

Report to Planning Applications Committee
 10 May 2018
Report of Head of planning services
Subject Application no 18/00325/F - Land adjacent to 25 - 27
 Quebec Road, Norwich
**Reason for
 referral** Objections

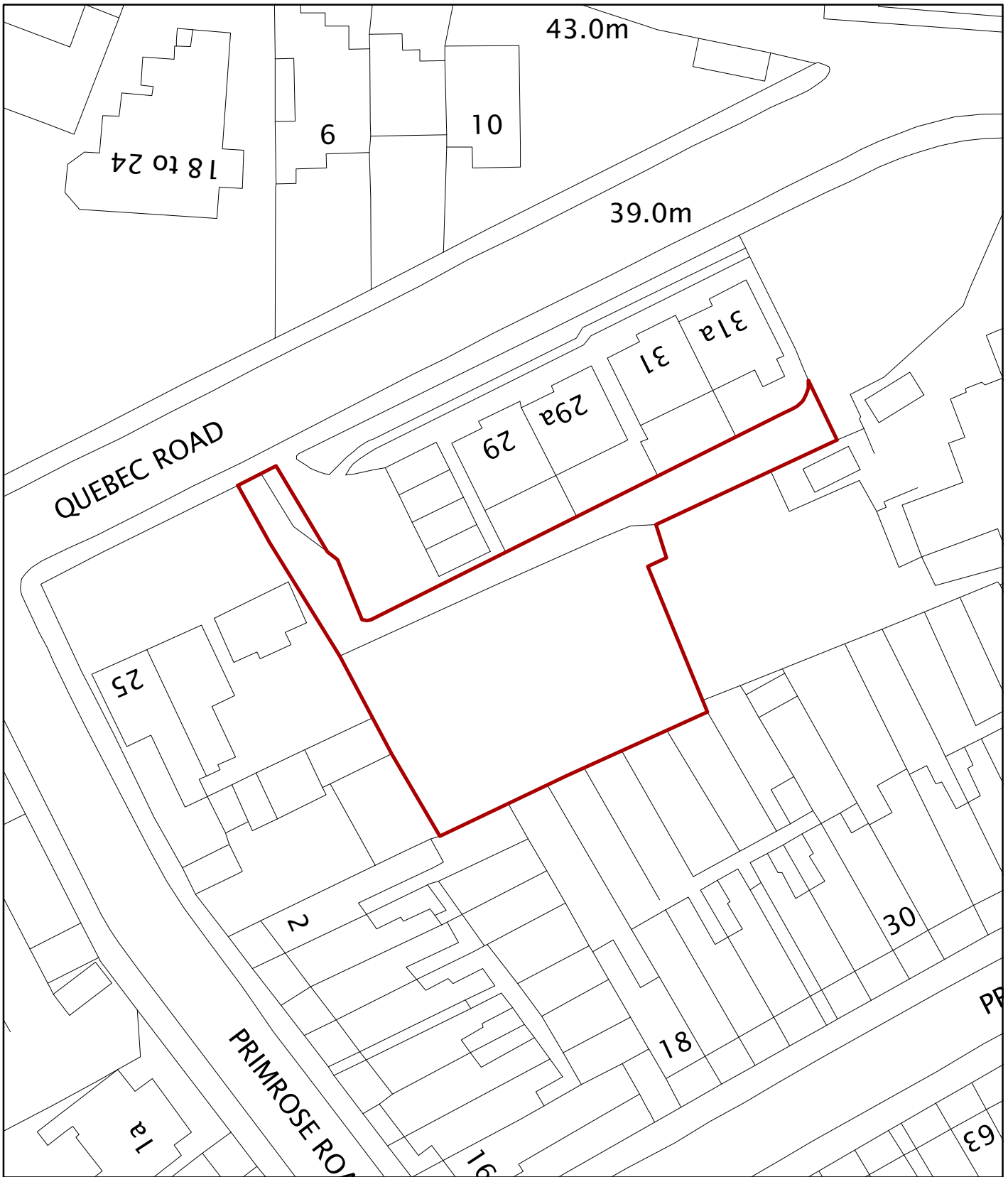
Item

4(f)

Ward	Thorpe Hamlet
Case officer	Lara Emerson - laraemerson@norwich.gov.uk

Development proposal		
Construction of 2 No. semi-detached houses.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1. Principle of development	Use of land for residential development.
2. Design	Height, scale, mass, form, details, materials.
3. Amenity	Impact on neighbours, amenity of future occupants.
Expiry date	11 th May 2018
Recommendation	Approve



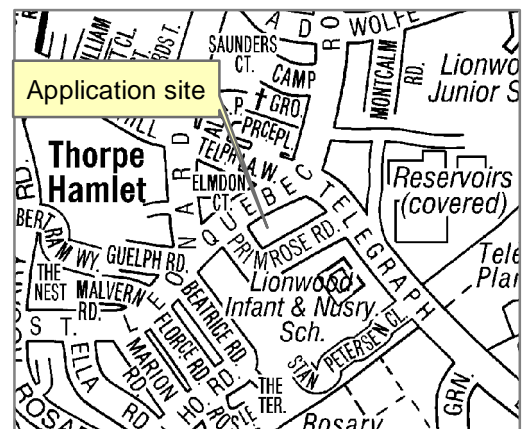
© Crown Copyright and database right 2018. Ordnance Survey 100019747.

Planning Application No 18/00325/F
 Site Address Land adjacent to
 25-27 Quebec Road
 Scale 1:500



NORWICH
 City Council

PLANNING SERVICES



The site, surroundings & constraints

1. The site is accessed via Quebec Road and located between the Thorpe Ridge and Thorpe Hamlet Conservation Areas. The site is surrounded by residential properties with the exception of the William IV Public House, which neighbours the site to the east.
2. OS maps dating from 1885 indicate that there were previously two buildings on the plot, which were likely to have been demolished around the latter half of the 20th century.
3. The level of the land drops steeply to the north and west of the site but the site has recently been cleared and levelled ready for redevelopment.
4. The site was previously a part of the pub site and so is covered by an area Tree Preservation Order (TPO) due to a tree at the northern end of the adjacent site. This tree is not affected by the proposed development.
5. The site benefits from extant planning permission for 2 dwellings under planning application reference 13/01964/F.

Relevant planning history

Ref	Proposal	Decision	Date
13/01964/F	Erection of 2 No. semi-detached three bedroom dwellings.	Refused (appeal allowed)	Refused 13/03/2014 (appeal allowed 12/01/2015)
15/00949/D	Part details of condition 4: landscaping details of permission 13/01964/F.	Approved	26/08/2015
16/00547/F	1 No. four bedroom house.	Withdrawn	16/06/2016
17/01758/D	Details of Condition 3(a): materials; Condition 3(b): external joinery; Condition 3(c): photovoltaic panels; Condition 4: landscaping; Condition 5: bicycle and bin storage; Condition 6: finished floor levels and Condition 7: carports of previous permission 13/01964/F.	Approved	07/12/2017

The proposal

6. The proposal is for 2 no. semi-detached dwellings on the site. The site already has planning permission for the construction of 2 semi-detached dwellings through application reference 13/01964/F, which was refused by Planning Committee but allowed at appeal. The current application proposes a number of changes to the approved plans:
 - The footprint of the development moved slightly to the south;
 - An extra bedroom with en-suite bathroom added in the roof space of each dwelling;

- Some changes to the internal layout including moving the stair core;
- Some changes to the location and sizes of windows due to the changes to the internal layout.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	2
No. of affordable dwellings	0
Total floorspace	265m²
No. of storeys	2½
Max. height	8.6m
Density	31 dwellings per hectare
Appearance	
Materials	Red multi brick, red pantiles, timber boarding painted grey and eggshell, grey aluminium windows and doors
Energy and resource efficiency measures	Solar photovoltaic panels on roof
Transport matters	
Vehicular access	From Quebec Road
No of car parking spaces	2 within garages
No of cycle parking spaces	2 per dwelling within garden sheds
Servicing arrangements	Refuse storage areas within rear gardens

Representations

7. 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. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Construction works are already underway	The site benefits from planning permission under application reference 13/01964/F.
The development is too tall	The height of the development has not changed from the plans approved by extant permission 13/01964/F and so the height of the proposals cannot be reconsidered.
Noise from construction works	A considerate construction informative is recommended which would encourage the contractor to undertake construction works in such a way as to protect neighbours from noise, disturbance or inconvenience.
The building is out of scale with the rest of the area	The scale of the development has not changed from the plans approved by extant permission 13/01964/F and is no higher than the houses that could be built under this consent.

Issues raised	Response
The development could devalue surrounding houses	This is not a material planning consideration.
Concerns of noise and smells arising from refuse bins	No significant noise or smells are expected to arise from a small residential development.
Concerns about pollution from wood burning fires	This is not a matter which planning has direct control over. The development also includes some on-site renewable energy generation, although this is not a policy requirement for developments of this scale.

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.

Highways (local)

9. No objection.

Landscape

10. The landscape issues have already been addressed under application 17/01758/D.

Tree Officer

11. Works to take place in accordance with submitted Arboricultural Impact Assessment.

Assessment of planning considerations

Relevant development plan policies

12. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan 2014 (JCS)**
- JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery
 - JCS6 Access and transportation
 - JCS9 Strategy for growth in the Norwich policy area
13. **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
 - DM7 Trees and development
 - DM9 Safeguarding Norwich's heritage

- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

Other material considerations

14. 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
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

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 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

16. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
17. The principle of this scale of residential development has already been established on the site under application reference 13/01964/F. A copy of the Inspector's decision is attached to this report.

Main issue 2: Design

18. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
19. The design of the properties has not changed significantly since the previous permission was granted under reference 13/01964/F, apart from the rearrangement of windows and doors leading to a better balanced and more attractive frontage.
20. The two properties have been stepped in order to break the overall mass of the development. The site is located between two conservation areas, but such is the surrounding built environment that the proposed dwellings will only be visible from glimpsed views in the surrounding area. The proposed dwellings are of a contemporary design, but the proposed materials are considered acceptable for the local area. Red brick and pantiles are the predominant materials in the vicinity. The timber boarding and glazed upper floor frontage will also help to break up the elevations of the buildings as well as providing visual interest to the

scheme. It is considered that the proposed development offers a sensitively designed development which will contribute positively to the appearance of the area.

Main issue 3: Amenity

21. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
22. The amenity impacts of the development have not changed significantly since the previous permission was granted under reference 13/01964/F, apart from the rearrangement of windows and doors and the slight shift in the building's location.
23. The appeal process involved an assessment of the amenity impacts of the previous scheme since the council's reason for refusal related to loss of light, outlook and privacy to neighbouring dwellings. The Inspector concluded, based on sunpath analysis and an assessment of the opportunities for overlooking, that the development would not cause any significant harm to the amenities of neighbours. There is no reason to consider this development any differently, given that the dwellings have remained the same height and opportunities for overlooking from side facing windows and balconies are comparable to the previous scheme. In levelling the site, the ground level has been lowered by approximately 1 metre and the building's location has shifted 0.86m away from properties on Quebec Road (which were the subject of the overshadowing concerns). As a result, the relationship between the development and the neighbouring properties on Quebec Road has improved slightly as a result of the amendments. In shifting 0.86m to the south, the development is slightly closer to the rear of terraced residential properties on Primrose Road. The total distance between the rear of these existing properties and the new development would now be 17m which is not abnormal in this urban location and is unlikely to create any issues with a feeling of overbearing, loss of outlook, or overshadowing.
24. The proposed dwellings are afforded with adequate internal floor space and external amenity space.

Compliance with other relevant development plan policies

25. 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, full details submitted
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes, full details submitted
Energy efficiency	JCS 1 & 3 DM3	Yes, PV panels on roof
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes

Equalities and diversity issues

26. There are no significant equality or diversity issues.

Local finance considerations

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

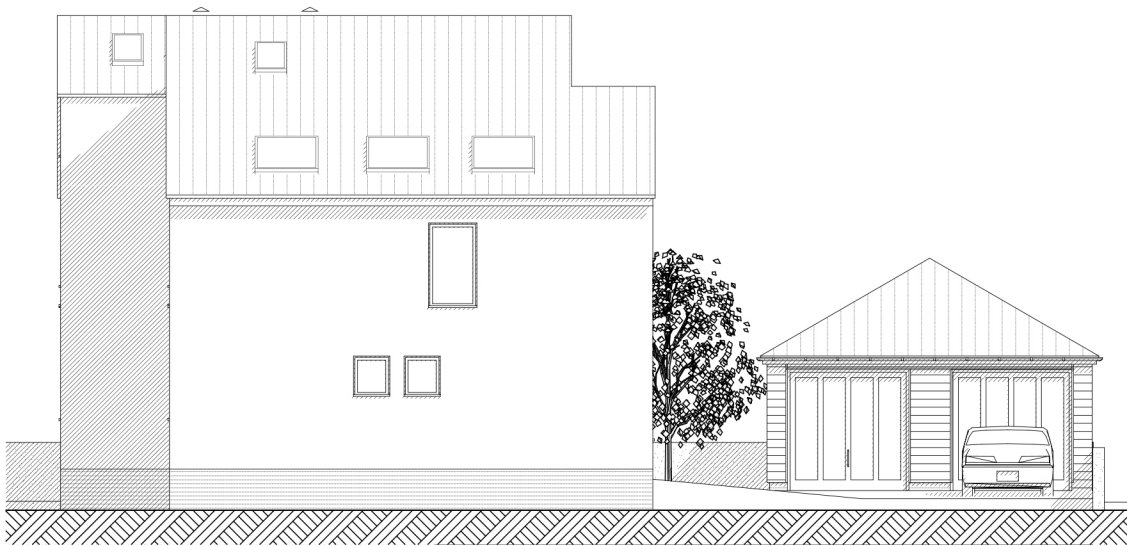
Conclusion

28. The proposed 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. 18/00325/F - Land adjacent to 25 - 27 Quebec Road, Norwich and grant planning permission subject to the following conditions:

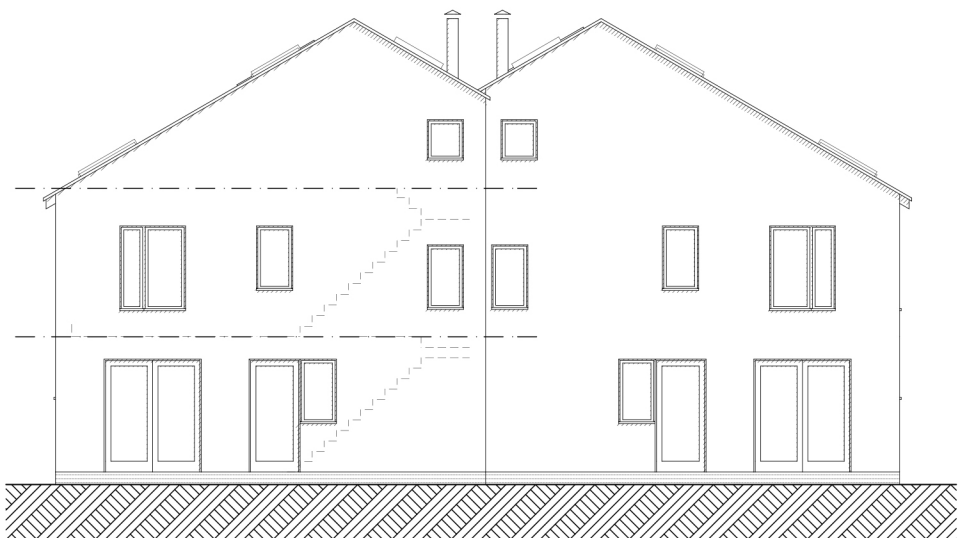
1. Standard time limit;
2. In accordance with plans;
3. In accordance with Arboricultural Impact Assessment;
4. In accordance with the recommendations contained within the Ecological Survey;
5. Development to achieve a water consumption rate of no more than 110l per person per day.



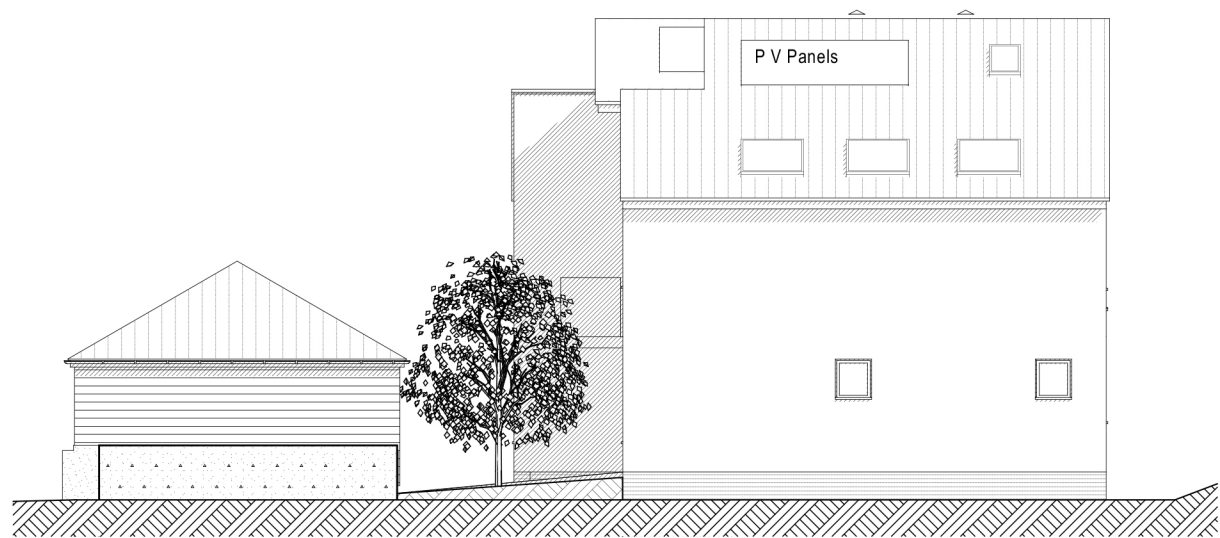
NORTH WEST ELEVATION



SOUTH WEST ELEVATION



NORTH EAST ELEVATION



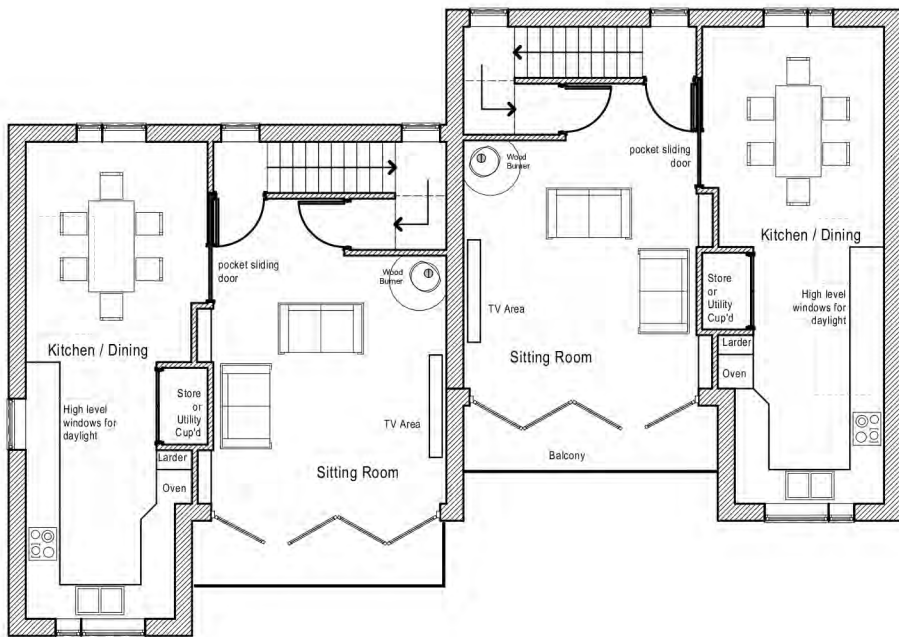
SOUTH EAST ELEVATION

Revisions:

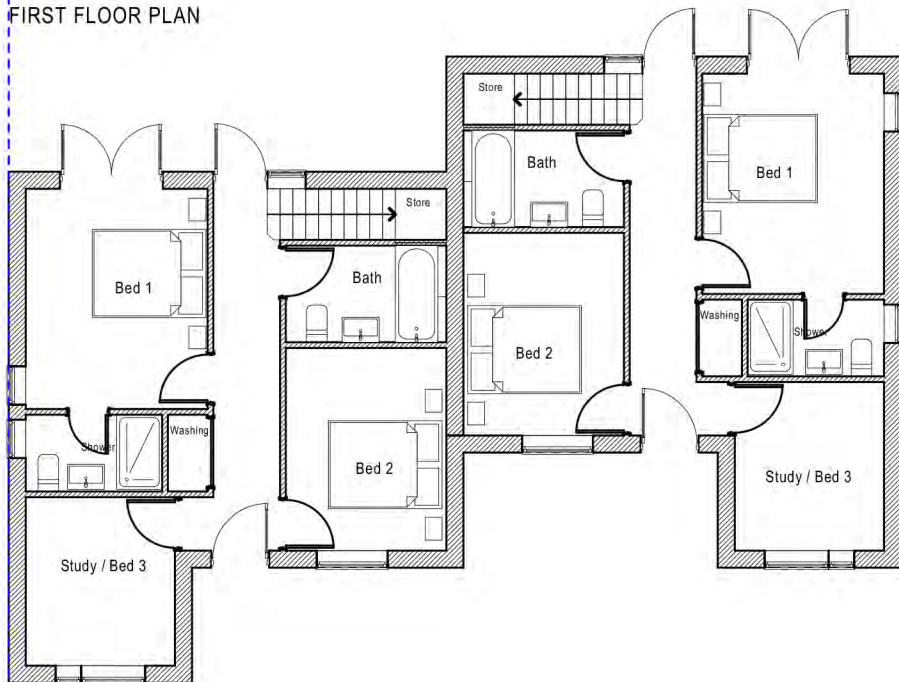
2 DWELLINGS, QUEBEC ROAD, NORWICH
 PROPOSALS
 ELEVATIONS

JULIAN HOOD MCIAT
 CHARTERED
 ARCHITECTURAL
 TECHNOLOGIST

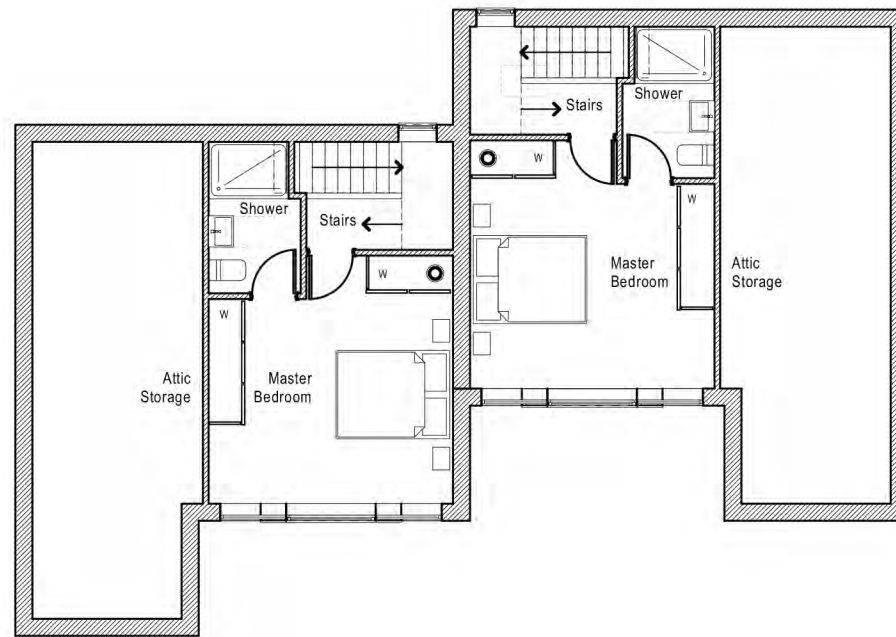
Scale: 1:100 @ A3 date: February 2018 Drawing: 210.05



FIRST FLOOR PLAN



GROUND FLOOR PLAN



ATTIC FLOOR PLAN

Revisions:

2 DWELLINGS, QUEBEC ROAD, NORWICH PROPOSALS FLOOR PLANS

Scale: 1:100 @ A3	date: February 2018	Drawing: 210.04	
-------------------	---------------------	-----------------	--

JULIAN HOOD MCIAT
CHARTERED
ARCHITECTURAL
TECHNOLOGIST

e-mail: mail@julianhood.com
Tel: 01502 589206
Mob: 07970 060937



Appeal Decision

Site visit made on 7 October 2014

by S Stevens BSc (Hons) MSc DipTP DMS MCMi MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 12 January 2015

Appeal Ref: APP/G2625/A/14/2223336

Land to the rear of 27- 29 Quebec Road, Norwich

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Anthony Hudson against the decision of Norwich City Council.
 - The application Ref 13/01964/F, dated 29 November 2013, was refused by notice dated 13 March 2014.
 - The development proposed is the erection of 2 semi-detached 3 bedroom dwellings.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 2 semi-detached 3 bedroom dwellings at land to the rear of 27- 29 Quebec Road, Norwich in accordance with the terms of the application, Ref 13/01964/F, dated 29 November 2013 subject to the conditions contained in the attached schedule.

Preliminary matter

2. The Council's decision notice referred to policies in the City of Norwich Replacement Local Plan (November 2004) (RLP). Prior to the determination of the appeal the Council adopted on 1 December 2014 the Norwich Local Plan - Site allocations and site specific policies (LP).
3. These documents now form part of the development plan and the RPL has been superseded. The appeal must be determined against the adopted development plan. The Council also provided an update on the Council's housing land supply. Both parties have been given the opportunity to comment following the adoption of the new plans prior to the determination of the appeal.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of the occupants of neighbouring properties.

Reasons

5. The appeal site is located to the rear of existing properties located on the southern side of Quebec Road. The appeal site is considerably higher than the level of the road and properties that front onto it. To the west and south of the site there are residential properties with those in Primrose Road set slightly below the level of the appeal site. To the east of the site is a public house. The site is unkempt and largely overgrown with vegetation and a few modest sized trees along the boundaries.

6. The Council can now demonstrate that there is over a five year land supply for the Greater Norwich Area with Norwich having a 5.68 years supply. It also accepts the site is in a sustainable location and that the principle of residential development on the site is acceptable and I see no reason to take a different view.
7. LP Policy DM2 seeks to ensure developments provide satisfactory living and working conditions for existing occupants of nearby properties and for the future occupants of the proposed development. It also requires the provision of external amenity space and the provision of bin and cycle storage which the evidence indicates would be met.
8. The proposed development would comprise a pair of two storey semi-detached dwellings with the northern dwelling set slightly further forward on the plot. The nearest point of the proposed building would be approximately 7 metres away from the nearest part of No 29 Quebec Road. The properties facing on to Quebec Road have modest rear gardens of about 4 metres in length which have a steep slope up to the boundary of the appeal site.
9. The appellant submitted a sun-path analysis which illustrates the extent to which the proposal would alter any overshadowing of adjoining properties. However, the findings of the sun-path analysis are disputed by some interested parties who say the development would cause loss of sunlight and daylight for a substantial part of the year. The submissions indicate the approach and times of the year included in the analysis were agreed by the Council and that the Council's own preliminary evaluation concluded that the proposal would not result in any significant increase in overshadowing of properties along Quebec Road. However the Council's opinion subsequently altered. I have noted the analysis does not include details for the whole year but I have taken this into account in my assessment of the proposal.
10. The proposed dwellings would be located approximately south of the garage /outbuilding that is sited to the western side of No 29 Quebec Road. The proposed development would be at a higher level than the properties on Quebec Road and at my site visit I noted that the poles marking the position of the proposed dwellings did not accurately reflect the height of the proposed development.
11. The rear of the properties in Quebec Road have kitchen and bedroom windows that would face towards the development. They also have small sitting out areas. Having had regard to the difference in land levels, the relative distance and positions of the existing and the proposed properties and any existing features that obstruct sunlight I acknowledge that there would be some loss of sunlight to the rear of properties in Quebec Road. This would be primarily during the middle of the day and this would be more noticeable in winter. However, for much of the day, due to the position and orientation of the existing and proposed properties the sunlight would not be obstructed by the development. Having considered carefully the characteristics of the site and that of the nearby properties I am of the opinion that the proposal would result in some loss of sunlight to nearby properties but I am not persuaded that this would result in an unacceptable loss of sunlight that would in itself justify dismissing the appeal.
12. The development has been designed so that most of the windows are either on the front or rear elevations and therefore do not face properties on Quebec Road or Primrose Road. The proposed balconies at first floor level are set behind the

foremost part of each dwelling and therefore any line of sight to nearby properties is obstructed or at a very oblique angle. Views from the other windows on the front and rear of the development would also be at oblique angles and partially obstructed by fencing and vegetation. There is also a dwelling to the west of the site but given the distance, relative land levels and existing vegetation any views from the proposed development towards this property would be very limited.

13. The only windows on the side elevations of the proposed development would be a secondary dining/kitchen window at ground floor level, bathroom windows and three roof lights set into the roof of each dwelling. The siting and nature of these openings would limit any overlooking. Due to the design of the proposal and the characteristics of the site and adjoining land I consider any overlooking would be minimal and not dissimilar to that often found in built up areas. I therefore conclude the proposal would not result in an unreasonable loss of privacy that would justify dismissing the appeal.
14. Interested parties have raised a number of other concerns regarding the effect of the development on the living conditions of nearby occupants. The relative position of the proposed development and existing properties is similar to that found in many suburban areas and any vehicles are likely to be travelling very slowly when moving within the site. The potential danger of cars failing to stop and overrunning into neighbouring properties is extremely unlikely and I do not consider the proposal would prejudice the safety of the occupants of nearby properties and the highway authority has also not objected to the proposal.
15. There is no evidence to show the occupants of the proposed dwellings would create a level of noise or light pollution that would be any greater than that normally expected from residential properties or emanating from the existing residential properties in the area.
16. Having weighed up all the evidence relating to the effect of the proposal on the living conditions of the occupants of neighbouring properties, including having regard to any cumulative effects I conclude the proposal would not result in an unreasonable effect on the living conditions of the occupants of nearby properties. The proposal would therefore comply with LP Policy DM2.

Other matters

17. A number of other issues have been raised by interested parties. The concerns regarding drainage issues, ground contamination and subsidence have not been supported by any substantive evidence. The effect of the proposal on land values is not a matter for this appeal.
18. An ecological survey submitted with the planning application concluded that there was a low likelihood of protected species, including great crested newts being present on the site. The findings have not been disputed by the Council and I propose to include a condition requiring the recommendations of the ecological survey and arboriculture report to be implemented.
19. From the submissions there also appears to be an unresolved land ownership dispute between the appellant and a nearby resident. The appellant does not have to own the site in order to seek planning permission, which if granted, would not overrule any ownership issues that would need to be resolved as a

civil matter. Concerns regarding how the Council dealt with the planning application are not a matter for the appeal.

20. I have carefully considered all these points raised but none alter my conclusions on the main issue.

Conditions

21. I have considered the conditions suggested by the Council and, where appropriate, amended them to ensure they comply with the advice in the Planning Practice Guidance. In addition to the standard time limit conditions requiring the development be carried out in accordance with the submitted plans and details and/or samples of all external materials, hard and soft landscaping, carports and finished floor levels to be submitted and approved are necessary to ensure the development provides a satisfactory appearance and to protect the amenity of adjoining properties.

22. To ensure the protection of existing trees and biodiversity conditions requiring the development to be carried in accordance with recommendations contained in the Arboricultural Impact Statement and associated Method Statement and the Ecological Survey are necessary. To ensure adequate onsite bicycle, waste and recycling storage is provided a condition requiring details to be submitted to and approved is required. To ensure the development addresses energy and water conservation a condition requiring the development to be constructed to satisfy the Code for Sustainable Homes criteria is required.

Conclusion

23. For the reasons given above I conclude that the appeal should be allowed.

Sarah Stevens

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: QUE P-01 P1; QUE P-02 P1; QUE P-03 P1; QUE P-04 P1; QUE P-05 P1; QUE EX-01 P!; and EX-02 P1.
- 3) No development shall take place until the following details have been submitted to and approved in writing by the Council as Local Planning Authority:
 - a) Details of all materials to be used in the construction of all external surfaces including walls and roof, to include a manufacturer's specification, product, colour finish and samples;
 - b) External joinery details to include all new windows and doors, to include section and elevation drawings to an appropriate scale and details of the materials, and proposed colour and finish; and
 - c) Details of the photovoltaic panels to include manufacturer's specification.

The development shall be carried out in accordance with the details as agreed and thereafter on completion retained as such in perpetuity.

- 4) No development shall take place until a detailed landscaping scheme has been submitted to and agreed in writing with the Local Planning Authority. The landscaping scheme shall include the following information:

Hard landscape details:

- a) details of the materials for-hard-standing areas, including manufacturer, product type, lay pattern and colour;
- b) details of all new boundary treatments at the site, including the material and colour finish of any walls, fences or railings;
- c) details of any external lighting;

Soft landscape details:

- d) planting plans showing the location, species and numbers of proposed new trees, hedging, shrubs and other planting on the site;
- e) written specifications (including cultivation and other operations associated with plant and grass establishment);
- f) planting schedules, noting species, planting sizes (at time of planting) and proposed numbers/densities where appropriate; and
- g) an implementation programme clearly indicating a timescale for the completion of all landscaping works;

The development shall be carried out in full accordance with the agreed details and implementation programme and the landscaped areas of the site shall be made available for the enjoyment of residents prior to the first occupation of either of the dwellings hereby permitted.

If within a period of five years from the date of planting, any tree or plant or any tree or plant planted in replacement for it, is removed, uprooted or is destroyed or dies, [or becomes in the opinion of the Local Planning Authority, seriously damaged or defective] another tree or plant of the same species and

size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

- 5) No development shall take place in pursuance of this permission until the following details have been submitted to and approved in writing by the Council as Local Planning Authority:
- a) secure and covered bicycle storage;
 - b) waste and recycling bin storage.

The development shall be carried out in accordance with the details as agreed and thereafter on completion retained as such in perpetuity.

- 6) No development shall take place in pursuance of this permission until sectional drawings illustrating finished floor levels of the proposed dwellings in the context of the surrounding natural and built environment have been submitted to and agreed in writing by the local planning authority. The development shall then be carried out in accordance with the details as approved.
- 7) No development shall take place until details of the carports have been submitted to and agreed in writing by the local planning authority. The carports shall thereafter be constructed in accordance with the agreed details.
- 8) Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment [received 02 December 2013] and associated Arboricultural Method Statement and Tree Protection Plan (TPP).
- 9) Operations on site shall take place in complete accordance with the summary recommendations set out in section 6 of the Ecological Survey [ref.2012/245].
- 10) The development hereby approved shall be designed and built to achieve a water consumption rate of no more than 105 litres per person per day, equivalent to Level 4 of the Code for Sustainable Homes for water usage. No occupation of the dwellings shall take place until confirmation from a code assessor that the development has been designed to meet levels 3/4 of the Code for Sustainable Homes (or an equivalent level which may replace that Code) and which confirms that the development has been constructed in accordance with Level 4 (or equivalent) for water usage has been submitted to and agreed in writing by the Local Planning Authority. All completed water conservation measures identified shall be available for use prior to first occupation, and shall thereafter be permanently retained.

--