

**Report to** Planning Applications Committee  
**Date** 3 April 2014  
**Report of** Head of Planning Services  
**Subject** 14/00187/NF3 Garages Rear Of 28 To 30 Trory Street  
Norwich

**Item**  
**4(6)**

## SUMMARY

<b>Description:</b>	Demolition of 3 No. garages to form new parking area and install tree protection area.
<b>Reason for consideration at Committee:</b>	Objection to application relating to council owned land
<b>Recommendation:</b>	Approve
<b>Ward:</b>	Town Close
<b>Contact Officer:</b>	Mrs Joy Brown Planner 01603 212543
<b>Valid Date:</b>	19th February 2014
<b>Applicant:</b>	Mr Terry Dartnell
<b>Agent:</b>	Mr Terry Dartnell

## INTRODUCTION

### The Site

#### Location and Context

1. The site is located on the north side of Trory Street. It is an existing garage site which is situated to the rear of 28 and 30 Trory Street and to the side of 32 Trory Street.
2. The site currently consists of 10 garages. The six garages to the south east of the site are attached to 28/30 Trory Street whereas the rear wall of the four garages on the north west side of the site form the boundary with the curtilage of 32 Trory Street. The four garages are split into two blocks with there being a single detached garage to the north of the site and a block of three garages to the south. A large beech tree is situated between the two blocks. The tree is not within a conservation area or covered by a Tree Preservation Order so it is not formally protect but it is within the Council's ownership.
3. The surrounding area is mainly residential although the site is in close proximity to a public house and the Elim Pentecostal Church. The character of the area is mixed. To the east of the site are Council properties and Winchester Tower, to the west is 32 Trory Street which is a 19<sup>th</sup> century detached two storey locally listed building and to the south is a row of two storey terrace properties which are also locally listed due to their group value and historic development.

## Constraints

4. The site is not situated within a conservation area but is adjacent to and opposite the Heigham Grove Conservation area. The neighbouring property (32 Trory Street) is also locally listed as is the terrace opposite.

## Topography

5. The site is flat.

## Planning History

6. No relevant recent planning history

## Equality and Diversity Issues

There are no significant equality or diversity issues.

## The Proposal

7. The application seeks full planning permission for the demolition of the block of three garages to the south west of the site. One of the three garages has structural damage which is too severe to rectify. The damage was caused by the mature beech tree on the site. The block of six garages and the single detached garage are to remain. As part of the proposal the rear wall of the garages is to be retained and reduced in height to the level of the existing brick boundary wall (1.4m in height). Three new piers will be constructed to support the boundary wall. The northern wall of the existing garages is also to be retained but reduced in height to six brick courses.
8. The area of land where the garages currently stand will be used as three car parking spaces. The existing raised planting area towards the front of the site is to remain in situ and the existing beech tree is to be protected during the works and the existing raised brickwork planter is to be repaired to better support the tree in the long term. Finally two hardwood bollards are to be set into ground to the north of the tree to prevent car parking in this area.

## Representations Received

9. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received, one letter of support and one letter of objection. The issues raised are summarised in the table below.

10.

Issues Raised	Response
The proposal will remove the unsightly and insecure garages.	See paragraph 17
The future of the tree will be secured.	See paragraph 22
Lowering the wall of the existing garages will increase overlooking to 32 Trory Street especially from the upper floors of the terrace opposite.	See paragraph 15
Lowering the height of the wall will reduce security to 32 Trory Street. The secure by design guidelines suggest a minimum	See paragraph 16

boundary height of 1.8m to prevent easy viewing and access to gardens.	
The proposed remaining wall and single garage will not complement or enhance the view towards the conservation area. Better quality and more sympathetic materials should be used.	See paragraphs 17-21

## Consultation Responses

11. Local Highway Officer – No objection
12. Tree officer – The proposal is acceptable subject to full compliance with the AIA.
13. Asset and City Management (Landowner) – No comment

## ASSESSMENT OF PLANNING CONSIDERATIONS

### Relevant Planning Policies

#### National Planning Policy Framework:

Section 7: Requiring good design  
Section 11: Conserving and enhancing the natural environment  
Section 12: Conserving and enhancing the historic environment

#### Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amendments 2014):

Policy 1 – Addressing climate change and protecting environmental assets  
Policy 2 – Promoting good design

#### Relevant Saved Policies of the adopted City of Norwich Replacement Local Plan 2004:

NE3 – Tree protection, control and cutting and lopping  
EP22 – General amenity.  
HBE8 - Development in Conservation Areas  
HBE12 - High quality of design in new developments

#### Other Material Considerations including:

Written Ministerial Statement: Planning for Growth March 2011  
Interim statement on the off-site provision of affordable housing December 2011  
The Localism Act 2011 – s143 Local Finance Considerations

#### Emerging DM Policies (submitted for examination):

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2011 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has now submitted the emerging Local Plan policies for examination and considers most of these to be wholly consistent with the NPPF. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM1 Achieving and delivering sustainable development – Significant weight can be applied.

- DM2\* Ensuring satisfactory living and working conditions - Significant weight can be applied.  
DM3\* Delivering high quality design – Several objections, only limited weight.  
DM7 Trees and development – Significant weight can be applied  
DM9 Safeguarding Norwich's heritage – Significant weight can be applied.

\*These policies are currently subject to objections or issues being raised at pre-submission stage. Even where DM policies have been objected to, the objection may concern only one aspect of the policy and significant weight may be applied to that policy depending on what extent the objection relates to this proposal. For clarity, the level of weight that can be attributed to each DM policy has been indicated above.

## **Principle of Development**

### **Policy Considerations**

14. The principle of the demolition of the block of three garages and their replacement with three car parking spaces is considered acceptable. The proposal will not change the amount of car parking that is available on the site and will not alter the access arrangements. As such there are no highway implications. The main issues for consideration therefore are design and the impact upon the neighbouring conservation area, the impact on trees and the impact upon neighbouring residents.

## **Impact on Living Conditions**

### **Overlooking and loss of privacy**

15. Concern has been raised by the neighbouring resident of the property to the west (32 Trory Street) that the removal of the garages and the lowering of the wall will increase levels of overlooking particularly from the first floor of the terrace properties opposite. It is acknowledged that their removal will open up the views across the site and therefore into the curtilage of 32 Trory Street; however due to the distances involved it is considered that the increase in overlooking will be minimal and at an acceptable level, particularly bearing in mind the urban setting and the screening providing by trees.

### **Security**

16. The neighbouring resident has also raised the issue that the reduction in height of the boundary has the potential to reduce security to their property as it would be easier to access their garden. Although a 7.5m section of the wall will be reduced in height from 2.4m to 1.4m it must be acknowledge that where there are currently no garages the wall is already 1.4m in height. As such it is not considered that the proposal will significantly affect the levels of security to the neighbouring property.

## **Design and impact upon the conservation area**

17. The existing garages are utilitarian in construction and are of no particular architectural merit and as such their loss is considered acceptable. Furthermore although the garages are not situated within the conservation area they are adjacent to the conservation area and currently appear somewhat incongruous and unsightly within the conservation area views.
18. The demolition of the garages will open up the views and will particularly improve the setting of the neighbouring locally listed building (32 Trory Street). The rear wall of the garages is to be retained and lowered in height to the level of the existing boundary wall. Although the

type of brick is not of the highest quality, the wall is in relatively good state of repair and the provision of a single wall of a uniformed height will be an enhancement to what is currently there.

19. The resident of the neighbouring property has commented that they would like to construct a wall to the front of their property which uses the same brick as the coach house to the west of 32 Trory Street and that a similar brick should be used to reconstruct the wall between their property and the garages. They have suggested that a discussion is taken place with themselves, the Council as land owner and the Council as the planning authority to look at alternative schemes on the site.
20. Although it is acknowledged that a different type of brick may be preferable in design and conservation terms, it is important to be mindful that the application needs to be assessed on its own merits. In this case it is considered that the proposal as submitted is an enhancement to what is already there and therefore it is not considered that there are any reasons why the application should be refused.
21. The resident of the neighbouring property has indicated that he would be prepared to provide a higher quality boundary wall adjacent to 32 Trory Street however he would have the opportunity to submit an alternative scheme as a separate application should he wish to do so and he would also be able to plant vegetation along his side of the boundary should he wish to increase the level of screening or to soften the appearance of the brick wall.

## **Trees and Landscaping**

22. The proposal includes the retention and protection of the mature beech tree that is on the site and the existing brickwork planter is to be repaired to support the tree in the long term. The proposal also includes the retention of the raised planting area to the front. Norwich City Council's Tree Officer has confirmed that the proposal is achievable subject to compliance with the AIA and subject to other conditions which are set out below.
23. With regards to the hard landscaping, the surface is to remain as existing. Although it would be preferable for the area to be resurfaced, the existing surface is satisfactory and is acceptable.

## **Local Finance Considerations**

24. Under Section 143 of the Localism Act the council is required to consider the impact on local finances.

<b>Financial Liability</b>	<b>Liable?</b>
New Homes Bonus	No
Council Tax	No
Community Infrastructure Levy	No

## **Conclusions**

25. It is considered that the demolition of the block of three garages is acceptable in design

terms and will open up and enhance views into the conservation area. The reduction in height of the rear garage walls to the level of the existing boundary wall will create a uniform boundary between the garages and 32 Trory Street and although the height of part of the wall will be reduced, it is not considered that it will significantly impact upon the neighbouring resident to the west taking into consideration overlooking and security. The existing tree and planting is to be retained on the site and the tree is to be protected during the works. Repairing the existing planter for the beech tree will also help support the tree in the long term. As such the proposal accords with the criteria set out within policies NE3, HBE8, HBE12 and EP22 of the City of Norwich Replacement Local Plan, policies 1 and 2 of the Joint Core Strategy, the National Planning Policy Framework and policies of the emerging Local Plan.

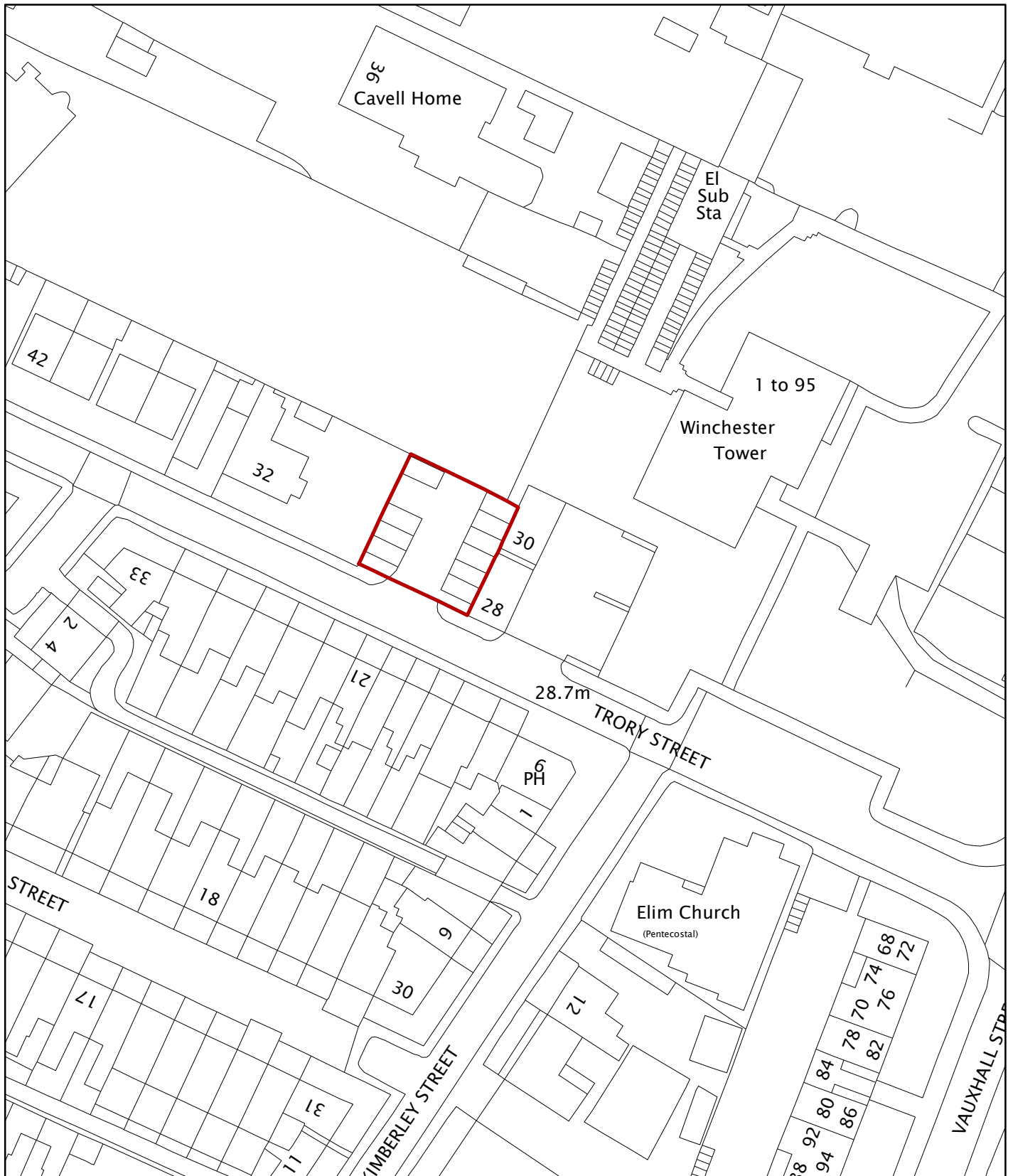
## **RECOMMENDATIONS**

To approve Application No 14/00187/NF3, Garages rear of 28-30 Trory Street and grant planning permission, subject to the following conditions:-

- 1) Standard time limit
- 2) In accordance with plans
- 3) In accordance with the AIA
- 4) No works until a pre-commencement site meeting take place with regards trees
- 5) Arboricultural supervision during demolition and build phases
- 6) Tree protective barriers as per drawing TROR11
- 7) Working practices to accord with section 5.0 of AIA

(Reasons for approval:  
Article 31(1)(cc) Statement

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



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Planning Application No 14/00187/NF

Site Address                      Garages to rear of 28-30 Trory Street

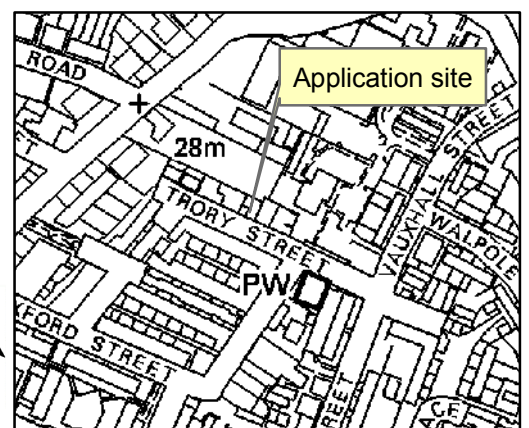
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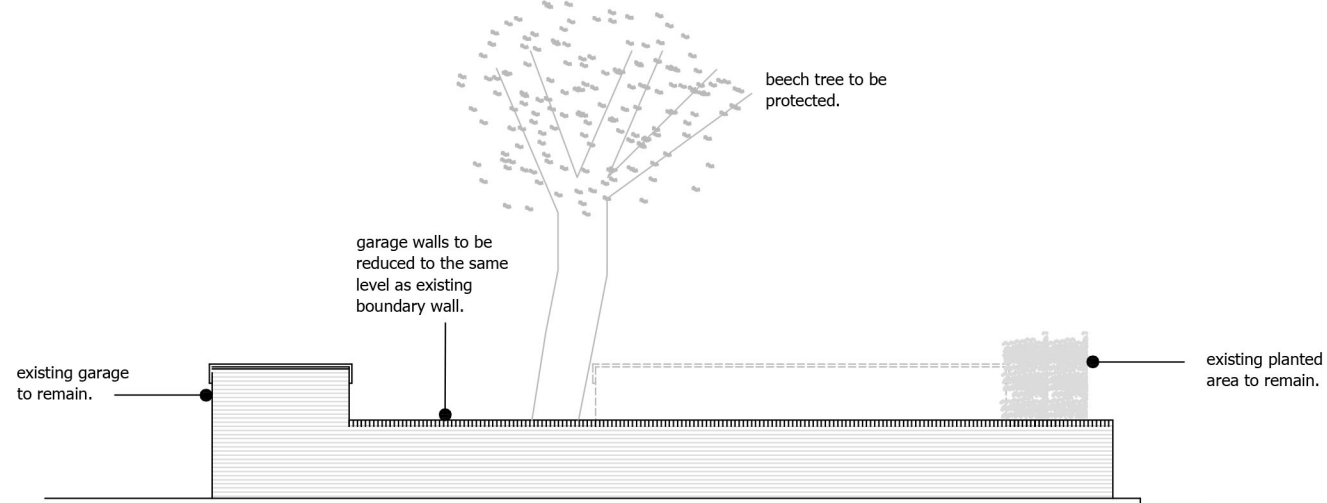
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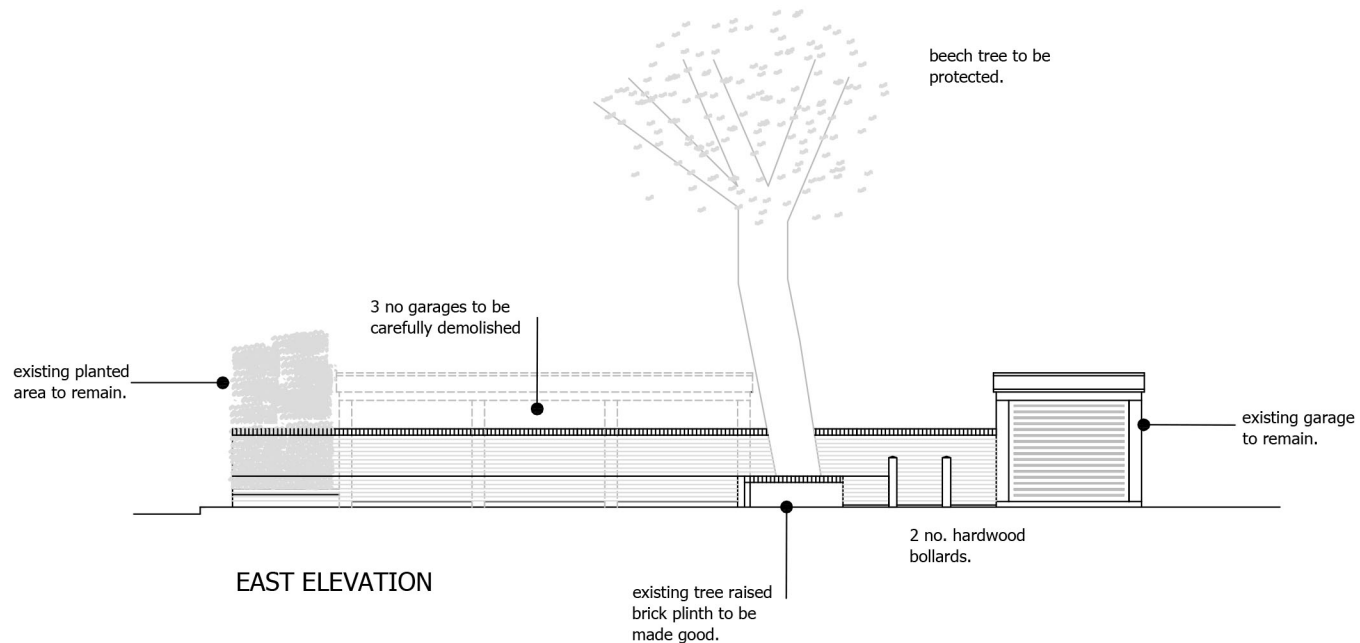
**NORWICH**  
City Council

PLANNING SERVICES





WEST ELEVATION



EAST ELEVATION

# PROPOSED DEMOLITION OF GARAGES TO FORM PARKING AREA AND TREE PROTECTION WORKS AT TRORY STREET NORWICH NR2 2RH PROPOSED EAST AND WEST ELEVATIONS



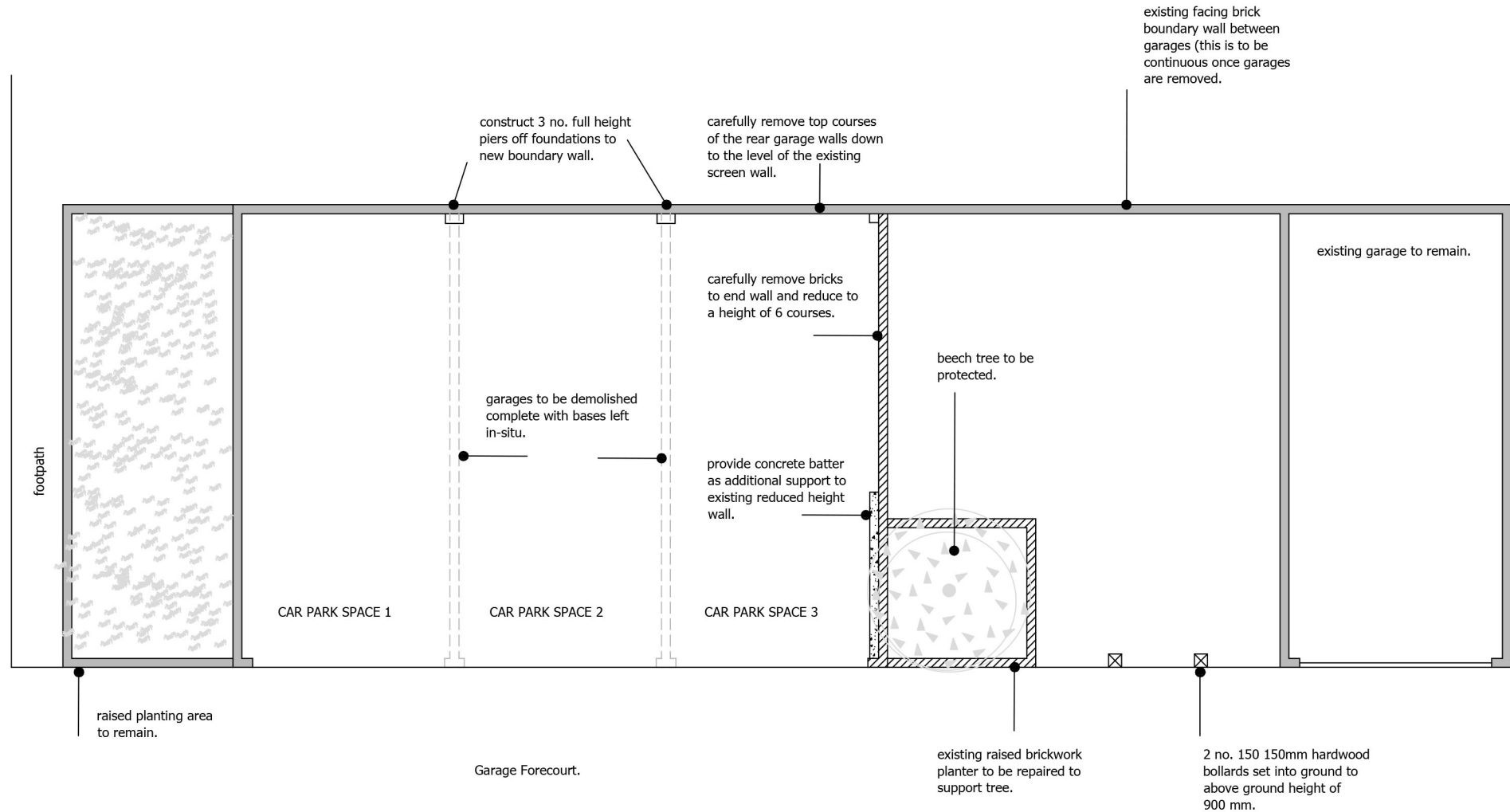
**NORWICH**  
City Council

Housing Property  
Services

City Hall, Norwich, NR2 1NH

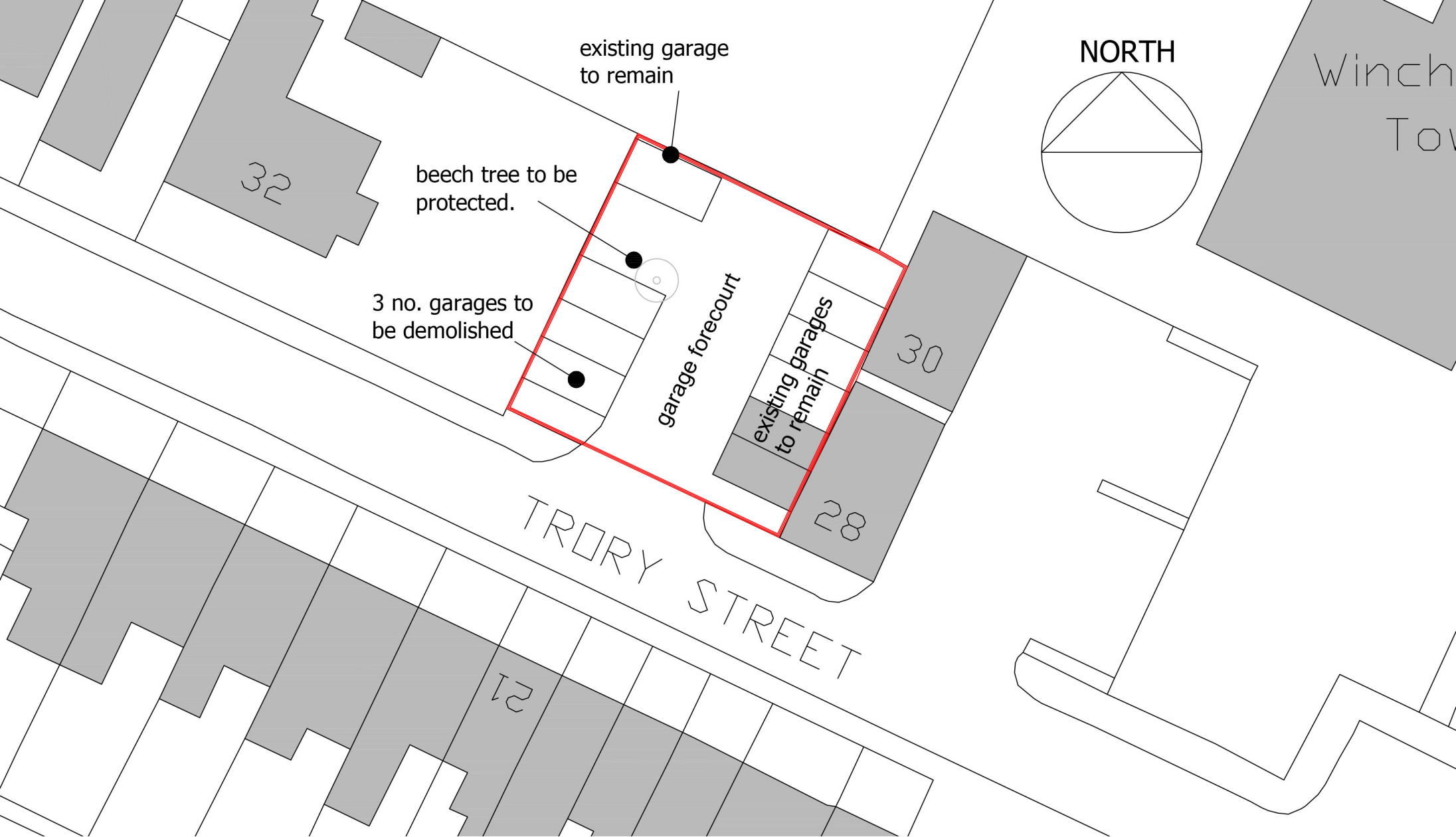
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February 2014	T.W.D.
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DRAWING REFERENCE	REV.
TROR - 04	





# PROPOSED DEMOLITION OF GARAGES TO FORM PARKING AREA AND TREE PROTECTION WORKS AT TRORY STREET NORWICH NR2 2RH PROPOSED PLAN

	NORWICH City Council	
	Housing Property Services	
	City Hall, Norwich, NR2 1NH	
DATE	February 2014	DRAWN BY
SCALE	1:50	T.W.D.
DRAWING REFERENCE	TROR - 03	REV.



# PROPOSED DEMOLITION OF GARAGES TO FORM PARKING AREA AND TREE PROTECTION WORKS AT TRORY STREET NORWICH NR2 2RH SITE PLAN



NORWICH  
City Council  
Housing Property  
Services  
City Hall, Norwich, NR2 1NH

DATE	DRAWN BY
February 2014	T.W.D.
SCALE	
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DRAWING REFERENCE	REV.
TROR - 02	