

Report for Resolution

Report to Planning Applications Committee
Date 10 June 2010
Report of Head of Planning Services
Subject 10/00741/F: Land Between 3 And 7 St Leonards Terrace,
Norwich

Item
6(2)

SUMMARY

Description:	Erection of 1 No. two-bedroom house.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Thorpe Hamlet
Contact Officer:	Mr Rob Parkinson Senior Planning Officer (Development) 01603 212765
Valid date:	16th April 2010
Applicant:	Mr Neil Winder
Agent:	Mr Neil Winder

INTRODUCTION

The Site

Location, Context and Topography

1. The site forms a 'gap site' between two distinctive short rows of houses at 1-3 and 7-8 St Leonard's Terrace, at the rear (north) of St Leonards Road and St Michael Terrace. The site is prominent in being sited along the Gas Hill wooded ridgeline overlooking the city centre from the east.
2. The site is orientated roughly north-south and is heavily influenced by the east-west slope. Two historic semi-detached cottages neighbour the site immediately to the north with three to the south (St Leonards Terrace). These are at the same topographic level as the application site, and all are accessed from the St Leonards Terrace public footpath. These have east-facing rear gardens cut into a terrace in the slope. A secondary private footpath serves these rear gardens from a lower level, accessed from Gas Hill.
3. West and downhill from these properties are the thick wooded ridge of Ketts Heights, and below that some housing around the base of Gas Hill.
4. Neighbouring properties to the east, uphill from the application site are the row of three historic two-storey dwellings forming St Michael Terrace, and the low-rise detached dwelling at 89 St Leonard's Road, and the flats and car park of 87a-87d St Leonards Road, at some distance from the application site to the south-east.

5. More distant but clear views of the north elevation and rear/west balcony are available from houses at no. 113 and 113a St Leonards Road which face south from atop a raised hill overlooking the site and St Leonards Terrace gardens. The site will also be seen from the east of the city centre, particularly in winter when tree cover thins.

Constraints

6. The site forms part of the Thorpe Hamlet Conservation Area. It also overlooks the Bishopgate / Riverside Road junction at the base of the ridge, defined as a gateway to the city by saved Local Plan policy HBE14. The adjoining Ketts Heights wooded ridge is a defined Historic Park and Garden under saved Local Plan policy SR8, and an Ancient Woodland protected by saved Local Plan policy NE2. Close to the site, Gas Hill and St Leonards Road form part of the Strategic Cycle Network Green Links Network defined by saved Local Plan policies TRA15 and SR12 respectively.
7. There is also no vehicular access to the site. St Leonards Terrace is a public footpath connecting St Leonards Road and Gas Hill. This has suffered subsidence and has been closed for some years, preventing the through route. The section of closure concerns the area adjacent to the application site, which previously used to support the footpath, along the eastern boundary, but still allows separate access to no. 1-3 and 7-8 St Leonard's Terrace.
8. The site's topographic complexity has contributed to a historic ground stability issue in the immediate area. This led to the area being covered by saved Local Plan policy EP2 concerning development works in areas of unstable land. Further, the site is also within the consultation zone of the Gas Hill gasholding, requiring guidance to be sought from the Health and Safety Executive.

Planning History

There is no previous planning history at this site.

The Proposal

9. To provide a single 2-bedroom dwelling designed to a high environmental standard.

Representations Received

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below. Subject to conditions being used on any approval, 2 letters of support were received.

11.

Issues Raised	Response
<p>Objections: Design: A 'Veranda Style' property is simply not in keeping with the character of this Conservation Area. Any dwelling erected should instead be in the style of no. 1,2,3 Gas Hill and those at St Leonards Terrace.</p>	<p>See paragraphs 33-34:</p>

Amenity: The proposed dwelling is too close, too high and too far west of the northern neighbour and will compromise daylight and has not provided a shade study.	See paragraph 26
Amenity: The proposed balcony and the elevated position will lead to overlooking of the gardens of 7 and 8 St Leonards Terrace, causing loss of privacy which could otherwise be resolved by re-siting the block (without compromising the slope stability) or by removing the balconies, or providing shade screens or obscure glazed panels to the north side of the balcony.	See paragraph 25
Amenity: The proposed composting toilet and vent is only 5.6m from the neighbouring house and could cause odours.	See paragraph 40
Landscaping: Tree species and their position is not specified but would be needed for slope stability maintenance. Their height should not be allowed to compromise the daylighting and amenity of neighbouring dwellings or the views of the Conservation Area.	See paragraphs 41 - 42
Slope stability: The proposed piling and surface works involved must ensure they will not adversely affect the stability and foundations of neighbouring properties.	See paragraphs 22-24, 43
Conditional Support: <ul style="list-style-type: none"> - Works to strengthen the bank and resolve subsidence must be undertaken within a fixed timescale to reinstate access along the path. - Landscaping and maintenance thereof should be carefully managed. - Roofing materials should be selected to dull down through weathering. 	See paragraphs: <ul style="list-style-type: none"> - 43 - 42 - 30

Consultation Responses

12. Tree Officer: No significant implications.
13. Ecology Officer: The ecological survey was undertaken too early in the year to give a clear picture of the full potential plant and animal life, but the ecological value of the site is unlikely to be significant and agrees there is low biodiversity value. No objection but scrub clearance should be undertaken outside the bird breeding season(s).
14. Norfolk Archaeology: No objection but the site is adjacent to St Leonards Priory [south of Gas Hill] and therefore a full archaeological evaluation will be required via condition.
15. Environmental Health: The site is not grossly contaminated but development should be conditional on precautionary conditions concerning remediation works if necessary.
16. Planning Transportation: No objection but there will be no more parking permit issued for this area and the development will need to provide adequate support for the unstable footpath, part of the public highway, through schemes to be agreed by condition.
17. Norwich City Council, Structural Engineers: Prior to commencement of development technical evidence shall be provided to demonstrate long term bank stability can be provided for ongoing support to the adopted footway, and these measures shall be provided at the developers own cost.
18. Norfolk County Council, Highways and Structures Department: The proposed building is

sited on a slope that is currently unstable. This instability has led to the temporary closure of the footway immediately above the slope (St Leonards Terrace). The developer will need to take measures to stabilise the slope before being able to build on it safely. Any permission should be conditional on slope stabilisation measures being agreed through obtaining Technical Approval from the County Council as Technical Approval Authority.

19. Conservation and Design: The character of the Thorpe Hamlet Conservation Area is of an informal 'unplanned' settlement containing a variety of building styles and materials. The steep wooded escarpment that overlooks the city is an important characteristic. The proposal lies within the wooded escarpment, and its 'hill house' design will add further interest to the escarpment and fit in with the more informal landscaped character of the area. The design quality of the proposed dwelling is high, proposing eco-timber framed design and proposal for extensive vegetation on west and south facades, various sustainable construction techniques and renewable energy inclusion. Also, reopening the footpath is identified as an objective for enhancement of the area within the Conservation Area Appraisal. Conditions should be required to confirm materials, particularly given that the roof has the potential to be quite intrusive within views if it does not dull down.
20. The development is next to an Ancient Woodland (Ketts Heights Ridge) and as such the Forestry Commission would normally be consulted. However, it was noted there would be minimal if any impact on the woodland and consultation was not considered necessary. This was agreed with the Council's Tree Officer.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 - Delivering Sustainable Development
PPS1 Supplement – Planning and Climate Change
PPS3 - Housing
PPS5 - Planning for the Historic Environment
PPS9 - Biodiversity and Geological Conservation
PPG14 – Building on Unstable Land

Relevant Strategic Regional Planning Policies

East of England Plan 2008

SS1 - Achieving Sustainable Development
ENV6 - The Historic Environment
ENV7 - Quality in the Built Environment
WM6 - Waste Management in Development

Relevant Local Plan Policies

City of Norwich Replacement Local Plan 2004

NE2 - Woodland protection
NE7 - Protection of locally designated sites of nature conservation interest
NE8 - Management of features of wildlife importance and biodiversity
NE9 - Comprehensive landscaping scheme and tree planting
HBE7 – Evaluation of standing archaeology
HBE8 - Development in Conservation Areas
HBE12 - High quality of design in new developments
HBE14 – Gateways to the city

- EP1 - Contaminated land
- EP16 - Water conservation and sustainable drainage systems
- EP20 - Sustainable use of materials
- EP22 - High standard of amenity for residential occupiers
- HOU1 - Provision of new housing to meet needs
- HOU13 – Proposals for new housing
- TRA5 - Approach to design for vehicle movement and special needs
- TRA6 - Parking standards
- TRA7 - Cycle parking standards
- TRA8 - Servicing provision
- TRA14 – Enhancement of the pedestrian environment

Supplementary Planning Documents and Guidance

Thorpe Hamlet Conservation Area Appraisal (March 2007)

Trees and Development Supplementary Planning Document (Adopted September 2007)

Principle of Development

Policy Considerations

21. This is a brownfield site that was once developed but has been cleared for some time. It is considered a sustainable location in close proximity to a number of facilities and the city centre. Despite being outside the city centre, being within a controlled parking zone and having no means on providing on-site parking, the good cycling and walking links make this a suitable location for car-free development. Normally a higher density of development would be expected for a site in such a location close to the city centre, but the constraints of the site are such as to allow flexibility in this regard. It is considered possible that further development adjacent could be possible given a suitable construction and consideration for neighbouring amenity. The principle of development is accepted subject to consideration for stability (as per PPG14), design quality (as per PPS1), enhancement of the Conservation Area (as per PPS5) and neighbouring and future residential amenity.

Ground Stability

22. The area is affected by chalk workings and prone to slope subsidence. National Policy PPG14 and Local Plan policy EP2 require pre-application studies to demonstrate the development will be safe, avoid worsening the situation for neighbours, and address any possible adverse effects through appropriate solutions.

23. Whilst a very technical study has been undertaken to demonstrate adequately that the residential development is possible, it is considered appropriate to condition the commencement of development on the prior submission, approval and provision of a scheme to strengthen the bank sufficiently to avoid further damage and to strengthen the footpath adequately. As currently proposed, the construction approach adopted is to ensure minimal earth intervention by using screw piling foundations and transfer weight into deeper ground and away from the slope. The building itself would not support the bank directly, but could provide measures such as retaining walls supported by root binding.

24. The geotechnical report recommends action to improve the instability of the slope. Subject to further investigations to confirm the geology and provide design parameters, such feasible measures might include:

- Engineering the path and underpinning . re-engineering the retaining wall to no.89 St Leonards Road;
- Sheet piling to stabilise the crest of the bank from the site;
- Stability improvements to the bank face, such as selected planting;

- Stability measures such as face-netting and soil nailing.

It is not however recommended to use soil importation and regarding of the slope as such measures may only reduce the technical safety of the slope at its crest.

Impact on Living Conditions

Overlooking and Loss of Privacy

25. There is no activity proposed within the north-facing gables to intrude into neighbouring amenity. However, the balconies to the living accommodation may present some overlooking. It is considered appropriate to condition the design of the balcony such as to provide a form of screen at the northern elevation to prevent overlooking of habitable room windows at neighbouring properties.

Overshadowing

26. The proposed siting does not compromise daylight gain by being within the '45 degree rule', and retains most solar gain to the garden, causing negligible loss of light.

Design

Layout, Scale and Height

27. The two-storey building is proposed to be accessed primarily from St Leonards Terrace, and is sited 6m west of the footpath. The lateral the gap between house and path is proposed to be spanned by a bridge. Its positioning is in broad alignment with the dwellings at 1-3 St Leonard's Terrace, but stands 4m further west of no.7.

28. The dwelling is proposed to be raised on piled steel feet 'stilts' to accommodate the slope and provide stability, with ground floor level at 3m above the garden, accessed from the garden by stairs, but 3m below footpath level. This height difference means that first floor level is at grade with the footpath, raising the ridge height of the building to nearly 5m above the footpath. This results in the building being 1.5m higher than its closest neighbour to the north.

29. The internal layout is also unusual but has been orientated around the site topography. It provides the sleeping level at the lower level and living accommodation at first storey / ground floor level, with attic bathroom in the roof space.

Form

30. The proposal lies within the wooded escarpment, and has been designed as a 'hill house' with lightweight construction. Using timber framing and larch weatherboard, the building will be light in its appearance and, subject to conditions to ensure roofing and flue materials will not be too dominant, the finished design should blend nicely into the wooded hillside when seen from the west.

31. When viewed from north and south, the design shows a stepped form with side extensions, porches and, on the south-west elevation, a plantshield to act as a barrier to sun wind and rain. At the rear / west elevation, full length covered balconies are proposed along both storeys covered by brise soleil (vented sun shades).

32. The proposal's unique design, prominent location and setting in the Conservation Area, in addition to its close proximity to neighbours and potential effect on neighbouring amenity, is considered to justify the use of a condition removing permitted development rights to extend the building in the future.

Conservation Area – Impact on Setting

33. The character of the Thorpe Hamlet Conservation Area is of an informal ‘unplanned’ settlement containing a variety of building styles and materials. Existing properties visible on the ridge include traditional early 19th red brick dwellings, the unusual c.1900 clinker-built terraces (St Micheal and St Leonards Terrace), and rendered properties. The houses to the north on St Leonards Road also have a unique individual style with large brick bays.
34. The proposed building will add further interest to the escarpment, through the timber design and stilted appearance, balconies and proposed screening with extensive vegetation on the west and south facades, which will also help to assimilate it with the informal landscaped character of the area. This is considered a high quality of design that responds well to the massing and scale of neighbouring properties, whilst making optimal use of its aspect and negotiating the constraints of developing this difficult site.

Transport and Access

Vehicular Access, Parking and Servicing

35. The car-free development is considered acceptable as there is good public transport availability and short distances to local facilities and the city centre. Construction access would need to be carefully managed, and most likely be accessed via the lower path to the garden. Disruption is considered to be minimal and no conditions are needed for this.
36. Emergency fire access is difficult but can be substituted by using an internal domestic sprinkler system to comply with Building Regulations.

Cycling Parking and Refuse Storage

37. The proposal includes a cycle shed in the garden accessed via a ramped path to Gas Hill, and adequate refuse store adjacent to St Leonards Terrace.

Environmental Issues

Site Contamination and Remediation

38. The site may contain contamination resulting from its previous use in connection with the gasholding, and as such a precautionary condition is recommended to be applied.

Archaeology

39. The site’s proximity to St Leonards Priory requires that a full archaeological evaluation is undertaken prior to commencement, to be required via condition.

Energy and Water Efficiency and Renewable Energy

40. The design provides a high standard of energy efficiency, including solar panels on the south-facing weathershield. The water saving measures include composting toilets (whose function, management and specification are subject to Building Control regulations) and rainwater harvesting.

Trees and Landscaping

Loss of Trees or Impact on Trees

41. The steep wooded escarpment that overlooks the city to the west forms an important characteristic of the area. An extensive and appropriate landscaping plan will be able to make a significant contribution to expanding the natural woodland, and give an appearance of extending the wooded ridge, an objective of saved Local Plan policy NE2.
42. The final details of the planting specification will need to be appropriate and sensitive to the change in topography to ensure they do not compromise the amenity of neighbours.

Highways Improvements

43. The development will be required to ensure the footpath is able to be supported adequately to allow it to re-open, as the landowner is required by statutory duty to maintain support to the public highway. These works would be authorised by the highway authority and should be undertaken prior to the commencement of development. This would improve public access and help achieve improvements set out in the Conservation Area Appraisal.

Conclusions

44. The proposal offers a high quality of design and development of housing in an appropriate and sustainable location. Subject to conditions to ensure the satisfactory provision of slope stability and reinstatement of the public footpath, maintenance of neighbouring residential amenity, satisfactory selection of a materials palette, and appropriate landscaping scheme, the development will provide an enhancement of the surrounding Conservation Area and appropriate design given its prominent location on the wooded ridge, whilst preserving the Ancient Woodland and creating an enhanced continuation of the adjoining woodland and surrounding informal landscaped character of the area.

RECOMMENDATIONS

To APPROVE 10/00741/F: Land Between 3 And 7 St Leonards Terrace, Norwich subject to conditions listed below:

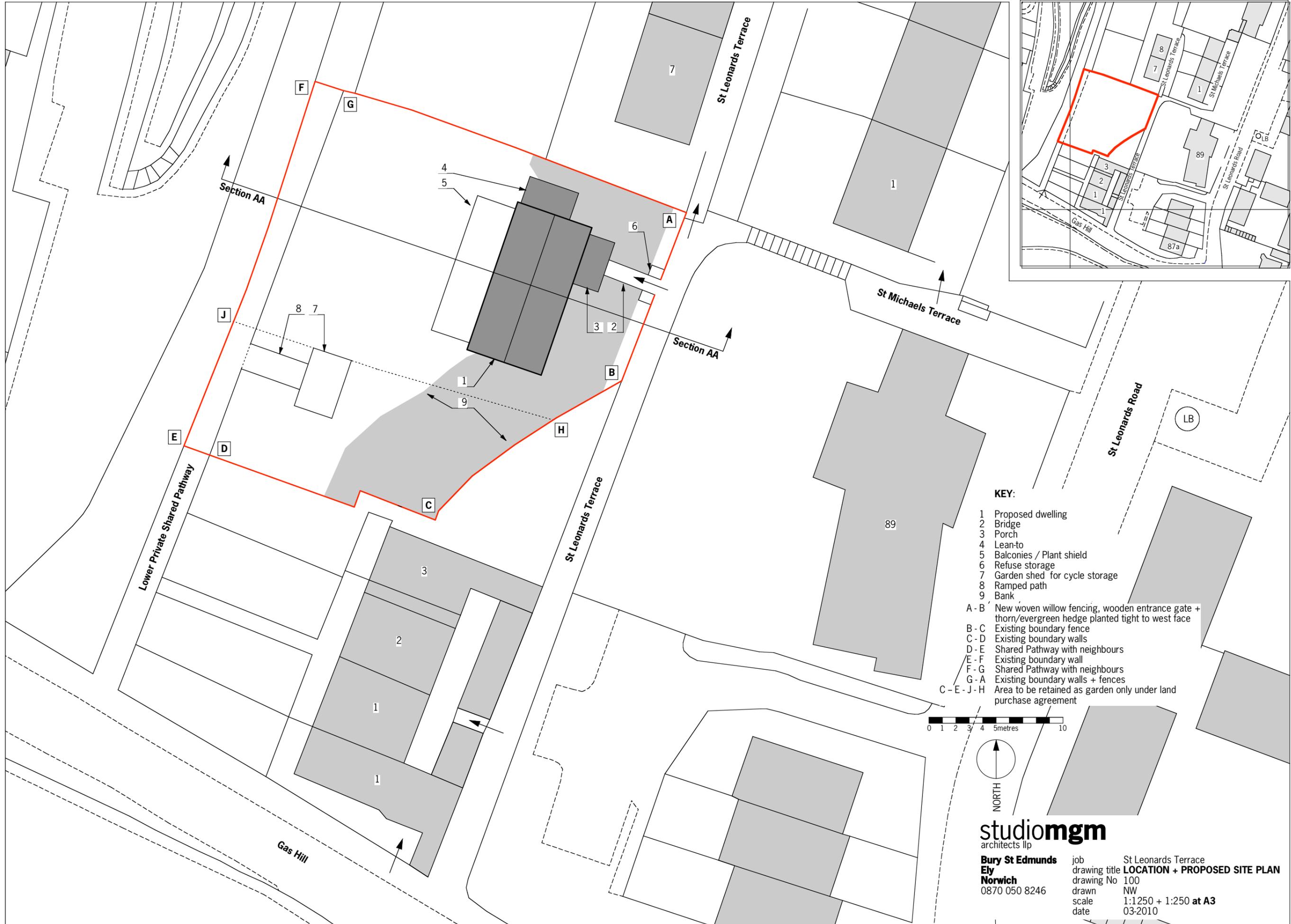
- 1 – Standard time limit.
- 2 – Prior to commencement of development a suitable scheme for slope stability to be agreed and measures provided.
- 3 – Prior to commencement of development adequate footpath stabilisation works to be agreed and reinstatement measures to be provided.
- 4 – Prior to commencement, a full archaeological evaluation should be undertaken and result agreed.
- 5 – Prior to commencement, design of balcony screening to be agreed.
- 6 – Precise details and appearance of materials to be agreed, including details of roofing and flues.
- 7 – Site contamination precautionary measures to be used if necessary.
- 8 – Landscaping scheme to be agreed and provided prior to occupation, to include plant shield.
- 9 – Landscaping management plan and maintenance schedules to be agreed.

REASONS for recommendation:

The recommendation is made with regard to all national, regional and local development plan policy, and all other material considerations. It is considered that subject to conditions the proposal offers a high quality of design and development of housing in an appropriate and sustainable location that will enhance the surrounding Conservation Area, blend in and preserve the Ancient Woodland and provide an appropriate design given its prominent location on the wooded ridge, whilst creating an enhanced continuation of the adjoining ancient woodland and surrounding informal landscaped character of the area, and as such is in accordance with national policy PPG14, PPS1, PPS3 and PPS5, regional policies ENV6 and ENV7 of the East of England Plan (May 2008), and saved policies NE2, NE9, HBE7, HBE8, HBE12, EP22, HOU13, TRA7, TRA8 and TRA14 of the adopted City of Norwich Replacement Local Plan (November 2004).

Site Plan 1:250 scale

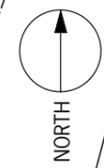
Location Plan 1:1250 scale



KEY:

- 1 Proposed dwelling
- 2 Bridge
- 3 Porch
- 4 Lean-to
- 5 Balconies / Plant shield
- 6 Refuse storage
- 7 Garden shed for cycle storage
- 8 Ramped path
- 9 Bank

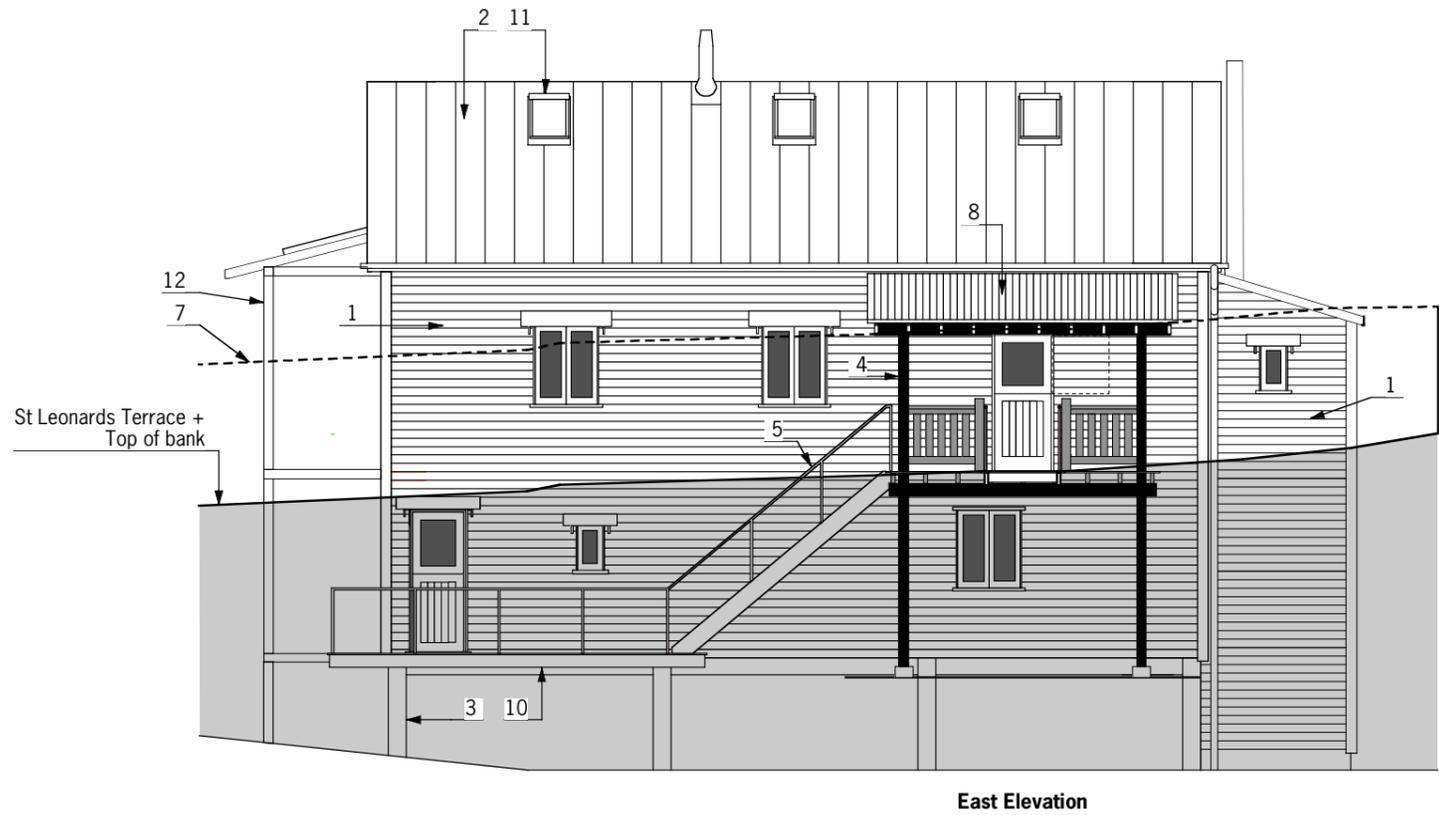
- A - B New woven willow fencing, wooden entrance gate + thorn/evergreen hedge planted tight to west face
- B - C Existing boundary fence
- C - D Existing boundary walls
- D - E Shared Pathway with neighbours
- E - F Existing boundary wall
- F - G Shared Pathway with neighbours
- G - A Existing boundary walls + fences
- C - E - J - H Area to be retained as garden only under land purchase agreement



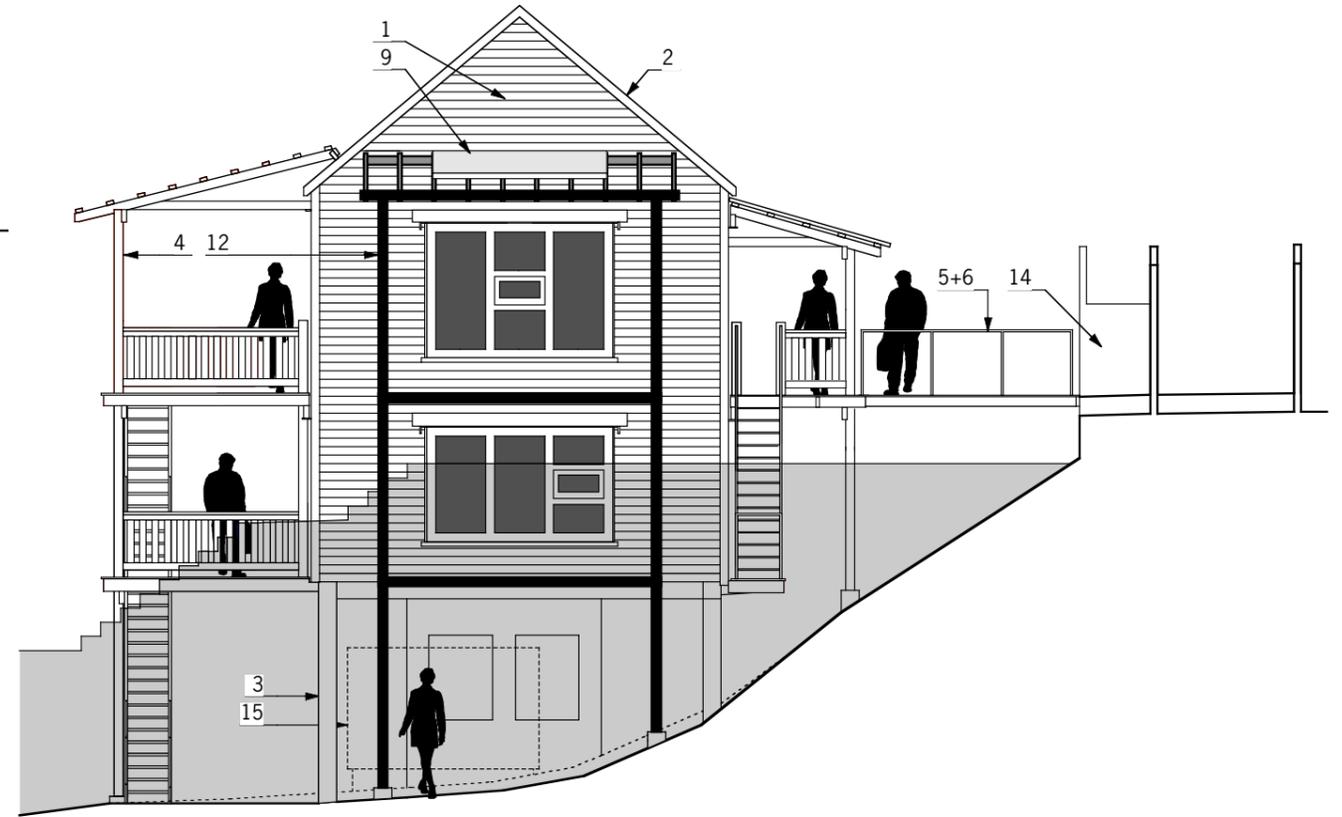
studiomgm
architects llp

Bury St Edmunds
Ely
Norwich
0870 050 8246

job title **St Leonards Terrace**
drawing title **LOCATION + PROPOSED SITE PLAN**
drawing No 100
drawn NW
scale 1:1250 + 1:250 at A3
date 03-2010



East Elevation



South Elevation

KEY

- 1 Norfolk larch weatherboarding. Mat grey paint finish.
 - 2 Uginox SS roof covering. Dull grey colour after weathering period.
 - 3 254x254 steel feet + beams to garden level only. Satin black paint finish.
 - 4 Norfolk larch/douglas fir balconies, porch + plant shield. Matt black paint finish to structural timbers.
 - 5 Tubular steel handrails to external oak stairs + bridge. Satin black metal paint finish.
 - 6 Bridge.
 - 7 Top of proposed willow fencing + entrance gate.
 - 8 Black Onduline sheet roofing to Porch.
 - 9 Solar panels.
 - 10 External access to/from Porch to south Study/Bedroom.
 - 11 Velux skylights.
 - 12 Plant shield.
 - 14 Refuse storage.
 - 15 Raniwater harvesting tank[s].
- Bank in front of East Elevation.
 Bank in front of South Elevation with neighbours garden level + external steps shown.

NOTE Extensive tree planting to bank not shown for drawing clarity. Bank planting to provide root matrix assisting in bank stability. Pollarded/coppiced management maintaining low level canopy.

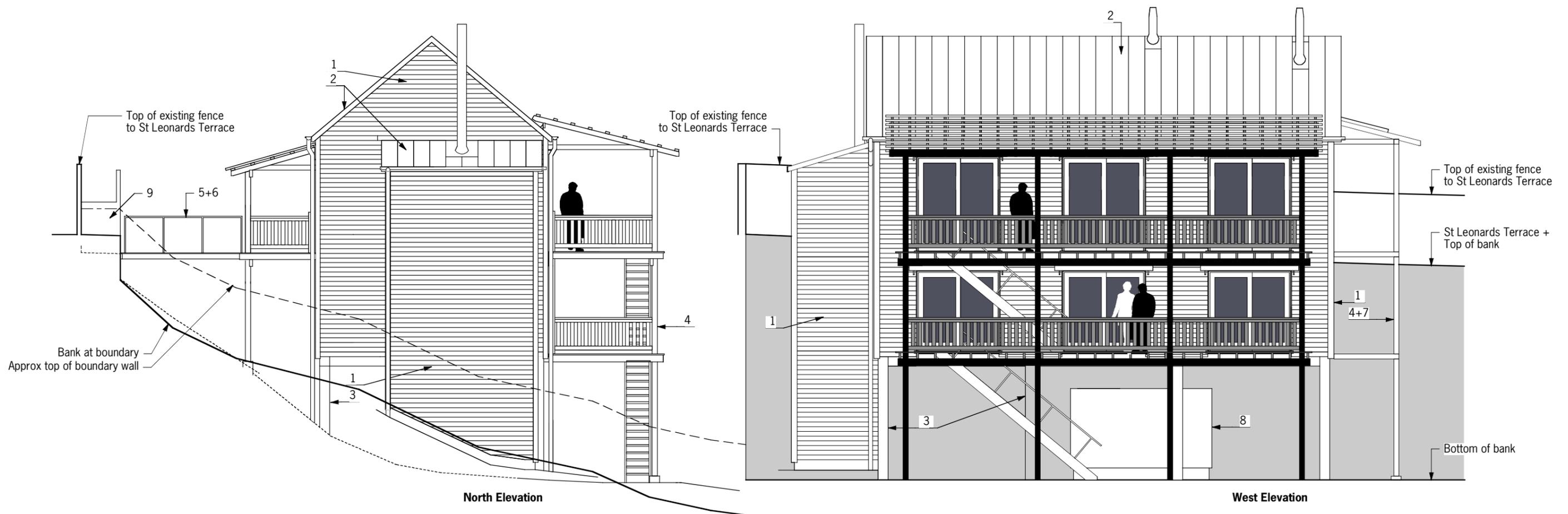


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job
drawing title
drawing number
drawn
scale
date

St Leonards Terrace
PROPOSED EAST + SOUTH ELEVATIONS
104
NW
1:100 AT A3
04 2010



KEY:

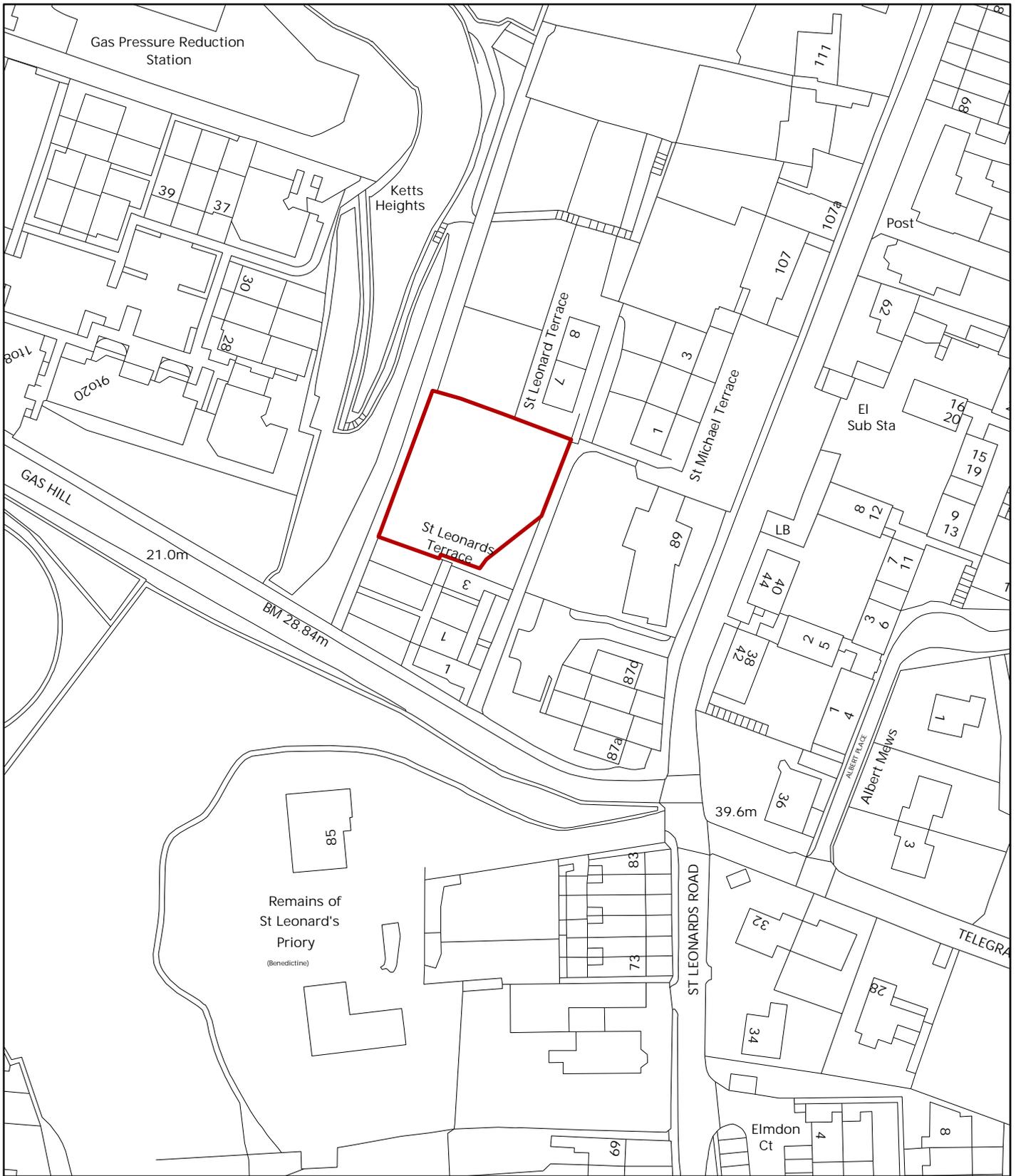
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- 4 Norfolk larch/douglas fir balconies, porch + plant shield. Matt black paint finish to structural timbers.
- 5 Tubular steel handrails to external stairs + bridge. Satin black paint finish.
- 6 Bridge.
- 7 Plantshield.
- 8 Rainwater harvesting tank(s)
- 9 Refuse storage.
- █ Bank

NOTE Extensive tree planting to bank not shown for drawing clarity. Bank planting to provide root matrix assisting in bank stability. Pollarded/coppiced management maintaining low level canopy.



studiomgm architects llp
 0046 481 22060 job
 neil@studiomgm.co.uk drawing title
 drawing number
 drawn
 scale
 date

St Leonards Terrace
PROPOSED WEST + NORTH ELEVATIONS
 103
 NW
 1:100 at A3
 03 2010



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Planning Application No - 10/00741/F
 Site Address - Land between 3 and 7 St Leonards Terrace
 Scale - 1:1,000

