



PLANNING APPLICATIONS COMMITTEE

Date: **Thursday 10 October 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 -

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Democratic services
City Hall
Norwich
NR2 1NH

AGENDA

Page No.

Pre-application briefing

The pre-application briefing will be by GL Hearn (Agent) and Stanley Bragg Architects to present the revised Castle Mall proposal for the Back of the Inns entrance. The informal application no. is 13/01541/I.

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 12 September 2013.

5. Planning applications and planning enforcement **25**
(Report of the head of planning services)

Purpose - To determine the current planning applications as summarised on page **21** 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/>

6. Performance of the development management service, 1 July to 30 September 2013 (Quarter 2, 2013-14) **81**
(Report of the head of planning services)

Purpose - To report the performance of the development management service to members of the committee.

7. Performance of the development management service: Appeals: 1 July 2013 to 30th September 2013 (Quarter 2 2013 – 14) **87**
(Report of the head of planning services)

Purpose: To report the performance on planning appeals to members of the committee.

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.

2 October 2013



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PLANNING APPLICATIONS COMMITTEE

10.30am to 3.30pm

12 September 2013

Present: Councillors Bradford (chair), Gayton (vice chair), Ackroyd, Blunt Button, Gihawi (substitute for Brociek-Coulton), Grahame, Jackson, Little, Sands (S), Stammers (substitute for Neale) and Storie

1. DECLARATION OF INTERESTS

Councillor Stammers declared that she had been conversing with the developers of item 6 (below), application numbers 13/00970/F and 13/00971/L, Site at All Saints Green, Winnalls Yard in her role as ward councillor but had not expressed any views on the plans and therefore had not predetermined the applications.

2. MINUTES

RESOLVED to approve the minutes of the meeting held on 15 August 2013.

3. APPLICATION NO 13/01152/F & 13/01153/L - HELLESDON HOUSE 28 HELLESDON MILL LANE NORWICH NR6 5AY

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, which detailed an additional condition to the application and some minor corrections to the report.

In response to a member's question, the planner (development) said that no energy efficiency measures would be required as this application was only for three dwellings. There would be general provisions for these under building regulations.

RESOLVED, unanimously, 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
14. Removal of permitted development rights in relation to erection of fences, walls and means of enclosure on the site.

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.)

4. APPLICATION NO 13/00852/U SUMMER GARDEN AND LEISURE BUILDINGS THE OLD SADDLERY BLUEBELL ROAD NORWICH NR4 7LG

The planner (development) presented the report with the aid of plans and slides. During the presentation, the planner referred to the supplementary report of updates to reports, which was circulated at the meeting and summarised a supporting statement from the applicant and two additional representations objecting to the application along with a response from the planner.

A representative of the Yare Valley society addressed the committee and outlined his objections to the application. He was concerned about setting a precedent for change to the building which lies within the Yare Valley and also the lack of signage and increased traffic to the site.

The planner (development) said that the impact on the river valley had been considered when looking at the application and reminded the committee that this was not an application for a new development but was for a change of use to the existing building.

The applicant said that she was working with Ofsted and the early years development team at Norfolk County Council in setting up the nursery. She also said that two minibuses would be provided for transport to the nursery and they were hoping to provide free first aid courses for local residents as well as activities for children in the area.

Discussion ensued in which the planner (development) answered questions from members. Concerns were raised regarding the safety of cyclists and pedestrians when coming into the site and crossing the site entrance. The planner (development) said that as the application was for a 2 year change of use, it would not be reasonable to ask the applicant to contribute towards changes to the junction, although this may be considered if an application for a permanent change of use was made. The planner (development) agreed to add a condition to the application that a white line be added to delineate a footpath / cycle path into the site.

The planning development manager explained that as the application was only for two years, a travel plan would not be viable as it would take most of this time to monitor traffic patterns and produce the plan.

RESOLVED , with 6 members voting in favour (Councillors Bradford, Gayton, Blunt, Gihawi, Button and Little), 4 members voting against (Councillors Ackroyd, Grahame, Stammers and Sands) and 2 members abstaining (Councillors Jackson and Storie) to approve Application No 13/00852/U at Summer Garden and 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, lining of a pedestrian footpath into the site and broken white line at entrance to site from the highway 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.

5. APPLICATION NO 13/01122/O 76 ST CLEMENTS HILL NORWICH NR3 4BW

The planner (development) presented the report with the aid of plans and slides. She reminded members that the decision on this application had been deferred from the January meeting of the planning applications committee to allow an ecological survey to take place which had recently been completed. The ecology officer had reported that there were no protected species on the plot. During the presentation, the planner referred to the supplementary report of updates to reports which summarised two additional representations received and the planner's response. It also included details of a petition signed by 132 people against the application.

A resident of the area addressed the committee and outlined his objections to the application. He was concerned that the site was too small for two dwellings and also about pedestrian safety with the access road being in more frequent use.

Another resident voiced his concerns that this application would lead to an increase in traffic and emissions and didn't feel that the extra noise and invasion of privacy had been considered.

A representative of 6 Chamberlain Road addressed the committee and asked that some photographs of the access track be shown to illustrate the proximity to 6 Chamberlain Road. She said that all ground floor windows of this property face the access track and the residents would be affected by increased traffic and emissions. She also said that any screening would obscure all daylight from the ground floor of the house.

The planner (development) reminded the committee that the previous application for this site was a much larger development and had been withdrawn. She also said that this area was a conservation area for the built element only and that there was no blanket ban in planning policy for building on conservation areas. Other gardens in the area were still substantial and as the planned development would not be clearly visible from St Clements Hill, it would not adversely affect the Conservation Area.

The agent for the applicant spoke to the committee and said that the land deeds for this site showed dwellings had previously been built on the site. He felt that the application was a sympathetic design and would improve the mixture of properties in the area.

Discussion ensued in which the planner (development) and the planning development manager answered member's questions. The planning development manager explained that access to the entrance of the site was something that would not be dealt with under planning policy but would be a civil matter to be settled between landlords if access was denied. The width of the track was also considered adequate in relation to the volume of traffic using it. The application was for two small dwellings and the planner (development) did not feel that this would lead to a significant increase in the volume of traffic on the site.

RESOLVED, with 8 members voting in favour (Councillors Bradford, Gayton, Ackroyd, Blunt, Gihawi, Button, Little and Storie) 3 members voting against (Councillors Grahame, Jackson, and Sands) and 1 member abstaining (Councillor Stammers) 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

(The committee adjourned for lunch from 12.45pm until 1.30pm. The committee reconvened with all members present as listed above with the exception of Councillor Bradford.)

6. APPLICATION NO 13/00970/F AND 13/00971/L: SITE AT ALL SAINTS GREEN, WINNALLS YARD AND QUEENS ROAD, NORWICH

(Councillor Gayton, vice chair, was in the chair for this item.)

The senior planner (development) presented the report with the aid of plans and slides. During his presentation, the planner referred to the supplementary report of updates which summarised a further representation from the bus operator, further information relating to the applications and amendments to the recommendations in the report.

In response to questions from members, the senior planner confirmed that there would be a car club parking space on the site but the developer would not be asked to provide a car club car as part of the application as the site is close to transport links. Members raised concerns about the loss of the workshop buildings on All Saints Green. The senior planner said that no businesses had come forward to use the buildings as commercial spaces, which would be the most suitable use for them and that number 50 All Saints green would benefit from having the pocket park in front of it as a public space.

RESOLVED, unanimously, subject there being no objections being received from 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
 - 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 28th 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;
 - Cycle hire facilities to be included in the landscaping and layout;
 - 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;
 - The Travel Plan shall include, and the development shall be operated to include formal means to restrict car ownership and use at the site within the Tenancy Agreement;
 - 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 – to be approved prior to commencement of development and provided 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 Winnals 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: 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).
- (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) street trees.
 - (c) car club bay.
 - (d) short-term loading bay.
 - (e) street furniture (e.g, benches between trees)
 - (f) shared surface.
 - (g) visitor cycle hoops.
 - (h) sufficient room for loading vehicle turning circles.
 - (i) installation of, and access to, a cycle hire scheme facilities.
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:
 - 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
- Pedestrian zone TRO required £1695 + signage.

2. EA – re contamination works:

- Piling and 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.)

7. APPLICATION NO 13/01313/NF3 23, 27 & 29 TRORY STREET NORWICH NR2 2RH

(Councillor Bradford was readmitted to the meeting at this point and resumed the chair.)

The planner (development) presented the report with the aid of plans and slides. During his presentation, the planner referred to the supplementary report of updates to reports which summarised additional letters of objection, a letter of support and the planner's responses.

Two local residents addressed the committee and said that they were concerned that as the area was a conservation area, the character of the Victorian street should be retained as far as possible. If the application were approved, it would mean that a quarter of the houses on this street would be changed and would look out of place.

The conservation officer explained that any changes to a property under a article four order must have planning permission granted. This maintained consistency in certain areas. The planner showed the committee an example of a UPVC sash window installed in another property to show how the design of the window would fit in with the character of the properties. He said that the design and the materials were considered when making recommendations.

The planning development manager emphasised that, although this application relates to a council owned property, it has been assessed and dealt with in an identical way to a privately owned property. The conservation officer's design advice had no regard to the identity of the applicant.

RESOLVED with eight in favour (Bradford, Gayton, Ackroyd, Blunt, Gihawi, Button, Grahame, Jackson and Little) one against (Sands) and one abstention (Storie) to approve Application No (13/01313/NF3 23, 27 and 29 Trory Street, Norwich, NR2 2RH and grant planning permission, subject to the following conditions:-

1. Standard time limit.
2. In accordance with the approved plans.

8. APPLICATION NO 13/01002/F 5 KINVER CLOSE NORWICH NR4 7QZ

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 summarised an additional representation from a ward councillor and the planner's response.

A local resident addressed the committee and said that her garden backed onto the site of the applications. She circulated a copy of her representation to the committee. She explained that the seating area in her garden would be overshadowed by the proposed timber store and felt that she would lose the use of a primary area of her garden.

The planner explained that if the height of the timber store was dropped below the height of the dividing fence, the building would be unusable as it would only be 0.8 metres high.

In response to a question from a member, the planning development manager explained that overshadowing guidelines only related to occupiable rooms and that there was no restriction on trees or shrubs which may cause greater overshadowing than a building. The planner said that the area of garden belonging to the objector was in frequent use, however, it was a large garden so other areas could be utilised as a seating area.

RESOLVED with ten members voting in favour (Councillors Bradford, Gayton, Ackroyd, Blunt, Gihawi, Button, Grahame, Jackson, Little and Storie) and two members voting against (Stammers and Sands) 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.

(Councillors Gihawi and Sands left the meeting at this point.)

9. APPLICATION NO 13/01203/F SITE OF FORMER GARAGES AT 41 - 43 CHURCHILL ROAD NORWICH

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

RESOLVED unanimously, 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.

(Councillor Little left the meeting at this point.)

**10. 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. He explained to the committee that the applicant had not yet been able to secure funding for the shell of the main building and that removing the necessity for a section 106 agreement and release of a planning permission for the site might assist the applicant to secure funding and begin building.

RESOLVED, unanimously, to:

- (1) approve application no 12/01444/F Norwich Family Life Church Heartsease Lane Norwich NR7 9NT and grant planning permission, 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

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.

CHAIR

Applications for submission to planning applications committee, 10 October 2013

**ITEM
5**

Item No.	Case Number	Page	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
5(1)	13/01232/F	25	1 Buttercup Way Norwich NR5 9JQ	John Dougan	Erection of one and a half storey side extension.	Members Request	Refuse
5(2)	13/01300/F	33	Land opposite 6-8 Bland Road	Tracy Armitage	5 dwellings	(Council owned garage site)	Approve
5(3)	13/01356/F	41	Garages opposite Markham Towers, Bowers Avenue	Tracy Armitage	6 dwellings	(Council owned garage site)	Approve
5(4)	13/01340/F	49	Land adj to 66 Watling Road	Tracy Armitage	2 dwellings	(Council owned garage site)	Approve
5(5)	13/01314/NF3	57	10, 12, 18, 28, 34 & 57 Essex Street	James Bonner	Window replacement works to houses (timber to PVC).	Objections	Approve
5(6)	13/01283/F	67	25 Neville Street	Lara Emerson	Replacement of windows	Objections	Approve

Enforcement Reports:

Item No.	Case Number	Page	Location	Case Officer	Breach	Reason for consideration at Committee	Recommendation
5(7)	13/00148/CON SRV/ENF	75	39 Neville Street	Ali Pridmore	Replacement Windows, Door and Demolition of Boundary Wall	Enforcement Action Recommended	Authorise enforcement action up to and including prosecution

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 10 October 2013
Report of Head of planning services
Subject 13/01232/F 1 Buttercup Way Norwich NR5 9JQ

Item
5(1)

SUMMARY

Description:	Erection of one and a half storey side extension.
Reason for consideration at Committee:	Member's Request
Recommendation:	Refuse
Ward:	Bowthorpe
Contact Officer:	John Dougan Planner 01603 212526
Valid Date:	2nd August 2013
Applicant:	Mr Elliott Green
Agent:	Mr Sandy Inglis

INTRODUCTION

The Site

Location and Context

1. The is residential in character, being a mixture of semi and detached single and two-storey properties of varying styles. The boundary treatments fronting the public highway varies, with some examples of 2m high brick walls to some stretches of The Runnell.
2. The building line either side along The Runnel is relatively consistent with small gardens between the frontage of each dwelling and the public footpath. That being said further to the south, there is a two metre high wall fronting The Runnel through to Dodderman Way.
3. There is a two-storey gable fronted dwelling occupying a corner plot location (The Runnel / Speedwell Way) having its primary frontage just over 1 metre (at its nearest point) from the rear of the public footpath on The Runnel.
4. The subject site is a two-storey semi-detached property of red brick construction located on a corner plot on Buttercup Way / The Runnell, having a small garden to the front, a garden / driveway to the side and a garden to the rear. The existing west elevation is approximately 5 metres (at its nearest point) from the back of the footpath on The Runnel. It is also noted that recent planning approval (12/00153/F) has being implemented i.e. a 2 metre high wall to part of the boundary with The Runnel. It is estimated that the size could accommodate parking for between 4 – 5 cars.

Planning History

5. There are no previous applications in relation to extending the property. The original application in 1989 removed permitted development rights for the enlargement to the property (reference 89/1252/F approved 7 December 1989) to safeguard the amenities of residents and the character of the area.

Equality and Diversity Issues

6. There are no significant equality or diversity issues.

The Proposal

7. The original proposal was for the erection of a two storey extension to the side of the property having a footprint of 4.2m by 7.5m being set back from the main frontage by 0.35m.
8. The applicant submitted revised plans describing it as a one and a half storey side extension having a footprint of 3.8m by 7.9m projecting past the main frontage by 0.8 m and set back from the rear elevation by 0.8 m. The Juliet balcony has now been removed.
9. The materials will match those of the existing dwelling. It will increase the number of bedrooms in the property from 3 to 4.

Representations Received

10. Adjacent and neighbouring properties have been notified in writing. In light of the revised plans being received, a further period of consultation was undertaken.
11. No letters of representation have been received

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 7 – Requiring good design

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

Policy 2 – Promoting good design

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

HBE12 – High quality design with special attention to height, scale, massing and form.

EP22 – Residential amenity

TRA6 – Parking standards (maxima)

Other Material Considerations

Emerging policies of the forthcoming new Local Plan (submission document for examination, April 2013)

Written Ministerial Statement: Planning for Growth March 2011

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

DM2 - Ensuring satisfactory living and working conditions
DM3 - Delivering high quality design
DM31 - Car parking and servicing

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.

Principle of Development

Policy Considerations

12. The principle of extending an existing residential property is acceptable subject to the extension being of an appropriate scale and design which responds to the character of the area, respects the appearance of the original property, the visual amenities of the street scene and the amenities of nearby properties. It should also provide sufficient parking for its residents.

Design

Layout

13. Consideration also has to be given to emerging policy DM3 which also makes reference to the fact that proposals should respect, enhance and respond to the character and local distinctiveness of the area. In addition, this policy also states that appropriate attention should be given to the height, scale, massing and form of development including the avoidance of dominant or incongruous extensions and alterations to existing buildings. In light of the fact that no objections have been made to these criteria, it should be given some weight in the determination of this application.
14. The original two-storey proposal represented a significant structure in the street scene that was considered to be relatively open, the majority of the houses along this side of the road having a relatively consistent building line set back from the footpath along The Runnel. Similarly, whilst the extension was slightly set back from the frontage along Buttercup Way, it was nearly as wide as the original dwelling, being of scale which was unsympathetic to the profile of the original dwelling and projecting significantly into sight lines along The Runnel.
15. Whilst the revised proposal is slightly narrower and occupies a smaller foot print to the original proposal, it would still represent a significant addition to the original dwelling. That being said, the key positive change is a marked reduction in the height of the ridge and the change to the profile of the roof including the addition of a hipped dormer.

16. The new proposal is considered to represent a considerable improvement on the original submission, by creating an addition which is more subservient to the original dwelling and therefore more sympathetic to its appearance and the visual amenities of the street scene.
17. However, such a scale of extension will still be highly visible in the street scene and would be dominant and incongruous in the context of its surroundings, being located on the corner of Buttercup Way and central to views along the Runnel looking northwest and southeast.
18. There are other factors that need to be taken into consideration when establishing area character in particular the recent addition of the 2m high wall to The Runnel, which in itself has the effect of introducing a built form adjacent to the road. Furthermore, there is another example of a similar scale two-storey property which has its frontage in close proximity to the road. Although, this example has a very different visual relationship with the road and the surrounding built environment.
19. The scale and design of the revised proposal is more sympathetic to the appearance of the original dwelling, but will still represent a prominent feature when viewed from the street.

Impact on Living Conditions

Outlook

20. The extension is not in close proximity to any nearby properties and its profile is subordinate to the profile of the existing dwelling. Therefore, it is not considered to be significantly overbearing from the perspective of nearby properties.

Loss of light and overshadowing

21. Given the orientation of the dwelling and the position of the extension a reasonable distance from the front windows of 53 The Runnel there is no significant loss of light or additional overshadowing of nearby properties.

Overlooking

22. Whilst there will be new first floor windows to both the front and rear elevations, they either do not look directly into any sensitive areas or are an adequate distance away to ensure that no significant overlooking or loss of privacy will result.

Transport and Access

Car Parking

23. The proposal will reduce the amount of car parking space on the site, but still leave space for at least one standard size space (5 x 2.5 metres). Parking standards advise that a maximum of two spaces should serve a dwelling of this size.
24. The street is not subjected to any significant on street parking by other residents. There were also no parking restrictions in place, meaning that occupants could park on the main road.
25. The revised parking arrangement is acceptable.

Conclusions

26. Although the scale and design of the revised proposal is sympathetic to the appearance of the original dwelling, it will still represent a prominent feature when viewed from the street. On balance it is considered that the scale and position of the extension, in a prominent corner plot location, is considered to be of a disproportionate size which will appear both dominant and incongruous having a detrimental impact on the visual amenities of the street scene and the character of the area which is predominantly of dwellings set back from the north side of The Runnel. The extension will not result in any significant loss of amenity of any nearby properties. The revised layout will leave adequate parking for the extended dwelling.

RECOMMENDATIONS

To refuse planning permission for Application No 13/01232/F at 1 Buttercup Way for the following reasons:

The scale and position of the extension in the context of a prominent corner plot location is considered to be of a disproportionate size which will appear both dominant and incongruous having a detrimental impact on the visual amenities of the street scene and the character of the area which is predominantly of dwellings set back from the north side of The Runell. The harm caused to the visual amenities of the street scene and the character of the area would outweigh the benefits of the proposal and on balance is considered to be unacceptable. It is therefore contrary to paragraphs 60 and 64 of the National Planning Policy Framework 2012, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, policy HBE12 of the City of Norwich Replacement Local Plan 2004 and emerging policy DM3 of Development Management Policies Development Plan Document August 2012.

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. The local planning authority has sought to negotiate amendments to the scheme in order to overcome the reasons for refusal outlined above. However the revised scheme is not representative of what was suggested in order to ensure the development complies with national policy and the development plan as such the application has been refused for the reasons outlined above.



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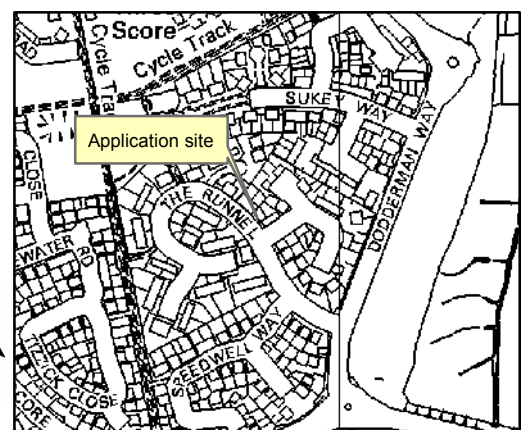
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 Site Address 1 Buttercup Way, Norwich NR5 9JQ

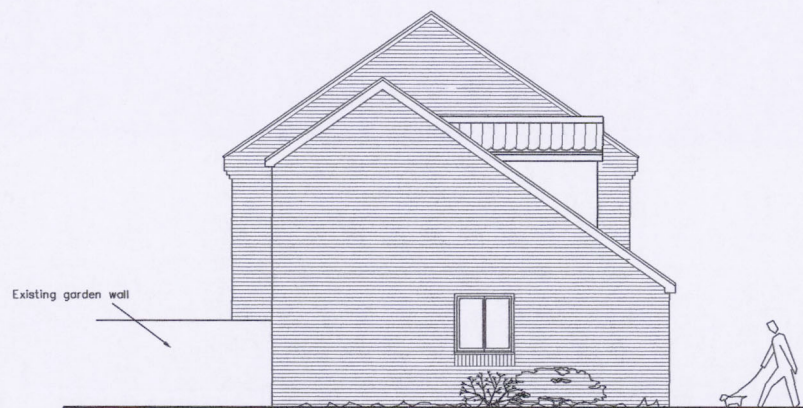
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PLANNING SERVICES

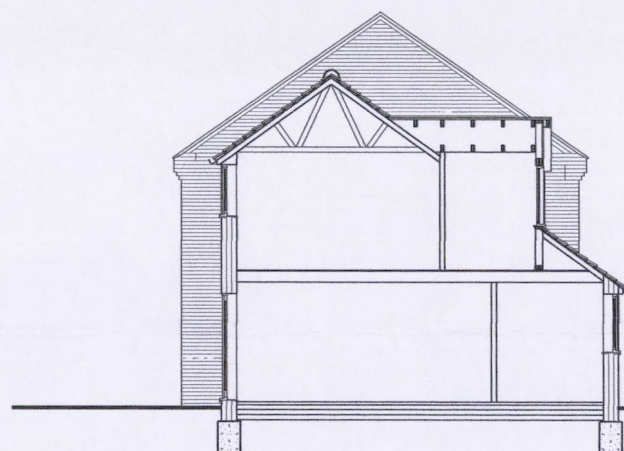




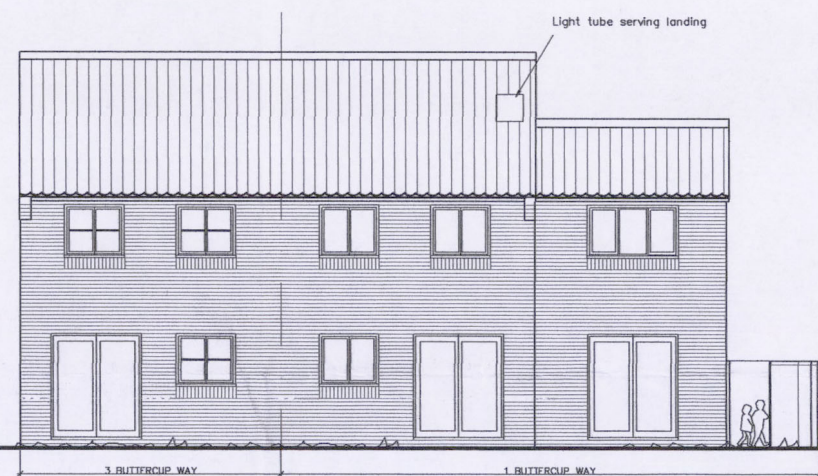
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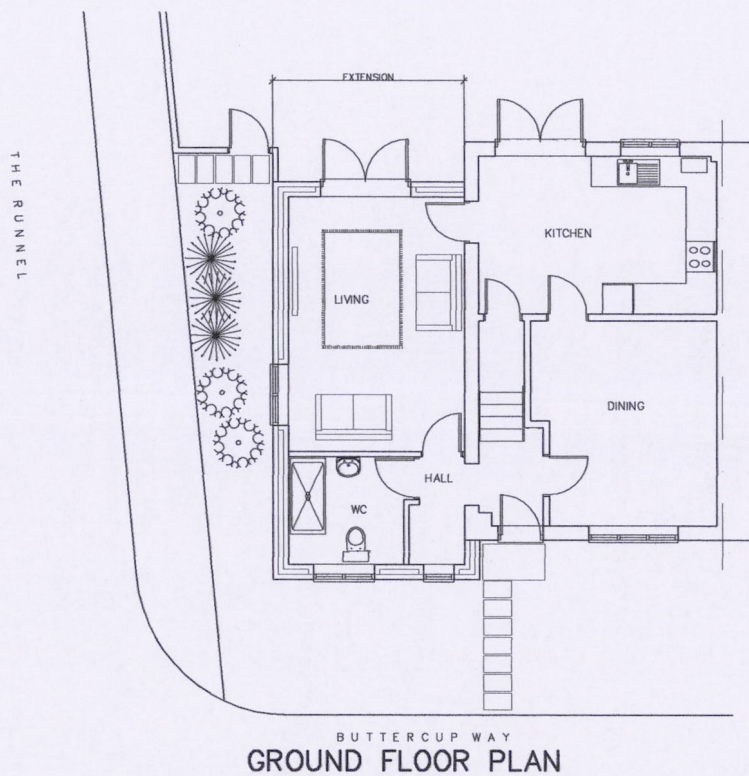
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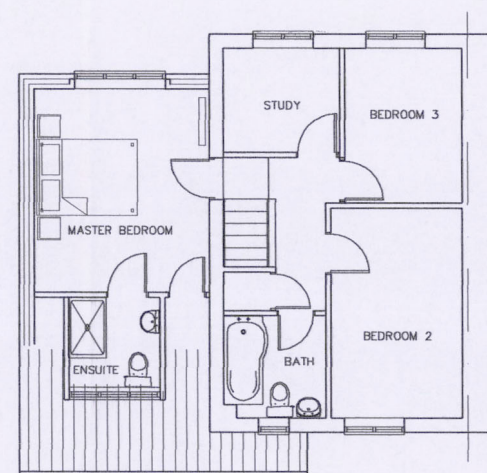
SECTION



REAR ELEVATION



BUTTERCUP WAY
GROUND FLOOR PLAN



FIRST FLOOR PLAN

Report to Planning applications committee
Date 10 October 2013
Report of Head of planning services
Subject 13/01300/F Land opposite 6 to 8 Bland Road Norwich

Item
5(2)

SUMMARY

Description:	Erection of 2 No. two bed houses and 3 No. three bed houses.
Reason for consideration at Committee:	City Council development
Recommendation:	Approve
Ward:	Bowthorpe
Contact Officer:	Tracy Armitage Senior Planner - Development 01603 212502
Valid Date:	17th August 2013
Applicant:	Orwell Homes
Agent:	Rees Pryer Architects LLP

INTRODUCTION

The Site

Location and Context

1. The site comprises 26 unoccupied council owned garages located on the eastern side of Bland Road. The site has a street frontage and faces two storey houses located on the opposite side of the road and shares a boundary with four storey flats on Wilberforce Road. Public open space lies immediately to the east and south of the site

Constraints

2. Semi-mature trees are located immediately to the north and east of the site
3. The site abuts land designated as open space, which in this location is used for children's play. The play area adjoins a wider open space network which is designated a County Wildlife Site and falls within the Yare Valley Character Area part of the River Valley.

Topography

4. The site is generally level with a gentle fall in a southern direction.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

5. The proposal consists of the re-development of the site for affordable housing following the demolition of the existing garages. A terrace of five two storey

dwelling is proposed, fronting Bland Road (3x three-bed and 2x two-bed) with private gardens to the rear.

6. Parking is proposed in a lay-by, to be created to the front of the new terrace.

Representations Received

7. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

Consultation Responses

8. Local Highway Authority – No objection
9. Natural Areas Officer - This currently derelict site has little biodiversity value, and its use for new housing should improve the overall character of the area. The mitigation measures outlined in the ecological report should be applied during the construction phase, and construction plant and building materials should not encroach upon the County Wildlife Site boundary. I was unable to access the revised design statement, but the biodiversity enhancements suggested in the ecological report should be incorporated into the development wherever feasible. In addition, ground level 5"/12 cm gaps should be provided in both the external and internal garden boundaries, which I understand will be close-boarded timber fencing, to allow hedgehogs and other small animals free passage through the development upon its completion.
10. Norfolk Constabulary – No objection
11. Environmental Health – A desk top investigation has been carried out to assess the risk of contamination of this garage site. The risk is considered low but further precautionary testing is recommended – this can be addressed through the imposition of a suitable planning condition.

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 11 – 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 3 Energy and Water

Policy 4 Housing delivery

Policy 12 The remainder of the Norwich urban area, including the fringe parishes

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

NE1 River Valleys and other environmental assets

NE7 Locally designated sites of nature conservation
HBE 12 High quality of design in new development
EP1 Contaminated land and former landfill sites
EP16 Water conservation and sustainable drainage systems
EP18 Energy Efficiency in development
EP22 High standard of amenity for residential occupiers
HOU5 Accessible housing
HOU6 Development Requirements for Housing Proposals
HOU 13 Proposals for new housing development on other sites
TRA6 Parking standards
TRA7 Cycle parking standards
TRA8 Service provision

Other Material Considerations

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

DM1 Sustainable development principles for Norwich
DM2 Ensuring satisfactory living and working conditions
DM3 Delivering high quality design
DM4 Providing for renewable and low carbon energy
DM8 Planning effectively for open space and recreation
DM9 Safeguarding Norwich's heritage
DM12 Ensuring well-planned housing development
DM28 Encouraging sustainable travel
DM 30 Access and highway safety
DM31 car parking and serving

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. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:
Emerging policies of the forthcoming new Local Plan (submission document for examination, April 2013):

Key matters for consideration

- Principle of residential development of this site
- Suitability of this site for residential development
- Design considerations.
- Amenity consideration for future and adjoining residents
- Impact of the development on the adjoining open space and trees

Principle of Development - Policy considerations

12. The garage site is unused, has stood empty for some time and has needed to be made secure following incidents of break-ins and vandalism. The site has had no prior commercial use and is located within a primarily residential area subject to

no specific policy designations.

13. This previously developed site is in an accessible location, within the urban area and in an area of existing housing. The principle of development is therefore in accordance with the objectives of National and Local Policy which promote sustainable housing growth and JCS Policy 12 which encourages neighbourhood based renewal. The proposal will deliver two and three bedroom family homes and contribute towards meeting identified housing need in the city.

Design and amenity

14. The site is considered suitable for the number of dwellings proposed and the layout provides adequate space for private gardens and reasonable levels of outlook and amenity. Amenity levels will also be considerably enhanced by the ease of access from this site to the adjacent public open space and play area. The site is well enclosed by existing boundary tree planting which provide a distinct visual break between the site and the flats to the north. In this position the trees both filter views of the development from properties and minimise overshadowing and overlooking effects.
15. The terraced built form makes efficient use of the space available and creates a strong street presence. The properties are arranged to be as safe as possible, with natural surveillance, lighting and well defined public/private spaces. The proposed dwellings are of similar height and scale to the existing properties opposite and have a simple contemporary appearance, incorporating an asymmetrical roof form, large windows to maximise natural light and external finish featuring brick and natural timber. The design of the properties is such that they will positively contribute to the residential character of the area.

Impact on trees and landscape

16. The scheme seeks to ensure that the trees adjoining the site are not affected by the development and their retention will substantially soften the visual impact of the new dwellings on the character and appearance of the adjacent open space and Yare Valley Character Area. Given the scale of the development and the boundary trees, it is considered that the development will integrate well into the wider landscape. The Council's Open Spaces Officer has raised no objection to the application and has made some details recommendation to ensure that opportunities are taken to support local biodiversity.

Sustainability matters

17. The design approach has been guided by sustainable development principles and seeks to minimise energy needs both during construction and by residents, long term. The terrace is orientated on an east – west axis and fenestration is arranged to maximise natural day light and solar gain. In addition the dwellings have been designed to meet level 4 of the Code for Sustainable Homes and will be highly insulated. The approach ensures that materials and construction methods used are A/A+ rated by the Green Guide and that a smaller scale measures to enhance biodiversity are incorporated into the garden plots.

Affordable Housing

18. On residential schemes of this scale, adopted policy requires 20% of dwelling numbers to be affordable. This scheme exceeds policy requirements and all of the proposed dwellings would be made available by a registered provider at an affordable rent. The Norwich area has an identified need for new affordable

housing with 677 affordable homes needing to be developed in Norwich each year and this development will contribute towards meeting this target.

19. The promotion of this council owned site has been discussed with Orbit Housing Association who have committed to the whole site being affordable housing in perpetuity secured through a covenant in the contract for the sale. They have indicated however that to attract the HCA grant required to make the scheme eligible and viable for development, that they would require the use of affordable rents. Orbit have indicated that the rent difference between social and affordable rents will be negligible and the houses will average about 75% of the lower 30th percentile of market rent. Given that the site will be 100% affordable the proposed tenure is considered to be acceptable.

Parking and servicing

20. Parking is proposed to the front of the development in a new lay- by within the adopted highway. The lay-by would provide 5+ parking spaces and would be available but not exclusive to the development. Secure cycle parking is proposed in the rear garden of each dwelling. The local Highway Authority is satisfied with this provision, in a location that is also served by a regular bus service.
21. Bin storage is proposed within the rear garden area of each dwelling accessed via a rear passage way. The location and access arrangements are considered satisfactory.

Local Finance Considerations

22. 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. In this case the financial considerations are relatively limited and therefore limited weight should be given to them.

Financial Liability	Liabe?	Amount
New Homes Bonus	Yes	Based on council tax band. Payment of one monthly council tax amount per year for six years + affordable housing premium
Council Tax	Yes	Band not yet known
Community Infrastructure Levy	Yes – Social Housing Relief available.	Nil
Business Rates	No	-

Conclusions

23. It is considered that the garaging is not currently providing an effective use of land and that the proposed development will deliver significant benefit in terms of delivering new affordable homes and urban renewal. The design layout is considered acceptable with a good relationship between public and private realm. Access, parking and servicing arrangements are also considered to be appropriate as are the amenity standards for existing and proposed dwellings. The development also responds to site constraints in terms of their implications for trees, energy efficiency and contamination. Subject to the conditions listed the

proposals are considered to be acceptable and will provide for much needed housing development in this part of the City.

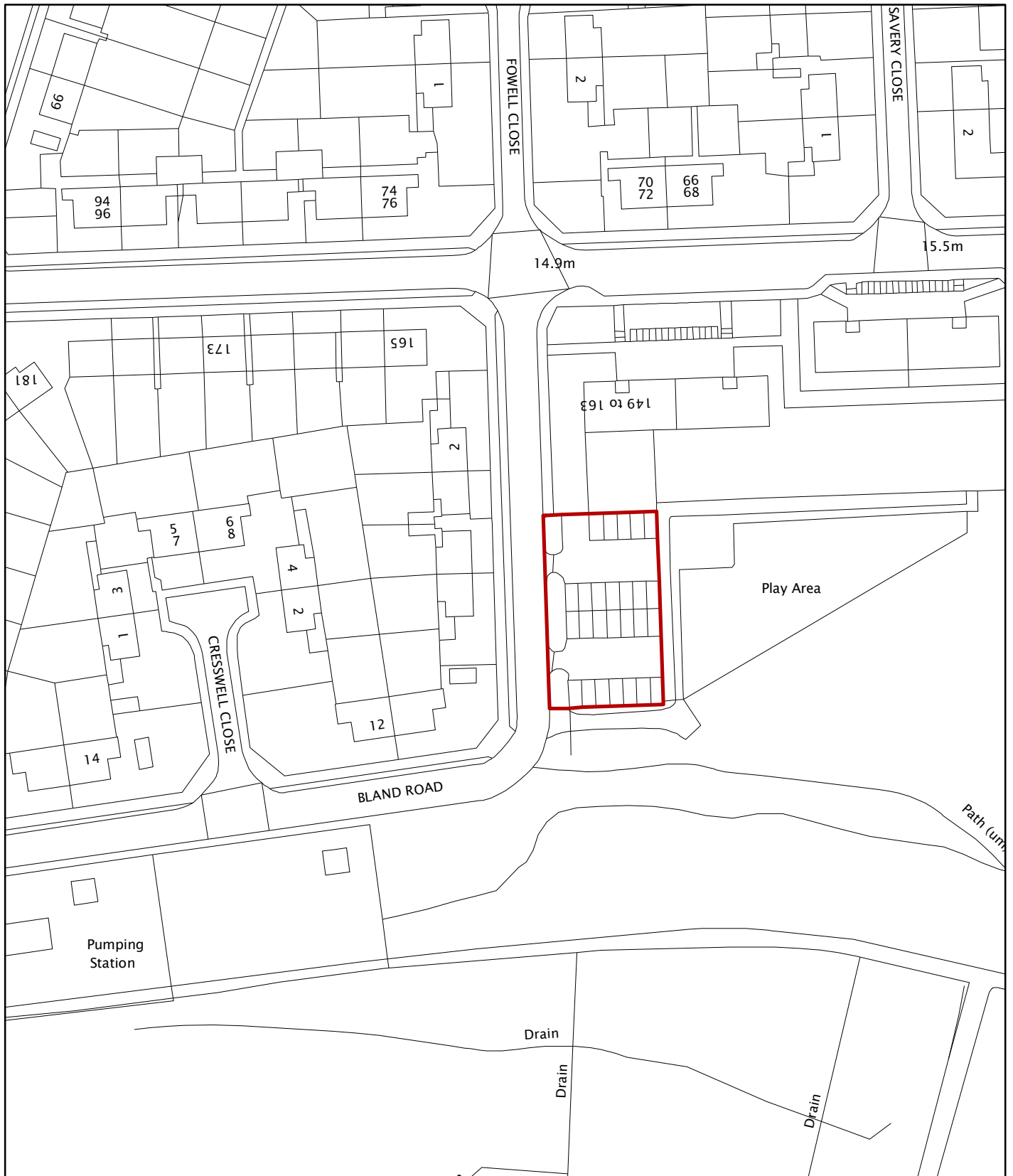
RECOMMENDATIONS

To approve Application 13/01300/F land opposite 6-8 Bland Road and grant planning permission, subject to the following conditions:-

1. Commencement of development within 3 years from the date of approval;
2. Development to be in accordance with drawings and details
3. Details of facing and roofing materials; joinery; boundary treatments, walls and fences; external lighting;
4. Details of hard and soft landscaping, planting, biodiversity enhancements.
5. Details of tree protection measures/provision and retention
6. Method statement for the construction of side and rear access/erection of boundary fence
7. Development to be implemented in accordance with the recommendations set out in section 5 of the Ecological survey and pre-assessment survey ref:2013/113
8. Details and provision of off-site car parking
9. Details and provision of cycle parking
10. Implementation of sustainability measure/energy efficiency measures as outlined in Design and Access Statement
11. Site contamination conditions
12. Control on imported materials

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 in the committee report.



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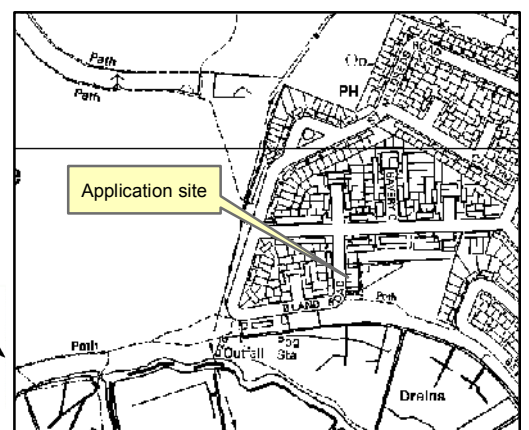
Planning Application No 13/01300/F
 Site Address Land opposite 6-8 Bland Road

Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES



Report to Planning applications committee
Date 10 October 2013
Report of Head of planning services
Subject 13/01356/F Garages Opposite Markham Tower Bowers Avenue Norwich

Item
5(3)

SUMMARY

Description:	Erection of 2 No. one bedroom dwellings and 4 No. two bedroom dwellings.
Reason for consideration at Committee:	City Council development
Recommendation:	Approve
Ward:	Mile Cross
Contact Officer:	Tracy Armitage Senior Planner - Development 01603 212502
Valid Date:	23rd August 2013
Applicant:	Orwell Homes
Agent:	Rees Pryer Architects LLP

INTRODUCTION

The Site

Location and Context

1. The site consists of a group of twenty two garages located on the western side of Bowers Avenue. The garage court is located within a primarily residential area with two storey flats to the north, south and west. Facing the site on the eastern side of Bower Avenue is Markham Tower, an eleven storey block of flats. The local area is residential in nature, characterised by flats set within open plan green space.

Constraints

2. There are a number of mature trees adjacent to the western and southern boundary of the site.
3. An electricity sub-station is located in the NW corner of the site.

Topography

4. The site comprises an essentially level area of hard standing and garage structures

Equality and Diversity Issues

There are no significant equality or diversity issues. The dwellings are designed to meet Lifetime Homes requirements.

The Proposal

5. The proposal consists of the re-development of the site for affordable housing following the demolition of the existing garages. A single three storey block is proposed providing a total of six flats – 4x 2 bed and 2x 1 bed. Communal amenity space is proposed to the rear/ west of the block.
6. A communal parking area is proposed to the north of the residential block along with a secure compound for bin and cycle storage.

Representations Received

7. Advertised on site and adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

Consultation Responses

8. Norfolk Constabulary - Recommend revisions to boundary fences to improve security.
9. Environmental Health – A desk top investigation has been carried out to assess the risk of contamination of this garage site. The risk is considered low but further precautionary testing is recommended – this can be addressed through the imposition of a suitable planning condition.

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 11 – 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 3 Energy and Water

Policy 4 Housing delivery

Policy 12 The remainder of the Norwich urban area, including the fringe parishes

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

HBE 12 High quality of design in new development

EP1 Contaminated land and former landfill sites

EP16 Water conservation and sustainable drainage systems

EP18 Energy Efficiency in development

EP22 High standard of amenity for residential occupiers

HOU5 Accessible housing

HOU6 Development Requirements for Housing Proposals

HOU 13 Proposals for new housing development on other sites

TRA6 Parking standards

TRA7 Cycle parking standards

TRA8 Service provision

Other Material Considerations

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

DM1 Sustainable development principles for Norwich
DM2 Ensuring satisfactory living and working conditions
DM3 Delivering high quality design
DM4 Providing for renewable and low carbon energy
DM8 Planning effectively for open space and recreation
DM9 Safeguarding Norwich's heritage
DM12 Ensuring well-planned housing development
DM28 Encouraging sustainable travel
DM 30 Access and highway safety
DM31 car parking and serving

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. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

Emerging policies of the forthcoming new Local Plan (submission document for examination, April 2013):

Key matters for consideration

- Principle of residential development of this site
- Suitability of the site for residential development
- Design considerations
- Amenity considerations for future and adjoining residents
- Impact on the adjoining tree.

Principle of Development - Policy Considerations

10. Approximately half of the garages are subject to current lease arrangements.

Alternative garages available in the immediate vicinity are to be offered to existing garage tenants. The site has had no prior commercial use and is located within a primarily residential area, subject to no specific policy designations.

11. This previously developed site is in an accessible location, within the urban area and in an area of existing housing. The principle of development is therefore in accordance with the objectives of National and Local Policy which promote sustainable housing growth and JCS Policy 12 which encourages neighbourhood based renewal. The proposal will deliver six one and two bedroom homes and contribute towards meeting identified housing need in the city.

Design and amenity

12. The site is considered suitable for the scale of residential developed proposed and the layout allows for both landscaping on the street frontage and communal amenity space to the rear. The siting of the residential block seeks to maximise interface distances between the proposed building and adjacent properties and optimise outlook for future occupiers. This siting combined with careful positioning of windows minimises overlooking and secures a reasonable level of privacy for existing residents and future occupiers.
13. The three storey building makes efficient use of the space available and is of an appropriate scale given the proximity of both two storey development and Markham Towers. A simple contemporary design approach is proposed with combines traditional materials with varied roof forms, large windows and areas of wood cladding. The design of the development is such that it will positively contribute to the residential character of the area.

Impact on trees

14. The scheme seeks to ensure that the trees adjoining the site are not affected by the development and their retention will substantially soften the visual impact of the new dwellings and provide an attractive backdrop to the new flats. The new planted/ grass area to the south of the development will significantly enhance the landscaping setting of the two existing Silver Birch trees. Planning conditions will be necessary to ensure the adequate protection of these trees during the construction period.

Sustainability matters

15. The design approach has been guided by sustainable development principles and seeks to minimise energy needs both during construction and by residents, long term. The building is designed to meet level 4 of the Code for Sustainable Homes and will be highly insulated. The approach ensures that materials and construction methods used are A/A+ rated by the Green Guide and that future energy and water needs are minimised. In addition a number of ecological enhancements are proposed including native grass, shrub planting and fruits trees.

Affordable housing

16. On residential schemes of this scale, adopted policy requires that 20% of the dwellings are affordable. This scheme exceeds policy requirements and all of the flats will be made available by a registered provider at an affordable rent. The Norwich area has an identified need for new affordable housing with 677 affordable homes needing to be developed in Norwich each year and this development will contribute towards meeting this target. The promotion of this council owned site has been discussed with Orbit Housing Association who have committed to the whole site being affordable housing in perpetuity secured through a covenant in the contract for the sale. They have indicated however that to attract the HCA grant required to make the scheme eligible and viable for development, that they would require the use of affordable rents. Orbit have indicated that the rent difference between social and affordable rents will be negligible and the houses will average about 75% of the lower 30th percentile of market rent. Given that the site will be 100% affordable the proposed tenure is considered to be acceptable.

Parking and servicing

17. Communal parking on a 1:1 basis is proposed on site. The parking area is located to the north of the residential block and will enabled continued access to the electricity sub-station. A new vehicular access is proposed on to Bowers Avenue and the parking area provides adequate space for manoeuvring, enabling cars to exit in forward gear.
18. Secure communal cycle parking is proposed accessible from both the rear amenity space and the car park. The local Highway Authority is satisfied with this provision.
19. A communal bin compound is proposed consisting of space for one 1100litre non-recyclable waste bin, plus 3 no. 360litre recycling waste bins. The location and access arrangements are considered satisfactory.

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. The benefits from the finance contributions for the council however must be weighed against the above planning issues. In this case the financial considerations are relatively limited and therefore limited weight should be given to them.

Financial Liability	Liable?	Amount
New Homes Bonus	Yes	Based on council tax band. Payment of one monthly council tax amount per year for six years + affordable housing premium
Council Tax	Yes	Band not yet known
Community Infrastructure Levy	Yes – Social Housing Relief available.	Nil
Business Rates	No	-

Conclusions

21. It is considered that the garaging is not currently providing an effective use of land and that the proposed development will deliver significant benefit in terms of delivering new affordable homes and urban renewal. The design layout is considered acceptable with a good relationship between public and private realm. Access, parking and servicing arrangements are also considered to be appropriate as are the amenity standards for existing and proposed dwellings. The development also responds to site constraints in terms of their implications for trees, energy efficiency and contamination. Subject to the conditions listed the proposals are considered to be acceptable and will provide for much needed housing development in this part of the City.

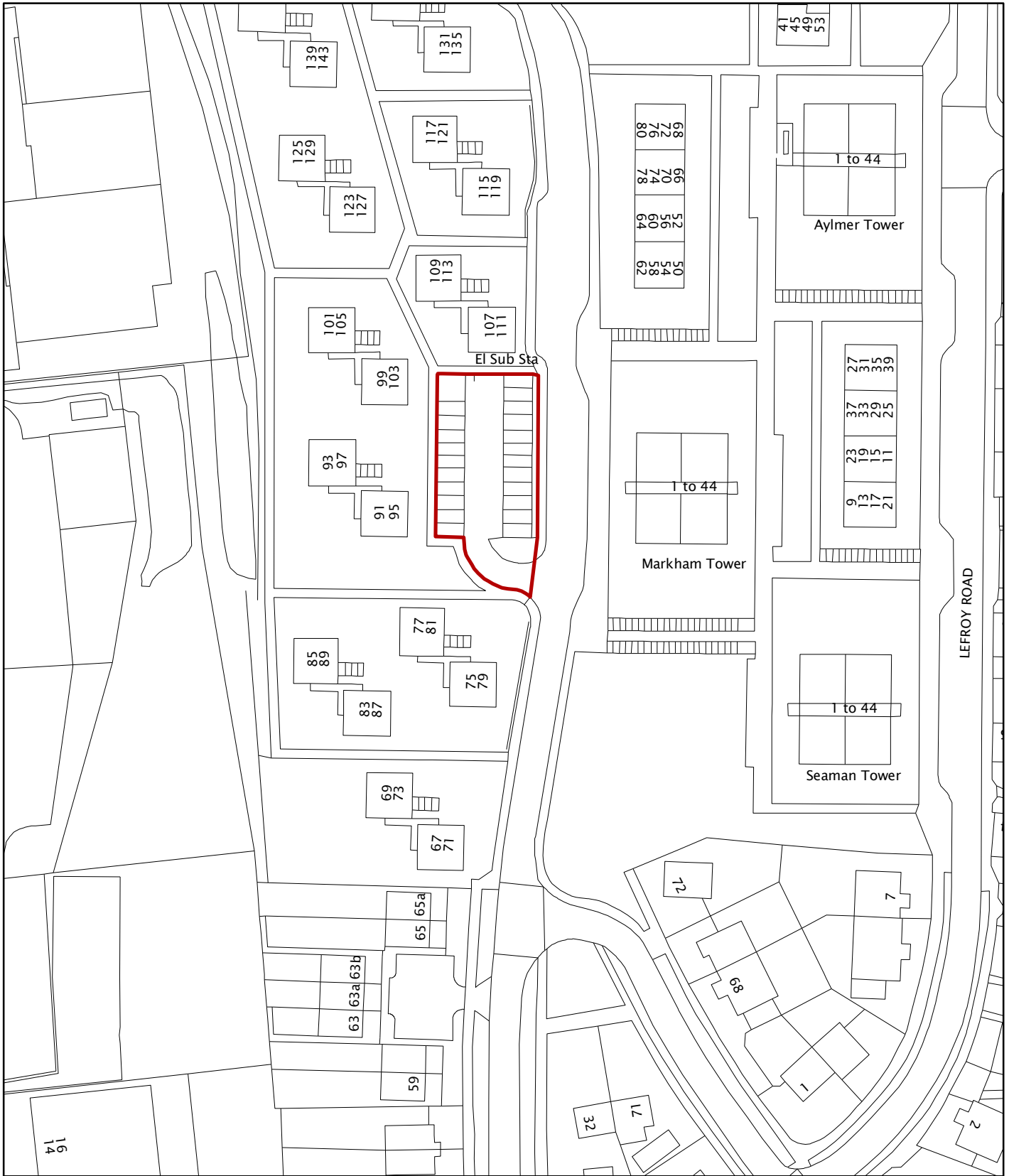
RECOMMENDATIONS

To approve Application 13/01356/F Garages opp. Markham Tower, Bowers Avenue and grant planning permission, subject to the following conditions:-

1. Commencement of development within 3 years from the date of approval;
2. Development to be in accordance with drawings and details
3. Details of facing and roofing materials; joinery; boundary treatments, walls and fences; external lighting;
4. Details of hard and soft landscaping, planting, biodiversity enhancements.
5. Details of tree protection measures/provision and retention
6. Method statement for the construction of fence within root protection zone.
7. Development to be implemented in accordance with the recommendations set out in section 5 of the Ecological survey and pre-assessment survey ref:2013/109
8. Details and provision of on-site car parking
9. Details and provision of cycle parking/bin storage
10. Implementation of sustainability measure/energy efficiency measures as outlined in Design and Access Statement
11. Site contamination conditions
12. Control on imported materials

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 in the committee report.



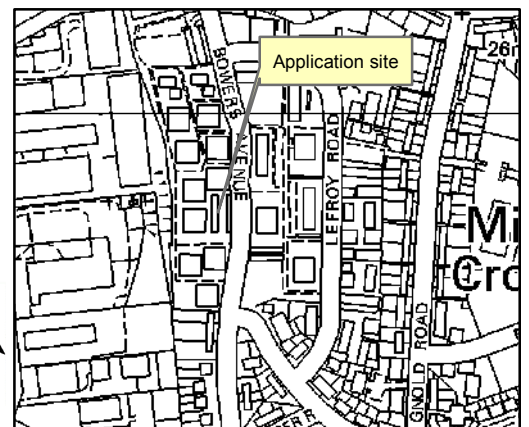
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Planning Application No 13/01356/F
 Site Address Garages opposite Markham Tower,
 Bowers Avenue
 Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES



Report to Planning applications committee
Date 10 October 2013
Report of Head of Planning Services
Subject 13/01340/F Garages Adjacent To 66 Watling Road
Norwich

Item
5(4)

SUMMARY

Description:	Erection of 2 No. two bedroom dwellings.
Reason for consideration at Committee:	City Council development
Recommendation:	Approve
Ward:	Crome
Contact Officer:	Tracy Armitage Senior Planner - Development 01603 212502
Valid Date:	20th August 2013
Applicant:	Orwell Homes
Agent:	Rees Pryer Architects LLP

INTRODUCTION

The Site

Location and Context

1. The site comprises a group of ten garages located at the cul-de-sac end of Watling Road. The garage court bounds existing residential properties to the north and east and recreation area to the south and east. The local area is residential in nature characterised by two storey flats and houses with open plan amenity space.

Constraints

2. A mature hedgerow and trees are located immediately adjacent to the western boundary of the site.
3. The adjacent recreation ground is designated an area of Publically Accessible Recreational Open Space. Maintenance access to the recreation ground is currently via Watling Road and the garage court site.

Topography

4. The site comprises a level area of hardstanding and garage structures.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

5. The proposal consists of the re-development of the site for affordable housing following the demolition of the existing garages. A pair of semi-detached 2 bedroom properties is proposed with private gardens to the rear.
6. Three parking spaces are proposed at the cul-de-sac end of Watling Road.

Representations Received

7. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

Consultation Responses

8. Norfolk Constabulary – Recommend revised boundary treatments in order to ensure garden areas are secure.
9. Environmental Health – A desk top investigation has been carried out to assess the risk of contamination of this garage site. The risk is considered low but further precautionary testing is recommended – this can be addressed through the imposition of a suitable planning condition.

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 11 – 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 3 Energy and Water

Policy 4 Housing delivery

Policy 12 The remainder of the Norwich urban area, including the fringe parishes

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

HBE 12 High quality of design in new development

EP1 Contaminated land and former landfill sites

EP16 Water conservation and sustainable drainage systems

EP18 Energy Efficiency in development

EP22 High standard of amenity for residential occupiers

HOU5 Accessible housing

HOU6 Development Requirements for Housing Proposals

HOU 13 Proposals for new housing development on other sites

TRA6 Parking standards

TRA7 Cycle parking standards

TRA8 Service provision

Other Material Considerations

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

DM1 Sustainable development principles for Norwich
DM2 Ensuring satisfactory living and working conditions
DM3 Delivering high quality design
DM4 Providing for renewable and low carbon energy
DM8 Planning effectively for open space and recreation
DM9 Safeguarding Norwich's heritage
DM12 Ensuring well-planned housing development
DM28 Encouraging sustainable travel
DM 30 Access and highway safety
DM31 car parking and serving

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. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

Emerging policies of the forthcoming new Local Plan (submission document for examination, April 2013):

Key matters for consideration

- Principle of residential development of this site
- Suitability of the site for residential development
- Design considerations
- Amenity considerations for future and adjoining residents
- Impact on the adjoining tree and adjoining recreational area

Principle of Development - Policy Considerations

10. The garages on the site are predominately vacant, with just two of the ten the subject of lease arrangements. Alternative garages available in the immediate vicinity are to be offered to existing garage tenants. The site has had no prior commercial use and is located within a primarily residential area, subject to no specific policy designations.
11. This previously developed site is in an accessible location, within the urban area and in an area of existing housing. The principle of development is therefore in accordance with the objectives of National and Local Policy which promote sustainable housing growth and JCS Policy 12 which encourages neighbourhood based renewal. The proposal will deliver two family homes and contribute towards meeting identified housing need in the city.

Design and amenity

12. The site is considered suitable for the pair of semi-detached dwellings proposed

and the layout provides adequate space for private gardens and reasonable levels of outlook and amenity. The location of the site close to a recreational area will allow future residents easy access to play and green space. In addition the development will have minimal impact on the amenities of existing residents living close by, given the separation distances achieved and the orientation of windows.

13. The semi-detached built form makes efficient use of the space available and creates a sympathetic addition to the street scene. The proposed dwellings are of similar height and scale to adjacent properties opposite and have a simple contemporary appearance, with large windows to maximise opportunities for natural day light. The design of the properties is such that they will positively contribute to the residential character of the area.

Impact on trees and adjoining recreational area

14. The scheme seeks to ensure that the trees adjoining the site are not affected by the development and their retention will substantially soften the visual impact of the new dwellings on the adjoining recreation area and provide an attractive backdrop to the new properties. Planning conditions will be necessary to ensure the adequate protection of the hedge and trees during the construction period.
15. The existing gated access into the recreation area will be permanently closed as a result of the development. However, this access is used for maintenance purposes only and there are alternative access points available.

Sustainability matters

16. The design approach has been guided by sustainable development principles and seeks to minimise energy needs both during construction and by residents, long term. The dwellings have been aligned to take advantage of the southerly aspect maximising natural day light and solar gain. In addition the dwellings have been designed to meet level 4 of the Code for Sustainable Homes and will be highly insulated. The approach ensures that materials and construction methods used are A/A+ rated by the Green Guide and that future energy and water needs are minimised.

Affordable housing

17. On residential schemes of this scale, adopted policy does not require the provision of affordable housing units. This scheme exceeds policy requirements and both of the proposed dwellings will be made available by a registered provider at an affordable rent. The Norwich area has an identified need for new affordable housing with 677 affordable homes needing to be developed in Norwich each year and this development will contribute towards meeting this target. The promotion of this council owned site has been discussed with Orbit Housing Association who have committed to the whole site being affordable housing in perpetuity secured through a covenant in the contract for the sale.

Parking and servicing

18. Parking is proposed to the front of the development within a shared driveway/parking area. One parking space is proposed for each dwelling along with an additional space for visitors. Secure cycle parking is proposed in the rear garden of each dwelling. The local Highway Authority is satisfied with this provision.
19. Bin storage is proposed within the rear garden area of each dwelling. The location

and access arrangements are considered satisfactory.

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. The benefits from the finance contributions for the council however must be weighed against the above planning issues. In this case the financial considerations are relatively limited and therefore limited weight should be given to them.

Financial Liability	Liable?	Amount
New Homes Bonus	Yes	Based on council tax band. Payment of one monthly council tax amount per year for six years + affordable housing premium
Council Tax	Yes	Band not yet known
Community Infrastructure Levy	Yes – Social Housing Relief available.	Nil
Business Rates	No	-

Conclusions

21. It is considered that the garaging is not currently providing an effective use of land and that the proposed development will deliver significant benefit in terms of delivering new affordable homes and urban renewal. The design layout is considered acceptable with a good relationship between public and private realm. Access, parking and servicing arrangements are also considered to be appropriate, as are the amenity standards for existing and proposed dwellings. The development also responds to site constraints in terms of their implications for trees, energy efficiency and contamination. Subject to the conditions listed the proposals are considered to be acceptable and will provide for much needed housing development in this part of the City.

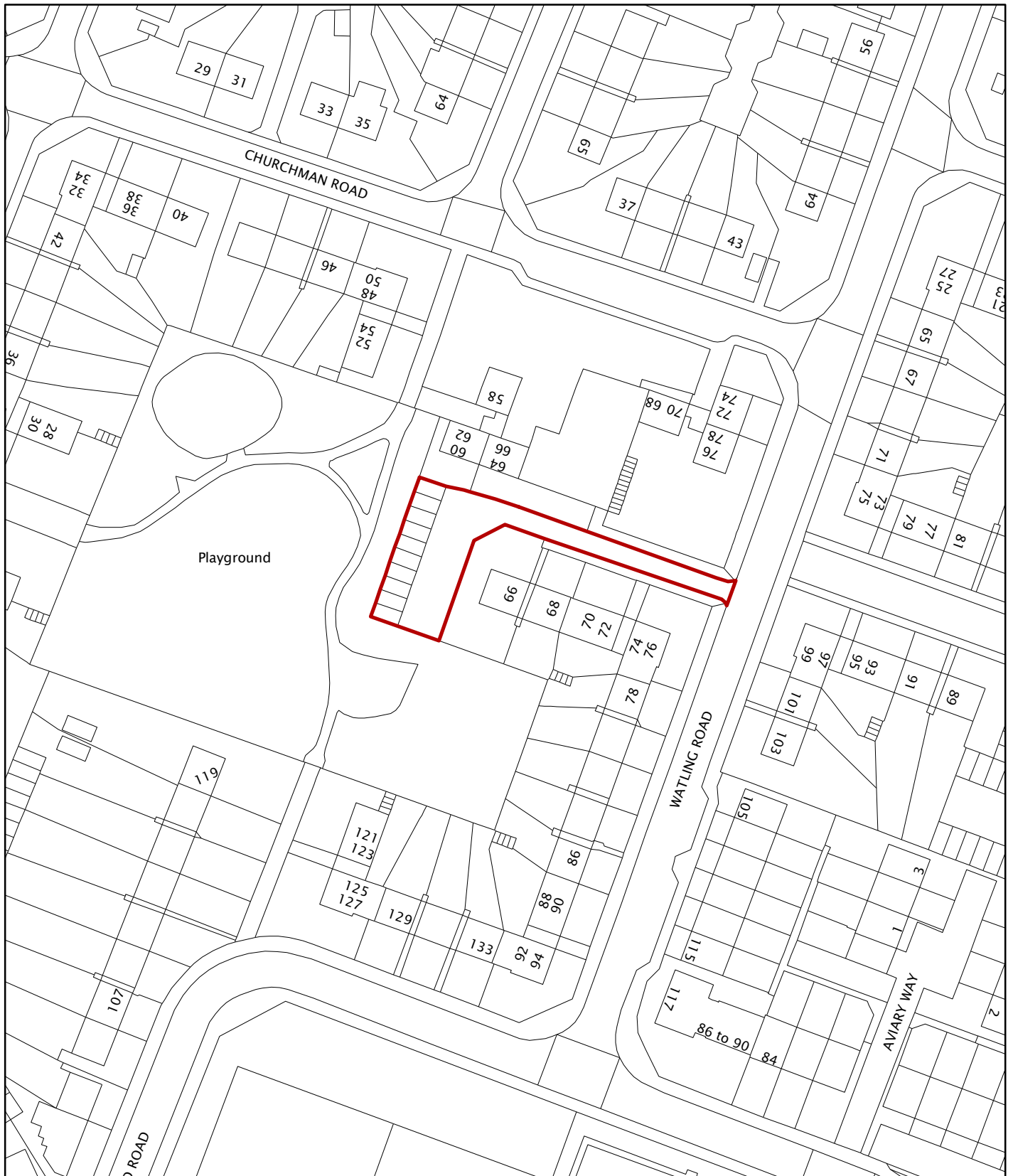
RECOMMENDATIONS

To approve Application 13/0134000/F Garage site, Watling Road and grant planning permission, subject to the following conditions:-

1. Commencement of development within 3 years from the date of approval;
2. Development to be in accordance with drawings and details
3. Details of facing and roofing materials; joinery; boundary treatments, walls and fences; external lighting;
4. Details of hard and soft landscaping, planting, biodiversity enhancements.
5. Details of tree protection measures/provision and retention
6. Method statement for the works adjacent to the western boundary
7. Details and provision of car parking
8. Details and provision of cycle parking
9. Implementation of sustainability measure/energy efficiency measures as outlined in Design and Access Statement
10. Site contamination conditions
11. Control on imported materials

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 in the committee report.



Report to Planning applications committee
Date 10 October 2013
Report of Head of planning services
Subject 13/01314/NF3 10, 12, 18, 28, 34 & 57 Essex Street
Norwich NR2 2BL

Item
5(5)

SUMMARY

Description:	Window replacement works to houses (timber to PVC).
Reason for consideration at Committee:	Objections
Recommendation:	Approve
Ward:	Town Close
Contact Officer:	Mr James Bonner Planner 01603 212542
Valid Date:	20th August 2013
Applicant:	Norwich City Council
Agent:	Mr Neil Jarvis

INTRODUCTION

The Site

Location, Context and Constraints

1. The application affects five properties on the north side of Essex Street and one on the south. All of the properties are subject to an Article 4 direction and aside from number 57, are all locally listed. The majority of the houses in question are terraces with 10 and 12 being a pair of semi-detached. All are within the Heigham Grove conservation area.
2. Each property's front windows are original timber sliding sash, except the first floor window above the door on number 18, which has previously been replaced with a PVC casement window.
3. Similarly to many of the other Article 4 terraces in the surrounding area, these properties each have a ~3.5m front garden separating them from the highway.

Planning History

13/01044/NF3 - Window replacement works to houses. (WITHDN - 09/08/2013)

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

4. Every front window will be replaced with vertical sliding PVC sash, each with a single Georgian bar in each section to replicate the 2 over 2 design of the existing. The exception to this is those of number 28 which currently has two bars in each to

create 3 over 3 windows. The replacement will mirror this.

5. All windows will feature run-through horns to imitate those that each window already feature. This has been discussed with the council's conservation officer and he is supportive of the proposals. Aside from the specifics of the windows' design, crucial to the acceptability of the windows is the manner in which they sit in the brick reveal. This is explained further in paragraph 19.
6. The application features similar properties with the same window specification as those dealt with by committee in September (Trory Street – 13/01313/NF3). Like Trory Street the properties have group value with the distinction between the two streets being that Essex Street retains many more original features.
7. Whilst rear windows and doors are shown on the drawings, they are not covered by the Article 4 direction and as they remain Permitted Development, are not covered by the application. No front doors are being replaced.
8. An application was previously submitted (13/01044/NF3) which proposed PVC casement windows on all properties. This was deemed unacceptable and was withdrawn whilst a more suitable window with traditional opening methods was sourced.

Representations Received

9. 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.
- 10.

Issues Raised	Response
Norwich Society – Feel strongly that to retain visual qualities of these properties within conservation area, it is vital that the windows are replaced with single glazed timber windows with secondary glazing to achieve insulation benefits. The windows on the rear are less visually important.	The windows at the rear are PD and do not form part of the application. For the windows at the front see para.17-22. For secondary glazing see para.22.
Concern with replacing timber windows with PVC considering the Article 4 direction. Windows should be wooden sash of a similar style to existing with consideration made to fitting wooden double sashes to improve the energy efficiency. Doors should not be replaced.	Doors are not being replaced as part of the proposal. Regarding windows see para.17-22.
PVC windows are out of character for conservation area and are not allowed under the Article 4 direction. Double wooden sashes are available (see 40 Essex Street) and PVC doors are not acceptable at all. Changes to the rear	The Article 4 direction requires an application to be made. It does not prohibit any particular design/materials. Doors and rear windows are not part of the proposal.

are not as critical due to the existing numerous alterations. The council should use the conservation area regulations to upgrade the area not degrade the character of the street. Changes to the frontages should be rejected if it impacts upon the architectural and historical value.

Regarding front windows see para.17-22.

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

11. The key issue is the windows' design and their impact upon the character of the streetscene and wider conservation area. Accordingly the proposal will principally be determined against policies 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.

12. 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

13. 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.
14. 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 direction is used as an additional control to restrict works that would otherwise be Permitted Development. In this case, the Article 4 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 retain or reinstate the desirable uniformity or 'group value' that the houses have.
15. 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 conserve.

Design

16. 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. This involves, with the exception of one house, 2 over 2 pane vertical sash windows that historically are made of timber.
17. 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 all of these windows have horns, even those different to the majority (the 3 over 3 sashes on number 28). Accordingly a condition will be attached specifying that all windows will utilise the 'run-through' horns, which will avoid the stuck-on effect that some PVC window horns have.
18. 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 that alongside the horns, helps to more successfully reflect the historic context of the properties.
19. Perhaps the most important specific feature 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.
20. 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.

21. 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. Providing it has traditional opening methods and an overall appropriate general design, details like glazing bars and the way the window sits within the reveal are arguably more important than the material in cases like this. Given the distance, as viewed from the street the proposed windows are not considered to look apparently different from a timber sash to the extent that it could be considered detrimental to the street scene. 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 not detracting from the uniformity of the terrace.
22. As the adequately detailed windows retain the depth of the window reveals, they will not look out of place within street views.

Environmental Issues

Energy Efficiency

23. The proposed windows will bring about a drastic improvement to energy efficiency over the existing single glazed timber windows, many of which are in a very poor condition. 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

24. None.

Conclusions

25. 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. Given the relatively less prominent nature of the elevations, the use of PVC over timber is acceptable as the specifics of their design ensures that they are not incongruous. As the proposal retains the depth of the window reveals, when viewed from the street, the proposed windows are not considered to look apparently different from a timber sash to the extent that it could be considered detrimental to the street scene, especially compared to some of the dilapidated windows that are currently in place. 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. The proposed windows retain the features of the original design and will not harm the external appearance of the group of houses. This is in line with the aims of the Article 4 direction. As a result the impact upon the character of the wider Heigham Grove

conservation area cannot be considered adversely detrimental.

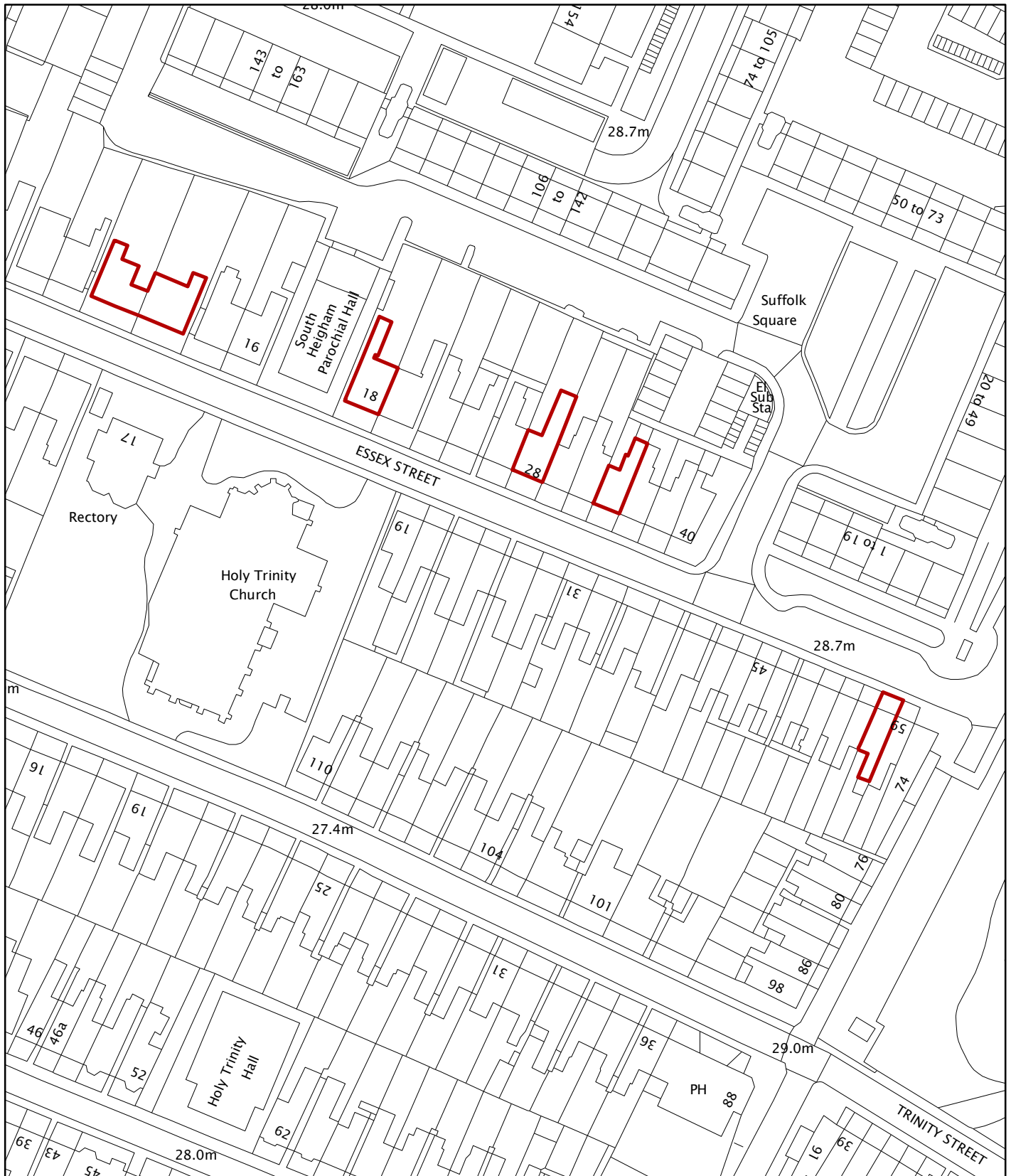
26. Article 31(1)(cc) Statement

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 (13/01314/NF3) and grant planning permission, subject to the following conditions:-

- 1 – Standard time limit
- 2 – In accordance with the approved plans
- 3 – All proposed windows on the front elevation of each property will be white and feature run-through horns and chamfered external bars.



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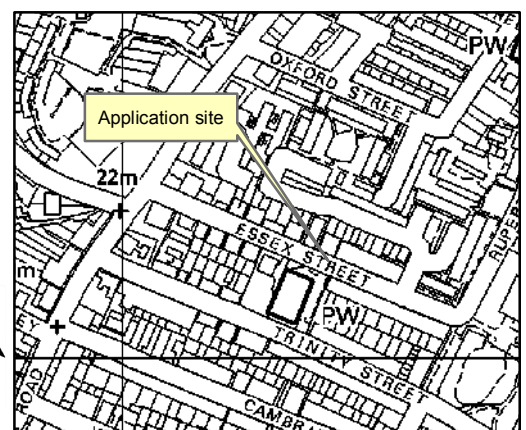
Planning Application No 13/01314/NF3
 Site Address 10 12 18 28 34 & 57 Essex Street

Scale 1:1,000



NORWICH
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PLANNING SERVICES



NEW run-through Sash Horn offers enhanced aesthetics which are particularly suited to period properties for an authentic traditional look



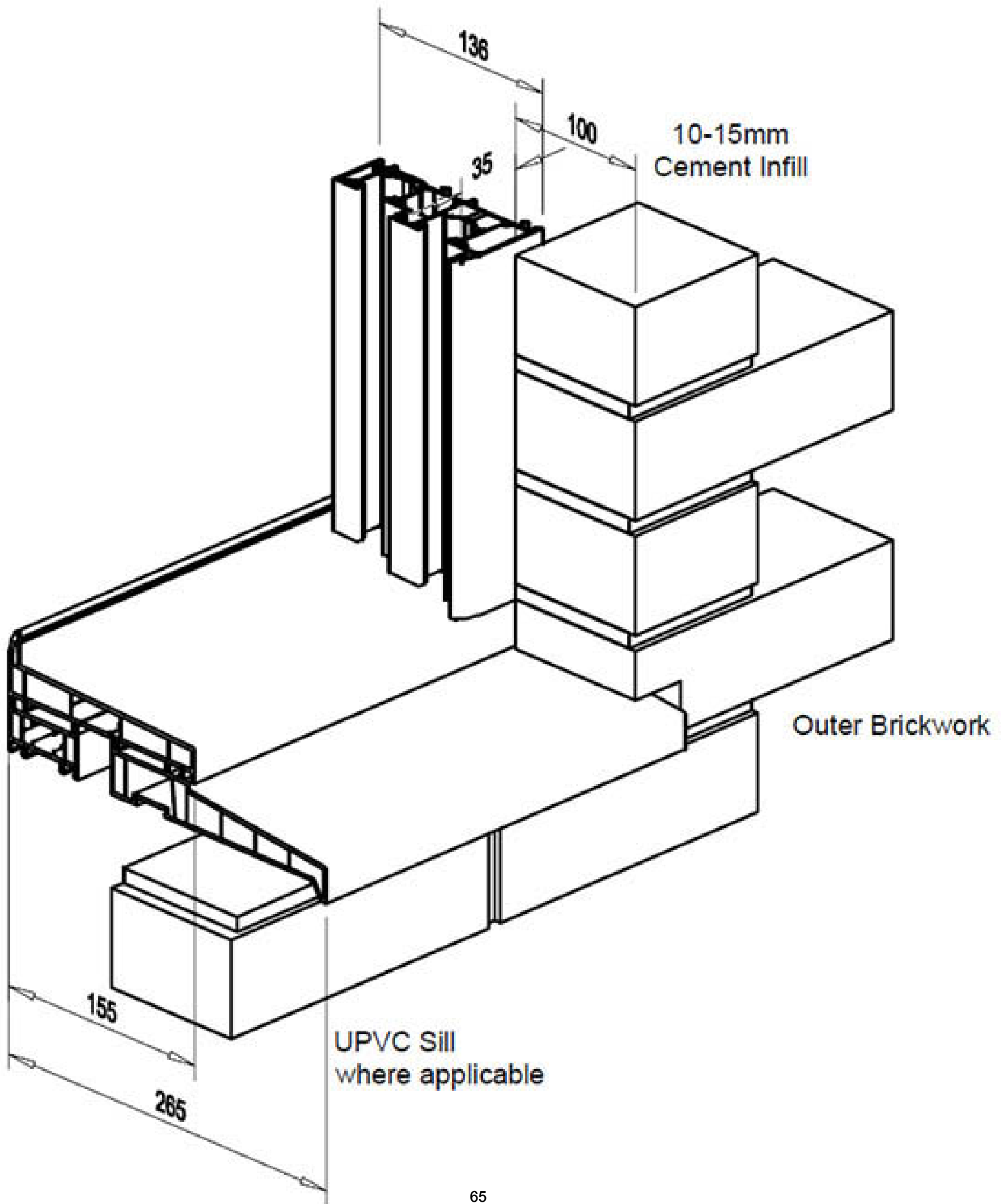
Run-through vs bolt-on horn



Run-through horn



Bolt-on horn



Report to Planning applications committee
Date 10 October 2013
Report of Head of planning services
Subject 13/01283/F 25 Neville Street Norwich NR2 2PR

Item
5(6)

SUMMARY

Description:	Replacement of windows.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Nelson
Contact Officer:	Lara Emerson Planner 01603 212257
Valid Date:	28th August 2013
Applicant:	Mr Peter Hedges
Agent:	Mr Malcolm Bird

INTRODUCTION

The Site

Location and Context

1. The site is located on the northern side of Neville Street which lies just to the west of the city. The property in question is a locally listed Victorian end-terrace property.
2. The properties within this row of terraced houses (25-43 odd) mainly have timber sliding sash windows which match those of the application property. However, there are exceptions- 2 of the 9 houses have PVC windows of a different design to the original timber sashes and 1 of the 9 has timber casement windows of a different design to the original sashes.

Constraints

3. The area is characterised by rows of two storey Victorian terraced houses and forms part of the Heigham Grove conservation area. Neville Street lies within sub-section E of the conservation area appraisal which is described as "Medium size C19th terraces varied in character". A specific issue mentioned within the appraisal is that of "alterations to windows and doors which introduce different styles which disrupt the visual harmony of traditional terraces within street views".
4. The property itself, along with most of the houses on Neville Street, is locally listed and is subject to an Article 4 direction which removes permitted development rights (including the replacement of windows and doors on front elevations where they front the highway). Such works require planning permission as a result.

Planning History

5. No recent planning history.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

6. Currently the property has timber sliding sashes to the ground and first floor with the ground floor having a box bay with two slim timber sliding sash windows to the front elevation and slimmer timber sash windows to the side elevations. The ground floor windows are in fairly poor condition. On the first floor is a single large timber sash window with glazing bars forming a cross on both the top and bottom panes.
7. The proposal is for 4 replacement windows to the ground floor of 25 Neville Street. The 4 proposed ground floor windows are UPVC and of identical dimensions to the existing timber windows. Following comments from the council's conservation officer, the design was altered so that the frame was set back behind the reveal and the exterior moulding was chamfered.

Representations Received

8. The application has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received, one of which was from The Norwich Society, citing the issues as summarised in the table below.

9.

Issues Raised	Response
PVC frames would alter the appearance of the property and the adjacent properties, all of which have wooden windows	Paragraphs 13-16
The windows should be replaced with single glazed timber windows with secondary glazing for insulation	Paragraph 14
Double-glazed timber windows should be used instead	Paragraph 14
PVC is not in keeping with the architectural style of the street	Paragraph 16
This would continue the trend of the installation of modern windows in the street which is damaging the street's aesthetic quality	Paragraph 16

Consultation Responses

10. Consultee: Chris Bennett, NCC Design & Conservation

Date of response: 29/08/2013

Comments: Acceptable in principle. The frame is acceptable since it is set back behind the reveals. The moulded exterior glazing bars and frame should be chamfered instead of decoratively moulded.

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 1 – Addressing climate change

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

DM3 – Delivering high quality design

DM9 – Safeguarding Norwich's heritage

Supplementary Planning Documents and Guidance

Heigham Grove Conservation Area Appraisal (March 2011)

Heigham Grove Article 4 Direction Guidance Notes (May 2011)

Principle of Development

Policy Considerations

11. The most relevant policies to this proposal are HBE8, HBE12 of the Replacement Local Plan which relate to design and conservation areas. The conservation area appraisal will also help to direct the decision.

Impact on Living Conditions

Loss of Light, Privacy and Outlook

12. The windows are in the same position and of the same dimensions as those currently in place. As such, there is no change to neighbours' light, privacy or outlook.

Design

Impact on Locally Listed Building

13. It is important to consider the impact of these window replacement works on the appearance and character of this locally listed building. Following the conservation officer's comments about the window design features, revised sections were requested to reflect the preferred features. Despite the use of PVC, the dimensions and design features of the replacement windows have been chosen to be as similar as possible to the existing timber sliding windows. For instance, chamfered moulding creates the same effect as the putty that would be used on timber sash windows. The windows are also set back in the reveal behind the brickwork to mimic the design of the original timber windows. As such it is considered that it will be difficult to differentiate between the new and the old windows and so the

building's overall appearance will remain largely unchanged.

14. Some of the comments suggest that single or double glazed timber windows should be used instead. The paragraph above highlights the fact that owing to their dimensions, these windows will look very similar to the existing timber windows. As such, the material alone is not considered a justifiable reason for refusal.

Impact on Conservation Area

15. For the reasons stated in paragraph 13 above, it is considered that the window replacements will have a very minor impact on the appearance of the building. Since the building's façade is set back from the pavement by approximately 1.5m there is limited opportunity for the proposals to be noticed from or cause harm to the conservation area.
16. This row of properties (25-43 odd) has a largely uniform set of sliding windows on the ground floor. A few of the properties have replaced the windows with a different style of window, some of which are PVC. It is considered that it is the different style rather than the different material which is damaging to the conservation area. It is important to note that it is the style of windows rather than the material which is considered valuable within the Heigham Grove Conservation Area Appraisal. The council's conservation officer is happy with the use of PVC but has been clear that the design features are most important (i.e. chamfered external moulding and the setting of the windows behind the surrounding brick reveal).
17. It is worth noting that there is an enforcement case being heard by this committee relating to windows which have been installed without permission at 39 Neville Street. Whilst the windows at No. 39 are also PVC, they are of a significantly different style and design to the windows which they replaced. The distinction between the cases lies in the fact that the proposed windows in this case are of very similar design to the existing windows.

Environmental Issues

Energy Efficiency

18. The replacement of the single glazed timber windows and the installation of double glazed PVC windows will improve the energy efficiency of the property by improving the thermal efficiency of the glazing and the window frames.

Conclusions

19. It is considered that the design is in keeping with the property and that the proposal is unlikely to have an adverse impact on the amenities of the immediate neighbours or 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.
20. 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

Recommendation: to approve application 13/01283 for 25 Neville Street and grant planning permission, subject to the following conditions:-

- 1) Time limit
- 2) In accordance with plans



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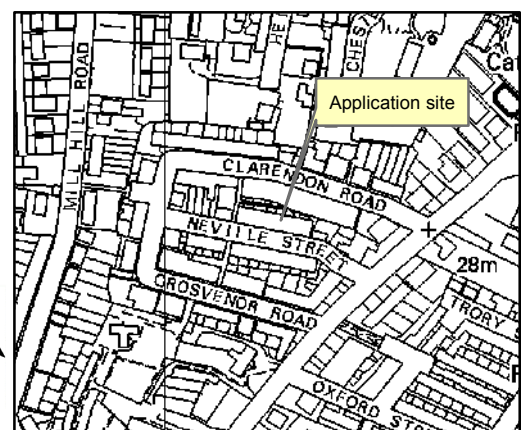
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 Site Address 25 Neville Street

Scale 1:500



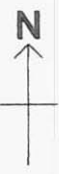
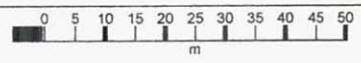
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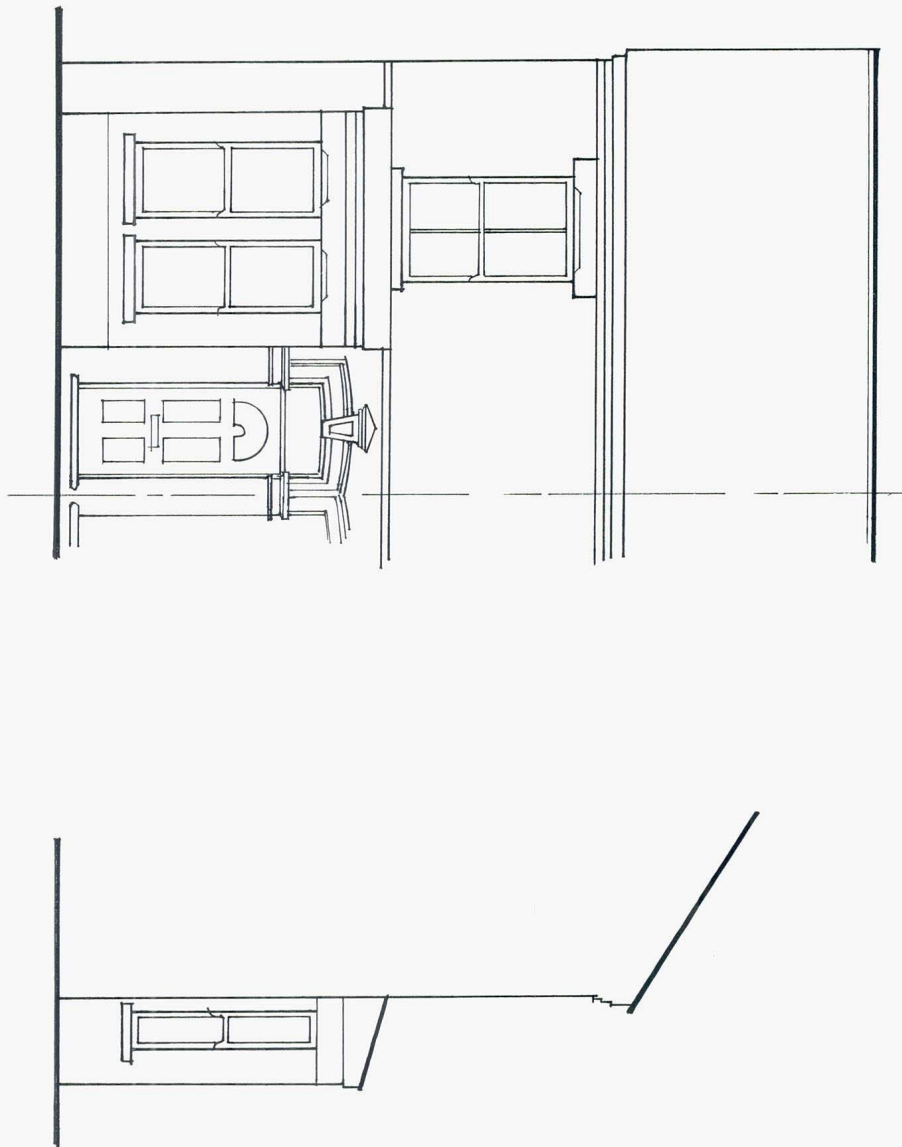
CORPORATE RESOURCES
06 AUG 2013
POST ROOM

OS Mastermap
05 August 2013, ID: BLJT-00248362
www.planningapplicationmaps.co.uk
1:1250 scale print at A4, Centre: 622084 E, 308384 N
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Mapping
sourced from

OS Ordnance
Survey

 **bluejet**
manning



Report to Planning applications committee
10 October 2013
Report of Head of planning services
Subject Enforcement Case 13/00148/CONSRV/ENF – 39 Neville Street, Norwich, NR2 2PR.

Item

5(7)

SUMMARY

Description: Installation of uPVC casement Windows at 39 Neville Street, Norwich, which is located in the Heigham Grove Conservation Area. The premises are subject to an Article 4 direction that requires any replacement windows and doors on the principal elevation, and the demolition of the front garden wall have planning permission which this premises does not have.

Reason for consideration at Committee: Enforcement action recommended.

Recommendation: Authorise enforcement action up to and including prosecution in order to secure the replacement of the uPVC casement windows with windows of a similar character and appearance to the original windows. The replacement door with a traditional timber door design, and the reinstatement of a front boundary wall.

Ward: Nelson

Contact Officer: Ali Pridmore

INTRODUCTION

The Site

1. The site at 39 Neville Street is a c1900 brick built mid-terrace two-storey dwelling house located within the Heigham Grove Conservation Area. The building is on the Council's List of buildings of Local Interest. The Heigham Grove Conservation Area appraisal summarises the character and appearance of the Heigham Grove conservation area as being "predominantly an area of 19th Century residential development, ranging from streets of small Victorian terraced houses to more substantial villas set within leafy surroundings..
2. The house is typical of c1900 residential terrace development on Neville Street.

Planning History

3. The property was made subject to an Article 4 direction on 6th June 2011, which was confirmed by Cabinet on 22nd July 2011.

Purpose

4. The installed windows and door require planning permission as the premises does not have the same permitted development rights as a normal dwelling. The existing front wall was demolished without permission and should be reinstated.
5. As the replacement uPVC windows and door do not have planning permission and the installation has occurred within the last four years, it is therefore not immune from enforcement action. The existing boundary wall was demolished without permission within the last four years. The installation of the uPVC casement windows and door is classed as operational development for which planning permission would be required under section 171A(1)(a) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991). Therefore the installation of the windows and the door, and demolition of the boundary wall, are breaches of planning control and are considered unlawful.
6. Authority is sought for enforcement action to secure the replacement of the uPVC casement windows with ones that have a similar design and appearance to the sliding sash windows that were replaced in April 2013. It is unfortunate that the existing original door which was an unusual c1900 door was removed (which matched the door to the neighbouring property) as it would be difficult to reproduce. A traditional four panel door may however be considered acceptable. A boundary wall should be built to replace the existing wall, again in suitable materials. Enforcement action is to include direct action and prosecution if necessary.

Breach

7. Replacement of the original sliding sash windows with uPVC casement style windows replacement of the front door and demolition of the boundary wall are considered operational development for which planning permission would be required under section 171A(1)(a) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991). The replacement of windows and front door, and the demolition of the front wall, are on the principal elevation falls outside of The Town and Country Planning (General Permitted Development) Order 2005 (as amended) because 39 Neville Street is subject to an Article 4 direction as laid out in the above Order.
8. It appears to Norwich City Council that the above breach of planning control has occurred within the last four years and is not therefore immune from enforcement action. The current unauthorised development is poor design and unsympathetically installed and is therefore considered detrimental to the appearance of the locally listed building and the positive contribution that it made to the character and appearance of the Heigham Grove Conservation Area. The Council does not consider that planning permission should be given because planning conditions could not overcome these objections.

Policies and Planning Assessment

Relevant Planning Policies

National Planning Policy Framework

7 – Requiring Good Design

12 – Conserving and Enhancing the Historic Environment

Relevant policies in the Joint Core Strategy for Broadland, Norwich and South Norfolk (Adopted March 2011)

Policy 2 – Promoting good design

Relevant policies in the City of Norwich Replacement Local Plan – saved policies (Adopted November 2004)

HBE8 – Development in Conservation Areas

HBE12 – High quality of design in new developments

Other Material Considerations

Heigham Grove Conservation Area Appraisal Adopted 16 March 2011

Heigham Grove Article 4 Direction Guidance Note

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).

DM3 – Delivering High Quality Design

DM9 – Safeguarding Norwich's heritage

Procedural Matters Relating to the Development Plan and the NPPF

9. 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, the policies referred to in this case 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.
10. As detailed in the sections above the alteration is considered to result in an unacceptable degree of harm to the appearance of the locally listed building and its positive contribution to the character and appearance of the Heigham Grove Conservation Area contrary to policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk, saved policies HBE8 and HBE12 of the adopted City of Norwich Replacement Local Plan, the objectives of the National Planning Policy Framework and other material considerations.

Justification for Enforcement

11. The current unauthorised development is poorly and unsympathetically installed and is incongruous and out of keeping with other similar properties in the area, given the frame dimensions and casement style of the windows, the design of the door and removal of the wall. The installed windows and door, and the demolition of the boundary wall, are therefore considered to result in harm to the character and appearance of the Heigham Grove Conservation Area.
12. A letter was sent to Prolet Property Management who is the managing agent for 39 Neville Street asking them to replace or to contact the owner to arrange the replacement of the uPVC casement windows with suitable replacement sliding sash windows of a similar character and design to the originals but to no avail.
13. Norwich City Council has not invited a planning application for the current uPVC casement windows because the Council does not consider the application would be supported and the application would be recommended for refusal.

Equality and Diversity Issues

14. The Human Rights Act 1998 came into effect on 2nd October 2000. In so far as its provisions are relevant:
 - a. Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the Council the responsibility to take enforcement action when it is seen to be expedient and in the public interest. The requirement to secure the removal of the unauthorised building works in the interests of amenity is proportionate to the breach in question.
 - b. Article 6: the right to a fair hearing is relevant to the extent that the recipient of the enforcement notice and any other interested party ought to be allowed to address the Committee as necessary. This could be in person, through a representative or in writing.

Conclusions

15. The four installed windows, the front door and the demolition of the boundary wall require planning permission and that their design does not take into account the requirement to preserve or enhance the character and appearance of the Heigham Grove Conservation Area (Section 72 Planning (Listed building and Conservation Areas) Act 1990. Guidance has been issued to assist owners and occupiers in choosing a design of window that would preserve the character and appearance of the conservation area, and this has not been taken into account by the owner. The alteration is considered to result in an unacceptable degree of harm to the appearance of the locally listed building and its positive contribution to the character and appearance of the Heigham Grove Conservation Area.
16. In recommending the authorisation of enforcement action it is also necessary to consider the merits of taking enforcement action against

the unauthorised installation of the windows, front door and demolition of the front wall. It would be possible to require the recently installed windows to be removed and the old ones reinstated. However, it is unlikely that the sliding sash windows that were removed would be reinstated by the owner as they have probably been disposed of. It is uncertain what has happened to the front door, although doors of this quality are usually resold. The option of reinstating the original windows and door should be offered to the owner of the premises as a way of demonstrating that this option is available. Alternatively double glazed sliding sash windows can be installed which closely match the original windows in design, and a tradition c1900 design of door should be installed. The boundary wall should be rebuilt with suitable materials.

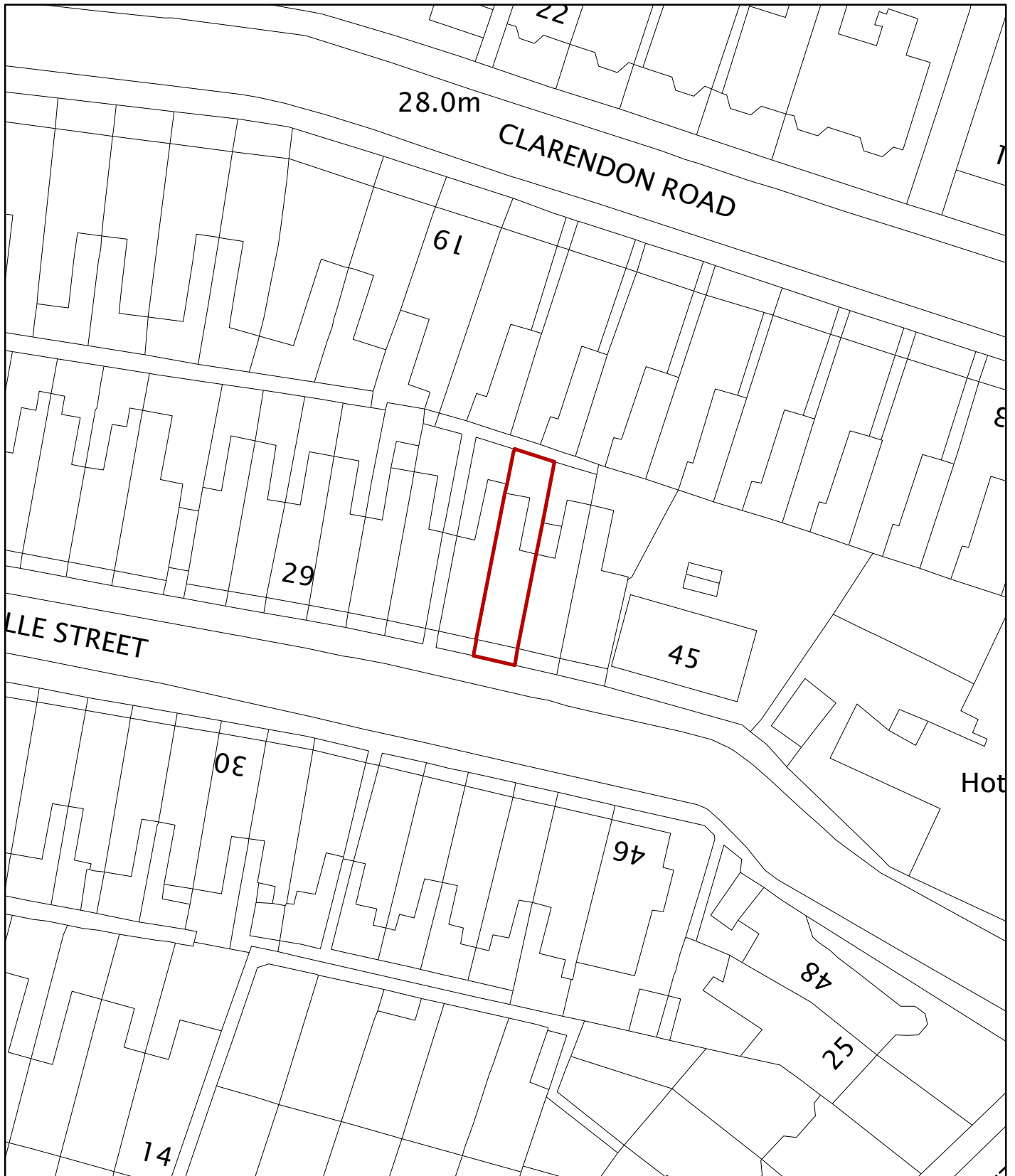
17. It is therefore necessary to ask for authorisation from the Planning Applications Committee to ensure the removal of the unauthorised windows and therefore remedy the breach of planning control.

Recommendations

18. Authorise enforcement action to ensure the replacement of the installed uPVC casement windows, front door and demolished garden wall. The replacement windows must be appropriately designed and such that they are similar in appearance to the sliding sash windows that were replaced. Unless the original front door can be reinstated, a traditional c1900 door would be considered acceptable. The wall should be reinstated to its existing height. Planning Applications Committee are also asked to authorise the taking of direct action and / or prosecution to ensure the windows are replaced by ones more appropriate to the setting of the locally listed building and the Heigham Grove Conservation Area.

References

Relevant correspondence: see Uniform Enforcement File 13/00148/CONSRV/ENF and Civica file EH13/20449



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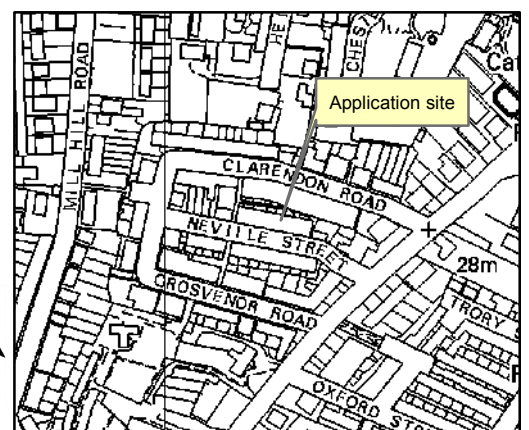
Planning Application No 13/00148/CONSRV/ENF
 Site Address 39 Neville Street

Scale 1:500



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PLANNING SERVICES



Report to	Planning applications committee 10 October 2013	Item 6
Report of	Head of planning services	
Subject	Performance of the Development Management Service, 1 July to 30 September 2013 (Quarter 2, 2013-14)	

Purpose

To report the performance of the development management service to members of the committee.

Recommendations

That the report be noted.

Financial Consequences

The financial consequences of this report are none.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority “Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future” and the implementation of the planning improvement plan.

Contact Officers

Graham Nelson, Head of Planning Services	01603 212530
Ian Whittaker, Planning Development Manager	01603 212528

Background Documents

None.

Report

Background

1. On 31 July 2008 Planning Applications Committee considered a report regarding the improved working of the Committee which included a number of suggested changes to the way the Committee operates. In particular it suggested performance of the development management service be reported to the Committee and that feedback from members of the Committee be obtained.

Performance of the development management service

2. Table 1 of the appendix provides a summary of performance indicators for the development management service. The speed of determining applications is National Indicator 157. Table 2 shows the numbers received, pending and on hand at the end of the quarter, although the data on applications received will be reported verbally as it was not available at the time of writing the report. The data this quarter is somewhat skewed by the introduction of the Community Infrastructure Levy on July 15th. This resulted in a number of older major applications being determined just before this deadline and hence in this quarters figures. Despite this, the figures for majors are an improvement on the previous quarter
3. The National Performance Indicators (NI157) achieved in the second quarter of 2013-14 were 68.5% for major schemes (being 18 percentage points above the previous quarter), 86.5% for minors (16 percentage points above the previous quarter) and 83.9% for others (2 percentage points below the previous quarter). The figures for majors and others are below the locally set top target of 80% and 90% respectively but the minors figure is above the 85% target. All are in the second quartile nationally. The national average for quarter 1 being 59%, 68% and 82% respectively i.e. these are all exceeded by between 2 and 18 percentage points. The government has changed the way that it collects data so that applications are now excluded from the NI157 data for majors if the applicant has agreed a “post application agreement” i.e. there is mutual agreement between the applicant and council that the decision process is best served by extending the 13 week period.
4. The government has commenced collecting and publishing data on decisions made in 26 weeks as part of the “planning guarantee”. From 1st October, there are opportunities for applicants to request the refund of fees if decisions have taken longer than 26 weeks to determine, unless there is either a planning performance agreement signed pre-submission, or a written agreement to extend the time period for determination for major applications in which case the applications are not eligible for a refund and are excluded from the NI157 13 week performance data. In the last quarter 70% of major applications, 97.2% of minors and 98.5% of others were dealt with in 26 weeks. 5. The 8 and 13 week data for all three categories was higher in the Apr-June quarter than the Jan – Mar quarter. Majors and minors were again significantly higher in the last quarter although there was a modest fall in the others figure.

5. This is very positive and results from changed staffing levels and improvements to processes to speed up the early stages of processing and the determination of old applications pre CIL. There are very few old applications still pending and so the future performance of the planning service should be able to be close to target levels in the coming months.
6. The government has announced that it will take action if councils perform poorly on major applications or have a very poor appeal success rate. This will result in “designation” and applicants would then have the right to bypass the local planning authority and have the application dealt with by the planning Inspectorate. It is not anticipated that there will be any issues in Norwich with the appeal rate of success. However, care will have to be taken with respect to the monitoring of the speed of handling major applications over the coming months. “Designation” will be linked to previously submitted NI157 data. If a Council determines fewer than 30% of major decisions in the preceding two years ending on 30th June then the council would be designated by a decision made in the autumn. Applicants would then have the option of submitting applications direct to the Planning Inspectorate. The council would lose the planning fee, but more importantly, designation would have reputational harm, and have negative impacts on trust in the proper working of the planning function.
7. For the two years ending 30 June 2013 (and which will form the basis for the government’s designation to be announced shortly) the figure for determination of major applications in 13 weeks was 39.7%, above the government’s floor for “designation” of 30%. For the latter half of that period, however, the figure is 30.2% so it will be very important that the figures for the year 1st July 2013 – 30th June 2014 are excellent to avoid a risk of designation in the autumn of next year.
8. The percentage of decisions delegated to officers was 86.1% (previous quarter 92.4%). The national average for district council’s is 91%.

APPENDIX

Table 1

Speed of determination of planning applications recorded by National Indicator 157

	2008 - 2009	2009 - 2010	2010 - 2011	2011 - 2012					2012 - 2013					2013 - 2014				
	Year	Year	Year	Q1	Q2	Q3	Q4	Year	Q1	Q2	Q3	Q4	Year	Q1	Q2	Q3	Q4	Yr
Major % 13 wks	37%	72.5%	75.7%	75%	20%	71.4%	30%	52.9%	77.7%	50%	14.2%	7.1%	35%	50%	68.5%			
% 26 wks	47.4%	73.8%	88.9%					73.5%	88.8%	90%	28.6%	35.7%		58.3%	73.6%			
Minor % 8 wks	75%	88.4%	78.9%	50%	64.3%	83.1%	74.5%	67.2%	81.5%	69.6%	66.1%	63.3%	73.4%	70%	86.5%			
% 26 wks			99.6%					95.9%	97.7%	98.5%	100%	96.6%		96.2%	95.9%			
Others % 8 wks	80%	90.3%	89.6%	70%	78.3%	90.1%	88.5%	81.6%	86.4%	77.2%	78.6%	82.4%	81.1%	85.5%	83.9%			
% 26 weeks			99.6%					97.9%	100%	98.6%	100%	97.7%		100%	98.5%			

Table 2**Numbers of planning applications recorded by National Indicator 157**

	2010 - 2011				2011 - 2012				2012 - 2013				2013 - 2014			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Received	212	222	197	255	184	245	176	221	273	255	171	207	223	???		
Withdrawn/called in	15	11	19	15	9	21	10	8	17	6	8	8	5	25		
On hand (pending) at end of quarter	144	132	136	206	169	160	119	179	190	154	149	173	168	???		
Decisions	197	222	174	169	212	232	203	157	246	223	167	175	223	231		

* This number not yet finalised at the time of writing.

Report to	Planning applications committee 10 October 2013	Item
Report of	Head of planning services	7
Subject	Performance of the development management service: Appeals: 1 July 2013 to 30th September 2013 (Quarter 2 2013 - 14)	

Purpose

To report the performance on planning appeals to members of the committee.

Recommendations

That the report be noted.

Financial Consequences

The financial consequences of this report are none.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority “Strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future”.

Contact Officers

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Background Documents

None.

Report

Background

1. The purpose of this report is to ensure members are aware of the outcome of planning appeals.
2. Appendix 1A provides details of appeals lodged which are pending. There are five planning appeals pending or awaiting decision. Two of these appeals were cases where members overturned the officer's recommendation and refused the application. Application no. 12/01885/O for the Lakenham Sports and Leisure Centre is being dealt with by means of a Public Inquiry which has taken place on 14th and 15th August and we are awaiting the decision. The second case is Application no. 13/00403/U (85 Grove Road) which proposed a change of use of part of the ground floor from residential (Class C3) to a hair salon (Class A1). The remaining three appeals were all cases which were delegated officer decisions where the application was refused. These are no. 13/00726/F (Performance House, Barrow Close, Sweet Briar Road Industrial Estate) where the proposal is for a change of use from light industrial (Class B1) to a children's nursery (Class D1); no. 13/00013/F (419 Dereham Road) for the sub-division of ex-garden land and the erection of 1 no. two-bedroom house and no. 13/00888/F (22 Valley Side Road) for the demolition of an existing detached bungalow and the erection of 2 no. detached bungalows.
3. Appendix 1B shows there was one appeal Allowed during this quarter. This was application no. 12/01494/U for the former Eastern Electricity Board site in Duke Street and was a delegated officer decision where the application was refused. The application proposed the continued use of a private car park to provide a short/medium stay public car park for a temporary period of six months.
4. Appendix 1C shows there was one appeal Dismissed during this quarter. This was for application no. 12/00961/F for two houses on the car park site at rear of 5 to 11 Cathedral Street and was a case where members refused the application in line with the officer's recommendation.

Planning appeals in progress – Quarter 2 (1 July to 30 September) 2013 / 2014

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
13/00004/REF Application No. 12/01885/O	APP/G2625/A/13/2 195084	Lakenham Sports and Leisure Centre Carshalton Road Norwich NR1 3BD	Refusal of planning permission for outline application to redevelop site to provide 75 No. dwellings (50 No. market, 25 No. housing association including mobility accessible dwellings) along with new public allotments, children's playground and five-a-side football pitch.	3rd April 2013	Public Inquiry	In progress Inquiry took place on 14th and 15th August
13/00007/REF Application No. 13/00403/U	APP/G2625/A/13/2 199109	85 Grove Road Norwich NR1 3RT	Refusal of planning permission for Change of use of part of ground floor from residential (Class C3) to hair salon (Class A1).	17th July 2013	Written Reps.	In Progress

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
13/00008/REF Application No. 13/00726/F	APP/G2625/A/13/2 202491	Performance House Barrow Close Sweet Briar Road Industrial Estate Norwich NR3 2AT	Refusal of planning permission for change of use from light industrial (Class B1) to a children's nursery (Class D1) with internal and external alterations.	5th August 2013	Written Reps.	In Progress
13/00010/REF Application No. 13/00013/F	APP/G2625/A/13/2 203105	419 Dereham Road Norwich NR5 8QH	Subdivision of ex-garden land and erection of 1 No. two bedroom house.	12th August 2013	Written Reps.	In Progress
13/00009/REF Application No. 13/00888/F	APP/G2625/A/13/2 203403	22 Valley Side Road Norwich NR1 4LD	Demolition of existing detached bungalow and erection of 2 No. detached bungalows	15th August 2013	Written Reps.	In Progress

Planning Appeals Allowed – Quarter 2 (1st July to 30th September 2013) 2013 / 2014

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
13/00006/REF Application No. 12/01494/U	APP/G2625/A/13/2195 970	Former Eastern Electricity Board Site Duke Street Norwich	Refusal of planning permission for Continued use of private car park ancillary to the principal use of the site as offices to provide 93 short/medium stay public car park spaces for a period of six months.	23rd April 2013	Written Reps.	Allowed

Planning Appeals Dismissed – Quarter 2 (1st July to 30th September) 2013 / 2014

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
13/00005/REF Application No. 12/00961/F	APP/G2625/A/13/2194848	Car Park Rear Of 5 – 11 Cathedral St Norwich	Refusal of planning permission for erection of 2 No. two bedroom dwellings.	27th March 2013	Written Reps.	Dismissed