

Report to Planning applications committee

Item

14 July 2016

Report of Head of planning services

Subject Application no 16/00404/MA - Land north side of
Windmill Road, Norwich

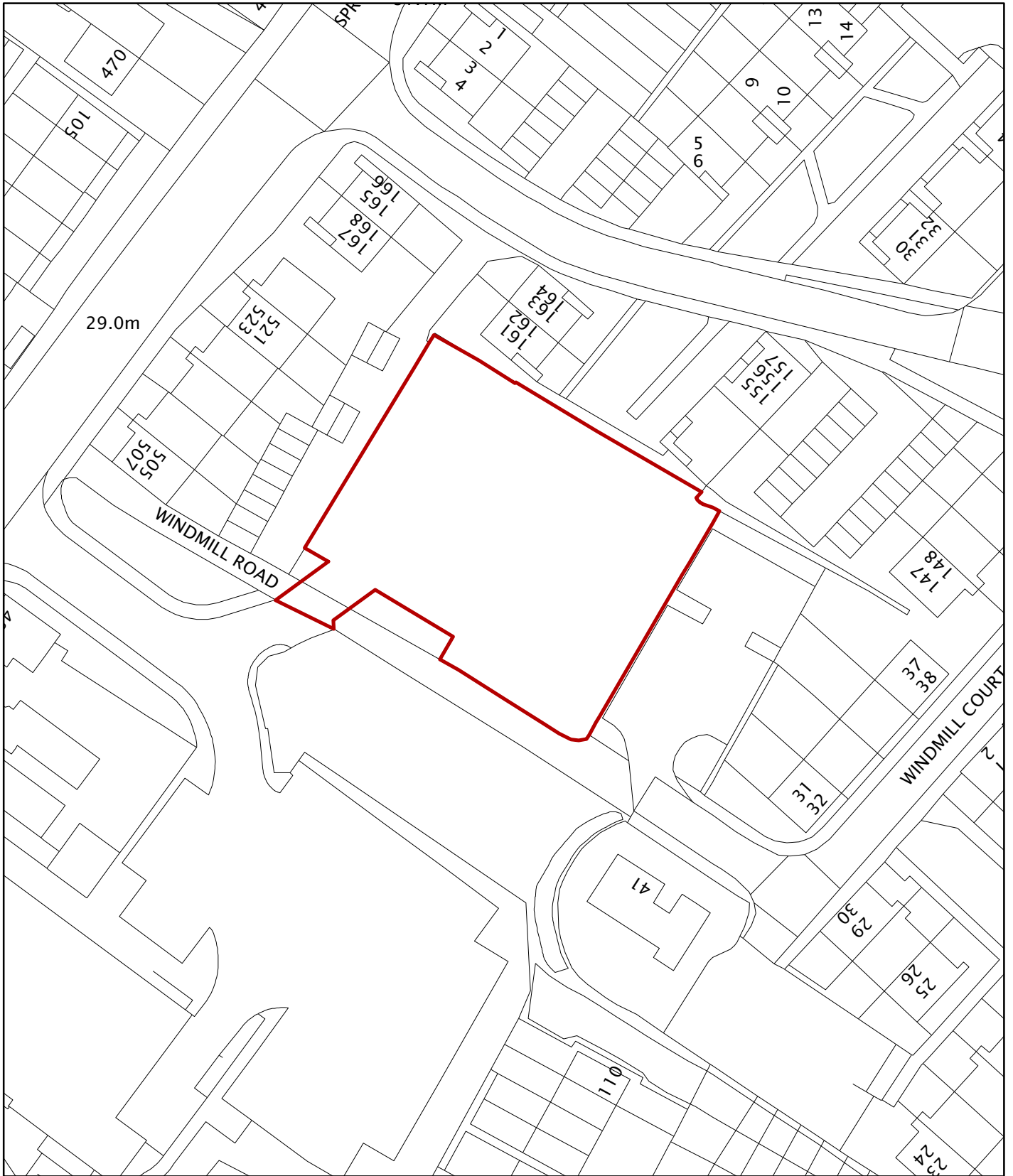
4(e)

**Reason
for referral** Unresolved comment/deemed objection

Ward:	Catton Grove
Case officer	Lee Cook - leecook@norwich.gov.uk

Development proposal		
Minor-material amendments consisting of the reduction in height of rear wall, amendments to internal layouts and elevations, roofs cladding and angled box windows to be replaced with double glazed windows of previous permission 14/00847/F.		
Representations		
Object	Comment	Support
0	2	0

Main issues	Key considerations
1 Principle	Grant of earlier permission. Extent of proposal changes
2 Amenity	Impact on amenities of neighbouring properties (outlook, privacy, building impact).
3 Design	Scale, appearance, layout. Space standards. Amenity space. Character of area.
Expiry date	2 July 2016
Recommendation	Approve



© Crown Copyright and database right 2016. Ordnance Survey 100019747.

Planning Application No16/00404/MA

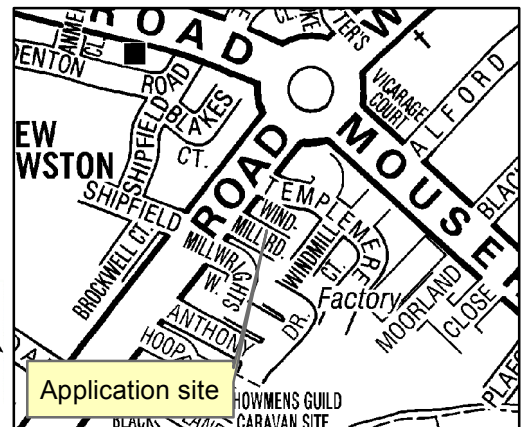
Site Address Land North side of Windmill Road

Scale 1:762



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The site is located on the north of Windmill Road and surrounded by areas of housing on “Templemere” to its east, north and west sides. Windmill Road links housing to the east to Sprowston Road to the west. Sprowston Road is a main arterial route linking to the City centre from the outer ring road. The site had been vacant for a number of years, with previous applications for retail and housing submitted on this and the adjacent site.
2. The Aldi retail store and related access has recently been constructed to the south and the access road serves the function of potentially joining to areas of designated or approved residential development. Residential properties surround the car park to the Aldi store including a proposed area of residential development to the south of the application site. Further residential and retail properties face Sprowston Road to the west.

Constraints

3. The site is adjacent to the Sprowston Road/Shipfield local centre. The site formed part of housing allocation R12 under the draft Site Allocations Plan. Given the grant of permission and part implementation of the retail store/housing permission to the south the site now is the remaining area of allocation under R19. The site held much earlier commercial buildings and includes a well feature. The site itself is relatively flat but the ground slopes significantly in the surrounding area and is bounded by several ground retaining features/walls. There is potential for the site to be contaminated. The site also falls within the critical drainage catchment within the northern part of the City. The site is likely to hold some archaeological remains. Several trees are close to or overhang parts of the site.

Relevant planning history

4.

Ref	Proposal	Decision	Date
4/2002/0742	Conversion of two former semi-detached cottages to form a single dwelling with access from Templemere. Nos 1 _ 3	Refused	22/11/2002
4/1989/0405	Conversion of existing dwelling to provide 3 flats and development of site to provide one bungalow and 19 flats with associated access and parking.	INSFEE	04/01/1990
08/00172/O	Outline application for residential development, including means of access for 11 dwellings and 4 flats.	Finally disposed of	10/12/2009
14/00847/F	Erection of 17 dwellings.	Approved	09/10/2015
16/00308/D	Details of Condition 6: Archaeological	Approved	01/04/2016

Ref	Proposal	Decision	Date
	Written Scheme of Investigation of previous permission 14/00847/F.		

The proposal

5. Minor-material amendments of previous permission 14/00847/F. These consist of – ground floor re-arranged to provide living room and kitchen space, upper floor of houses reduced in depth and used for bedroom and bathroom spaces rather than living rooms at upper levels, change to fenestration to accommodate these alterations, removal splayed bays to rear unit 3, confirmation of use of obscure glazing to bedroom windows to unit 3, removal of use of green roof.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	17 dwellings, with a mix of 2 No. one bed flats, 5 No. two bed flats, 2 No. two bed maisonettes and 8 No. four bed houses.
No. of affordable dwellings	The principle of providing for zero on-site affordable dwellings was considered under the Aldi Stores application 13/00208/F
Total floorspace	Gross internal floor area of approximately 1,655m ²
No. of storeys	2 No. Two storey coach house blocks at entrance; “L” shape block on north and east side of site with three storey houses and four storey corner flats/maisonettes.
Max. dimensions	Coach houses approximately 11.5m wide x 5m deep x 5.9m tall. Houses approximately 5.6m wide (each) x 9.7m deep x 8.8m tall Corner flats/maisonettes approximately 8.4m deep x 17.7m wide x 9.6m x 11.4m tall.
Density	Approximately 89 dwellings per hectare
Appearance	
Materials	Red brick and areas of render for the walls and single ply Dark grey roof membrane to flats, non-intensive green roofs to townhouses.
Construction	Brickwork, cavity and timber frame.
Energy and resource efficiency measures	Sustainability and energy statements included with original application which aim to improve thermal efficiency above Building Regulations standards.

Transport matters	
Vehicular access	Newly constructed roadway from Sprowston Road links to the edge of Windmill Road. Applicant has advised that they have rights of access across this Road and will form a link into the site. The end of the roadway will not be adopted.
No of car parking spaces	Retained as 15 spaces including 6 as undercroft parking.
No of cycle parking spaces	Space within entrance lobby for coach houses; agent confirmed that space available for secure storage in private rear gardens.
Servicing arrangements	From Sprowston Road via the new roadway. Service area/bin stores are located close to building entrances and communal standing area on south side of site.

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 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
Neighbour at no. 162 welcomes retention of splayed bay	Paragraphs 20 - 21
Concerns raised previously about overlooking, especially into front windows (lounges and kitchen) of nos. 160 & 161 Templemere and to the garden of no. 162 – these had been partially addressed by angled windows. If these 4 are to be replaced with obscure glass then a condition should be put that once built the glass cannot be replaced by non-obscure glass. Residents' Association also asks that the level of obscurity be specified. These comments are made on the basis that residents of Templemere are used to well-spaced blocks which are not closely overlooked. It is noted that work to clear and level the site has already taken place.	Condition suggested as part of previous and for this application in terms of obscure glass and level of obscurity

Consultation responses

7. 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

8. No comment

Norfolk County Council Lead Flood Authority

9. Confirmed has no comments to make.

Assessment of planning considerations

Relevant development plan policies

10. 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

11. 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

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

- R19: land north of windmill Road – housing development

Other material considerations

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

- NPPF0 Achieving sustainable development
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

14. Supplementary Planning Documents (SPD)

- Affordable housing SPD adopted March 2015
- Trees and landscape SPD adopted June 2016

Case Assessment

15. 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

16. Key policies and NPPF paragraphs – JCS2, JCS4, JCS12, JCS20, DM1, DM3, DM12, DM13, DM33, SA R19, NPPF paragraphs 9, 14, 17, 49 and 109.
17. The site forms the area of allocation R19 as set out within the SA Plan (2014) which promotes residential development of the land. The scheme provides 17 dwellings mixed between flats and houses. The principle of the scale/density of development proposed has been established through application 14/00847/F.
18. The application is for variation of condition 2 of previous planning permission 14/00847/F to refer to a different layout and a change in design to accommodate a simplification of the appearance of the residential element of the scheme. The application is submitted under Section 73 of the Act as a minor material amendment to the approved scheme. In the local context the proposals are considered to be a minor change to the approved scheme which should not adversely impact on the area or design impacts of the building and the changes are therefore considered to be acceptable.

Main issue 2: Amenity

19. Key policies and NPPF paragraphs – DM2, DM3, DM11, NPPF paragraphs 9 and 17.

20. Each new house has its own private garden and the proposed buildings are situated sufficiently forward and away from boundaries to avoid any significant overlooking of private areas to adjacent properties. Plot 3 however at upper floors had the potential to look directly into the rear of 161/162 Templemere and earlier changes to window design, which angle towards the adjacent buildings blank gable end, and introduction of areas of obscure glazing were proposed to overcome this localised issue.
21. The scheme has now moved living room areas to the ground floor of the house plots and changed upper floors to bedrooms. It is not expected that there will now be the same levels of activity and potential overlooking at upper floors to require a splayed bays to the rear of unit 3. The applicant has agreed to the installation of obscure glass and restricted openers to these windows and this should be sufficient to overcome the localised impact on amenity. A condition requiring details of glazing and joinery/window restrictors is suggested to be retained as part of any permission.
22. The proposed layout achieves appropriate distances between new and existing buildings and does not, as a result, create any significant overshadowing or overlooking problems. The upper floor depth of houses is decreased which will improve building relationships within the area. The scheme provides a reasonable standard of living and garden spaces which would provide an attractive living environment and which would integrate well with the character of the area. The development is of an attractive design with enhancements to planting within the area and overall the scheme should not adversely affect the view from nearby dwellings that at the moment look out over the park.

Main issue 3: Design

23. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
24. The proposed layout is effectively unchanged and shows the main parking and turning area culminating central to the site creating a mews space at the top of the new road spur adjoining to the south. This is designed to take advantage of this space in terms of access and parking, to maintain space between buildings and to protect existing trees along the east boundary which provide amenity benefits in the area.
25. The revisions to the houses have placed internal living areas at ground floor and allowed for bedroom spaces at upper floors within a shallower depth of built form at upper floor. The general appearance of the scheme still succeeds in having a distinctive character which takes its lead from the other housing in the area but unifies this small new estate of housing with that proposed for the land to the south within the Aldi site. In terms of the design quality assessed against the national Building for Life criteria this scheme would expect to receive no red indicators and where detail is lacking or is needed to form a complete judgement it is fully expected that following assessment of details requested by condition the scheme would attract a majority of green indicators. The scheme is therefore well supported in design terms and is considered to be acceptable against the Building for Life criteria.

26. The revised design/modifications overall are not such that the scheme will be overbearing on any of the existing developments, and fits in well with the general context which is difficult, as the separate developments around the site are all quite different in character in terms of scale, form and materials. The form and positioning and varying heights created by the new housing blocks creates a good end point to the new access road and will aid legibility when entering the development.

Compliance with other relevant development plan policies

27. 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.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition – private and secure cycle parking stores can be provided within the site to meet development needs.
Car parking provision	DM31	Yes subject to condition – parking on site is available for new residents and the site is positioned within an accessible location for alternative means of travel. Garages shown on the earlier scheme were not protected by condition to retail there non-residential use and level of impact assessed against proposed forecourt parking which remains largely unchanged.
Refuse Storage/servicing	DM31	Yes subject to condition – main collection will be accessed from Sprowston Road. Bin stores and collection are shown to be provided close to the highway for ease of collection.
Archaeology	DM9	HES advised of potential for post-mediaeval remains to be present and requested condition to be imposed for site assessment. This condition has subsequently been discharged following site investigation.
Contamination	DM11	The recommendations by the Council's environmental protection officer in regards to contamination and protecting the amenity of neighbouring properties or safety of site operatives during the construction are considered reasonable and should be conditioned on any approval.
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition – buildings are capable of incorporating energy production technologies to roof areas without detracting from the appearance of the development or impacting on local amenities.

Requirement	Relevant policy	Compliance
Water efficiency	JCS 1 & 3	Yes subject to condition. Suitable fittings can be incorporated into the scheme to achieve usage limits.
Sustainable urban drainage	DM3/5	Yes subject to condition for submission of full details of drainage scheme – the developed site will cause some change to the permeable area and therefore to surface water runoff. However, it is proposed that the surface water runoff will be managed by sustainable means in order to maintain, and where possible reduce, the effect of the site on the downstream catchment. Surface water runoff is initially suggested to discharge to a cellular storage type capture and attenuation located in the central mews court space. The previous green roof is removed from the scheme but should not prevent site solutions for water runoff. The surface water runoff for all impermeable areas could be collected via RWP's and gullies which discharge to a soakaway. Subject to review of site infiltration and geology attenuation with some soakaway could provide an alternative. Ground contaminants are shown to be low but soakaway methods should be further investigated. Such measures are considered adequate for a development of this scale.

Other matters

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

Other matters

29. 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

30. The promotion of the adjoining site has been discussed with Orwell Housing Association who following on from the Aldi permission have committed to developing that site entirely for affordable housing in line with the S106 agreement for application 13/00208/F. In considering that earlier application Aldi offered to provide 9 affordable dwellings on their application site to assist with the viability of developing the site to the north.

31. Number of units proposed has slightly increased from 25 suggested as being provided under the earlier overall draft site allocation to 26. However; the delivery of 9 units on adjoining land would still represent 33% of the total as required by policy JCS4. It is likely that Orwell will offer the affordable dwellings as affordable rent properties and discussions are progressing about the delivery of housing on the adjoining "Aldi" site.

Equalities and diversity issues

32. There are no significant equality or diversity issues.

S106 Obligations

33. Given that the delivery of affordable housing is linked to the development of land to the south a specific legal agreement for this site is not considered to be necessary. The timescale for delivery is bound within that S106 agreement and action can be taken against the adjoining landowner for any non-compliance.

Local finance considerations

34. 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.

35. 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.

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

Conclusion

37. The principle of development and access has been established on the site by the previous planning permissions. The proposed development provides an acceptable scheme in relation to those changes being made to the earlier permission and appropriately responds to amenity, design and access issues. Revisions as negotiated have improved the scheme and still adequately respond to local concerns which had been raised with the initial application.

38. The amenity standards for existing and proposed dwellings and proposals for protection of local amenities are considered to be appropriate. The design and layout is also considered acceptable with a good relationship between the public and private realms. The development also responds to site constraints in terms of their implications for access, parking and servicing arrangements, trees, ground levels, drainage and contamination. Subject to the conditions listed it is considered that the proposals are acceptable and are supported by the change in policy direction through the Site Allocations Plan. 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. 14/00847/F - Land North Side Of Windmill Road, Norwich and grant planning permission subject to the following conditions:

1. Commencement of development within 3 years from the date of approval;
2. Development to be in accord with drawings and details;
3. Details of facing and roofing materials and external joinery; plot 3 rear windows on upper floors obscure glazing to a specification of not less than the equivalent of classification 5 of Pilkington Glass and details of the parts of the windows and extent to which they can be opened; external lighting;
4. Details of access road surface, car parking, cycle storage, bin stores provision;
5. Details of landscaping, planting, tree pits, biodiversity enhancements, site treatment works, boundary treatments, gates, walls and fences and landscape implementation and maintenance;
6. Archaeology Written Scheme of Investigation in accord with application 16/00308/D;
7. Compliance with AIA, AMS and Tree Protection Scheme implemented prior to commencement;
8. Retention of tree protection;
9. Details of provision and maintenance of LZC technologies and renewable energy sources;
10. Details of water efficiency measures;
11. Details of water drainage strategy and drainage management;
12. Cessation of works if unknown contaminants found; and
13. Control on any imported materials.

Informatives:

1. Considerate construction and timing to prevent nuisance;
2. Materials removed from site should be classified and disposed of at suitable licensed facilities;
3. Site clearance to have due regard to minimising the impact on wildlife.

Article 35 (2) statement:

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