



## **Planning applications committee**

**Date:** Thursday, 17 December 2015

**Time:** 09:30

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

### **Committee members:**

#### **Councillors:**

Sands (M) (chair)  
Herries (vice chair)  
Blunt  
Bradford  
Brociek-Coulton  
Button  
Carlo  
Jackson  
Lubbock  
Neale  
Peek  
Woollard

### **For further information please contact:**

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For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website



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## **Agenda**

### **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 - 10**

To agree the accuracy of the minutes of the meeting held on 29 October 2015.

### **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**

**11-12**

**Standing duties**

**13 - 14**



<b>4(A)</b>	<b>Application no 15/01390/F - 82 Unthank Road, Norwich, NR2 2RW</b>	<b>15 - 34</b>
<b>4(B)</b>	<b>Application no 15/00663/F - Site of former public house, Earlham West Centre, Norwich</b>	<b>35- 58</b>
<b>4(C)</b>	<b>Application no 15/01534/F - Uplands Court. Upton Road, Norwich, NR4 7PH</b>	<b>59 - 72</b>
<b>4(D)</b>	<b>Application no 15/01314/F - Land to the west of Unit 1, Hall Road, Retail Park, Hall Road, Norwich</b>	<b>73 - 96</b>
<b>4(E)</b>	<b>Application no 15/01364/F - Hangar 5 Anson Road, Norwich, NR6 6ED</b>	<b>97 - 118</b>
<b>4(F)</b>	<b>Application no 15/01575/U – 288 Aylsham Road, Norwich, NR3 2RG</b>	<b>119 - 128</b>
<b>4(G)</b>	<b>Application no 15/01707/F – 13 Branksome Close, Norwich, NR4 6SP</b>	<b>129 - 138</b>
<b>4(H)</b>	<b>Application no 15/01666/F - 12 Orchard Close, Norwich, NR7 9NY</b>	<b>139 - 148</b>
<b>4(I)</b>	<b>Application no 15/01103/NF3 – 26 Grosvenor Road, Norwich, NR2 2PY</b>	<b>149 - 162</b>
<b>4(J)</b>	<b>Application no 15/01214/F - 61 Magdalen Street, Norwich, NR3 1AA</b>	<b>161 - 176</b>
<b>4(K)</b>	<b>Enforcement case 14/00219/BPC/ENF– 474C Earlham Road, Norwich, NR4 7HP</b>	<b>177 - 180</b>

Date of publication: **Wednesday, 09 December 2015**







## **Planning applications committee**

**09:30 to 11:30**

**26 November 2015**

Present: Councillors Sands (M) (chair), Herries (vice chair), Blunt, Bradford, Button, Brociek-Coulton, Carlo, Jackson, Lubbock, Neale, Peek and Woollard (from the middle of item 3 below)

### **1. Declarations of interest**

There were no declarations of interest.

### **2. Minutes**

**RESOLVED** to approve the minutes of the meeting held on 29 October 2015.

### **3. Application no 15/01449/F - Land at the corner of St Saviours Lane and Blackfriars Street, Norwich**

(Councillor Woollard entered the meeting during this item.)

The planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports, which was circulated at the meeting, and said that the Norwich Society had objected to the previous application because the rooms were too small but had no objections to this application. The supplementary report also included a correction to condition 4, relating to refuse and cycle storage being in accordance with agreed plans under the planning application no 14/01091/D.

During discussion the planner referred to the report and together with the planning team leader (development) (outer area), answered members' questions on the internal floor space being below the minimum standard and that attempts to revise the floor layout had been constrained in order to provide greater acoustic protection. Members noted that the Norwich Society did not object to this application and that there would be affordable housing on the site.

**RESOLVED**, with 11 members voting in favour (Councillors Sands, Herries, Blunt, Bradford, Button, Brociek-Coulton, Carlo, Jackson, Lubbock, Neale, and Peek), no members voting against and 1 member abstaining (Councillor Woollard, because she had not been present for the start of the item) to approve application no. 15/01449/F - Land at the corner of St Saviours Lane and Blackfriars Street, Norwich and grant planning permission 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. The acoustic measures set out in the Adrian James Technical Acoustic Report dated 12 March 2014 shall be carried out and retained as such.
4. Refuse and cycle storage in accordance with the detailed plans for the bin and cycle stores approved under planning application no 14/01091/D.

#### Article 35(2) statement

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

#### **4. Application no 15/01204/F - Site between 95 and 111 Adelaide Street, Norwich**

The planning team leader (development) (outer area) presented the report with the aid of plans and slide. He referred to the supplementary report of updates to reports, which was circulated at the meeting and contained a summary of an additional letter of representation on the revised proposal and recommending an additional condition to ensure that the flat roof would not be used as a balcony, roof terrace or extension to the premises.

During discussion the planning team leader referred to the report and answered members' questions. A member expressed concern that the impact that this development would have on the future residents of the adjacent premises (no 110, former Bread and Cheese public house) and that the flats were below the national minimum size standard. In response the planning team. The officer pointed out that the size standards were for guidance and should not be applied religiously. The proposed two bedroom apartment at 53 m<sup>2</sup> would be below the national space standard of 61m<sup>2</sup> for a two bedroom, three person dwelling. However, one of the bedrooms could be marketed for an alternative use, such as a study or dining room, and, therefore it would meet the standard for a one bedroom property, with the likelihood that future occupants could use the study/dining room as a bedroom. The local planning authority had no control over the use of internal rooms. The single bedroom apartment at 45 m<sup>2</sup> was close to the standard of 50 m<sup>2</sup> and had a good sized living space.

**RESOLVED** with 10 members voting in favour (Councillors Sands, Herries, Blunt, Bradford, Button, Jackson, Lubbock, Neale, Peek and Woollard) and 2 members voting against (Councillors Brociek-Coulton and Carlo), to approve application no. 15/01204/F - Site between 95 and 111 Adelaide Street, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of external facing and roofing materials;
4. Details of windows and doors, canopy above front door;



5. Details of bin store, cycle store, all external amenity areas, boundary treatments, gate to passageway; Provision prior to occupation and to be retained in perpetuity;
6. No site clearance during nesting season (March to August) inclusive unless agreed;
7. Windows in side elevation to be obscured glazed;
8. Water conservation and drainage;
9. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order, with or without modification), the flat roof area of the development hereby approved shall not be used as balcony or, in any other way, as a form of roof terrace or extension to the premises.

#### Informatives

1. Community infrastructure levy
2. Refuse and recycling bins
3. Street naming and numbering

#### 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.

#### **5. Application no 15/01487/F - The Windmill, Knox Road, Norwich, NR1 4LQ**

The planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports, which was circulated at the meeting, and contained further information from the applicant.

During discussion members commented on the operation of the car wash facility and the concerns of local residents about the potential increase in the business and its impact on their amenity from noise and water spray. The planning team leader (development) (outer), referred to the report and replied to members' questions. A member suggested that surface markings should be used to ensure that car washing took place near the drain and away from the neighbouring properties. The planning team leader (development) (outer), referred to the report and replied to members' questions. He suggested a condition to require the applicant to provide a management plan which would incorporate the arrangements to ensure that vehicles were positioned in the marked box and that the silt trap was emptied regularly.

Councillor Bradford, as local member for Crome Ward, suggested that either the facility was moved to the prison side of the car park or a screen was erected to prevent water spray. The planner said that screening could be overbearing and was not considered to be necessary as the car wash facility was 16 m from the boundary and the management plan would mitigate the concerns of the neighbours.



A member commented that this was a retrospective application and was advised that the applicant had been invited by the council to submit an application to regulate the operation.

**RESOLVED**, with 10 members voting in favour (Councillors Sands, Herries, Blunt, Button, Brociek-Coulton, Jackson, Lubbock, Neale, Peek and Woollard), no members voting against, and 2 members abstaining (Councillors Carlo and Bradford), to approve application no. 15/01487/F - The Windmill, Knox Road, Norwich, NR1 4LQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Hours and days of operation
4. No more than 4 members of staff at any one time.
5. Details of refuse storage.
6. Details of management plan for the operation of the car wash facility.

#### 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.

### **6. Application no 15/01368/F - 427 Dereham Road, Norwich, NR5 8QH**

The planner (development) presented the report with the aid of plans and slides. He explained that Anglian Water and building control had been consulted to ensure that the site was suitable for development.

During discussion, the planner together with the planning team leader (development) (outer area), referred to the report and answered members' questions. Members commented on the chalk workings and residents' concerns about subsidence and contamination. Members noted the relevant planning history and that the appeal against the authority's decision to refuse the sub-division of no 419 Dereham Road for a two storey dwelling had been allowed at appeal. The planner gave assurance that based on the evidence available, the development of this site was viable and issues would be addressed through the conditions and building control.

Members then discussed the street scene and a member suggested that a native hedge would enhance the biodiversity of the river valley. The committee concurred with the planner's suggestion that this could be added to this effect as an informative to the planning permission.

Councillor Blunt, local member for Wensum Ward, explained that he would be abstaining from voting on this item. He said that he did not object to the design of the building which fitted in well with the variety of properties in Lower Hellesdon Road. However, he had reservations about the evidence of the underlying ground



conditions which had been disregarded and asked why this site had not been brought forward for development before now. He also referred to the neighbours' concerns and said that the planning system had been exhausted.

**RESOLVED**, with 9 members voting in favour (Councillors Sands, Herries, Button, Carlo, Jackson, Lubbock, Neale, Peek and Woollard), 1 member voting against (Councillor Bradford), and 2 members abstaining (Councillors Blunt and Brociek-Coulton) to approve application no. 15/01368/F - 427 Dereham Road, Norwich, NR5 8QH and grant planning permission subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Details of materials
4. Submission of a landscape plan
5. Details of surface water drainage measures.
6. Details of water efficiency measures
7. Details of secure covered cycle storage
8. Details of bin storage and collection facilities
9. Cease work if contamination found during construction

#### Informative

1. Party Wall Act;
2. Building Regulations;
3. Liaise with Anglian Water;
4. Planting of a native hedge will enhance the appearance of the property and enhance bio-diversity.

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

CHAIR







<b>Item No.</b>	<b>Case Number</b>	<b>Location</b>	<b>Case Officer</b>	<b>Proposal</b>	<b>Reason for consideration at Committee</b>	<b>Recommendation</b>
4(A)	15/01390/F	82 Unthank Road	Judith Davison	Demolition of hotel and erection of 6 No. houses of multiple occupation comprising 2 x 5 bed and 4 x 6 bed (use class C4).	At request of Head of Planning	Refuse
4(B)	15/00663/F	Site former Shoemakers PH – West Earlham Centre	Kian Saedi	20 No. student dwellings comprising 70 bedrooms.	Objections	Approve
4(C)	15/01534/F	Uplands Court	Kian Saedi	Demolition of plant room, erection of infill block of four flats, external refurbishment of the existing building and associated landscaping works.	Objections	Approve
4(D)	15/01314/F	Land West of Unit 1 Hall Road Retail Park. Hall Road	Lee Cook	Redevelopment of part of existing retail car park to provide a retail foodstore, reconfigured car parking and associated landscaping works.	Objection	Approve
4(E)	15/01364/F	Hangar 5, Anson Road	Joy Brown	Alterations and recladding to external walls and roof in connection with the change of use to an aviation academy (class D1)	Objection and City Council application or site	Approve
4(F)	15/01575/U	288 Aylsham Road	Stephen Polley	Change of use to education centre (class D1)	Objections	Approve
4(G)	15/01707/F	13 Branksome Close	Stephen Polley	Rear extension, single storey, orangery with roof lantern.	Objection	Approve



<b>Item No.</b>	<b>Case Number</b>	<b>Location</b>	<b>Case Officer</b>	<b>Proposal</b>	<b>Reason for consideration at Committee</b>	<b>Recommendation</b>
4(H)	15/01666/F	12 Orchard Close	Stephen Polley	Single storey rear extension at front / side / rear roof extension	Objections	Approve
4(I)	15/01103/NF3	26 Grosvenor Road	Charlotte Hounsell	Replacement windows and doors	Objections	Approve
4(J)	15/01214/F	61 Magdalen Street	James Bonner	Extension to provide new second floor flat.	Objections	Approve
4(K)	14/00219/BP C/ENF	474A/B Earlham Road	Ali Pridmore	Enforcement action in relation to an unauthorised dwelling within a garage	Enforcement action recommended	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**

17 December 2015

**Report of** Head of planning services

**Subject** Application no 15/01390/F - 82 Unthank Road,  
Norwich, NR2 2RW

**Reason  
for referral** At request of head of planning

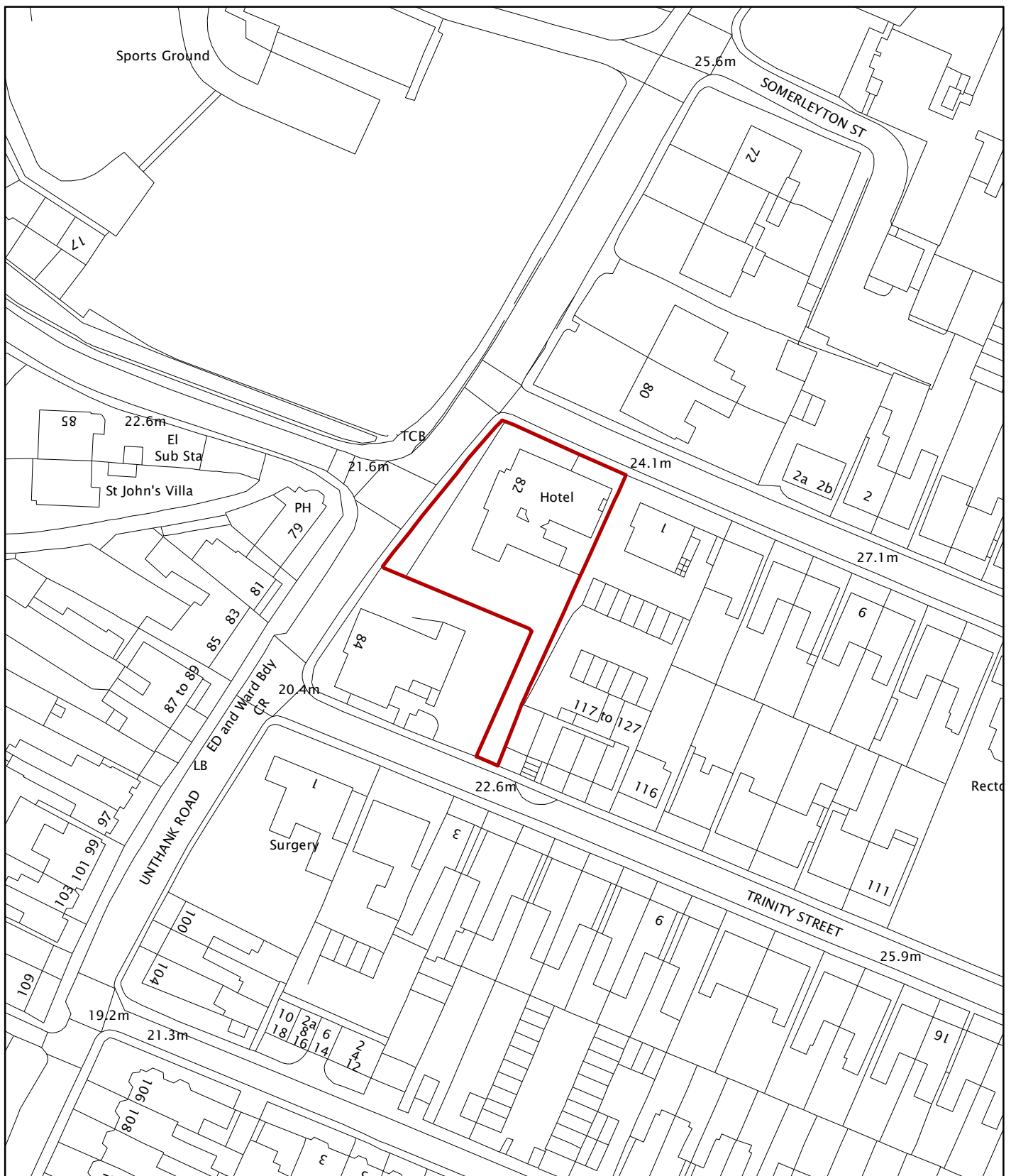
4(A)

<b>Ward:</b>	Town Close
<b>Case officer</b>	Judith Davison - <a href="mailto:judithdavison@norwich.gov.uk">judithdavison@norwich.gov.uk</a>

Development proposal		
Demolition of hotel and erection of 6 No. houses of multiple occupation comprising 2 x 5 bed and 4 x 6 bed (use class C4).		
Representations		
Object	Comment	Support
114	-	1

Main issues	Key considerations
1 Principle of development	HMO development
2 Loss of locally listed building in conservation area	Historical significance of building and impact of its loss on appearance and character of Heigham Grove conservation area; justification for demolition
3 Design	Layout, height, scale and massing of proposed new building in prominent location, and impact on the conservation area and local streetscene
4 Amenity	Impact on residential amenity, and quality of amenity provided for new residents. Noise and other impacts of development.
5 Highways	Adequacy of parking arrangements; impact of development on highways safety; accessibility; refuse storage; cycle storage.
6 Landscaping	Impact on landscape setting and streetscape.
7 Affordable housing	Provision of an element of affordable housing
<b>Expiry date</b>	28 January 2016
<b>Recommendation</b>	Refuse





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Planning Application No 15/01390/F

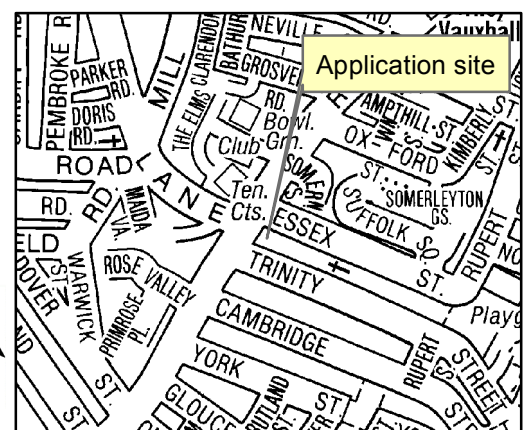
Site Address 82 Unthank Road

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES





## The site and surroundings, and constraints

1. The Lodge Hotel at 82 Unthank Road is situated in a prominent position between Trinity Street and Essex Street. It dates from the 19<sup>th</sup> century, is a substantial mid Victorian villa built in the Gothic Revival style and appears to have functioned as a rectory in the past. The building is located at the edge of the Unthank Road shopping centre and is easily accessible by public transport.
2. The building has had several phases of extension and alteration over the years. In 1965 it was divided into two properties – 82 Unthank Road, and 1A Essex Street. The extensive garden which stretched across to Trinity Street was portioned off and garages built before being used as a petrol filling station. This area is now occupied by Tesco Express on the corner of Trinity Street and Unthank Road. 82 Unthank Road currently operates as a budget hotel containing 22 rooms.
3. The Lodge is a locally listed building, designated both for its historical significance and for its contribution to the street scene as a corner landmark. It is located within Heigham Grove Conservation Area. This part of the conservation area is subject to an article 4 direction which seeks to protect the area's historic character by removing permitted development rights for a range of development including alterations to a building which front a highway and replacement of windows and doors.
4. This part of the conservation area is characterised by mid to late 19<sup>th</sup> century villas which are all residential in scale and character. Given its position towards the outer edge of the conservation area, the Lodge features prominently within both outward and inward views of the conservation area.
5. The site is also within the critical drainage catchment and adjacent to (but outside) the Unthank Road local centre.

## Relevant planning history

6. There is no relevant recent planning history for this building.

## The proposal

7. The proposal is to demolish 82 Unthank Road and replace it with a building containing 6 Houses of Multiple Occupation (HMOs), along with shared facilities (a laundry on the ground floor, and a gym). The accommodation is proposed to be arranged as follows: two 5-bed HMOs on the ground floor, two 6-bed HMOs on the first floor, two 6-bed HMOs on the second floor, and communal space on the third floor to serve the second floor HMOs.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	6 HMO flats, providing a total of 34 bedrooms.



No. of affordable dwellings	None
Total floorspace	2,480 sq m
No. of storeys	4
Max. dimensions	33 x 26 m (excluding access road)
Density	54 dwellings per ha
<b>Appearance</b>	
Materials	Proposed to be 'traditional materials'; building to be externally clad with cream coloured brickwork.
Construction	Steel or concrete frame
Energy and resource efficiency measures	Proposed to incorporate energy efficient lighting, showers etc, roof insulation, and mechanical ventilation to bathrooms and kitchens.
<b>Transport matters</b>	
Vehicular access	Access to be taken from Trinity Street
No of car parking spaces	None on site. The proposal is for parking (number of spaces unspecified) to be provided off-site at other properties owned by the applicant, at the rear of Bristol House, 9 Unthank Road, and 2 Earlham Road.
No of cycle parking spaces	16
Servicing arrangements	Servicing proposed to be via rear access from Trinity Street.

## Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 115 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 locally listed building and impact on the conservation area and on architectural heritage of area; would set a precedent.	See main issue 2.



Issues raised	Response
Poor quality and unsympathetic design, over-dominant and out-of-scale building, out of character in this location.	See main issue 3.
Loss of trees	See main issue 6.
Impact on residential amenity, loss of light, privacy and overlooking. Poor quality of amenity for future occupiers	See main issue 4.
Noise, smell and disturbance that would be generated by demolition, construction and future operation of premises	See paragraph 71
Lack of on-site parking; concern at enforceability of off-site parking	See main issue 5.
Impact on traffic and highways	See main issue 5.
Health risks	The concerns raised are non-specific on what health risks might be presented by the development. It is considered that the key material impacts of the development have been assessed within the report.
Concern at likely use of building and increase in anti-social behaviour, noise generation, and criminal offences	The proposals are for a C4 HMO use. Whilst there are uncertainties over the likely end tenant this is not considered relevant to the material planning considerations here. What must be determined is if a C4 use as proposed is appropriate in this location. Speculation on possible anti-social behaviour or criminal activity would not be a material ground on which to refuse consent.
Nature of proposed development – lack of clarity about who it is aimed at. Intensification of HMOs is undesirable in this area which already has many HMOs.	See main issue 1.
Poor track record of applicant – failure to maintain this and other properties in area. Not a fit person or company to operate here, and is playing games with the planning system. The council should enforce against the applicant.	This is not a planning issue and cannot be taken into account in the decision-taking process. Any planning permission would run with the land.



Issues raised	Response
This is a money making venture by an applicant who is indifferent to the impact on the neighbourhood.	This is not a planning issue and cannot be taken into account in the decision-taking process.
Representation of support: objections are a personal attack on the owner. The existing building is of poor design and not sufficient quality to justify retention. New development will enhance the area.	See main issues 1, 2 and 3.

9. In addition the results of a local survey carried out by Town Close Labour Party have been passed to the Planning Service. This includes comments from 13 named individuals all expressing concerns about the proposed development. The issues raised largely correspond to those listed above and include: concern at the track record of the applicant and the potential of this scheme to encourage anti-social behaviour; concern at the proposed demolition of a building of historic importance; potential for restoring the building rather than demolishing; and the need to preserve the character and appearance of the conservation area.

## 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 existing building contributes significantly to the conservation area and street scene. The proposal to demolish it and replace with a new structure is unacceptable in conservation and design terms. The design of the proposed new building is also unsuitable for the surrounding conservation area.
12. In conclusion, the development will result in substantial harm to the non-designated heritage asset of 82 Unthank Road due to its complete demolition and also less than substantial harm to the wider conservation area, due to the loss of the historic asset on this very visible corner. It is strongly recommended that the application is refused. The principle of any sort of demolition on the site is unacceptable and the building should be retained. Improvements should be made to the setting of 82 Unthank Road and to the building itself to preserve the character of this important conservation area and streetscape.

### Historic England

13. The existing building at 82 Unthank Road is an undesignated heritage asset which makes an important contribution to the significance of the conservation area. The proposed development would result in harm to the significance of the area in terms of paragraphs 132 and 134 of the NPPF through the demolition and erection of an inappropriate new building. The lack of consideration of the heritage asset's significance, and the proposal's impact upon it in documentation submitted with the



application, also fails to satisfy paragraph 128 of the NPPF. We are not convinced that the public benefit derived from the proposed development outweighs the harm to the heritage assets in terms of paragraph 134, especially as the existing building could be adapted and extended to achieve some of it. We therefore urge the council to refuse permission.

### **Highways (local)**

14. Overall this is an unconventional proposal on a constrained site that appears to have been ill-conceived and poorly designed. With a better designed scheme with pre-application advice most of the highway objections could have been overcome.
15. There are a number of objections to the proposed development on highway grounds as follows:
  - a) Inadequate vehicle egress to Essex Street;
  - b) Road safety risk of vehicle egress to Essex Street;
  - c) Inadequate accessibility of the site for the mobility impaired;
  - d) Inadequate refuse storage; and
  - e) Inadequate cycle storage.

### **Landscape**

16. The proposals fall short of meeting several requirements of policy DM3 relating to landscape in terms of c) local distinctiveness and character, d) layout and siting, h) materials and details, and i) green infrastructure, landscaping and biodiversity.
17. The information supplied is inadequate to sufficiently understand the design narrative or justification. Other information is anecdotal for example stating that the level and type of landscaping is 'extensive' and 'stunning'. The proposed green wall is out of character for the area and setting. There is no justification given for loss of the trees on the existing site frontage. Redevelopment or refurbishment of the existing building and site would be preferable and offer more benefit to the existing street scene, streetscape and site itself than the development proposals presented.
18. In summary the proposals lack consideration of the landscape setting and general streetscape and in landscape terms would result in harm to both.

### **Norfolk historic environment service**

19. No response

### **Norfolk police (architectural liaison)**

20. A number of suggestions are made in respect of the proposals based on the principles of 'designing out crime', including restricting external entry to the rear access to those with correct access code, and relocating the proposed cycle stands to ensure natural surveillance from within the building. The comments note that HMO style accommodation is subject to increased criminal activity and recommends a number of approaches to manage this, including provision of



external and internal doorsets to minimum standards, glazing to ground floor and accessible windows to minimum standards, and effective security lighting and internal lighting.

### **Natural areas officer**

21. The recommendations outlined in section 7 of the ecology report should adequately address any potential bat issues involving this building.

### **Housing development**

22. The Affordable Housing Joint Core Strategy policy 4 states that a development of 5-9 dwellings should include 20% affordable dwellings. Therefore this development is required to have 1 affordable dwelling.
23. If the developer proposes that it is not viable to offer an affordable dwelling then a viability study will be required to demonstrate this.
24. Considering the property type and the expected additional management costs required, it is likely that an affordable dwelling within this development will be unattractive to a Registered Provider (RP). In the event that a RP cannot be found to manage the affordable dwelling it would be acceptable to consider the alternative of a commuted sum – Para 74 affordable housing SPD 2015. The amount to be calculated based on the floor area of the proposed development and again can be negotiated due to viability.

### **Lead Local Flood Authority**

25. The proposals would be classified as minor development in relation to the Lead Local Flood Authority guidance and therefore the local planning authority would be responsible for assessing the suitability of any surface water drainage proposal for minor development in line with the NPPF.

### **Norwich Society**

26. The existing former rectory is a building of considerable character, located in a conservation area. It has a strong visual presence and is an integral and familiar part of the street scene. In addition it still seems to be in good condition. It is difficult to justify its demolition for the reasons shown in the application.
27. We consider the design of the proposals to be completely inappropriate. It is simply ugly and would be totally detrimental to the character of the area.

## **Assessment of planning considerations**

### **Relevant development plan policies**

28. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery



**29. 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
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations

**Other material considerations**

**30. 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
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF12 Conserving and enhancing the historic environment

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

- Affordable housing SPD adopted 2015

**Case Assessment**

32. 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.**

33. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
34. The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. It also sets out a number of core planning principles which underpin decision-taking and plan-making. These include seeking high quality design and a good standard of amenity for existing and



future occupants of land and buildings, taking account of the roles and characters of different areas, and conserving heritage assets in a manner appropriate to their significance.

35. The proposal is to demolish the existing locally listed building and replace with a new building containing 6 HMO flats. There are 2 different types of HMO:
  - a 'small HMO' of between 3 and 6 occupants (classified in planning terms as a 'C4 HMO'), and;
  - a 'large HMO' that generally has 7 or more unrelated occupants (termed a 'Sui Generis HMO').
36. The 6 flats are classed as a small HMOs and fall into class C4 of the Town and Country Planning Use Classes Order 2015. Policy DM12 deals with residential development including small HMO's and allows for residential development subject to a number of criteria. In this case the land is not designated for other purposes, is not within a hazardous installation zone, not in a late night activity zone and does not involve ground floor conversion in a retail area. DM12 has a number of further criteria a) to f). The proposals do not conflict with criteria a), e) or f). Criteria b) which relates to the character and amenity of the area is discussed further in the sections below.
37. Criteria c) and d) of DM12 require a diverse mix of uses and mix of dwellings respectively. Given the limited scale of the site a mix of uses and or dwellings is not considered necessary on sites of this size. Equally there is no policy objection to the loss of hotel accommodation.
38. This area currently has a significant proportion of shared houses and flats (classed as HMOs) and a number of objectors are concerned about further intensification of this use. Whilst the local plan does not have a specific policy restricting small HMOs, the local plan contains policies which are relevant to this issue, including those concerned with impact of development on amenity of existing and future residents, impacts on the character and amenity of the surrounding area including heritage assets, and ensuring a satisfactory standard of servicing, parking and amenity space for residents (addressed in relevant sections later in this report).
39. For the reasons outlined above the proposed development of this site for C4 housing is not contrary to the local plan in principle, however, there are a number of aspects of the proposal which are considered to make the overall proposal unacceptable in planning terms. These include design, heritage, amenity, highways and landscape considerations and are addressed in relevant sections of the report below.

## **Main issue 2: Heritage**

40. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-138.
41. The building at 82 Unthank Road is locally listed, situated in a prominent location on the frontage of Unthank Road, and is located within Heigham Grove Conservation Area. The application contains no information on the significance of the heritage assets and historic environment affected by the proposal, which is required by NPPF paragraph 128, and does not provide any justification for the asset's demolition.



42. The key heritage consultees and many objectors have stressed that the building and its setting should be restored rather than demolished / redeveloped, which would better achieve the NPPF's overarching aim of delivering sustainable development that does not harm the historic environment. The applicant has not demonstrated why the building cannot be retained and put to a viable economic use.
43. The NPPF identifies the protection and enhancement of the historic environment as an important element of sustainable development in the planning system. Historic England considers the building to be an undesignated heritage asset (in terms of the NPPF) which makes a positive contribution to the historic significance of the conservation area. The loss of the non-designated heritage asset must be considered under paragraph 135 of the NPPF with a balanced judgement being made having regard to the scale of harm and the significance of the heritage asset. The scale of harm in this case is clearly total loss.
44. The non-designated heritage asset, despite a degree of neglect in recent past, is considered to make a positive contribution to the significance of the conservation area, this is confirmed in the Heigham Grove Conservation Area Appraisal March 2011. Paragraph 130 of the NPPF outlines that any determination in the state of the asset though neglect should not be taken into account. Paragraph 138 details that loss of such a building in a Conservation Area should be treated as either substantial harm under paragraph 133 or less than substantial harm under paragraph 134.
45. The building dates from the last quarter of the 19<sup>th</sup> Century and has good gothic detailing. It is believed to have been a rectory for St John Maddermarket church in the city centre. There has been some conjecture that it is a rectory to the nearby Holy Trinity church however this has its own rectory adjacent to it. It does however share close detailing with Holy Trinity and its adjacent church hall. As a group, all of these assets considerably contribute to the character of the conservation area.
46. The wider conservation area is characterised by 19<sup>th</sup> century residential development ranging from streets of small Victorian terrace houses to more substantial villas set within leafy surroundings. The building contributes strongly to that character and particularly a group of villas fronting Unthank Road. The particular property is extremely prominent in outward and inward views and particularly from Park Lane. Its loss through demolition would cause less than substantial harm to the appearance and character of the conservation area.
47. The proposed development is contrary to local plan policy DM9 which states that development resulting in harm to or loss of a locally identified heritage asset will only be acceptable in certain circumstances, including where there are overriding public benefits associated with the development and it is not viable to retain the asset within the development, neither of which is demonstrated to be the case in the very limited information submitted with the application. In addition the proposals will detract from the significance of the conservation area rather than enhancing it or better revealing its significance.

### **Main issue 3: Design**

48. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-138.



49. The design of the proposed new building is of poor quality: the design lacks basic detailing, relates poorly to the domestic scale and architectural detailing of the surrounding area, and accordingly fails to improve the character and quality of the area. Its impact is all the worse for the fact that the site is in a very prominent position on the frontage of Unthank Road. Rather than replacing poor design with better design (NPPF paragraph 9) the proposal would replace a local landmark building which makes a positive contribution to Heigham Grove Conservation Area with a building which takes little reference from other buildings in the locality and does nothing to promote or reinforce local distinctiveness (NPPF paragraphs 60 and 64, JCS2 ).
50. The proposals are contrary to a number of aspects of local plan policy DM3. The proposed building has a much larger footprint than the existing one, extending right up to its boundaries on Essex Street and with the properties to the rear. Its overall scale is out of proportion to the adjacent residential buildings, and insufficient information has been provided regarding materials and details to be used. The demolition of 82 Unthank Road would also affect an existing glimpsed view of the local landmark of Holy Trinity Church (identified in CCAA). There is no evidence that the design has been proposed with regard to the constraints of the site or characteristics of the area. The building does not respond to the local distinctiveness and character of the Conservation Area and would degrade the existing historic environment.
51. The proposal is therefore considered to be contrary to policies DM3 and DM9 of the local plan as well as JCS policy 2.

#### **Main issue 4: Amenity**

52. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
53. The proposals involve constructing a new building which extends right up to the rear boundary, with a blank façade of 3 storeys (plus a set-back 4<sup>th</sup> storey). The bulk, height and proximity of this building would have unacceptable impacts on existing residents, particularly to residents of 1 Essex Street. 117-127 Trinity Street currently comprises a flatted block to the Trinity Street frontage with garaging and access behind. With given the lack of accommodation or external amenity space to the rear of 117-127 it is unlikely there would be a negative impact on the existing property. 117-127 does, however, have consent for redevelopment (ref. 15/00305/F granted in May 2015) for 13 flats. This scheme involves three storey accommodation to the rear extremely close to the boundary with the current application site. The current proposals would lead to a blank three storey wall hard up against (far less than 1m) living and bedroom windows of approved flats in the 117-127 Trinity Street scheme, having obvious effects on any future residents in terms of an overbearing impact, no outlook and loss of light.
54. In terms of the amenity of future residents of the application site, some of the ground floor bedrooms have inadequate natural light as they have no external windows or even windows onto the central atrium, providing a poor level of amenity to potential occupiers of these flats. Other ground floor rooms with an external window would also have a poor standard of amenity given the outlook either directly to the boundary with Tesco's or the highway.



55. There is virtually no external amenity space for the proposed development given the proposed layout which extends to boundaries on the north, south and east sides, with only a minimal amount of outside space on the Unthank Road frontage. It is assumed that the third floor balconies are being proposed as external amenity space however the plans show that they are only for residents of floor two which means there is inadequate provision of external amenity space overall contrary to DM2.
56. It should be noted however that the size of the communal facilities on the third floor suggest that they could be used by all residents. Again there is inadequate information provided to clarify this matter. The communal areas only have windows out to Unthank Road and to the central light well within the building therefore it is not considered that this space would likely result in significant noise impacts to neighbouring properties.

### **Main issue 5: Parking and Highways**

57. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
58. **Parking:** The applicant is offering provision of off-site parking at other properties in his ownership in the area. Although this arrangement may be workable, it cannot be secured in perpetuity; there is nothing to prevent the businesses being sold off or the sites developed for other uses, so this solution is not acceptable in planning terms.
59. However, given its accessible location for all modes of transport, the site would be suitable in principle for car free housing in accordance with local plan policy DM32. Residents in this area are not entitled to on street parking permits and the waiting restrictions in the adjacent Controlled Parking Zone are adequate to deter parking without the use of permits.
60. **Highway safety:** The development proposes a one-way service vehicle arrangement to the rear of the building via an undercroft, with vehicles entering from an existing vehicle access from Trinity Street to a newly created vehicle access onto Essex Street. It is proposed that refuse and delivery vehicles would use this means of access to the site despite its 2.1m height restriction. As such clearly this solution is not workable and even if there were increased height such a vehicle would have inadequate space to turn out onto Essex Street given the limited waiting bay opposite.
61. The proposed vehicle egress is indicated to open directly out onto Essex Street. Essex Street is now a one way street with cycle contraflow allowed. There is practically no indivisibility between a vehicle leaving the site and contraflow cyclists. A vehicle would be well into the footpath and road before the drive could see any oncoming traffic. These arrangements are unacceptable on highway safety grounds and contrary to local plan policy DM30.
62. **Refuse storage:** The proposed location of the refuse store is convenient for refuse collection, but badly located for all residents. It is not clear how waste would be managed on site, whether residents would need to access the bin store or if a concierge would assist. The size of the refuse store appears inadequate given the number of residents likely to be on site however it may be possible to increase



provision elsewhere within the internal footprint. It is considered that this matter could be managed by condition were the application approved.

63. **Cycle storage:** The proposed amount of cycle storage is inadequate given the number of residents on site, and lack of on-site car parking. Policy DM31 requires one covered and secure space per resident equating to 34 spaces, 16 external spaces are proposed. The proposed location for the cycle stands offers no opportunity for natural surveillance: the cycle storage should offer secure and covered cycle parking in a quantum commensurate with the number of residents on site. The proposed laundry building would potentially provide for adequate secure cycle storage. It is unclear why this laundry building is proposed and laundry facilities can't be provided within the communal area of each flat. Given that it has been proposed as a laundry it is not considered that a condition requiring it to be a cycle store would be reasonable and therefore this is recommended as a further reason for refusal.

### **Main issue 6: Landscaping and trees**

64. Key policies and NPPF paragraphs – JCS1, DM3, DM6, DM7, NPPF paragraphs 9, 17, 118.
65. The proposals lack consideration of the landscape setting and general streetscape, and would result in harm to both in landscape terms. The proposals fall short of the requirements set out in policy DM3 in relation to a range of landscaping issues, and would not deliver high quality design as promoted by the NPPF (section 7).
66. Although the retention of the low level flint wall is appropriate to maintain the site boundary character which is in keeping with other parts of Unthank Road, the streetscape proposals do not make best use of the site and it is considered unlikely that the proposed tree planting could be supported within the small area indicated on the plans. The proposals will result in loss of existing trees on the site frontage however no justification is provided in the supporting material for this.
67. The proposed green / living wall is out of character for the Unthank Road frontage and setting generally. The proposals include development right up to the rear boundary and up to the Essex street frontage, resulting in the loss of external areas to the rear and side of the existing building and therefore limiting any landscape benefits.

### **Main issue 7: Affordable housing**

68. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraph 50.
69. The size of the development would trigger the provision of one unit of affordable housing in accordance with JCS policy 4. The proposals do not include this provision and the applicant has not justified non-provision of affordable housing in the supporting documentation. Therefore in the absence of a S106 agreement securing the provision of affordable housing the proposals should be refused for lack of provision.



## Compliance with other relevant development plan policies

70. 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	See main issue 5
Car parking provision	DM31	See main issue 5
Refuse Storage/servicing	DM31	See main issue 5
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

## Other matters

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

- a) Ecology – subject to compliance with the submitted ecology statement it is not considered that the demolition would lead to any significant harm to protected species;
- b) Construction – concern has been raised by residents over disturbance during construction. As with any proposal this is an inevitable part of development, informative notes are often applied to consents to promote considerate construction but disturbance during construction is not in itself considered to be a justified reason to refuse consent.

## Equalities and diversity issues

72. The plans submitted lack clarity on levels over the site. However the main pedestrian access from Unthank Road would need to be stepped and there does not appear to be a level alternative. There appears to be potential for level access to the rear and it may be possible to condition a level access to the front were approval to be granted.

## Local finance considerations

73. 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.

74. 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.
75. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

76. The proposed demolition of 82 Unthank Road and its replacement with a new building is fundamentally unacceptable and contrary to a range of planning policy set out in the NPPF, JCS and Norwich Development Management Policies plan. The loss of the locally listed historic building in a prominent location in Heigham Grove conservation area will impact on the character and appearance of the conservation area, and its replacement by an inappropriate new building of poor quality design is out of character with the local area, and will impact on amenity of both existing residents and future occupiers, and on highway safety. Whilst it could be argued that the development has the benefit of delivering new housing, it has been established that such accommodation would be substandard and in this case the harm would significantly outweigh any such benefits. In deed it has not been demonstrated why similar or greater benefit could not be derived from conversion of the existing building. As such for the reasons outlined below the recommendation is to refuse.

## **Recommendation**

To refuse application no. 15/01390/F - 82 Unthank Road Norwich NR2 2RW - for the following reasons:

1. The proposals involve the complete loss of an undesignated heritage asset in the Heigham Grove Conservation Area. No justification has been provided for the loss of the asset. The loss is considered to represent less than substantial harm to the Conservation Area and any benefits of the proposal are not considered to outweigh this harm. The proposals are therefore considered to be contrary to paragraphs 128, 135 and 134 of the NPPF, and contrary to policy DM9 of the adopted Norwich Development Management Policies Local Plan 2014;
2. The proposed new building by virtue of its layout, massing, external appearance and landscaping fail to promote or reinforce local distinctiveness or the character of the historic environment. The new building would lead to less than substantial harm to the character of the conservation area and would be contrary to policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014, policies DM3 and DM9 of the adopted Norwich Development Management Policies Local Plan 2014 and paragraphs 9, 17, 64 and 134 of the NPPF;
3. Given the scale of the proposed building and it's location hard up against the eastern boundary of the site the proposal will result in an overbearing form of development which would result in loss of light and outlook for number 1 Essex Street and the approved new properties at 117-127 Trinity Street. As such the proposals would result in a significant detrimental impact to neighbour amenity



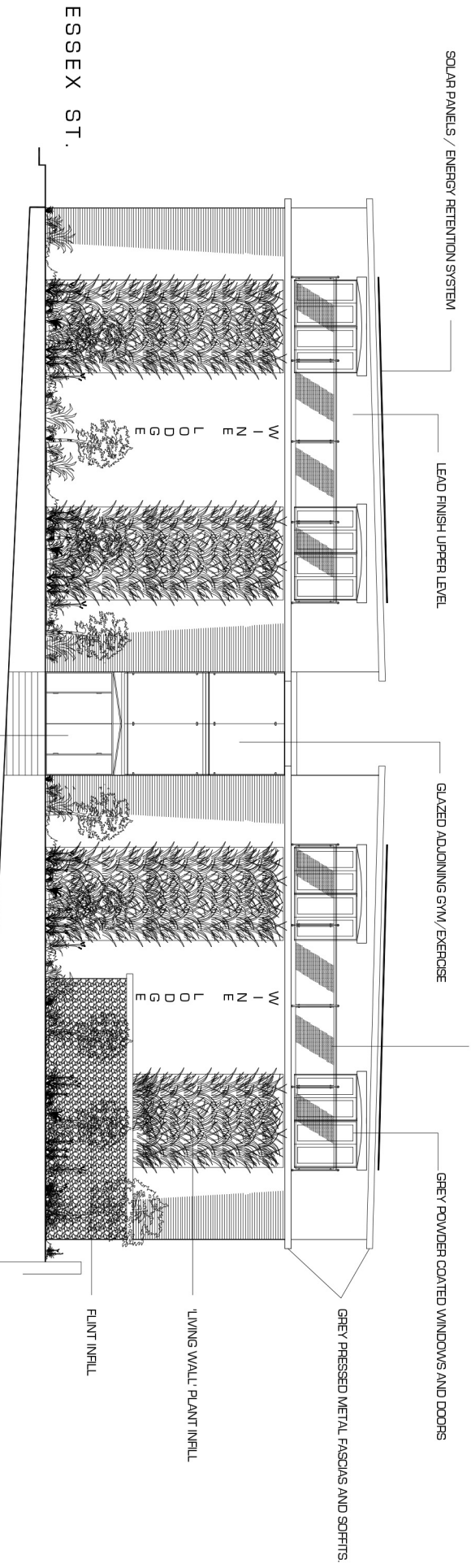
contact to policy DM2 of the adopted Norwich Development Management Policies Local Plan 2014 and paragraphs 9 and 17 of the NPPF;

4. Given the lack of windows to some bedrooms and poor outlook and limited light that would be received by others combined with a lack of any usable external amenity space the proposals are not considered to deliver a high standard of amenity for future occupiers. The proposals are therefore considered to be contrary to policy DM2 of the adopted Norwich Development Management Policies Local Plan 2014 and paragraphs 9 and 17 of the NPPF;
5. The egress from the site is proposed onto Essex Street via a covered drop off area. The egress from the building is direct onto the highway and a vehicle would need to manoeuvre considerably into the highway before the driver could see any oncoming pedestrians, cyclists or vehicles. It is considered that the potential highways safety implications of this arrangement are severe and as such the proposals are contrary to policy DM30 of the adopted Norwich Development Management Policies Local Plan 2014;
6. The proposals fail to provide adequate provision for cycle parking and it is not considered that within the confines of the proposals that such provision could be conditioned as such the proposals are considered to be contrary to policy DM31 the adopted Norwich Development Management Policies Local Plan 2014;
7. In the absence of a legal agreement to secure the provision of affordable housing or any justification to demonstrate that such provision is not viable or feasible the proposal are contrary to policy 4 of the adopted the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014 and policy DM33 the adopted Norwich Development Management Policies Local Plan 2014.

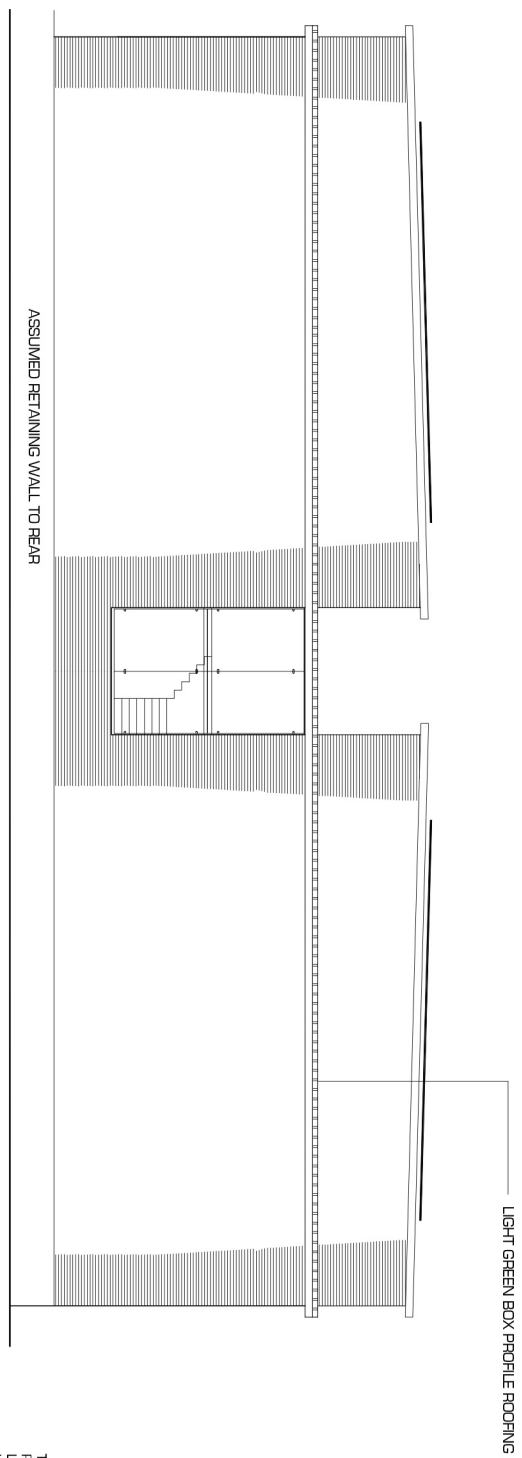
#### **Article 35(2) statement**

- 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. The proposal in question is not considered to be acceptable for the reasons outlined above. Given the extent of departure from policy and lack of justification for the proposals it was not considered expedient or appropriate in this case to discuss amendments to the proposals. The applicant is advised that the Council has a pre-application advice service should they wish to consider alternative proposals on the site.





FRONT ELEVATION - (UNTHANK ROAD)



REAR ELEVATION

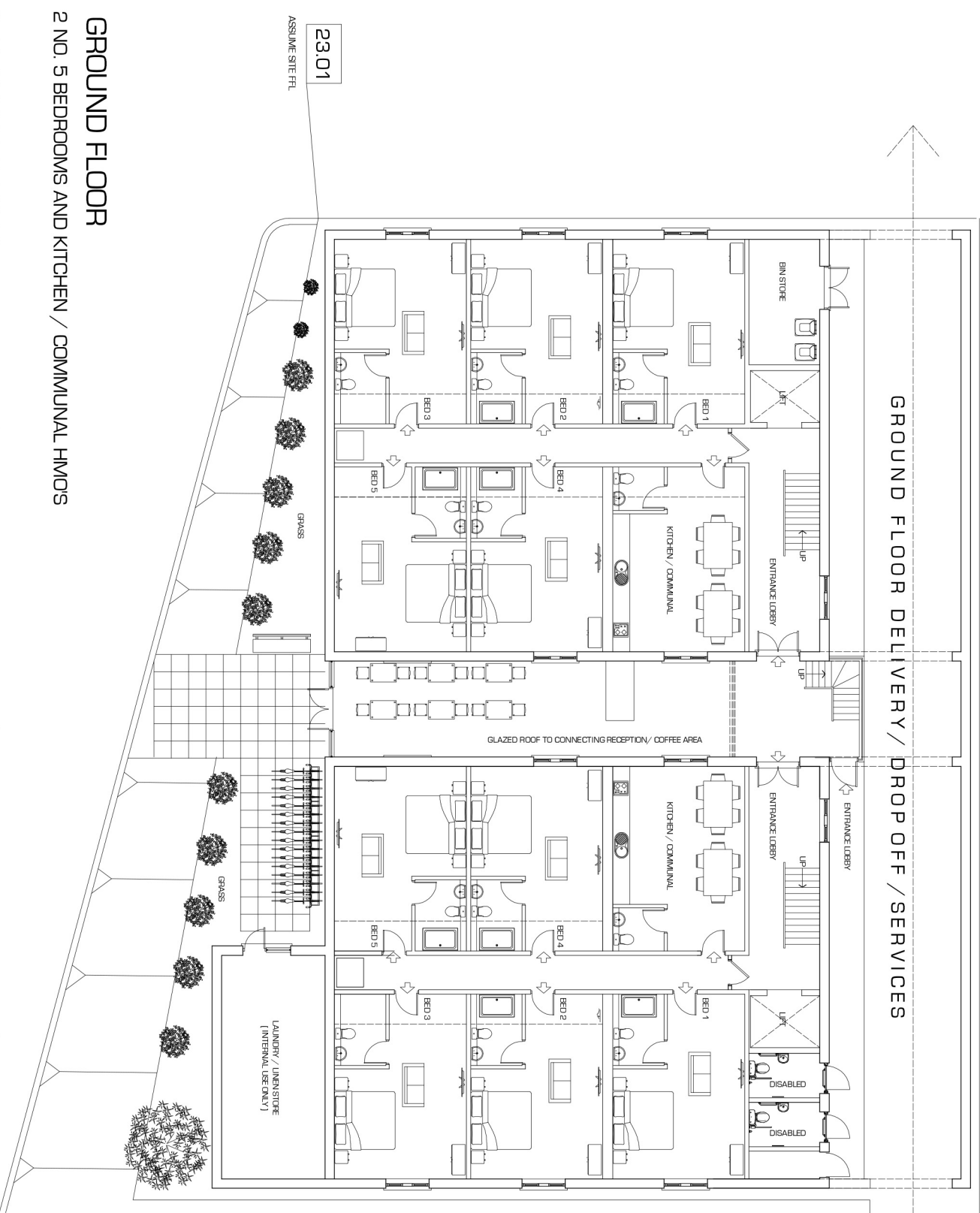
THIS DRAWING TO BE READ IN CONJUNCTION WITH  
RELEVANT DRAWINGS AS FOLLOWS:  
LODGE - 01 - PROPOSED GROUND FLOOR PLAN  
LODGE - 02 - PROPOSED FIRST AND SECOND FLOOR PLANS  
LODGE - 03 - PROPOSED THIRD FLOOR PLAN  
LODGE - 04 - PROPOSED ELEVATIONS - 1  
LODGE - 05 - PROPOSED ELEVATIONS - 2  
LODGE - SITE PLAN





EXISTING RAMP ACCESS

GROUND FLOOR DELIVERY / DROP OFF / SERVICES



23.01  
ASSUME SITE FFL

## GROUND FLOOR

2 NO. 5 BEDROOMS AND KITCHEN / COMMUNAL HMOS

ARCHITECH  
DESIGN AND PLANNING  
01362 652994

PROPOSED REDEVELOPMENT OF THE LODGE  
82 LINTJANK ROAD  
NORWICH  
NR2 2RW

MR T. BURLINGHAM  
82 LINTJANK ROAD  
NORWICH  
NR2 2RW

PROPOSED GROUND FLOOR PLAN  
SCALE  
1:100 AT A2  
DATE  
SEPTEMBER 2015

FOR PLANNING APPROVAL  
DRAWING NO.  
LODGE - 01  
REV.  
C

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LODGE - 03 - PROPOSED THIRD FLOOR PLAN  
LODGE - 04 - PROPOSED ELEVATIONS - 1  
LODGE - 05 - PROPOSED ELEVATIONS - 2  
LODGE - SITE PLAN

REV. C - LAYOUT AND NOTES REVISED - OCT 2015  
REV. B - LAYOUT AND NOTES REVISED - OCT 2015  
REV. A - LAYOUT AND NOTES REVISED - SEPT 2015







**Report to** Planning applications committee

**Item**

17 December 2015

**Report of** Head of planning services

**Subject** Application no 15/00663/F - Site of former public house, Earlham West Centre, Norwich

**Reason for referral** Objection

**4(B)**

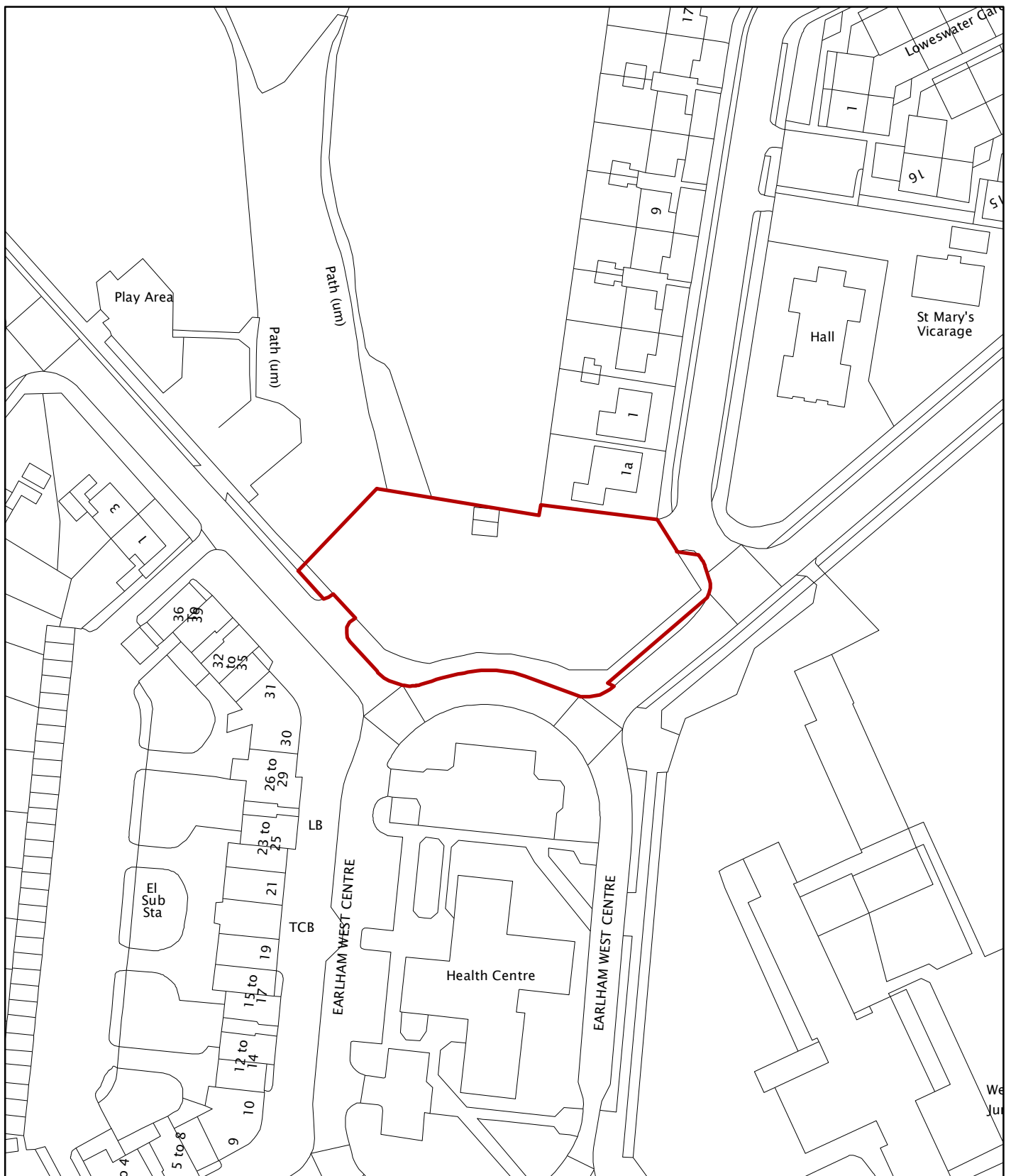
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<b>Ward:</b>	Bowthorpe
<b>Case officer</b>	Kian Saedi - <a href="mailto:kiansaedi@norwich.gov.uk">kiansaedi@norwich.gov.uk</a>

Development proposal		
20 No. student dwellings comprising 70 bedrooms (class C2).		
Representations		
Object	Comment	Support
4	0	0

Main issues	Key considerations
1 Principle of development	Suitability of site location and principle of new use (DM13), Impact on land supply for housing, potential to relieve pressure on HMO conversion of existing market housing
2 Design	Scale, form, massing, layout, appearance and security.
3 Transport	Accessibility, parking provision and impact on surrounding area
4 Amenity	Noise and disturbance, overshadowing, overlooking, shared space, room sizes
<b>Expiry date</b>	24 December 2015
<b>Recommendation</b>	Approve subject to conditions





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Planning Application No 15/00663/F

Site Address Site of former Shoemakers PH  
Earham West Centre

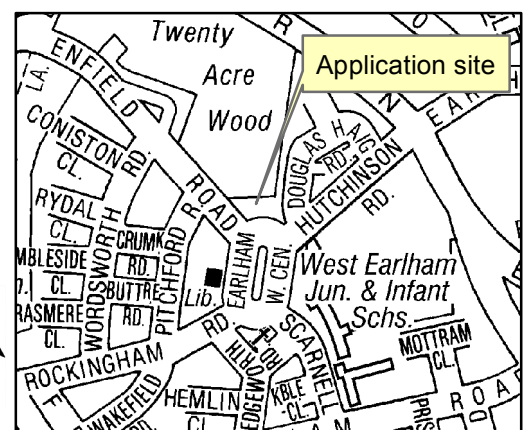
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**NORWICH**  
City Council

PLANNING SERVICES

36





## The site and surroundings

1. The site of the former Shoemaker public house is part of the Earlham West Centre local shopping group. It is located on the north side of the Earlham West Centre and immediately south of the site and in the centre of the gyratory is the Earlham West Health Centre. Beyond the Health Centre to the south is the Church of the Holy Apostles and a recent development consisting of a mixture of flats and housing. West Earlham Middle School is situated on Hutchinson Road which is to the south east of the site. The West Earlham shopping parade and residential flats are situated on south west site of the centre. Residential properties border the north eastern side of the site along Douglas Haig Road. Council owned woodland borders the north west of the site.
2. The site is currently vacant following the demolition of the former public house and has been secured with temporary hoardings around the site perimeter.

## Relevant planning history

3.

Ref	Proposal	Decision	Date
08/00864/F	Demolition of existing pub and redevelopment of site to provide 6 No. two bedroomed, two storey terrace houses, three storey block of flats containing 6 No. two bedroomed flats and 6 No. one bedroom flats. New ancillary car parking, bicycle stores and amenity space.	APPR	10/03/2009
11/01777/ET	Extension of time period for commencement of development for previous permission 08/00864/F 'Demolition of existing pub and redevelopment of site to provide 6 No. two bedroomed, two storey terrace houses, three storey block of flats containing 6 No. two bedroomed flats and 6 No. one bedroom flats. New ancillary car parking, bicycle stores and amenity space'.	REF	23/11/2011
11/02221/D	Details of condition 2 - materials used in the construction of the external surfaces of the development, condition 4 - surface water drainage and disposal, condition 5 - pollution control and disposal efficiency	APPR	09/03/2012



Ref	Proposal	Decision	Date
	measures, condition 7 - car parking, cycle and bin stores, condition 8 - landscaping, condition 11 - energy production, condition 12 section 278 information on site of previous planning permission 08/00864/F 'Demolition of existing pub and redevelopment of site to provide 6 No. two bedroomed, two storey terrace houses, three storey block of flats containing 6 No. two bedroomed flats and 6 No. one bedroom flats. New ancillary car parking, bicycle stores and amenity space'.		

## The proposal

4. The proposal is for 20 student dwellings contained within a residential block, comprising 73 bedrooms with the following mix of units:

- 4 x 1-bed units (including two units for disabled users)
- 1 x 3-bed unit
- 13 x 4-bed units
- 2 x 7-bed units

Six of the 4-bed units are located on the wings of the block and are set out in townhouse form with rooms spread across three floors with vertical separation from the neighbouring unit.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of student dwellings	<b>20</b>
No. of affordable dwellings	<b>N/A</b>
Total floor space	<b>~ 2400 sq.m</b>



No. of storeys	<b>4</b>
Max. dimensions	<b>The width of the development measures 62 sq.m across the front. The maximum height of the development measures ~11.5 metres</b>
<b>Appearance</b>	
Materials	<b>Provisional agreement for two types of red-multi stock for facing brickwork. Timber cladding in sections across front and light render on fourth floor. Details to be agreed by condition.</b>
Energy and resource efficiency measures	<b>PV panels on roof</b>
<b>Transport matters</b>	
Vehicular access	<b>New vehicle access to Earlham West Centre road</b>
No of car parking spaces	<b>16</b>
No of cycle parking spaces	<b>60</b>
Servicing arrangements	<b>Communal – collection/storage points around front of site.</b>

## Representations

- Pre-application consultation:** A public meeting was undertaken by the applicant prior to validation of the application, which was advertised via a series of posters erected in the local community. A meeting was held on the 28<sup>th</sup> May 2015 and the results of the meeting are summarised within the Statement of Community Involvement included in the application.
- Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Four letters of representation from a total of three contributors 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.

<b>Issues raised</b>	<b>Response</b>
Overdevelopment of the site which will have a detrimental effect on the adjacent	Main issues 2 & 4



Issues raised	Response
residential area.	
Insufficient parking and associated impact on the transient parking needs of the surrounding businesses.	Main issue 3
The development should seek to address shortfalls in social housing provision.	The application is for the redevelopment of the site to provide a 20 unit student block (use class C2). As such there is no policy requirement for the scheme to provide affordable/social housing

## Consultation responses

7. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### Design and conservation

8. Several recommendations have been made at various stages of the assessment process in response to the original submission and subsequent amendments. Initial concerns were raised with the height, position, materials and design of the scheme and recommendations made for how the scheme could be improved. The recommendations have largely been adhered to which have improved the design of the scheme and its relationship to its context.

### Environmental protection

9. No objections raised but conditions recommended requiring a construction method statement and considerate working hours.

### Environment Agency

10. The FRA recognises the need for pollution prevention measures for the car parking and bin storage areas. The detailed scheme should be conditioned.

### Highways (local)

11. The proposed use for student accommodation in the West Earlham Centre has locational logic in terms of its proximity to the UEA campus, local facilities and local bus services. No objection subject to the resolution of highway improvement works



(to be secured by condition requiring S278 and TRO) and other conditions including Travel Information Plan, landscaping, cycle parking and refuse collection.

### **Private Sector Housing**

12. Recommendations made relating to fire safety, occupancy suitability and kitchen facilities. The applicant is advised by informative to consider the points raised.

### **Landscape**

13. Landscape to the frontage should be reviewed in order to provide a high quality landscape to the street frontage and to provide a hierarchy of circulation. It is also recommended that car parking/cycle parking be reorganised, the courtyard space to the rear to better link with the main building, seating incorporated to the external amenity area and for a detailed landscaping scheme to come forward. Several landscaping recommendations have already been amended on the revised plans including improving the circulation around the front of the site and reorganising the car/cycle parking. The remaining landscape recommendations will be secured by condition.

### **Norfolk historic environment service**

14. No archaeological implications.

### **Tree protection officer**

15. No objections to the proposed development on the proviso that any permitted development is undertaken in line with the submitted AIA.

## **Assessment of planning considerations**

### **Relevant development plan policies**

16. **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
  - JCS3 Energy and water
  - JCS6 Access and transportation
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
  - JCS20 Implementation
17. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development



- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

### **Other material considerations**

#### **18. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF13 Facilitating the sustainable use of minerals

### **Case Assessment**

19. 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**

20. Key policies and NPPF paragraphs – DM12, DM13, JCS4, NPPF6.
21. Development for new student accommodation is assessed as part of policy DM13 which sets out the following criteria for determining the acceptability for such proposals:



- (a) The site is not designated or allocated for an alternative non-residential use;
  - (b) the site is designated or allocated for housing development and it can be demonstrated that the proposal would not compromise the delivery of a sufficient number of dwellings to meet the calculated five-year housing supply requirement for the city; and in all cases
  - (c) The location provides convenient and direct pedestrian access to local facilities and bus routes;
  - (d) The provision of shared amenity space is satisfactory for use by residents and visitors;
  - (e) Applicants can demonstrate the provision of satisfactory servicing and warden/staff accommodation.
22. The site is not designated or allocated for non-residential use and has been dis-used for several years following the demolition of the former Shoemakers public house. The demolition followed the grant of planning permission for the redevelopment of the site to provide 6 No. two bedroomed, two storey terrace houses, three storey block of flats containing 6 No. two bedroomed flats and 6 No. one bedroom flats. While the demolition has taken place the scheme has otherwise not been implemented and whether the development has begun in planning terms is therefore not entirely clear.
23. It's understood that the housing numbers forming the permission have been included in the council's land supply calculations for housing. Development of the site for student accommodation would therefore remove 18 residential units from the council's calculated numbers. However, Planning Practice Guidance states that:
- "all student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market."
- The provision of 20 units of accommodation providing a total of 73 bed spaces would carry the potential to release a significant proportion of housing into the market that might otherwise be occupied by students. The UEA does however have a policy of providing all first year students with halls of residence accommodation on campus. The proposal would therefore only be successful in relieving pressure on market housing if provided for more mature and postgraduate students. It is considered that the applicant has provided sufficient justification, both in discussions during the assessment of the applicant and in a statement supporting the application, that the student accommodation being proposed will be for more mature students and will therefore carry the potential to relieve pressure housing on market housing in line with guidance from Central Government.



24. The proposal would also be in line with the council's objective of promoting different accommodation types to slow the conversion of existing housing for conversion to HMO's, which are often then used for student accommodation.
25. With regard to criteria (c) the location of the site is highly sustainable, located adjacent to regular bus services to the city centre and wider surroundings and within the Earlham West Centre local retail centre where a number of local services and facilities would be available to the future occupants of the development. The site is also within walking distance of the UEA. In this respect the proposal will meet with overarching sustainability policy DM1.
26. Amenity is discussed further in this report but the scheme is considered to provide adequate shared external space to satisfy criteria (d). A warden will operate from the site Mon-Fri (09:00-17:30) and an office manager will visit the site once a week to undertake various duties. An out of office 24/7 service will also be available for occupants for out-of-hour needs. The scheme is therefore in accordance with criteria (e).
27. Where applicable the proposal would satisfy the criteria for residential development as set out in DM12.

## **Main issue 2: Design**

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

### ***Scale, form and massing***

29. The height of the development reaches ~11.5 metres at the eaves of the fourth-storey, dropping to 9.5 metres and 8.5 metres at the eaves of the three-storey sections. In terms of its scale, the proposed development is similar to the three-storey flats/shops seen in the surrounding retail centre although the overall scale is greater and there is not such a contrast between the different elements. The scheme forming the previous planning permission for 18 dwellings at the site is also similar in scale to the current proposal across the front of the development, although the wings are only two-storey in height as opposed to the three-storey wings proposed in the current scheme. Members will be shown an elevation plan of the current proposal underlaid with the outline of the approved scheme to illustrate the comparison.
30. Despite the significant scale it is considered that the scheme can be accommodated in design terms. The fourth-storey central element is set slightly back from the front elevation to feature subserviently to the floors below. The upper reach of the building is limited by the installation of a flat roof, which then steps down from the central element of the development around to the wings to give some variety of height. The front of the building is also staggered featuring recessed glazing to the stairwells and projecting sections at either side of the central vehicular entrance to the site. Collectively this serves to break up the



elevation, reduce the scale of massing and bulk and add visual interest to the building.

31. The bulk and massing of the building is further broken up by the incorporation of timber panelling across various sections and in addition to being set back, the fourth-storey is to be clad in a light material to soften its appearance. While the scale of the building is significant therefore, sufficient attention has been paid to the design of the building to avoid an oppressive and overbearing form of development.

### ***Layout and appearance***

32. The layout of the scheme has been based upon a perimeter block style to create a strong frontage with Earlham West Centre Road, with the communal amenity area provided to the rear of the development. This is very much in keeping with the arrangement of surrounding development along the shopping parade and block of flats to the south at the opposing end of the Earlham West Centre. The layout of the proposed development also takes strong account of the layout of the previously approved scheme for 18 dwellings.
33. The east facing wing of the development has been staggered to better relate with the building line of neighbouring properties along Douglas Haig Road and is configured in such a way that views looking up both Douglas Haig Road and Enfield Road into the Earlham West Centre are retained.
34. While details concerning external surfaces are to be agreed by condition, extensive negotiations have already taken place in order to provisionally agree an appropriate pallet of materials. The application proposes a mixture of red-multi brick specifications, with a darker and 'burnt' specification concentrated across the central sections of the building, red/brown tones on the wings and a black plinth course running across the base of the development. The building will also be treated with timber cladding across various sections and a limited amount of render will be applied to the south-west elevation. Coupled with the staggered form of the development, the various treatments help to prevent the development becoming too horizontal in its emphasis and add visual interest to the elevations. The design of the building and choice of materials will enable the building to sit respectfully into its surroundings.
35. While density is relatively high, the student block provides adequate living conditions for future occupants and in terms of scale is not significantly greater than the already approved scheme. The impact of the scheme upon the amenities of the area is discussed further in this report but the proposal is not considered to represent an overdevelopment of the site.

### ***Security and secured by design:***

36. The building will be managed in accordance with the "Universities UK/Guild HE Code of Practice for the Management of Student Housing", which has been approved by parliament and sets out a code for good practice. Access to the courtyard and entrances to the building will be controlled by card/key/pin and CCTV will be installed around the building. Gates have been relocated to be closer to the



highway so that any attempts to scale them would be in full view of the public area. Access to the rear car park will also be gated.

37. The majority of the site will benefit from a good level of natural surveillance provided by the windows. Lighting will be agreed as part of the landscaping condition, which will also require details of the CCTV installation. The application indicates a low perimeter fence at the front, which will assist in providing added security to those rooms fronting onto Earlham West Centre Road.
38. The application also includes a management plan for how the letting company will tackle the potential for anti-social behaviour and to ensure amicable relationships with the local community. Should it be required then any issues will be reported directly to the UEA.

### **Main issue 3: Transport**

39. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
40. The site is well located for sustainable transport options being adjacent to bus routes serving the city centre and surrounding area and within walking distance from the nearby UEA. The site is also located within the West Earlham local retail centre where a wide variety of services and facilities are available locally.
41. A total of 16 parking spaces are proposed including one dedicated disabled parking space. The former use as a public house featured a large area available for car parking and the numbers involved with the current application represent a decrease in capacity from the previous use. The parking provision satisfies the council's maximum parking standards and also satisfies the level of parking provision recommended at the UEA.
42. While the parking provision is acceptable and the site location sustainable, it is recognised that the proposal could lead to additional cars parking off-site in the surrounding area, where parking is unrestricted. A Traffic Regulation Order (TRO) will be secured by condition requiring a contribution to be made for waiting restrictions to be imposed on roads adjacent to the site. This will go towards imposing double yellow lines and waiting restriction bays to suit the need of local businesses, residents and shoppers. The measures will also ensure that traffic flow is not congested and local bus services are not delayed by congestion. **As part of the management plan the applicant has also set out measures to discourage tenants from using a car, making them aware of the proximity to the University and connections with public transport.**
43. There is potential for higher volumes of traffic to and from the site associated with pickup and drop-off of students at the beginning and end of term times. A Travel Information Plan (TIP) will be required by condition to ensure that traffic flow is adequately managed to minimise disruption locally and to promote sustainable travel by non-car modes.



44. A total of 60 secure and covered cycle parking spaces are to be provided as well as external stands available for visitors, which represents a healthy provision on an almost 1:1 basis. This will further promote sustainable travel to and from the site.
45. A shared pedestrian/servicing bay is provided at the front of the site, which will allow servicing vehicles to park up at the site without obstructing traffic using the West Earlham Centre Road. Details will be secured by condition to ensure suitable surfacing materials are used.
46. Several highway improvement works will be necessary including footway reconstruction on Enfield Road, replacement of the verge on Hutchinson Road, the shared pedestrian/servicing bay, parking bay on Enfield Road and the new vehicle access to the Earlham West Centre Road. A Section 278 agreement will be secured by condition to ensure that the highway improvements are secured prior to occupation.

#### **Main issue 4: Amenity**

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

#### ***Neighbouring amenity:***

48. The proposal will intensify the use of the site owing to the activities of the large number of students occupying it. The management report included in the application sets out a number of measures that will be undertaken and implemented to ensure that the amenities of the surrounding area are protected and site maintained and kept in a tidy order. Information will be disseminated to occupants upon signing tenancy agreements setting out a number of 'house rules' to be abided by. In the event that neighbouring residents wish to express any concern with the behaviour of tenants then the manager's office would be manned five days a week and there is a 24/7 out of hour call centre that could be used at all other times. Any complaints would then be investigated to check whether any breaches in the terms of contract had occurred. Planning permission will be conditioned to require compliance with the management report submitted with the application.
49. The development site borders only one residential property, that being number 1A Douglas Haig Road. The applicant has submitted a sun-path analysis for various times across the day for the spring equinox, summer solstice and winter solstice. The study shows that while the proposal will result in some increase in overshadowing to the rear garden and side elevation of the neighbouring property, the degree of overshadowing will not result in significant harm to residential amenity.
50. 1A Douglas Haig Road features an array of solar panels on its east and south facing roof slopes. The sun-path study shows that the south facing array will suffer from loss of direct sunlight during early afternoon hours during the month of March. While this is regrettable and will lead to a loss in efficiency of the renewable energy source, the harm is considered to be outweighed by the benefits associated with redeveloping a long standing derelict site.



51. The windows to the south facing side elevation of 1A Douglas Haig Road do not serve main habitable rooms and any loss of daylighting will not be significant as to harm residential amenity.
52. There would be some overlooking from the rear windows of the student block to the rear garden of number 1A Douglas Haig Road. However, the distance between the rear face of the development and the boundary of the neighbouring property is ~17 metres and views would be partially restricted by trees beyond the north boundary of the site and boundary treatments which will be agreed by condition. Any overlooking is not therefore considered to be significant.
53. A condition will be added to any consent requiring considerate construction working hours and a construction method statement to ensure that the amenities of the surrounding neighbourhood are not significantly harmed during the construction phase.

### ***Occupier amenity***

54. DM13 requires that adequate shared amenity space is provided for occupants and visitors. While the available external area is somewhat limited as a result of the rear car park, an outdoor space is proposed, which, subject to landscaping details being agreed, will be provided for a high quality usable space by students. The site is also located adjacent to 20 Acre Woods which will provide an easily accessible area of outdoor space for occupants to benefit from. Each +1 bed unit of accommodation features from a communal kitchen/living area which will ensure that each unit is self-contained and provided with adequate living conditions.
55. The council's internal space standards do not extend to student accommodation but all bedrooms are reasonably sized and meet housing standards for single-occupancy. The bedrooms are also en-suite and benefit from good levels of outlook.

### **Compliance with other relevant development plan policies**

56. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Refuse	DM31	Yes subject to condition



Storage/servicing		
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition. The flood risk assessment identifies the site as being within Flood zone 1 and therefore the “more vulnerable” proposed usage is suitable from the sequential test viewpoint for its location. Section 6 of the Flood Risk Assessment recommends that the design of the drainage design be secured by condition.
Landscaping and trees	DM3, DM9, NPPF paras 9, 17 and 56.	Yes subject to condition. The ground floor plan shows indicative landscaping, but a detailed scheme will be necessary to ensure a satisfactory appearance of the development and high quality amenity space for occupants. Details should also ensure adequate boundary treatments, a high quality landscape to the front of the development, clear pedestrian circulation routes to the front and appropriate hard landscaping details to relate positively to the surrounding built environment.
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition. The energy report sets out a preferred ‘Light Gauge Steel Frame’ construction methodology, which is preferred for its thermal performance, air tightness, insulation qualities and cost effectiveness. PV panels will be installed securing ~8% of the scheme’s energy requirements from renewable sources. The report includes water calculations setting out a consumption rate of 105.5 litres per person/per day and this satisfied Building Regulations standards.

### **Equalities and diversity issues**

57. There are no significant equality or diversity issues.

### **Local finance considerations**

58. 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.



59. 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.
60. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

61. The proposed student accommodation is considered appropriate for this highly accessible and sustainable location within the West Earham District Centre and within walking distance of the UEA. The proposed 20 units of accommodation are targeted at more mature university students and this will carry the potential to free up market housing in the city area and reduce the demand for conversion of existing dwellings to larger HMOs. The proposal will enable the redevelopment of a derelict plot which currently presents a blight to the surrounding streetscape and will establish a well-designed building which will contribute positively to the character of the surrounding area. Subject to conditions requiring compliance with the submitted management plan the amenities of the residential amenities of the surrounding area will be adequately protected. Conditions will also ensure that the site is well landscaped and that necessary highway improvements are made to control parking in the surrounding locality and to protect the interests of local businesses and their customers.
62. Subject to conditions, 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. 15/00663/F - Site Of Former Public House Earham West Centre Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of external materials including window details;
4. Landscaping scheme to include soft and hard landscaping and detail of bin stores, cycle stores, CCTV, lighting and biodiversity enhancements;
5. SUDS – detailed scheme to manage surface water runoff to be submitted to and agreed with the local planning authority;
6. All bathroom windows to be obscure glazed;
7. No development shall take place, including any works of demolition, in pursuance of this permission until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.
  - (ii) The approved Statement shall be adhered to throughout the construction period.
  - (iii) The Statement shall provide for:



- (a) the parking of vehicles of site operatives and visitors;
  - (b) loading and unloading of plant and materials;
  - (c) storage of plant and materials used in constructing the development;
  - (d) the erection and maintenance of security hoarding, including decorative displays and facilities for public viewing, where appropriate;
  - (e) wheel washing facilities;
  - (f) measures to control the emission of dust and dirt during construction; and
  - (g) a scheme for recycling/disposing of waste resulting from demolition and construction;
8. No demolition or construction activities shall be carried out at the application premises without express consent from the local planning authority outside of the following hours:
    - before 07:00 hours and after 18:00 hours Mondays – Fridays;
    - before 08:00 hours and after 17:00 hours on Saturdays; and
    - not at all on Sundays or Public Holidays;
  9. Development to be carried out in accordance with the AIA and associated method statement;
  10. Prior to the first occupation of the building hereby permitted details of the renewable energy technologies as referenced in the 'Earlham West Energy Statement and Construction Methodology Study' to be used in the development and their installation and maintenance shall be first approved by the Local Planning Authority. These shall thereafter be implemented in full prior to first occupation and connection thereafter retained as such;
  11. Travel Information Plan to be agreed prior to first occupation;
  12. No use of the site as student accommodation unless in accordance with the management scheme;
  13. The residential units hereby permitted shall only be occupied by students enrolled with recognised higher educational providers;
  14. TRO;
  15. S278.

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

Informatives:

- 1) Housing requirements relating to fire safety, escape windows, licensing, occupancy and kitchen facilities;
- 2) S278
- 3) TRO
- 4) Street naming
- 5) Street trees



- 6) The applicant is advised that the building itself and each of the individual dwellings meet the physical security requirements of Secured by Design. Secured by design guide can be found at [www.securedbydesign.com](http://www.securedbydesign.com)
- 7) Landscaping details shown on the 'Ground Floor and Site' plan are indicative only and a comprehensive landscaping scheme is required by condition. The landscaping condition shall apply notwithstanding any indication as to these matters that have been given in the current application.



ENFIELD ROAD

EARLHAM WEST CENTRE

HUTCHINSON ROAD

GROUND FLOOR ROOM AREAS			
Room REFERENCE	Area in M <sup>2</sup>	Perimeter in M	
15	313.907	292.943	
GR0/1	36.518	25.933	
GR0/6/3	17.926	17.437	
GR0/6/4	17.926	17.437	
GR0/6/5	17.926	17.437	
GR0/6/6	17.926	17.437	
GR0/6/7	17.926	17.437	
GR0/6/8	17.926	17.437	
GR0/6/9	17.926	17.437	
GR0/6/10	17.926	17.437	
GR0/6/11	17.926	17.437	
GR0/6/12	17.926	17.437	
GR0/6/13	17.926	17.437	
GR0/6/14	17.926	17.437	
GR0/6/15	17.926	17.437	
GR0/6/16	17.926	17.437	
GR0/6/17	17.926	17.437	
GR0/6/18	17.926	17.437	
GR0/6/19	17.926	17.437	
GR0/6/20	17.926	17.437	
GR0/6/21	17.926	17.437	
GR0/6/22	17.926	17.437	
GR0/6/23	17.926	17.437	
GR0/6/24	17.926	17.437	
GR0/6/25	17.926	17.437	
GR0/6/26	17.926	17.437	
GR0/6/27	17.926	17.437	
GR0/6/28	17.926	17.437	
GR0/6/29	17.926	17.437	
GR0/6/30	17.926	17.437	
GR0/6/31	17.926	17.437	
GR0/6/32	17.926	17.437	
GR0/6/33	17.926	17.437	
GR0/6/34	17.926	17.437	
GR0/6/35	17.926	17.437	
GR0/6/36	17.926	17.437	
GR0/6/37	17.926	17.437	
GR0/6/38	17.926	17.437	
GR0/6/39	17.926	17.437	
GR0/6/40	17.926	17.437	
GR0/6/41	17.926	17.437	
GR0/6/42	17.926	17.437	
GR0/6/43	17.926	17.437	
GR0/6/44	17.926	17.437	
GR0/6/45	17.926	17.437	
GR0/6/46	17.926	17.437	
GR0/6/47	17.926	17.437	
GR0/6/48	17.926	17.437	
GR0/6/49	17.926	17.437	
GR0/6/50	17.926	17.437	
GR0/6/51	17.926	17.437	
GR0/6/52	17.926	17.437	
GR0/6/53	17.926	17.437	
GR0/6/54	17.926	17.437	
GR0/6/55	17.926	17.437	
GR0/6/56	17.926	17.437	
GR0/6/57	17.926	17.437	
GR0/6/58	17.926	17.437	
GR0/6/59	17.926	17.437	
GR0/6/60	17.926	17.437	
GR0/6/61	17.926	17.437	
GR0/6/62	17.926	17.437	
GR0/6/63	17.926	17.437	
GR0/6/64	17.926	17.437	
GR0/6/65	17.926	17.437	
GR0/6/66	17.926	17.437	
GR0/6/67	17.926	17.437	
GR0/6/68	17.926	17.437	
GR0/6/69	17.926	17.437	
GR0/6/70	17.926	17.437	
GR0/6/71	17.926	17.437	
GR0/6/72	17.926	17.437	
GR0/6/73	17.926	17.437	
GR0/6/74	17.926	17.437	
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GR0/6/98	17.926	17.437	
GR0/6/99	17.926	17.437	
GR0/6/100	17.926	17.437	



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Earlham West Centre  
40 Earlham West Centre  
Earlham, Norwich  
NR9 6DQ

Ground Floor and Site

Date: Feb 2015  
Job No: 1316  
Drawing Number: PLOT  
Revision: C

Scale: 1:100 @ A1  
Drawing Ref: C

MANCLAKE PROPERTIES LTD

Project Address:  
40 Earlham West Centre  
Earlham, Norwich  
NR9 6DQ

Ground Floor and Site

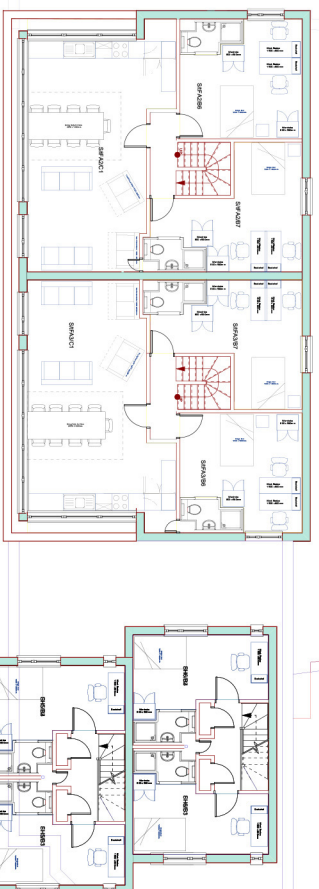
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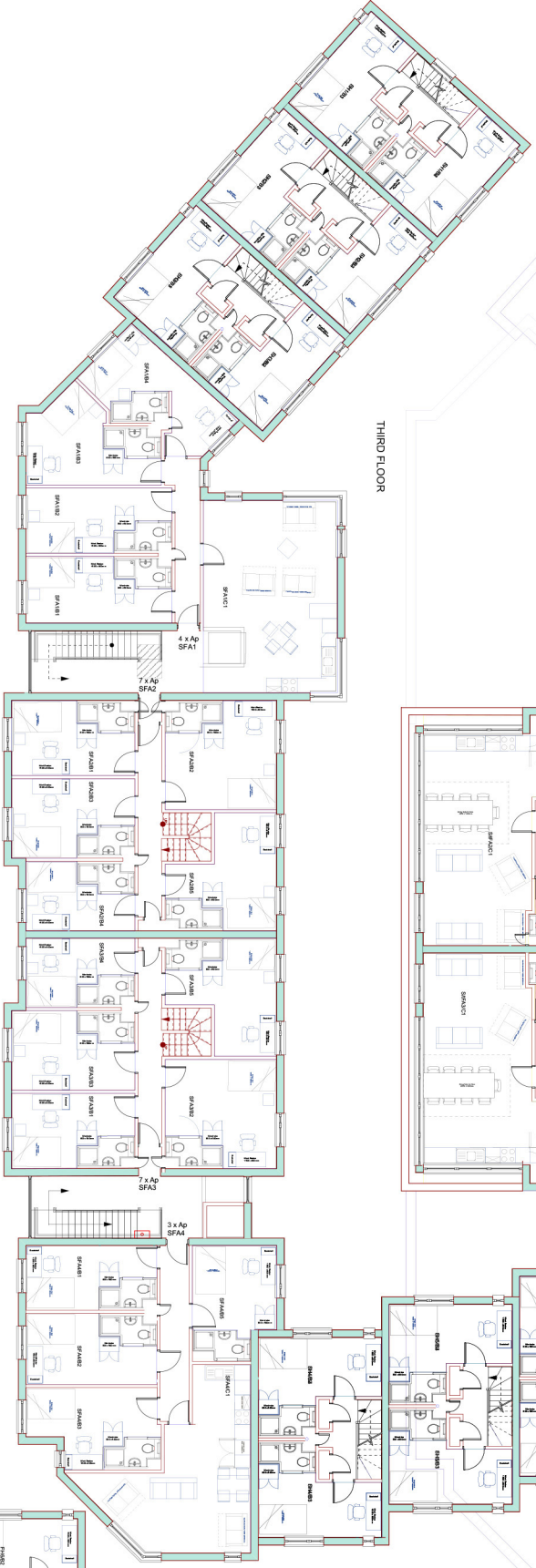


THIRD FLOOR ROOM AREAS			
Room REFERENCE	AREA in M <sup>2</sup>	Perimeter in M	
6	162.376	126.759	
S/FA2/C1	49.846	29.498	
S/FA2/B1	20.404	12.748	
S/FA2/B6	16.937	21.134	
S/FA2/B7	20.404	16.937	
S/FA3/B6	16.937	21.134	
S/FA3/B7	20.404	16.937	

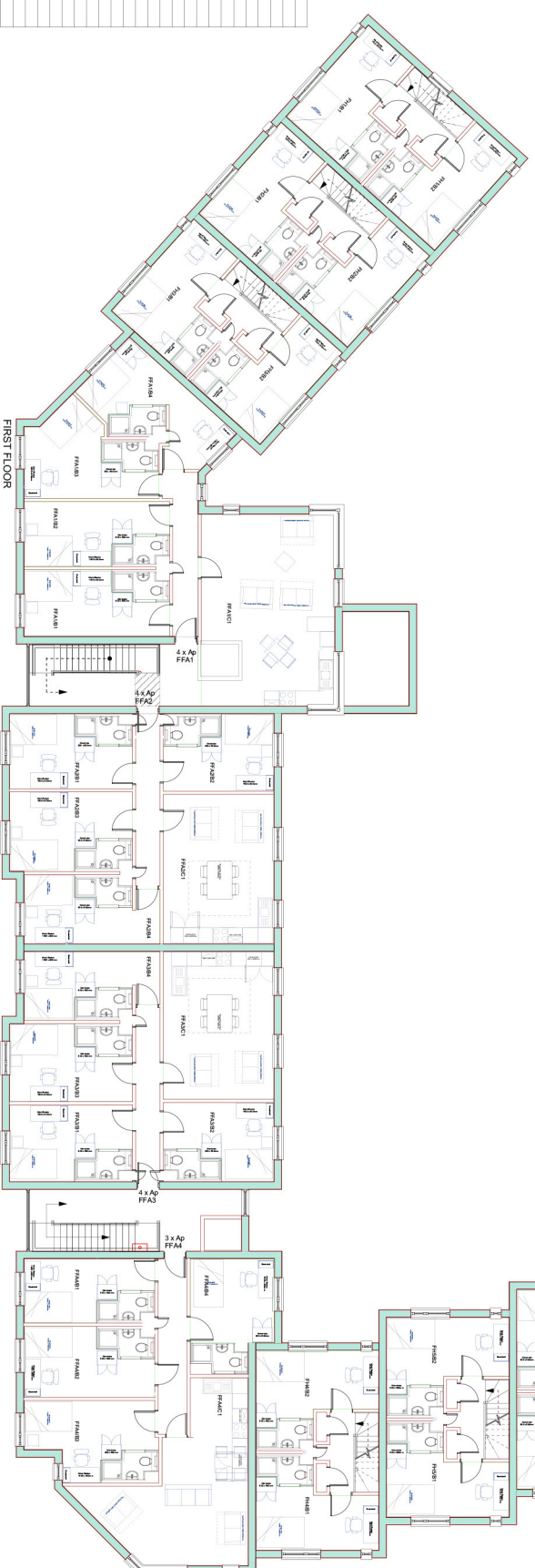
2200x1200 pa panels to roof  
pouring into 10% retention



THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

SECOND FLOOR ROOM AREAS			
Room REFERENCE	AREA in M <sup>2</sup>	Perimeter in M	
20	506.842	356.721	
S/FA4/C1	31.327	28.234	
S/FA4/B3	12.991	17.537	
S/FA4/B2	12.35	16.249	
S/FA4/B1	10.962	15.743	
S/FA4/B4	13.8	20.611	
S/FA4/B5	12.584	16.054	
S/FA4/B1	13.084	17.104	
S/FA4/B2	16.937	17.723	
S/FA4/B3	12.275	15.969	
S/FA4/B4	9.49	14.334	
S/FA4/B5	16.937	17.723	
S/FA4/B1	12.275	15.969	
S/FA4/B3	9.49	14.334	
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S/FA4/B5	11.715	14.27	

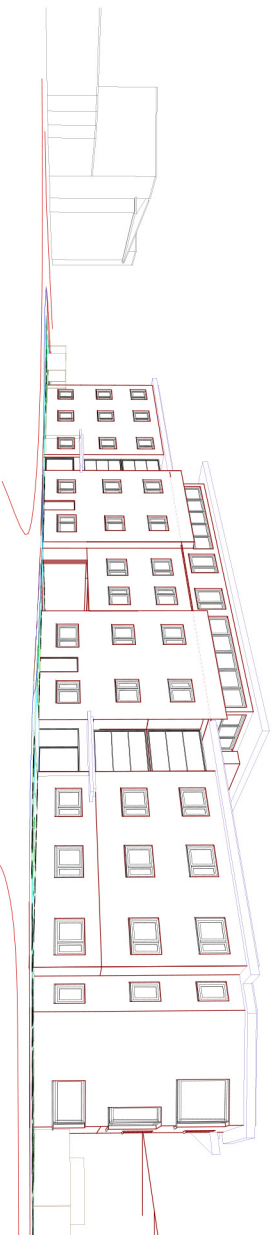
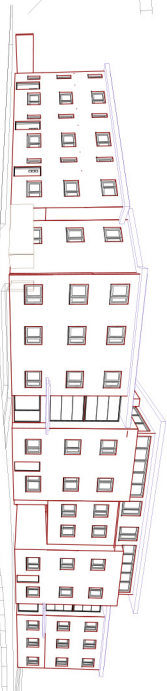
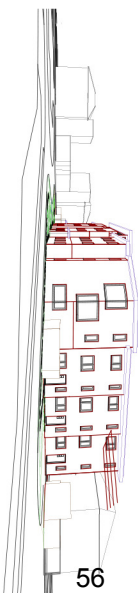
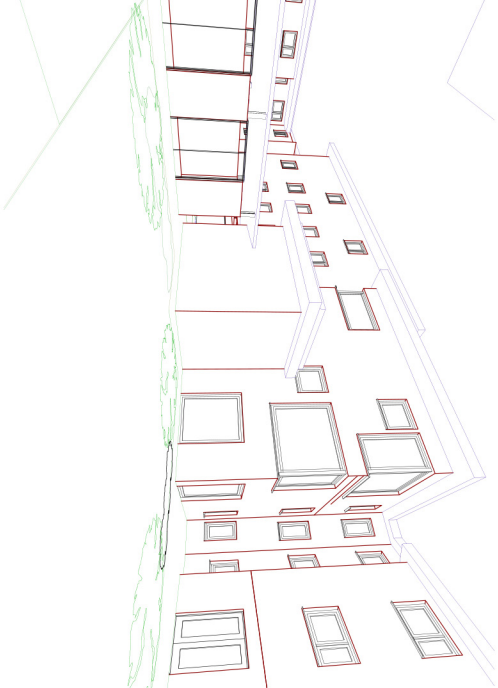
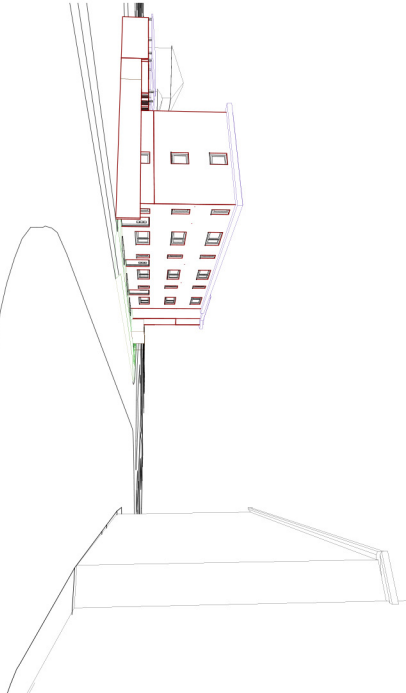
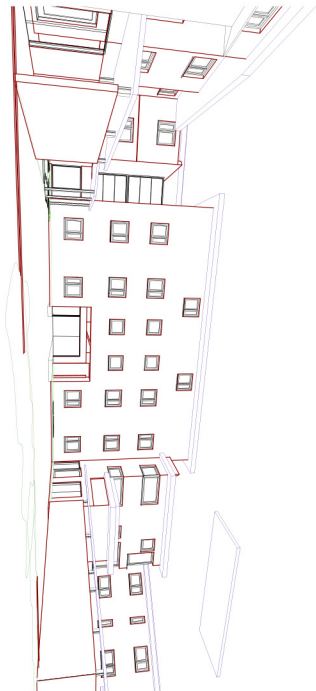
40, The Square, West London, W12 7LJ, UK  
 Tel: 020 7462 2222  
 Email: info@camarchitects.com  
 Website: www.camarchitects.com

**MANCHUK PROPERTIES LTD**  
 The Strangers Site,  
 40 Eastern Way, Chesham  
 Bucks BA9  
 MK5 9AD  
 Drawing Title  
 Final, Second and Third Floor GA  
 File: 2015\_11001\_01  
 Job No. Drawing Number Revision  
 1316 P02 B









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architects

MAJOR LANE PROPERTIES LTD

407 E. 10th Ave  
NORWICH, ONTARIO  
N1C 1A1

Architects Impressions

Date	Feb 2015	Scale	1:200 @ A2	Drawing Ref
Job No	1316	Drawing Number	FL05	Revision
				9





## Internal Elevation as Proposed – West and Part Section



TBS  
Old English Red Multi  
Cream/lime mortar

TBS  
Black Stock  
Light Grey Mortar



A line drawing of a modern building complex. The structure consists of several interconnected volumes. A large, cantilevered upper section extends from a central core. Below this, there are multiple levels with rectangular windows and balconies. The building is shown in a perspective view, highlighting its geometric forms and spatial relationships.







**Report to** Planning applications committee

**Item**

17 December 2015

**Report of** Head of planning services

**Subject** Application no 15/01534/F - Uplands Court. Upton Road, Norwich, NR4 7PH

**Reason for referral** Objection

4(C)

---

<b>Ward:</b>	Eaton
<b>Case officer</b>	Kian Saedi - <a href="mailto:kiansaedi@norwich.gov.uk">kiansaedi@norwich.gov.uk</a>

Development proposal		
Demolition of plant room, erection of infill block of four flats, external refurbishment of the existing building and associated landscaping works.		
Representations		
Object	Comment	Support
3	0	1

Main issues	Key considerations
1 Principle of development	Suitability of site for residential development
2 Design	Scale, form, massing, appearance, impact on street scene and character of area
3 Amenity	Overlooking/loss of privacy, overshadowing, overbearing
<b>Expiry date</b>	10 December 2015
<b>Recommendation</b>	Approve subject to conditions





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Planning Application No 15/01534/F

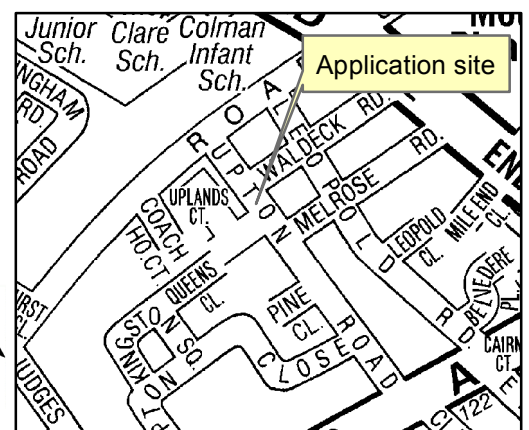
Site Address Uplands Court

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES





## The site and surroundings

1. Upton Road is nestled between Newmarket Road conservation area and the Unthank and Christchurch conservation area. The surrounding area is predominantly characterised by two-storey, semi-detached properties, but the site itself is located within Uplands Court which features blocks of two and three storey flats.
2. A number of mature trees line Upton Road as well as several trees which are served by a Tree Preservation Order (TPO) and located adjacent to the existing car port/refuse storage area of the site.

## Constraints

3. TPO served on trees adjacent to the car port

## The proposal

4. The proposal is for the demolition of the existing single-storey plant room and erection of an infill block to provide four 2-bed flats.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>4</b>
No. of affordable dwellings	<b>0</b>
Total floor space	<b>~400 sq.metres</b>
No. of storeys	<b>4</b>
Max. dimensions	<b>Flat roof development with maximum height of ~11 metres</b>
<b>Appearance</b>	
Materials	<b>Bricks to match existing. Copper colour cladding and through colour render on sections of the building. External materials to be agreed by condition.</b>
<b>Transport matters</b>	
Vehicular access	<b>As existing from Upton Road</b>
No of car parking spaces	<b>4</b>



<b>Proposal</b>	<b>Key facts</b>
No of cycle parking spaces	<b>4</b>
Servicing arrangements	<b>Bin storage/collection point</b>

## Representations

5. Adjacent and neighbouring properties have been notified in writing. Four letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

<b>Issues raised</b>	<b>Response</b>
Loss of privacy/overlooking	Main issue 3
Loss of light/overshadowing	Main issue 3
Out of scale and out of character development	Main issue 2
Poor design	Main issue 2

## Consultation responses

6. 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.
7. **Norwich Society:**
8. Interesting infill proposal which will greatly improve the existing corner of the development

### Highways (local)

9. No objection on highway/transportation grounds

## Assessment of planning considerations

### Relevant development plan policies

10. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets



- JCS2 Promoting good design
- JCS3 Energy and water
- JCS4 Housing delivery
- JCS5 The economy
- JCS6 Access and transportation
- JCS20 Implementation

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

**Other material considerations**

**12. 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**

13. 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**

14. Key policies and NPPF paragraphs – DM12, JCS4, NPPF paragraphs 49 and 14.
15. 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 discussed below given that:



- The site is not designated for other purposes;
  - The site is not in a hazardous installation notification zone;
  - The site is not in the late night activity zone;
  - It does not involve the conversion of high quality office space; and
  - It is not in the primary or secondary retail area or in a district or local centre.
16. The site is located in an established residential area, within walking distance to bus routes serving the city centre and wider surroundings. It has also been demonstrated that sufficient car and cycle parking can be provided for future residents who will also benefit from adequate servicing facilities. The site is therefore considered to be suitable for residential development.
17. The four units of accommodation will contribute to an identified need for new housing in the city area. The proposed scheme does not trigger any need to provide affordable housing.

## **Main issue 2: Design**

18. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
19. The area of the site to which the development relates currently features a single-storey plant room, above which the two blank gable ends of adjacent blocks of flats are exposed. The elevation is consequently bland and provides no interest to the street scene. The proposal involves demolition of the plant room and the erection of a four-storey infill block as well as refurbishment to the existing block of flats included within the application site.
20. The proposed four-storey development will feature a flat roof and reach ~11 metres in height, which is 1.2 metres above the ridge and 3.2 metres above the eaves of the adjacent blocks of flats. While the additional height will create some degree of visual prominence, this is welcomed in terms of defining the corner plot and marking a gateway to Upland Court. The flat roof is considered appropriate in this context and any attempt to mirror the roof form of the existing development would look odd in its elevated position and provide unnecessary height. Although the height of the development is greater than surrounding development, the difference in scale is not significant enough to result in the proposed scheme over-dominating the street scene. The scale, form and massing of the proposed development is therefore considered acceptable and will relate positively to the existing block of flats.
21. The new development will be constructed of brickwork to match the neighbouring blocks of flats and similar window proportions to the neighbouring blocks have been designed into the scheme. The corner plot will feature projecting bays to be finished in through colour render and copper colour cladding is proposed for the upper floor and various projecting bays across the Upton Road frontage. Refurbishment works are proposed for the existing block of flats fronting Upton Road which will tie into the new development and help to enhance the appearance of this section of the building. Details of external materials to be used in the construction of the development will be secured by condition to ensure the satisfactory appearance of the development.



22. The proposal will enhance and add visual interest to the Upton Road frontage and enhance the character of the street scene, while retaining sufficient connection to the existing flatted development at the site. Landscaping works will be secured by condition which will further enhance the appearance of the site and enable biodiversity enhancements.

23.

### **Main issue 3: Amenity**

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

#### ***Neighbouring Amenity:***

25. The proposal introduces the potential for overlooking from the windows and balconies of the proposed flats to the surrounding residential area. The distance between opposing windows of the nearest residential property to the south is ~22 metres and is separated by the road to Upland Court and partially screened by the trees adjacent to the car port. The distance between opposing windows of the nearest property on Upton Road is ~ 25 metres. The separating distance between the proposed development and existing dwellings in the surrounding area is significant and satisfies the standards recommended by the BRE for ensuring no loss of privacy through overlooking.
26. Such is the position of the proposed development and relatively minor increase in the upper height of the building that the proposal will not result in any significant increase in overshadowing to neighbouring properties.
27. The proposed development will protrude beyond the neighbouring flats fronting Upton Road and Uplands Court by ~2 metres. This will lead to some degree of overbearing impact upon the adjacent bedroom windows fronting Upton Road and to a lesser extent from the balcony/living room area of the flats fronting Uplands Court, but the associated windows will still benefit from good levels of outlook and daylighting, and on balance the degree of overbearing is not considered so significant to warrant a refusal of the application. No objections have been received from neighbouring properties in response to the proposal.

#### ***Occupier Amenity:***

28. All of the flats benefit from adequate internal living space in accordance with national space standards, with good levels of outlook from all habitable rooms.
29. Three of the four flats benefit from an external balcony and one of the flats from a smaller Juliet balcony. The ground floor flat features bi-folding doors leading to an external terrace. It will be necessary for a detailed landscape scheme to be agreed by condition to ensure that the occupant of the ground floor flat is provided with a defensible area of private space and to ensure that the external space is adequately separated and screened from the highway in the interests of privacy.
30. The design and access statement identifies the potential for landscape improvements around the surrounding buildings and such improvements can come forward as part of the landscaping scheme to be agreed by condition. In addition to improving the amenity of existing occupants, the landscaping works will assist in



further enhancing the appearance of the site and ensuring that biodiversity enhancements are realised.

31. Each new flat will benefit from a parking space and access to cycle parking, details of which will be conditioned to ensure that the provision is secure and covered.

### **Compliance with other relevant development plan policies**

32. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Not applicable
Landscaping	DM2/3	Yes subject to condition. Landscape improvements shall be made to the site to ensure the privacy of the proposed ground floor flat and for the benefit of existing occupiers where possible. Biodiversity enhancements will also be requested as part of the scheme which may involve the installation of bird/bat boxes
Contamination	DM11	A contamination report has been submitted with the application which evaluates the risk of contamination at the site to be low. It does however recommend soil testing around the sub-station with suitable disposal in the event that contaminants are discovered. A condition will be added to any planning consent requiring a remediation scheme to be submitted to and agreed with the local planning authority and development stopped in the event that any unknown contaminants are discovered



Requirement	Relevant policy	Compliance
		Several mature trees are located adjacent to the existing car port and refuse storage area at the site, which are served by a Tree Preservation Order. The application originally set out for a bin store/collection point to be constructed adjacent to these trees using a 'no-dig' construction beneath the trees.
Trees	DM7	The application includes no arboricultural assessment or method statement to demonstrate how the area of hard standing would be constructed without harming the trees. The application has now been amended with the refuse storage area relocated to the south-east corner of the site, which will ensure that there are no arboricultural implications associated with the development.

### **Equalities and diversity issues**

33. There are no significant equality or diversity issues.

### **Local finance considerations**

34. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
35. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
36. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

37. The proposal provides four additional units of accommodation in an established residential area and will improve the external appearance of the building and character of the surrounding street scene. 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. 15/01534/F - Uplands Court Upton Road Norwich NR4 7PH and grant planning permission subject to the following conditions:



1. Standard time limit;
2. In accordance with plans;
3. Details of external materials;
4. Landscaping scheme to include biodiversity enhancements and refuse/ cycle storage detail;
5. No occupation of the development hereby approved shall take place until a verification plan and a proposed monitoring, maintenance and contingency plan have been submitted to and agreed in writing by the local planning authority. The verification plan shall provide details of the data that has been collected in order to demonstrate that the works recommended in section 5.3.1 of the approved contamination report are completed and shall identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The proposed monitoring, maintenance and contingency plan shall identify how these requirements will be met;
6. If, during development, contamination not previously identified is found to be present, then no further development shall be carried out in pursuance of this permission until a scheme has been submitted to and approved by the Council as Local Planning Authority detailing how this contamination shall be dealt with in accordance with the remediation scheme as set out above. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue;
7. No demolition or construction activities shall be carried out at the application premises without express consent from the local planning authority outside of the following hours:
  - before 07:00 hours and after 18:00 hours Mondays – Fridays;
  - before 08:00 hours and after 17:00 hours on Saturdays; and
  - not at all on Sundays or Public Holidays;
8. Water efficiency.

### **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.

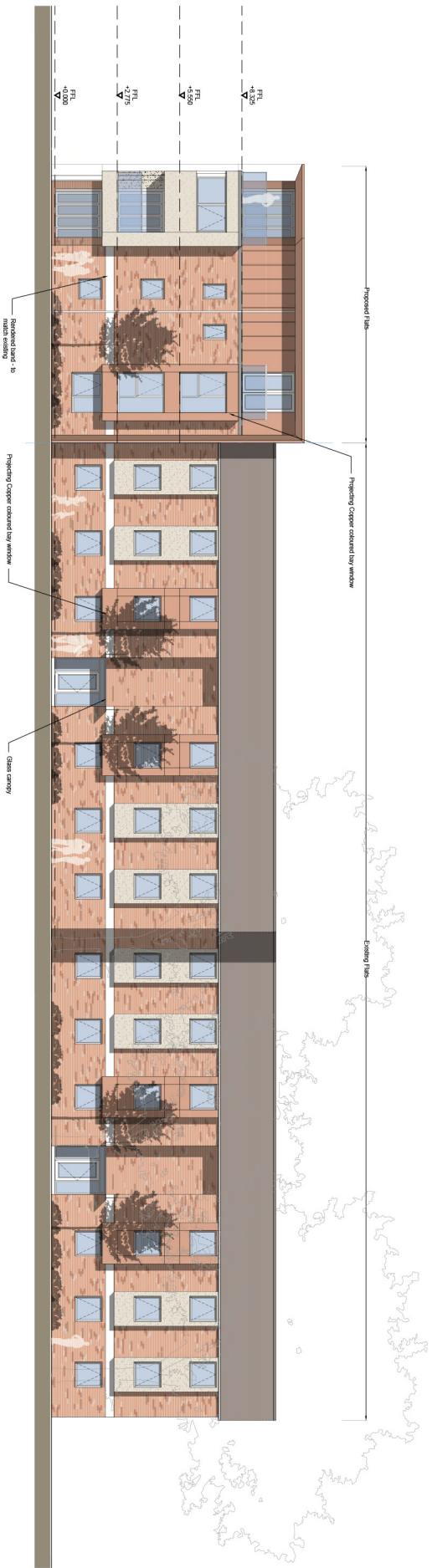
Informatives:

- 1) The applicant is advised to adhere to the recommendations set out in section 6.0 of the approved contamination report;
- 2) Street naming and numbering.

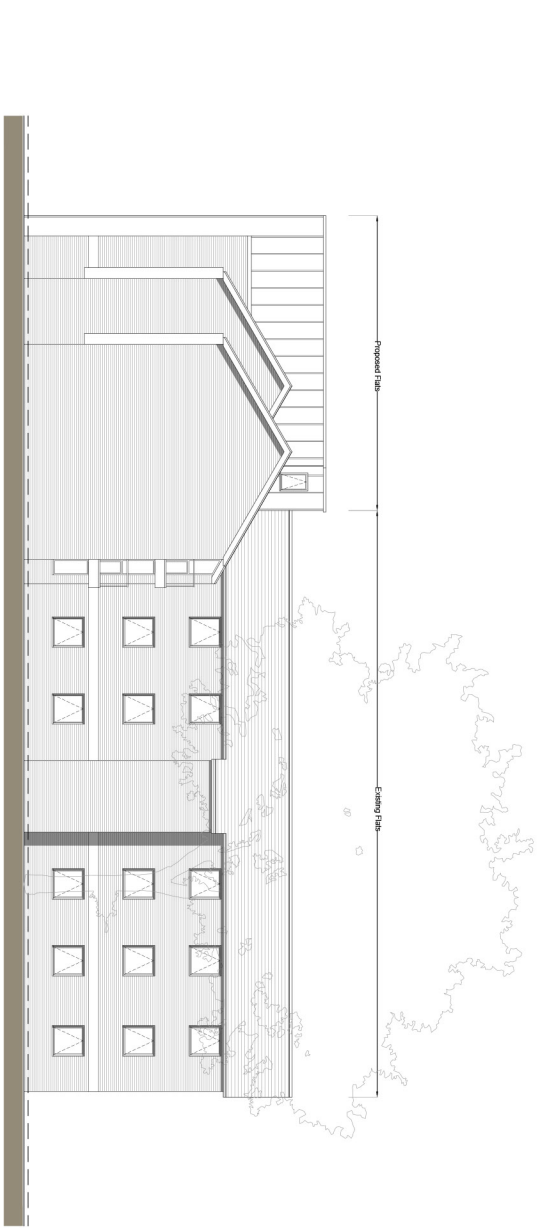


**MATERIAL PALETTE**  
BRICK - Red Matt to match existing  
RENDER - Through Colour Render  
WINDOWS - White UPVC windows  
DOORS - Composite entrance doors  
ROOFING - Grey tiles  
CLADDING - White UPVC panels & cladding  
CHIMNEY - Chimney to be retained to enhance windows.

FRONT ELEVATION  
(NORTH EAST)



SIDE ELEVATION  
(NORTH WEST)



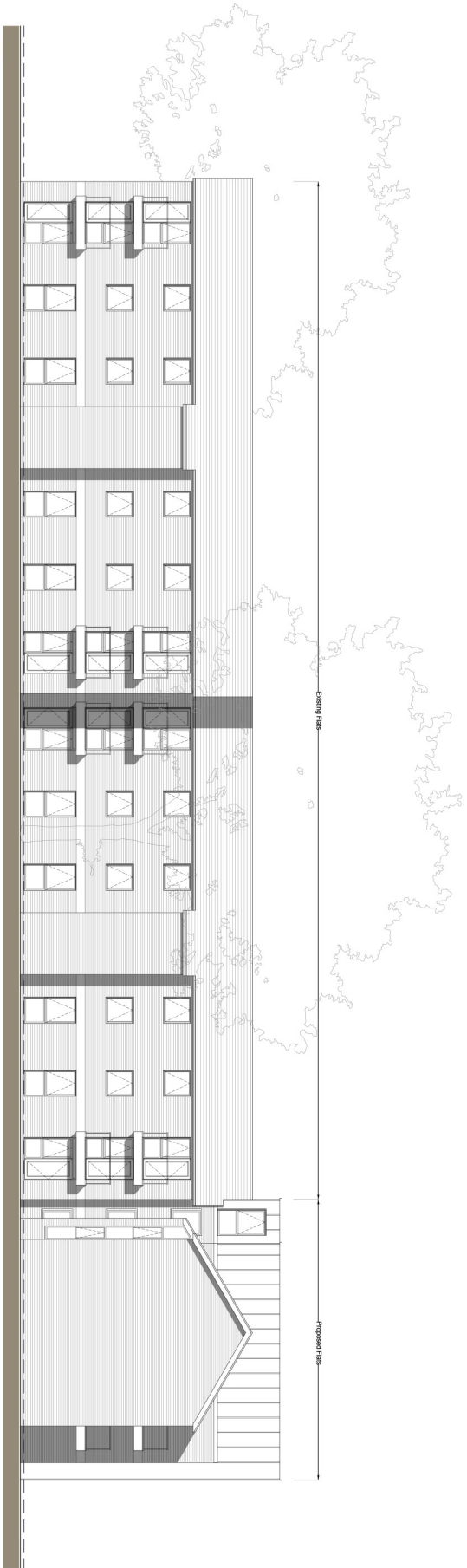
PLANNING

CF

<b>Chaplin Farant Limited</b> 51 Varroville Road Norwich NR2 1WZ Tel: 01603 700060 Fax: 01603 700061 info@chaplinfoarant.com www.chaplinfoarant.com		<b>Region Investment Management</b> Residential Development Uplands Court Norwich	
<b>Proposed NE &amp; NW Elevations</b>		<b>5005</b>	
<b>059</b>		<b>B</b>	
<b>Sept 15</b>		<b>1:100</b>	
<b>DWG</b>		<b>NM</b>	



**MATERIAL PALETTE**  
BRICK - Red Matt to match existing  
RENDER - Through Colour Render  
WINDOWS - White UPVC windows  
DOORS - Composite entrance doors  
ROOFING - Grey tiles  
PAVING - Grey paving  
CHIMNEY - Chimney to be retained to lantern windows.



REAR ELEVATION  
(SOUTH WEST)



SIDE ELEVATION  
(SOUTH EAST)

REV	DATE	DESCRIPTION	DWG	NM
1	14.09.15	Proposed inclusion to external removal	DWG	NM
Revisions				
DRAWN				
CHECKED BY				

Chaplin Farant Limited

51 Vauxhall Road

Norwich

Norfolk

NR1 1WJ

Tel: 01603 700000

Fax: 01603 700001

info@chaplinfarant.com

www.chaplinfarant.com

Proposed SW & SE Elevations

5005

060

Sept 15

1:100

DWG

NM

Region Investment Management

Residential Development

Uplands Court

Norwich

Proposed SW & SE Elevations

5005

060

Sept 15

1:100

DWG

NM

70



ACCOMMODATION SCHEDULE

PLOT NO.	ACCOMMODATION	TENURE	APPROX. G.I.A (m²)	Dwelling Type
P1	4b	private sale	81m²	flat
P2	4b	private sale	82m²	flat
P3	3b	private sale	89m²	duplex flat
P4	3b	private sale	89m²	duplex flat



CAR PARKING

1 Dwelling	1 spaces
Total Parking	4 spaces

DRAWING LEGEND

- Indicative soft landscaping scheme (subject to detail design)
- Existing Flats
- Proposed Flats

Planning

REV	DATE	DESCRIPTION	DWG	NM
A	14.09.15	Issued as per client agreement	DWG	NM
B	18.11.15	Location of bin storage point revised	DWG	NM
C	14.09.15	Issued as per client agreement	DWG	NM
D	14.09.15	Issued as per client agreement	DWG	NM
E	14.09.15	Issued as per client agreement	DWG	NM
F	14.09.15	Issued as per client agreement	DWG	NM
G	14.09.15	Issued as per client agreement	DWG	NM
H	14.09.15	Issued as per client agreement	DWG	NM
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J	14.09.15	Issued as per client agreement	DWG	NM
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L	14.09.15	Issued as per client agreement	DWG	NM
M	14.09.15	Issued as per client agreement	DWG	NM
N	14.09.15	Issued as per client agreement	DWG	NM
O	14.09.15	Issued as per client agreement	DWG	NM
P	14.09.15	Issued as per client agreement	DWG	NM
Q	14.09.15	Issued as per client agreement	DWG	NM
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U	14.09.15	Issued as per client agreement	DWG	NM
V	14.09.15	Issued as per client agreement	DWG	NM
W	14.09.15	Issued as per client agreement	DWG	NM
X	14.09.15	Issued as per client agreement	DWG	NM
Y	14.09.15	Issued as per client agreement	DWG	NM
Z	14.09.15	Issued as per client agreement	DWG	NM

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**Region Investment Management**  
Residential Development  
Uplands Court  
Norwich

**Proposed Site Plan**

**5005**  
05/2  
B

**Sept 15**  
1:500 @ A3  
NM







**Report to** Planning applications committee

**Item**

17 December 2015

**Report of** Head of planning services

**Subject** Application no 15/01314/F - Land to the west of Unit 1, Hall Road, Retail Park, Hall Road, Norwich

**4(D)**

**Reason for referral** Objection

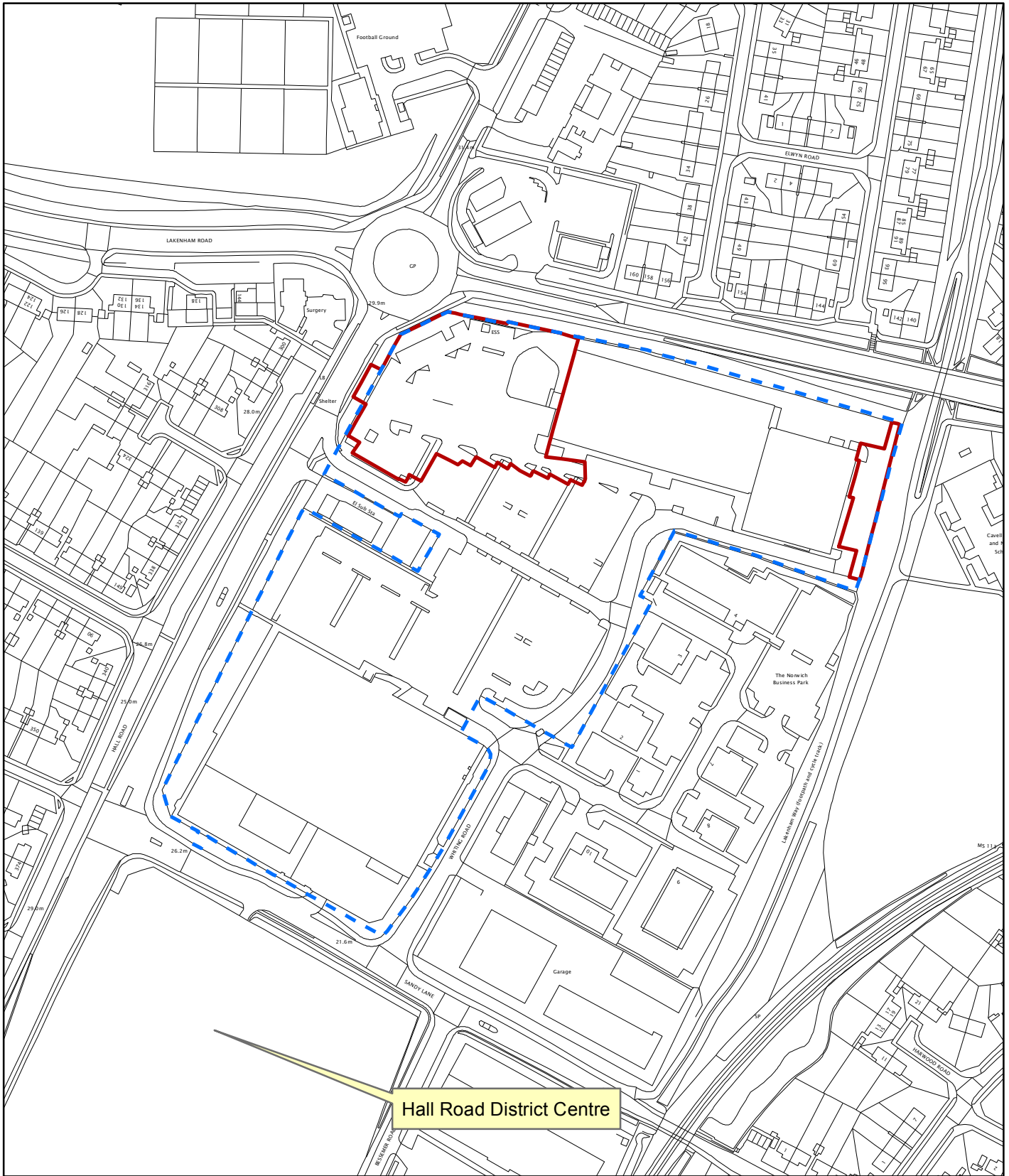
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<b>Ward:</b>	Lakenham
<b>Case officer</b>	Lee Cook - <a href="mailto:leecook@norwich.gov.uk">leecook@norwich.gov.uk</a>

Development proposal		
Redevelopment of part of existing retail car park to provide a retail foodstore, reconfigured car parking and associated landscaping works.		
Representations		
Object	Comment	Support
1 (2 letters from one main respondent)	1	40 (42 letters/e-mails with two repeat comments from two residents)

Main issues	Key considerations
1 Principle of development	Location, sustainability, sequential and impact assessments, accessibility
2 Transport	Main routes, appraisal of impacts, local improvements, accessibility, parking, servicing
3 Amenity	Noise, plant and machinery, controlling conditions on operations
4 Design	Height, site layout/topography, appearance, scale
5 Trees and Landscaping	Tree removal, replacement planting
<b>Expiry date</b>	11 December 2015
<b>Recommendation</b>	Approve





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Planning Application No 15/01314/F

Site Address Land West of Unit1 Hall Road  
Retail Park

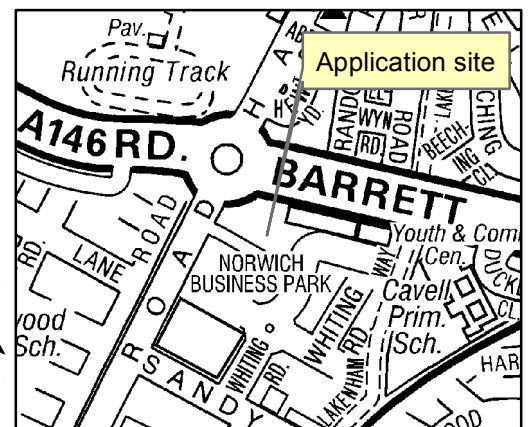
Scale 1:2,500



**NORWICH**  
City Council

PLANNING SERVICES

74





## The site and surroundings

1. The application site is located within the Hall Road Retail Park, bounded by Barrett Road to the North and Hall Road to the west. Lakenham Way cycle route runs adjacent to the retail park along its eastern side and other highway links are provided to the site off Sandy Lane to the south. On the south side of Sandy Lane is a new district centre constructed with an ASDA store as the key anchor store and providing buildings for other commercial, retail and community uses.
2. The application site measures 0.69 hectares in size although it does form part of a larger retail park which is approximately 4.9Ha and contains a number of bulky goods retail outlets.
3. The area of the application site is adjacent to the end of a run of buildings which backs onto Barrett road and is an open and underused space immediately adjacent to the roundabout which forms the junction of Hall Road and the outer ring road. The site has a landscaped edge, containing groups of trees and planting, separating it from the adjacent highway and whilst the site itself is relatively level it is set below the higher levels of the roundabout and highway as it slopes up eastwards along Barrett Road.

## Constraints

4. Natural environment (trees/planting); Environmental constraints possible site contamination, flood issues; Site designation retail warehouse/near to district centre.

## Relevant planning history

Ref	Proposal	Decision	Date
4/1987/1184/F	Retail warehouse store and garden centre	Approved	01.07.1988
4/1995/0774/O	Non-food retail warehousing (bulky goods) development	Approved	24.06.1996
4/1999/0478/F	Erection of single retail warehouse unit (7,440 sq.m.), with open garden centre and associated access, parking, servicing, landscaping and works. (Submission of details in accordance with Conditions 2 and 3 of Outline Planning Permission no. 4950774/O - non food retail warehousing (bulky goods) development).	Approved	02.03.2000
08/00319/O	Demolition of existing buildings, site clearance and redevelopment of the Bally Shoes and T.Gill and Sons sites for a mixed use district centre to include retail, leisure, hotel, housing, employment, arts	Approved	11.05.2009



Ref	Proposal	Decision	Date
	centre, parking and public realm uses; the development of retail and leisure uses at the Hall Road Retail Park and the provision of associated parking and public realm enhancements between the two.		
09/00735/VC	Variation of conditions 3, 6, 7, 8, 11 and 19 of planning permission 08/00319/O (to allow blocks D and E to be used as a single retail unit (5,667 sqm gross) with office accommodation above (1,962 sqm gross)).	Approved	01.12.2009
12/00739/F	Demolition of existing buildings and redevelopment of site to provide a new district centre to include a food store, customer cafe, retail units (Class A1, A2, A3 or A5), community unit, restaurant/public house unit, business units (Classes B1 and B8), gym, car parking, public realm and associated access and servicing.	Refused	25.09.2012

5. Full planning permission 12/02003/F was granted in July 2013 for redevelopment of the former Bally Shoe factory site on Hall Road, to provide a new district centre to include a food store, customer café, retail units (Class A1, A2, A3/A5), community use, restaurant /public house, business units (Class B1 and B8), gym and associated access, car parking and public realm. The consent was granted following the completion of a legal agreement and the resolution of planning applications committee to approve the application on 20 September 2012. The report considered by planning applications committee on 20 September 2012 details the planning history of that site. The committee report and minutes of that meeting are available at this link: <http://www.norwich.gov.uk/CommitteeMeetings>
6. Application 14/00818/VC sought to make a number of changes to the approved scheme. The changes related to details shown on the approved plans, detail included in supporting documents and matters agreed in the S106 Obligation. The changes included amendment to the ratio of convenience: comparison retail floorspace (food/everyday goods: long term use products e.g. electrical items/clothing) within the supermarket. A planning condition imposed on the approved supermarket scheme restricts the proportion of floorspace from which comparison goods can be sold to 33 %. An increase to 40% was agreed.
7. Subsequent minor amendments have been agreed under application 14/01691/VC and petrol filling station agreed under application 15/00131/F.



## The proposal

8. Redevelopment of the north-west corner of existing retail car park to provide a retail foodstore. The works include reconfiguring the car park area and parking provisioning, access works for vehicles and cyclists, changes to bus stops and associated landscaping works.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total floorspace	Retail store providing 1693m <sup>2</sup> gross floorspace (1254m <sup>2</sup> nett of which 1003m <sup>2</sup> is convenience shopping).
No. of storeys	Single storey
Max. dimensions	Approximately 59m long x 30.8m wide plus 3m canopy to south west corner and 9m loading deck and plant area to north east corner. Heights 8.82m above FFL to top parapet/ridge and 10.631m to top of raised corner detail.
<b>Appearance</b>	
Materials	Silver or anthracite grey flat insulated cladding panels. Glazing with coated aluminium framing.
Construction	Metal frame core with external cladding. Design aim to meet BREEAM “very good” rating.
Energy and resource efficiency measures	Waste heat recovery and part L2A U-values. Passiv design analysis. Energy monitoring. Low energy light fittings. Water rate limiters. Water use and leak monitoring.
<b>Operation</b>	
Opening hours	8 a.m. to 10 p.m. Monday to Saturday; 10 a.m. to 6 p.m. bank holidays and trading hours Sundays (other Aldi stores operate 11 a.m. to 5 p.m.).
Ancillary plant and equipment	Fixed plant likely to consist of refrigeration and condenser units; air handling units; extract fans; and boilers. Refrigeration units only are expected to operate overnight.
<b>Transport matters</b>	
Vehicular access	The store is sited close to the Hall Road entrance to the retail park just south of the outer ring road. Access is also available from Sandy Lane. Scheme includes a cycle link from Lakenham Way.
No of car parking	649 spaces existing for overall car park to retail park. Reduced to 574 spaces. 4 disabled bays, 4 parent and child



spaces	bays, 1 EV charging bay and 4 motor cycle bays positioned adjacent to store entrance.
No of cycle parking spaces	10 spaces under canopy close to store entrance
Servicing arrangements	Communal service entry at east side of site behind buildings leading to service area on north side of site adjacent to Barrett Road.

## Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 42 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
Proposal constitutes a material or significant increase in vehicular traffic. Scale of development necessitates a transport assessment (TA) not transport statement (TS) as submitted. Does not comply with County or City policy. TS fails to examine transport network appropriately using current survey data; a reflection of actual traffic movements and conditions; junction capacities; assessment of traffic accident records; pass-by traffic impacts; diverted traffic in area; trade draw; linked trips; and officer safety concerns/suggestions and its conclusions are flawed. Data used is unrepresentative of proposed development or market share of retailer or considers impacts/traffic generation of similar Aldi units in area as a comparator. Needs to assess feasibility of speed limit reduction on Hall Road; pedestrian /cycle link to Lakenham Way; bus stop facilities and safety of crossing. Application should be refused on transport grounds.	Paras 44 - 54
County highways should be consulted and comments made available.	Para 16 Comments on public access
NPPF requirement for sequential and impact assessments for retail development which includes locally set levels for Norwich over 1000m <sup>2</sup> . Should be refused where it fails to satisfy tests. Application site is 400m north of Hall Road district centre. This centre is supported through site allocation R3. Policy DM18 confirms centres should be focus of retail and town centre uses. DM28 encourages sustainable travel and to ensure no nett increase in travel and any increase can be accommodated. ASDA is now trading, interest has been expressed in the pub on site. However; no firm commitments on occupation of the other retail units being provided as part of district centre. Should note NPPF definition of an edge of centre location as being well connected	Paras 25 – 43  esp 27, 29 - 34



Issues raised	Response
<p>and up to 300m from primary shopping area. Direct pedestrian routes do not encourage walking between application site and district centre. Site is over 300m distance from district centre and not well connected and is therefore an out of centre location and not edge of centre. A more detailed assessment of whether there are any sequentially preferable sites should be undertaken. No detailed locations have been considered.</p>	
<p>Application suggests significant adverse impacts might only be anticipated over 2500m<sup>2</sup>. Locally set floorspace test is at 1000m<sup>2</sup> and endorsed by local plan examination. Proposal is 70% larger than threshold and should be fully assessed. Application has failed to take approach to retail impact assessment as set out in NPPG; also not set a no development or other development scenario or quantitative assessment of turnover.</p> <p>Revisions of ASDA scheme floorspace split seek to ensure that development was progressed against a challenging retail background which indicates marginal viability of ASDA development and vulnerability to other out of centre development. Aldi store will have significant potential to divert trade away from district centre. Suggestion that Aldi will trade complimentary to ASDA but it is clear from research that Aldi has increased market share. These have not been assessed in detail. ASDA is a highly price competitive retailer meeting food retail provision on south side of Norwich. Proposed food store away from centre may reduce attractiveness of district centre to food store shoppers and could result in smaller retail units on district centre being less attractive and unviable for other retailers seeking to locate in the centre and who benefit from footfall from ASDA. Application has failed to demonstrate that impact will not be severely adverse.</p>	esp 28, 34 - 42
<p>Secure covered cycle parking and secure motorcycle parking should be provided close to the store entrance.</p>	Paras 50, 54
<p>Welcomes idea of Aldi in this part of Norwich. The store is different to other supermarkets. Situated close to affordable housing areas it will serve the area well. Aldi provide good value for money food and good quality vegetables. Support Aldi who have created competition in the food retail market. Local community will benefit from its presence. Big supermarkets have monopolised the market. Competition with ASDA is not a bad thing and there is room for both. Good to have both an Aldi and an ASDA giving the local community more shopping choice. Will benefit pensioners and families. Requests to listen to the local community.</p>	Noted
<p>Other low cost supermarkets are at some distance and through heavy traffic. Difficult to get to by bus across the City. Should help reduce some traffic going across the City to other stores.</p>	Noted
<p>There are good transport links around the area. Good for the local community who do not have cars/transport or who would prefer to walk to a shop. Helps reduce carbon footprint from travelling across Norwich to shop. Siting of the store should help other</p>	Noted



Issues raised	Response
retailers from increased footfall. Closer proximity of store will help increase number of times store is visited.	
Current site is not being used to its full potential. Plenty of unused space on site. There is local interest in using the new store.	Noted
Need more businesses this side of Norwich. Development will provide more jobs to the area. Will help regenerate the area.	

10. Norwich Society: query the car parking ratio as no clarification of numbers and the relationship to City Council requirements.

## Consultation responses

11. 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, Conservation and Landscape Manager

12. Is considering the brief for the Lakenham Way pedal-way project and has identified the importance of a connection being created from Lakenham Way to the retail park. Without this connection people living to the east of the retail park have difficulty reaching it on foot and bicycle. A connection from Lakenham Way opposite the entrance to the Edith Cavell Academy would provide a very important new connection to the supermarket and surrounding businesses. It would help avoid unnecessary vehicular traffic generation. It would also have the collateral benefit of providing a link to the business park. There is a ground level difference but it is not extreme and it appears possible to overcome it. Some vegetation clearance would be required. The service route would need a contraflow cycle lane and cars would not be able to park in the informal and unnecessary way that they currently do. HGV and cycles will then be able to pass. We will need to ensure that the interface between the developer's access obligations and the Council-led project are carefully managed.

### Environmental protection

13. The site appears on our prioritisation list for potential contamination, and therefore a site investigation will be required. This may take the form of a phase 1 in the first instance. It is likely that we would condition any approval accordingly. The acoustic report correctly identifies the issues on this site. Suggested that the items identified at 4.6 Plant noise, 6.3 loading bay noise and 6.18 delivery noise are restricted by condition to meet the recommendations of the acoustic report. This would allow deliveries 24 hours a day but reversing alarms should be turned off between 23:00 and 07:00. Although it is not a necessity, the installation of an acoustic fence above the retaining wall to the northern boundary would reduce further the likelihood of noise complaints from residents of Barrett Street where we have existing noise complaints about the current deliveries to Pets at Home.



## Highways (local)

14. Comment from highways officer about delivery of Lakenham Way link and contact between a consulting engineer/Pedalways officer to see this through to completion on site. A technical proposal will be needed including detailed design drawings and specifications (including drainage, stats, street lighting, any retaining walls, Highways, etc). Also, potentially for costings, a detailed estimate and Bill of Quants/Items will identify funds for the works.
15. Comment from transport officer - no objection on highway / transportation grounds subject to securing requirements of advance direction sign for northbound Hall Road traffic (use roundabout); kerb detail to modify site access to deter right turning traffic; direct link from retail park to Lakenham Way with suitable Civils work, lighting scheme, surfacing, drainage; bus measures (subject to Clear Channel contract with Norwich city council) including relocation and provision of bus stop and shelter with associated footway links; and planning process for delivery of cycle link. Also suggested possibility of improved shared use path (if required by Planning) (north of Barrett Road from toucan to Lakenham Way).

## Highways (strategic)

16. No objections in principle. Confirm traffic impact of development will be minimal and suggest additional works to prevent right turn from Hall Road into site and to provide additional cycle links to Lakenham Way. Notes other improvements to bus stops to be secured by condition and suggests conditions in relation to construction management, highway works, site linkages and travel plan.

## Landscape

17. No objections in principle. However; concerned about loss of trees on boundary edge of the site being undertaken to open up views of the new store, suggests planting proposals are revised to include additional tree planting.

## Tree protection officer

18. No objections to the proposed tree loss as part of the proposed development. Does have some concern about the limited tree replacement proposed and would suggest tree planting proposals are revised to include tree plant within the new parking bays similar to that throughout the remaining car parking for the store.

## Assessment of planning considerations

### Relevant development plan policies

19. **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
  - JCS5 The economy
  - 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
- JCS19 The hierarchy of centres
- JCS20 Implementation

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM11 Protecting against environmental hazards
- DM18 Promoting and supporting centres
- DM20 Protecting and supporting city centre shopping
- DM21 Protecting and supporting district and local centres
- DM25 Retail warehousing
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM33 Planning obligations and development viability

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

- R3 Hall Road District Centre

**Other material considerations**

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

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment

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

- Trees, development and landscape Consultation draft

**Case Assessment**

- 24.** 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**

25. Key policies and NPPF paragraphs – JCS6, JCS9, JCS12, JCS19, DM18, DM28, DM30, SA R3, NPPF main paragraphs 17, 23 to 27, 39
26. The key considerations for the proposed development are the principle of retail in this location and also the impacts of the development in the context of the area.
27. National Planning Policy Framework (NPPF) does seek to promote competition amongst retailers and promote economic growth, but expects growth to be directed to sustainable and accessible locations, with retail proposals being proportionate and of an appropriate scale to the centre. Accordingly, any proposed development for a main town centre use needs to be subject to a sequential test if it is not in an existing centre and not in accordance with an up-to-date Local Plan (NPPF paragraph 24). Stores should be directed to town centres and edge-of-centre sites before out-of-centre areas are considered, and all sites should be shown to be accessible and well connected to the centre / town centre.
28. An impact assessment is required by the NPPF (paragraph 26) to look at the impact of a proposal on existing, committed and planned investment in a centre(s) in the catchment area of the proposal, and impacts on the town centre, considering the impact over a period of time. LPAs are expected to refuse an application where a proposal would have a 'significant adverse impact' on either or both district/local centres and/or the town centre (NPPF para 27). With regard to impact assessment, DM Plan policy DM18 sets a threshold for requiring impact assessments of 1,000sqm gross floorspace, which for reference is lower than the NPPF's threshold of 2,500sq.m. floorspace but reflects the strong retail position of the city centre and the generally smaller nature of district centres.
29. The Joint Core Strategy (JCS) Policy 19 expects retail development to be directed to defined centres, and the scale of development to be proportionate or appropriate to the 'form and functions' of the centre's position in the retail hierarchy. The Hall Road district centre is in the third tier of centres in Greater Norwich, on a par with the level of services expected to serve the likes of large villages and centres in the Norwich urban area which already contain their own large convenience foodstores. The policy expects such districts centres to meet the daily needs of their local resident populations, and as areas considered for additional improvements as shopping destinations.
30. JCS Policy 12 also promotes regeneration and neighbourhood-based renewal of tired suburbs, and requires development to improve townscape and retain the best of local character, particularly on major routes from the urban edge to the city centre, to promote local jobs, improve local services, and protect and enhance district centres.
31. Looking at other sequentially preferable sites it appears that there are no sites within defined centres that are available for this retail development. The area to the south of Sandy Lane has been promoted as a district centre under policy R3 of the Site Allocations Plan. The related permission for the ASDA anchor store and



associated commercial, retail and community buildings has been implemented to bring the long awaited centre into being and the ASDA store has recently opened. The proposal is therefore being promoted by the applicant as an edge of centre location.

32. With the recently implemented ASDA works and proposed works under this application, the application ensures there are good pedestrian and cycle links from the nearby residential and other centres to the site and from district centre to this site. Therefore, the site would provide a more sustainable location for food shopping in the south of the city and an improvement to the community of Lakenham and Tuckswood compared with existing superstores at Ipswich Road (Tesco) and those with similar long travel distances at Eaton (Waitrose) and Brazengate (Sainsburys) and those further afield in the Norwich area.
33. The relationship of the Hall Road retail park to the Hall Road District Centre is discussed in the report on the DMP in relation to Policy DM25 – Use and removal of restrictive conditions on retail warehousing and other retail premises. Para 123 of the Inspectors report on the DM Plan noted that the Hall Road retail park and the Sweet Briar retail park are not identified in JCS Policy 19 as centres in the retail hierarchy. It is considered that this is justified given their function and location. It was noted that main Modification DM-MM33, however, will allow account to be taken of the accessibility and relationship to defined centres of such sites when proposals are assessed under the terms of Policy DM25. Furthermore the Inspector considered it reasonable to make it clear that once the Hall Road District Centre is implemented that the Hall Road retail park would be an edge of centre location.
34. Given that the general location of the site is acceptable, and the scheme can demonstrate appropriate accessibility enhancements, this edge of centre site is considered to be a suitable location for the proposed retail store, meaning the scale of the retail floorspace should be considered in terms of its impact on and the contribution it can make to the adjoining district centre, as well as its impact on existing defined centres in the local vicinity (i.e. within the same reasonable catchment area as the proposed store).
35. In this case the impact assessment would need to be focused on the impact of the development on the vitality and viability of existing centres in the catchment or along similar transport corridors, and in this case that is considered to primarily comprise the Hall Road district centre and three smaller local centres further to the east (Long John Hill), north (St Johns Close) and west (Tuckswood centre).
36. With the submitted documents the store is also explained as providing convenience sales floor area of 1003m<sup>2</sup> together with that agreed for ASDA in 2014 at 2044m<sup>2</sup> as largely within the limits of planned projections and earlier agreed permissions of 3,967m<sup>2</sup>.
37. The ASDA store is controlled by condition to limit floorspace (excluding café facilities) to 3406m<sup>2</sup> nett with maximum 40% as comparison goods. The store has also been established with click and collect and petrol station facilities. The submitted documents and impact assessment describes the Aldi operation as being as a “Limited Assortment Discounter” (LAD) or ‘deep discount’ operator. Such stores are generally described as having a high proportion of sales relative to storage areas and sell a limited range of primarily convenience goods. Aldi suggests that they offer competitive prices whilst keeping a reasonable quality of



goods. Operations would also include a limited range of non-food items which typically occupy about 20% of the sales area primarily as one off specials but would mainly operate as a LAD foodstore.

38. It is noted that the impact assessment suggests that there will be some competition with ASDA. Being a LAD operator the sales density that Aldi achieves is likely to be below that achieved by the 'main' grocers and other retailers so that the potential for harmful impact from LAD's is lower than from other retailers, assuming the same amount of floorspace. The operation of ASDA will also likely be different to the proposed Aldi in terms of its wider retail offer. When considered against the other retailers such as ASDA these are considered large enough and diverse enough to experience limited impact from trade diversion.
39. Other than the ASDA/district centre the closest retail facilities within local centres have been considered to be an appropriate size and scale to provide for some daily needs of residents of a very local catchment, but do not generally have the range or extent of goods needed to serve large catchments or attract people from further afield. Consequently, the impact of the proposed store on these sites should be minimal as the role of the proposed store is likely to be different to that of the existing small facilities.
40. Nevertheless, to ensure that there is no impact on other outlets or centres in relation to comparison goods, it is recommended any permission uses a planning condition to ensure that the split of sales floorspace is required to remain at 80% convenience to 20% comparison goods.
41. It is noted that the proposed store is at a "vacant" edge of an existing bulky goods retail park. However; any change in the nature of other uses on this site would remain to be controlled through policy DM 25 and that in essence the remaining area would remain as a bulky goods retail "destination". Of some benefit could be the occurrence of linked trips to bulky goods outlets at the retail park which in turn would help reduce some of the travel impacts from the proposed and existing use of the site.
42. Tuckswood and Lakenham areas represent substantial residential areas around the site location and the proposed store will fill a role by serving the day-to-day needs of these areas. The proposed development could help enhance the vitality and viability of the new district centre by providing another retail destination for people to visit and from comments received should to a degree create linked trips with the new district centre and retail park. Being predominantly a foodstore the proposal is considered on balance to be an appropriate scale of development unlikely to create severely adverse impacts and be complementary to the district centre's position in the hierarchy of district and local centres within Norwich and the surrounding suburbs to the south side of Norwich.
43. The development is subject to assessment against the other policy and material considerations detailed in the tables below. The issues of access, parking, cycle storage and servicing, design and layout of development, residential amenity, the natural environment, trees and biodiversity, water conservation, energy efficiency, land contamination and fulfilment of further obligations to enhance site connectivity are considered below and overall the conclusion is that in principle the scheme is acceptable subject to suitable conditions.



## **Main issue 2: Transport**

44. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, DM33, NPPF paragraphs 17 and 39.
45. The Aldi store is proposed to be sited within the Hall Road retail park, which is located directly adjacent to the outer ring road. The extant site access and egress provision is adequate for likely vehicular demand, and the development benefits from recently completed highway work by ASDA that includes a new toucan crossing on Barrett Road and shared use cycle paths on Hall Road. The modification of the existing site access path to 3 metres is welcome as this will promote shared pedestrian/cycle use.
46. Although the site is not within a District Centre as defined in the Norwich Local Plan, the site is near to the recently development Hall Road District Centre as anchored by the ASDA superstore. The site also benefits from good provision of frequent bus services along Hall Road to and from the city centre.
47. The Strategic Highway Authority and Council transport officer have confirmed that they agree with the conclusion of the Transport Statement that the traffic impact of this development for a foodstore to be built on an existing underused car parking area within the Hall Road Retail Park will be minimal on the Norwich Outer Ring Road (Lakenham Road and Barrett Road) and on Hall Road.
48. A traffic concern has been highlighted over the potential for shoppers to try to undertake a right turn into the retail park entrance rather than U-turn round the roundabout and turn left into the retail park and suggest that consideration should be given to putting in a narrow median island to prevent this potential manoeuvre or some other minor alterations to the existing left in only access.
49. To reduce the risk of vehicles on Hall Road turning right into the retail park it is recommended that the kerb detail of the retail park entrance is modified to deter the temptation to turn right. An advance directional sign for drivers on Hall Road to use the roundabout will also promote correct driving behaviour and these details are suggested as being secured by condition.
50. Due to the walking/cycling improvement works being carried out to facilitate the ASDA development on Hall Road this site is well located for these modes of transport. Adequate cycle parking is proposed for the foodstore beneath the canopy close to the store entrance. Previous applications to alter the retail park have looked to provide a footway/cycleway link onto Lakenham Way. However these applications have not led to this development and so the link has not been created. The Strategic Highway Authority has therefore requested that this application should provide that link to further improve local connectivity.
51. The site is directly adjacent to Lakenham Way which is due to benefit from improvements arising from Pedalway cycle funding from the Department for Transport. Therefore it is positive that following further discussion the applicant has now agreed to requests for a new pedestrian/cycle link from the retail park to Lakenham Way. Improved links on the north side of the ring road are highly desirable to link to the new toucan crossing, but are of lower priority if the direct link to Lakenham Way can be established. The applicant has indicated acceptance of a Grampian condition on this point and negotiations can continue to refine/provide



this proposal prior to the opening of any approved store. Once constructed, Highway Authority to seek the adoption of the cycle link over Railpath Ltd land for future maintenance of link and lighting.

52. The site is also well served by the current bus service and it is noted that some improvements to bus stops are proposed. The pedestrian site entrance onto Hall Road has been relocated further south to encourage pedestrians to cross Hall Road away from the roundabout, and ideally to use the extant pedestrian refuge. The relocation of the outbound bus stop/shelter southwards is also welcome as this will reduce the risk of pedestrians crossing three lanes of traffic near the site entrance. Relocation and provision of bus stop and shelter with associated footway links can be secured by condition. The application is supported by a Draft Travel Plan and an appropriate condition is suggested to secure a Travel Plan for the operation of the store.
53. Following objection to the scheme the County have further confirmed that the site is in a sustainable location and on a current retail park which is underutilised and agrees with local transport comments by officers. The transport officer has also confirmed that in terms of transport assessment or requirement for a transport statement that the Local Plan is guidance, and that we can exercise discretion for any development we appraise. The site is not green field; it is in an established retail park with adequate access to and from the highway network. Its proximity to the Hall Road district centre would inevitably lead to pass by and linked trips. Officers have confirmed that they are not unduly concerned by the additional traffic from Aldi as the extant retail park and its car park operates significantly under capacity at all times. The willingness of the applicant to provide the link to Lakenham Way is commendable, and will deliver together with other improvements the sustainable travel requirements we require for the scheme.
54. In transport terms, subject to resolution of site access detail and cycle link provision, there is no objection to the retail development proposed in this location. The proposed development is suitable in transportation terms for its location with regard to its amount, layout, and use. Bin and cycle storage can be provided in suitable and accessible locations and car parking provision and motorcycle parking is proportionate to the scale of development on this site. Further details of these items are suggested as being required by condition.

### **Main issue 3: Amenity**

55. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
56. Given that the service area for this and existing buildings is now focussed to the north of the site the agent has been made aware that they would likely need to provide further noise assessment of activities and site management, given the recent issues with residents close to McDonalds to the north, to inform whether any noise protection or other measures would be necessary to help protect amenities of local residents within the area.
57. The pollution control officer has reviewed the submitted information which identifies the issues on this site and later requests for earlier than normal deliveries to the store. Confirmation has been given that the items identified at 4.6 plant noise, 6.3 loading bay noise and 6.18 delivery noise should be restricted by condition to meet the recommendations of the acoustic report. This would allow deliveries 24 hours a



day but it is still suggested that reversing alarms should be turned off between 23:00 and 07:00.

58. Although not a necessity it has also been suggested that the installation of an acoustic fence above the retaining wall to the northern boundary would reduce further the likelihood of noise complaints from residents of Barrett Street where we have existing noise complaints about the current deliveries to Pets at Home. Given that noise disturbance could be adequately controlled through adherence to the recommendations of the acoustic report it would not be reasonable to seek this provision as part of the current application but an informative is suggested in order to bring this issue to the attention of the applicant.
59. The proposed store closes off the open side of the car park from Barrett Road. This road is well lit and part of the outer ring road carrying a high volume of traffic throughout the day. It is not considered that there would be any significantly detrimental impacts in terms of other amenity impacts e.g. car park area lighting. However; a condition is suggested requiring details of any lights to be added to the store or service area to ensure that these in particular do not cause adverse impacts within the area.
60. It is considered, subject to conditions, that the proposals would offer a reasonable standard of design and operation with no significant impact on the amenity of nearby residents.

#### **Main issue 4: Design**

61. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
62. The area is extremely mixed in terms of scale of buildings. The site itself contains warehouse scale buildings clad in reasonably plain materials reflective of the retail nature of the site. The proposals are for a single storey modern building on the corner of the site with key focal design points to the entrance area and building corner closest to the adjacent roundabout. Stepping down from the height of existing buildings helps limit the impact of the building in this location where adjacent ground levels start to come closer to the lower level of the car park. The stepping should also integrate well with the taller adjacent buildings.
63. A contemporary approach has been taken to the elevation design; this is considered acceptable in this part of the City which is mixed in character. It is also consistent with the position of the building within the area facing onto the adjacent road junction and creates an interesting corner feature as you approach the site. The proposed layout of retail entrances would provide an active frontage to encourage movement through the area for those on foot or cycling. The overall design is considered to be acceptable, subject to further details of materials.

#### **Main issue 5: Trees and Landscaping**

64. Key policies and NPPF paragraphs – JCS1, JCS2, DM3, DM6, DM7, NPPF paragraphs 109 and 118.
65. There are a number of existing trees on site which vary greatly in quality and include two young B class trees one of which is subject to removal as part of the proposal and a B class group to be retained. A number of trees are being removed



and the tree officer has confirmed that these proposed works are acceptable. The retained trees are mostly around the edge of the site within protected beds and root protection areas are unlikely to be affected by the development. The submitted AIA indicates areas to be protected during construction and this should ensure adequate protection of the trees and control of works.

66. The tree officer and landscape officer have queried the initial low number of tree replacements proposed and likely adverse effect this could have on the visual amenity of the area. Earlier discussions highlighted the importance of visibility of the building on the corner and to maintain a view to announce a building presence given that the vehicle access into the site is further to the south. Discussions have taken place and a view taken that given the number of trees being removed an appropriate level of tree replacement should be provided on site.
67. In terms of landscaping, replacement tree planting/boundary planting and surface treatments will be important to the front facing elements of the development and site to define this space and setting of the building. Landscaping details should be conditioned to ensure a suitable townscape for the area and biomass replacement.

### **Compliance with other relevant development plan policies**

68. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

### **Other matters**

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

### **Contamination**

70. Key policies and NPPF paragraphs – DM11, NPPF paragraphs 120-122.