NORWICH City Council

Committee name: Planning applications

Committee date: 09/04/2026

Report title: 24/01074/F Garages Rear Of 28-32 Paine Road Norwich NR7 9UN

Report from: Head of planning and regulatory services

OPEN PUBLIC ITEM

Purpose:

To determine:

Application no:	24/01074/F
Site Address:	Garages Rear Of 28-32 Paine Road Norwich NR7 9UN
Decision due by:	13/04/2026
Proposal:	Demolition of existing garages and construction of 3no. affordable dwellings.
Key considerations:	Principle of development; Design, Amenity; Highway; Contamination, Landscape and Biodiversity, Nutrient Neutrality
Ward:	Crome
Case Officer:	Vishnu Sainath
Agent:	Mr Peter Wells
Reason at Committee:	Objections

Recommendation:

It is recommended to approve the application for the reasons given in the report and subject to the planning conditions set out at the end of this report, and subject to payment of the Recreational Access Mitigation Strategy tariff, and grant planning permission.

The site and surroundings

1. The application site has an area of 482 sqm and currently accommodates 16 lock-up garages on the western side of Thornfield Way. The site is located in a predominantly residential area approximately 2.5 miles north-east from Norwich city centre.

2. The site context is characterised by two-storey terraced houses on the north-facing Paine Road, large open allotment sites to the south, and private gardens to the west. There are no local or statutory listed buildings in the vicinity of the site.

Constraints

3. Critical Drainage Catchment

Relevant Planning History

4. There is no relevant planning history.

The Proposal

5. Permission is sought for the demolition of the existing garages and the erection of three 2-bedroom, four-person houses in the form of a two-storey row of terraced houses.

6. A distance of just over 12m has been maintained between the rear of 32 Paine Road and the north facing wall of the proposed Plot 3. The new dwellings will feature a hip roof and will be constructed using cost-effective materials, sourced and assembled by local manufacturers. The walls are proposed in red facing brickwork, with concrete pan tiles for the roof, white uPVC double-glazed windows, and composite front doors.

7. The proposed dwellings will be provided with one car parking space per unit, and each space will include an EV charging point. All three dwellings will have separate amenity gardens located to the rear of the properties, accessible both internally and externally. The proposal will include the installation of air source heat pumps for all three dwellings.

8. The key facts of the proposal are summarised below:

Scale	**Key Facts**
Total floorspace	252 sqm (79 sqm per unit)
No. of storeys	2
Max. dimensions	Eaves: 8m Ridge: 4.9m Width: 14.2m Depth: 10 m

Appearance	**Key Facts**
Materials	Red stock bricks for the walls Red/ Brown Concrete pan tiles for the roof Composite Front Doors and White uPVC Rear Doors. White uPVC fascias and soffits Black uPVC rainwater goods

Transport Matters	Key Facts
Vehicular access	Accessed via Thornfield Way
No of car parking spaces	3
No of cycle parking spaces	Separate covered bicycle storage for all units

Representations

9. Adjacent and neighbouring properties were notified in writing. 2 letters of representation objecting to the proposal were received.

10. The issues raised are summarised in the table below.

Issues raised	Response
The removal of the brick boundary wall and its replacement with close-boarded fencing would compromise the existing safety and security.	See main issue 2

Consultation responses

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

Strategic Housing – Norwich City Council

12. *Thank you for inviting us to comment on this application. The proposal for redevelopment of this brownfield site is welcome. Norwich has a high need for rented affordable housing, including two-bedroom houses, we therefore welcome the proposal for 3no. two-bedroom houses which will contribute towards meeting this need.*

13. *All dwellings are expected to meet Nationally Described Space Standards. It is good to see from the design and access statement that these dwellings are 79M² which meets the standard for 2-bedroom, 2-storey, 4-person accommodation. The availability of vacant parking spaces in the area has been monitored for some time and there are usually ample spaces available for local residents nearby. It is good to see that the proposed development would provide an additional car parking space for each new dwelling within the curtilage of the development. This should minimise any impact on resident parking in surrounding areas.*

14. *It is good to see that each house will have private outdoor amenity space for residents, along with space for bins, and cycle storage sheds which should encourage the use of sustainable travel by cycling. The energy efficiency statement shows that renewable energy in the form of Air Source Heat Pumps is included along with excellent insulation efficiency being incorporated into the proposed design along with Electric Vehicle Charging points. The location of the site is in good proximity to shops, supermarkets, places of worship, allotments and a bus route to the city centre is not far away*

Highways – Norfolk County Council

15. *There is no objection to the proposed development in principle subject to conditions. The site is suitable for housing in highway terms given direct access to Thornfield Way. The site will accommodate 1 car space per dwelling. Norfolk parking guidelines advise 2 car spaces per dwelling but it is appreciated that there is on-street parking available in the vicinity if required.*

16. *The proposal will result in the loss of 16 garages, the parking survey indicates that 6 garages were occupied. There is ample on-street parking capacity in the vicinity that can accommodate any off site parking requirements from garage occupants and from the dwellings.*

17. *The highway boundary needs to be researched to ensure that there are vehicular access rights to the site, there is a risk that either our records need to be researched again to ensure accuracy or there may be a gap between part of the site and the highway on Thornfield Way, which presumably is city housing land. In addition according to our records the streetlight adjacent to the site is not a Norfolk County council highways asset. The grassed verge adjacent to the site where the streetlight is sited is not highway land.*

18. *The proposed EV charging points and cycle parking in sheds is good practice. The proposed layout of the site with parking and private footways is logical, and the adopted footway will tie in with the site. When the parking spaces are constructed there may be a need to tie in the works to the highway for a narrow margin along the site edge to adoptable standards, if so that would require obtaining a streetworks permit. There is no requirement for a Small Highway Works Agreement for any highway improvement for this site.*

19. *I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to restrict the grant of consent. Should your Authority be minded to approve the application I would be grateful for the inclusion of the following condition(s) and informative notes on any consent notice issued;-*

20. *SHC 21 amended*

    Prior to the first occupation of the development hereby permitted the proposed on-site car and cycle parking and EV charging provision shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

    Reason:To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

21. *Informative: highway boundary*

    Please be aware it is the applicant's responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicants title plan. Please contact the highway research team at highway.boundaries@norfolk.gov.uk for further details.

22. *Informative: works adjacent to highway*

This proposal involves excavations adjacent to the public highway for the parking spaces. It is an OFFENCE to carry out any works that may affect the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the Applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council. Please contact developer.services@norfolk.gov.uk

23. *NB: The layout has been amended, and the changes were made to correct the highway boundaries adjacent to the site and has been re-consulted. Highways have raised no objections.*

24. Environmental Protection- Norwich City Council

25. *The following conditions are recommended:*

26. *Contaminated Land*

With the exception of above ground clearance, demolition works and tree protection works, no development shall take place until the following components of a scheme to manage the risks associated with contamination of the site have been submitted to and approved, in writing, by the local planning authority as necessary:

1) Preliminary Risk Assessment Report for Thornfield Way, Norwich ref:23-78 dated November 2023 recommended that a site investigation scheme and a full risk assessment, based on the preliminary risk assessment shall be undertaken, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. The site investigation scheme and full risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include:

- *a) a survey of the extent, scale and nature of contamination*
- *b) an assessment of the potential risks to:*
- *(i) human health;*
- *(ii) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;*
- *(iii) adjoining land;*
- *(iv) controlled waters;*
- *(v) ecological systems;*
- *(vi) archaeological sites and ancient monuments.*
- *c) an appraisal of remedial options and proposal of the preferred option(s).*

This must be conducted in accordance with the Governments guidance ' Land Contamination Risk Management'

2) If the site investigation scheme and full risk assessment identifies a need for remediation, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks identified at 1) b) shall be submitted to the local authority and agreed to in writing. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended

use of land after remediation.
3) Where a remediation scheme is submitted and approved under part 2) of this condition, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed, in writing, by the Local Planning Authority.

4) Where a remediation scheme is submitted and approved under part 2) of this condition, the local planning authority shall be given prior written notification of commencement of the remediation scheme works.

Following the completion of measures identified in any approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced. No occupation of the development shall take place until the verification report has been submitted to and approved in writing by the local planning authority, unless a revised timetable for submission of the verification report has been first agreed in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with paragraphs 189 and 190 of the NPPF, and policy DM11 of the Development Management Policies Local Plan 2014. The condition is pre-commencement as it is essential that the contamination on site is investigated and a remediation plan drawn up before construction commences to ensure that pollutants are not mobilised and to avoid and future harm to residents.

27. *If, during development, contamination not previously identified is found to be present, then all works shall stop and no further development shall be carried out in pursuance of this permission until a scheme has been submitted to and approved by the Council as Local Planning Authority detailing how this contamination shall be dealt with in accordance with the remediation scheme as set out above. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue.*

    Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with paragraph 190 of the NPPF, and policy DM11 of the Development Management Policies Local Plan 2014.

28. *All imported topsoil and subsoil for use on the site shall either (a) be certified to confirm its source and that it is appropriate for its intended use or (b) in the absence of suitable certification, analysis of the imported material will be required along with evaluation against the derived assessment criteria for this site. No occupation of the development shall take place until a copy of the certification has been submitted to the Local Planning Authority.*

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with paragraph 190 of the NPPF, and policy DM11 of the Development Management Policies Local Plan 2014.

<u>Noise</u>

29. *No Air Source Heat Pumps shall be installed unless full details of the design, specification, location, sound levels (in dB) and completed BS4142 Assessment has first been submitted to and agreed in writing with the local planning authority. The BS4142 shall assess the noise from the ASHPS such that only ASHPs that achieve 38dBLAEQT (including characteristics) at 1m from the nearest residential window/door shall acceptable. Such ASHP shall be installed and maintained in accordance with manufacturers guidance. The ASHP shall thereafter be implemented in accordance with the approved details and shall be retained as such thereafter.*

Reason: To ensure that residential living conditions and local amenities are not adversely affected by the development proposed through unacceptable levels of noise and disturbance, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

30. *Informatives*

You are advised that the council expects the following measures to be taken during any building operations to control noise, pollution and parking:

(a) *Work that is audible beyond the site boundary shall only be carried out between 7.30am and 5.30pm Monday to Friday, between 7.30am and 1.00pm Saturday and not at all on Sundays or Bank Holidays.*
(b) *The quietest available items of plant and machinery shall be used on site. Where equipment such as generators are necessary, they should be enclosed to reduce noise levels, if applicable.*
(c) *Deliveries shall only be received within the hours detailed in (a) above.*
(d) *Adequate steps shall be taken to prevent dust-causing nuisance beyond the site boundary. Such steps include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes;*
(e) *There shall be no burning on site;*
(f) *Only minimal security lighting shall be used outside the hours stated above; and*
(g) *Building materials and machinery shall not be stored on the highway and contractors' vehicles shall be parked with care so as to not cause an obstruction or block visibility on the highway.*

Any divergence from these recommendations should be referred to the council's environmental protection team (or highways team for matters which may affect highway safety) for approval.

The council also recommends membership of a scheme, such as the

Considerate Constructors Scheme.
The developer is reminded that prior to any demolition commencing on site the building/s to be demolished are required to be surveyed for the presence of asbestos containing materials in accordance with the Control of Asbestos Regulations 2012. Any asbestos containing materials which are identified shall be managed or removed in accordance with the above regulations and waste regulations. Failure to comply with these regulations could result in prosecution by the relevant authority.

The uncontrolled refurbishment of buildings could result in the contamination of soils on site and in the vicinity of the demolition. This could cause the investigation of the site under Part 2A of the Environmental Protection Act 1990, which may result in the determining of the site as Contaminated Land.

For further help and advice in respect of asbestos removal the applicant/agent is advised to contact the Health and Safety Executive (HSE) on 0845 345 0055 (www.hse.gov.uk/asbestos)

The developer is reminded that there is potential for unexploded ordnance on site. All work on site should take account of this risk.

Natural England

31. *No objection - subject to appropriate mitigation being secured. Natural England considers that without appropriate mitigation the application would have an adverse effect on the integrity of European designated sites. Your authority has measures in place to manage potential impacts through contributions to an agreed strategic solution(s) which we consider to be ecologically sound. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development. Nutrient Neutrality, mitigation measure(s) to offset any positive nutrient budget should be provided within the relevant catchment area(s).*

32. *We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.*

33. *A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered, and relevant local bodies are consulted.*

Assessment of Planning Considerations

Relevant Development Plan Policies

34. Greater Norwich Local Plan for Broadland, Norwich and South Norfolk adopted March 2024 (GNLP)

- GNLP1 Growth Strategy
- GNLP2 Sustainable Communities
- GNLP3 Environmental Protection and Enhancement
- GNLP4 Strategic Infrastructure
- GNLP5 Homes

- GNLP7.1 Growth in the Norwich Urban Area and fringes

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

36. Relevant sections of the National Planning Policy Framework 2024 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of homes
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF15 Conserving and enhancing the natural environment
- NPPF 16 Conserving and enhancing the historic environment

37. Supplementary Planning Documents (SPD)

- GNLP Policy 2: Sustainable communities (SPD) adopted March 2026

Case Assessment

38. 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 polices are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the council's 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

39. Key policies and NPPF paragraphs – GNLP5, DM12, NPPF Paragraph 11 and Section 5.

40. The proposal results in the demolition of 16 lock-up garages and their associated land, and will create three two-storey, two-bedroom houses. The proposal represents the redevelopment of ‘brownfield land’, which is supported by the National Planning Policy Framework (NPPF).

41. Paragraph 73 of the NPPF states that local authorities should consider supporting small and medium-sized sites to meet the housing requirements of an area. The Council considered this matter as part of the development of policies in the Local Plan and concluded that the criteria-based policies in DM3 and DM12 are sufficient to determine applications for dwellings. Therefore, there are no specific local policies restricting the demolition of garages, and local policies promote the development of brownfield sites.

42. The principle of residential development is acceptable on this site under policy DM12, subject to the criteria in the second part of DM12 and subject to the other policy and material considerations detailed below, given that:

- The site is not designated for other purposes;
- The site is not in a hazardous installation notification zone;
- The site is not in the late night activity zone;
- It does not involve the conversion of high quality office space; and
- It is not in the primary or secondary retail area or in a district or local centre.

43. Criteria from a) to f) in the second part of policy DM12 are considered further below.

a) The proposed dwellings are not considered to compromise the delivery of any wider regeneration proposals and is consistent with overall spatial planning objectives of sustainable development as set out in the GNLP and DM1.

b) The design and impacts on amenity are all assessed in more detail in the sections below.

c) As the proposal results in the creation of three additional unit of residential accommodation, it can be considered to contribute positively to the overall housing delivery targets as set out in the GNLP.

d) The proposal results in the creation of three 2-bedroom houses, 4 person houses which contributes to the mix of housing types available within the area.

e) The proposal results in a housing density considered to be in keeping with the existing character and function of the area.

44. As the proposal is for a development of less than ten dwellings criterion (f), which relates to affordable housing, is not applicable. Whilst the proposal description is for “affordable dwellings”, it should be noted that the council has no policy basis to require the homes to be affordable, and so they must be considered as market housing.

45. Norwich City Council is currently unable to demonstrate a five-year housing land supply as required by the National Planning Policy Framework (NPPF). This engages the presumption in favour of sustainable development, as outlined in paragraph 11(d) of the NPPF. In such circumstances, planning permission should be granted unless the application of policies in the NPPF provides a clear reason for refusal. In the assessment of this case, there are no overriding constraints or significant adverse impacts that would demonstrably outweigh the benefits of providing additional housing in this location.

Main Issue 2. Design

46. Key polices and NPPF Sections- GNLP2, GNLP3 DM3, DM9, NPPF Section 12, NPPF Section 16 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

47. The design for the three dwellings is proposed as a two-storey row of terraced houses with hipped roofs, reflecting the existing character of the area. The proposed dwellings will face Thornfield Way to the east and will have separate amenity gardens to the west. These are separated by fencing for privacy and can be accessed both from within the dwellings and externally for servicing, refuse bin collection, and bicycle storage. Parking spaces for the dwellings are provided near the highway, with adequate space for pedestrian access.

48. The two-storey terraces will feature a hipped roof with a ridge height of 8m and an eaves height of 4.9m above ground level. The dwellings will be constructed using red stock brick for the external walls, red/brown concrete pan tiles for the roofs, white uPVC double-glazed windows, composite front doors, and uPVC rear doors. The fascias and soffits will be white uPVC, and rainwater goods are proposed in black uPVC. The scale and materials proposed for the development align with the character of the neighbourhood and are supported.

49. The existing garages form brick-facing walls located on the north-east of the site, adjacent to the parking spaces, which will be retained. However, the demolition of the garages will result in the removal of existing boundary brick walls that separate the site from the neighbouring terraces facing Paine Road.

50. The boundaries, where the garages are removed, will be replaced with new close-boarded fencing. Representations have raised concerns about the removal of the brick wall and its replacement with fencing. Close-boarded fencing is appropriate in this context and will be coherent with the proposed development in terms of scale and massing. Compared to brick, the fencing is easier to maintain, will occupy a smaller footprint, and is more cost-effective. The proposed replacement with close-boarded fencing is therefore supported.

51. Overall, by virtue of its scale and massing, the proposed two-storey development aligns with the character of the area. The proposed materials are comparatively modern but will integrate reasonably well with the existing built form and context, and therefore the proposed design is supported.

Main Issue 3. Amenity

52. Key policies and NPPF Sections– GNLP2, DM2, DM11, NPPF Section 12.

53. The adjacent residential properties are located to the north, facing Paine Road. There is at least a 12m distance between the rear of 32 Paine Road and the north wall of the proposed dwelling. There are only three windows proposed in this elevation, two of which will be obscure-glazed, and the other serves the ground floor living area, which will be screened by 1.8m fencing. The obscure glazing will be secured by condition for the other two windows. Therefore, the proposed development is unlikely to give rise to any amenity concerns in terms of overlooking, overshadowing, or loss of outlook.

54. For future occupants, the proposed residential units will have a gross internal area of 79m², meeting the minimum requirement for a two-bedroom, four-

person house as set out in the Nationally Described Space Standards. Each unit will have living and kitchen spaces on the ground floor, with bedrooms located on the first floor. All rooms will be naturally ventilated, and the bedrooms will face east and west, benefiting from natural light and ventilation from two windows in each bedroom. There is adequate storage provision and rear amenity space for each unit.

55. To improve energy efficiency, each unit will have a separate air source heat pump (ASHP) for heating. The condenser units will be located in the rear gardens. To mitigate potential noise impacts from the ASHP units on future occupants, their specification and details will be secured via condition.

56. The provision of external amenity space in the form of rear gardens is supported, with each unit having its own private space. These amenity areas will be accessible externally for bicycle storage and refuse bins.

57. In summary, subject to appropriate conditions, the proposed dwellings will not result in any significant detrimental impacts on the residential amenity of existing and future occupants, in accordance with local and national policies.

Main Issue 4. Highways

58. Key policies and NPPF Sections – GNLP2, GNLP4, DM28, DM30, DM31, NPPF Section 9.

59. The proposal will result in the loss of 16 garages; however, the parking survey indicates that only six garages were occupied. There is ample on-street parking capacity in the vicinity to accommodate any displaced parking demand from garage occupants and the proposed dwellings.

60. The site sits within a relatively sustainable part of the city, close to public transport routes.

61. The site will be accessed directly from Thornfield Way, which is an adopted highway. The proposed layout of the site, including parking and private footways, is logical, and the adopted footway will tie in with the site.

62. One car parking space per dwelling meets the minimum standard set out in Appendix 3 – Standards for Transportation Requirements within New Developments of the Local Plan.

63. The concerns raised by the Highway Officer regarding the highway boundaries have been resolved. The layout has been amended in line with the revised boundaries and has subsequently been reviewed and supported by the Highways Authority.

64. The provision of EV charging points for all three parking spaces is supported. Cycle storage, in the form of a 2.3m x 1.7m timber garden shed, is proposed within the rear gardens. Its installation and maintenance will be secured via a condition. These will be provided separately for each unit and will be accessible via the adjacent pathways. Bin storage is also proposed within the rear amenity spaces and can be easily accessed by residents. The proposed arrangements are satisfactory.

65. The provision of EV charging and the demarcation of car and cycle parking will be secured prior to occupation by condition. Subject to these conditions, the proposal is considered acceptable in terms of highway safety and parking provision

Main Issue 5. Contamination

66. Key policies and NPPF Sections – DM11, NPPF Section 15.

67. A Phase 1 contamination assessment was submitted with the application, which identifies a number of potential sources of pollution, including asbestos from the existing garages. A Phase 2 site investigation is therefore required to better understand the risks and ensure that appropriate remediation can take place. This will be controlled by condition. The use of imported topsoil and subsoil, and any unidentified contamination found on the site, shall also be secured via condition as recommended by Environmental Protection. Subject to the above conditions, the proposed development is acceptable.

Main Issue 6. Landscape and Biodiversity

68. Key policies and NPPF Sections – GNLP2, GNLP3, DM7, DM6, NPPF Section 15.

69. A preliminary ecological survey was carried out on 8th August 2023 and updated on 28th August 2024, and a preliminary ecological appraisal has been submitted. Most of the current site is hard surfaced with garages.

70. The site is not considered suitable for nesting birds; however, small areas of shrubby vegetation located in the north-eastern corner may provide potential nesting habitat. It is recommended that vegetation clearance be undertaken between September and February inclusive to avoid the bird nesting season.

71. The proposed development is unlikely to result in any significant adverse impacts on other protected or notable species. The mitigation and enhancement measures recommended in the report, including the installation of bird and bat boxes, are supported. There is potential for reptiles to be present within the adjacent allotments. As a precautionary measure, a barrier should be installed along the southern and western site boundaries immediately following the demolition of the garages to prevent reptile dispersal into the site. Although reptiles are unlikely to currently occupy the site due to surrounding brick walls, these measures will ensure the site does not become accessible to reptiles after demolition. These mitigation and enhancement measures will be secured via condition.

72. Biodiversity Net Gain (BNG) calculations submitted with the application confirm that the neutral grassland located on the south-east corner of the site, of medium distinctiveness, will be retained and protected during development and reseeded afterwards. The shrubs along the north-east corner are identified as of low distinctiveness. The rest of the site is hard-surfaced and has no ecological value. The proposed layout and BNG report indicate that, with onsite mitigation, the development would result in a 97.88% increase in net habitat units. Nevertheless, a biodiversity gain plan will be required to be submitted at a later date via the standard BNG condition.

73. GIRAMS is a county-wide strategy designed to mitigate the recreational impacts of new residential development on protected habitats across Norfolk. It ensures compliance with the Conservation of Habitats and Species Regulations 2017 by funding measures that manage visitor pressure on sensitive sites. All qualifying developments are required to contribute a set tariff per dwelling, which supports the delivery of green infrastructure and visitor management initiatives. The Council is applying this tariff in line with adopted policy GNLP3. In this case, the GIRAMS payment will be secured prior to the planning approval

Main issue 6: Nutrient Neutrality

74. In accordance with Natural England's guidance on nutrient neutrality, the proposed development falls within the Broads Special Area of Conservation (SAC) catchment and has the potential to contribute to increased nitrate and phosphate loading. To mitigate this impact, the applicant has purchased credits through Norfolk environmental credits Ltd, and the credit purchase agreement has been provided. These credits, confirmed would offset the development's nutrient output, ensuring no adverse effect on the integrity of the Broads SAC. The Council, as Competent Authority, has reviewed the submitted evidence and completed a Habitats Regulation Assessment which has been referred to Natural England for consultation. Natural England's response can be seen in the consultations section above or in full on the council's public access website.

Other matters

75. The proposed development requires the removal of Rhus, a fast-growing shrub of limited significance. There are trees located adjacent to the site boundary to the west, which will not be affected by the development. The root protection zones of these trees remain unaffected; however, it would be beneficial to erect temporary protective fencing between the existing trees and the site to ensure that demolition activities do not encroach into the root protection areas of nearby off-site trees.

76. The installation of air source heat pumps (ASHP) for the proposed development aligns with local policies on energy efficiency. The heat pumps, along with thermal insulation, will effectively manage the energy requirements for the units.

77. The proposal to provide EV charging points for all car parking spaces supports Policy DM28 by facilitating sustainable transport through the provision of essential infrastructure and aligns with decarbonisation and transport policy objectives.

78. The site is located in Flood Zone 1 and is identified within a Critical Drainage Area as defined in the Norwich Surface Water Management Plan. The site is mostly hard-surfaced with concrete slabs and garages, which are already impermeable. The proposed development will occupy this area, resulting in no increase in impermeable surfacing.

79. The application includes a Flood Risk Assessment and Drainage Strategy, which concludes that the site has a low to very low risk of flooding from all sources. The recommended surface water and foul water drainage strategies are supported, and their compliance will be secured via condition.

80. To promote responsible water usage, a condition has been included requiring the proposed dwellings to meet the water efficiency standard set out in Regulation 36(2)(b) of Part G2 of the Building Regulations 2015.

81. As required by policy GNLP2, high speed broadband is required to be provided for new dwellings. A condition is recommended.

Equalities and diversity issues

82. There are no equality or diversity issues.

Local finance considerations

83. 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.

Human Rights Act 1998

84. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998.

85. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

Planning Balance and Conclusion

86. For the reasons set out within this report, it is considered that the proposed development accords with all relevant national and local planning policies and it would not result in any significant detrimental harm in respect of the relevant material planning considerations.

87. The proposal would result in the loss of 16 garages, which would reduce some parking amenity for existing residents. However, there is considered to be sufficient parking available, including on-street spaces in the neighbourhood. Given that the Council cannot demonstrate a 5 year supply of land for housing, the tilted balance set out in paragraph 11(d) of the NPPF is engaged. As stated out in paragraph 20 this sets in place a presumption in favour of sustainable

residential development. In such circumstances, planning permission should be granted unless the application of policies in the NPPF provides a clear reason for refusal. In the assessment of this case, there are no overriding constraints or significant adverse impacts that would demonstrably outweigh the benefits of providing additional housing in this location.

88. The application is therefore recommended for approval.

Recommendation

89. To approve application 24/01074/F Garages Rear Of 28-32 Paine Road Norwich NR7 9UN and grant planning permission subject to the GIRAMS payment and the following conditions:

1. Standard time limit.
2. In accordance with plans.
3. Demarcation of EV charging, car parking and bicycle parking
4. Contamination – Site investigation
5. Unexpected contamination
6. Soil replacement
7. Details of ASHP
8. Obscure glazing
9. In accordance with the surface water and drainage strategy
10. In accordance with PEA recommended mitigation and enhancements
11. Works outside Bird nesting season
12. Tree protection
13. Water efficiency
14. Broadband connection
15. Installation of cycle storage prior to occupation and maintenance

Informatives

1. BNG required
2. Highway boundary
3. Works on highway
4. Operation hours and precaution regarding the use of asbestos

Appendices: None

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