16. The site has been used for several years by the Norwich Family Life Church and although the location on the Outer Ring Road is not within an existing centre it has accessibility to the nearby district shopping centre, community facilities in Heartsease and bus and cycle routes. Albeit that a good, safe crossing facility on the Ring Road is limited the location is generally consistent with Local Plan policy AEC2. Locally, Joint Core Strategy Policy 7 sets out the intention to provide sufficient, appropriate and accessible community and education facilities.
17. Within emerging new 2013 local planning policy, as well as generic policies regarding compatibility with neighbouring uses, promoting good design and using appropriate transport measures (which generally repeat the objectives of existing adopted Local Plan policy) the emerging local plan includes a city-wide policy for new community facilities and schools development. The current proposal seeks to expand the community use of the facilities above those previously provided and the

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principle of an expanded community use of the site is considered to be an acceptable one.

18. Relocating the church back to this site could reduce the need to travel given that the majority of the existing local congregation are also required to travel to the alternative unauthorised site in Mason Road. A locally based place of worship would also tend to promote community cohesion, social inclusion and participation for all groups in the social, cultural, political and economic life of the city.
19. The Church now accepts that permanent redevelopment is the appropriate means to re-introduce the church facility to the site. A timescale and potential for identified funding for the church replacement has been indicated within the application. The temporary school, offices and play area adjoining were given permission for a limited time on the understanding that the buildings would be removed and the urban green space on which they were sited would be reinstated once a permanent church was in place.
20. It is now intended to build the finished shell of the church and provide the sanctuary area. The remainder of the building is to be fitted out as funds and resources become available. The Church will regain a presence within the area and the reasoning behind this application is appreciated and it is considered that this will be a way of providing a permanent replacement for the church. Discussion has been ongoing and the Church has invested in a scheme for a permanent building which addresses areas of concern which have been identified in relation to the capacity of development on this site.
21. The result of the proposal, however, would mean that the existing portakabin buildings would be required to remain for a further period but introduced elsewhere on the site whilst the class and play area were fitted out. This would be in a position without loss of green space close to the permanent replacement building. Whilst still a piecemeal development it would not be incrementally adding to temporary buildings on this site to the detriment of the area as with previous proposals.
22. The timing for the removal/replacement of the portakabin buildings with an assessment of helping to achieve the aims of the church whilst protecting the amenities of the site from unauthorised development has been discussed. It is therefore suggested that a fall back position is adopted whereby enforcement action is authorised to ensure the removal of the temporary buildings from the site in line with the proposed timetable for works.
23. The church currently occupies premises within an employment area on Mason Road. Following a report to committee in August 2010 concerning the unauthorised occupation of these premises by the church and enforcement implications from this use Members advised that they would wish to agree to a temporary permission for that site to give more time for the church to find permanent facilities. Temporary permission was approved under application 10/01081/U which has now expired. As such that building is occupied without the benefit of planning permission. Occupation of that building has been discussed and a time frame for the cessation of the use again indicated within this application. It is suggested that a separate enforcement report is presented to Members to authorise cessation of that use in line with the agreed timetable of works and occupation of the church on the Heartsease site.

### **Other Material Considerations**

24. Various buildings have been placed on the site over a period of time with the last church being provided in the 1990's. The area was previously used by the Gothic Social Club and areas of green space as now marked on the Local Plan reflect the areas of former Bowling Green; rifle range; and sports pitch on various parts of the site. Negotiations have taken place in relation to the scale and size of a new church building and in order to minimize the impacts of a larger building if placed in the position of the former church the building it is proposed to place the new building central to the site with parking and services along its southern side. Whilst this will have obvious benefits it will result in building on the current urban green space.
25. However, the reorganisation of the green space around the new building is proposed and once the redevelopment of the site is complete will be available for use as an equivalent amenity space. Facilities also include a proposed sports hall and changing areas and through an enhanced landscaped environment and setting for the church, with the provision of, for example, garden areas and 'breakout' play space will add to the green space on site providing added benefit for the area. Therefore, subject to the imposition of conditions requiring the provision of the amenity space as proposed and the community use of the facilities being made available as indicated, the development is considered acceptable in this regard.

### **Impact on Living Conditions**

#### **Noise and Disturbance**

26. With previous applications concerns have been expressed from residents of the nearby housing estate that noise disturbance had occurred from evening events (Friday afternoon/evenings were identified) and that the church was noisier than other faith congregations. This issue has been recognised with the current application and a noise impact assessment provided. It is stated that there is to be amplified music in both the Sanctuary and Youth Area. The Youth Area will have opening windows and a sound limiter installed.
27. The Pollution Control Officer broadly agrees with the reports recommendations and suggests that any noise limiter is set by Officers of the Council with the doors & windows closed, and that they shall remain closed whilst the amplification system is being used. It is also suggested that whilst the proposed maximum boundary noise level of 45dB LAeq (5min) for the entire site may be appropriate as suggested within the report, that this is assessed and agreed when the limiter is set. Conditions are therefore suggested to control noise levels at the site to reduce potential impacts on nearby residents.

### **Design**

#### **Layout and Scale**

28. Heartsease Lane passes the site which is part of the busy outer ring road. The site itself is a site fairly detached from other buildings and development. The surrounding area in question is very open to both sides of the road when travelling towards Mousehold Heath. The new Open Academy building has been negotiated to be set back from the road to reduce its bulk but also in layout has been designed to enable additional landscaping and enhancement of tree planting towards the junction with Salhouse Road. This provision will add to the setting of the Heath. The former church was close to the road edge but was smaller than that now proposed with single storey elements surrounding a taller core building.

29. The principle of a larger building is considered acceptable subject to its location being back within the site. As with the Open Academy discussion has taken place to allow for a larger building without it becoming too dominant or oppressive within the street scene. The setting is a landscape one and the new church application scheme has had regard to the setting of the area.

#### **Form**

30. Being a church and a communal building situated on a main road, it was considered that it could be designed to be distinctive and to some extent be a local landmark building. In this respect the architecture achieves this with the focal point Cross and stained glass glazing on the NE corner, and the elements of stained glass throughout the building to provide legibility for the entrances. Although of considerable bulk, the massing has been broken up effectively with a combination of vertical brick plinths, vertical glazing and panelling.
31. The plan of the building appears well considered, with the main entrance, rear and side entrances all linked to a central café at ground floor level – the main axis link having some internal emphasis with a double height space and a central void with light-well over the internal entrance to the church. The play space is directly linked to the internal classrooms. Conditions are suggested to ensure all details such as materials are agreed particularly the brick and hard surfacing materials. There are large areas of brick on the NE (the principal elevation) and the NW elevation, and these will need to have a good multi or red brick blend to alleviate the impression of unrelieved bulk. Boundary treatments to areas such as the children's playground are also suggested to be agreed by condition.
32. With regard to landscaping, the building does have car parking on two sides to the south and west. Being a suburban site with a congregation based over a large area some parking is a reasonable expectation. Landscaping has however been retained at the front as requested, and around the site further planting has been indicated to soften the visual impact of the building and parking areas.

### **Transport and Access**

#### **Transport Assessment**

33. The proposed use is related to the former use as church with extensive car park and extant use as primary schooling. Whilst these uses are normally subject to sequential locational test that encourages locations with better accessibility by sustainable modes it is accepted that the former use of the site is relevant to this application. The proposal, for a place of assembly for a significant number of visitors (up to 400 persons) in an outer urban area of the city, should aim to reduce car dependency on this site and ensure that the ring road is not compromised.
34. The site is reasonably constrained in terms of responding to a range of issues including protecting green space and Mousehold Heath. The existing vehicle access to the site is to be incorporated into the scheme, which is acceptable. Previous changes to the main carriageway have also been undertaken to serve the previous smaller church and additions to the access point will not be required. It is essential that all vehicles visiting the site may exit in a forward gear onto Heartsease Lane and do not lead to backing up of vehicles for those arriving onto this road.

### **Car Parking**

35. Initial parking design proposed 165 car spaces using County standards rather than the City Council parking standards. Being mindful that the risk of parking displacement onto the outer ring road must be balanced with the Local Plan requirement for parking restraint an increase of 8 spaces to extant car park is now proposed bringing the level down to 151 spaces.
36. The revised design assists with movement around the site and for access onto the playing fields on foot. The internal pedestrian route to and from Heartsease Lane to the building is also acceptable however it is suggested that the site road is designed as a shared surface making the site more pedestrian friendly and accessible to disabled people. The car park, on site footpaths and cycle parking areas would need to be adequately lit. Conditions are proposed to ensure suitable detailing and surfacing of the circulation and parking spaces.

### **Cycling Parking**

37. Cycling has been promoted, with cycle racks provided to the front of the entrances making them more secure and prominent features. The building also provides for changing facilities. Cycle parking figures are broadly similar to policy requirements and are acceptable. Conditions are proposed to ensure suitable detailing and provision of the parking spaces.

### **Vehicular Access and Servicing**

38. As the floorspace exceeds 1,000 sq metres space for an articulated vehicle would normally be required. The layout shows a coach parking bay which is welcome and could be used for other large vehicles. Tracking movements for large vehicles demonstrate vehicles may turn and exit in forward gear. Collections would be by commercial refuse collections and the proposed location of the bin store adjacent to the site access road is appropriate and final design and provision of the store area is suggested as a condition.

### **Cycle Routes and Pedestrian Links**

39. Discussion has taken place to encourage a link into the site from the southern boundary for cyclists and pedestrians. The applicant has raised concern about security and anti-social behaviour and has not pursued this option. It is regrettable that there could not be a direct cycle/footway link from Valley Drive into the site. This necessitates use of Heartsease lane which is a 40mph speed limit and a much less attractive route.
40. Whilst there are pavements and cycles may of course use Heartsease Lane this is not an attractive place to walk and cycle on a 40mph speed limit heavily trafficked route. A shared use cycle/footway is located on the opposite side of Heartsease Lane but this is not readily available to all visitors to the proposed church. Investment in Valley Drive to make it an all year round cycle/footway is underway and will enable use of the toucan crossing nearby. The pedestrian island on Heartsease Lane offers a limited facility for pedestrians/cyclists.
41. Due to the high numbers of visitors, constrained parking space and sensitivity of Heartsease Lane as a strategic route, and policy requirement to facilitate access by sustainable modes we would require the applicant to fund conversion and improvement of the pavement from Valley Drive to the pedestrian island on Heartsease Lane and into the site as a shared use cycle/footway to ensure linkages to local cycle/foot infrastructure for sustainable modes are optimised.

### **Potential impact on Heartsease Lane**

42. With a congregation of 400 persons, plus staff and any use of the football pitch, proposed car parking provision would need to achieve occupancy of at least 2.7 persons per vehicle if there was low take up of walk/cycle/bus. There is a risk that the car park would be oversubscribed and vehicles parked on Heartsease Lane. The applicant has been unable to provide traffic/parking data from similar establishments in an outer urban area. For these reasons waiting/loading restrictions are required from Rider Haggard Road to Salhouse Road on both sides of Heartsease Lane (no waiting/no loading at any time) and a condition is suggested requiring submission of details and implementation of these works.
43. In terms of impacts during construction the County Council have also suggested conditions relating to construction parking and wheel washing for construction vehicles leaving the site onto the ring road.

### **Travel Plan**

44. A draft Travel Plan is also submitted with the application which is welcome and has been subject to assessment by the County Council. Conditions are suggested relating to the implementation of an Interim Travel Plan and following that during the first year of occupation an approval of a Full Travel Plan. The Highways Authority also requires a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge are secured by a Section 106 Legal Agreement.

## **Environmental Issues**

### **Site Contamination and Remediation**

45. This proposal is on an area of land historically used as a cavalry exercise/drill ground amongst other uses. The proposed use is not an overly sensitive one, and it is not envisaged that any significant pollutant linkages exist on this site. The Environment Agency also notes that the development would appear to pose a low risk to controlled waters. This is acknowledged in the site investigation documentation supplied with the application. However, the report does refer to the potential for contamination and recommends intrusive investigation and soil testing is carried out, along with possible gas monitoring or gas protection of the buildings as appropriate. The Pollution Control Officer concurs with this recommendation. The developer should address risks including those to controlled waters from any potential contamination at the site and conditions to address any contamination remediation and verification including imported soil are suggested.

### **Noise and Plant and Machinery**

46. In terms of construction phases an informative is suggested for the permission in relation to considerate construction as recommended by the Pollution Control Officer. Equipment to be used with the building should be housed within the building within plant rooms. However to ensure control over the installation of extract systems and plant and machinery to avoid any amenity or external design issues conditions are suggested requiring submission of details for such equipment. Other amenity impacts are discussed above.

### **Flood Risk**

47. As the site is greater than 1ha a flood risk assessment has been provided to show how the proposal will impact on the site and surrounding area. Without appropriate surface water drainage the site could be at risk of on-site flooding. Proposals are

suggested to incorporate a soakage system north of the building for roof drainage and porous surfaces to road and parking areas to cope with 1 in 100 year storm event plus climate change without any above ground flooding or risks to the surrounding area. The Environment Agency has commented on the application and suggests a condition in relation to surface water drainage. Soakaways or other infiltration systems should only be used in areas on site where they will not present a risk to groundwater. In relation to potential impacts from land contaminants this would be controlled through conditions on contamination remediation and verification and incorporation of pollution prevention measures within the drainage system.

### **Archaeology**

48. The Historic Environment Service (HES) advises that the development sits within a former prisoner of war camp and prior to this the site was used as a military training area. The Heath itself is of archaeological interest as containing prehistoric remains. An archaeological report has been submitted with the application recording information found at four trial trenches across the site. Any areas of deposits not disturbed by the use of the site as a training area or church could be well preserved and if planning permission is granted HES have requested that this is subject to a condition for monitoring of further works.

### **Renewable Energy and Energy Efficiency**

49. The building is designed to host several different functions and at different levels of activity throughout the week. Assessment of energy use has therefore been broken into zones of use of floorspace to provide for calculation of baseline energy data on usage. The preferred option is for use of an 8kW air source heat pump within the first floor plant room. The proposed heat pump is calculated as providing 12% of the baseline energy assessment and as such would be acceptable. It would therefore be reasonable to impose a condition for the scheme.
50. With building use being predominantly as a church the requirement of BREEAM assessment can be limited. The agent has however indicated a number of measures aimed at enhancing solar gain and improved performance of the building envelope to reduce heat and light demand from non-renewable sources. Quality control on construction and use of internal lobbies to entrance points will also help reduce heating energy demand.

### **Sustainable Construction**

51. It is suggested within the submitted documents that modified construction methods will be adopted which reflect the standards proposed for commercial type buildings under the BREEAM process. Specific construction measures could also include local sourcing of materials, recycling and reducing site waste.

### **Water Conservation**

52. Equally the building being described as being designed to BREEAM standards with incorporating water saving facilities there is an expectation that facilities such as: dual flush WC cisterns; flow reducing aerating taps; grey water recycling etc could be used. It would therefore be reasonable to impose a condition for the scheme requiring the development to meet appropriate levels of water usage as promoted by JCS policy 3.

### **Lighting and CCTV**

53. Given the location of the site there are not considered to be impacts on adjoining users or residents arising from use of lighting or CCTV. However to ensure control over the installation of such systems to avoid any visual amenity, ecology or external design issues conditions are suggested requiring submission of details for such equipment.

### **Trees and Landscaping**

#### **Loss of Trees or Impact on Trees**

54. The site is mostly open ground with established trees and other shrub planting to site boundaries with the exception of the north side where there are wild grass features separating the site from the adjoining playing field. Shrub and tree planting along the road frontage is part of the previous planting put in place with the previous building and creates the basis of an attractive site frontage. More established trees and planting run along the west and south boundaries linking the site into the adjoining green space and heath.
55. Along part of the southern boundary a Leyland Cypress hedge has been established acting as a screen between the application site and adjoining sub station and commercial site. The AIA advises that these are reaching post maturity but do afford some amenity value within the area. Construction should not affect any of the trees to be retained on site with the exception of the Leyland Cypress hedge and two trees close to the south-west edge of the proposed car park area. However temporary construction exclusion zones during works should prevent impacts on the root protection areas and conditions are suggested to ensure compliance with the submitted tree protection plan and submission of additional method statement as a supplement to the AIA to ensure appropriate forms of protective fencing are provided. An auditable system of arboricultural site supervision and inspection is also suggested as a condition.

### **Ecology**

56. Apart from hard surfaces remaining from the former development a large part of the site is managed grassland which graduates into scrub and woodland habitat. The site was found to have limited botanical interest with habitats of low conservation value despite the proximity to Mousehold Heath. Ecological assessment of the site has been undertaken and recommendations submitted with the application.
57. In addition to the BAP species mentioned in the ecological report (notably birds, bats, badgers, common lizard and slow worm) Grass Snake (recorded since the Mousehold Heath management plan was published in 2008) and Hedgehog are present on Mousehold Heath and could, therefore, conceivably forage on the proposed development site also. The report provides suggestions for working methodologies, habitat enhancement and installation of features to benefit reptiles, bats and birds. To ensure a positive outcome for the maintenance and enhancement of habitats on the site and boundaries adjacent to Mousehold Heath Local Nature Reserve all the recommendations in the ecological report for this proposal should be implemented to minimise adverse impacts on wildlife.
58. The ecological survey found significant evidence that Badger is present on the site. Historically, badgers have been rare in Norfolk, but there is evidence that they may be increasing in numbers locally and colonising sites on the edges of Norwich. If badgers are living permanently on this site, their foraging range almost certainly



takes in parts of Mousehold Heath, so it is important that any boundary treatment for this site allows for 'permeability' so that badgers and other animals, such as hedgehog, are able to pass freely between the two areas. Attention should also be paid to lighting, as any which is poorly positioned may be detrimental to some species, particularly bats. Conditions are suggested to ensure suitable provision on site.

### **Replacement Planting**

59. Discussion has also taken place in terms of the landscape importance of the site and potential for site links and enhancements through site landscaping. The scheme as submitted provides a good level of detail and is a well considered and acceptable scheme. The level of parking has been reduced and as such this has further potential for site landscaping. Minor amendments will therefore be required to the submitted landscape drawings to reflect this change in layout. The thinning of shrubs and trees at the specification of the Landscape Architect on the north eastern frontage of Heartease Lane is acceptable however a plan should be submitted at the detail stage showing what is to be retained along with any replacement planting – including additional tree planting, if required. An implementation programme, written specifications and a landscape management plan are also required.

### **Local Finance Considerations**

60. The proposal might, if approved, result in additional business rate revenue for the Council and under section 143 of the Localism Act the council is required to consider the impact of new development proposals on local finance. However, it is also important to take into account other material considerations in assessing the merits of proposals, which in this case include the provision and siting of community services, impact on residential amenities, design, transport and environmental considerations, amongst other things.

### **Planning Obligations**

#### **Transport Improvements**

61. The Local Plan would normally require a transport contribution for development of this use and size to be assessed on its merits, usually using TRICs data for comparable developments as part of a Transport Assessment. A Transport Statement has been provided that does not offer this information; however, the former use as a church is a material consideration as well as the previous funding of access improvements to serve the site. If the recommended measures for cycling provision on Heartsease Lane are provided we would not seek to request a financial transport contribution or TA exercise. The off site improvements are therefore suggested as a condition to the permission.

62. The Highways Authority levies a charge to cover the on-going costs of reviewing and monitoring a Travel Plan annually. The Highways Authority also requires a Bond to ensure that the Travel Plan targets are met. Both the Bond and the monitoring charge are suggested as being secured by a Section 106 Legal Agreement.

### **Equality and Diversity Issues**

#### **Age**

63. The proposal will result in the change of an educational facility on the site, which is likely to have a disproportionate impact on young people. However, this use is currently unauthorised and a view taken not to seek action to remove site buildings

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pending negotiation with the Church for permanent site solutions. The facilities provided are intended to be first relocated within the site (subject to further detail of the relocation of the buildings) and then following construction works the use will be relocated to within the new building. The proposal also includes other new community and sport uses which are likely to be of particular benefit across the population spectrum. In this instance, therefore, it is considered that the proposal would not have an unacceptable impact on people of a particular age group within the community.

**Disability**

64. The proposals would provide purpose built and accessible church and community facilities located within an accessible location close to a predominantly residential area. The new building should be easier to access and use than existing temporary site buildings and is provided with level or ramped access, a lift to upper floors and other facilities. It is considered that the development is unlikely to result in any detriment to people with disabilities.

**Religious Belief**

65. A locally based place of worship would also tend to promote community cohesion consistent with policy aimed at social inclusion and full participation for all groups in the social, cultural, political and economic life of the city.

**Conclusions**

66. It is considered that the clearance and redevelopment of the site for the erection of a new church building (Class D1) incorporating preschool, sports and community facilities is acceptable in principle, subject to a legal agreement to secure the travel plan requirements. Subject to conditions, the proposal is considered to be an appropriate use for this site, which although located outside of an existing centre is in an accessible location and the nature of the precise uses proposed would complement the surrounding predominantly residential area.
67. The design and layout of the proposal is considered acceptable and provides adequate replacement green space and biodiversity and tree protection measures and would be unlikely to cause detriment to the visual amenity of the area or Mousehold Heath. The access and parking is considered suitable to meet the needs of the proposal and, subject to further details and travel plan, is unlikely to result in adverse impact on the adjoining highway network. The development is therefore considered to meet the NPPF, policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies of the City of Norwich Replacement Local Plan, relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013) and all other material considerations

**RECOMMENDATIONS**

To approve Application No 12/01444/F Norwich Family Life Church Heartsease Lane Norwich NR7 9NT and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include costs of reviewing and monitoring a Travel Plan annually and Bond to ensure that the Travel Plan targets are met; and
- (2) subject to the following conditions:
  1. Standard time limit;

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2. In accordance with approved plans and drawings
3. Non-residential development to be used as D1 and D2 uses as shown on floor plan only
4. Details of recessed panels, joinery, glazing, roofs, brick and cladding finishes, bin store, external lighting and CCTV equipment to be agreed
5. Details of proposed levels to be agreed
6. Details of relocation of the existing portakabin buildings
7. Details of arboricultural supervision and method statement to be agreed
8. Development to be in accordance with submitted AIA, tree protection plan and details as above
9. Tree protection to be retained and no changes etc within tree protection areas unless agreed
10. Details of hard and soft landscaping, including surfacing materials, boundary treatments, enclosures within the site, additional replacement tree planting, replacement green space, biodiversity enhancements to include bat and bird boxes and fence gateways, implementation programme, written specifications and a management method statement detailing how the planting will be maintained, to be agreed
11. Development to be in accordance with submitted ecology report
12. Intrusive investigation and remediation, as necessary, for contamination to be undertaken
13. Submission of verification report in respect of remediation of contamination
14. Measures to deal with unexpected contamination
15. Details of verification of imported topsoil
16. Details of sustainable drainage and surface water drainage strategy
17. Details for standards and features for water conservation to be agreed
18. Details of all plant and machinery associated with the development
19. Details of all extract, fume and flue systems associated with the development
20. Details and setting of noise limiter
21. Details for boundary noise levels to be agreed
22. Details to be agreed to provide at least 10% of energy demand from decentralised low or zero carbon sources
23. Details of the access road, car and coach parking, cycle parking, loading/unloading and turning areas
24. Details of scheme for provision for on site parking for construction workers for the duration of the construction period
25. Details of wheel cleaning facilities for construction vehicles
26. For the duration of the construction period all traffic associated with the construction of the development shall use the approved wheel cleaning facilities
27. Details of Interim Travel Plan
28. Implementation of the Interim Travel Plan and details during the first year of occupation of a Full Travel Plan based on the Interim Travel Plan
29. No use to take place unless waiting restrictions have been installed from Rider Haggard Road to Salhouse Road on both sides of Heartsease Lane
30. No use to take place unless shared use cycle/footway has been installed from Valley Drive to Salhouse Road along Heartsease Lane
31. Details archaeological site monitoring
32. Details of provision of fire hydrants

**Informatives**

1. Considerate constructors scheme (to avoid noise and disturbance)

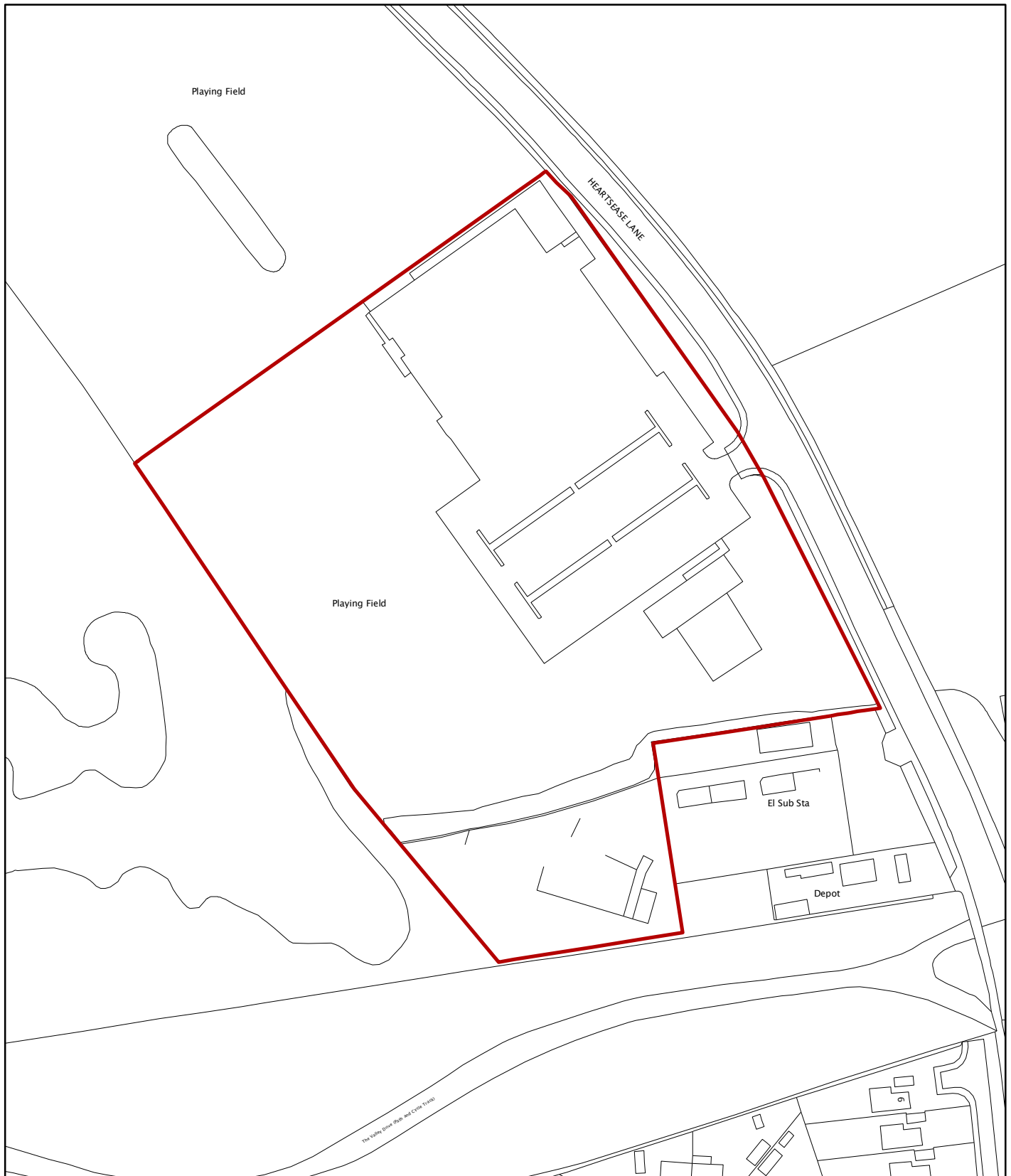
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2. Environment Agency advice on drainage and contamination
3. Anglian Water advice on AW assets
4. Norfolk County Council advice on travel information
5. Works within the highway and transport contact

Reasons for approval:

1. It is considered that the clearance and redevelopment of the site for the erection of a new church building (Class D1) incorporating preschool, sports and community facilities is acceptable in principle, subject to a legal agreement to secure the travel plan requirements.
2. Subject to conditions, the proposal is considered to be an appropriate use for this site, which although located outside of an existing centre is in an accessible location and the nature of the precise uses proposed would complement the surrounding predominantly residential area.
3. The design and layout of the proposal is considered acceptable and provides adequate replacement green space and biodiversity and tree protection measures and would be unlikely to cause detriment to the visual amenity of the area or Mousehold Heath. The access and parking is considered suitable to meet the needs of the proposal and, subject to further details and travel plan, is unlikely to result in adverse impact on the adjoining highway network.
4. Subject to conditions the development is considered to meet the requirements of the NPPF, policies 1, 2, 3, 5, 6, 7, 9, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies AEC2, EP16, EP18, EP20, EP22, HBE12, NE1, NE7, NE8, NE9, SR3, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11 and TRA12 of the City of Norwich Replacement Local Plan 2004 and relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013) and all other material considerations.

(3) authorise enforcement action to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings and the taking of legal proceedings, including prosecution if necessary.



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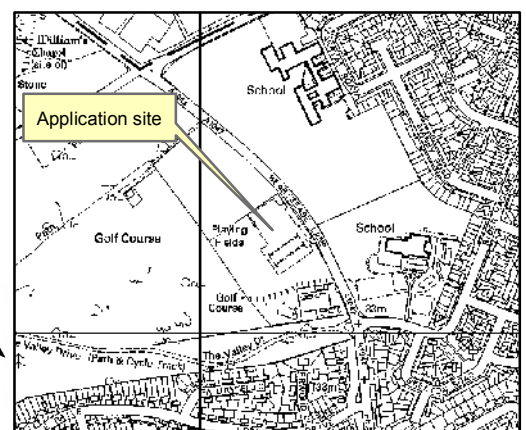
Planning Application No 12/01444/F  
 Site Address Norwich Family Life Church  
 Heartsease Lane

Scale 1:1,500



**NORWICH**  
 City Council

PLANNING SERVICES



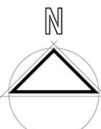


OPEN ACADEMY

HEARTSEASE LANE

EL SUB STN

MOUSEHOLD PITCH & PUTT COURSE



**EXTRACT FROM THE MINUTES OF  
PLANNING APPLICATIONS COMMITTEE  
HELD ON 18 APRIL 2013**

**8. APPLICATION NO 12/01444/F, NORWICH FAMILY LIFE CHURCH  
HEARTSEASE LANE, NORWICH, NR7 9NT**

The senior planner (development) presented the report with the aid of plans and slides, and answered members' questions.

During discussion members considered the future use of the building and were advised that the use was limited to that stipulated in the application. Members also discussed the period that would be allowed before enforcement action was taken for the removal of the portakabin building. Members were advised that 15 months should be sufficient for the applicants to comply with the notice and a construction timetable had formed part of their submissions, indicating times when activities should be completed. The council would not take immediate enforcement action if after that time the new building was close to completion. The senior planner advised members that children attending the schools on the other side of Heartsease Lane had easier access as those schools served a large residential catchment on that side of the road. The portakabins on the proposal site were on the opposite side of the road where people had to cross a busy road or arrive by car which therefore limited use on this detached site and was deemed to be in location terms "not sustainable" for a pre-school venue. The travel plan and improved cycle access, plus the range of uses with the main application however made the site more acceptable, managed and accessible.

**RESOLVED**, unanimously, to approve application no 12/01444/F Norwich Family Life Church, Heartsease Lane, Norwich, NR7 9NT and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include costs of reviewing and monitoring a Travel Plan annually and Bond to ensure that the Travel Plan targets are met; and
- (2) subject to the following conditions:
  1. Standard time limit;
  2. In accordance with approved plans and drawings;
  3. Non-residential development to be used as D1 and D2 uses as shown on floor plan only;
  4. Details of recessed panels, joinery, glazing, roofs, brick and cladding finishes, bin store, external lighting and CCTV equipment to be agreed;
  5. Details of proposed levels to be agreed;
  6. Details of relocation of the existing portakabin buildings;
  7. Details of arboricultural supervision and method statement to be agreed



8. Development to be in accordance with submitted AIA, tree protection plan and details as above
9. Tree protection to be retained and no changes etc within tree protection areas unless agreed
10. Details of hard and soft landscaping, including surfacing materials, boundary treatments, enclosures within the site, additional replacement tree planting, replacement green space, biodiversity enhancements to include bat and bird boxes and fence gateways, implementation programme, written specifications and a management method statement detailing how the planting will be maintained, to be agreed
11. Development to be in accordance with submitted ecology report
12. Intrusive investigation and remediation, as necessary, for contamination to be undertaken
13. Submission of verification report in respect of remediation of contamination
14. Measures to deal with unexpected contamination
15. Details of verification of imported topsoil
16. Details of sustainable drainage and surface water drainage strategy
17. Details for standards and features for water conservation to be agreed
18. Details of all plant and machinery associated with the development
19. Details of all extract, fume and flue systems associated with the development
20. Details and setting of noise limiter
21. Details for boundary noise levels to be agreed
22. Details to be agreed to provide at least 10% of energy demand from decentralised low or zero carbon sources
23. Details of the access road, car and coach parking, cycle parking, loading/unloading and turning areas
24. Details of scheme for provision for on site parking for construction workers for the duration of the construction period
25. Details of wheel cleaning facilities for construction vehicles
26. For the duration of the construction period all traffic associated with the construction of the development shall use the approved wheel cleaning facilities
27. Details of Interim Travel Plan
28. Implementation of the Interim Travel Plan and details during the first year of occupation of a Full Travel Plan based on the Interim Travel Plan
29. No use to take place unless waiting restrictions have been installed from Rider Haggard Road to Salhouse Road on both sides of Heartsease Lane
30. No use to take place unless shared use cycle/footway has been installed from Valley Drive to Salhouse Road along Heartsease Lane
31. Details archaeological site monitoring
32. Details of provision of fire hydrants

#### Informatives

1. Considerate constructors scheme (to avoid noise and disturbance)
2. Environment Agency advice on drainage and contamination
3. Anglian Water advice on AW assets
4. Norfolk County Council advice on travel information
5. Works within the highway and transport contact

#### Reasons for approval:

1. It is considered that the clearance and redevelopment of the site for the erection of a new church building (Class D1) incorporating preschool,



- sports and community facilities is acceptable in principle, subject to a legal agreement to secure the travel plan requirements.
2. Subject to conditions, the proposal is considered to be an appropriate use for this site, which although located outside of an existing centre is in an accessible location and the nature of the precise uses proposed would complement the surrounding predominantly residential area.
  3. The design and layout of the proposal is considered acceptable and provides adequate replacement green space and biodiversity and tree protection measures and would be unlikely to cause detriment to the visual amenity of the area or Mousehold Heath. The access and parking is considered suitable to meet the needs of the proposal and, subject to further details and travel plan, is unlikely to result in adverse impact on the adjoining highway network.
  4. Subject to conditions the development is considered to meet the requirements of the NPPF, policies 1, 2, 3, 5, 6, 7, 9, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies AEC2, EP16, EP18, EP20, EP22, HBE12, NE1, NE7, NE8, NE9, SR3, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11 and TRA12 of the City of Norwich Replacement Local Plan 2004 and relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013) and all other material considerations.
- (3) authorise enforcement action to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings after 15 months have expired from the date of the decision notice and the taking of legal proceedings, including prosecution if necessary.



**NORTH-EAST (A-A)**



**SOUTH-WEST**



**SOUTH-EAST**



**NORTH-WEST ELEVATIONS** 1:200

# **MATERIALS:**

- Roofing:  
Sarnafil or profiled aluminium mill finish. Exposed soffit finished in metal colour merlin grey.
- Windows, doors, brise soleil, structural supports & cross:  
PPC metal colour mid grey
- Rainwater goods:  
Metal mill finish or natural finish
- Curtain walling:  
PPC metal colour merlin grey, tinted glazing either neutral grey, green, blue, orange or red, some transparent and opaque (mid-grey) panels
- Walling:  
Clay facing brickwork colour red in two contrasting tones.
- Walling panels:  
Mid grey resin composite board
- Kitchen vent cowl:  
Stainless steel "chinese coolie hat" style
- Enclosure to outdoor play area:  
Natural timber boarding min 2.2 m high, top cut to shallow radius dropping down to 1.3 m high. PPC metal framed section beneath overhang with inset polycarbonate panels in colours to match glazing on church. Hedge over timber boarding section only dressed to 1.2 m high as landscape architect's drawing.

B	140312	Q5 issue:	pb	
A	150212	general minor revisions following planning comments	pb	
REV	DATE	DESCRIPTION	DRAWN	CHECKED BY
Revisions				

CF

Architects Engineers Quantity Surveyors

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Check all dimensions and report any errors or omissions.  
Do not scale from this drawing.

**Norwich Family Life Church**

Replacement Church  
Heartsease Lane  
Norwich  
Norfolk

**Proposed Elevations**

**3800**

54  
070611  
PB

B  
1:200@A3  
SCALE  
CHECKED BY:



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Planning Application No 12/01444/F

Site Address Norwich Family Life Church Heartsease Lane

Scale 1:2,000



**NORWICH**  
City Council

**PLANNING SERVICES**





