



**NORWICH**  
City Council

### Planning applications committee

**Date:** Thursday, 14 February 2019

**Time:** 09:30

**Venue:** Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

#### Committee members:

##### Councillors:

Driver (chair)

Maxwell (vice chair)

Bradford

Button

Henderson

Malik

Peek

Raby

Ryan

Sands (M)

Stutely

Trevor

Wright

#### For further information please contact:

Committee officer: Jackie Rodger

t: (01603) 212033

e: [jackierodger@norwich.gov.uk](mailto:jackierodger@norwich.gov.uk)

Democratic services

City Hall

Norwich

NR2 1NH

[www.norwich.gov.uk](http://www.norwich.gov.uk)

#### Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

## Agenda

Page nos

**1 Apologies**

To receive apologies for absence

**2 Declarations of interest**

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

**3 Minutes**

**5 - 18**

To approve the accuracy of the minutes of the meeting held on 10 January 2019

**4 Planning applications**

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 4 above are required to notify the committee officer by 10:00 on the day before the meeting.

Further information on planning applications can be obtained from the council's website:

<http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 9.30;
- 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 13:00 and 14:00 if there is any remaining business.

**Summary of applications for consideration at the meeting**

**19 - 20**

**Standing duties**

**21 - 22**

<b>4(a)</b>	<b>Application no 18/00372/O - Norwich Community Hospital, Bowthorpe Road, Norwich, NR2 3TU</b>	<b>23 - 52</b>
<b>4(b)</b>	<b>Application no 18/01865/F - 2 St Martins Close, Norwich, NR3 3HB</b>	<b>53 - 64</b>
<b>4(c)</b>	<b>Application no 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich</b>	<b>65 - 86</b>
<b>4(d)</b>	<b>Application no 18/01265/F - 56 Wolfe Road, Norwich</b>	<b>87 - 94</b>
<b>4(e)</b>	<b>Application no 18/01095/F - 56 Caernarvon Road, Norwich, NR2 3HX</b>	<b>95 - 106</b>
<b>4(f)</b>	<b>Application no 18/01678/F - 142 Beloe Avenue, Norwich, NR5 9AQ</b>	<b>107 - 114</b>
<b>4(g)</b>	<b>Application no 18/01884/F 41 Broadhurst Road, Norwich, NR4 6RD</b>	<b>115 - 126</b>
<b>4(h)</b>	<b>Application no 18/01413/F 156 Thorpe Road, Norwich, NR1 1TJ</b>	<b>127 - 146</b>
<b>4(i)</b>	<b>Application no 18/01205/F and 18/01206/L – Former Bethel Hospital, Bethel Street</b>	<b>147 - 162</b>

Date of publication: **Wednesday, 06 February 2019**







**Planning applications committee**

**9:40 to 13:20**

**10 January 2019**

Present: Councillors Driver (chair), Maxwell (vice chair), Bradford, Button, Malik, Lubbock (substitute for Councillor Wright), Peek, Raby, Sands (M), Stutely and Trevor

Apologies: Councillor Henderson, Ryan and Wright

(The chair asked that the committee had 10 minutes to read the supplementary report of updates to reports which was circulated at the meeting. The commencement of the meeting was therefore adjusted accordingly.)

**1. Declarations of interest**

Councillor Peek, as Wensum ward councillor, declared an interest in item 10 (below), Application no 18/01430/F - 373 Bowthorpe Road, Norwich, NR5 8AG, because he had a predetermined view in that he had called in the application and would speak in support of the applicant.

Councillor Sands declared an other interest in item 7 (below), Application no 18/01453/U - 547 Earlham Road, Norwich, NR4 7HW, because he had raised officer's awareness to a planning enforcement issue associated with this property, but did not have a predetermined view in the planning application.

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meetings held on:

- (a) 6 December 2018, subject to the following amendments to item 3, Application no 18/00330/F - Anglia Square including land and buildings to the North and West, Norwich:
  - (i) 27<sup>th</sup> paragraph, at the request of Councillor Trevor, to insert footnote as follows:

“<sup>1</sup> Amended at planning applications committee, 10 January 2019, to include the reasons Councillor Trevor was minded to refuse the application because of her concerns about: use of space, lack of mixed communities, lack of trees and green space, air quality and daylight.”
  - (ii) 28<sup>th</sup> paragraph, 3<sup>rd</sup> sentence, insert *Her Majesty's* in front of *the Stationery Office*.
- (b) 13 December 2018.

### 3. Application no 18/00956/F - Magdalen Street, Norwich

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

The senior planner referred to the report and answered members' questions. Members sought confirmation that subject to viability, this scheme could be brought forward irrespective of decisions on the wider Anglia Square site. The land was in the ownership of Columbia Threadneedle (the applicant) and the city council, and would contribute to the district shopping centre. The applicant would manage the site and would be required to submit a management plan as conditional to the grant of planning permission. Three of the four proposed access points would be closed off during the evenings to allow access to the area to be managed and mitigate noise to local residents and the Doughty Hospital. Emergency procedures would be part of the management plan. The temporary permission for 10 years reflected the durability of the containers and was a beneficial use for land that was either difficult to develop or awaiting a permanent use. There would be toilets and baby changing facilities as part of the scheme. The facility would be suitable for pop-up kitchens and other catering production. The containers could be fitted appropriately with external ventilation. It was expected that the scheme would proceed this year if it was viable.

The chair and vice chair moved the recommendations as set out in the report.

Discussion ensued in which members welcomed the proposal which would assist local businesses and start-up companies, bring vibrancy to the area and deter anti-social behaviour, and provide accessible toilets. A member referred to the objections from the Doughty Hospital said that he considered that the noise mitigation was satisfactory. He said that he considered that the name of the scheme, *Under the Flyover*, could be more imaginative.

Councillor Malik said that he considered that this was a fantastic scheme but that he would abstain because he was concerned that it was dependent on the wider application for Anglia Square. Another member shared this concern. The area development manager (inner) said that there was an indirect link between this application and the wider application for the development of Anglia Square. However it was a separate application to be determined in its own right and was a temporary scheme because of the nature of the structures (containers) that would be used on the site.

In reply to a question from the chair, the senior planner said that the Magdalen Street Area and Anglia Square Traders Association had not commented on the planning application.

**RESOLVED** with 10 members voting in favour (Councillors Driver, Malik, Lubbock, Raby, Button, Trevor, Peek, Stutely, Sands and Bradford) and 1 member abstaining from voting (Councillor Malik) to approve application no. 18/00956/F - Magdalen Street Norwich and grant planning permission subject to the following conditions:

1. Temporary time limit - 10 years;
2. Remediation Plan – scheme for the site following the cessation of the temporary use.
3. In accordance with plans;

4. Prior to commencement requirement for Archaeological Mitigation Strategy;
5. Prior to commencement detailed surface water drainage scheme;
6. Stop work if unknown contamination found;
7. Agreement of detailed landscape scheme - hard, soft and features;
8. Full details: noise mitigation measures (to include site sound system/noise limiter);
9. Full details: flood mitigation including evacuation plan;
10. Provision of extraction scheme – maintenance/management arrangements to be secured;
11. Site management plan to be agreed – to include detailed site management/ maintenance arrangements of the public realm and structures; public access arrangements; leasing strategy; community access arrangement; site security and management; events strategy.
12. Limit 50 % of total floorspace for food and beverage uses: A4 limit 20% no more than two containers;
13. Trading hours – Sun to Wed 07:00 – 21:30; Thurs to Sat 07:00 – 22.30;
14. No entertainment/event /use of amplified sound system after 21:30 on any day;
15. Flexibility for up to 12 later events a year with the prior written approval of the local planning authority;
16. Provision of public cycle parking.

#### Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 38 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 in the officer report.

#### **4. Application no 18/01524/F - Mary Chapman Court, Norwich**

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting and contained a summary of a relevant appeal decision on a nearby site (Car Park Rear of Premier Travel Inn) and the officer response.

A proxy, acting for two residents, and three local residents addressed the committee and outlined their objections to the proposed scheme. This included concerns that the massing and height of the development would create a negative impact on the conservation area and cityscape; that the seven storey block was too high and that an alternative would be to arrange more the accommodation evenly across the site; and, that the development was contrary to local planning policies. The development was considered to have a detrimental impact on the residents of Dukes Palace Wharf. Residents were concerned that the development would overshadow the flats at Dukes Palace Wharf, blocking out daylight to the flats and balconies (the only outdoor space for residents) and that the assessment of the height of the development in relationship to Dukes Palace Wharf, as set out in paragraph 61 was incorrect, and the assessment of number of storeys at Dukes Palace Wharf did not take into account the mezzanine floors of the corner flats. One of the speakers commented that it would not be difficult for a scheme to be an improvement on the current arrangements and was not sufficient to recommend the scheme. A resident commented that the appeal decision on the nearby site had been available before

Christmas and should have been included in the papers for the meeting rather than circulated at the meeting.

A representative of Norwich University of the Arts (the applicant) explained that this was an important development for the university as it would provide a lecture theatre and teaching space to meet the current needs and medium-term needs of the university. The proposal was to replace an existing building. The scheme took into account the adjacent Barnard's Yard development. In terms of height and massing the scheme reflected the height of the planning permission (now lapsed) for the former Eastern Electricity Board building. Historic England and Norwich Society had provided helpful advice. Proposals to replicate a warehouse style building on the river bank had been discounted to provide public access to the river and open up the public space.

The planner commented on the speakers' representations and explained that the measurements for Dukes Palace Wharf quoted in the report had been taken from Duke Street.

The planner, together with the area development manager (inner) referred to the report and answered members' questions. These included an explanation of the height and massing of the development and its relationship with nearby buildings. Members were advised that the maximum height of the new building was 22 metres and in comparison Dukes Palace Wharf was 21 metres. A member commented on the Eastern Electricity Board's lapsed planning permission and it was noted that the images used were prior to the lapse in the permission in December 2018 and should have been amended accordingly. Members noted the proximity to Barnard's Yard to the existing building at Mary Chapman Court and that, under this proposal, there would be a wider space between the buildings. A member asked about the disused undercroft parking and was advised that it had potential to provide 72 parking spaces. Members considered the importance of the heritage interpretation of the former ironworks and noted the etchings and symbols for the window surrounds and the use of metal colonnades on the ground floor, comprising non-reflective metal which would develop a patina as it weathered. Members also sought confirmation about the management of the public space to deter antisocial behaviour and that there would be staff on site at all times.

The chair moved and the vice chair seconded the recommendations as set out in the report.

During discussion, several members commented in support of the application which would open up the site, reflected the height and massing of adjacent heritage buildings, benefited the residents of Barnard's Yard, provided new facilities for the university and replaced the current poor student accommodation. It was noted that the Norwich Society had supported the scheme.

Councillor Trevor said that she had taken account of the speaker's objections and could not support the proposal. Councillor Raby also said that he was concerned about the height and massing of the scheme, and having listened to the speakers, considered that the scheme could be redesigned to redistribute the mass across the site and reduce the seven storey block by two storeys.

**RESOLVED**, with 9 members voting in favour (Councillors Driver, Maxwell, Lubbock, Button, Malik, Peek, Stutely, Sands and Bradford) and 2 members voting against (Councillors Raby and Trevor) to approve application no. 18/01524/F - Mary Chapman Court, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials to be agreed;
4. Landscaping scheme to be agreed, including demarcation of ownership boundary;
5. Heritage interpretation scheme to be agreed;
6. Details of bicycle storage to be agreed;
7. Refuse collections to take place with use of a reversing assistant;
8. Details of dropped kerb;
9. Street trees to be provided;
10. Travel plan to be shared;
11. Written scheme of investigation to be submitted;
12. Site management plan to be agreed, including arrangements for student drop off and pick up, provision of CCTV;
13. Construction method statement;
14. Contamination preliminary risk assessment to be submitted;
15. Stop works if unknown contamination found;
16. No drainage to the ground without express consent;
17. No piling without express consent;
18. Flood warning and evacuation plan to be submitted;
19. SUDS implementation;
20. Ecological mitigation measures to be implemented in accordance with report;
21. Specification and locations of 8 bat boxes to be agreed;
22. No site clearance during bird nesting season without express consent;
23. All boundary treatments to include small mammal access;
24. Lighting scheme to be submitted (to protect wildlife and light the open space);
25. In accordance with Arboricultural Impact Assessment;
26. Renewable energy to be provided in accordance with Design and Access Statement.

**Informatives:**

1. Caution must be exercised when demolishing buildings on the site due to the slight possibility that bats may be present. Further inspection of the loft spaces at the site should be carried out prior to demolition. If any bats are found on site during site clearance, works should stop immediately and a licenced bat ecologist must be contacted.
2. The Landscape Management Plan will be expected to set out the overall objectives of a landscape scheme and the steps (e.g. legal arrangements including ownership and management responsibilities, planned maintenance tasks, phased works, monitoring procedures etc.) that will be taken after implementation to ensure that the scheme becomes successfully established and reaches maturity.
3. Construction working hours & considerate construction.
4. Asbestos to be dealt with as per current government guidelines.

5. A planning brief for the archaeological Written Scheme of Investigation will be provided by Norfolk County Council, Historic Environment Service.
6. The loading bay will require a 'loading only' restriction to be established with associated signage. This will entail a Traffic Regulation Order fee of £1995 plus any signage/post costs
7. The costs involved in the relocation of any street furniture (such as road signs or street lights) need to be met by the applicant.
8. Street naming and numbering; the council has a statutory responsibility with regard to postal addressing, if a building name is required to be used formally please contact us for advice.
9. As the footway will need to be reconstructed to ensure it is strengthened for vehicular use and repaved for an embedded loading bay this will require a S278 agreement.
10. A 30 year maintenance fee is applicable for each street tree (payable via the S278 agreement).
11. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

(The committee adjourned for a short comfort break at this point. The committee reconvened with all members.)

#### **5. Application no 18/01377/VC - 174 Aylsham Road, Norwich NR3 2HJ**

The planner presented the report with the aid of plans and slides. She advised members that residents had reported an issue of staff leaving the loud speaker on at night but this issue had been resolved. A condition required that the loud speaker was only used in emergencies.

**RESOLVED**, unanimously, to approve application no 18/01377/VC - 174 Aylsham Road, Norwich, NR3 2HJ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. In accordance with the landscaping details approved within application 18/00086/D, all hard and soft landscaping works shall be retained in perpetuity and shall be managed and maintained as set out within condition 3 of 17/01329/F.
4. The bicycle parking details approved within application 18/00086/D shall be retained in perpetuity.
5. Between the hours of 11pm and 7am on any day:
  - (a) There shall be no customer access to the shop, and all sales shall take place at the night pay hatch; and

- (b) There shall be no use of the fuel pumps other than those on the two pump Islands closest to the shop; and
- (c) There shall be no use of external lighting except the recessed lights set within the underside of the canopy above the two active pump islands; and
- (d) There shall be no use of the vacuum, air or water facilities; and
- (e) There shall be no deliveries to the site.
- (f) There shall be no use of the loudspeaker except in the case of an emergency (i.e. a situation that poses an immediate risk to health, life, property, or environment).

## **6. Application no 18/01402/VC - 286 Dereham Road, Norwich, NR2 3UU**

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports, which was circulated at the meeting and said that a further representation had been that fully endorsed the recommendations and that the applicant had submitted a document with 26 signatures in support of the proposal. Members were advised that condition 6 as set out in the report was not required as travel plans were covered in condition 9 and should be deleted.

Councillor Stonard, as a local resident and also as cabinet member for sustainable and inclusive growth, spoke in support of the application. He said that the Norwich and Norfolk Muslim Association was an excellent neighbour and that even when Friday prayers were taking place there was sufficient parking at the centre and in adjacent roads. He said that the adverse literature opposing the application was not representative of the local residents. The proposal regulated an ambiguity in the original planning consent to permit prayer as part of the activities at the centre. There had been no breach of planning consent. The association provided regular community events, including school visits, food bank and clothes donations.

Councillor Maguire said that he had discussed the application with all the local members for Wensum (with the exception of Councillor Peek as a member of this committee) and that they were all fully in support of the application.

A representative of the Norwich and Norfolk Muslim Association, on behalf of the applicants, addressed the committee. In 2011, the applicants had received permission to use the former public house for community events and, as they prayed five times a day, were seeking formal permission to conduct prayers at the premises. It was a small community which was very welcoming and invited residents to open days and arranged regular school visits to build up an understanding of Islam. The members collected food for the foodbank and clothing for homeless people. There were regular community events and a meal once a month.

The chair moved and the vice chair seconded the recommendations as set out in the report.

During discussion the vice chair apologised to the applicants that anyone in this city could circulate a racist leaflet in the area. Other members strongly supported her statement and noted that the police had been informed. Members welcomed the

proposal and considered that the use of the former public house for a community centre was a good use of the premises.

Councillor Peek, Wensum ward councillor, said that, when canvassing in the area, he had not come across any opposition to the applicants' use of the premises.

**RESOLVED**, unanimously, to approve application no. 18/01402/VC - 286 Dereham Road, Norwich, NR2 3UU and grant planning permission subject to the following conditions:

1. In accordance with plans;
2. The use of the premises hereby approved shall be limited to use only as a community centre and place of worship, with ancillary creche, play group or day nursery and education use only and for no other use (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order (with or without modification). For the avoidance of doubt, no use of the premises as a clinic, health centre, art gallery, museum, library, law court or non-residential education and training centre shall take place without further permission being granted.
3. The use of the premises which form the subject of this permission and which are outlined in red on the location plan shall not take place between the hours of 2300 hours and 0700hours on any day, except during the Ramadan period when the use shall cease not later than 3 hours after sunset, or 23:00 whichever is the later.
4. No loudspeaker, amplifier, relay or other audio equipment shall be installed or used outside the building.
5. No installation of any amplified sound equipment shall take place within the application premises unless details of the maximum noise levels, expressed in dB LAeq (5 minute) and measured at a point 2 metres from any loudspeaker forming part of the amplification system, together with details of any noise limiting devices, such as a microphone controlled sealed noise limiting device, have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the maximum noise levels from any amplified sound equipment within the premises shall not exceed those approved at any time. No amplified music shall be played on the premises unless the doors and windows to the premises remain closed.
6. No use shall take place other than in accordance with the hereby approved travel plan dated March 2016.
7. No external lighting or security measures, including CCTV if required, shall be used or installed on the premises unless in accordance with a scheme which has first been submitted to and approved in writing by the local planning authority. Any measures as approved and installed shall be retained thereafter.
8. No fixed plant or machinery shall be installed on the site unless in accordance with a scheme which has first been submitted to and approved in writing by the local planning authority.
9. Within three months of the date of this permission:
  - (a) provision shall be made for travel information to be publicised to staff and potential future users of the premises; and



- (b) the details of this provision, including the different methods to be used for publicity and the frequency of review shall be submitted to and approved in writing by the local planning authority; and
  - (c) the travel information shall be made available in accordance with the provision as agreed. This information shall include details of the public transport routes and services available within half a mile walking distance of the site, cycle parking provision and facilities for cyclists on site and any other measures which would support and encourage access to the site by means other than the private car.
10. Within three months of the date of this permission, an up to date management plan shall be submitted to and agreed by the local planning authority to include measures to minimise impacts upon the surrounding area, in particular in terms of noise and car parking. The use shall be operated in accordance with the approved management plan thereafter.

#### Article 31(1)(cc) statement

The local planning authority in making its decision has had due regard to paragraph 38 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 officer report.

#### **7. Application no 18/01453/U - 547 Earlham Road Norwich NR4 7HW**

(Councillor Sands had declared an interest in this item.)

The planner presented the report with plans and slides. She explained that the application was separate from the planning enforcement in relation to the use of the premises as a restaurant, which did not preclude the determination of this application to change the use of the premises into a bed and breakfast establishment.

The planner, together with the area development manager (outer), referred to the report and answered members' questions, which included reassurance that there were trees on the boundary and at the rear, that a licensing application would be required if the applicant were to sell alcohol on the premises, that the proposal was for a five bedroom bed and breakfast, with staffing accommodation, and was not currently operating as a bed and breakfast. The dining facilities shown on the plan were for guests of the bed and breakfast. Several previous applications for planning consent had not been implemented.

The chair moved and the vice chair seconded that the recommendations as set out in the report.

Discussion ensued in which the planner and the area development manager (outer) advised that at this stage of the investigation there was no evidence that the applicant was currently using the premises as a restaurant or any material change of use had occurred. Enforcement action was being considered for the removal of the large sign on the front of the building. A member pointed out that there were other similar businesses and bed and breakfast establishments in the vicinity.

**RESOLVED**, unanimously, to approve application no. 18/01453/U - 547 Earlham Road Norwich NR4 7HW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of any extraction/mechanical ventilation;
4. Hours for refuse collection and deliveries;
5. Submission of management plan;
6. Bin and bike stores;
7. No use of the rear curtilage for car parking;
8. Use of the premises shall be as a B&B.

#### Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 38 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 in the officer report.

#### **8. Application no 18/01278/U - 4 Fieldview, Norwich, NR5 8AQ**

The planner presented the report with plans and slides.

The applicant addressed the committee and said that the application was for seven occupants and could accommodate six people without planning permission. He disputed the measurements of the smallest bedroom and said that the measurements stated in the report were incorrect. The house had two communal areas and was over and above what was usual for a house in multiple- occupation (HMO) with a separate dining room and living room. There was also a garden space with the ground floor bedrooms having patio doors to access this space.

The planner explained that the extension had been granted under a household planning application. Officers had taken the measurements for the bedroom which was below the minimum space standard from the plans submitted by the applicant.

In reply to a member's question, the planner said that there had been a change to the licensing regulations for HMOs and that the council was taking a consistent approach to HMOs in the light of the outcome of the issues raised by the planning inspector in relation to a recent appeal. During discussion the planner and the area development manager (outer) referred to the report and answered members' questions. Planning permission was not required for up to 6 occupants. Members were advised that there were material differences to the property at no 2 Fieldview, which was on a larger plot, with more communal areas and amenity space and two access/egress points. Members noted that this was a retrospective application and asked what the implications would be if it was either approved or refused; and were advised that the applicant could appeal.

Councillor Malik referred to the officer's conclusions in the report and asked an explanation of how the conclusion that it was "border-line" had been reached. The planner said that the recommendation to refuse was consistent with the approach that the council was taking following changes to licensing legislation for HMOs and

the outcome of a recent planning appeal where the planning inspector raised a number of issues in regard to an HMO.

The chair moved and the vice chair seconded the recommendations as set out in the report.

**RESOLVED**, with 9 members voting in favour (Councillors Driver, Maxwell, Lubbock, Raby, Button, Trevor, Stutely, Sands and Bradford) and 2 members voting against (Councillors Malik and Peek) to refuse application no. 18/01278/U - 4 Fieldview, Norwich, NR5 8AQ for the following reasons:

1. The proposed development by virtue of the number of occupants, the character of the local area, the size of the property and its relationship to neighbouring properties would cause significant harm to the residential amenity for occupants of nearby dwellings in terms of noise, and general disturbance. The development does not accord with development plan policy in terms of Policies DM2 and DM13 of the Development Management Policies Local Plan 2014. These include provisions to protect residential amenity in terms of noise disturbance, and to ensure that larger HMOs do not have an unacceptable impact on the living conditions of neighbouring residential occupiers.
2. The property provides 7 bedrooms of which one is below nationally described space standards for single bedrooms and is also below minimum space requirements within the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licences) (England) Regulations 2018, both are considered to be material considerations in this case. Policy DM2 and DM13 of the Development Management Policies Local Plan 2014 require a high standard of amenity for future occupiers and although the internal living space is reasonable, given the small size of the room in question and the limited external amenity space the proposal is not considered to provide suitable living accommodation for seven occupants and is therefore contrary to the above referenced policies.

Article 35(2) Statement:

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations. The proposal in question is not considered to be acceptable for the reasons outlined above.

## **9. Application no 18/01016/U - 2 Fieldview, Norwich, NR5 8AQ**

The senior planner presented the report with plans and slides.

The senior planner answered members' questions and explained that the garage was used by the landlord when servicing properties in the area and was not used as habitable space. The recommendation was that this brick building was not used for sleeping accommodation. Members were also advised that there was a condition to prevent the premises being occupied by more than 7 permanent residents.

During discussion members considered that this application was clearly different from the previous application.

**RESOLVED**, unanimously, to approve application no. 18/01016/U - 2 Fieldview Norwich NR5 8AQ and grant planning permission subject to the following conditions:

1. In accordance with plans;
2. Dropped kerb to be provided next to parking area on northern side of property within 6 months of decision.
3. Landscaping scheme to be submitted within 2 months of decision to details of improvements to rear garden and insertion of gate in fence next conservatory. Approved details to be implemented within 3 months of approval of details and rear garden to be made available and retained as such in perpetuity.
4. Vehicle and cycle parking retained for use of the occupants in accordance with plan
5. Brick outbuilding (former garage) not to be used for sleeping accommodation;
6. Development to be occupied by no more than 7 permanent residents.

Article 35(2) Statement:

The local planning authority in making its decision has had due regard to paragraph 38 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 officer report.

#### **10. Application no 18/01430/F - 373 Bowthorpe Road, Norwich, NR5 8AG**

(Councillor Peek, having declared an interest in this item, spoke as a member of the public and then left the room. He did not take part in the determination of the application.)

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

The applicant addressed the committee and explained the family's circumstances and need for an additional bedroom and larger kitchen so that the family could eat together. The applicant said that they would be willing to plant a hedge or provide landscaping to screen the extension from the road.

Councillor Peek read out a letter from an occupational health therapist in support of the application to extend the property and meet the needs of a family member.

(Councillor Peek left the room at this point.)

During discussion, the planner and the area development manager (outer) referred to the report and answered members' questions. He explained that the planning permission for the extension at the front of no 371 Bowthorpe Road had been granted in 2006 before the current development plan had been adopted, which sought to retain the features of the original estate, such as the junction at Beverly Road. Members pointed out that in this case the symmetry and open aspect had been lost when no 371 had been extended and the hedge installed. Members sought confirmation about the size of the family and noted that the extension would fulfil the family's long term needs.

The chair moved and the vice chair seconded, contrary to the officer recommendation, that the application be approved.

Discussion ensued in which members commented in support of the planning application. Members in reaching their conclusions took into consideration the personal circumstances of the applicants; that there was no alternative to extending the house to the front; that the houses were poorly designed for modern family use; that the character of the area had been harmed by the permission granted to no 371 and a precedent set; that the applicant could consider a hedge or fence or other boundary treatments to screen the extension and reflect the hedge at no 371.

**RESOLVED**, unanimously, to approve application no. 18/01430/F - 373 Bowthorpe Road, Norwich, NR5 8AG and grant planning consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.

**11. Tree Preservation Order [TPO], 2018. City of Norwich Number 541; 74 Upper St. Giles Street, Norwich, NR2 1LT**

The arboricultural officer presented the report with the aid of plans and slides. In reply to a member's question, the area development manager (outer) explained that the process for this tree preservation order had started before the committee approved changes to its delegations.

**RESOLVED**, unanimously, to confirm Tree Preservation Order [TPO], 2018. City of Norwich Number 541; 74 Upper St. Giles Street, Norwich, NR2 1LT, without modifications.

CHAIR



Summary of planning applications for consideration

ITEM 4

14 February 2019

Item No.	Case number	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	18/00372/O	Norwich Community Hospital Bowthorpe Road	Lee Cook	Outline application including matters of access for redevelopment of the site to provide a new hospital; residential care home; extra care units; key worker units; change of use of Woodlands House to provide residential units; mixed provision of ancillary office space, independent B1 space, A1 retail space; and associated car parking and landscaping (additional / revised information).	Objections	Approve subject to s106 agreement
4(b)	18/01865/F	2 St Martins Close	Maria Hammond	Conversion of shop and warehouse to 5 bedroom HMO (Class Sui Generis) with external alterations.	Objections	Approve
4(c)	16/01889/O	Land West Of Eastgate House 122 Thorpe Road	Robert Webb	Outline application for the erection of 20 no. apartments including associated parking and amenity space.	Objections	To vary former resolution to approve to allow refusal if S106 not completed
4(d)	18/01265/F	56 Wolfe Road	Charlotte Hounsell	Two storey rear extension.	Objections	Approve
4(e)	18/01095/F	56 Caernarvon Road	Stephen Polley	Single storey rear infill extension and dormer window.	Objections	Approve
4(f)	18/01678/F	142 Beloe Avenue	Stephen Polley	Single storey rear extension.	Objections	Approve

<b>Item No.</b>	<b>Case number</b>	<b>Location</b>	<b>Case officer</b>	<b>Proposal</b>	<b>Reason for consideration at committee</b>	<b>Recommendation</b>
4(g)	18/01884/F	41 Broadhurst Road	Stephen Little	Two storey side extension and a single storey rear extension.	Objections	Approve
4(h)	18/01413/F	156 Thorpe Road	Stephen Little	Erection of rear second storey extension to create 1 No. dwelling.	Objections	Approve
4(i)	18/01205/F and 18/01206/L	Former Bethel Hospital	Katherine Brumpton	Change of use from office to residential	Objections	Approve



## STANDING DUTIES

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

### **Equality Act 2010**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Report to** Planning applications committee

**Item**

14 February 2019

**Report of** Head of planning services

**Subject** Application no 18/00372/O - Norwich Community Hospital, Bowthorpe Road, Norwich, NR2 3TU

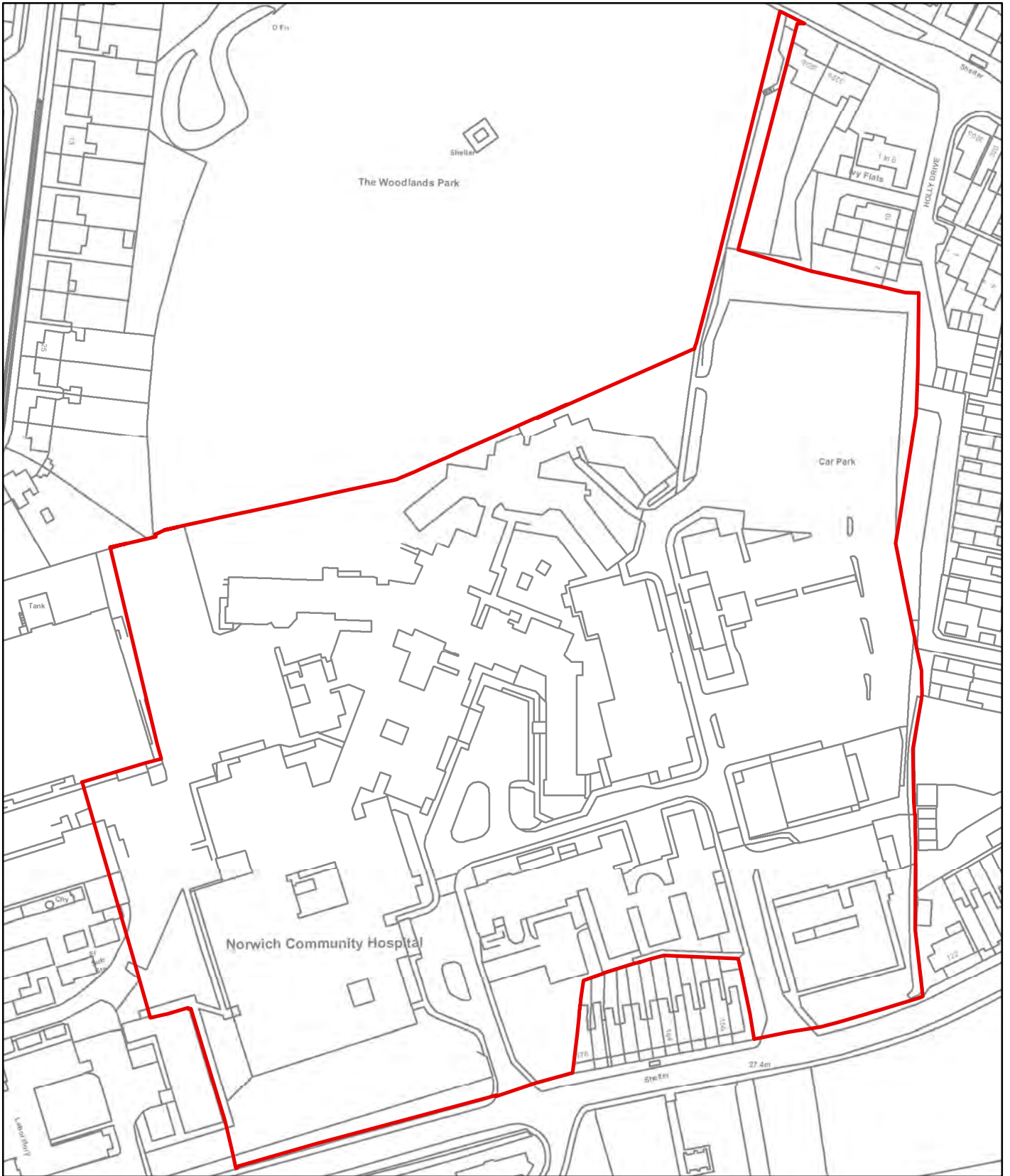
**4(a)**

**Reason for referral** Objections

<b>Ward:</b>	Wensum
<b>Case officer</b>	Lee Cook - <a href="mailto:leecook@norwich.gov.uk">leecook@norwich.gov.uk</a>

<b>Development proposal</b>		
Outline application including matters of access for redevelopment of the site (excluding the Mulberry Unit and Lift Building) to provide a new hospital; residential care home; extra care units; key worker units; change of use of Woodlands House to provide residential units; mixed provision of ancillary office space, independent B1 space, A1 retail space; and associated car parking and landscaping.		
<b>Representations</b>		
Initial proposal		
Object	Comment	Support
17	0	0
First revised proposal		
Object	Comment	Support
16	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Principle	Provision of housing; Loss of / reorganisation of site uses. Ancillary activities.
2 Land stability	Impact on the wider area. Capacity of site to be developed.
3 Amenity – Design	Impact on amenities of neighbouring properties (outlook, privacy, building impact). Building or use impacts on future / existing residents. Scale, layout and landscape space design. Character of area.
4 Flood risk	Surface water drainage strategy.
5 Contamination	Foundation techniques. Protection of ground water and human health.
6 Transport	Suitable access. Provision of parking and servicing.
<b>Expiry date</b>	21 June 2018
<b>Recommendation</b>	Approve subject to S106 agreement

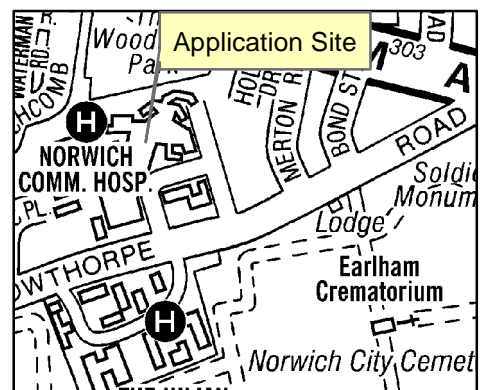


© Crown Copyright and database right 2019. Ordnance Survey 100019747.

Planning Application No 18/00372/O  
 Norwich Community Hospital  
 Site Address Bowthorpe Road  
 Scale 1:1,500



**NORWICH**  
 City Council  
 PLANNING SERVICES



## The site and surroundings

1. The site is on the north side of Bowthorpe Road, opposite the Julian Hospital and Earlham Cemetery. To the north, the site borders the Woodlands Park and housing. To the east, there is terrace housing beyond a parking / garage court. Further residential properties are located along Bowthorpe Road and in part are to the south of the hospital site.
2. Land to the west is controlled by NHS Property Services and includes a number of redundant hospital buildings which have now been separated from the application site.
3. The site has existing access roads from Bowthorpe Road and the land to the west has a separate access from the main hospital site. This is immediately adjacent to an existing bus stop. Crossing facilities are located on Bowthorpe Road close to the main entrance. The site also links through into Dereham Road via the walkway along the east edge of Woodlands Park.

## Constraints

4. The north-west corner of the site and Property Services land is identified under site allocation R37 for housing development in the region of 80 dwellings and this allocation indicates an overall site area of 2.6 hectares.
5. Woodlands Park is a designated woodland area which has some public access (from Dereham Road area) for use as open space. Land south of Bowthorpe Road forms a designated Historic Park. Both areas to the north and south are shown as County wildlife sites. The mature landscape setting on and adjacent to the site is an important aspect for the area and part of the site is covered by a TPO. The earlier site development has created a relatively open and attractive green frontage to the site.
6. The site has main access from Bowthorpe Road for vehicles. The road serves as a minor link to and from the outer ring road and beyond and to the main arterial route along Dereham Road. Immediately in front of the site is a bus stop. The site has existing, and potential for new, pedestrian and cycle links through the area.
7. The site is bounded on the north-eastern, east and south sides by existing housing. That to the east and south is mainly in the form of terraced housing whilst that to the north tends to be older style housing with larger rear gardens backing onto the site or smaller semi / detached housing within Holly Drive. The development area will be adjacent to future residential development allocated along its western boundary.
8. There is utilities equipment, potential AW assets, pumping infrastructure and mobile phone equipment on the overall hospital site.
9. The site is more or less level and there are no major land level changes within the site apart from a gradual sloping decline from north to south. However; some areas adjoining the site appear to be at lower levels. Ground stability issues are known to the east of the hospital area.

## Relevant planning history

10. The northern area within the site was formerly occupied by older hospital buildings which have recently been removed. The remaining site has a range of medical, care or hospital facilities. Early history relates predominantly to the development of medical buildings, car parking, provision of site lighting and plant and machinery on the overall larger site.

Ref	Proposal	Decision	Date
4/1989/0478	Erection of two storey extension and alterations to Public Health laboratory.	Approved	19/06/1989
4/1992/0385	Erection of a single storey extension to the Bertram Diabetes Centre.	Approved	22/09/1992
4/1993/0187	Extensions to ward to give additional storage and circulation space, and refurbishment.	Approved	20/04/1993
4/1993/0410	First floor extension and alterations to maxillo facial unit.	Approved	30/06/1993
4/1993/0876	Conversion of storage areas to offices and minor external alterations.	Approved	03/12/1993
4/1994/0893	Extension of car park.	Approved	23/02/1995
4/1995/0548	Installation of three portakabins.	TEMP	21/07/1995
4/1995/0950	Redevelopment of site for acute elderly health care.	Approved	17/07/1996
4/1995/1003	Extension to disablement services centre.	Approved	30/01/1996
4/1996/0019	Alterations and extension to existing workshop building to form research unit.	Approved	15/02/1996
07/01213/F	Provision of modular building within public car park to accommodate existing crèche/Day Care Nursery.	Approved	21/01/2008
08/00423/F	Formation of 70m <sup>2</sup> (280m <sup>3</sup> ) plant room extension to former kitchen at Norwich Community Hospital together with external alterations in connection with the conversion of the kitchen into a Sterile Service Department.	Approved	13/06/2008

Ref	Proposal	Decision	Date
09/00341/F	Erection of 48 bed ward at Norwich Community Hospital with associated access arrangements and parking.	Approved	14/07/2009
16/01756/F	Extension to waiting area of Biomechanics Department.	Approved	31/01/2017
17/01986/DEM	Demolition of the redundant ward blocks at Norwich community Hospital.	Agreed Prior Approval	09/02/2018
18/00383/F	Proposed bin store and bat roost.	Approved	02/08/2018

## The proposal

11. The initial proposal was for outline consent including matters of access. This provided for the redevelopment of the site (excluding the Mulberry Unit and Lift Building) to provide a new hospital; residential care home; extra care units; key worker units; change of use of Woodlands House to provide residential units; mixed provision of ancillary office space, independent B1 space, A1 retail space; and associated car parking and landscaping.
12. The Mulberry Unit which is reasonably central to the site and adjacent to the main existing surface car park would be retained. This houses the hospital's inpatient wards and is a modern building suitable for retention and re-use.
13. The single storey Lift building is sited in the south-east corner of the site. The LIFT site forms part of the NHS demise, however is let to an independent source. The LIFT Company (Local investment finance trust) is a public private partnership and is not owned by the NCHC but the freehold of the property is. The building is single storey and represents an underuse of this part of the site. To maximise site development options it has been asked and agreed that this site is within the application area.
14. With the original submission were a number of height and floorplate parameters to indicate potential for new development within the overall site. The application also included a Masterplan to inform the layout of the site and position of new uses / buildings which could be followed as a guide to future reserved matters and to give some certainty that development was feasible. The application also included maximum floor space for various proposed uses.
15. Following discussion about local concerns over development impacts the agent has agreed to remove the Masterplan, parameters plans and floor space indicators from the application. The resultant application is for outline consent for access and development for the types of uses identified within the application description.

16. Access for vehicles would be via Bowthorpe Road. There is also suggestion for pedestrian and cycle access east-west through the site and to the north onto Dereham Road (possibly including options to access Woodlands Park).

## Representations

17. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Statement received prior to validation of application signed by 13 residents – comments related to ground stability, local amenity and transport issues.
18. 17 representations and 1 comment of groups or societies have been received in response to the initial application consultation on the scheme. 16 representations have been received in response to the revised proposals / documents including a letter and petition signed by 39 and 2 later (41) signatories and a joint response from Merton Rd and Holly Drive residents citing the issues as summarised in the table and paragraphs below.
19. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Unstable ground	Issues 1, 2, 4 and 5
Loss of sunlight Overshadowing / Loss of outlook Overlooking and loss of privacy	Issues 1 and 3
Highway Issues, Traffic Generation	Issue 6
Trees	Para 138 - 141
Nature Conservation	Para 120 - 126
Layout and Density of Building Design	Issue 3 and para 135 - 141
Lighting at Night	Issue 3 and para 123
Access to the Woodlands Park	Para 138, 141 and 145
Supports the principle of re-development	Noted

20. **Norwich Society:** The Committee would like to request a presentation of these plans if possible and members were urged to read the very considered comments submitted by the Residents' Group.
21. **Cllr Carlo:** Supports the principle of re-developing the present site for hospital and health care related purposes. However, has strong concerns over the proposed re-development of the car park to the east of the site due to the potential instability of



the ground conditions here. Also, in the event of the applicant being able to demonstrate the suitability of the site's ground conditions, would advocate a reduction in the impact of the proposed Care Home and Key Workers Housing on neighbouring residents in Merton Road and Holly Drive. Detailed comment received in relation to ground conditions – need for extensive site investigation; need for better communications between the applicant and local residents; impact of proposed care home building on local residents; and travel and safety issues.

## **Consultation responses**

22. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### **Anglian Water (AW)**

23. No objection in principle. Comments provided on local assets, that Whitlingham Trowse Water Recycling Centre will have available capacity for waste water treatment; foul drainage capacity and concern about flooding downstream, foul sewer connections, surface water disposal and connection; concern that the initial surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable with evidence being provided to show that the surface water hierarchy has been followed; agreement required to discharge trade effluent; and also suggested informatives.
24. To respond to concerns about foul drainage and surface water disposal have suggested conditions requiring agreement of foul water strategy and surface water management strategy.

### **Design and conservation**

25. No objection in principle. Has provided detailed comments in relation to development vision; site area Masterplan; demolition and setting of heritage assets; green infrastructure; relationship to neighbouring homes and pedestrian circulation.

### **Environment Agency (EA)**

26. The application does not specify a means of foul drainage. As the site is in a sewered area, it seems likely that the applicant intends to connect to the public foul sewer, which is the first preference on the foul drainage hierarchy. Request confirmation that this is the case. If not, would raise a holding objection to this application as it is a major application potentially proposing to use non-mains foul drainage.
27. Have been consulted on this application due to land contamination. Initially withheld comment but have subsequently suggested conditions relating to deal with the risks associated with contamination of the site; verification report demonstrating completion of works; to stop works and deal with any unidentified contamination which is found during works; to agree details of surface water drainage systems Piling or any other foundation designs using penetrative methods to ensure that there are no resultant unacceptable risk to controlled waters. Also provided technical guidance.

## **Environmental protection**

28. No objection in principle. Satisfied that the issues have been identified and that local residential premises can be adequately protected from noise. Details of plant and mitigation measures will be required as detailed plans are brought forward to ensure compliance with the noise impact assessment.

## **Environmental services**

29. No objection in principle. There isn't a particularly clear plan showing where waste and recycling units would be sited/stored. Providing there is sufficient vehicular access, the bins are no more than 5 metres from the road and access is level there shouldn't be an issue.

## **Fringe project assistant**

30. No objection in principle. Agree that there is potential here to look at some partnership working between NCC and the management team from Bowthorpe hospital with the aim of improving access in and around the woodlands natural area and green space from the hospital.
31. The site is already used informally by hospital staff, however that usage could be much improved with better paths and appropriate woodland improvement works and the woodland could then provide an excellent opportunity for residential patients to access the outdoors with all the health benefits that are associated with being in a natural area and walking outdoors.
32. These points are raised within the draft management plan that is being developed for the woodlands and the main limiting factor on improving paths and access into the wood from Bowthorpe hospital is funding, so would question whether funds could be made available such as section 106 to improve access and facilities within the wood if the hospital wish to pursue this.

## **Highways (local)**

33. No objection on highway grounds. With regard to the matters included the highway and parking approach appears acceptable in principle i.e. means of access, site uses, and associated car parking. Accepts the proposed site layout and provision of 400 space underground car park and small surface car parks. There may be a need for crossings to be appraised on Bowthorpe Road and Dereham Road to enable walk/cycle provision and revisions to bus stop locations. Provided other detailed comments in relation to cycle parking; connection to Dereham Road; review of waiting restrictions; robust parking management strategy to ensure site roads and parking are not obstructed/misused; and travel plan.

## **Highways (strategic)**

34. Proposal was considered at pre-application stage by the County development team with the City transport advisor in attendance. Content for the highway issues to be considered and addressed by the City's in house transport adviser.

## **Housing strategy**

35. No objection in principle. Redevelopment of this site is welcome. The proposed scheme is not policy compliant as it does not propose the provision of any intermediate tenure homes, but it is acceptable due to the high need for affordable rented homes in Norwich. Provided further detailed comment in relation to undertaking key worker accommodation into the requirement for affordable housing on site; preference that the cluster units do not exceed three storeys which would remove the need to apply service charges to service and maintain the lifts; access to details for Registered Providers (RP) development contacts; and ratio of parking spaces.

## **Landscape**

36. No objection in principle. Initial comments incorporated into design comments above.
37. A clear landscape strategy for the site should be provided detailing the anticipated function of each green space and the pedestrian and vehicular priorities through the scheme. The masterplan at this stage is lacking in detail but showing a clear positive response to comments made to date. There is a generosity of green space that should provide an attractive, therapeutic and enhanced environment for visitors, patient and residents
38. The master plan as shown illustrates a cohesive, legible and attractive site, however further details are required in terms of a landscape strategy for the onsite areas and green links. A clear pedestrian priority should be established at the outset focused on the main hospital atrium and key worker block.

## **NHS Clinical commissioning group**

39. Initial comment that it is appropriate that Norwich CCG should respond on behalf of the wider health system. See the planning application as not being beyond the facilities needed in Norwich for the provision of healthcare for the future.
40. There is a clear need for the existing bed based services to be provided in the future. Early stage discussions about locating a GP practice on the site and this development may provide greater opportunities for that. Are unsure of the need in Norwich for some of the additional non-healthcare facilities (e.g. housing with care) and suggest consulting the County Council.
41. There are implications for the CCG and we have not explored those with Norfolk Community Health and Care. The Norfolk and Waveney health system lacks an estate strategy and so this proposal has no context. A strategy is in development and the placing of this development within that strategy will be key to its progression. Any investment in this development is likely to be competing against other capital requirements in the wider Norfolk and Waveney system and as such the resultant ranking may lead to an impact on the ability of the system to pursue the capital investment.
42. Subsequent comment was made in August that the development is a key part of the Norfolk & Waveney STP estates strategy and is supported by Norwich CCG and the STP, of which Norwich CCG is a partner organisation. The issue raised in the original letter will be addressed through the STP estates programme.

## **Natural areas officer**

43. No objection in principle. The updated Phase 1 Ecological Assessment Report's conclusions and recommendations are largely supported. Recommendations for further surveys, and impact avoidance measures should be incorporated into a Mitigation Strategy and Programme covered by ecological conditions. The layout of the development adjacent to Woodlands Park, proposed bin store & bat roost and the SE tree belt alongside Bowthorpe Road should be amended.
44. A Landscaping strategy should be required which includes green infrastructure provision and ecological enhancements. Information should be provided which explains timescales and EPS Licencing. The submission of revised information has helped to clarify the proposals, which are acceptable subject to the above issues being adequately addressed.

## **Natural England**

45. No objection in principle. Provided detailed comments in relation to statutory nature conservation sites; protected species; local sites; biodiversity enhancements; landscape enhancements; and SSSI Impact Risk Zones.
46. Advised that based on information submitted the proposal is unlikely to affect any protected sites or landscapes. Have not assessed application for impacts but referred to standing advice on protected species which is a material consideration. Advice should not be seen as meaning Natural England has reached any view as to whether a licence for works would be granted. LPA should ensure it has sufficient information to fully understand impacts before it determines the application.
47. Noted this application may provide opportunities to incorporate features which are beneficial to wildlife for the purpose of conserving biodiversity and restoring or enhancing a population or habitat; provide opportunities to incorporate features beneficial to the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community.

## **Norfolk County Council local lead flood authority**

48. Initial screening incorrectly identified application as being below consultation thresholds. Subsequent comments made that neither a flood risk assessment (FRA) nor a drainage strategy has been provided in support of the application to demonstrate that development is in accordance with the National Planning Policy Framework (NPPF) with regard to the risk of flooding. Will consider reviewing this objection if the following issues are adequately addressed: infiltration testing should be undertaken at appropriate depths in accordance with BRE 365 Digest to support their strategy of discharge to the ground and an unsaturated zone of 1.2m can be demonstrated or a plan B i.e. controlled discharge at greenfield run off rates is provided together with confirmation that any discharge run off rates and volume are acceptable to Anglian Water.
49. Subsequent comments made in January 2019 following receipt of additional drainage information that they remove their objection subject to pre-commencement conditions for a surface water scheme and management strategy being attached to any consent.

## **Norfolk County Council planning obligations**

50. No objection in principle. Norfolk County Council would have concerns if funding for infrastructure requirements mitigating the impact of this development, could not adequately be addressed/delivered through CIL; S106 and/or condition. Mitigation required at the Costessey library to develop self-service system and new water mains and fire hydrants to cover the whole site. Fire hydrants will be required to service the new hospital, residential care home, extra care flats, key workers flats and commercial/admin block and be capable of delivering 20 or 35 litres per second depending on site location. No education contributions will be sought on this occasion.
51. Connections into the local Green Infrastructure (GI) network, including Public Rights of Way and ecological features, should be considered alongside the potential impacts of development. Direct mitigation and GI provision should be included within the proposal. Mitigation for new and existing GI features identified as strategic shall be funded by CIL through the Greater Norwich Investment Programme. These requirements will help facilitate the development without receiving negative impact and equally, allow the development to integrate and enhance the existing network. Development proposals are expected to fit with strategic visions for the area and respond to corridors as outlined in the Joint Core Strategy. Should this development intend to be the first phase of a larger development or vision, consideration will need to be given to how the local GI network will be impacted, adapted and enhanced in the future.
52. Emphasised the importance of providing connections to and from the two adjacent County Wildlife sites, Earlham Cemetery and Woodlands Park. Green pedestrian links will not only increase access for pedestrians and cyclists, but will also provide green connections for wildlife. Provided detail comment on bat activity and that lighting scheme for the new development should aim to be unobtrusive, hooded/shielded and direction away from features that may be used by roosting/community/foraging bats; the high levels of swift and house sparrows recorded in close proximity to the site and that bird boxes could target these species; site potential for foraging and commuting habitat of wildlife, including hedgehogs, reptiles, amphibians, and other small mammals and that connectivity is maintained between areas by installing wildlife-friendly fencing, suitable planting and domes/homes placed along the edge of woodland or along green features.
53. Would also encourage wildflower planting in green spaces, which would be beneficial to insects. The site is also within close proximity of the River Wensum, consideration should be paid to the River Wensum Strategy and opportunities may be sort to make connections between the development and Riverside Walks.

## **Norfolk historic environment service**

54. Initial request for an archaeological desk-based assessment in support of the application. Noted the subsequent assessment identifies a high potential for archaeological remains. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework (2018) para. 199. Suggest that conditions are imposed.

## **Norfolk police (architectural liaison)**

55. No objection in principle. Have provided detailed comments in relation to secured by design criteria in particular on policy guidance and on construction design points e.g. access control, boundary treatments, signage, surveillance and lighting and in layout terms issues of parking, cctv surveillance, building design, public entrances and access, amenity space natural surveillance and landscape management.

## **Tree protection officer**

56. No objection in principle to the proposed removal of some of the trees, however some attractive specimens are due to be removed and overall these present a loss in terms of biomass and amenity on site, adequate replacement planting should be provided. The proposed access and sections of the new driveway / parking are within the RPAs of T17, T18, T29, T30 and G33 the methodology stated in 8.3 should be followed. The design for this proposed access route should be drawn up by a structural engineer, in close co-ordination with the retained arboriculturalist. Suggest conditions in relation to tree protection measures. Mitigatory replacement tree planting, no-dig methods and works on site in accordance with any agreed AIA, AMS and TPP.

## **Assessment of planning considerations**

### **Relevant development plan policies**

57. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
  - JCS5 The economy
  - JCS6 Access and transportation
  - JCS7 Supporting communities
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
  - JCS20 Implementation
58. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM4 Providing for renewable and low carbon energy
  - DM5 Planning effectively for flood resilience
  - DM6 Protecting and enhancing the natural environment
  - DM7 Trees and development
  - DM8 Planning effectively for open space and recreation
  - DM9 Safeguarding Norwich's heritage
  - DM10 Supporting the delivery of communications infrastructure

- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM16 Supporting the needs of business
- DM17 Supporting small business
- DM18 Promoting and supporting centres
- DM22 Planning for and safeguarding community facilities
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

**59. Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)**

- POLICY R37: Part of Norwich Community Hospital, Bowthorpe Road – housing development

**Other material considerations**

**60. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF 2 Achieving sustainable development
- NPPF 4 Decision-making
- NPPF 5 Delivering a sufficient supply of homes
- NPPF 6 Building a strong, competitive economy
- NPPF 8 Promoting healthy and safe communities
- NPPF 9 Promoting sustainable transport
- NPPF 11 Making effective use of land
- NPPF 12 Achieving well-designed places
- NPPF 14 Meeting the challenge of climate change, flooding and coastal change
- NPPF 15 Conserving and enhancing the natural environment
- NPPF 16 Conserving and enhancing the historic environment

**61. Supplementary Planning Documents (SPD)**

- Affordable housing SPD (March 2015)
- Heritage interpretation SPD (December 2015)
- Landscape and trees SPD (June 2016)

**Case Assessment**

62. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

## **Main issue 1: Principle of development**

63. Key policies and NPPF paragraphs – JCS1, JCS4, JCS7, DM1, DM2, DM11, DM12, DM13, DM22, DM30, SA R37, NPPF sections 2, 5, 6, 7, 8, 9 and 11.
64. The north-west corner of the site and Property Services land is identified under site allocation R37 for housing development in the region of 80 dwellings. The proposal as submitted could be seen as a departure from the housing allocation for the site in that the allocation area on this site is shown in the indicative masterplan as being developed for hospital uses. However; the scheme does include for the conversion of Woodlands House into 12 residential units and potential for 36 no. 4 bedroom key worker cluster units within the overall application site.
65. The allocation area within the application site is in the region of 1/3rd of the overall allocation. The number of units proposed within the NHS site and likely density of development which could be achieved on the property services land will likely exceed the plan target for 80 dwellings. A target for housing could be set at 27 units for the site area within the application site which could reasonably be seen to be within the proposed numbers above. The scheme also proposes opportunities for a residential care home and extra care units which provide for a variety of additional housing needs.
66. The principle of enhancing availability of care and housing facilities within the community and the development of more specialist care establishments to meet the needs of the elderly and mentally ill is welcomed in accordance with policies DM13 and JCS policy 7. Having regard to specific site constraints and difficulty that has been experienced in bringing this particular allocations site forward for development it is considered to be appropriate to allow some flexibility in terms of the precise location of housing within the overall site to meet housing requirements within a suitable and sustainable location.
67. The hospital site has provided facilities and uses generally available to and used by the local community at large for the purposes of social interaction, health and well-being or learning. Policy DM22 would apply in protecting such facilities. This requires that development resulting in the loss of an existing community facility will only be permitted where: a) adequate alternative provision exists or will be provided; or b) all reasonable efforts have been made to preserve the facility but it has been demonstrated that it would not be economically viable, feasible or practicable to retain the building or site for its existing use.
68. In such instances the involvement of the local community will be sought in identifying the importance of local facilities; including (where appropriate) developing appropriate solutions for their retention and enhancement. Comments on the application have indicated that there is a general agreement and support to the principle of re-developing the present site for hospital and health care related purposes.
69. The submitted documents set out that this scheme is part of a phase of rationalisation of NHS Trust / Property Services buildings / land. This is to provide for new hospital and community facilities at Norwich Community Hospital on Bowthorpe Road and also as part of a wholesale estates review. The proposal should contribute to the delivery of an enhanced health offering along with use of



parts of the site for residential purposes. As such the main uses for health care and housing are considered to be acceptable in principle.

70. The scheme also indicates the creation of office and retail space as part of the Hospital campus partly as an “enabler” but mainly to support activities on site. It is explained that the target users and visitors will be those of the hospital campus itself. At 502m<sup>2</sup> for A1 retail and 995m<sup>2</sup> for B1 office both are below the requirement for the submission of an impact assessment to assess relationship impact to nearby centres.
71. A sequential assessment would normally be considered for main town centre uses and these directed towards local or district centres such as those located further along Dereham Road. However; in this instance it is clear that these activities should be considered as ancillary uses serving visitors and workers at the hospital complex and useful in ensuring successful operation of such a community facility. As such they would not be suited to being located elsewhere off-site in these circumstances.
72. However; despite local support for the principle of redevelopment and types of uses proposed strong concerns have been expressed over issues of ground stability, residential amenity and parking impacts. These are considered in further detail below along with related issues of drainage and contamination. Whilst the applicant initially submitted a Masterplan and parameters plans for site layout, building footprints and building heights they have been unable to supply additional detailed information to support the specific proposals as previously set out within these documents. As the principle of the uses described within the application are largely acceptable it has been agreed with the applicant to withdraw the above plans from consideration of the application.
73. Whilst planning permission will give some certainty to the acceptance of redevelopment principles and enable the applicant to seek the allocation of funds to bring forward a final scheme, to proceed with this application on the basis of reduced information it will also be necessary to require a number of pre-commencement conditions. In addition to protect against the development of some uses first details of a phasing plan, indicative Masterplan and controlling conditions, to prevent uses such as the retail and office elements opening ahead of wider hospital and care redevelopment, are suggested to ensure the suitability of redevelopment of the site.

## **Main issue 2: Land stability**

74. Key policies and NPPF paragraphs – DM11, NPPF section 11 and 15.
75. A phase 1 contamination and geotechnical assessment (desk study report) has been submitted with the application for consideration. The investigation was undertaken in order to establish how potential contamination and geotechnical hazards could impact the future development of the current hospital site for continued use with new multi-storey hospital buildings.
76. This report identifies that the east of the site (currently car parking) is underlain by a backfilled sand and gravel/ chalk extraction pit which extended to a maximum depth of 21.5m below current ground levels. At this depth chalk adits (shafts) were driven off through the chalk. These have been mapped (potentially partially) by

investigation in the 1930s. These adits have caused subsidence and collapse events for properties along Merton Road to the east of the site including fatalities following the collapse of residential properties in this area. The report indicates that these features are unlikely to affect the hospital site itself significantly. Adits were also driven off north below Woodlands Park which itself was likely historically worked for sand and gravel. Also that two known backfilled chalk mine investigation shafts are present in the car park are showing signs of subsidence.

77. The report indicates that with the exception of the deep backfilled pit the remainder of the site is relatively stable. In terms of construction on the car park area the report indicates that piles may need to extent to depths of to 30m to achieve suitable bearing capacities for the multi-storey buildings planned across the pit area. Local subsoils comprise deposits of sand and gravels over solid geology of the Lewis Chalk Formation. The dissolution of soluble rocks such as chalk can lead to slope and surface instability. The presence of man-made cavities such as pits and adits may in time accelerate weaknesses in soils.
78. This report leads also to a cyclical assessment of impact from ground stability and depth of foundation requirements to enable development; existing contamination and avoidance of preferential pathways (resulting from pile foundation or ground disturbance) for contaminants into the aquifer; and disposal of surface water with use of sustainable urban drainage solutions to avoid concentrated disposal of surface water to the underlying soils which might otherwise lead to further soil erosion or consideration off-site disposal of surface water.
79. NPP Guidance advises local authorities to consider whether the submitted report identifies that the risks of development are acceptable or that the risks may be appropriately mitigated. The phase 1 report concludes that “land should be ‘suitable for use’ or ‘fit for purpose’, rather than apply a blanket ‘clean’ or ‘all uses policy’”. Also that “The potentially contaminative uses and geotechnical hazards identified on site lead us to the conclusion that intrusive investigation is appropriate before the site can be considered suitable without remedial action”.
80. Following lengthy discussions the agent has submitted updated geo-technical assessment in the form of an investigation strategy. This will likely require pre-commencement conditions to allow this information to inform the suitable extent of development and areas capable of being developed on this site. Further neighbour consultation has been undertaken and main responses maintain a high degree of concern about potential local impacts and express a requirement for both on-site and off-site investigation to inform best practice to protect buildings and residents in this local area.
81. The latest report notes that the adits which run from the pit are known to extend to the residential area of Merton Road as well as Woodlands Park. It is the NHS Trust’s intention to undertake surveys and subsoil testing to obtain a greater understanding of the pit shape and materials within it, as well as the positions and conditions of the adits. Further to these investigations remediation works will be undertaken.
82. Sub soil investigations local to the pit and adits are suggested to be undertaken in phases. The initial form of testing will comprise the driving of small diameter rods which typically are in the order of 35mm. The driving mass via a drop hammer of some 60 kg mass will not cause vibration or disturbance to local soils or buildings.

This will likely be followed by small diameter bore holes and assessment of sub-soil samples and installation of ground borne vibration monitors. The approach is to ensure risks to neighbouring properties and the hospital complex are maintained at the lowest possible level. The information obtained from these investigations should help enable safe and durable mitigation works to be undertaken in order to stabilise the north eastern part of the hospital site and Merton Road in order to ensure long term ground stability.

83. Within this latest response from the agent a conclusion is drawn that in the likelihood of proposed investigations confirming re-development local to the pit and adits are 'too risky' and the area may not be capable of being redeveloped the development plan would be modified to retain the areas over and local to the pit and adits as car parking, green open space, gardens or a combination of all three.
84. The Masterplan and parameters plan have been withdrawn from consideration and any future development should be informed by the results of further geo-technical investigation. On balance suitable pre-commencement conditions are suggested to enable the development to be informed by local investigation of ground conditions. Further assessment of drainage and contamination issues is given below.

### **Main issue 3: Amenity and Design**

85. Key policies and NPPF paragraphs – DM2, DM11, NPPF section 2 and 12.
86. The site in parts is adjacent to existing residential properties in the area. These are generally two-storey terrace houses. This includes terrace housing on Merton Road beyond a parking / garage court to the east and interspersed terraced housing blocks located along Bowthorpe Road in part to the south / south-east of the hospital site. Further residential properties are located to the north-east of the hospital car park on Holly Drive and Dereham Road.
87. It is important that the relationship of new buildings on the north-eastern, eastern and southern boundaries of the site have a comfortable relationship with neighbouring homes. With the initial submissions the agent provided a masterplan layout and site sections. These showed the potential relationship of the new buildings to the neighbouring buildings.
88. The separation distance of the care, commercial and key worker buildings on the east side of the site are unlikely to result in adverse impacts from overlooking. Similarly an existing extension of Woodlands House is close to existing terrace housing on the south boundary and it is likely that a future design could factor out issues of overlooking and bulk to maintain the existing relationship. Equally conditions could be imposed at reserved matters stage to control impacts of site lighting.
89. Understandably concern has also been raised about the height of buildings along the east boundary and potential impacts from overshadowing and loss of light. Initially the agent revised the care home building by reducing its height to 3 storeys on its east side closest to residential properties. However; concern remains about the potential to shade Holly Drive, Dereham Road and some Merton Road properties at this north-east section of the site.

90. A daylight-sunlight analysis was requested which the agent has only provided in part and it is still not clear whether the impact from shading is acceptable. In the absence of providing further information the agent has agreed to remove the parameters plans and masterplan from the application. This issue will need further assessment at reserved matters stage and likely requirement to move or reduce the scale of buildings would be sought on this part of the site.
91. In terms of design we have sought a coherent masterplan that effectively connects the neighbouring parcels of NHS owned land. With the latest iteration of the masterplan the layout is coherent with most buildings framing spaces and the routes in a logical and clearly organised way. The latest masterplan iteration includes an indicative proposal for the LIFT site building. It is welcome that this is now being considered because the existing building is single-storey and non-descript.
92. The massing visual in the design and access statement shows an L-shaped replacement building at four storeys and slightly forward of the building line set by the adjacent terraced properties. The height parameters plan contradicts this by showing the east part of the building at 2-3 storeys and recognises it as a “key frontage onto surrounding context”.
93. In terms of future design guidance it should be noted that a four storey building would be too dominant on the Bowthorpe Road frontage, especially with a front façade at the back of the pavement. This part of the building should be no more than three storeys and set back from the highway sufficiently for trees to be planted in front of the building to enhance the visual appeal and biodiversity of this green infrastructure corridor.
94. Whilst the masterplan and parameters plan are removed from consideration it will be important to establish an appropriate design and height relationship along sensitive boundaries of the site. It may be feasible to maintain the internal circulation routes for the site as shown but to reorganise on site uses and their potential extent once information on ground stability and shading is better known. Conditions are therefore suggested to require a masterplan and landscape strategy to help inform future reserved matters applications for this site.

#### **Main issue 4: Flood risk**

95. Key policies and NPPF paragraphs – JCS1, DM5, NPPF section 14.
96. Given the sites position in flood zone 1, outside of the nearby critical drainage area and that the site is partly allocated for housing the applicant has been advised that a sequential site assessment would not be expected with this application. It would be a requirement; however, to see evidence that a scheme for surface water drainage which is future proofed for both phases of development (east and west land) is capable of being delivered. The applicant suggested that given the extent of impermeable surfaces on-site the improvements to increase green areas would help reduce any local or discharge impacts of surface water from the site. Given that the Masterplan has been removed from the application it cannot in itself follow that suggested areas of green space can be used to attenuate for surface water run off for the site within these landscape spaces.

97. Following lengthy discussions a potential surface water drainage strategy and infiltration testing to show site capacity for on-site drainage has been provided. This includes information to support their strategy of discharge to the ground and an unsaturated zone of 1.2m on part of the site capable of possibly enabling this approach demonstrated. Suggestions for the incorporation of impermeable barriers to pile ends have also been provided by the agent.
98. The Local Lead Flood Authority (LLFA) removed their objection subject to pre-commencement conditions for a surface water scheme and management strategy being attached to any consent. The Environment Agency (EA) have also advised on foundation / piling methods to prevent risks of creating a preferential pathway for contaminants passing into the underlying aquifer. The surface water strategy across the site is likely therefore to vary to take into consideration relevant ground conditions and to prevent hazards in terms of contamination or stability.
99. A number of conditions are therefore suggested in order to agree a final strategy for the site. In determining any future applications for the discharge of conditions further consultation with the LLFA, Anglian Water and the EA should take place in order to determine the extent of attenuation and / or discharge rates and also any requirement to protect ground water sources from the movement of contaminants through infiltration methods. Suitable drainage and a safe environment are likely therefore to be achievable on this site.

#### **Main issue 5: Contamination**

100. Key policies and NPPF paragraphs – DM11, NPPF section 15.
101. Whilst the presence of contamination is likely to be generally low given the former uses of the site, there is potential for contamination to be present in the filled ground of the car park area and in areas where boilers or fuel tanks were located. The Phase 1 Desk Study Report by Harrisons Ltd submitted with the application recommends that additional investigation should be carried out.
102. The site is within a Source Protection Zone 2. Therefore it is important that the method of piling for foundations is considered carefully to ensure that the risks of creating a preferential pathway for contaminants passing into the underlying aquifer is prevented.
103. The Environment Agency have been consulted on the application and made observations on contamination and groundwater protection. They have no objection provided that conditions regarding the protection of the water environment are included in any planning approval. Protection of human health is also an important factor and a remedial method statement should be developed to cover all points relevant to dealing with ground contamination. Additional ground gas monitoring will also be required. Subject to conditions local impacts should be limited and development acceptable. Conditions would be required related to contamination assessment, submission of verification information, to stop works and submit details of remediation if unknown contamination is found during works and to ask the developer to provide details of testing and/or suitable compliance for any imported top soil material used within redevelopment of the site.

## **Main issue 6: Transport**

104. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 2, 9 and 12.
105. The site has two points of vehicular access served from Bowthorpe Road and there is large surface car park in the north east corner of the site along with other smaller areas of car parking across the site giving approximately 400 car parking spaces.
106. The Transport Statement provides a thorough assessment of the proposed development and confirms that the site is accessible by a full range of transport modes. Analysis of trip generation from the development indicates that this will be relatively low at peak times with limited impacts on the wider road network. Both the County and City highway advisers confirm that with regard to the matters included in this outline application the highway and parking approach appears acceptable in principle. This includes means of access, site uses and associated car parking.
107. The proposed indicative site layout shows provision for a 400 space underground car park and small surface car parks around the site. The masterplan shows an intuitive layout of site roads from the means of access that will provide legible, permeable walking and cycling routes. It is also agreed that the development is unlikely to lead to a significant impact on parking or access within the wider area and future on-street parking permit controls are unlikely to be necessary. Within the site there will need to be a robust parking management strategy to ensure site roads and parking are not obstructed / misused.
108. The scheme will likely follow the Masterplan in terms of internal circulation and separation of public and service spaces. These routes should also be capable ensuring sufficient and suitably located service spaces and bin collection. There will need to be conveniently located and secure cycle parking locations across the site that are suitable for intended users and again this should be capable of being incorporated into a final scheme.
109. There appears to be opportunities to ensure that the walking routes are fit for purpose i.e. sufficiently wide and continuous to give pedestrians priority over other transport modes. Clarification will be required to ensure walking access from the small public space at the east end of the hospital through the building linking to the Mulberry Unit. Without this, people will have a long and confusing walk from Dereham Road to the main entrance to the hospital. Many details will be required through condition or Reserved Matters at a future date and conditions are suggested in relation to parking, servicing, parking management etc. A construction management plan as a condition, including reference to contractor parking to help ensure it doesn't impact upon adjacent residential streets, is also essential to manage and mitigate the demolition/construction phase traffic issues.
110. The introduction of a travel plan for the development as a means of reducing parking requirements has also been discussed and forms part of the transport statement. The role of the travel plan is to respond to policy and discussion about use of alternative means of both travel and parking control has taken place as the application has progressed. It is suggested a form of travel plan or travel information plan is available for the whole development and that details about how this will be established are required by condition. The framework travel plan will help to promote sustainable travel by staff, patients and residents.

111. The highways officer has identified other transport improvements within the area including exploration of a pedestrian/cycle crossing on Dereham Road (toucan) and shared use cycle/footway status for footway from Waterworks Road to this crossing and associated footway works; feasibility of bus stop improvements i.e. suitable relocation of any stops, shelters etc. and associated footway works on NHS land that may need to be offered for highway adoption. There will also need to be a review of waiting restrictions in the vicinity of the hospital to facilitate traffic and parking management on the highway network.
112. The scheme includes a cycle route towards Dereham Road which is positive in enhancing local linkages. Currently it is very narrow and there are currently steps, the path also ends abruptly on Dereham Road. This route needs to be accessible to all, ideally it would be reconstructed to maximise its usable width and levelled to ensure it can be used by cyclists and wheelchair/scooter users. Lighting is essential and ideally site CCTV coverage would extend to this path too for its entire length. Such initiatives which form part of the scheme should help to encourage alternative forms of travel is achievable and reasonable. These will be sought either by condition, Grampian condition or as part of the S106 agreement as appropriate.

### **Compliance with other relevant development plan policies**

113. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3, DM3	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition/
Sustainable urban drainage	DM3/5	Yes subject to condition

### **Other matters**

114. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation -

### **Affordable housing**

115. The scheme indicates potential for the conversion of Woodlands House into 12 residential units and potential for 36 no. 4 bedroom key worker cluster units to provide for new housing on-site. As above a target for housing could be set at 27 units for the site area within the application site to seek to meet the terms of the site allocation.
116. The terms 'affordable housing' and 'key worker housing' are used interchangeably in the Planning Statement which states that "it is argued that the proposed key

worker accommodation is also affordable accommodation as it is made available to 'key workers'. However, it is noted that the intention is that the cluster units are occupied by "staff". It is not clear if the proposed cluster units are to be designated as C3 or C4 but it should be noted that affordable housing applies equally to both classifications in the Affordable Housing SPD.

117. For developments of 16 units or more the Joint Core Strategy (JCS) requires 33% of the homes to be affordable, split 85% at a social rent and 15% intermediate tenure. The proposed scheme through key worker accommodation could provide for the provision of any intermediate tenure homes. The scheme can be seen as being generally acceptable due to the high need for affordable rented homes in Norwich.
118. If the cluster units are in part intended to meet the JCS requirement to provide affordable housing they will need to be let at an Affordable Rent and/or Social Rent as defined in the NPPF. We would welcome the potential 75% affordable housing which might be achieved but would require that the s.106 agreement clearly sets out who will be eligible to rent the cluster units, the security of tenure they will enjoy and who will manage the dwellings.
119. Any future design for the cluster units or flats should meet the technical housing standards – nationally described space standard, to ensure that Registered Providers (RP) will be able to add them to their property portfolios. We would prefer that the cluster units do not exceed three storeys which would remove the need to apply service charges to service and maintain the lifts. It would appear that a suitable level of affordable housing could be sought subject to legal agreement.

## **Biodiversity**

120. An updated Preliminary Ecological Appraisal (PEA) and an Arboricultural Impact Assessment have been submitted. These resolve the previous issues of partial coverage by providing a comprehensive assessment of the entire application site.
121. In terms of the masterplan the interface between the proposed layout and Woodland Park is of concern and more of a buffer to the woodland along the north side of the site would be required. The access road and service yard close to the boundary with the woodland could be moved to assist with accommodating an enhanced woodland edge as suggested by the County Council and natural areas officer. The Extra Care flats parallel to Bowthorpe Road are also potentially sited too close to the existing woodland copse to the south. Retention and protection of this feature would be worthwhile as this is considered by the ecological assessment to provide some value as foraging and commuting habitat for bats. It also has value as habitat for other species and for landscape/streetscape benefits. The inclusion of a north-south route through the centre of the site creates potential for a green-link to connect Woodland Park and the river valley to the north with Earlham cemetery to the south.
122. The PEA confirms the potentially significant risk of impact on bats and that a Natural England European Protected Species Licence (EPSL) has been prepared and will be submitted to seek the lawful demolition of Block 11. Mitigation for the loss of this roost is proposed in the form of a new bat roost structure adjacent to the woodland boundary slightly further to the east of the existing Block 11. This has been agreed under application 18/00383/F.



123. Again the PEA identifies a significant risk of harm/disturbance to a confirmed bat roost in Woodlands House which is proposed for conversion, and low risk of harm to potentially roosting bats in three other buildings (Estates Office, Block 15 and Woodlands House extension). Further surveys, assessment and mitigation are recommended. Increased lighting on the site during the works and post-development also poses a risk of disturbance. A condition requiring approval of external lighting details is therefore suggested.
124. There is a risk of harm to likely low numbers of hedgehogs and common toads. Impact avoidance measures outlined in Section 5 of PEA should be followed to prevent risk of harm as part of a Mitigation strategy and also to prevent risk of harm to nesting bird species. Further surveys/assessment as outlined in PEA should be undertaken for Woodlands House and its extension, and Block 15, dependent on the works to be undertaken and the timings of any proposed demolitions. No works should be undertaken on these buildings prior to surveys being completed, unless an ecologist confirms they can proceed lawfully.
125. The PEA correctly notes that there is considerable scope within the site for ecological enhancements. However the measures proposed are rather modest comprising a limited number of bird nesting boxes etc. together with some useful suggestions in relation to landscaping.
126. For such a large development the aims should be more ambitious and could include: Integration of bird nesting and bat roosting into the design of buildings. For example higher buildings could include integral swift boxes; the creation of ecological corridors and bat commuting and foraging routes through the site using landscaping e.g. north-south, and along eastern boundary; permeability of the site e.g. boundary treatments to be accessible by small mammals. Measures to improve the permeability of the boundary between Woodland Park and the site should also be included; a Landscape strategy should be provided which includes an indication of how the recommendations for ecological enhancement can be integrated into landscaping. The strategy should aim to maximise biodiversity benefits with specific focus on bat feeding and movement. Replacements for tree loss should adequately compensate for loss of habitat and biomass. A number of conditions are suggested to ensure submission of details to inform a revised Masterplan and for compliance with requirements to protect local wildlife species.

## **Energy and water**

127. Policy 3 of the Joint Core Strategy requires provision of on-site energy sources, seeks to maximise energy production on site, beyond 10% where possible and viable, and also seeks sustainable methods of construction. In their supporting documents the agent indicates that the scheme could explore methods of sustainable construction to maximise energy efficiency giving well insulated and air tight structures.
128. The applicants have also provided information on renewable energy systems and following the use of passive building design techniques and energy efficient measures to reduce the carbon emissions suggested the potential for using a district heating and additional LZC technologies predominantly in the form of Solar Water Heating Panels.

129. Given the size and orientation of the site one of these forms or a mixture of these forms of energy production are likely to provide the minimum 10% policy energy requirement to meet provision required under JCS3. In addition the documents demonstrate a possibility for reduced water usage for both residential and commercial elements of the scheme. It is felt that in the circumstances the policy requirement for energy production and water conservation could adequately be covered by conditions.

## Heritage

130. Norwich Community Hospital Ward Blocks and Woodlands House Nurses Home (formerly Norwich Workhouse) have been identified as local heritage assets outside of conservation areas and added to the Local List. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
131. The overall proposals entail the demolition of the hospital ward buildings. Some of these date to 1911 and are locally listed for their architectural and historic value. The demolition of these buildings was accepted through the determination of a prior approval application in February 2018. Appropriate measures of mitigation such as recording and assessment of possible heritage interpretation have taken place under this current application. Some building items have also been placed in storage by the Trust for future use in the redevelopment of the site.
132. The heritage assessment accompanying the application identifies Woodlands House, the former Nurses accommodation, as a building with heritage significance deriving from its aesthetic and architectural value. This is why it is a locally listed building. The renovation of Woodlands House to provide residential dwellings and its retention in the scheme as the centrepiece of the arrival experience are welcomed. The demolition of later extensions will allow the buildings significance to be better appreciated and enables the retention of the building.
133. The development site is within the setting of Earlham Cemetery, a registered historic park and garden and the grade 2 listed cemetery mortuary chapel. The setting of these assets will not be harmed due to a combination of the dense tree cover within the cemetery obscuring views, the distance of new buildings within the site from the assets and the height limits applied. The only building that might cause (less than substantial) harm to the setting of the cemetery is the replacement building on the LIFT site. For this and amenity / design reasons future development should follow the comments made about the application and height restrictions suggested for this part of the site as part of any future detailed Masterplan and parameters for reserved matters.
134. The archaeological desk-based assessment has demonstrated that there is the potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. The assessment identifies a high potential for archaeological remains of Roman date (specifically burials) to be present at the site. There is potential for below-ground structural remains of the workhouse to survive at the site and these, and any artefactual remains associated with the

workhouse, have some archaeological significance. However, map regression and documentary analysis indicate that there is unlikely to be a cemetery associated with the workhouse within the site boundary. A condition to secure a programme of archaeological mitigatory work in accordance with paragraph 199 of the NPPF is therefore suggested.

## **Landscaping and open space**

135. The master plan as shown illustrates a cohesive, legible and attractive site, however further details are required in terms of a landscape strategy for the onsite areas and green links. The vista towards the hospital building from Bowthorpe Road has been strengthened by providing a green space to the west of the Mulberry unit. The green space itself will be positively addressed by surrounding buildings. A clear landscape strategy for the site should be provided detailing the anticipated function of each green space and the pedestrian and vehicular priorities through the scheme.
136. A clear pedestrian priority should be established at the outset focused on the main hospital atrium and key worker block. The layout demonstrates how good pedestrian connections can be made between the two NHS sites and moves away from the earlier approach of separating the sites with a planted buffer. The site needs a generously planted green and biodiverse pedestrian and cycle north south route across the site connecting Earham Cemetery to Woodland Park and the Wensum river valley beyond.
137. The two north south routes show a decent potential for vegetation and a visual connection with the Woodland Park. The route to Dereham Road is shown diagrammatically on the street hierarchy and layout parameter plan and identified correctly as needing to be primary cycling and pedestrian routes. However, there is no acknowledgement in the application documents that the route is currently physically impassable for cyclists, being narrow and having a set of steps at the Dereham Road end.
138. It is essential that the route is dramatically improved so it is capable of being comfortably used by pedestrians and cyclists. As noted from the Fringe Area Officer comments usage of Woodlands park could be much improved with better paths and appropriate woodland improvement works. This might require edge improvements along the pathway connection north-south with the woodland also providing an opportunity for improved access for residential patients to the outdoors.
139. Whilst the masterplan and parameters plan are removed from consideration conditions are suggested to require a masterplan and landscape strategy to help inform future reserved matters applications for this site.

## **Trees**

140. The main existing trees shown around the site are indicated as being protected during construction and then retained. Conditions are suggested in terms of tree protection and compliance with the revised AIA and also in relation to any maintenance requirements of this wider area around the application site.
141. No specific information is provided at this stage with the application for additional mitigation tree planting, landscape being a reserved matter for future consideration.

However; there are potential planting areas throughout the site around buildings and circulation spaces which could accommodate planting to soften the impact of any new buildings and to provide biodiversity enhancements for this site. New planting in addition to retained tree planting around the site should improve the street scene and add value to landscape diversity within the area and linkages with those existing from Earlam Cemetery and Woodlands Park through the site.

### **Equalities and diversity issues**

142. There are no significant equality or diversity issues. The scheme provides for potentially accessible visitor and staff facilities. The supporting documents also show the intention of providing fully inclusive access and the design can be developed to give level access into the new building including entrance to corridors and entry doors. It is understood that generally areas will be designed to meet the latest Building Regulations - Part 'M'. It is considered that the development is unlikely to result in any detriment to people with disabilities.
143. The proposal will result in the change of hospital and care facilities on the site, which is likely to have an impact on a range of age groups, but adds benefits of providing for more on-site facilities to meet existing and future demand. The proposal also includes other new communal facilities which again are likely to be of particular benefit across the population spectrum. In this instance, therefore, it is considered that the proposal would not have an unacceptable impact on people of a particular age group or ability within the community.

### **S106 Obligations**

144. The application is in outline form and therefore at this time there is no known figure for final development numbers. Various parameters have also been withdrawn but discussion has taken place about the potential extent of S106 requirements for the development. These will principally be related to Affordable Housing and permissive pathways which would run north-south and east-west. The affordable housing element would need to respond to eligibility, the security of tenure and management of these units as mentioned above. The pathways would aim to increase permeability and access beyond the site in line with design and landscape comments.
145. Woodland access has been discussed with the applicant and access agreement and improvements works might be sought by way of agreement related to this application. This matter would require further resolution with various parties to ensure a suitable way forward. Again consultees have identified a local requirement for Traffic Regulation Order and highway improvements which might be served by way of legal agreement or Grampian condition. Authority is sought from Members on these issues to allow discussion with the applicant and agent of options on the best way forward for resolution of these items either via condition or S106 agreement.

### **Local finance considerations**

146. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.

147. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.

148. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

149. It is considered that the redevelopment of the site for the erection of new hospital and community facilities is acceptable in principle. The proposal should contribute to the delivery of an enhanced health offering along with use of parts of the site for residential purposes. As such the main uses for health, care and housing are considered to be acceptable in principle. Further investigation should be sought to guide the final principle, layout and scale of development on site to protect local residents, property and local amenities.

150. With the original submission were a number of height and floorplate parameters to indicate potential for new development within the overall site. The application also included a Masterplan to inform the layout of the site and position of new uses / buildings which could be followed as a guide to future reserved matters and to give some certainty that development was feasible. Whilst it is not ideal that the scheme has had to withdraw this information, due to the necessity to better understand issues related to ground stability and need to encourage a sustainable layout for the site, officers are content that it is possible to proceed with this application on the basis of reduced information subject to a number of pre-commencement and other conditions.

151. A grant of planning permission will give some certainty to the acceptance of redevelopment principles and enable the applicant to seek the allocation of funds to bring forward a final scheme, Agreement of a phasing plan and indicative Masterplan are suggested to ensure the suitability of redevelopment of the site. Subject to conditions, the proposal is considered to be an appropriate use for this site and is guided by the adopted site allocation policies. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 18/00372/O - Norwich Community Hospital, Bowthorpe Road Norwich, NR2 3TU and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing, permissive access across parts of the site and as relevant highway improvements and access to / improvements to woodlands park and subject to the following conditions:

1. Standard time limit;
2. Reserved matters to relate to appearance, landscaping, layout and scale;
3. In accordance with plans;
4. Prior to submission of any reserved matters application, details of a masterplan and phasing scheme (informed by geo-technical, surface water drainage, landscape and ecology strategies) for all parts of the site unless as varied on

- agreement in line with any subsequent reserved matters application and such masterplan shall include details of landscaping strategy including green infrastructure provision and ecological enhancements including enhancement or changes to Woodlands Park and an Ecological Mitigation Programme;
5. Limit of uses permitted as part of the development;
  6. Control on maximum permitted floor-space areas for A1 retail and B1 office uses;
  7. No use of A1 retail and B1 office uses until agreed hospital and care facilities are provided / brought into use on site or in line with any agreed phasing plan;
  8. Details of heritage interpretation;
  9. Details of floor slab levels unless included within any agreed reserved matters application;
  10. 10% of dwellings on the site to be designed to lifetime homes / accessible, adaptable standard;
  11. Details of electric vehicle charging points; car parking; cycle storage; and bin stores provision unless included within any agreed reserved matters application;
  12. Details of site management for parking/access;
  13. Details of highway design works;
  14. No occupation until the appropriate traffic regulation orders have been implemented;
  15. Construction management plan; parking; wheel washing etc.;
  16. Details of interim travel plan for each agreed phase;
  17. Details of travel plan;
  18. Details of disabled access into buildings unless included within any agreed reserved matters application;  
Conditions related to tree protection –
  19. Pre-construction site meeting and submission of further details for each agreed phase;
  20. Details of Siting of services and no-dig methods unless included within any agreed reserved matters application;
  21. Details of Arboricultural works to facilitate development for each agreed phase;
  22. Supplementary AMS to be provided arising from conditions above;
  23. Details of AIA, AMS and TPP for each agreed phase and works on site in accordance with agreed documents;
  24. Maintenance of protection of areas;
  25. Details of provision and maintenance of low or zero carbon technologies / renewable energy sources;
  26. Water efficiency measures to comply with latest standards for residential elements;
  27. Details of Water efficiency measures for commercial / hospital elements;
  28. Details of fire hydrants required to service the site including the new hospital, residential care home, extra care flats, key workers flats and commercial/admin block unless included within any agreed reserved matters application;
  29. Details of foul water strategy;
  30. Details of surface water scheme and management strategy;
  31. Compliance with the surface water drainage system and future maintenance of;
  32. No drainage systems for infiltration of surface water drainage into the ground is permitted other than with express consent of Local Planning Authority;
  33. Piling or any other foundation designs using penetrative methods shall not be permitted other than with express consent of the local planning authority;
  34. Details of any archaeological work and written scheme of investigation;
  35. Details of Geo-technical sub-soil investigations including site area and adjacent parking and residential areas;

36. Details of ground stability mitigation works including site area and adjacent parking and residential areas;
37. Details of Site contamination investigation and assessment;
38. Details of contamination verification plan and long-term monitoring and maintenance plan in respect of contamination;
39. Cessation of works if unknown contaminants found and submit details of remediation;
40. Details of testing and/or suitable compliance of all imported material prior to occupation;
41. Details of any plant and machinery;
42. Details of fume extraction systems;
43. Details of glazing and ventilation systems; compliance with the recommendations of submitted noise report.

### **Article 35 (2) statement**

The local planning authority in making its decision has had due regard to paragraph 38 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 and application stage the application has been approved subject to suitable land management, appropriate conditions and for the reasons outlined within the committee report for the application.

### **Informatives**

1. Considerate constructors;
2. Dealing with asbestos;
3. Note of ground conditions;
4. Impact on wildlife – protected species;
5. Landscape management plan;
6. Landscape schedule of maintenance operations;
7. Note of TPO;
8. Highways contacts, street naming and numbering, design note, works within the highway etc.;
9. Environment Agency guidance;
10. Anglian Water guidance;
11. Norfolk police (architectural liaison) guidance.

...



# NORWICH HOSPITAL MASTERPLAN

FOR DISCUSSION WITH THE NPA





**Report to** Planning applications committee

**Item**

14 February 2019

**Report of** Head of planning services

**Subject** Application no 18/01865/F - 2 St Martins Close, Norwich,  
NR3 3HB

**4(b)**

**Reason  
for referral** Objections

---

<b>Ward:</b>	Mile Cross
<b>Case officer</b>	Maria Hammond - <a href="mailto:mariahammond@norwich.gov.uk">mariahammond@norwich.gov.uk</a>

<b>Development proposal</b>		
Conversion of shop and warehouse to 5 bedroom HMO (Class Sui Generis) with external alterations.		
<b>Representations</b>		
Object	Comment	Support
3	0	0

<b>Main issues</b>	<b>Key considerations</b>
1	Principle of loss of shop and conversion to HMO
2	Amenity
3	Design
4	Transport
<b>Expiry date</b>	18 February 2019
<b>Recommendation</b>	Approve



© Crown Copyright and database right 2019. Ordnance Survey 100019747.

Planning Application No 18/01865/F  
2 St Martins Close

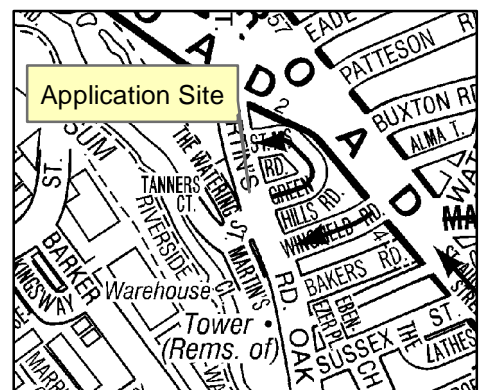
Site Address

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES



## The site and surroundings

1. The application site occupies land between St Martins Road and The Watering, at the junction with St Martins Close. This site is north of the city centre and just south of Wensum Park.
2. The site is accessed off St Martins Close, close to the junction with St Martins Road and at this level the application building is single storey with a flat roof and attached to the side and rear of a pair of semi-detached dwellings fronting St Martins Road (numbers 64 and 66). The Watering is a cul de sac road that runs to the west of the site and drops in level running northwards, giving access to a lower floor to the building on the west elevation which extends beneath the attached dwellings. The south elevation fronting the access is rendered and the west elevation fronting The Watering is clad in timber. A tapering narrow access exists on the north side between the site and the three to four storey residential development of The Watering. Across roadway of The Watering to the west there are two blocks of three and a half storey flats at a lower level which front the river; Tanners Court.
3. A retail shop occupied the site last and the lower floor was used as warehouse storage in connection with it.
4. The character of this residential area is mixed, with Victorian terraces to the east of St Martins Road and flats of varying ages to the east. The application building is atypical in character even in this mixed area by virtue of its position at the convergence of three roads, split level arrangement, flat roofed appearance and retail use.

## Constraints

5. The site is in the area of main archaeological interest.

## Relevant planning history

- 6.

Ref	Proposal	Decision	Date
10/01215/F	Change of use of former workshops and offices to 4 self contained flats with ancillary parking (3x1P flatlets and 1x2P flat).	Refused	14/10/2010
14/00541/F	Change of use from workshops (Class B2) to retail (Class A1).	Approved	11.07.2014
14/01522/NM A	Revision of entrance ramp design - Non Material Amendment to planning permission 14/00541/F.	Approved	13/11/2014

## The proposal

7. It is proposed to convert the building to a five bedroom HMO (sui generis). External alterations proposed consist of the creation of a porch over the south elevation front door, the addition of one first floor window and the removal of double doors and addition of four windows on the ground floor to the west elevation. One parking space would be retained in the existing car park area, with amenity space and cycle storage also provided within new hard and soft landscaping. Bin storage is proposed in the gated gap at the northern side of the building.
8. Internally, five double bedrooms, a shared kitchen, shared amenity space, a laundry room, bathroom, shower room and separate toilet would be provided across the two floors.

## Representations

9. 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, it is noted that one is from the Tanners Court Residents Association which represents the interests of residents in the twenty flats at Tanners Court. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
<p>The premises supports local employment and small business enterprise as safeguarded by Policy DM17. There has been no evidence of any attempt to market the property for continuing use in its current class as required by the policy. A similar previous application to convert this site to residential use (10/01215/F) was rejected in pursuance of the equivalent policy in force at the time.</p>	<p>Policy DM17 protects existing class B business uses. The existing use is A1 retail and therefore not covered by Policy DM17. The loss of this is considered in main issue 1 below.</p> <p>The previous application referred to was for change of use from workshops and offices to 4 self-contained flats.</p>
<p>The building is of poor quality and is detrimental to the streetscene and the flying freehold arrangement with 64 and 66 St Martins Road is awkward and offers a low standard of accommodation within the two existing flats. The proposal would compound this. It is a poor response to the site and another missed opportunity to bring an underused and poorly designed site into productive use.</p>	<p>See main issues 2 and 3</p>
<p>It is doubtful whether the shared amenity space and bedroom 3 meet Policy DM2's requirement for adequate levels of light and outlook.</p>	<p>See main issue 2</p>

Issues raised	Response
The plans and elevations are materially inaccurate in that they seek to hide the closeness of the property to The Watering.	There is not considered to be any inaccuracy in the plans and elevations.
The use by five 'households' will generate additional noise which in addition to proximity to neighbouring dwellings will travel further due to five additional windows. The new outside seating area may also be reasonably expected to be more noise-generative than the existing use. No information on any sound proofing.	See main issue 2.
The proposed open, unmonitored car and cycling spaces are not suitable for permanent residential use.	The proposal has been amended to include secure, covered cycle parking.
No provision for parking apart from one space. There could be a need for five to ten parking spaces. Parking is difficult in this area.	See main issue 4
The plans show a shared amenity space with 2.5 sqm per person; given that the guidelines for HMOs have a <i>minimum</i> of 2sqm per person this cannot be considered a " <i>high standard of amenity</i> ".	See main issue 2.
Guidelines for a HMO of 10 persons require wash hand basins in all bedrooms, 2 bathrooms and 2 separate w/c's. The plans show no wash hand basins in bedrooms, 1 bathroom, 1 shower room and 1 separate w/c. Whilst the provisions shown in the plans may meet some minimum legal requirement they do not constitute " <i>high quality</i> ".	This is not a planning requirement and the bedroom layouts and sizes would not preclude inclusion of a wash hand basin should this be required.
The plan provides one car parking space for ten persons. Clearly this is inadequate. This can only be increased at the expense of external amenity space or cycle parking. Neither of which result in a development with a high standard of external amenity.	See main issue 4
There would be ten people living in a space both adjoining to and underneath the two houses it is difficult to see how noise disturbance could be avoided.	See main issue 2

Issues raised	Response
Ask that the current application be rejected allowing open the possibility of a new plan for a smaller number of occupants in a genuinely high quality and well designed building conversion in keeping with the surrounding area.	Noted.

## Consultation responses

10. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### Highways (local)

11. No objection on highways grounds.

### Citywide Services

12. I am happy with the collection point and the provisions for 1 x 1100l refuse and 3 x 360l recycling bins.

## Assessment of planning considerations

### Relevant development plan policies

13. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
14. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM9 Safeguarding Norwich's heritage
  - DM12 Ensuring well-planned housing development
  - DM13 Communal development and multiple occupation
  - DM30 Access and highway safety
  - DM31 Car parking and servicing
  - DM32 Encouraging car free and low car housing

## **Other material considerations**

### **15. Relevant sections of the National Planning Policy Framework July 2018 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF9 Promoting sustainable transport
- NPPF12 Achieving well-designed places
- NPPF16 Conserving and enhancing the historic environment

### **16. Supplementary Planning Documents (SPD)**

- Trees, development and landscape SPD adopted June 2016

## **Case Assessment**

17. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### **Main issue 1: Principle of development**

18. Key policies and NPPF paragraphs – DM12, DM13, NPPF section 5
19. The site is not in a defined centre so retail uses would not normally be permitted here. The existing use was permitted on the basis of the specific locational requirements of the retailer and accordingly the permission is restricted to this specific use only (bulky baby related products). As this is not a defined centre, the retail use is not subject to any policy protections and its loss is acceptable.
20. With regards the proposed new residential use, the site is not subject to any specific site allocation and Policies DM12 and DM13 raise no in principle objection to residential development, including use as a large HMO, subject to the considerations below.
21. In relation to the surrounding area, this is largely characterised by family housing and flats but not to such an extent that the creation of an HMO would cause any harm to it in principle. The atypical scale and form of the building lends itself more easily to conversion to an HMO than other more traditional and densely developed dwellings in the surrounding area.

### **Main issue 2: Amenity**

22. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 180-182
23. Each of the five proposed bedrooms would exceed the HMO space standards for double occupancy and would be serviced by appropriate bathroom and kitchen facilities. The shared amenity space, which includes dining space, is modest for use



by ten occupants, however as each bedroom exceeds minimum standards, they would have ample space for amenity and dining if required.

24. Each bedroom and the amenity space would also have adequate daylight and outlook. Whilst one bedroom (bedroom 3) and the amenity space both have two windows facing onto the narrow passage to the north, these rooms also have windows on the west elevation with a pleasant outlook and better natural light.
25. The kitchen, bathroom, WC and laundry room would not have any windows, other than a half-glazed door to the kitchen facing the narrowest end of the tapering passageway, due to their position on the lower ground floor below 64 and 66 St Martins Road. These spaces would not therefore benefit from any daylight which is regrettable, however, as the bedrooms and amenity space would, the overall standard of amenity is not considered to be unacceptable.
26. Externally, a seating space is proposed which is considered to be an adequate size and is sited to the west where it would be furthest from the relatively busy St Martins Road and have an outlook in the direction of the river. Whilst the use of this area may generate more noise than the existing car park use, it is not immediately adjacent to any neighbouring dwelling and its use is not considered likely to generate unacceptable disturbance to the amenity of the surrounding area.
27. In terms of the impact on neighbouring dwellings, the additional windows proposed on the west elevation are not considered to result in any direct loss of privacy to the dwellings in Tanners Court opposite. Representations have raised concern about the impact on the occupiers of 64 and 66 as the accommodation would be attached to and below these dwellings. The less intensively used spaces would be below the attached dwellings and there are building regulations requirements for sound insulation between floors of different dwellings. Given that the kitchen and bathroom are sited directly below the attached dwellings, it is considered necessary to agree the details of any mechanical ventilation equipment by condition to ensure any resulting noise or vibration is not inappropriate. Whilst it is acknowledged the site would be used more intensively than it is at present, it is not considered the proposal would result in such levels of noise or activity to unacceptably impact on the amenity of the attached and other neighbouring dwellings.
28. On balance, the standard of amenity for future occupiers is considered appropriate and capable of complying with HMO licence requirements and it is not considered the amenity of neighbouring occupiers would be unacceptably impacted upon. It is, however, considered necessary to condition ten as the maximum number of occupants and for the proposed layout to be maintained to protect the amenity of future occupants.

### **Main issue 3: Design**

29. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12
30. The arrangement of the existing building over two levels is unusual and it has a commercial appearance by virtue of the limited openings on the west elevation, ramped entrance on the south elevation and stark, open car park. The flat roof is also uncharacteristic of housing in this area. Whilst this proposal does represent an opportunity to improve the appearance of the building, it is not considered necessary nor proportionate to require a complete overhaul. The proposed porch



and soft landscaping to the southern side would create a more residential appearance to the site appropriate to the proposed use and the new west elevation openings would be consistent with the existing.

31. Amendments have been made to the layout and landscaping of the external space to improve its use and appearance and this is considered acceptable.

#### **Main issue 4: Transport**

32. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, DM32, NPPF section 9
33. The site is in a location where, in accordance with Policy DM32, low car and car free housing is appropriate by virtue of its location in a controlled parking zone and proximity to the city centre and frequent bus services. One parking space is proposed within the site and this level of parking is acceptable in accordance with Policy DM32.
34. Secure, covered cycle parking is proposed also and appropriate bin storage would be provided in a convenient location. The transportation requirements of the development are therefore acceptably provided for.

#### **Compliance with other relevant development plan policies**

35. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Water efficiency	JCS 1 & 3	Yes subject to condition

#### **Other matters**

36. The site is in the area of main archaeological interest, however as there are no ground works or significant external works proposed, there is not considered to be any risk or harm to archaeology or any heritage assets.

#### **Equalities and diversity issues**

37. There are no significant equality or diversity issues.

#### **Local finance considerations**

38. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
39. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.

40. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

41. In principle the proposal to convert a retail premises to a large HMO is acceptable. This would be a more intensive use of the site, however it is not considered that it would create any unacceptable impacts on the amenity of neighbouring occupiers. The accommodation can provide an acceptable standard of amenity for future occupiers and the servicing needs of the occupiers can be satisfactorily met on site. Furthermore, it is not considered the creation of an HMO would be detrimental to the character of the area. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

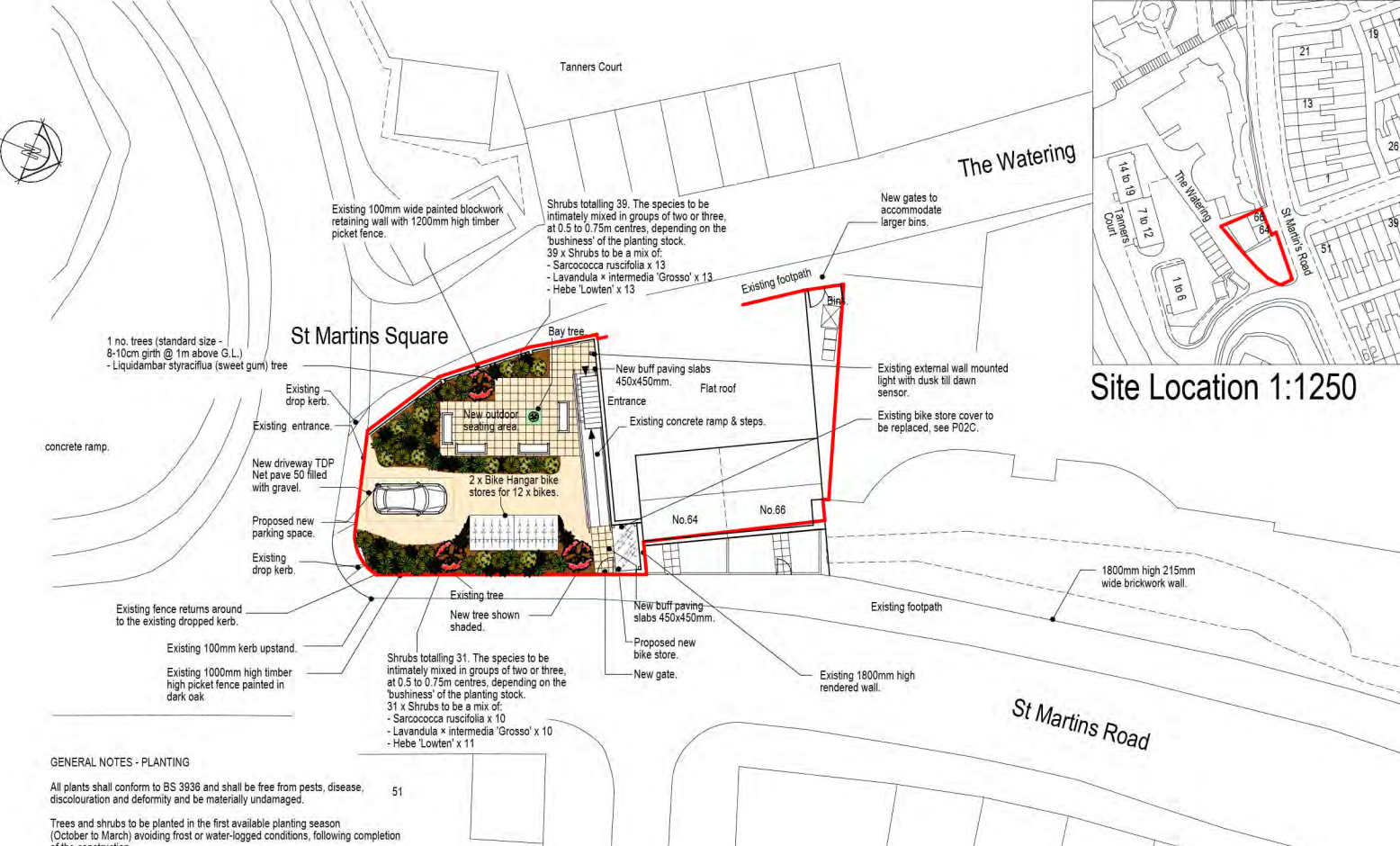
## **Recommendation**

To approve application no. 18/01865/F - 2 St Martins Close Norwich NR3 3HB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No extraction or ventilation to be installed unless first agreed;
4. Parking, cycle parking and bin storage to be provided prior to first occupation;
5. Landscaping to be completed and maintained;
6. Water efficiency;
7. Maximum of ten occupants;
8. Layout to be maintained as approved.

### **Article 31(1)(cc) statement**

The local planning authority in making its decision has had due regard to paragraph 38 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 to the layout of the external area and provision of services, the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.



Site Location 1:1250

**GENERAL NOTES - PLANTING**

All plants shall conform to BS 3936 and shall be free from pests, disease, discolouration and deformity and be materially undamaged.

Trees and shrubs to be planted in the first available planting season (October to March) avoiding frost or water-logged conditions, following completion of the construction.

Existing vegetation to be cleared from the planting pit before digging.

Trees and shrub plants to be planted in pits equal in depth and 50% wider than the root system. Glazed edges to be broken up using a fork where necessary. Backfill with friable soil to the height of the root collar in layers, firming gently using toes, not heels. Should the soil from the planting pit be difficult to work, the use of imported screened top-soil will be required. Hedge plants to be planted using 'T' or 'L' notch, in a double row, staggered, 450mm between rows and at 450mm centres.

**WEED KILLER**

All areas to be planted shall be treated with pre-emergent herbicides prior to planting.

**LOW SHRUB PLANTING**

Clear bed of unwanted weeds, plants and building debris, up to 450mm deep. Over dig trench 300mm deep, loosen the next 225mm of soil with fork. Widen trench and repeat replacing the soil in the first trench. Continue over all the entire bed area. Thoroughly fill the bed. Cover with 100mm organic topsoil and add synthetic fertilizer to manufacturers recommendations. All low shrubs to be provided in P15 (1 litre) containers to NPS. Shrubs to be typically 200-300mm tall.

**TREE PLANTING**

All trees to be double staked (800mm penetration). All trees to be held by suitable proprietary plastic 'buckle ties using suitable spacers. All trees to be protected with bio-degradable tree guards. Trees to be in 45l containers.

**TURFING**

Turf to be 'Family Lawn' characteristics with rye grasses and fescues. Prepare ground to at least 150mm in depth, remove weeds and stones etc. and rake to a rough level. Generally compact and fill low spots. Apply a general fertilizer to the manufacturers instructions. Mix thoroughly into top 50mm. Rake over to fine tilth. Lay turf 'brick' pattern tamp or roll lightly on completion. Immediately irrigate and keep turf moist for first 2-3 weeks.

**5-YEAR MANAGEMENT PLAN**

Following the implementation of the recommendations on this drawing and the General Notes - Planting, the following management is proposed:-

**YEAR 1**  
Trees to be watered at the time of planting and for the first growing season after planting, depending on weather conditions and soil moisture levels. Given normal weather conditions 10 litres of water should be applied to the root system on a fortnightly basis. This will be dependent on the site conditions. In wet years, watering may not be required, in order to avoid water-logged conditions. Shrubs and hedges only to be watered with 10 litres/m<sup>2</sup> if especially dry at the time of planting and/or following extended periods without rainfall (4 weeks)

Trees to be mulched to provide a 1 metre circle around each stem. Hedges to have a 1 metre wide strip. Shrubs to have 500mm circles around each plant. Mulch to be composted organic matter to ensure a weed-free environment and to aid establishment. Mulch to be applied to a depth of 150mm but must be kept clear of stem bases. Mulch levels to be maintained at this depth for 2 years after planting.

**YEAR 2**  
Remove tree ties, check stability and re-tie if necessary.

Replace any dead plants with the same species and specification, where space allows following development of the surrounding trees and shrubs.

Maintain mulch levels as above.

**YEAR 3**  
Remove any remaining ties, check stability and re-tie if necessary. Carry out formative pruning to trees to remove low branches to 1.5m, dead, diseased and poorly formed growth.

**YEAR 4**  
Remove any remaining ties.

**YEAR 5**  
Remove protective guards from trees.

Carry out formative pruning to trees to remove low branches to 2.5m, dead, diseased and poorly formed growth.

It is anticipated that the planting will be suitably established by the end of year 5 and that future management will be restricted to routine maintenance.

Consideration for the bird nesting season dictates that any trimming work will need to be restricted to the months of September to February.

Continued observations regarding the establishment and development of the landscape planting and reviewing management options accordingly will be necessary to benefit the planting scheme.

**NOTES**

This drawing is the copyright of the Architects and can only be reproduced with their express permission. Written dimensions must be used in preference to scaled.

Contractors must check all dimensions on site. Discrepancies are to be reported to the Architects before proceeding.

Tenders - This document is produced only for the benefit of the employer and cannot be relied upon by any third parties.

**SPECIAL WARNING**

Relating to disks or electronic data containing computer files of drawings prepared by David Futler Associates Ltd. Drawings issued by David Futler Associates Ltd on paper, disk or e-mail are controlled to ensure that the charges can be recorded and traced.

David Futler Associates Ltd are not responsible for unauthorised changes made to their drawings or the consequences thereof.

It is not possible to password, protect or securely lock computer generated drawings, and there are consequential risks. Recipients of electronic copies of this drawing must not make amendments without the written consent of David Futler Associates Ltd.

All works to be carried out to the satisfaction of the Appointed Approved Building Control Inspectorate and in accordance with the Building Regulations (up to and including the April 2013 amendments), CDM Regulations, British Standards, Codes of Practice, I.E.E. Regulations, and all current By-laws and Manufacturers details and instructions together with the NHBC Building Guarantee Standard.

The materials and products specified in the construction notes or on drawing form an integral part of the design and performance of the buildings. These MUST NOT be substituted with other materials or products without reference to the Architects.

**CDM REGULATIONS 2015**

**Client Note Health & Safety is your responsibility!**  
Construction works to be carried out in accordance with the Construction Design Management Regulations 2015 (CDM 2015).

The Main Contractor is to prepare a Construction Phase Plan before commencing work on site. The Contractor is to collate a Health & Safety Plan during the work on site. Furthermore, the Contractor is to collate a Health & Safety Plan during the works, ensuring it is kept up to date until the works are complete. Alternatively the Health & Safety Plan may be carried out by the Principal Designer.

Please contact DFAL to assist.

The Main Contractor is to carry out the construction work in reference to a Design Risk Assessment prepared by DFAL.

**COMMUNITY INFRASTRUCTURE LEVY (CIL)**

Any necessary assumption of Liability and Claims for Exemption for Self Build Development Application Forms are to be completed and submitted to the Local Planning Authority before construction works commence on site.

DFAL take no responsibility for any financial liability in this respect as this lies with the client.

Please contact DFAL should you require further assistance.

B: Site layout revised as per planners comments. 04/02/19 JP  
A: Cycle store made larger, trees and shrubs revised. 29/01/19 JP  
rev: date:

architects and consulting engineers

dfal  
david futler associates ltd

Arktech House, 35 Whiffier Road  
Norwich, Norfolk, NR3 2AW  
t: 01603 787778 f:01603 787496  
e: info@dfal.tv w: www.dfal.tv

RIBA Chartered Practice

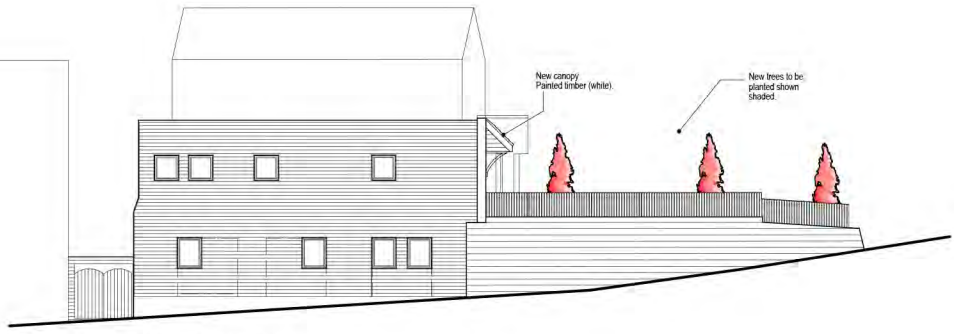
Project:  
**Conversion of shop and warehouse to HMO, Babyland, 2 St Martins Cl, Norwich NR3 3HB**

Client:  
**Mr Jason Harrison**

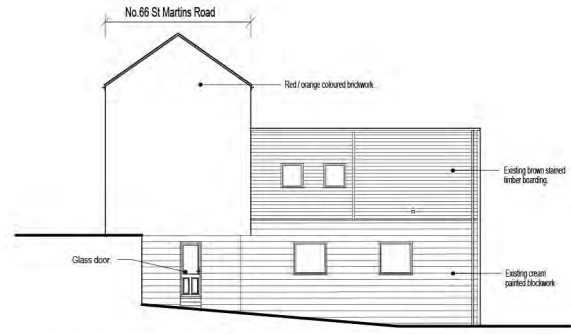
Drawing:  
**Proposed Landscaping scheme & Location Plan**

Drawn By: JP & DL	Checked By: DL	Ref. No. <b>6865</b>	Dwg. No. <b>LA01</b>
Scales: 1:200 & 1:1250 @ A2		Date: November 2018	

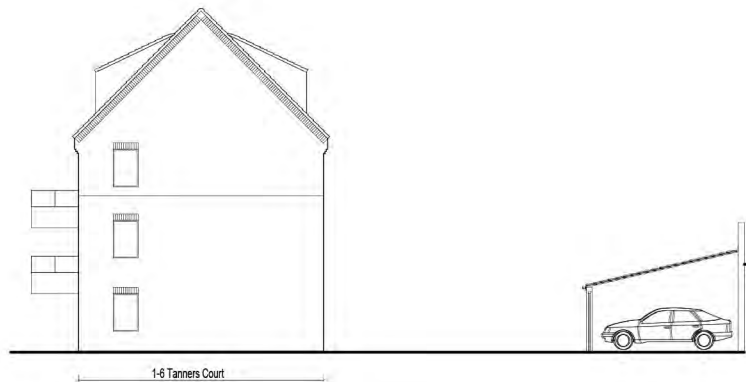




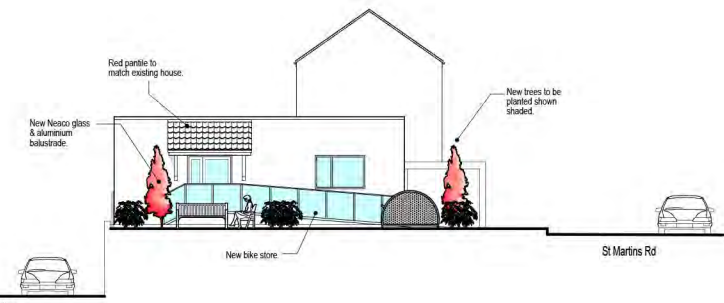
Proposed West Elevation



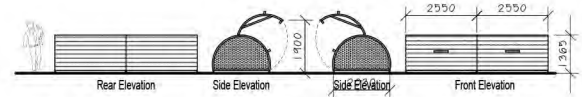
Proposed North Elevation



Proposed South Elevation



Proposed Small Bike Store  
For visitors  
(Over existing stands)



Proposed Large Bike Store  
x 12 person

**NOTES**

This drawing is the copyright of the Architects and can only be reproduced with their express permission.

Written dimensions must be used in preference to scaled.

Contractors must check all dimensions on site.  
Discrepancies are to be reported to the Architects before proceeding.

Tenders - This document is produced only for the benefit of the employer and cannot be relied upon by any third parties.

**SPECIAL WARNING**

Relating to disks or electronic data containing computer files of drawings prepared by David Futler Associates Ltd.  
Drawings issued by David Futler Associates Ltd on paper, disk or e-mail are controlled to ensure that the changes can be recorded and traced.

David Futler Associates Ltd are not responsible for unauthorised changes made to their drawings or the consequences thereof.

It is not possible to password, protect or securely lock computer generated drawings, and there are consequential risks.  
Receipts of electronic copies of this drawing must not make amendments without the written consent of David Futler Associates Ltd.

All works to be carried out to the satisfaction of the Appointed Approved Building Control Inspectorate and in accordance with the Building Regulations (up to and including the April 2013 amendments), CDM Regulations, British Standards, Codes of Practice, U.E. Regulations, and all current fire laws and Manufacturers details and instructions together with the NHBC Building Guarantee Standard.

The materials and products specified in the construction notes or on drawing form an integral part of the design and performance of the buildings. These MUST NOT be substituted with other materials or products without reference to the Architects.

**CDM REGULATIONS 2015**

**Client Role: Health & Safety is your responsibility!**

Construction works to be carried out in accordance with the Construction Design Management Regulations 2015 (CDM 2015).

The Main Contractor is to prepare a Construction Phase Plan before commencing work on site. The Contractor is to update a Health & Safety Plan during the work on site. Furthermore, the Contractor is to update a Health & Safety Plan during the work on site. These MUST NOT be substituted with other materials or products without reference to the Architects.

Please contact DFAL to assist.

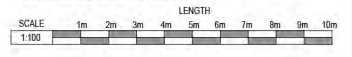
The Main Contractor is to carry out the construction work in reference to a Design Risk Assessment prepared by DFAL.

**COMMUNITY INFRASTRUCTURE (CIVIL) 2015**

Any necessary assumption of Liability and Claims for Construction for Self-Build Development Application Forms are to be completed and submitted to the Local Planning Authority before construction works commence on site.

DFAL take no responsibility for any financial liability in this respect as this lies with the client.

Please contact DFAL should you require further assistance.



D: Bike store and landscaping revised. 05/02/19 JP  
 C: Bike store made larger and glass balustrade to replace existing on ramp. 29/01/19 JP  
 B: Bin store gate made larger to accommodate new bins. 23/01/19 JP  
 A: Updated with new bike store, canopy and fence. 22/01/19 JP  
 rev: Date:

architects and consulting engineers

**dfal**  
david futler associates Ltd

Arktech House, 35 Whittier Road  
Norwich, Norfolk, NR3 2JW  
t: 01603 767778 f: 01603 797466  
e: info@dfal.tv w: www.dfal.tv

RIBA #  
Chartered Practice

Project: Conversion of shop and warehouse  
to HMO, Babyland, 2 St Martins Cl,  
Norwich NR3 3HB

Client: Jason Harrison

Drawing: Proposed Elevations

Drawn By: JP & DL  
 Checked By: DL  
 Ref. No: 6865  
 Drg. No: P02  
 Scales: 1:100 @ A1  
 Date: November 2018

**Report to** Planning applications committee

**Item**

14 February 2019

**Report of** Head of planning services

**Subject**

Application no 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich

**4(c)**

**Reason**

**for referral**

Application was previously reported to planning committee due to local objections.

---

<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Robert Webb - robertwebb@norwich.gov.uk

<b>Development proposal</b>		
Outline application for the erection of 20 no. apartments including associated parking and amenity space.		
<b>Representations</b>		
Object	Comment	Support
4	1	0

<b>Recommendation</b>	Approve unless a legal agreement is not completed within three months of the date of this meeting.
-----------------------	--

## Background and main issue

1. The application was reported to planning committee on 8 November 2018 with a recommendation to approve planning permission and the committee resolved to grant permission, subject to the completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure the delivery of affordable housing. A copy of the officer's report for the November meeting and an extract from the minutes are appended to this report.
2. Unfortunately, since the committee resolved to grant planning permission, the applicant has shown no willingness to enter into such an agreement and despite repeated contact no progress has been made in terms of drafting the legal document necessary.
3. The failure to provide a mechanism to ensure the delivery of a policy compliant level of affordable housing on the site is contrary to the provisions of policy DM33 of the Norwich Development Management Policies Plan, policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk and guidance within paragraphs 62 and 64 of the National Planning Policy Framework. The benefits of the proposal would not outweigh the clear conflict with policy.

## Recommendation

To:

- (1) approve application no. 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:
  1. Standard time limit for submission of reserved matters
  2. In accordance with plans
  3. Energy efficiency
  4. Water efficiency
  5. Surface water drainage scheme
  6. Unexpected contamination
  7. Details of bin and cycle storage
  8. Imported topsoil and subsoil
  9. Slab levels
  10. Construction method statement.
  11. Provision of additional fire hydrants.

Or

- (2) where the legal agreement is not completed within three months of the date of this meeting to refuse application no. 16/01889/O - Land West of Eastgate House 122 Thorpe Road Norwich for the following reason:

The proposal fails to provide a mechanism to secure the delivery of affordable housing and is therefore contrary to the provisions of policy DM33 of the Norwich Development Management Policies Plan (2014), policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014) and guidance within paragraphs 62 and 64 of the National Planning Policy Framework (2018). The benefits of the proposal would not outweigh the clear conflict with policy.

**Report to:** Planning applications committee

**Item**

8 November 2018

**Report of:** Head of planning services

**Subject:** Application no 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich

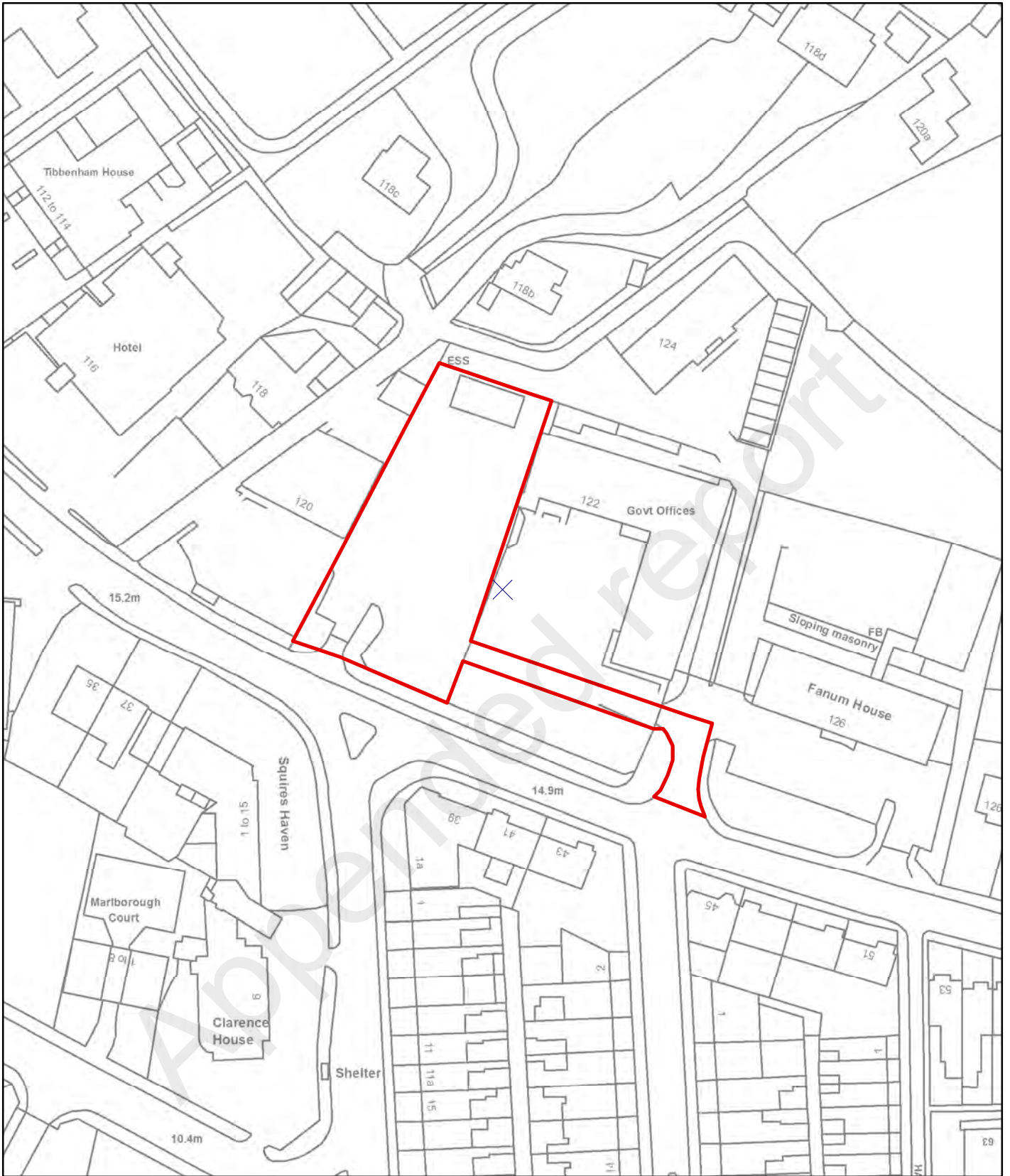
**5(c)**

**Reason for referral:** Objection

<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Robert Webb – <a href="mailto:robertwebb@norwich.gov.uk">robertwebb@norwich.gov.uk</a>

<b>Development proposal</b>		
Outline application for the erection of 20 no. apartments including associated parking and amenity space.		
<b>Representations</b>		
Object	Comment	Support
4	1	0

<b>Main issues</b>	<b>Key considerations</b>
1	Principle of development
2	Design
3	Heritage
4	Trees
5	Transport and servicing
6	Amenity
7	Energy and water
8	Flood risk
9	Biodiversity
10	Contamination
11	Affordable housing viability
<b>Expiry date</b>	Extension of time – 15 November 2018
<b>Recommendation</b>	Approval

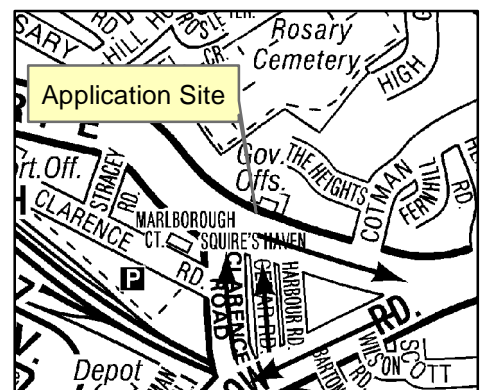


© Crown Copyright and database right 2018. Ordnance Survey 100019747.

Planning Application No 16/01889/O  
 Land West of Eastgate House  
 Site Address 122 Thorpe Road  
 Scale 1:1,000



**NORWICH**  
**City Council**  
 PLANNING SERVICES





## The site and surroundings

1. The site is a surface level car park off Thorpe Road, to the east of the city centre. It is currently used by staff as additional parking for the staff of Alan Boswell Insurance Group. It is located in between Eastgate House, a former office block and coroner's court, much of which has been converted to residential flats and Graphic House, another former office block which has been converted to student accommodation.
2. There is a garage block within the rear of the site. The land rises up from Thorpe Road towards the rear of the site. There are a number of residential dwellings to the north, situated within the Thorpe Ridge conservation area, the boundary of which is adjacent to the northern boundary of the site itself. The southern (front) boundary of the site has a vehicular access onto Thorpe Road and is located close to the junction with Clarence Road.

## Constraints

3. There are a number of trees on the southern and western boundaries. The trees on the southern boundary are part of a group Tree Preservation Order.

## Relevant planning history

4.

Ref	Proposal	Decision	Date
4/1990/0115	Erection of four lock-up garages at rear of site.	APPR	05/03/1990
09/01076/CF3	Change of use of part of the ground floor of 122A from offices (Class B1) to a Coroners Court Room (Class sui generis).	APPR	18/11/2009
13/01665/PDD	Change of use of Eastgate House from offices (Class B1a) to provide 38 flats (Class C3).	CEGPD	15/11/2013
14/00967/F	Construction of stairwell and lift shaft to provide access to Eastgate House.	APPR	01/09/2014
14/01175/F	Alterations to the exterior of Eastgate House including erection of a new canopied entrance, installation of replacement windows, erection of juliette balconies with re-cladding and rendering.	APPR	03/10/2014

Ref	Proposal	Decision	Date
15/01129/PDD	Change of use from offices (Class B1) to residential (Class C3) to provide 47 residential units.	AEGPD	08/10/2015
17/00430/F	Alterations to the exterior of Eastgate House including erection of a new patio areas, installation of replacement windows, erection of juliette balconies with re-cladding and rendering.	APPR	24/04/2017
17/00649/NCD	Change of use from offices (Class B1) to residential (Class C3) to provide 47 residential units.	APPR	09/06/2017
17/00980/F	Erection of fourth and fifth floor extension to Eastgate House to create 7 No. new flats.	APPR	18/09/2017
18/00275/F	Change of use of part ground floor (former Coroner's Court) to residential (Class C3) to provide 5 flats.	APPR	06/07/2018
18/00923/NMA	Amendment to planning permission 17/00980/F - change layout of fourth and fifth floor flats to create 1 No. extra flat.	APPR	13/08/2018

## The proposal

5. The proposal is the erection of a new building and associated parking to accommodate 20 flats (3 x 1 bed and 17 x 2 bed). The building would be flat roofed and formed of a 5 storey section towards the front of the site dropping to a 3 storey section at the rear. 6 parking spaces would be provided at the front of the site, together with pedestrian access and landscaping. The majority of the flats would have either a private balcony or courtyard area, with the remainder having Juliette balconies.
6. The application is in outline, with matters of landscaping and appearance reserved. This means that the layout, scale and access are to be considered at outline stage.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	20
No. of affordable dwellings	6 + contribution towards off-site provision of 1 unit
No. of storeys	Part 5 storey, part 3 storey, maximum height approximately 15 metres
Density	111 dwellings per hectare
<b>Transport matters</b>	
Vehicular access	From Thorpe Road
No of car parking spaces	6
No of cycle parking spaces	To be controlled by condition
Servicing arrangements	Waste collection and deliveries via access driveway

## Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 5 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Concern that the proposal will harm the open aspect currently enjoyed by properties to the north.	See main issue 6
Concern about overlooking and overshadowing of properties to the rear including from north facing balconies	See main issue 6
Increased noise and activity	See main issue 6
Loss of views over the city and the skyline	See main issue 6

<b>Issues raised</b>	<b>Response</b>
Concern about overdevelopment of the site when added to the adjacent developments at Eastgate and Graphic House.	See main issue 2
Concern regarding lack of parking and increased parking and traffic flow on Thorpe Road.	See main issue 5
Concern that proposal would harm the character of the neighbourhood and adjacent conservation area being out of scale with existing properties.	See main issues 2 and 3
Impact on wildlife, peaceful feel and general ambience of the neighbourhood.	See main issues 6 and 9
Minimal soft landscaping proposed	See main issue 2
The Clarence Road, Thorpe Road and Carrow Road one way gyratory system should all be returned to two-way traffic. This would significantly reduce traffic movements and noise, pollution and inconvenience for new and existing properties.	See main issue 5

## **Consultation responses**

8. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### **Design and conservation**

9. This is not an application that I intend to provide conservation and design officer comments on because it does not appear on the basis of the application description to require our specialist conservation and design expertise. This should not be interpreted as a judgement about the acceptability or otherwise of the proposal.

### **Environmental protection**

10. I have reviewed this application and have no comments.

### **Highways (local)**

11. No objection on highways/transport grounds.

### **Lead local flood authority**

12. Officers have screened this application and it falls below our current threshold for providing detailed comment. This is because the proposal is for less than 250

dwelling or 5 ha in size and is not within a surface water flow path as defined by Environment Agency mapping.

### **Norfolk police (architectural liaison)**

13. At this outline application stage I do not have the level of detail I require to make specific comments in relation to 'designing out crime', but this is an excellent opportunity to incorporate the national crime prevention initiative Secured by Design, based upon the principles of "*designing out crime*" and incorporate the latest security standards to address emerging criminal methods of attack.
14. I recommend that the development should seek to achieve full Secured by Design Certification. It can help create safer, more secure and sustainable environments where crime is reduced and the fear of crime is not enhanced for the ensuing residents.

### **Tree protection officer**

15. I have visited the site, reviewed the Arboricultural Impact Assessment, and largely concur with its findings. All trees on the western boundary (with the exception of T3 and T4) are considered low quality specimens and I have no objections to their removal. The removal of T5 on the southern boundary is also considered appropriate. I would suggest, however, that there is scope to plant more than one tree (as detailed in the AIA) in the space adjacent to T6, to mitigate this loss. As long as the recommendations set out in the AIA are fully implemented, I would have no objections, from an arboricultural perspective, to the proposal.

### **Norwich Society**

16. Our original comments were 'This seems a well-scaled design in relation to the adjacent buildings although we have some concerns about the lack of parking.' The revisions reduce the mass of the proposals and have an increased parking provision therefore we have no objections to the application.

## **Assessment of planning considerations**

### **Relevant development plan policies**

17. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
  - JCS6 Access and transportation
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
  - JCS20 Implementation

**18. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

**Other material considerations**

**19. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- Section 2: Achieving sustainable development
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

**20. Supplementary Planning Documents (SPD)**

- Affordable housing SPD adopted 2015

**Case Assessment**

21. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Council's standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### **Main issue 1: Principle of development**

22. Key policies and NPPF sections – DM12, DM13, JCS4, JCS12, NPPF sections 2 and 5.
23. The site comprises a surface car park and constitutes previously developed land within the urban area of Norwich. None of the exception criteria of Policy DM12 apply here and new residential development at the site is therefore acceptable in principle, subject to other material planning considerations and policies discussed below.
24. Paragraph 59 of the NPPF identifies the importance of a sufficient amount and variety of land coming forward where it is needed to significantly boost the supply of housing and DM12 support new housing which will help to meet housing needs in the city. The site is located within an established residential area, with regular bus services located nearby, and is within walking distance to the city centre.

### **Main issue 2: Design**

25. Key policies and NPPF sections – JCS2, DM3, NPPF sections 8, 11, 12.
26. The design has been revised in response to feedback from officers with the scale and number of flats being reduced, with further changes made to the layout of the site and the position of internal rooms. The height of the tallest part of the building would be similar to the height of the adjacent building to the east, Eastgate House, although the building would step down in height to only be three storey towards the rear. It would be taller than Graphic House to the west, although a planning application is currently being considered for the addition of a further storey to this building which would make it broadly similar in height to the proposed new residential block which is the subject of this report.
27. The design is a contemporary form which responds to the former office blocks either side. The scale is acceptable given the form of the existing buildings. High quality materials would be sought at reserved matters stage. The varying heights and recessed fifth storey adds some variation and interest to the appearance of the proposal. The proposal is acceptable in terms of its form, scale and siting, given the context of the sizeable buildings either side.
28. There is sufficient space at the areas around the proposed building to provide good quality communal space and to enhance the green frontage, and the pedestrian access provides a legible entrance way to the development from Thorpe Road. Sufficient space is available for bin and bike storage, the details of which would be controlled by condition.

### **Main issue 3: Heritage**

29. Key policies and NPPF sections – DM9, NPPF section 16.
30. Whilst the site itself carries no heritage designation it is adjacent to the Thorpe Ridge conservation area, which covers a large area of land to the north. The site forms part of the setting of this heritage asset, and it is important to consider the impact of the proposal on this setting. Currently the view of a gravel car park, or when occupied, a large number of parked cars does not provide a particularly beneficial setting to the conservation area. However, the open characteristics of the

site does allow for views of the wooded ridge beyond the site. Such views are glimpsed views, because there are a number of trees on the site frontage itself, which would be retained as part of the proposal. Notwithstanding this, it is recognised that the introduction of a significant building would lead to the loss of a significant proportion of the current view of the trees within the conservation area.

31. This harm is considered to be 'less than substantial' using the terminology described in the NPPF. The proposal must also be considered in the context of the sizeable Eastgate House which adjoins the site, and to a lesser degree Graphic House on the opposite side. In this context the proposal is considered a logical infill, the siting of which follows an established pattern of buildings fronting Thorpe Road. It is considered this harm can be mitigated by ensuring a high quality landscaping scheme including new trees and the use of high quality materials, and it is noted that the new build would not fill the entire width of the site.
32. The development would deliver significant public benefits in terms of providing 20 new homes in a sustainable location, and would make for a more efficient use of the land than the current use. The public benefits would outweigh the less than substantial harm, in terms of the test required under paragraph 196 of the NPPF.

#### **Main issue 4: Trees**

33. Key policies and NPPF sections – DM7, NPPF section 15.
34. A number of trees on the western boundary of the site would be removed to facilitate development. The majority of these are Leyland Cypress whose loss is not objected to given they are a non-native species. Just one category B2 tree would be removed, a False Acacia. Replacement planting should be sought as part of the detailed landscaping scheme. No objection is raised by the council's arboricultural officer and the proposal is considered acceptable in terms of impact on trees.

#### **Main issue 5: Transport and servicing**

35. Key policies and NPPF sections – JCS6, DM28, DM30, DM31, DM32, NPPF section 9.
36. The site is located within walking distance of the railway station, bus routes and city centre shops and services. It is also within a controlled parking zone, where under policy DM32 low car or car-free development is permitted. To this end only 6 parking spaces are proposed which is acceptable in this location, however there is space to provide policy compliant levels of cycle parking which would be controlled by condition. Concern has been raised about increased congestion on Thorpe Road, however parking is restricted by continuous double yellow lines in the vicinity of the site so it is not anticipated that a problem would arise. New properties would not be eligible for a parking permit.
37. It is stated within the application that staff using the existing car park would utilise the public car park on Lower Clarence Road.
38. Following discussions during the application process a through route has been designed which would allow refuse lorries to enter the site and exit via the access for Eastgate House, to ensure that waste could be collected without impeding traffic flows on Thorpe Road.



39. A comment was received suggesting replacing the Thorpe/Carrow/Clarence Road gyratory with a two way traffic system, due to the opinion that this would reduce traffic flows and be more convenient. However this application is not considered to be the correct avenue to seek such a comprehensive change, and in any event the proposal is unlikely to have a significant impact on traffic flows due to the low level of parking proposed.

### **Main issue 6: Amenity**

40. Key policies and NPPF sections – DM2, DM11, NPPF section 12.

#### **Amenity for surrounding occupiers**

41. Concern has been raised regarding the potential for overshadowing, loss of privacy, noise and loss of view. In terms of overshadowing, whilst some would occur, the separation distances between buildings are such that the proposal would not cause material harm. With regard to privacy, the plans have been revised to remove north facing balconies, and the windows have been positioned to avoid a material loss of privacy. Whilst views of the houses to the north would be possible, the front of the nearest bungalow is at least 21 metres away which is acceptable in terms of separation distance. In addition such views would be from smaller windows, not large French windows which would face to the side and front of the building.
42. In terms of noise and activity, the proposal is for a residential use in an area occupied by other residential development so it is considered to be a compatible use. The main noise generating issue is likely to be the movement of vehicles yet the level of parking is low and the level of movements are likely to be similarly low.
43. With regard to concerns about loss of views and open aspect, in accordance with planning law this is not a material planning matter in the consideration of an application. The proposal would not be unduly overbearing on properties surrounding the site.

#### **Amenity for future occupiers**

44. The proposal meets the minimum space standards for internal rooms for all dwellings. In addition revisions have been made to improve levels of natural light, outlook and maximise the provision of private amenity space where possible. The communal areas and access arrangements are well planned. The proposal is considered to comply with the requirements of policy DM2 with regards to occupier amenity.

### **Main issue 7: Energy and water**

45. Key policies and NPPF sections – JCS3, DM1, NPPF section 14.
46. The proposal is required to generate 10% of its energy requirements from renewable or low-carbon sources, maximise sustainable construction and energy efficiency together with exceeding building regulations in relation to water efficiency.
47. A statement has been submitted which indicates a number of measures would be employed in terms of energy efficiency and consideration would be given the best method of energy generation, with solar panels or air source heat pumps identified

as possible sources. The details and implementation of this would be controlled by condition and considered further at reserved matters stage.

### **Main issue 8: Flood risk**

48. Key policies and NPPF section– JCS1, DM5, NPPF section 14.
49. The site is within flood zone 1, the zone of lowest risk and is not particularly vulnerable to surface water flooding. The supporting drainage report states that the site is unlikely to be suitable for the provision of soakaways, therefore surface water run-off from the proposed development will be managed by an attenuation tank with discharge to mains sewer, and the private access road and parking spaces would be constructed using permeable paving.

### **Main issue 9: Biodiversity**

50. Key policies and NPPF sections – JCS1, DM6, NPPF section 15.
51. An ecology survey has found that the site does not support any habitats of ecological importance. Recommendations have been made in terms of ensuring the removal of trees takes place outside of the bird nesting season but no other actions are considered necessary. The landscaping scheme to be agreed at reserved matters stage will provide an opportunity to seek ecological enhancements to the site.

### **Main issue 10: Contamination**

52. Key policies and NPPF sections – DM11, NPPF section 15.
53. The site is not known to have had any previously contaminating uses; however a precautionary condition is recommended to ensure that if any contamination is discovered, it is dealt with appropriately.

### **Main issue 11: Affordable housing viability**

54. Key policies and NPPF sections – JCS4, DM33, NPPF section 4.
55. On a total of 20 flats, a policy compliant scheme should deliver 33% of them as affordable which equates to 7 affordable units. The applicant has stated a preference for providing 6 on-site affordable units which would take the form of the flats in the three storey block at the rear of the site. The logic behind this is that given the design of the proposal, it would be easier for a registered provider to manage the single block of 6 properties as a whole, rather than individual flats dispersed around the building. A financial contribution would be secured to provide a further unit off-site, with the sum calculated to be £75,243.93, ensuring that the development contributes the full policy compliant level of affordable housing. This provision would be secured via a section 106 legal agreement.

### **Equalities and diversity issues**

56. There are no significant equality or diversity issues.

## **S106 Obligations**

57. A section 106 agreement for the provision of affordable housing is required.

## **Local finance considerations**

58. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
59. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
60. In this case local finance considerations are not considered to be material to the case.

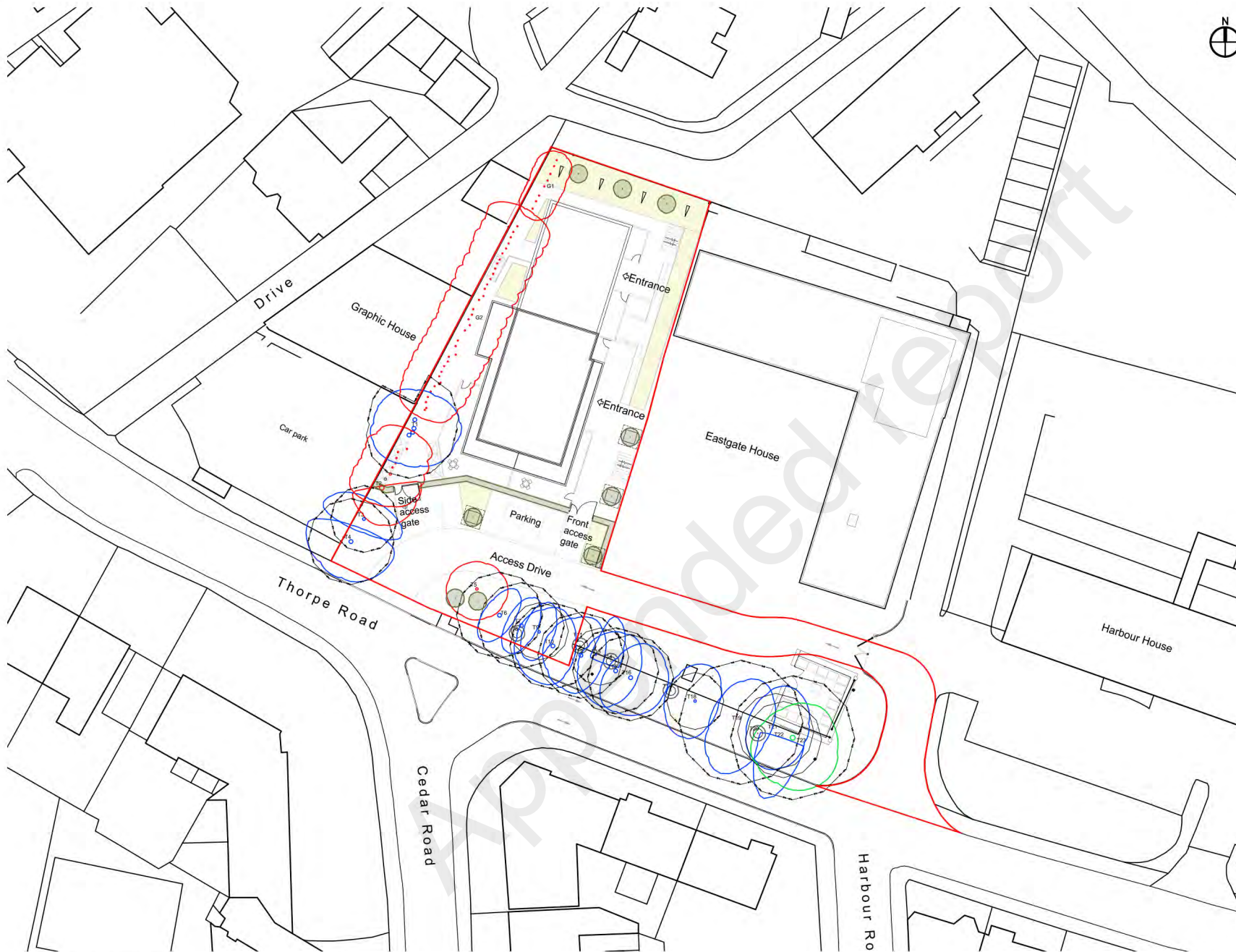
## **Conclusion**

61. The proposal is well designed and would make a more efficient use of the land, delivering 20 new dwellings within a sustainable location and providing a policy compliant level of affordable housing. No material harm would be caused to surrounding occupiers and whilst there would be some less than substantial harm to the setting of the conservation area to the north, this would be outweighed by the public benefits of the scheme.
62. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit for submission of reserved matters
2. In accordance with plans
3. Energy efficiency
4. Water efficiency
5. Surface water drainage scheme
6. Unexpected contamination
7. Details of bin and cycle storage
8. Imported topsoil and subsoil
9. Slab levels
10. Construction method statement.



**NOTES**

Do not scale from this drawing electronically or manually, use written dimensions only.

All dimensions are in millimeters unless stated otherwise.

This drawing is produced for use in this project only and may not be used for any other purpose. Lanproservices Ltd. accept no liability for the use of this drawing other than the purpose for which it was intended in connection with this project as recorded on the title fields 'Purpose for Issue' and 'Drawing Status Code'.

This drawing may not be reproduced in any form without prior written agreement of Lanproservices Ltd.

© Crown copyright and database rights 2017.

Ordnance Survey Licence Number 0100031673

**CDM 2015**

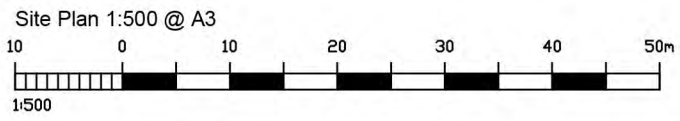
The Construction (Design and Management) Regulations 2015 (CDM 2015) makes a distinction between domestic and commercial clients and outlines the duties you, as client, have under Health and Safety Law (HSE).

These duties can be found at:  
<http://www.hse.gov.uk/construction/cdm/2015/responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.

- Key**
- Cat C tree to be removed
  - Cat B, retained trees
  - Cat A, retained trees
  - RPA --- RPA --- Root protection areas

PURPOSE OF ISSUE PL - For Planning Submission		RIBA STAGE 3	
DRAWING STATUS S2 - Fit for Information			
PROJECT TITLE Land west of Eastgate House			
CLIENT Bignold House Ltd			
DRAWING TITLE Proposed Site Plan		SCALE 1:500 @ A3	
DATE 16.08.2018	DRAWN BY RG	CHECKED BY LB	APPROVED BY JC
DRAWING NUMBER			
PROJECT NO <b>0532</b>	TYPE <b>00</b>	UNIQUE NO <b>09</b>	REVISION <b>-</b>







Front Elevation, south



Rear Elevation, north

**NOTES**

Do not scale from this drawing electronically or manually, use written dimensions only.

All dimensions are in millimeters unless stated otherwise.

This drawing is produced for use in this project only and may not be used for any other purpose. Lanproservices Ltd. accept no liability for the use of this drawing other than the purpose for which it was intended in connection with this project as recorded on the title fields 'Purpose for Issue' and 'Drawing Status Code'.

This drawing may not be reproduced in any form without prior written agreement of Lanproservices Ltd.

© Crown copyright and database rights 2017.  
Ordnance Survey Licence Number 0100031673

**CDM 2015**

The Construction (Design and Management) Regulations 2015 (CDM 2015) makes a distinction between domestic and commercial clients and outlines the duties you, as client, have under Health and Safety Law (HSE).

These duties can be found at:  
<http://www.hse.gov.uk/construction/cdm/2015/responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.

- Key**
- Red brick
  - Grey brick
  - Zinc/ metal cladding
- Aluminium windows and doors, grey colour
- Metal and glass balustrades

Adjusted window positions			
REVISED BY:	FIG:	DATE:	CHECKED BY:
		13.06.18	JC
PURPOSE OF ISSUE			RIBA STAGE
PL - For Planning Submission			3
DRAWING STATUS			
S2 - Fit for Information			
PROJECT TITLE			
Land west of Eastgate House			
CLIENT			
Bignold House Ltd			
DRAWING TITLE			SCALE
Proposed North and South Elevations			1:200 @ A3
DATE	DRAWN BY	CHECKED BY	APPROVED BY
13.06.18	RG	LB	JC
DRAWING NUMBER			
PROJECT NO	TYPE	UNIQUE NO	REVISION
0532	00	12	A

**Lanpro**

[Architecture and Urban Design]

Norwich Office: Brettingham House, 98 Pottersgate, Norwich, NR2 1EQ  
Tel 01603 631 319 www.lanproservices.co.uk

Dashed outline  
Extent of previous  
scheme



East elevation



West Elevation

**NOTES**

Do not scale from this drawing electronically or manually, use written dimensions only.

All dimensions are in millimeters unless stated otherwise.

This drawing is produced for use in this project only and may not be used for any other purpose. Lanproservices Ltd. accept no liability for the use of this drawing other than the purpose for which it was intended in connection with this project as recorded on the title fields 'Purpose for Issue' and 'Drawing Status Code'.

This drawing may not be reproduced in any form without prior written agreement of Lanproservices Ltd.

© Crown copyright and database rights 2017.

Ordnance Survey Licence Number 0100031673

**CDM 2015**

The Construction (Design and Management) Regulations 2015 (CDM 2015) makes a distinction between domestic and commercial clients and outlines the duties you, as client, have under Health and Safety Law (HSE).

These duties can be found at:

<http://www.hse.gov.uk/construction/cdm2015/responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.

**Key**

- Red brick
- Grey brick
- Zinc/ metal cladding

Aluminium windows and doors, grey colour

Metal and glass balustrades

Adjusted window positions				
A	REVISED BY: FIG	DATE: 03.09.18	CHECKED BY: JC	DATE: 03.09.18
PURPOSE OF ISSUE			RIBA STAGE	
PL - For Planning Submission			3	
DRAWING STATUS				
S2 - Fit for Information				
PROJECT TITLE				
Land west of Eastgate House				
CLIENT				
Bignold House Ltd				
DRAWING TITLE				SCALE
Proposed East and West Elevations				1:200
DATE	DRAWN BY	CHECKED BY	APPROVED BY	
13.06.18	RG	LB	JC	
DRAWING NUMBER				
PROJECT NO	TYPE	UNIQUE NO	REVISION	
0532	00	13	A	



[Architecture and Urban Design]

Norwich Office: Brettingham House, 98 Pollergate, Norwich, NR2 1EQ  
Tel 01603 631 319 www.lanproservices.co.uk



**NOTES**

Do not scale from this drawing electronically or manually, use written dimensions only.  
 All dimensions are in millimeters unless stated otherwise.  
 This drawing is produced for use as a contract only and may not be used for any other purpose. Lanpro Limited accepts no liability for the use of this drawing other than the purpose for which it was intended in connection with the project as recorded on the title block.  
 This drawing may not be reproduced in any form without prior written agreement of Lanprosurvices Ltd.  
 © Crown copyright and database rights 2017.

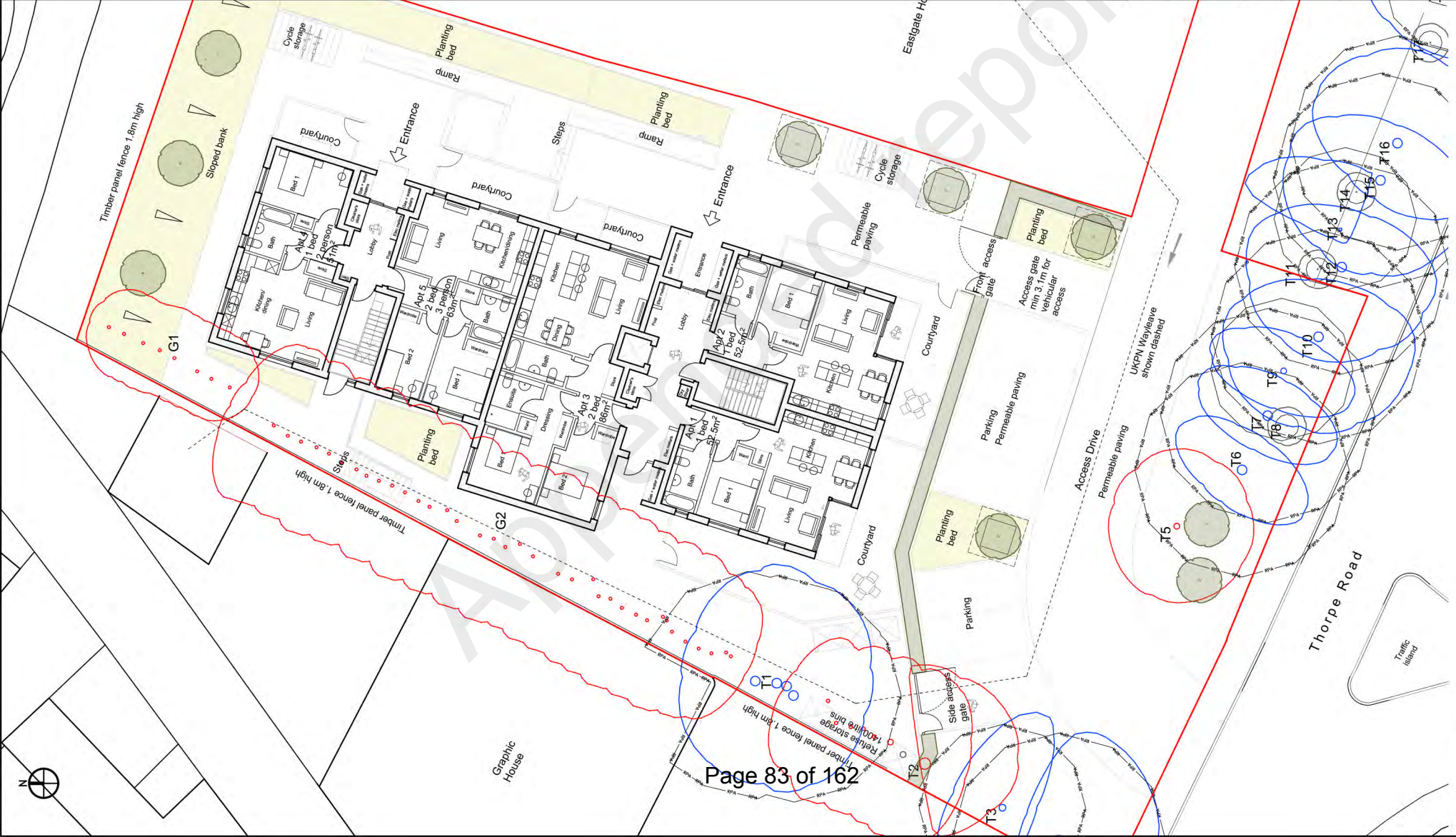
Ordinance Survey Licence Number 0100031673  
**CDM 2015**  
 The Construction (Design and Management) Regulations 2015 (CDM 2015) apply to this project.  
 Commercial clients and outlines the duties you, as client, have under the Health and Safety Law (HSE).  
 These duties can be found at:  
<http://www.hse.gov.uk/construction/2015/2015cdmregulations.htm>  
 It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.

**Key**

- Cat C tree to be removed
- Cat B, retained trees
- Cat A, retained trees
- Root protection areas
- Proposed hedge
- Proposed planting
- Proposed tree
- Reuse bin
- Cycle storage

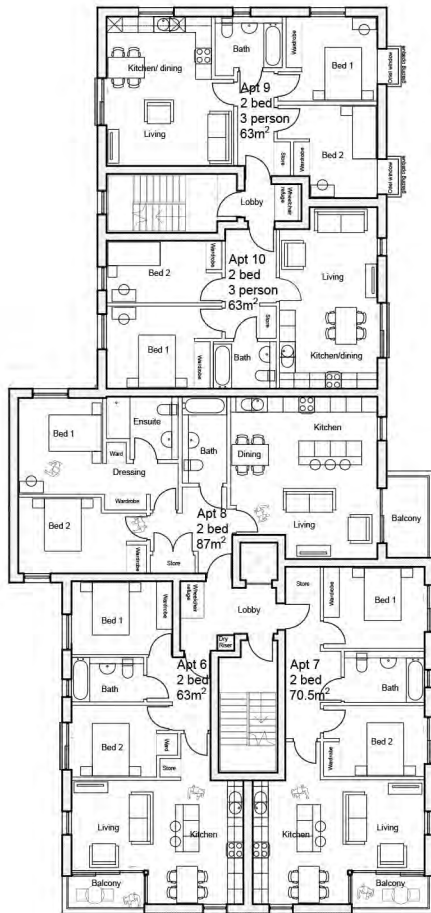
Adjusted window positions	REVISIONS	DATE	03.09.18	CHECKED BY	JC
PURPOSE OF ISSUE	PL - For Planning Submission	DATE	03.09.18	APPROVED BY	JC
REVISION	1	DATE	03.09.18	APPROVED BY	JC
REVISION	2	DATE	03.09.18	APPROVED BY	JC
REVISION	3	DATE	03.09.18	APPROVED BY	JC
REVISION	4	DATE	03.09.18	APPROVED BY	JC
REVISION	5	DATE	03.09.18	APPROVED BY	JC
REVISION	6	DATE	03.09.18	APPROVED BY	JC
REVISION	7	DATE	03.09.18	APPROVED BY	JC
REVISION	8	DATE	03.09.18	APPROVED BY	JC
REVISION	9	DATE	03.09.18	APPROVED BY	JC
REVISION	10	DATE	03.09.18	APPROVED BY	JC
REVISION	11	DATE	03.09.18	APPROVED BY	JC
REVISION	12	DATE	03.09.18	APPROVED BY	JC
REVISION	13	DATE	03.09.18	APPROVED BY	JC
REVISION	14	DATE	03.09.18	APPROVED BY	JC
REVISION	15	DATE	03.09.18	APPROVED BY	JC
REVISION	16	DATE	03.09.18	APPROVED BY	JC
REVISION	17	DATE	03.09.18	APPROVED BY	JC
REVISION	18	DATE	03.09.18	APPROVED BY	JC
REVISION	19	DATE	03.09.18	APPROVED BY	JC
REVISION	20	DATE	03.09.18	APPROVED BY	JC

**Lanpro**  
 Architecture and Urban Design  
 Norwich Office: Bretingham House, 98 Pallgrave, Norwich, NR2 1EQ  
 Tel: 01603 531 319 www.lanprosvices.co.uk

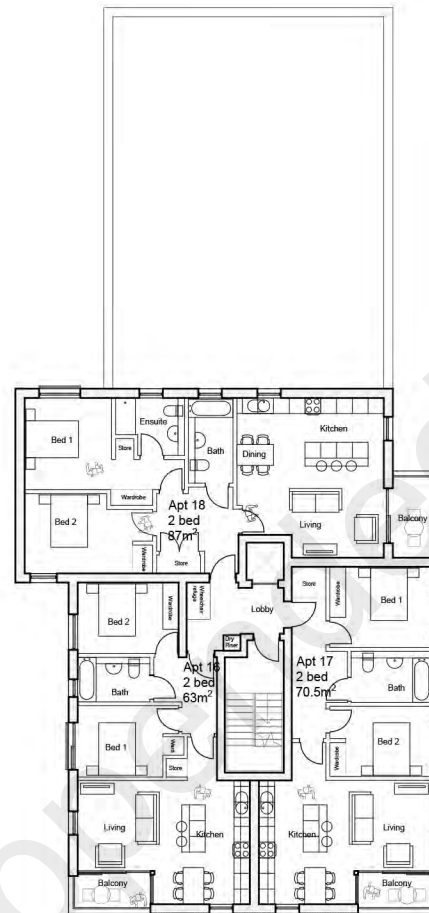


Plans 1:200 @ A3  
 2 0 2 4 6 8 10 12 14 16 18m  
 1:200

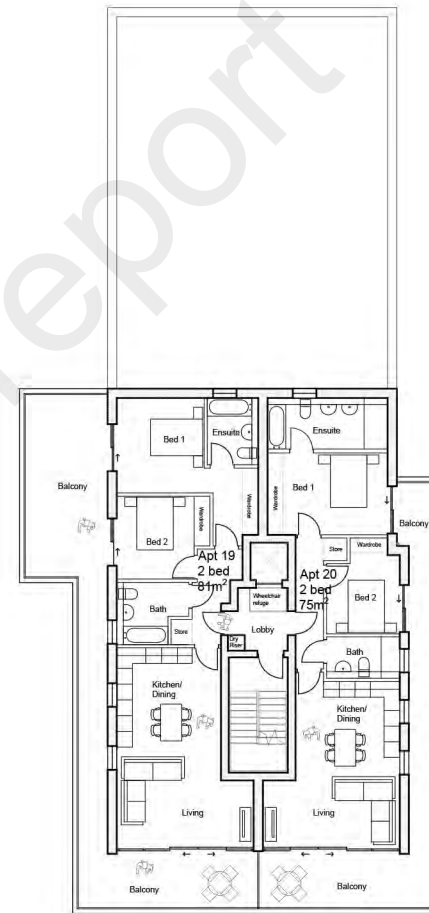




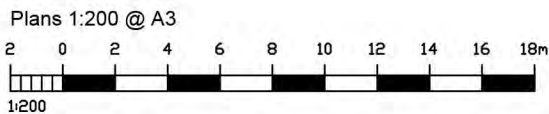
Proposed First floor plan, Apts 6-10  
Second Floor Plan (Repeated) Apts 11 - 15



Proposed Third floor plan, Apts 16-18



Proposed Fourth floor plan, Apts 19-20



**NOTES**

Do not scale from this drawing electronically or manually, use written dimensions only.

All dimensions are in millimeters unless stated otherwise.

This drawing is produced for use in this project only and may not be used for any other purpose. Lanproservices Ltd. accept no liability for the use of this drawing other than the purpose for which it was intended in connection with this project as recorded on the title fields 'Purpose for Issue' and 'Drawing Status Code'.

This drawing may not be reproduced in any form without prior written agreement of Lanproservices Ltd.

© Crown copyright and database rights 2017.

Ordnance Survey Licence Number 0100031673

**CDM 2015**

The Construction (Design and Management) Regulations 2015 (CDM 2015) makes a distinction between domestic and commercial clients and outlines the duties you, as client, have under Health and Safety Law (HSE).

These duties can be found at:

<http://www.hse.gov.uk/construction/cdm/2015/responsibilities.htm>

It is your responsibility as client to make yourself aware of your role within CDM 2015 and act accordingly.

A Adjusted window positions			
REVISED BY:	RG	DATE:	03.09.18
CHECKED BY:	JC	DATE:	03.09.18
PURPOSE OF ISSUE		RIBA STAGE	
PL - For Planning Submission		3	
DRAWING STATUS			
S2 - Fit for Information			
PROJECT TITLE			
Land west of Eastgate House			
CLIENT			
Bignold House Ltd			
DRAWING TITLE			SCALE
Proposed Upper Floor Plans			1:200 @ A3
DATE	DRAWN BY	CHECKED BY	APPROVED BY
18.08.2018	RG	LB	JC
DRAWING NUMBER			
PROJECT NO	TYPE	UNIQUE NO	REVISION
0532	00	11	A



[Architecture and Urban Design]

Norwich Office: Buntingham House, 98 Pottersgate, Norwich, NR2 1EQ  
Tel 01603 631 319 www.lanproservices.co.uk



**Planning applications committee**
**10:00 to 15:25**
**8 November 2018**

Present: Councillors Driver (chair), Maxwell (vice chair), Bradford (to end of item 9, below), Button, Malik, Peek, Raby, Ryan, Sands (M), Stutely, Trevor (to end of item 9, below) and Wright

Apologies: Councillors Henderson

**Extract from the minutes**
**7. Application no 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich**

The senior planner presented the report with the aid of plans and slides. He referred to the supplementary report of updates reports circulated at the meeting and summarised comments from the Norfolk Fire and Rescue Service which raised no objections but stipulated that all parts of the building must be accessible for a fire appliance and additional fire hydrants to be provided.

The chair moved and the vice chair seconded the recommendations as set out in the report and amended in the supplementary report of updates to reports.

Members welcomed that this site was fully compliant with policy and would provide 33 per cent affordable housing, comprising six units on site and a commuted sum for provision of a unit elsewhere. The area development manager (outer) assured members that there was a reasonable amount of time before the commuted sum needed to be used.

**RESOLVED.** unanimously, to approve application no. 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit for submission of reserved matters
2. In accordance with plans
3. Energy efficiency
4. Water efficiency
5. Surface water drainage scheme
6. Unexpected contamination
7. Details of bin and cycle storage
8. Imported topsoil and subsoil
9. Slab levels
10. Construction method statement.
11. Provision of additional fire hydrants.



**Report to** Planning applications committee

**Item**

14 February 2019

**Report of** Head of planning services

**Subject** Application no 18/01265/F - 56 Wolfe Road, Norwich,  
NR1 4HT

**4(d)**

**Reason  
for referral** Objections

---

<b>Ward:</b>	Crome
<b>Case officer</b>	Charlotte Hounsell - <a href="mailto:charlottehounsell@norwich.gov.uk">charlottehounsell@norwich.gov.uk</a>

<b>Development proposal</b>		
Two storey rear extension.		
<b>Representations</b>		
Object	Comment	Support
2	0	0

<b>Main issues</b>	<b>Key considerations</b>
1	Height, scale, form
2	Impact on light and privacy.
<b>Expiry date</b>	19 October 2018
<b>Recommendation</b>	Approve



© Crown Copyright and database right 2019. Ordnance Survey 100019747.

Planning Application No 18/01265/F  
56 Wolfe Road

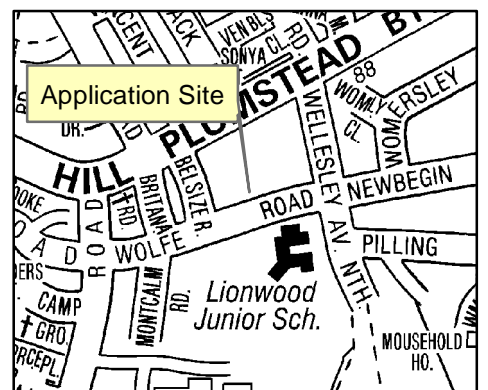
Site Address

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES



## The site and surroundings

1. The subject property is located on the north side of Wolfe Road, east of the city centre. The semi-detached property, built circa 1930, is constructed of rough cast render and pantiles. The property has a small driveway area to the front of the property and access to the rear is via the east elevation of the property. To the rear is a good sized garden. At the time of the officer's site visit, the single storey element had begun constructed however work had ceased at that point. There is a change in ground level so that No. 58 is located at a slightly higher ground level than the subject property. There is an approximately 4.50m gap between these two properties. The surrounding area is largely residential in character.

## Constraints

2. There are no constraints on this site.

## Relevant planning history

3. There is no relevant planning history.

## The proposal

4. The proposal is for the construction of a two storey rear extension.
5. It should be noted that a set of revised plans has been submitted in an attempt to address objector concerns. This assessment below is based on the revised plans only.

## Summary information

<b>Proposal</b>	<b>Key facts</b>
<b>Scale</b>	
No. of storeys	<b>2</b>
Max. dimensions	<b>5.80m x 4.00m, 4.60m at the eaves and 6.40m max. height.</b>
<b>Appearance</b>	
Materials	<b>Render and pantiles to match existing</b>

## Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

<b>Issues raised</b>	<b>Response</b>
Overdominant building	Main issue 1
Loss of light and privacy	Main issue 2
Exceeds permitted development measurements	Other Matters
Interested in whether applicant is seeking to change the building to business use	Other Matters

## **Consultation responses**

7. No consultations were undertaken.

## **Assessment of planning considerations**

### **Relevant development plan policies**

8. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
9. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design

### **Other material considerations**

10. **Relevant sections of the National Planning Policy Framework March 2018 (NPPF):**
  - NPPF2 Achieving sustainable development
  - NPPF8 Promoting healthy communities
  - NPPF 12 Achieving well –designed places

### **Case Assessment**

11. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

## **Main issue 1: Design**

12. Key policies and NPPF paragraphs – JCS2, DM3, NPPF 12.
13. Concerns were raised that the proposed extension would be an over-dominant extension. Objectors considered that this was still a valid concern with the revised proposal.
14. The extension would be relatively large in scale. However it has been designed with a step in from the boundary and a pitched roof form to reduce its massing and to ensure that it relates to the character of the existing dwelling. Its revised form is also considered to result in a subservient appearance.
15. The extension would be constructed of materials to match the existing property.

## **Main issue 2: Amenity**

16. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 12.
17. Concerns were raised that the proposed extension would result in a loss of light and privacy to neighbouring dwellings.
18. The existing property has first floor windows within the rear elevation. The proposed extension would also include two windows within its rear elevation. There would be no additional windows within the side elevations. Therefore the extension is not considered to differ significantly in terms of overlooking of neighbouring dwellings.
19. The revised plans indicate that the first floor of the extension would be pulled back from the rear of the ground floor and stepped in from the boundary. It is acknowledged that No. 54 are likely to experience some overbearing impacts as a result of the extension. However, the revised form of the proposal is considered to minimise these impacts.
20. There is also the potential that the proposal could result in a loss of light to neighbouring ground floor living areas. However, the proposed extension would not be likely to intersect a 45 degree line in both plan and elevation with the neighbouring ground floor window. Therefore, whilst there may be a change in the amount of light received to this window, it is not considered to be significantly detrimental to neighbouring amenity.
21. The proposal would maintain the approx. 4.50m gap to No. 58. Therefore, whilst there may be some additional overshadowing in the later parts of the day, the proposal would not result in a significant loss of light or have a significant overbearing impact on this property.

## **Other matters**

22. Concerns were raised that the proposed extension already exceeded permitted development rights as the ground floor had already been constructed. Given that this application has been submitted to consider the extension, this matter has not been considered further.
23. Queries were raised as to whether the property was being extended for proposed business use. The extension to the dwelling is to provide additional living and

bedroom space for a family. Some level of working from home can be considered ancillary to the residential use of the property and therefore planning permission would be required for such activities. If any business use occurred that constituted a material change of use in future, planning permission would be required.

### **Equalities and diversity issues**

24. There are no significant equality or diversity issues.

### **Local finance considerations**

25. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.

26. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.

27. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

28. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

### **Recommendation**

To approve application no. 18/01265/F - 56 Wolfe Road Norwich NR1 4HT and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.







**Report to** Planning applications committee

**Item**

14 February 2019

**Report of** Head of planning services

**Subject** Application no 18/01095/F - 56 Caernarvon Road,  
Norwich, NR2 3HX

**4(e)**

**Reason  
for referral** Objection

---

<b>Ward:</b>	Nelson
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

<b>Development proposal</b>		
Single storey rear infill extension and dormer window.		
<b>Representations</b>		
Object	Comment	Support
2	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Scale and Design	The impact of the development within the context of the original design / surrounding area
2 Residential Amenity	The impact of the proposed development on the neighbouring properties, nos. 58 and other neighbouring properties; loss of light, outlook, privacy, overbearing scale.
<b>Expiry date</b>	28 September 2018
<b>Recommendation</b>	Approve



© Crown Copyright and database right 2019. Ordnance Survey 100019747.

Planning Application No 18/01095/F  
56 Caernarvon Road

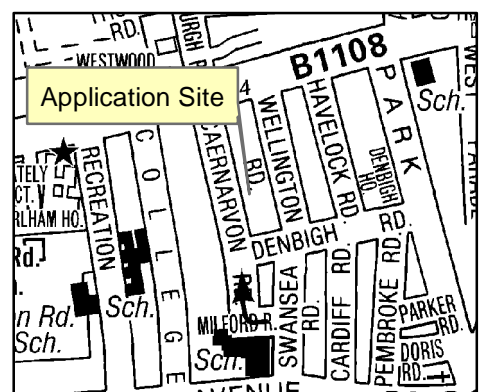
Site Address

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES





## The site and surroundings

1. The site is located to the east side of Caernarvon Road to the west of the city. The prevailing character of the area is predominantly residential, primarily consisting of two-storey semi-detached dwellings constructed circa 1900 as part of a wider series of terraced streets south of Earham Road. Properties have typically been arranged with small front gardens and longer narrow bisected rear gardens accessed via shared covered passageways.
2. The subject property is a two-storey mid-terrace dwelling typical of the street in both form and appearance having been constructed using light coloured bricks to the front, red bricks to the rear and plain roof tiles. The site features a small front garden area and a larger bisected rear garden accessed via a shared covered passageway. The property is arranged over an 'L' shaped footprint with a two storey projecting rear section, creating a side return shared with the adjoining property to the south. The property has previously been extended by way of a single storey rear extension with a sloping roof.
3. The rear site boundaries are marked by close boarded fencing ranging from 2m to 1.8m in height. The site is bordered by nos. 58 and 54 Caernarvon Road to the south and north respectively. No. 58 with which the side return is shared has been extended by a single storey sloping roof extension filling a small section of the side return.
4. It should be noted that at the time of the initial assessment, the rear facing dormer window had been largely completed.

## The proposal

5. The proposal is for the construction of a single storey rear extension incorporating the existing rear extension with a total footprint of 3.3m x 4.7m. The extension has been designed with a dual-pitched roof measuring 2.7m to the boundary shared with no. 58, 3.5m to the ridge and 2.8m to the eaves abutting the shared passageway. The design includes a roof lantern and a set of patio doors opening onto the rear garden. The extension facilitates the creation of an enlarged kitchen / dining space. The extension is to be constructed using matching bricks and roof tiles. The proposal also includes the replacement of the existing first floor sloping roof with a flat roof.
6. The proposal also seeks consent for the largely completed dormer constructed within the rear roof slope. The dormer fills the majority of the roof slope with only a small gap being left below the ridge line of the roof. The design includes a set of rear facing floor to ceiling windows and a horizontal window casement to the north elevation. A pair of roof lights to the front roof slope have also been added, facilitating the creation of an additional bedroom.

## Representations

7. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

<b>Issues raised</b>	<b>Response</b>
The proposal will result in a loss of light to the neighbouring property (no.58).	See main issue 2
The rear extension will be an overbearing presence along the shared boundary, resulting in feeling claustrophobic (no.58).	See main issue 2
Bi-fold doors to the rear extension will obstruct the shared pathway (no.58).	See main issue 2
The proposed development will result in a loss of privacy (no.58).	See main issue 2
Concern regarding size and spec. of dormer.	See main issue 1
The removal of internal walls may be structurally unsound.	Any works involving changes to the structure of the property will be assessed as part of a separate building regulations application.

## **Consultation responses**

8. No consultations have been undertaken.

## **Assessment of planning considerations**

### **Relevant development plan policies**

9. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
10. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design

### **Other material considerations**

11. **Relevant sections of the National Planning Policy Framework 2018 (NPPF)**
- NPPF Section 12 - Achieving well-designed places

### **Case Assessment**

12. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material

considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### **Main issue 1: Design**

13. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
14. The proposed single storey extension will effectively infill the area between the original rear wall and the shared access where the garden is bisected. The form and appearance is typical of extensions within the area, with a dual-pitched roof and doors opening onto the rear garden. The extension will have a limited impact on the character of the subject property and surrounding area as it will not be visible from the highway and is being constructed in a similar location to many neighbouring properties. The design of the single storey rear extension is therefore considered to be acceptable.
15. The rear dormer fills the majority of the roof space, having been constructed immediately above the eaves. Its relatively large scale and materials which contrast to the red coloured roof tiles ensure that it is obviously noticeable from neighbouring properties and gardens. It should be noted however that in terms of scale alone, the dormer is close to being considered a form of permitted development. It is only the positioning of the dormer within the roof slope, less than 0.2m above the eaves, and the choice of materials which are not of a similar appearance to those in place already which bring about the requirement for planning permission. It is also noted that the dormer is similar in appearance and scale to a dormer already in place at a neighbouring property on Caernarvon Road. As such, the dormer is considered to be acceptable in design terms.

### **Main issue 2: Amenity**

16. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
17. The proposal will result in a noticeable change to the current situation in relation to no. 58 to the north. Particular concern has been raised that the proposed single storey rear extension will result in a loss of light to the rear facing rooms of the neighbouring property. The extension is to extend 4.7m along the shared boundary, approximately 2.1m beyond the rear extension in place at no. 58. As a consequence, the proposed extension will result in some loss of light to the rear door of the neighbouring property. The loss of light is however not considered to cause significant harm to the residential amenity of the neighbouring property as the rear room is also served by a roof light which will remain unaffected by the proposed development.
18. Similar concern has been raised that the proposed rear extension will appear as an overbearing presence along the shared boundary, resulting in a sense of claustrophobia. As discussed above, it is acknowledged that the extension will result in a noticeable change, however it is not considered that the extension will cause significant harm in this respect. The 2.7m tall 2.1m section is to be constructed against the shared boundary currently marked by a 2m tall close

boarded fence. As such, it is not considered that the proposal will significantly alter the current situation.

19. Concern has been raised that the extensive glazing installed on the rear dormer will result in a loss of privacy to neighbouring properties and gardens. The rear dormer includes a set of floor to ceiling windows and normal sized windows facing to the rear, as well as a window on the side elevation facing north. During the course of the application the applicant has agreed to modify the windows by adding window frosting to the lower half of the floor to ceiling windows and the side facing window, so that they are obscured. The views from these windows will therefore be reduced, lessening the impacts on neighbouring privacy, reducing the views possible to those typical from this type of extensions. It is considered reasonable to add a condition requiring the installation of the obscured window stickers in order to protect neighbouring residential amenities.
20. Particular concern has been raised that the proposed bi-folding doors will obstruct the shared pathway when in the open position. The bi-fold doors to be installed have been designed with a pivot to fold inwards when open, ensuring that the shared pathway remains free from obstruction. It is considered reasonable to add a condition requiring that the rear doors are to pivot inwards when open to prevent any obstruction of the shared pathway.
21. The proposed replacement flat roof to the rear is to be created immediately in front of the dormer. In order to protect neighbouring residential amenities it is considered reasonable to add a condition preventing the use of the flat roof as a balcony accessible via the room located within the roof space.

### **Equalities and diversity issues**

22. There are no significant equality or diversity issues.

### **Local finance considerations**

23. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
24. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
25. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

26. The proposal will result in an enlarged dwelling which is considered to be of an appropriate scale and design, which does not cause significant harm to the character and appearance of the subject property, or surrounding area.

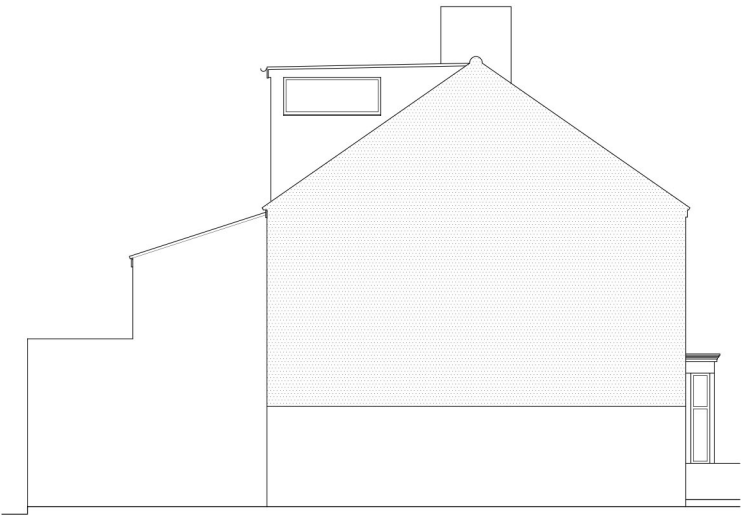


27. The proposed development will have a limited impact upon the residential amenities of neighbouring properties with no significant harm being caused by way of overshadowing, overlooking or loss of outlook.
28. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 18/01095/F - 56 Caernarvon Road Norwich NR2 3HX and grant planning permission subject to the following conditions:

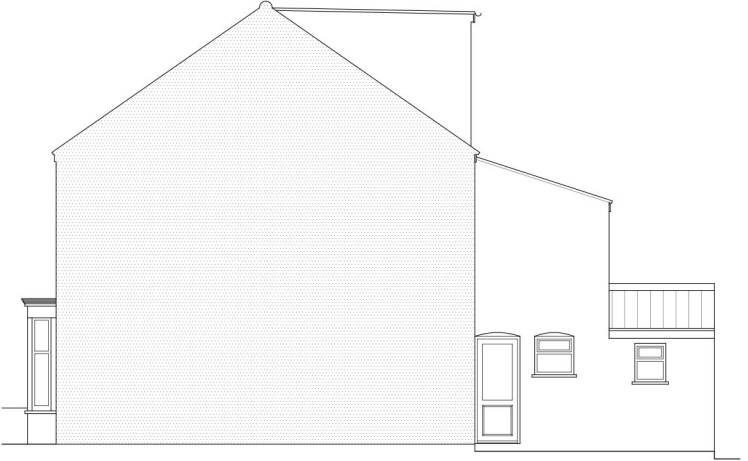
1. Standard time limit;
2. In accordance with plans;
3. Obscure glazing stickers;
4. Rear doors to pivot inwards;
5. Flat roof cannot be used as a balcony.



EXISTING NORTH ELEVATION



EXISTING FRONT ELEVATION



EXISTING SOUTH ELEVATION



EXISTING REAR ELEVATION

NOTES

This drawing to be read in conjunction with drawing no. 01, 02, 03 & 05.  
All materials to match existing.

© JSCE 3 Old Forge Close, Woodton, Bungay, NR35 2LJ  
Tel: 07717 842131

Job  
56 CAERNARVON ROAD  
NORWICH  
NR2 3HX

Title  
REAR DORMER &  
EXTENSION  
EXISTING ELEVATIONS

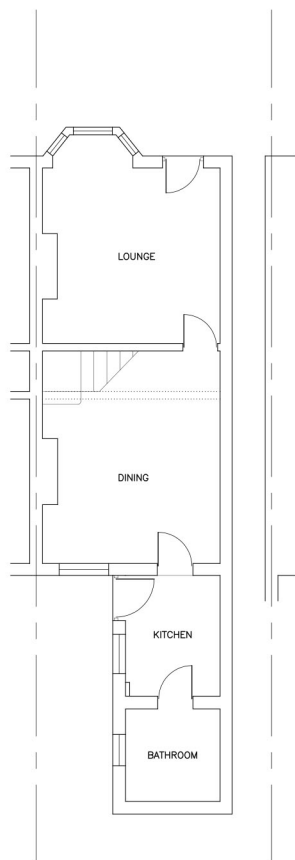
Client  
Mr M Blunsten

Scales 1:50 © A1 Drawn JS Date Aug 2018

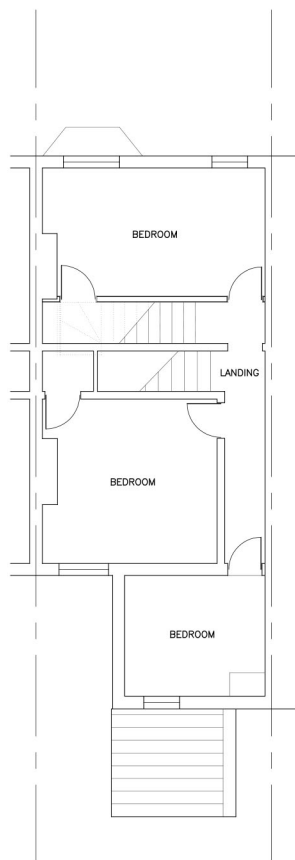
REVISIONS

REV	DATE	DESCRIPTION
-	02.08.18	PLANNING ISSUE
A	25.09.18	DORMER ROOF AMENDED
B	05.10.18	WINDOW & DORMER DETAILS AMENDED
C	20.11.18	TILES REMOVED FROM BASE OF DORMER

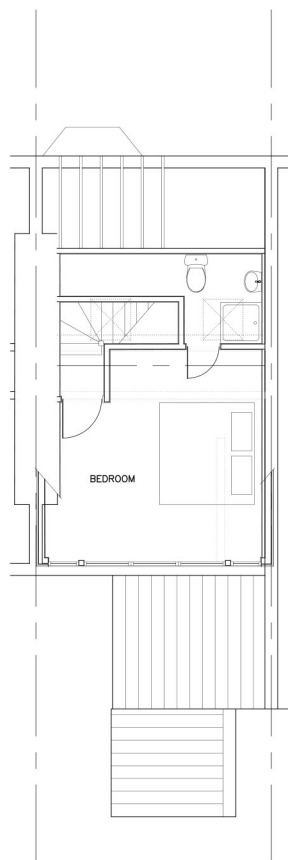
Drawing No. JSCE 311/04 Rev. c



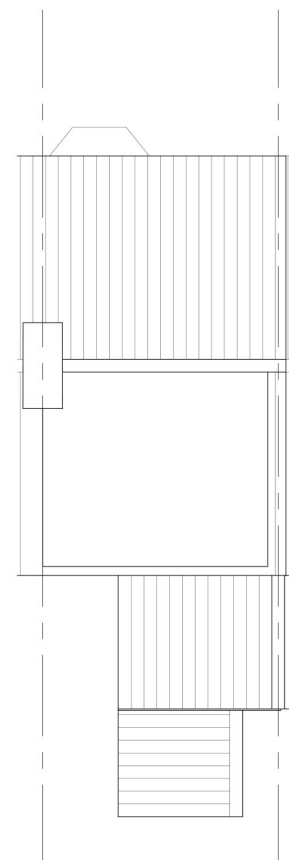
EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



EXISTING LOFT PLAN



EXISTING ROOF PLAN

NOTES

This drawing to be read in conjunction with drawing no. 02 to 05 incl.  
All materials to match existing.

© JSCE 3 Old Forge Close, Woodton, Bungay, NR35 2LJ  
Tel: 07717 842131

Job  
56 CAERNARVON ROAD  
NORWICH  
NR2 3HX

Title  
REAR DORMER &  
EXTENSION  
EXISTING PLANS

Client  
Mr M Blunsten

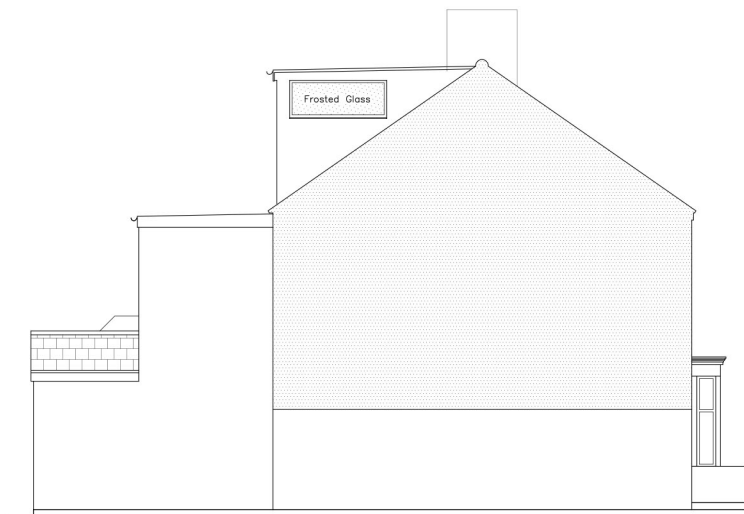
Scales 1:50 @ A1 Drawn JS Date Sept 2016

REVISIONS

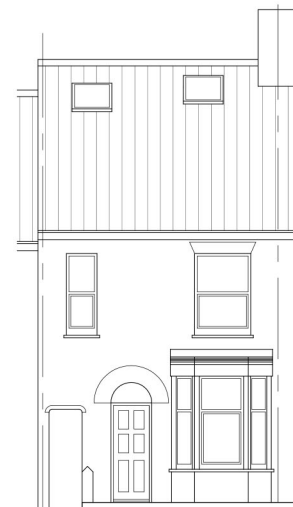
REV	DATE	DESCRIPTION
-	28.06.17	PLANNING ISSUE
A	02.08.18	REVISED PLANNING ISSUE
B	25.09.18	DORMER ROOF AMENDED
C	05.10.18	DORMER ROOF AMENDED
D	20.11.18	NORTH SIGN ADDED & DORMER ROOF AMENDED

Drawing No. JSCE 311/01

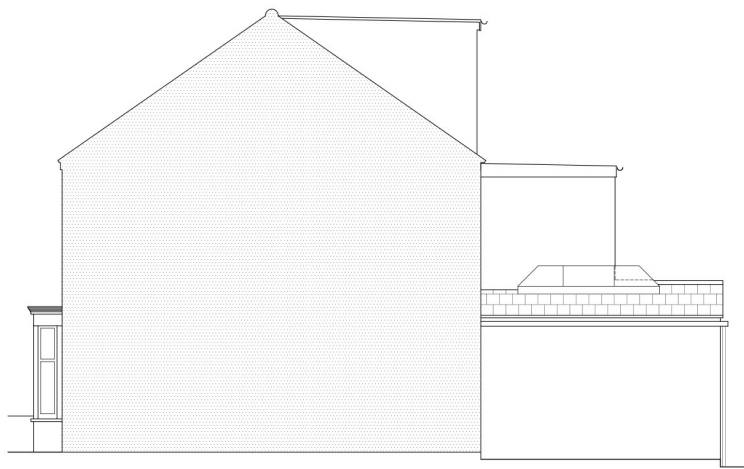
This drawing to be read in conjunction with drawing no. 01 to 04 incl.  
All materials to match existing.



PROPOSED NORTH ELEVATION



PROPOSED FRONT ELEVATION



PROPOSED SOUTH ELEVATION



PROPOSED REAR ELEVATION

© JSCE 3 Old Forge Close, Woodton, Bungay, NR35 2LJ  
Tel: 07717 842131

Job  
56 CAERNARVON ROAD  
NORWICH  
NR2 3HX

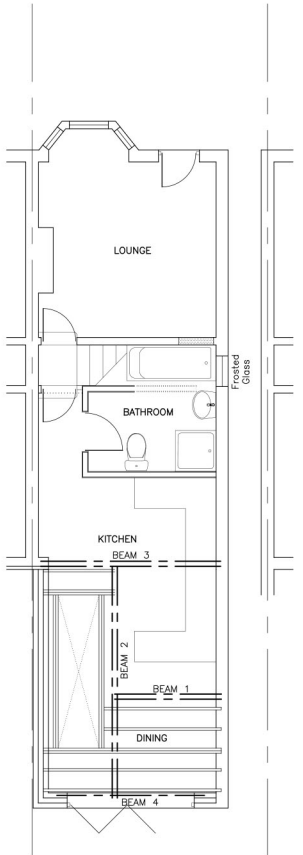
Title  
REAR DORMER &  
EXTENSION  
PROPOSED ELEVATIONS

Client  
Mr M Blunsten

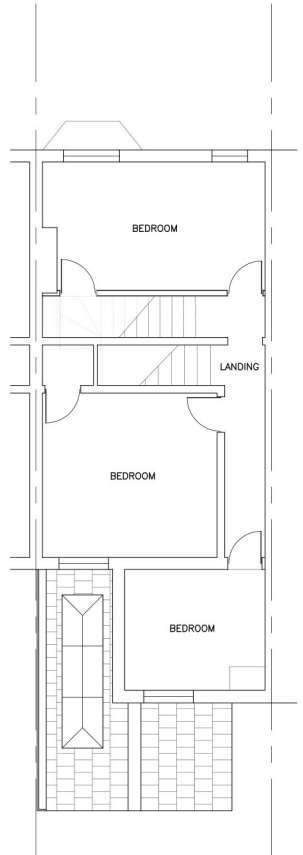
Scales 1:50 @ A1 Drawn JS Date Aug 2018

REVISIONS		
REV	DATE	DESCRIPTION
-	02.08.18	PLANNING ISSUE
A	25.09.18	DORMER ROOF & EXTENSION ROOF AMENDED
B	05.10.18	WINDOW DETAILS & PARAPET AMENDED
C	12.11.18	REAR EXTENSION ROOF AMENDED
D	20.11.18	REAR & SIDE ELEVATIONS AMENDED

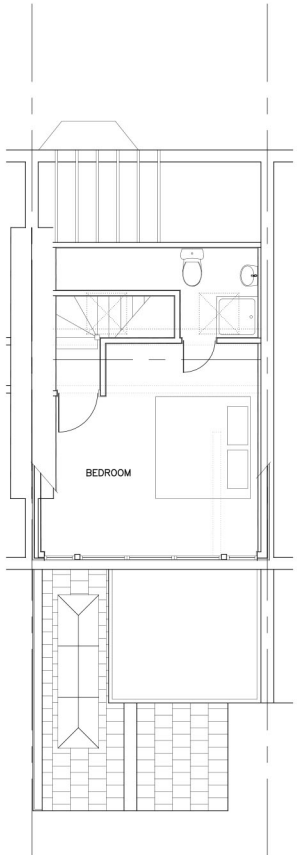
Drawing No. JSCE 311/05 Rev. 0



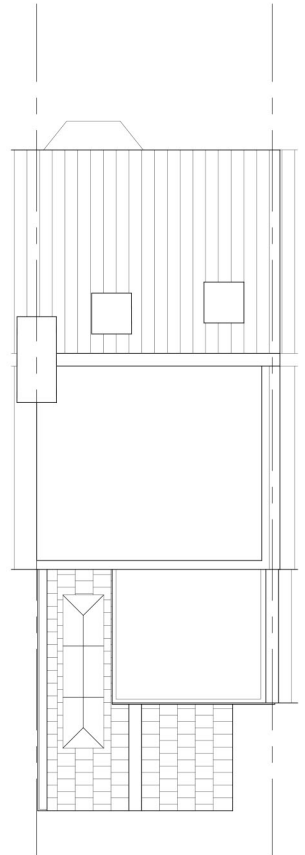
PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN



PROPOSED ROOF PLAN

NOTES

This drawing to be read in conjunction with drawing no. 01, 03, 04 & 05.  
All materials to match existing.

© JSCE 3 Old Forge Close, Woodton, Bungay, NR35 2LJ  
Tel: 07717 842131

Job  
56 CAERNARVON ROAD  
NORWICH  
NR2 3HX

Title  
REAR DORMER &  
EXTENSION  
PROPOSED PLANS

Client  
Mr M Blunsten

Scales 1:50 @ A1 Drawn JS Date Sept 2016

REVISIONS

REV	DATE	DESCRIPTION
E	20.11.18	NORTH SIGN ADDED & DORMER ROOF AMENDED

Drawing No. JSCE 311/02 Rev. E



**Report to** Planning applications committee

**Item**

14 February 2019

**Report of** Head of planning services

**Subject** Application no 18/01678/F - 142 Beloe Avenue, Norwich,  
NR5 9AQ

**4(f)**

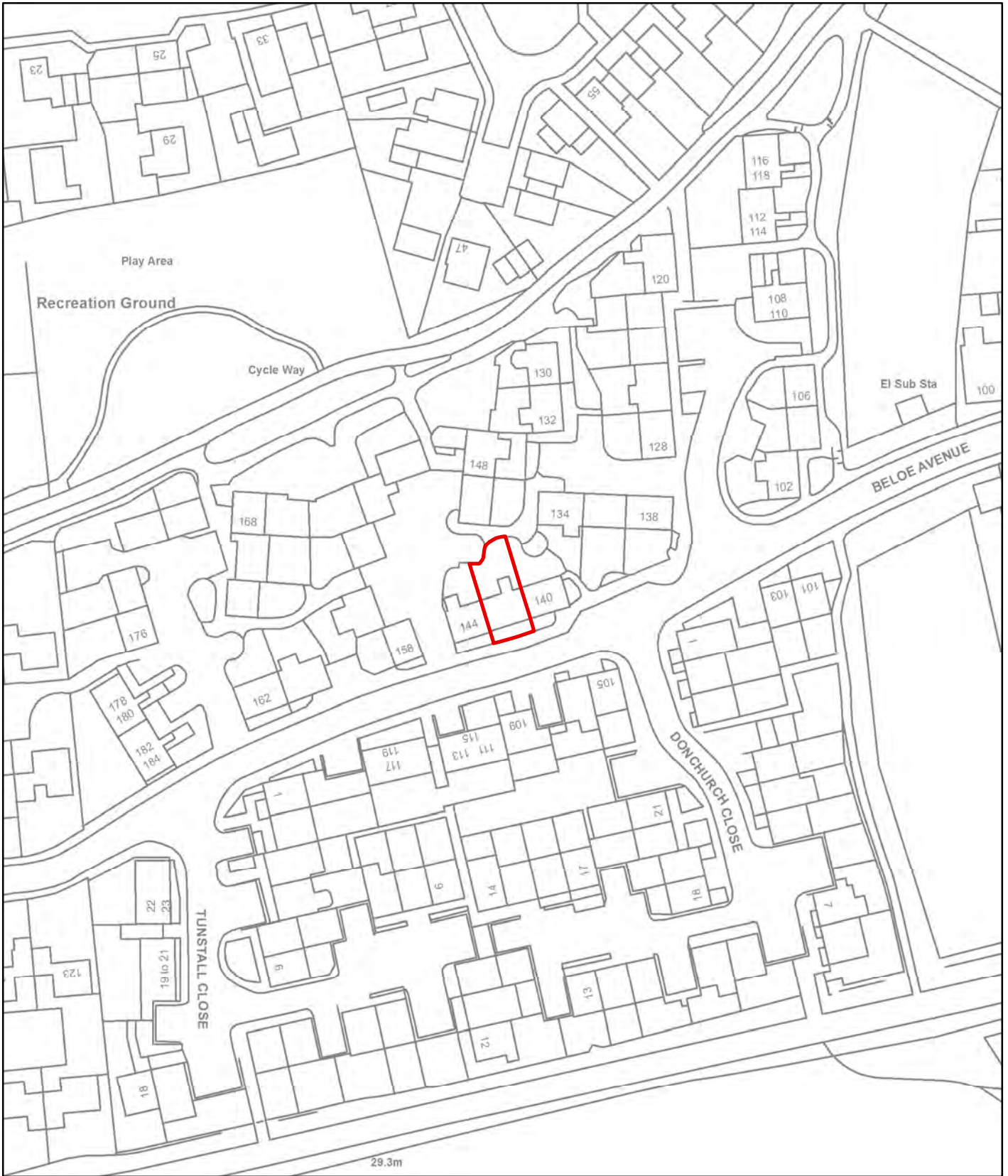
**Reason  
for referral** Objection

---

<b>Ward:</b>	Bowthorpe
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

<b>Development proposal</b>		
Single storey rear extension.		
<b>Representations</b>		
Object	Comment	Support
5	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Scale and Design	The impact of the development within the context of the original design / surrounding area
2 Residential Amenity	The impact of the proposed development on the neighbouring properties, nos. 58 and other neighbouring properties; loss of light, outlook, privacy, overbearing scale.
<b>Expiry date</b>	28 September 2018
<b>Recommendation</b>	Approve



© Crown Copyright and database right 2019. Ordnance Survey 100019747.

Planning Application No 18/01678/F  
142 Beloe Avenue

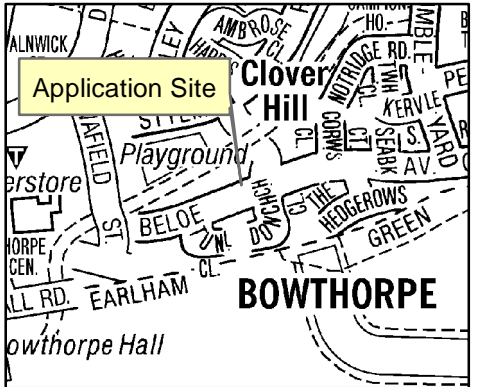
Site Address

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES





## The site and surroundings

1. The site is located to the north side of Beloe Avenue, a residential cul-de-sac within the Bowthorpe area to the west of the city. The prevailing character of the surrounding area is predominantly residential, consisting of a mixture of two-storey terraces, house and flats constructed circa 1980 as part of a wider housing development. Properties are typically arranged with small front garden areas and larger rear gardens, centred around courtyard parking areas.
2. The subject property is a two-storey mid-terrace dwelling typical of the street in both form and appearance having been constructed using red coloured bricks and dark coloured pantiles. The site features a small front garden area and a larger enclosed rear garden with access to a rear alleyway.
3. The site is boarded by the two adjoining properties nos. 140 and 144 to the east and west respectively. The rear site boundaries are marked by a 2m tall brick wall and the boundaries between properties are marked by close bordered fencing.
4. It is noted that the land drops slightly from east to west resulting nos. 140 to 144 having stepped ridge lines.

## Relevant planning history

5.

Ref	Proposal	Decision	Date
4781308/F	Erection of 19 houses at site A3, Clover Hill, Bowthorpe (Permitted Development Rights Removed).	APPR	16/11/1978

## Constraints

6. Part (a)(i) Condition 5. of planning consent ref. 4781308/F has removed permitted development rights allowing for extensions to the property;

*Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order, 1977 or any subsequent statutory amendment thereof:-*

*(a) no part of the dwellinghouses the subject of this permission shall be enlarged, altered or improved where :-*

*(i) the cubic content of the original dwellinghouse would be increased.*

## The proposal

7. The proposal is for the construction of a 5.9m x 3.2m extension to be constructed across a portion of the rear of the property, with a 1.9m gap between the western boundary. The extension is of a simple sloping roof design measuring 2.5m to the

eaves and 3.5m where it joins the rear elevation. The proposed extension facilitates the enlargement of the existing living space.

8. It is noted that the application originally sought consent for the construction of a rear facing dormer which would have facilitated the creation of an additional bedroom. As is typical throughout the Bowthorpe area, permitted development rights have been removed which would have otherwise resulted in a dormer being classed as a form of permitted development. Following an assessment of the area, it was determined that no dormers have yet been added to any properties within Bowthorpe. Following discussion with the applicant the dormer was removed from the proposed plans.

## Representations

9. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Proposed dormer not in keep with area / over dominant building / will result in overlooking / loss of privacy.	The proposed dormer has now been removed from the proposed plans.
The rear extension will result in a loss of light to the rear of the neighbouring property no. 140).	See main issue 2
The proposal will result in parking issues within the area.	The proposed development no longer increases the number of bedrooms following the removal of the dormer from the plans. As such, the proposed development will have no impact on the current parking situation within the area.

## Consultation responses

10. No consultations have been undertaken.

## Assessment of planning considerations

### Relevant development plan policies

11. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design

**12. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design

**Other material considerations**

**13. Relevant sections of the National Planning Policy Framework 2018 (NPPF)**

- NPPF Section 12 - Achieving well-designed places

**Case Assessment**

14. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

**Main issue 1: Design**

15. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
16. The proposed single storey extension will cover approximately two thirds of the rear elevation, covering an area currently laid as a patio. Although large in scale by virtue of the sloping roof design, the extension is broadly similar in size to a number of extensions already in place at neighbouring properties. The use of matching bricks and roof tiles will assist in ensuring that the extension blends well with the original dwelling.

**Main issue 2: Amenity**

17. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
18. The proposed extension will result in noticeable change to the current situation as the side elevations will be visible from each of the neighbouring properties. Particular concern has been raised that the east elevation which is to be constructed along the boundary shared with no. 140 will result in loss of light to the rear of the neighbouring property. It is acknowledged that there may be some loss of light during later hours of the day, however it is also noted that that no. 140 has been constructed on slightly higher ground than the subject property, assisting in mitigating any harm. It is also noted that the door to an integral store room serving no. 140 is located adjacent to the shared boundary with the primary living spaces being sited further along. As such, the potential for overshadowing is likely to primarily affect a small area of patio rather than the main internal or external living spaces.

19. The proposed development by virtue of its scale, siting and design will not result in harm being caused to any other neighbouring residential properties by way of overshadowing, loss of privacy or loss of outlook.
20. The proposal will result in an enlarged internal living space which does not result in significant loss of external living space. As such, the proposal can be considered to enhance the residential amenities of the occupiers of the subject property.

### **Equalities and diversity issues**

21. There are no significant equality or diversity issues.

### **Local finance considerations**

22. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
23. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
24. In this case local finance considerations are not considered to be material to the case.

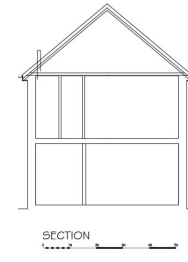
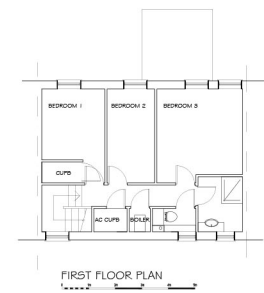
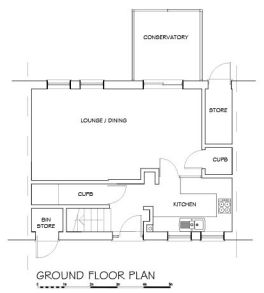
### **Conclusion**

25. The proposal will result in an enlarged dwelling which is considered to be of an appropriate scale and design, which does not impact significantly on the character and appearance of the subject property, or surrounding area.
26. The proposed development will have a limited impact upon the residential amenities of neighbouring properties with no significant harm being caused by way of overshadowing, overlooking or loss of outlook.
27. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

### **Recommendation**

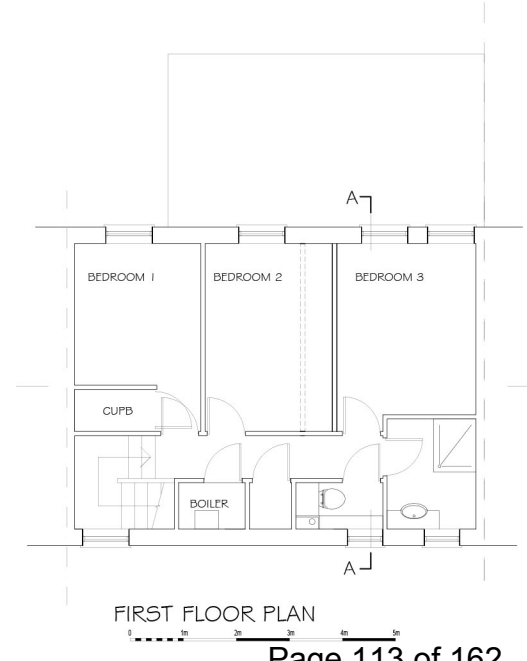
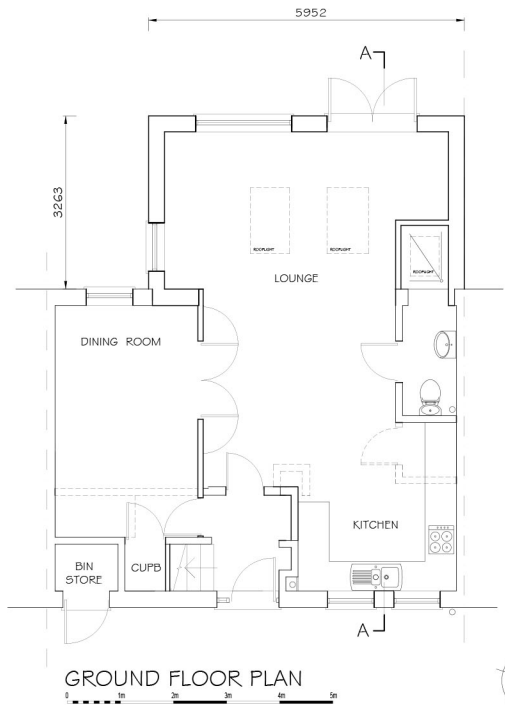
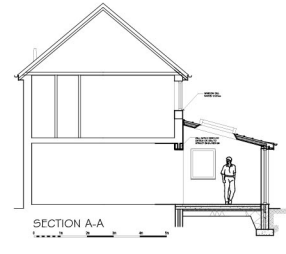
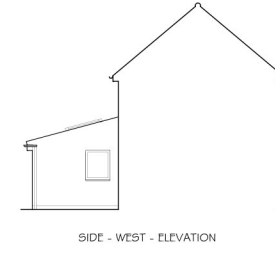
To approve application no. 18/01678/F - 142 Beloe Avenue Norwich NR5 9AQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;



EXISTING

PROPOSED





**Report to** Planning applications committee

**Item**

14 February 2019

**Report of** Head of planning services

**Subject** Application no 18/01884/F 41 Broadhurst Road,  
Norwich, NR4 6RD

**4(g)**

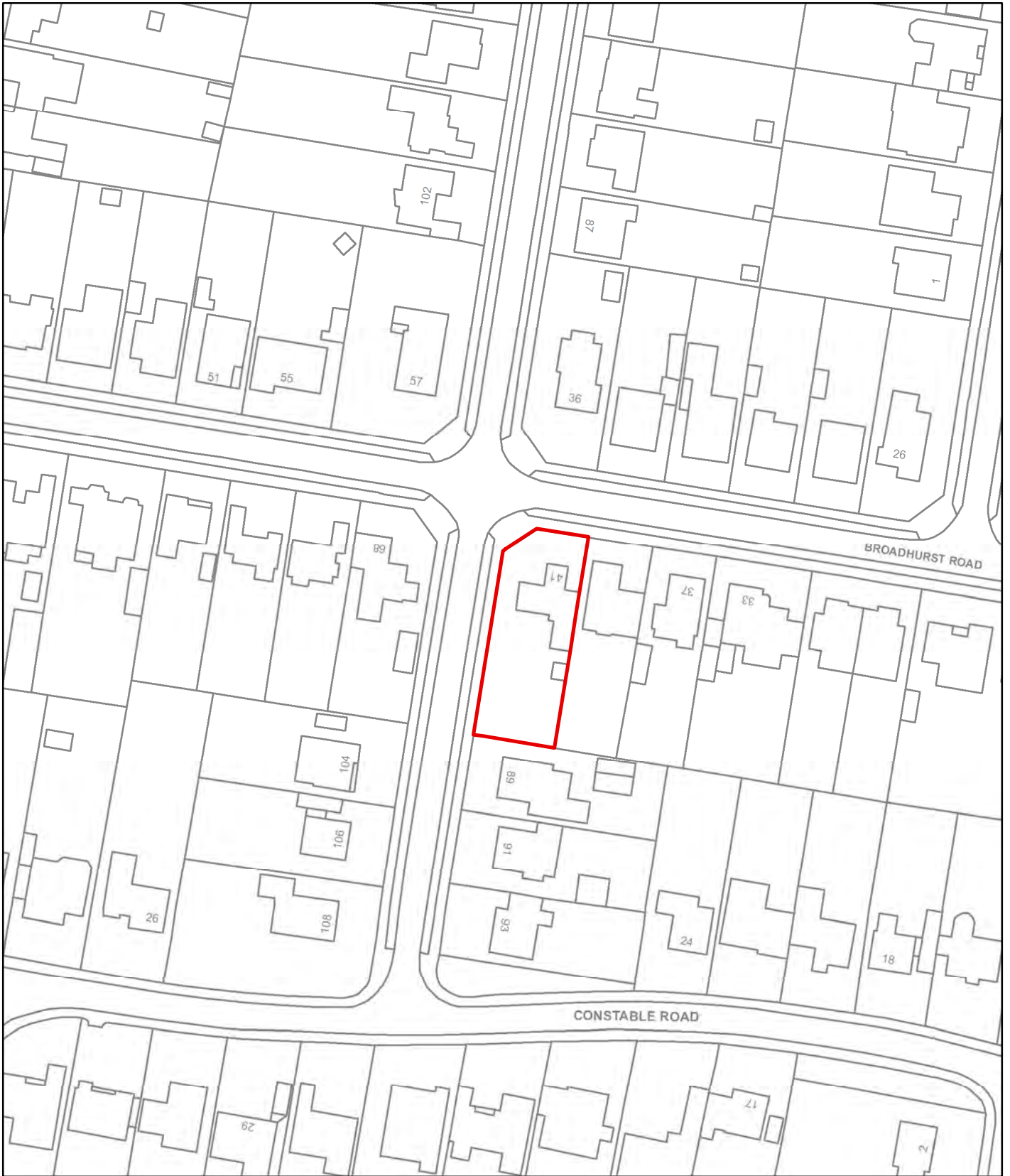
**Reason  
for referral** Objections

---

<b>Ward:</b>	Eaton
<b>Case officer</b>	Stephen Little - <a href="mailto:stephenlittle@norwich.gov.uk">stephenlittle@norwich.gov.uk</a>

<b>Development proposal</b>		
Two storey side extension and a single storey rear extension.		
<b>Representations</b>		
Object	Comment	Support
2	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Design, scale and form	The visual impact on character of the area
<b>Expiry date</b>	4 March 2019
<b>Recommendation</b>	To approve



© Crown Copyright and database right 2019. Ordnance Survey 100019747.

Planning Application No 18/01884/F  
41 Broadhurst Road

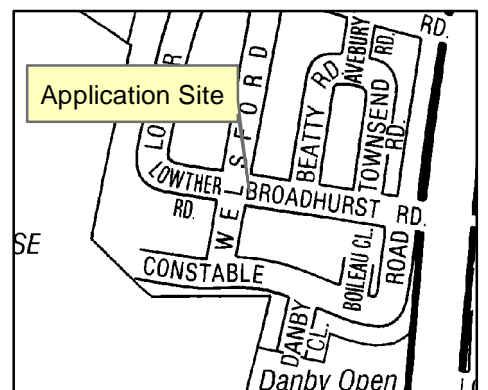
Site Address

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES





## **The site and surroundings**

1. The subject property is situated on the south side of Broadhurst Road, adjacent to and southeast of its junction with Welsford Road.
2. Broadhurst Road is a residential suburban street just over 2km southwest of the city centre. It is characterised by detached single and two-storey properties, usually red brick and pantiled, typical of 50s and 60s era construction but of a variety of designs, with no particular form dominant.
3. The subject property is a two-storey corner property, constructed of red brick and with a pantiled hipped roof. The main section of the house is an L-shaped form with a stepped frontage facing onto Broadhurst Road. The front of the house is slightly set back, by approx. 2m, when compared with the neighbouring house and dominant building line. The garden is 6m long at the front, stretching 24m to the south at the rear and 4m to the side onto Welsford Road.
4. On the east side of the house, and on the boundary with no. 41, is a car port and behind this, also on the border and adjoined to the southeast corner of the house, is a flat roof garage.
5. To the east is the dwelling at no.39, which is 1.5m from its boundary and 4.5m from the main part of the subject dwelling. Properties on Welsford Road, of which the first is no.89, continue south of the rear garden.

## **Constraints**

6. None notable.

## **Relevant planning history**

7. None recent.

## **The proposal**

8. The proposals are formed of two main elements:
  - One is to construct a two-storey side extension which includes a garage area downstairs to be used for storage and/or leisure activities. This would project 3.2m from the side of the property, leaving a gap of 0.5m between it and the west boundary. The hipped roof would be extended along a matching ridge line, recreating the current pitch of roof to the west of the house. It has a garage door to the front, and front and rear facing first floor windows, with no glazing on the side. As with the existing house it is 5.4m in height to the eaves, and 8.95 m to the ridge.
  - The other element is a single storey extension to the rear, which is 10.8m wide and projects 4m from the current dwelling. It is adjoined to and continues the west elevation of the side extension, though at its east side it is set in from the side of the main dwelling by 0.45m to accommodate retention of the existing garage. It has a lean-to roof 2.6m high at the eaves rising to 3.6m. The glazing to the rear includes roof windows and three panes of full-

length glazing incorporating bi-fold patio doors.

- The existing car port is to be removed.

9.

<b>Proposal</b>	<b>Key facts</b>
<b>Scale</b>	
Total floorspace	67.5sq.m
No. of storeys	2
Max. dimensions	8.95m high (side extension) 10.8m wide (rear extension)
<b>Appearance</b>	
Materials	Red brick and tiles to match existing. White uPVC double-glazed windows. Bi-fold doors and velux windows in anthracite grey.

## Representations Received

10. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the following issues:

11.

<b>Issues Raised</b>	<b>Response</b>
Plans don't show east boundary or existing garage	Corrected on revised plans
If second garage is planned, this could only be accessed by paving over more of the house frontage, or providing a new approach close to the corner	No intention to provide vehicle access to new garage
Building too close to boundary with Welsford Road, resulting in 2-storey wall very near to the pavement, removal of the hedge and a negative impact on streetscape.	See main issue 1
Consideration to be given to extending to the east of property, away from Welsford Road	See main issue 1

## Consultation responses

12. No consultation responses.

# Assessment of planning considerations

## Relevant development plan policies

13. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
14. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM6 Protecting and enhancing the natural environment

## Other material considerations

15. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF2 Achieving sustainable development
  - NPPF12 Achieving well-designed places
  - NPPF15 Conserving and enhancing the natural environment

## Case Assessment

16. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### Main issue 1: Design, scale and form

17. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 8, 127-131.
18. The proposed side and rear extensions add approximately 59% to the current floor area of the main dwelling (excluding garage) which is a significant increase. However, being constructed of two elements with the side extension a continuation of the design of the house, and the rear extension being modest in height, the extensions don't appear over-dominant in relation to the existing property.
19. Of more significance is the impact on the street scene. Being a corner property, no.41 is visually dominant and the side extension, being two-storey and close to the edge of the pavement, will affect views down the street as well as impact on the boundary hedging; a notable feature which adds to the quality of the street scene.

20. This section of the hedge has already been removed and has no specific protection under planning. However, reinstating a verdant boundary treatment would help to soften the visual impact of the side extension. With this in mind, details of planting on this section of the boundary will be conditioned.
21. The view south along Welsford Road, while impacted to some extent by the proposals, is not notable for a clearly visible line of properties with which the extension would conflict. Although the extension would sit forward of properties on Welsford Road, there is considerable distance between the subject property and the nearest of those properties, which are also significantly obscured from this viewpoint by trees.
22. An additional factor is that there is little or no established consistency in the form of dwellings in the area, or pattern to their layout, which would make the extended house appear incongruous in comparison.
23. The objector's suggestion of extending to the east instead, with a view to minimising impact on the street scene, would likely result in negative amenity implications for no.39 and, thus, be less acceptable in planning terms.
24. Overall, while it would have some impact, there is no sufficiently notable characteristic of the street scene with which the extension, in itself, would visually conflict and, subject to suitable planting along the boundary, the extension would be considered acceptable in design terms.

#### **Other issues**

25. With a garage, to be retained, between the extension and the boundary of no.39 to the east, with the new upstairs windows being further from the property than those existing, and with no other dwellings in close proximity, there are no notable amenity impacts of the proposals.
26. Prior to the application, a small conifer tree a short distance to the southwest of the dwelling has been removed to facilitate construction of the extension. The applicant has indicated that the Council was informed prior to felling and it was confirmed that the tree was not protected.

#### **Equalities and diversity issues**

27. There are no significant equality or diversity issues.

#### **Local finance considerations**

28. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
29. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.

30. In this case local finance considerations are not considered to be material to the case.

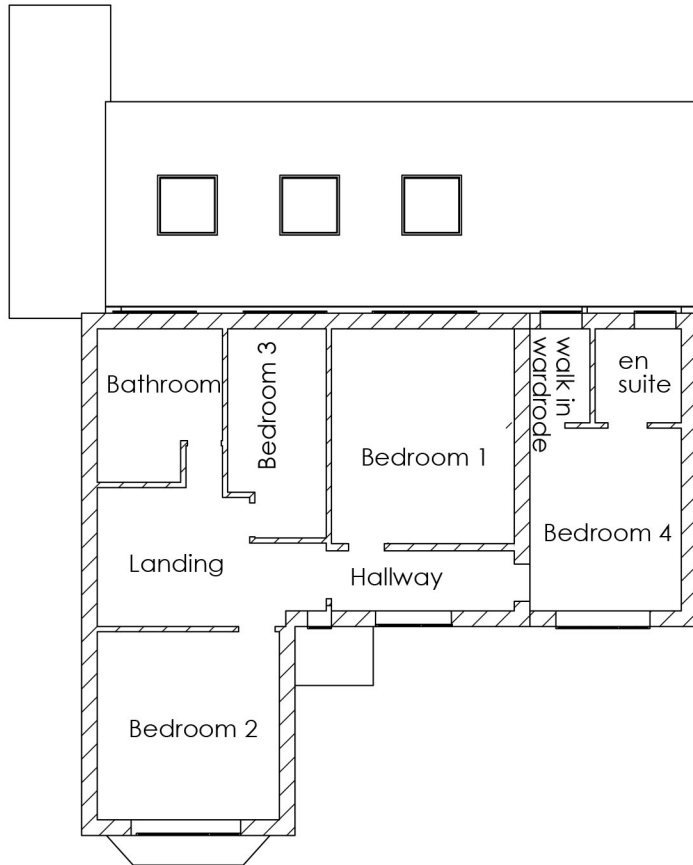
## **Conclusion**

31. With an acceptable level of impact on the street scene, and with no other notable negative impacts, the proposals are considered to be acceptable.
32. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

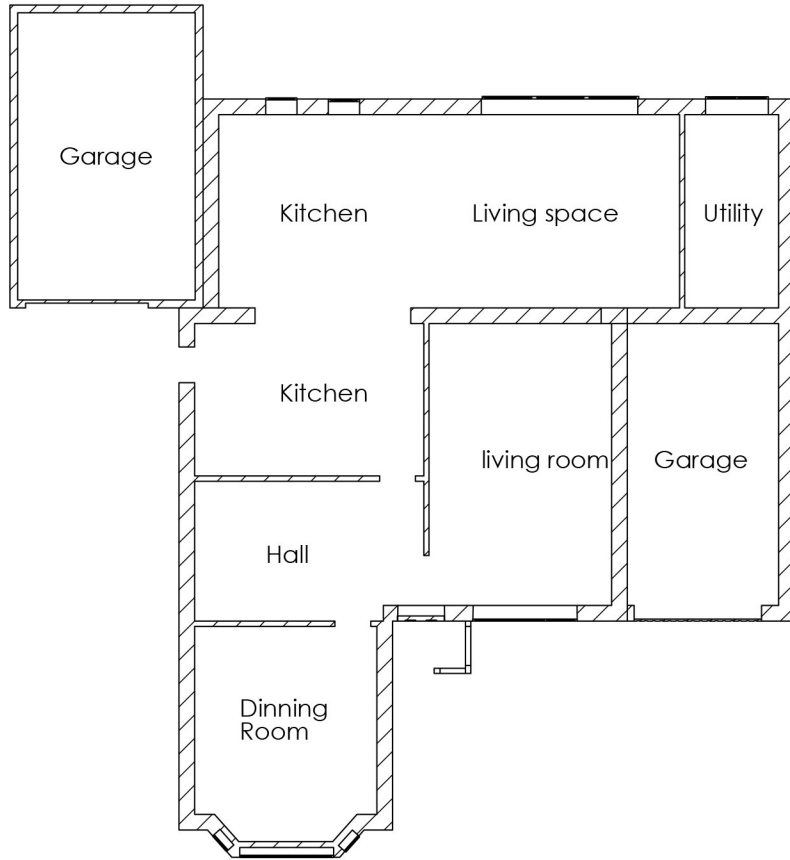
To approve application no. 18/01884/F – 41 Broadhurst Road, Norwich NR4 6RD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of boundary treatment.



SECTION A-A  
SCALE 1 : 100

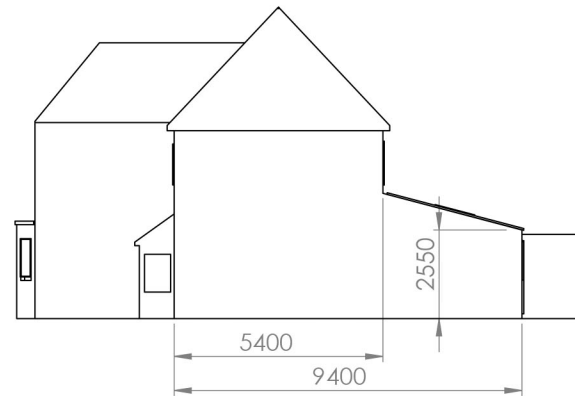
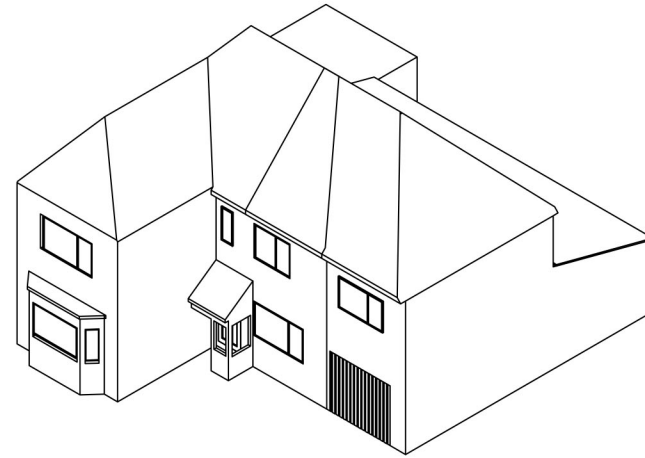
UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS SURFACE FINISH: TOLERANCES: LINEAR: ANGULAR:		FINISH:		DEBUR AND BREAK SHARP EDGES		DO NOT SCALE DRAWING		REVISION	
DRAWN		NAME		SIGNATURE		DATE		TITLE:	
CHK'D								Broadhurst	
APP'VD									
MFG								DWG NO.	
Q.A						MATERIAL:		First Floor	
						WEIGHT:		SCALE:1:200	
								SHEET 1 OF 1	
								A3	



SECTION B-B  
SCALE 1 : 100

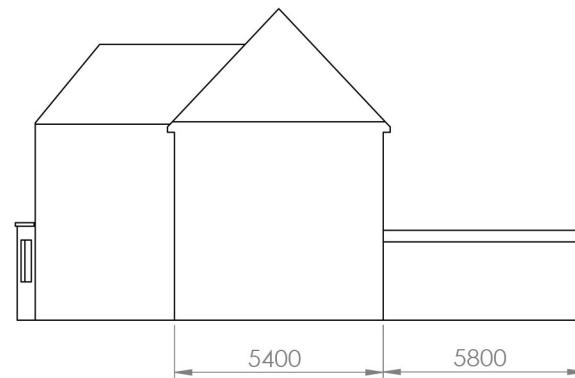
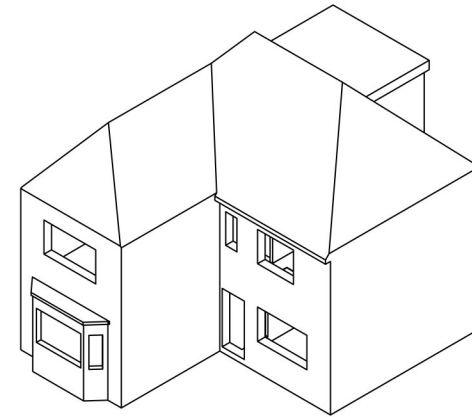


UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS SURFACE FINISH: TOLERANCES: LINEAR: ANGULAR:		FINISH:	DEBUR AND BREAK SHARP EDGES		DO NOT SCALE DRAWING	REVISION
DRAWN	NAME	SIGNATURE	DATE		TITLE:  <b>Broadhurst</b>	
CHK'D					DWG NO. <b>Ground Floor</b>	
APP'VD					A3	
MFG				MATERIAL:	SCALE:1:200	
Q.A.				WEIGHT:	SHEET 1 OF 1	



UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS SURFACE FINISH: TOLERANCES: LINEAR: ANGULAR:				FINISH:		DEBUR AND BREAK SHARP EDGES		DO NOT SCALE DRAWING		REVISION 2	
								TITLE: <b>Broadhurst</b>			
DRAWN				NAME		SIGNATURE		DATE			
CHK'D											
APP'VD											
MFG											
Q.A.								MATERIAL:		DWG NO. <b>Overview</b>	
								WEIGHT:		SCALE:1:150	
										SHEET 1 OF 1	
										A3	





UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS SURFACE FINISH: TOLERANCES: LINEAR: ANGULAR:				FINISH:		DEBUR AND BREAK SHARP EDGES		DO NOT SCALE DRAWING		REVISION	
DRAWN				NAME		SIGNATURE		DATE		TITLE:	
CHK'D											
APP'VD											
MFG											
Q.A								MATERIAL:		DWG NO. Existing House	
								WEIGHT:		SCALE:1:200	
										SHEET 1 OF 1	



**Report to** Planning applications committee

**Item**

14 February 2018

**Report of** Head of planning services

**Subject** Application no 18/01413/F 156 Thorpe Road, Norwich  
NR1 1TJ

**4(h)**

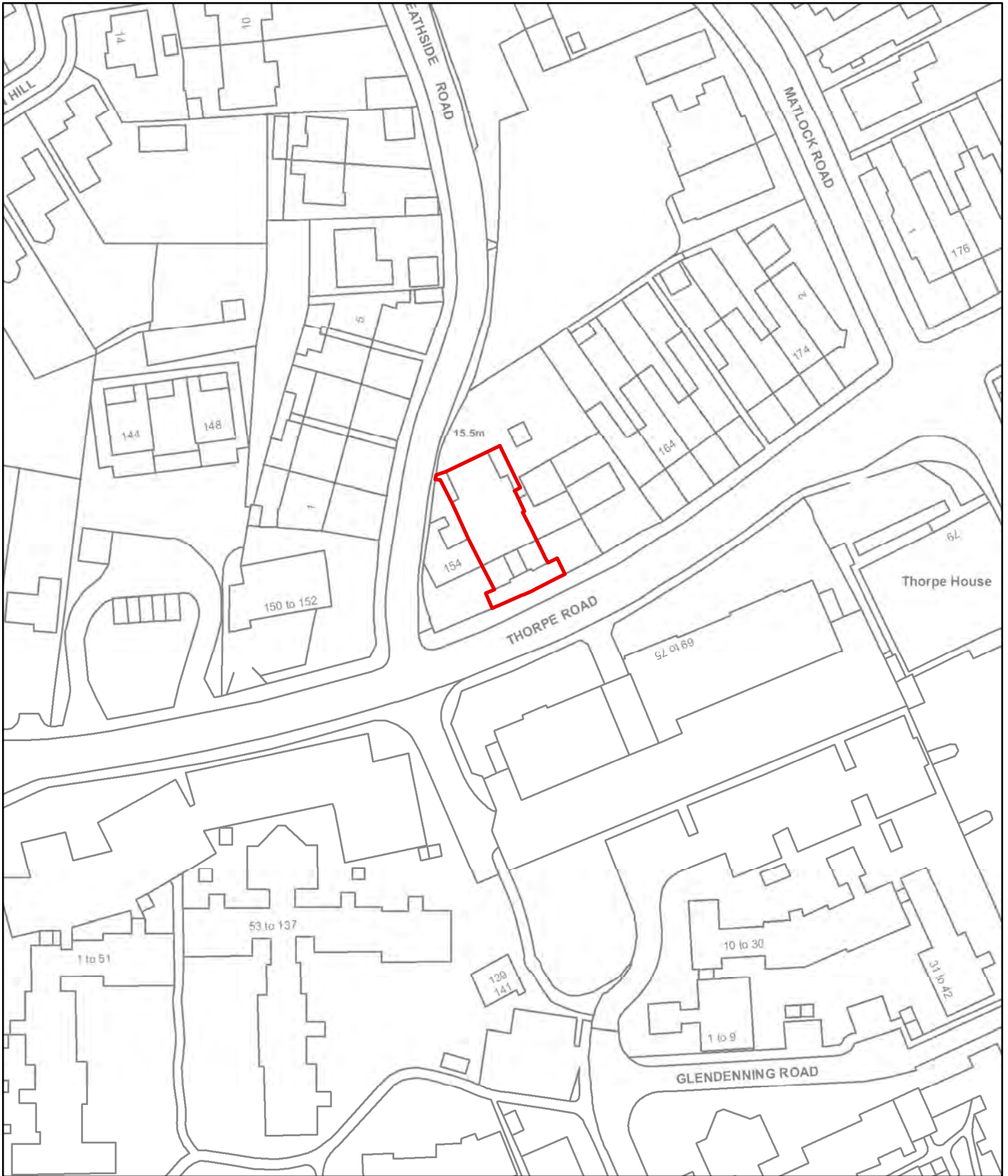
**Reason  
for referral** Objections

---

<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Stephen Little - <a href="mailto:stephenlittle@norwich.gov.uk">stephenlittle@norwich.gov.uk</a>

<b>Development proposal</b>		
Erection of rear second storey extension to create 1 No. dwelling.		
<b>Representations</b>		
Object	Comment	Support
3	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Principle of development	Meeting housing need, suitability of location
2 Design, scale and heritage	The visual impact on neighbouring properties and the character of conservation area (CA)
3 Residential amenity	Loss of light and loss of privacy affecting neighbouring properties. Lack of amenity space for future occupants.
4 Access and Servicing	Adequacy of car parking & bin storage.
<b>Expiry date</b>	15 February 2018
<b>Recommendation</b>	To approve



© Crown Copyright and database right 2019. Ordnance Survey 100019747.

Planning Application No 18/01413/F  
156 Thorpe Road

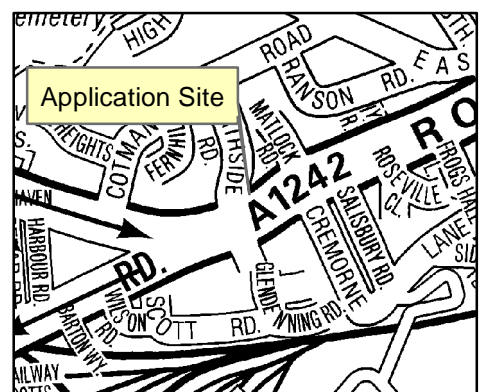
Site Address

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES



## The site and surroundings

1. The subject property is situated on the north side of Thorpe Road, 1km east of the city centre and within the Thorpe Ridge Conservation Area (CA).
2. Thorpe Road forms a busy arterial route into the city and is characterised by a mix of residential and office uses. The subject property is the second in a line of four red brick terraced properties, locally listed as a group. The property is 13m from the junction with Heathside Road to the west and opposite a large three-storey office block.
3. Number 156 Thorpe Road, the subject property, is part of a former police headquarters and is currently in use as four flats. To the rear of the building is a large single storey flat-roofed extension, reportedly in previous use as cells, covering the full width of the property to a total area of 131sq.m. The extension accommodates two single-storey flats to the rear. The rear section of the extension is 1.5m narrower than the main section adjoining the house. The section of roof toward the east corner of the extension, adjoining the main dwelling, is approximately 0.5m lower than the rest of the roof.
4. To the front of the house the flats are two-storey. All flats share a large central entrance to the front with a common entrance hall.
5. To the rear there are narrow areas around the dwelling, largely for access purposes, but little amenity space for exclusive use of the property. To the east of the current extension is a parking area, mostly of hardstanding, with spaces for up to 9 vehicles. 1.5m from the rear of the building is a retaining wall supporting a small area of overgrown green space which extends into the parking area. It incorporates mature trees including a large beech toward its eastern extent.
6. On the east boundary of the parking area and rear gardens is the side wall of no.162 which rises almost to the full height of that two-storey property and extends 11m further than the rear of no.160, from which it is 2m apart.
7. There is a small garden area to the front of no. 156, with two decorative columns and railings each side of the central entrance pathway. In front of this, and bordering the highway, is an open paved area, which currently accommodates bins and parking for two cars.
8. Adjoined to the southwest is the end-terrace, no.154, which has a garden area on two levels and a small two-storey rear extension on its southwest side (i.e. opposite to the subject property). The lower part of the garden area, closest to the house, is approximately 1.2m lower than the ground level of the extension to no.156, which extends along much of the boundary. Adjoining to the northeast is no.158 which has a small flat roof two-storey extension bordering no. 156. This extension and an alleyway 2m wide separate the rear extension of no.156 from the rear garden of no.158. The rear gardens of nos.158 and 160 are fenced and also set approximately 1.2m lower than the parking area at the rear of the terrace.
9. To the east and north of the properties, Heathside Road climbs steeply up Thorpe Ridge so that toward the rear of the properties it exceeds the height of the flat roof to the rear of no.156. Along the boundary with the road, there is a wall approximately 1.6m high and a higher section with a gate. On the opposite side of

Heathside Road are two-storey terraced houses and land rising beyond that to the west.

## Constraints

10. Locally listed building.
11. Conservation Area (Policy DM9 – Thorpe Ridge Conservation Area).
12. Description of nos.154-160 in Conservation Area appraisal reads: Nos 154-160 were built as the former Norfolk Constabulary Headquarters, converted to houses and flats during the 1990s. Dating from the 1920s the building displays features typical of the interwar institutional classical style, constructed of red brick, plain tiles, sash windows and stone door surrounds.

## Relevant planning history

Ref	Proposal	Decision	Date
4/2000/0779	Extension to create new first floor flat.	REF	22/10/2000
4/2000/0656	Extension to create new first floor flat.	REF	07/09/2000
APP/G2625/A/ 01/1064212	Extension to create new first floor flat.	DISMISSED	22/8/2001

## The proposal

13. The proposal is to construct a first floor extension, comprising a new flat, on top of the current rear ground floor section, covering 79sq.m or approximately 60% of the total flat roof area. It aligns with the northeast side of the extension, just over 2m from the garden of no.158 and 4.2m from no.154. It is 1m shorter than the ground floor extension allowing for a north-northwest facing balcony area.
14. It has a gable roof in two sections. Over what is currently the lower section of the roof, the eaves will be 2.3m higher than currently, with the pitch roof adding a total of 4.5m to the total height. Further to the rear (over what is currently the higher section of roof) the gable roof is reduced in height, adding 1.6m to the eaves height and 3.5m to the total height.
15. The side facing windows are all small roof lights approximately 2.3m from floor level. A balcony door and two standard sized windows face the rear. The balcony balustrade is stepped in from the side of the extension; by 1.4m on the side closest to nos.158 and 160, and by 0.4m on the side closest to no.154.
16. The plans have been revised to reduce the rear section of the extension. Formerly, the extension continued the higher ridge line of the roof to the rear, and the length of the extension matched that of the ground floor. The internal layout has also been changed, with the bedroom now to the rear.

<b>Proposal</b>	<b>Key facts</b>
<b>Scale</b>	
Total floorspace	60sq.m
No. of storeys	1 additional
Max. dimensions	4.5m high (7.5m high if ground floor included) 7.7m wide x 13.6m long (14.8m long incl balcony)
<b>Appearance</b>	
Materials	Red brick (to match existing); pantiles; painted timber Georgian style windows (existing are white plastic); black plastic rainwater goods and white fascias to match existing.

## Representations Received

17. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received objecting to the original plans with three further representations, from the same addresses, objecting to the revised plans. The issues raised are summarised in the table below.

18.

<b>Issues Raised</b>	<b>Response</b>
<p>Loss of light to rear of neighbouring properties:</p> <ul style="list-style-type: none"> <li>- Loss of direct sunlight and diffuse daylight to windows.</li> <li>- What little light there currently is, during late afternoon from the west, will be blocked by the extension.</li> <li>- There will be no direct sunlight at all during winter.</li> <li>- Light is already reduced by mature trees to the rear and the need to construct fencing to prevent overlooking from no.156.</li> <li>- Lack of light already causes damp issues, which would be worsened by the proposal.</li> <li>- Proposal for light tunnels is an acknowledgment of lack of light to the rear of these properties.</li> </ul>	<p>See main issue 3</p>

Issues Raised	Response
Obstruction of views toward Georgian terraces and mature trees on Heathside road. Also, views of sky and trees obscured from low rear garden of no.154.	See main issue 3
Loss of privacy: overlooking from roof windows into neighbouring garden and windows, with specific reference to overlooking into bathroom window on neighbouring extension. Anyone viewing from windows would be unseen.	See main issue 3
No information received regarding a Party Wall Notice.	Not a material planning issue
Inadequate car parking to rear; parking already problematic. Inadequate space to turn, park and reverse only allows for five cars to park adjacent to gardens. The seven spaces as shown are impractical due to tight turning circle. Parking already overused and shared driveway to properties is often blocked, restricting views of oncoming traffic.	See main issue 4
Design fails to take account of character of surrounding terraces and conservation area. Terraces from 154 to 160 were built with retention of character in mind with mock Georgian windows to reflect those of surrounding properties. Existing ground floor extension is already out of keeping and this addition to it doesn't comply with the need to retain historical features to the rear.	See main issue 2
As referred to in the appraisal, this part of the Conservation Area is characterised by lower density housing. This would represent an over-intensification of site.	See main issue 1
Negative effect on value of houses.	Not a material planning issue
Disturbance from noise of construction.	No specific reason for concern
Over-dominant building: extension would represent an overbearing presence and encroachment onto personal space.	See main issues 2 & 3



Issues Raised	Response
Building has historical value, largely unchanged from former use as headquarters of Norfolk County Police. This change would degrade the integrity of the building and its context in the Conservation Area.	See main issue 2
Exacerbation of existing problems of noise, anti-social behaviour and smell of smoke from residents of flats, who are often resident for relatively short periods.	Not material planning issues
Noise disturbance and overlooking from proposed balcony.	See main issue 3
Similar applications refused in the past.	See main issues 2 & 3

## Consultation responses

### Transportation

19. Raised following issues:

- the proposed layout does not function in terms of car parking layout (unusable spaces), suggesting that the parking spaces numbered 3 & 4 for the flats and the three spaces currently used by neighbours, all to the immediate rear of the gardens, can't be practically used as there is inadequate space to get in and out of the parking bays. It is questionable whether the dimensions of the proposed parking spaces are adequate;
- there is no cycle parking.

20. Suggestions:

- to remove earth bank, including mature tree, to the rear to ensure adequate space to get in and out of parking bays;
- to make parking spaces to the front at right angles to the road and put the bin stores to each side of the front parking area.

## Assessment of planning considerations

### Relevant development plan policies

21. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**

- JCS1 Addressing climate change and protecting environmental assets
- JCS2 Promoting good design

- JCS4 Housing delivery

**22. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**

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

**Other material considerations**

**23. Relevant sections of the National Planning Policy Framework July 2018 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF8 Promoting healthy and safe communities
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

**24. Thorpe Ridge Conservation Area Appraisal**

**Case Assessment**

25. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

**Main issue 1: Principle of Development**

26. Key policies and NPPF paragraphs – JCS4, DM12, NPPF paragraphs 11, 12, 14 91, 117-118, 122-123.
27. As this proposal results in the creation of one new dwelling, elements of national and local policy, which are strongly supportive of encouraging residential development in sustainable locations, have significant weight when balanced against potential negative impacts.
28. This location, on a bus route and within walking distance of the railway station and a good array of services, certainly qualifies as a sustainable location. It also maximises use of an already developed site.

29. While this implies support for the principle of a new dwelling in this location, local policy qualifies this by requiring that development should not detrimentally impact on the character and amenity of the surrounding area. Assessment of such impacts forms the subject of discussion below.

### **Main issue 2: Design, scale and heritage**

30. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 8, 127-131, 189-202.
31. The proposed extension, as it incorporates one dwelling and a gable roof, is relatively large for an extension to the rear of a terraced property. In terms of its scale, this has to be considered both in the context of its appearance from the rear of neighbouring properties and the compatibility of an extension of this size within the context of the conservation area.
32. In terms of impact on the conservation area, the rear of these properties is visible from a short section of Heathside Road to the east, with a mature tree obscuring views from further north. The extension will block views toward the first floor Georgian-style windows of nos.158-160 and will make this section of road feel slightly less 'open'. This is a consideration given the attractive nature of these properties and specific reference to them and their historical use in the Conservation Area appraisal. However, the blank rear wall and large flat roof of no.156, as well as the existing flat roof two storey extensions on nos.154 & 158 significantly impact on the quality of this view. In particular, the large area of flat roof currently resembles an incongruous and visually-negative feature when viewed from this angle which, it could be argued, a gable-roofed feature would help to alleviate and make some architectural sense of. Further, there is nothing in the proposals which would prevent the historical use of the premises from being understood.
33. One other aspect which was mentioned in respect of the Conservation Area Appraisal is the characterisation of the area 'behind Thorpe Road' as 'lower in density and more suburban'. The addition of one flat does not significantly affect the density of the area as a whole and, though visually it may present an impression of higher density, it is closer to the intended meaning of the appraisal to understand the extension as an addition to a Thorpe Road property, a street defined as having a 'more urban density'.
34. The revised plans, which add visual interest to the originally more monolithic design as well as reduce its scale, have been significant in improving the acceptability of the scheme. Additionally, being wooden and with pane size to closely match neighbouring properties, the rear facing windows are suitably in keeping.
35. For the above reasons the proposals are acceptable in terms of design, scale and heritage impact.

### **Main issue 3: Amenity**

36. Key policies and NPPF paragraphs – DM2, NPPF paragraphs 96 and 127.

37. The proposal has the potential to impact upon the amenity of neighbouring properties in a number of ways: over-bearing, loss of light, over-looking, and noise. The level of internal and external space will impact upon future occupants of the new property.

### ***Over-bearing***

38. A previous appeal (see history) was dismissed for a rear extension with one reason for refusal at appeal stage being that it would represent an overbearing presence for the rear of the property at no.154. To compare the extension with that previously proposed in 2000, the ridge height as proposed is slightly lower by 0.5m but, more significantly, the extension has moved away from no.154, with the roof ridge 8m distant from no.154 as opposed to 5.8m previously. And, although the eaves are higher at this side than that previously proposed, the extension is 2.5m further away. Given that the rear extension already has a wall approximately 4m in height on the boundary for the garden at no.154, the new position of the extension is not significantly harmful.
39. The extension will be visible from the ground floor windows of nos.158 and 160 and probably most noticeable in terms of impact when viewed from the low-lying gardens. Although the altered position of the extension takes it closer to no.158 the existing extension of that property, at least from the nearer ground floor windows, notably obscures the view of no.156 and, in conjunction with the alley, provides some sense of separation. From the nearest downstairs window of no.158, only a small part of the higher section of roof will be visible. Given the above, the scale of the extension is, on balance, not unacceptably dominant or overbearing.

### ***Loss of light***

40. Previous reasons for dismissal at appeal stage were that it would obstruct daylight to no.154, and there were additional concerns about overlooking from the previously proposed balcony.
41. As discussed above, the new proposals take the extension significantly further away from no.154 than was the case with the scheme that was appealed and consequently reduces the loss of light to that property. However, with the extension moving closer to nos.158 and 160, the potential for overshadowing to those dwellings needs to be carefully considered.
42. To first consider direct sunlight, the properties are north-northwest facing, which suggests that some sun currently reaching the rear of the properties toward the end of the day during summer months will be blocked by the extension. However, as currently, and due to the houses and steep rise in land toward the west, at many times of the year the sun is too low for even upper floor windows. And given the additional factor of the low level of the ground floor of the houses compared to the current single storey extension, any sunlight to ground floor living room windows is currently very limited. Overall, and given the low level of direct sunlight reaching the rear of these properties, it would be difficult to demonstrate direct overshadowing from the extension as a significant impact.
43. In terms of diffuse daylight, which also can include consideration of loss of outlook, it is the case that the rear of these properties has a relatively 'closed-in'

feel at the moment. This is not only from being north facing, but also due to the large beech and other mature trees, coupled with rising ground, to the rear and the high wall to the east. However, though previously loss of daylight to no.154 was considered a key factor, the splay of upward vision and extent of visible sky is less for the rear of no.154 than that experienced by nos.158 and 160, thus making the impact of the extension for the latter properties less acute. Also, from the nearest and most affected downstairs living room window in no.158, upward views in the direction of the subject property are already blocked by the existing two-storey extension. Even looking further away, the extension will only affect a relatively small angle of vertical vision when compared with that currently. From the garden, and in approximately terms, this would amount to 25 degrees out of a total 140 degrees of available visible sky. Overall, while in terms of both daylight and outlook the impact is arguably noticeable, in neither sense would it be considered unacceptable.

44. While loss of outlook has been considered, the loss of views of Heathside Road from nos.158 and 160 isn't a material planning concern.

### ***Over-looking***

45. To consider overlooking, the side-facing roof windows are over 3m above floor level. The balustrades of the balcony are set in further from the east side to reduce any potential for overlooking into nos.158 & 160. In respect of views from the balcony toward no.154, and in comparison with the proposal noted in the former appeal decision, the balcony has moved further away. With more wall and more extent of flat roof to block any potential views into the garden and lower windows of no.154, overlooking will not be material. It is also the case that the natural direction of view of anyone using the balcony will be away from the properties, and the additional amenity value which a balcony would represent for the occupant of the new flat, is enough to justify this feature.

### ***Noise***

46. There is no specific reason for noise from use of the balcony to be a material matter of concern and there is no reason to suspect this would be any greater than that normally experienced from a neighbouring garden.

### ***Internal Space***

47. Though the floor area has been reduced from the proposals as originally submitted, at 60sq.m (which includes all floor space where ceiling is above 2.1m) the revised area still remains above the national minimum standards of 39sq.m for 1bedroom/1 bed, or 50sq.m for 1 bedroom/2 beds.

### ***Open space***

48. The lack of amenity space for current and future occupants is certainly a matter to consider and relates to whether the flat represents an over-intensification of the site. Currently, the four flats don't have the level of outside space which would normally be expected. However, adding one more residential unit will not make a significant difference to the situation and the use of a balcony does help to address the shortfall.

49. It should also be mentioned that there are ample areas of public green space within walking distance of the property including Lion Wood, Woodrow Pilling Park and along the River Yare.

#### **Main issue 4: Access and Servicing**

50. Key policies and NPPF paragraphs – DM28, DM31, NPPF section 9.
51. The main issue here relates to the usability of the current parking spaces. Policy would seek provision of one parking space per flat and, as the spaces have been laid out, there are seven spaces for use by the five flats of no.156. While it is true that the tight turning circle makes usability of some of the spaces to the rear questionable, particularly for a larger vehicle, even the loss of two spaces would still result in an acceptable level of parking provision. Even if, in that case, there could be an argument to reduce the number of spaces directly to the rear of the gardens to five or six, that would be a curious suggestion in the context of slightly increased residence and, rather than unnecessary involvement in the details of how cars choose to park, it is enough to suggest that, in line with minimum standards, the overall area of parking space is sufficient to service the properties.
52. The applicant has agreed that some cycle storage provision can be provided, probably adjacent to the green space to the rear of the ground floor extension. This will represent an improvement to the current situation and details of this will be conditioned.
53. The suggestion from Transportation that the earth bank and beech tree are lost in order to ease reversing in and out of the parking spaces would be a significant negative amenity and biodiversity impact and is not considered proportionate either to the nature of the problem or to the small increase in level of residency.
54. The bin store and parking arrangements at the front are not ideal and, in light of that, it was suggested by Transportation that the parking spaces are realigned to be directly either side of the central pathway and at right angles to the road. This, however, would almost certainly necessitate removal of the decorative columns and railings, thus representing a negative visual impact on the conservation area. It could also necessitate reversing onto the road.
55. Bins are currently stored to the east side of the parking area which is unsightly and can make for an untidy appearance. There may be cause to improve this, for instance by expanding the bin stores behind the railings, though that could present some collection issues and the addition of one more resident is unlikely to have a significant impact on the level of waste.
56. In short, access and servicing proposals, which maintain the current situation with the addition of cycle racks, are adequate to service an increase of one resident and are considered acceptable.

#### **Equalities and diversity issues**

57. There are no significant equality or diversity issues.

## **Local finance considerations**

58. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
59. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
60. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

61. The previous refusals, and subsequent dismissal at appeal, highlight that there are aspects to this application which are finely balanced in terms of acceptability. In particular, its potential to be over-dominant to the rear area of neighbouring properties, which are of some conservation interest, relatively low-lying and limited in available light, is requiring of careful and detailed consideration both in terms of design and amenity. On balance, while impacts of a certain level are acknowledged, these are considered to be outweighed by the benefit of providing an extra residence in a location which, in terms of sustainability and making effective use of land, has some clear advantages. As such, and though a borderline decision, the development is considered acceptable.
62. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

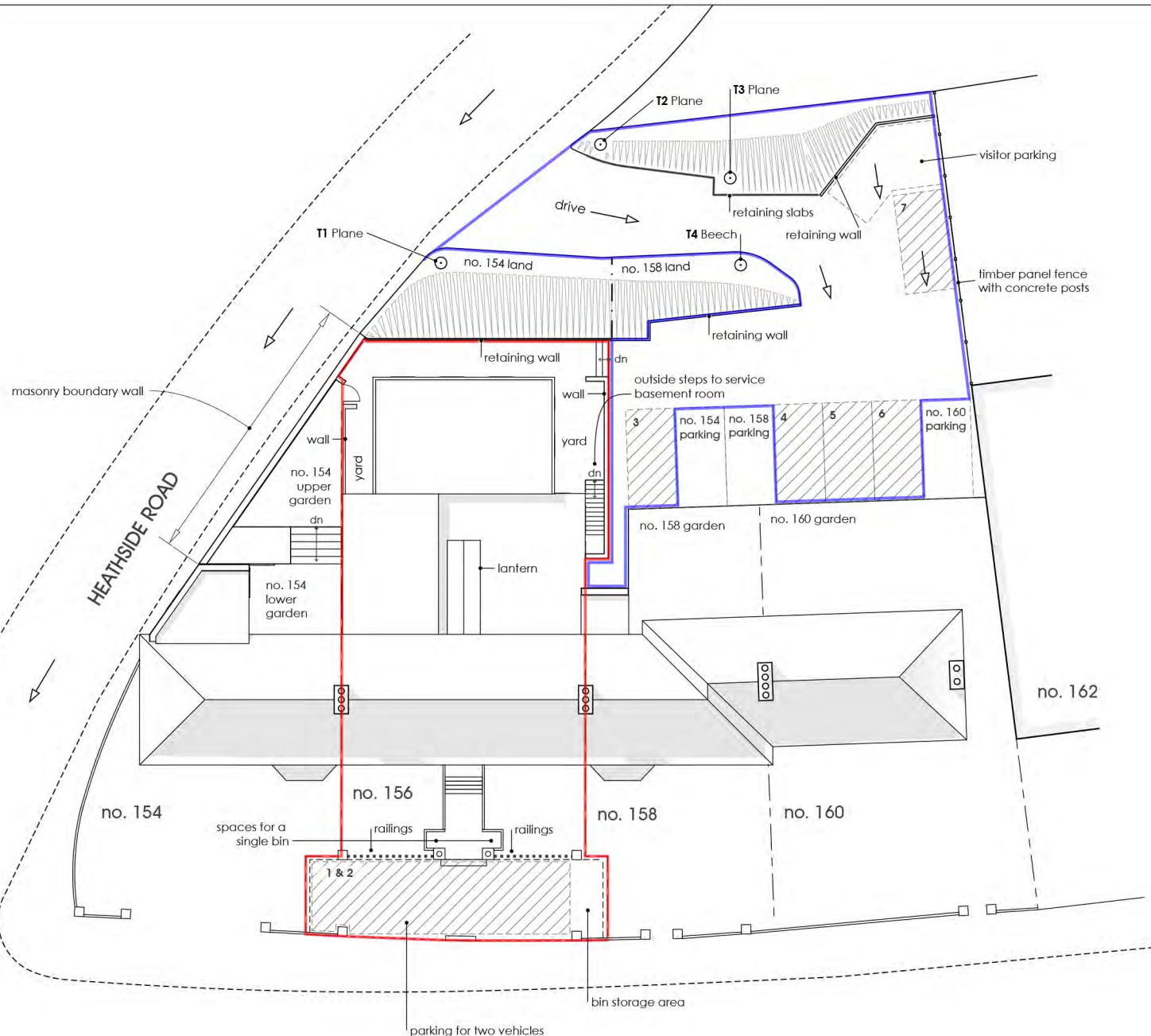
## **Recommendation**

To approve application no. 18/01413/F – 156 Thorpe Road, Norwich NR1 1TJ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of cycle provision.



 = parking for no. 156



2nd Storey Extension for Proposed Flat  
**at**  
 156 Thorpe Road  
 Norwich  
**for**  
 Darren Morgan

Revisions  
**A** 17.09.18  
 First Issue  
**B** 04.02.19  
 Amendments to front layout, parking and bin arrangements

- NOTES**
1. This drawing is for PLANNING purposes ONLY and is NOT for BUILDING REGULATIONS approval, CONSTRUCTION or any other statutory requirement.
  2. DO NOT SCALE OFF THIS DRAWING.
  3. ALL DIMENSIONS ARE TO BE CHECKED ON SITE.
  4. This drawing is to be read in conjunction with all relevant Paul McAlelan and specialists latest drawings together with their latest specifications. Any discrepancies are to be reported to Paul McAlelan and specialist IMMEDIATELY.
  5. If in doubt contact Paul McAlelan or the specialist.

This drawing CANNOT be re-used or modified without the permission of:  
**paul mcalenan**  
 hello@paulmcalenan.co.uk  
 07885 978523  
 47 Clarendon Road  
 Norwich NR2 2PN

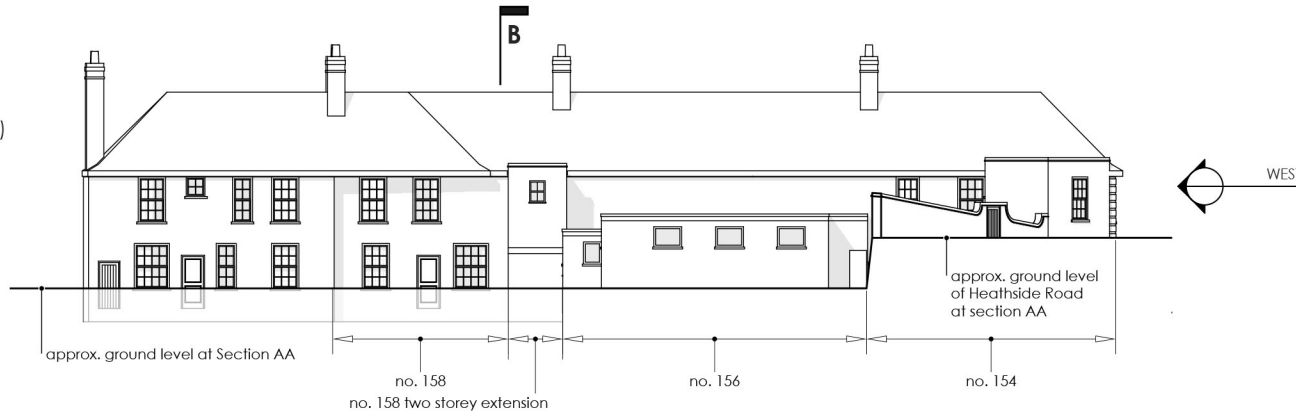
THORPE ROAD



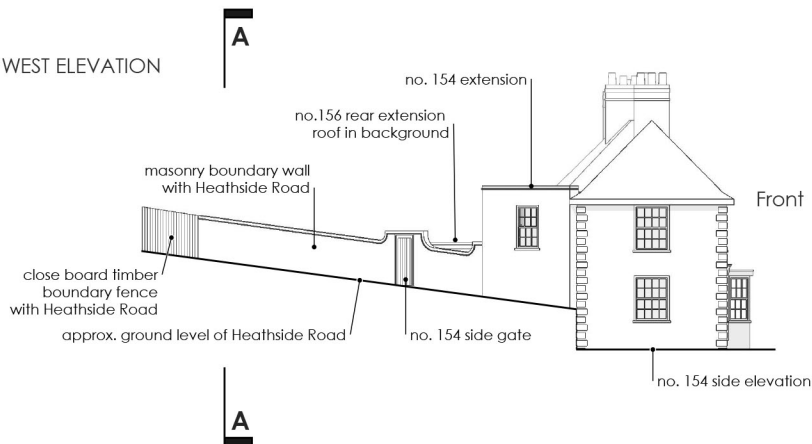
FRONT



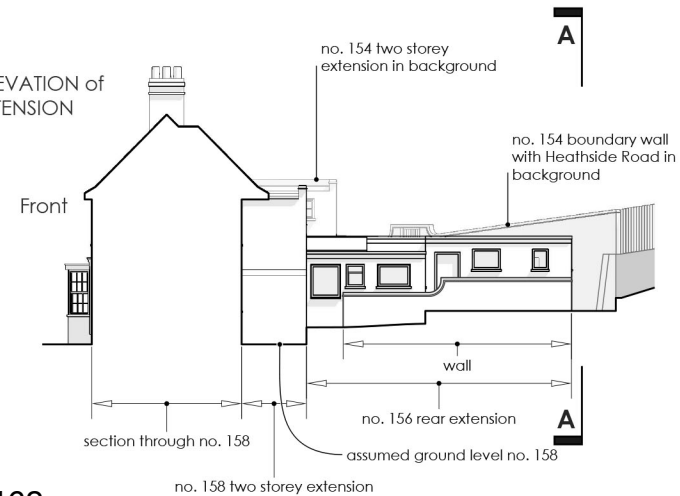
REAR  
(section thru AA)



WEST ELEVATION



SECTION BB  
showing EAST ELEVATION  
of no. 156 REAR EXTENSION

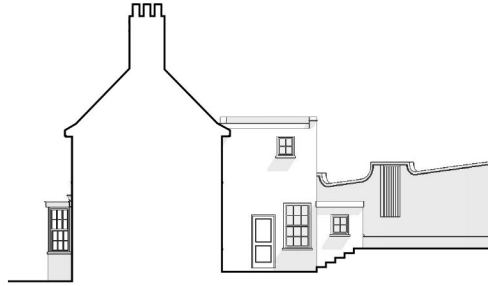


NOTES

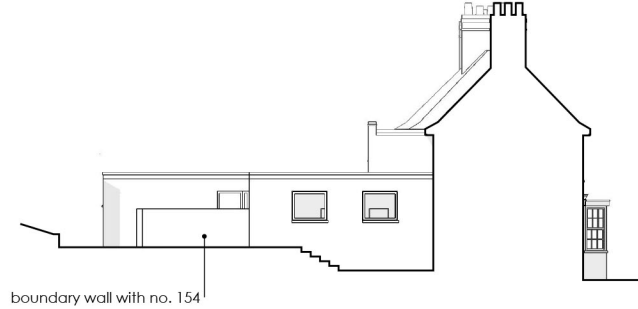
1. This drawing is for PLANNING purposes ONLY and is NOT for BUILDING REGULATIONS approval, CONSTRUCTION or any other statutory requirement.
2. DO NOT SCALE OFF THIS DRAWING.
3. ALL DIMENSIONS ARE TO BE CHECKED ON SITE.
4. This drawing is to be read in conjunction with all relevant Paul McAlelan and specialists latest drawings together with their latest specifications. Any discrepancies are to be reported to Paul McAlelan and specialist IMMEDIATELY.
5. If in doubt contact Paul McAlelan or the specialist.

This drawing CANNOT be re-used or modified without the permission of:  
**paul mcalenan**  
hello@paulmcalenan.co.uk  
07885 978523  
47 Clarendon Road  
Norwich NR2 2PN

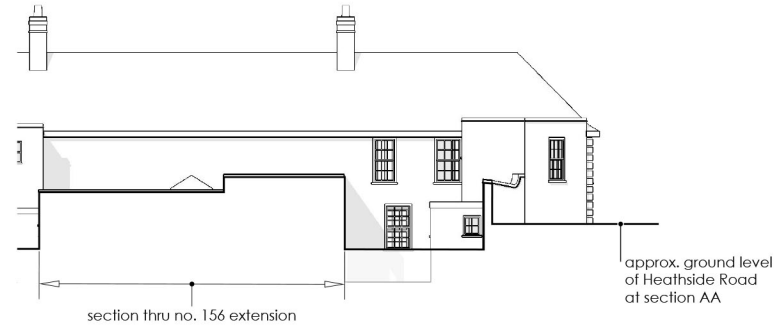
SECTION thru CC showing SIDE ELEVATION of no. 154 EXTENSION



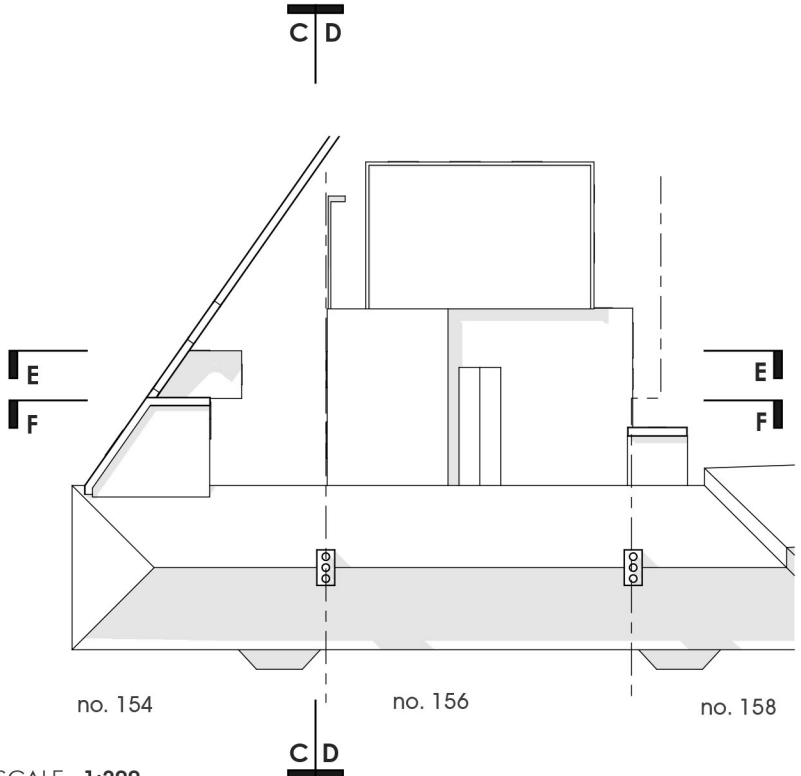
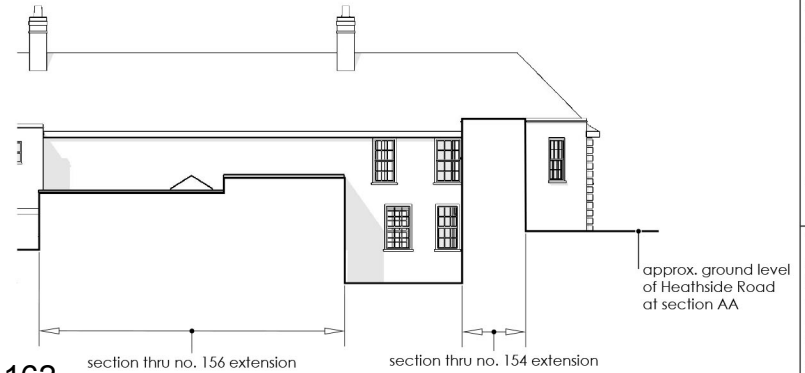
SECTION thru DD showing SIDE ELEVATION of no. 156 EXTENSION



SECTION thru EE showing REAR ELEVATION of no. 154



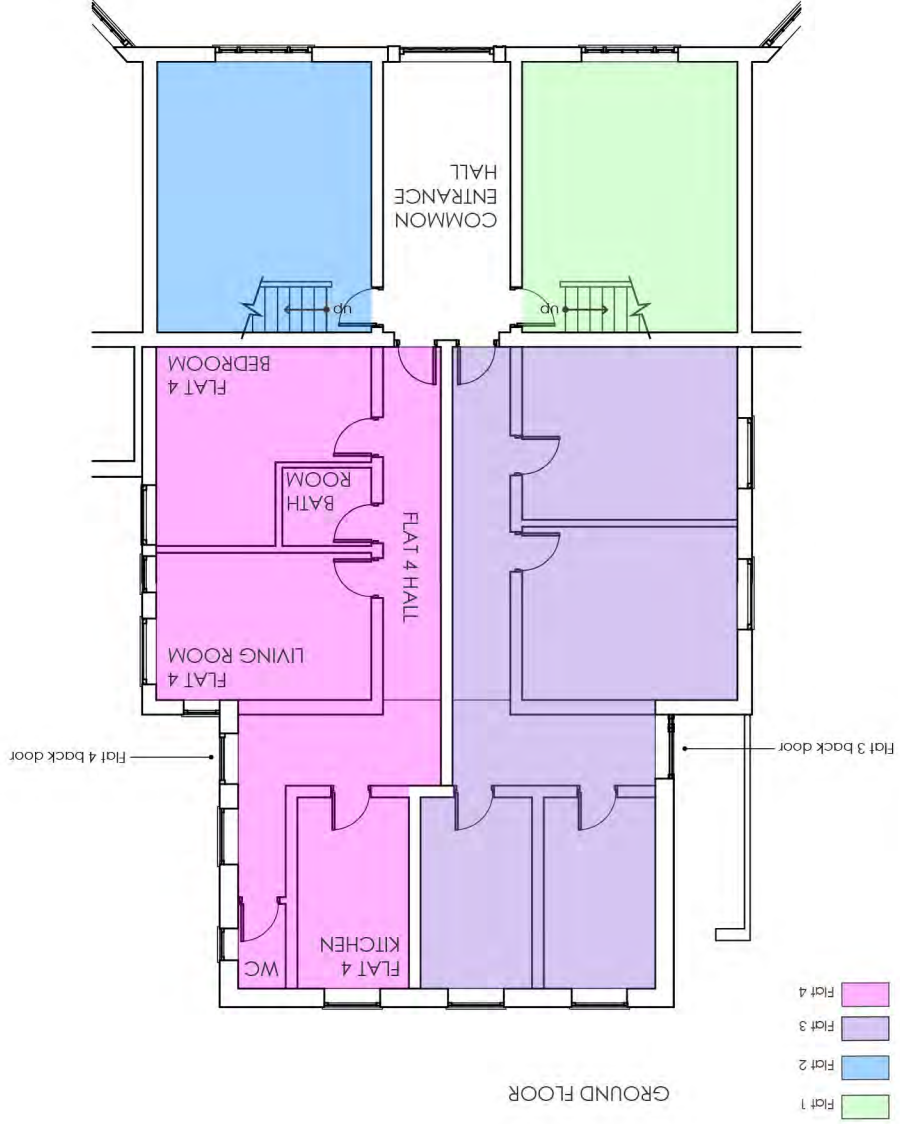
SECTION thru FF showing REAR ELEVATION of no. 154



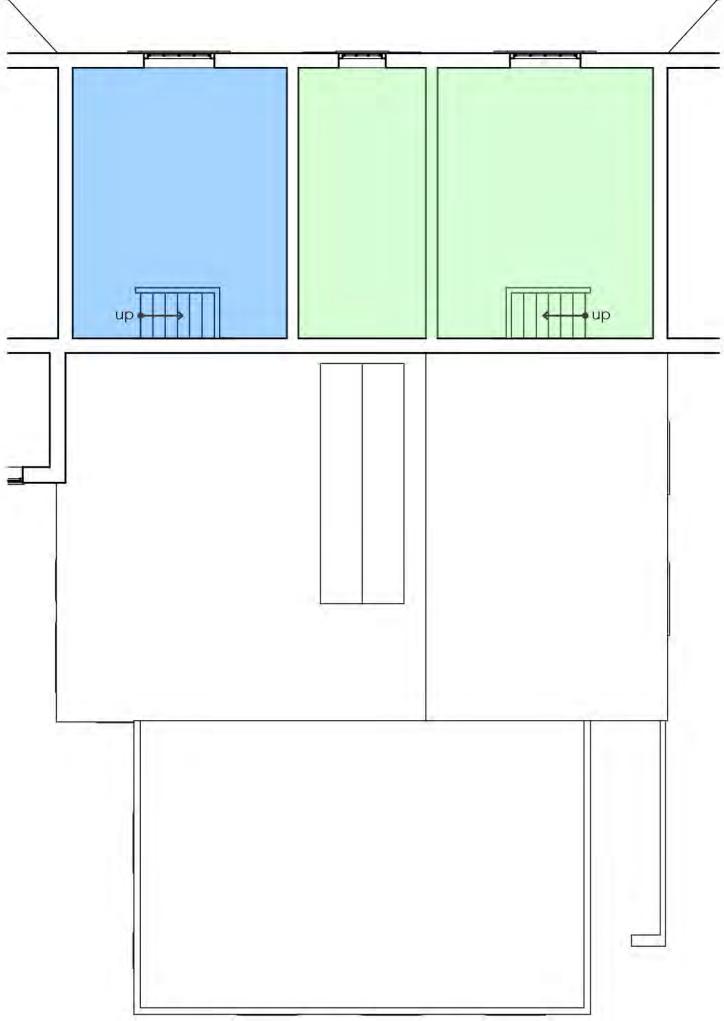
SCALE - 1:200

- NOTES**
1. This drawing is for PLANNING purposes ONLY and is NOT for BUILDING REGULATIONS approval, CONSTRUCTION or any other statutory requirement.
  2. DO NOT SCALE OFF THIS DRAWING.
  3. ALL DIMENSIONS ARE TO BE CHECKED ON SITE.
  4. This drawing is to be read in conjunction with all relevant Paul McAleenan and specialists latest drawings together with their latest specifications. Any discrepancies are to be reported to Paul McAleenan and specialist IMMEDIATELY.
  5. If in doubt contact Paul McAleenan or the specialist.

This drawing CANNOT be re-used or modified without the permission of:  
**paul mcalenan**  
hello@paulmcalenan.co.uk  
07885 978523  
47 Clarendon Road  
Norwich NR2 2PN



GROUND FLOOR



FIRST FLOOR

NOTES

1. This drawing is for PLANNING purposes ONLY and is NOT for BUILDING REGULATIONS approval, CONSTRUCTION or any other statutory requirement.
2. DO NOT SCALE OFF THIS DRAWING.
3. ALL DIMENSIONS ARE TO BE CHECKED ON SITE.
4. This drawing is to be read in conjunction with all relevant specifications. Any discrepancies are to be reported to Paul McAlenan and specialist IMMEDIATELY.
5. If in doubt contact Paul McAlenan or the specialist.

This drawing CANNOT be re-used or modified without the permission of:

**paul mcalenan**

hello@paulmcalenan.co.uk

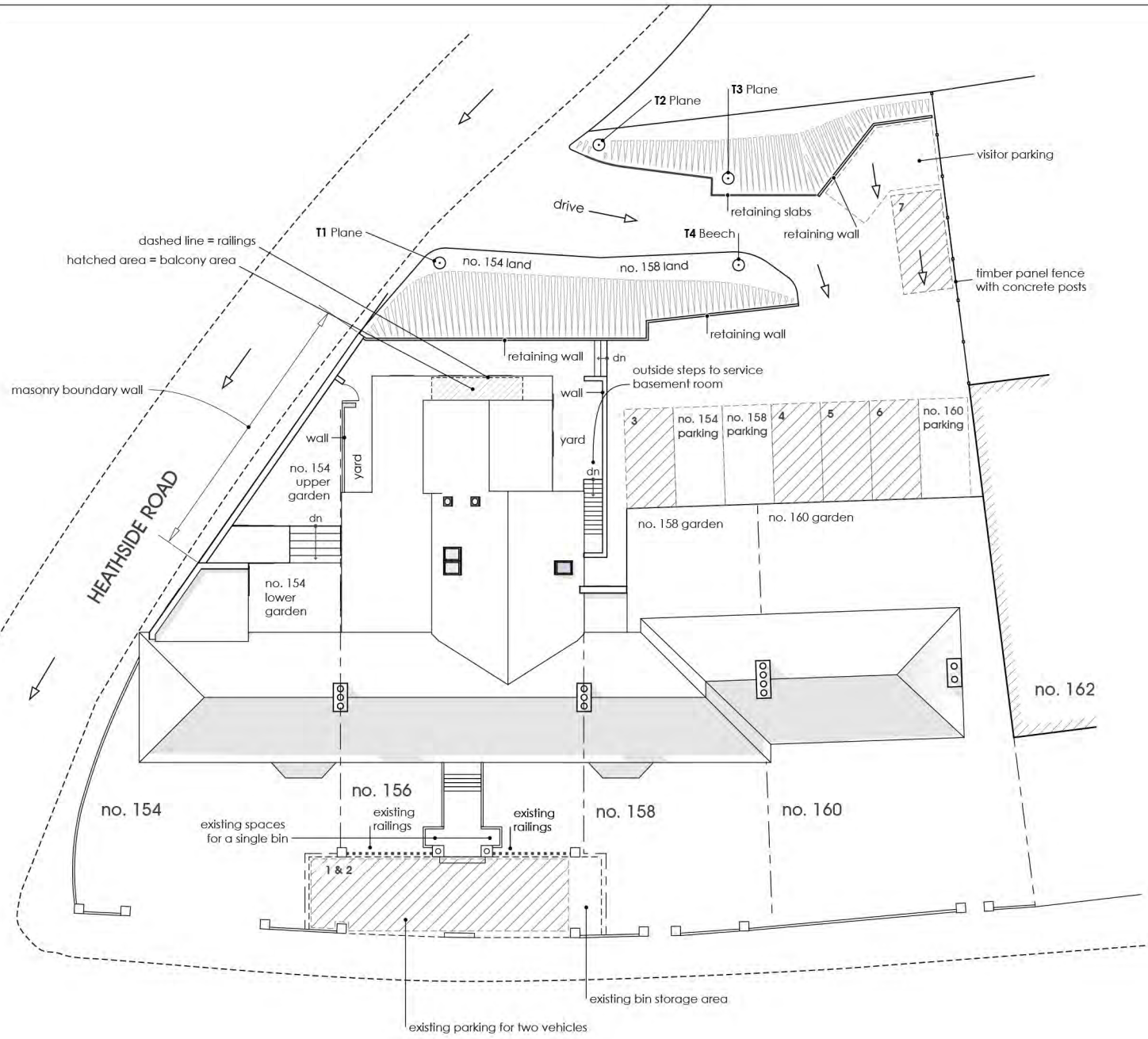
07885 978523

47 Clarendon Road

Norwich NR2 2PN



= parking for no. 156



2nd Storey Extension for Proposed Flat  
at  
156 Thorpe Road  
Norwich  
for  
Darren Morgan

- Revisions
- A 17.09.18 First Issue
  - B 19.12.18 Proposed extension reduced in scale with revised room layout and associated changes to doors & windows
  - C 04.01.19 Bicycle rack added
  - D 04.02.19 Amendments to existing front layout, parking and bin arrangements
  - E 05.02.19 Minor amendment

- NOTES
1. This drawing is for PLANNING purposes ONLY and is NOT for BUILDING REGULATIONS approval, CONSTRUCTION or any other statutory requirement.
  2. DO NOT SCALE OFF THIS DRAWING.
  3. ALL DIMENSIONS ARE TO BE CHECKED ON SITE.
  4. This drawing is to be read in conjunction with all relevant Paul McAlelan and specialists latest drawings together with their latest specifications. Any discrepancies are to be reported to Paul McAlelan and specialist IMMEDIATELY.
  5. If in doubt contact Paul McAlelan or the specialist.

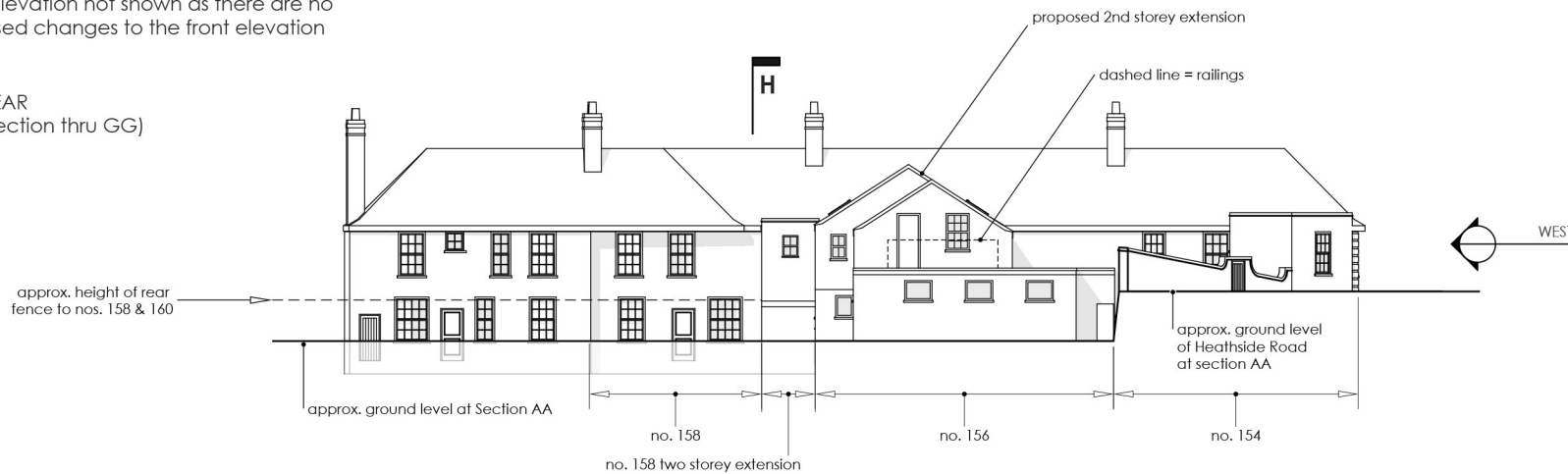
This drawing CANNOT be re-used or modified without the permission of:  
**paul mcalenan**  
hello@paulmcalenan.co.uk  
07885 978523  
47 Clarendon Road  
Norwich NR2 2PN

THORPE ROAD

PROPOSED ELEVATIONS - 1:200

Front elevation not shown as there are no proposed changes to the front elevation

REAR  
(section thru GG)

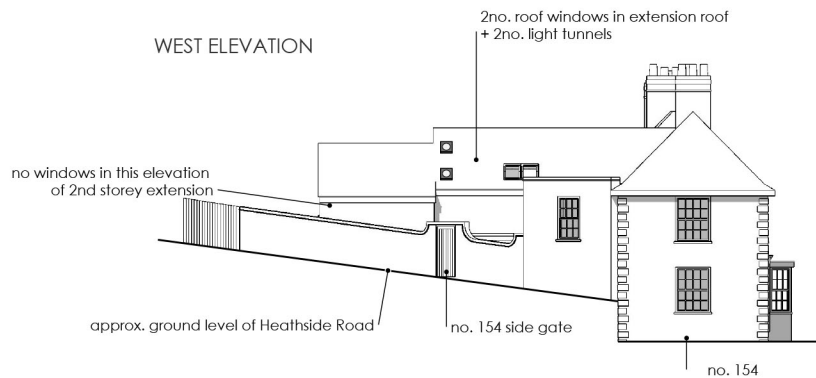


G

H

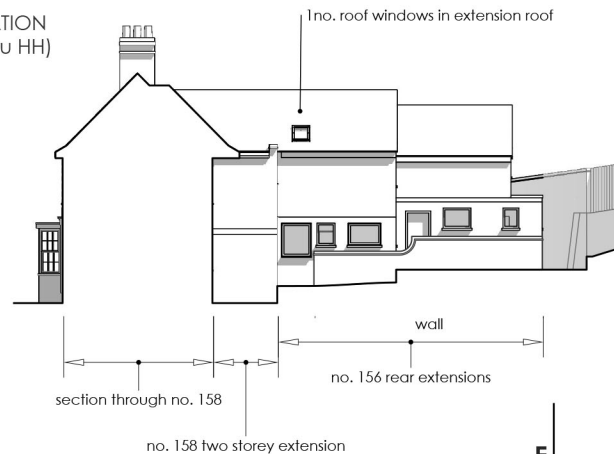
E

WEST ELEVATION



G

EAST ELEVATION  
(section thru HH)



E

2nd Storey Extension for Proposed Flat  
at  
156 Thorpe Road  
Norwich  
for  
Darren Morgan

Revisions

A 17.09.18

First Issue

B 19.12.18

Proposed extension reduced in scale with revised room layout and associated changes to doors & windows

NOTES

1. This drawing is for PLANNING purposes ONLY and is NOT for BUILDING REGULATIONS approval, CONSTRUCTION or any other statutory requirement.
2. DO NOT SCALE OFF THIS DRAWING.
3. ALL DIMENSIONS ARE TO BE CHECKED ON SITE.
4. This drawing is to be read in conjunction with all relevant Paul McAlenan and specialists latest drawings together with their latest specifications. Any discrepancies are to be reported to Paul McAlenan and specialist IMMEDIATELY.
5. If in doubt contact Paul McAlenan or the specialist.

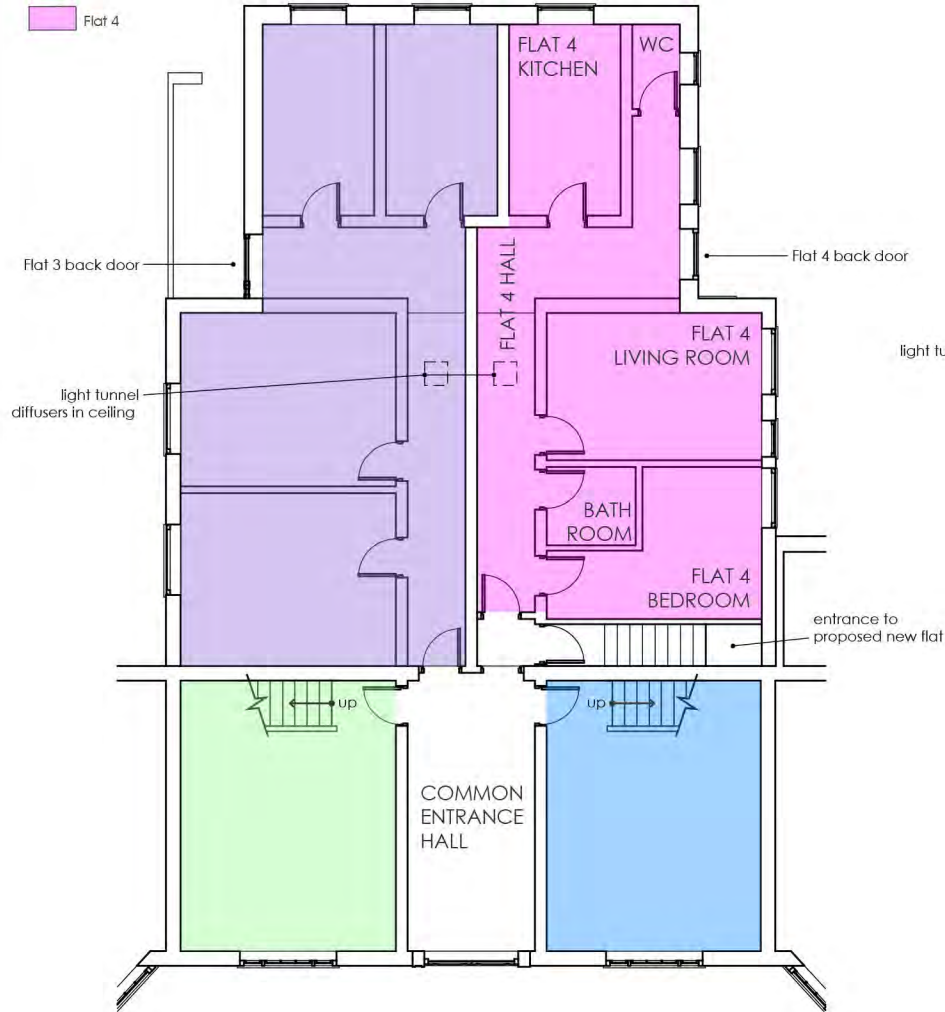
This drawing CANNOT be re-used or modified without the permission of:  
**paul mcAlenan**  
hello@paulmcAlenan.co.uk  
07885 978523  
47 Clarendon Road  
Norwich NR2 2PN



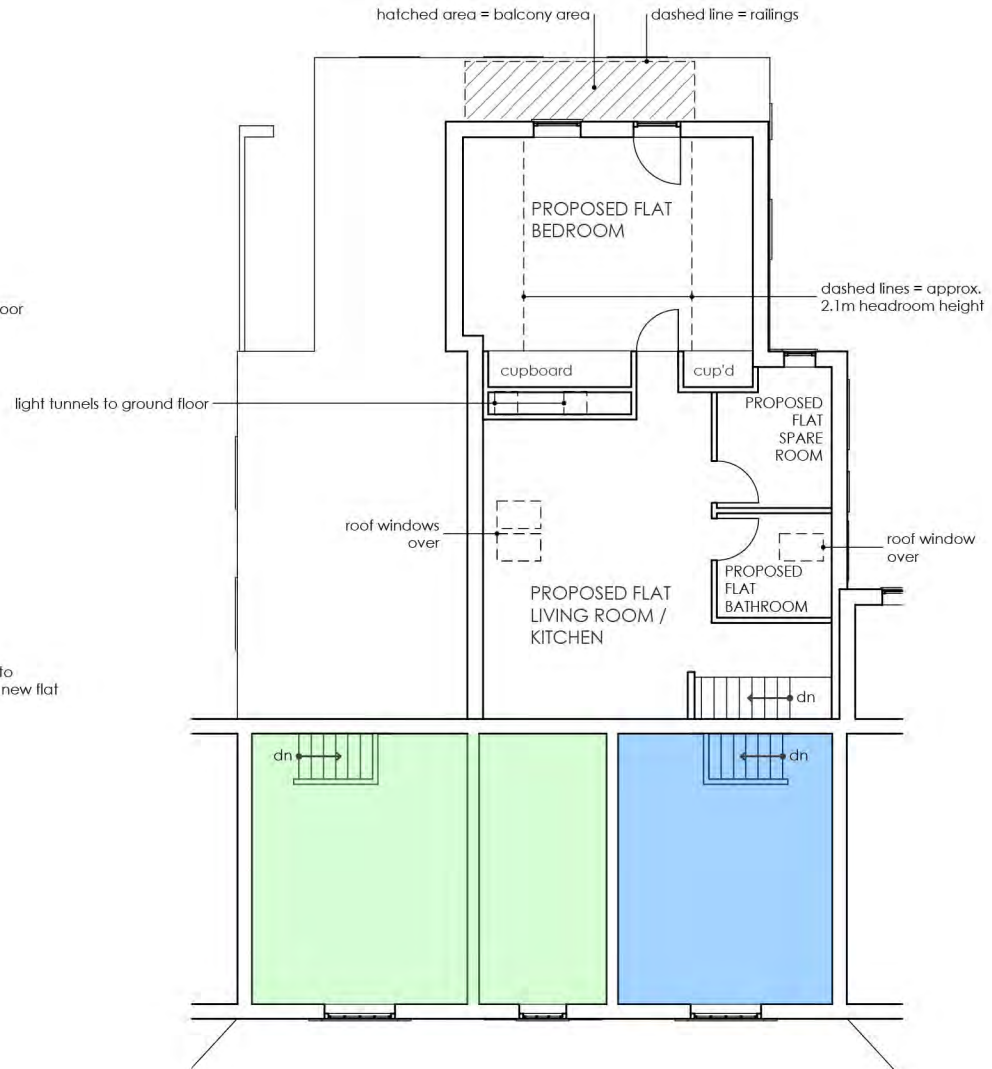
PROPOSED FLOOR PLANS - 1:100

- Flat 1
- Flat 2
- Flat 3
- Flat 4

GROUND FLOOR  
Showing Proposed Entrance and  
Stairs to Proposed New Flat



FIRST FLOOR  
Showing Proposed New Flat in  
2nd Storey Extension



0264.PL.07 B

2nd Storey Extension for  
Proposed Flat  
**at**  
156 Thorpe Road  
Norwich  
**for**  
Darren Morgan

Revisions  
**A** 17.09.18  
First Issue  
**B** 19.12.18  
Proposed extension  
reduced in scale with  
revised room layout and  
associated changes to  
doors & windows

- NOTES**
1. This drawing is for PLANNING purposes ONLY and is NOT for BUILDING REGULATIONS approval, CONSTRUCTION or any other statutory requirement.
  2. DO NOT SCALE OFF THIS DRAWING.
  3. ALL DIMENSIONS ARE TO BE CHECKED ON SITE.
  4. This drawing is to be read in conjunction with all relevant Paul McAlelan and specialists latest drawings together with their latest specifications. Any discrepancies are to be reported to Paul McAlelan and specialist IMMEDIATELY.
  5. If in doubt contact Paul McAlelan or the specialist.

This drawing CANNOT be re-used or modified without the permission of:  
**paul mcalenan**  
hello@paulmcalenan.co.uk  
07885 978523  
47 Clarendon Road  
Norwich NR2 2PN

SCALE - 1:100

**Report to** Planning applications committee

Item

14 February 2019

**Report of** Head of planning services

**Subject** Application no 18/01205/F and 18/01206/L – Former  
Bethel Hospital, Bethel Street

4(i)

**Reason  
for referral** Objections

---

<b>Ward:</b>	Mancroft
<b>Case officer</b>	Katherine Brumpton <a href="mailto:katherinebrumpton@norwich.gov.uk">katherinebrumpton@norwich.gov.uk</a>

<b>Development proposal</b>		
Change of use from office to residential (Class C3) and associated alterations		
<b>Representations (combined from both applications)</b>		
Object	Comment	Support
14 representations received from 9 individuals/addresses	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Principle	Suitability of the unit as a dwelling
2 Design and Heritage	Impacts from the conversion on the Grade II* property
3 Amenity	Impact upon neighbours, particularly from the courtyard, and suitability of the unit for the future occupiers.
4 Transport	Lack of cycle store or bin store
5 Flood Risk	Use of basement as part of a dwelling
6 Landscaping	Use of landscaping to reduce impact upon neighbours and create a suitable scheme for the heritage asset.
<b>Expiry date</b>	18 February 2019
<b>Recommendation</b>	Approve

**Please note that plans are not available at time of publication and will follow as a supplementary agenda**

## The site and surroundings

1. Bethel Hospital is located on Bethel Street, with Little Bethel Street located to the west and Theatre Street to the south. A former psychiatric hospital, it ceased use as a medical facility in the latter part of the twentieth century and by 1995 it had been sold. It is now in multiple ownerships, with residential use prevailing as the predominant use. Whilst some areas are fully renovated and converted, other areas are in need of renovation/repair.
2. This application seeks permission to convert to residential use a section of the building previously granted approval as an office (known as 45 Bethel Street). The section is located adjacent to Bethel Street and borders what is now known as Little Bethel Court. The property includes a ground floor area, basement and courtyard.
3. The property is currently a partially converted ground floor office with access to a courtyard and a basement.

## Constraints

4. Bethel Hospital is Grade II\* Listed
5. Conservation Area; Civic Character Area
6. Area of Main Archaeological Interest

## Relevant planning history

7. There is an extensive planning history at the hospital, however the below are the applications directly relevant to the site in question.

Ref	Proposal	Decision	Date
04/00690/L	Internal and external alterations to central block to provide 7 residential units, management offices and offices.	Approved	04.01.2007
4/2002/0328	Internal & external alterations (revised proposal)	Approved	30.04.2003
4/2002/0349	Amendment to planning permission 4/1998/0038/F to provide one additional residential unit and managers office (total of seven residential units) - revised proposal.	Approved	14.03.2003



Ref	Proposal	Decision	Date
4/1997/0972	Internal and external alterations to building to facilitate conversion to 20 bedroom hotel, restaurant, offices and 9 residential units with office accommodation including erection of single storey extensions and insertion of additional windows and entrances. Demolition of single storey extensions in courtyard and single storey extension fronting Theatre Street	Approved	14.07.1999
4/1998/0038	Conversion of hospital to 20 bedroom hotel, restaurant, offices and 6 residential units with office accommodation including erection of single storey extensions and insertion of additional windows and entrance	Approved	27.05.1999

## The proposal

8. The proposal is to convert 45 Bethel Street into a dwelling. The property would retain its access to a courtyard and a basement, which would both form part of the proposed dwelling. Internally, the proposal would install an alternative tread staircase to access the basement and utilise an existing pedestrian door to access the courtyard. The main access to the dwelling would be via a pedestrian door on to Bethel Street.
9. Following discussions amended plans were received which were re-advertised and reconsulted on. Notably the plans removed the provision of cycle and bike storage, changed the spiral staircase to an alternative tread staircase and included different indicative landscaping in the courtyard.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>1</b>
Total floorspace	<b>57m<sup>2</sup></b>
No. of storeys	<b>2 (Ground floor plus basement)</b>
<b>Transport matters</b>	
No of car parking	<b>0</b>

spaces	
No of cycle parking spaces	<b>0</b>
Servicing arrangements	<b>This site is considered appropriate to be served by bin bags.</b>

## Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 11 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
<p>Courtyard is inappropriate as a residential garden as it is surrounded by 5 other dwellings, including GF main living areas and a GF bedroom window. One property has 4 windows serving one living room overlooking the courtyard, with the internal floor level higher than the courtyard. It would also;</p> <ul style="list-style-type: none"> <li>• create overlooking,</li> <li>• increase noise levels,</li> <li>• create potential issues from anyone smoking in the garden (smell and fire risk),</li> <li>• raise concerns regarding security,</li> <li>• cause damage from any ball games etc played in the garden, and</li> <li>• impact property prices.</li> </ul> <p>Privacy of new occupiers would not be sufficient either.</p> <p>Any screening planting would result in reducing the light reaching the adjacent rooms, which is already relatively low, and require maintenance.</p> <p>Conversion of the courtyard would ruin some of the aesthetic and integrity of a historic and very important building.</p> <p>Courtyard should be left as a neutral space with some landscaping, but not available as a garden.</p>	<p>See main issue 2 and 3.</p> <p>Property prices are not a material planning consideration.</p>

Issues raised	Response
<p>Freeholder (also the applicant) has not carried out the repairs required by him by the Repairs Notice served to him in February 2018. He has also not developed other sites in accordance with planning permissions. As such the applicant can't be trusted to carry out the work, if approved, correctly. Condition should be added that requires applicant to finish all works at Bethel Hospital.</p>	<p>This application is just for the part of the hospital within the red-line area on the site plan (45 Bethel Street). It is not appropriate to add conditions regarding the areas of the building that are not affected by the proposals that are subject of the application. To do so would be ultra vires (beyond the scope of planning) and would also fail the tests for a condition set out in the NPPF.</p> <p>In addition, the repairs notice was in draft and does not compel any party to do works at this stage. Notwithstanding this, the applicant is making considerable progress on repairs (both internal and external) to the fabric of other parts of the building in his ownership.</p>
<p>Proposed bin store is unsuitable; area is a kitchen extension and inappropriate for a bin store, it would create a fire and health and safety risk.</p>	<p>This has been removed from the proposal.</p>
<p>Proposed cycle store is unsuitable; block access to no.33</p>	<p>This has been removed from the proposal.</p>
<p>Concerns regarding the noise impact from the building work.</p>	<p>This is largely considered to be outside of the planning remit, with Environmental Protection possessing powers to deal with any noise nuisances. However given the density and number of existing residential neighbours it is considered appropriate to add an informative regarding construction hours amongst other issues. The developer will be advised that works that are audible beyond the site boundary should be limited to between 7.30am and 5.30pm Monday to Friday, 7.30am and 1pm on Saturdays and none on Sundays.</p>
<p>The basement is served by one staircase – this would seem to be a fire risk.</p>	<p>See main issue 5.</p>

Issues raised	Response
Concerns that any development would prevent access to install scaffolding within the courtyard which is needed to undertake repairs etc. to other properties.	The proposal would not impact any existing legal agreements in place. It is understood that a window overlooking the courtyard serving a communal hallway is removable, and provides a means to access the courtyard.

11. In addition Councillor Jo Smith has written in, raising the following points;

- a) The courtyard has several windows directly opening into it serving neighbouring dwellings. Providing access to the courtyard to any future residents would result in a terrible invasion of privacy, regardless of any mitigation. Neighbours could use curtains to maintain some privacy but this would lead to a loss of light.
- b) Noise from use of the courtyard as a garden could impact the neighbours at any point of the day. The courtyard could also be used to smoke in.
- c) Security of the neighbour's windows is of concern.

12. Her letter is included within the total count above.

## Consultation responses

13. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### City wide

14. Refuse is collected from existing neighbouring properties via plastic bags. The proposed dwelling can use the same arrangements.

### Highways (local)

15. *Original Plans*

16. No objection. The dwelling would not be entitled to on-street parking permits. Bin and cycle storage seem satisfactory in principle, although further details would be needed.

17. *Revised Plans*

18. As a constrained site cycle provision could be omitted from the application at the Planning Officer's discretion. If refuse is collection via plastic bags this is at the discretion of Citywide.

### Historic England

19. *Original Plans*

20. Bethel Hospital is of considerable architectural and historic interest; it was the first purpose built psychiatric hospital in 1713. The original building still survives, with extensive later buildings/extensions added during the 18<sup>th</sup> and 19<sup>th</sup> centuries.
21. The area which forms the subject of this application is part of a 19<sup>th</sup> Century range. The Conservation Management Plan identifies this section as less significant, but it has value as part of the complex as a whole.
22. Note that the application states that the conversion of the site to an office and introduction of an internal spiral staircase to the basement is part of an extant permission. However we understand that Norwich City Council (NCC) questions if this permission is extant; this matter, together with the suitability of the unit as a dwelling, is left to NCC.
23. Historic England (HE) are concerned about the condition of Bethel Hospital, which has been on HE's Heritage at Risk Register for many years. The application site is unoccupied and therefore we are keen to see the building repaired and occupied and in principle would not object to either an office or residential use.
24. Assuming that the spiral staircase is covered by a previous application there are few other alterations. The 1990s stud walls are to remain, which have little value. The internal alterations would not harm the historic significance of the building.
25. However the staircase would be better amended to reduce the impact upon the interior, e.g. replaced with a trap door which would have a smaller footprint. The bench surrounding the sun pipe would be better removed from the scheme.
26. The proposed lining of the basement would potentially mask and exacerbate any problems with dampness and is inappropriate. A breathable finish could be appropriate.
27. The NPPF has the protection and enhancement of the historic environment as an overarching objective. Where developments could result in harm, clear and convincing justification should be made for any such harm and "great weight" should be given to the conservation of listed buildings.
28. Accept the principle of residential in this section of the hospital but consider that the proposal could result in harm to the significance of the listed building due to the installation of the spiral staircase and tanking of the basement.

#### 29. *Revised Plans*

30. Pleased that the revised staircase is more economical.
31. Note that the use of the courtyard could affect the character of the space but are pleased to see the bench design has been simplified; this should be the most minimal feature possible.
32. The basement should not be tanked; a breathable finish could be appropriate but this needs to be established, potentially via a condition.
33. The overall intention of creating residential accommodation in the eastern part of Bethel Hospital is supported; however concerns remain regarding the proposed tanking of the basement. If the Council supports the proposal in principle the sunpipe

housing should be made as minimal as possible and details of how the dampness in the basement could be addressed using a breathable system secured by condition.

## **Assessment of planning considerations**

### **Relevant development plan policies**

34. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS11 Norwich city centre
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
35. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM6 Protecting and enhancing the natural environment
  - DM9 Safeguarding Norwich's heritage
  - DM12 Ensuring well-planned housing development
  - DM18 Promoting and supporting centres
  - DM28 Encouraging sustainable travel
  - DM32 Encouraging car free and low car housing

### **Other material considerations**

36. **Relevant sections of the National Planning Policy Framework July 2018 (NPPF):**
- NPPF2 Achieving sustainable development
  - NPPF4 Decision-making
  - NPPF5 Delivering a sufficient supply of homes
  - NPPF7 Ensuring the vitality of town centres
  - NPPF8 Promoting healthy and safe communities
  - NPPF9 Promoting sustainable transport
  - NPPF11 Making effective use of land
  - NPPF12 Achieving well-designed places
  - NPPF14 Meeting the challenge of climate change, flooding and coastal change
  - NPPF15 Conserving and enhancing the natural environment
  - NPPF16 Conserving and enhancing the historic environment
37. **Supplementary Planning Documents (SPD)**
- Trees, development and landscape SPD adopted 2016

### **Case Assessment**

38. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

### **Main issue 1: Principle of development**

39. Key policies and NPPF paragraphs – JCS4, DM12, NPPF paragraphs 11 and 59.
40. DM12 sets out where residential dwellings are considered acceptable in principle. The site is not within an area that would prohibit residential use, and therefore the suitability of the development now needs to be considered under criteria detailed under DM12, in addition to other policies.
41. The proposed is considered against this criteria as follows;
- a) Will not compromise the delivery of wider regeneration proposals – The proposal does not and would serve to bring back into beneficial use a part of a nationally significant listed building that is currently on the ‘At Risk’ register;
  - b) Will not have any detrimental impacts upon the character and amenity of the surrounding area – See Main Issues 2 and 3 below;
  - c) Will contribute to achieving a diverse mix of uses within the locality - The introduction of an additional residential unit into the city centre will help support the areas vibrancy and vitality;
  - d) Will provide for a mix of dwelling sizes - The site is relatively small and would provide one additional dwellings within a primarily residential area. More units could not practically be provided in the red-line area. It would help to diversify the size of units within the Bethel Hospital complex as existing dwellings are larger;
  - e) Proposals should achieve a density in keeping with the character and function of the area - The density responds to the restrictions of the existing building; and
  - f) For all proposals involving the construction of 10 or more dwellings, at least 10% will be built to Lifetime Homes standard - The proposal is for less than 10 dwellings so this point is not applicable.

### **Main issue 2: Design and Heritage**

42. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 124-132 and 184-202.
43. Bethel Hospital was opened in 1713, and since then several extensions have been added. As such the building varies in age and significance, although it falls under the same listing. A comprehensive Bethel Hospital Conservation Management Plan (CMP) was commissioned by Historic England and published in 2016. A copy can be obtained from Norwich City Council’s website;

44. 45 Bethel Street is part of the Boardman range extension along Bethel Street, which was constructed in 1899. The basement is slightly older, dating from 1881-1893. Internally the unit includes one wall which dates from 1881-1893, with the other walls being much newer, dating from 1992 to the present day. The south-eastern wall does however date from earlier, as it also serves the main entrance hall (1757-1830).
45. The proposal would restore the south - eastern wall, which at the moment has a gap in for a door linked to an older permission. The section of wall dating from 1881-1893 would be retained. The 1990 walls would also remain largely unaltered.
46. The significance of this part of Bethel Street is assessed as medium overall, however the principal elevation, fronting Bethel Street, together with the units' south-eastern wall is assessed as being of High Significance.
47. The CMP also reviewed the condition of the building, and 45 Bethel Street has been noted as requiring works within the next 1-3 years. At the time of the site inspection some restoration works were under way. However, the unguarded access to the basement remains, and some works such as plastering and restoring the floors and joinery remain uncompleted.
48. The proposed development would result in the renovation of 45 Bethel Street and the completion of the works identified within the CMP. Other physical alterations include the installation of a staircase to the basement, alterations to the basement to make it suitable for use and landscaping to the courtyard. The original plans included tanking of the basement. Windows and the external door would be retained. The current internal doors are modern additions, and it is understood that any additional doors required will match these.
49. The original plans indicated a large spiral staircase located to the south-east of a staircase. Following concerns raised regarding this proposal an alternative staircase is proposed, which is an alternative tread staircase and therefore much smaller. This would result in the loss of less historic fabric and a reduced impact upon the living area, and is therefore supported as an alternative way to access the basement, which is currently only served by the unguarded access. Although it does not feature within the CMP due to no access being available at the time, the basement appears to suffer from dampness and is therefore in need of works to remedy this. The proposed staircase would provide access to this floor and consequently its repair as part of the development.
50. As part of the renovation of the basement a sunpipe is proposed, which would run into the courtyard. The sunpipe is shown within the indicative landscaping as being boarded by a raised bench seat made from bricks. The sunpipe and seating are considered to be unfortunate, with the seating area especially anticipated to negatively impact the character and usability of the courtyard. This has been raised with the agent, and although the revised plans did not alter this part of the scheme it is understood that the applicant would be amenable to agree the details of the sunpipe and landscaping under a condition. The courtyard housing of the sunpipe should be made as minimal as possible.



51. The NPPF states that clear and convincing justification should be made for any harm caused to the historic environment as a result of development, and that 'great weight' should be given to the conservation of listed buildings irrespective of the level of harm caused (paragraphs 193 and 194). Harm could be caused if the basement was inappropriately tanked, and if an inappropriate housing and seating was installed around the proposed sunpipe. However, following discussions with the applicant the details regarding these aspects are to be agreed via condition and the applicant is happy to amend the proposals accordingly.
52. With suitable conditions the impact upon the historic fabric is considered acceptable. The conditions will include; requesting further details of the basement treatment, details of the sunpipe, submission of a landscaping scheme and submission of a finishing schedule.

### **Main issue 3: Amenity**

53. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
54. *Future Occupiers*
55. The proposed dwelling is relatively small, however the size is limited by the size of the unit, and there is no clear way to extend. As discussed above a significant part of Bethel Hospital is already in residential use and so an additional residential use is considered to be acceptable in principle.
56. A 1 bedroom 2 storey dwelling under the nationally described space standards should include 58m<sup>2</sup> of floor space. In total the unit would provide 57m<sup>2</sup>, broken down into 29.35m<sup>2</sup> at ground floor and 27.65m<sup>2</sup> in the basement. DM2 advises that these standards should be met in the majority of cases, however where there are exceptional conservation or regeneration benefits there may be some scope to relax them. Whilst the basement is shown as storage, with the proposed sunpipe installed and appropriate treatment given to the walls and floor, the southern section especially would be suitable for use as additional living accommodation, such as a snug/additional living room.
57. It is acknowledged that the size of the proposed unit is relatively small; however there is no practicable way of enlarging it. Weight is also given to the benefits that would occur from the scheme in terms of conserving and regenerating this part of the hospital.
58. *Neighbours*
59. As above the use is considered acceptable in principle, and the immediate neighbours are all residential. The impact upon neighbours from the use of the internal space is anticipated to be acceptable. There will be some additional noise generated from this unit being occupied, but this isn't anticipated to be significant and would be in keeping with a building that is primarily in residential use. Some overlooking would occur from the window facing into the courtyard, especially to windows directly opposite. However the windows opposite serve a hallway, and already experience some overlooking from other windows overlooking the courtyard.
60. The use of the courtyard as an amenity area will have a greater impact upon neighbours. However, although currently unoccupied, the current use of the unit is

considered to be an office, and it has access to the courtyard already. The application unit includes the only door into the courtyard. As such the unit could be completed as an office and occupied without further permissions, and this would be likely to result in a more active use of the courtyard by office workers. The courtyard is currently unused because this unit is currently unused, although previous consents have been implemented.

61. Historically the courtyard was a service yard, accessed by the door within 45 Bethel Street. With part of the hospital already converted, this courtyard is now looked onto by several neighbouring residents over 3 floors. On the ground floor on the south-western elevation there are 3 windows facing into the courtyard; all of these serve a hallway belonging to 43 Bethel Street. On the north-western elevation there are 4 windows facing into the courtyard; all of these serve a living/dining area belonging to 9 Little Bethel Court. To the north-east there are the applicants own window and door, and a door serving a communal hallway. The north-eastern elevation is blank.
62. The windows on upper floors are likely to be impacted to some extent from the use of the courtyard as an amenity space. However this impact is anticipated to be acceptable; residents already experience noise from other neighbours. The change from a courtyard serving an office to a courtyard serving a small, one-bed residential unit is not considered to increase this impact significantly enough to make it unacceptable.
63. The impact upon 43 Bethel Street would not be to a part of the property used as a main living area. The concerns regarding overlooking could be mitigated against using blinds and/or frosted window films and this is not considered to be unreasonable within a conversion of this type.
64. 9 Bethel Street will be impacted more significantly, given that the affected windows are the only windows serving the main living area. Following discussions with the agent, amended plans include indicative landscaping of the courtyard that shows some plant screening stepped away from these windows. Screening stepped away would serve to create a visual barrier that would reduce any overlooking, and still enable a view from these windows. It is worth noting that the owners of the site could plant tall vegetation right up against neighbouring windows without any permission.
65. With a clever landscaping scheme the impact upon the neighbours, and particularly 9 Little Bethel Court, could be reduced sufficiently to enable the proposal to be considered acceptable.
66. Concerns regarding security are arguably already relevant as this courtyard is part of 45 Bethel Street and the neighbours do not have control over who goes into the courtyard.
67. An appropriate landscaping scheme would serve to provide some screening, especially for 9 Little Bethel Court. Reducing the access to all the ground floor windows would also be beneficial, and help to address the neighbours concern regarding security.

#### **Main issue 4: Transport**

68. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
69. The original plans included cycle and bike storage some distance from the proposed dwelling, in the south-eastern part of Bethel Hospital. There were concerns regarding this proposal relating to the distance, the bin store's capacity (the store is also linked to dwellings proposed under another application yet to be determined), the visual impact, and the impact upon neighbours.
70. Although not ideal, following discussions with Citywide Services regarding refuse collection and Highways regarding cycle storage, in this instance the removal of both elements from the scheme is considered desirable. The site is restricted by both its size and its heritage value and as such this is considered an exceptional circumstance where provision can be waived.
71. The amended plans therefore have removed both storages from the plan. There are several public cycle stores in the immediate vicinity which any future occupier can use, and refuse can be collected in sacks, as it currently is from neighbouring dwellings.
72. No car parking is provided, and this complies with the above DM policies in such a sustainable central location. There are ample public transport opportunities available nearby.

#### **Main issue 5: Flood risk**

73. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 155-165.
74. The site is not at risk from any type of flooding and is not within a critical drainage area. It is noted though that basements are inherently at a higher risk from flooding than other floors within dwellings, simply due to their nature. However a properly maintained basement and associated drainage system should prevent this from happening. The basement will need to be renovated as part of this development, as discussed above. Building regulations cover areas such as fire escape routes, ventilation, ceiling height, damp proofing, electrical wiring and water supplies. Therefore any issues regarding flooding and safety are considered to be covered under Building Regulations.

#### **Main issue 6: Landscaping**

75. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 8, 91, 96-101, 127.
76. As discussed above the proposal includes a courtyard. This was a service courtyard when the hospital was in its original use and as such is overlooked by several windows, although there is only one access door (from 45 Bethel Street).
77. Any hard landscaping here around the sunpipe should be as minimal as possible. The indicative landscaping shows a brick seat, however a more minimal arrangement would be considered more suitable. A Landscaping Scheme condition which requested these details is considered an acceptable way to achieve a more suitable design.

78. Discussions have been had with the agent regarding implementing a landscaping scheme which could help to alleviate the concerns of neighbours. This could include restricting access immediately adjacent to windows and providing some screening, especially to the north-west end in front of 9 Little Bethel Court. An indicative scheme was submitted as part of the amended plans. Although this goes some way to addressing the concerns more work would be needed to achieve an acceptable scheme. Again, this can be achieved via a Landscaping Scheme condition.

### **Compliance with other relevant development plan policies**

79. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>No</b>
Car parking provision	DM31	<b>Yes – none required</b>
Refuse Storage/servicing	DM31	<b>Yes – collection is considered acceptable here via plastic bags rather than bins</b>
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>
Sustainable urban drainage	DM3/5	<b>Surface water is to be disposed of via existing pipes to the foul drainage. Whilst not ideal there is no reasonable prospect of installing any SuDs given the site constraints and location of a basement directly under the courtyard.</b>

### **Equalities and diversity issues**

80. There are no significant equality or diversity issues.

### **Local finance considerations**

81. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.

82. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.

83. In this case local finance considerations are not considered to be material to the case.

## Conclusion

84. The proposal is considered acceptable in principle and would lead to the renovation of part of a nationally important Grade II\* Listed Building that is currently on the 'Buildings at Risk' register. Any harm caused to the significance of the Listed Building can be mitigated by the use of appropriate conditions to secure details of the sun-pipe housing, damp treatment to the basement and landscaping of the courtyard.
85. There are some anticipated impacts upon neighbour's residential amenity however these can be mitigated against sufficiently to make the proposal acceptable. The development is therefore in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## Recommendation

To approve application numbers 18/01205/F and 18/01206/L and grant planning permission and listed building consent subject to the following conditions:

18/01205/F

1. Standard time limit;
2. In accordance with plans;
3. Details of Landscape Scheme and management thereof;
4. Water efficiency;
5. Construction working hours;

18/01206/L

1. Standard time limit
2. Approved plans;
3. Details to be submitted (to include:- basement treatment, sun-pipe housing, details of infilling of doorway between G26 and G30; details of infilling of existing access to basement; new stair; cable runs and utilities installations)
4. Listed Building – making good

### Article 35(2) Statement:

The local planning authority in making its decision has had due regard to paragraph 38 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 is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

