

Planning applications committee

Date: Thursday, 13 January 2022

Time: 10:45

Venue: Council Chamber, City Hall

Members of the public, agents and applicants, ward councillors and other interested parties must notify the committee officer if they wish to attend this meeting by 10:00 on the day before the committee meeting, please. Numbers are restricted due to social distancing arrangements. The meeting will be live streamed on the council's YouTube channel.

Committee members:

Councillors:

Driver (chair)
Button (vice chair)
Bogelein
Champion
Everett
Giles
Grahame
Lubbock
Maxwell
Peek
Sands (M)
Stutely
Thomas (Va)

For further information please contact:

Committee officer: Jackie Rodger
t: (01603) 989547
e: jackierodger@norwich.gov.uk

Democratic services
City Hall
Norwich
NR2 1NH

www.norwich.gov.uk

Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

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

Agenda

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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 - 18

To approve the accuracy of the minutes of the meeting held on 9 December 2021

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 10:45;
- 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.

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Date of publication: **Tuesday, 04 January 2022**

Planning applications committee**10:00 to 12:50****9 December 2021**

Present: Councillors Driver (chair), Button (vice chair), Ackroyd (substitute for Councillor Lubbock), Bogelein, Champion, Giles, Grahame, Maxwell, Peek, Sands (M), Stutely and Thomas

Apologies: Councillors Everett and Lubbock

1. Declarations of interests

There were no declarations of interest.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 11 November 2021.

3. Application no 21/00821/F, Surface Car Park Rose Lane

(This item had been deferred from the previous meeting of the committee.)

The senior planner (case officer) presented the report with the aid of plans and slides. The environmental protection officer who had advised on the application was present to take questions from members. The report and plans had been revised to move the outside smoking shelter. Members were also referred to the supplementary report of updates to reports (circulated at the meeting and available on the council's website with the papers for this meeting) which contained summaries of seven objections and one letter of support received as part of the further consultation, comments received and summarised in the updates report to the committee on 11 November 2021, and two additional conditions that were recommended to restrict the sale of takeaway food and drink from the site and trade deliveries or collections, including trade or clinical waste, outside the hours of 07:30 to 18:00 on any day. The further representations had been considered when assessing the application, however, the officer recommendation remained unchanged and was to approve this application.

The committee was addressed by an acoustic consultant (representing the owner and residents of Coniston Court, two residents and Councillors Haynes and Price, local members for Thorpe Hamlet, as follows:

- The acoustic consultant referred to the reliance of the council on the applicant's management plan and enforcement of conditions to control the noise levels emanating from the premises. This included noise from people entering and leaving the premises, with noise levels classified as moderate or severe by the World Health Organisation, and concern about the practical application of the noise limiter inside the building to the satisfaction of customers and performers.
- Concerns expressed from the residents included: that this was a predominantly residential area with around 2,000 people living in the vicinity; that the proposal was contrary to policy; that it would be detrimental to residential amenity as many residents could not open their windows due to noise from the Roof Top Gardens and Last Bar Standing and that this venue would exacerbate this; that no testing was done whilst these venues were holding events; that the proposed premises would operate for ten years rather than a year; that the area was outside the night-time economy zone and the police concentrated on Prince of Wales Road; and that the council had not included residents in Maidstone Road and Greyfriars Road in its consultation on the application due to an outdated policy.
- Councillor Haynes welcomed the relocation of the smoking area but expressed concern that due to the council's website being down, members of the public did not have full access to the plans during the 7-day consultation period to submit comments. The site was surrounded on three sides by apartments, many people on low income. Noise from the site would be from 11:00 to 23:00 and would have a significant impact on residential amenity with people needing to work or attend school the next day. There was already a high level of anti-social behaviour in the area. This was a council owned site which should be developed for housing and whilst jobs were being provided these would be low paid rather than office jobs.
- Councillor Price expressed concern about the impact of this application on residential amenity from people leaving the premises, taking into consideration that the noise would be exacerbated by bouncing off the walls of the large apartment blocks, with residents already unable to open their windows and experiencing disturbed sleep from adjacent venues; that the planning conditions would be unenforceable and should not be left up to the licensing regulations to control; and suggesting that Open was a suitable alternative venue for performers.

The applicant addressed the committee in support of the application. He said that he considered the views of the first speaker, the acoustic consultant, "baffling", as initial discussions with this firm of sound engineers, as recommended by the council, had been supportive of the application. The applicants had listened to comments and taken residents' views seriously. There would be monthly meetings with residents and the local councillors would be welcome to attend. The company had other attractions around the world, including the South Bank which was in a residential area. The premises would open to 23:00 but it should be noted that the Rooftop Gardens closed at 24:00. The applicants had worked closely with the case officer

and the environmental protection officer and consulted the police licensing team. The use of the proposed premises and patrols by its security guards would act as a deterrent to the antisocial behaviour on the site and support the police and residents. The premises would create 50 new jobs and bring in additional spending into the community. This application would transform the area.

The area development manager referred to the comments from Councillor Haynes and said that the council had received a letter from a solicitor acting on behalf of an objector who was concerned about the consultation process on the revised plans and asking for the application to be withdrawn from consideration at this meeting. The monitoring officer, executive director of development and city services and head of planning and regulatory services had reviewed the letter and believed the committee should consider whether it could determine the application at this meeting or defer to remedy any deficiencies in the consultation. The statutory consultation was governed by regulations and as set out in the Development Management Procedural Order. The council consults directly with all properties and occupants within 10 metres of the “redline” of an application site as agreed by the committee and set out in the council’s constitution. There had been two 21-day consultations on this application: the first the initial consultation and the second when outside activities had been removed from the application. Following the previous committee, the applicant had amended the plans to move the location of the smoking area, and a further 7-day consultation had been conducted from 29 November to 6 December 2021 on the revised plans. During this period the council’s website was unable to take comments but this was rectified on 30 November. Seven letters of objection and one letter of support were received following this consultation (as set out in the supplementary report).

The chair moved and the vice chair seconded that the committee agreed that that the procedures had been followed correctly and to proceed to consider the application, and with 11 members voting in favour and 1 member abstaining from voting (Councillor Grahame) it was:

RESOLVED to proceed with consideration of the application.

The senior planner responded to issues raised during the speeches. He explained that the deliveries to the site would be restricted by the additional condition and that there would be no deliveries of food or drink from the site. The building was expected to be fully soundproof. The extent of the consultation was not out of date and in accordance with the council’s policy. The police had not objected to this application and had discussed concerns with the applicant about the antisocial behaviour in the area and the applicant has agreed to monitor the outside areas. The conditions attached to this planning application had been considered carefully and discussed with the environmental protection officer and were enforceable.

The public protection consultant commented that people leaving the venue was the greatest area of concern. Modelling was based on the worse case scenario. Environmental protection asked all venues to have a noise management plan. In this case security and waiting staff would usher people out to reduce noise as much as possible. The applicant had provided additional information about the soundproofing of the building. The lobby would stop sound spilling out. He explained how the noise limiter would work on a traffic light system to warn the performer that levels were exceeding the defined frequency and would trip out at a certain limit. The conditions

of this application were powerful and enforceable and made a significant impact to mitigate any concerns about noise from this venue. There was no significant impact to residential amenity.

During discussion, the senior planner, environmental protection officer and the area development manager, referred to the report/presentation and answered members' questions. Members were advised that the noise management plan would include ushering people into and out of the site and advising them to leave quietly; that the smoking area had been relocated further away from residential properties and that no drinks were allowed outside; and that the music or entertainment ceased at 10.00 pm, no alcohol was sold after 10.30 pm and the venue closed at 11.00 pm, to allow people to disperse and leave the venue gradually in an orderly fashion. Members were also advised that turning off the music earlier helped the customer's hearing to adjust making them less likely to shout and talk loudly when they left the premises.

In reply to a member's question, members were advised that there had been no objections to this proposal on the grounds of highway safety from Norfolk County Council transport planners. The site was easily accessible by bus and train, within walking distance of several taxi ranks and there was a layby on Rose Lane. The applicant would need to provide details of the fence as a condition of planning consent. Members also sought confirmation that application was for a temporary 12-month period and a further planning application would be required if the applicant wanted to extend it. It was recommended that no takeaway food or drink was sold from the premises to prevent queues of delivery drivers coming on to the site.

The senior planner confirmed that the application was for 300 seater premises and corrected a member's comment that the capacity was for 1,500. This was an additional control to the licensing regulations which determined the capacity of licensed premises.

The area development manager pointed out the council was the landowner and that the issue of the terms of the lease was not a matter for the planning applications committee.

During further discussion members sought information on the noise management plan and it was confirmed that under the planning application measures to mitigate noise were being undertaken, which included encouraging people to drink up and leave, deployment of security staff and waiting staff and asking people to leave quietly. Rose Lane was adjacent to Prince of Wales Road and the nighttime activity zone, so there was background noise with people leaving other venues. The security staff would patrol the edges of the site which would act as a deterrent for noisy and antisocial behaviour. Members were also advised that there was a service bay on Mountergate and that there was an expectation that bands and performers would load up equipment and leave the venue quietly.

In reply to a member's question about the different conclusions of the noise modelling by the sound engineers, the environmental protection officer commented on the modelling put forward by the owner of Coniston Court and the applicant and explained how he had evaluated them. There was no specific modelling for external noise and therefore the margins of error were taken into consideration to get an accurate assessment. The use of children's voices had been critiqued but these

were of a higher noise frequency. The modelling had not taken into account noise emissions from the Rooftop Gardens and the Last Bar Standing because they did not operate 24 hours a day, 7 days a week. The purpose of the modelling was to assess the average background noise. The Rooftop Gardens held events with music around four times a year. However, if the venue had been assessed whilst one of these events were in progress, it would allow this venue 65dc rather than 50dc and therefore would be disadvantageous. The area development manager said that noise was not linear. He also pointed out that the worst-case scenario was assessed.

The chair moved and the vice chair seconded the recommendations set out in the report and two additional conditions set out in the supplementary report.

Prior to discussion, a member asked a further question about how residents could log complaints about noise with the council. Environmental protection officers would investigate complaints and take noise readings if appropriate. The area development manager confirmed that the environmental protection team would monitor condition 10 (installation of amplified equipment).

Discussion ensued in which members commented on the planning application. Members considered that the application was finely balanced.

Those minded to vote in favour of the application took into consideration that the application was for a 12-month period and that the committee would have the opportunity to review the arrangements if a further planning application was submitted. The conditions attached to the planning consent and the measures to be undertaken by the applicant in the noise management plan addressed concerns raised by residents and could be subject to enforcement if necessary. The smoking area had been relocated. A member suggested additional signage to guide people to and from the venue. Another member referred to the relevant planning policies and said that it would provide employment for young people and brought a hard standing concrete site into use and would not be visible from the conservation area. Another member welcomed the provision of 50 jobs. The applicant had demonstrated that they were prepared to be good neighbours and assist with the community garden.

A member said that whilst 300 people attending the venue would cause less congestion than 1,500, people leaving it would cause a bottleneck near to residential properties. Whilst the application was finely balanced, and the independent noise assessment and that of the applicant did not agree, a pragmatic view was that there would be noise issues from this venue.

Councillor Grahame, Thorpe Hamlet ward councillor, said that a lot of weight had been given to the temporary nature of this planning application but there was concern that residents might have to live with this overbearing premises on their doorstep for the next decade. It was a residential area and not part of the night time economy zone and would impact on residents from the noise late at night. It was a good project but in the wrong location.

Councillor Ackroyd asked whether the 300-seater capacity for the building could be conditioned and with all members in agreement, the chair accepted it into the motion to approve the application, seconded by the vice chair.

RESOLVED with 9 members voting in favour (Councillors Driver, Button, Peek, Giles, Ackroyd, Sands, Maxwell, Stutely and Thomas) and 3 members voting against (Councillors Bogelein, Grahame and Champion) to approve application, 21/00821/F Surface car park, Rose Lane and grant temporary planning permission subject to the following conditions (set out in full, together with the reasons):

1. The development hereby permitted shall be begun before the expiration of 1 year from the date of this permission.

(Reason - As required to be imposed by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. A shorter period of one year is imposed due to the site being allocated for mixed use development within the Local Plan and because the application proposal is for a short-term interim use.)

2. Following 1 year of the first use of the development hereby permitted as a leisure/entertainment venue this permission shall expire and the use shall cease. All buildings and structures associated with the use shall be removed from the site within 2 months of the use ceasing.

(Reason -The site is allocated for mixed use development within the Norwich Local Plan (and emerging Greater Norwich Local Plan) and therefore a temporary permission is appropriate so as not to impede the long term delivery of the site allocation. A temporary permission will also provide the opportunity to review the impacts of the proposal once the development is operational. In accordance with policy CC4 of the Norwich Local Plan Site Allocations document (2014).)

3. The development hereby approved shall be carried out in accordance with the application forms, plans, drawings and details as specified below:
(Plans list to be added prior to determination).

(Reason - For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans.)

4. With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works, no development shall take place in pursuance of this permission until details of the boundary treatments to be used within the development (to include the boundary treatments' location, height, materials and colour) have been submitted to and approved in writing by the local planning authority. No use of the development hereby approved shall take place until the approved boundary treatments been erected and, following completion, the boundary treatment shall be retained as such thereafter.

(Reason - To ensure a satisfactory appearance for the development and to safeguard residential amenities, in accordance with section 12 of the NPPF, policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014, and policies DM2 and DM3 of the Development Management Policies Local Plan 2014.)

5. The premises which form the subject of this permission shall not be open to the public, trading, or have members of the public, as customers or guests, on

the premises other than between the hours of 12.00 and 22.30 on Sunday, Monday, Tuesday and Wednesday and between the hours of 12.00 and 23.00 on Thursday, Friday and Saturday.

(Reason - To safeguard the amenity of the surrounding area, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

6. No leisure/entertainment activities shall take place outside of the building hereby permitted.

(Reason -To safeguard the amenity of the surrounding area, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

7. The venue shall be managed in accordance with the management statement dated 22 November 2021.

(Reason - To encourage staggered departure times and to safeguard the amenity of the surrounding area, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

8. No use of any plant and/or machinery shall take place on the premises unless and until it has been enclosed with sound insulating/absorbing material and mounted in such a way which will minimise transmission of structure borne sound and will ensure that noise levels emanating from the application premises shall not exceed 45dB at 63Hz C.B.F., 40dB at 125Hz C.B.F. and NR30 over the frequency range from 250Hz to 8KHz as measured at a position 1 metre outside any noise sensitive premises and shall not exceed 37 dB AT 63Hz C.B.F., 30dB at 125Hz C.B.F and NR20 over the frequency range from 250Hz to 8KHz as measured inside any adjoining noise sensitive premises, in accordance with a scheme to be first approved in writing by the local planning authority and once enclosed, it shall be retained as such thereafter.

(Reason - To ensure adequate protection between different uses takes place to avoid unacceptable noise and disturbance in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

9. No loudspeaker, amplifier, relay or other audio equipment shall be installed or used outside the building the subject of this permission.

(Reason - To ensure adequate protection between different uses takes place to avoid unacceptable noise and disturbance in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

10. No installation of any amplified sound equipment shall take place within the application premises until details of the amplification equipment have been submitted to and agreed in writing by the local planning authority.

The amplification system shall be designed to limit the level of noise emanating from the premises, such that the noise levels from the application

premises shall not exceed 45dB at 63Hz C.B.F., 40dB at 125Hz C.B.F. and NR30 over the frequency range from 250Hz to 8KHz as measured at a position 1 metre outside any noise sensitive premises and shall not exceed 37 dB AT 63Hz C.B.F., 30dB at 125Hz C.B.F and NR20 over the frequency range from 250Hz to 8KHz as measured inside any adjoining noise sensitive premises. Where further internal sound proofing is required to meet these levels, full details of the proposed sound proofing shall be submitted with the amplification equipment details and shall include details of its specification, location and fixing.

The submitted details shall include:

- (a) specification for all amplification equipment and speakers;
- (b) the location of all proposed speakers;
- (c) the maximum noise levels expressed in dB LAeq (5 mins), measured at a point 2 metres from any loudspeaker forming part of the amplification system; and
- (d) measures to be put in place to ensure that the amplification system cannot be adjusted beyond the maximum permitted noise levels agreed in (c) above.

No use of the premises as a leisure/entertainment venue shall take place until the amplification system and any sound proofing measures as agreed have been installed and thereafter the agreed permitted maximum noise levels shall not be exceeded at any time.

No amplified music shall be played in the premises the subject of this permission other than through the permanently installed amplification system as agreed under this condition and no alteration of this system shall take place without the prior written agreement of the local planning authority.

(Reason - To ensure adequate protection between different uses takes place to avoid unacceptable noise and disturbance in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

11. No use of the premises as a leisure/entertainment venue shall take place until a mechanical ventilation system has been installed in full accordance with a scheme to be first submitted to and agreed in writing with the local planning authority and, once installed, shall be retained as such thereafter. The scheme shall include details of all proposed attenuation measures to the extract system and details of the inlet and extract ducts including their location and elevations of any external grills or flues in the context of the wider building to a scale of at least 1:100.

(Reason - To ensure adequate protection between different uses takes place to avoid unacceptable noise and odour nuisance in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

12. No use of the premises as a leisure/entertainment venue shall take place until the new inner door lobbies, as shown on the approved plans and fitted with

automatic closers, have been provided and once provided, this shall be retained thereafter. The automatic closers for the lobby door shall be operational whenever the premises are open to the public, trading, or has members of the public, as customers or guests, on the premises and the lobby door shall not be left open at any time except for servicing when the building is not open to the public, trading, or has members of the public, as customers or guests, on the premises or in the case of an emergency.

(Reason - In order to prevent undue noise nuisance to nearby occupiers in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

13. The doors indicated as fire exits on the approved plans shall only be used in an emergency as fire exits or for servicing when the premises are not open to the public, trading, or has members of the public, as customers or guests, on the premises. The doors shall not be used for any other purpose.

(Reason - In order to prevent undue noise nuisance to nearby occupiers in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

14. Prior to the first use of the development as a leisure/entertainment venue, details of the installation of a noise limiter device shall be submitted to the Local Planning Authority for its approval in writing. The noise limiter device shall be installed and operated in accordance with the approved details for the duration of the development.

(Reason - In order to prevent undue noise nuisance to nearby occupiers in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

15. No extract ventilation or fume extraction system shall be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority. The detailed scheme shall include the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment to be installed and used in the premises in pursuance of this permission, together with a schedule of maintenance. The submitted details shall also specify the use of anti-vibration mountings. No use of the premises as hereby permitted shall take place until the approved scheme has been installed and is operational and thereafter it shall be retained in full accordance with the approved details and the maintenance of the system, including any flue, shall be carried out in accordance with the scheme as agreed.

(Reason - To protect the amenities of the area and prevent nuisance from noise and odour in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.)

16. No use of the development hereby approved shall take place until details have been submitted to and agreed in writing by the local planning authority of all external lighting for the site, including any security or other intermittent lighting. Such details shall include specifications for the lighting proposed, its

location and position within the site, height and levels of illumination proposed. The details shall also specify that any external lighting includes cowlings, or other similar device, to ensure that the lighting only illuminates the site directly. The development shall be carried out in accordance with the details as agreed and retained as such thereafter.

(Reason - To ensure that the development minimises light pollution and the potential impact on biodiversity in accordance with sections 12 and 15 of the NPPF, and policies DM2, DM3 and DM6 of the Development Management Policies Local Plan 2014.)

17. No occupation of the development shall take place until details of bicycle parking have been submitted to and approved in writing by the local planning authority. The approved details shall thereafter be installed prior to first occupation of the development and shall be retained and maintained in this condition thereafter for the duration of the development.

(Reason - To ensure satisfactory cycle parking to support sustainable modes of transport, reduce congestion and safeguard air quality, in accordance with policy 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, November 2021 Page 34 of 65 amendments adopted January 2014) and policy DM28, DM29, DM30 and DM31 of the Development Management Policies Local Plan 2014.)

18. No use of the premises as a leisure/entertainment venue shall take place until:

- (a) A Travel Information Plan has been prepared and submitted to and agreed in writing with the local planning authority. The Travel Information Plan shall:
 - (i) make provision for travel information to be publicised to staff and visitors to the site; and
 - (ii) specify the different methods to be used for publicity and the frequency of review;
- (b) The travel information has been made available in accordance with the Plan as agreed and, once made available, shall be maintained thereafter in accordance with the agreed review details.

This information shall include details of the public transport routes and services available within 800 metres walking distance of the site, cycle parking provision and facilities for cyclists on site and any other measures which would support and encourage access to the site by means other than the private car.

(Reason - To ensure that the development supports sustainable modes of transport and to reduce the impact of travel and transport on the environment in accordance with policy 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted January 2014) and policy DM28 of the Development Management Policies Local Plan 2014.)

19. No works shall take place within the root protection areas of any tree including any demolition works or the breaking and lifting of existing ground surfaces, unless carried out under the supervision of a suitably qualified arborist.

(Reason - To ensure the satisfactory protection of those trees to be retained on the site and to accord with policy 1 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted January 2014) and policy DM7 of the Development Management Policies Local Plan 2014.)

20. No arboricultural works shall take place to facilitate implementation of the development hereby permitted unless these works are carried out by a suitably qualified arborist in both above and below ground arboriculture and the details of the proposed arboriculturist have first been submitted to and agreed in writing by the local planning authority.

(Reason - To ensure the satisfactory protection of those trees to be retained on the site and to accord with policy 1 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted January 2014) and policy DM7 of the Development Management Policies Local Plan 2014.)

21. Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS). No other operations shall commence on site in connection with the hereby-approved development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the Tree Protection Plan. The approved protective fencing shall be retained in a good and effective condition for the duration of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior written approval of the local planning authority has first been sought and obtained.

(Reason - To ensure the satisfactory protection of those trees to be retained on the site and to accord with policy 1 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted January 2014) and policy DM7 of the Development Management Policies Local Plan 2014.)

22. Prior to the first use of the development as a leisure/entertainment venue details of any anti-terrorist measures shall be submitted to the Local Planning Authority for its approval in writing. The measures shall be implemented in accordance with the approved details and shall be retained for the duration of the development.

(Reason - In the interests of public safety, in accordance with paragraph 97 of the National Planning Policy Framework (2021).)

23. No food or drink is to be sold for consumption outside the premises.

(Reason - Additional condition recommended to restrict the sale of takeaway food and drink from the premises.)

24. No trade deliveries or collections, including trade waste or clinical waste shall take place outside of the hours 07.30 – 18.00 hours on any day.

(Reason – to avoid traffic congestion during peak times and in particular in relation to pick up and drop of times for the Charles Darwin primary school.)

25. The capacity of the building is limited to 300 seated customers.

(Reason – to minimise amenity impacts on neighbouring occupiers).

(The committee adjourned for a short break at 12:00 and reconvened at 12:25, with all members listed as present above in attendance.)

4. Application no 21/00804/O - Clarence House, 6 Clarence Road, Norwich, NR1 1HH

The senior planner (case officer) presented the report with the aid of plans and slides for this application for outline planning consent. He also referred to the supplementary report of updates to reports, which was circulated at the meeting and available on the council's website and summarised a further representation from a resident who considered the revised plans an improvement but remained concerned about disruption from construction noise and the officer response that conditions could be added at the reserved matters stage. Members were advised that there had been only response to the consultation on the revised plans and that the council's arboricultural officer did not object to the proposal.

During discussion the senior planner, together with the area development manager, referred to the report and presentation and answered members' questions. Members were advised that details of the scheme would be subject to approval at the reserved matters stage. Clarence House was not currently in residential use. Members also noted that the flint boundary wall was being damaged by the suckers of a sycamore and a beech (trees T2 and T4 on the plans). There was a danger that the wall would collapse into the public highway. The trees would therefore need to be removed irrespective of the outcome of this planning application. Suitable replacement trees would be planted away from the boundary wall.

The chair moved and the vice chair seconded the recommendations in the report and there being no further discussion, the chair moved the committee to the vote.

RESOLVED, unanimously, to approve application no 21/00821/F - Clarence House 6 Clarence Road, Norwich, NR1 1HH and grant planning permission subject to the following conditions:

1. Standard time limit for reserved matters;
2. In accordance with plans;
3. Water efficiency
4. Details of replacement tree planting
5. Protection of individual dwellings – daytime and nighttime
6. Protection of dwellings fronting a road
7. Provision of cycle parking/bin storage
8. Ecology mitigation and enhancement measures
9. Submission of air quality assessment with reserved matters.

5. Application no 20/01582/L – King Street Stores, King Street

The planning team leader presented the report with the aid of plans and slides and explained that the listed building consent for the demolition of the toilet block attached to the Ferry Boat Inn was being brought back to committee as due to an oversight it had not been determined at the last meeting.

The chair moved and the vice chair seconded the recommendations as set out in the report¹.

RESOLVED, unanimously, to approve application no 20/01582/L and grant listed building consent, subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Demolition method statement to be submitted and agreed;
4. Any damage caused to the building to be repaired within 3 months of the works as agreed with Local Planning Authority;
5. Wall fronting King Street to be retained.

CHAIR

¹ The recommendation in the report has been amended in the resolution for accuracy. The committee has approved the application for listed building consent. It is not subject to a legal agreement, which applied to the main planning application for this site which was refused at the previous meeting and had been included in the report in error.

Summary of planning applications for consideration

ITEM 4

13 January 2022

Agenda item/page nos	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	21/01361/F	Land adjacent 29 Ketts Hill	Maria Hammond	Construction of 7no. dwellings with associated infrastructure works.	Objections	Approve
4(b)	21/01105/F	81 Park Lane	Jacob Revell	Demolition of existing garage and boundary wall. Construction of single storey detached retail/commercial unit (Class E) with associated alterations.	Objections	Approve
4(c)	21/01524/F, 21/01532/A	Telephone Box adjacent to 195 and 197 Plumstead Road	Jacob Revell	Removal of existing BT phone box and installation of a replacement BT street hub & Display of 2No. digital 75" LCD display screens, one on each side of the amended InLink unit.	Objections	Approve
4(d)	21/01606/F, 21/01610/A	BT Kiosk South East of Barn Road Car Park, St Swithins Road	Jacob Revell	Removal of existing BT phone box and installation of a replacement BT street hub & Display of 2No. digital 75" LCD display screens, one on each side of the amended InLink unit.	Objections	Approve
4(e)	21/01530/F, 21/01535/A	Telephone Box outside of 1 Brigg Street	Jacob Revell	Removal of existing BT phone box and installation of a replacement BT street hub & Display of 2No. digital 75" LCD display screens, one on each side of the amended InLink unit.	Objections	Approve

Agenda item/page nos	Applicatio n no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(f)	21/01670/F	29 Robin Hood Road	Sarah Hinchcliffe	Two Storey Front Extension	Member of staff application	Approve

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

13 January 2022

Report of Head of Planning & Regulatory Services

Subject Application no 21/01361/F Construction of 7no. dwellings
with associated infrastructure works on land adjacent
29 Ketts Hill, Norwich

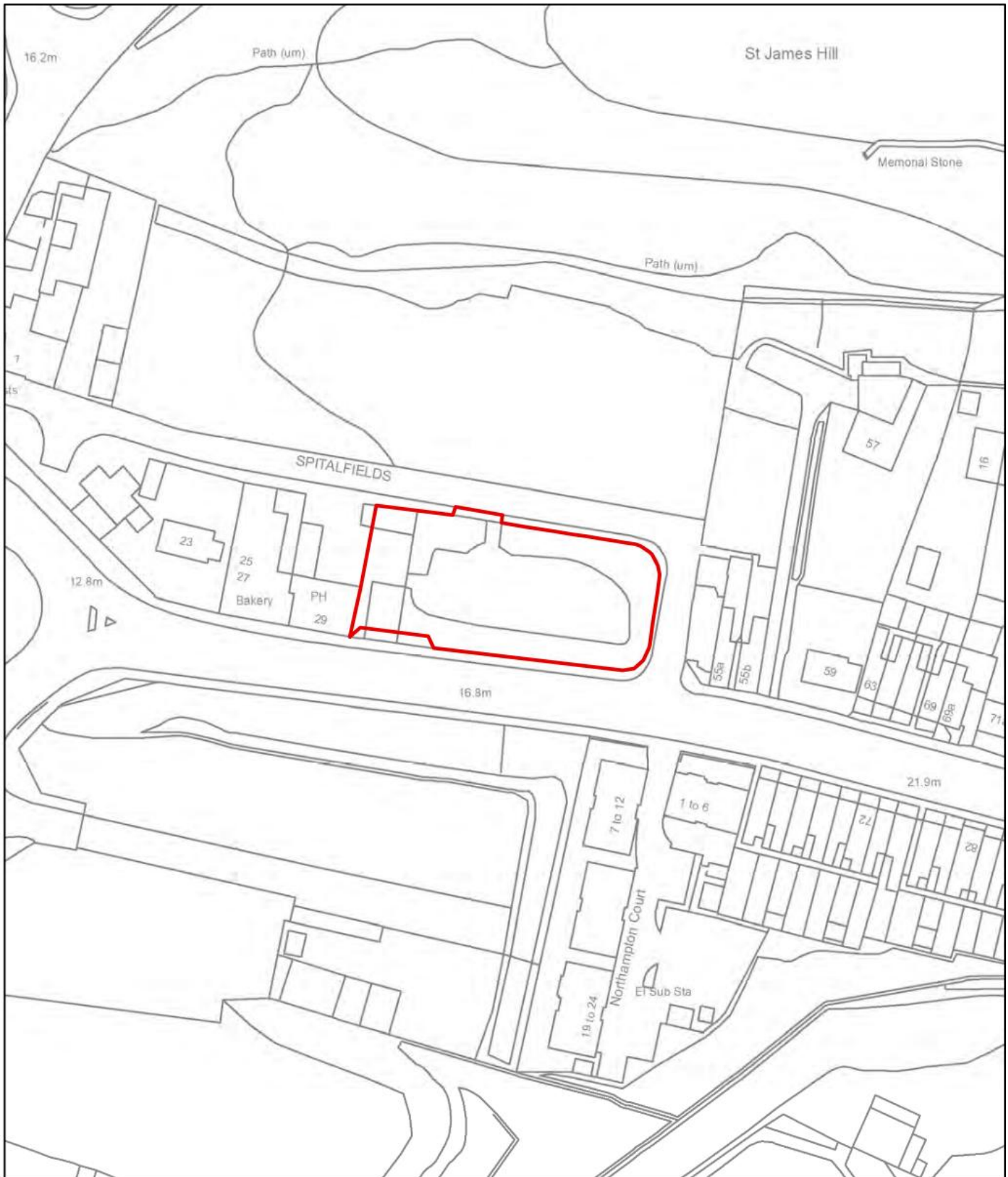
**Reason
for referral** Objections

4a

Ward	Thorpe Hamlet
Case officer	Maria Hammond mariahammond@norwich.gov.uk
Applicant	Broadland Development Services

Development proposal		
Construction of 7no. dwellings with associated infrastructure works		
Representations		
Object	Comment	Support
13	0	0

Main issues	Key considerations
1	Principle – loss of car park and redevelopment for housing
2	Design & heritage
3	Amenity
4	Transport
5	Trees
6	Biodiversity
7	Drainage
Expiry date	19 January 2022
Recommendation	Approve



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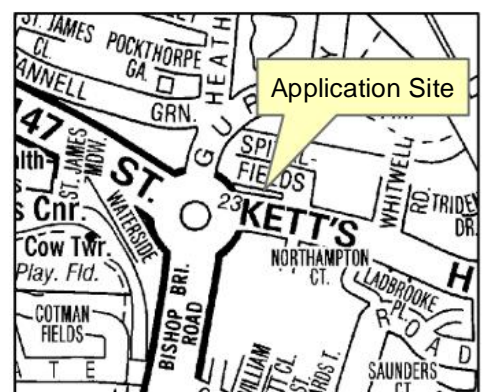
Planning Application No 21/01361/F
 Site Address Land adjacent to 29 Ketts Hill

Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES



The site and surroundings

1. The site is an area of open land on Ketts Hill. It was last used predominantly as a car park, with a small area forming a garden to the adjacent public house. It occupies 0.15 hectares and is bound by Ketts Hill to the south, Spitalfields to the east and north and the public house to the west.
2. Being located towards the bottom of Ketts Hill, the ground slopes up to the east and levels also vary within the site with a tree-lined bank on the Ketts Hill frontage and a dip to the centre. Trees and vegetation also extend around the eastern boundary and most significantly along the northern boundary. The site has become overgrown since it was last in use.
3. West of the site, the Ketts Tavern has extant planning permissions for conversion to residential use and a bakery and hairdressers adjoin this nearer the roundabout. The Castle public house (grade II listed), associated accommodation and a printers are all accessed off Spitalfields. South of the site, across Ketts Hill, is a car sales site and to the east along each side of the road there are terraces of dwellings, predominantly from the late nineteenth/early twentieth century with some larger, more recent blocks too. The closest dwelling to the east extends to the back of the footpath along Spitalfields and has west elevation windows to the ground and first floors facing the site.
4. The site is in a controlled parking zone and there is a stretch of one hour spaces across some of the site frontage and further two hour spaces along Spitalfields at the rear. Permit holder only spaces run along the eastern boundary.
5. Historically the site was occupied by a residential terrace and redeveloped post-war with pre-fabricated single storey dwellings following likely bomb damage.

Constraints

6. In terms of constraints, the site is immediately adjacent to the locally listed buildings of the former Ketts Tavern and Ketts Hill Bakery.
7. To the north across Spitalfields, there is an area of informal amenity space defined as open space in the Local Plan and beyond that Mousehold Heath rises up and is a designated Local Nature Reserve and County Wildlife Site.
8. Across Ketts Hill to the south, the site is allocated for redevelopment for housing and to the southwestern side of the roundabout there is a defined local centre at the edge of the City Centre Conservation Area. The Thorpe Hamlet Conservation Area also lies to the southwest.
9. There are surface water flow paths presenting a risk of flooding on the roads around the site and the site is in proximity to the air quality management area, defined by the ring road.
10. Relevant planning history
11. The records held by the city council show no recent planning history for the site.

The proposal

12. It is proposed to construct a terrace of seven no. one bedroom dwellings within the site.
13. These would be staggered up the slope to the east and landscaped spaces would remain open each side of the terrace. Four off-street parking spaces are proposed off Spitalfields on the northern boundary.
14. Each dwelling would have a front garden space enclosed by a low wall that would incorporate a bin store and each would have a garden space to the rear, supplemented by a communal garden to the west.
15. The open space retained between the terrace and former pub would incorporate a footpath for access between Ketts Hill and Spitalfields. An area at the southwestern corner of the site is excluded from the development to reserve it for potential future highway improvements.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	Seven
No. of affordable dwellings	The applicant's intention is to provide all seven for affordable rent. There is no policy requirement for this.
Total floorspace	406sqm
No. of storeys	Two
Max. dimensions	Footprint: 8.5m by 31m. Ridge heights approximately 8.7 metres above ground level.
Density	46 dwellings per hectare
Appearance	
Materials	Red brick, dark pantiles, grey windows and cladding around openings, black rainwater goods.
Construction	Timber framed construction
Energy and resource efficiency measures	High standard of thermal efficiency, potential for air source heat pumps or solar PV built into proposal
Transport matters	
Vehicular access	Existing vehicular access off Spitalfields, pedestrian access from Ketts Hill and Spitalfields
No of car parking spaces	Four
No of cycle parking spaces	Individual stores in each rear garden
Servicing arrangements	Bin stores in each front garden

Representations

16. Adjacent and neighbouring properties have been notified in writing. There have been two periods of re-consultation on revised plans following consultation on the original submission. In total, letters of representation have been received from 12 individuals and one on behalf of 'a number' of residents 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
Wholly unsuitable for homeless accommodation	See main issue 1 - the proposal must be considered as market housing
Second homeless facility inappropriate to concentrate in one area – street drinking, drug taking, drug dealing, fighting, aggressive behaviour in public areas and around convenience store	See main issues 1 and 3
Unclear use	See main issue 1 - the proposal must be considered as market housing
Housing should be for local people	See main issue 1
Concerns about safety and crime	See main issue 3
Overlooking and loss of privacy	See main issue 3
Loss of light, windows will be obstructed	See main issue 3
Dispute accuracy and representation of neighbouring properties	See main issue 3
Layby along whole terrace would aid traffic flow and compensate for loss of parking from bus lane proposal	Noted. The application must be considered as submitted.
Loss of parking – retention would benefit local businesses and visitors	The site is not currently in use for parking. See main issue 4
Parking is already limited for residents and businesses, this would impact further	See main issue 4
Not enough parking proposed for development	See main issue 4
Additional traffic	See main issue 4
No consultation or transparency	The applicants voluntarily undertook a pre-submission local consultation. The application has been subject to three periods of public consultation.
Loss of trees	See main issue 5
Loss of green space	See main issues 1 and 5
Noise disturbance	See main issue 3
Additional housing will attract rodents	See main issue 3

Consultation responses

17. 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.

Environmental protection

18. The noise impact assessment has highlighted that there be a medium to high risk of noise disturbance at the site and has proposed a series of measures to mitigate noise disturbance. Therefore, I recommend that the measures stated within the Noise Impact Assessment should be conditioned to be implemented.

19. The site investigation report recorded elevated levels of contamination across the site. Sufficient site investigation has been undertaken to confirm that elevated levels of contamination are in existence on site and that remediation is required. The submitted Remediation Method Statement is acceptable.
20. The Construction Management Plan is generally acceptable.

Health and Safety Executive

21. Do not advise against development.

Housing Development

22. The 2021 Local Housing Needs Assessment prepared for the Greater Norwich Local Plan Norwich has identified a high need for affordable housing, in particular one-bedroom accommodation. We therefore welcome the proposal to deliver 7 one-bedroom dwellings which would assist in meeting that need.
23. It is pleasing to see that the proposed units are compliant with Nationally Described Space standards.
24. The development has adequate amenity space within the site, and in addition to this it benefits from being adjacent to the woodland and recreational open space of Mousehold Heath. There is a sufficient level of parking within the site for the development of this sort which is within a reasonable distance of the City Centre.

Highways

25. In principle the highway authority has no objection to the provision of housing on this site. Given that the former use of the site was for car parking, the proposed use with four parking spaces will generate a lesser traffic impact.
26. I note that some objectors are concerned about the loss of this parking space on the site, however it was on private land (owned by Norwich City Council) who at their discretion allowed informal parking for the surrounding area. Motorists did not have a right to park on this land or expect it was to be provided in perpetuity.
27. The Controlled Parking Zone (CPZ) makes provision for residents and businesses within permit bays, and for visitors within limited waiting bays. There is no loss of CPZ parking capacity. For this reason there is no justification for a highway objection.
28. The vehicular access to the on-site parking spaces will require works to lower the kerb and strengthen the footway.
29. Of critical importance to highway safety is maintaining adequate visibility of traffic leaving Spitalfields onto Ketts Hill, and the applicant has demonstrated that a 2.4m x 43m visibility splay is achievable within the highway extent.
30. A privately owned footway between Ketts Hill and Spitalfields is to be provided, this will be useful for residents and for the general public to gain access to the rear of the dwellings and the on-street parking to the rear that offers limited waiting spaces which is useful for visitors.

31. The new dwellings will not be entitled to on-street parking permits, but four parking spaces are provided. A low car scheme is considered acceptable. The surrounding waiting restrictions with the CPZ will also help to manage any off-site parking issues.
32. A separate highway improvement scheme for Ketts Hill for a downhill bus lane and associated waiting restriction amendments on Ketts Hill and Spitalfields is currently under consideration by the highway authority. These proposals would be subject to consultation. Should this scheme come forward, limited waiting parking on Ketts Hill would be removed that are typically used by customers to adjacent businesses. As a consequence it would be expedient to make provision for a new parking bay on land between the former Ketts Hill Tavern and the proposed new dwellings. It is therefore welcome that land allocation for highway improvement purposes has been shown on the layout plan. As the parking bay is not consequent on the development to provide it, a planning condition is not recommended. As part of the improvement scheme a review of waiting restrictions on Ketts Hill and Spitalfields adjacent to the site would be undertaken by the highway authority. Should the Ketts Hill bus lane scheme obtain approval, it is then a civil matter between the applicant and the highway authority to construct the parking bay and associated footway and for that parking bay to be dedicated as highway at the cost of the Highway Authority.
33. Should the bus lane scheme not be implemented, then the parking bay would not be constructed and no changes to waiting restrictions would occur. There would be no detriment to the proposed housing for either scenario should the bus lane scheme be constructed or not.
34. During construction it will be necessary for contractor parking to be managed on-site and wheel washing to be undertaken.

Citywide Services

35. The properties will be on individual alternate weekly collections. It's worth mentioning that even though the bin stores back on to Ketts Hill, they will need to be presented on the pavement for collection.

Norfolk historic environment service

36. Based on the results of a site visit, no further archaeological work will be required and we won't be asking for conditions for archaeological work to be placed the above mentioned application.

Tree protection officer

37. No objections from an arboricultural perspective. Conditions covering arboricultural works to facilitate development, works on site in accordance with AIA/AMS/TPP, and mitigatory replacement planting, should be applied.

Landscape

38. The proposed development is functional but lacks character and well designed spaces for the residents. The site feels overcomplicated and fragmented.
39. Existing Trees: Retention of additional existing trees is positive.

40. Design/Layout: The overall layout of the site is stiff and without much space or character for the residents private space. The levels on the site are challenging but the proposed ramp in the communal garden takes up a lot of the usable space.
41. The amenity space to south west of site will provide some amenity and aesthetic value to the streetscape if well managed. The proposed trees could be used to greater effect, the layout seems stiff and the species selected are narrow in habit when there is space for larger / broader canopied native species which would be more beneficial for carbon capture, shading, air quality and ecology.
42. Residents' Gardens: The fences that 'divide' the garden spaces only form semi private spaces and with the addition of the bike stores and ASHPs the already small gardens become smaller. The landscape plan shows areas of shrub planting adjacent to the northern boundary, this will be a good way to soften the aesthetic of the fencing. The fences that divide the garden spaces could be hedges or green screens to add some environmental value. The additional planted areas are beneficial but the ramp in the western green space takes up much of the useable space and the seating posts do not provide adequate play or seating opportunities it would be better if either a bench or posts with a flat top (play logs) were installed.
43. North boundary: It is positive that T2 is now being retained. Retention of the majority of existing trees and vegetation is good creating a green buffer between the garden space and the road.
44. It is difficult to see without a full levels plan but from the 3D views it looks like the parking area is flat, to help reduce the level change between the parking and the unit entrances the parking area could be sloped? Request details of the retaining walls to the parking area.
45. South boundary: Brick walls to the front of the residential properties may look defensive, suggest a lower brick wall or hedge.
46. West: Existing building could be screened by a native hedge.
47. East: Good green buffer to eastern boundary, would be nice to see a larger native hedge species.
48. Proposed planting: provides seasonal interest and some benefits to local ecology. I would suggest bulbs are also introduced to the residents' communal gardens to add character and seasonal interest.
49. Proposed tree species are all fairly small, there is space for larger native species that will have a greater aesthetic and environmental benefit. The species selected are narrow in habit when there is space for larger / broader canopied native species which would be more beneficial for carbon capture, shading, air quality and ecology. This is of importance when providing a suitable replacement for the existing trees being removed.
50. Drainage: one small water butt is disappointing. The proposed attenuation tank improves runoff rates but it lacks any of the other environmental benefits of other SuDS features.
51. Hard Landscaping: materials are appropriate for the site and function.

52. Conclusion: No objection in principle. However, the proposed layout of the development creates an over complex landscape that does not sufficiently meet the needs of the future residents. The proposals should be amended to create a design with more useable space for residents. The species of replacement trees is particularly important and should be reconsidered.
53. Conditions for hard and soft landscaping together with tree protection should be applied to any permission.
54. Subsequent response to amended replacement tree planting: The revised species are a little better but could perhaps have included some bigger species. The Carpinus at least is a larger growing species. The trees could be planted at a bigger size than 8-10cm girth for more immediate impact.

Ecology

55. The Preliminary Ecological Assessment (PEA) has been carried out by a suitably qualified Ecologist in accordance with best practice. The conclusions and recommendations of the report are supported.
56. It is recommended that proposals should retain as far as possible the mature trees on the site, including the red oak on the north-west corner within the car park. This is on the basis that the boundary could be considered potential S41 Priority Habitat "Lowland mixed woodland" of 'local' significance.
57. Scheme layout has been revised so that only 4 existing trees would require removal. There would probably be a net loss of biomass, although this is not considered/quantified in the Tree report. Site constraints could make further replacement planting difficult to achieve on-site. The northern boundary would be reinforced to some extent by shrub and other planting.
58. Hedgehogs are potentially present. Recommendations for enhancement are supported, including a minimum of 3 swift boxes be provided on the east-facing elevation.
59. The site landscaping includes few native species although the proposed planting schedule does include plants which would benefit pollinators. The open space will be seeded with a wildflower and grass mix.
60. No additional surveys are recommended, given that the larger sycamores are not proposed to be felled, and that clearance takes place outside of the bird breeding season. This is accepted.
61. Suggested Conditions: Mitigation Details [Bird and bat boxes], Bird Nesting Season, External lighting and Small mammal access.

Assessment of planning considerations

Relevant development plan policies

62. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design

- JCS3 Energy and water
- JCS4 Housing delivery
- JCS6 Access and transportation

63. 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
- 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
- DM32 Encouraging car free and low car housing

Other material considerations

64. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of homes
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

65. Supplementary Planning Documents (SPD)

- Landscape and trees SPD adopted June 2016

66. Advice Notes and Guidance

- Water efficiency advice note October 2015
- Internal space standards information note March 2015

Case Assessment

- 67.** 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

68. Key policies and NPPF paragraphs – JCS4, DM12, NPPF sections 5 and 11
69. The site is currently vacant but was last used predominantly for public parking and also as a garden serving the adjacent pub which has since closed and has planning permission for residential conversion. In its vacant state with unmaintained vegetation, the site is not making any significant positive contribution to local amenity. There is no policy objection to the permanent loss of the parking and pub garden and, in principle, the pub could re-open without being unacceptably compromised by the loss of the garden.
70. Representations have referred to the site is an open, green space. Whilst there are no boundary treatments preventing access, this site is not for use as amenity space by the public, is not subject to any designation as open space and no trees or habitat benefit from specific protections. There is not therefore any policy objection to development of the land. The loss of trees and other vegetation is considered below.
71. Policy DM12 allows for new residential development across the site, other than on sites subject to certain circumstances. The only listed circumstance applicable to this site is the location within a Health and Safety Executive consultation zone (for the gas holders) but consultation has confirmed the Executive would not advise against the development. The proposal would not compromise the delivery of any wider regeneration proposals, is consistent with objectives for sustainable development and is therefore acceptable in principle, subject to the detailed considerations below. Furthermore, this is under-utilised, brownfield land which section 11 of the NPPF encourages the promotion of more effective use to meet local housing needs.
72. The application is proposed by Broadland Development Services for Broadland Housing Association on land being acquired from the City Council. Funding has been secured for the development from the Government's 'Next Steps Accommodation Programme' which seeks to provide longer term move-on accommodation as part of the Covid 19 Rough Sleeping Response. The applicants have advised that in the longer term the housing would likely to be used for general needs housing offered at an affordable rent. It is not proposed as a shelter or other communal facility for the homeless. The seven dwellings are all proposed to have one bedroom each in response to an identified local need, as supported by the Housing Development comments above.
73. In accordance with paragraph 64 of the NPPF, affordable housing should not be sought for residential developments which are not major developments (i.e. less than 10 dwellings). Accordingly, the proposed affordable tenure cannot be secured by planning obligation should permission be granted and the application must be considered as market housing for any tenure (within the C3 use class). Furthermore, any planning permission granted would run with the land and not be particular to this applicant, so it is possible it could be constructed by or later sold on to any other party who may occupy it in a different tenure.

74. Weight cannot therefore be given to the intended provision of affordable accommodation or the benefits to former rough sleepers. However, the development would meet a local need for one bedroom dwellings and that is a benefit which can be given weight and secured through an approval.
75. One representation has suggested the housing should be for local people, however there is no policy basis on which to require this on any permission that may be granted.

Main issue 2: Design & heritage

76. Key policies and NPPF paragraphs – JCS2, DM3, DM9, DM12, NPPF sections 12 and 16
77. The proposed layout has been subject to revisions since the application was first submitted as addressed below. The revised proposal is comprised of a terrace which follows the historic building line to the east, provides small front gardens to the street and individual gardens to the rear with a larger communal garden to the west, shared off-street parking and landscaped open spaces. The terraced form of housing with front and rear gardens reflects the housing east of the site along Ketts Hill and is considered a positive response to the site's setting.
78. The full width of the site is not occupied by housing. Instead, areas of open landscaping and an enclosed communal garden are provided each side of the terrace which have the benefit of providing green spaces in prominent positions within the streetscene, maintaining views towards Mousehold Heath and allowing buffers to neighbouring dwellings. The generous gap at the western end has also been dictated by the reservation of space for a potential future parking layby on Ketts Hill and required separation distances proposed underground drainage.
79. The two storey scale, dual-pitched roof form and walled front gardens also positively reflect local character, as would the red bricks and pantiles. More contemporary detail and interest is added to the design with projecting framing around windows and small flat storm porches.
80. As noted above in the Landscape response, there are some unresolved matters concerning the provision of level access and the use and quality of external spaces. Regrettably, it has not been possible to satisfactorily resolve these prior to the preparation of this report as the applicant is seeking for prompt determination of the application in order to meet the stringent timeframes required by the Government funding which requires commencement on site in February 2022 (if permission is granted). However, they are willing to work with officers to develop an improved external layout and landscape scheme and to submit and agree this by condition, should permission be granted.
81. Therefore, notwithstanding the external layout matters still to be agreed, it is considered that the development is a balanced response to the spatial constraints within and around the site and the design of the terrace would be a high quality contemporary interpretation of the positive local characteristics.
82. In terms of heritage, the space to the west of the terrace protects views of and the setting of the adjacent locally listed buildings. The development would be visible in long, filtered views to and from the City Centre and Thorpe Hamlet Conservation

Areas and be seen in the wider setting of statutorily listed Castle pub. By virtue of the distances and intervening development, as well as the small scale and appropriate design of the proposal, it is not considered the setting of these assets would be harmed. The impact on heritage assets is therefore considered to be negligible and the redevelopment of this under-utilised land to provide seven new dwellings would result in public benefits that outweigh any heritage harm.

83. An archaeological desk based assessment identifies low to moderate potential for archaeological remains on the site and this has been followed by trial trenching which confirmed there is no requirement for any further investigation and archaeological heritage assets would be harmed.

Main issue 3: Amenity

84. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8, 130 and 185-186.
85. Each dwelling would comply with minimum space standards for one bedroom, two person units and all habitable rooms would benefit from adequate outlook and natural light.
86. A noise impact assessment makes recommendations for glazing and ventilation to mitigate excessive noise harming the amenity of future occupiers and these measures should be secured by condition.
87. Externally, as acknowledged in relation to landscape, the rear gardens to each dwelling are small in size, accessed from a shared route and enclosed to each side by 1.2 metre high fencing. They would not therefore offer spacious, private areas and would be overshadowed by the terrace by virtue of their north-facing orientation. Furthermore, those towards the east would be enclosed by and overshadowed by the substantial trees along the northern boundary. These individual spaces would, however, be supplemented by a larger communal space with a south-facing aspect at the western end of the terrace that would provide an additional space for the enjoyment of occupiers and secured from external access. In addition, the site is adjacent to Mousehold Heath and has good access to other green spaces so in relation to Policy DM2 the overall standard of external amenity is considered acceptable. To ensure the gardens are not compromised by any future rear extensions, it is considered necessary to remove permitted development rights.
88. In 2016, planning permission was granted to convert the adjacent pub to a single dwelling (16/00527/U). Permission has subsequently been granted for the ground floor to be used as separate dwellings (18/00617/F and 20/00811/F). It is understood these permissions are all extant. They include the blocking up of the one side window facing the application site and provision of a 1.8 metre high timber fence along the shared boundary. There is sufficient distance between this dwelling and the proposed terrace to mitigate any unacceptable amenity impacts. The proposed footpath between Ketts Hill and Spitalfields would run close to the side elevation, but as the approval for conversion includes blocking up the only window here and there would be a planted margin to provide defensible space, it is not considered there would be any harmful impacts from its use.

89. To the east, the nearest neighbouring dwelling has ground and first floor windows facing the site. A 'Rights to Light' Report was submitted with the original proposal which considers the impact of the development on light to these windows in the context of this private legal matter. It concludes it is unlikely the development would cause an 'actionable loss of light' in relation to the legal rights to light position.
90. Subsequent to this, the position of the terrace has been moved approximately 2.5 metres closer to this dwelling. The established Building Research Establishment guidance for assessing impacts on daylight and sunlight in planning applications uses a guideline that if a development does not intersect a 25 degree line from neighbouring windows, there is unlikely to be a substantial impact on daylight. The revised drawings provide sufficient and accurate information to confirm that the development would not intersect this line. Furthermore, the proposed terrace is to the west so any shadow cast towards this neighbouring dwelling would be limited to later in the day.
91. There are two proposed windows on the end elevation facing this neighbour, one to a ground floor WC and one to stairs. It is considered appropriate for this WC and all rear bathroom windows to be obscure glazed but the window to the stairs and other windows would not result in any unacceptable overlooking or loss of privacy to any neighbouring dwellings. It is not considered nearby commercial uses would be compromised by the proposed development.
92. Representations have raised concern about the dwellings being occupied by former rough sleepers, including cumulative impacts from other local facilities, and anti-social behaviour, crime, safety and pest issues. These concerns are appreciated, however, as considered at paragraph 59 above, this must be assessed as a proposal for housing of any tenure. It would not be a homeless shelter. The applicant, who is an experienced provider of affordable housing and who would manage the site, may offer the dwellings to former rough sleepers, but no specific consideration should be given to this intention in the determination of the application. In any case, in planning terms there is no reason to consider residents of any tenure are more or less likely to give rise to amenity issues than any other. Bringing this site into a beneficial use with resident occupiers and managed landscaped areas should reduce, rather than increase, any issues with rodents and pests and provide increased surveillance within and around the site to deter anti-social behaviour and crime.
93. The potential for unexploded ordnance and unstable ground conditions have been investigated and mitigation measures and a piled foundation design are proposed.
94. It is noted the site is close to the Air Quality Management Area and by replacing a car park with seven dwellings served by four parking spaces, the reduction in traffic should be of benefit to local air quality.
95. A management plan for construction should be secured by condition to manage any adverse amenity impacts during this period.

Main issue 4: Transport

96. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9

97. The existing vehicular access off Spitalfields would be widened and this is acceptable to the Highway Authority, subject to securing the specification of the construction.
98. Representations have raised concern about the loss of parking from the site, the impact of the new housing on already limited parking and the under-provision of parking on-site. The site has not been available for parking for over a year and when it was, it is understood it was used by locals and commuters. There is no policy objection to the loss of provision and no identified need for a car park here. Parking on surrounding roads is managed with permit controls. It is noted representations have reported limited availability, but this proposal would not impact upon that as future occupiers would not be entitled to permits. Four car parking spaces are proposed to serve the seven dwellings which is in accordance with Policy DM32, as this is an appropriate location for low-car housing given the proximity to the city centre and availability of public transport.
99. Concern has also been raised about additional traffic generation, however the proposal would result in a significant net reduction of parking spaces on-site and thus reduce traffic movements in comparison to its former use.
100. The front boundary walls have been demonstrated not to impede the required visibility splay at the junction between Ketts Hill and Spitalfields to protect highway safety.
101. Refuse and cycle storage is proposed in accordance with standards in conveniently located and well-designed shelters.
102. The Highway Authority have developed a proposal for a bus lane downhill on Ketts Hill and associated improvements in the area around the application site. This is due to be subject to public consultation shortly and has already received some publicity.
103. The layout of this proposed housing development reserves space for a parallel parking lay-by on Ketts Hill to be provided in future by the Highway Authority. This would allow two parking spaces to be provided for visitors to the local businesses where an existing length of one hour spaces would be lost as a result of the bus lane development. In addition, the proposal incorporates a footpath giving direct access between Ketts Hill and Spitalfields adjacent to the former pub. The bus lane scheme proposes additional visitor parking spaces along Spitalfields, so this footpath, which would be available for the public to use (but not adopted), would provide a more direct route for customers to the businesses than walking around the perimeter of the site.
104. Pending the public consultation, there is no certainty at this stage that the bus lane proposal would be delivered, but it has been satisfactorily demonstrated that the proposed development of this site would not compromise its future delivery and, indeed, would facilitate some replacement parking and improved access. As the two schemes are independent of each other and the acceptability of the planning application is not contingent on the provision of any highway improvements, no conditions linking the two are necessary.
105. The proposal is therefore acceptable in respect of parking, highway and transportation matters subject to conditions securing management of traffic and

parking during construction and provision of vehicular access, car and cycle parking and refuse storage provided prior to first occupation.

Main issue 5: Trees

106. Key policies and NPPF paragraphs – JCS1, DM7, NPPF paragraphs 170 and 175.
107. Each road boundary around the site is occupied by trees of different species, size and value. In total there are 13 trees, with the most significant forming a group to the eastern end of the northern boundary and one individual red oak towards the northwest corner.
108. The original submission proposed removing eight trees to facilitate the construction of the terrace and parking. Seven of these trees were assessed to be category B which Policy DM7 seeks to retain in the first instance and there would have been a loss of biomass and biodiversity. The applicant was asked to re-consider the layout to retain as many existing trees as possible and explored different options. Some of these would result in other adverse impacts and compromise the quality of the development.
109. The revised layout which is now proposed results in the loss of four trees: three along the Ketts Hill frontage and one on the northern boundary to Spitalfields. These are all category B.
110. The three along Ketts Hill are relatively small in stature compared to those on the northern boundary but do make a positive contribution to the streetscene. Their removal is necessary to accommodate the terrace in a position which respects the historic building line to the east and does not encroach on the root protection areas of the trees to the rear, whilst also providing sufficient space for rear gardens.
111. The single tree to be removed on the northern boundary is an ash adjacent to the existing vehicular access point which is proposed to be widened to facilitate on-site parking. Other positions for parking have been explored but would result in adverse highway, parking and amenity issues. Vehicular access off this part of Spitalfields is considered the optimal location and this particular position results in the minimum required tree loss and allows for the retention of the more significant adjacent red oak.
112. In accordance with Policy DM7, trees should be retained as an integral part of developments, except where their long-term survival would be compromised by their age or physical condition or there are exceptional and overriding benefits in accepting their loss. With regards the latter point, development requiring the loss of category B trees, this is only permitted where:
 - a) the removal of a tree or hedgerow will enhance the survival or growth of other protected trees or hedgerows;*
 - b) it would allow for a substantially improved overall approach to the design and landscaping of the development that would outweigh the loss of any tree or hedgerow.*
113. It is considered that the applicant has been through a process of exploring options to retain all or more trees and the revised layout proposed is a balanced solution

which would provide a development that respects the historic street pattern, provides a high standard of amenity for future occupiers, protects the amenity of neighbouring occupiers, provides vehicular access and parking in a suitable and safe position and allows for a high quality landscape design.

114. The loss of these category B trees and the contribution they make to the streetscene and local amenity is regrettable, however in this instance it is considered to be necessary to facilitate the beneficial use of this vacant site to provide new dwellings in a way which does not unacceptably harm or compromise other factors.
115. Where tree loss is accepted in accordance with Policy DM7 criterion (a), replacement planting of at least equivalent value is required. Whilst the full details of a landscape scheme are yet to be agreed, details of ten replacement trees to be planted in the spaces to the east and west of the terrace have been submitted. The application notes two of the trees to be removed are ash and that ash dieback is present in the area so these have an uncertain future lifespan and the other two are whitebeam which is not a native species. The proposed replacement trees are estimated to be approximately 40% of the size of the existing whitebeam at the time of planting but would have a potential longer lifespan and all be native species, or varieties of. They acknowledge there would be a temporary decrease in the biomass of tree cover, but consider the overall planting on site (to include other soft landscaping) would increase biodiversity from the existing situation.
116. It is disappointing that a more objective means of assessing the value of trees to be removed and their replacement has not been provided (e.g. Defra's biodiversity metric). The future limitations of the four trees to be removed are noted, however it is considered that the replacement trees could be larger growing species and/or larger at the time of planting. The applicant's landscape consultant does not consider there is sufficient space within the site for larger growing species to be used and they would be too constrained to reach their full potential over their lifespan. They also do not consider there to be any advantage in planting trees of a larger size from experience of these not being as successful in establishing as the 8-10cm girth size proposed.
117. The ten proposed replacement trees would go some way to mitigating the four trees to be lost, both at the time of planting and over the lifetime of the development. However, as it is not the optimum solution nor objectively quantified, the proposal cannot be considered as fully compliant with the objectives of DM7 to provide equivalent biomass and it is considered necessary for the landscape scheme to be agreed by condition to also include revised proposals for replacement tree planting. Given the constraints on time to negotiate a better solution prior to preparation of this report and determination of this application, this will allow further room for discussion and negotiation to secure the optimum solution. In addition, the biomass and biodiversity value of all soft landscaping can be appraised as a whole in a comprehensive landscape scheme.
118. The trees to be retained still represent a constraint on development. There would be small areas of encroachment into root protection areas so a tree protection plan and method statement have been submitted and a condition ensuring compliance with these is necessary. In addition, the canopy of the trees towards the northeast corner would enclose and overshadow some of the rear gardens, even after some proposed reduction works. The amenity impacts of this are considered above and it

is acknowledged that throughout the lifetime of the development, these trees would compromise amenity for future occupiers and there may be pressure to reduce or remove them. It is, however, considered they can be retained as part of the development and any future pressure for tree works can be managed accordingly.

119. It is also noted that there is a tree to be retained adjacent to where the proposal reserves space for a potential future highway parking layby. Construction of any such works is likely to require removal of this tree and that would need to be agreed privately between the Highway Authority and land owner. As far as this planning application is concerned, the tree would remain as part of this proposed development and it must be considered on that basis.

Main issue 6: Biodiversity

120. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 8, 170, 175-177.
121. An ecological assessment identifies the tree belt along Spitalfields may be used as a bat commuting and foraging area and by common birds and that the areas of mature trees could be considered as lowland mixed woodland which is a priority habitat of local importance in accordance with section 41 of the Natural Environment and Rural Communities Act (2006). The revisions to the layout reduce the loss of existing trees and retain the majority of this woodland area. Policy DM6 only allows for the substantial loss of priority habitat in exceptional circumstances and where it can be recreated or compensated for. The assessment considers the area of woodland lost to be very small and the habitat loss to not be significant, it is not therefore 'substantial' when considered in relation to DM6 but it should still be adequately compensated for on site.
122. The revisions to the layout have minimised the habitat loss and, as considered above, replacement tree planting would provide some on-site mitigation. Therefore in respect of minimising impact and mitigating loss on-site, the proposal can be considered broadly in accordance with DM6 and paragraphs 174(c) and 180 of the NPPF. However, the loss could be further mitigated and biodiversity gain enhanced with more robust replacement tree planting to be agreed by condition.
123. The assessment makes recommendations for the clearance of trees and other vegetation to take place outside the bird breeding season, lighting design to prevent trespass onto adjacent areas, control of non-native species and for surface water not to add additional pressure on discharges to the Wensum.
124. Enhancements are recommended in the assessment including bird and bat boxes, native tree and shrub planting and native grass seeding. These shall all need to be incorporated in the landscape scheme.
125. External lighting has been designed and sited to minimise light trespass to trees and beyond the site boundaries and surface water will be managed on-site without any direct discharge to the Wensum.
126. As well the landscape scheme incorporating the enhancement measures recommended, conditions concerning the time of works outside the bird nesting season, managing additional lighting and requiring provision of small mammal access gaps in fencing shall be necessary.

Main issue 7: Drainage

127. Key policies and NPPF paragraphs – JCS1, DM5, NPPF section 14

128. There is risk of surface water flooding around the site and the development would increase the impermeable area, potentially exacerbating this risk. A drainage strategy demonstrates that it is not possible to infiltrate here, but proposes intercepting some roof run-off in a water butt and for the remainder to drain to an attenuation tank that would discharge to the surface water sewer. Parking and other surfaces would be permeable.

129. In accordance with the Lead Local Flood Authority's standing advice, sustainable urban drainage systems should address issues of water quality and quantity and be of benefit of amenity and biodiversity. Furthermore, the submitted ecology assessment recommended the use of green roofs. The applicant has been asked to consider how the drainage could incorporate additional amenity and biodiversity benefits but has not been able to do so within the constraints of the development.

130. Whilst this is regrettable, the proposed attenuated drainage strategy would satisfactorily manage the risk of surface water flooding to the development itself and around the site, use permeable surfaces and incorporate water storage, so it is in accordance with Policy DM5.

Compliance with other relevant development plan policies

131. 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
Water efficiency	JCS1 & JCS3	Yes subject to condition
Renewable energy	DM2, DM3	The plans indicate areas for air source heat pumps and solar panels. There is no policy requirement for renewable energy on this scale of development but details should be agreed by condition to consider the detailed appearance and any noise impacts.
Contamination	DM11	Site investigations identified contamination and a remediation method statement has been submitted which proposes a soil cover system. This is acceptable and should be secured by condition.

Equalities and diversity issues

132. There are no equality or diversity issues.

S106 Obligations

133. As noted above, the intention to offer these dwellings for affordable rent to people in need is welcomed, however, in accordance with paragraphs 57 and 64 of the

NPPF, it is not appropriate to require this by planning obligation on this scale of development.

Local finance considerations

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

Conclusion

135. The application proposes developing a former car park and pub garden to provide seven no. one bedroom dwellings to meet an identified local need. The design approach is considered appropriate for the area and there are no unacceptable impacts in terms of amenity, highways, drainage or contamination which cannot be satisfactorily mitigated by condition.
136. Four existing category B trees, including a small area of locally significant priority habitat, would be lost to facilitate the development. This is considered to be justified to allow for a site layout which supports the beneficial redevelopment of this under-utilised brownfield land for housing without unacceptably harming other factors. Replacement planting is necessary to mitigate this loss and can be agreed by condition to secure the optimum solution to restore biomass, habitat and biodiversity interest.
137. This replacement tree planting should be incorporated in a comprehensive landscape scheme to provide a high quality development for the enjoyment of residents and to positively contribute to local character and amenity whilst also enhancing biodiversity. This can be satisfactorily dealt with by condition subsequent to any permission being issued.
138. When assessed as a whole, this is a proposal to deliver seven new homes to meet an identified local need on a vacant area of brownfield land which would result in. benefits to local housing supply and amenity.
139. The development is therefore considered to be 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 21/01361/F Construction of 7no. dwellings with associated infrastructure works on land adjacent 29 Ketts Hill, Norwich and grant planning permission subject to the following conditions:

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

3. Agreement of landscape scheme to incorporate replacement tree planting and subsequent implementation and maintenance;
4. Compliance with construction management plan;
5. Arboricultural works to facilitate development;
6. Works on site in accordance with arboricultural impact assessment, method statement and protection plan;
7. Compliance with remediation method statement and subsequent verification;
8. Works outside bird nesting season;
9. Noise protection to building envelope;
10. Noise mitigation measures to windows facing Ketts Hill;
11. Details of renewable energy prior to installation;
12. Bat and bird boxes provided prior to first occupation;
13. No external lighting other than in accordance with submitted details;
14. Small mammal access gaps in fencing;
15. Provision of surface water drainage and subsequent maintenance;
16. Vehicular access, car and cycle parking and refuse storage provided prior to first occupation;
17. Unknown contamination;
18. Imported material;
19. Bathroom windows to be obscure glazed;
20. Removed permitted development rights for extensions;
21. Water efficiency.

Site Legend

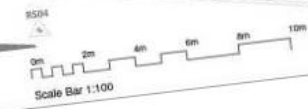
- Existing asphalt (footpath)
- New asphalt to match existing
- Paving Slabs
- Loose gravel
- Gravel with geo grid
- Hedge
- Grass
- Maintained Planting
- Vision splay
- Option for Solar Panel
- Tree to be retained (RPA)
- Tree to be removed (RPA)
- Log perch seat
- External Lighting
- Boundary Line
- Ramps
- CBF1.8m 1.8m close boarded fence
- BW1.2m 1.2m high brick wall with capping detail
- BW1.4m 1.4m high brick wall with capping detail
- BW1.8m 1.8m high brick wall with capping detail
- CL1.2m 1.2m chain link fence (timber post)
- CBF1.2m 1.2m close boarded fence
- CBF1.5m 1.5m close boarded fence
- CBG1.35m 1.35m close boarded gate
- H1.5m 1.5m native hedge
- H1.2m 1.2m native hedge
- MH1.5m 1.5m metallic hoop fence



Item	Description	Quantity	Unit
1	Grass	100	m²
2	Gravel	50	m²
3	Gravel with geo grid	20	m²
4	Gravel with geo grid	20	m²
5	Gravel with geo grid	20	m²
6	Gravel with geo grid	20	m²
7	Gravel with geo grid	20	m²
8	Gravel with geo grid	20	m²
9	Gravel with geo grid	20	m²
10	Gravel with geo grid	20	m²
11	Gravel with geo grid	20	m²
12	Gravel with geo grid	20	m²
13	Gravel with geo grid	20	m²
14	Gravel with geo grid	20	m²
15	Gravel with geo grid	20	m²
16	Gravel with geo grid	20	m²
17	Gravel with geo grid	20	m²
18	Gravel with geo grid	20	m²
19	Gravel with geo grid	20	m²
20	Gravel with geo grid	20	m²

Ingleton Wood
 Vision, form and function
 Project: Kettis Hill
 Norwich

Client: Broadland Development Services
 Date: 10/10/2023
 Proposed Site Layout
 Drawing Number: KETH-W-SA-XX-DR-A
 Status: DS
 Version: 1.0
 Planning





Front Elevation



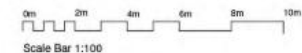
Rear Elevation



Left Elevation



Right Elevation



P6	Issued to Planning	15.12.21	-	JK
P6	Issued to Planning	16.11.21	-	JK
P4	Issued to project team	16.11.21	-	JK
P5	Issued to Planning	16.10.21	-	JK
P9	Issued to Planning	11.10.21	MM	JK
P1	Issued to Planning	06.06.21	-	JK
Rev Comment		Date	Chk	App
Project No: 304967		Scale @ A1: As indicated		Drawn By: JK



Vision, form and function

Project:
Ketts Hill
Norwich

Broadland Development Services

Title:
Proposed Elevations

Drawing Number: KETHH-IW-XX-XX-DR-A-1002		
Station: D5	Purpose of Issue: PLANNING	Revision: P6

Report to Planning applications committee

Item

13 January 2022

Report of Head of Planning and Regulatory Services

Subject Application no 21/01105/F – 81 Park Lane, Norwich, NR2 3EL

Reason for referral Objection

4b

Ward	Nelson
Case officer	Jacob Revell - 07741 103222 - jacobrevell@norwich.gov.uk
Applicant	Mr & Mrs R Spalding

Development proposal		
Demolition of existing garage and boundary wall. Construction of single storey detached commercial unit (Class E) with associated alterations.		
Representations (Original Scheme)		
Object	Comment	Support
12	0	7
Representations (Re-consultation on the receipt of additional information)		
Object	Comment	Support
0	0	0

Main issues	Key considerations
1	Principle of Development
2	Design and Heritage
3	Transport
4	Amenity
5	Other Matters
Expiry date	18 November 2021
Recommendation	Approve with conditions



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Planning Application No 21/01105/F
Site Address 81 Park Lane

Scale 1:500

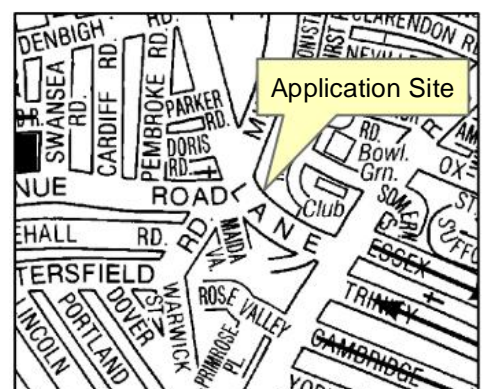


NORWICH
City Council

PLANNING SERVICES



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The site and surroundings

1. 81 Park Lane is a mixed-use corner property located on the edge of Park Lane and Avenue Road. Maida Vale is a small residential cul-de-sac located southwards along the western boundary of the site.
2. The site is a two-storey red-brick corner property that appears to have been constructed in the early 20th century. The site has historically been used as a shop with associated accommodation above. The ground floor and basement of the property are still used for commercial purposes, but the first floor of the property is now used as separate residential accommodation. The current occupants of the ground floor of the property are 'Moorish Falafel'.
3. The courtyard to the rear of the property is currently used as additional space for users of the café, as well as providing refuse storage for both the residential and commercial uses on the site. Infilling much of this courtyard space is a garage structure, which appears to date from the 1950s. The garage is currently in a relatively poor state of repair. The courtyard space is bordered by two metal gates facing onto Avenue Road and a blank brick wall running along Maida Vale.
4. The property is located on the edge of the Heigham Grove Conservation Area. The entirety of Maida Vale is also included within the Conservation Area. Maida Vale itself is a quiet residential cul-de-sac mostly populated by early 20th century terraced properties of a relatively strong architectural character, although there are inconsistencies to the properties owing to various alterations and changes over the years.
5. The property is also located close to the locally listed St Peter's Methodist Church, which is currently being redeveloped as residential.

Constraints

6. Heigham Grove Conservation Area

Relevant planning history

7. The records held by the City Council show the following planning history for the site.

Reference	Proposal	Decision	Date
21/00333/F	Demolition of existing garage and erection of two storey dwelling.	Withdrawn	19/04/2021

The proposal

8. Due to the steep topography of the site, the courtyard is located below the café use that faces onto Park Lane.
9. The proposal is to remove the existing garage structure to the rear of the courtyard and replace with a single storey unit of a larger size (existing = approximately 18m², proposed = 29m²). The additional space will be made up by partially infilling

the space between the existing structure and the main building. A gap of 0.9m would be left to the existing building, with the existing covered area removed.

10. The newly created space would be used as a detached Class E unit. The applicant has specified that this is intended to be used as a small studio for either an artist or architectural practice. It is proposed to install a door and a window on the 'front elevation' of the structure, and two non-opening high-level windows on the flank elevation facing onto Maida Vale.
11. In order to construct the building, the applicant has suggested that the existing flank wall onto Maida Vale will need to be removed in order to construct the new building. The plans indicate that this flank wall will be rebuilt with matching bricks at a similar height of approximately 2.55m.
12. The applicant also proposed to reduce the height of the existing masonry wall to the courtyard to 1.1m. An opening approximately 1.2m wide would be opened onto Maida Vale, offering access to the front of the unit.
13. The applicant has indicated that secure cycle storage will be located to the side of the building, in between the flank wall and the main building. Bins will be stored underneath the existing metal staircase providing access to the café at ground floor level.

Representations

14. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.
15. During the first round of consultation, 12 letters of representation were received in objection. 7 letters of representation were received in support of the application.
16. Following the receipt of additional information relating to the storage of cycles and bins, an additional two-week consultation with neighbours was undertaken. No additional letters of representation have been received.
17. The representations received in opposition to the proposal are summarised in the table below.

Issues raised	Response
The impact of development to the nearby Methodist church has not been realised yet. Creation of additional uses will likely impact negatively on parking in the area.	See main issue 3.
There is not currently enough space in the area for residents of Maida Vale to park safely. Essential parking spaces would be lost through the creation of a new entrance onto Maida Vale. Development could lead to the loss of three parking spaces.	See main issue 3.

Issues raised	Response
<p>The application does not offer any solution to mitigate against parking concerns. The garage being replaced could be used as parking for this property. There is no mention of facility for parking of the staff of the unit.</p>	
<p>During construction, the only access to the site would be via Maida Vale, which would limit parking, entry and exit for residents. Parking outside the property in front of the gates blocks visibility when exiting Maida Vale. Maida Vale is narrow and there is little capacity for further comings and goings.</p>	<p>See main issue 3.</p>
<p>A 'class E' use is non-specific and could cover a wide range of uses, with varying degrees of impact. The inclusion of a shower room/kitchen and previous history suggests that a residential use could be put in place in the future.</p>	<p>See main issue 1.</p>
<p>The commercial unit is not in a style in keeping with the character of the Conservation Area – it would be damaging to the secluded nature of Maida Vale.</p>	<p>See main issue 2.</p>
<p>Maida Vale is flanked by red brick walls to either side of the entrance – modifying this would have a detrimental impact on the overall character of the area. The wall is a feature worthy of protection.</p>	<p>See main issue 2.</p>
<p>The materials indicated, including the PVC windows, are not in keeping with the overall character of the area. The modern character of the altered wall would not be in keeping.</p>	<p>See main issue 2.</p>
<p>It is not clear how this development will interact with the other uses: refuse, recycling, cycle storage, outdoor space etc. The outdoor space provides a valuable amenity for local residents as an extension of the café use. Concern about overdevelopment of the site/capability to sustain three uses.</p>	<p>See main issue 4.</p>

Issues raised	Response
Lowering the boundary wall will result in increased noise/odour impact on local residents. The plans do not show how the structure will link to 1 Maida Vale, or how noise transmission between the structures will be mitigated.	See main issue 4.
Details of the drainage system are not provided.	See other matters.
Restrictive covenants on the property require no alterations to the wall and limit the number of uses on the site.	See other matters.
There is no public benefit to the proposed use.	See other matters.
Concern regarding noise during construction.	See other matters.

18. The letters received in support of the application argue that the current structure is in dilapidated condition and is in need of modernisation. They argue that the proposal is a more effective utilisation of space than the existing use. The letters of support suggest that the proposal will improve employment opportunities, is of a suitable design and will have limited impact on the overall character of the area.

Consultation responses

19. 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

20. No comments received.

Transport

21. (summarised) From a highway point of view, storage of bins should not be on the footway. Bike storage should be local plan policy compliant. Therefore I have no objection subject to consideration of the above matters by your authority.

Strategic Housing

22. No comments received.

Norwich Society

23. No comments received.

Assessment of planning considerations

Relevant development plan policies

24. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS2 Promoting good design
25. **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
 - DM9 Safeguarding Norwich's heritage
 - DM11 Protecting against environmental hazards
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

26. **Relevant sections of the National Planning Policy Framework March 2021 (NPPF) (as revised):**
 - NPPF8 – Promoting healthy and safe communities
 - NPPF11 – Making effective use of land
 - NPPF12 – Achieving well designed places
 - NPPF16 – Conserving and enhancing the historic environment

Case Assessment

27. 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 Policy 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

28. Key policies and NPPF paragraphs – JCS2, DM1, DM3, NPPF11, NPPF12, NPPF16.
29. The proposal involves the removal of the existing garage structure and its replacement with a structure of a similar height and larger footprint. The physical works to the property are acceptable in principle, and therefore the impact of the property should be assessed according to its impact on the immediate surroundings.
30. This structure would then operate under a 'Class E' usage. Due to the breadth of the use class, it is accepted that some uses under this class would be unsuitable in this location. The applicant has clarified that it is intended to use the unit as a

professional or artistic studio on a small scale. The out-of centre location is considered acceptable given the sustainable location close to public transport, small size of the unit, likely number of employees, and lack of visiting customers. It is therefore recommended that a condition is applied ensuring that the use is restricted to a small studio, in order to ensure that the other uses on the site are able to function properly. This includes ensuring that future use of the unit as residential is prohibited.

31. These points aside, the principle of the development is acceptable. The ability of the proposed unit to function with an acceptable impact alongside the existing uses on the site and surrounding area is assessed in the points below.

Main issue 2: Design and Heritage

32. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF12, NPPF16.
33. As noted above, the proposal is located within the Heigham Grove Conservation Area. Careful consideration must be given to the ways in which the development impacts upon the character of the Conservation Area, which is a heritage asset

Relevant Policy

34. The development can be broadly characterised as the replacement of the existing garage structure. In terms of appearance, the proposal will appear similar from public viewpoints to existing structure, with some alterations to the flank wall facing onto Maida Vale. DM3 of the Local Plan identifies that development will only be acceptable where 'appropriate attention has been given to the height, scale, massing and form of new development', including ensuring that replacement buildings do not appear 'dominant or incongruous'. DM3 also identifies that proposed developments should show that appropriate consideration has been given to materials and colour, showing 'regard to the prevailing materials of the area'. Paragraph 134 of the NPPF states that development that 'is not well designed should be refused', especially where it does not reflect local design policies.
35. DM9 identifies that development should 'maximise opportunities to preserve, enhance or better reveal the significance of designated heritage assets'. Paragraph 202 of the NPPF outlines that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.

Context

36. The proposal is located within the Heigham Grove Conservation Area. The property is located on the edge of the Conservation Area, the border of which runs alongside Maida Vale. The Conservation Area Appraisal locates 81 Park Lane within 'Sub Area H', which is predominantly characterised by Victorian era terraced housing. The site or surrounding properties are not specifically highlighted within the appraisal.
37. The comments received from objectors suggest that the main heritage concerns relate to impact on the historic wall, use of materials and wider impact on the Conservation Area.

Impact

38. The brick wall facing onto Maida Vale is of a pleasant character and contributes positively to the secluded nature of Maida Vale. However, it is difficult to argue that alterations to the wall are unacceptable from a heritage perspective. There are no restrictions on the wall, beyond being located within the Conservation Area. Although it is old, the wall appears to have been rebuilt in several places and does not hold a large degree of historic value. It is considered that a reconstruction or alteration to this wall would be acceptable in terms of impact on the Conservation Area.
39. The wall is currently blank and unbroken, although there is some alteration in height where the wall steps up to accommodate the existing garage. It is difficult to argue that the marginal reduction in height of the wall adjacent to the courtyard and the creation of a new entrance on this elevation have an unacceptable impact on the character of the wider area in conservation terms. The alterations to the wall – including the additional windows - are considered acceptable if suitable materials are used to closely retain the character of the existing wall. A condition will be applied to any consent requiring details of the materials to be used notwithstanding any assessment these matters have been given within this submission.
40. Works to this elevation of the property are considered to be the only works which outwardly impact on the Conservation Area. All other details of the proposal are considered to have a similar impact to the existing property and therefore do not impact upon the Conservation Area either way. For these reasons and the above reasons highlighted, the proposal is considered acceptable in terms of impact upon the Conservation Area.

Main issue 3: Transport

41. Key policies and NPPF paragraphs – JCS2, DM28, DM30, DM31, NPPF12.

Policy

42. The assessment of transport impact of new proposals is dictated by the adherence of development to a number of key policies. DM28 looks to ensure that development adequately provides opportunities for sustainable travel, looking to ensure that ‘any anticipated increase in travel demand resulting from the development can be accommodated or diverted to non-car modes’. DM30 looks to ensure that development is safe in terms of access and highway safety, whilst DM31 looks to ensure that does not result in unsatisfactory alterations to on-street parking control and that there is satisfactory provision of bins and cycle storage.

Impact

43. Concern has been raised by neighbours about the impact of parking following the redevelopment of St Peter’s Methodist Church, located further down Park Lane. An application for 20 new residential units was approved under 18/00962/F and is currently mid-development. The Committee Report for this case advises that beyond the 11 parking spaces on site, no parking permits will be issued and the remainder of the units will effectively be car free housing. Therefore, this scheme was considered to have an acceptable impact on parking in planning terms and is not considered to impact significantly on the acceptability of this proposal.

44. Objectors are concerned that the creation of an opening onto Maida Vale will remove space for permit parking on Maida Vale which is currently used by residents. The objections refer to a loss of three parking spaces caused by the development. Maida Vale is a relatively narrow road and permit parking tends to be on the curb alongside the boundary wall. The new opening/access would take up a stretch of approximately 1.2m on a stretch of pavement approximately 12.3m long. There would continue to be reasonable room to park two cars along this stretch, and three if parking in front of the entrance, which would not be obstructive in the evening or if sufficient space was left for access/egress. The demolition of a section of wall and insertion of a new entrance would not need planning permission in its own right and in any case it is not considered that the inclusion of a small entrance on this elevation is likely to cause traffic issues to the point in which the application could be refusable.
45. It should be noted that as a new build business premises in a controlled parking zone, the unit would not be eligible for any new parking permits in itself and is unlikely to contribute to parking issues in this regard.
46. Details of parking and cycling storage have been provided, which highways have suggested are acceptable. Full details of the cycle storage will be required by condition, to ensure that the cycle storage is policy compliant. A small office/professional space is not anticipated to produce a large amount of commercial waste, so the storage indicated appears adequate alongside waste from the other uses on site. It will be the applicant's responsibility to arrange for the private collection of this waste.
47. Concern has also been expressed over the impacts on transport during construction of the unit. Objectors have expressed concern about impacts on parking for contractors, as well as parking on the corner of Park Lane and Avenue Road, which impedes visibility when entering and exiting Maida Vale. A condition would be applied to the permission requiring the applicant to provide a construction management plan detailing how these concerns will be mitigated during construction.
48. Considering the above points, it is concluded that the transport impacts of the proposal will be acceptable on balance. Although there will be some impact generated by the new entrance onto Maida Vale, it is not considered that this warrants a refusal and the impact of this will be further mitigated through the implementation of conditions.

Main Issue 4: Amenity.

49. Key Policies and NPPF paragraphs: JCS2, DM2, DM3, DM11, NPPF 12.

Policy

50. Impacts on neighbouring properties are detailed in several planning policies. DM2 ensures that new development does not have an unacceptable impact on the living or working conditions of neighbouring occupants, including by means of noise and odour. DM2 also looks to ensure that all residential development has functional amenity space. DM11 looks to ensure that environmental noise does not impact upon the amenity of neighbouring properties.

51. Objections have raised concern that the development could lose to the loss of amenity space both for the residential flat above 81 Park Lane and the exterior space currently used by the café. Concern has also been raised regarding an increase of noise/odour emissions caused by the lowering of the height of the boundary wall. Finally, some concern has been raised regarding the potential increase in noise impact to 1 Maida Vale, which shares a boundary to the property to the south.

Impact

52. It is acknowledged that the provision of an additional use on this site adds another layer of complexity to the effectiveness of the overall site. However, there is no reason to suggest that the existing uses cannot continue to function reasonably if a new unit is built in this location. The applicant has shown that there is sufficient space for bins and cycle storage, and the courtyard will remain for use by the café and should be unaffected by the location of the office at the rear of the courtyard. The first-floor residential use does not currently have use of the courtyard for amenity space so this use is unaffected. If the new commercial space is restricted to an appropriate use (office, with no visiting members of public), the uses are anticipated to function well together.
53. Some concern has been raised about the dropping of the boundary wall height, removing some of the existing enclosure around the courtyard space. It is suggested that the reduction of this wall to a height of 1.1m will result in increased odour and noise from the courtyard. The extraction for the café is located above eaves height on the main dwelling, so this situation is unaltered. The courtyard is open air and does not directly align to any noise sensitive receptors. It is not anticipated that the use of the courtyard with a marginally reduced wall will impact upon noise levels in the area in any noticeable way.
54. In terms of impact to 1 Maida Vale, it is not considered that activities associated with the anticipated use are likely to cause unreasonable noise levels. It is not anticipated that the Party Wall arrangement will be significantly different to the existing arrangement, but this is a civil matter and must be agreed between the owner of that property and the applicant.

Other Matters

55. Several letters of objection refer there being a lack of capacity for additional strain of the existing drainage system in the area. Given the fact that the proposed building is to be built in the location of an existing building and over handstanding, there is not anticipated to be any additional impact on surface water drainage.
56. Several letters of objection refer to restrictive covenants on the site that prohibit multiple uses on the site and control maintenance of the boundary walls. This is a civil matter and not a material planning concern. As such, this has not influenced this recommendation.
57. One letter of objection has suggested that the works are not acceptable due to there being no public benefit to the development. In this instance, there is little requirement for public benefit given the lack of identified harm caused by the development. There is some minor public benefit to be gained from the provision of a new commercial unit and associated employment.

58. One letter of objection has expressed concern over noise during construction. This is not a planning concern although this could be reasonably controlled through the Construction Management Plan.

Equalities and diversity issues

59. There are no significant equality or diversity issues.

Local finance considerations

60. 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.
61. 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.
62. In this case local finance considerations are not considered to be material to the case.

Conclusion

63. 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.
64. The proposal is of an acceptable design and is considered to have an acceptable impact on the overall character of the Heigham Conservation Area.
65. The transport impact of the proposal is considered to be acceptable and can be reasonably controlled by conditions.
66. The amenity impact of the proposal is considered to be acceptable.
67. The proposal subsequently meets the criteria outlined within the relevant policies of the Norwich Development Management Policies Local Plan (2014) and of the National Planning Policy Framework (2021).

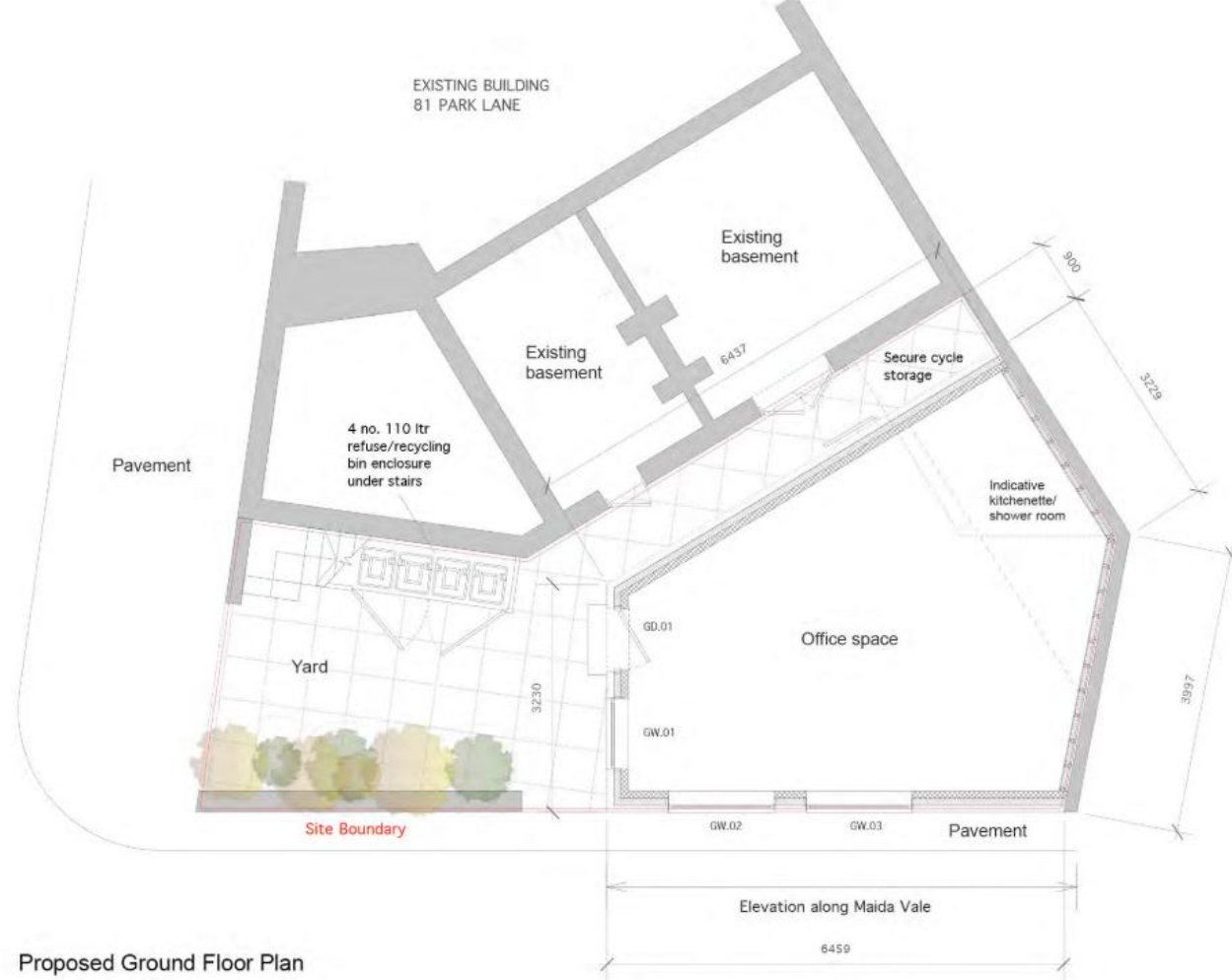
Recommendation

To approve application no. 21/01105/F – 81 Park Lane, Norwich NR2 3EL and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials to be agreed;
4. Construction management plan to be agreed;
5. Water efficiency measures to be agreed;
6. Full details of cycle storage to be agreed;
7. Restriction on uses (Office; Class E (g) (i) only);
8. Under no circumstances should this property be used for residential purposes.

Informative notes:

1. The applicant is advised of the benefit of reworking the vehicle crossover to standard asphalt.
2. Works to the highway require separate consent.



Area Schedule:

Ground Floor (GIA): 28.78 sqm/310 sq ft

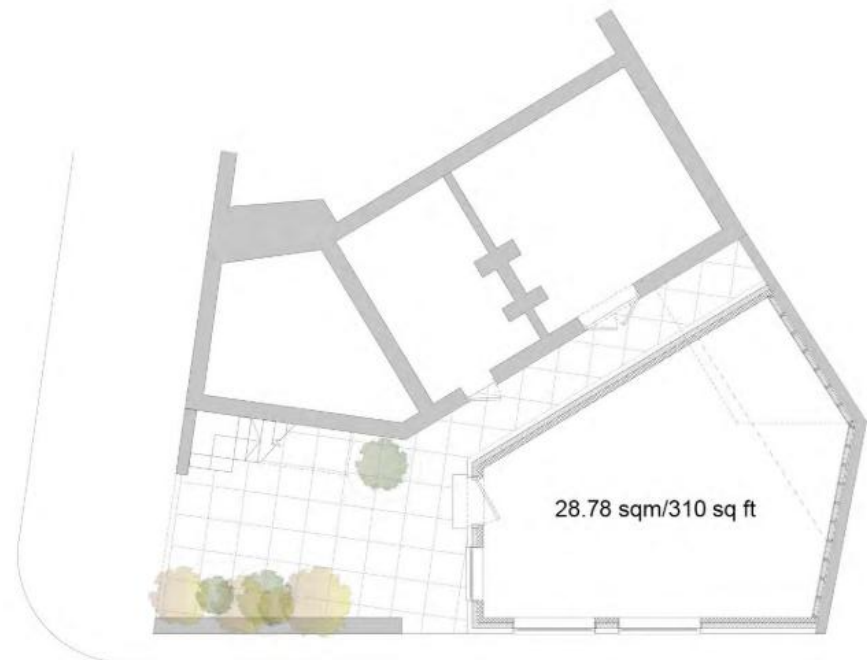
Client	Mr & Mrs Spalding	Scale	1:75 @ A3	Status	PLANNING	<div> <div>Page 60 of 108</div> <div> NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING ALL DIMENSIONS AND QUERIES ANY DISCREPANCIES. THIS DRAWING IS FOR INFORMATION ONLY. ARCHITECTURAL DESIGN & PLANNING PARTNERSHIP COPYRIGHT IS RESERVED BY THEM AND THIS DRAWING IS ISSUED ON CONDITION THAT IT IS NOT COPIED, REPRODUCED, RETAINED OR DISCLOSED TO ANY UNAUTHORISED PERSON, EITHER WHOLLY OR IN PART, WITHOUT WRITTEN CONSENT. </div> </div>	<div> <div>  <div> architecture design planning </div> </div> <div> 73 Yarmouth Road Thorpe St Andrew Norwich NR7 0AA archdppartnership@gmail.com T: 07419 750098 </div> </div>
Project	Park Lane, Norwich	Date	Oct 2020	Drawn By	DJ		
Drawing	Proposed Floor Plan	Project N°	020/27	Drawing N°	0200		
					Revision		



Proposed Front (Maida Vale) Elevation



Proposed Side (Park Lane) Elevation



Proposed Floor Plan

Client	Mr & Mrs Spalding	Scale	1:100 @ A3	Status	PLANNING	NO DIMENSIONS ARE TO BE SCALED FROM THIS DRAWING. THE CLIENT AND ARCHITECTURAL DESIGN & PLANNING PARTNERSHIP ACCEPTS RESPONSIBILITY FOR ANY DISCREPANCIES. COPYRIGHT IS RESERVED BY THEM AND THE DRAWING IS ISSUED ON CONDITION THAT IT IS NOT COPIED, REPRODUCED, RETAINED OR DISCLOSED TO ANY UNAUTHORISED PERSON, EITHER WHOLLY OR IN PART, WITHOUT WRITTEN CONSENT.	Page 61 of 108	 <div>Architectural Design & Planning Partnership</div>	architecture design planning	73 Yarmouth Road Thorpe St Andrew Norwich NR7 0AA archdpppartnership@gmail.com T: 07419 750098
Project	Park Lane, Norwich	Date	APR 2021	Drawn By	DJ					
Drawing	Proposed Elevations/Floor Plan	Project N°	021/14	Drawing N°	0270	Revision	A			

The map shows a residential area with streets including 'MAIDA VALE' and 'The Elms'. A red and blue outline highlights a specific plot of land. Distances of 18.9m and 21.3m are marked. A scale bar indicates 0m to 20.0m. The map is labeled with 'TG2187 818' and '© Crown copyright and database rights 2020 Ordnance Survey 100053143'.

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Report to Planning applications committee

Item

13 January 2022

Report of Head of Planning and Regulatory Services

Subject Application nos 21/01524/F, 21/01532/A, Telephone Box
Adjacent to 195 and 197 Plumstead Road, Norwich

4c

**Reason
for referral** Objection

Ward	Crome
Case officer	Jacob Revell - 07741 103222 - jacobrevell@norwich.gov.uk
Applicant	British Telecom Plc

Development proposal		
Removal of existing BT phone box and installation of a replacement BT street hub. Display of 2No. digital 75" LCD display screens, one on each side of the amended InLink unit.		
Representations		
Object	Comment	Support
4	0	0

Main issues	Key considerations
1	Principle of Development
2	Design
3	Amenity
4	Transport
5	Other Matters
Expiry date	27 th December 2021 (extension of time pending agreement)
Recommendation	Approve with conditions



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Planning Application No 21/01524/F & 21/01532/A
 Site Address Telephone box adjacent to
 195 & 197 Plumstead Road

Scale 1:500

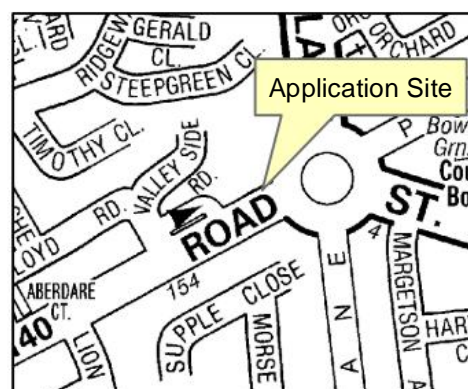


NORWICH
 City Council

PLANNING SERVICES



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The site and surroundings

1. The site is located on Plumstead Road, a busy arterial road connecting the east of the city to the city centre.
2. The site is located on a parade of shops running along the northern side of Plumstead Road. To the south is a large Aldi supermarket. There is a large amount of street furniture associated with the surrounding uses.
3. This part of Plumstead Road is of an entirely commercial character at ground floor level. Further along the road towards the city centre, the street has a more residential character.
4. The application is to replace an existing BT phone box with a new 'BT Streethub'. The existing unit is approximately 2.5m tall. It is a traditional walk-in phone box with one blank elevation and three glass elevations.

Constraints

5. None relevant.

Relevant planning history

6. None relevant.

The proposal

7. The proposal is to replace the existing phone unit with a new 'BT Street Hub'. This is part of a larger rollout of hubs across the city centre.
8. The 'Street Hubs' are being rolled out to replace the existing phone units and boxes within the city centre. The hubs provide numerous benefits and services including: wi-fi, access to public services, accessibility options, use of carbon-free energy, secure USB ports for charging, free phone calls, direct 999 calls, display of public messages and provision of environmental sensors (air quality, noise, traffic etc).
9. The replacement hub has the following dimensions: 2.98m height, 1.236m width and 0.35m depth. Owing to the slight curve on the shape of the unit, the footprint is 1.2m x 0.35m.
10. The unit would feature a large 75" LCD digital advertising screen on each side. The supporting information proposes that the screens display content at 10 second intervals. The supporting information states that commercial content funds the service, but there is intent for the screens to display public messaging also. Free advertising for the Local Authority is offered for 5% of the overall screentime, equivalent to 876 hours per unit per year.
11. Two applications are presented within this report. The first application (21/01524/F) relates to full planning permission for the structure itself. The second application (21/01532/A) relates to advertisement consent for the screens on either side of the unit. There is no scope for public consultation on applications for advertisement consent, and nor is there any requirement within the scheme of delegation for them to be brought before planning committee but given the association between the two applications it has been considered prudent to present them both within this report.

12. The committee may not have had to consider applications for advertisement consent before and so it should be noted that such applications are covered by a different set of regulations and can only be assessed in relation to impact on amenity and public safety.

Representations

13. The application for full planning permission has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.
14. 4 letters of representation have been received in relation to this application. All of the letters of representation have been submitted word-for-word in relation to the multiple 'Street Hubs' applications, so express more general concerns with the project rather than the specifics of each site. The representations received in opposition to the proposal are summarised in the table below.

Issues raised	Response
- Proposals would cause harm to the quality of the area - unattractive, monolithic design. The units are too tall and screens too high. Norwich is a medieval city and these are out of character. Creates visual clutter.	See main issue 2.
Wasteful use of energy is incompatible with climate emergency and contributes to light pollution. Renewable energy should be used for more socially useful purposes than driving consumerism. Cynical advertising opportunity with no motive other than greed.	See other matters.
Corporate advertising is saturated and encouraging unsustainable consumption is out of line with Ethical Advertising Policy. This type of advertising has a negative impact on public health.	See main issue 2 and other matters.
Free wifi and charging do not equate to fair compensation for the harm caused.	See conclusion.
May lead to anti-social behaviour in the city centre.	See main issue 3.
Impairment to movement for pedestrians and users of mobility scooters/buggies etc.	See main issue 4.

Consultation responses

15. 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

16. No comments received.

Norfolk County Council - Highways

17. No comments received.

Assessment of planning considerations

Relevant development plan policies

18. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS6 Access and transportation
 - JCS7 Supporting communities
19. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM10 Supporting the delivery of a communications infrastructure
 - DM30 Access and highway safety

Other material considerations

20. **Relevant sections of the National Planning Policy Framework March 2021 (NPPF) (as revised):**
- NPPF10 – Supporting high quality communications
 - NPPF12 – Achieving well designed places

Case Assessment

21. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

22. Key policies and NPPF paragraphs – JCS2, DM1, DM3, DM10, NPPF10, NPPF12.
23. The proposal involves the removal of the existing BT phone box and replacement with the new 'Street Hub' in the same location. The replacement unit is of a narrower but taller design to the existing unit.
24. Policy DM10 outlines policy for development relating to 'the provision, upgrading and enhancement of wireless and fixed data transfer and telecommunications networks and their associated infrastructure that requires planning permission'. Given the unusual nature of these applications and their broad categorisation as communications infrastructure, this is considered the best policy to determine the acceptability of the proposals in principle. The policy suggests that proposals will be acceptable where there is 'no unacceptable impact on the character and appearance of the area, on residential amenity or on the safe and satisfactory functioning of highways'.
25. It is acknowledged that there is a level of public benefit associated with the applications, as outlined in paragraph 8 of this report.
26. In this instance, the hub is replacing an existing BT phonebox. This replacement is acceptable in principle. Therefore, the acceptability of the proposal will lie in the aesthetic and physical differences between the two units and the impact on the amenity of the wider area.

Main issue 2: Design

27. Key policies and NPPF paragraphs – JCS2, DM3, NPPF12.

Relevant Policy

28. In terms of appearance, the proposal will appear broadly similar to the existing BT unit. DM3 of the Local Plan identifies that development will only be acceptable where 'appropriate attention has been given to the height, scale, massing and form of new development'. DM3 also identifies that proposed developments should show that appropriate consideration has been given to materials and colour, showing 'regard to the prevailing materials of the area'. Paragraph 134 of the NPPF states that development that 'is not well designed should be refused', especially where it does not reflect local design policies.

Impact

29. Concern has been raised by objectors regarding the impact of the proposal on the wider character of the area. The objectors express concern about the design of the units and the introduction of large, illuminated advertising into the streetscene. The general tone of the objections is that these are out of character within a medieval city largely free of large-scale digital advertising, and the provision of the units would create unnecessary visual clutter without a clear and measurable public benefit.
30. In this instance, the replacement unit is of a similar design and scale as the existing unit. The principle of placing a unit here is already established. Although it is marginally taller than the existing unit, the immediate surroundings are

characterised by the largely commercial character of the streetscene. The wide pavements ensure that the unit would not appear out of place when viewed alongside the existing single storey buildings on this side of the street. There is a large degree of existing street furniture, including the large totem signage for Aldi on the other side of the street.

31. Given the lack of specific sensitivity within the immediate surroundings and the modern character of the surrounding buildings, it is not considered that the replacement of the unit and introduction of the advertising screens on either side of the unit would be detrimental to the overall character of the area. The introduction of conditions to ensure the appropriate visual restrictions on the advertising screen will further reduce the visual impact of the unit.
32. The unit is established in this location. It is not considered that the replacement of the unit will lead to visual clutter.
33. In light of the above, it is considered that the proposed replacement of the phone box here would have a neutral impact on the general design quality of the area, and therefore the design proposal is considered acceptable.

Main issue 3: Amenity

34. Key policies and NPPF paragraphs – JCS2, JCS6, DM2, DM3, NPPF12.
35. Concern has been raised within the objections about the impact of this type of digital advertising on the general experience of pedestrians using the city centre. No amenity concerns to residential properties generated by the advertisements have been identified in this instance.
36. Some concern has been raised about the potential impact for the units generating anti-social behaviour. The applicant has submitted an 'Anti-social behaviour management plan' which allows for the tracking and identification of anti-social behaviour and appropriate mechanisms to report anti-social behaviour to the correct authorities. Each Hub is monitored 24 hours a day, so issues are identified early on. In this instance, the mitigation against anti-social behaviour is considered satisfactory.

Main Issue 4: Highways.

37. Key Policies and NPPF paragraphs: JCS2, JCS6, DM30, NPPF 12.

Policy

38. Impacts on the highway are covered by DM30. The policy requires that development 'within, over or adjacent to spaces or streets that form part of the public realm will ensure adequate clearance either below or around the structure is available to allow the safe passage of pedestrians, cyclists and, where appropriate, vehicles.'
39. In addition, it should be ensured that advertisements do not cause a distraction to motorists, consequently impeding highway safety.

Impact

40. Objections have expressed concern that the units will restrict movement across the pavement and limit pedestrian experience. There is concern that the Hubs will not allow appropriate space for easy movement for pedestrians with impaired movement using either mobility scooters or wheelchairs.
41. There is sufficient space for pedestrians to move around the unit, in compliance with the recommendations of Manual for Streets. The differences between the existing unit and the proposed unit are minimal and should not impact upon the movement of pedestrians. The conditions applied will ensure that the unit does not operationally cause a distraction to passing motorists.
42. The clearance of 0.5m to the curb is sufficient clearance as not to impede passing larger vehicles.
43. In this instance, the proposal is considered to be acceptable in highways terms.

Other Matters

44. Objectors have expressed concern about the saturation of corporate advertising within the city and how this complies with the Council's Ethical Advertising Policy. This is not a material planning concern and has not contributed to this assessment of the acceptability of the applications.
45. Public adverts are acceptable in principle. The content of adverts is not covered by the advertising legislation and should not impact on this decision. It is noted that 5% of advertising space is proposed to be allocated to the Local Authority for public messaging.
46. Objectors have also highlighted concern about the use of power in operating these units, and whether or not this is socially responsible. Again, this is not a planning concern and has not impacted upon this recommendation. It is understood that the unit will be powered by renewable energy only.

Equalities and diversity issues

47. There are no significant equality or diversity issues.

Local finance considerations

48. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
49. 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.
50. In this case local finance considerations are not considered to be material to the case.

Conclusion

51. 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.
52. The proposal is of an acceptable design and is considered to have an acceptable impact on the overall character of the local area.
53. The transport impact of the proposal is considered to be acceptable and can be reasonably controlled by conditions.
54. The amenity impact of the proposal is considered to be acceptable.
55. The proposal subsequently meets the criteria outlined within the relevant policies of the Norwich Development Management Policies Local Plan (2014) and of the National Planning Policy Framework (2021).

Recommendation

To approve:

- (1) application no. 21/01524/F, Telephone Box Adjacent to 195 and 197 Plumstead Road, Norwich and grant planning permission subject to the following conditions:

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

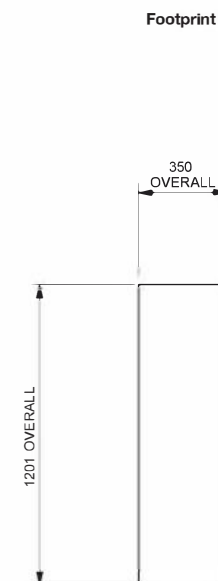
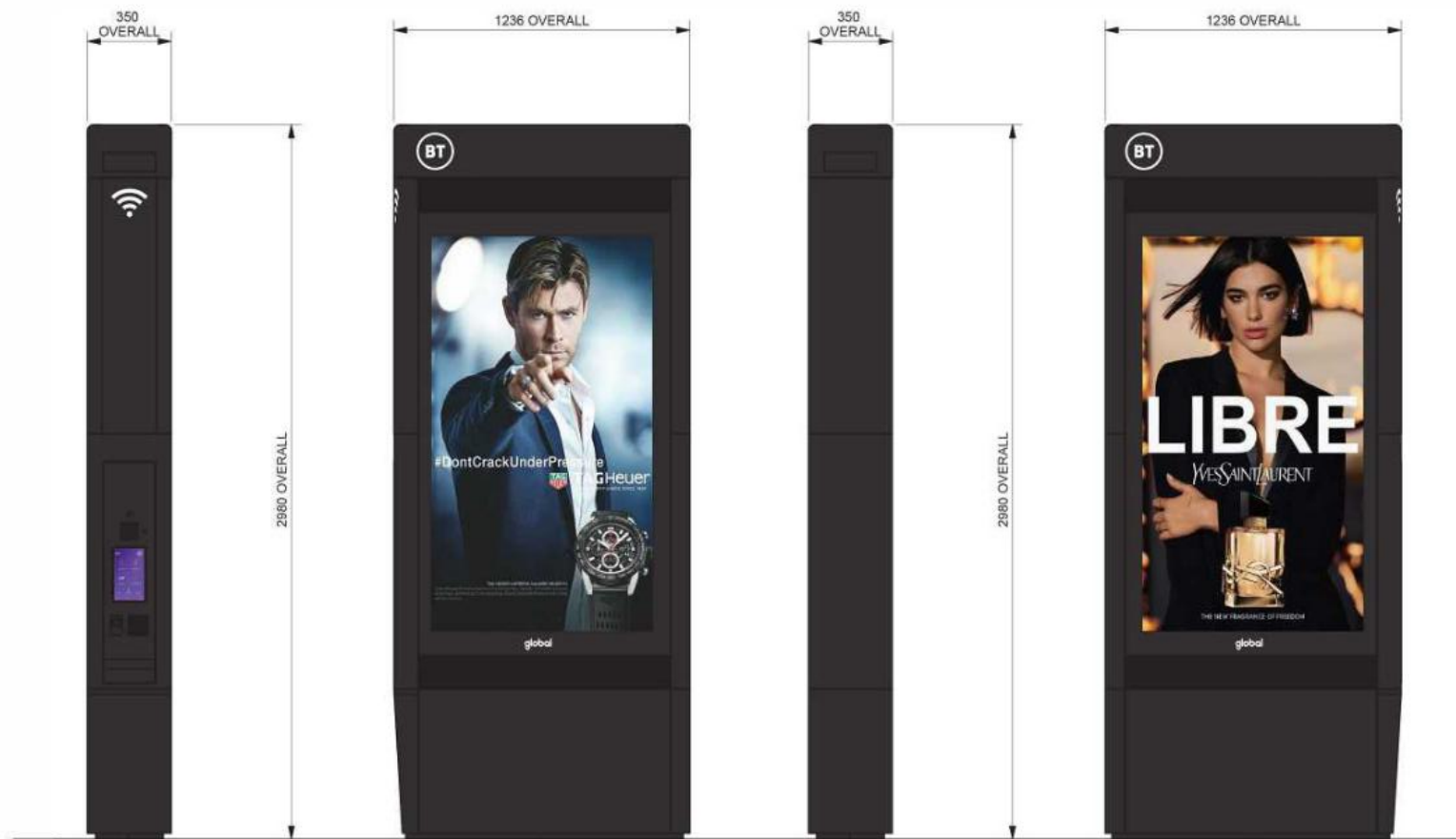
Article 35(2) Statement.

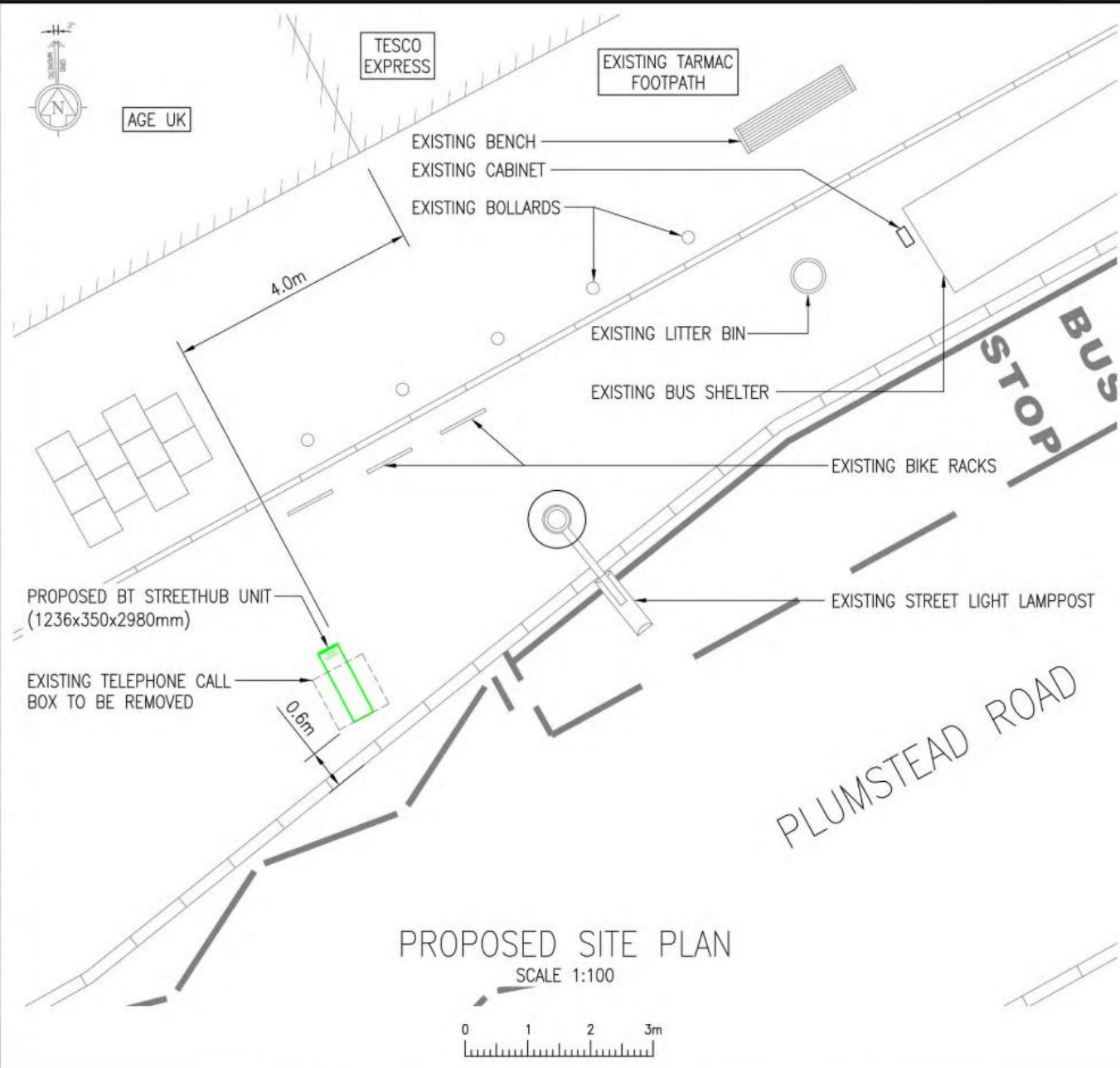
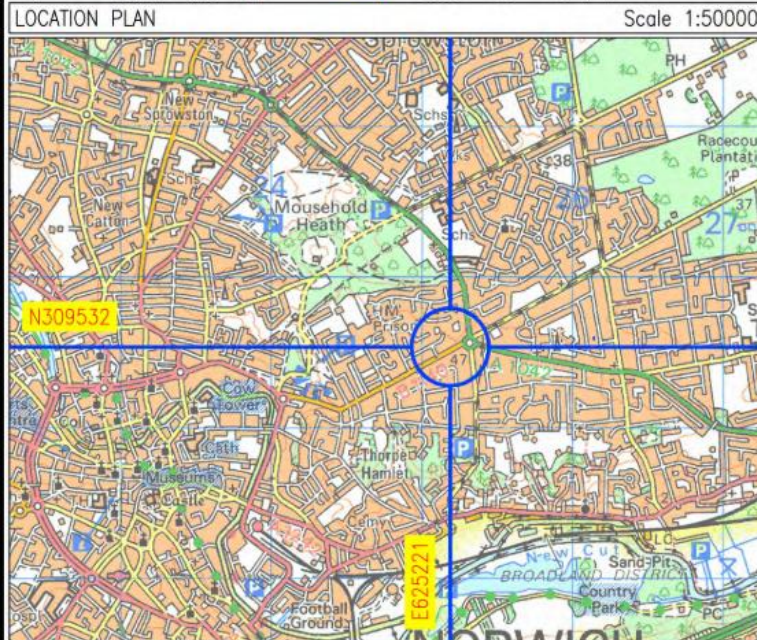
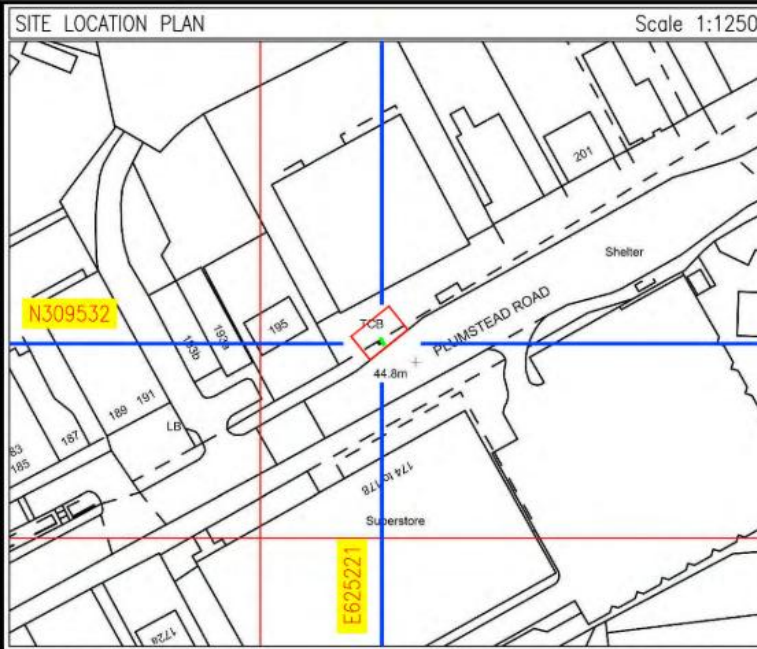
Informative notes:

1. Highways informative 4: works to the public highway.

- (2) application no. 21/01532/A, Telephone Box Adjacent to 195 and 197 Plumstead Road, Norwich and grant advertisement consent subject to the following conditions:

1. No advert displayed without permission of owner
2. No advert to obscure highway infrastructure/endanger pedestrians
3. Advert to be maintained as not to impact visual amenity
4. Advert should be maintained as not to endanger the public
5. On removal, the site should not endanger the public or impact visual amenity
6. Screens synchronised to multiple images do not change at different times
7. Minimum display time set at 10 seconds
8. Images should be static with no animation or moving images
9. Maximum level of nighttime illumination should be set at 300 cd/2.
10. No audio output permitted.





A		FIRST ISSUE					RN	26.07.21
REV		DESCRIPTION					BY	DATE
SCALE AS SHOWN WHEN PRINTED AT A4		DRAWN	APS	CHECKED	RN		ALL DIMENSIONS IN METRES U.N.O.	
		DATE	21.07.21	DATE	26.07.21			
LOCATION PLAN - Digital Mapping Solutions from Dotted Eyes. © Crown Copyright 2021. All rights reserved Licence number 100019918								
SITE BLOCK PLAN - Digital Mapping Solutions from Promap © Crown Copyright 2021. All rights reserved Licence number 100022432								

DRAWING TITLE

BT STREETHUB
NOW-2022 Page 73 of 108

ADDRESS

OS TESCO EXPRESS
197 PLUMSTEAD ROAD
NORWICH
NR1 4AB

REV A

Report to Planning applications committee

Item

13 January 2022

Report of Head of Planning and Regulatory Services

Subject Application no 21/01606/F, 21/01610/A, BT Kiosk South
East of Barn Road Car Park, St Swithins Road, Norwich

**Reason
for referral** Objection

4d

Ward	Mancroft
Case officer	Jacob Revell - 07741 103222 - jacobrevell@norwich.gov.uk
Applicant	British Telecom Plc

Development proposal		
Removal of existing BT phone box and installation of a replacement BT street hub. Display of 2No. digital 75" LCD display screens, one on each side of the amended InLink unit.		
Representations		
Object	Comment	Support
4	0	0

Main issues	Key considerations
1	Principle of Development
2	Design and Heritage
3	Amenity
4	Transport
5	Other Matters
Expiry date	5 January 2022 (extension of time pending agreement)
Recommendation	Approve with conditions



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Planning Application No 21/01606/F & 21/01610/A
 Site Address BT Kiosk south east of Barn Road
 Car Park St Swithins Road
 Scale 1:500

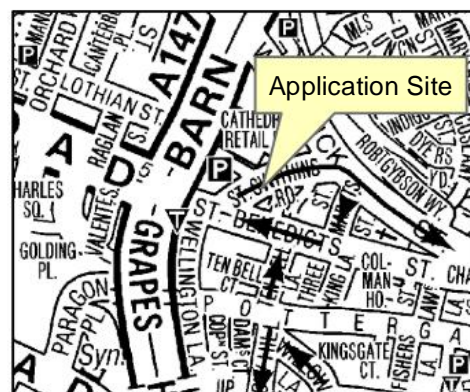


NORWICH
 City Council

PLANNING SERVICES



Page 76 of 108



The site and surroundings

1. The site is located on St Swithins Road, a busy one-way street connecting the Dereham Road/Grapes Hill/Barn Road junction with Westwick Street.
2. The site is immediately bordered by the St Benedict's Gate student accommodation block to the north-west, and a small private car park border by a dwarf brick wall to the south-east.
3. The area is generally of a mixed commercial and residential character.
4. The application is to replace an existing BT phone/advertising unit with a new 'BT Streethub'. The existing unit is approximately 2.5m tall and features rolling advertisements on one side and a manual payphone on the other, facing towards Westwick Street. The unit was installed in the early 2010s.

Constraints

5. City Centre Conservation Area

Relevant planning history

6. None relevant.

The proposal

7. The proposal is to replace the existing phone unit with a new 'BT Street Hub'. This is part of a larger rollout of hubs across the city centre.
8. The 'Street Hubs' are being rolled out to replace the existing phone units and boxes within the city centre. The hubs provide numerous benefits and services including: wi-fi, access to public services, accessibility options, use of carbon-free energy, secure USB ports for charging, free phone calls, direct 999 calls, display of public messages and provision of environmental sensors (air quality, noise, traffic etc).
9. The replacement hub has the following dimensions: 2.98m height, 1.236m width and 0.35m depth. Owing to the slight curve on the shape of the unit, the footprint is 1.2m x 0.35m.
10. The unit would feature a large 75" LCD digital advertising screen on each side. The supporting information proposes that the screens display content at 10 second intervals. The supporting information states that commercial content funds the service, but there is intent for the screens to display public messaging also. Free advertising for the Local Authority is offered for 5% of the overall screentime, equivalent to 876 hours per unit per year.
11. Two applications are presented within this report. The first application (21/01606/F) relates to full planning permission for the structure itself. The second application (21/01610/A) relates to advertisement consent for the screens on either side of the unit. There is no scope for public consultation on applications for advertisement consent, and nor is there any requirement within the scheme of delegation for them to be brought before planning committee but given the association between the two applications it has been considered prudent to present them both within this report.

12. The committee may not have had to consider applications for advertisement consent before and so it should be noted that such applications are covered by a different set of regulations and can only be assessed in relation to impact on amenity and public safety.

Representations

13. The application for full planning permission has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.
14. 4 letters of representation have been received in relation to this application. All of the letters of representation have been submitted word-for-word in relation to the multiple 'Street Hubs' applications, so express more general concerns with the project rather than the specifics of each site. The representations received in opposition to the proposal are summarised in the table below.

Issues raised	Response
Proposals would cause harm to the quality of the area - unattractive, monolithic design. The units are too tall and screens too high. Norwich is a medieval city and these are out of character. Creates visual clutter.	See main issue 2.
Wasteful use of energy is incompatible with climate emergency and contributes to light pollution. Renewable energy should be used for more socially useful purposes than driving consumerism. Cynical advertising opportunity with no motive other than greed.	See other matters.
Corporate advertising is saturated and encouraging unsustainable consumption is out of line with Ethical Advertising Policy. This type of advertising has a negative impact on public health.	See main issue 2 and other matters.
Free wifi and charging do not equate to fair compensation for the harm caused.	See conclusion.
May lead to anti-social behaviour in the city centre.	See main issue 3.
Impairment to movement for pedestrians and users of mobility scooters/buggies etc.	See main issue 4.

Consultation responses

15. 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

16. No comments received.

Norfolk County Council - Highways

17. (full summarised) I have no objection to the principle of installing the BT Hub as proposed in this location as there is sufficient space for pedestrians to walk around it.
18. (advert summarised) The proposed advertising is acceptable in terms of highway safety if the following conditions are applied:
- (a) The screens must be synchronised to ensure that multiple images do not change at different times, which can add to driver distraction.
 - (b) The minimum display time is set at 10 seconds.
 - (c) The image is static with no animation or apparent moving images.
 - (d) Maximum level of night-time illumination be set at 300 cd/m2
 - (e) No audio output is permitted.

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)**
- JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS6 Access and transportation
 - JCS7 Supporting communities
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
 - DM9 Safeguarding Norwich's heritage
 - DM10 Supporting the delivery of a communications infrastructure
 - DM30 Access and highway safety

Other material considerations

21. Relevant sections of the National Planning Policy Framework March 2021 (NPPF) (as revised):

- NPPF10 – Supporting high quality communications
- NPPF12 – Achieving well designed places
- NPPF16 – Conserving and enhancing the historic environment

Case Assessment

22. 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 Policy 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

23. Key policies and NPPF paragraphs – JCS2, DM1, DM3, DM10, NPPF10, NPPF12.
24. The proposal involves the removal of the existing BT unit and replacement with the new 'Street Hub' in the same location. The replacement unit is of a narrower but taller design to the existing unit.
25. Policy DM10 outlines policy for development relating to 'the provision, upgrading and enhancement of wireless and fixed data transfer and telecommunications networks and their associated infrastructure that requires planning permission'. Given the unusual nature of these applications and their broad categorisation as communications infrastructure, this is considered the best policy to determine the acceptability of the proposals in principle. The policy suggests that proposals will be acceptable where there is 'no unacceptable impact on the character and appearance of the area, on residential amenity or on the safe and satisfactory functioning of highways'.
26. It is acknowledged that there is a level of public benefit associated with the applications, as outlined in paragraph 8 of this report.
27. In this instance, the hub is replacing an existing BT phonebox. This replacement is acceptable in principle. Therefore, the acceptability of the proposal will lie in the aesthetic and physical differences between the two units and the impact on the amenity of the wider area.

Main issue 2: Design and Heritage

28. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF12, NPPF16.
29. As noted above, the proposal is located within the City Centre Conservation Area, on the edge of the Elm Hill & Maddermarket and Northern Riverside character areas. Careful consideration must be given to the ways in which the development impacts upon the character of the Conservation Area.

Relevant Policy

30. In terms of appearance, the proposal will appear broadly similar to the existing BT unit. DM3 of the Local Plan identifies that development will only be acceptable where 'appropriate attention has been given to the height, scale, massing and form of new development'. DM3 also identifies that proposed developments should show that appropriate consideration has been given to materials and colour, showing 'regard to the prevailing materials of the area'. Paragraph 134 of the NPPF states that development that 'is not well designed should be refused', especially where it does not reflect local design policies.
31. DM9 identifies that development should 'maximise opportunities to preserve, enhance or better reveal the significance of designated heritage assets'. Paragraph 202 of the NPPF outlines that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.

Impact

32. Concern has been raised by objectors regarding the impact of the proposal on the wider character of the Conservation Area. The objectors express concern about the monolithic design of the units and the introduction of large, illuminated advertising into the streetscene. The general tone of the objections is that these are out of character within a medieval city largely free of large-scale digital advertising, and the provision of the units would create unnecessary visual clutter without a clear and measurable public benefit.
33. In this instance, the replacement unit is of a similar design and scale as the existing unit. The principle of placing a unit here is already established. Although it is marginally taller than the existing unit, the immediate surroundings are dominated by the tall block of student flats at St Benedict's Gate. Although located within the Conservation Area, the proposal does not immediately impact on the setting of any particular heritage assets.
34. Given the lack of specific sensitivity within the immediate surroundings and the modern character of the surrounding buildings, it is not considered that the replacement of the unit and introduction of the advertising screens on either side of the unit would be detrimental to the overall character of the area. The introduction of the conditions recommended by the highways authority in relation to the adverts will further mitigate against the visual impact of the proposal.
35. The unit is established in this location. It is not considered that the replacement of the unit will lead to visual clutter.
36. In light of the above, it is considered that the proposed replacement of the unit here would have a neutral impact on the overall character of the Conservation Area. Any harm to the Conservation Area is considered to be outweighed by the public benefits of the proposal.

Main issue 3: Amenity

37. Key policies and NPPF paragraphs – JCS2, JCS6, DM2, DM3, NPPF12.

38. Concern has been raised within the objections about the impact of this type of digital advertising on the general experience of pedestrians using the city centre. No amenity concerns to residential properties generated by the advertisements have been identified in this instance.
39. Some concern has been raised about the potential impact for the units generating anti-social behaviour. The applicant has submitted an 'Anti-social behaviour management plan' which allows for the tracking and identification of anti-social behaviour and appropriate mechanisms to report anti-social behaviour to the correct authorities. Each Hub is monitored 24 hours a day, so issues are identified early on. In this instance, the mitigation against anti-social behaviour is considered satisfactory.

Main Issue 4: Highways.

40. Key Policies and NPPF paragraphs: JCS2, JCS6, DM30, NPPF 12.

Policy

41. Impacts on the highway are covered by DM30. The policy requires that development 'within, over or adjacent to spaces or streets that form part of the public realm will ensure adequate clearance either below or around the structure is available to allow the safe passage of pedestrians, cyclists and, where appropriate, vehicles.'
42. In addition, it should be ensured that advertisements do not cause a distraction to motorists, consequently impeding highway safety.

Impact

43. Objections have expressed concern that the units will restrict movement across the pavement and limit pedestrian experience. There is concern that the Hubs will not allow appropriate space for easy movement for pedestrians with impaired movement using either mobility scooters or wheelchairs.
44. The highways officer has confirmed that there is sufficient space for pedestrians to move around the unit. The differences between the existing unit and the proposed unit are minimal and should not impact upon the movement of pedestrians. The highways officer has also suggested that the advertising will not cause a safety hazard for passing motorists if the appropriate conditions are applied.
45. In this instance, the proposal is considered to be acceptable in highways terms.

Other Matters

46. Objectors have expressed concern about the saturation of corporate advertising within the city and how this complies with the Council's Ethical Advertising Policy. This is not a material planning concern and has not contributed to this assessment of the acceptability of the applications.
47. Public adverts are acceptable in principle. The content of adverts is not covered by the advertising legislation and should not impact on this decision. It is noted that 5% of advertising space is proposed to be allocated to the Local Authority for public messaging.

48. Objectors have also highlighted concern about the use of power in operating these units, and whether or not this is socially responsible. Again, this is not a planning concern and has not impacted upon this recommendation. It is understood that the unit will be powered by renewable energy only.

Equalities and diversity issues

49. There are no significant equality or diversity issues.

Local finance considerations

50. 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.
51. 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.
52. In this case local finance considerations are not considered to be material to the case.

Conclusion

53. 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.
54. The proposal is of an acceptable design and is considered to have an acceptable impact on the overall character of the City Centre Conservation Area. Any limited harm caused by the increase in digital advertising is considered to be offset by the public benefit of the proposal.
55. The transport impact of the proposal is considered to be acceptable and can be reasonably controlled by conditions.
56. The amenity impact of the proposal is considered to be acceptable.
57. The proposal subsequently meets the criteria outlined within the relevant policies of the Norwich Development Management Policies Local Plan (2014) and of the National Planning Policy Framework (2021).

Recommendation

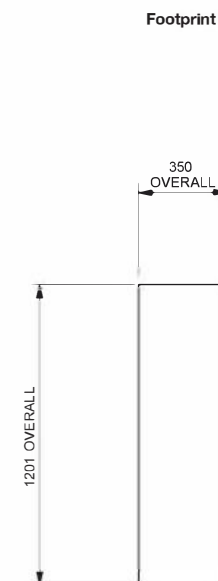
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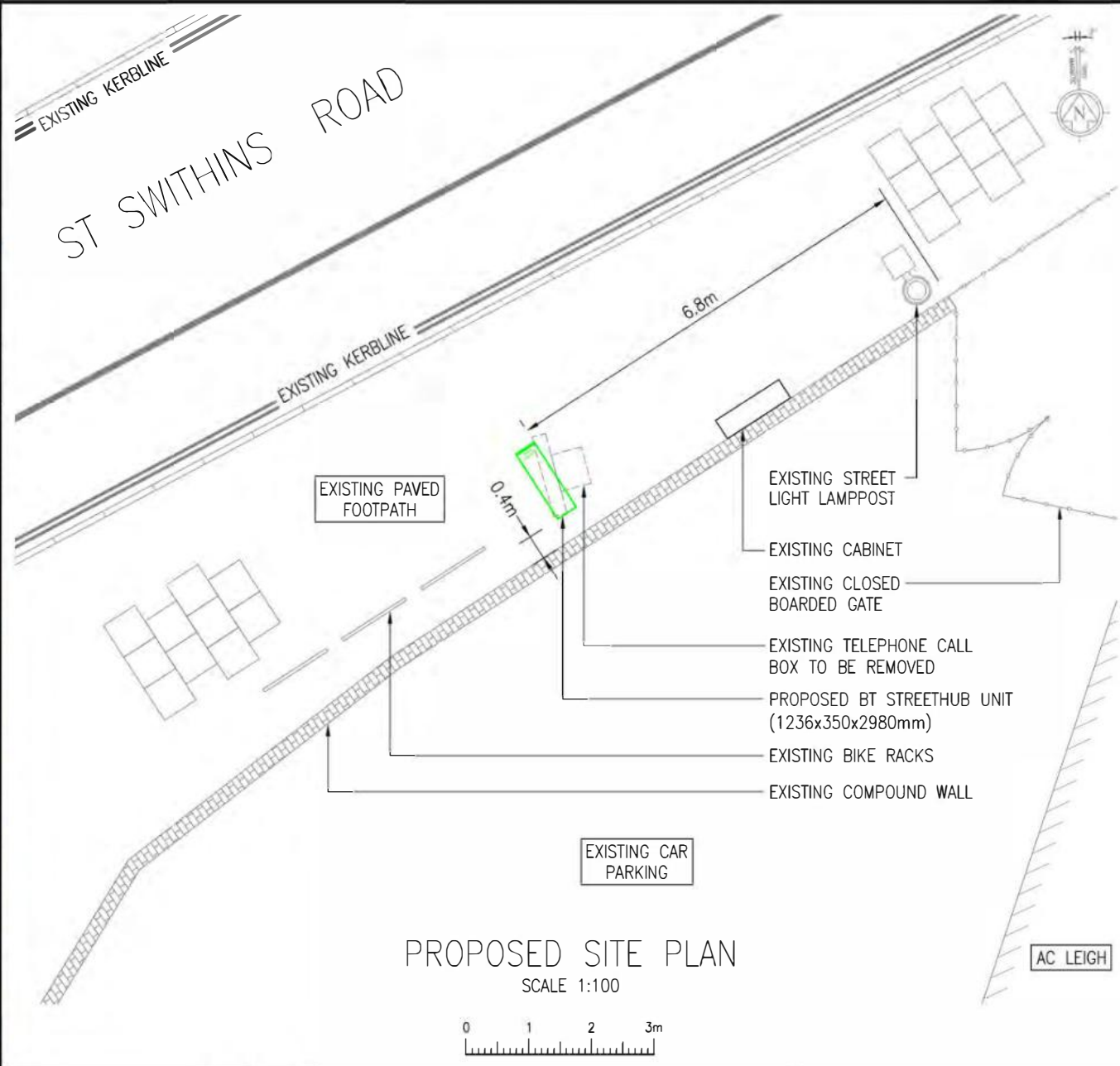
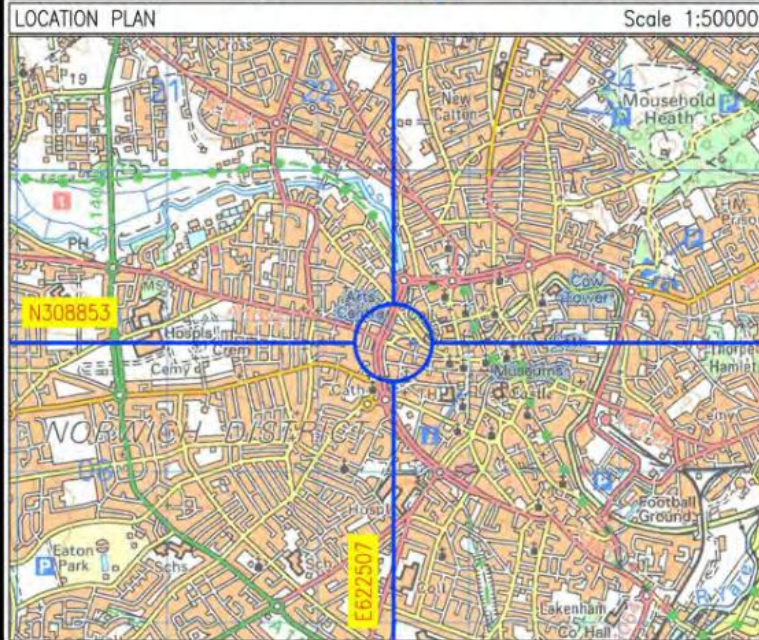
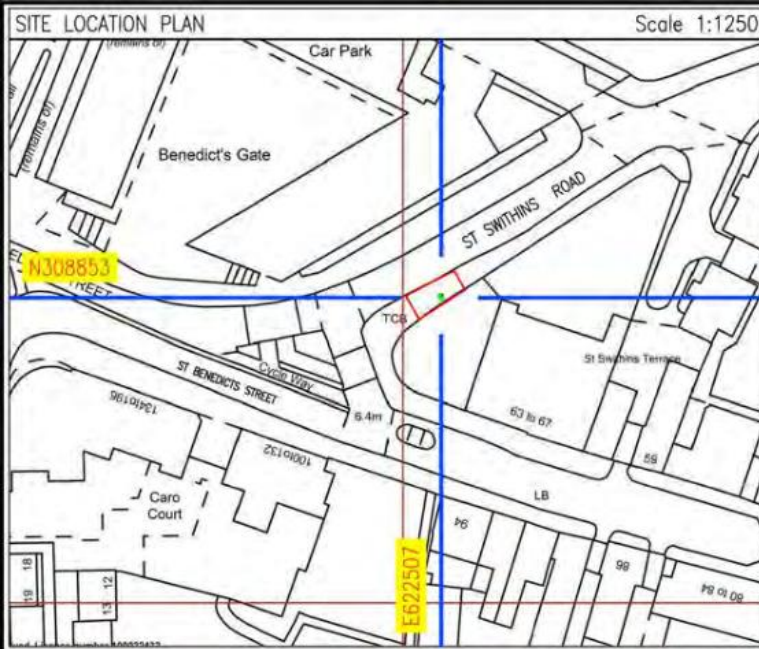
- (1) application no. 21/01606/F – BT Kiosk South East of Barn Road Car Park, St Swithins Road, Norwich and grant planning permission subject to the following conditions:
1. Standard time limit;
 2. In accordance with plans;

Article 35(2) Statement.

Informative notes:

1. Highways informative 4: works to the public highway.
- (2) application no. 21/01610/A – BT Kiosk South East of Barn Road Car Park, St Swithins Road, Norwich and grant advertisement consent subject to the following conditions:
 1. No advert displayed without permission of owner
 2. No advert to obscure highway infrastructure/endanger pedestrians
 3. Advert to be maintained as not to impact visual amenity
 4. Advert should be maintained as not to endanger the public
 5. On removal, the site should not endanger the public or impact visual amenity
 6. Screens synchronised to multiple images do not change at different times
 7. Minimum display time set at 10 seconds
 8. Images should be static with no animation or moving images
 9. Maximum level of nighttime illumination should be set at 300 cd/2.
 10. No audio output permitted.





BT StreetHub

A		FIRST ISSUE				RN	21.10.21
REV	DESCRIPTION					BY	DATE
SCALE AS SHOWN WHEN PRINTED AT A4		DRAWN	APS	CHECKED	RN	ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED	
		DATE	20.10.21	DATE	21.10.21		

LOCATION PLAN - Digital Mapping Solutions from Dotted Eyes.
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SITE BLOCK PLAN - Digital Mapping Solutions from Promap
© Crown Copyright 2021. All rights reserved Licence number 100022432

DRAWING TITLE

BT STREETHUB
NOW-207

ADDRESS
ST SWITHINS STREET
SAINT SWITHINS ROAD
HEIGHAM DROVE
NORWICH
NR2 4TX

REV A

Report to Planning applications committee

Item

13 January 2022

Report of Head of Planning and Regulatory Services

Subject Application no 21/01530/F, 21/01535/A, Telephone Box
outside 1 Brigg Street, Norwich

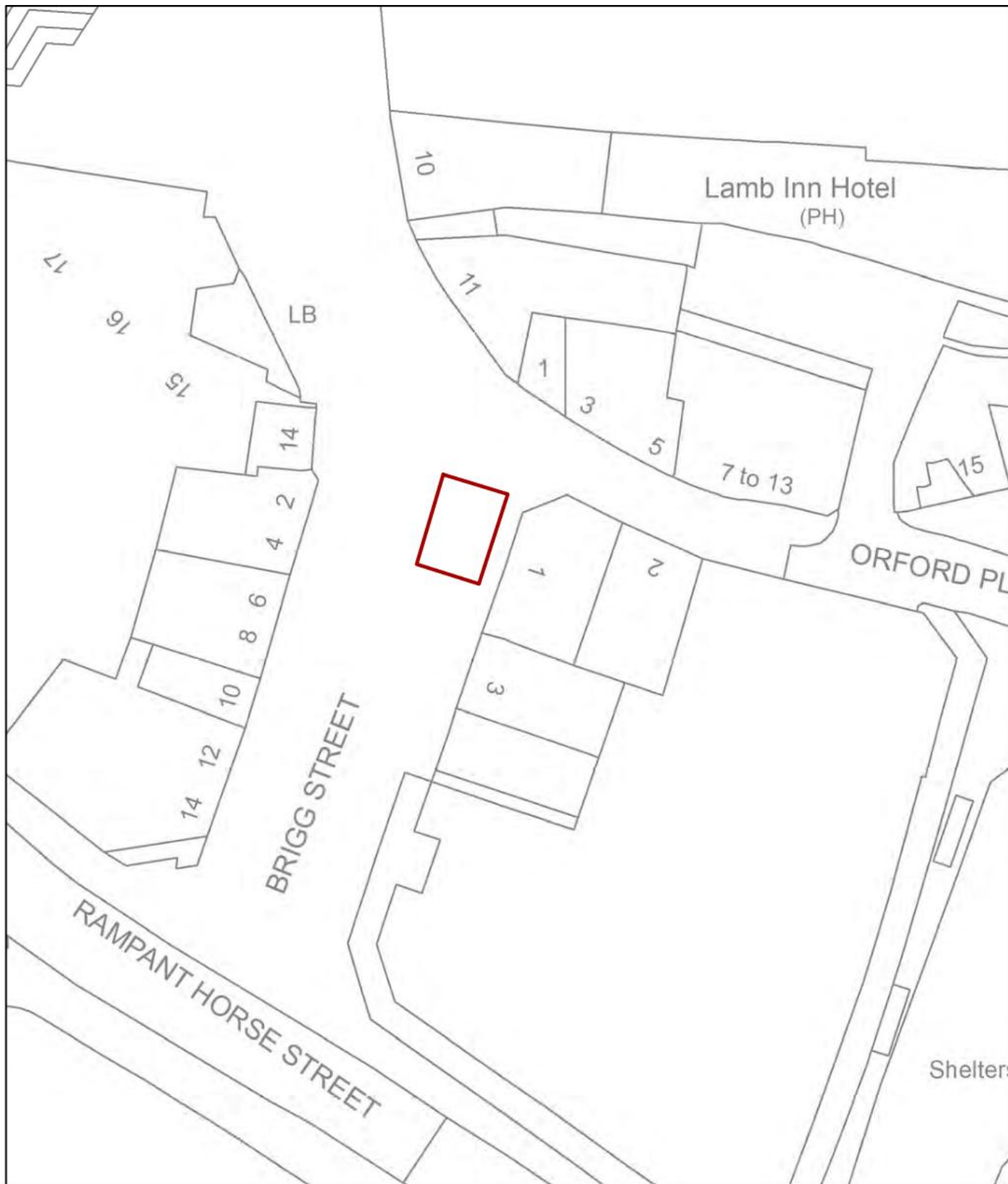
**Reason
for referral** Objection

4e

Ward	Mancroft
Case officer	Jacob Revell - 07741 103222 - jacobrevell@norwich.gov.uk
Applicant	British Telecom Plc

Development proposal		
Removal of existing BT phone box and installation of a replacement BT street hub. Display of 2No. digital 75" LCD display screens, one on each side of the amended InLink unit.		
Representations		
Object	Comment	Support
4	0	0

Main issues	Key considerations
1	Principle of Development
2	Design and Heritage
3	Amenity
4	Transport
5	Other Matters
Expiry date	24 th December 2021 (extension of time pending agreement)
Recommendation	Approve with conditions



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Planning Application No 21/0530/F & 21/01535/A
 Site Address Telephone box outside
 1 Brigg Street

Scale 1:500

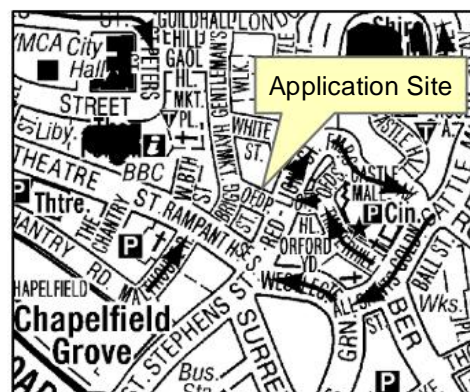


NORWICH
 City Council

PLANNING SERVICES



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The site and surroundings

1. The site is located on Brigg Street, a busy pedestrianised area of the city centre that intersecting with Haymarket and Orford Place.
2. The site is located immediately outside of the retail unit currently occupied by 'Pavers Shoes'. The proposal represents a 'like for like' replacement with the existing BT unit, which is of similar proportions with advertising on one side and a more traditional payphone on the other.
3. The area has a strong commercial character and is generally characterised by Class E uses at ground floor level. Notable surrounding heritage assets are the locally listed 11 Haymarket and 1 Orford Place, in addition to the Grade II listed properties at 4 – 2 Brigg Street and 14 Haymarket. The pedestrianised area of Brigg Street is vibrant, with numerous market stalls selling products from the street.
4. The application is to replace an existing BT phone/advertising unit with a new 'BT Streethub'. The existing unit is approximately 2.5m tall and features rolling advertisements on one side and a manual payphone on the other, facing towards Westwick Street. The unit appears to have been installed in the early 2010's.

Constraints

5. City Centre Conservation Area

Relevant planning history

6. None relevant.

The proposal

7. The proposal is to replace the existing phone unit with a new 'BT Street Hub'. This is part of a larger rollout of hubs across the city centre.
8. The 'Street Hubs' are being rolled out to replace the existing phone units and boxes within the city centre. The hubs provide numerous benefits and services including: wi-fi, access to public services, accessibility options, use of carbon-free energy, secure USB ports for charging, free phone calls, direct 999 calls, display of public messages and provision of environmental sensors (air quality, noise, traffic etc).
9. The replacement hub has the following dimensions: 2.98m height, 1.236m width and 0.35m depth. Owing to the slight curve on the shape of the unit, the footprint is 1.2m x 0.35m.
10. The unit would feature a large 75" LCD digital advertising screen on each side. The supporting information proposes that the screens display content at 10 second intervals. The supporting information states that commercial content funds the service, but there is intent for the screens to display public messaging also. Free advertising for the Local Authority is offered for 5% of the overall screentime, equivalent to 876 hours per unit per year.
11. Two applications are presented within this report. The first application (21/1530/F) relates to full planning permission for the structure itself. The second application (21/01535/A) relates to advertisement consent for the screens on either side of the

unit. There is no scope for public consultation on applications for advertisement consent, and nor is there any requirement within the scheme of delegation for them to be brought before planning committee, but given the association between the two applications it has been considered prudent to present them both within this report.

12. The committee may not have had to consider applications for advertisement consent before and so it should be noted that such applications are covered by a different set of regulations and can only be assessed in relation to impact on amenity and public safety.

Representations

13. The application for full planning permission has been advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing.
14. 4 letters of representation have been received in relation to this application. All of the letters of representation have been submitted word-for-word in relation to the multiple 'Street Hubs' applications, so express more general concerns with the project rather than the specifics of each site. The representations received in opposition to the proposal are summarised in the table below.

Issues raised	Response
- Proposals would cause harm to the quality of the area - unattractive, monolithic design. The units are too tall and screens too high. Norwich is a medieval city and these are out of character. Creates visual clutter.	See main issue 2.
- Wasteful use of energy is incompatible with climate emergency and contributes to light pollution. Renewable energy should be used for more socially useful purposes than driving consumerism. Cynical advertising opportunity with no motive other than greed.	See other matters.
- Corporate advertising is saturated and encouraging unsustainable consumption is out of line with Ethical Advertising Policy. This type of advertising has a negative impact on public health.	See main issue 2 and other matters.
- Free wifi and charging do not equate to fair compensation for the harm caused.	See conclusion.
- May lead to anti-social behaviour in the city centre.	See main issue 3.

- Impairment to movement for pedestrians and users of mobility scooters/buggies etc.	See main issue 4.
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Consultation responses

15. 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

16. No comments received.

Norfolk County Council - Highways

17. No comments received.

Assessment of planning considerations

Relevant development plan policies

18. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS6 Access and transportation
 - JCS7 Supporting communities
19. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM9 Safeguarding Norwich's heritage
 - DM10 Supporting the delivery of a communications infrastructure
 - DM30 Access and highway safety

Other material considerations

20. **Relevant sections of the National Planning Policy Framework March 2021 (NPPF) (as revised):**
- NPPF10 – Supporting high quality communications
 - NPPF12 – Achieving well designed places
 - NPPF16 – Conserving and enhancing the historic environment

Case Assessment

21. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material

considerations include policies in the National Planning Policy Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

22. Key policies and NPPF paragraphs – JCS2, DM1, DM3, DM10, NPPF10, NPPF12.
23. The proposal involves the removal of the existing BT unit and replacement with the new 'Street Hub' in the same location. The replacement unit is of a narrower but taller design to the existing unit.
24. Policy DM10 outlines policy for development relating to 'the provision, upgrading and enhancement of wireless and fixed data transfer and telecommunications networks and their associated infrastructure that requires planning permission'. Given the unusual nature of these applications and their broad categorisation as communications infrastructure, this is considered the best policy to determine the acceptability of the proposals in principle. The policy suggests that proposals will be acceptable where there is 'no unacceptable impact on the character and appearance of the area, on residential amenity or on the safe and satisfactory functioning of highways'.
25. It is acknowledged that there is a level of public benefit associated with the applications, as outlined in paragraph 8 of this report.
26. In this instance, the hub is replacing an existing BT phonebox. This replacement is acceptable in principle. Therefore, the acceptability of the proposal will lie in the aesthetic and physical differences between the two units and the impact on the amenity of the wider area.

Main issue 2: Design and Heritage

27. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF12, NPPF16.
28. As noted above, the proposal is located within the City Centre Conservation Area, within the St Stephens character area. The area is identified as having 'significant' heritage value, the second lowest grading in the appraisal. Careful consideration must be given to the ways in which the development impacts upon the character of the Conservation Area.

Relevant Policy

29. In terms of appearance, the proposal will appear broadly similar to the existing BT unit. DM3 of the Local Plan identifies that development will only be acceptable where 'appropriate attention has been given to the height, scale, massing and form of new development'. DM3 also identifies that proposed developments should show that appropriate consideration has been given to materials and colour, showing 'regard to the prevailing materials of the area'. Paragraph 134 of the NPPF states that development that 'is not well designed should be refused', especially where it does not reflect local design policies.

30. DM9 identifies that development should 'maximise opportunities to preserve, enhance or better reveal the significance of designated heritage assets'. Paragraph 202 of the NPPF outlines that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal'.

Impact

31. Concern has been raised by objectors regarding the impact of the proposal on the wider character of the Conservation Area. The objectors express concern about the monolithic design of the units and the introduction of large, illuminated advertising into the streetscene. The general tone of the objections is that these are out of character within a medieval city largely free of large-scale digital advertising, and the provision of the units would create unnecessary visual clutter without a clear and measurable public benefit.
32. In this instance, the replacement unit is of a similar design and scale as the existing unit. The principle of placing a unit here is already established. Although it is marginally taller than the existing unit, the immediate surroundings are dominated by large scale buildings. In particular, the ground floor retail units are of relatively grand proportions. Given the clearly established precedent in this location, it is not considered that the replacement has any increased impact on the nearby heritage assets. The unit will appear well proportioned to the existing ground floor units and will have minimal impact when compared to the existing unit.
33. The introduction of illuminated screens is not considered to detract from the significance of any of the identified heritage assets. There is precedent for illuminated advertising in the city centre and this location is busy, vibrant and colourful regardless. Due to the orientation of the unit, the proposed adverts are not considered to have any particular impact on the setting of the identified heritage assets. The introduction of the conditions recommended by the highways authority in relation to the adverts will further mitigate against the visual impact of the proposal.
34. The unit is established in this location. It is not considered that the replacement of the unit will lead to visual clutter.
35. In light of the above, it is considered that the proposed replacement of the unit here would have a neutral impact on the overall character of the Conservation Area. Any harm to the Conservation Area is considered to be outweighed by the public benefits of the proposal.

Main issue 3: Amenity

36. Key policies and NPPF paragraphs – JCS2, JCS6, DM2, DM3, NPPF12.
37. Concern has been raised within the objections about the impact of this type of digital advertising on the general experience of pedestrians using the city centre. No amenity concerns to residential properties generated by the advertisements have been identified in this instance.
38. Some concern has been raised about the potential impact for the units generating anti-social behaviour. The applicant has submitted an 'Anti-social behaviour management plan' which allows for the tracking and identification of anti-social

behaviour and appropriate mechanisms to report anti-social behaviour to the correct authorities. Each Hub is monitored 24 hours a day, so issues are identified early on. In this instance, the mitigation against anti-social behaviour is considered satisfactory.

Main Issue 4: Highways.

39. Key Policies and NPPF paragraphs: JCS2, JCS6, DM30, NPPF 12.

Policy

40. Impacts on the highway are covered by DM30. The policy requires that development 'within, over or adjacent to spaces or streets that form part of the public realm will ensure adequate clearance either below or around the structure is available to allow the safe passage of pedestrians, cyclists and, where appropriate, vehicles.'
41. In addition, it should be ensured that advertisements do not cause a distraction to motorists, consequently impeding highway safety.

Impact

42. Objections have expressed concern that the units will restrict movement across the pavement and limit pedestrian experience. There is concern that the Hubs will not allow appropriate space for easy movement for pedestrians with impaired movement using either mobility scooters or wheelchairs.
43. The proposal is for the like-for-like replacement of the existing unit. Within this pedestrianised part of the city, it is evident that the inclusion of street furniture such as this would not impede movement due to the space around the unit. There is clear and established precedent for a unit to be located here.
44. In this instance, the proposal is considered to be acceptable in highways terms.

Other Matters

45. Objectors have expressed concern about the saturation of corporate advertising within the city and how this complies with the Council's Ethical Advertising Policy. This is not a material planning concern and has not contributed to this assessment of the acceptability of the applications.
46. Public adverts are acceptable in principle. The content of adverts is not covered by the advertising legislation and should not impact on this decision. It is noted that 5% of advertising space is proposed to be allocated to the Local Authority for public messaging.
47. Objectors have also highlighted concern about the use of power in operating these units, and whether or not this is socially responsible. Again, this is not a planning concern and has not impacted upon this recommendation. It is understood that the unit will be powered by renewable energy only.

Equalities and diversity issues

48. There are no significant equality or diversity issues.

Local finance considerations

49. 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.
50. 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.
51. In this case local finance considerations are not considered to be material to the case.

Conclusion

52. 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.
53. The proposal is of an acceptable design and is considered to have an acceptable impact on the overall character of the City Centre Conservation Area. Any limited harm caused by the increase in digital advertising is considered to be offset by the public benefit of the proposal.
54. The transport impact of the proposal is considered to be acceptable and can be reasonably controlled by conditions.
55. The amenity impact of the proposal is considered to be acceptable.
56. The proposal subsequently meets the criteria outlined within the relevant policies of the Norwich Development Management Policies Local Plan (2014) and of the National Planning Policy Framework (2021).

Recommendation

To approve application no. 21/01530/F, Telephone Box outside 1 Brigg Street, Norwich and grant planning permission subject to the following conditions:

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

Article 35(2) Statement.

Informative notes:

1. Highways informative 4: works to the public highway.

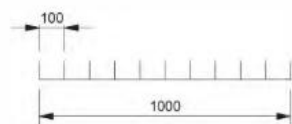
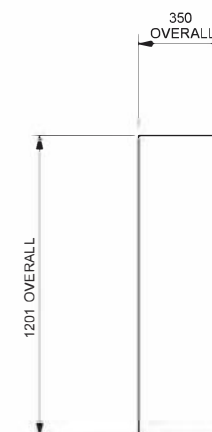
To approve application no. 21/01535/A, Telephone Box outside 1 Brigg Street, Norwich and grant planning permission subject to the following conditions:

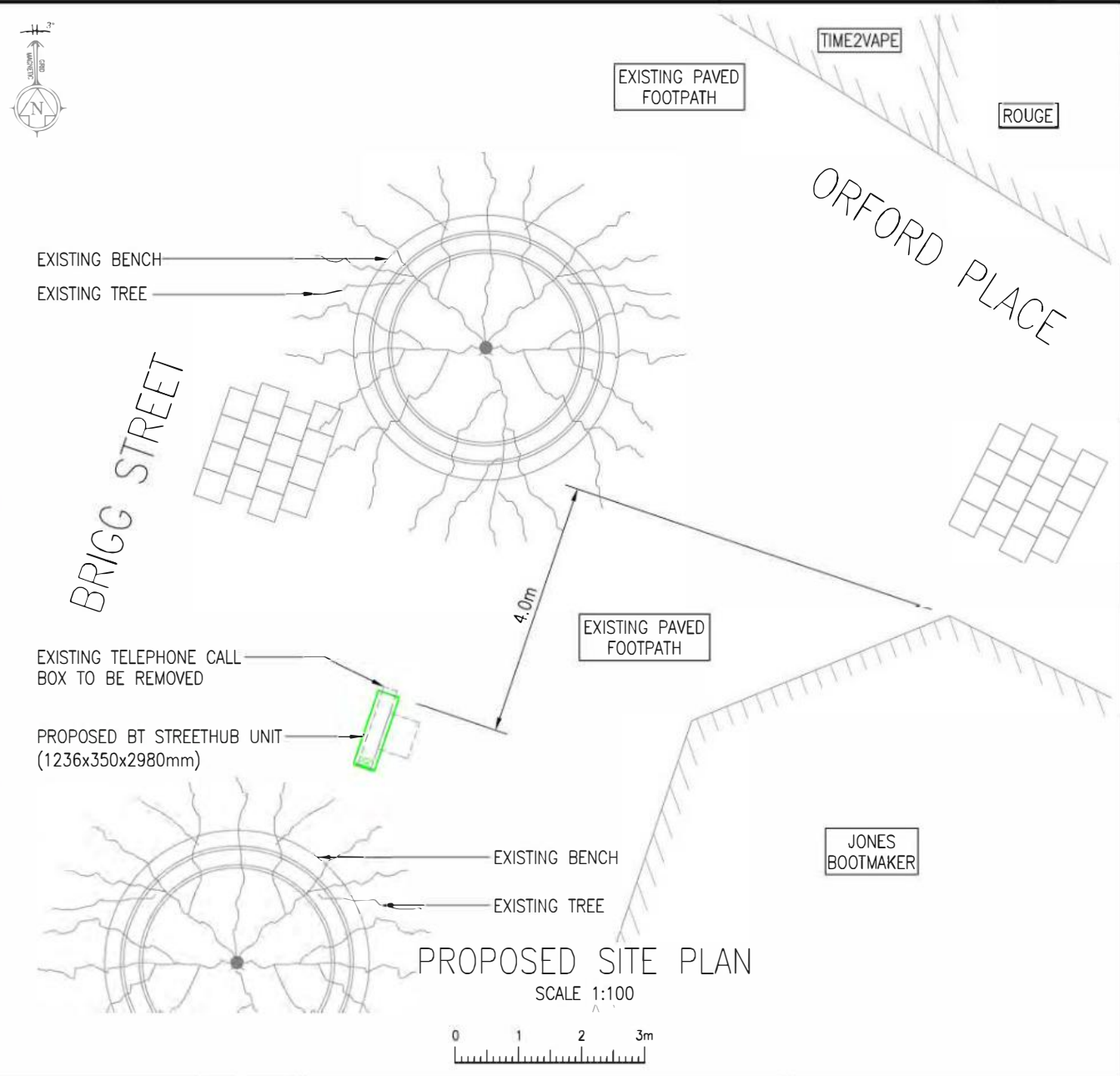
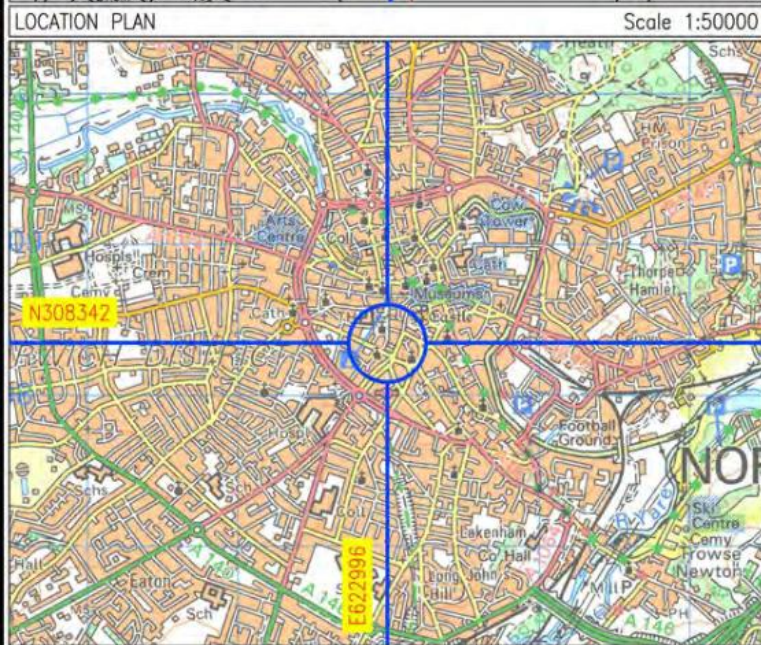
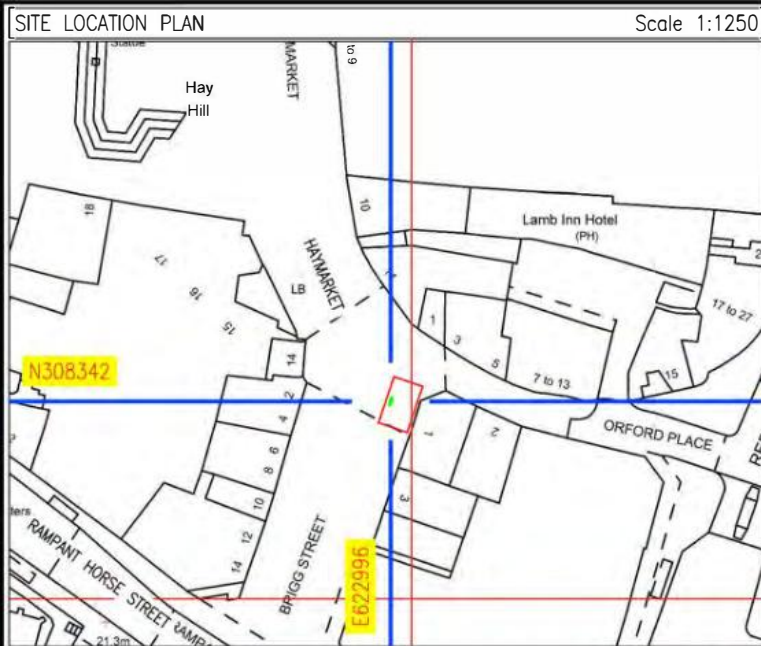
1. No advert displayed without permission of owner
2. No advert to obscure highway infrastructure/endanger pedestrians

3. Advert to be maintained as not to impact visual amenity
4. Advert should be maintained as not to endanger the public
5. On removal, the site should not endanger the public or impact visual amenity
6. Screens synchronised to multiple images do not change at different times
7. Minimum display time set at 10 seconds
8. Images should be static with no animation or moving images
9. Maximum level of night time illumination should be set at 300 cd/2.
10. No audio output permitted.



Footprint





A		FIRST ISSUE				RN	26.07.21
REV	DESCRIPTION	DATE	DATE	DATE	DATE	BY	DATE
SCALE AS SHOWN WHEN PRINTED AT A4	DRAWN	APS	CHECKED	RN	ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED		
	DATE	22.07.21	DATE	26.07.21			
LOCATION PLAN - Digital Mapping Solutions from Dotted Eyes. © Crown Copyright 2021. All rights reserved Licence number 100019918							
SITE BLOCK PLAN - Digital Mapping Solutions from Promap © Crown Copyright 2021. All rights reserved Licence number 100022432							

DRAWING TITLE		ADDRESS	
BT STREETHUB		S/O RETAIL UNIT	
NOW-203		1 BRIGG STREET	
		NORWICH	
		NR2 1QJ	
REV		A	

Report to Planning applications committee

Item

13 January 2022

Report of Head of Planning and Regulatory Services

Subject Application no 21/01670/F - 29 Robin Hood Road
Norwich NR4 6BS

**Reason
for referral** Member or Staff application

4f

Ward:	Lakenham
Case officer:	Sarah Hinchcliffe - sarahhinchcliffe@norwich.gov.uk
Applicant:	Member of staff

Development proposal		
Two storey front extension.		
Representations		
Object	Comment	Support
0	0	0

Main issues	Key considerations
1. Design	Scale and position of the extension and impact on street scene.
2. Amenity	Impact upon existing residents taking into consideration overlooking and overshadowing.
Expiry date	17 January 2022
Recommendation	Approve



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Planning Application No 21/01670/F
 Site Address 29 Robin Hood Road

Scale 1:500

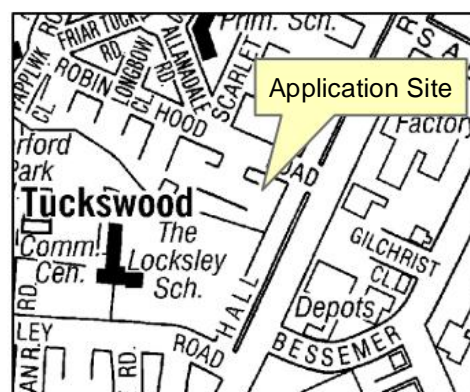


NORWICH
 City Council

PLANNING SERVICES



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The site and surroundings

1. The subject property is located on the south side of Robin Hood Road, within the Tuckswold area to the south of the city. The property is located within a t-shaped cul-de-sac and occupies one of the larger corner plots.
2. The property is a 1950s two storey, semi-detached dwelling, constructed of brick with a plain tile roof. The property has a stepped-back two storey section to the side elevation, which is characteristic of dwellings in the area. The properties in the surrounding area are of the same age and design and some have undertaken similar two storey alterations.
3. The dwelling is set back from the road and has an off-road parking area to the front of the property. A sizeable garden is located to the rear. There are two small single storey extensions to the side and rear which are unaffected by the proposals.

Constraints

4. There are no particular constraints.

Relevant planning history

5. There is no relevant planning history.

The proposal

6. A two storey extension to the front/side corner of the property. To create a downstairs cloakroom and larger first floor bathroom.
7. The extension would fill in the set back that currently exists in this location. The roof design extends the slope of the main house forward at a slightly shallower pitch to create a small cat slide section of roof with a lower eaves line.
8. A small ground floor window in the side elevation will serve the ground floor cloakroom and a small window to the bathroom is provided at first floor level within the front elevation. A new entrance door has a small canopy over.

Representations

9. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

Consultation responses

10. No consultations have been undertaken.

Assessment of planning considerations

Relevant development plan policies

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

- JCS1 Addressing climate change and protecting environmental assets
- JCS2 Promoting good design

12. 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

Other material considerations

13. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):

- NPPF12 – Achieving well designed places

Case Assessment

14. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Design

15. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12.
16. Policy DM3 of the Local Plan identifies that development will only be acceptable where ‘appropriate attention has been given to the height, scale, massing and form of new development’, including ensuring that residential extensions and alterations to existing buildings do not appear ‘dominant or incongruous’. DM3 also identifies that proposed developments should show that appropriate consideration has been given to materials and colour, showing ‘regard to the prevailing materials of the area’.
17. The proposed development represents a modest enlargement of the original dwelling which will bring forward the current set back on this part of the front elevation of the property by approximately 1.5 metres, so as to be flush with the rest of the front elevation of the dwelling. The roof design extends the slope of the main house forward at a slightly shallower pitch to create a small cat slide section of roof with a lower eaves line. The proposed extension is to be constructed using materials to match the existing dwelling, including matching tiles and red bricks.
18. The proposed front extension is of a scale and design which compliments the character of the original dwelling in terms of appearance and form. Given the position of the property tucked away in the corner of the cul-de-sac the extension will not be read as an unduly prominent feature within the street scene.
19. Several other properties within the cul-de-sac have been extended in a similar manner to the proposed development. The proposed development has regard to

the character and local distinctiveness of the surrounding area and meets the requirements of Local Plan policy DM3, in addition to NPPF section 12.

Main issue 2: Amenity

20. Key policies and NPPF paragraphs – DM2, NPPF section 12.
21. Policy DM2 seeks to protect the amenities of the neighbouring occupiers with particular regard given to overlooking, loss of privacy, overshadowing, loss of light/outlook and the prevention of disturbance from noise, odour, vibration, air or artificial light pollution. DM2 also highlights a requirement for development to provide a high standard of amenity for current and future occupiers of the property.
22. The scale of the proposals and the relationship between the proposed front extension and neighbouring properties is such that there are sufficient distances between the properties to ensure that there is no loss of light or outlook. Neither will the proposals be viewed as overbearing or give rise to unacceptable overlooking.
23. The proposed development will enhance the residential amenity of the occupiers of the subject property as the internal living space is improved and enlarged without having any impact on external amenity space. The proposed development meets the requirements of policy DM2 and is therefore considered to be acceptable in amenity terms.

Equalities and diversity issues

24. There are no significant equality or diversity issues.

Local finance considerations

25. 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.
26. 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.
27. In this case local finance considerations are not considered to be material to the case.

Conclusion

28. The proposal will result in an enlarged dwelling of an appropriate scale and design which does not cause harm to the character and appearance of the subject property or the surrounding area.
29. The proposed development will have a limited impact upon the residential amenities of neighbouring properties with no significant harm being caused by way of overshadowing, overlooking or loss of outlook.

30. 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. 21/01670/F - 29 Robin Hood Road Norwich NR4 6BS and grant planning permission subject to the following conditions:

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

Site Plan/Block Plan of nr46bs



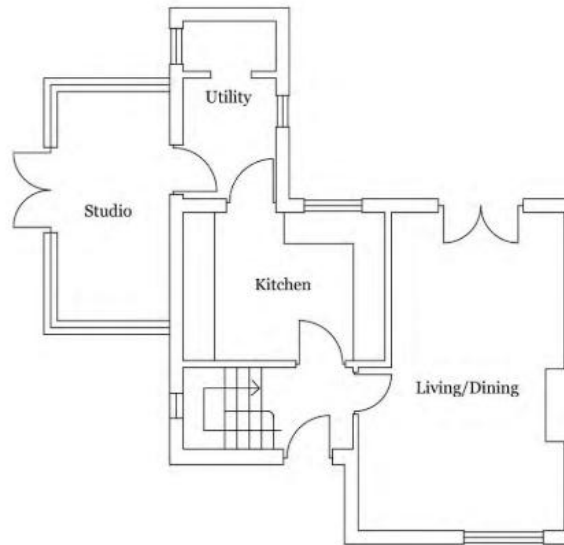
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Scale: 1:500, paper size: A4



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plans



Existing Ground Floor Plan



Existing First Floor Plan



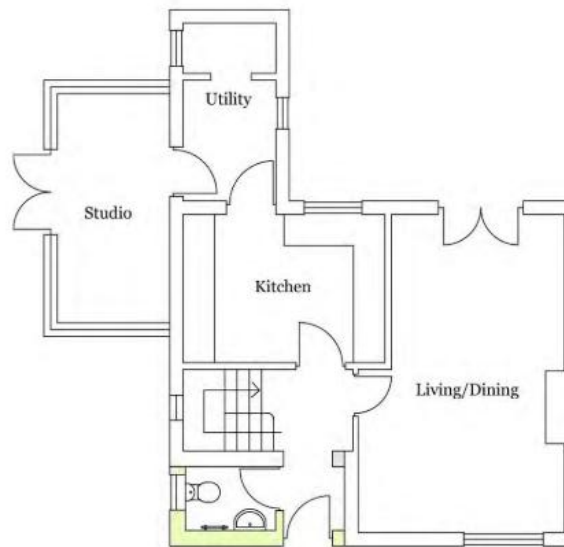
Existing Side Elevation



Existing Front Elevation

REVISIONS			
A	MM/DD/YYYY	Planning Issue	REMARKS
	21/11/2021		

All materials to match existing



Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Side Elevation



Proposed Front Elevation

REVISIONS

MM/DD/YYYY	REMARKS
21/11/2021	Planning Issue

