

Report for Resolution

Report to Planning Applications Committee
Date 19 July 2012
Report of Head of Planning Services
Subject 12/01010/F Land adjacent to and east of 19 to 27 Catton View Court, Norwich

Item
5(6)

SUMMARY

Description:	Erection of 3 No. terraced houses and ancillary works.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Catton Grove
Contact Officer:	Mark Brown Senior Planning Officer 01603 212505
Valid Date:	23rd May 2012
Applicant:	Mr R Bale
Agent:	David Futter Associates Limited

INTRODUCTION

The Site

Location and Context

1. The site is located to the west of Catton View Court and was previously occupied by 14 garages which have now been partly demolished. To the north of the site is an area of green space associated with the three blocks of flats located opposite and to the northeast of the site. Trees are located on a slope adjacent to and to the west of the site. To the south are buildings associated with 213 Woodcock Road consisting of a 2½ storey building with garage to the front.

Planning History

2. Outline planning permission was granted at appeal on 12 November 2008 for the erection of 2 no. 3-bed semi detached houses on the site under application reference 07/01049/O. The application was refused under delegated powers for the following reasons:
 - .2.1. The proposal would result in the loss of garages built to serve the existing flats at Catton View Court. In the absence of the opportunity to provide adequate and suitable alternative garaging or off street parking for the existing flats, the proposal would result in the inappropriate overdevelopment of the site and exacerbate problems of on-street parking and congestion on the adjacent highway.
 - .2.2. Having particular regard to the problems of on street parking and congestion on Catton View Court, the proposal would result in a poor living environment for the occupiers of the proposed dwellings
 - .2.3. The proposal would be contrary to Policies EP22 and HOU13 of the City of Norwich Replacement Local Plan Adopted Version, November 2004.

3. The application was subsequently allowed at appeal on 12 November 2008. The Inspector's decision is attached as appendix 1 to this report.
4. This consent was then extended via permission 11/01713/ET which was reported to planning committee in December 2011.
5. An application was submitted for the grassed area to the north of the site (application no. 11/00735/O) for the erection of three flats. This application was refused in March for being an over-intense form of development which would have a poor relationship with adjacent flats to the north. The application is currently the subject of an appeal.

Equality and Diversity Issues

6. There are no significant equality or diversity issues.

The Proposal

7. The application seeks the erection of a terrace of three, two-storey, two-bed properties fronting onto Catton View Court, each with private rear gardens. A vehicular access is proposed to the south of the site with a parking area for three cars.

Representations Received

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

Issues Raised	Response
The area is an already overcrowded residential area with limited parking space the proposals will increased demand for parking due to insufficient onsite provision for new properties.	See paragraphs 12-17
The reduction in parking as a result of the proposal.	See paragraphs 12-15
Concern that the proposal could lead to more inconsiderate parking leading to safety issues for drivers, pedestrians and cyclists and difficulties for emergency access.	See paragraph 17
Development would interrupt views.	The loss of a private view is not considered to be a material consideration, however the impact of the proposals on residential amenity is considered at paragraphs 24-26.
Development would lead to a loss of privacy for existing residents.	See paragraphs 24-26.
Disruption to the area whilst the properties are being built.	Construction disturbance is an inevitable part of any development and it is not considered that in this case there would be any abnormal implications. An informative note can be added to advise on considerate construction.

Consultation Responses

9. **Local Highway Authority** – make comments and objections to the arrangement of refuse storage and provision (the proposals have since been amended to seek to address the concerns raised). See:
<http://documents.norwich.gov.uk/Planning/lg/GFPlanningDocuments.page;jsessionid=833BADE94BFEBEF94C37644A7D00D74A>
10. **Environmental Protection** – awaiting comments, members to be updated verbally at the committee meeting. It is anticipated that they will seek conditions for remediation and verification of contamination.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

- 4 – Promoting sustainable transport
- 6 – Delivering a wide choice of high quality homes
- 7 – Requiring good design
- 8 – Promoting healthy communities

Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008

- ENV7 – Quality in the Built Environment
- WM6 – Waste Management

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

- Policy 1 – Addressing Climate Change and Protecting Environmental Assets
- Policy 2 – Promoting Good Design
- Policy 3 – Energy and Water
- Policy 4 – Housing Delivery
- Policy 20 – Implementation

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

- NE9 – Landscaping
- HBE12 – Design
- EP18 – Energy Efficiency
- EP22 – Amenity
- HOU13 – Housing Development on Other Sites
- TRA5 – Approach to Design for Vehicle Movement
- TRA6 – Car Parking Standards
- TRA7 – Cycle Parking Standards
- TRA8 – Servicing

Principle of Development

11. The principle policy against which to assess the proposals is local plan policy HOU13 which allows for new development in principle subject to a number of criteria. The site is a

brownfield site located to the north of Norwich. The site is considered to be an appropriate location for new housing and has good links to nearby local centres on Catton Grove Road. The proposals are considered to be acceptable in principle subject to assessment against the criteria in policy HOU13, other development plan policies and material considerations.

Loss of Garages

12. The main issue for the appeal case was whether the loss of garaging would exacerbate problems of on-street parking and congestion and the effect this would have on the living conditions of future occupiers.
13. The situation solely with regard to the loss of the garaging is not considered to be materially different to when the appeal was determined in terms of the situation on site or the relevant policy considerations.
14. In considering the loss of the garages the inspector noted that the garages are in different ownership to the flats in Catton View Court, that there is no obligation on the owners to ensure that the garages are available for occupiers of the flats and that there is no realistic prospect of the garaging ever being available for residents of the adjacent flats. Indeed since this decision the garages have been partly demolished and hoarded off. The inspector concluded that it was not necessary to provide any replacement parking for the flats and that the loss of garaging would not exacerbate problems with on-street parking and congestion and would not have an adverse impact on the living conditions of future occupiers.
15. From site visits undertaken at the site it is clear that there is a parking issue at Catton View Court and in this respect officers sympathise with the concerns of residents in the area. However given the planning history of the site and the inspector's decision on permission 07/01049/O it is not considered that the proposals could be refused on the basis of the loss of the parking in the area or on the basis that the proposals would exacerbate parking problems in the area.

Access, Parking and Servicing

16. The application proposes a single new point of vehicular access to the site to the south. This provides access to a parking courtyard for three cars, providing one space per property. This level of parking provision is consistent with the maximum parking standards set out in the local plan of one space per two bed property in this part of the City. It is relevant to note that the previous approvals on the site had two access points. The reduction to one reduces that amount of street frontage taken up by access points.
17. Concern has been raised over inconsiderate parking resulting in highway safety and access issues. Such matters are controlled via separate legislation and given that the proposals are in line with maximum parking policy and the conclusions of the inspector that the loss of the garaging would not exacerbate parking problems in the area, it is not considered that the proposal would result in highway safety issues.
18. With respect to cycle parking and refuse storage the proposals have been amended to remove communal provision and provide separate storage for each property. This is partly in relation to the response of the local highway authority. The amendments are relatively minor and have not been re-consulted on as it is not considered that the amendments

would materially prejudice the interests of any interested party.

19. The proposals now provide a shed in each garden for cycle storage which is accessed from the rear via the parking court. An area of hard standing is also provided for wheelie bin storage and a collection point indicated on the plans. Provision should form a condition of any approval.

Layout and Design

20. The broad layout of the proposals is considered acceptable and involves a terrace facing onto the street with small front gardens, private rear gardens and a parking area to the south.
21. A number of trees are located to the west of the site and the application has been submitted with arboricultural implications assessment. No trees are to be lost as a result of the development proposals and subject conditions requiring compliance with the submitted arboricultural implications assessment the proposal is considered acceptable.
22. The massing is fairly traditional in terms of its height and proportions with a pitched roof two-up two-down layout. Elevation treatment is also fairly traditional red brick and tile. Details of the brick and tiles to be used should form a condition of any consent. Whilst very different to the nearby three storey flats the design is considered to be acceptable and more in line with the character of 213 Woodcock Road.
23. Certain details of hard landscaping and indicative details of soft landscaping have been submitted. These are considered acceptable in principle however further detail is required and can be dealt with via a landscaping condition.

Amenity

24. In terms of the proposed properties, they are of a fairly typical size for a two bed property with reasonable west facing rear gardens. It is considered that they will provide a satisfactory level of amenity for future occupiers.
25. There are no windows in either the north or south elevations, therefore overlooking would be limited to the east and west. To the east and front are flats on the opposite side of Catton View Court approximately 15m from the new dwellings. To the west and at a lower level beyond trees on the boundary are properties at Untock Road some 31m from the site. Given the distance and context of the site it is not considered that the proposals would result in any significant loss of amenity as a result of overlooking.
26. In terms of overshadowing there is an area of grass land associated with the flats to the north of the site. As such it is not considered that the proposals would result in any overshadowing to existing properties. The area of grass land in question is the subject of an appeal for outline permission for three flats. As the application is in outline form full details of elevations are not available. However if allowed at appeal it is not considered that the proposals would have any significant impact which could not be resolved via the detailed design of the adjacent site.

Energy Efficiency

27. The submitted design and access statement suggests the inclusion of solar panels,

rainwater butts, high efficiency gas boilers, low energy light fittings, flow regulators to access valves, water saving taps, dual flush toilets, high levels of air tightness, efficient double glazing, A rated white goods and composters to gardens.

28. The specific policy requirements for this scale of development under Joint Core Strategy policy 3 are to achieve code for sustainable homes level 4 for water efficiency. It is therefore recommended that any consent be subject to a condition requiring the development to meet code for sustainable homes level 4 for water efficiency.

Conclusions

29. The proposals provide for the redevelopment of an existing brownfield garage site. The site has good connections to nearby services and is considered to be an appropriate location for new residential development. The loss of garaging would not exacerbate problems with on-street parking and congestion and would not have an adverse impact on the living conditions of future occupiers. Car parking provision is in line with maximum parking standards. Cycle parking and refuse storage is now considered to be acceptable following revisions to provide separate storage for each property. The layout and design of the proposals are considered to be acceptable given site constraints and subject to conditions. It is not considered that there are any significant detrimental impacts to the amenities of adjacent properties. The proposals are therefore considered to be acceptable subject to the conditions listed in the recommendation below.

RECOMMENDATIONS

To approve Application No (12/01010/F Land adjacent to and east of 19 to 27 Catton View Court, Norwich) and grant planning permission, subject to the following conditions:-

1. Standard time limit;
2. Development in accordance with details submitted;
3. Provision of access parking and turning areas prior to first occupation;
4. Provision of cycle storage and refuse storage areas in accordance with details to be agreed prior to first occupation;
5. Compliance with the arboricultural implications assessment;
6. Details of bricks and tiles to be used;
7. Soft and hard landscaping details;
8. Contamination conditions as required by Environmental Health;
9. Development to achieve code for sustainable homes level 4 for water efficiency.

(Reasons for approval: The decision has been made with particular regard to policies ENV7 and WM6 of the adopted East of England Plan Regional Spatial Strategy 2008, policies 1, 2, 3, 4 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies NE9, HBE12, EP18, EP22, HOU13, TRA5, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan 2004, the National Planning Policy Framework and other material considerations.

The proposals provide for the redevelopment of an existing brownfield garage site. The site has good connections to nearby services and is considered to be an appropriate location for new residential development. The loss of garaging would not exacerbate problems with on-street parking and congestion and would not have an adverse impact on the living conditions of future occupiers. Car parking provision is in line with maximum parking standards. Cycle parking and refuse storage is now considered to be acceptable following revisions to provide

separate storage for each property. The layout and design of the proposals are considered to be acceptable given site constraints and subject to conditions. It is not considered that there are any significant detrimental impacts to the amenities of adjacent properties. The proposals are therefore considered to be acceptable subject to the conditions imposed.)



Appeal Decision

Site visit made on 10 November 2008

by **Janet L Cheesley BA (Hons)**
DipTP MRTPI
an Inspector appointed by the Secretary of
State for Communities and Local Government

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

0117 372 6372
email: enquiries@pins.gsi.gov.uk

Decision date:
12 November 2008

Appeal Ref: APP/G2625/A/08/2079397

Land at Catton View Court, Norwich, Norfolk NR3 3TF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by A Johnson against the decision of Norwich City Council.
- The application (Ref 07/01049/O), dated 28 August 2007, was refused by notice dated 28 January 2008.
- The development proposed is two No. three bed semi-detached houses.

Decision

1. I allow the appeal and grant outline planning permission for two No. three bed semi-detached houses at land at Catton View Court, Norwich, Norfolk NR3 3TF in accordance with the terms of application Ref 07/01049/O, dated 28 August 2007 and the plans submitted with it, subject to the following conditions:
 - 1) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
 - 2) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
 - 3) Details of the design, external appearance of the building and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
 - 4) Details of boundary treatment, materials for driveways, bin store and cycle store facilities shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved and completed prior to the first occupation or use of any part of the development and shall be retained thereafter in accordance with the approved details.

Procedural Matters

2. The application was in outline form with means of access and siting to be determined at this stage.

Main issues

3. I consider the main issues to be whether the loss of the existing garages would exacerbate problems of on-street parking and congestion and the effect this would have on the living conditions of future occupiers.

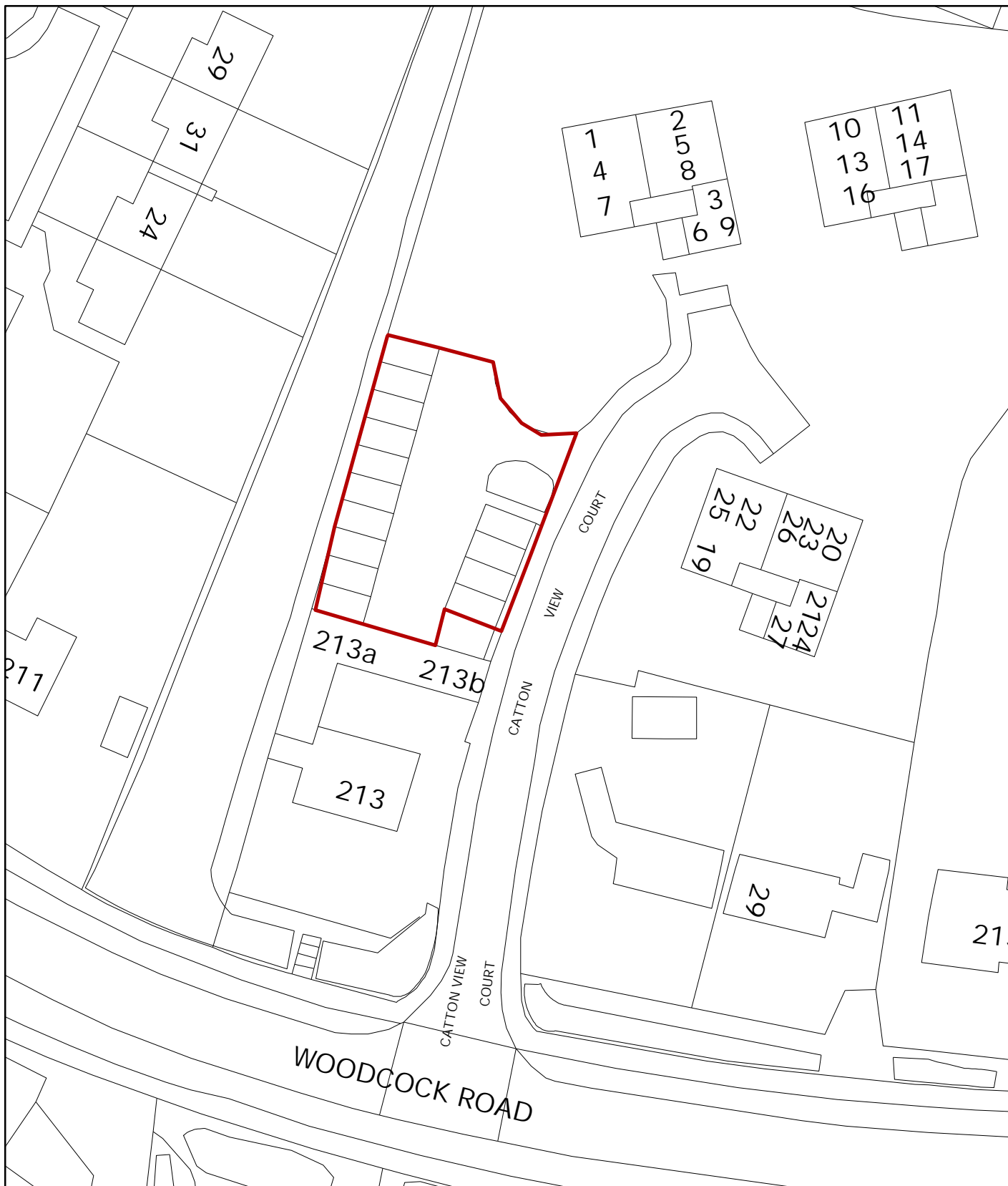
Reasons

4. I understand that the garages are in different ownership to the flats in Catton View Court and that there is no obligation on the owners to ensure that the garages are available for occupiers of those flats. Indeed I note that whilst some of the garages are used for parking by others who live away from the site, none are used for parking by occupants of the flats. I consider that it cannot be realistically assumed that the garaging is ever likely to be available for use by the residents of the adjacent flats. On this basis, I do not believe that it is necessary for the proposal to provide adequate and suitable alternative parking for the existing flats. Therefore I do not consider that the proposal would be inappropriate development and would not exacerbate problems of on-street parking and congestion on the adjacent highway.
5. Whilst there may be problems of on-street parking and congestion in Catton View Court, cars parked in the road would not, in my opinion, result in a significantly poor living environment for future occupiers of the proposed dwellings.
6. In conclusion I consider that the loss of the existing garages would not exacerbate problems of on-street parking and congestion and would not have an adverse effect on the living conditions of future occupiers. Thus the proposal would be in accordance with City of Norwich Replacement Local Plan Policies HOU13 and EP22 which require that new development does not have an adverse effect on residential amenity.
7. In reaching my conclusion I have had regard to all other matters raised on which I have not specifically commented including loss of parking at the accesses to the proposed driveways and overlooking. One driveway would be at the existing entrance to the site and a new driveway would be created for the other property. I acknowledge that whilst this would slightly decrease the on-street parking provision, I do not consider this to be a significantly material loss to justify the refusal of planning permission. The planning application is in outline form with details of design to be determined at the reserved matters stage. In my experience, I consider it possible for the dwellings to be designed to avoid unacceptable overlooking of neighbouring properties.

Conditions

8. The Council has suggested four conditions. I consider it reasonable and necessary to impose conditions regarding the submission of reserved matters and other details as the application was in outline form. I see no clear overriding reason why the proposal warrants a condition removing permitted development rights. Therefore I do not consider it reasonable or necessary to impose such a condition.
9. In the interest of precision and enforceability, I have amended the suggested conditions and worded the conditions to accord with the principles in Circular 11/95.

Janet Cheesley
INSPECTOR



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Planning Application No 12/01010/F

Site Address Land Adjacent 19-27 Catton View Court

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



NOTES

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Site Location Plan 1:1250



SCALE	LENGTH
1:1250	0m 20m 40m 60m 80m 100m 120m
1:200	0m 2m 4m 6m 8m 10m 12m 14m 16m 18m 20m
1:50	0m 1m 2m 3m 4m 5m

- D Communal Bin Store Removed 08/07/12 n/a
- C Bin Collection Point & Solar Panels added. 14/05/12 ABZ
- B Bin & Cycle Shed Redesigned 04/05/12 HUA
- A Proposed Development Redesigned 22/03/12 HUA

architects and consulting engineers

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Residential Development,
Catton View Court,
Norwich

Client:
Mr. Robert Bale

Drawings
Site Layout, Site Location
And Bin/Cycle Store Details
(Site Area = 447.95sqm / 0.447 Hectares)

Drawn By: C.J.H.	Checked By: S.K.	Ref. No.:	Drp. No.:
Scale: 1:200/100BA1		5846	SL01
Date: April 2012			

