NORWICH City Council

Committee name: Planning applications

Committee date: 11/09/2025

Report title: 22/00870/O The Bungalow Eaton Chase

Report from: Head of planning and regulatory services

OPEN PUBLIC ITEM

Purpose:

To determine:

Application no:	22/00870/O
Site Address:	The Bungalow, Eaton Chase, Norwich, NR4 7QW
Decision due by:	19/09/2025
Proposal:	Outline application including matters of access, appearance, layout and scale for 1no. dwelling and associated works.
Key considerations:	1. Principle of development 2. Residential Amenity 3. Character and appearance 4. Highways safety and parking 5. Trees 6. Ecology 7. Other matters
Ward:	Eaton
Case Officer:	Gemma Rooney
Agent:	Mr Evert Amador, CAM Architects (Norwich) Ltd
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 in paragraph 119 of this report, and grant planning permission.

The site and surroundings

1. The application site comprises enclosed garden land to the south of 'The Bungalow'. The Bungalow is a single storey building accessed and visible from Ryrie Court. Access to the application site itself however is via Eaton Chase, a private drive which leads down to Unthank Road.

2. Properties on Pettus Road to the north of the site and Blakeney Close to the west are two-storey in height. Those on Eaton Chase and Unthank Road to the south are varied in style and include 2 storey scale properties. Ryrie Court is occupied as a sheltered housing scheme and is predominantly single storey with 2 storey buildings in the centre and edge of the scheme.

3. The site is bounded on three out of four of its borders by dense vegetation. Tree Preservation Order ('TPO') number 576 covers the site, the trees on the site covered by the TPO comprise 2 Category B Trees and 5 groups of trees. There are further TPO's at Blakeney Close. There is designated open space (Policy DM8) to the southeast around Ryrie Court and, in part, adjacent to the east boundary of the site.

4. Unthank and Christchurch conservation area (policy DM9) adjoins a small portion of the south east boundary of the red line at the lower end of Eaton Chase access route.

Relevant Planning History

5. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
14/01502/TPO	Works to trees as per attached Arboricultural Report (produced by Ace of Spades Gardens Ltd, dated 29 September 2014).	APPR	02/12/2014
17/00764/TPO	Removal of 25 No. Sycamores on site. Re-planting of trees to replenish site; mainly oaks, birches and maples.	APPR	22/05/2017
18/01190/O	Outline application including matters of access, layout and scale for the erection of 5 no. two storey dwellings and associated works (Revised).	APPR	19/06/2019
19/01318/VC	Variation of Condition 10 of previous permission 18/01190/O to remove the restriction on the use of construction access via Ryrie Court.	REF	07/11/2019
21/00684/O	Outline application including matters of access, layout and scale for 3no. two storey dwellings and associated works.	REF	28/09/2021
22/00870/O	Outline application including matters of access, appearance, layout and scale for 1no. dwelling and associated works.	PCO	
22/00876/TPO	G5 - 3 Crab apple & 3 Magnolia: Remove and replant 11m further North (as per letter received 6 July 2022).	APPR	30/08/2022

22/01230/F	Single storey extension, single garage and associated works.	APPR	28/07/2023
23/00008/TPO	5 day notice of work to 2no. dangerous trees.	APPR	27/01/2023
23/00217/TPO	Oak (T1): reduce large low hanging limbs back to trunk; Lime (T2): cut back epicormic growth at base; Ash (T3): reduce limb overhanging fence to Ryrie Court back by 3m; Ash (T4): reduce lowest limb overhanging entrance, 5m reduction to next pruning point leaving 4m limb; Ash (T5): reduce lowest limb overhanging entrance, 8m reduction to next pruning point leaving 3m limb; Ash (T6 & T7): fell.	CANCLD	01/11/2023
23/00470/TPO	TPO 576 G5: Remove. Re-plant same species, size and spacing approximately 8m further north.	APPR	04/05/2023
23/01416/NMA	Amendment to permission 22/01230/F to amend internal layout, windows and finishes.	APPR	15/12/2023
23/01586/D	Details for conditions 3: landscaping scheme/enhancements; 4: ecological mitigatory/enhancements; 7: tree protection plan; 8: pre-construction site meeting; 9: arboricultural site supervision inspection of previous permission 22/01230/F.	APPR	20/02/2024
24/01031/TPO	T1 - Common ash: Fell to ground; T2 - Common ash: Fell to ground; T3 - Common ash: Height 19m - Crown spread 7m, Overextended limb at 4m west. Reduce over extended limb by 2-3m and shape remaining crown over driveway; T4 - English oak: Fell to ground; T5 - European lime: M- Height 12m - Crown spread 18m - Multi stemmed from 3m with weak v unions. Lapsed pollard at 8m with decay in old points - Re pollard to old points; T6 - English oak: Height 15m - Crown spread 16m - Crown dieback from tips. Overextended limbs. Sparse crown, poor form with crown mainly extending towards west - Reduce crown by 2-3m to shape and remove major deadwood.	PART	22/10/2024

The Proposal

6. Outline permission is sought for a single dwelling. Matters for consideration are access, appearance, layout and scale; meaning the only matter reserved is landscaping.

Summary of Proposal – Key facts:

7. The key facts of the proposal are summarised in the tables below:

Scale	**Key Facts**
No. of storeys	Two
Max. dimensions	Eaves height: 6.2 m Ridge height: 8.7m Width: 16.8m Depth: 10.4m

Appearance	**Key Facts**
Materials	Imperial Bricks Weathered Burwell Gault Grey slate roof tiles Portland Stone cill Cast iron effect UPVC guttering and downpipes

Transport Matters	**Key Facts**
Vehicular access	Access from Eaton Chase
No of car parking spaces	Two in garage
No of cycle parking spaces	None shown. D&A advised will be accommodated in garden sheds
Servicing arrangements	Eaton Chase access retained with possible option for bin collection from Unthank Road

Representations

8. Adjacent and neighbouring properties have been notified in writing. Six residents have sent letters of representation together with a representation from Cllr Lubbock citing the issues as summarised in the table below:

Issues raised	**Response**
Object to the increase in scale and the change in the layout. Excessive scale. The proposed alterations leave the impression of becoming an over dominant building.	Main issues 2 and 3
Not known where windows will be placed. Condition requested that they shall be positioned so they don't overlook neighbouring properties including residents at Ryrie Court. Reducing to single storey would remove clear sight lines into neighbouring properties.	During the course of the application, additional matters for consideration have been introduced, this includes appearance. The position of the windows is now included in the application details and assessed under main issue 2 below.
Should the bungalow to the north be	The use of other accesses outside of

Issues raised	Response
brought back into use, there will not be enough space for parking and turning of vehicles with the access from Ryrie Court without adverse impacts on the car park of Ryrie Court and the use of Pettus Road. Access via Ryrie Court has previously been refused and dismissed at appeal by the Planning Inspectorate.	the application site is not material to the consideration of this application. The application does not propose vehicular access via Ryrie Court. Should future applications be submitted, access arrangements would again be subject to scrutiny and consultation.
Previous applications provided evidence that there was no access via Eaton Chase for construction traffic. How can planning be granted if no access exists?	The applicant has confirmed they do have right of access over Eaton Chase for 1 dwelling. Previous permissions conditioned that all construction traffic had to come via Eaton chase, not Ryrie Court. That presented an issue for the applicant as they only have access rights to build 1 dwelling via Eaton Chase.
The application presented and the extant outline planning permission and any other applications should be refused/rescinded as the site is not a viable development site.	No viability case has been made.
Wish to see the Woodland Preservation order re-established to reflect the nature conservation value. Concerns regarding impact to TPO and that the photographs submitted do not reflect current trees.	Main issue 5 The site was visited by the Trees Officer who has confirmed existing planting and commented on the proposals (below).
The Eaton Chase 'entrance' is a dirt track passing over the roots of established trees that are subject to preservation orders. This cannot be viewed as a viable access point for regular vehicle movement.	Main issue 4
The on-site turning space is intrusively close to neighbouring property	Main issues 2 and 4
Given the current challenges of removing wastewater and sewage the application should be refused. Package treatment plant queried.	The site does not present any known constraints in relation to wastewater or sewage disposal. The potential impact on nutrient loading has been considered and the development has been screened under the Habitat Regulations and appropriate mitigation has been secured.
Ryrie Court is a sheltered housing scheme providing 35 homes for older people. Tenants are worried about the impact additional dwellings and associated construction and other traffic	Main issue 2

Issues raised	Response
might have. Request that no construction traffic should be permitted to access the site from Pettus Road instead using Eaton Chase as a means of entering and exiting the site and no access to Pettus Road from the new single dwelling proposed and that when complete, access to this building is solely via Eaton Chase.	
Splitting the original plot and submitting an application for one dwelling may lead to further applications for multiple properties on the remaining land, rather than upgrading the existing bungalow.	Any future proposals for additional development on the remaining land would be subject to separate planning applications and assessed in accordance with relevant planning policies at that time.
No community consultation has taken place.	Public engagement is not a pre-requisite for a planning application. Consultation on the planning application took place in accordance with Section 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Consultation responses

9. 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 (Norwich City Council)

10. No comments or concerns regarding this application

Highways (local highways authority) (Norfolk County Council)

25 July 2025

11. There is adequate visibility from Eaton Chase onto Unthank Road in both directions.

12. The city will need to consider if the site drainage of the access road is adequate, for example permeable gravel surfacing will need an adequate subbase to enable drainage and prevent run off to Eaton Chase.

13. 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.

14. Condition recommended in relation to the laying out and demarcation of on site parking and turning area.

1 August 2023

15. The previously approved application 18/01190/O established approval for a dwelling, with layout and access comparable to this application.
    In principle there is no objection to a new dwelling on this site in highway terms. Eton chase is not adopted and therefore access is a matter for the City Council to consider.

16. Eaton Chase has adequate means of access to Unthank Road with regard to visibility, but is a single track lane with soft verges, any passing vehicles need to make use of residential site accesses at intervals along this route. There are no footways on Eaton Chase but as a low trafficked route, pedestrians and vehicles share the route.

17. The proposed means of access to the site makes use of an extant arrangement which is satisfactory. The proposed layout offers three parking spaces and two turning areas that are suitable for cars and delivery vans.

18. As the dwelling is more than 45m from the highway, Building Control may wish to comment and the Norfolk Fire and Rescue service.

19. The driveway should be permeable paving and have suitable ACO drain to soakaway at the site/Eaton Chase boundary.

Natural England – 13 August 2025

20. Natural England have no objection subject to appropriate mitigation being secured.

21. Without appropriate mitigation the application would have an adverse effect on the integrity of:
    - The Broads Special Area of Conservation (SAC)
    - Broadland Ramsar
    - European designated sites scoped into the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS')

22. In order to mitigate these adverse effects and make the development acceptable, the following proposed mitigation measures should be secured:
    - A suitable contribution per new dwelling towards the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS).
    - Purchase of credits to mitigate the nutrient load of P and N

23. A total nutrient budget of 0.08kg P and 2.26kg N per year has been identified in the submitted Norfolk Nutrient Budget Calculator.

24. The applicant has confirmed that foul water from the new dwellings will connect to the existing Whitlingham Water Recycling Centre (WRC).

25. It is noted on the certificate that the validity period for temporary credits is up to and including 31 March 2030 and 19 December 2114 for the permanent credits. However, there is no date for when the earliest occupation can occur.

26. This development falls within the 'Zone of Influence' (ZoI) for multiple European designated sites scoped into the Norfolk Green Infrastructure and Recreational

disturbance Avoidance and Mitigation Strategy ('GIRAMS'). It is anticipated that new residential development within this zone is likely to have a significant effect, when considered either alone or in combination, upon the qualifying features of the European Site(s) due to the risk of increased recreational pressure that could be caused by that development and therefore such development will require an appropriate assessment.

27. Your authority has measures in place to manage these potential impacts through a strategic solution (Norfolk GIRAMS) which we have advised will (in our view) be sufficiently certain and effective in preventing adverse impacts on the integrity of those European Site(s) within the ZOI from the recreational impacts associated with such development.

Norfolk Fire Service – 24 August 2022

28. No objections providing the proposal meets the necessary requirements of the current Building Regulations 10 - Approved Document B (volume 1 - 2019 edition) as administered by the Building Control Authority. Your attention to section B5 of the document: Requirements B5: Access and facilities for fire service.

Strategic Housing – 26 July 2022

29. This application proposes one house on a site area of 0.279 ha. Current affordable housing policy states that an affordable housing contribution is required on sites capable of accommodating 10 or more dwellings and/or an area of least 0.5ha. Therefore, from the information supplied, the site area and number of dwellings proposed does not trigger the thresholds of the Council's affordable housing policy.

Tree Protection Officer (Norwich City Council)

8 July 2025 – following site visit

30. Previous TPO application (23/00470/TPO) to remove/replant group G5. The replacements are in-situ, located on the north side of the new fence. Species include cherry, birch, Sorbus and willow. Although not the same species as those removed, this is acceptable.

31. T2, oak – The proposed encroachment into its root protection area would be limited (and only acceptable if works within the RPA are carried out under arboricultural supervision). The tree has a clear stem up to approx. 8m from ground level and a relatively small crown (and even smaller after the proposed reduction), so suggested that any shading issues would be minimal compared to the other trees growing along the western boundary.

32. re: T2, the tree is showing signs of stress, so the life expectancy (up to 40 years) attributed to it in the AIA may be optimistic, and whilst the proposed reduction is considered reasonable, its condition may deteriorate over the coming years.

33. Looking at the rest of this application, the removal of G5 is acceptable. Works within the RPA of T1 would need to be ‘no-dig’ and under arb supervision. Crown-lifting G1 is acceptable.

16 December 2024

34. No objection

Assessment of Planning Considerations

Relevant Development Plan Policies

35. **Greater Norwich Local Planfor 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

36. **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
- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

37. **Relevant sections of the National Planning Policy Framework 2023 (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

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

- Landscape and trees SPD adopted June 2016

Case Assessment

39. 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

40. Key policies and NPPF paragraphs – GNLP5, DM12, NPPF Section 5.

41. Norwich City Council is currently unable to demonstrate a five-year housing land supply (5YHLS). Consequently, in accordance with paragraph 11(d) of the NPPF, the presumption in favour of sustainable development is engaged. In such circumstances, this requires that planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason refusal, or the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the polies in the Framework when taken as a whole. In this case, the application site lies within the development framework where residential development is supported in principle. Accordingly, the tilted balance is engaged, and substantial weight should be given to the benefits of housing delivery, with any identified harm weighing carefully against those benefits.

42. Paragraph 75 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate development in residential gardens. 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 satisfactory to determine applications for dwellings in gardens. Therefore, there are no specific local policies restricting new dwellings in the gardens of existing properties.

43. 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.

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

Main Issue 2. Residential amenity

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

46. Matters of scale, appearance and layout are to be considered at this stage.

47. *Impacts on neighbouring occupiers*

48. Concerns have been raised related to overlooking, overshadowing, visual impacts and disturbance to existing residents.

49. Whilst the dwelling would be located to the south of 'The Bungalow', the new dwelling would be situated 11.5m away from the shared boundary, creating a significant separation distance. This is furthered by the position of the two buildings on their respective plots that would create a distance of 20m between the buildings themselves, meaning overshadowing would be minimised.

50. The proposal does propose windows to the rear of the property that face south towards this single storey dwelling. These are all proposed to be obscurely glazed. Two of the windows would serve bathrooms, one a study and the final window a bedroom. As each room would still access natural light, given the quantum of habitable rooms that would be affected by the obscured view is overall low, this is considered an acceptable situation and could be secured via condition. Notwithstanding, it is not disputed that the presence of windows would result in a low level of perceived overlooking to the single storey dwelling. However, the significant distance between the two sites also helps to lessen this perceived feeling. When taking into consideration that this low-level impact is applicable to one single dwelling, the obscured glazing, the vegetation between the two sites, together with the separation distance, it is considered that the proposal would have an acceptable impact on the neighbouring property to the north and its private amenity space.

51. Further concerns are raised from other residents to the west and southwest of the site, on Blakeney Close. Similar concerns regarding overlooking and overbearing are raised. Between the front elevation of the proposed dwelling and the southern boundary of the site that lies adjacent to a property at Blakeney Close is approximately 25m. At 25 metres, the ability to discern detailed views into habitable rooms or private garden areas of the neighbouring property is significantly reduced. The proposed development is therefore not considered to result in a loss of privacy or create a harmful level of overlooking. The separation ensures that views, if any, would be oblique or distant, and not materially harmful to the amenity of neighbouring occupiers.

52. Neighbour comments have raised concerns regarding traffic and noise, particularly with regards to the amenity of residents at Ryrie Court. Impact from noise is more likely to occur during construction phases with contractor's noise, parking, operations and dust. While some level of disruption is inevitable during building works, these impacts are temporary and can be effectively managed through appropriate mitigation measures. An informative is suggested in terms of working to considerate constructor practices to help address this.

53. Subject to details of landscaping, which is to be considered at Reserved Matters stage, it is considered that a single dwelling could be reasonably accommodated within the site, without resulting in any significant detrimental impacts upon the residential amenity of existing properties, in accordance with local and national policies.

54. *Impacts on future occupiers*

55. The dwellings would comply with minimum internal space standards required by Policy DM2. Due to the orientation of the plot together with the positioning of windows, the dwelling would receive adequate light to habitable rooms.

56. Adequate external amenity space to the sides and rear of the building would be provided for the new dwelling, and the extent of this is considered suitable for the location and size of the dwelling.

57. The proposals work well with reference to their relationship with adjacent properties and it is not considered that the proposals would result in any unacceptable impact to adjacent properties in terms of outlook, overlooking or overshadowing or in terms of quality of the living environment for existing or future residents.

Main Issue 3. Character and appearance

58. Key policies and NPPF Sections– GNLP2, GNLP3, DM3, NPPF Section 12.

59. Matters of appearance, layout and scale are to be considered with this outline application.

60. Given the nature of the site and necessity for tree protection, suitable regard to the local environment, safety and amenities in the area, a balancing of issues is required to seek to ensure that the development can be delivered in an appropriate manner. The proposed dwelling would be of a significant footprint and overall scale yet would be of a lower density given the site area. It is noted that the surrounding area is characterised by larger dwellings on larger plots and these dwellings vary in terms of their design and overall appearance. Given the sites constraints and balancing of issues, the low density is therefore considered acceptable.

61. Appearance is a matter for consideration and amendments were sought during the application process to ensure that the form and proportions of the dwelling and fenestration had a complimentary relationship.

62. The proposed dwelling adopts a traditional architectural style that may be considered pastiche in its approach. However, this is not regarded as harmful in planning terms. The design demonstrates appropriate proportions, detailing, and materiality, ensuring a coherent and visually balanced design. The proposed garage also reads as a subservient building to the host dwelling.

63. As such, the design is considered acceptable and in accordance with relevant design policies and guidance, which seek to ensure that new development is of a high standard and respects its surroundings.

64. Given the larger scale of the development, landscaping would provide an opportunity to integrate the dwelling into its surroundings. Whilst this is

reserved for future consideration, it is considered that a suitable landscaping scheme could be provided which would add to the existing mature planting to the perimeters of the site and ensure a suitable level of visual amenity to the area. Full details of boundary treatment would be expected at the Reserved Matters stage, to ensure that boundary treatments would be appropriate.

65. It is not considered that the dwelling, in terms of its form, scale or overall appearance, would appear out of keeping with the site context. Therefore, the proposal is considered to comply with the relevant local and national policies referred to above in providing an acceptable visual impact.

Main Issue 4. Highways safety and parking

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

67. The details of site access are included in the matters to be considered. The site benefits from an existing access from the public highway off Unthank Road.

68. The site would be accessed via Eaton Chase, off Unthank Road. Neighbour comments raise concerns should the access be taken via Ryrie Court. The applicant has confirmed that they benefit from right of access for 1no.dwelling via Eaton Chase and therefore no vehicular access would be taken via Ryrie Court. Whilst a small pedestrian gate is shown to the northeastern boundary of the site, no vehicular access has been proposed in this location.

69. The Highways Officer acknowledges that whilst Eaton Chase is a private road and for the City Council to determine its suitability for the scheme, the access onto Unthank Road benefits from suitable visibility. The Highways Officer recommends a condition requiring the on-site parking and turning to be laid out and demarcated prior to occupation. As access and layout are matters for consideration it is considered necessary to append this condition to the outline consent. Future landscaping proposals can be suitably designed around these fixed hardstanding areas.

70. The layout shows sufficient parking and turning within the site and the proposed layout would comply with the Council's adopted parking standards. While neighbours raise concerns regarding the location of the parking and turning, it is considered that given the quantum of development this would not result in excessive comings and goings to result is significant disturbance.

71. Whilst cycle and bin storage have not been demonstrated explicitly, it is considered there is ample room on site for these details to come forward via condition.

72. The surface material of the site access road should be designed to be fit for vehicular use and permeable but ideally built to adoptable standards. In so far as they relate to suitable construction of the access arrangement, it is considered relevant and necessary to condition these details on the outline consent to ensure there is no impact to tree root protection areas.

73. To primarily protect a sensitive group of residents living next to the site at Ryrie Court a condition of previous decision reference 18/01190/O prevented the use of Ryrie Court for construction access and activities. Previous application 21/00684/O sought to take the construction access via Ryrie Court. This

application was refused, amongst other reasons, due to potential impact to the living conditions of the existing residents in the vicinity. The decision was upheld at appeal no. 3295458. Whilst the appeal did not agree that the proposal would result in an unacceptable impact upon the living conditions during construction, it found construction traffic using Ryrie Court would have an unacceptable harmful effect on highway safety. It is therefore considered reasonable and necessary to restrict construction access to the site via Ryrie Court.

Main Issue 5. Trees

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

75. The current outline planning application does not include matters of landscaping, and this will be assessed at reserved matters stage. However, there is a separate consideration in part to the suitability of the proposal on the existing TPO. In reviewing the outline application proposals, it is clear that this site has capacity for development in the form proposed. There is also potential to further enhance site planting under any future consideration of landscape matters.

76. The proposal will require the removal of Group G5, which is protected by the TPO, to facilitate the construction of the driveway and turning area. The driveway and turning area will also fall within the Root Protection Area (RPA) of Tree T1. To minimise impact on the root system, a no-dig construction method using Geocell Terram is proposed, which is an accepted approach for protecting tree roots during development.

77. The proposed dwelling encroaches into the RPA of Tree T2, but this infringement is less than 20% of the total RPA. As such, it is considered minor and does not require specialist construction techniques.

78. To reduce potential post-development pressure and support the long-term health of Tree T2, a crown reduction of approximately 2–3 metres is proposed. Additionally, Group G1 will require crown raising to 3.5 metres over the existing access to allow for vehicle clearance.

79. Neighbour comments have raised concerns regarding the impact to the trees covered by the TPO, as such the Tree Officer has visited the site to review in full. The Tree Officer considers the removal of Group G5 to be acceptable, with suitable replacement planting already in place. Crown-lifting of Group G1 is also supported. Limited encroachment into the RPAs of T1 and T2 is acceptable, provided works are carried out under arboricultural supervision and, in the case of T1, using a no-dig construction method. The proposed crown reduction of T2 is considered reasonable; however, the tree is showing signs of stress, and its long-term condition may deteriorate, so monitoring is advised. Overall, the Tree Officer has raised no objection to the proposed tree works the proposals are acceptable subject to compliance with the submitted Arboricultural Impact Assessment and Method Statement.

80. These works are considered proportionate and necessary to facilitate the development while maintaining the health and longevity of retained trees.

Main Issue 6. Ecology

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

82. A Preliminary Ecological Appraisal ('PEA') has been undertaken, and the assessment concludes that ecological impacts would be minimal. The PEA outlines potential minor impacts to bat population, local hedgehogs and nesting birds. All of these potential impacts could be appropriately mitigated through precautionary approaches and implementation on site enhancements such as hedgehog holes and ensuring the timing of works are outside of nesting season. Subject to work taking place in accordance with the mitigation measures outlined in the report, the PEA concludes there is no evidence to suggest there are any over-riding ecological constraints to the current proposals for the site other than for precautionary measures for herpetofauna, bats and nesting birds. It is therefore considered necessary to condition compliance with the report.

83. National and local policy requires that all development bring about ecological enhancement. It is considered that the scheme of ecological enhancements, as recommended by the report, would achieve a net gain for biodiversity.

84. As the application was submitted before the statutory legislation of Biodiversity Net Gain was introduced, a 10% Net Gain is not required.

7. Other matters

Assessment of Impacts under the Conservation of Habitats & Species Regulations 2017 (as amended)

85. The Council is a competent authority under the Habitats Regulations and must determine whether or not the proposals as a 'project' within the meaning of the regulations will have an adverse effect, either alone or in combination with other plans or projects, upon the integrity of European protected sites. The following constitutes the council's appropriate assessment under Reg 63 of the regulations.

Nutrient Neutrality – Impact upon water quality – Broads SAC

86. On 16 March 2022, Natural England issued new guidance to a number of Local Authorities concerning nutrient enrichment and the role local authorities must play in preventing further adverse impacts to protected wetland habitats. The importance of achieving nutrient neutrality stems from evidence that large quantities of nitrogen and phosphorous entering water systems cause excessive growth of algae, a process called 'eutrophication.' This reduces the oxygen content of water impacting aquatic species; subsequently removing a food source for protected species.

87. The advice covered two catchments in Norfolk for the River Wensum SAC and the Broads SAC/Broadland Ramsar. The entirety of Norwich City Council's administrative area is included in the Broads catchment, with a small part in the north-west covered by the Wensum catchment.

88. Based upon the identified catchment that the development proposal falls within, there is potential adverse effect on the integrity of the Broads SAC by virtue of an increase in nitrate and phosphate loading.

Recreation Impact – Various Sites

89. The Norfolk Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GIRAMS) (2021) identifies that the level of growth outlined in the Local Plan is predicted to increase the recreational disturbance and pressure on Habitats Sites, disrupting the relevant protection objectives. The Norfolk GIRAMS establishes 'Zones of Influence' (ZOIs) representing the extent of land around Habitats Sites within which residents travel to relevant sites for recreational activities. New development that falls within any of the specified ZOIs is therefore required to mitigate against these identified resultant adverse effects.

90. Sites in Norwich City Council administrative area are within the ZOI(s) of the following Habitat Sites. There is consequently a potential adverse effect on the integrity of the Sites and an appropriate assessment of impacts is therefore necessary.

<u>Wash ZOI</u>

- The Wash SPA
- The Wash and North Norfolk Coast SAC
- The Wash Ramsar

<u>Norfolk Coast ZOI</u>

- North Norfolk Coast SAC
- North Norfolk Coast SPA
- North Norfolk Coast Ramsar

<u>Valley Fens ZOI</u>

- Norfolk Valley Fens SAC

<u>East Coast ZOI</u>

- Winterton – Horsey Dunes SAC
- Great Yarmouth North Denes SPA

<u>Broads ZOI</u>

- Broadland SPA
- Broadland Ramsar
- Breydon Water SPA

Appropriate Assessment

91. Due to both nutrient neutrality and recreational impact, an appropriate assessment of impacts is necessary in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

92. The screening has identified that the development proposal is likely to have an adverse effect on the integrity of protected Habitats sites, when considered in-combination with other housing and tourist developments. Measures are therefore needed to mitigate these negative recreational impacts

Nutrient Neutrality

93. The negative impact upon the Broads SAC is as a result of an increase in nitrate and phosphate loading. The impacts of the proposed development will be mitigated by the purchase of credits through the Wendling Beck Nature Recovery Project. This scheme has been the subject of its own HRA, which has been reviewed separately by Natural England. Natural England has advised that planning permissions may be issued that rely on the purchase of credits from the Wendling Beck Nature Recovery Project.

94. The impacts of the proposed development will be mitigated by the purchase of:

    Temporary credits from Wendling Beck as follows:-

    - 0.06 Kg/year of temporary Phosphate credits; and
    - 1.47 Kg/year of temporary Nitrate credits

    Permanent credits from Wendling Beck as follows:-

    - 0.02 Kg/year of permanent Phosphate credits; and
    - 0.81 Kg/year of permanent Nitrate credits

95. The Council as Competent Authority has received the following, attached to this assessment:-

    - Norfolk Nutrient Calculator describing the agreed impact of the development; and
    - Evidence that credits referred to above have been allocated by Wendling Beck

96. Proof of purchase of the mitigation will be required before the Council as competent authority will issue a decision.

97. The Council as Competent Authority has had sight of the relevant documentation (technical reports and appropriate assessments) produced in association with the mitigation provided by Wendling Beck and has mechanisms in place to ensure that the provision of said mitigation can be secured by Wendling Beck and enforced by the Council for the lifetime of the development

Recreational Impact

RAMS Tariff

98. The Norfolk GIRAMS identifies a detailed programme of County-wide measures to mitigate against the adverse implications of in-combination recreational impacts on the integrity of the Habitats Sites caused by new residential development and tourist accommodation.

99. The strategy introduces a per-dwelling tariff to ensure development is compliant with the Habitats Regulations; the collected tariff will fund a combination of hard and soft mitigation measures at the designated Habitats Sites to increase their resilience to greater visitor numbers. The tariff is calculated as a proportionate sum of the full costs of the Norfolk-wide RAMS mitigation package as apportioned to the predicted growth outlined in the Local Plan.

100. This cost is identified as £304.17 per dwelling (index-linked), and per bedspace equivalents for tourist accommodation or student accommodation units, secured as a planning obligation.

Green Infrastructure Contribution

101. As the RAMS tariff exists to specifically mitigate the in-combination effects of new development on protected sites, an additional Green Infrastructure contribution is also required under the Norfolk GIRAMS to deliver mitigation at a more local level by securing adequate provision to divert residents from regular visits to Habitats Sites.

102. As outlined in the HRA for the Greater Norwich Local Plan (GNLP) and incorporated into Policy 3 of the GNLP, all residential development is required to provide green infrastructure equating to a minimum of 2 hectares per 1,000 population to reflect Natural England's Accessible Natural Greenspace Standard. Where this provision cannot be met on-site, a relevant commuted sum will be sought based upon the total number of dwellings and respective housing mix.

103. The Norfolk GIRAMS concludes that Green Infrastructure can be delivered through existing strategic and local measures. The level of Green Infrastructure will be provided in accordance with the Council's existing Development Plan policies and subsequently in accordance with GNLP policy. This will be provided on-site in the landscaped garden.

Conclusion

104. Natural England has been consulted on the HRA the Council prepared of the proposal, which this text forms a modified version of, in accordance with the requirements of Reg 63(3) of the Regulations. Natural England's response is recorded in the consultation section of this report. Natural England have no objection to the application subject to the appropriate mitigation (as outlined above) being secured.

105. In having regard to the comments of NE, in accordance with Reg 63(3) of the Regulations, the Council notes that it is the Council that is the competent authority and not Natural England. The Council has seen the credit agreement

between the applicant and Wendling Beck and are satisfied that they secured the mitigation required to off-set the projects impact upon the Broads SAC.

106. In light of this, it is the Council's opinion that the measures to address the potential adverse effects on integrity of the Broads SAC caused by increased nitrate and phosphate loading and a consequent degradation in water quality can be addressed through the purchase of credits from Wendling Beck Opco LLP.

107. Measures to address the potential adverse effects on integrity of protected Habitats Sites caused by increased recreational pressure have been incorporated into the adopted Norfolk GIRAMS. This strategy requires new development to provide twofold mitigation to be legally compliant with the Habitats Regulations: payment of the RAMS tariff and provision of Green Infrastructure relevant to the scale of the proposal.

108. As the applicant has purchased the credits from Wendling Beck and the RAMS tariff would be secured via a planning obligation, this assessment is able to conclude **no adverse effects** of the development proposal on the integrity of internationally designated wildlife sites in relation to recreation and nutrient loading.

109. The proposed development is of a nature and scale that there are no additional implications for protected habitat sites beyond those being mitigated by the purchase of credits from Wendling Beck Opco LLP and Norfolk GIRAMS.

Compliance with other relevant development plan policies

110. 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
Energy efficiency	GNLP2	Indicates fabric first approach potentially in combination with PV installation however no specific policy requirement to secure via condition given quantum of development.
Water efficiency	GNLP2	Yes, subject to condition. 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.

Equalities and diversity issues

111. There are equality or diversity issues. A public representation received to the development refers to potential detriment to the mental wellbeing of nearby occupiers including those with protected characteristics. For the reasons set out above, the proposal is considered to have an acceptable impact on the amenity of nearby occupiers.

112. In considering this planning application due regard has been had to the public sector equality duty (PSED) under Section 149 of the Equality Act 2010, which means that the Council must have due regard to the need (in discharging its functions) to put an end to unlawful behaviour that is banned by the Equality Act, including discrimination, harassment and victimisation and to advance equality of opportunity and foster good relations between people who have a protected characteristic and those who do not.

Local finance considerations

113. 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.

114. In this case local finance considerations are/are not considered to be material to the case.

Human Rights Act 1998

115. 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.

116. 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

117. 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. The application is therefore recommended for approval.

118. 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

119. To approve application 22/00870/O, The Bungalow, Eaton Chase, Norwich, NR4 7QW and grant planning permission subject to the following conditions:

1. Standard time limit for outline consents;
2. Reserved matters to relate to landscaping;
3. In accordance with plans;
4. Details of cycle and bin storage;
5. Arboricultural supervision;
6. No-dig methods;
7. Siting of services within protected areas;
8. Materials in accordance with details;
10. Water efficiency;
11. No construction traffic via Ryrie Court;
12. On site parking and turning areas to be laid out and demarcated in accordance with approved plans;
13. Obscured glazing;
14. Compliance with ecology report;
15. Compliance with Arboricultural Impact Assessment and Method Statement

Informatives:

- Construction working hours
- Site clearance and Wildlife
- Note of TPO
- Land ownership
- Works within the highway

Appendices: None

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