

Planning applications committee

Date: Thursday, 12 April 2018

Time: 09:30

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

Committee members:

Councillors:

Driver (chair)
Maxwell (vice chair)
Bradford
Button
Carlo
Henderson
Jackson
Malik
Peek
Sands (M)
Woollard
Wright

For further information please contact:

Committee officer: Jackie Rodger
t: (01603) 212033
e: jackierodger@norwich.gov.uk

Democratic services
City Hall
Norwich
NR2 1NH

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 - 20

To approve the minutes of the meeting held on 8 March 2018

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 Planning Applications for Consideration

21 - 22

	Standing duties	23 - 24
4(a)	Application no 18/00225/VC - Bartram Mowers Ltd, Bluebell Road, Norwich, NR4 7LG	25 - 36
4(b)	Application no 18/00261/F - Bristol House 78 - 80 Unthank Road, Norwich, NR2 2RW	37 - 52
4(c)	Application no 18/00167/O - Garages between 80 - 92 Lincoln Street, Norwich	53 - 64
4(d)	Application no 18/00005/F - 5 Nutfield Close, Norwich, NR4 6PF	65 - 94
4(e)	Application no 18/00023/U - 6 St Matthews Road, Norwich, NR1 1SP	95 - 104
4(f)	Enforcement Case – 111 Earlham Road, Norwich	105 - 108
4(g)	Enforcement Case – 2 Bracondale, Norwich NR1 2AF	109 - 112
4(h)	Application no 18/00319/L - Norwich City Council, City Hall, St Peters Street, Norwich, NR2 1NH	113 - 124
4(i)	Enforcement Case 15/00046/CONSRVENF – 13 Magdalen Street, Norwich, NR3 1LE	125 - 130

Date of publication: **Wednesday, 04 April 2018**



Planning applications committee

09:35 to 15:25

8 March 2018

Present: Councillors Driver (chair), Maxwell (vice chair)(to end of item 7), Bradford, Button (to end of item 7), Carlo (to end of item 7), Jackson, Malik, Peek and Wright (to end of item 7)

Apologies: Councillors Henderson, Sand (M) and Woollard

1. Declarations of interest

Councillor Jackson said that he could be considered as having a pre-determined view in item 3 (below), Application no 17/01078/F – Car Park Rear of Premier Travel Inn, Duke Street, Norwich, in that he had commented on the site allocation as part of the Local Plan consultation.

Councillor Peek declared that he had a pre-determined view in item 6 (below), Application no 17/02024/F - Bowthorpe Road Methodist Church, Bowthorpe Road, Norwich, NR5 8AB, in that he had spoken with local residents and officers about this application.

Councillors Driver, Jackson and Wright declared an other interest in item 5 (below), Application nos 17/01355/F and 17/01356/L - The Marlpit Helledon Road, Norwich, NR6 5EQ during the item in that they were members of the Campaign for Real Ale (CAMRA) but had not contributed to the comments submitted by the organisation.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 8 February 2018.

3. Application no 17/01078/F - Car Park Rear of Premier Travel Inn, Duke Street, Norwich

(Councillor Jackson having declared a predetermined view stepped down from the committee at this point. He remained in the room during the presentation and speakers and then left the room and took no part in the determination of this application.)

The area development manager (inner) presented the report with the plans and slides. He also referred members to the supplementary report of updates to reports which set out an additional comment from a resident of Dukes Palace Wharf.

Eleven local residents, a representative of the Inspiration Trust, and Councillor Bogelëin, proxy for the residents of three dwellings, addressed the committee and set out their objections to the proposals. These included concern that: the proposal should be set back from the river as it would have an adverse

impact on the natural habitat of otters and bats and the biodiversity of the riverbank; lack of landscaping and few trees; the size and massing was over development of the site, it would create a canyonising effect with Dukes Palace Wharf, and should be moved back from the river as it was too close to the river; that it would have an adverse impact on historic buildings; that residents would like to see development on the site and considered that the extant consent for mixed use development on the site was preferable; would have an adverse impact on the amenity of residents of Dukes Palace Wharf and cause loss of privacy as it would overlook the apartments, particularly to the residents whose apartments had full-length glass feature walls, and loss of view; concern about over studentification in the area and concern about congestion when students moved into or out of the accommodation; concern about antisocial behaviour: that it would have an adverse effect on the Jane Austen College causing loss of light to class rooms and raising concerns about safeguarding its pupils as bedrooms in the proposed development overlooked the school; concern about traffic and access; concern about access to the Riverside walk particularly for people dependent on wheelchair use; that the developers had not consulted the residents of Dukes Palace Wharf adequately; and concerns about noise and dirt from the construction. Speakers also referred to the comments of the Broads Authority and Historic England and their concern that the proposal to approve the application was contrary to national and local planning policies. During the presentations slides were used to illustrate the speakers' points.

Councillor Schmierer, Mancroft ward councillor, said that he had not heard from anyone who supported the application but there was agreement that the brownfield site should be developed. Over 100 students of Jane Austen College had signed a petition opposed to the proposed development. He called on the committee to reject the proposal as it did not comply with the council's own policies relating to overdevelopment, protection of the natural environment and the city's heritage assets.

The agent on behalf of the applicant addressed the committee in support of the application. He pointed out that there was market evidence that demonstrated the need for purpose built student accommodation in the city and that this which alleviate pressure on family homes, converted into student houses-in-multiple occupation. Residents of Dukes Wharf Palace had been notified about the public consultation events and only five people had attended. This would be a well-designed high quality development, which addressed flood risk. Most of its residents would walk, cycle or use public transport. The proposal would contribute to the extension of the Riverside walk and cycling routes as set out in the council's development plan.

(Councillor Jackson left the meeting at this point.)

The area development manager (inner) referred to the report and commented on the issues raised by the speakers. Historic England did not object to the proposal. The development adjacent to the Jane Austen College would be six storeys not seven as stated. Referring to the daylight assessment, the area development manager (inner) demonstrated that the minimum distance from the new development and Dukes Palace Wharf would be 25 metres and that the bend in the river meant that loss of privacy from window to window was not material. He also explained that the top floor apartments of Dukes Palace Wharf had been counted as two storeys in terms of height. The ecology report had identified a small triangle of land outside the

application site that was the habitat of otters and bats. The extension of the Riverside Walk was an agreed council objective.

Discussion ensued in which the area development manager (inner) referred to the report and answered members' questions. He explained that the 2004 permission on the site was extant and that if it were to be built out would not need to comply with current planning policy. Members asked questions about the loss of daylight to Dukes Palace Wharf and were advised that the curve of the river and the floor to ceiling glazing of the top apartments distorted the impact of the new development. Members were also advised that the extant planning permission had been taken into account when assessing the impact that the development would have on the natural environment and the mitigation that was required.

A member expressed concern about the proximity of the new development to Jane Austen College (5.5 metres) and asked what plans were there to manage the proposed student accommodation. The area development manager (inner) referred to the plans and said that there were no windows that overlooked straight on to the Jane Austen College other than a laundry and that the site would have a management presence on site.

The chair then moved and the vice chair seconded the recommendations set out in the report. Discussion ensued in which members expressed their concern about aspects of the application. This included that it was overdevelopment of the site and that the concerns that had been raised on behalf of the Jane Austen College and the impact that it would have on the school were valid. Concern was also expressed about the impact that this development would have on the historic buildings in the city centre and natural environment, and on the residents of Dukes Palace Wharf, closest to the proposed development. The chair then withdrew his motion given the concern members had expressed about the detrimental impact that the scale and massing of the development and its proximity would have to amenity of the school. He advised against refusing the application on the grounds of the impact that it would have on the natural environment as it was a brownfield site with extant planning permission and mitigation to protect the riverside.

Councillor Carlo moved and Councillor Button seconded that the application should be refused on the grounds that it was contrary to policy in relation to: its scale, size and massing, loss of daylight and privacy to the school and impact on the conservation area. The area development manager (inner) said that it would be difficult to defend loss of privacy. The area development manager (outer) reiterated the reasons for grounds for refusal and it was:

RESOLVED, unanimously, to refuse Application no 17/01078/F - Car Park Rear of Premier Travel Inn, Duke Street, Norwich on the grounds of its scale, size and massing would have on the amenity of the Jane Austen College; that it would cause loss of daylight to the classrooms of the school and would be detrimental to the conservation area; and would have cause loss of daylight and amenity to some residents of Dukes Palace Wharf; and, to ask the head of planning services to provide the reasons in planning terms.

(Reasons for refusal as subsequently provided by the head of planning services:

1. The proposal by virtue of its height, mass and proximity to the river would be inconsistent with the character and appearance of the Conservation Area and fails to respond sympathetically to neighbouring properties in the area, which include designated and non-designated heritage assets. The proposal would neither preserve nor enhance but would instead result in less than substantial harm to the character and appearance of the Conservation Area. The benefits of the scheme are not considered to outweigh the level of harm caused. The proposal would therefore be contrary to policies DM3 and DM9 of the adopted Development Management Policies Local Plan 2014 and paragraphs 64 and 134 of the NPPF.
2. The proposal by virtue of its height and proximity to the eastern boundary of the site would have an overbearing impact and result in an unacceptable loss of daylight to the adjacent Jane Austen College including both to the building and to the associated play area. The proposal is therefore contrary to policy DM2 of the adopted Development Management Policies Local Plan 2014 and paragraphs 9 and 17 of the NPPF.
3. The proposal by virtue of its height and proximity to neighbouring residential properties would lead to an unacceptable loss of daylight to a number of properties to the south of the site at Dukes Palace Wharf, this would have an unacceptable impact upon the residential amenity of the occupants of those properties. The proposal would therefore be contrary to policy DM2 of the adopted Development Management Policies Local Plan 2014 and paragraphs 9 and 17 of the NPPF.

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. Whilst a scheme has been given a recommendation for approval by officers elected members considered for the reasons outlined above that on balance and in light of the above policies that the application was not acceptable. The applicant is advised that no further planning fee would be payable for any resubmission for development of the same character or description on the same site and by the same applicant within 12 months of the date of this refusal. The applicant is also advised of the Council's pre-application service, further details of which can be found at the following web link:

<http://www.norwich.gov.uk/Planning/pages/Planning-Pre-ApplicationAdviceService.aspx>

(The committee had a short break at this point. Councillor Jackson was readmitted to the meeting.)

4. Application no 17/01391/F - St Crispins House, Duke Street, Norwich

The area development manager (inner) presented the report with the aid of plans and slides.

A resident of Sherman House addressed the committee and highlighted the concerns that the residents had about the proposed change of use of St Crispins House. This included concern that student accommodation would create more traffic and noise, both from people entering and exiting the building at all hours and noise

from open windows. The windows at Sherman House were 8 metres away. The building should remain as office accommodation.

The applicant spoke in support of the application. He advised the committee that there would be a 24 hour management presence on the site and that the main access would be from Duke Street. He explained that the energy efficiency measures would improve the acoustics of the building and reduce the amount of glazing by 50 per cent. Landscaping would soften the appearance of the building. The current use of the building as office space was unsustainable and the proposal would rejuvenate it.

The area development manager (inner) referred to the report and explained that the office accommodation was open plan and too large for most business operations. He responded to the concerns raised by the speaker and said that the pedestrian access to the rear of the building would be closed off in the evening and confirmed that the main access would be via Duke Street. Sherman House would be screened by the building from most noise created within the proposed development. During questions, the area development manager (inner) said that the courtyard was accessible from inside St Crispins House and provided outside amenity space for the residents. Members were advised that there was space on the site for cycle storage and that developer would be expected to fund the required highway improvements.

The chair moved and the vice chair seconded the recommendations as set out in the report. The vice chair spoke in support of this application which would provide purpose built student accommodation, free up family homes and was near to the Norwich University of the Arts. She also pointed out that St Crispins House had accommodated 1,000 employees at its peak and many of them had travelled to work by car.

Discussion ensued in which members spoke in support of this application. Some concern was expressed about the loss of office accommodation and the need to ensure that the city had an adequate supply to meet the current demand. A member also expressed concern that St Crispins House was not on a direct bus route. Members considered that it was a good use of the building and welcomed the energy efficiency measures to improve it.

RESOLVED, unanimously, to approve application no. 17/01391/F - St Crispins House, Duke Street, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details and samples of materials;
4. Details of landscaping and planting including external lighting;
5. Tree protection measures for retained trees;
6. Implementation and retention of car parking and refuse storage facilities;
7. Full details of numbers, type and location of cycle parking facilities followed by implementation and retention of agreed facilities;
8. Details of off-site highway improvements and implementation thereof;
9. Full details of surface water drainage arrangements;
10. Full details of day-to-day management of the building including arrangements for start and end of term;

11. Scheme of archaeological investigation, works and recording;
12. Submission of a construction management plan;
13. Implementation in accordance with the submitted noise report;
14. Implementation in accordance with the submitted energy and resource use statement.

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 and application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report for the application.

5. Application nos 17/01355/F and 17/01356/L - The Marlpit Hellesdon Road, Norwich, NR6 5EQ

(Councillors Driver, Jackson and Wright had declared an interest in this item.)

The area development manager (outer) introduced the report which was presented by the senior planner with the aid of plans and slides. The senior planner referred to the supplementary report of updates to reports (circulated at the meeting) and said that the Environment Agency had withdrawn its objections to the scheme following amendments to remove the pavilion and glamping site, and a condition to ensure that flood risk assessments were implemented. The updates report also summarised a further representation in support of the proposal from the Campaign for Real (CAMRA). There had been a number of objections to the proposals which were addressed in the report.

As there were a number of speakers who had indicated that they would like to speak in support of the application the chair requested that a spokesperson was selected. The chair of the Wensum Community Centre spoke on behalf of residents and other community groups who had made written representations in support of the proposal. Councillor Bogelëin, Wensum Ward councillor, also spoke in support of the proposal and said that the applicants had taken on board the comments made by the council and members of the local community.

The senior planner referred to the report and answered members' questions. He confirmed that the new dwellings would each have small private gardens.

The chair moved and Councillor Jackson seconded the recommendations in the report.

Discussion ensued in which members spoke in support of the proposal which would bring a former public house back into use.

RESOLVED, unanimously, to:

- (1) approve application no. 17/01355/F - The Marlpit, Hellesdon Road, Norwich NR6 5EQ and grant planning permission subject to the following conditions:

1. Standard time limit;
 2. In accordance with plans;
 3. No occupation of the dwellings to take place until the works to the pub building (not including the works to the coach house) have been completed and the building is trading as a public house and open to the public.
 4. Standard contamination condition;
 5. Imported topsoil to be certified;
 6. Materials to be approved prior to development;
 7. Boundary treatments to be approved;
 8. Water efficiency;
 9. Surface water drainage scheme;
 10. Flood warning/evacuation plan;
 11. Finished floor levels;
 12. Landscaping in accordance with approved plan;
 13. No occupation of dwellings until parking has been provided;
 14. No occupation of dwellings until cycle parking and bin storage has been provided;
 15. No operation of bed and breakfast facilities and coach house, or occupation of dwellings to take place until TRO secured to make changes to parking/waiting restrictions on Hellesdon Road;
 16. Householder permitted development rights removed;
 17. Extract ventilation or fume extraction systems to be approved;
 18. No loudspeaker, amplifier, relay or other audio equipment to be installed or used outside the buildings;
 19. No use of the coach house as a bar and function room until sound insulation measures have been implemented;
 20. Opening hours restricted to the following:
 - (a) Monday to Saturdays between 08.00-12.00 for the main pub building and between 08.00-12.30 for the coach house
 - (b) Sundays and bank holiday Mondays between 08.00-11.00 for the pub and coach house (except on New Year's Eve or Sundays where the following day is a bank holiday, in which case the restriction is the same as for Monday – Saturday).
 21. Operations on site in accordance with tree protection plan, implications assessment and method statement.
- (2) approve application no. 17/01356/L - The Marlpit Hellesdon Road, Norwich, NR6 5EQ and listed building consent 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;
 2. In accordance with plans;
 3. Details to be submitted including all materials to be used, new internal and external services, details of noise/acoustic insulation, new internal architectural features, details of new stairways;
 4. Listed building – making good;
 5. Work to match retained fabric;

Article 35(2) Statement:

The local planning authority in making its recommendation has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the applications are recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

6. Application no 17/02024/F - Bowthorpe Road Methodist Church, Bowthorpe Road, Norwich, NR5 8AB

(Councillor Peek having declared a pre-determined view in this item spoke as a member of the public and then left the meeting taking no part in the determination of the application.)

The planner presented the report with the aid of plans and slides. He explained that the distance of the building from the boundary had been inaccurate in the applicant's original plans.

The adjacent neighbour addressed the committee and expressed his objection to the new church being built so close to his boundary and the impact that this would have on his property. He also referred to the sunlight assessment not being to scale and concern that there would be increased noise from the church.

Councillor Peek, Wensum Ward councillor, addressed the committee and pointed out on the slide how close to the boundary the church was. Other residents in Field View had objected to the church building being so close to their boundaries. He said that the applicant should have stopped the building work when it was apparent that the agreed plans were wrong.

The agent for the applicant confirmed that measurements had been accurately recorded and any loss of daylight was within the BRE guidelines. There would be a reduction in noise to properties at the rear. The new church would be more suitable for the needs of the congregation. The words "not to scale" meant that the plans could not be scaled with a ruler.

(Councillor Peek then left the meeting at this point.)

The planner commented on the issues raised by the speakers. He said that the impact was to the north rather than to the properties to the west. The previous application had received no objections at all from residents of neighbouring dwellings in Fieldview and one objection had since been received. The impact of the proposal would be at the end of their large gardens rather than to living accommodation.

Discussion ensued. In response to the chair the planner said that steps were being taken to ensure that architects submitted accurate plans to prevent this situation occurring in future. Members were advised that the planner visited the site in November when the error was brought to his attention. The area development manager (outer) said that while the council could serve a stop notice the work had gone so far that a temporary stoppage of the works would not prevent harm to the adjacent neighbours. If members did not agree the planning application before them

then enforcement action could be taken. He pointed out that the officer recommendation was to approve and that there was some impact on the neighbouring property but it met the BRE daylight guidelines.

Discussion ensued in which the planner and the area manager development (outer) referred to the report and answered questions. Members considered whether it was feasible to find a solution to the concern which included a hipped roof or shortening the building. The chair proposed and Councillor Jackson seconded that the application be deferred to enable the planning officers to discuss with the applicant the feasibility of scaling back the building, and it was:

RESOLVED, unanimously, to defer consideration on Application no. 17/02024/F - Bowthorpe Road Methodist Church Bowthorpe Road Norwich NR5 8AB to allow for further information on the options available to the applicant to be reported back to a future meeting.

7. Application no 17/02026/F - 39 Constable Road, Norwich, NR4 6RW

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

Two local residents, who resided adjacent to the property, addressed the committee with their concerns about the design and extension of the proposal and that it would obscure light and outlook of Eaton Valley from their properties.

Councillor Lubbock, Eaton Ward councillor, also addressed the committee on behalf of residents and said that she considered that the applicant had not taken into account the needs of the neighbours with this extension. She said that the extension was a 47 per cent increase of the existing floor-print and would cause loss of view and light to the neighbours. She considered it contrary to policy DM3. She suggested that as it would be visible from the public realm that if it were to be approved then there should be a condition to ensure that the building was cladded with a suitable material so that the neighbours did not have to look out on to concrete.

The agent then addressed the committee and explained that the extension was to a contemporary approach to extend a family home and to enhance its views of the Eaton Golf Course. The applicant was willing to consider the use of real wood or wooden appearance cladding. He disputed that the extension would overshadow or be visible from inside no 37 and said that it would be a high quality extension which would rejuvenate this house.

The planner referred to the report and responded to the issues raised by the speakers and answered members' questions. He said that there was no significant harm to the area or amenity of the adjacent property to require a smaller scale extension.

The chair moved and the vice chair seconded the recommendations set out in the report. Discussion ensued in which Councillor Wright said that the proposal was not acceptable in that it was too large.

RESOLVED, with 8 members voting in favour (Councillors Driver, Maxwell, Button, Carlo, Jackson, Malik, Peek and Bradford) and 1 member voting against (Councillor Wright) to approve application no. 17/02026/F - 39 Constable Road Norwich NR4 6RW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to be provided of materials and colour of vertical boarding.

(The committee adjourned for lunch at 14:00. Councillors Maxwell, Button, Carlo and Wright left the meeting at this point. The committee reconvened at 14:30 with the following members present: Councillors Driver, Bradford, Jackson, Malik and Peek.)

8. Application no 17/01664/F - Land North West Side of 25 - 27 Surrey Street Norwich

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

During discussion the planner referred to the report and answered members' questions about the lift access and the arrangements for adoption of the pavement. A member queried why this application had been referred to the committee as there had only been one objection. The planner explained that this was a major application which meant that the objection triggered consideration at committee.

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

RESOLVED, unanimously, to approve application no. 17/01664/F - Land North West Side of 25 - 27 Surrey Street Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. SUDs including consideration of green roof;
4. Travel plan;
5. Agree location and number of cycle spaces;
6. No site clearance within bird nesting season;
7. External materials to be agreed;
8. Energy efficiency measures to be agreed;
9. Construction management plan to be agreed;
10. Security measures to be agreed, to include:
 - (a) Fire retardant, anti-graffiti and laminated glass at ground floor
 - (b) CCTV scheme to be agreed
 - (c) External lighting scheme to be agreed
 - (d) Details of the access rights of users of the various facilities and how this will be controlled
11. Acoustic measures to be agreed (windows and mechanical ventilation) for second-fourth floors including floor between hotel and apartment;
12. Highway works (including dropped kerb, line painting, works to pavement and relocation of street lights) to be agreed and implemented as agreed;

13. Refuse management plan to be agreed;
14. Water conservation measures to be agreed;
15. No plant and machinery to be installed without permission;
16. First floor to be spa and no other use within A1.

Informatives:

1. Not entitled to on-street parking permits;
2. Contact the city council regarding postal addressing of the scheme;
3. Should the applicant wish the highway authority to adopt the extended paving on Surrey Street under the overhang to the back of building line, this would require a S38 agreement (fees apply). This would also trigger the requirement for a building overhang license;
4. Adverts require separate consent.

9. Application no 18/00008/F - 82 Unthank Road, Norwich, NR2 2RW

The planner presented the report with plans and slides.

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

RESOLVED, with 4 members voting in favour (Councillors Driver, Jackson, Peek and Bradford) and 1 member voting against (Councillor Malik) to approve application no. 18/00008/F - 82 Unthank Road, Norwich, NR2 2RW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Glass screens to be obscure glazed to a specification of not less than the equivalent of classification 5 of Pilkington glass and to be fitted and maintained prior to occupation of the rooms to which they relate.

10. Enforcement Case 17/00006/ENF – 17-19 Castle Meadow

The area development manager (inner) presented the report with the aid of plans and slides.

During discussion members noted that there was evidence that the basement had been used for accommodation.

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

RESOLVED, unanimously, to authorise enforcement action against the use of the basement as a single dwelling.

11. Application no 17/02023/MA - Kingdom Hall of Jehovah's Witnesses, Clarke Road, Norwich, NR3 1JL

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

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

RESOLVED, unanimously, to approve application no. 17/02023/MA - Kingdom Hall of Jehovah's Witnesses, Clarke Road, Norwich, NR3 1JL and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Landscaping;
4. Details of materials of dwellings;
5. Removal of PD rights;
6. Water efficiency;
7. Bin and bike storage.

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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

12. Application no 17/00201/L and 17/00205/F - 24 Cattle Market Street Norwich NR1 3DY

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

During discussion the senior planner referred to the report and answered members' questions.

Councillor Jackson said that he was concerned that the recommended approval did not comply with the council's policy on cycle storage. He also expressed concern about the proposals for the façade which he considered was not a better solution and the fire escape arrangements.

The chair moved the recommendations as set out in the report:

RESOLVED, with 4 members voting in favour (Councillors Driver, Malik, Peek and Bradford) and 1 member voting against (Councillor Jackson) to:

- (1) approve application no. **17/00205/F** - 24 Cattle Market Street Norwich NR1 3DY and grant planning permission subject to the completion of a satisfactory legal agreement for a contribution of £213,614.09 toward off site affordable housing provision and subject to the following conditions:

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

3. Details of:
- (a) all external windows and doors to include depth of reveal, details of heads, sills, lintels and glazing;
 - (b) Juliet balconies, balconies and roof terraces
 - (c) external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
 - (d) proposed meter and alarm boxes;
 - (e) eaves and verges at a scale not less than 1:20;
 - (f) all new external materials including manufacturer, product name and colour;
 - (g) brick work (sample to indicate brick, bond and mortar);
 - (h) rainwater goods (to be cast iron or painted aluminium);
- 4 Demolition/reconstruction statement relating to the rear flint/stone/brick wall fronting St Peter Parmentergate Church to include re-use of salvaged materials from existing wall;
- 5 Scheme for the provision of heritage interpretation;
- 6 Construction method statement;
- 7 Details of tether for bikes;
- 8 Details of roller shutter to car park;
- 9 External lighting;
- 10 Method statement for bats and nesting birds.
- 11 Bird nesting season;
- 12 Landscaping including details of tree planting, living screens (to be maintained to height of 1.8m);
- 13 Details of ecological enhancement works;
- 14 Any damage to Pigg Lane to be made good;
- 15 No extraction/ventilation unless in accordance with scheme to be approved.
- 16 Water efficiency;
- 17 Provision of car parking and bin store;
- 18 Archaeological written scheme of investigation;
- 19 Stop work if unidentified features revealed;
- 20 Retail premises not to open before 07:00 or after 22:00 on any day.
- 21 No trade deliveries or collections before 07:00 or after 19:00 Monday to Saturday. No trade deliveries on Sunday or Bank Holidays.
- 22 Slab levels of new building.

Informatives:

- 1) Businesses and residential properties not entitled to on-street parking permits
- 2) Street naming
- 3) To be aware of traffic management proposals for Cattle Market Street.

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 the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

(2) application no. 17/00201/L - 24 Cattle Market Street Norwich NR1 3DY and grant listed building consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of:
 - (i) All new internal and external plant, services & service routes and risers to the principal listed building (drainage, ventilation, heating, cooling, hot and cold water, mechanical & electrical, fire protection, thermal and acoustic insulation, lighting scheme).
 - (j) Schedule of internal finishes to walls, ceilings and floors;
 - (k) All new secondary glazing system within the principal listed building
 - (l) Position, material and appearance of all new partition work and doors
 - (m) Any new fixed blinds to the window openings in the principal listed building
 - (n) Any new rainwater goods to the principal listed building
 - (o) Repairs and cleaning schedule for the external windows, brickwork and render of the principal listed building
 - (p) Cleaning/decoration methodology to external details of external decoration to render, joinery and metalwork;
4. Listed building – making good;
5. Preservation and protection of features including:
 - (a) Existing windows to the front and flank elevations
 - (b) Internal floorboards;
 - (c) Internal fireplace;
 - (d) Internal winch.

Informatives:

1. Listed Building reminder on enforcement
2. Retain original fabric of building

Reason for approval:

The proposed conversion of the upper floor of Crystal House to residential and the construction of a new five storey building to the rear will result in some impact to the special architectural and historic interest of the building and the character and appearance of the conservation area. However the principle of this form of development has already been established under the previous planning permission and listed building consent. There are a number of differences between this proposal and the previous extant consents, but with the exception of the removal of the eastern wall, the changes are considered to be an improvement and will result in a

more sympathetic conversion of the principle listed building and an extension to the building which will be slightly less bulky and have less of an impact upon the views of St Peter Parmentergate Church. With regards to the eastern wall, subject to the flint, ashlar and bricks being salvaged and re-used in the new flint wall construction, this is considered acceptable. Overall therefore the level of harm to this heritage asset and its setting is considered to be less than substantial.

In accordance with paragraph 134 of the NPPF, this harm must be weighed against the potential 'public benefits' of the proposals. In this case it is considered that the provision of family housing within this central sustainable location will outweigh any harm. The proposed works are therefore considered to not lead to any significant harm to the heritage asset in accordance with the National Planning Policy Framework, policies 1 and 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and policies DM1, DM3 and DM9 of the Norwich Development Management Policies Local Plan (December 2014).

(Councillor Bradford left the meeting at this point.)

13. Application no 17/01832/F - 40 Bluebell Road, Norwich, NR4 7LG

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

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

RESOLVED, unanimously, to approve application no. 17/01832/F - 40 Bluebell Road Norwich NR4 7LG and grant planning permission subject to the following conditions:

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

14. Application no 18/00060/F - 77 Brian Avenue, Norwich, NR1 2PD

The planner presented the report with plans and slides.

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

RESOLVED, unanimously, to approve application no. 18/00060/F - 77 Brian Avenue, Norwich, NR1 2PD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials to match the existing dwelling.

15. Enforcement Case – 159 Drayton Road, Norwich

The planner presented the report with plans and slides.

During discussion the planner together with the area development manager (outer) referred to the report and slides and answered questions about enforcement.

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

RESOLVED, unanimously, to authorise enforcement action up to and including prosecution in order to secure:

1. Removal of the outbuilding;
2. Removal of the hard surfacing;
3. Removal of the retaining wall;
4. Regrading of the front garden area and laying of turf; and
5. Installation of a boundary fence of no more than 1.2m in height.

16. Enforcement Case – 2 Mornington Road, Norwich

The planner presented the report with plans and slides.

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

RESOLVED, unanimously, to authorise enforcement action up to and including prosecution in order to:

1. Secure the removal of the outbuilding;
2. Secure the removal of the fencing;
3. Making good of the highway;
4. Removal of all demolished materials from site; and
5. Provision of a replacement 1.2m high fence.

CHAIR

Summary of planning applications for consideration

ITEM 4

12 April 2018

Item No.	Case Number	Location	Case Officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	18/00225/VC	Bartram Mowers Ltd	Rob Webb	Variation of Condition 2 and Condition 4 of previous permission 15/01646/F to add 8 new parking spaces and changes to landscaping plan.	Objections	Approve
4(b)	18/00261/F	Bristol House, Unthank Road	Lara Emerson	Demolition of rear extensions, side extension and outbuilding and construction of two storey rear extension, single storey side extension and bin store to facilitate change of use to 26 bedroom HMO (class Sui Generis).	Objections	Approve
4(c)	18/00167/O	Garages Between 80 - 92 Lincoln Street	Charlotte Hounsell	Outline permission for demolition of existing garages and erection of 4 No. dwellings.	Objections	Approve
4(d)	18/00005/F	5 Nutfield Close	Stephen Polley	Single storey front and rear extension, creating a new dwelling with a separate rear garden (retrospective application).	Objection	Approve and authorise revised enforcement action.
4(e)	18/00023/U	6 St Matthews Road	Lydia Tabbron	Change of use to large house in multiple occupation (HMO) (Class Sui Generis).	Objection	Approve

Item No.	Case Number	Location	Case Officer	Proposal	Reason for consideration at committee	Recommendation
4(f)	17/00186/ENF	111 Earlham Road	Charlotte Hounsell	Authorise enforcement action against unauthorised removal of front hedge and erection of fence and shed in front garden.	Enforcement	Authorise enforcement action
4(g)	18/00022/ENF	2 Bracondale	Stephen Little	New vehicular access	Enforcement	Authorise enforcement action
4(h)	18/00319/L -	Norwich City Council City Hall St Peters Street Norwich NR2 1NH	Sophia Bix	Internal alterations to the Customer Contact Centre area of City Hall including the removal of existing counters, alterations to internal wall layouts and general refurbishment.	Objection / Significant departure from development plan / City council application or site / Member or Staff application / Called in by an elected member	Approve listed building consent
4(i)	15/00046/CON SRV/ENF	13 Magdalen Street, Norwich, NR3 1LE	Samuel Walker	Unauthorised replacement of 4 windows to front elevation and two windows to the rear elevation with unsuitable windows.	Enforcement	Authorise enforcement action

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

12 April 2018

Report of Head of planning services

Subject Application no 18/00225/VC - Bartram Mowers Ltd,
Bluebell Road, Norwich, NR4 7LG

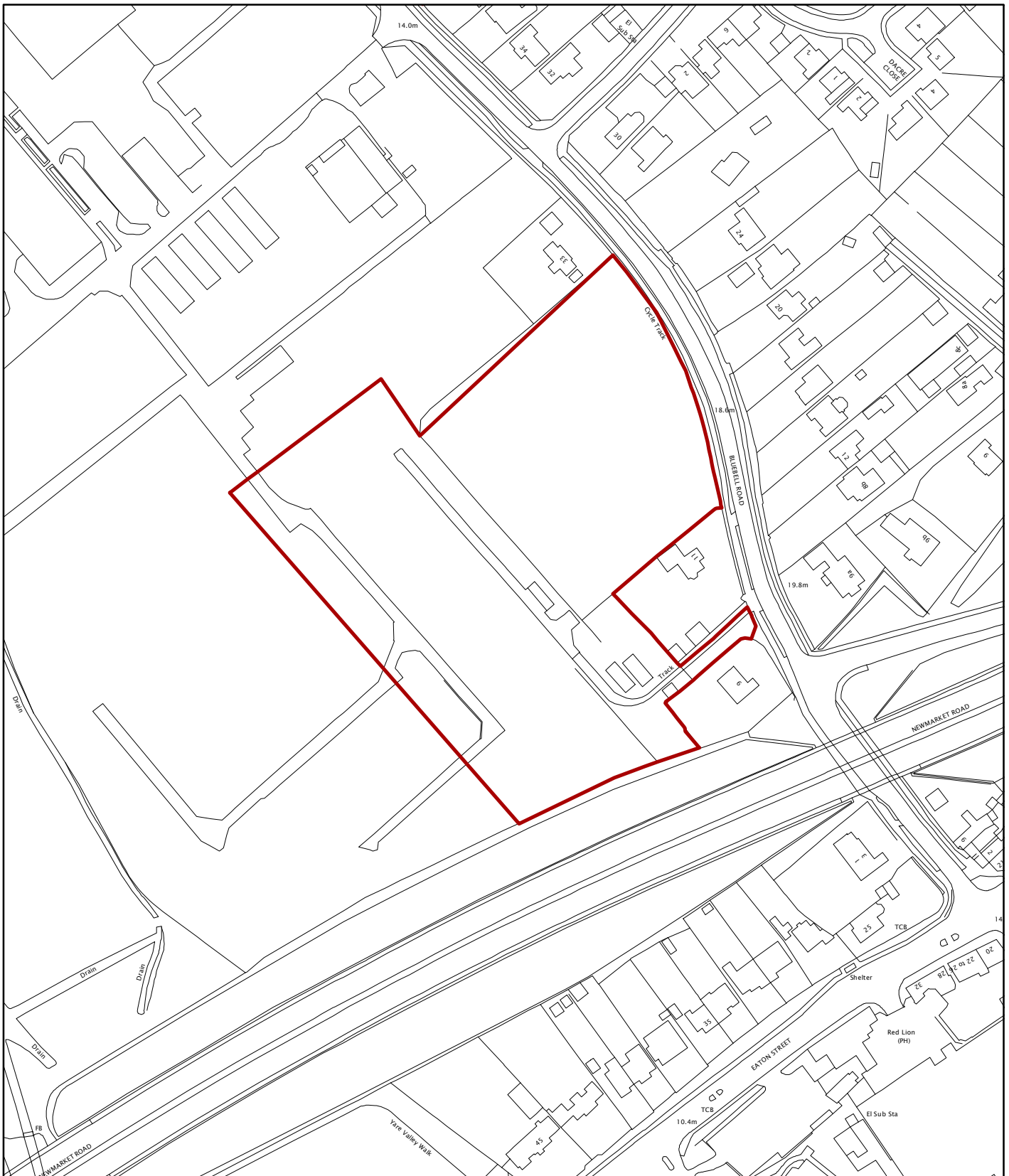
**Reason
for referral** Objection

4(a)

Ward:	Eaton
Case officer	Robert Webb - robertwebb@norwich.gov.uk

Development proposal		
Variation of Condition 2 and Condition 4 of previous permission 15/01646/F to add 8 new parking spaces and changes to landscaping plan.		
Representations		
Object	Comment	Support
8	0	0

Main issues	Key considerations
1	Principle of development
2	Transport impact
3	Visual impact and landscaping
Expiry date	10 May 2018
Recommendation	Approval



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

Planning Application No 18/00225/VC
 Site Address Bartram Mowers Ltd

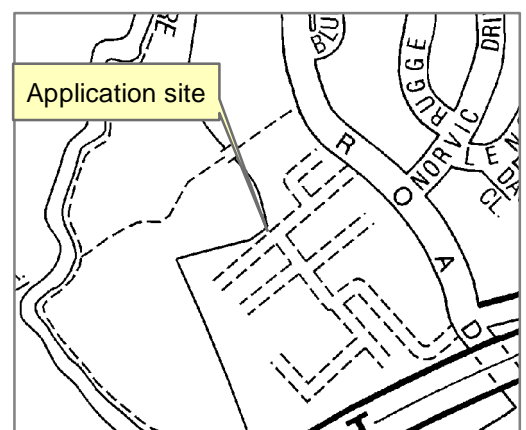
Scale 1:2,000



NORWICH
 City Council

PLANNING SERVICES

Page 26 of 130



The site and surroundings

1. The site is situated on the south west side of Bluebell Road and formerly accommodated agricultural greenhouses and a single storey retail building used for sale of lawn mowers, with associated access road and car parking area. It is currently a construction site with the development of 62 age restricted retirement apartments and 58 assisted living apartments taking place and development now at an advanced stage, permission being approved under application reference 15/01646/F. The site includes a line of Beech trees which are subject to a Tree Preservation Order which enclose a grassed area adjacent to Bluebell Road.
2. The character of the wider area is heavily influenced by the Yare Valley to the south west, as the topography slopes down from Bluebell Road toward the River. The site is adjoined by large areas of woodland / field grazing area open space forming part of the Yare Valley to the south west and north. An embankment accommodating the A11 adjoins to the south. The opposite side of Bluebell Road to the east has a more suburban character with large detached houses at a higher ground level than the application site.

Constraints

3. The site includes a group of TPO trees. The site adjoins the Yare Valley Character Area, an area of designated open space, and is approximately 40m from a County Wildlife Site (CWS) which is adjacent to the river Yare. Ground levels across the site fall from a highpoint adjacent to Bluebell Road down towards the river.

Relevant planning history

Ref	Proposal	Decision	Date
15/01646/F	Erection of 62 age restricted retirement (including affordable) apartments (class C3), assisted living extra care accommodation (class C2), access, car parking, landscaping and ancillary development (revised proposals: Revisions include omission of vehicle access point, reduction in height of some buildings, new footpath links).	Approved	13/12/2016
17/00074/D	Details of Condition 3: Materials, Condition 5: Landscaping, Condition 7: External lighting, Condition 10: Tree protection and Condition 16: Written scheme of investigation of previous permission 15/01646/F.	Approved	23/06/2017
17/00552/NM A	Amendments to planning permission 15/01646/F including changes to windows, balconies and additional living unit in place of well-being room.	Approved	04/05/2017

The proposal

4. The application seeks a variation of conditions to allow the addition of 8 new parking spaces on either side of the main spine road into the development, not far from the access with Bluebell Road. The spaces would be for residents within the retirement living block and it is stated that this is in response to demand from prospective purchasers. It is further stated that it is anticipated this will reduce the likelihood of ad hoc parking on verges and in unsafe positions on local roads.
5. This results in a variation to the landscaping scheme being required, with areas that were proposed to be lawn converted to hard surfaces for parking. In addition a 1.2m black estate railing is requested on the site frontage.
6. The proposals are shown within the appendices to this report. The first drawing shows the approved layout plan, with the second drawing showing the proposed alterations to the layout. This will be further explained during the committee meeting.

Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 8 letters of objection 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
The Yare Valley should be protected and not built on, it should be safeguarded as an amenity for walkers, bird watchers, joined to Eaton Park and Earlham Park.	See main issue 1.
The original application prided itself on being a low car development, the applicant should justify why extra parking spaces are now required.	See main issue 2.
The loss of landscaping would impact adversely on the aesthetics of the development, the provision of parking in this location would be unsightly.	See main issue 3.
Cars using this extra parking would cause a hazard as they will make three point turns on the access road to exit the site.	See main issue 2.
The developers gave an assurance there would be a cross valley view from Bluebell Road. The proposed parking spaces and parked cars would be an intrusion on this view and spoil the green entrance to the	See main issue 3.

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.

Cringleford Parish Council

9. We have no objections as long as they are not sacrificing the trees planted along the road which soften the building line.

Highways (local)

10. No objections.

Tree protection officer

11. No comments due to the proposal not affecting existing trees.

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
 - JCS6 Access and transportation
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
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
 - DM12 Ensuring well-planned housing development
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

14. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
 - NPPF4 Promoting sustainable transport
 - NPPF7 Requiring good design

- NPPF9 Protecting Green Belt land
- 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
- NPPF13 Facilitating the sustainable use of minerals

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

- Trees, development and landscape SPD

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: Principle of development

17. Key policies and NPPF paragraphs – JCS4, DM12, NPPF paragraphs 49 and 14.
18. As mentioned above, the site benefits from planning permission for a combination of residential and residential with care development for the over 55's. The principle of development is therefore acceptable, subject to detailed consideration of the transport and visual impacts of the changes which are sought.

Main issue 2: Transport

19. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
20. Within national and local planning policy there is a requirement to limit the number of parking spaces within developments, to reduce a reliance on the private car and encourage travel via more sustainable means. The approved development has a lower provision of parking than the maximum permitted within the local plan. Under the local plan, a maximum of 105 spaces could have been provided whereas the approved development has 68 spaces. In principle then, adding a further 8 spaces, which takes the total number to 76, would mean the development is still well within the maximum guidelines set out within the local plan. In terms of the additional numbers, this is considered to be reasonable.
21. The transport officer raises no objection on the grounds of highway safety. The spaces are far enough from the junction so as to not cause an obstruction and there is adequate turning space within the site. It is considered that the spaces may assist in reducing overflow parking pressure on the estate roads, Bluebell Road, and other nearby roads, which would be to the benefit of local residents.

Main issue 3: Visual impact and landscaping

22. Key policies and NPPF paragraphs – JCS2, DM3, DM8, NPPF paragraphs 9, 17, 56 and 60-66.
23. The spaces would be located either side of the main spine road, approximately 25 metres from the junction with Bluebell Road. They would be located in an area that was previously intended as verge planting and would be highly visible to people entering the site. There would be a degree of visual harm caused by the presence of parked cars in this location compared to the previous situation which allowed for a 'greener' entrance way. To mitigate this, the applicant has agreed to add additional areas of shrub planting at either ends of the spaces, to soften the view. The applicant has also agreed to plant an additional 5 trees to form an avenue next to the pedestrian footpath to the south of the main vehicle access.
24. It is considered that these measures are adequate mitigation for the loss of landscaping that would occur. It has been confirmed that the row of trees next to the parking spaces on the southern side of the site road would not be affected by the parking spaces. The estate rail fencing has partly been implemented. It would be positioned behind a new hedgerow due to be planted as part of the landscaping scheme and is considered an acceptable form of boundary treatment
25. On balance, given the mitigation proposed, it is not considered that material harm would be caused by way of visual impact from the proposals.

Other matters

26. Varying the existing permission would result in a new grant of permission; therefore there is a need to re-apply conditions from the original consent, although the wording of these will vary in some cases where the submission requirements have already been discharged. Discussions between the planning authority and developer regarding improvements to the River Yare footpath have been ongoing and good progress is being made on this. The developer requires further time to implement the agreed improvement works, and has requested an additional 6 months to do this. This is considered reasonable, given that time required to organise contractors, which is likely to include the local volunteer group, the Norwich Fringe Project.

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. Whilst it is acknowledged that there would be an increased visual impact caused by locating the additional parking spaces adjacent to the main gateway into the development, regard is had to the fact the parking provision for the site is low and the proposed spaces would likely assist with reducing parking pressure on local roads. In addition the applicant has provided adequate mitigation through new planting to soften the appearance of the cars and enhance the biodiversity and landscape provision of the site, in particular through contributing a further 5 new trees which will form a pleasant avenue next to the footpath. The estate fencing is also 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. 18/00225/VC - Bartram Mowers Ltd Bluebell Road Norwich NR4 7LG and grant planning permission subject to the following conditions:

1. In accordance with plans;
2. Materials in accordance with approved details.
3. Landscaping to be carried out in accordance with approved plans and management plan
4. Surface water drainage in accordance with details approved under application ref.
5. Cycle parking in accordance with approved details
6. Developments not to be occupied until parking, turning and loading spaces have been provided.
7. All site works in accordance with approved arboricultural method statement, as amended by the approved supplementary method statement.
8. Within 6 months of the grant of permission, improvements to the River Yare footpath the details of which shall be agreed with the Council shall be implemented.
9. Ecological works to be approved and implemented.
10. Water efficiency
11. Fire hydrants to be installed prior to first occupation in accordance with approved details and retained for the duration of the development.
12. The development shall not be occupied by permanent residents under the age of 55.
13. No demolition/development, shall take place within the site in pursuance of this permission unless in accordance with the approved archaeological Written Scheme of Investigation. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved archaeological Written Scheme of Investigation and provision has been made for analysis, publication and dissemination of results and archive deposition has been secured.
14. Renewable energy measures to be provided in full prior to occupation.
15. Landscaped areas within the approved development and surrounding publicly accessible open space shall be managed in accordance with the submitted Landscape Management Plan prepared by UBU Design.

Article 35(2) statement

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



inspire
design

110 Ty Nant Court, Margate, Kent CT15 6LW, T: 029 2022 7926
 Venture House, 2 Arlington Square, Downshire Way, Bracknell, RG12 1YK, T: 08551 378079

Region	Project No.	Stage No.	Discipline	Drawing No.	Revision
MI	1891	03	AC	002	A

Scale: 1:500 @ A1 1000 @ A3
 Date: 15/09/15

BARTRAM MOWERS, BLUEBELL ROAD, NORWICH
PROPOSED SITE PLAN



15/09/2015
 Project No. 1891

Revised
 15/09/2015

Report to Planning Applications Committee
Report of 12 April 2018
Subject Head of Planning Services
 Application no 18/00261/F - Bristol House 78 - 80
 Unthank Road, Norwich, NR2 2RW
Reason for referral Objections

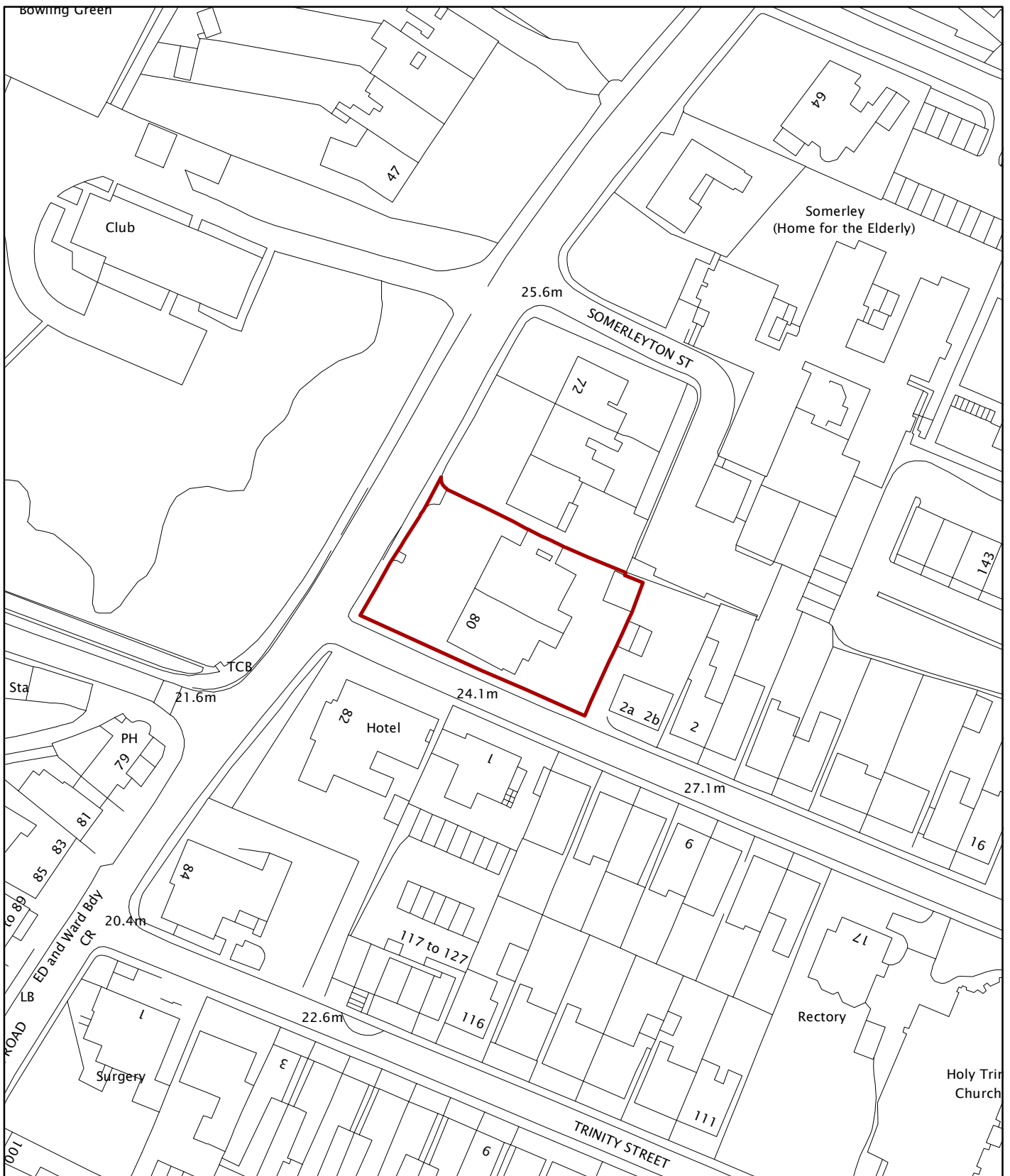
Item

4(b)

Ward:	Town Close
Case officer:	Lara Emerson - laraemerson@norwich.gov.uk

Development proposal		
Demolition of rear extensions, side extension and outbuilding and construction of two storey rear extension, single storey side extension and bin store to facilitate change of use to 26 bedroom HMO (class Sui Generis).		
Representations		
Object	Comment	Support
4	0	0

Main issues	Key considerations
1. Principle of development	Loss of hotel, creation of house in multiple occupation (HMO).
2. Amenity	Living conditions for future occupants, impact on amenity of neighbours.
3. Design & heritage	Design of extension, impact on locally listed building and wider conservation area.
Expiry date:	26 April 2018
Recommendation:	Approve



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

Planning Application No 18/00261/F
 Site Address Bristol House, Unthank Road

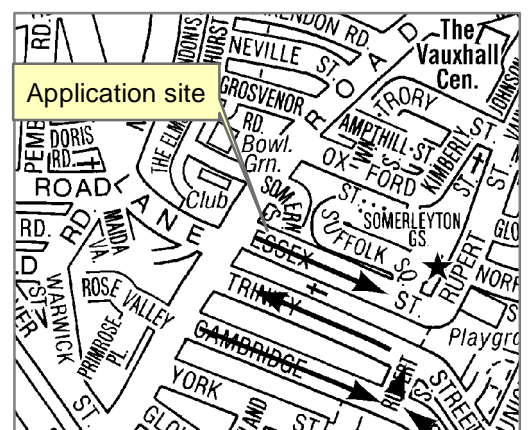
Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES

Page 38 of 130



The site, surroundings & constraints

1. The site is located on the south-east side of Unthank Road on the corner with Essex Street. The site is occupied by a semi-detached pair of former residential dwellings which are in a poor state of repair and have most recently been in use as a hotel.
2. The properties are both locally listed and covered by an Article 4 Direction which removes any permitted development rights relating to works to the windows and development fronting the highway. The site sits within the Heigham Grove Conservation Area. Most of the buildings in close proximity to the site are also locally listed.
3. There are a number of mature trees at the front and the rear of the site.
4. The site sits within the Critical Drainage Catchment Area.

Relevant planning history

Ref	Proposal	Decision	Date
4/2002/0219 (78 Unthank Road only)	Demolition of existing garage and replace with new garage.	Approved	16/04/2002
17/01588/F	Demolition of rear extensions, side extension and outbuilding and construction of two storey rear extension, single storey side extension and bin store to facilitate change of use to 27 bedroom HMO (class Sui Generis).	Refused	13/02/2018

5. The reason for refusal for 17/01588/F was:

“The proposal would fail to deliver a high standard of amenity and living conditions for future residents of the site, by virtue of the lack of outlook and light provided to communal amenity spaces, the number of residents on site in comparison to communal internal and external amenity space and due to the lack of management proposals to ensure that satisfactory security and servicing arrangements are in place. The applicant has also failed to demonstrate that the site will be managed in such a way as to prevent noise and disturbance to neighbours. It is considered that this harm would outweigh the benefits of the proposal. The proposals are therefore contrary to policies DM1, DM2 and DM13 of the Development Management Policies Plan 2014 and paragraphs 17, 58 and 69 of the National Planning Policy Framework.”

The proposal

6. The proposal is for the demolition of the various rear extensions, construction of a new two storey rear extension and conversion of the property to a 26 bed HMO.
7. The proposal involves the provision of two parking spaces, a refuse storage enclosure, an area for covered and secure cycle parking for 26 bicycles and landscaped amenity areas to the front and the rear.

8. In February 2018, a similar scheme was refused for the reason shown under paragraph 5 above. In order to address the issues identified, the scheme has been amended in the following ways:
- Number of occupants reduced from 27 to 26
 - Ground floor communal space extended by 15m² and provided with additional light and outlook through a front facing window, sun tubes and glass blocks
 - First floor communal space provided with additional light through roof lights and glass blocks

Representations

9. The application has been advertised on site and in the press and adjacent and neighbouring properties have been notified in writing. 4 letters of representation have been received citing the issues as summarised in the table below. Following the submission of revised plans, neighbours were later reconsulted but no additional representations were received at this stage. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Lack of “fire strategy”	This is a matter which would be dealt with through Building Control and HMO licencing.
Lack of “traffic assessment”	The proposal includes fewer parking spaces than exist already on the site so any highway impacts will be reduced. No such assessment is required.
Lack of “construction site plan”	The small scale of the proposals does not warrant any such information.
Lack of “external lighting strategy”	External lighting is proposed, and is shown on drawing 1424 PL05 Rev G.
Lack of “internal demolition drawing”	The floor plans show this information, but since the property is not listed, internal works cannot be considered or controlled as part of this application.
Insufficient car parking spaces	See paragraph 46 below.
Lack of detail on windows and doors	Additional details have been submitted which provide sufficient detail to negate the need for conditions.
Lack of historical information	The Design & Access Statement adequately covers the history of the site and the area.
Lack of disabled access to satisfy Building Regulations	This is a matter which would be dealt with through Building Control.

Issues raised	Response
External extract vents adversely impact the visual appearance of the building	The vents which have been specified adequately protect the appearance of the property.
Balconies are not in keeping	No balconies are proposed within the scheme.
Sun tubes damage the roofline	Specifications have been received which show that low level products will be used. They are located on parts of the roof that will not be visible.
Accessible ramps damage the appearance of the building	Level access is required to satisfy building regulations.
CCTV cameras may impact the appearance of the building	7 CCTV cameras are proposed which are necessary to secure the site. They will not have a significant impact on the appearance of the building.
Querying relationship between different companies	This matter is not relevant to the planning process.
Compliance with the management plan would be difficult to enforce	It is proposed that the management of the premises must comply with specific actions listed within a condition, rather than with the whole management plan. See Main Issue 2 relating to amenity.
Noise pollution	See Main Issue 2 relating to amenity.
Overlooking	See Main Issue 2 relating to amenity.
Kitchen spaces are cramped	See Main Issue 2 relating to amenity.
Highway danger from Essex Street entrance	The proposal makes use of an extant access and includes fewer parking spaces than exist already on the site. As such, any highway impacts will be reduced.

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.

Design and conservation

11. The design of the extension has not changed and it was agreed to be appropriate under the last application 17/01588/F. Further advice has been given on the external materials to be used.

Highways (local)

12. No objection on highway grounds. The proposed use of the building would have very limited motor vehicle traffic generation due to the small car park and the limited entitlement to business parking permits. The premises would not be entitled to residential on-street parking permits, but as a business it could apply for on-street parking permits. The majority of occupiers would therefore travel by modes other than car i.e. walk, cycle, bus, car club. The refuse store has been amended to reflect comments on its layout.

Natural areas officer

13. Hedgehog gaps must be incorporated along all boundaries. Native species should be used in the landscaping to provide ecological benefits.

Private sector housing

14. Discussions during the development of the previous scheme (17/01588/F) concluded that the kitchen spaces were sufficient for 27 residents. [Note: The current scheme is for 26 residents with more amenity space]

Tree protection officer

15. Comments on the previous scheme (17/01588/F):
16. Works should be carried out in accordance with the submitted Arboricultural Impact Assessment (AIA). Any further tree work required would need the benefit of the relevant consent since the site sits within a conservation area.

Citywide Services

17. Three or four 1100l refuse bins and 2 1100l recycling bins would be sufficient for this size of property.

Assessment of planning considerations

Relevant development plan policies

18. **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
19. **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
 - DM7 Trees and development
 - DM9 Safeguarding Norwich's heritage

- 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

Other material considerations

20. 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
- NPPF8 Promoting healthy communities
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

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 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

22. Key policies and NPPF paragraphs – DM12, DM13, NPPF paragraphs 49 and 14.
23. Firstly, the proposal involves the loss of a hotel outside of a defined centre. There are no local policies protecting hotel uses, so this loss is considered acceptable.
24. The proposal involves the creation of a house in multiple occupation (HMO) which is a matter covered by local policies DM12 & DM13. The proposals satisfy criteria a) and c) of DM12 due to the site's sustainable location. Criteria b) of DM12 relates to the impact of the development on the character and amenity of the area, which is a matter dealt with under Main Issue 3, below. Criteria a) of DM13 relates to the provision of sufficient living conditions for future occupants, which is a matter dealt with under Main Issue 2, below. Criteria c) of DM13 relates to the provision of appropriate servicing, bicycle storage and car parking, which is a matter dealt with under the Other Issues section, below.
25. It is important to note that the principle of development was not a matter challenged within the reason for refusal on the previous scheme (17/01588/F).

Main issue 2: Amenity

26. Key policies and NPPF paragraphs – DM2, DM11, DM13, NPPF paragraphs 9 and 17.

Future occupants

27. The first issue to consider is the ability of the development to provide future occupants with adequate living conditions.
28. The reason for refusal on the previous scheme (17/01588/F) stated “The proposal would fail to deliver a high standard of amenity and living conditions for future residents of the site, by virtue of... the number of residents on site in comparison to communal internal and external amenity space...”.
29. The ground floor communal amenity space has been extended into a space which was previously a bedroom. This reduces the proposed number of residents from 27 to 26 and provides an additional 15m² of communal floor space. It appears that this additional space will be linked to the rest of the ground floor amenity space and will be laid out as a lounge area. The property now provides:
- A gym and a cinema room in the basement
 - A reception space, two kitchen/diners, a lounge area and a laundry room on the ground floor
 - A kitchen/diner and a laundry room on the first floor
 - A large front garden and a smaller private rear garden
30. As a result of the reduction in the number of residents and the provision of additional good quality internal amenity space, this issue is considered to be adequately addressed. A condition is recommended which limits the number of occupants to 26.
31. The reason for refusal on the previous scheme (17/01588/F) also stated “The proposal would fail to deliver a high standard of amenity and living conditions for future residents of the site, by virtue of the lack of outlook and light provided to communal amenity spaces...”.
32. The extending of the ground floor communal amenity space provides the space with light and outlook through a large window facing towards the front garden. The ground floor space is also served by two sun tubes which provide daylight into the main kitchen space. Glass bricks let daylight into the kitchen space from the corridor which is served by another sun tube and windows. The first floor kitchen/diner is served by two roof lights and also has glass bricks which allow light in through many roof lights within the first floor corridor. Overall, the outlook and light provided to these rooms has improved significantly and this issue is considered to be adequately addressed.
33. The reason for refusal on the previous scheme (17/01588/F) also stated “The proposal would fail to deliver a high standard of amenity and living conditions for future residents of the site... due to the lack of management proposals to ensure that satisfactory security and servicing arrangements are in place...”.

34. The applicant has provided a Management Plan which sets out the security and servicing arrangements for the site. CCTV and external lighting schemes are proposed to protect occupants from crime and disturbance. The communal parts of the site will be kept clean and tidy through a weekly housekeeping visit and a Community Manager will be available on the site for at least one day per week. Bins will need to be taken out to the refuse store by residents and housekeeping staff, and refuse collections will be taken directly from the bin store by a commercial contractor. A condition is recommended which requires the site to be managed in this way.
35. The amendments to the scheme are considered to make a significant improvement to the quality of the living accommodation provided to future occupants.

Existing occupants

36. There are two immediate neighbours to the site - number 76 Unthank Road and number 2a Essex Street. Due to the amendments to the scheme secured through negotiations, the extensions have been set back from boundaries and do not give rise to any significant concerns around loss of outlook, privacy or light. Any impact on light to the neighbour at 76 Unthank Road would be minimal due to the distance the extension is set back from the boundary and the existing vegetation between the sites. The existing use of the site is a hotel providing approximately 16 double bedrooms. The proposal involves extensions to provide additional rooms, and the reconfiguration of the site to provide additional amenity space and fewer parking spaces.
37. The use of the site as a house in multiple occupation for 26 individuals may increase the number of people coming and going from the site and the number of people using outside spaces so neighbours of the site could experience additional noise. The site is of a generous size and the neighbours' windows face away from the site but nevertheless the reason for refusal on the previous scheme stated "The applicant has also failed to demonstrate that the site will be managed in such a way as to prevent noise and disturbance to neighbours...".
38. The applicant has provided a Management Plan which sets out ways in which the site will be managed so as to prevent noise and disturbance to neighbours. The use of CCTV and external lighting around the site will serve to curb anti-social behaviour and the CCTV will provide a source of evidence for any incidences which do occur. Neighbours will be provided with a 24 hour phone line to report any issues to, and will be made aware on which day the Community Manager will be available to talk to on site. A condition is recommended which requires the site to be managed in this way. Also, by restricting the number of residents to 26, neighbours will be protected from an over-intensive use of the site.
39. Subject to the conditions recommended to be imposed, the proposal is now considered to accord with policies DM1, DM2 and DM13 of the Development Management Policies Plan 2014 and paragraphs 17, 58 and 69 of the National Planning Policy Framework.

Main issue 3: Design & heritage

40. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 & 128-141.

41. The design of the scheme has not changed since the previous application (17/01588/F) but details of all materials have been submitted.
42. The proposal involves the removal of various extensions, conservatories and outbuildings at the rear of the site. Most of these are modern structures in poor condition which serve to clutter the rear elevation and are of no architectural merit. As such, their removal is considered beneficial. There is a rear extension with a cat-slide roof which is believed to be an original part of the houses. The loss of this is regrettable but not cause for an objection given the overall benefits of the scheme.
43. While the windows on the front elevation of 80 Unthank Road are in poor condition, they are believed to be the original '6 over 6' timber sashes (or at least suitable replacements). The windows on the front elevation of 78 Unthank Road, on the other hand, are poorly designed replacements with no glazing bars. All are proposed to be replaced with double glazed timber sliding sashes which will enhance the appearance of the building which is prominent in the street scene.
44. The rear extension has been designed to reveal the rear wall on each side and has a built form which replicates the form of the original building.
45. It is important to note that the design of the scheme was not a matter challenged within the reason for refusal on the previous scheme (17/01588/F).

Other issues

46. The table below indicates the outcome of the officer assessment in relation to other relevant matters. It is important to note that none of the issues listed below were challenged within the reason for refusal on the previous scheme (17/01588/F).

Issue	Relevant Policy	Assessment
Cycle storage	DM31	26 covered and secure cycle spaces provided to the side of the property. There is no specific requirement for larger houses in multiple occupation, but the number of cycle spaces has been increased from 20 to 26.
Car parking provision	DM31	2 parking spaces provided using extant vehicle access. DM13 seeks to limit the number of car parking spaces for schemes such as this but there is no specific requirement for larger houses in multiple occupation. This level is considered appropriate in this sustainable location.
Water efficiency	JCS1 & JCS3	Acceptable details provided on floor plans.
Sustainable urban drainage	DM3 & DM5	Reduction in amount of hard landscaping and overall increase in permeable areas of the site.
Biodiversity	DM6	An ecology survey shows that the site has some limited biodiversity value. The proposals are acceptable subject to the recommended conditions.
Trees	DM7	Acceptable subject to conditions.
Landscaping	DM3 & DM8	Acceptable subject to agreement of an appropriate planting scheme and agreement of hard landscaping materials.

Equalities and diversity issues

47. There are no significant equality or diversity issues.

Local finance considerations

48. 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.

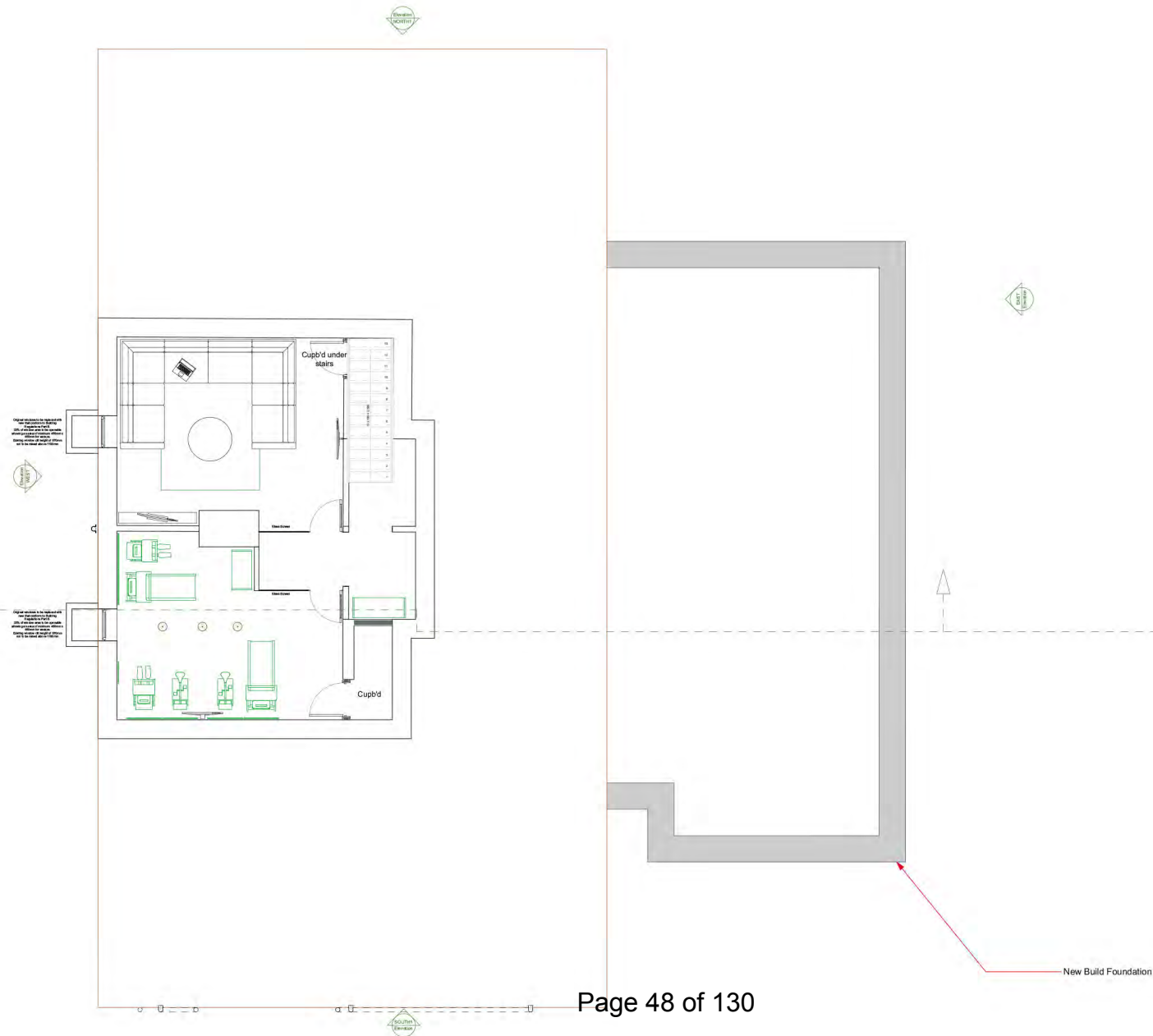
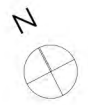
Conclusion

49. The applicant has made a number of changes to the scheme in order to address the issues identified within the previous reason for refusal. Subject to the conditions below, it is considered that the proposals will enhance the Conservation Area and provide good quality living accommodation. The development is considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan. It has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application no. 18/00261/F - Bristol House 78 - 80 Unthank Road Norwich NR2 2RW and grant planning permission subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Landscaping scheme to be agreed pre-occupation (including 2 bird boxes)
4. Site to be managed as follows:
 - a. Signs to be erected inside and outside the property to advertise management contact details
 - b. Immediate neighbours to be provided with weekly on-site visiting hours for the Community Manager via post or a dedicated website
 - c. The Community Manager should be available to tenants and members of the public at least one day per week. A log book should be kept as a record of all visits
 - d. The outside areas should be inspected and cleaned at least once per week.
5. Cycle parking, refuse storage, external amenity space, window replacement works, internal communal spaces, CCTV, external lighting to be made available prior to occupation
6. Water efficiency measures to be used as set out on the plans
7. Works to take place in accordance with the recommendations within sections 5 and 6 of the ecology report
8. No development during bird nesting season without survey
9. Small mammal access - hedgehog haps in boundary treatments
10. Trees - in accordance with Arboricultural Impact Assessment (AIA)
11. Number of occupants limited to 26



Habitable space sized in accordance with guidance as laid out in Government documents:
* Private Sector Housing - Amenity Standards - May 2016
* Technical Housing Standards - Nationally Described Space Standard - May 2015

- = New Construction
- = Block up Existing opening
- = Existing Chimney
- = Existing Construction



COPYRIGHT: This drawing must not be reused, loaned or copied without the consent of CAM Architects Limited. All dimensions are to be checked before any site fabrication by the contractor or sub-contractors, specialist suppliers etc. Do not scale plans. Use only square or grid dimensions. Any deviation from this drawing is to be reported to CAM Architects Limited immediately. This drawing has been prepared for the following purposes and does not constitute use for any other purpose.
PLANNING 2017



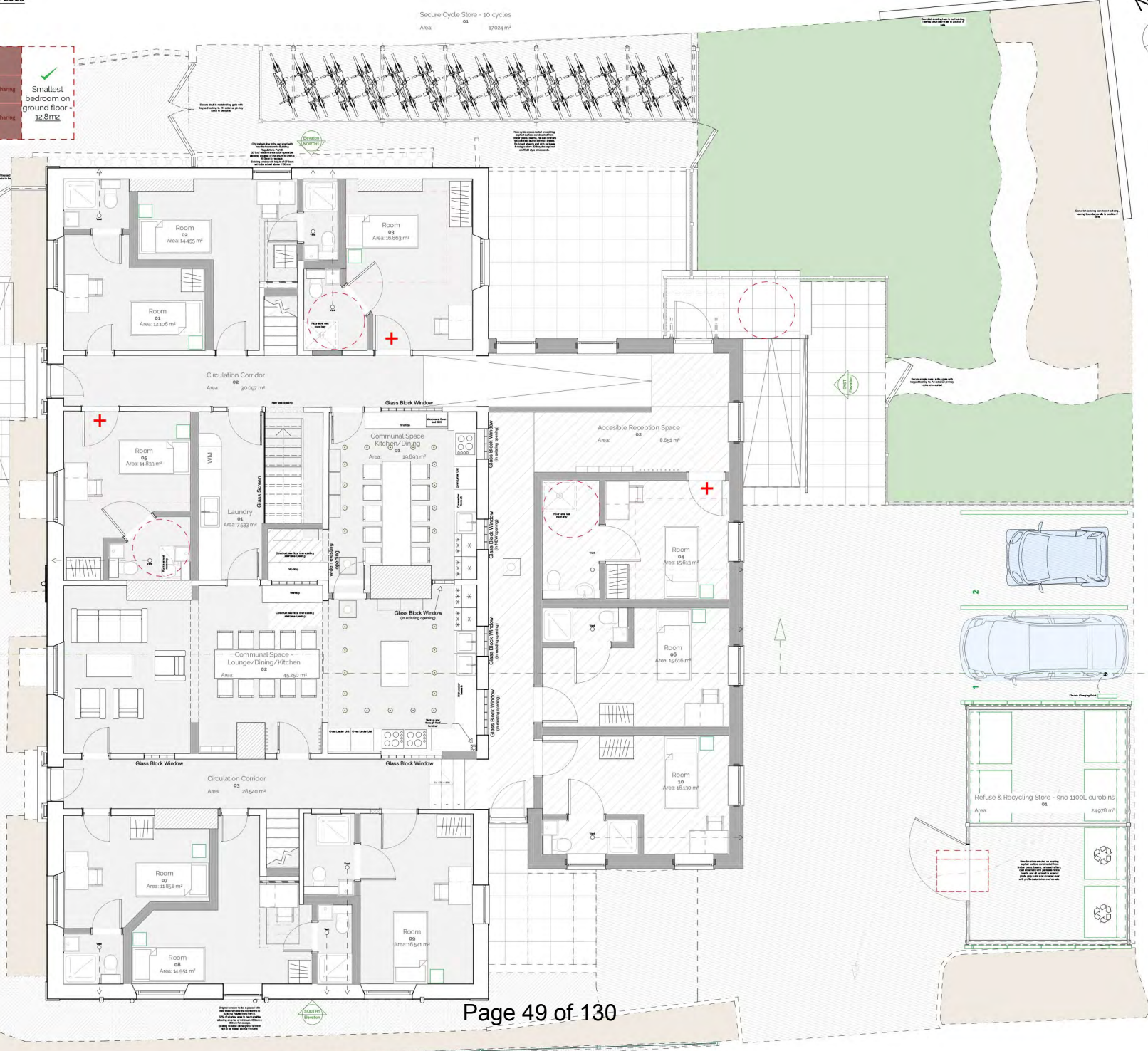
Client			
Estabed Education			
Project Details			
Refurbishment and Extension of Bristol House to provide accommodation units			
Project Address			
18-20 Unthank Road Norwich Norfolk NR2 1BR			
Drawing Title			
BASEMENT Plan-Proposed			
J16 No.	Drawing	PL01	
1/2/24	Master		
Date	Scale	Revision	
16/03/2024		B	
Drawn	Checked	CSO Date	

8. Occupancy levels

The minimum bedroom sizes are as follows:

for bedrooms with cooking facilities	a minimum of 13m ² for one person a minimum of 20m ² for two persons sharing
for bedrooms where kitchen and dining facilities are provided elsewhere in the house	a minimum of 6.5m ² for one person a minimum of 11m ² for two persons sharing
for bedrooms where where the kitchen is provided elsewhere but there are no other dining facilities provided	a minimum of 10m ² for one person a minimum of 15m ² for two persons sharing

Smallest
bedroom on
ground floor
12.8m²



Note on Water Efficiency:
Water efficiency will be delivered within the operation by providing fittings that comply with the following flow rates to allow a usage capacity of 125L per person per day.

- Dual Flush WCs = 4L & 6L
- Showers = 15L per minute
- Basin Taps = 6L per minute
- Sink Taps = 8L per minute
- Dishwashers = 1.25L per place setting
- Washing Machines = 8.17L per KG of washing

+ Could be made suitable for those with Accessible needs.

Habitable spaces sized in accordance with guidance as laid out in Government documents:

* Private Sector Housing - Amenity Standards - May 2016

* Technical Housing Standards - Nationally Described Space Standard - May 2015

■ = New Construction

■ = Block up Existing opening

■ = Existing Chimney

■ = Existing Construction



COPYRIGHT: This drawing must not be reproduced, copied, or altered without the consent of CAM Architects Limited. All dimensions are to be checked before any site fabrication by the contractor or sub-contractors, specialist suppliers etc. Do not scale plans. Use only figured or grid dimensions. Any deviation from this drawing is to be reported to CAM Architects Limited immediately. This drawing has been prepared for the following purposes and does not constitute a contract for any other purpose. P:\2016\2016-2017

Drawn	Checked	CSO Date
-------	---------	----------



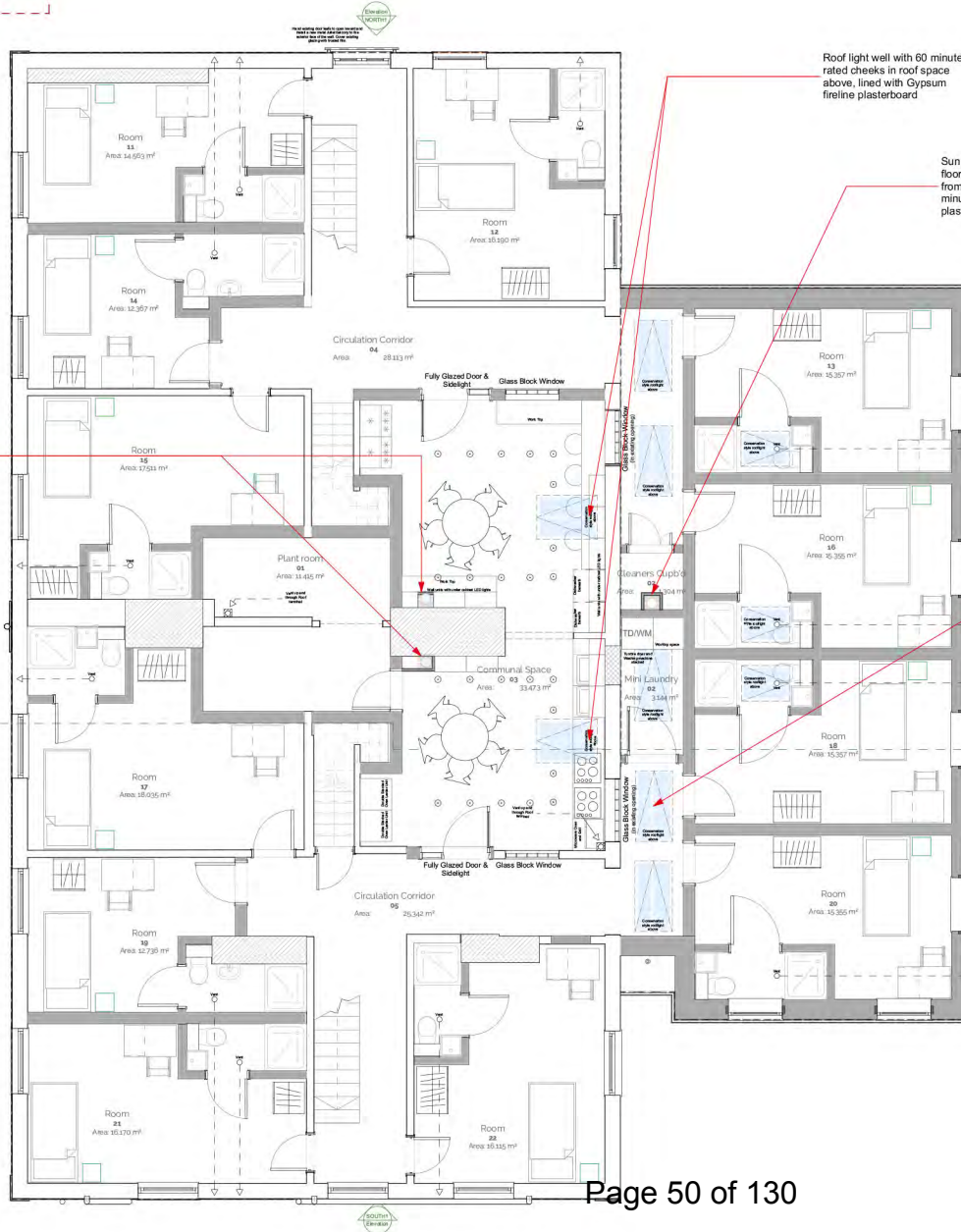
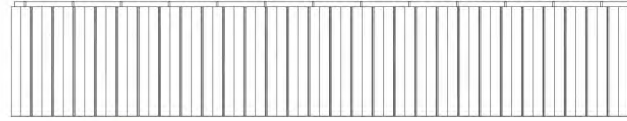
Client	Estimate/Location
Project Details	Refurbishment and Extension of Bristol House to provide 31 accommodation units
Project Address	35-39 Unwin Road, Norwich, Norfolk NR2 1BA
Drawing Title	GROUND Floor Plan - Proposed

Job No.	1474	Drawing Number	PL02
Date	20/10/2018	Scale	1:50
Drawn	Checked	CSO Date	

8. Occupancy levels

The minimum bedroom sizes are as follows:

for bedrooms with existing facilities	a minimum of 10m ² for one person a minimum of 10m ² for two persons sharing	 Smallest bedroom on first floor = 12.0m ²
for bedrooms where kitchen and dining facilities are provided elsewhere in the house	a minimum of 6.5m ² for one person a minimum of 11m ² for two persons sharing	
for bedrooms where there are no kitchen or dining facilities provided	a minimum of 10m ² for one person a minimum of 10m ² for two persons sharing	



Sun tubes from roof above pass through first floor and down to ground floor will be boxed in flush with the kitchen cupboards from ceiling down to floor and be rated for 60 minutes fire resistance using Gypsum fireline plasterboard.

Roof light well with 60 minute rated cheeks in roof space above, lined with Gypsum fireline plasterboard

Sun tube from roof above pass through first floor and down to ground floor will be boxed in from ceiling down to floor and be rated for 60 minutes fire resistance using Gypsum fireline plasterboard.





Velux conservation style roof lights fitted over circulation corridor to maximize light, kerbs to be installed to minimum heights and be mid grey, frames to be matt grey.

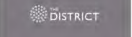


Note on Water Efficiency:
Water efficiency will be delivered within the operation by providing fittings that comply with the following flow rates to allow a usage capacity of 125L per person per day.

- Dual Flush WCs = 4L & 6L
- Showers = 10L per minute
- Basin Taps = 6L per minute
- Sink Taps = 8L per minute
- Dishwashers = 1.25L per place setting
- Washing Machines = 8.17L per kg of washing

Habitat space sized in accordance with guidance as laid out in Government documents:
* Private Sector Housing - Amenity Standards - May 2016
* Technical Housing Standards - Nationally Described Space Standard - May 2016

-  = New Construction
-  = Block up Existing opening
-  = Existing Chimney
-  = Existing Construction




CAM
architects

Copyright: This drawing must not be reissued, loaned or copied without the consent of CAM Architects Limited. All dimensions are to be checked before any site fabrication by the contractor or sub-contractors specialist suppliers etc. Do not scale plans. Use only figured or grid dimensions. Any deviation from this drawing is to be reported to CAM Architects Limited immediately. This drawing has been prepared for the following purposes and does not constitute use for any other purpose.
PLANNING 2017

Client	Estabed Education
Project Details	Refurbishment and Extension of Bristol House to provide accommodation units
Project Address	78-80 Unthank Road Norwich Norfolk NR2 6PR
Drawing Title	FIRST Floor Plan- Proposed
Job No.	1424
Drawing Number	PL03
Date	20/10/2018
Drawn	CSO
Checked	G
CSO Date	

The minimum bedroom sizes are as follows:

for bedrooms with cooking facilities	a minimum of 13m ² for one person a minimum of 20m ² for two persons	 <p>Smallest bedroom in roof space - 12.3m²</p>
for bedrooms where kitchen and dining facilities are provided elsewhere in the house	a minimum of 6.5m ² for one person a minimum of 11m ² for two persons sharing	
for bedrooms where there the kitchen is provided elsewhere but there are no other dining facilities provided	a minimum of 10m ² for one person a minimum of 15m ² for two persons sharing	

Smallest
bedroom in
roof space =
12.3m²

Velux conservation style roof lights fitted over ensuite bathrooms below. Install flush with slates and frames to be matt grey.

Sun tubes to let natural light down to the ground floor communal areas, tubes to be boxed in as they pass through first floor and roof space.
Use Velux Sun Tunnel Rigid TLR for pitched roofs fitted flush to slates with a matt grey frame

Roof light wells to let daylight down to communal space below. Fitted with Velux Conservation style roof light, fitted flush to slates with a matt grey frame

Sun tube to let natural light down to the ground floor communal areas, tube to be boxed in as it passes through first floor. Use Velux Sun Tunnel Rigid TLR for flat roofs fitted flush with a matt grey frame

Velux conservation style roof lights fitted over ensuite bathrooms below. Install flush with slates and frames to be matt grey.

Velux conservation style roof lights fitted over circulation corridor to maximize light, kerbs to be installed to minimum heights and be mid grey, frames to be matt grey.

New slate roof covering in Natural Spanish Slates with Slate ridge tiles in a corresponding matching grey

Single ply membrane roof covering in a mid grey tone

Existing slates to remain in situ.



Note on Water Efficiency :
Water efficiency will be delivered within the operation by providing fittings that comply with the following flow rates to allow a usage capacity of 125L per person per day.

- Dual Flush WC's = 4L & 6L
- Showers = 10L per minute.
- Basin Taps = 6L per minute.
- Sink Taps = 8L per minute.
- Dishwashers = 1.25L per place setting.
- Washing Machines = 8.17L per KG of washing.

Habitable spaces sized in accordance with guidance as laid out in Government documents.

* Private Sector Housing Standards - May 2016

* Technical Housing Standards -
Nationally Described Space Standard -
May 2015

= New Construction

= Block up Existing opening

= Existing Chimney

■ Existing Construction

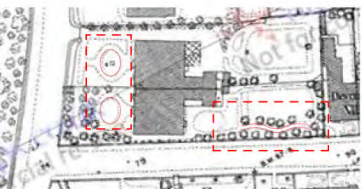


COPYRIGHT: This drawing must not be reissued, loaned or copied without the consent of CAM Architects Limited. All dimensions are to be checked before any site fabrication by the contractor or subcontractors specialist suppliers etc. Do not scale plans. Use only figured or given dimensions. Any deviation from this drawing is to be reported to CAM Architects Limited immediately. This drawing has been prepared for the following purposes and does not constitute use for any other purpose.

[illegible]

Client	Estate Education
Project Details	Refurbishment and Extension of Bristol House to provide 31 accommodation units
Project Address	78-80 Unthank Road Norwich Norfolk NR2 2RW

Drawing Title ROOF Plan- Proposed		
Job No. 1424	Drawing Number PL04	
Date 20/03/2028	Scale 1/8"=1'-0"	Revision H
Drawn ...	Checked ...	CSD Date ...



Reconstituted york stone slab covering over ramp and paved areas.

Enhance front lawn by forming a new oval shaped hoggin area influenced by the original garden design as revealed in the 1884 OS map shown to the left. Screen hoggin oval from street further with a curved privet hedge.

Demolish existing burnt out "lean-to", secure with keypad locking metal railing gates and install a covered cycle store for 27 no bikes on sheffield style cycle stands. All external pin key locks to be suited.

Reconstituted york stone slab covering over ramp and paved areas.

Demolish existing lean to garage, leaving corner boundary walls in place if safe and landscape to form rear amenity space.



Part M accessible ramp formed in tamped concrete with black brick edging to match existing and proposed plinth. Guarding formed from black metal estate style railings 900mm high.

New plain metal railings and gate painted black and secured with keypad lock. All external pin key locks to be suited.

In situ Privet hedge in old beds at site boundary to provide privacy and screening and add greenery to the street scene

Part M accessible ramps.

New metal gates in the style of the existing railings.

Repair and repaint existing metal railing fence using black gloss exterior grade metal paint.

Retain 2 existing car parking spaces to include an electric car charging point to one.

New bin store for 9no 1100L wheeled bins constructed from timber posts and rails clad with grey painted timber fence boards with pointed tops. The bin store will be covered with an aluminium profiled metal sheet roof. Bin provision provides 1 bin per 3 units

Bin store located adjacent to street and site entrance to provide easy access within 5m from the public highway as per NCC guidelines. Plant Privet hedging into existing raised planter to screen the bin store and provide greenery to the street scene.

Reinvigorate existing planted beds with fresh native perennial planting. Screening from the street provided by in situ privet hedges

In situ Privet hedge to old beds at site boundary to provide privacy and increase greenery on the street scene

Reconstituted york stone slab covering over ramp and paved areas.

Retain existing Lime trees bookending site entrance and return to original polierded style as highlighted in tree consultants report.

Electrical Symbol Legend :

- Wall Light
- External Light
- External Bulkhead Light
- PIR PIR motion Sensor
- Door Bell
- Intercom
- CCTV CCTV camera



COPYRIGHT: This drawing must not be reissued, loaned or copied without the consent of CAM architects Limited. All dimensions are to be checked before any site fabrication by the contractor or sub-contractors specialist suppliers etc. Do not scale plans. Use only figured or grid dimensions. Any deviation from this drawing is to be reported to CAM Architects Limited immediately. This drawing has been prepared for the following purposes and does not constitute use for any other purpose. PLANNING 2022



Client: Estover Education			
Project Details: Refurbishment and Extension of Bristol House to provide 36 accommodation units.			
Project Address: 36-40 Lifford Road Norwich Norfolk NR2 1PR			
Drawing Title: SITE LAYOUT plan-Proposed			
Job No: 1424	Drawing: PLOS	Revision: G	
Date: 16/09/2022	Drawn: CSO	Checked: CSO	CSD Date:

Report to Planning applications committee

Item

12 April 2018

Report of Head of planning services

Subject Application no 18/00167/O - Garages between 80 - 92
Lincoln Street, Norwich

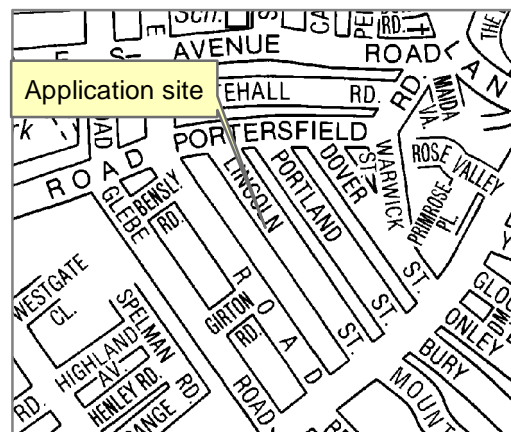
4(c)

**Reason
for referral** Objections

Ward:	Nelson
Case officer	Charlotte Hounsell - charlottehounsell@norwich.gov.uk

Development proposal		
Outline permission for demolition of existing garages and erection of 4 No. dwellings.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1	Principle of development
2	Design
3	Amenity
4	Transport
5	Trees/Landscaping
6	Flood risk
7	Biodiversity
Expiry date	2 April 2018
Recommendation	Approve



The site and surroundings

1. The subject site is located on the West side of Lincoln Street, West of the City Centre. The site currently comprises 17 garages with a forecourt/area of hardstanding. The site appeared to be disused at the time of the officer's site visit and fencing had been erected at the front. To the front of the site is a verge area, with a planting bed behind a retaining wall. This area includes a number of small trees. The site is bordered by two existing properties. The dwelling to the South has a blank elevation to the site whilst the property to the North has a side elevation window at first floor. To the rear of the site is an access alley which runs between the backs of properties along Lincoln Street and College Road. Most properties have a gated access onto this alley. Lincoln Street slopes away towards Jessopp Road and Unthank Road. The surrounding area is principally residential in nature.

Constraints

2. The property is located within a critical drainage area

Relevant planning history

3. There is no relevant planning history.

The proposal

4. The proposal is for the demolition of the existing garages and the erection of four terraced dwellings.
5. This application is for outline consent and therefore only the principle of building four houses on this site is under consideration. Whilst an indicative plan has been submitted, details of the proposal including layout, access, scale, appearance and landscaping will need to be considered at a later date as part of reserved matters applications.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	4
No. of affordable dwellings	0
Density	88.8 dwellings per hectare
Transport matters	
Vehicular access	None proposed

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.

Issues raised	Response
Loss of light to neighbouring window	See Main Issue 3
Noise and dust disturbance	See Main Issue 3
Unsocial working hours	See Main Issue 3
Increase in parking pressures	See Main Issue 4
Loss of value to surrounding properties	Impact upon surrounding property values is not a material planning consideration and has therefore not been considered further.

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.

Highways (local)

8. No objection in principle on highway grounds. Construction management Plan will be required to manage construction traffic and potential need for footway diversion. The footway will need to be reconstructed to a full height kerb and footway (removing the dropped kerb). Please re-use the granite kerbs. Streetworks permit will be required for road opening (road works). The double yellow lines need to be removed (no TRO fee). It is not clear where bins and bikes will be stored. Ideally these would be in a secure unit at the front of the properties for ease of access. Informative: Residences will not be entitled to on street parking permits.

Tree protection officer

9. The group of maple trees close to 80 Lincoln Street are self-set and although they contribute to the street scene, I do not object to their removal. It would be desirable to see some planting in the front gardens of the new properties, any new trees or shrub like trees should be small species.

Natural areas officer

10. I don't have any objection to the application. However I think we should ask for an ecological assessment on the basis that it involves demolition of buildings which are

derelict/vacant. This only needs to cover bats and should be carried out by a qualified ecologist. It would also be beneficial to get some simple ecological enhancements such as bird and bat boxes on the proposed buildings if possible.

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
 - 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
12. **Northern City Centre Area Action Plan adopted March 2010 (NCCAAP)**
 - Insert any relevant site specific of area policies
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
 - DM5 Planning effectively for flood resilience
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - 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. **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

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 – JCS4, DM12, NPPF paragraphs 49 and 14.
17. The site currently comprises garages which appeared to be disused at the time of the officers site visit. There is currently no policy which seeks to protect the existing garage use and therefore the loss of this use is acceptable.
18. The principle of residential development is subject to assessment against a number of criteria within policy DM12. In this case the site is not covered by any of the exceptions in the first part of the policy and with regard to criteria a) of the policy, the proposal would not prejudice wider regeneration proposals on the site.
19. Policy DM12 criterion b) requires that the proposal has no detrimental impacts on the character and amenity of the surrounding area. In addition, Policy DM3 requires that new development respects, enhances and responds to the character and local distinctiveness of the area and has regard to the character of the surrounding neighbourhood and the elements contributing to its overall sense of place. In addition criterion e) of DM12 requires a density in keeping with the existing character and function of the area. Both policies are consistent with paragraph 53 of the NPPF as outlined above.
20. The character of the area is defined by residential terraces with private rear garden spaces. The indicative proposals would be consistent with this character and density. The sections below outline further assessment in relation to design and amenity and these matters would be considered in further detail as part of future reserved matters applications. Therefore, the principle of residential development is acceptable on this site, subject to further detailed design and amenity assessment.
21. Officer's also note that Section 6 of the NPPF places emphasis on the critical importance of planning effectively for housing delivery and (in particular) boosting the housing supply. As outlined in Policy DM12, windfall sites are expected to come forward to aid in delivering the Council's five year housing land supply. The proposal will assist housing delivery albeit modestly given the proposal is for four dwellings.

Main issue 2: Design

22. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.

23. Layout, appearance and landscaping would be considered by further reserved matters applications. The submitted plan shows an indicative layout which identifies that four dwellings could be accommodated on the site with space for private gardens.
24. At present, the garages are disused and are unsightly. The garage site represents an interruption in the terraced street scene with the garages arranged perpendicular to the surrounding properties. The proposal would bring the site back into use. The indicative plan shows dwellings oriented parallel to the highway in keeping with the pattern of surrounding development.

Main issue 3: Amenity

25. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
26. Concerns were raised that the proposal would result in a loss of light to a window within the side elevation of the neighbouring property. It is likely that there would be some loss of light to the adjacent window. However, it is considered that the detailed design and layout of the dwellings, which will be secured by reserved matters applications, could sufficiently overcome any significant impacts upon neighbouring amenity.
27. Concerns were also raised regarding unsociable working hours and noise/dust pollution. Nuisance during construction is not a planning matter, however it is recommended that an informative is included advising the applicant of considerate construction practices.

Main issue 4: Transport

28. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
29. Concerns were raised that the proposal would result in additional parking pressures in the surrounding area.
30. The Transport Officer did not raise any objection to the proposal. The officer confirmed that the proposed dwellings would not qualify for on street parking permits. Therefore, the dwellings would not exacerbate parking issues along Lincoln Street. The indicative plans do not show spaces for off-road parking, however car-free housing is acceptable in this location.
31. The site can adequately accommodate bin and bicycle storage which would be agreed at reserved matters stage.
32. Citywide Services have also confirmed that the site can be adequately serviced.
33. A condition is recommended requiring a construction management plan be submitted prior to commencement of development.

Main issue 5: Trees

34. Key policies and NPPF paragraphs – DM3, DM7, NPPF paragraphs 9, 17, 56, 109 and 118.

35. There is a small group of maple trees located at the front of the site within raised grass areas with retaining walls. These verge areas are in poor condition with broken sections of the wall and litter. Securing landscaping details at reserved matters stage would improve the appearance of the site. The Tree Officer highlighted that the maple trees were self-set and had no objection to their removal. Given that the trees are considered to have amenity value in the streetscene, it will be necessary to secure suitable replacement planting as part of the reserved matters applications.

Main issue 8: Flood risk

36. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
37. The subject site is located within a critical drainage. In accordance with DM5, proposals are required to give adequate consideration to mitigating surface water flood risk. It is likely that the proposal will result in an improvement to the drainage situation of the site given that a proportion of the site will be given over to garden area compared with the current impermeable hardstanding. There is opportunity for further drainage improvements at the site through the use of, for example, permeable materials, rainwater storage and green roofs. It is considered that there would be sufficient space within the site to incorporate measures to reduce flood risk which can be secured by condition.

Main issue 9: Biodiversity

38. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
39. The site is currently hard standing and disused garages and therefore has limited biodiversity value. It is considered that opportunities to increase biodiversity at the site could be sought at reserved matters stage and could include measures such as green roofs, native species planting and bird/bat boxes.
40. Ecology surveys on previous applications on garage sites have not identified bat roosts suggesting that these structures are not favoured by protected species. However, it is considered appropriate that a protected species survey should be submitted at the reserved matters stage.

Compliance with other relevant development plan policies

41. 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	To be considered at reserved matters stage
Car parking provision	DM31	Car free housing
Refuse Storage/servicing	DM31	To be considered at reserved matters stage

Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

Equalities and diversity issues

42. There are no significant equality or diversity issues.

Local finance considerations

43. 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.
44. 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.
45. In this case local finance considerations are not considered to be material to the case.

Conclusion

46. Outline permission is sought for 4 no. houses. There is a principle in favour of development on the application site and the indicative plans show that the dwellings could be accommodated on the plot.
47. 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

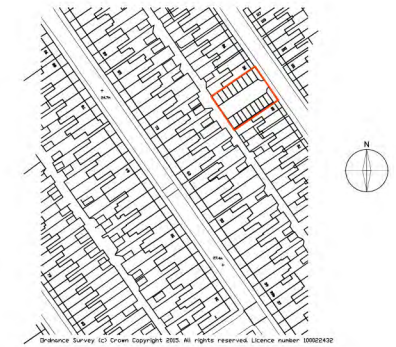
To approve application no. 18/00167/O - Garages Between 80 - 92 Lincoln Street Norwich and grant planning permission subject to the following conditions:

1. Application for reserved matters to be made within 3 years of the date of the permission, development to commence within 2 years of approval of reserved matters.
2. No development to take place without approval of reserved matters relating to appearance, landscaping, scale, layout and access.
3. No development to take place without submission and approval of a protected species survey as part of the reserved matters application(s).

4. No development to take place without submission of a construction management plan.
5. Unexpected contamination to be reported.
6. Imported topsoil/subsoil to be certified.
7. No development to take place until a scheme to mitigate the impacts of surface water flooding has been submitted for approval and approved scheme to be implemented in full.
8. Water efficiency.

Article 35(2) statement

The local planning authority in making its recommendation has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.



A SQUARED ARCHITECTS



www.esquaredarchitects.com

1 NETHERCONESFORD
93-95 KING STREET
NORWICH NR1 1PW
T: 01603 664379
F: 01603 631352

mail@esquaredarchitects.com

Client
CNC Properties

Job
Residential development
Lincoln St
Norwich

Drawing Title
Location and Site Plans
(Outline planning)

Scale
1:200/1250@A1

Date
Jan 2018

Drawn By
mja

Checked By

Drawing No
16

Rev
60

Job No
02

Report to Planning applications committee

Item

12 April 2018

Report of Head of planning services

Subject Application no 18/00005/F - 5 Nutfield Close, Norwich,
NR4 6PF

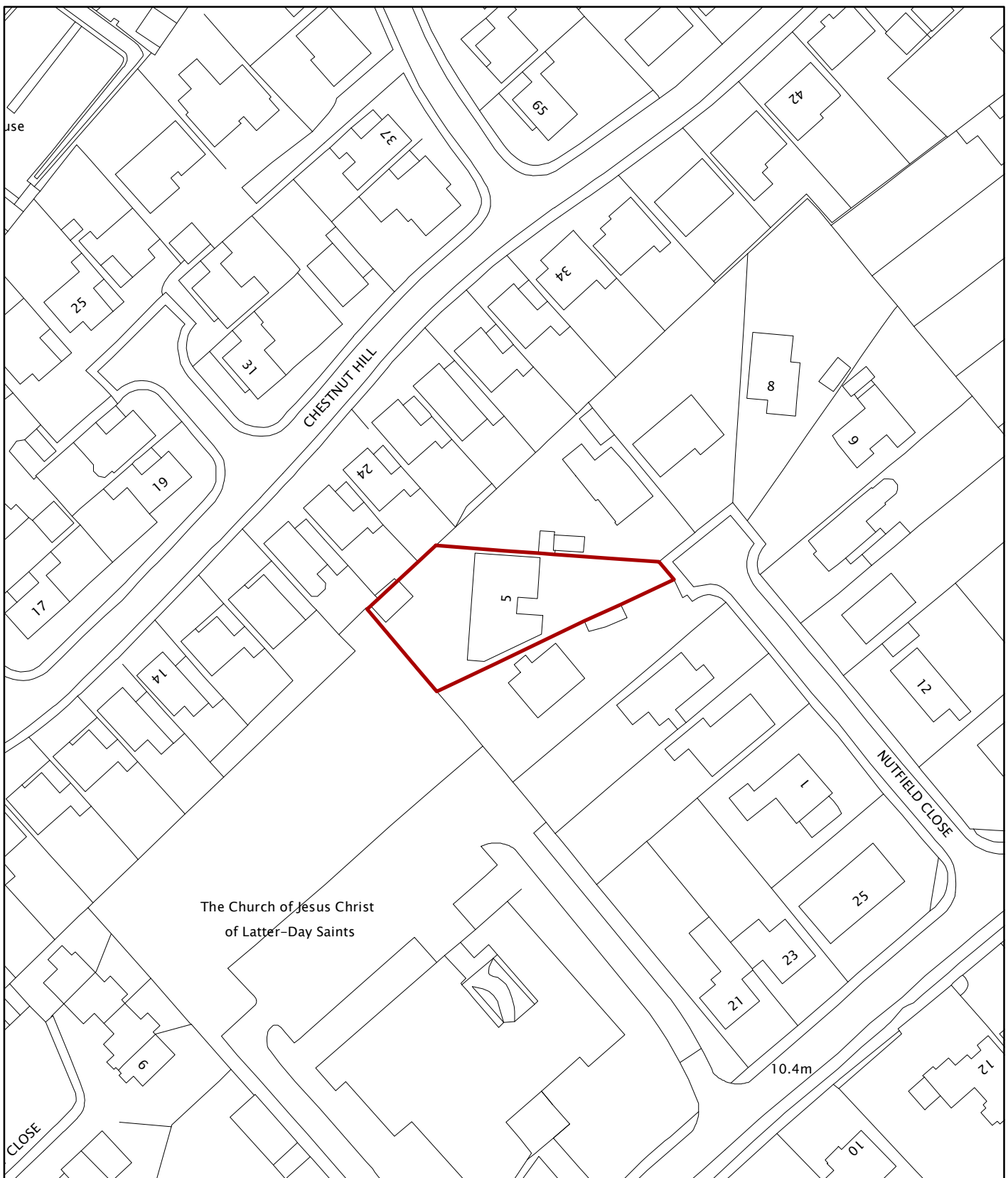
4(d)

**Reason
for referral** Objection application / Called in by an elected member

Ward:	Eaton
Case officer	Stephen Polley - stephenpolley@norwich.gov.uk

Development proposal		
Single storey front and rear extension, creating a new dwelling with a separate rear garden (retrospective application).		
Representations		
Object	Comment	Support
5	0	1

Main issues	Key considerations
1 Principle of development	The creation of a new dwelling.
2 Design	The impact of the development within the context of the original design / surrounding area.
3 Amenity	The impact of the development on the neighbouring properties and occupiers of the subject property.
4 Transport	The impact of the development on parking and access arrangements within the cul-de-sac.
Expiry date	12 March 2018
Recommendation	Approve



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

Planning Application No 18/00005/F
 Site Address 5 Nutfield Close

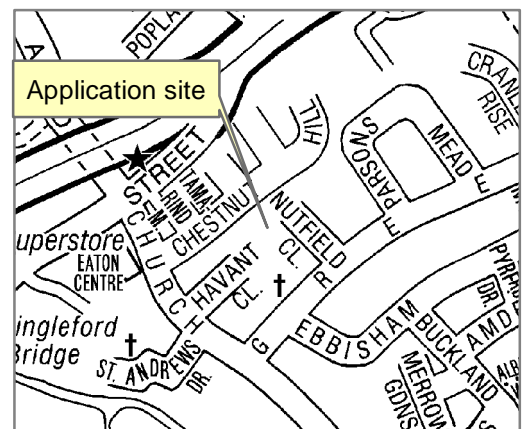
Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES

Page 66 of 130



The site and surroundings

1. The site is located at the western end of Nutfield Close, a residential cul-de-sac within Eaton to the south-west of the city. The predominant character of the area is residential, primarily consisting of a mixture of single and two storey detached dwellings built on good sized plots constructed as part of a wider post war housing development circa 1960. Nutfield Close consists of twelve single storey bungalow type dwellings constructed around a cul-de-sac which slopes gently upwards from east to west. The subject property has been constructed on a wedge shaped plot at the western end of the cul-de-sac with the rear gardens of properties located on Nutfield Close to the rear.
2. The property was originally constructed to a simple hipped roof design on a rectangular footprint with front and rear gardens. Many of the properties in the close have been extended or altered from their original form including the subject property which was extended previously during the 1960's by way of single storey rear flat roof extension and extensions to the side including a car port to the front. It should be noted that at the time of assessing the application the majority of the proposed building works had been completed with only the internal finishing remaining outstanding.
3. The site is bordered by the neighbouring properties located within Nutfield Close with no. 4 being located to the south and no. 6 to the north. Both neighbouring properties are bungalows which have been altered. To the rear of the site is the rear gardens of properties located on Chestnut Close. The site boundaries are marked by close bordered fencing and mature planting at the rear and mature hedgerows to the front.

Constraints

4. There are no particular constraints.

Relevant planning history

5.

Ref	Proposal	Decision	Date
17/00587/F	Single storey extension (retrospective).	WITHDN	02/10/2017

The proposal

6. The proposal seeks retrospective planning consent for the construction of a single storey rear extension, single storey front extension and replacement roof. The proposal also involves the demolition and rebuilding of part of the property approximately 1m away from the southern boundary. The proposal also includes the construction of a timber shed within the rear garden. The shed has been re-positioned within the western corner of the site, adjacent to the boundary shared with no. 20 Chestnut Hill.

7. The proposal also seeks consent for the creation of a separate unit of accommodation within the recently rebuilt part of the property. The new dwelling includes 2 bedrooms, a shared bathroom, shared WC, utility space and kitchen living area with direct access to a private rear garden. The new unit also includes 2 car parking spaces to the front, a bin store and cycle store.
8. It should be noted that the application follows the unauthorised sub-division and subsequent letting of 3 separate units of accommodation. Following investigation by the council an enforcement notice was formally served on the owner of the site to return the premises to being a single dwelling. This application seeks consent for an alternative to the requirements of the enforcement notice. The committee report and minutes authorising enforcement action along with a copy of the enforcement notice are appended to this report.
9. It should also be noted that the proposed plans have been revised during the course of the application following negotiations with the applicant in order to improve the standard of residential amenity provided by the proposed new unit of accommodation.

Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 7 letters of representation have been received citing the issues as summarised in the table below. 1 letter of representation declined to make any formal comment. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Sub-division of plot and creation of new dwelling is out of character with the surrounding area	See main issue 2
The plot is too small for 2 dwellings	See main issue 3
Loss of privacy as a result of new side access / windows	See main issue 3
Poor arrangement of rooms will result in poor amenity for occupiers of new dwelling.	See main issue 3
Proposal will result in increase in number of cars causing parking / access / transport issues within the cul-de-sac	See main issue 4
The deeds do not allow for such a development	See other matters
The application has already been referred as an enforcement case and should not therefore be allowed.	See other matters

Consultation responses

11. No consultations were undertaken.

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)

- JCS1 Addressing climate change and protecting environmental assets
- JCS2 Promoting good design
- JCS4 Housing delivery
- JCS6 Access and transportation
- JCS12 The remainder of the Norwich urban area including the fringe parishes

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
- DM12 Ensuring well-planned housing development
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

14. 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

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 – DM12, NPPF paragraphs 49 and 14.

17. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 53 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate development in residential gardens, for example where development would cause harm to the local area. The council considered this matter as part of the development of policies in the local plan and concluded that the criteria based policies in DM3 and DM12 are satisfactory to determine applications for dwellings in gardens.
18. The principle of residential development is acceptable on this site under policy DM12 subject to the criteria in the second part of DM12 and subject to the other policy and material considerations which are discussed in the following sections. The proposal does not conflict with any of the criteria in the first part of DM12 and with regard to criteria a) it would not compromise wider regeneration proposals. Criteria b) to e) of DM12 are considered further in the design and amenity sections below.

Main issue 2: Design

19. Key policies and NPPF paragraphs – JCS2, DM3, DM12, NPPF paragraphs 9, 17, 56 and 60-66.
20. The alterations to the subject property have resulted in only minor changes to the footprint of the building from its previous form. This includes the 12m side wall located adjacent to the boundary shared with no. 4 Nutfield Close being moved away from the boundary, creating a new 1m wide side access. Previously the side wall abutted the shared boundary.
21. To the front, the previous garage has been extended forwards by a small amount, effectively squaring off the front, so that it matches the orientation of the main front elevation. The rebuilt and enlarged section also includes a new dual-pitched roof with a matching eaves height of 2.5m and a ridge height of 3.6m.
22. Also to the front of the property, an original covered porch formed from the overhang of the main roof has been infilled. The 3.3m x 1.8m infill extension creates a new en-suite bathroom whilst the main entrance has been re-sited behind.
23. At the rear the rebuilt section now extends beyond the previous rear elevation to match the building line of the original dwelling, effectively infilling a previously undeveloped corner of the site. The enlarged corner projects approximately 3.5m to the rear.
24. The entire roof has been replaced in a design closely matching the original with there now being three distinct sections. The original dwelling features a dual pitched roof, the rebuilt and extended section features a hipped roof and the new front section a dual pitched roof. The replacement roof appears to have been slightly raised in comparison with the original as a result of the insertion of enhanced insulating materials. The overall appearance of the roof remains largely unchanged however with the change in height not impacting significantly.
25. Particular concern has been raised that the sub-division of the original plot is out of character with the surrounding area. It is accepted that the proposal will result in a

change to the original layout of the cul-de-sac which has remained unchanged since the 1950's. No. 5 however occupies a wedge shaped corner plot which is notably larger than many others within the cul-de-sac. The subject property is set back from the highway and is largely not visible from as a result of mature planting which provides screening. As such, the plot is considered to be capable of subdivision into two units without causing any noticeable harm to the character of the surrounding area.

26. Overall, the alterations and subdivision do not significantly alter the character and appearance of the subject property, or have a significant impact on that of the wider area. As such, the alterations, additions and subdivision are considered to be acceptable in design terms.

Main issue 3: Amenity

27. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
28. The subdivision of the subject property as now proposed does not result in any significant harm being caused to the residential amenities of neighbouring properties. Particular concern was raised that the newly created side access and walkway which facilitate the main entrance to the new dwelling would result in a loss of privacy. The walkway is screened by a new 1.6m tall close boarded fence which prevents views across the neighbouring garden. The existing fencing which marks the boundary between the garden of the new dwelling and the neighbouring property is of a similar height, albeit at a lower level than the raised walkway, ensuring that there is not a significant loss of privacy.
29. The extensions and alterations do not result in any significant harm being caused by way of overshadowing, loss of privacy or loss of outlook as the enlarged parts of the building area located far from neighbouring properties. Only the enlarged rear section is noticeable from the rear garden of no. 4, however the enlarged 2.5m tall side wall represents only a slight alteration from the previous situation.
30. The proposed dwelling is considered to comply with the nationally prescribed space standards and would provide sufficient internal and external amenity space. Particular concern was raised that the layout of the dwelling represented a poor arrangement of rooms, resulting in a poor standard of amenity for the occupiers. It is acknowledged that the plans originally submitted were poorly laid out, however following negotiations with the applicants a revised layout has now been proposed which represents a higher standard of design. The bedrooms are now located in the front and middle rooms whilst the kitchen living room is now at the rear, providing direct access to the rear amenity space. A new internal corridor has been added allowing for the creation of a shared WC and bathroom.
31. A private rear garden is to be created including a patio area subdivided from the original dwelling by way of a close boarded fence.
32. The original dwelling remains acceptable in terms of both internal and external amenity space standards and can provide a suitable standard of accommodation.

Main issue 4: Transport

33. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.

34. The proposed layout includes the provision of two car parking spaces to the front with use of a shared turning area within the shared driveway. Access to the main entrance is via the walkway to the side which also provides direct access to the rear garden where a cycle store is to be provided. Details of the cycle and bin stores are to be submitted to the council by way of way of planning condition prior to the occupation of the new dwelling.
35. Particular concern has been raised by several neighbours that the proposal does not provide adequate parking which result will result in an increase in the volume of cars using Nuffield Close for parking and manoeuvring, subsequently causing highway safety and access issues for emergency vehicles.
36. The provision of 2 car parking spaces for each dwelling exceeds the locally prescribed requirements, and as such the provision is considered to be acceptable. It therefore follows that it is unlikely that the proposal will have a significant impact on the current situation within the cul-de-sac with regard to the number of cars parking on the highway and subsequent access issues. It is accepted that the proposal is likely to result in an increase in the number of vehicles using the cul-de-sac, however that increase is considered unlikely to result in significant harm.

Other matters

37. Concern was raised that the proposal was contrary to the restrictions set out within the deeds of the property. Such a matter is not a material planning consideration.
38. An enforcement notice has been served requiring the property to be returned to a single dwelling, following the unauthorised subdivision into four units. The committee report and minutes relating to the enforcement action is appended to this report. Should members be minded to approve the current application then it is also recommended that the existing enforcement notice be withdrawn and a new enforcement notice served giving a time period within which to implement the current proposals.

Equalities and diversity issues

39. There are no significant equality or diversity issues.

Local finance considerations

40. 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.
41. 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.
42. In this case local finance considerations are not considered to be material to the case.

Conclusion

43. The proposal results in an enlarged and subdivided dwelling which does not cause significant harm to the character and appearance of the subject property or surrounding area.
44. The proposal results in a new dwelling which provides an acceptable standard of residential amenity for the occupiers of the subject and parent properties.
45. The proposal will not have a significant impact on the current parking and access arrangements within Nuffield Close.
46. The development is therefore considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan.
47. It is recommended that the existing enforcement notice is withdrawn and a new notice served requiring the implementation of the proposals presented here.

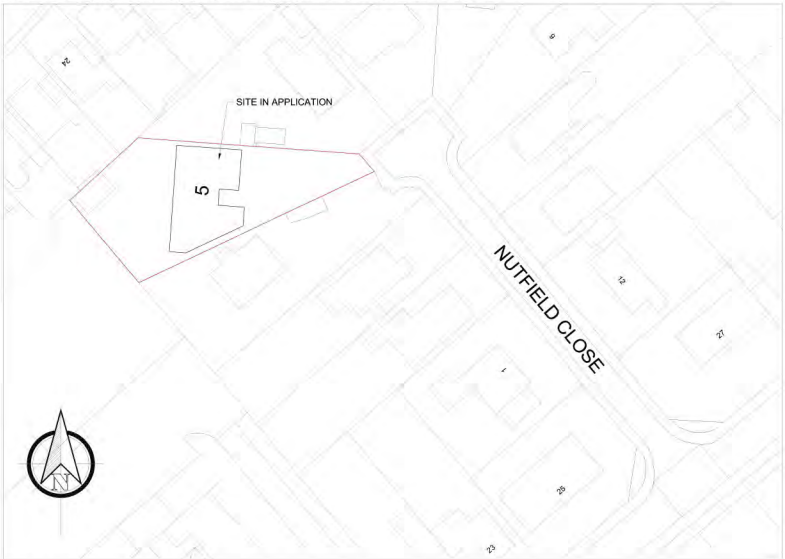
Recommendation

To:

(1) approve application no. 18/00005/F - 5 Nutfield Close Norwich NR4 6PF and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Cycle and bin stores;
4. Landscaping.

(2) authorise the withdrawal of the existing enforcement notice and serving of a new enforcement notice requiring the implementation of application no. 18/00005/F - 5 Nutfield Close Norwich NR4 6PF within a prescribed timeframe.



SITE LAYOUT PLAN
1:1250

GENERAL NOTES:

1. THE DRAWINGS, DESIGN AND ALL INFORMATION CONTAINED THEREIN ARE THE SOLE COPYRIGHT OF CANHAM CONSULTING AND ANY REPRODUCTION IS FORBIDDEN UNLESS PERMISSION IS OBTAINED IN WRITING.
2. ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT CIVIL, STRUCTURAL, ENGINEERING DRAWINGS, THE PROJECT SPECIFICATION AND DRAWINGS PRODUCED BY THE ARCHITECTS, SERVICE ENGINEERS AND LANDSCAPE ARCHITECTS.
3. FOR ALL SETTING OUT INFORMATION REFER TO THE ARCHITECTS DRAWINGS AND DETAILS.
4. ANY DISCREPANCIES BETWEEN THE INFORMATION GIVEN BY THE ENGINEER, AND THAT PROVIDED BY OTHERS, MUST BE REFERRED TO THE ENGINEER BEFORE THE AFFECTED WORKS PROCEED.
5. THE CONTRACTOR IS TO ENSURE THE STABILITY OF EACH ELEMENT AND THE STABILITY OF THE OVERALL CONSTRUCTION UNTIL THE WORKS ARE COMPLETE.
6. FOR SIZE AND LOCATION OF ALL SERVICES REFER TO THE SERVICE ENGINEERS AND ARCHITECTS DRAWINGS.
7. ALL DESIGNS, CONNECTIONS, WORKMANSHIP AND MATERIAL ARE TO COMPLY WITH THE CURRENT BUILDING REGULATIONS AND THE LATEST RELEVANT BRITISH STANDARD SPECIFICATION AND CODES OF PRACTICE OR OTHERWISE BE TO THE SPECIFIC WRITTEN APPROVAL OF THE ENGINEER.
8. INSPECTIONS MADE BY THE LOCAL AUTHORITY, SHALL BE ARRANGED BY THE CONTRACTOR TO SUIT HIS PROGRAMME, ANY COST ARISING OUT OF FAILING TO CARRY OUT THE WORK TO THE SATISFACTION OF THE LOCAL AUTHORITY WILL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
9. NON-STRUCTURAL FIXINGS ARE GENERALLY NOT SHOWN ON THE ENGINEERS DRAWINGS AND IF ANY SUCH DETAIL IS INDICATED IT MUST BE CONFIRMED BY CROSS REFERENCE TO OTHER SPECIALISTS BEFORE CONSTRUCTION.
10. WHERE PROPRIETARY STRUCTURAL ELEMENTS, FIXINGS OR ADJUSTERS ARE USED, THEY ARE TO BE USED STRICTLY IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS AND THE ENGINEERS APPROVAL.

PRELIMINARY DRAWING:
THIS DRAWING IS FOR PRELIMINARY PURPOSES ONLY AND MUST NOT BE READ AS A CONSTRUCTION ISSUE.
IT INDICATES DESIGN INTENT ONLY AND IS SUBJECT TO AMENDMENT DURING FINAL DESIGN DEVELOPMENT.

REFER TO DRAWING 205405-35
FOR PROPOSED ELEVATIONS

client		MR MARK GRUBB	
architect		down	
design		check	notes
DJB		BD	JP
date		NOTED	11.2017

project		5 NUTFIELD CLOSE, EATON, NORWICH, NR4 6PF	
site		SITE LAYOUT PLAN PROPOSED GENERAL ARRANGEMENT PLAN	
drawing number		205405-45-P3	

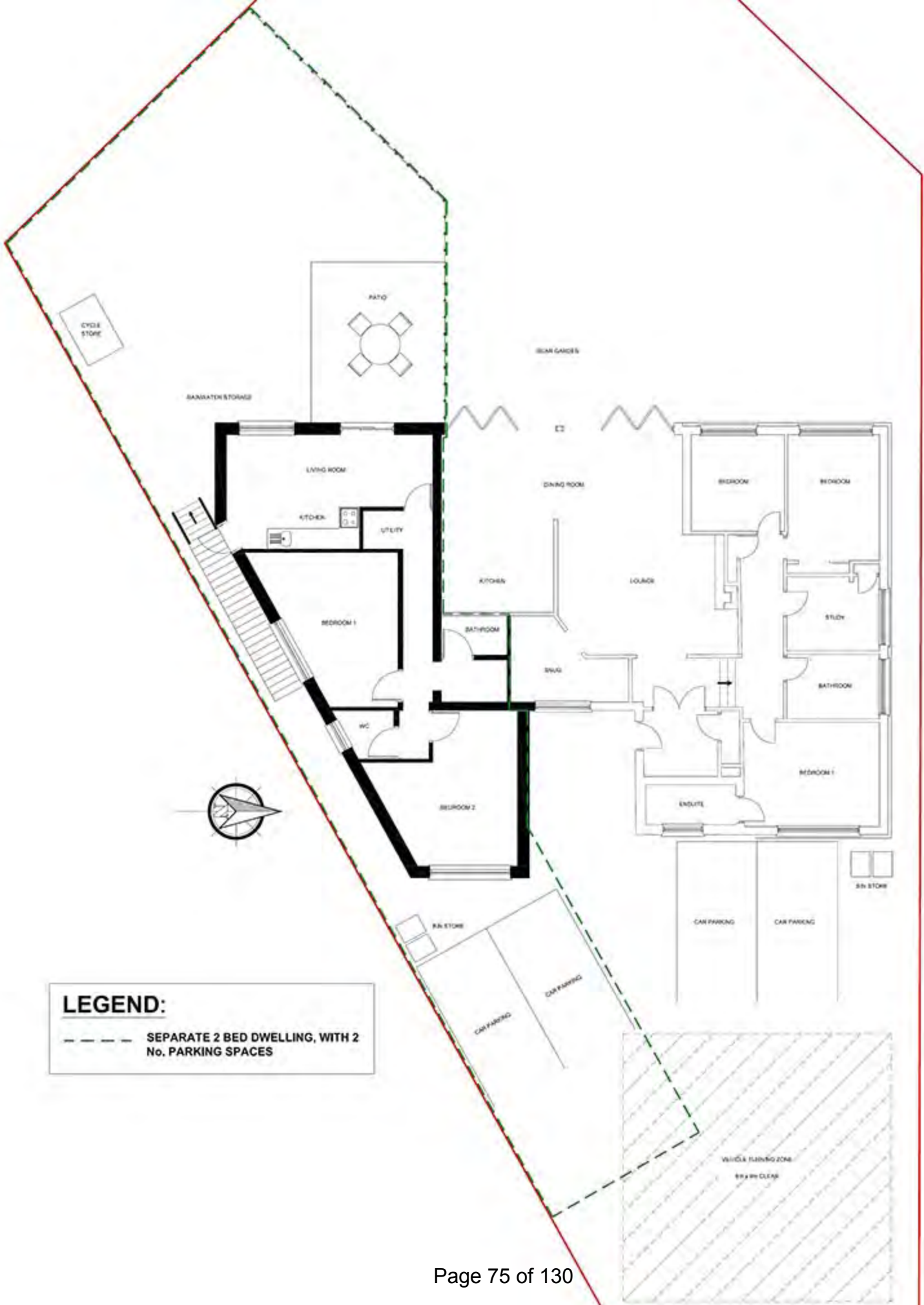


Canham Consulting Ltd The Old School School Lane, Norwich
Norfolk NR7 6DP Tel: +44 (0)1603 430600 Fax: +44 (0)1603 430601
Email: mail@canhamconsulting.co.uk www.canhamconsulting.co.uk
© This drawing is copyright and in check for reproduction

LEGEND:
--- SEPARATE 2 BED DWELLING, WITH 2
No. PARKING SPACES

PROPOSED GENERAL ARRANGEMENT
1:100

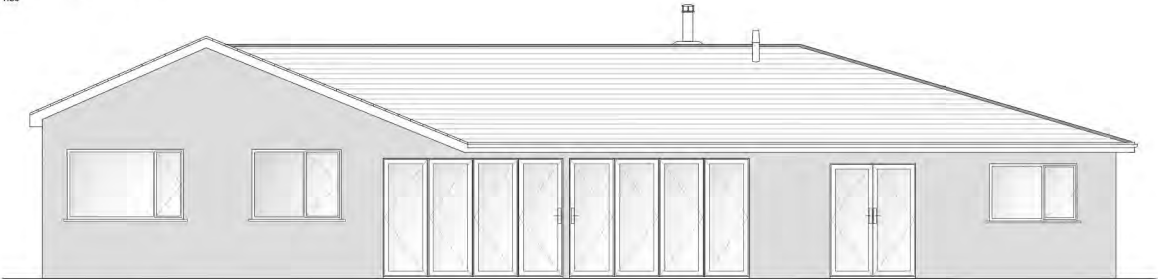
P3	28.03.2018	REVISED AS PER RECEIVED COMMENTS	PK	TR
P2	19.12.2017	REVISED AS PER RECEIVED COMMENTS	DJB	JP
P1	11.12.2017	PRELIMINARY ISSUE	DJB	JP
rev	date	details	by	checked





EAST ELEVATION

1:50



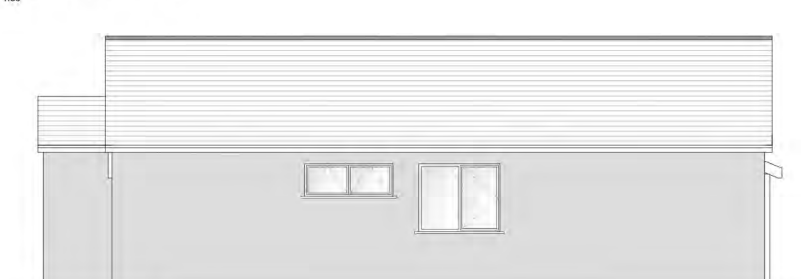
WEST ELEVATION

1:50



SOUTH ELEVATION

1:50



NORTH ELEVATION

1:50

GENERAL NOTES:

1. THE DRAWINGS, DESIGN AND ALL INFORMATION CONTAINED THEREIN ARE THE SOLE COPYRIGHT OF CANHAM CONSULTING AND ANY REPRODUCTION IS FORBIDDEN UNLESS PERMISSION IS OBTAINED IN WRITING.
2. ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL RELEVANT CIVIL / STRUCTURAL ENGINEERING DRAWINGS, THE PROJECT SPECIFICATION AND DRAWINGS PRODUCED BY THE ARCHITECTS, SERVICE ENGINEERS AND LANDSCAPE ARCHITECTS.
3. FOR ALL SETTING OUT INFORMATION REFER TO THE ARCHITECTS DRAWINGS AND DETAILS.
4. ANY DISCREPANCIES BETWEEN THE INFORMATION GIVEN BY THE ENGINEER, AND THAT PROVIDED BY OTHERS, MUST BE REFERRED TO THE ENGINEER BEFORE THE AFFECTED WORKS PROCEED.
5. THE CONTRACTOR IS TO ENSURE THE STABILITY OF EACH ELEMENT AND THE STABILITY OF THE OVERALL CONSTRUCTION UNTIL THE WORKS ARE COMPLETE.
6. FOR SIZE AND LOCATION OF ALL SERVICES REFER TO THE SERVICE ENGINEERS AND ARCHITECTS DRAWINGS.
7. ALL DESIGNS, CONNECTIONS, WORKMANSHIP AND MATERIAL ARE TO COMPLY WITH THE CURRENT BUILDING REGULATIONS AND THE LATEST RELEVANT BRITISH STANDARD SPECIFICATION AND CODES OF PRACTICE OR OTHERWISE BE TO THE SPECIFIC WRITTEN APPROVAL OF THE ENGINEER.
8. INSPECTIONS MADE BY THE LOCAL AUTHORITY, SHALL BE ARRANGED BY THE CONTRACTOR TO SUIT HIS PROGRAMME. ANY COST ARISING OUT OF FAILING TO CARRY OUT THE WORK TO THE SATISFACTION OF THE LOCAL AUTHORITY WILL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
9. NON-STRUCTURAL FIXINGS ARE GENERALLY NOT SHOWN ON THE ENGINEERS DRAWINGS AND IF ANY SUCH DETAIL IS INDICATED IT MUST BE CONFIRMED BY CROSS REFERENCE TO OTHER SPECIALISTS BEFORE CONSTRUCTION.
10. WHERE PROPRIETARY STRUCTURAL ELEMENTS, FIXINGS OR ADMIXTURES ARE USED, THEY ARE TO BE USED STRICTLY IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS AND THE ENGINEERS APPROVAL.

PRELIMINARY DRAWING:
THIS DRAWING IS FOR PRELIMINARY PURPOSES ONLY AND MUST NOT BE READ AS A CONSTRUCTION ISSUE.
IT INDICATES DESIGN INTENT ONLY AND IS SUBJECT TO AMENDMENT DURING FINAL DESIGN DEVELOPMENT.

REVISED FOLLOWING COMMENTS RECEIVED				PK	TR
P1	14.11.2017	PRELIMINARY ISSUE		DJB	JP
rev	date	details	by	checked	

client						project					
MR MARK GRUBB						5 NUTFIELD CLOSE, EATON, NORWICH, NR4 6PF					
architect						title					
						PROPOSED BUILDING USE CHANGE ELEVATIONS					
COL A1 1013 CAD DRAWING NOT TO BE HAND MODIFIED OR SCALED IF IN DOUBT ASK						drawing number					
drawn	design	checked	scale	date							
DJB	BD	JP	NOTED	11.2017							

205405-35-P2



Structural Engineers Civil Engineers Building Surveyors

Canham Consulting Ltd The Old School School Lane, Norwich Norfolk NR7 6EP Tel: +44 (0)1603 430660 Fax: +44 (0)1603 430661 Email: mail@canhamconsulting.co.uk www.canhamconsulting.co.uk
This drawing is copyright and is not to be reproduced without the written permission of Canham Consulting Ltd

Report to Planning applications committee

Item

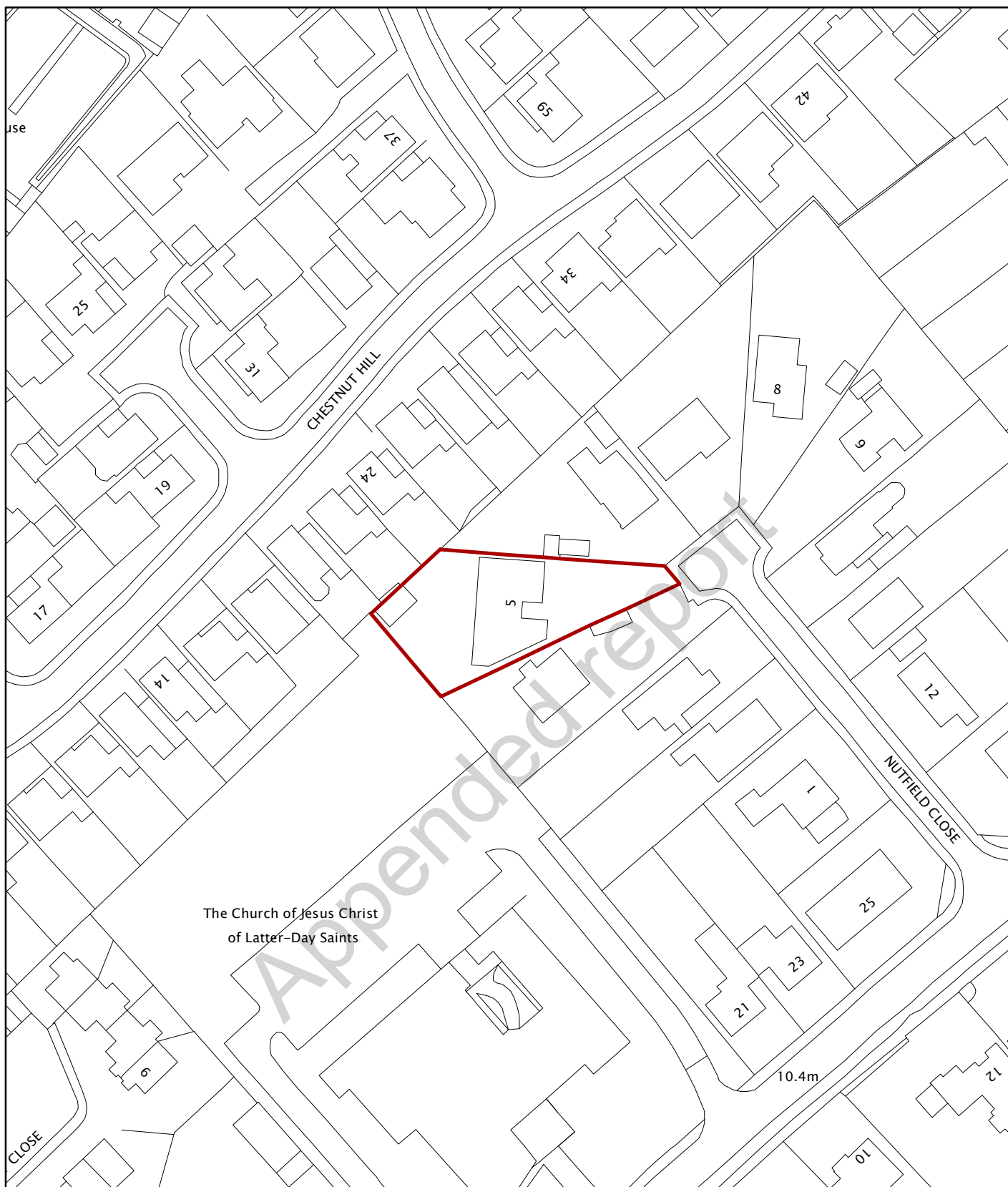
12 October 2017

Report of Head of planning services

4(d)

Subject Enforcement Case – 5 Nutfield Close, Norwich, NR4 6PF

SUMMARY	
Description:	Subdivision of dwelling to create four independently accessed units of accommodation
Reason for consideration at committee:	Enforcement action recommended.
Recommendation:	<p>Authorise enforcement action up to and including prosecution in order to:</p> <ul style="list-style-type: none"> (1) secure the cessation of the use of the three newly created flats; (2) secure the removal of the additional kitchen facilities which facilitate their use; (3) secure the removal of the three new external access doors to the side elevations; (4) secure the opening up of the internal doorways so that all rooms are accessible internally within the dwelling.
Ward:	Eaton
Contact officer:	Stephen Polley stephenpolley@norwich.gov.uk



© Crown Copyright and database right 2017. Ordnance Survey 100019747.

Planning Application No 17/00157/ENF
 Site Address 5 Nutfield Close

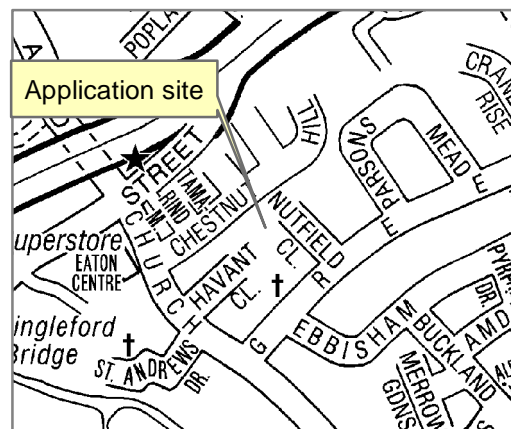
Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES

Page 78 of 130



The site

1. The site is located at the western end of Nutfield Close, a residential cul-de-sac within Eaton to the south-west of the city. The predominant character of the area is residential, primarily consisting of a mixture of single and two storey detached dwellings built on good sized plots constructed as part of a wider post war housing development circa 1960. Nutfield Close consists of twelve single storey bungalow type dwellings constructed around a cul-de-sac which slopes gently upwards from east to west.
2. The site is bordered by the neighbouring properties located within Nutfield Close with no. 4 being located to the south and no. 6 to the north. Both neighbouring properties are bungalows which have been altered. To the rear of the site is the rear gardens of properties located on Chestnut Close. The site boundaries are marked by close bordered fencing and mature planting at the rear and mature hedgerows to the front.

Relevant planning history

3. 17/00587/F – Single storey extension (retrospective) – Withdrawn

The breach

4. Without planning permission carrying out the following operations without planning permission:
 - a) The erection of a single storey front, side and rear extension with replacement roof;
 - b) The change of use of the dwelling from a single C3 dwelling house into four separate units of accommodation (class C3).

Relevant policies

National Planning Policy Framework:

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design

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

- JCS2 Promoting good design
- JCS4 Housing delivery
- JCS6 Access and transportation

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
- DM12 Principles for all residential development
- DM13 Communal development and multiple occupation

- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Justification for enforcement

5. The bungalow was partly demolished and rebuilt to include a raised roof, extension to the front, extension to the rear and the infilling of a covered porch. The works commenced without planning consent and were subsequently investigated by the planning enforcement officer which led to the submission of the retrospective planning application. The proposal included the creation of two independently accessed bedrooms with en-suite. The application stated the rooms were to be occupied by a carer and the applicant's elderly mother whom is a dementia sufferer. The application was presented to the planning applications committee in September and was recommended to be approved on the basis that the design, amenity and use were acceptable. Members chose to defer the decision on the basis that the rooms should be incorporated within the main house and not be independently accessed.
6. On further investigation and following a further site visit, the building works have now been largely completed and three independent studio flats have been created. Each has a bedroom, small kitchen and shower room with independent external access. Two of the three units were occupied at the time of the visit and the final unit was being actively marketed. The internal layout varies to that which was provided as part of the recent withdrawn planning application.
7. In considering if it is expedient to take enforcement action it is necessary to consider the acceptability of the operations which have taken place.
8. The principal of new flats and bedsits is assessed under policies DM12 and DM13. These policies allow for such proposals subject to a number of criteria. These criteria in particular require a consideration of:
 - (a) the amenity of future and neighbouring residents in accordance with policy DM2;
 - (b) servicing and access arrangements to ensure appropriate cycle, car parking and refuse arrangements.
 - (c) density and character of the surrounding area;
 - (d) The above are considered further below.

Amenity

9. Whilst we do not have accurate as built plans the new flats are estimated to measure between 17-25m² in size. The nationally described space standards as well as the space standards in policy DM2 seek a minimum gross internal area of 37m² for a 1 person 1 bed property. The largest flat is centrally located and has a single window facing west and less than a metres from the boundary fence. The other two flats which have been created also have a single aspect one with an outlook to the frontage parking area and another with an outlook to the rear garden.

10. The sites rear garden has not at this point been subdivided and no separate defensible external amenity space exists for any of the newly created flats. Whilst the rear garden could be subdivided to provide amenity space to the flat at the rear of the property, it is not considered that external amenity space could be readily created for the other two flats in a manner which relates well to those properties.
11. Given the size of the dwellings, their poor outlook and lack of defensible amenity space the flats would fail to provide a high standard of amenity to future occupants as required by policies DM2 and DM13.
12. With regard to the impact on the amenity of neighbouring occupiers the extensions are not considered to result in amenity impacts such as overlooking or overshadowing which would conflict with policy.

Access, parking and servicing

13. The frontage of the property consists of a drive way with shingle parking areas. This is bordered by boundary hedging and trees. No formal refuse storage or cycle parking has been provided, albeit it is possible that such provision could be made. Car parking standards would require at least 4 car parking spaces for the four properties on the site and whilst the frontage of the property is a reasonable size it's shape may prohibit the provision of car parking whilst allowing sufficient turning and servicing space and retaining existing boundary vegetation.

Character and density of the area

14. The site is located in an area characterised by single and two storey detached properties in reasonable sized plots. Densities in the area are around 13 dwellings per hectare. The extension and subdivision of the property to four units of accommodation would be inconsistent with this character and would result in a far higher density and intensity of use of the site.
15. Whilst the extensions themselves would not be harmful in design terms due to the relatively concealed nature of the site, the use as four units of accommodation would be inconsistent with the character of the surrounding area.

Equality and diversity Issues

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

ought to be allowed to address the Committee as necessary. This could be in person, through a representative or in writing.

Conclusion

17. For the reasons outlined above the extension and subdivision of the property into four separate units of accommodation represents an overdevelopment of the site resulting in a poor standard of amenity for future occupiers, insufficient parking and servicing facilities and inconsistent with the character of the surrounding area. As such it is recommended that enforcement action be pursued to secure the cessation of the use of the three newly created flats, removal of the kitchens facilitating their use, the blocking of external access doors and opening up of interior doorways to ensure all rooms can be accessed internally within the remaining single dwelling.
18. Whilst the extensions do not benefit from planning permission, subject to securing the above and ensuring that the extensions are ancillary to the main use of the dwelling, the extensions would not result in harm to the surrounding area. As such the recommendation does not seek to secure the removal of the extensions themselves.

Recommendation

Authorise enforcement action up to and including prosecution in order to:

- (1) secure the cessation of the use of the three newly created flats;
- (2) secure the removal of the additional kitchen facilities which facilitate their use;
- (3) secure the removal of the three new external access doors to the side elevations;
- (4) secure the opening up of the internal doorways so that all rooms are accessible internally within the dwelling.

**Extract from the minutes of the planning applications committee
12 October 2017**

Present: Councillors Driver (chair), Maxwell (vice chair), Button, Carlo, Henderson, Jackson, Lubbock (substitute for Councillor Wright), Malik, Peek, Sands (M) and Woollard

Apologies: Councillors Bradford and Wright

1. Enforcement Case – 5 Nutfield Close, Norwich, NR4 6PF

(Councillor Lubbock, having declared a predetermined view in this application, addressed the committee and then left the meeting during the committee's determination of the application.)

The area development manager (outer area) presented the report with the aid of plans and slides. At its meeting on 10 August 2017, the committee had deferred consideration of the retrospective planning application for further discussion with the applicant and agent. The application had subsequently been withdrawn. The report was seeking to cease the use of the three newly created flats and revert back to a single dwelling.

Councillor Lubbock, local member for Eaton Ward, addressed the committee on behalf of local residents. The property had been subdivided into four with three rental properties and the primary concern was the impact that this would have on the residents of the small cul-de-sac, particularly from on street parking restricting the space for vehicles to turn round. She also said that the subdivision was contrary to policy DM2; the rental units were below national space standards and lacked amenity space and asked the committee to support enforcement action.

The agent spoke on behalf of the property owner who had owned the property since 2012. She explained the owner had been under the impression that the extension could be built under permitted development rights and had been originally intended for a family member and her carer but due to a change in circumstances was no longer required for that use. She referred to the planning history and said that the owner had made small changes to the layout with external doors and kitchenettes to provide three rental units for professional people. Two of the rental units were currently let with the third empty pending the decision of the committee. A further planning proposal was being drawn up and the owner requested that if this application and the owner asked for enforcement action to be put on hold for two months to enable the planning process to be carried out.

(Councillor Lubbock left the meeting at this point.)

The area development manager (outer area) referred to the report and answered members' questions. He said that the extension was acceptable for a single dwelling but the subdivision into four separate units was not and would be to not receive planning consent. Members were advised that there did not appear to be room for negotiation with the owner and therefore enforcement action was being sought. The

area development manager explained the enforcement process and that any enforcement notice would take at least 28 days to come into effect. However in fairness to the tenants he suggested a three month compliance period.

During discussion members spoke in support of enforcement action and the cessation of the rental use. A member said that the reconfiguration would not preclude the subdivision of the property into two dwellings at a future date. The committee discussed the period for taking enforcement action and expressed their dissatisfaction with the owner's disregard to the planning process. The area development manager (outer area) asked members to leave this to officers' discretion, subject to further discussion with the property owner and agent.

RESOLVED, unanimously, to authorise enforcement action up to and including prosecution in order to:

- (1) secure the cessation of the use of the three newly created flats;
- (2) secure the removal of the additional kitchen facilities which facilitate their use;
- (3) secure the removal of the three new external access doors to the side elevations;
- (4) secure the opening up of the internal doorways so that all rooms are accessible internally within the dwelling.

(Councillor Lubbock was readmitted to the meeting at this point.)



NORWICH
City Council

ENFORCEMENT NOTICE - OPERATIONAL DEVELOPMENT

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the Planning
and Compensation Act 1991)**

ENFORCEMENT NOTICE

ISSUED BY: Norwich City Council (“the Council”)

1. **THIS NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. **THE LAND TO WHICH THIS NOTICE RELATES**

Land known as 5 Nutfield Close, Norwich, NR4 6PF as shown edged in red on the attached plan (“the Land”)

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the carrying out of the following operations:

- a) The erection of a single storey front, side and rear extension with replacement roof;
- b) The change of use from a single C3 dwellinghouse into four separate units of accommodation (class C3).

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Council that the above breach of planning control has occurred within the last four years. The building works have been largely completed and three independent studio flats have been created. Each has a bedroom, small kitchen and shower room with independent external access.

The new flats are estimated to measure between 17-25m² in size. The nationally prescribed space standards as well as the space standards in policy DM2 seek a minimum gross internal area of 37m² for a 1 person 1 bed property. The largest flat is centrally located and has a single window facing west and less than a metre from the boundary fence. The other two flats which have been created also have a single aspect one with an outlook to the frontage parking area and another with an outlook to the rear garden.

No separate defensible external amenity space exists for any of the newly created flats. Whilst the rear garden could be subdivided to provide amenity space to the flat at the rear of the property, it is not considered that external amenity space could be readily created for the other two flats in a manner which relates well to those properties.

As a result of the size of the dwellings, their poor outlook and lack of defensible amenity space the flats would fail to provide a high standard of amenity to future occupants. Therefore the proposal conflicts with policy DM2 and DM13 of the Norwich Development Management Local Plan Policies (2014).

No formal refuse storage or cycle parking has been provided. Car parking standards require at least 4 car parking spaces for the four properties on the site and whilst the frontage of the property is a reasonable size it's shape may prohibit the provision of car parking whilst allowing sufficient turning and servicing space and retaining existing boundary vegetation. Therefore the proposal conflicts with policy DM30 of the Norwich Development Management Local Plan Policies (2014).

The site is located in an area characterised by single and two storey detached properties in reasonable sized plots. Densities in the area are around 13 dwellings per hectare. The extension and subdivision of the property to four units of accommodation would be inconsistent with this character and would result in a far higher density and intensity of use of the site. Therefore the proposal conflicts with policy DM3 of the Norwich Development Management Local Plan Policies (2014).

5. WHAT YOU ARE REQUIRED TO DO

- a. Cease the use of the three newly created flats (labelled studio 1, studio 2 and studio 3 and shaded blue, green and orange on the plan appended to this notice) as units of residential accommodation independent of the main dwelling and return the property to use as a single C3 dwellinghouse;
- b. Remove the additional kitchen facilities within the newly created flats (labelled studio 1, studio 2 and studio 3 and shaded blue, green and orange on the plan appended to this notice);
- c. Remove the three new external access doors (labelled A, B and C on the plan appended to this notice) to the side elevations and replace with a wall using materials to match the adjacent existing walls;
- d. Open up internal doorways so that all rooms within the dwelling are accessible internally within the dwelling.

6. TIME FOR COMPLIANCE

- a. three months after this notice takes effect
- b. three months after this notice takes effect
- c. three months after this notice takes effect
- d. three months after this notice takes effect

7. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on the **11th January 2018** unless an appeal is made against it beforehand.

Dated: **11th December 2017**

Signed:



Graham Nelson

Head of Planning and Regeneration Services

on behalf of:

Norwich City Council
City Hall
St Peter's Street
Norwich NR2 1NH

ENFORCEMENT NOTICES AND APPEALS.

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

Town and Country Planning Act 1990 as amended.

Enforcement Notice relating to the following land: Land known as 5 Nutfield Close, Norwich, NR4 6PF shown edged in red on the attached plan (“the Land”)

The Council has issued an enforcement notice relating to the above Land and copies of the notice are being served on the parties listed at the end of this letter who, it is understood, also have an interest in the Land.

There is a right of appeal to the Secretary of State (at The Planning Inspectorate) against the notice. Unless an appeal is made, as described below, the notice will take effect on **11th January 2018** and you must then ensure that the required steps, for which you may be held responsible, are taken within the period(s) specified in the notice.

Please see the enclosed information sheet from The Planning Inspectorate which tells you how to make an appeal.

If you decide that you want to appeal against the enforcement notice you must ensure that you send your appeal soon enough so that normally it will be delivered by post/electronic transmission to the Secretary of State (at The Planning Inspectorate) before **11th January 2018**.

Under section 174 of the Town and Country Planning Act 1990 (as amended) you may appeal on one or more of the following grounds:-

- a) that, in respect of any breach of planning control which may be constituted by the matters stated in the notice, planning permission ought to be granted or, as the case may be, the condition or limitation concerned ought to be discharged;
- b) that those matters have not occurred;
- c) that those matters (if they occurred) do not constitute a breach of planning control;
- d) that, at the date when the notice was issued, no enforcement action could be taken in respect of any breach of planning control which may be constituted by those matters;
- e) that copies of the enforcement notice were not served as required by section 172;
- f) that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach;
- g) that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.

Not all of these grounds may be relevant to you.

If you appeal under Ground (a) of Section 174(2) of the Town and Country Planning Act 1990 this is the equivalent of applying for planning permission for the development alleged in the notice and you will have to pay a fee. You should pay half of the fee to the Council (made payable to Norwich City Council and the other half of the fee to the Planning Inspectorate (made payable to the Department for Communities and Local Government). Joint appellants need only pay one set of fees.

If you decide to appeal, when you submit it, you should state in writing the ground(s) on which you are appealing against the enforcement notice and you should state briefly the facts on which you intend to rely in support of each of those grounds. If you do not do this when you make your appeal the Secretary of State will send you a notice requiring you to do so within 14 days.

List of persons whom have an interest in the land and on whom an enforcement notice has been served.

1. Francis Mark Grubb
5 Nutfield Close
Norwich
NR4 6PF
2. Ipswich Building Society
P.O Box 547
Freehold House
The Havens
Ipswich
IP3 9WZ



The Planning Inspectorate

CST Room 3/05
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-372 6372
Switchboard 0117-372 8000
Fax No 0117-372 8782

www.planning-inspectorate.gov.uk

THIS IS IMPORTANT

If you want to appeal against this enforcement notice you can do it:-

- on-line at the Planning Casework Service area of the Planning Portal (www.planningportal.gov.uk/pcs); or
- by getting enforcement appeal forms by phoning us on 0117 372 6372 or by emailing us enquiries@pins.gsi.gov.uk

You MUST make sure that we receive your appeal before the effective date on the enforcement notice.

In exceptional circumstances you may give notice of appeal by fax or letter. You should include:-

- the name of the local planning authority;
- the site address;
- your address; and
- the effective date of the enforcement notice.

We MUST receive this before the effective date on the enforcement notice. This should **immediately** be followed by your completed appeal forms.

TOWN AND COUNTRY PLANNING ACT
SECTION 171A TO 177
SUMMARY

Section 171A

Carrying out development without planning permission or failing to comply with planning conditions is a breach of planning control and the issuing of an enforcement notice or the breach of condition notice is the taking of enforcement action.

Section 171B

Enforcement action cannot be taken in respect of operational development if four years have elapsed after the operations were completed.

Enforcement action cannot be taken for the change of use of a building to use as a single dwelling house after four years have elapsed from change of use

With respect to any other breach of planning control enforcement action cannot be taken after the end of a period of 10 years beginning with the date of the breach.

Section 171C

Local authorities have power to serve a planning contravention notice requiring information about activities on land.

Section 171D

The penalty for non-compliance with the planning contravention notice is a fine not exceeding £1000.

Section 172

A local planning authority can issue an enforcement notice when it appears to them that it is expedient to do so having regard to the development plan and to any other material considerations.

They are required to serve a copy on the owner, occupier and any other person having an interest in the relevant land.

This service shall take place not more than 28 days after the notice has been issued and not less than 28 days before it takes effect.

Section 173

An enforcement notice shall state the matters which appear to the local planning authority to constitute the breach of planning control and whether it is development without permission or in breach of condition.

The notice shall specify the steps which the authority requires to either remedy the breach which has taken place or to remedy any injury to amenity which has been caused.

The enforcement notice must specify the date on which it is to take effect and the period allowed for any required steps to be taken.

Section 173A

A local planning authority may vary or withdraw an enforcement notice.

Section 174

A person having an interest in the land to which an enforcement notice relates or another occupier can appeal to the Secretary of State against the notice whether or not a copy of it has been served on them.

The grounds for appeal and method of appeal are as set out in the annexe to the enforcement notice.

Section 175

The Secretary of State has by regulations prescribed the procedure to be followed on appeals under Section 174.

Section 176

On an appeal the Secretary may correct any defect in the notice, vary it or quash it.

He may also dismiss the appeal.

Section 177

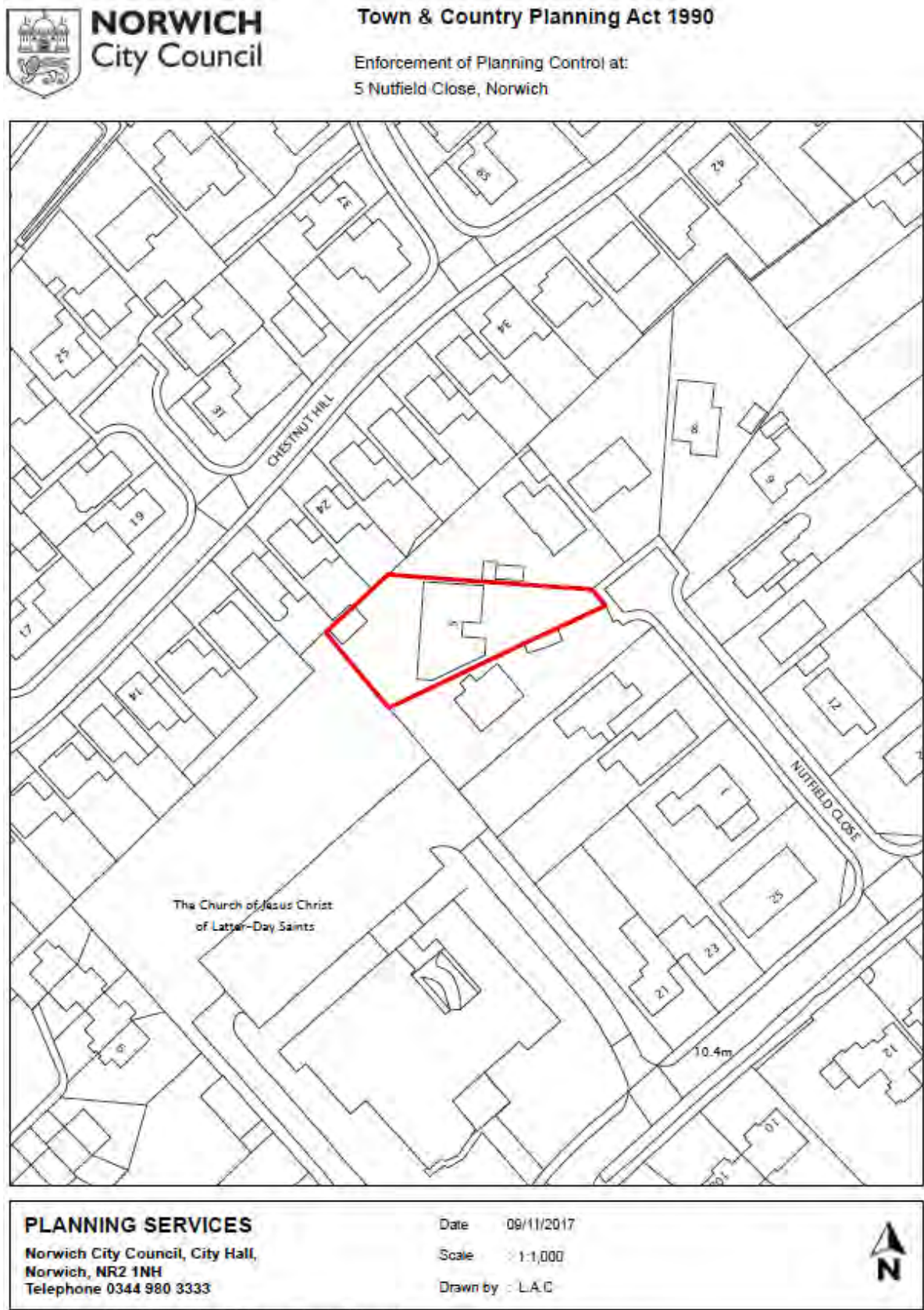
On an appeal the Secretary of State may grant planning permission for all or some of the matters stated in the enforcement notice as constituting a breach of planning control or discharge any condition subject to which planning permission was granted or determine whether any existing use of land or any operations or any failure to comply with a condition is lawful

Plan of three newly created flats at 5 Nutfield Close, Norwich, NR4 6PF labelled studio 1, studio 2 and studio 3 and shaded blue, green and orange respectively.



5 Nutfield Close

Land known as 5 Nutfield Close, Norwich, NR4 6PF shown edged in red on the attached plan. Norwich City Council (Localview GIS)



Report to Planning applications committee

Item

12 April 2018

Report of Head of planning services

Subject Application no 18/00023/U - 6 St Matthews Road,
Norwich, NR1 1SP

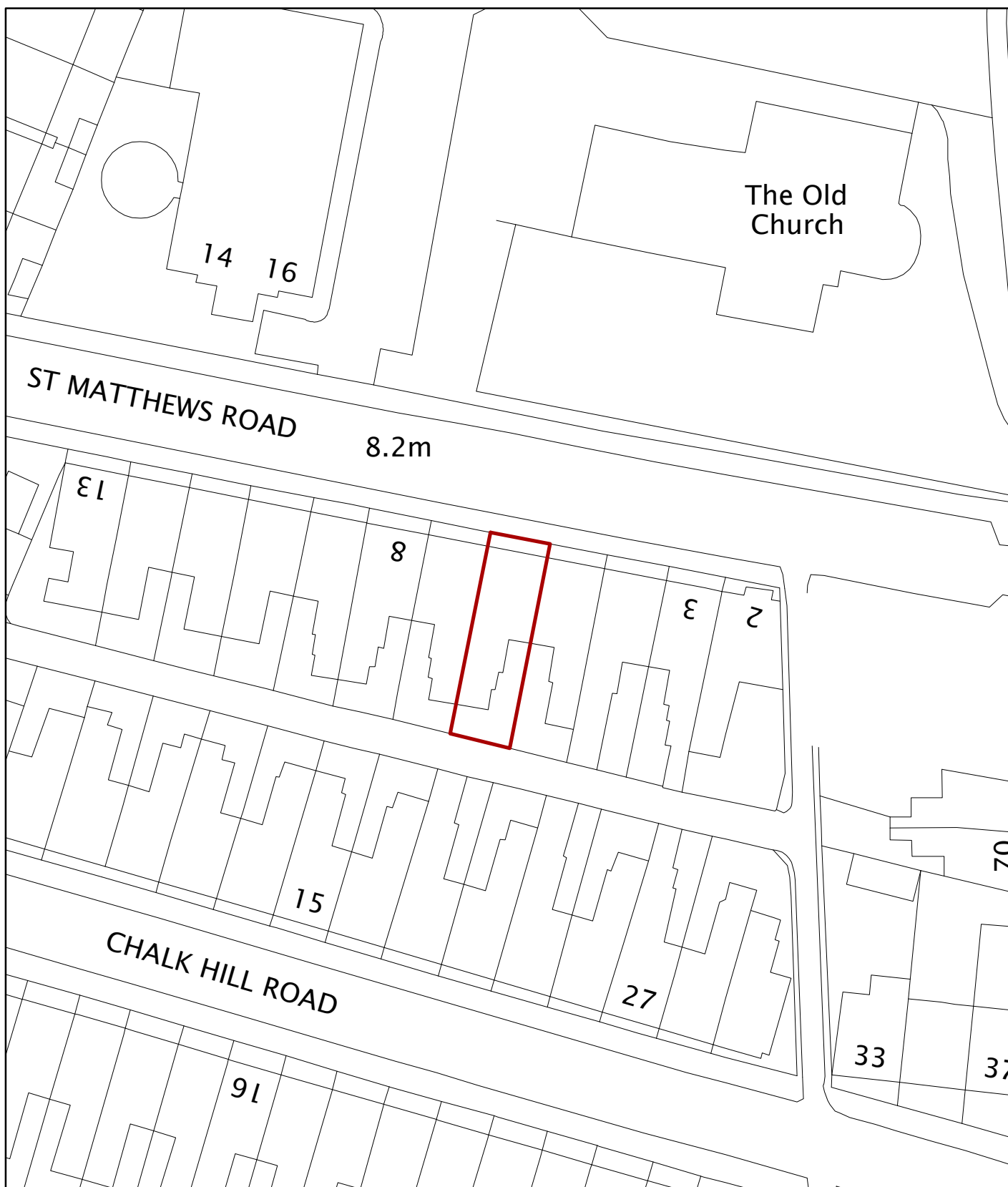
**Reason
for referral** Objections

4(e)

Ward:	Thorpe Hamlet
Case officer	Lydia Tabbron - lydiatabbron@norwich.gov.uk

Development proposal		
Change of use to large house in multiple occupation (HMO) (Class Sui Generis).		
Representations		
Object	Comment	Support
5	3	2

Main issues	Key considerations
1. Principle of development	Creation of large House in Multiple Occupation (HMO).
2. Transport	Parking, cycle and refuse storage.
3. Amenity	Living conditions for present and future occupants, impact on amenity of neighbours.
Expiry date	19 April 2018
Recommendation	Approve



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

Planning Application No 18/00023/U
Site Address 6 St Matthews Road

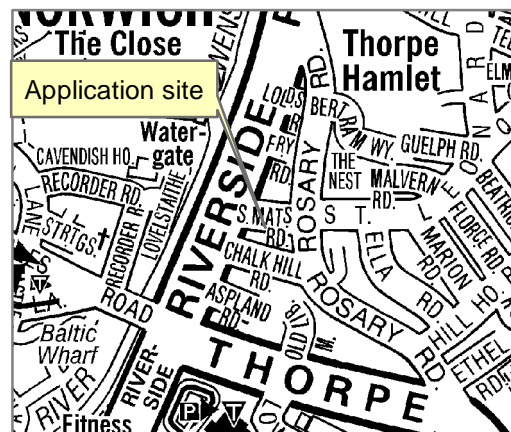
Scale 1:500



NORWICH
City Council

PLANNING SERVICES

Page 96 of 130



The site and surroundings

1. The subject property is a two-storey mid Victorian terrace. It is located on the southern side of St Matthews Road, which is a sloping residential street comprised of similar style terraces (on the southern side) which step down from one another towards the river. On the other side of St Matthews Road, to the north, is The Old Church which has been converted to offices.
2. 6 St Matthews is currently occupied and licensed as a small 5 bed HMO (C4 use) with rooms spread over 3 floors following a recent loft conversion. To the rear is a small 'L' shaped paved courtyard which gives access to a narrow service lane with original granite setts, where the facing residents of St Matthews and Chalk Hill Road store their bins.

Constraints

3. St Matthews Conservation Area
4. Locally Listed Building

Relevant planning history

5.

Ref	Proposal	Decision	Date
17/00699/F	Removal of existing chimney stack and insertion of 3no. roof windows.	CANCLD	16/10/2017
18/00023/U	Change of use to large house in multiple occupation (Class Sui Generis).	PCO	

The proposal

6. Change of use from C4 dwelling (small HMO) to 8 person HMO (sui generis). There will be no change to the current internal layout or physical alterations to the property. This proposal seeks to increase the number of occupants from 6 to 8 to allow couples to reside in 3 of the 5 bedrooms.

Representations

7. The application has been advertised on site and in the press and adjacent and neighbouring properties have been notified in writing. Ten letters of representation (5 objections) have been received citing the issues as summarised in the table below. Following the submission of revised plans, neighbours were later re-consulted, but no additional letters of representation were received thereafter. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Increase in noise from residents	See Main Issue 3 - Amenity
Increase in smoking in rear courtyard	Not a planning consideration
Increase on local parking pressures	See Main Issue 2 - Transport
The increase in waste will exacerbate existing issues (pests, vermin, bins being left of the street after collection)	See Main Issue 2 - Transport This proposal will require by condition for bins to be provided and retained as shown on the proposed plans with the aim of avoiding these.
Impact upon residential character of the area	See Main Issue 4 – Character of the area
Exacerbation of existing anti-social behaviour in local area	Not a planning consideration
Poor residential amenity for occupiers	See Main Issue 3 - Amenity
The property is neglected and not maintained in line with other properties along the street	Not a planning consideration

Consultation responses

Design and conservation

8. 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.

Transportation

9. I cannot find any information about bin and bike storage with this application. With a large HMO this needs to be detailed to ensure there is adequate provision. Please can this be queried?
Comments on revised plans: This appears satisfactory for bins and bikes.

Private sector housing

10. I have looked at the proposed layout. The small room (2.72m²) is definitely too small to be used as sleeping accommodation. Room sizes are currently being reviewed in light of the draft statutory instrument laid before parliament this week. Our current standards ask for a bedroom for 1 person to be at least 6.5m² the new national standards require the rooms to be at least 6.51m². Under the new national standards a room over 10.22m² can be used as a double room for two persons. It is possible for the proposed layout to be occupied by 8 persons (and with a different configuration perhaps 10 persons) and still comply with the licensing conditions. Obviously the landlord will need to make sure that there are sufficient amenities for the amount of people sharing.

Norwich Society

11. We support the comments of the local residents and deplore the loss of this substantial family house.

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)**
- JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery
 - JCS6 Access and transportation
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
 - 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

Other material considerations

14. **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
 - NPPF8 Promoting healthy communities
 - 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 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 – DM12, DM13, NPPF paragraphs 49 and 14.
17. The loss of a C4 dwelling to Sui Generis large HMO is not explicitly covered by local policy; however the creation of a large HMO is covered by DM12 and DM13. The starting point for DM12 is that residential development should, in principle, be approved subject to 4 important caveats, none of which are relevant to this application. It then sets out six criteria that residential development should comply with. This proposal satisfies criteria a) and c) of DM12 due to the site's sustainable location and in particular its proximity to the city centre. Criterion b) of DM12 relates to the impact of the development on the character and amenity of the area, which is a matter dealt with below and under Main Issue 3 and 4. Criteria e) and f) relate to affordable housing provision and density and are not relevant to this site.
18. Policy DM13 deals specifically with Houses in Multiple Occupation (HMOs) and sets out how proposals should meet three criteria. Criterion a) of DM13 relates to the provision of sufficient living conditions for future occupants, which is a matter dealt with under Main Issue 3. Criterion b) states that HMOs should meet criteria a) to c) of DM12 (see above). Criterion c) relates to the provision of appropriate servicing, bicycle storage and car parking, which is a matter dealt with under Main Issue 2.

Main issue 2: Transport

19. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
20. The property is located within a control parking zone and is therefore entitled to two residents on street parking permits and the visitor permit scheme. This provision will not change. Despite neighbour concerns, due to the highly sustainable location in relation to the city centre and the walking and cycling network plus the provision for cycle storage, it is not anticipated that there will be a significant impact on parking conditions in the area as a result of this proposal.
21. Four Sheffield cycle hoops in the rear courtyard will provide enough cycle parking for 8 bikes. There is no specific policy requirement for larger HMOs, but this level is considered appropriate by the Transport Officer. Additionally, provision for two refuse bins and two recycling bins is provided in the rear courtyard (as existing there is only one of each bin). Given the increase in the number of occupants by two persons this provision is also considered acceptable. It is recommended that a condition requiring the cycle and refuse storage to be provided as indicated and retained thereafter is attached to ensure long term off-set for parking need and appropriate amenity provision.

Main issue 3: Amenity

22. Key policies and NPPF paragraphs – DM2, DM11, DM13, NPPF paragraphs 9 and 17.
23. The first issue to consider is the ability of the development to provide present and future occupants with adequate living conditions. The current layout provides two bathrooms, a kitchen, a utility room and communal sitting room. The bathrooms and kitchen have the space available and ability to meet the amenity standards for HMO licensing for 8 people. However, bedroom sizes for this layout require a minimum

of 11m² for each bedroom where 2 people share and 6.5m² for one person. Only two of the bedrooms are over 11m², whilst the other two doubles are 10m² and the smallest room falls below all standards at 2.72m² (1.6mx1.7m approx.). However, given the comments from Private Sector Housing and with the retention of the ground floor communal living space (secured via condition), kitchen and utility room, the use of the 4 largest bedrooms as double rooms for a maximum of 2 residents will be acceptable as there is an adequate amount of communal area within the property. Subsequently, the smallest first floor bedroom at the front of the property will cease its use as such (secured by condition) due to its small size and poor provision for adequate living space.

24. The rear external amenity space will provide sufficient space for drying, cycle and refuse storage. Although the amount of external amenity space remaining will be small, with the property's central city location, other amenity provisions are considered to be within an accessible distance, such as the Riverside Walk which is >325m on foot. For these reasons the amenity and space provided is considered adequate to meet the needs of two additional occupants and a total of 8 residents.
25. Neighbours have raised concerns over the amount of additional noise that would be generated by this proposal. However, with the number of occupants only increasing by two any additional noise is not expected to result in a material increase in disturbance and therefore not an adequate grounds for refusal.
26. It is recommended that a condition be attached to limit the number of occupants to 8 to ensure that internal and external space is sufficient for the number of residents and to protect neighbours from an over-intensive use of the site. Subject to this condition being imposed, the proposal is considered to accord with the relevant local and national policy with regard to amenity.

Main issue 4: Character of the area

27. Key policies and NPPF paragraphs – DM9 and NPPF paragraphs 128 to 141
28. The property is situated within the St Matthews Conservation Area. The Conservation Area Appraisal characterises the area as quiet streets of terrace housing which contrasts with the busy activity around the Station and Foundry Bridge. The management section also sets out that

“enhancement of the Conservation Area also depends on the care that individual owners take with the maintenance and repair of their properties and due consideration to preserving and enhancing the Conservation Area when carrying out alterations to their properties”
29. Neighbours have expressed concern that the proposal will impact negatively upon the character of the area from the properties use as a HMO which is not in conjunction with surrounding uses. It is recognised that changes of use's can negatively impact upon a Conservation Area, even when physical alterations are not included. However, the impact upon the local area is not expected to be materially altered beyond the current impacts from the existing C4 small HMO (which does not require planning permission to convert from a C3 dwelling house) and is therefore not considered an adequate reason for refusal.

Equalities and diversity issues

30. There are no significant equality or diversity issues.

Local finance considerations

31. 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

32. Subject to the below conditions, it is considered that the proposal provides adequate amenity provisions for its occupants, thus allowing the living conditions of residents to be maintained. The development is also not considered to significantly alter the character of the local area, the current parking situation or materially impact upon neighbour amenity due to the number of occupants only increasing by two and the absence of any physical alterations to the property. 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. 18/00023/U - 6 St Matthews Road Norwich NR1 1SP and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No more than 8 residents at 6 St Matthews Road at any one time;
4. The layout as shown on approved plans 00920 01 shall be retained as such.
5. The smallest first floor bedroom at the front of the property will cease to be used as a bedroom.
6. Cycle and bin storage shall be provided prior to occupation as indicated on the approved plans (ref 00920 01) and retained thereafter.

H.M. LAND REGISTRY		TITLE NUMBER	
		NK 42537	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	NORFOLK		TG 2308
Scale: 1:1250		NORWICH DISTRICT	
		© Crown Copyright 1968	

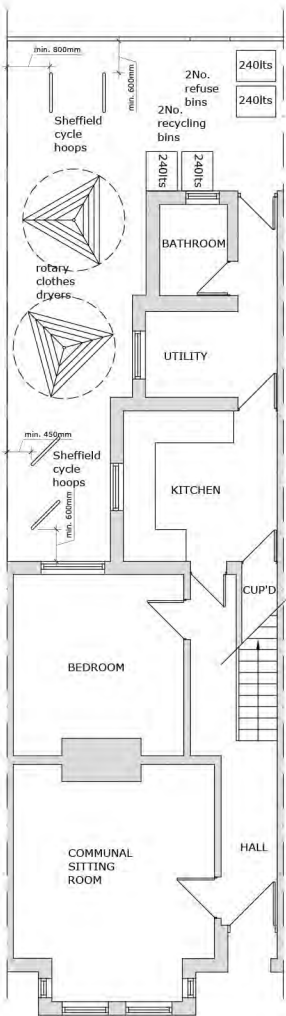


Note:
This drawing must not be reissued, loaned or copied without the written consent of Read Spicer Architecture (the originator).

All dimensions to be checked by the contractor, his sub-contractor or supplier prior to implementation on site.
All errors, omissions and discrepancies should be reported to the originator immediately.

Do not scale from the drawing; use figure or grid dimensions where given.
Any deviation from the drawing to be reported to the originator immediately.

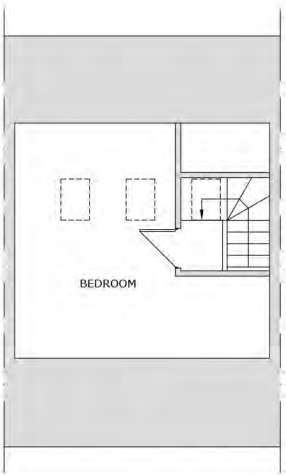
DRAWING ISSUE STATUS:		PLANNING SUBMISSION			
REV.	DATE	DESCRIPTION	AMD BY	CHKD BY	



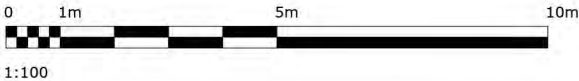
ground floor
PLANS



first floor



second floor



CLIENT	Merlin Batchelor
PROJECT	6 St Matthews Road

DRAWING TITLE	Floor plans as existing
---------------	----------------------------

SCALE	DATE	DRAWN BY	CHECKED BY
1:100	Feb'18	CR	
PROJECT NO.	DRAWING NO.	REV	
00920	01		

www.readspicer.com

Chartered Practice
Chartered Institute of Architectural Technicians

The Studio
42 Gorse Road
Norwich, Norfolk
NR7 0AY
T: 01603 610200
E: enquiries@readspicer.com

Report to Planning applications committee
12 April 2018
Report of Head of planning services
Subject Enforcement Case – 111 Earlham Road, Norwich

Item

4(f)

SUMMARY	
Description:	Erection of fence and shed in front garden.
Reason for consideration at committee:	Enforcement action recommended.
Recommendation:	Authorise enforcement action up to and including prosecution in order to secure: <ul style="list-style-type: none">• removal of the fence;• removal of the shed.
Ward:	Nelson
Contact officer:	Charlotte Hounsell charlottehounsell@norwich.gov.uk

The site

1. The site is located on the north side of Earlham Road to the west of the city. The subject property is 2½ storey mid-terrace dwelling. The whole terrace is locally listed, within the Heigham Grove Conservation Area and is covered by the Heigham Grove Article 4 direction which removes various permitted development rights for alterations at the front of properties covered by the direction. Front gardens in the terrace typically comprise of low front boundary walls with hedging or trees behind.

Relevant planning history

2. 17/00519/TCA granted consent for the removal of two lime trees in the back garden and one palm tree in the front garden (decision date 26 April 2017).

The breach

3. Without planning permission carrying out the following operations:
 - a) Erecting a fence adjacent to the highway;
 - b) Erection of a shed in the front garden.

Relevant policies

National Planning Policy Framework:

- NPPF7 Requiring good design



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

Planning Application No 17/00186/ENF
 Site Address 111 Earlham Road

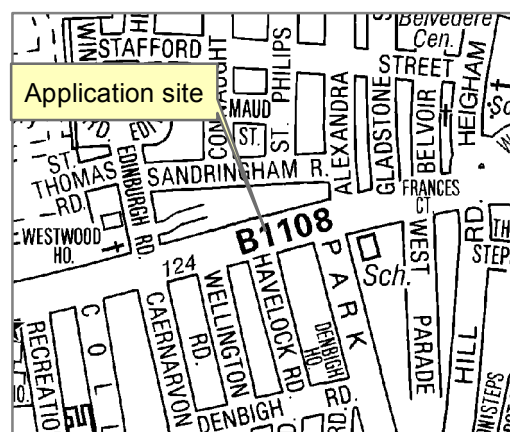
Scale 1:500



NORWICH
 City Council

PLANNING SERVICES

Page 106 of 130



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

- JCS2 Promoting good design

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

- DM3 Delivering high quality design
- DM9 Safeguarding Norwich's heritage

Justification for enforcement

1. Within the last year a front boundary hedge running parallel with the road has been removed and in its place a fence and shed erected. A palm tree has also been removed however this was with the benefit of a works to trees application.
2. The removal of the hedge does not require any form of consent, however the erection of both the fence and shed constitute development and no permitted development rights would apply. This would be the case irrespective of the Article 4 direction as the fence is over 1m in height adjacent to the highway and the shed is located forward of the principal elevation of the dwellinghouse.
3. Both the shed and fence are inconsistent with the character and appearance of the frontage of the terrace which has an otherwise verdant character. The erection of the fence and shed would harm the character and appearance of the terrace leading to less than substantial harm to the conservation area and the locally listed terrace which is not considered to be outweighed by the benefits to the occupier.
4. As such, the development is considered to be contrary to policies DM3 and DM9 of the Development Management Policies Development Plan Document adopted 2014 as well as paragraph 134 of the NPPF.
5. Authorisation is therefore sought to serve an enforcement notice to secure the removal of the fence and shed.

Equality and diversity Issues

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

Conclusion

5. For the reasons outlined above the works are considered to result in less than substantial harm to the character and appearance of the conservation area which is not outweighed by the benefits of the proposal as such it is commendation that authorisation is given to serve an enforcement notice seeking removal of the fence and shed.

Recommendation

6. Authorise enforcement action up to and including prosecution in order to secure:
 1. removal of the fence;
 2. removal of the shed.

Report to Planning applications committee
12 April 2018
Report of Head of planning services
Subject Enforcement Case – 2 Bracondale, Norwich NR1 2AF

Item

4(g)

SUMMARY	
Description:	Front garden being used as off street parking.
Reason for consideration at committee:	Enforcement action recommended.
Recommendation:	Authorise enforcement action up to and including prosecution in order to secure reinstatement of the front garden, including a front fence or wall of a similar height to that recently removed and of a design in keeping with the character of the conservation area.
Ward:	Lakenham
Contact officer:	Stephen Little stephenlittle@norwich.gov.uk

The site

1. The site is located on the south side of Bracondale close to the southern edge of the city centre. The subject property is a Victorian two-storey end terrace dwelling within the Bracondale Conservation Area and adjacent to the busy junction of Queens Road/Bracondale and City Road/Ber Street.
2. To the immediate west of the property is 1-1a Bracondale, a retail premises with parking on its forecourt. The terrace extends to the south-east of the property; the front gardens of which are approximately 5m long and typically comprise of low front boundary walls or fencing with hedging and/or shrubs behind.

Relevant planning history

3. No recent history

The breach

4. Without planning permission carrying out the following operations:
Front garden being used as off-street parking, facilitated by removal of front fence and gravel surfacing of front garden.

Relevant policies

National Planning Policy Framework:

- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design

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

- JCS2 Promoting good design

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

- DM3 Delivering high quality design
- DM9 Safeguarding Norwich's heritage
- DM30 Access and Highway Safety

Justification for enforcement

5. Recently a front boundary fence running parallel with the road has been removed and the small front garden surfaced with gravel. This constitutes the formation of a means of access to an existing highway for which, in accordance with Article 3 Paragraph (6) of the Town and Country Planning (General Permitted Development) Order 2015, planning permission is required.
6. This is not in keeping with the appearance of the frontage of the terrace, where low walls/fencing and greenery predominate, and would represent harm to the character of the conservation area. Additionally, the conservation area appraisal specifically identifies parking next door in the forecourt of 1-1a City Road as contributing to the unattractive nature of that frontage, thus giving further weight to resisting any extension of parking to directly adjacent areas.
- 7.
8. Off-road parking further to the south along Bracondale is restricted to designated gravel areas to help preserve the character of the conservation area.
9. The creation of a new access over a pavement, in such close proximity to this particularly busy junction and adjacent to a parking bay restricting views of oncoming traffic, would not be considered acceptable. It is also the case that the restricted size of the parking area means it lacks provision to access and egress in a forward gear.
10. There is on-street parking to the front of the terrace and in many nearby locations.

Equality and diversity Issues

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

Conclusion

12. For the reasons outlined above the works are considered to result in harm to the character and appearance of the conservation area and to be unacceptable in terms of highway safety. As such it is recommended that authorisation is given to serve an enforcement notice seeking removal of the access and reinstatement of the front garden and appropriate front boundary treatment.

Recommendation

13. Authorise enforcement action up to and including prosecution in order to secure:

Removal of the access and reinstatement of the front garden, including railings of a similar height to that recently removed and of a design in keeping with the character of the conservation area.

Report to Planning applications committee

Item

12 April 2018

Report of Head of planning services

Subject Application no 18/00319/L - Norwich City Council, City Hall, St Peters Street, Norwich, NR2 1NH

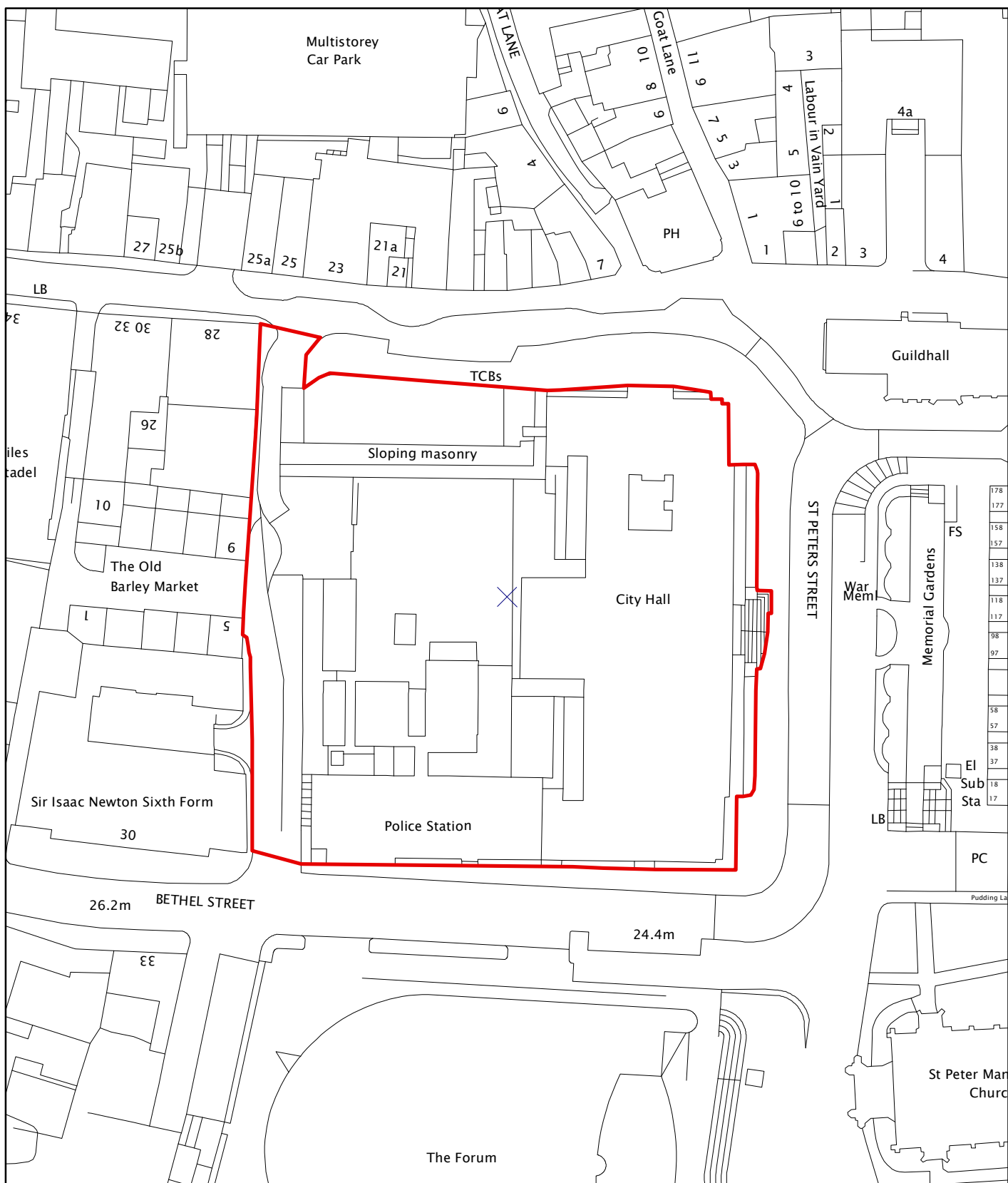
Reason for referral Objection / Significant departure from development plan / City council application or site / Member or Staff application / Called in by an elected member

4(h)

Ward:	Mancroft
Case officer	Sophia Bix - sophiabix@norwich.gov.uk

Development proposal		
Internal alterations to the Customer Contact Centre area of City Hall including the removal of existing counters, alterations to internal wall layouts and general refurbishment.		
Representations		
Object	Comment	Support
0	1	0

Main issues	Key considerations
1	Design and heritage
Expiry date	25 April 2018
Recommendation	APPROVAL



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

Planning Application No 18/00319/L

Site Address

Customer Contact Centre

City Hall

Scale

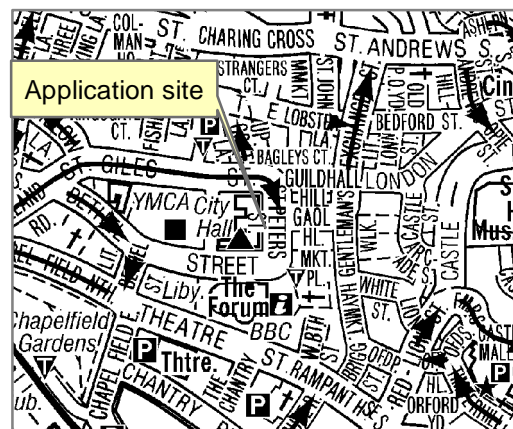
1:1,000



NORWICH
City Council

PLANNING SERVICES

Page 114 of 130



The site and surroundings

1. Norwich City Hall is a Listed Grade II* building (designated in 1971) and is situated within the Civic Character Area of the wider City Centre Conservation Area. The site occupies a prominent position elevated above the City's historic market place the fronting St Peters Street with St Giles to the north and Bethel Street to the south. The principal entrance to the building is situated on its eastern elevation and accessed via a sweep of stone steps from St Peters Street. Access to the buildings main customer service centre (the original Rates Hall) is via an entrance on its south elevation fronting Bethel Street.
2. The building rises three storeys over basement level and is built in brick and stone in the Art Deco style with metal windows and bronze doors to the principal entrance. The clock tower is identified in the conservation area appraisal as one of the city's 3 landmark buildings visible from various locations within the conservation area.
3. The building remains in its original use, which contributes greatly to its special interest and the wider character and appearance of the conservation area.
4. Norwich City Hall was built in 1932-38 to the designs of CH James and SR Pierce. It is an imposing building and is a major example of interwar civic architecture with important formal interiors including the main lobby and stair hall, the Council Chamber and a series of committee rooms. It is listed at grade II* on account of its particularly high level of historic and architectural interest.

Constraints

5. The building and adjacent boundary treatments are grade II* listed. As such, works to both the interior and exterior of the building and its boundary treatments that would affect its special architectural and historic interest will require listed building consent.
6. The building lies within the Civic Character Area of the wider City Centre Conservation Area. Any proposed works should serve to preserve and enhance the character and appearance of the conservation area.

Relevant planning history

7. There is a lengthy planning history relating to the site, however those most relevant to the current pre-application are listed below: -

Ref	Proposal	Decision	Date
4/1996/0259	Internal alterations to rates hall on ground floor, including removal of part of wall and erection of new external sign on Bethel Street elevation	Approved	23.05.1996.
07/00704/L	Alterations to facilitate enlarging existing interview rooms	Approved	16.08.2007.

Ref	Proposal	Decision	Date
07/01396/L	Improvements to ramped access into building off Bethel Street'	Approved	08.02.2008

The proposal

8. The application seeks consent for internal and minor external alterations to the building in association with the refurbishment of the existing customer service centre at Ground floor level.
9. The proposed internal works involve: -
 - (a) The removal of some latter date fixtures (counters, doors and partition work) to allow for an altered layout and the creation of an 'open plan' space within the historic Rates Hall accessed via Bethel Street;
 - (b) The installation of new fixed furnishings, floor coverings and the general redecoration of the interior of the within the historic Rates Hall accessed via Bethel Street; and
 - (c) The removal of the existing reception counter within the principal entrance hallway accessed via the principal entrance steps off St Peters Street.
10. The proposed external work involves:

The erection of a new external sign to replace the existing signage board outside the entrance to the customer service centre accessed via St Peters Street.

Representations

11. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

Consultation responses

12. 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.

Historic England

13. A letter was received from the Historic England Buildings Inspector on the 20 March 2018. This letter confirmed that they make no objection to the application providing conditions are placed on any consent issued to ensure the quality and minimal impact of new work and protection of historic features. Historic England has recommended conditions requiring the detailed design of all new internal doors & door furnishings, specification and location of any new surface mounted conduit, new fixed furniture and signage, new surface finishes and detailed design of the

raised level timber floor in the principal entrance hallway. They have also recommended that measures are taken to protect historic features including tiled flooring, original light fixtures and the marble end wall, sculptures and clock in the historic rates hall.

14. Suitable conditions have been recommended by the council's conservation officer to ensure that the requirements of Historic England are met.

Norfolk historic environment service

15. No response received

Norwich society

16. No response received

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)**
 - JCS2 Promoting good design
18. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM9 Safeguarding Norwich's heritage

Other material considerations

19. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
 - NPPF0 Achieving sustainable development
 - NPPF12 Conserving and enhancing the historic environment

Case Assessment

20. 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 and Heritage

21. Key policies and NPPF paragraphs - DM9, NPPF paragraphs 128-141.

Proposed internal alterations

Works to the Customer Service Centre via Bethel Street

22. The existing customer service centre (accessed via Bethel Street) is housed within what was the original Rates Hall, the plan form of which largely survives. However, its internal appearance has been altered through the insertion of new lighting, flooring and modern counters. Some features of special interest survive which include the steel doors with roundels to Bethel Street, the entrance lobby to Bethel Street, the top lit ceiling, original light fittings, the tessellated tile floor and the marble end wall. All of these elements will be retained as a result of the current proposals.
23. Policy 10.10 of the Conservation Management Plan for City Hall states: - 'The form of the Rates Hall should not be significantly altered and the tessellated floor should be retained and restored. The counters are modern and more sympathetically designed counters could be installed. Ideally, the suspended ceiling should be removed and the top light uncovered and restored. At pre-application stage, the applicants were encouraged to reveal the historic flooring and top light, however, due to the location of services and modern day requirements, this has posed too costly and difficult to achieve at this time.
24. Consent is sought for the removal of the existing marble clad counters. These counters were inserted into the space in the 1980's and are not considered to contribute to the special architectural and historic interest of the building. Whilst they are of some nominal interest, in that they define the shape and form of the original rates hall and are reflective of the changing styles and functions of the Council, their loss is not opposed as the shape and form of the original room will still be evident from the surviving ceiling layout.
25. The features identified as of special interest in the Conservation Management Plan, the steel doors with roundels to Bethel Street, the entrance lobby to Bethel Street, the top lit ceiling, original light fittings, the tessellated tile floor and the marble end wall will all be retained insitu as part of the current proposals. A condition will be added to the consent to ensure that these will be protected during the course of construction works.
26. New services are to be installed within carefully obscured wall-mounted service routes. It is impossible for the services to be housed within the floor or ceiling zones in this area, so the proposed service routes are considered to have the least impact upon the surviving period fabric and appearance of the interior.
27. New finishes (carpeting and painting etc.) are proposed, as well as new fixed furniture. The detailed design of these elements will be controlled by way of condition.
28. The proposed alterations to the internal layout will not result in the loss of any historic form or fabric of significance and will allow for the building to remain in its original use as a functional civic building.

Principal entrance hallway

29. The conservation management plan for the building sets out that the ground floor entrance hall retains most of its original form, which should be retained. However,

it does not object to the removal of the latter date receptionists' desk which it suggests is not a well-designed addition to the space.

30. Whilst the existing reception desk within the principal entrance hallway is now a familiar feature, it is a relatively new insertion. Originally, the area housed a lightwell to the principal stair which extended down to the basement (that has been since been infilled).
31. The proposed removal of the desk will not therefore cause harm to the special architectural or historic interest of the building. However, care must be taken to ensure that any damage to neighbouring finishes as a result of its removal are carried out in the correct manner.
32. Behind the existing reception desk, there is a timber step which houses an internal heating system with grilles. This step is rather unsightly and it is important that this be either removed or tidied up or its appearance improved following the removal of the counter in order to preserve the existing period aesthetic. A condition will be added to the consent to ensure that both the repair works and works to the timber step are carried out in a sympathetic manner.
33. Some new directional signage may be required to ensure that visitors will find their way to the new customer service area. A condition will be added to the consent to ensure that the new signage will be of a quality and design to harmonise with the existing art deco character of the interior and placed in a suitable location.

Proposed external alterations

34. The only works proposed to exterior of the building is the replacement of an existing wall mounted sign to the entrance way on Bethel Street. No details of the proposed replacement signage have been provided at this stage. A condition will be added to the consent to ensure that the new signage will be of a quality and design to harmonise with the existing context and will be placed in a suitable location.

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.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Not applicable
Car parking provision	DM31	Not applicable
Refuse Storage/servicing	DM31	Not applicable
Energy efficiency	JCS 1 & 3 DM3	Not applicable

Requirement	Relevant policy	Compliance
Water efficiency	JCS 1 & 3	Not applicable
Sustainable urban drainage	DM3/5	Not applicable

Equalities and diversity issues

36. There are significant/There are no significant equality or diversity issues.

Local finance considerations

37. 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.
38. 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.
39. In this case local finance considerations are not considered to be material to the case.

Conclusion

40. The proposed works will not result in harm to the surviving special architectural and historic interest of the building. The removal of non-original fabric will alter the internal appearance of the interior, however conditions have been added to ensure that the resulting appearance will preserve the surviving period character and appearance. All items of special architectural and historic interest will be retained. Therefore, subject to compliance with the suggested conditions, the works are considered to comply with the requirements of relevant national and local planning policy and guidance including Chapter 12 of the NPPF and Local Plan policy DM9.
41. For these reasons it is recommended that listed building consent is granted, subject to conditions.

Recommendation

To approve application no. 18/00319/L - Norwich City Council City Hall, St Peters Street, Norwich, NR2 1NH and grant listed building consent subject to the following conditions:-
Standard time limit;

1. In accordance with plans;
2. Details to be submitted including:-

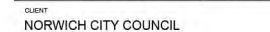
- (a) Any new internal doors and door furniture,
 - (b) New fire alarm system, emergency lighting and CCTV and any associated surface mounted conduit/wiring,
 - (c) Any new or relocated services in the principal entrance hallway
 - (d) Any new fixed furniture;
 - (e) Any new internal or external signage,
 - (f) All new internal finishes (partition work, paintwork and floor coverings),
 - (g) Detailed design of works to the raised level timber floor beside the existing customer service counter in principal entrance hallway
3. Before any work is undertaken in pursuance of this consent to demolish any part of the building, such steps shall be taken and such works carried out as shall, during the progress of works permitted by this consent, secure the safety and stability of all parts of the building to be retained.
 4. No works shall take place on the site in pursuance of this consent until a detailed scheme of work outlining the proposed measures of protection for the following features, which shall enable them to remain undisturbed in their existing position and fully protected during the course of the work on the site, has been submitted to and approved in writing by the local planning authority:
 - (a) Tiled floor in rates hall (area 2A)
 - (b) Original lighting x 3 in rates hall (area 2A)
 - (c) Marble wall, emblem sculptures and clock (area 2A)
 - (d) Decorative plasterwork (area 2A)
 - (e) Top light (area 2A and beyond)
 5. Any damage caused to the building by the works hereby approved shall be made good in accordance with a scheme first submitted to and agreed in writing by the local planning authority and the making good in accordance with the scheme as agreed shall take place within 12 months of the approval of the scheme.

Reason for approval:

The proposed works will not result in harm to the surviving special architectural and historic interest of the building. The removal of non-original fabric will alter the internal appearance of the interior, however conditions have been added to ensure that the resulting appearance will preserve the surviving period character and appearance. All items of special architectural and historic interest will be retained. Therefore, subject to compliance with the suggested conditions, the works are considered to comply with the requirements of relevant national and local planning policy and guidance including Chapter 12 of the NPPF and Local Plan policy DM9.



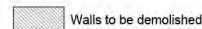
FIRST ISSUE						
P0						
DEV	ORIGIN	DATE	CHECKED	DATE	APPROVED	DATE



PROJECT
CITY HALL CUSTOMER CARE CENTRE
REFURBISHMENT

TITLE
DEMOLITION PLAN & DETAILS

SCALES 1:100	DISCIPLINE ARCHITECT	PROJECT NUMBER 18-1-1070
DRAWING NUMBER NPS-DR-A-(00)-001		REV CODE P1
STATUS CODE S2	PURPOSE OF ISSUE PLANNING APPROVAL	DRAWN BY GT



FIRST ISSUE						
P0						
DEV.	OSMAN	DATE	CHECKED	DATE	APPROVED	DATE



CLIENT
NORWICH CITY COUNCIL

PROJECT

CITY HALL CUSTOMER CARE CENTRE REFURBISHMENT

TITLE
GROUND FLOOR LAYOUT
AS PROPOSED

SCALES	DISCIPLINE	PROJECT NUMBER
1:100	ARCHITECT	18-1-107

DRAWING NUMBER NPS-DR-A-(00)-002		REV CODE P1
STATUS CODE S2	PURPOSE OF ISSUE PLANNING APPROVAL	DRAWN BY

Report to Planning applications committee

Item

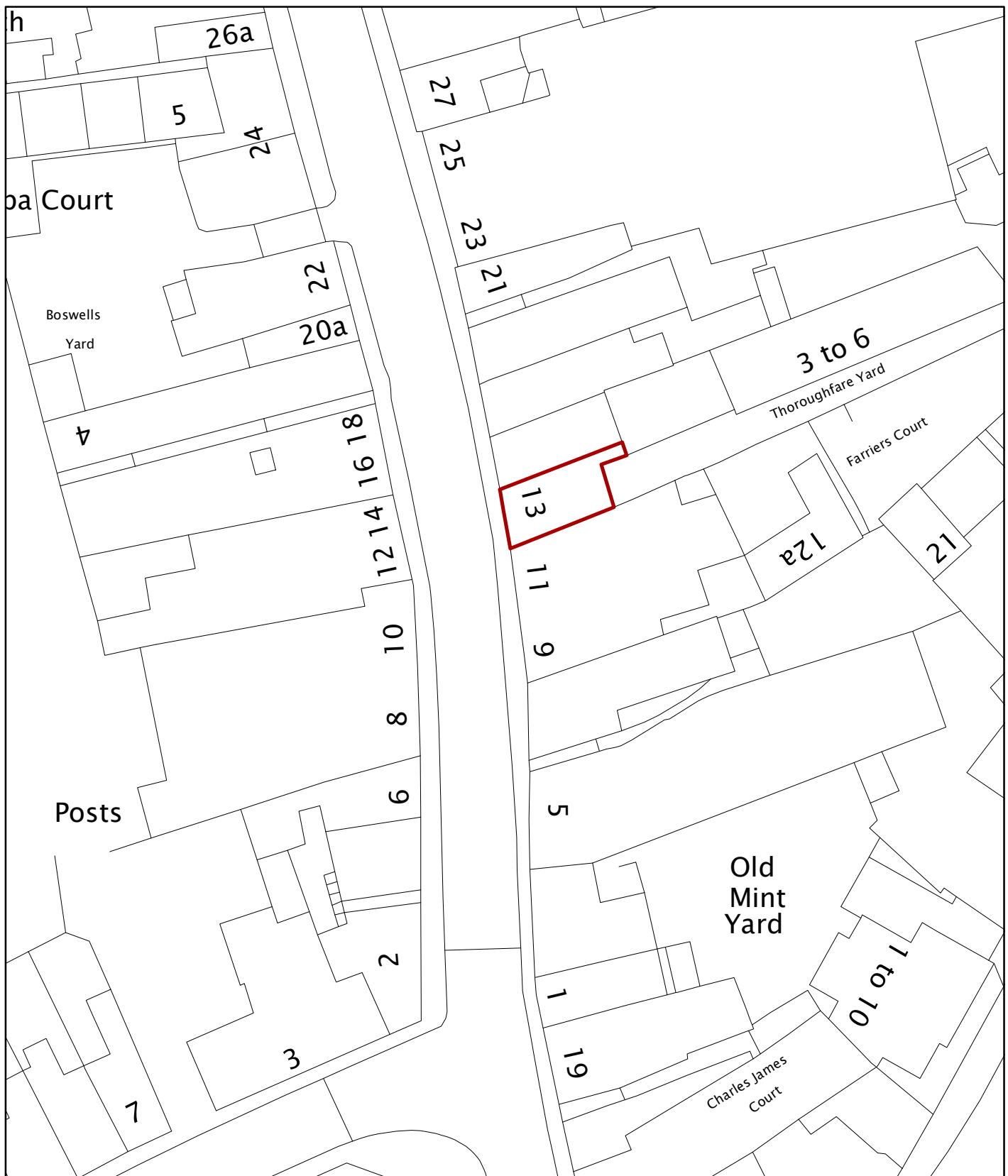
12 April 2018

Report of Head of planning services

4(i)

Subject Enforcement Case 15/00046/CONSRV/ENF – 13
Magdalen Street, Norwich, NR3 1LE

SUMMARY	
Description:	Unauthorised replacement of 4 windows to front Elevation and two windows to the rear elevation with unsuitable windows.
Reason for consideration at committee:	Enforcement action recommended.
Recommendation:	Authorise enforcement action up to and including prosecution in order to: <ul style="list-style-type: none">• Remove the unauthorised windows and replace with windows of appropriate design and material for a locally listed building in the city centre conservation area – including vertical sliding sash windows with four pane (two over two) design.
Ward:	Mancroft
Contact officer:	Samuel Walker samuelwalker@norwich.gov.uk



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

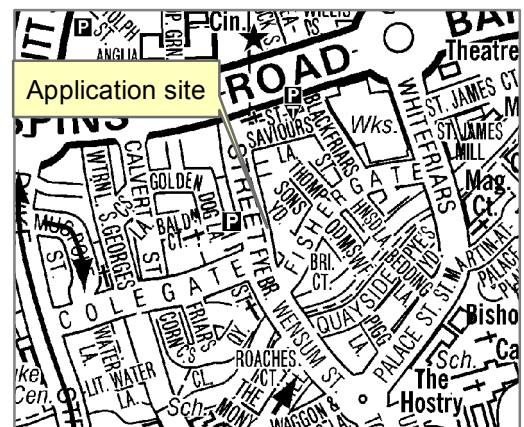
Planning Application No 15/00046/CONSRV/ENF
Site Address 13 Magdalen Street

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



The site

1. The site is located to the east of Magdalen Street, between the junctions with Colegate to the south and St Saviours Lane to the North. The subject property is a three storey locally listed building, description as follows:
C19. 3 storeys, painted brick, Pantiles. 4 sashes. Modern shopfront. Right-hand entrance to Thoroughfare Yard.
2. The prevailing character of the area is predominantly retail at street level with residential use at upper floors. In terms of neighbouring uses, Magdalen Street is predominately commercial, with a number of restaurants nearby;
3. It is within the city centre conservation area and nearby a number of locally and statutory listed buildings, including the adjoining buildings to the north.

Relevant planning history

4. There is no relevant planning history.

The breach

5. Without planning permission carrying out the following operations:
 - i) The removal of six number single glazed, vertical sliding sash windows of white painted timber construction (probably original to property); and
 - ii) The installation of uPVC double glazed casement windows – (top hung outward opening), with trickle vents. The replacement of the windows constitutes development and no permitted development rights would apply in this case. No planning consent has been granted for the works and it appears that the breach of planning control has occurred within the last four years and is not therefore immune from enforcement action.
6. The unauthorised white PVCu windows have caused harm to the conservation area.

Relevant policies and Planning Assessment

National Planning Policy Framework:

- Statement 1 Building a strong and competitive economy
- Statement 7 Requiring good design
- NPPF7 Requiring good design
- NPPF12 Conserving and enhancing the historic environment

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

- JCS2 Promoting good design

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

- DM1 Achieving and delivering sustainable development
- DM3 Delivering high quality design

- DM9 Safeguarding Norwich's heritage

Justification for enforcement

7. The unauthorised development by virtue of the window design, frame dimensions, opening mechanism would result in less than substantial harm to the character of the City Centre Conservation area and the setting of adjacent Locally and Statutory Listed Buildings, contrary to policies DM3 and DM9 and paragraph 134 of the National Planning Policy Framework.
8. In 2015, the breach was noticed by a senior officer during the works being carried out, one of the original timber sash windows remained in place at this time. The installers were advised that the works required formal consent, which had not been obtained. It was strongly advised that works ceased and that the windows that had been removed without authorisation should be stored safely, however this advice was not taken. It is noted that the landlord advised that this information was not relayed to him by the operatives.
9. On 20 August 2015 enforcement officers attended site. Subsequent discussions with the landlord progressed; an application to replace the unauthorised windows with a more appropriate alternative was invited.
10. On 12 October 2015 a site meeting was held between the landlord and a conservation officer to discuss appropriate proposals, it is noted that the landlord was unwilling to change the windows and informed officers of his intention to apply for retrospective consent for the windows as installed. The conservation officer advised that this would be unlikely to receive approval. No application was received. The planning development manager advised it is expedient to seek authorisation for enforcement action.
11. Officers attended site on 23 February 2018 along with an agent representing the Landlord's agent; advice was given that an application to regularise the unauthorised windows would be unlikely to be granted approval; again an invitation to submit an application to replace the unauthorised windows with a more appropriate alternative was invited. No application has been received.

Equality and diversity Issues

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

ought to be allowed to address the committee as necessary. This could be in person, through a representative or in writing.

Conclusion

13. For the reasons outlined above, it is considered that the unauthorised replacement of the timber sash windows with uPVC top hung casement windows is out of character for the subject property, they have a detrimental impact on the character and appearance of the property, street scene and setting of the neighbouring listed buildings (locally and statutory) The development is not considered acceptable.
14. It is therefore necessary to ask for authorisation from the planning applications committee to authorise enforcement action to secure the replacement of the unauthorised windows and therefore remedy the breach of planning control.

Recommendation

That the committee authorises enforcement action to secure the removal of the unauthorised uPVC top opening casement windows and replacement with vertical sliding sash windows in keeping with the original design for the subject property and the prevailing character of the area; including the taking of direct action that may result in referring the matter for prosecution if necessary.

