

**Report to** Planning applications committee

**Item**

10 February 2022

**Report of** Head of planning and regulatory services

**Subject** Application no 20/01579/F - The Children's Centre, 40  
Upton Road, Norwich, NR4 7PA

**Reason  
for referral** Objections

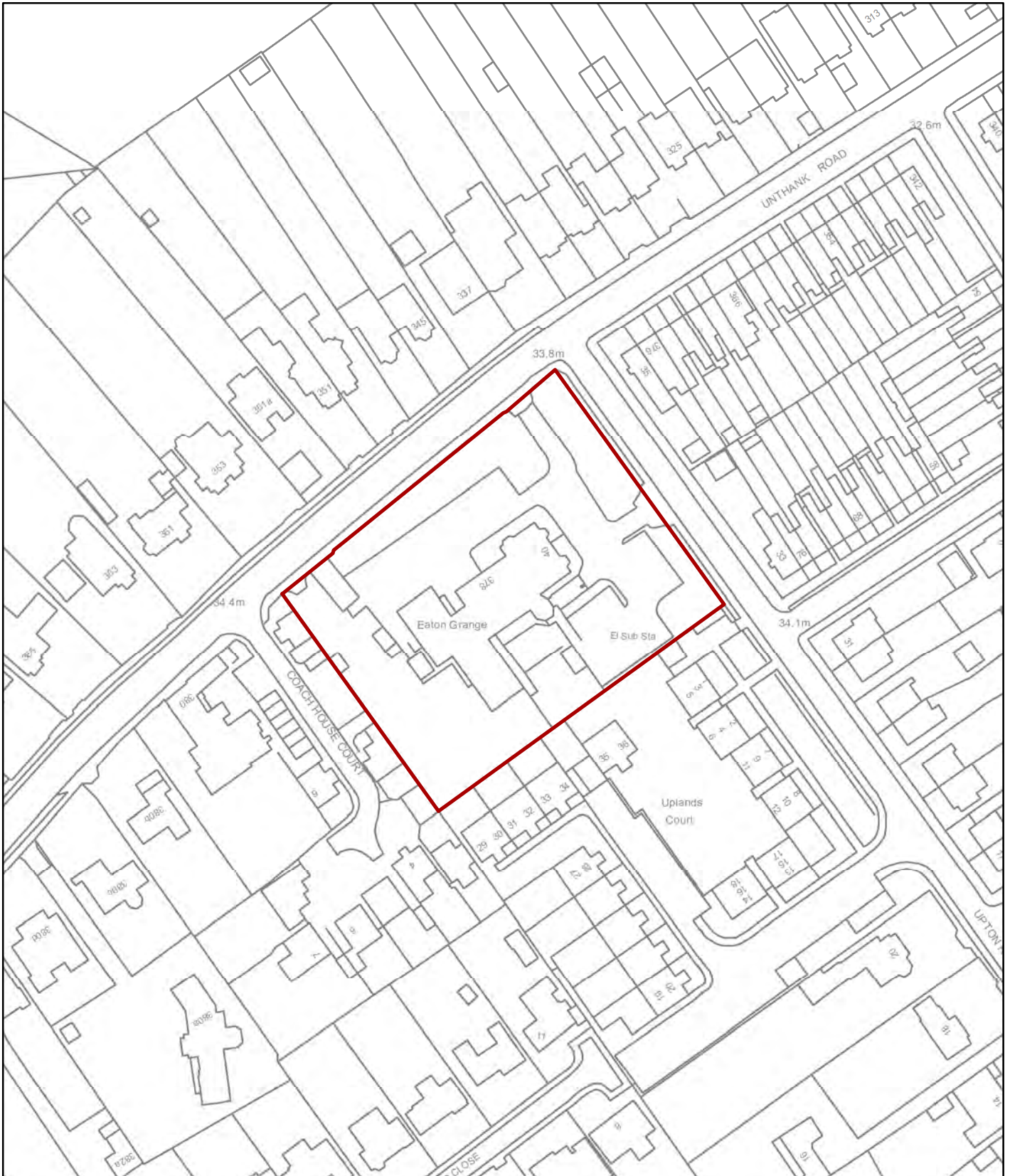
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<b>Ward</b>	Eaton
<b>Case officer</b>	Sarah Hinchcliffe - <a href="mailto:sarahhinchcliffe@norwich.gov.uk">sarahhinchcliffe@norwich.gov.uk</a>
<b>Applicant</b>	LNA Eaton Ltd

Development proposal		
Part demolition and conversion of Eaton Grange Building, conversion and extension of coach house and new build development to provide a total of 23 new dwellings.		
Representations		
1 <sup>st</sup> round of consultation		
Object	Comment	Support
16	0	0
2 <sup>nd</sup> round of consultation (removal of separate block to Unthank Road frontage, extension to Eaton Grange, modifications to access arrangements, additional parking, numbers reduced from 25 to 23).		
Object	Comment	Support
6	0	0

Main issues	Key considerations
1. Principle of development	Loss of community use. New residential use.
2. Heritage	Impact upon a locally listed building and conservation area.
3. Design	Site density, layout, position, height and scale of elements of the proposal.
4. Trees, landscaping and biodiversity	Existing trees, on-site landscaping and biodiversity enhancement.
5. Transport	Access, parking, cycle parking
6. Amenity	Impact upon existing residents taking into consideration overlooking and overshadowing. Living conditions for future residents including size of units, privacy, light, external space.
7. Energy and water	10% energy requirements
8. Flood risk and drainage	Management of surface water drainage
9. Affordable Housing	Amount and type of affordable housing provision

<b>Expiry date</b>	24 March 2021 extension agreed until 28 February 2022
<b>Recommendation</b>	Approve subject to satisfactory completion of a legal agreement



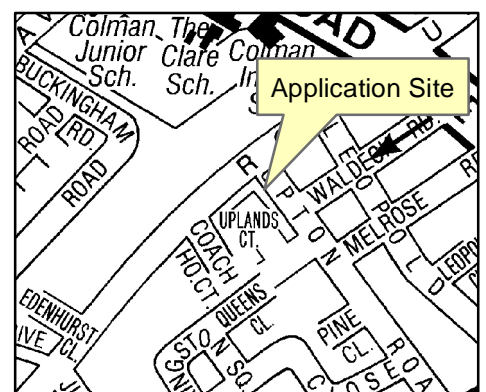
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Planning Application No 20/01579/F  
 Site Address The Childrens Centre  
 40 Upton Road

Scale 1:1,250



**NORWICH**  
 City Council  
 PLANNING SERVICES



## **The site and surroundings**

1. The application site is 0.59 hectares in size and is located on the south side of Upton Road at its junction with Unthank Road, 2.4 km to the southwest of the city centre.
2. There are existing buildings on the site, which was last used as an NHS Children's Centre. The main building known as 'Eaton Grange' is a locally listed, two storey, detached double fronted 19<sup>th</sup> century property that has been extended on a number of occasions through two and three storey additions to the rear. Eaton Grange is oriented with its main façade facing towards Upton Road. A second building within its curtilage is a much smaller 'coach house' which is of a simple two storey red brick and pitched tile/slate roof form, located along the Unthank Road frontage and oriented perpendicular to this site boundary.
3. Access to the site is from both Upton Road and Unthank Road. There is a separate minor access adjacent to the coach house direct from Unthank Road. The north and east road frontage boundaries of the site are bounded with a continuous dwarf wall with hedging on top and mature trees behind. The southern boundary consists of fencing and the western boundary a mixture of timber fencing and a high wall separating the site from Coach House Court and development to the west.
4. The surrounding area is primarily residential in character consisting of properties of various eras. To the north on the opposite side of Unthank Road are large, mainly detached properties. To the east are two storey Victorian terraces. Immediately to the south-east is a two and three storey residential development at Uplands Court and to the south-west is Coach House Court which consist of flats, houses and parking courts. Historically the area of Uplands Court appears to have formed part of the grounds of Eaton Grange.

## **Constraints**

5. The site is within the Unthank & Christchurch Conservation Area and the building which is listed as 378 Unthank Road is designated as a building of local architectural or historic interest within a conservation area. The local list description for the building is – "C19. Eaton Grange. 2 storeys, double-fronted, white brick. Hipped slate roof. Two 2-storey splayed bays with sashes and slate roof and dentil string course. Entrance under rectangular brick architrave. Double dentil cornice. Brick quoins. Chimneys with over sailing brick course. Main entrance/façade on Upton Road. Late 20C extension".
6. The site is also within a critical drainage catchment.

## **Relevant planning history**

7. There appears to be no relevant recent planning application history with the exception of the trees works applications listed below. However, of interest are historical applications associated with former hospital and health authority use of the site.

Ref	Proposal	Decision	Date
19/01453/TCA	T1 - Sweet Chestnut: reduce crown spread back in line with parking hard surfaces by 2.5m on the northern side only; T7 - Horse Chestnut: Fell tree to ground level and replant with a new Tilia x europaea and; T8 - Copper Beech: 2.5m lateral crown reduction on the north side only. Raise to 4m above ground level north side only	NPTOS	05/11/2019
14/01770/TCA	T1: Reduce overhanging branch by 2 meters.	NTPOS	08/12/2014
12/00384/TCA	Remove large branch overhanging car park	NTPOS	16/03/2012

## The proposal

8. The application proposes the partial demolition and conversion of Eaton Grange building, conversion and extension of the coach house and new build development within the grounds to provide a total of 23 new dwellings.
9. The proposal includes the conversion of the main building into 7 flats, conversion of the coach house into 1 house and the construction of 15 new build dwellings (a mix of houses and flats).
10. The works of demolition will result in the removal of the large, two storey, 1950s flat roof elements to the rear (southwestern end) of the main house, a single storey extension to the southeast used as a reception area and an open sided car port type structure to the southeast.
11. A new, two storey hipped roof extension is proposed to the northwest elevation of the main building, facing towards Unthank Road. A single storey extension is proposed to the existing coach house. Further new build elements in the form of an L-shaped block take a three-storey form in a mews arrangement located to the southeast and south west of the main building.
12. Vehicular access and egress to and from the site will be taken from Upton Road, with pedestrian and cycle access only from the existing Unthank Road access. The coach house will take its access separately from an existing access directly on to Unthank Road in this location.
13. The application has been revised from the initial submission. The main revisions include:

- The removal of a detached two storey building (Block C) proposed in a location adjacent to the coach house along the Unthank Road frontage.
- The introduction of a two-storey extension to the north west elevation of the main building.
- Overall height of the new dwellings reduced by 400mm.
- Vehicular access restricted to Upton Road entrance only, which will be widened to 4.5 metres. The coach house retains its own separate access and amenity space.
- Increased parking provision. 1 space per unit within the main development and 1 visitor space. 2 separate spaces for the coach house.
- Revisions to the landscaped areas around the site.
- The total amount of development proposed has reduced from 25 to 23 residential units.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	23 dwellings in total: <ul style="list-style-type: none"> <li>• 5 x 1 bed flats (2 through conversion; 3 new build)</li> <li>• 6 x 2 bed flats (all new build)</li> <li>• 3 x 3 bed flats (through conversion)</li> <li>• 7 x 4 bed houses (1 through conversion and 6 new build town houses)</li> <li>• 2 x 4 bed flats (through conversion).</li> </ul>
No. of affordable dwellings	Nil on site. Off-site commuted sum.
Total floorspace	2452.1sqm proposed gross internal area (GIA), 1044.6sqm net additional floor space
No. of storeys	Conversion of existing buildings, two and three storey with new two storey extension.  New build three storey.
Density	39 dwellings per hectare

Proposal	Key facts
<b>Appearance</b>	
Materials	Buff and brown brick, grey roof tiles, grey metal cladding Grey metal standing seam cladding to coach house extension
Energy and resource efficiency measures	Air source heat pumps, waste water heat recovery system, solar photovoltaics
<b>Transport matters</b>	
Vehicular access	Entrance and exit from Upton Road and pedestrian/cycle access from Unthank Road. Separate access to coach house from Unthank Road.
No of car parking spaces	25 total Including 18 communal, 4 x EV charging, 1 disabled, 2 for 'coach house'.
No of cycle parking spaces	Storage shelters for 49 bicycles, within a store within the communal parking area and smaller stores within the rear amenity areas.
Servicing arrangements	Bin store inside Upton Road site access.

## Representations

14. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 16 letters of representation have been received citing the issues as summarised in the table below. Changes were made during the course of the application and neighbours were re-consulted. Six further letters of representation were subsequently received.

Issues raised	Response
Concern about amount of parking provided being inadequate and impact on parking available in the area.	See main issue 5: Transport
Highway safety issues associated with parking off site near busy road junctions.	See main issue 5: Transport
The scale of the proposed new build elements appears out of proportion and overbearing to a heritage asset.	See main issue 2: Heritage
The proposed style appears to be unsympathetic to and out of character with a heritage asset having an adverse impact on	See main issues 2 and 3: Heritage and Design

Issues raised	Response
its setting. The development does not preserve or enhance the conservation area.	
The designs lack architectural excellence and is unsympathetic, overpowering and quite out of character to the old building.	See main issues 2 and 3: Heritage and Design
The extension to the heritage asset is not small and subservient.	See main issue 2: Heritage
The number of properties proposed is too high for a quality build.	See main issue 3: Design
Outdoor space is too limited	See main issue 6: Amenity
Several properties in Coach House Court and Uplands Court are likely to be overlooked with light cut out to gardens.	See main issue 6: Amenity
Concerns about noise and dust during demolition and construction and working hours.	A demolition method statement will control noise and dust during demolition. The council's construction working hours informative note will be applied.
Adverse impact on established trees and wildlife.	See main issue 4: Trees, landscaping and biodiversity

## Consultation responses

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

### Norwich City Council - Design and conservation

16. Detailed comments received relating to the initial proposals, summarised as follows:
17. Although there are some positive attributes to the scheme (most notably a viable use for Eaton Grange), I would not recommend an approval as I do not see how any public benefit associated with the proposal could outweigh the harm to the setting of the locally listed building and the wider setting which is a conservation area.
18. No further comments were provided by design and conservation in relation to the final revised plans. The revisions picked up on some of the detailed comments made by the conservation officer and are dealt with in more detail within sections 2 and 3 of the assessment section of this report below.



## **Historic England**

19. Initial comments - This application proposes the development of new residential accommodation in the grounds of the former Eaton Grange, a prominent and high-quality 19th century villa in the conservation area. We would not oppose the majority of the development but consider the construction of one new building (Block C) would result in harm to the historic significance of the conservation area in terms of the National Planning Policy Framework. The Council should consider any public benefit that might result from the proposals, but as the application stands we would not support the granting of consent and recommend the application is refused.
20. Historic England objects to the application on heritage grounds because of the impact of the proposed Block C on the conservation area. We consider that the application does not meet the requirements of the NPPF, in particular paragraph numbers 7, 8, 193 and 194. In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
21. Final revision plans - We support the revised plans to remove one residential unit [Block C]. We would not object to the application in principle, and we would also support the Council if they wish to refine the detail of the proposed development. We do not need to be consulted further on the application.

## **Norwich City Council - Public protection**

22. The developer is reminded that prior to any refurbishment commencing on site the building/s to be refurbished are required to be surveyed for the presence of asbestos containing materials in accordance with the Control of Asbestos Regulations 2012. I note that an asbestos survey report has been submitted, but this was carried out in 2003 and was undertaken for general management of asbestos containing materials within the building and is not a refurbishment/demolition survey report and as such is not considered to be suitable for use for the proposed development. 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.
23. Suggest the use of conditions/informative notes relating to refurbishment and asbestos, contaminated land and sound attenuation against external noise.
24. I note the Air Quality Screening Assessment submitted by Harrison Environmental Consulting (dated February 2021) and accept the reports content.

## **Norfolk County Council – Local Highways Authority (LHA)**

25. I have no objection to the proposed development subject to recommended conditions being imposed.
26. Detailed advice and negotiations, the following main points of comment:

For sites in this location the Local Plan has a minimum car parking requirement of 1 space per dwelling, this would equate to 23 spaces for the site, the parking

maximum would be 1.5 space per 2- and 3-bedroom dwelling and 2 spaces for 3+ bedrooms, this would equate to 41 spaces for the site overall. As proposed, there are 25 parking spaces on the site, it is therefore broadly compliant with Local Plan policy with regard to on-site parking provision but is considered to only meet the minimum threshold of policy compliant parking provision.

27. My concern is that if parking spaces are allocated to residents, there will be disputes over the use of EV parking spaces by those residents with EVs. Whilst this is primarily a matter for the planning authority to consider, any displacement of parking caused by lack of available on-site parking spaces will affect demand for local on-street parking. Therefore, it would be wise if the applicant explained how the EV parking spaces will be allocated and managed for residents. My advice is that the EV parking spaces are treated as short stay parking for EV users or for other visitors, and therefore not counted in the overall parking total for the site or that all the parking spaces are provided with EV charge points to avoid the mismatch between allocated spaces and ownership of electric vehicles.
28. The application also includes provision of a car club parking bay, which I have recommended is provided on-street (making use of double yellow lines so as not to reduce availability of local parking spaces, and also freeing up one parking space on site), and for the purchase of a car club vehicle. My advice is that the provision of the car club bay is provided through a Traffic Regulation Order for a bay on Upton Road near the site, and that the purchase of the vehicle is agreed by condition. The Local Plan policy threshold for purchase of a car club vehicle is 100 dwellings, however the applicant is offering to purchase the vehicle as part of its parking mitigation strategy which I accept as parking mitigation. Research from the Norwich car club and national findings indicates that around 9 vehicles can be eliminated as users defer or decline to purchase their own vehicle. Source: <https://como.org.uk/shared-mobility/shared-cars/why/>
29. Given that the mix of housing will range from 1 to 4 bedrooms and that there may be car occupancy of more than 1 vehicle per dwelling, it is highly likely that some residents will wish to park on-street. It is impossible to determine exactly how many vehicles will need to park off site. For that reason, it will be necessary to implement a Traffic Regulation Order that will provide 'no waiting at any time' restrictions in the vicinity to protect junction visibility and footways from obstructive parking. I believe it is essential that waiting restrictions are provided as part of a Traffic Regulation Order to include on Unthank Road either side of the junction with Coach House Mews and 10 metres within it on both sides, Upton Road (from on its south side from Unthank Road up to and including either side of Uplands Close), opposite the site access to facilitate turning of refuse trucks and 10 metres either side at the Melrose Road and Waldeck Road junctions.
30. Based on my site visits to the locality during the daytime, it is noted that there is a significant demand for on-street parking near the site, but that towards Newmarket Road this eases. For that reason, in my view there is sufficient capacity within local streets to accommodate likely parking needs associated with the site. The locality is not a controlled parking zone and has extensive amounts of unrestricted on-street parking that can be utilised for local resident and visitor parking needs.
31. With regard to cycle parking this is not detailed, but there is sufficient space on site to accommodate this and will need to conform to Local Plan standards.

32. In terms of refuse collection, the refuse store is in close proximity to the Upton Road access, Citywide services at Norwich City Council can advise if Biffa will enter the site or wait on Upton Road. My preference is that refuse collection is achieved within the site to avoid obstruction of Upton Road, if refuse trucks need to enter the site, they will need sufficient space to turn and exit in a forward gear. I would appreciate if the applicant can clarify this matter, and if necessary, provide vehicle tracking to demonstrate that refuse trucks can turn around within the site.

### **Norwich City Council - Housing strategy**

33. Having looked at the above application it would appear to be within scope to deliver a proportion of units as Affordable Housing (AH) via a S106 agreement. At present the requirement for AH is 33% of units on an eligible development. However, as the proposal requires part of the existing building to be demolished and converted, a calculation for vacant building credit is being applied. As the increase in floor space is 48% of the total final floor space, then only 48% of the proposed units are included in the calculation for AH: i.e. 48% of 25 units is 12 units. Therefore 33% of 12 units = 4 units of AH is required.
34. We would expect the tenure mix of the affordable units to be as follows: 3 x social rent, 1 x intermediate, e.g. shared ownership.
35. All Affordable Housing should be delivered in a tenure neutral design and would be expected to meet Nationally Described Space standards.
36. **Comments on revised plans** - Norwich has a high need for affordable housing, in particular one-bedroom accommodation, 2-bedroom houses and 4+bedroom houses. We therefore welcome the proposal to deliver 4 units of affordable housing.
37. Further to our earlier consultee comments, we note that the applicant's preference is to provide an offsite commuted sum rather than deliver the required affordable housing units on site.
38. Our Affordable housing SPD states that a commuted sum may be acceptable where written evidence is provided that no Registered Provider (RP) is willing to take on the units. If the scheme design has difficulty accommodating affordable housing on site, then we would like to see alternative arrangements in the design have been considered which would make the scheme more attractive to RPs.
39. **Amended proposals** on-site affordable housing provision calculation - 42% of 23 units is 9 units. 33% of 9 units = 3 units of affordable housing on site.

### **Norwich City Council - Landscape**

40. No objection on landscape and ecology grounds. Subject to conditions including: securing landscaping details; securing additional tree planting; measures to control external lighting and light spill from glazing.
41. **Comments on final revised plans** - The revisions to the scheme have addressed most of the previous comments. The scheme would be acceptable subject to revision/clarification of vehicle entrance, replacing some asphalt surfacing with planting in eastern car park, and addition of log piles to ecological mitigation.

## Anglian Water

42. The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.
43. Used water network, the sewerage system at present has available capacity for these flows.
44. The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.
45. Anglian Water has reviewed the submitted documents (Flood Risk Assessment) and can confirm that these are acceptable to us. A condition is required to list the submitted documents as approved for surface water drainage purposes.

## Norfolk County Council - Lead Local Flood Authority (LLFA)

46. **Comments on final revised documents** - The proposed site drainage scheme has now been updated to address the limited on-site infiltration. All areas of permeable paving will now positively drain to the adjacent surface water [sewer] via attenuation and take advantage of limited infiltration benefits. Adopting a conservative approach, the applicant has calculated permeable paved areas as being impermeable.
47. We welcome the revisions and the inclusion of the Drainage Commentary Report to outline where and how previous LLFA comments have been addressed.
48. From the information submitted, we are generally satisfied that the applicant appears to have now addressed the LLFA comments and the submitted FRA and Drainage Strategy has predominantly been designed in accordance with relevant national and local policy, frameworks and guidance in addition to statutory/non-statutory standards and best practice guidance.
49. We have no objection subject to conditions being attached to any consent if this application is approved and the applicant is in agreement with any pre-commencement or 'built in accordance with' conditions.

## Norfolk County Council - planning obligations

50. Education: Considering other permitted developments in the area, although there is still spare capacity at Early Education, Junior and High School levels, there would be insufficient capacity at Colman Infant School to accommodate the children generated by these developments. It is expected that the funding for additional places, if necessary, would be through CIL.
51. Fire: Norfolk Fire Services have indicated that the proposed development will require 1 hydrant per 50 dwellings (on a minimum 90-mm main) for the residential

development at a cost of £921 per hydrant. The number of hydrants will be rounded to the nearest 50th dwelling where necessary. Please note that the onus will be on the developer to install the hydrants during construction to the satisfaction of Norfolk Fire Service and at no cost. Given that the works involved will be on-site, it is felt that the hydrants could be delivered through a planning condition.

52. Library: New development will have an impact on the library service and mitigation will be required to develop the service, so it can accommodate the residents from new development and adapt to user's needs. 23 No. of houses x £75 per dwelling = £1725. Improvements to existing library facilities will need to be funded through CIL.

### **Norfolk County Council - Norfolk historic environment service (HES)**

53. In broad terms we concur with the conclusions of the archaeological desk-based assessment
54. Based on currently available information development at the above-mentioned site would not have any significant implications for the historic environment in terms of below-ground archaeology. No conditions relating to archaeological work are required and we have no further comments to make.

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

55. **Comments relevant to both revisions of the plans** - The scheme incorporates a mix of dwellings, which will enable a greater potential for homes to be occupied throughout the day, this should assist with natural surveillance, community interaction and environmental control. Where physical features (pathways) introduce permeability around some of the dwellings there is use of defensive space indicated.
56. A good degree of passive surveillance will be provided over the site and communal spaces, with the 'Courtyard Garden' providing shared outdoor space for residents. (NB/ Adequate mechanisms and resources should be put in place to ensure its satisfactory future management and maintenance).
57. The ground level French doors of Flat 2 & 3 of Block A will need a more substantial boundary than the indicated (low yew hedge) to prevent the possibility of 'casual' intrusion into their living room if insecure. Especially as these flats are adjacent a communal space and so a would-be offender may not be so conspicuous. If a more 'open-look' is required, consider railings broken up by vegetation.
58. Car Parking: Within this plan the majority of allocated parking spaces is in small court to the east where the orientation of houses provides passive surveillance - although this may not from the corresponding dwelling owning vehicle (which may reduce the quality of guardianship sought after).
59. A gated vehicle entrance on Upton Rd, allowing residence-only access would assist with the perimeter security of these flats and over the new parking layout on the northwestern boundary of the plot. These vehicles will only have 'active window' surveillance from 2 of the 7 flats.
60. Cycle Storage: External, open communal bicycle stores with individual stands or multiple storage racks for securing bicycles should be as close to the building as

possible (within 50 metres of the primary entrance to a block of flats and located in view of active rooms. The store must be lit at night using vandal resistant, light fittings and energy efficient LED lights.

61. External Lighting - Lighting should illuminate all external doors, footpaths leading to these doors and cycle stores. External lighting should be switched using a photo electric cell (dusk-to-dawn) and fittings and service wiring should be vandal resistant and located to minimise vulnerability to vandalism.
62. Flat Entrance Access – Where a communal entrance doorset serves 5 dwellings or more, it is required to have a visitor door entry system and access control system to enable management oversight of the security of the building. Tradesperson or timed-release mechanisms should not be permitted as they have been proven to be the cause of antisocial behaviour and unlawful access to communal developments.

### **Norwich City Council - Tree protection officer**

63. Although the loss of Category B trees, T11 and T16, will not have a significant negative impact on the amenity of the area, or adversely affect the character and appearance of the Unthank and Christchurch conservation area, it needs to be demonstrated to the satisfaction of the case officer that their removal complies with Policy DM7 (as opportunities for adequate replacement planting on site are limited). The proposal does not only require the removal of two Category B trees, but pruning will also be required to other protected trees (T8, T15, T17), in order to create adequate clearances.
64. It is also reasonable to foresee that liveability issues will arise for some residents of the new dwellings, due to proximity of retained trees. Lack of light, leaf-litter/dropping debris, perceived threat, honeydew falling on parked cars etc will lead to pressure to prune and/or, remove trees in a conservation area, where currently no such pressure exists.
65. **Comments on final revised plans** - I will not be objecting, but it would be useful to get some detail on the 21 new trees the applicant proposes to plant. Applying condition TR12 - mitigatory replacement tree planting would be appropriate.

Condition TR6 - arb works to facilitate development, would also be appropriate, for the crown reductions and potential root pruning.

Condition TR4 - arb supervision for any works within the RPAs of existing trees, would also be necessary, as would conditions TR7 - works in accordance with AIA/AMS/TPP, and TR10 - no dig methods for new paths/driveways within RPAs.

## **Assessment of planning considerations**

### **Relevant development plan policies**

66. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water

- JCS4 Housing delivery
- JCS6 Access and transportation
- JCS7 Supporting communities
- JCS9 Strategy for growth in the Norwich policy area
- JCS12 The remainder of the Norwich urban area including the fringe parishes
- JCS20 Implementation

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM22 Planning for and safeguarding community facilities
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM33 Planning obligations and development viability

**Other material considerations**

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

- NPPF2 Achieving sustainable development
- 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
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

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

- Affordable housing SPD adopted July 2019
- Trees, development and landscape SPD adopted June 2016
- Heritage interpretation SPD adopted December 2015
- National Model Design Code
- National Design Guide

## **Case Assessment**

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

### **Main issue 1: Principle of development**

71. Key policies and NPPF sections – DM1, DM12, DM13, DM22, NPPF sections 5 and 11.

#### **Loss of community use**

72. The buildings' last use as a Children's Centre, a form of health centre, provided facilities and uses generally available to and used by the local community for the purposes of social interaction, health and well-being or learning. Policy DM22 would apply in protecting such facilities. This requires that development resulting in the loss of an existing community facility will only be permitted where:
- (a) adequate alternative provision exists or will be provided in an equally accessible or more accessible location within 800 metres walking distance; or
  - (b) all reasonable efforts have been made to preserve the facility, but it has been demonstrated that it would not be economically viable, feasible or practicable to retain the building or site for its existing use; and
  - (c) evidence is provided to confirm that the property or site has been marketed for a meaningful period and that there is no realistic interest in its retention for the current use or for an alternative community use.
73. The site was operated as a Children's Centre since at least 2013 until services were relocated to Norwich Community Hospital, Bowthorpe Road in 2017, some 2.3km to the north. The site was subsequently purchased from the NHS by the applicant in June 2019. Information has been provided by the NHS to the applicant to explain the circumstances under which the site became identified as surplus to requirements by the NHS and the property was offered to other clinical service providers and then the wider public sector under the due diligence process before it was approved for sale by the Department of Health. Marketing took place highlighting the D1 use of the existing building, for at least six months, with a further marketing period necessary after an initial buyer withdrew. During the marketing periods a reasonable amount of interest was generated in the site, predominantly from residential developers, including specialist retirement developers.
74. The site was part of a rationalisation of NHS property and assets review which resulted in re-provision of community facilities at Norwich Community Hospital on Bowthorpe Road. The loss of the community facility has been justified and it is accepted that the buildings age, size and layout are such that further community use of the site would not be straight forward. During the time that the property was for sale any interest in purchasing the property for an alternative community use



would have likely been stifled by the market demand for housing in a desirable location such as this. Therefore, other alternative uses of the site may now be considered.

### **New residential use**

75. Policies DM12 and DM13 would permit residential development, including flats on this site through a combination of conversion and new build, given that it does not meet with any of the exceptions stated within the first part of policy DM12. Compliance with the criteria in the second part of DM12 and DM13 is dealt with in subsequent sections of this report.

### **Main issue 2: Heritage**

76. Key policies and NPPF paragraphs – JCS2, DM3, DM9, DM12, NPPF section 12 & 16, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
77. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.
78. The application site is located in a prominent corner location within the Unthank and Christchurch Conservation Area. The area around Ipswich Road and Unthank Road is notable for the development of small terraces and villas. Eaton Grange is an example of one of the latter and still makes a significant contribution to the historic interest of the conservation area. Historically, the immediate setting would have been reasonably spacious, with the house set within its own grounds and surrounded by open space. The building has seen several phases of development and has subsequently become surrounded by later residential development of a smaller scale. The building has managed to maintain its dominance over the wider setting and some semblance of its historic context due to its corner plot and through retention of open land between it and the later developments to the south/south-west.
79. The existing building 'Eaton Grange' is locally listed as having local architectural or historic interest. It is a gault brick villa built in the 1860s with a contemporary coach house, boundary walls and gateways. The building was extended in a sympathetic traditional style in the 1880's and 1920's; with a less sympathetic block added to the building in the 1950's related to healthcare use. The resultant building is a mixture of two and three storey form with hipped and flat roofs.
80. The building has had several notable uses; as a residential property (childhood home of Margaret Fountaine; Victorian traveller and prolific collector of butterflies and expert on their life cycles), as a girls' boarding school and as a local authority (and subsequently NHS) medical hostel which has conveyed upon it a measure of social value along with its aesthetic value.

81. There is a difference of opinion between the council's conservation and design officer and the applicant's heritage consultant as to the significance of the later 1950's addition proposed to be demolished and the contribution that it makes to the conservation area.
82. The council's conservation and design officer agrees that the large scale 1950's addition is of lower architectural value than some of the more historic elements of the host building but does not think it is without value. It is also conceded that removal of this addition would re-introduce greater architectural cohesion to the building. However, the loss of the utilitarian and functional design (which is expressive of the former use) would result in loss of appreciation of its social context and the development of the site, albeit of a minimal scale.
83. Whereas the applicant's heritage consultant considers the 1950's range of simple and utilitarian architecture, which forms an uneasy relationship with the main building and does not enhance the understanding and appreciation of the main house. It is their view that the significance of the site is largely derived from the architectural interest of the main house and later 1920's extension. The coach house, historic boundary walling and mature boundary planting also add to the general character and appearance of the surrounding conservation area.
84. Not all parts of a heritage asset will necessarily be of equal significance and certain elements may be able to accommodate change without affecting the significance of the asset. The applicant asserts the opinion that the removal of the 1950's extension will enhance the current setting of the locally listed main house and allows a layout and form of development which is beneficial to the long-term preservation of the locally listed building and thus sustaining the character of the conservation area.
85. Officers agree that the demolition of the identified parts of the locally listed building, due to their position on the building away from its primary elevations, would have a limited overall impact on the significance of the non-designated heritage asset in aesthetic terms. There will be a loss of social significance through the loss of the later additions associated with the building's institutional/healthcare uses. However, this more recent chapter of the building's history can be recorded prior to demolition. The impact of the demolition on the wider significance of the conservation area will be even more limited given its location away from public view and impacting in a more positive way on the more characteristic elements of the conservation area such as primary elevations, boundary walling and vegetated boundaries therefore helping to conserve the significance of the conservation area. The development presents an opportunity to preserve and enhance a non-designated heritage asset and in turn better reveal its overall significance in accordance with policy DM9.
86. As the proposals involve demolition of parts of a locally listed building within a conservation area local plan policy DM9 also states:

"Development resulting in harm to or loss of significance of a locally identified asset will only be acceptable where:

  - (a) there are demonstrable and overriding benefits associated with the development; and

(b) it can be demonstrated that there would be no reasonably practicable or viable means of retaining the asset within a development.”

87. It is understood that the applicant considered various options to retain the whole of the existing buildings on the site and extend around them with up to 29 residential units proposed. However, the form that the building would need to take to reach a viable gross internal area (GIA) was not attractive (visually or in market terms). Due to the height of the 1950s extension, any additional storey (required for GIA) would have taken it above the height of the main house and would have undermined the prominence of the main house as a heritage asset. The floor levels internally within the 1950s extension were also not conducive to a residential conversion and would not have represented an efficient use of space across the varying floor levels. All dwellings would have been flats with no private amenity space.
88. The proposed loss of the 1950's extension will be regrettable, as it is agreed to have some architectural value. However, the applicant has made reasonable efforts to utilise the building in its current form within a wider redevelopment of the site, but it would be difficult to achieve a viable development. In order to achieve the floor space required to achieve a viable development, proposals which retain the 1950's extension would be likely to have a greater impact on heritage assets.
89. In any event, the harm or loss of significance which would arise through the demolition of parts of the locally listed building can only be accepted where there are demonstrable and overriding benefits associated with the development as required by policy DM9. Demolition of these elements of the building allows for the site to be used in a more efficient way and provide a greater quantity of housing, than conversion of the building alone would allow. It also allows the sustainable long-term use of a non-designated heritage asset through investment in the building and bringing it back into active use, preventing future deterioration of fabric and maintaining over the long term the contribution that the building and site makes to the character and appearance of the conservation area. Also given the limited contribution that the affected parts of the building make to the significance of the conservation area, the harm that will result from the loss of the identified parts of the building should be assessed in line with paragraph 207 of the NPPF.
90. In accordance with the NPPF, the loss of the identified parts of the building results in 'less than substantial harm' to the special character and appearance of the conservation area as a whole, thus engaging paragraph 202 of the NPPF. The 'less than substantial' harm caused needs to be weighed in the balance against the other public benefits of the proposals in accordance with paragraph 202 of the NPPF, as set out in paragraph 92 above.
91. Recording of the structures to be demolished should be required by condition as should the requirement for a binding contract for the full implementation of the comprehensive scheme of development in accordance with Local Plan policy DM9.
92. On balance the 'less than substantial' harm identified to the historic environment is considered acceptable given the 'clear and convincing justification' of the public benefits associated with the sustainable long term use of a non-designated heritage asset through investment in the building and bringing it back into active use, preventing future deterioration of fabric and maintaining over the long term the

contribution that the building and site makes to the character and appearance of the conservation area. It also allows the site to be used in a more efficient way and provide a greater quantity of housing, than conversion of the building alone would allow. The proposals comply with policies DM3 and DM9 of the Development Management Policies Local Plan 2014 and paragraph 202 and 207 of the National Planning Policy Framework 2021.

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

93. Key policies and NPPF paragraphs – JCS2, DM3, DM9, DM12, DM13, NPPF sections 8, 11, 12.
94. The proposed development as amended involves converting Eaton Grange to residential use while removing the large 1950's extension to the rear of it and adding a new subservient two storey extension to the north west elevation facing towards Unthank Road. The proposed extension is subservient in scale and form to the main building with materials contemporaneous to the host building, but with fenestration and small design details which set this aside as a more modern addition along a familiar theme, much like the previous two remaining additions to the original building.
95. The coach house along the Unthank Road frontage would be converted and a single storey extension added. Although of traditional form this is a clearly contemporary addition which uses a grey metal standing seam finish and aluminium windows of modern proportions. The extension will allow this small building to have a sustainable future, maintaining it in an active use.
96. The approach to the extensions to Eaton Grange and the coach house is considered appropriate in the context of the historical evolution and varied additions and alterations that have taken place previously to both buildings.
97. New build Blocks D-G form terraces of dwellings in a mews type arrangement along the southern and western boundaries of the site. These would frame Eaton Grange to its rear in views from the street with other modern development already standing behind them.
98. It is important to maintain the prominence and primacy of the main Eaton Grange building through ensuring that new development within its grounds is recessive and subservient in form and position. The new build elements are set in close relationship to the main building and although providing three floors of accommodation the overall height of the new build blocks have been reduced so as to be read as more clearly subservient to the main building. The third floor is mostly contained within the roof of the buildings, with the head of the third floor windows lower than the eaves of the main building. The majority of the new build development is viewed in the context of three storey elements of the main building and importantly is set well back within the site from its principal Upton Road frontage and back from the principal elevation of Eaton Grange. Therefore, the proposed new development does not introduce a scale and massing of built form to the site which competes with the primacy of the main building on the site.
99. The architectural language employed for the new build elements is removed from that of the host building so that the new elements are clearly identifiable as new insertions. While the materials palette is contextual to that of the historic buildings

on the site and respectful of the character of the wider setting of the conservation area so as not to be jarring.

100. The arrangement of the space around Eaton Grange is quite positive, in both appearance and use. With clear open space provided between the main building and the new build elements with a positive purpose of providing communal, formal, landscaped areas for the enjoyment of residents, which in turn has a positive impact on the setting of the locally listed building. While the more practical development requirements such as parking, servicing and access arrangements are retained in their existing location behind mature trees around the road frontages of the site.
101. Key to the development will be the crispness of detailing and use of good quality materials for buildings and within any associated hard landscaped spaces which should lead to an attractive, high quality cohesive development. Such details will be secured by planning conditions.
102. The density of the development is higher than that on sites to the north and west, but is comparable to, or lower than the density of development at Uplands Court to the south and within the Victorian terraced housing to the east. As a transitional site between two different areas of housing the density of development proposed is in keeping with the character and function of the area, while protecting and enhancing heritage assets and their setting and is considered acceptable in accordance with policy DM3.
103. The layout and density of the development, including the mix of building types, and the scale, form and perceived mass of the new build elements, along with the prevalent materials palette, is sympathetic to the character and local distinctiveness of the area, including the setting of the non-designated heritage asset and will not give rise to harm to the significance of the conservation area. The proposals comply with policies DM3, DM9 and DM12 of the Development Management Policies Local Plan 2014.

#### **Main issue 4: Trees, landscaping and biodiversity**

104. Key policies and NPPF paragraphs – JCS1, DM6, DM7, NPPF section 15.
105. Under policy DM7, trees and significant hedge and shrub masses should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are exceptional and overriding benefits in accepting their loss. There are a variety of areas of good quality landscaping on site around its boundaries which are important to the setting of the conservation area and contribute in a positive way to the setting of the non-designated heritage asset.
106. A mix of native and non-native mature trees are located mainly around the north, east and southern boundaries of the site. It is important to maintain tree lines along boundaries as green infrastructure, to aid feeding and movement corridors of bats and to provide some screening of the development from surrounding sites. Importantly the majority of the trees and vegetation along the main road frontages will remain. A small number of trees will however be removed, one in the corner of the site at the junction of Unthank and Upton Road and two (plus an additional tree removal already consented) along the boundary of the site with Uplands Court to

the south. Two trees are recommended for removal on arboricultural grounds and one to accommodate the development layout. The amount of replacement tree planting has been increased, with a total of 21 new trees proposed. The balance of tree removals and replacements is considered acceptable by the council's arboricultural officer.

107. A landscaping scheme is proposed which includes the planting of 21 trees across the site, including around the boundaries of the site. The site landscaping also proposes the introduction of a communal courtyard butterfly garden in the area between the main building and new development to the rear (west), to commemorate Margaret Fountaine an expert in lepidopterology (butterflies) who once lived at Eaton Grange. A more detailed landscaping scheme will be secured by planning condition.
108. Policy DM6 encourages proposals which deliver significant benefits or enhancements to local biodiversity and suggests that opportunities should be taken to incorporate and integrate biodiversity, green infrastructure and wildlife friendly features into the design of individual schemes.
109. The planting within the butterfly garden is intended to provide an attractive centre piece, include flowering and fruiting species of value to butterflies, moths and other pollinators and will be accessible to hedgehogs.
110. The development of the site has potential to impact on bat and bird populations and other species of interest. An ecological assessment including bat roost assessment was submitted with the application. The assessment concludes that bat roosts are absent from the site and therefore no formal mitigation is required in this respect. There is opportunity to provide enhancement for bats through the erection of six bat boxes on mature trees around the site. In addition, at least one bird box for larger, cavity dwelling bird species (such as tawny owl or starling) and three small hole and open fronted boxes should be erected on trees around the site.
111. All such biodiversity enhancement measures and suggestions made by the council's landscape section relating to materials and landscaping within the car parking area will be secured by planning conditions to ensure compliance with policy DM6 of the Development Management Policies Local Plan 2014.

## **Main issue 5: Transport**

112. Key policies and NPPF paragraphs – JCS6, DM13, DM28, DM30, DM31, NPPF section 9.
113. The application site has two road frontages and historically two points of vehicular access. During its former use an informal on-site arrangement saw Upton Road used as the main entrance, with Unthank Road used as an exit. The proposals have been revised from the initial submission to restrict access for vehicles to the main part of the site to and from a widened access on to Upton Road (access to the coach house excepted). Due to the visibility from the existing access on to Unthank Road being constrained, this access will become a pedestrian and cycle access only. This secures an improved layout which accommodates additional on-site parking and more effective circulation. Given the historical use of the site the access arrangements are acceptable from a highways perspective.

114. Parking is provided on site through a communal arrangement in locations around the site perimeter where parking has formerly taken place. Within the main part of the site 23 communal spaces are provided for 22 units of accommodation, amounting to one space per unit and 1 visitor space. The applicant intends to provide two fast charge and 2 regular electric vehicle charging points, with underground infrastructure in place to every space to enable upgrade as necessary by residents in future. The applicant intends to allocate a space to each dwelling dependent on demands at point of sale to ensure satisfactory control and management of spaces. Two separate parking spaces are provided for the coach house. These parking provisions have been increased and the number of units reduced from the initial submission. This revised arrangement now meets with the local plan minimum parking requirement.
115. Due to the proposed dwelling mix, there may, however, be demand for more than one parking space per dwelling. Any excess vehicles will then park on-street, which is a source of local concern and opposition. The applicant has offered to make a financial contribution towards a car club vehicle to be located within a newly created bay on Upton Road. The highway authority has accepted the car club provision as a form of parking mitigation which could help to widen the range of travel choices for new occupiers of the development and reduce potential off-site parking pressures. The offer of additional car club vehicle provision is commended, however there are no local policies in place to require such provision for a development of less than 100 units. However, should the applicant wish to enter into an agreement with the Norfolk Car Club to purchase a vehicle they could do so independently of the planning process. In any event it is understood that there is an existing car club vehicle available for use in a designated space just over 100 metres from the site entrance, on nearby Waldeck Road. This existing provision could help to support a reduction in on-site car ownership and contribute towards parking mitigation.
116. Given that additional vehicles may need to park off site it will be necessary to provide 'no waiting at any time' restrictions in the vicinity of the site to protect junction visibility and footways from obstructive parking on Unthank Road and Upton Road. This will be secured by a Traffic Regulation Order, which will be secured by planning condition.
117. Cycle storage is proposed in locations to the north of the building within the parking area and within rear communal amenity areas, providing cycle parking spaces to meet the standards as set out under policy DM31 for a development of this scale. Refuse storage for all dwellings (the coach house excepted) is proposed in an area alongside the access point from Upton Road. Citywide Services are happy with this arrangement as it meets with their collection distance requirements. In addition the applicant has provided swept path analysis to demonstrate that a refuse vehicle is able to enter and manoeuvre on the site if necessary to facilitate collection. Precise details of the cycle and bin storage will be secured by planning condition.

## **Main issue 6: Amenity**

118. Key policies and NPPF paragraphs – DM2, DM11, DM12, DM13, NPPF sections 12, 15.

### **Amenity for existing occupiers**

119. The density of the development is higher than some of the surrounding development with more suburban characteristics. Existing residential properties are located adjacent to the site and therefore a number of existing and proposed residential properties could have their amenities affected. The closest relationship is with properties to Uplands Court to the south and Coach House Court to the west.
120. The three storey form of Blocks E – G, of a maximum height of approximately 10 metres will be located within approximately 17 metres of the rear elevation of properties to Uplands Court. These existing properties are located approximately 7 metres from the southern boundary of the application site and there are a number of trees located along this boundary (some which are proposed to be removed with replacement planting in its place). This gives rise to an existing situation where the north facing rear elevations of these properties already have limited access to daylight. The proposed development in this location will be positioned between 9 and 10 metres from the southern site boundary, with a short section positioned approximately 6 metres from the boundary. Therefore, the proposals will represent a clear change of outlook from these properties through the introduction of a three storey mass of built form in this location beyond the trees. However, the impact on amenity as a result of access to light or overshadowing will not be significantly altered from the existing situation.
121. The introduction of buildings with windows which face towards the existing properties to the south will give rise to overlooking of the rear garden areas and rear windows to the properties at Uplands Court. However, a combination of the separation distances involved and the existing and proposed trees along the boundary in this location will not give rise to unacceptable impacts on amenity through overlooking or loss of privacy.
122. The relationship of the proposed development with the two closest properties at Coach House Court to the west is also acceptable in amenity terms. Both of these properties present a blank side elevation towards the application site and have high boundary treatment around their limited amenity space and along their boundary with the site. The 7.5 metre separation of the proposed development (Block D and E) with the western boundary of the site represents acceptable separation between the properties so as to not have an unacceptable impact on the amenity of these existing residents.
123. Therefore, although the amenity of residents will be affected by the development to some extent, the harm is not considered to be of a level to justify the refusal of planning permission on these grounds. This harm has been weighed against the benefits of the more efficient use of land to provide new housing. The proposal is in accordance with Policies DM2, DM12 and DM13 of the Local Plan which seek, amongst other things, to ensure that developments provide a high standard of amenity for existing neighbouring occupiers.

### **Amenity for future occupiers**

124. Within the development itself there is approximately 6.5 metres separation between the south elevation of Eaton Grange and the north elevations of proposed new dwellings to the south. The window placement within the development has been



considered to ensure adequate natural daylighting to internal spaces and manage the close relationship between the two adjacent blocks. To avoid any potential overlooking the window placement within the new dwellings have been offset to avoid, where possible, direct window to window relationships. In addition, the floor levels in each of the blocks are set at differing levels which also ensures that window heights are offset in the vertical plane, this further mitigates against any potential overlooking. Where a small amount of direct window to window relationship occurs between the two elevations, it is proposed that windows in the existing building are obscured. The windows which are to be obscured are in rooms where multiple windows serve the same internal spaces.

#### *Daylight to habitable rooms*

125. Access to adequate levels of light, both daylight and sunlight, and overshadowing are relevant issues and have been addressed by the applicant in supporting documentation. The results of a Daylight Report show that when the Winter Average Daylight Factor (ADF) is calculated, which is used as a measure of the overall amount of daylight in a habitable room, all twenty-one habitable rooms assessed (which were determined may experience reduced levels of daylight due to existing trees) comfortably meet the Building Research Establishment (BRE) guidance levels. When the results for the Summer ADF are considered; nineteen of the habitable rooms assessed comfortably meet the guidance, while the remaining two rooms could be considered marginal. Both of these two rooms were very close to meeting the BRE guidelines, both being within 3% of the guidance figure.

#### *Sunlight provision/overshadowing of amenity areas*

126. There is no firm guidance from the BRE regarding sunlight to outdoor amenity spaces, however it is recommended that, where possible, at least 50% of external amenity space should receive 2 hours of direct sun on the spring equinox (March 21st).
127. Ten individual amenity spaces serving the proposed development have been assessed. When considered individually, of the ten spaces assessed, five comfortably meet the BRE planning guidance and two further spaces are marginal. The three areas which fail are the main communal amenity space between the main building which will be shaded by the new development which surrounds it. Also, a small area adjacent to the one bed flats within Block G, likely shaded due to a combination of tree cover and buildings on the adjacent site and an amenity area at the southern end of Block D, again shaded by development on an adjacent site.
128. However, when the area of amenity space provided is assessed across the whole development, over 50% of the total area receives at least 2 hours of sunlight on 21st March, meeting the BRE planning guidance. It is also acknowledged that trees, and the dappled shade they provide can have a positive impact on health and wellbeing and the shade they provide is not the same as that caused by other obstructions. Therefore, the result is that a mixed sunlight provision is achieved across the development, which is accepted given the characteristics of the site.
129. The council's arboricultural officer has concerns that development in close proximity to trees could give rise to increased pressure to prune those trees. The presence of mature trees is a well-established characteristic of the site and the area and is likely to be a selling point of the development. New residents would take up

residence in full knowledge of the situation when purchasing a property and any unjustified works to trees within the conservation area could be resisted by the council.

130. Considering the impacts as a whole, the proposed development would not have an unacceptable impact on the daylight and sunlight amenity of future occupiers when assessed against policy DM2 and the BRE guidelines.
131. The applicants Air Quality Screening Assessment concludes that the site is located outside of the city centre air quality management area (AQMA). The existing and projected baseline air quality is highly unlikely to exceed Air Quality Standards and as such is considered suitable for the development proposed. Public protection officers accept the contents of the report.
132. There is an expectation through policy DM12 that at least 10% of the properties will be designed to lifetime homes standards or equivalent and details of space standards compliance should be as applied through policy DM2 and the nationally described space standards. Each of the dwellings provide adequate amounts of floor space to comply with the nationally described space standards and the applicant has confirmed the development will comply with the 10% accessibility standard, for which a planning condition will be used to ensure compliance.
133. The applicant has provided revisions to the proposals which provides a mix of units in a layout which offers a high standard of amenity for proposed new occupiers of the development. The proposal is in accordance with Policies DM2, DM12 and DM13 of the Local Plan.

#### **Main issue 7: Energy and water**

134. Key policies and NPPF paragraphs – JCS1, JCS3, DM1, DM3, NPPF section 14.
135. Policy JC3 requires the proposal to provide at least 10% of its energy requirements from renewable or low carbon sources, maximise sustainable construction and energy efficiency together with exceeding building regulations in relation to water efficiency.
136. The submission states that through effective fabric efficiency measures optimising building fabric performance, energy consumption is reduced by 30,697kWh/year. The development achieves an overall consumption of 152,902kWh/year. To achieve the 10% requirement, a minimum of 15,290kWh/year will need to be produced by Low or Zero Carbon Technology or renewable energy.
137. Low carbon technologies will supply 26,897kWh/year or 17.59% of the site wide energy demand, exceeding the 10% policy requirement. The measures proposed take various forms including air source heat pumps and solar pv, flue gas heat recovery systems and waste water heat recovery systems on some of the new build blocks
138. The details and implementation of the measures to meet the 10% energy requirements while ensuring adequate consideration of the visual and noise impacts of any such technologies can be secured by planning conditions.
139. Water efficiency measures as required by JCS3 will be secured by condition.

## **Main issue 8: Flood risk**

140. Key policies and NPPF paragraphs – JCS1, DM3, DM5, NPPF section 14.
141. It is a requirement of the NPPF that development does not increase flood risk elsewhere. Policy DM5 goes on to require the incorporation of mitigation measures to deal with surface water arising from development proposals to minimise and where possible reduce the risk of flooding on the site and minimise risk within the surrounding area.
142. The site is located in a critical drainage area. Detailed infiltration tests identified that possibilities for on-site infiltration were limited, due to the poor rates obtained, the requirements for offsets from buildings and for infiltration features to be located outside of root protection areas.
143. The proposed hardstanding to be used as drives and parking bays will dispose of surface water via porous surfacing which will drain to an attenuation tank rather than direct to the ground. The roof areas of the dwellings will utilise existing connections to the surface water sewer and instead of disposing of the water at an unrestricted rate all surface water will be attenuated in a tank located beneath the car park and access areas between the existing building and Unthank Road. Flows to the surface water network will be restricted to 1.0 l/s, a betterment of the existing situation.
144. Through revisions to the drainage strategy, surface water disposal has been demonstrated to be feasible and adhere to relevant national and local policies. The development has addressed and mitigated all known flood risks in line with the NPPF offering a lowering of flood risk in the area through the use of SuDS and restricting flow from the development, providing betterment on the current situation. The Lead Local Flood Authority have confirmed that they do not have an objection to the proposed development subject to the development being built in accordance with the submitted revised Flood Risk Assessment and Drainage Strategy. Similarly Anglian Water do not object to the proposals subject to the use of a planning condition to secure the drainage proposals.

## **Main issue 9: Affordable housing**

145. Key policies and NPPF paragraphs – JCS4, DM33, NPPF section 5.
146. Policy JCS4 requires a development of this scale to deliver 33% of the new dwellings as affordable housing split 85% for social rent, and 15% for intermediate tenure. The affordable housing need in Norwich is for 1 bedroom flats, 2 bedroom houses and 4+ bedroom houses.
147. To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, national planning policy requires that any affordable housing contribution due should be reduced by a proportionate amount, known as the 'vacant building credit'. Taking into account a discount for vacant building credit, on-site affordable housing provision would equate to 3 units or 14% provision.
148. After evidence was provided by the applicant that there was no interest in the units on-site from registered providers of affordable housing active in the city (due to the limited number of units and likely not a self-contained block), discussions then took place with the councils Housing Development section to determine whether the

council would be interested in acquiring the 3 affordable units. However, the high service charge associated with building maintenance, maintenance of communal gardens, trees and boundary walls, on-site drainage and electric vehicle charging etc. meant that the council would not wish to acquire the on-site units. Therefore, a commuted sum for off-site affordable housing provision in the region of £351,629.60 plus £1000 legal fees (index linked from Sept 2018) is required.

149. The applicant is content to enter into a section 106 agreement to secure the commuted sum for off-site affordable housing provision, which will be formalised by legal representatives of both parties.

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

150. A number of development plan policies include key targets for matters such as parking provision, servicing, energy efficiency and housing mix requirements. The table below indicates the outcome of the officer assessment in relation to these matters.

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

### **Equalities and diversity issues**

151. There are no significant equality or diversity issues.

### **S106 Obligations**

152. An off-site contribution towards affordable housing is to be secured via a Section 106 Agreement. Since the contribution is policy compliant, no viability assessments will be required as the development progresses.

### **Local finance considerations**

153. 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.
154. 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.

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

## **Conclusion**

156. The proposed development is on a brownfield site in a sustainable location. The proposed new buildings are of an appropriate design, scale and density for the location and will provide a high standard of amenity for future occupiers. Although there will be a limited level of harm associated with the impact of the development on neighbouring amenity this is not of a level which would justify a refusal of the development.

157. There would be some impact upon non-designated and designated heritage assets, most notably the loss of part of a locally listed building and the impact of the scale of the proposed new buildings on the conservation area. However, this less than substantial harm is considered to be outweighed by the benefits of the development, which includes the retention of the main historical parts of the locally listed building known as Eaton Grange through conversion works to facilitate the reinstatement of a viable long term residential use of the building, together with the provision of new housing, with affordable housing provision off-site through a commuted sum.

158. Taking the above matters into account it is considered that, on balance, the proposals are considered to be acceptable. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 20/01579/F - The Childrens Centre, 40 Upton Road, Norwich NR4 7PA and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of an off-site contribution towards affordable housing provision and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. In accordance with the submitted FRA and Drainage Strategy and supporting drainage information;
4. Materials, including detailed sections of windows to be replaced within the main building, to be agreed;
5. Obscure glazing of selected windows within the main house (where identified to be necessary within Design Statement Addendum) to be agreed;
6. Demolition of parts of building only as identified on existing site plan;
7. Construction management plan including demolition method statement to be agreed;
8. Historic Building recording for elements to be demolished;
9. Contract for redevelopment to be shown to avoid demolition of structures with no subsequent redevelopment;

10. Any phasing of the development to be in accordance with submitted phasing plan with access, parking, servicing, drainage and landscaping relevant to that phase to be completed and made available prior to first occupation of the phase;
11. Construction to provide sound attenuation against external noise within specified limits;
12. Unknown contamination procedure;
13. Any imported topsoil to be certified;
14. Access widening to 4.5 metres;
15. No gating of vehicular accesses unless details have been agreed;
16. Scheme for cycle parking and refuse and waste storage and collection to be agreed;
17. Car, EV charge points, cycle parking and waste and recycling provision before first occupation;
18. Scheme for on-site construction worker parking to be agreed;
19. Construction traffic management plan including access route to be agreed;
20. Traffic regulation order for waiting restrictions in vicinity of the site to be promoted;
21. Arboricultural work to be carried out by qualified arborist, details to be provided;
22. No works within root protection areas without arboricultural supervision;
23. Works to be carried out in accordance with AIA/AMS/TPP;
24. No dig methods for new paths/driveways within RPA of trees;
25. Landscape scheme (including provisions for repair of existing boundary walls and gate piers, new boundary treatments & materials at vehicle entrance), mitigatory replacement tree planting & landscape management plan to be agreed;
26. Ecological mitigation programme in accordance with measures in ecology report to be agreed;
27. No site clearance within bird nesting season;
28. Small mammal access provision to be made;
29. External lighting to be agreed;
30. Details of provision of one fire hydrant to be agreed;
31. Precise details of 10% energy measures, their specification and location to be agreed;
32. Water efficiency measures to be provided;
33. 10% of dwellings are required to meet accessibility standard.

#### Informatives:

- Construction working hours.
- Asbestos.
- Highway boundary clarification.
- Protected species awareness.
- Anglian water informatives.





# KEY

- 1 Aluminium Rooflight - Dark Grey
- 2 Windows and Doors- White to match existing
- 3 Slate tiles to match existing
- 4 Rainwater Goods - Grey
- 5 Brick - Buff

# NOTES

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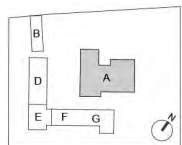
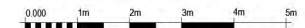
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# CDM 2015

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# Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised Elevations	24.06.21	TH	DO

PURPOSE OF ISSUE				
PL - For Planning Submission				
DRAWING STATUS				
S2 - Fit for Information				
PROJECT TITLE				
EATON GRANGE				
CLIENT				
LNA Eaton Ltd				
DRAWING TITLE				
Proposed North-West Elevation				
SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1 : 100@A3	08/05/20	TH	DO	BR
DRAWING NUMBER				
PROJECT NO	TYPE	UNIQUE NO	REVISION	
1642	20	013	A	
<b>Proworks</b>				
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1

**Proposed North-West Elevation**  
1 : 100



# KEY

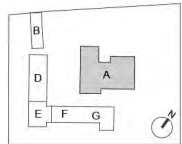
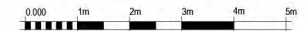
- 1 Windows and Doors - White to Match Existing
- 2 Juliet Balcony - Grey Metal
- 3 Slate tiles to match existing
- 4 Rainwater Goods - Grey
- 5 Brick - Buff

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## Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised Elevations	24.06.21	TH	DO



1

**Proposed South-West Elevation**  
1 : 100

PURPOSE OF ISSUE <b>PL - For Planning Submission</b>				
DRAWING STATUS <b>S2 - Fit for Information</b>				
PROJECT TITLE EATON GRANGE				
CLIENT LNA Eaton Ltd				
DRAWING TITLE Proposed South-West Elevation				
SCALE 1 : 100@A3	DATE 08/05/20	DRAWN BY TH	CHECKED BY DO	APPROVED BY BR
DRAWING NUMBER PROJECT NO   TYPE   UNIQUE NO   REVISION <b>1642 - 20 - 012 - A</b>				
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Block E

Block D2

Block D2

Block D2

Block D1

1

**Courtyard North-East Elevation Block D&E**  
1 : 100



Block D1

Block D2

Block D2

Block D2

Block E

2

**Courtyard South-West Elevation Block D&E**  
1 : 100

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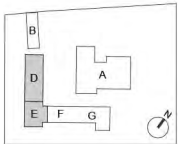
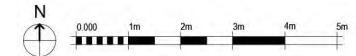
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## Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised roof line and window	24.06.21	TH	DO

PURPOSE OF ISSUE  
**PL - For Planning Submission**

DRAWING STATUS  
**S2 - Fit for Information**

PROJECT TITLE  
EATON GRANGE

CLIENT  
LNA Eaton Ltd

DRAWING TITLE  
Block D / E Proposed North-East and South-West Elevations

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1 : 100@A3	08/24/20	TH	DO	BR

DRAWING NUMBER	PROJECT NO	TYPE	UNIQUE NO	REVISION
<b>1642 - 20 - 040 - A</b>				

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Block G

Block F

Block F

Block E

1

## Courtyard North-West Elevation Block F/G

1 : 100



Block E

Block F

Block F

Block G

2

## Courtyard South-East Elevation Block F/G

1 : 100

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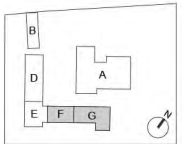
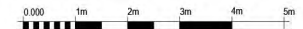
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### Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised roof line and window	24.06.21	TH	DO

PURPOSE OF ISSUE  
PL - For Planning Submission

DRAWING STATUS  
S2 - Fit for Information

PROJECT TITLE  
EATON GRANGE

CLIENT  
LNA Eaton Ltd

DRAWING TITLE  
Courtyard Elevation Block F/G South-East and North-West Elevations

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1 : 100@A3	08/24/20	TH	DO	BR

DRAWING NUMBER	PROJECT NO	TYPE	UNIQUE NO	REVISION
1642 - 20 - 060 - A				

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**1** Block G North-East Elevation  
1 : 100



**2** Block G North-West Elevation  
1 : 100

## KEY

- 1 Brick - Buff
- 2 Brick - Brown
- 3 Plain Tile - Grey
- 4 Aluminium Window - Dark Grey
- 5 Stone Cill/Capping
- 6 Timber Door
- 7 Metal Clad Dormer
- 8 Rainwater Goods - Grey
- 9 Aluminium Box Window - Bronze

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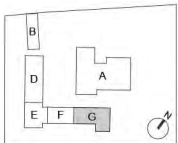
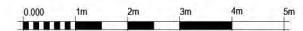
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## Revisions

Rev.	Description	Date	Drawn By	Checked By
A	Revised roof line and window	24.06.21	TH	DO

PURPOSE OF ISSUE  
PL - For Planning Submission

DRAWING STATUS  
S2 - Fit for Information

PROJECT TITLE  
EATON GRANGE

CLIENT  
LNA Eaton Ltd

DRAWING TITLE  
Block G Proposed North-East & North West Elevations

SCALE	DATE	DRAWN BY	CHECKED BY	APPROVED BY
1 : 100@A3	08/24/20	TH	DO	BR

DRAWING NUMBER	PROJECT NO	TYPE	UNIQUE NO	REVISION
1642 - 20 - 070 - A				

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Unthank Road Street Elevation



Upton Road Street Elevation

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Revisions			
Rev.	Description	Date	Drawn By / Checked By
A	Revised Elevations	23.08.21	TH / DO

PURPOSE OF ISSUE PL - For Planning Submission			
DRAWING STATUS S2 - For Information			
PROJECT TITLE EATON GRANGE			
CLIENT LNA Eaton Ltd			
DRAWING TITLE Proposed Street Elevations			
SCALE 1:200@A2	DATE 06/02/20	DRAWN BY TH	CHECKED BY DO
APPROVED BY BR			
DRAWING NUMBER PROJECT NO   TYPE   UNIQUE NO   REVISION 1642 - 20 - 080 - A			
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