

Planning applications committee

Date: Thursday, 12 January 2023

Time: 09:30

Venue: Council chamber, City Hall, St Peters Street, Norwich, NR2 1NH

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

Committee members:

Councillors:

Driver (chair)
Sands (M) (vice chair)
Bogelein
Champion
Davis
Grahame
Lubbock
Peek
Sands (S)
Stutely
Thomas (Va)
Thomas (Vi)
Young

For further information please contact:

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



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

Agenda

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1 Apologies

To receive apologies for absence

2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

3 Minutes

5 - 12

To approve the accuracy of the minutes of the meeting held on 8 December 2022

4 Planning applications

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 4 above are required to notify the committee officer by 10:00 on the day before the meeting.

Further information on planning applications can be obtained from the council's website: <http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available
- The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.

Summary of planning applications for consideration

13 - 14

Standing duties

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4a Application no 22/00906/F 36 Cotman Road, Norwich, NR1 4AF

17 - 32

Informal session

Please note that at the end of the formal committee meeting there will be an informal session to brief members on:

- Heritage issues in the decision making process - David Parkin
- Permitted development and use classes - Lara Emerson

Date of publication: **Wednesday, 04 January 2023**



Planning applications committee

09:40 to 12:00

8 December 2022

Present: Councillors Driver (chair), Sands (M) (vice chair), Bogelein, Champion (from item 3), Davis, Grahame, Peek, Sands (S), Thomas (Vi), and Thomas (Va)

Apologies: Councillors Lubbock, Stutely and Young

1. Declarations of interests

Councillor Davis declared a predetermined view in item 5 (below) Application no 22/01301/F - 44 York Street, Norwich, NR2 2AW, as ward councillor.

Councillor Sands (S) declared an other interest in item 5 (below) Application no 22/01301/F - 44 York Street, Norwich, NR2 2AW, as she new the applicant through her work at a school.)

(Later in the meeting, Councillor Sands (M) declared an other interest in item 4 (below), Application no 22/01374/F - 3 Gateley Gardens, Norwich, NR3 3TU because during the discussion on this item it became apparent that he knew the spokesperson speaking on behalf of residents.)

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meetings held on 13 October 2022.

3. Application no 21/01694/MA St Peters Methodist Church, Park Lane

(Councillor Champion joined the meeting during the committee's consideration of this item.)

The planner (case officer) presented the report with plans and slides. The committee was advised that the planning application was for amendments to the approved scheme to convert three historic buildings into 20 dwellings.

During discussion the planner referred to the report and answered members' questions with regard to the proposal. Members were advised that the application was for all of the proposed amendments. The assessment of some elements was more favourable than others but on the whole the application was considered acceptable. Members sought clarification that the stairs to the roof terrace would be

covered by building regulations. The developer would determine how the 11.1 per cent of solar energy was distributed. The boundary issues between no 79 Park Lane and the development site were a civil matter under the Party Wall Act. The proposal to render the round window was for fire safety because there needed to be solid partitions between loft spaces so was the best option. The remainder of the window below would be obscure glazed.

In reply to a member's question, the planner explained the constraints of the conversion of historic buildings, rather than new build, reduced the opportunities to maximise residential amenity. There would be some diminishment of residential amenity resulting from these amendments, with some loss of light and outlook. Members were advised that some of the loss of amenity was due to structural issues being discovered during the construction, such as the loss of the terrace on the south elevation.

The planner confirmed that in relation to the S106 agreement, there had been a viability review undertaken earlier in the year which did not find any additional surplus to contribute to affordable housing within the terms of the agreement.

In reply to a member's question, the planner explained that the rear extension was a contemporary design approach. It was acceptable as it was to the rear of the buildings.

The chair moved and the vice chair seconded the recommendations in the report.

During discussion, members welcomed the retention of the stained-glass window in its original location and the features of the "Gothic", stone tracery windows. Members also considered that the developer had taken care to match the new brick work and mortar with the original materials. Members also liked the use of zinc on the rear extension and considered that it did not detract from the impact of the original historic buildings.

A member said that she disagreed with other members that the loss of residential amenity through the proposed removal of roof lights from the plans and the use of obscure glazed windows with restricted opening and considered that this was not acceptable as it would have a greater detrimental effect on residents than the original, approved scheme. Another member commented that the reasons for the proposed changes to the original planning application had occurred during construction and therefore she would support the proposed changes acknowledging that there was a loss of residential amenity.

RESOLVED, with 8 members voting in favour (Driver, Sands (M), Sands (S), Bogelein, Thomas (Vi), Thomas (Va), Peek and Grahame) and 1 member abstaining (Councillor Davis) (Councillor Champion having been excluded from voting because he had joined the meeting during the item) to approve application 21/01694/MA, St Peters Methodist Church, Park Lane and grant planning permission subject to the following conditions:

1. In accordance with plans;
2. In accordance with previously approved phasing plan;
3. Construction in accordance with approved method statement;

4. Detailed drawings and details of colour and finish of timber window frames to church hall east elevation to be agreed prior to use on site;
5. Mortar on church hall east elevation to be tinted as agreed prior to first occupation;
6. Bat loft to be implemented in accordance with section 9 of the Bat Survey and Assessment and bat boxes to be installed prior to first occupation of church and thereafter retained;
7. Surface water drainage scheme to be implemented and thereafter maintained as agreed;
8. Hard and soft landscaping scheme to be implemented prior to first occupation of each phase and thereafter maintained;
9. Solar panels to be made operational prior to first occupation of each phase and thereafter retained;
10. Heritage interpretation scheme to be implemented prior to occupation of each phase and thereafter maintained;
11. Obscure glazing and restrictors on windows to be implemented prior to first occupation and thereafter retained;
12. Noise attenuation to units C2, C5, C7, C8, CH7 and CH8;
13. Water efficiency;
14. Refuse and cycle storage provided prior to first occupation of each phase;
15. Refuse storage and collection to be managed as proposed.

4. Application no 22/01374/F - 3 Gateley Gardens, Norwich, NR3 3TU

(Councillor Sands (M) declared an interest in this item.)

The planner (case officer) presented the report with the aid of plans and slides. He advised members that the description of the planning application referred to the use of the property as a small HMO (house in multiple occupation) and explained that this was allowed under permitted development. Planning permission was only required for large scale HMOs of 7 or more bedrooms. Members were also advised that the property to the side was no. 4 Gateley Gardens and that the side windows of this property either served a secondary living space (hallway, stairs) or in the case of the kitchen, was a secondary window. The council had been advised that there had been an issue with the letters to objectors, which had omitted the details of the committee meeting, and letters had been resent. The supplementary report of updates to reports, circulated at the meeting, contained a correction to the report to accurately record that this application was in Catton Grove. During the presentation, the planner also corrected an issue with the numbering of the 'Main Issues' within the report's table of representations.

A spokesperson addressed the committee on behalf of 10 residents of Gateley Gardens and Woodcock Road and highlighted their objections to the proposed extension. These included their concern about loss of privacy and light to the adjacent neighbour and overshadowing to the gardens of other properties, road safety from increased vehicular traffic, particularly for children and older people, and due to the bend in the road; disruption from the construction for night workers; concern about exacerbating existing parking problems and that parking could prevent access from emergency vehicles; and additional pressure on the water drainage system. Residents were concerned that an HMO would devalue their properties, rental properties were not permitted under the deeds, and that their Human Rights had not been considered. The residents at no 4 were upset by the

impact that the proposal would have on them. All of the residents in the cul-de-sac had objected to this proposal.

Councillor Kendrick, Catton Grove ward councillor, addressed the committee and said that the HMO would have an impact on the whole community. Regarding planning issues, he referred to no 4 and the loss of light to the hallway and kitchen from the proposed extension due to its close proximity and urged the committee to refuse the application.

The planner commented that this was a household planning application and therefore parking was not part of the application. The change of use from a residential dwelling to an HMO was allowed under permitted development rights. Drainage and loss of property values were private matters.

The planner and the area development manager, using slides, explained that the extension of no 3 would not result in a significant loss of outlook for no 4. The most significant change would be from the landing window. The hallway and landing were non-habited spaces. The kitchen of no 4 had a side window and a large window at the rear.

Members of the committee then asked questions of the planner, area development manager and the planning team leader. The committee was advised that a sunlight survey had not been required but that officers were experienced and considered that the loss of sunlight to the gardens on the opposite side of the cul-de-sac was not significant. The properties were 20 metres from the application property. The assessment was made on the difference between a two storey extension from a single one. Shadows were longest in the early morning and evening and therefore unlikely to reach these properties outside these times. The residents at no 4 would have some loss of outlook as part of the sky would no longer be visible but they would not lose daylight.

A member suggested that to alleviate parking the front garden wall should be removed and it used for the parking. The officers explained that they could not require this because the application was for an additional bedroom and not an HMO, which was permitted under permitted development rights. The application included a cycle store. Transport officers had been consulted and suggested that the front garden could be used for parking. Members were advised that any contradiction to the deeds prohibiting renting out properties, was not a planning matter. Conditions attached to planning consent needed to be reasonable and appropriate to the planning application, in this case a two-storey extension to a residential dwelling.

In reply to a question, the area development manager confirmed that the application was before the committee for determination because it had been called in by the ward members. It was a household application and had it not been called in would have been determined by officers under the committee's scheme of delegations.

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

Discussion ensued in which a member explained that the planning application needed to be determined with regard to material planning considerations and that it was not possible to reject an application because they did not agree with it or like it.

Therefore, they could not take into considerations that had been raised such as house prices or in this case parking. A refusal of the application would be appealed by the applicant and won on appeal.

Members commented on the effect that HMOs have on local communities and noted that this was experienced across the city. The council was aware of this issue.

A member suggested that to ameliorate the parking issues, the committee should request that the applicant is asked to consider removing the front garden wall to provide off-road parking. It was agreed that an informative be added to advise the applicant to consider the transport officer's comments. A member said that families with adult children also had issues with parking their cars and that this application was no different.

RESOLVED, with 9 members voting in favour (Councillors Driver, Sands (M), Sands (S), Bogelein, Champion, Thomas (Vi), Thomas (Va), Davis and Grahame) and 1 member abstaining (Councillor Peek) to approve application no. 22/01374/F – 3 Gateley Gardens Norwich NR3 3TU and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Biodiversity enhancement.

Informative:

The applicant is invited to consider the comments submitted by the local highway authority, Norfolk County Council which advises that the current parking provision on site is increased. For a small-scale house of multiple occupation of five bedrooms, parking for three cars, and provision for 5 cycles in secure and covered storage is recommended. Parking spaces should be laid out, demarcated, levelled, surfaced and drained retained thereafter available for that specific use prior to first use of the HMO, permeable surfacing is recommended. The local highway authority should be contacted should a vehicle crossover be required across the footway.

(The committee adjourned for a short break at this point.)

5. Application no 22/01301/F - 44 York Street, Norwich, NR2 2AW

(Councillor Davis had declared a predetermined view in this item. Councillor Sands (S) had declared an interest in this item.))

The planning team leader presented the report with the aid of plans and slides. There were no updates to the report. She explained that it had been called in for determination by the committee by a ward councillor. A dormer window would be allowed under permitted development rights and did not create any significant overlooking.

Councillor Oliver, Town Close ward councillor, addressed the committee and outlined the concerns of the residents objecting to the design of the extension and

use of a dormer window as being out of keeping with the area and concerns about overlooking. She welcomed the proposal to install bird boxes, if the application were approved, but asked that consideration be made to review the use of materials for the extension.

The applicant addressed the committee in support of the application. The extension was to provide an additional bedroom for a family member. The family was currently using the front room on the ground floor as a bedroom. Other houses had similar zinc cladding in the area.

(Councillor Davis left the meeting at this point.)

The planning team leader replied to a member's question and explained that the safety of the large dormer window would be subject to building regulations.

The chair moved and Councillor Sands (S) seconded the recommendations as set out in the report.

Discussion ensued. A member said that he considered the use of zinc was a good choice as it would weather to a slate grey colour.

RESOLVED, unanimously, to approve application 22/01301/F - 44 York Street, Norwich NR2 2AW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Installation of Bird Box.

Informative:

IN27 – Protected Species.

(Councillor Davis was readmitted to the meeting at this point.)

6. Application no 22/00579/F 11 Dowding Road, Norwich, NR6 6DD

The planner (case officer) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports and said that it was proposed to amend condition 4. to include two bat boxes as well as two bird boxes.

The area development manager said that the application had been called in to the committee for determination because an objection had been received from a member of the planning team. Under the committee's scheme of delegations, the application would normally be determined under delegated authority by officers.

The chair moved and the vice chair seconded the recommendations as set out in the report and with the amendment to condition 4 as set out in the supplementary report.

In reply to a member's question, the planner said that a water butt was not specified as surface water mitigation but there would be further discussion and measures would be signed off by the planning authority.

RESOLVED, unanimously, to approve application 22/00579/F 11 Dowding Road, Norwich, NR6 6DD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.
3. Any works affecting the roof shall not take place on site within the bird nesting season 1st March – 31st August inclusive, unless it has been demonstrated by a suitably qualified ecologist that the works will not have any detrimental impacts on protected species including nesting birds and such confirmation has first been provided to and approved in writing by the local planning authority.
4. With the exception of any demolition, site clearance works, archaeological work, tree protection works, ground investigations and below ground works no development shall take place in pursuance of this permission until the details for the provision of at least 2 bird boxes, one of which must be integral to the building, and 2 bat boxes have been submitted to and agreed in writing with the Local Planning Authority. The details shall include the number, location and design of the bird and bat boxes as well as a timetable for their provision on site. The development shall be carried out in full accordance with the agreed details and timetable and the bird and bat boxes shall be retained for the lifetime of the development.
5. With the exception of any demolition, site clearance works and below ground works, no development shall take place until details of mitigation measures to manage surface water run-off has been submitted to and agreed in writing with the local planning authority. The agreed mitigation measures shall be installed prior to the first use of the development and shall be retained thereafter.

Informative

It is possible that the site to which the application relates is occupied by Protected Species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 (amended). Should a Protected Species be found, works should stop immediately, and the developer needs to seek the advice of a suitably qualified ecological consultant and/or the relevant statutory nature conservation organisation.

CHAIR

Summary of planning applications for consideration**ITEM 4****12 January 2023**

Item No.	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4a	22/00906/F	36 Cotman Road Norwich NR1 4AF	Katherine Brumpton	Dormers and rooflights to allow conversion of the loft to extend an existing first floor flat across 2 floors (36D)	Objections	Approve

STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

Crime and Disorder Act, 1998 (S17)

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

Natural Environment & Rural Communities Act 2006 (S40)

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Planning Act 2008 (S183)

- (1) Every Planning Authority should have regard to the desirability of achieving good design

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law

Article 8 – Right to Respect for Private and Family Life

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

Report to Planning Applications Committee

Item

Report of Head of Planning & Regulatory Services

Subject Application no 22/00906/F 36 Cotman Road, Norwich,
NR1 4AF

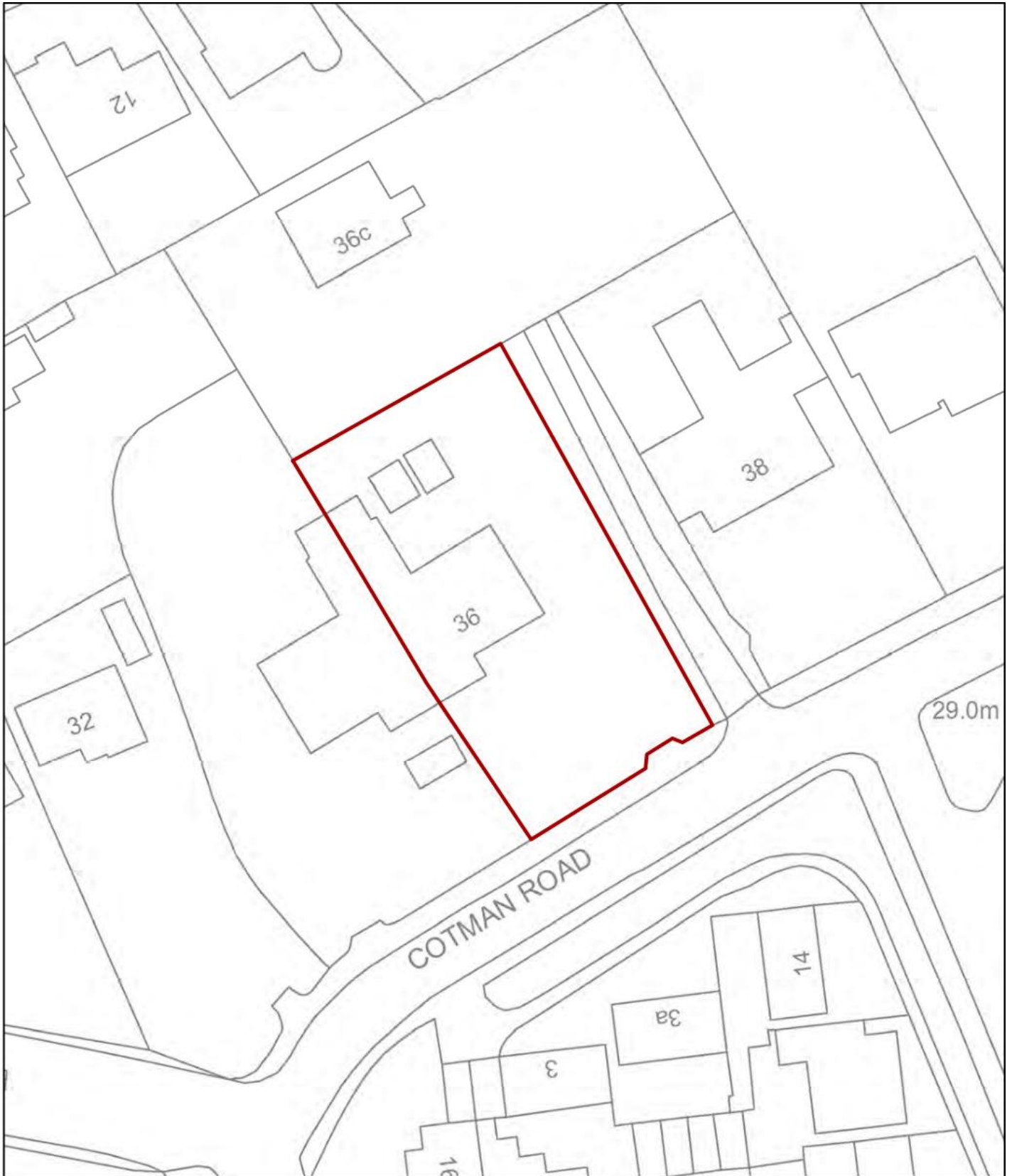
**Reason for
referral** Objections

4a

Ward	Thorpe Hamlet
Case officer	Katherine Brumpton katherinebrumpton@norwich.gov.uk
Applicant	Mrs Stern

Development proposal		
Dormers and rooflights to allow conversion of the loft to extend an existing first floor flat across 2 floors (36D)		
Representations		
Object	Comment	Support
4 (6 representations received from 4 individuals)	0	0

Main issues	Key considerations
1	Design and Heritage
2	Amenity
Expiry date	20 January 2023
Recommendation	Approve



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Planning Application No 22/00906/F
 Site Address 36 Cotman Road

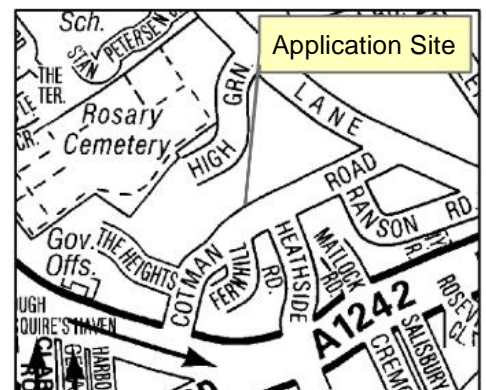
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NORWICH
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 PLANNING SERVICES



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The site and surroundings

1. Thorpe Ridge is to the east of the city and is characterised by large tracts of woodland and wide suburban streets. The land varies in height, and in this area slopes down towards the railway line (south). The area contains many 20th century dwellings, with this part of Cotman Road containing several locally listed dwellings.
2. Site is located to the north of Cotman Road, with the land sloping both away to the south (front) and up to the north (rear). Property was originally one of a pair of semi-detached dwellings but has now been subdivided into 4 flats. A driveway lies adjacent to the site to the east, which provides access to a single dwelling to the rear (36C).

Constraints

3. Conservation Area: Thorpe Ridge
4. Local listed Building;

19C. 2 storeys and attic. Red brick. Slate roof. Pair of wide-fronted houses, terraced above the road, sharing central pediment containing semi-circular headed window to attic. 6-pane sashes of palladian style. Ground floor full height casements. Front doors panelled with semi-circular fanlights. Stucco surrounds to doors and windows. White brick detail to gable.

Relevant planning history

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

Ref	Proposal	Decision	Date
13/00846/TCA	Top Conifer to a reasonable height to stop damage being done to adjacent tree.	No TPO Served	02/07/2013
13/01077/TCA	T1 Yew: Reduce back towards wall - approx 1-2m T2 Pear: Remove main dead spire over drive; T3 Prunus: Reduce 3 main limbs growing over drive - approx 1-2m; Deadwood remainder as necessary.	No TPO Served	07/08/2013
21/00549/F	Replacement windows.	Approved	15/10/2021
22/00058/F	Proposed loft conversion with two front dormer windows and one rear dormer with five rooflights to facilitate the creation of a 1 bed room flat.	Pending consideration	

The proposal

6. To convert the loft into extra space for existing flat 36D. The flat would be extended to include accommodation on both the first floor and into the roof space. As part of the conversion two dormers are proposed to the front, one on the rear and 4 rooflights. The flat would have one bedroom, an office, a large kitchen/dining area, bathroom and two storage cupboards.
7. The two front dormers would be dual pitched, the rear dormer served with a flat roof. Two rooflights are proposed to the side elevation (east), together with 2 on the rear. Access would be provided by extending an existing internally staircase up. Plans show that all the rear windows are to be obscure glazed.
8. The original plans indicated that the loft space would be used just for storage and did not include obscure glazed windows to the rear. There were concerns that this was not a true reflection of the intended works and the proposal could be tantamount to a new dwelling. Following discussions with the agent the revised plans were submitted, which enlarges one of the flats instead, as discussed above.
9. The plans were re-consulted on to the neighbours for a period of 3 weeks. The details of the representations below are all of the responses amalgamated.
10. Application reference 22/00058/F remains outstanding due to the restrictions around Nutrient Neutrality in relation to the condition of The Broads and River Wensum. Norwich City Council, as with all other affected councils in Norfolk and nationwide, are unable to grant planning permission where a development is likely to add nutrient pollution to certain waterbodies until we can identify how to mitigate any adverse impacts. Whilst works are underway to identify how development can be mitigated a strategy is not yet in place. Any new dwellings, to include flats, are likely to add nutrient pollution to the affected waterbodies, and so at present cannot be approved as there is no established mitigation in place.
11. Application reference 22/00058/F is for a similar development in terms of external appearance. It differs by consisting of larger dormer windows to the front, differently positioned rear roof lights and the inclusion of a fifth roof light on the front elevation.

Representations

12. Adjacent and neighbouring properties have been notified in writing. 4 letters of representation have been received citing the issues as summarised in the table below.

Issues raised	Response
Dormers would destroy the symmetry with 34 Cotman Road, alterations should be restricted to roof lights. Drawings don't include both dwellings.	See main issue 1
Rear dormer would overlook properties to rear.	See main issue 2
No Design and Access Statement submitted	This is not a requirement for this type of application
Building needs repair, this should be the focus rather than further development. It is	It is understood that the applicant needs to/wants to carry out repair

also poorly insulated and there are difficulties with the drains. Increase in occupants will make this worse.	works to the roof and would like to carry out the proposed development at the same time.
Plans show 2 garages when one has collapsed.	Noted.

Consultation responses

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

Design and conservation

14. This is not an application that I intend to provide conservation and design officer comments on because it does not appear on the basis of the application description to require our specialist conservation and design expertise. This should not be interpreted as a judgement about the acceptability or otherwise of the proposal.

Assessment of planning considerations

Relevant development plan policies

15. **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
 - JCS6 Access and transportation
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
16. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM9 Safeguarding Norwich's heritage
 - DM13 Communal development and multiple occupation
 - DM15 Safeguarding the city's housing stock
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety
 - DM31 Car parking and servicing
 - DM32 Encouraging car free and low car housing

Other material considerations

17. **Relevant sections of the National Planning Policy Framework July 2021 (NPPF):**
- NPPF2 Achieving sustainable development

- NPPF4 Decision-making
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF16 Conserving and enhancing the historic environment

18. Advice Notes and Guidance

- Extensions to houses advice note September 2012

Case Assessment

19. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the 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: Design and Heritage

20. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 126-136 and paragraphs 189-208.
21. 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.
22. The conversion of the roof involves works to the front, side and rear elevation. Consideration needs to be given to the impact upon the heritage assets, notably the locally listed building itself and the Conservation Area.
23. The two front dormers would have dual pitched roofs, sit well below the main ridge line and be of a subordinate size compared to the existing windows on the principal elevation. They would not unduly compete with the existing elevation. The neighbouring dwelling, no.38, has 2 similar dormer windows either side of the central pediment. No.38 is also locally listed and also dates from the 19th century, with the dormers featured in the listing description. The proposed dormers are considered to sit relatively well within the wider Conservation Area and on the host building.
24. The proposed roof lights would not be overly dominant, and with roof lights found elsewhere within the immediate area, not inappropriate for the Conservation Area. The roof lights should be Conservation Style to allow for a high-quality design.
25. The rear dormer is relatively large and is proposed to be flat roofed, which appears to be required for the staircase. Flat roof dormers are not normally encouraged,

however the dormer would be sited to the rear and not readily viewed from any public vantage point. The harm to the heritage assets is therefore less than substantial.

26. Few details have been provided in terms of materials. With a condition requesting details prior to first use, the proposal is considered to be of an acceptable design. A degree of less than substantial harm to the designated heritage asset would occur, but this is relatively minor and the public benefit of supporting the continued residential use of the building and providing an enhanced living space for one of the flats is considered to outweigh any harm.

Main issue 2: Amenity

27. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.

Existing occupiers

28. The detached dwelling to the rear (no.36C) is set at a higher level than the application site. No. 36C is designed with its main garden to the front. As such the proposed windows to the rear would have a relatively more significant impact upon them. However, the revised plans show that all the rear windows would be obscure glazed, and as such the level of additional overlooking that no. 36C would experience is not considered to be significant. Existing first floor rear windows are clear glazed.
29. The proposed roof lights in the side would face the neighbouring property to the east, which has a roof light facing the site. However due to the distance involved and the presence of trees the impact of any overlooking is not anticipated to be significant.

Future occupiers

30. The proposed enlarged flat would benefit from a good level of natural light over 2 floors from 3 aspects. The use of obscure glazing would reduce their level of amenity to some extent but given that the windows serve an office space and a stairwell, and the level of outlook elsewhere within the flat, this is considered acceptable. The internal size complies with the Technical housing standards – nationally described space standard 2015.

Biodiversity

31. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraphs 174 - 182 .
32. There is considered to be a relatively small chance that the site provides a habitat for protected species. An ecological survey is not considered justifiable in this instance, but an informative would be added to ensure that if any protected species are found during the development then works are halted and appropriate action taken.
33. The scope of the works are limited to the existing roof and restricted to extending one flat, with no alterations proposed to the wider landscape. It is acknowledged that para 174 advises that planning policies and decisions should minimise the impact upon biodiversity and aim to provide net gains for biodiversity. However, when considering planning applications, the guidance in paragraph 180(a) is more

specific and is aimed at minimising and compensating for the harm to biodiversity and in particular refers to 'significant' harm. The scale of the works proposed as part of this application are not considered to cause harm to biodiversity, significant or otherwise.

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

Site Affected: (a) Broads SAC/Broadland Ramsar
(b) River Wensum SAC

Potential effect: (a) Increased nitrogen and phosphorus loading
(b) Increased phosphorous loading

The application represents a 'proposal or project' under the above regulations. Before deciding whether approval can be granted, the Council as a competent authority must undertake an appropriate assessment to determine whether or not the proposal is likely, either on its own or in combination with other projects, to have any likely significant effects upon the Broads SAC, and if so, whether or not those effects can be mitigated against.

The Council's assessment is set out below and is based on advice contained in the letter from Natural England to LPA Chief Executives and Heads of Planning dated 16th March 2022.

(a) Broads SAC/Broadland Ramsar

Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND

Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer:NO

The proposal is for works to an existing dwelling and will not impact upon the average occupancy figures for dwellings across the catchment and will therefore not impact upon water quality in the SAC.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

(b) River Wensum SAC

Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND

Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer:NO

The proposal is for works to an existing dwelling and will not impact upon the average occupancy figures for dwellings across the catchment and will therefore not impact upon water quality in the SAC. In addition, the discharge for WwTW is downstream of the SAC.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

Equalities and diversity issues

35. There are no equality or diversity issues.

Local finance considerations

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

Conclusion

37. The proposed development would result in a small degree of less than substantial harm to the host building and Conservation Area, however this is outweighed by the public benefit of retaining and supporting the continued residential use.
38. There will some additional impact upon the amenity of neighbours, in particular no.36C to the rear. However, this is not considered to be substantial, given that the rear windows will all be obscure glazed and this neighbour is already partially overlooked from the existing first floor windows of the host building.
39. 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.

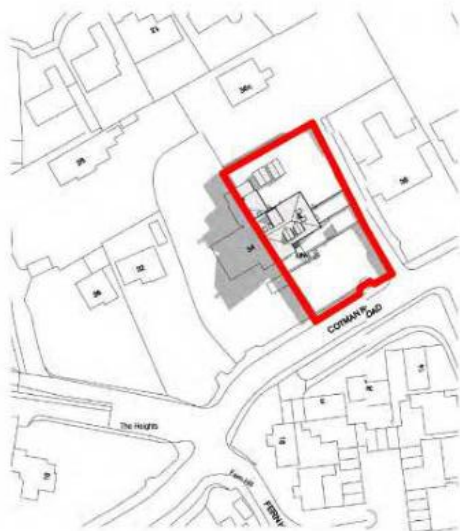
Recommendation

To approve application no 22/00906/F at 36 Cotman Road and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Rear windows to be obscure glazed
4. External Materials – details to be submitted

Informative

It is possible that the site to which the application relates is occupied by Protected Species under Schedules 1 and 5 of the Wildlife and Countryside Act 1981 (amended). Should a Protected Species be found, works should stop immediately and the developer needs to seek the advice of a suitably qualified ecological consultant and/or the relevant statutory nature conservation organisation.



SCALE 1:1250

Property Boundary

Neighbouring Garden

Neighbouring Garden

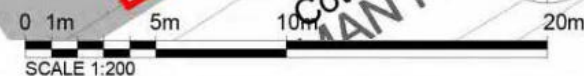
Neighbouring Property 34

Neighbouring Garden

Rear Garden

Front Garden

Public Pavement
Cotman Rd
MAN ROAD



SCALE 1:200

Notes:
Contractors must verify all dimensions at the site before commencing any work.
No construction work before Building Control approval and structural engineer confirmation.
Any discrepancies to be reported to Gridline.
All drawings are to be read in conjunction with all relevant drawings and specifications.

Project No.S

REV	DATE	DESCRIPTION	BY	CH
A	13/09/22	Obscured glazed windows on rear elevation		
B	02/11/22	internal layout change	N	N
C	16/11/22	internal layout change		

PROJECT TITLE

36 Cotman
Norwich, NR1 4AQ

DATE
Nov. 2022

Project No.
PR - L001

DRAWING TITLE

Proposed - Os Map/ Location Plan

CLIENT
Mrs Stern

DRAWING No.
PR - L001

SCALE @ A3

Drawn by:
Niloufar





Notes.

Contractors must verify all dimensions at the site before commencing any work.
No construction work before Building Control approval and structural engineer confirmation.
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All drawings are to be read in conjunction with all relevant drawings and specifications.

Project No.S

REV	DATE	DESCRIPTION
A	13/09/22	Obscured glazed windows on rear elevation
B	02/11/22	internal layout change
C	16/11/22	internal layout change

BY	CH
N	N

PROJECT TITLE
36 Cotman
Norwich, NR1 4AQ

DATE
Nov. 2022

Project No.

PR - P003

DRAWING TITLE
Proposed - First Floor

CLIENT
Mrs Stern

DRAWING No.
PR - P003

SCALE @ A3
1:100

Drawn by:
Niloufar





Notes.

Contractors must verify all dimensions at the site before commencing any work.
No construction work before Building Control approval and structural engineer confirmation.
Any discrepancies to be reported to Gridline.
All drawings are to be read in conjunction with all relevant drawings and specifications.

Project No.S

REV	DATE	DESCRIPTION
A	13/09/22	Obscured glazed windows on rear elevation
B	02/11/22	internal layout change
C	16/11/22	internal layout change

BY	CH
N	N

PROJECT TITLE
36 Cotman
Norwich, NR1 4AQ

DATE
Nov. 2022

Project No.

PR - P004

DRAWING TITLE
Proposed - Loft Floor

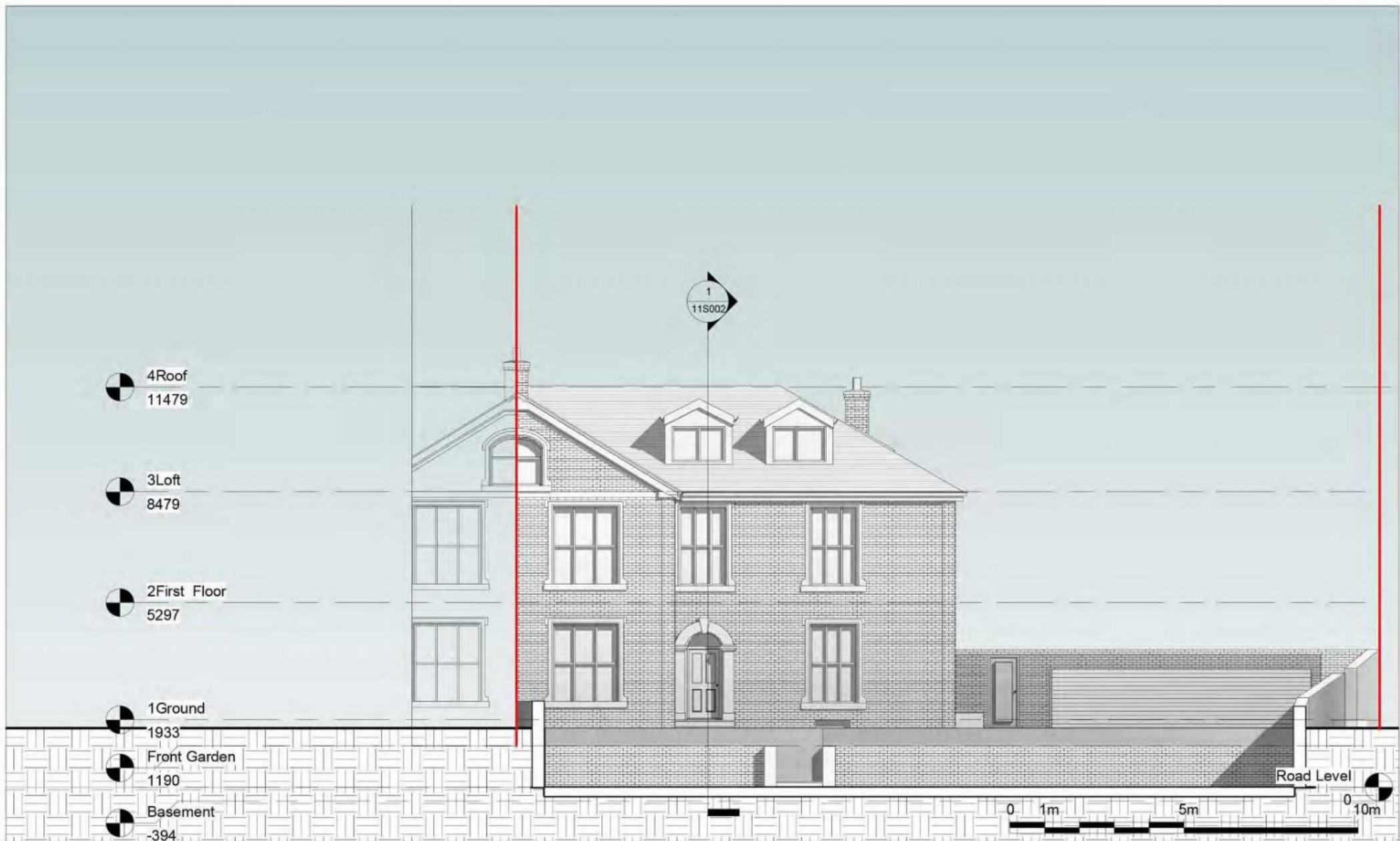
CLIENT
Mrs Stern

DRAWING No.
PR - P004

SCALE @ A3
1:100

Drawn by:
Niloufar





Notes.

Contractors must verify all dimensions at the site before commencing any work.
No construction work before Building Control approval and structural engineer confirmation.
Any discrepancies to be reported to Gridline.
All drawings are to be read in conjunction with all relevant drawings and specifications.

Project No.S

REV	DATE	DESCRIPTION
A	13/09/22	Obscured glazed windows on rear elevation
B	02/11/22	internal layout change
C	16/11/22	internal layout change

BY	CH
N	N

PROJECT TITLE
36 Cotman
Norwich, NR1 4AQ

DATE
Nov. 2022

Project No.
5813

DRAWING TITLE
Proposed - Front Elevation

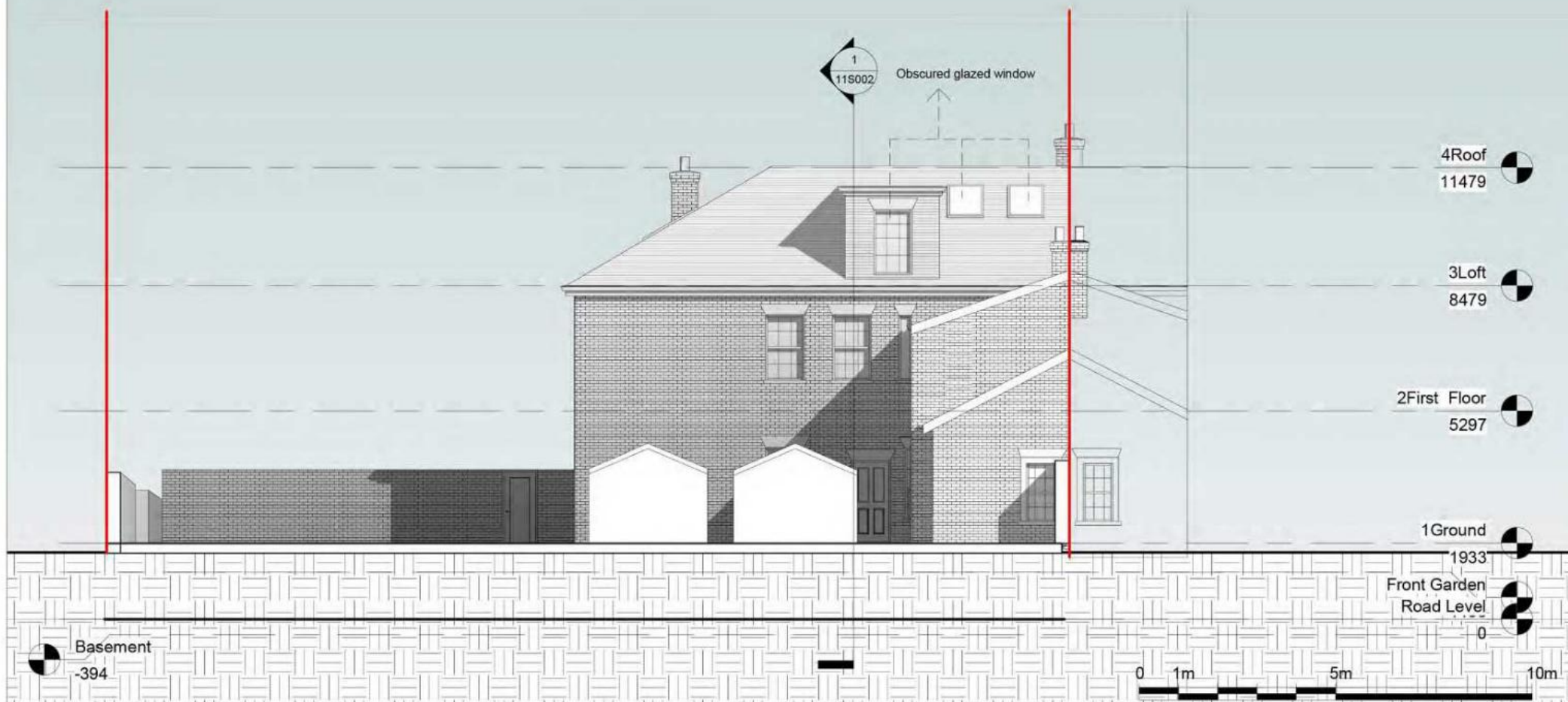
CLIENT
Mrs Stern

DRAWING No.
PR - E001

SCALE @ A3
1:100

Drawn by:
Niloufar





Notes.
Contractors must verify all dimensions at the site before commencing any work.
No construction work before Building Control approval and structural engineer confirmation.
Any discrepancies to be reported to Gridline.
All drawings are to be read in conjunction with all relevant drawings and specifications.

Project No.S

REV	DATE	DESCRIPTION
A	13/09/22	Obscured glazed windows on rear elevation
B	02/11/22	internal layout change
C	16/11/22	internal layout change

BY	CH
N	N

PROJECT TITLE
36 Cotman
Norwich, NR1 4AQ

DATE
Nov. 2022

Project No.
PR - E002

DRAWING TITLE
Proposed - Rear Elevation

CLIENT
Mrs Stern

DRAWING No.
PR - E002

SCALE @ A3
1:100

Drawn by:
Niloufar





Notes.

Contractors must verify all dimensions at the site before commencing any work.
No construction work before Building Control approval and structural engineer confirmation.
Any discrepancies to be reported to Gridline.
All drawings are to be read in conjunction with all relevant drawings and specifications.

Project No.S

REV	DATE	DESCRIPTION
A	13/09/22	Obscured glazed windows on rear elevation
B	02/11/22	internal layout change
C	16/11/22	internal layout change

BY	CH
N	N

PROJECT TITLE
36 Cotman
Norwich, NR1 4AQ

DATE
Nov. 2022

Project No.
PR - E003

DRAWING TITLE
Proposed - Side Elevation 1

CLIENT
Mrs Stern

DRAWING No.
PR - E003

SCALE @ A3
1:100

Drawn by:
Niloufar

