

Planning applications committee

Date: Thursday, 11 May 2017 Time: 09:30 Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

Committee members:

Councillors:

Herries (chair) Driver (vice chair) Bradford Button Carlo Henderson Jackson Lubbock Malik Peek Sands (M) Woollard

For further information please contact:

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Agenda

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)

Minutes

5 - 12

To approve the accuracy of the minutes of the meeting held on 13 April 2017.

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: <u>http://planning.norwich.gov.uk/online-applications/</u>

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	15 - 16
4(a)	Application no 16/01943/F - Norwich Hebrew Congregation, 3A Earlham Road, Norwich,	17 - 24
4(b)	Application no 17/00158/F - 10 Bland Road, Norwich, NR5 8SA	25 - 34
4(c)	Application no 17/00504/NF3 - Floodlit Games Area Harford Park, Ipswich Road, Norwich	35 - 48
4(d)	Application no 17/00505/NF3 - Eaton Park South Park Avenue, Norwich, NR4 7AU	49 - 64
4(e)	Application no 17/00506/NF3 - Tennis Courts Lakenham Recreation Ground City Road Norwich NR1 2HG	65 - 80
4(f)	Application no 17/00035/F - Norfolk Primary Care Trust Elliot House 130 Ber Street Norwich NR1 3FR	81 - 92
4(g)	Application no 17/00360/F - Land east of play area Rose Valley, Norwich	93 - 112

Date of publication: Wednesday, 03 May 2017



MINUTES

Planning applications committee

09:30 to 10:45

13 April 2017

Present: Councillors Herries (chair), Bradford, Button, Carlo (from middle of item 3 (below) onwards), Driver, Henderson, Jackson, Lubbock, Malik, Peek and Woollard

Apologies: Councillor Sands (M)

1. Declarations of interest

Councillor Lubbock declared a predetermined view in item 6 (below), Application nos 16/01951/F and 16/01952/L - 2 Church Lane and 18 Eaton Street, Norwich, NR4 6NZ, because she had spoken to residents who objected to the scheme and wanted to support them in her capacity as Eaton Ward councillor.

2. Minutes

RESOLVED to agree the accuracy of the minutes of the meeting held on 9 March 2017.

3. Application no 16/01584/F – Land at rear of 67 St Augustines Street, Norwich

(Councillor Carlo entered the meeting during this item and therefore could not participate in the committee's determination of the application.)

The planning assistant presented the report with the aid of plans and slides.

In reply to a member's question, the planning assistant referred to the report and explained that the council owned the alley to the side of the city wall which provided access for maintenance.

RESOLVED, unanimously (with all members eligible to vote voting in favour, Councillor Carlo having been absent for part of the presentation) to approve application no 16/01584/F - Land Rear of 67 St Augustines Street, Norwich, and grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans;
- 3. Water efficiency;
- 4. Archaeology;
- 5. Storage of materials;
- 6. Boundary treatment;
- 7. Permeable paving retained;

- 8. Soakaway archaeological implications;
- 9. Provision of cycle and vehicle parking and refuse storage prior to first occupation;
- 10. Maintenance of landscaping access for recording: The developer shall afford reasonable access to allow for a full photographic survey of the scheduled Ancient Monument to be carried out before and during the course of works hereby approved. No works shall take place until details of the type and manner of access to be provided have been agreed in writing with the local planning authority.
- 11. Making good: Any damage caused to the Scheduled Ancient Monument by the works hereby approved shall be made good in accordance with a scheme first submitted to and agreed in writing by the local planning authority and the making good in accordance with the scheme as agreed shall take place within 3 months of the approval of the scheme.
- 12. Stop work if unidentified features revealed;
- 13. Preservation and Protection of Features: No works shall take place on the site in pursuance of this consent until a detailed scheme of work outlining the proposed measures of protection for the following features, which shall enable them to remain undisturbed in their existing position and fully protected during the course of the work on the site, has been submitted to and approved in writing by the local planning authority: Historic City Walls (Scheduled Ancient Monument).

Informative:

- 1. It may be necessary to apply for Scheduled Ancient Monument consent; it is the responsibility to establish the requirement for this with Historic England.
- 2. Other works: This consent relates only to the works specifically shown and described on the approved drawings. All other works, the need for which becomes apparent as alterations and repairs proceed, are not covered by this consent and may require a further specific consent. Details of any other works, submitted as part of a further application if required, should be submitted to the local planning authority and approved before work continues.

Article 35(2) Statement:

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

4. Application no 17/00220/MA - Land at Goldsmith Street Greyhound Opening and Haslips Close, Norwich

The senior planner (development) presented the report with the aid of plans and slides.

During discussion the senior planner referred to the report and answered members' questions. He confirmed that there would be a hedge around the play area which would provide a safe and contained area for children to play. The principle of loss of parking on the site for local residents had been established when the application for this site had been approved. Members, however, were updated and advised that the

council was exploring the implementation of a controlled parking zone which had been conditioned as part of the permission providing parking for local residents and that the specific needs for a Dereham Road resident had not been progressed due to a change in that individual's circumstances. The senior planner confirmed that the dwellings would be accessible and that 10 per cent were policy compliant and suitable for modifications for disabled people.

Discussion ensued in which members welcomed the new dormer windows and considered them more aesthetically pleasing. Members also considered that the consolidation of the three play areas into one space would be practical for parents with more than one child as children would all play in the same area. Members commented that the revisions were beneficial but that this development had been subject to long delays. They looked forward to its first occupation next year.

RESOLVED, unanimously, to approve application no. 17/00220/MA - Land at Goldsmith Street, Greyhound Opening and Haslips Close, Norwich and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

- 1. Development to be in accord with drawings and details;
- 2. Details of facing and roofing materials; external lighting to be in accord with applications 16/00794/D and 16/01919/D; and details to be agreed within 4 months of the date of permission for brick bond; joinery; window shutters; verges; vent systems; external lighting Private residences); and heritage interpretation;
- 3. Windows facing south Block L first floor flats to be obscure glazed and fixed openings;
- 4. Details of vehicle charging point; car club vehicle parking point; cycle storage; and bin stores provision to be in accord with application 16/01930/D; and details to be agreed within 4 months of the date of permission for car club vehicle;
- 5. Details to be agreed within 4 months of the date of permission of highways works;
- 6. Details to be agreed prior to first occupation of travel plan;
- 7. Provision to be made prior to first occupation of extension to Controlled Parking Zone;
- 8. Construction management; parking; wheel washing etc. to be in accord with application 16/01827/D;
- 9. Details of landscaping Midland Street area; private gardens; and street trees (planting; tree pits; biodiversity enhancements; south play spaces; site treatment works; boundary treatments, gates, walls and fences; access road and path link surfaces; and landscape provision and maintenance) to be in accord with application 16/00794/D and 16/01565/D; and details to be agreed for landscaping for communal areas and north-east play area;
- 10. Pre-construction site meeting, details of arboricultural monitoring; and where necessary Arboricultural Method Statement for additional site works, protection of existing trees and planting to be in accord with application 16/01691/D;
- 11. Compliance with Arboricultural Implications Assessment, Arboricultural Method Statement and additional information at condition 10 and Tree Protection Scheme implemented prior to commencement;
- 12. Retention of tree protection;

- 13. Details of Passivhaus measures to be to be in accord with application 16/01546/D; and details to be agreed prior to first occupation for provision and maintenance of LZC technologies and renewable energy sources should development not achieve Passivhaus accreditation;
- 14. Water efficiency measures set at 110 litres/person/day;
- 15. Implementation of surface water flood strategy;
- 16. Details of modelling of the surface water pipe network to be in accord with application 16/00729/D;
- 17. Details of maintenance of the surface water drainage system to be in accord with application 16/00729/D;
- 18. No hard-standings to be constructed prior to surface water works having been carried out;
- 19. Details of site contamination investigation, assessment and remediation to be in accord with application 16/01829/D;
- 20. Details of contamination verification plan to be agreed prior to first occupation;
- 21. Cessation of works if unknown contaminants found;
- 22. Details of all imported material prior to occupation to be agreed prior to first occupation;
- 23. Details of plant and machinery;

Informatives

- 1. Considerate constructors.
- 2. Unrecorded Unexploded Ordnance.
- 3. Impact on wildlife.
- 4. Highways contacts, permits, design note, works within the highway etc.
- 5. Environment Agency guidance.
- 6. Anglian Water guidance.

Article 35 (2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application the application has been approved subject to suitable land management, adoption, appropriate conditions and for the reasons outlined within the committee report for the application.

5. Application no 17/00298/F - 82 Christchurch Road, Norwich, NR2 3NG

The planning assistant presented the report with the aid of plans and slides.

During discussion, the planning assistant referred to the report and answered members' questions on the design and materials proposed for the extension. She explained that the use of modern materials would provide a contemporary style and was not out of keeping with other houses in Christchurch Road which have also been updated. Members considered the concerns raised by the immediate neighbours but considered that it would not have a detrimental impact on them or the immediate area.

RESOLVED, unanimously, to approve application no. 17/00298/F - 82 Christchurch Road Norwich NR2 3NG and grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans.

Article 35(2)

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

6. Application nos 16/01951/F and 16/01952/L - 2 Church Lane and 18 Eaton Street, Norwich, NR4 6NZ

(Councillor Lubbock, having declared a predetermined view in this application, addressed the committee and then left the meeting during the committee's determination of the applications.)

The senior planner (development) presented the report with the aid of plans and slides. He advised members that paragraph 10 of the report should be amended as the list referred to " 2×1 -bed flats" which should be amended to " 2×2 -bed flats" as the proposal comprised a total of eight dwellings: four one-bed flats; two two-bed flats and two two-bed houses.

Councillor Lubbock addressed the committee on behalf of local residents and outlined their objections which included: concerns about highway safety and congestion because of the need to service the development from Church Lane and that the junction of Church Lane and Eaton Street was an important one and should be kept clear for access; and that the site was overdevelopment and would be too dominant for the listed building on the site. There should be a less dense development on the site and the provision of more amenity space for future residents; improve access to the site and vehicle turning space; and enhance the listed building and conservation area. She also suggested that as this was a complicated site the committee undertook a site visit before determining the applications.

A resident of Tamarind Mews spoke on behalf of 13 residents, who had signed a petition objecting to the proposals, and two other residents addressed the committee and outlined their objections. This included concerns that the proposed development would exacerbate existing parking problems in the area and that four parking spaces on the site would not be sufficient as future residents of the proposed dwellings would have cars and visitors. The residents also questioned the provision of eight cycle spaces and suggested that this was not the mode of transport that most people would use. The proposed two-storey block was considered to overlook the overlook the rear of properties in Tamarind Mews, particularly no 7, and the gable end would have an unacceptable impact and should be stepped back by 1.5 metres. Residents were also concerned about traffic chaos, as the access/egress was adjacent to the traffic lights, and the arrangements to service the proposed dwellings from Church Lane rather than on site would have on the conservation area and that there was an opportunity for an improved less dense development on this site.

The agent addressed the committee on behalf of the applicant. She said that the new development would provide high quality well designed residential dwellings and provide more effective use of the site. The developers had worked closely with planning officers for a scheme which fitted into the conservation area and there had been no objections from the statutory consultees. She referred to the sunlight analysis which demonstrated that there was no significant harm to the properties in Tamarind Mews. The provision of car parking on the site was in accordance with the city council's policy. The development and the principle of housing on the site was in line with local and national policies.

(Councillor Lubbock left the meeting at this point.)

The chair referred to the committee's agreed criteria for site visits and said that the site was an open site and it would have been possible for members to visit it if they desired. The senior planner said that he did not consider it necessary for members to conduct a site visit. The site was visible and the slides showed the site in context with the neighbouring buildings.

The senior planner referred to the report, and together with the planning team leader (outer area) responded to the issues raised by the speakers and answered questions from members. The buildings on the site were vacant. There was no overlooking of the neighbouring properties or gardens because of the use of roof-lights at the rear of the proposed apartment building; and the distance and oblique angle between them.

During discussion members expressed concern about the lack of amenity space for the residents of the flats. Members were advised that the two houses had gardens. Marston Marshes were within walking distance and therefore the lack of amenity space for the flats was considered acceptable and not uncommon for a city development. An ecological assessment had been made and hedge clearance could only take place provided there were no nesting birds.

The planning team leader (outer area) confirmed that the conservation and design officer had been consulted on the proposals and had no objections to the scheme which was of high quality and would have a positive impact on the Eaton district centre and bring vitality into the area.

A member suggested that a door should be provided at the rear of the apartment building for residents to use when putting out their bins.

Councillor Bradford said that he would abstain from voting on this application because of his concerns about the location and traffic implications from this proposal and the development in the context of the listed building.

Councillor Henderson explained that she could not approve this application which provided amenity space for only 25 per cent of the dwellings. Councillor Carlo said that the proposal was overdevelopment and did not complement the listed building. She also objected on the grounds of lack of amenity space for the future residents.

RESOLVED, with 7 members voting in favour (Councillors Herries, Driver, Button, Malik, Jackson, Peek and Woollard), 2 members voting against (Councillors Carlo and Henderson) and 1 member abstaining (Councillor Bradford) to approve:

- (1) application no 16/01951/F 2 Church Lane and 18 Eaton Street, Norwich, NR4 6NZ and grant planning permission subject to the following conditions:
 - 1. Standard time limit;
 - 2. In accordance with plans;
 - 3. Details to be submitted to include external materials to be used in the construction of the development, details of external joinery, rooflights, external flues, details of proposed eaves and verges, rainwater goods, brick bond and mortar etc;
 - 4. Landscaping details, soft and hard to include details of permeable paving, external lighting, bin presentation area, cycle parking and all boundary treatments;
 - 5. Compliance with the mitigation measures set out in section 8 of the protected species survey;
 - 6. Unknown contamination in the event that any is discovered, works are to cease and a scheme for remediation agreed with the local authority;
 - 7. Imported material Any imported topsoil and subsoil for use on site to be certified;
 - 8. Restricted construction times;
 - 9. Removal of permitted development rights for houses for enlargements and extensions;
 - 10. Compliance with the approved parking strategy;
 - 11. Water efficiency.
- (2) application no. 16/01952/L 2 Church Lane & 18 Eaton Street Norwich NR4 6NZ, and grant planning permission subject to the following conditions:
 - 1. Standard time limit;
 - 2. In accordance with plans;
 - Demolition of single-storey curtilage listed buildings attached to the rear of the listed building – To be carried out by hand or using hand held tools;
 - 4. All existing fabric to be retained unless notated otherwise on the approved drawings;
 - 5. Details of repair works to the flank elevation of the rear wing of the two-storey curtilage listed building.

Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application stage, the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

Summary of planning applications for consideration

11 May 2017

ltem No	Case No	Location	Case Officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	16/01943/F	Norwich Hebrew Congregation, Earlham Road	Lara Emerson	Front, side and rear extensions.	Objections	Approve
4(b)	17/00158/F	10 Bland Road	Charlotte Hounsell	Single storey side extension	Called in by a councillor	Refuse
4(c)	17/00504/NF3	Harford Park	Lee Cook	Provision of floodlighting and installation of new gate and repairs to existing tennis courts.	Objection / city council application or site	Approve
4(d)	17/00505/NF3	Eaton Park	Lee Cook	Provision of floodlighting and installation of new gate to existing tennis courts.	Objection / city council application or site	Approve
4(e)	17/00506/NF3	Lakenham Recreation Ground	Lee Cook	Reconstruction of existing tennis court with associated fencing and provision of floodlighting.	Objection / city council application or site	Approve
4(f)	17/00035/F	Elliot House, 130 Ber Street.	Sean O'Sullivan	Alterations to the existing elevations of Elliot House to enable the change of use from offices (Class B1) to 45 residential dwellings (Class C3) (16/00826/PDD)	Objections	Approve
4(g)	17/00360/F	Land east of Play Area Rose Valley Norwich	Kian Saedi	Construction of 2 No. dwellings.	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*

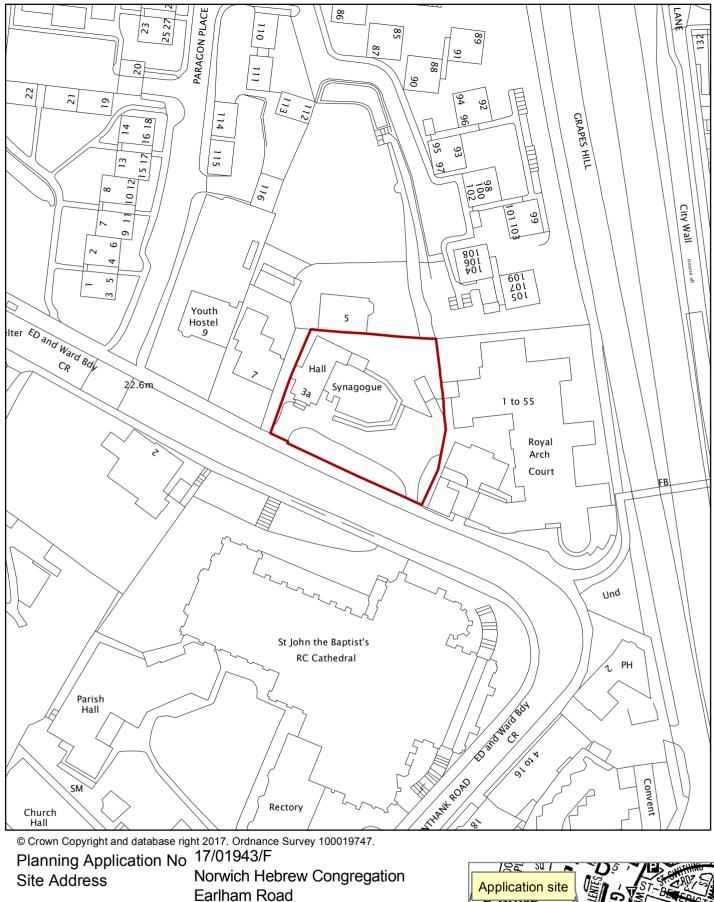
- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national 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	
	11 May 2017	
Report of	Head of Planning Services	
Subject	Application no 16/01943/F - Norwich Hebrew Congregation, 3A Earlham Road, Norwich, NR2 3RA	4(a)
Reason for referral	Objections	

Ward:	Mancroft
Case officer	Lara Emerson - laraemerson@norwich.gov.uk

Development proposal				
Erection of single storey front, side and rear extension with associated internal alterations.				
Representations				
Object Comment Support				
2	-	-		

Main issues	Key considerations
1. Design & heritage	Historic significance, impact on locally listed building,
	impact on conservation area
2. Residential amenity Impact on light, outlook and privacy of neighbouring	
	property
Expiry date	5 May 2017
Recommendation	Approve



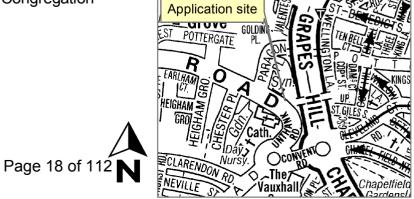
Scale

1:1,000





PLANNING SERVICES



The site, surroundings & constraints

- 1. The property is a locally listed synagogue located on the north side of Earlham Road opposite the Roman Catholic Cathedral. The synagogue sits between residential properties and the Royal Arch Court sheltered housing block.
- 2. The site provides a place of worship to the Jewish community in Norwich. The red brick building was built in the late 1940s after Norwich's previous synagogue (on Synagogue Street), was destroyed during the war. The white brick extension was added later in 1969. There are a number of Jewish symbols on the building including 2 Stars of David, a Menorah and some Hebrew script.
- 3. The site sits within the Heigham Grove Conservation Area.
- 4. The topography of the area is such that the residential property to the rear of the synagogue, 5 Earlham Road, is on lower ground.

Relevant planning history

Ref	Proposal	Decision	Date
10/00796/F	Extensions to provide store, library and entrance lobby with external and internal alterations and disabled access ramp.	Approved	22/06/2010
13/00855/TCA	Removal of Ash, Laurel, Cupressus x2, Sycamore and Apple to facilitate enlargement of car park.	No TPO served	03/07/2013
13/01016/ET	Extension of time period for commencement of development of planning permission 10/00796/F 'Extensions to provide store, library and entrance lobby with external and internal alterations and disabled access ramp'.	Approved	19/07/2013
13/01102/F	Enlargement of car parking area.	Withdrawn	12/11/2013

5. The relevant planning history can be found below.

The proposal

- 6. The proposal seeks to enlarge and reconfigure the internal space available for the various community and worship functions of the synagogue.
- 7. Revised drawings have been submitted during the course of the application which aim to address concerns which were raised by officers about:
 - a) The loss of important historic features on the front elevation;
 - b) The overall design of the front elevation; and
 - c) The impact of the rear extension on the amenity of the neighbouring occupiers at 5 Earlham Road.

- 8. Single storey front, rear and side extensions are proposed to the original red brick part of the synagogue which, overall, provide approximately 80m² additional floorspace.
- 9. The front extension extends 2.5m from the main front wall, so it would extend to approximately the same point as the existing steps extend. The flat roof stands at a height of 3.5m. The entrance to the red brick building is not currently used and so this extension would remove the old entrance doors and make the primary entrance more obvious. The large metal Star of David, which is currently out of view, would be mounted onto the front wall and would be easily viewed from the street. It would be framed by render and stone detailing. The main entrance doors would be brought forward to be made more visible and the metal railings with incorporated Star of David would be relocated above this new entrance.
- 10. There are two proposed rear extensions:
 - a) A flat roofed infill extension; and
 - b) An extension with a mono-pitched roof which would sit 1m from the boundary with 5 Earlham Road.
- 11. There is a proposed side extension with a mono-pitched roof which would extend along the whole length of the west side of the red brick building.

Representations

12. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at http://planning.norwich.gov.uk/online-applications/ by entering the application number.

Issues raised	Response
In response to the original plans	The plans have been amended to
	reduce the height of the relevant
Rear extension would cause loss of light and	extension. See Main Issue 2 for an
outlook to 5 Earlham Road.	assessment of the amenity impacts.
In response to the original plans	The plans have been amended so that
	the side extension is to be built on an
Side extension to be built on top of the	independent wall within the property
existing side wall. This wall is not structurally	boundary.
sound and it is not clear who owns it.	
In response to the original plans.	The plans have been amended to retain
Representation from the Norwich Society.	some of these architectural features.
	See Main Issue 1 for an assessment of
We regret the potential loss of the entrance	the design.
doors and surround, which are the principal	-
architectural feature of the original building.	

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. Chose not to comment formally, but verbal comments have helped to guide the design process.

Relevant development plan policies

- 15. Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)
 - JCS2 Promoting good design
 - JCS7 Supporting communities
- 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
 - DM22 Planning for and safeguarding community facilities

Other material considerations

- 17. Relevant sections of the National Planning Policy Framework March 2012 (NPPF)
 - NPPF0 Achieving sustainable development
 - NPPF7 Requiring good design
 - NPPF8 Promoting healthy communities
 - NPPF12 Conserving and enhancing the historic environment

Case Assessment

18. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning 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 & Heritage

- 19. Key policies and NPPF paragraphs JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
- 20. The property is locally listed, sits within a conservation area and has significant historic and social value due to its connection to the Jewish community of Norwich.

As such, it is considered important to retain as many architectural features as possible and especially to ensure that the front elevation is still interpreted as a public building and specifically as a synagogue. Following negotiations with officers, the applicant has submitted revised drawings which are considered to achieve an appropriate design and still provide sufficient internal space.

- 21. The front elevation is of particular importance. At present, there is a grand but unused entrance on the red brick building, and the entrance which is in use is less grand and is situated between the red and the white brick parts of the building. The more elaborate unused entrance is viewable from Earlham Road and is formed of two heavy wooden doors adorned with stone work, railings and a number of Jewish symbols including a Star of David and a Menorah. The entrance which is in use is less easily viewed from Earlham Road and has some Hebrew script above the door and a large metal Star of David mounted to the left of the entrance. At present, the whole façade is attractive but a little confusing.
- 22. The primary aim of the proposals is to create more internal space but officer negotiations have led to revised plans which also achieve a neatening of the front elevation and retention of some important architectural features. The unused entrance will be removed and an extension in its place will display the large Star of David framed by render and the old stone work. The railings from the old entrance will be re-sited above the new entrance doors will be in a more obvious place. The reuse of original architectural features which help passers-by to easily interpret the building as a synagogue is considered to be an appropriate approach.
- 23. All of the extensions, being single storey and modest in scale, appear subservient to the main building. The materials will need to be chosen carefully to ensure the extensions enhance the appearance of the rest of this locally listed building, the site and the surrounding conservation area. A condition is proposed to agree materials.

Main issue 2: Residential amenity

- 24. Key policies and NPPF paragraphs DM2, DM11, NPPF paragraphs 9 and 17.
- 25. The majority of the extensions will have no bearing on the amenity of neighbouring occupiers. The rear extension to the red brick building, however, sits at a distance of 1m from the boundary of the dwelling at 5 Earlham Road, which is on lower ground. Following negotiations, the revised plans show a sloped roof with the height of the eaves reduced to 2.5m. It is not considered that there will be any significant impact to the occupiers in terms of loss of light or outlook. No windows are proposed on this elevation so there is not expected to be any impact on privacy.

Equalities and diversity issues

26. There are no significant equality or diversity issues.

Local finance considerations

27. 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.

- 28. 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.
- 29. In this case local finance considerations are not considered to be material to the case.

Conclusion

30. Following negotiations and amendments to the scheme, the development is considered to be 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. 16/01943/F and grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans;
- 3. Materials to be agreed.

Contractors Must Check All Dimensions On Site. Only Figured Dimensions Are To Be Worked From. Discrepancies Must Be Reported To Hyde & Associates Before Proceeding. This Drawing is Copyright. The Contractor is To Provide Samples Of All Materials And Finishes Indicated On This Drawing Prior To Ordering. Failure To Do So Is Deemed At The Contractors



As Existing And As Proposed scale 1:50 &1:1250

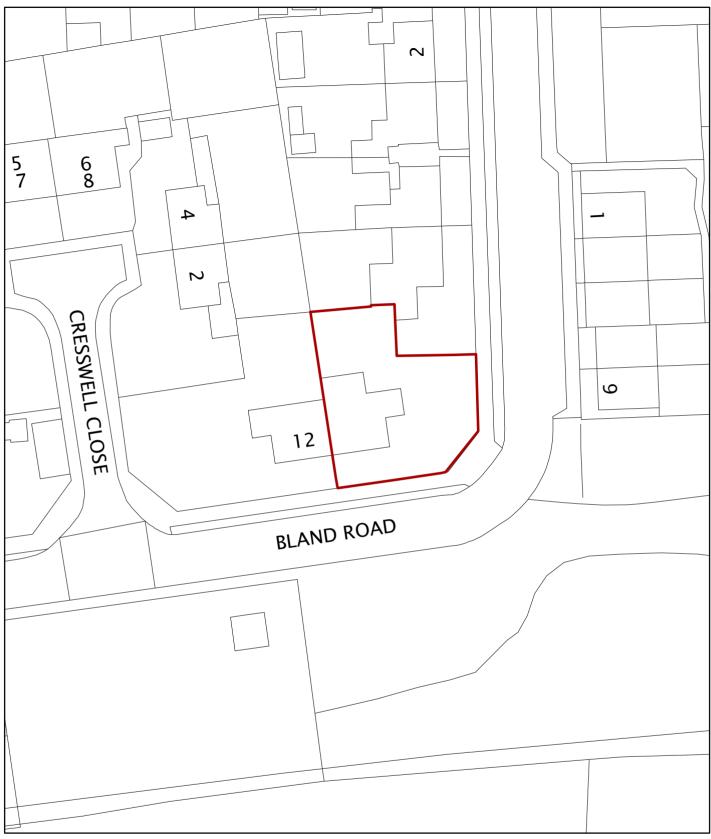
plan no. 0599 Rev 0

Report to	Planning applications committee	
	11 May 2017	
Report of	Head of planning services	<i>. . .</i>
Subject	Application no 17/00158/F - 10 Bland Road, Norwich, NR5 8SA	4(b)
Reason for referral	Called in by an elected member of the council	

Ward:	Bowthorpe
Case officer	Charlotte Hounsell - charlottehounsell@norwich.gov.uk

Development proposal				
Single storey side extension.				
Representations				
Object Comment Support				
0	1	0		

Main issues	Key considerations	
1	Impact on the character and appearance of the subject property and surrounding area	
2	Impact on the neighbouring properties	
Expiry date	date 23 March 2017	
Recommendation	Refuse	



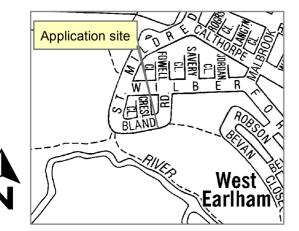
Page 26 of 112

© Crown Copyright and database right 2017. Ordnance Survey 100019747. Planning Application No 17/00158/F Site Address 10 Bland Road

Scale

1:500





The site and surroundings

1. The subject property is located on the South side of Bland Road, west of the city centre. The property is located on a prominent open corner plot with a large side garden and looks out onto the Yare Valley. There is also a small area of garden to the rear of the property. The ground slopes away towards the south so that No. 8 Bland Road is located at a higher ground level than No.10. The properties within the surrounding area are generally well ordered in terms of their layout. The property is a semi-detached 1950s dwelling constructed of red brick and concrete roof tiles to match the dwellings in the immediate area.

Constraints

- 2. The southern edge of the site falls within Floodzone 2.
- 3. The application site faces onto the area of open space designated as the Yare Valley Character area.

Relevant planning history

4.

Ref	Proposal	Decision	Date
14/01872/O	Outline planning permission for erection of additional dwelling in side garden.	REF	27/02/2015

The proposal

- 5. The proposal is for a single storey side extension to provide a dining/games room and two bedrooms. The provision of these extra rooms is to provide necessary accommodation for the applicant's family.
- 6. The proposed extension would be 9.55m x 9.13m, 2.70m at the eaves and 4.40m at its maximum height. The proposal would be constructed of materials to match the existing dwelling.
- 7. The extension would be located within the large side garden of the property and would occupy space within the current open corner of Bland Road.
- 8. Discussions have taken place with the applicants and have identified potential alternative schemes. However, the applicants have chosen to continue with the current proposal.

Representations

9. Adjacent and neighbouring properties have been notified in writing. One representation has been received and comments from Cllr Sands citing the issues as summarised below. All representations are available to view in full at

<u>http://planning.norwich.gov.uk/online-applications/</u> by entering the application number.

Issues raised	Response
The Norwich Society - This is suspiciously like an HMO and there is no indication of room use.	The applicant has submitted updated floor plans indicating the proposed room uses. The application is for an extension to a residential property only and the applicant has advised that this is to accommodate additional space for their family.

10. **Comments from Clir Sands:** In principal I see no problem with this side single storey extension designed to meet the needs of a 'large' family. In a drive around the area I can show several near identical side extensions that have been approved in the past and in place for a number of years, several at least. The extension does not project beyond the front of the house, nor is it out of alignment with the next property around the corner. The location is at the far end of a road system, there is no prospect of blocking views of 'traffic' at the corner. The only traffic being local traffic which is minimal given the small number of homes in the area.

Consultation responses

11. No consultations have been undertaken.

Assessment of planning considerations

Relevant development plan policies

- 12. 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
- 13. 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

Other material considerations

- 14. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):
 - NPPF0 Achieving sustainable development
 - NPPF7 Requiring good design
 - NPPF8 Promoting healthy communities
 - NPPF10 Meeting the challenge of climate change, flooding and coastal change

Case Assessment

15. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning 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: Design

- 16. Key policies and NPPF paragraphs JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
- 17. The proposed extension would be of a significant scale in order to provide the required internal living accommodation. At present, the property has a large side garden which results in an open corner plot. The construction of this extension would result in the erosion of this open space.
- 18. Due to its scale and height, the extension is considered to dominate the existing dwelling. When viewed from the street, the extension itself would be of a greater width than the existing dwelling and would result in a large increase in the built form on the plot.
- 19. Therefore, the proposed extension would represent a disproportionately large addition to the dwelling that would be incongruous with the pattern of surrounding development. The proposal is considered to be detrimental to the character of the dwelling and surrounding area and therefore contrary to policy DM3 from the Local Plan.
- 20. Regarding the nearby extensions referred to by Cllr Sands, Members should be aware of permission reference 16/00558/F at no. 14 Bland Road. This proposal was for a very similar extension which was also recommended for refusal by officers for similar reasons to those highlighted above. However in that instance the application was approved at planning committee as members felt the applicant's personal circumstances, which involved the care of an elderly family member, outweighed the officer's concerns regarding the design.
- 21. Officers are not aware of any other examples where permission has been granted for the particular type of extension proposed with this application. It is considered that the requirement for additional space and personal circumstances of the applicant does not outweigh the harm that would be caused to the appearance of the dwelling and the surrounding area.
- 22. It has been suggested to the applicant that there are potential alternative designs such as combining smaller side and rear extensions, or a two storey side extension of a reduced width, which would be more acceptable and would have a lesser impact on the dwelling and surrounding area. The applicant has chosen not pursue these options.

Main issue 2: Amenity

- 23. Key policies and NPPF paragraphs DM2, NPPF paragraphs 9 and 17
- 24. The proposal would be likely to improve the amenity of the occupiers by providing them with improved and additional living accommodation.
- 25. The proposal, due to its location and the slope of the ground, is not considered to be detrimental to the amenity of neighbouring properties.

Other matters

26. The Southern edge of the plot falls within Floodzone 2. However, no part of the proposed extension would fall within this zone and therefore the proposal is not considered to significantly increase the vulnerability of the site.

Equalities and diversity issues

27. There are no significant equality or diversity issues.

Local finance considerations

- 28. 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.
- 29. 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.
- 30. In this case local finance considerations are not considered to be material to the case.

Conclusion

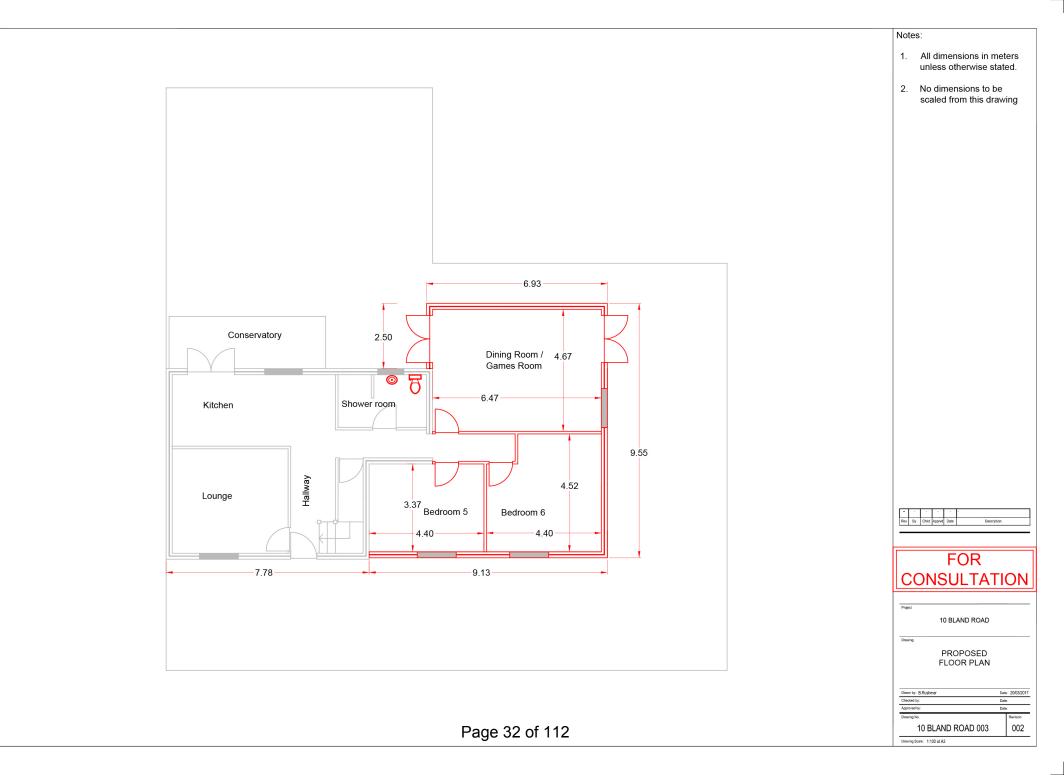
31. Due to the concerns regarding the impact of the proposed design, as identified in the reason for refusal below the development is not considered to be acceptable and is recommended for refusal.

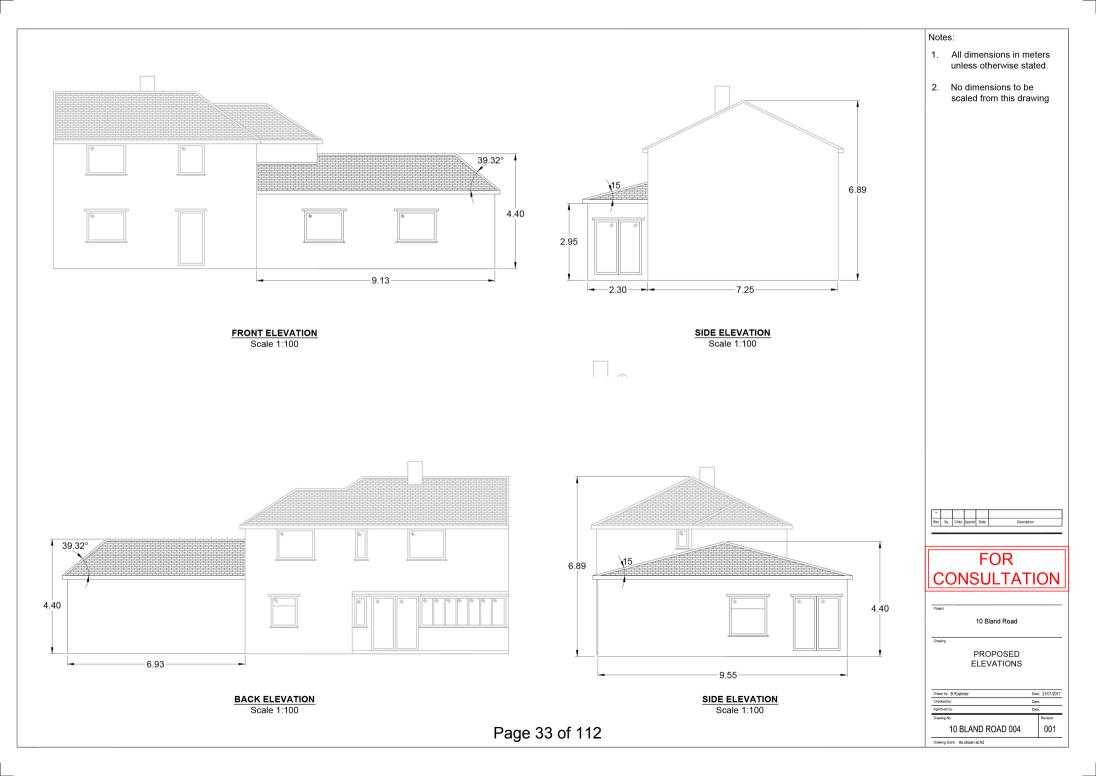
Recommendation

To refuse application no. 17/00158/F - 10 Bland Road Norwich NR5 8SA for the following reason:

1. The proposed extension would result in disproportionately large addition to the property that would dominate the existing dwelling and cause harm to the character of the property and street scene. The development would be incongruous with the pattern of surrounding development and would therefore be contrary to policy DM3 of the Development Management Policies Local Plan (adopted 2014).

The local planning authority in making its recommendation has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations. The proposal in question is not considered to be acceptable for the reasons outlined above. The local planning authority have advised the applicant of alternatives that may be acceptable.



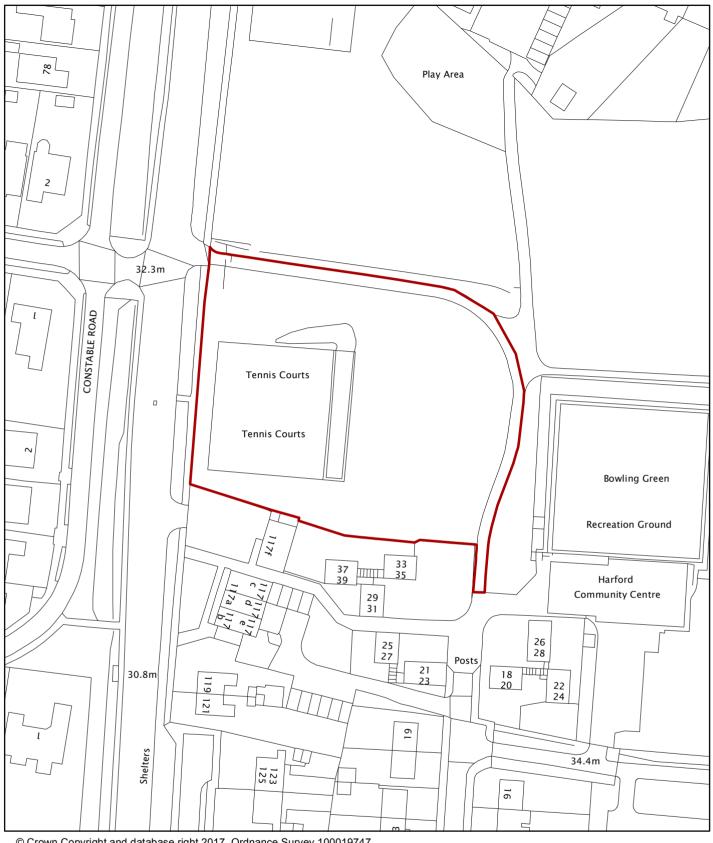


Report to	Planning applications committee	ltem
	11 May 2017	
Report of	Head of planning services	
Subject	Application no 17/00504/NF3 - Floodlit Games Area Harford Park, Ipswich Road, Norwich	4(c)
Reason for referral	Objection / City council application or site	

Ward:	Lakenham	
Case officer	Lee Cook - leecook@norwich.gov.uk	

Development proposal				
Provision of floodlighting and installation of new gate and repairs to existing				
tennis courts.				
Representations				
Object	Comment	Support		
2	0	0		

Main issues	Key considerations
1 Principle	Use of site for recreational use
2 Design and Landscaping	Scale; landscape setting
3 Trees	Tree protection and retention
4 Amenity	Light impacts; noise
5 Biodiversity	Habitat; protected species
Expiry date	17 May 2017
Recommendation	Approve



 $\ensuremath{\mathbb{C}}$ Crown Copyright and database right 2017. Ordnance Survey 100019747. **Planning Application No** 17/00504/NF3 Site Address Harford Park

Scale

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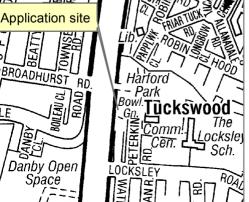


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The site and surroundings

1. Harford Park is located to the south of the City centre with the tennis site adjacent to Ipswich Road on its east side. This part of the park consists of a block of two hard courts of about 0.125 ha in area, including a 5m-wide bank formed of amenity grassland on the eastern edge of the site. The courts are surrounded by amenity grassland to the north and east which includes scattered mature trees. A line of trees runs along Ipswich Road. To the immediate south is a car parking area which serves local shops and residences. Further residential properties are located on the west side of Ipswich Road. The park is owned and managed by the Council and includes play and sports facilities provided as a local community park.

Constraints

2. Along with adjacent school fields off Locksley Road the site is designated as open space (Policy DM8).

Relevant planning history

3. The park is believed to have opened in the 1950's. There are no recent applications relating to this part of the site.

The proposal

- 4. The Harford Park scheme involves provision of floodlighting and works including installation of new gate, service access, feeder pillar and repairs to existing tennis courts.
- 5. The scheme is part of an expansion of the Norwich Parks Tennis delivery model. This is aimed at providing tennis and coaching in an affordable, inclusive and financially sustainable way. Such an operation exists at Eaton Park and seeks a means to provide good quality and affordable tennis facilities, including monitoring, in association with a third party provider.

Proposal	Key facts
Scale	
Total floorspace	Existing hard surface court area
Max. dimensions	Existing fencing approximately 2.75m high. Lighting columns 6.7m high plus metal halide lights
Appearance	
Materials	Adapted fencing and new gates to match existing. Galvanised lighting columns. 9 columns 10 lamps
Operation	
Opening hours	Hours of use are described as 08:00 to 22:00 hours

Summary information

Proposal	Key facts	
	throughout the week	
Ancillary plant and equipment	Electrical feeder pillar on south side of site approximately 1180mm high, 1527mm wide and 300mm deep.	
Transport matters		
Vehicular access	Maintenance access via the car park to the south	
No of car parking spaces	No new provision – existing car park to south	
No of cycle parking spaces	No new provision – see report for discussion	
Servicing arrangements	Via the car park to the south. Existing bins etc. located on the park	

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at http://planning.norwich.gov.uk/online-applications/ by entering the application number.

Issues raised	Response
Questioned content of Harford Park Tennis Website	Noted - not considered to be a relevant planning matter in this instance.
Noted content of Fit Fields in Trust website (formerly the National Playing Fields Association) which references Harford Park as a field they have listed as protected	Not considered to be a relevant planning matter in this instance.
The system operated by Norwich Parks Tennis means that only those who have a smart phone, and a computer can access the booking scheme. This will exclude many people, especially the less well off and the elderly among whom many (my husband and I are 70), there are many players who still delight in the game. This is essentially rewarding privilege and denying many in an undemocratic manner	Review of booking facilities could be undertaken by the applicant to ensure wider community access. Not considered to be a relevant planning matter in this instance.
The application submissions are incomplete in terms of information or lacking in terms of necessary information and are not in line with similar application submissions.	The application has gone through validation review and submissions include information as requested within the Councils validation checklist and are considered to be sufficient to make an informed planning decision.

Issues raised	Response
Permission should be in line with statutory policy objectives	Relevant policies listed in the report below
Questions business model, cost benefit and clarity of submitted figures. Query evidence of flood lights enhancing/increasing tennis use and use in winter; cost of usage of lights; business plan; applicant appears to know it has a weak case; transparency of the accounts should be availed.	Norwich parks tennis is a means to provide good quality and affordable tennis facilities, including monitoring, in association with a third party provider. Whilst this has been questioned in local representations the detail of the financial model for provision is not considered to be a relevant planning matter in this instance.
Booking arrangements are not accessible unless you are a member which limits community access to use the sites.	Review of booking facilities could be undertaken by the applicant to ensure wider community access. Not considered to be a relevant planning matter in this instance.
Costings have not yet been carried out for all of the works so financial benefits cannot be known – applications should be deferred for all information to be made available to members.	Not considered to be a relevant planning matter in this instance.
Coaching scheme is lacking in available access and types of coaching	Not considered to be a relevant planning matter in this instance.
Query where/how asset management will be involved in terms of maintenance and running facilities	Not considered to be a relevant planning matter in this instance.
Planning policies are not readily available to allow assessment of proposal	Planning policies are published on the councils website and relevant policies listed in the report below
Should be looking for less lights not more to protect environment and reduce light pollution and energy use which are global issues	Paragraph 41 This does not form part of the submitted application
Council should consider schemes without floodlights. Promotion of single applications and separate assessment should not occur. Requests deferral to consider issue of lighting per se.	The sites are in various locations across Norwich. Each case is considered on its merits.
Questions extent of consultation and ability for local residents to comment. Requests Council to undertake wider consultation on initiatives	Consultation including letters to adjacent properties, press and site notices has been undertaken in accord with protocol
Community could adjust to playing in daylight hours and inclement weather rather than rely on new floodlit facilities – this has eco/carbon neutral benefits	Noted

Consultation responses

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

Environmental protection

8. Have reviewed this application and have no comments. Further discussion – confirm light pollution can be considered a statutory nuisance under the Environmental Protection Act (as amended by the legislation quoted below), however the lighting assessment has considered the properties in the vicinity and shows there to be no luminance of the vertical plane at nearby addresses.

Highways (local)

9. No objection on highway/transportation grounds.

Landscape

10. Generally acceptable. It would be useful to condition the appearance of the lighting units and columns. Provision of a few cycle stands would help reduce the number of car trips which the facility will inevitably generate. Cycle parking could also benefit the nearby shops.

Sport England

- 11. The proposals are all part of a Norwich City Council initiative 'Norwich Parks Tennis' which is seeking to improve public access to pay and play/free to use tennis courts in the city's main parks.
- 12. The Greater Norwich Playing Pitch Strategy (2015) identified a need to improve public access to and availability of tennis courts in the city's main parks, and these improvements, including the installation of floodlights, will not only improve the quality of the public tennis courts within Norwich but also make them available to use all year round.
- 13. Sport England can confirm that the Lawn Tennis Association (LTA) is fully supportive of this initiative.
- 14. Sport England considers that these application are consistent with our following policy objectives: Planning Policy Objective 2: enhance the quality, accessibility and management of existing facilities Planning Policy Objective 3: provide new facilities to meet existing and future demand. This being the case, Sport England offers its support to this application which will bring significant improvements to the stock of public tennis courts within Norwich and will meet an identified need as set out in the GNDP Playing Pitch Strategy (2015), as well as being a very high priority for the LTA in the East of England.
- 15. The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England or any National Governing Body of Sport to support any related funding application. If planning consent is granted, Sport England recommends that the following conditions are

imposed: 1. Hours of use condition to cover the courts now benefitting from floodlighting.

City Council Sport & Leisure Development Manager

16. The proposal which includes the provision of floodlighting and repairs to the existing tennis courts on Harford Park is a key element of the Norwich Parks Tennis expansion project which aims to deliver tennis provision on a sustainable basis for the future. The project which has the support of The Lawn Tennis Association and Sport England will improve the quality of provision and will considerably extend the availability of court time which will help to meet existing and future demand for the sport.

Tree protection officer

17. Has reviewed this application, and, as long as the recommendations contained within the Arboricultural Impact Assessment are fully implemented has no objections to the proposal.

Assessment of planning considerations

Relevant development plan policies

- 18. 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
 - JCS6 Access and transportation
 - JCS7 Supporting communities
 - JCS8 Culture, leisure and entertainment
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM8 Planning effectively for open space and recreation
- DM22 Planning for and safeguarding community facilities
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

- 20. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):
 - NPPF0 Achieving sustainable development

- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- 21. Supplementary Planning Documents (SPD)
 - Landscape and trees SPD adopted June 2016

Case Assessment

22. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning 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

- 23. Key policies and NPPF paragraphs JCS1, JCS2, DM1, 2, 6, 7, 8 and 9 NPPF 0, NPPF 8. NPPF paragraphs 7, 9, 14, 17, 56, 109 and 118
- 24. There are various main policies within the DM Plan relevant to this site. Policy DM1 promotes the economic, environmental and social dimensions of sustainability including promoting mixed, diverse, inclusive and equitable communities, by increasing opportunities for social interaction, community cohesion, cultural participation and lifelong learning. Policy DM8 seeks to prevent the loss of open space or adverse impacts on such spaces and policy DM6 and DM7 seeks to limit impacts in terms of the natural environment, whilst policy DM2 has regard to impacts on amenity.
- 25. The policies are generally permissive of recreational and sports development in the park, providing that they can demonstrate that they will not detract from its character, space provision and biodiversity interest or have an adverse impact in terms of amenity. Harford Park is defined in the DM Plan as a designated Open Space. Overall the proposed development will still keep the site for recreational use and; therefore, there is no policy objection in principle.

Main issue 2: Design and Landscaping

- 26. Key policies and NPPF paragraphs JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
- 27. The development makes use of existing hard surface facilities and enclosures. Changes to the fence arrangement and external landscape areas are minimal and involve the insertion of new access control and maintenance gate. Leading to the gate would be a new grass mat access route. An electrical feeder pillar would be located on the south side of the site close to the court entrance. With the exception of the inclusion of a small section of reinforced grass for access there are no

significant changes to the landscape setting of the area. The principal change in visual terms is the introduction of floodlighting. These changes have very limited visual or operational impact within the area.

28. The design of the new courts is such to meet modern standards in order to attract users and to be of a form which will be more likely to attract financial support for its use. Accessible, well-lit and secure hard courts should attract players from across the City, have more use all year round, thereby generating income to maintain the courts and ensuring the use of the park throughout the year. Floodlighting will also allow the courts to be used in the early evening, again promoting activity in the park and making the area more secure.

Main issue 3: Trees

- 29. Key policies and NPPF paragraphs DM7, NPPF paragraphs 109 and 118.
- 30. The scheme is designed to take account of and seeks to retain existing trees around the site. The development sits within the green edges of the park and protection of existing trees thereby retains the significant amenity and ecological value of the landscaping within this area.
- 31. As part of the protection scheme construction exclusion zones are proposed, construction access limited to specific areas only and methods for hand digging of trenches suggested in terms of cable runs and foundations to light columns. Some additional information is required in terms of tree pruning to facilitate light column installation and conditions are suggested in terms of requirement for a site meeting and submission of any required method statements for subsequent tree pruning works. It will also be important to ensure that trees to be retained are protected during construction and conditions are suggested to maintain protection and work practices during construction.

Main issue 4: Amenity

- 32. Key policies and NPPF paragraphs DM2, DM11, NPPF paragraphs 9 and 17.
- 33. The potential impact on neighbouring properties from noise and floodlighting has been considered by the pollution control officer. It is also noted that artificial light pollution can be a statutory nuisance as highlighted in the Clean Neighbourhood and Environment Act 2005. The lighting assessment has considered the properties in the vicinity and shows there to be no luminance of the vertical plane. Also, given that the nearest residents are a minimum of about 21 metres away, there are existing lights within this area, the site lies within an existing park with sports facilities and there are mature trees and hedges surrounding the area proposed for the tennis courts and lighting it is considered that the proposal will have only minimal impact on the amenities of existing residents.
- 34. Lighting specifications and floodlight location details have been submitted with the application. Floodlighting for such activities is normally between 6 and 10 metres high. The scheme proposes a total of 10 lamps on nine 6.7 metre nominal height columns to provide a balance between light provision and visual impact on the area. Light spill assessment indicates that the lighting can be designed to limit excess levels of illumination outside the area of sport activity typical of such facilities.

35. The operation of similar facilities in Norwich has been to configure floodlights so that individual courts can be lit at any one time and lights defaulted to be off and only come on when operated by a coach or a hirer which further limits any impact should all courts not be in use. Final details of lighting are suggested to be covered by planning condition.

Main issue 5: Biodiversity

- 36. Key policies and NPPF paragraphs JCS1, DM6, NPPF paragraph 118.
- 37. The submitted ecology report notes that Danby Wood, a County Wildlife Site (CWS), is some 250 m south west of the tennis courts. This links in with other open space along the river valley. A Roadside Nature Reserve runs along the opposite side of Ipswich Road, designated for a rare fungus that is both a Species of Principal Importance and legally protected.
- 38. The report indicates that the existing hard courts have no biodiversity value, and the biodiversity value of the grass bank to the south of the courts is negligible. The surrounding trees and buildings are considered to have low potential for roosting bats; these are already in areas of high illumination or directly illuminated by existing lights. It is not thought that any features potentially used by nesting birds will be affected by the scheme and the report reasonably concludes that the direct and indirect ecological impacts of this scheme will be negligible.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition. Improved provision of cycle parking within this section of the park has been suggested which could be positioned to serve both the local shops and tennis courts without significant impact on the area. The agent is open to this suggestion and a condition is suggested requiring details of cycle parking to be submitted and agreed.
Car parking provision	DM31	Yes subject to condition. No new parking is proposed but as part of the overall tennis strategy it has been suggested that travel information could be developed to encourage modal shift away from car usage when booking and using the enhanced courts.
Refuse Storage/servicing	DM31	Not applicable – existing facilities are provided
Energy efficiency	JCS 1 & 3	The lighting will have energy usage implications but it is expected that lighting design and control

Requirement	Relevant policy	Compliance
	DM3	will seek to limit energy use in line with other initiatives such as redesigned street lighting with LED and demand responsive lighting as part of carbon reduction policies
Sustainable urban drainage	DM3/5	Hard court is being repaired to match existing surface. There should be no change in terms of surface water impacts

Equalities and diversity issues

40. There are no significant equality or diversity issues. The scheme provides for accessible facilities.

Local finance considerations

- 41. 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.
- 42. 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.
- 43. In this case local finance considerations are not considered to be material to the case.

Conclusion

44. In terms of the principle of development the scheme will provide an essential recreation and outdoor sports facility that will encourage more people to use the Park. Subject to further submission and approval of details in accordance with the planning conditions listed below the proposal represents an acceptable development that will enhance recreational facilities for the city as a whole whilst limiting impacts on the park, local amenity, access, biodiversity interest and landscape features. 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. 17/00504/NF3 - Floodlit Games Area Harford Park Ipswich Road Norwich and grant planning permission subject to the following conditions:

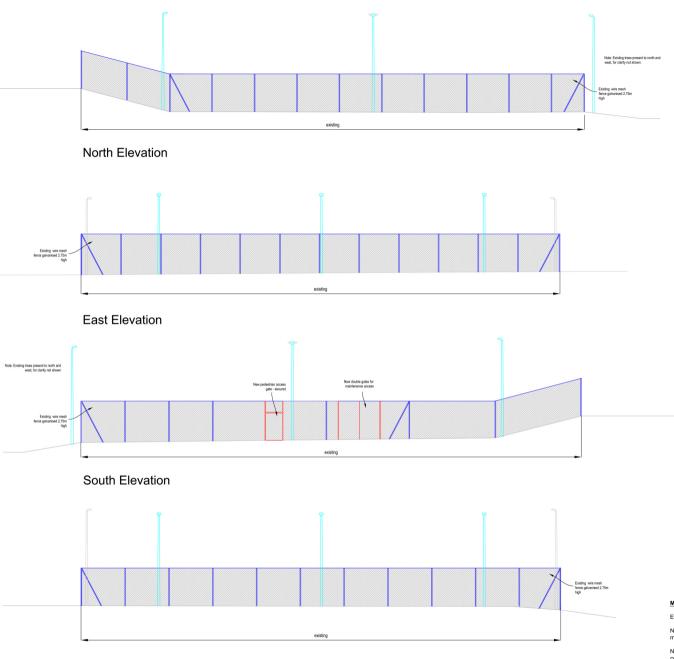
- 1. Standard time limit;
- 2. In accordance with plans;
- 3. Details to be submitted of travel information plan;

- 4. Details of Arboricultural site meeting, Method Statements including no-dig solution and tree pruning works to be agreed and implemented;
- 5. Works in accord with condition 4 outcomes and Arboricultural Implications Assessment, Tree Survey and Tree Protection Plan during construction;
- 6. Retention tree protection and no changes within areas;
- 7. Details of landscaping including hard surfacing materials to paths and access areas, implementation programme, planting schedules and landscape maintenance to be agreed and implemented;
- 8. Details of cycle storage/parking; site lighting; operation of any site lighting to be agreed and implemented;
- 9. No use of lights after 22:00 hours or before 08:00 hours on any day.

Article 35(2) statement

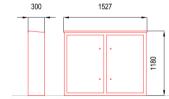
The local planning authority in making its recommendation has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for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





West Elevation

Page 48 of 112



Typical feeder pillar detail Scale 1:25

Materials Schedule:

Existing fencing - 2.75m high wiremesh, galvanised metal

New fencing - adapted fencing and new gates in locations shown, galvanised metal wiremesh to match existing

New floodlighting - 7m high columns with metal halide fittings (see lighting consultants drawing and information pack for additional details)

Other - New area of access path HRA. Maintenance access to have grass grid installed. Replacement bollards timber - to match existing

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Expansion Project

Proposed Eleavations

 Scale(s) 1:100 @ A1

 Charge 2003/17
 DWG, No.

 Charge 2003/17
 LP17/001/P304

 Charles Mp.
 LP17/001/P304

 Charles Mp.
 NEG: No.

 Charles Moncroft
 Executive Head of Services

 Regeneration & Development
 City Hail, Monvich, NR2 1NH

 tel 3044 980 3333
 planning@monvich.gov.uk

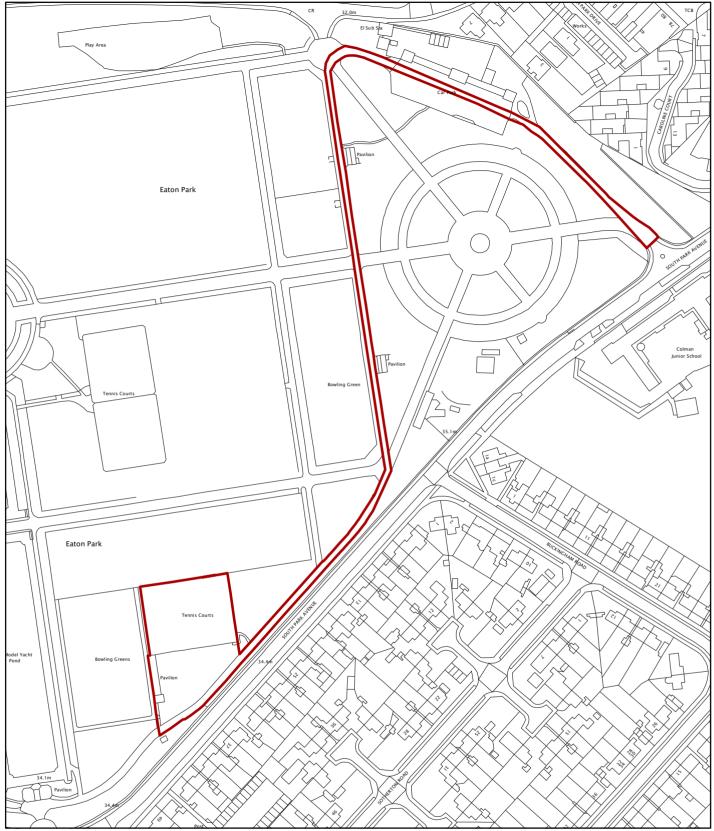


Report to	Planning applications committee	ltem
	11 May 2017	
Report of	Head of planning services	
Subject	Application no 17/00505/NF3 - Eaton Park South Park Avenue, Norwich, NR4 7AU	4(d)
Reason for referral	Objection / City council application or site	

Ward:	Eaton
Case officer	Lee Cook - leecook@norwich.gov.uk

Development proposal			
Provision of floodlighting and installation of new gate to existing tennis courts.			
Representations			
Object Comment Support			
4	0	0	

Main issues	Key considerations
1 Principle	Use of site for recreational use
2 Design and Landscaping	Scale; landscape setting
3 Heritage	Historic park
4 Trees	Tree protection and retention
5 Amenity	Light impacts; noise
6 Biodiversity	Habitat; protected species
Expiry date	16 May 2017
Recommendation	Approve



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Planning Application No
Site Address
Eaton Park

Scale

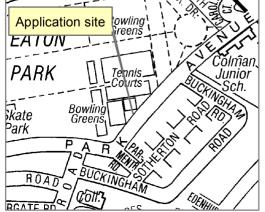
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NORWICH City Council

PLANNING SERVICES





The site and surroundings

- 1. The application site is located within Eaton Park, a designated Historic Park, sited to the north of South Park Avenue. Pedestrian pathways and access points are located around the Park and main vehicle access and parking is located on the east and west side of the central Park area. The nearest residential properties to the south-east on South Park Avenue adjacent to the site are some 31 metres away from the nearest corner of the tennis courts.
- 2. The application site is to the south east of the central pavilion buildings at the Park and is bordered by tree and hedge lined footpaths. At present existing chain link fence enclosures to the tennis courts run close to the edge of footways to this side of the pavilion
- 3. The park is one of five listed Sandys Winch parks and the most important park for recreation out of these. Facilities include tennis courts, a boating lake, crazy golf, and sports pitches. Historically there were a number of lawn tennis courts and further hard surface courts. In more recent years a cycle speedway track and a skateboard park and upgraded Norwich Parks Tennis courts have been provided across the park, continuing the park's importance in terms of providing a sporting and recreational resource for the whole city, not just the local area.

Constraints

4. The site is designated as a historic park (scheduled) (Policy DM9). The area to the north-east around the tennis court area is with a critical drainage area (Policy DM5).

Relevant planning history

5. There are no recent applications relating to this part of the site. Other recent development on the park includes:

Ref	Proposal	Decision	Date
08/00424/NF3	Proposed construction of wheeled (skate park) sports facility with floodlighting.	Approved	15/10/2008
11/00208/NF3	Construction of 4 No. porous Macadam tennis courts with floodlighting and fencing, including associated access path and lighting.	Approved	25/05/2011
13/00631/F	Creation of crazy golf course and putting green on existing crown bowling green.	Approved	26/06/2013

The proposal

6. The Eaton Park scheme involves provision of floodlighting and works including installation of new gate, service access and feeder pillar.

Summary information

Proposal	Key facts	
Scale		
Total floorspace	Existing hard surface court area	
Max. dimensions	Existing fencing approximately 2.75m high. Lighting columns 6.7m high plus metal halide lights.	
Appearance		
Materials	Adapted fencing and new gates to match existing. Galvanised lighting columns. 12 columns 14 lamps	
Operation		
Opening hours	Hours of use are described as 08:00 to 22:00 hours throughout the week	
Ancillary plant and equipment	Electrical feeder pillar on south side of site approximately 1180mm high, 1527mm wide and 300mm deep.	
Transport matters		
Vehicular access	Maintenance access via the car park to the south	
No of car parking spaces	No new provision – existing car park to south	
No of cycle parking spaces	No new provision – see report for discussion	
Servicing arrangements	Via the car park to the south. Existing bins etc. located on the park	

Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at http://planning.norwich.gov.uk/online-applications/ by entering the application number.

Issues raised	Response
The number and height of the floodlights will be obtrusive as they will be only 30 metres from our property. The light pollution could impact negatively on our sleep because of the vertical glare emitted, our property being directly opposite. The artificial light pollution	Paragraph 40 to 42

Issues raised	Response
is a statutory nuisance as highlighted in the Clean Neighbourhood and Environment Act 2005 Section 102	
Light pollution from existing tennis courts, that are flood-lit already cause a just bearable disruption to health and ability to sleep currently. Additional light pollution will greatly affect health and be very detrimental to quality of life. During winter, when there are no leaves on the trees, which shield from the light pollution and the darker longer nights a lack of ability to sleep will be utterly unbearable. Existing floodlighting on numerous occasions have remained on throughout the night, causing much stress.	Paragraph40 to 42
The yew hedge should be retained, information provided on how this could be done/managed	Paragraph 31, 32
The system operated by Norwich Parks Tennis means that only those who have a smart phone and a computer can access the booking scheme. This will exclude many people, especially the less well off and the elderly among whom many (my husband and I are 70), there are many players who still delight in the game. This is essentially rewarding privilege and denying many in an undemocratic manner	Review of booking facilities could be undertaken by the applicant to ensure wider community access. Not considered to be a relevant planning matter in this instance.
The application submissions are incomplete in terms of information or lacking in terms of necessary information and are not in line with similar application submissions.	The application has gone through validation review and submissions include information as requested within the Councils validation checklist and are considered to be sufficient to make an informed planning decision.
Permission should be in line with statutory policy objectives	Relevant policies listed in the report below
Questions business model, cost benefit and clarity of submitted figures. Query evidence of flood lights enhancing/increasing tennis use and use in winter; cost of usage of lights; business plan; applicant appears to know it has a weak case; transparency of the accounts should be availed.	Norwich parks tennis is a means to provide good quality and affordable tennis facilities, including monitoring, in association with a third party provider. Whilst this has been questioned in local representations the detail of the financial model for provision is not considered to be a relevant planning matter in this instance.
Booking arrangements are not accessible unless you are a member which limits community access to use the sites.	Review of booking facilities could be undertaken by the applicant to ensure wider community access. Not considered to be a relevant planning matter in this instance.

Issues raised	Response
Costings have not yet been carried out for all of the works so financial benefits cannot be known – applications should be deferred for all information to be made available to members.	Not considered to be a relevant planning matter in this instance.
Coaching scheme is lacking in available access and types of coaching	Not considered to be a relevant planning matter in this instance.
Query where/how asset management will be involved in terms of maintenance and running facilities	Not considered to be a relevant planning matter in this instance.
Planning policies are not readily available to allow assessment of proposal	Planning policies are published on the councils website and relevant policies listed in the report below
Should be looking for less lights not more to protect environment and reduce light pollution and energy use which are global issues	Paragraph 46 This does not form part of the submitted application
Council should consider schemes without floodlights. Promotion of single applications and separate assessment should not occur. Requests deferral to consider issue of lighting per se.	The sites are in various locations across Norwich. Each case is considered on its merits.
Questions extent of consultation and ability for local residents to comment. Requests Council to undertake wider consultation on initiatives	Consultation including letters to adjacent properties, press and site notices has been undertaken in accord with protocol
Community could adjust to playing in daylight hours and inclement weather rather than rely on new floodlit facilities – this has eco/carbon neutral benefits	Noted

Consultation responses

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

Design and conservation

- 9. Provision of floodlighting; the installation of floodlighting will enable the expanded use of the tennis facilities within Eaton Park. This is of public benefit and assists in the continued optimal beneficial use of the park.
- 10. There is likely to be a detrimental impact upon the aesthetic of the park, primarily in the long views across the park when walking south past the bowling green or south from the pavilion past the lilly pond and model yacht pond. There is precedent for the installation of floodlighting within the park; both applications 11/00208/NF3 & 08/00424/NF3 considered the provision of floodlighting to be a minor impact to the significance and historic interest. The provision of further floodlighting will have a

cumulative effect, but as this proposal is along the boundary of the park where street-lighting is positioned, this impact is negligible.

- 11. Installation of new gate; the installation of new pedestrian and vehicle access gates will allow for the provision of secure and maintained facilities. The works required for this provision include removal of a 6.5m wide section of hedge and the installation of grass grid for vehicle access. These works will be undertaken where a current gate and pathway from the edge of the park boundary exist, so the impact is minimal in that it does not introduce a new walkway/entrance but enlarge/upgrade an existing.
- 12. The works as described above will negatively impact upon the design aesthetic of the park, which is a Grade II* registered park & garden. This negative impact is less than substantial and is outweighed by the positive public benefit of providing updated outdoor sports facilities which also allow for the continued beneficial use of the park within a historically accurate context.
- 13. It is considered that the proposal will cause less than substantial harm to the character and special historic interest of the designated heritage asset. This harm is outweighed by public benefit and allows for its continued beneficial use. In line with Chapter 12 of the NPPF and NCC LPP DM1, 3 & 9 this proposal is considered acceptable.

Environmental protection

14. Have reviewed this application and have no comments. Further discussion – confirm light pollution can be considered a statutory nuisance under the Environmental Protection Act (as amended by the legislation quoted below), however the lighting assessment has considered the properties in the vicinity and shows there to be no luminance of the vertical plane at nearby addresses.

Highways (local)

15. No objection on highway/transportation grounds.

Historic England

16. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Landscape

17. Generally acceptable. It would be useful to condition the appearance of the lighting units and columns. Provision of a few cycle stands would help reduce the number of car trips which the facility will inevitably generate. Cycle parking could also benefit the nearby shops.

Sport England

18. Has not commented specifically in relation to this application but has considered proposals which are part of a Norwich City Council initiative 'Norwich Parks Tennis' which is seeking to improve public access to pay and play/free to use tennis courts in the city's main parks.

19. Sport England considers that these application are consistent with our following policy objectives: Planning Policy Objective 2: enhance the quality, accessibility and management of existing facilities Planning Policy Objective 3: provide new facilities to meet existing and future demand. This being the case, Sport England offers its support to this application which will bring significant improvements to the stock of public tennis courts within Norwich and will meet an identified need as set out in the GNDP Playing Pitch Strategy (2015), as well as being a very high priority for the LTA in the East of England.

City Council Sport & leisure development manager

20. The proposal which includes the provision of floodlighting on Eaton Park is a key element of the Norwich Parks Tennis expansion project which aims to deliver tennis provision on a sustainable basis for the future. The project which has the support of The Lawn Tennis Association and Sport England will considerably extend the availability of court time which will help to meet existing and future demand for the sport.

Tree protection officer

21. Has reviewed this application and has no objections to the proposal.

Assessment of planning considerations

Relevant development plan policies

- 22. 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
 - JCS6 Access and transportation
 - JCS7 Supporting communities
 - JCS8 Culture, leisure and entertainment
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM8 Planning effectively for open space and recreation
- DM9 Safeguarding Norwich's heritage
- DM22 Planning for and safeguarding community facilities
- DM28 Encouraging sustainable travel
- DM31 Car parking and servicing

Other material considerations

24. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

25. Supplementary Planning Documents (SPD)

• Landscape and trees SPD adopted June 2016

Case Assessment

26. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning 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

- 27. Key policies and NPPF paragraphs JCS1, JCS2, DM1, 2, 6, 7, 8 and 9 NPPF 0, NPPF 8. NPPF paragraphs 7, 9, 14, 17, 56, 109, 118 and 126
- 28. There are various main policies within the DM Plan relevant to this site. Policy DM1 promotes the economic, environmental and social dimensions of sustainability including promoting mixed, diverse, inclusive and equitable communities, by increasing opportunities for social interaction, community cohesion, cultural participation and lifelong learning. Policy DM9 seeks to protect the character and historic form of locally identified heritage assets including unscheduled the historic parks from any development that would adversely affect their character. Development resulting in harm or loss will only be permitted where there are demonstrable and overriding benefits from development or where it is demonstrated there is no viable means of retaining the asset within development. Policy DM8 seeks to prevent the loss of open space or adverse impacts on such spaces and policy DM6 and DM7 seeks to limit impacts in terms of the natural environment, whilst policy DM2 has regard to impacts on amenity.
- 29. The policies are generally permissive of recreational and sports development in the park, providing that they can demonstrate that they will not detract from its historic character, setting, space provision and biodiversity interest or have an adverse impact in terms of amenity. Overall the proposed development will still keep the site for suitable recreational use and; therefore, there is no policy objection in principle...

Main issue 2: Design and Landscaping

- 30. Key policies and NPPF paragraphs JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
- 31. The development makes use of existing hard surface facilities and enclosures. Changes to the fence arrangement and external landscape areas are minimal and involve the insertion of new access control and maintenance gate. Leading to the gate would be a new grass mat access route. An electrical feeder pillar would be located on the south side of the site close to the court entrance. With the exception of the inclusion of a small section of reinforced grass for access and part removal of the yew hedge to the south to positioning of a larger feeder pillar there are no significant changes to the landscape setting of the area. The principal change in visual terms is the introduction of floodlighting. These changes have very limited visual or operational impact within the area.
- 32. The design of the new courts is such to meet modern standards in order to attract users and to be of a form which will be more likely to attract financial support for its use. Accessible, well-lit and secure hard courts should attract players from across the City, have more use all year round, thereby generating income to maintain the courts and ensuring the use of the park throughout the year. Floodlighting will also allow the courts to be used in the early evening, again promoting activity in the park and making the area more secure.

Main issue 3: Heritage

- 33. Key policies and NPPF paragraphs DM9, NPPF paragraphs 128-141.
- 34. The park was originally designed principally to provide facilities for outside recreation in the city with only a small area given to aesthetic landscaping. The park was divided up into 'sectors' of activity, with different sports occupying different areas. The plan of the park was arranged to create the central axis and pavilion, but was also planned around providing the required spaces for activities to maximise the use of the space. The park and its landscaping was based around the space needs for each recreational activity with the space requirements for the types of sports introduced contributing to the landscape design of the park. The overall landscape design dictated where the various activities would be located within the plan. This proposal lies within the existing 'tennis sector' which appears to have been clearly designed around the standard sizes of courts at the time. This proposal is maintaining the historic recreational use of this part of the park, albeit in a modernised form adopting new space standards.
- 35. Some degree of change to both the existing historic landscape of the Park and the setting of the pavilions is unavoidable. However, the location of the courts; away to the south-east of the pavilions, and the presence of existing landscaping in this area means that the changes main impact will be on views within the Park in the very localised area where they are positioned. As with other existing floodlit recreational uses this "new" change will in turn mean that this part of the Park will form its own character, which will add further to the character of the Park as a 'recreational resource' rather than detracting from it. The proposals respect the historic use and character of the Park and are merely updating the facilities so that it can continue to function as one of Norwich's recreational spaces. It is considered that the most significant part of the character of the Park is formed by its

recreational use around which the Park was designed, not the aesthetic appearance of the Park itself. This proposal in design and appearance will be similar to existing courts elsewhere.

36. The main impact will be from the lighting but these design elements seek to limit any potential visual impacts by way of numbers, position, materials and height. Therefore the degree of harm in this instance is considered to be less than substantial when considering the preservation of the significance of the heritage asset. Any harm is considered in this instance to be outweighed by the public benefits arising from improved recreational facilities and enhanced use of the site.

Main issue 4: Trees

- 37. Key policies and NPPF paragraphs DM7, NPPF paragraphs 109 and 118.
- 38. No trees are affected by the proposal. Areas for the storage of materials, machinery, excavations, the locations of any site huts, contractor parking and space for machinery storage are suggested within the submitted report as being required to be identified and agreed prior to work starting and should be located away from any trees within the Park. A condition is suggested in terms of requirement for a site meeting and submission of any required site plans and statements for subsequent location of works buildings etc.

Main issue 5: Amenity

- 39. Key policies and NPPF paragraphs DM2, DM11, NPPF paragraphs 9 and 17.
- 40. The potential impact on neighbouring properties from noise and floodlighting has been considered by the pollution control officer. It is also noted that artificial light pollution can be a statutory nuisance as highlighted in the Clean Neighbourhood and Environment Act 2005. The lighting assessment has considered the properties in the vicinity shows there to be no luminance of the vertical plane. Also, given that the nearest residents are a minimum of about 35 metres away, there are existing lights within this area, the site lies within an existing park with sports facilities and there are mature trees and hedges surrounding the area proposed for the tennis courts and lighting it is considered that the proposal will have only minimal impact on the amenities of existing residents.
- 41. Lighting specifications and floodlight location details have been submitted with the application. Floodlighting for such activities is normally between 6 and 10 metres high. The scheme proposes a total of 14 lamps on twelve 6.7 metre nominal height columns to provide a balance between light provision and visual impact on the area. Light spill assessment indicates that the lighting can be designed to limit excess levels of illumination outside the area of sport activity typical of such facilities.
- 42. The operation of similar facilities in Norwich has been to configure floodlights so that individual courts can be lit at any one time and lights defaulted to be off and only come on when operated by a coach or a hirer which further limits any impact should all courts not be in use. Final details of lighting are suggested to be covered by planning condition.

Main issue 6: Biodiversity

43. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.

- 44. The submitted ecology report notes that site is within Eaton Park which is included on the Register of Parks and Gardens of Special Historic Interest and contains mature trees and ornamental planting. Component sites of the Yare Valley are within 150m of the western extremity of the park and links in with other open space along the river valley.
- 45. The report indicates that the existing hard courts of about 0.175ha in area have negligible wildlife value. It is surrounded on two sides by a non-native hedge of about 1m in height. The surrounding trees and buildings are considered to have low potential for roosting bats. The site itself is relatively dark but with areas of higher illumination bounding it, including street lights on South Park Avenue and pedestrian paths alongside paths within Eaton Park itself. It is not thought that any features potentially used by nesting birds will be affected by the scheme and the report reasonably concludes that the direct and indirect ecological impacts of this scheme will be negligible.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition. Improved provision of cycle parking within this section of the park has been suggested which could be positioned to serve the tennis courts without significant impact on the area. The agent is open to this suggestion and a condition is suggested requiring details of cycle parking to be submitted and agreed.
Car parking provision	DM31	Yes subject to condition. No new parking is proposed but as part of the overall tennis strategy it has been suggested that travel information could be developed to encourage modal shift away from car usage when booking and using the enhanced courts.
Refuse Storage/servicing	DM31	Not applicable – existing facilities are provided
Energy efficiency	JCS 1 & 3 DM3	The lighting will have energy usage implications but it is expected that lighting design and control will seek to limit energy use in line with other initiatives such as redesigned street lighting with LED and demand responsive lighting as part of carbon reduction policies
Sustainable urban drainage	DM3/5	Existing hard court is being reused and there is no change in surface. There should be no change in terms of surface water impacts

Equalities and diversity issues

47. There are no significant equality or diversity issues. The scheme provides for accessible facilities.

Local finance considerations

- 48. 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.
- 49. 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.
- 50. In this case local finance considerations are not considered to be material to the case.

Conclusion

51. In terms of the principle of development and the siting of the facility, the scheme will provide an essential recreation and outdoor sports facility that will encourage more people to use the Park. Subject to further submission and approval of details in accordance with the planning conditions listed below the proposal represents an acceptable development that will enhance recreational facilities for the city as a whole whilst limiting impacts on the historic park, local amenity, access, biodiversity interest and landscape features. 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

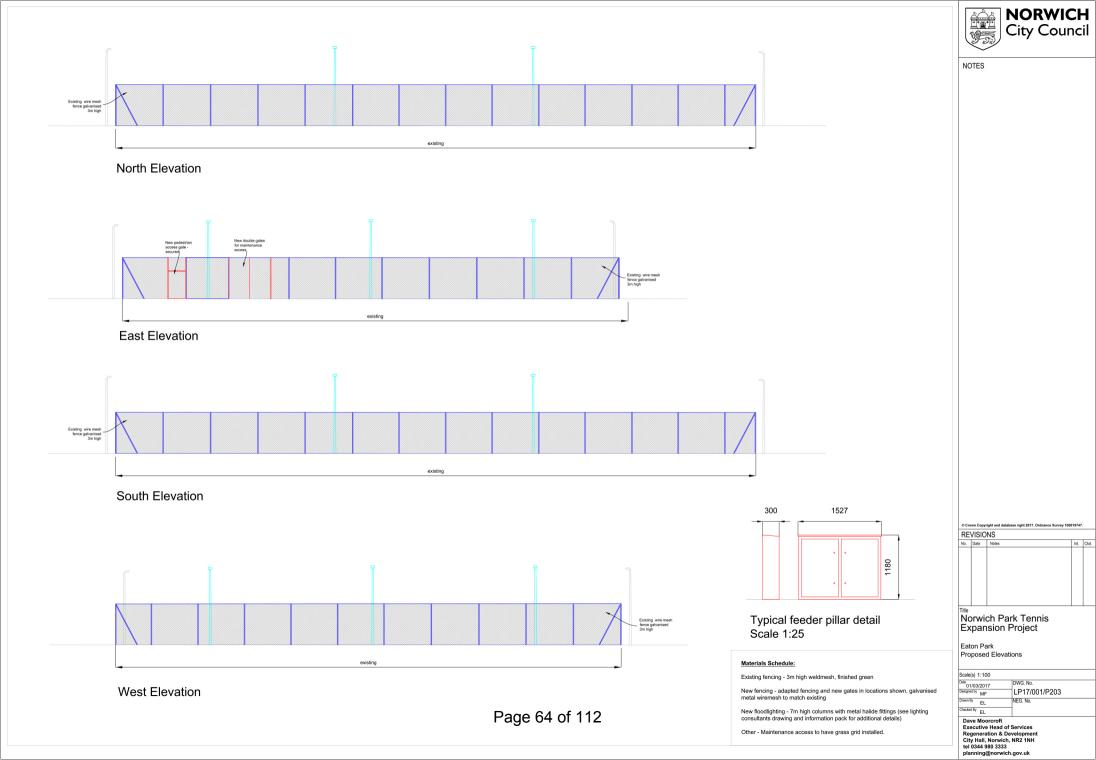
To approve application no. 17/00505/NF3 - Eaton Park, South Park Avenue, Norwich NR4 7AU and grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans;
- 3. Details to be submitted of travel information plan;
- 4. Details of Arboricultural site meeting, Method Statements including site layout for construction works to be agreed and implemented;
- 5. Works in accord with condition 4 outcomes and Arboricultural Implications Assessment, Tree Survey and Tree Protection Plan during construction. Retention and no changes within areas;
- 6. Details of landscaping including hard surfacing materials to paths and access areas, implementation programme, planting schedules and landscape maintenance to be agreed and implemented;
- 7. Details of cycle storage/parking; site lighting; operation of any site lighting to be agreed and implemented;
- 8. No use of lights after 22:00 hours or before 08:00 hours on any day.

Article 35(2) statement

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



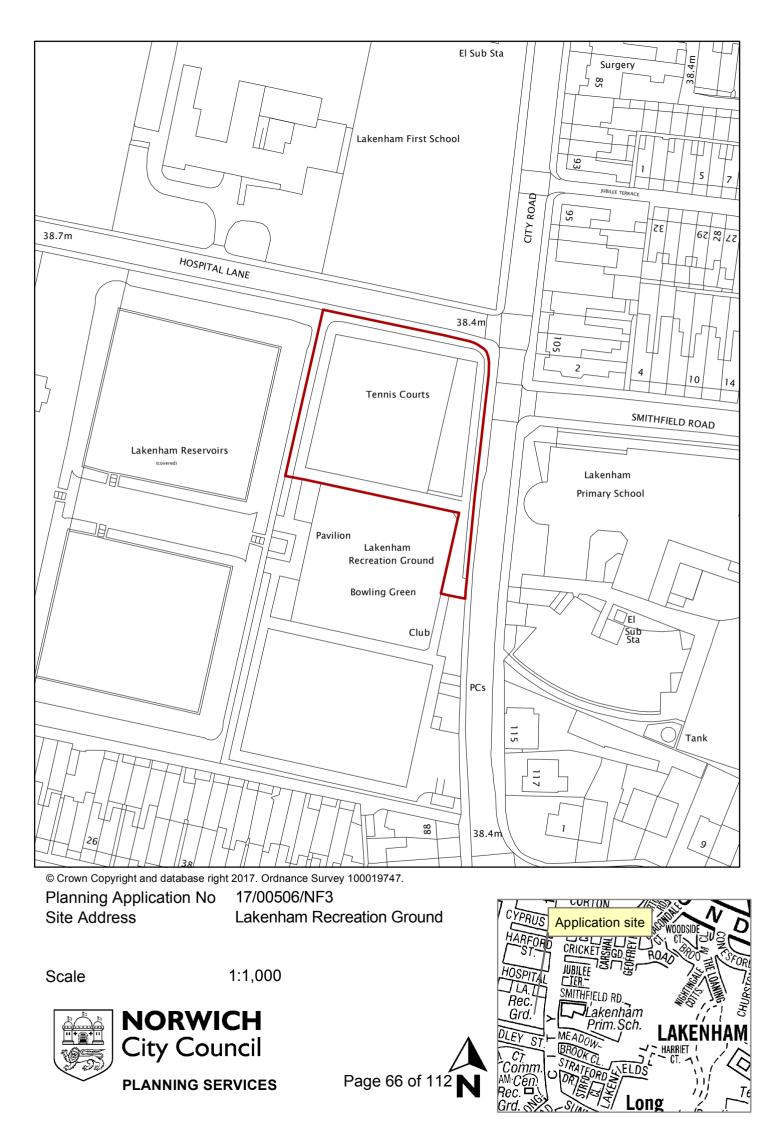


Report to	Planning applications committee	ltem
	11 May 2017	
Report of	Head of planning services	
Subject	Application no 17/00506/NF3 - Tennis Courts Lakenham Recreation Ground City Road Norwich NR1 2HG	4(e)
Reason for referral	Objection / City council application or site	

Ward:	Lakenham
Case officer	Lee Cook - leecook@norwich.gov.uk

Development proposal			
Reconstruction of existing tennis court with associated fencing and provision of floodlighting.			
Representations			
Object	Comment	Support	
2	0	0	

Main issues	Key considerations
1 Principle	Use of site for recreational use
2 Design and Landscaping	Scale; landscape setting
3 Heritage	Historic park
4 Trees	Tree protection and retention
5 Amenity	Light impacts; noise
6 Biodiversity	Habitat; protected species
Expiry date	16 May 2017
Recommendation	Approve



The site and surroundings

- 1. Lakenham recreation ground is located to the south of the City centre on the west side of City Road. This park consists of hard tennis courts and bowls facility of about 0.7 ha in area. Hospital Lane and school building opposite lie to the northern edge of the site and further school facilities are positioned to the east. The courts are surrounded by yew hedging on three sides and sits within the enclosing walls to the policy designated historic park which includes the bowls facilities and the reservoirs to the west. Two trees are on the west side of the tennis courts.
- 2. To the immediate east on City Road are short stay and CPZ parking bays which serve as a potential drop off area and longer term parking. Residential properties are located on the east side of City Road and also further to the north and south. The Park is owned by the Council and managed as bowls and tennis facilities provided for the local community.

Constraints

3. Along with adjacent Lakenham Reservoir off Hall Road the site is designated as a historic park (not scheduled) (Policy DM9).

Relevant planning history

4. The recreation ground is a long standing historic feature within this part of the City. There are no recent applications relating to this part of the site.

The proposal

- 5. The Lakenham recreation ground scheme involves provision of floodlighting and works including installation of new gate, service access, feeder pillar and reconstruction of existing tennis courts.
- 6. The scheme is part of an expansion of the Norwich Parks Tennis delivery model. This is aimed at providing tennis and coaching in an affordable, inclusive and financially sustainable way. Such an operation exists at Eaton Park and seeks a means to provide good quality and affordable tennis facilities, including monitoring, in association with a third party provider.

Proposal	Key facts
Scale	
Total floorspace	Existing hard surface court area
Max. dimensions	Proposed weldmesh fencing approximately 3m high. Lighting columns 6.7m high plus metal halide lights
Appearance	
Materials	Adapted fencing and new gates to match existing. Galvanised lighting columns. 9 columns 10 lamps

Summary information

Proposal	Key facts
Construction	New all-weather surface in porous macadam with Lawn Tennis Association (LTA) recommended markings and green finish
Operation	
Opening hours	Hours of use are described as 08:00 to 22:00 hours throughout the week
Ancillary plant and equipment	Electrical feeder pillar on east side of site within boundary wall approximately 1180mm high, 1527mm wide and 300mm deep.
Transport matters	
Vehicular access	No new provision – existing maintenance access via entrance on City Road
No of car parking spaces	No new provision – existing time limited car parking on City Road
No of cycle parking spaces	No new provision – see report for discussion
Servicing arrangements	Via the entrance on City Road. Existing bins etc. located on the park

Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <u>http://planning.norwich.gov.uk/online-applications/</u> by entering the application number.

Issues raised	Response
the yew hedge should be retained, information provided on how this could be done/managed	Paragraph 28-30, 35
Character and charm of the area will be affected. Proposals are not consistent with conservation, education or ecology	Paragraph 30, 32, 33, 42 and 43
The scheme does not provide for multi- functional use e.g. netball markings which would be of benefit to local schools	This does not form part of the submitted application
How are the public lavatory and club facilities to be brought up to 2018 standards	This does not form part of the submitted application
The system operated by Norwich Parks Tennis means that only those who have a smart phone, and a computer can access the	Review of booking facilities could be undertaken by the applicant to ensure wider community access. Not

Issues raised	Response
booking scheme. This will exclude many people, especially the less well off and the elderly among whom many (my husband and I are 70), there are many players who still delight in the game. This is essentially rewarding privilege and denying many in an undemocratic manner	considered to be a relevant planning matter in this instance.
The Gardens Trust should be consulted	The Trust would not normally be consulted on a non- designated historic park
The application submissions are incomplete in terms of information or lacking in terms of necessary information and are not in line with similar application submissions.	The application has gone through validation review and submissions include information as requested within the Councils validation checklist and are considered to be sufficient to make an informed planning decision.
Permission should be in line with statutory policy objectives	Relevant policies listed in the report below
Questions business model, cost benefit and clarity of submitted figures. Query evidence of flood lights enhancing/increasing tennis use and use in winter; cost of usage of lights; business plan; applicant appears to know it has a weak case; transparency of the accounts should be availed.	Norwich parks tennis is a means to provide good quality and affordable tennis facilities, including monitoring, in association with a third party provider. Whilst this has been questioned in local representations the detail of the financial model for provision is not considered to be a relevant planning matter in this instance.
Booking arrangements are not accessible unless you are a member which limits community access to use the sites.	Review of booking facilities could be undertaken by the applicant to ensure wider community access. Not considered to be a relevant planning matter in this instance.
Costings have not yet been carried out for all of the works so financial benefits cannot be known – applications should be deferred for all information to be made available to members.	Not considered to be a relevant planning matter in this instance.
Coaching scheme is lacking in available	Not considered to be a relevant
access and types of coaching Query where/how asset management will be involved in terms of maintenance and running facilities	planning matter in this instance. Not considered to be a relevant planning matter in this instance.
Planning policies are not readily available to allow assessment of proposal	Planning policies are published on the councils website and relevant policies listed in the report below
Should be looking for less lights not more to protect environment and reduce light pollution and energy use which are global issues	Paragraph 44 This does not form part of the submitted application
Council should consider schemes without	The sites are in various locations across

Issues raised	Response
floodlights. Promotion of single applications and separate assessment should not occur. Requests deferral to consider issue of lighting per se.	Norwich. Each case is considered on its merits.
Questions extent of consultation and ability for local residents to comment. Requests Council to undertake wider consultation on initiatives	Consultation including letters to adjacent properties, press and site notices has been undertaken in accord with protocol
Community could adjust to playing in daylight hours and inclement weather rather than rely on new floodlit facilities – this has eco/carbon neutral benefits	Noted
The fencing proposed is not necessary by which to ensure paid access to the courts and in interfering further with a wider interpretation of Community Amenity . Advantage of "free" entry shouldn't be taken conversely by the community but the attached proposal isn't the answer.	The fencing is proposed as part of the courts overall refurbishment which also includes a new surface. Review of booking facilities could be undertaken by the applicant to ensure wider community access.

Consultation responses

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

Environmental protection

9. Have reviewed this application and have no comments. Further discussion – confirm light pollution can be considered a statutory nuisance under the Environmental Protection Act (as amended by the legislation quoted below), however the lighting assessment has considered the properties in the vicinity and shows there to be no luminance of the vertical plane at nearby addresses.

Sport England

- 10. The proposals are all part of a Norwich City Council initiative 'Norwich Parks Tennis' which is seeking to improve public access to pay and play/free to use tennis courts in the city's main parks.
- 11. The Greater Norwich Playing Pitch Strategy (2015) identified a need to improve public access to and availability of tennis courts in the city's main parks, and these improvements, including the installation of floodlights, will not only improve the quality of the public tennis courts within Norwich but also make them available to use all year round.
- 12. Sport England can confirm the Lawn Tennis Association (LTA) is fully supportive of this initiative.

- 13. Sport England considers that the application is consistent with our following policy objectives: Planning Policy Objective 2: enhance the quality, accessibility and management of existing facilities Planning Policy Objective 3: provide new facilities to meet existing and future demand. This being the case, Sport England offers its support to this application which will bring significant improvements to the stock of public tennis courts within Norwich and will meet an identified need as set out in the GNDP Playing Pitch Strategy (2015), as well as being a very high priority for the LTA in the East of England.
- 14. The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England or any National Governing Body of Sport to support any related funding application. If planning consent is granted, Sport England recommends that the following conditions are imposed: 1. Hours of use condition to cover the courts now benefitting from floodlighting.

City Council Sport & leisure development manager

15. The proposal which includes reconstruction of the existing tennis courts at Lakenham Recreation Ground and provision of floodlighting is a key element of the Norwich Parks Tennis expansion project which aims to deliver tennis provision on a sustainable basis for the future. The project which has the support of The Lawn Tennis Association and Sport England will improve the quality of provision and will considerably extend the availability of court time which will help to meet existing and future demand for the sport.

Tree protection officer

16. Has reviewed this application, and, as long as the tree protection (and mitigation) measures contained within the AIA are fully implemented has no objections to the proposal.

Assessment of planning considerations

Relevant development plan policies

- 17. 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
 - JCS6 Access and transportation
 - JCS7 Supporting communities
 - JCS8 Culture, leisure and entertainment
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM5 Planning effectively for flood resilience

- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM8 Planning effectively for open space and recreation
- DM9 Safeguarding Norwich's heritage
- DM22 Planning for and safeguarding community facilities
- DM28 Encouraging sustainable travel
- DM31 Car parking and servicing

Other material considerations

- 19. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):
 - NPPF0 Achieving sustainable development
 - NPPF4 Promoting sustainable transport
 - NPPF7 Requiring good design
 - NPPF8 Promoting healthy communities
 - NPPF10 Meeting the challenge of climate change, flooding and coastal change
 - NPPF11 Conserving and enhancing the natural environment
 - NPPF12 Conserving and enhancing the historic environment
- 20. Supplementary Planning Documents (SPD)
 - Landscape and trees SPD adopted June 2016

Case Assessment

21. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning 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

- 22. Key policies and NPPF paragraphs JCS1, JCS2, DM1, 2, 6, 7, 8 and 9 NPPF 0, NPPF 8. NPPF paragraphs 7, 9, 14, 17, 56, 109, 118 and 126
- 23. There are various main policies within the DM Plan relevant to this site. Policy DM1 promotes the economic, environmental and social dimensions of sustainability including promoting mixed, diverse, inclusive and equitable communities, by increasing opportunities for social interaction, community cohesion, cultural participation and lifelong learning. Policy DM9 seeks to protect the character and historic form of locally identified heritage assets including unscheduled the historic parks from any development that would adversely affect their character. Development resulting in harm or loss will only be permitted where there are demonstrable and overriding benefits from development or where it is demonstrated there is no viable means of retaining the asset within development. Policy DM8 seeks to prevent the loss of open space or adverse impacts on such spaces and

policy DM6 and DM7 seeks to limit impacts in terms of the natural environment, whilst policy DM2 has regard to impacts on amenity.

24. The policies are generally permissive of recreational and sports development in the park, providing that they can demonstrate that they will not detract from its historic character, setting, space provision and biodiversity interest or have an adverse impact in terms of amenity. Overall the proposed development will still keep the site for suitable recreational use and; therefore, there is no policy objection in principle.

Main issue 2: Design and Landscaping

- 25. Key policies and NPPF paragraphs JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
- 26. The development makes use of existing hard surface facilities being remodelled to provide a new surface and enclosures. Changes to the fence arrangement are minimal and involve the installation of new weldmesh fencing at a slightly increased height of 3 metres. The fence will include insertion of new access control gate. External landscape areas are mainly affected by the removal of a yew hedge along the west side of the courts to provide a new viewing area. Green space on the east side of the courts is being regraded and level access provided into the new surface area of courts.
- 27. An electrical feeder pillar would be located on the east side of the site close to the site entrance and would be screened from the wider area by the existing historic wall surrounding the recreation ground. The removal of the yew hedge is the main change to the landscape setting of the area. This hedge serves as a separation between the courts and reservoir site. However, the existing reservoirs are landscaped and additional tree planting is proposed along this boundary to maintain a landscaped edge to this part of the site. On balance the removal of the hedge is acceptable with this replacement planting and will further help enhance the use of the space.
- 28. The principal change in visual terms is the introduction of floodlighting. These changes have very limited visual or operational impact within the area. The design of the new courts is such to meet modern standards in order to attract users and to be of a form which will be more likely to attract financial support for its use. Accessible, well-lit and secure hard courts should attract players from across the City, have more use all year round, thereby generating income to maintain the courts and ensuring the use of the park throughout the year. Floodlighting will also allow the courts to be used in the early evening, again promoting activity in the park and making the area more secure.

Main issue 3: Heritage

- 29. Key policies and NPPF paragraphs DM9, NPPF paragraphs 128-141.
- 30. The proposals respect the historic use and character of the recreation ground and are merely updating the facilities so that it can continue to function as one of Norwich's recreational spaces. It is considered that the most significant part of the character of the Park is formed by its enclosure and use around which the park was designed, not the aesthetic appearance of the park itself. Although the surface and fencing will change slightly the hard surfacing and enclosed court space is retained.

This in design and appearance will be similar to existing courts elsewhere. Additional replacement tree planting is to be provided to the west boundary and floodlights designed to limit their height and numbers whilst still enabling a useable and appropriate sporting facility.

31. The main impact will be from the lighting but these design elements seek to limit any potential visual impacts by way of numbers, position, materials and height. Therefore the degree of harm in this instance is considered to be less than substantial when considering the preservation of the significance of the heritage asset. Any harm is considered in this instance to be outweighed by the public benefits arising from improved recreational facilities and enhanced use of the site.

Main issue 4: Trees

- 32. Key policies and NPPF paragraphs DM7, NPPF paragraphs 109 and 118.
- 33. The scheme is designed to take account of and seeks to retain existing trees around the site and the majority of the hedge on its south and east boundary. The partial loss of this hedge will be mitigated with replacement tree planting along the same boundary proposed as 4 additional trees with species to be agreed with the Parks officer. The development sits within the historic park and protection of existing trees thereby helps retain the significant amenity and ecological value of the landscaping within this area.
- 34. As part of the protection scheme construction exclusion zones are proposed and construction access limited to specific areas only. Some additional information is required in terms of tree pruning to facilitate light column installation and conditions are suggested in terms of requirement for a site meeting and submission of any required method statements for subsequent tree pruning works. It will also be important to ensure that trees and hedges to be retained are protected during construction and conditions are suggested to maintain protection and work practices during construction.

Main issue 5: Amenity

- 35. Key policies and NPPF paragraphs DM2, DM11, NPPF paragraphs 9 and 17.
- 36. The potential impact on neighbouring properties from noise and floodlighting has been considered by the pollution control officer. It is also noted that artificial light pollution can be a statutory nuisance as highlighted in the Clean Neighbourhood and Environment Act 2005. The lighting assessment has considered the properties in the vicinity shows there to be no luminance of the vertical plane. Also, given that the nearest residents are a minimum of about 25 metres away and there are existing lights within this area it is considered that the proposal will have only minimal impact on the amenities of existing residents.
- 37. Lighting specifications and floodlight location details have been submitted with the application. Floodlighting for such activities is normally between 6 and 10 metres high. The scheme proposes a total of 10 lamps on nine 6.7 metre nominal height columns to provide a balance between light provision and visual impact on the area. Light spill assessment indicates that the lighting can be designed to limit excess levels of illumination outside the area of sport activity typical of such facilities.

38. The operation of similar facilities in Norwich has been to configure floodlights so that individual courts can be lit at any one time and lights defaulted to be off and only come on when operated by a coach or a hirer which further limits any impact should all courts not be in use. Final details of lighting are suggested to be covered by planning condition.

Main issue 6: Biodiversity

- 39. Key policies and NPPF paragraphs JCS1, DM6, NPPF paragraph 118.
- 40. The submitted ecology report notes that the nearest site of biodiversity significance is County Hall Woods County Wildlife Site (CWS), which is about 300m south east at its closest point. There are no designated sites within 2km. The report indicates that the existing hard courts have no biodiversity value, and the biodiversity value of the grass bank to the south of the courts is negligible.
- 41. The nearby pavilion buildings are considered to have limited potential roost feature for bats and it is thought that the pavilion is distant enough and the roost feature shaded for any light spill to be of negligible impact even if roosting bats are present. Nearby trees are already in areas of high illumination or directly illuminated by existing lights. The yew hedge could be a feature potentially used by nesting birds but part removal is likely to offset by nesting opportunities within new tree planting along the west edge of the site. The report reasonably concludes that the direct and indirect ecological impacts of this scheme will be negligible.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition. Improved provision of cycle parking within this section of the park has been suggested which could be positioned to serve both the local shops and tennis courts without significant impact on the area. The agent is open to this suggestion and a condition is suggested requiring details of cycle parking to be submitted and agreed.
Car parking provision	DM31	Yes subject to condition. No new parking is proposed but as part of the overall tennis strategy it has been suggested that travel information could be developed to encourage modal shift away from car usage when booking and using the enhanced courts.
Refuse Storage/servicing	DM31	Not applicable – existing facilities are provided

Requirement	Relevant policy	Compliance
Energy efficiency	JCS 1 & 3 DM3	The lighting will have energy usage implications but it is expected that lighting design and control will seek to limit energy use in line with other initiatives such as redesigned street lighting with LED and demand responsive lighting as part of carbon reduction policies
Sustainable urban drainage	DM3/5	Hard court is being relayed as a new porous macadam surface. There should be no change in terms of surface water impacts.

Equalities and diversity issues

43. There are no significant equality or diversity issues. The scheme provides for accessible facilities. The supporting documents also show the intention of providing fully inclusive access and the design has been developed to give level access into the new courts.

Local finance considerations

- 44. 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.
- 45. 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.
- 46. In this case local finance considerations are not considered to be material to the case.

Conclusion

47. In terms of the principle of development and the siting of the facility, the scheme will provide an essential recreation and outdoor sports facility that will encourage more people to use the Park. Subject to further submission and approval of details in accordance with the planning conditions listed below the proposal represents an acceptable development that will enhance recreational facilities for the city as a whole whilst limiting impacts on the historic park, local amenity, access, biodiversity interest and landscape features. 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. 17/00506/NF3 - Tennis Courts, Lakenham Recreation Ground, City Road, Norwich NR1 2HG and grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans;
- 3. Details to be submitted of travel information plan;
- 4. Details of Arboricultural site meeting, Method Statements including no-dig solution and tree pruning works to be agreed and implemented;
- 5. Works in accord with condition 4 outcomes and Arboricultural Implications Assessment, Tree Survey and Tree Protection Plan during construction;
- 6. Retention tree protection and no changes within areas;
- 7. Details of landscaping including perimeter fencing; hard surfacing materials to courts, paths and access areas, implementation programme, tree replacement planting schedules and landscape maintenance to be agreed and implemented;
- 8. Details of cycle storage/parking; site lighting; operation of any site lighting to be agreed and implemented;
- 9. No use of lights after 22:00 hours or before 08:00 hours on any day.

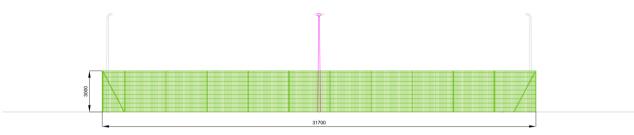
Article 35(2) statement

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

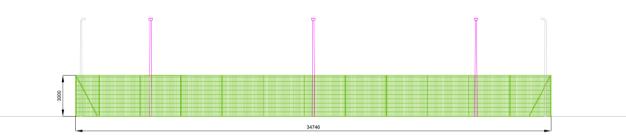


NORWICH City Council

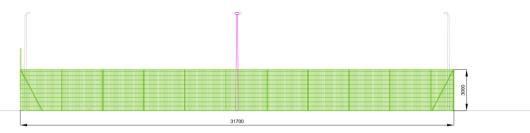
NOTES



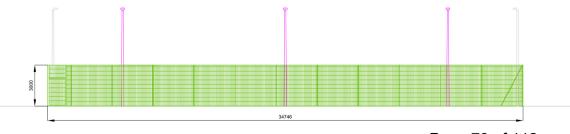
North Elevation

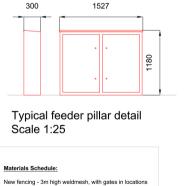


East Elevation



South Elevation





as shown. New floodlighting - 7m high columns with metal halide

New floodlighting - 7m high columns with metal halide fittings (see lighting consultants drawing and information pack for additional details)

Court surfacing - All weather court surface, finished green and laid to falls for water runoff



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Int. Ckd.

REVISIONS No. Date Notes

West Elevation

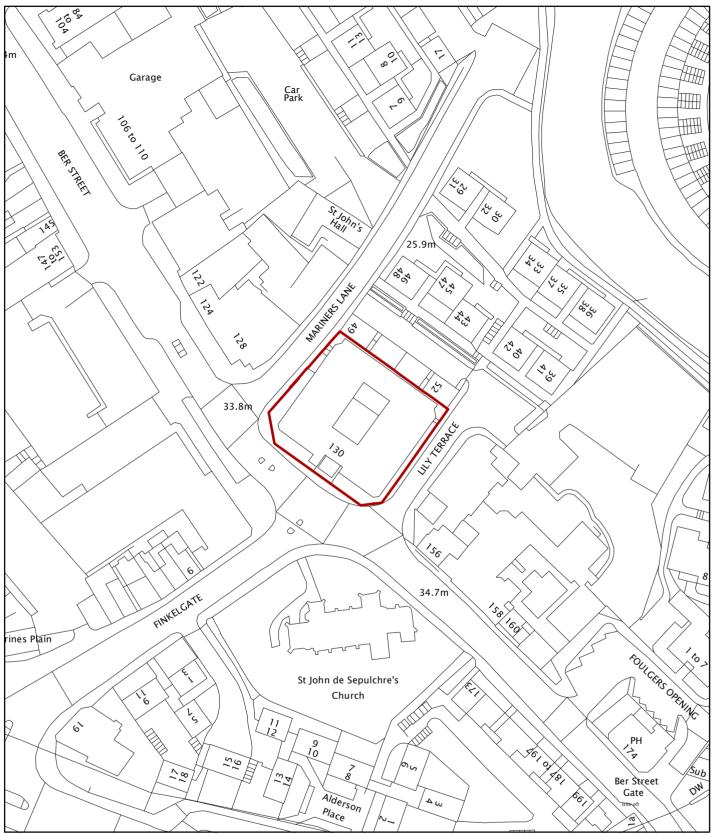


Report to	Planning applications committee	ltem
	11 May 2017	
Report of	Head of planning services	
Subject	Application no 17/00035/F - Norfolk Primary Care Trust Elliot House 130 Ber Street Norwich NR1 3FR	4(f)
Reason for referral	Objection	

Ward:	Mancroft
Case officer	Sean O'Sullivan – <u>seano'sullivan@norwich.gov.uk</u>

	Development proposal	
External alterations.		
	Representations	
Object	Comment	Support
1	None	None

Main issues	Key considerations
1	Visual harm to conservation area and street Scene.
2	Increased overlooking, loss of privacy and impact on neighbouring properties.
Expiry date	22 March 2017
Recommendation	Approve



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Planning Application No
Site Address
Elliot House 130 Ber Street

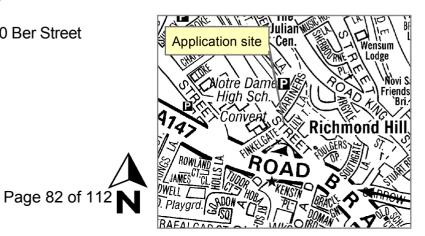
Scale

1:1,000





PLANNING SERVICES



The site and surroundings

- Elliot House is a four storey building with an additional basement level accessed from Mariners Lane, which is located at number 130 on the eastern side of Ber Street, opposite the junction with Finkelgate. Elliot House is located to the south of Mariners Lane and to the north of Lily Terrace. The building is located in the City Centre Conservation Area and is not locally or statutorily listed. It is a 1980s purpose built office building, built around a central courtyard. The existing building covers an area of approximately 990 square metres. Most of the south west elevation stands at a height of 12 metres and includes a single stair core with a height of 15 metres. The rear north-east façade stands at 15.7 metres and includes a stair core at a height of 18.6 metres.
- 2. The facades of Elliot House are primarily formed by precast concrete, with metal and curtain wall glazing. The overhanging upper stories of the building reflect the historic setting and imitate the sixteenth century house opposite. On the opposite side of Ber Street to Elliot House, there is also a traditional church building and a listed two storey brick house at 159 to 169 Ber Street. To the south of the site, Ber Street remains dominated by dwellings of varying styles and scales and to the north of the site there are small retail outlets.

Constraints

3. Elliot House is located in the City Centre Conservation Area and is not locally or statutorily listed.

Relevant planning history

4.

Ref	Proposal	Decision	Date
16/00826/PDD	Change of use from offices (Class B1) to 45 residential dwellings (Class C3)	Prior approval not required, subject to conditions	01/08/2016

The proposal

- 5. The current proposal is for alterations to the existing elevations of Elliot House to enable the change of use from offices (Class B1) to 45 residential dwellings (Class C3) (16/00826/PDD), for which prior approval was not required from the Council, subject to conditions.
- 6. The current proposal is to alter the existing elevations of the building, to allow sufficient outlook for, and natural light into, the 45 dwellings for which prior approval was not required (16/00826/PDD) in August 2016.

7. The alterations proposed are to include the installation of double glazed window units for each of the proposed dwellings, the retention of existing external brickwork, the installation of obscure glazed balustrading and balconies at 3rd floor level. Following the submission of the current planning application, the applicant will no longer be painting the external and existing pre-cast concrete fins.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	45 dwellings.
No. of storeys	4
Appearance	
Materials	Colour and texture of materials to be used are to be established as part of a condition.
Construction	The installation of a balustrade with obscure glazed panelling at 3rd floor level.
Energy and resource efficiency measures	Not applicable to the current application.
Servicing arrangements	Not applicable to the current application.

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. One letter of representation has been received citing the issues as summarised in the table below. All representations are available to view in full at http://planning.norwich.gov.uk/online-applications/ by entering the application number.

Issues raised	Response
Overlooking and loss of privacy concerns caused by the provision of balconies on the north west and south east elevations and, at the same level, the replacement of the existing sloped glazing facing the courtyard area with a sloped roof with windows.	Please refer to the Amenity section, later in this report.

Consultation responses

Design and conservation

- 9. Ber Street is an ancient Roman road and therefore a historic route in and out of the city. It is a wide street in comparison to other Norwich routes, due to its history as a 'cattle drove' This historic use gave rise to primary inhabitation by butchers and slaughter houses, leading to it becoming known locally as 'blood and guts street' Ber Street has lost much of its original character due to the slum clearances of the 1930's and bomb damage during WWII.
- 10. St John De Sepulchre church is the focal point at the southern end of Ber Street and much of the remaining historic architectural and historic interest is centred around it. This area is also the meeting of Ber Street and Finklegate. Much of the historic and architectural significance that remains in the area is C17 & C18 residential housing; mostly comprised of pitched pan-tiled or slate roof's, timber framed or red brick and/or rendered finish. Many of these houses are now in commercial use at ground floor and residential above and provide evidence of development of the area. 130 Ber Street, the application site, is considered as a neutral building within the Ber Street character area appraisal.
- 11. The aim of any re-development of 130 Ber Street should be to maintain this neutrality or develop the building in such a way that it becomes a significant contributor to the character of the area. If this could be achieved then the proposal would represent an enhancement to the Conservation Area, which is a designated heritage asset (a requirement of chapter 12 of the NPPF).
- 12. The character appraisal references the view South along Ber Street, towards St John de Sepulchre as a positive vista. No. 130, Elliot House, is a significant element of this vista due to its height and scale, relative to St John's with its tower. The elevation of the land is important as Elliot House stands atop the escarpment down towards the river and is therefore a considerable element of the long views. Considering the scale and height of the building it does not look out of place in the setting. Due to a clever design of the upper floors (particularly the glazed third floor which is set back and angled into the building core) it appears lower than it actually is and due to the gradients of the landscape blends into the existing building lines reasonably well. The extensive use of concrete as the primary building material blends well with the masonry structure of St John's church opposite. The heavy grained texture of the concrete is integral to its design as it adds depth. The fenestration is a significant element of the character of Elliot house.
- 13. Through negotiation with the local planning authority the scheme as proposed by the applicant is considered to be appropriate. Maintaining the horizontal pattern of tinted glazing and undecorated, textured concrete panelled elevations minimises the impact of the mass of the building. Due to the relief of the escarpment and clever architectural design, the building lines of the historic buildings further south along Ber Street are maintained through the streetscape. The introduction of a glazed laminate balustrade at the third floor adds another layer of horizontal rhythm to the design which is welcome. The removal of roof top ventilation equipment and steel safety barrier is also a welcome alteration which helps to 'simplify' the buildings silhouette. This blending with the background will also be aided by the introduction of semi-reflective tinted cladding of the third floor, designed to replicate the existing glazing. Vertical breaks to the building line are provided by the lift shafts

and a 'double fin' detail within the concrete panelling. The retention of this detail is welcome for two reasons; it provides an element of architectural interest to the building, which adds to its individual character and provides a break in the horizontal rhythm which allows it to blend better with the surrounding buildings.

14. Maintaining the 'brick slip' planters at ground floor and finish of the lift shafts offers a contextual material choice. Although not historically accurate in size and colour, they do reference the material palette of the area. The bare concrete finish of the building is a respectful modern alternative to the masonry of St John De Sepulchre opposite. The proposal will not cause harm to the character and appearance of the wider setting, which is a conservation area. In line with Chapter 12 of the NPPF and NCC LPP DM1, 3 & 9 this proposal is considered acceptable for the reasons as outlined above.

The Norwich Society

15. We share the neighbours' concerns about overlooking from the top floor balconies. The proposed alterations to the existing finishes will have a major negative impact on the appearance on the streetscape. The unfinished concrete and brick blends in with the rest of the streetscape, but these will be lost under painted render and coloured metal panelling. The appearance and detailing of this architecturally important 20th century building will be negatively impacted by the proposed works.

Assessment of planning considerations

Relevant development plan policies

- 16. 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
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
 - JCS20 Implementation

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development
- 18. Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)
 - Insert any relevant site specific policies

Other material considerations

19. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF12 Conserving and enhancing the historic environment

Case Assessment

20. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning 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

21. The principle for the change of use from offices (Class B1) to 45 residential dwellings (Class C3) has been previously established for the site with prior approval application 16/00826/PDD in August 2016, for which prior approval was not required from the Council, subject to conditions. The current proposal is to alter the existing elevations of the building, to allow sufficient outlook for, and natural light into, the 45 dwellings for which prior approval was not required (16/00826/PDD) in August 2016.

Main issue 2: Heritage and Design

22. Following the modifications set out in the Design and Conservation comments above, the proposal will not cause harm to the character and appearance of the wider setting of the City Centre Conservation Area, in accordance with DM9, NPPF paragraphs 128-141and is considered acceptable in this prominent location.

Main issue 3: Trees

23. There are no issues involving trees with the current proposal and no condition relating to trees on this site was included with the August 2016 decision (16/00826/PDD).

Main issue 4: Landscaping and open space

24. There are no issues involving landscaping and open space with the current proposal and no condition relating to landscaping and open space on this site was included with the August 2016 decision (16/00826/PDD).

Main issue 5: Transport

- 25. There are no issues involving transport with the current proposal and Condition 1 relating to cycle parking, refuse and recycling storage, included with the August 2016 decision (16/00826/PDD), needs to be satisfied.
- 26. The basement of the premises is laid out as a small parking area for seven cars along with 45 cycle spaces and a refuse store. A number of the flats will be car free which is acceptable in this location. The refuse storage and cycle provision appears sufficient and can be conditioned.

Main issue 6: Amenity

- 27. Policies DM2, DM11 and NPPF paragraphs 9 and 17 reinforce the need for consideration being given to any increase in overlooking or loss of privacy being caused to neighbouring properties, by the current proposal.
- 28. It is accepted that the introduction of balconies and balustrading at third floor level as proposed, would cause a slight increase in overlooking and loss of privacy to neighbouring properties. However the outward facing windows to these proposed flats would be recessed 1.96 metres to the rear of both the north west and south east outward facing existing windows at second floor level to the building and the balustrading proposed would be obscure glazed. The balconies proposed would be set at a slightly higher level than the existing windows at second floor level. However the proposed balustrading would be a minimum of 9.47 metres from the side boundary of the neighbouring property at number 156 Ber Street and none of the balconies proposed would be covered.
- 29. It is anticipated therefore that the proposed balcony areas would only be occupied during good weather and therefore any increase in overlooking and loss of privacy caused to neighbouring properties, would not be significant enough to warrant refusal of this application.

Main issue 7: Energy and water

30. There are no issues involving energy and water with the current proposal and no condition relating to energy and water is included with the August 2016 decision (16/00826/PDD).

Main issue 8: Flood risk

31. The site is in flood zone 1 and therefore no flood risk assessment is required. Therefore there are no issues involving flood risk with the current proposal and no condition relating to flood risk is included with the August 2016 decision (16/00826/PDD).

Main issue 9: Biodiversity

32. There are no issues involving biodiversity with the current proposal and no condition relating to biodiversity is included with the August 2016 decision (16/00826/PDD).

Main issue 10: Contamination

33. The site is not known to be previously contaminated and the proposal does not include any external amenity or ground works. There are no issues involving contamination with the current proposal and no condition relating to contamination is included with the August 2016 decision (16/00826/PDD).

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to Condition 1 included with the August 2016 decision (16/00826/PDD).
Car parking provision	DM31	Yes subject to Condition 1 included with the August 2016 decision (16/00826/PDD).
Refuse Storage/servicing	DM31	Yes subject to Condition 1 included with the August 2016 decision (16/00826/PDD).

Other matters

35. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: List relevant matters.

Equalities and diversity issues

36. There are no significant equality or diversity issues.

S106 Obligations

37. Not applicable to this application.

Local finance considerations

- 38. 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.
- 39. 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.

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

Conclusion

41. 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. 17/00035/F - Norfolk Primary Care Trust Elliot House 130 Ber Street Norwich NR1 3FRand grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans;
- 3. Samples of materials to be submitted and approved.

Article 35(2) Statement

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



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Sept 2016

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LEGEND:

- EXISTING CONCRETE WALL RETAINED FROSTED LAMINATED GLASS RAILING
- EXISTING FINS RETAINED NEW DOUBLE GLAZED WINDOWS BLUE TINT WITH
- DARK BILLE FRAME NEW POLISHED STAINLESS STEEL INSULATED WALL
- EXISTING BRICKWORK RETAINED
- EXISTING FLATS WITH GARAGES AT LOWER LEVEL NEW ROLLER SHUTTER WITH DOOR INSET
- EXISTING BRICK PLANTER NEW TIMBER ROOF
- 10 NEW DOUBLE GLAZED OPENBABLE ROOFLIGHTS
- EXISTING ENTRANCE CANOPY



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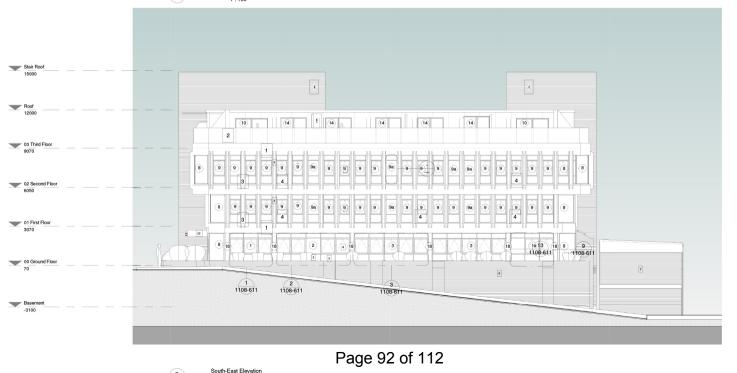
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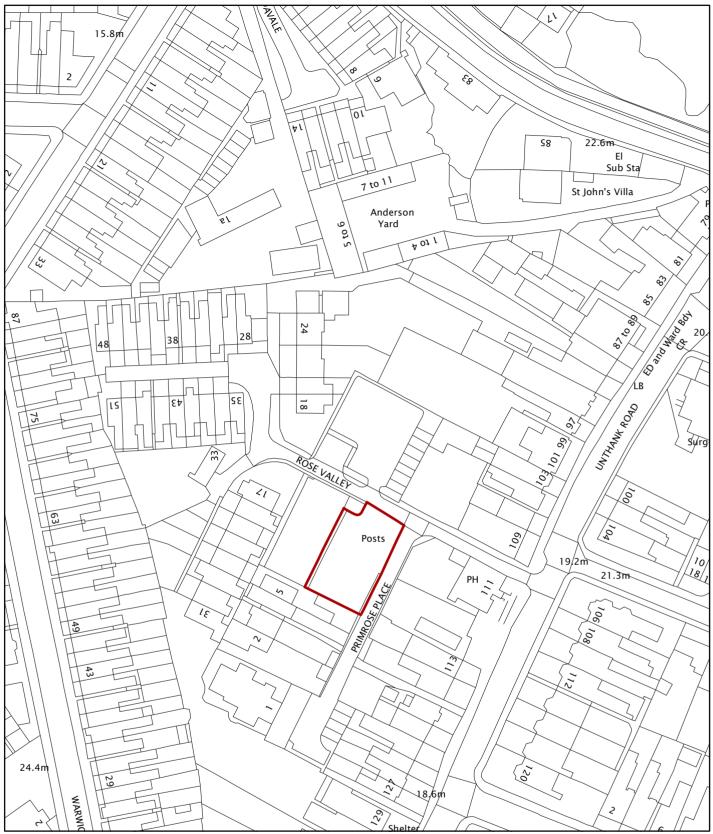
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Report to	Planning applications committee	ltem
	11 May 2017	
Report of	Head of planning services	
Subject	Application no 17/00360/F - Land east of play area Rose Valley, Norwich	4(g)
Reason for referral	Objections	

Ward:	Nelson
Case officer	Kian Saedi - <u>kiansaedi@norwich.gov.uk</u>

Development proposal				
Construction of 2 No. dwellings.				
Representations				
Object Comment Support				
3 1 0				

Main issues	Key considerations
1 Principle of development	Five year housing land supply, contribution towards housing stock, suitability of site for residential
2 Design	Impact on character of surrounding area, appearance, form and massing
3 Transport	Access, highway safety, parking, rights of access
4 Amenity	Overlooking/loss of privacy, overshadowing, overbearing
5 Flood risk and drainage	Impact on drainage, mitigation against flood risk
Expiry date	18 May 2017
Recommendation	Approve



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Planning Application No Site Address

17/00360/F Land East of play area Rose Valley

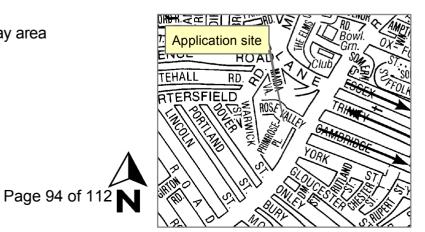
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PLANNING SERVICES



The site and surroundings

- 1. The site is located on the corner of Primrose Place and Rose Valley and currently serves as a private surface car park.
- 2. The surrounding area is characterised by a mixture of uses including commercial in the local retail centre on Unthank Road, residential of Primrose Place and Rose Valley and areas of both private and public car parking.

Constraints

- 3. Trees A Red Oak is located just outside of the north-east corner of the site, which is protected by a Tree Preservation Order (TPO).
- 4. Flooding/drainage The site is located within a Critical Drainage Area and is identified as being at risk of surface water flooding in both the 1 in 30 and 1 in 100 events under flood maps produced by both the Environment Agency and Norfolk County Council as Lead Local Flood Authority (LLFA).

Relevant planning history

5.

Ref	Proposal	Decision	Date
15/01410/F	Erection of three dwellings.	WITHDN	11/11/2015
15/01411/TPO	Red Oak T1: Fell	REF	08/10/2015
16/01293/F	Erection of three dwellings.	WITHDN	18/10/2016

The proposal

- 6. The proposal is for the construction of two 3-bed dwellings.
- 7. The current scheme follows two previous submissions for the erection of three dwellings at the site. The previous submission was withdrawn principally due to concerns raised relating to the potential impact of the development upon the Red Oak.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	2
No. of affordable	0

Proposal	Key facts	
dwellings		
Total floorspace	214 sq.metres	
No. of storeys	2	
Max. dimensions	Maximum height of 6.3 metres (flat roofed), total width of 17 metres, maximum depth of ~11 metres	
Appearance		
Materials	Red brick (including both perforated and projecting detail), aluminium windows and doors	
Transport matters		
Vehicular access	Vehicle access taken from Primrose Place	
No of car parking spaces	2	
No of cycle parking spaces	4	

Representations

8. Advertised on site. Adjacent and neighbouring properties have been notified in writing. Four letters of representation have been received, including three letters of objection and one letter of comment on behalf of the Rose Valley Residents' Association citing the issues as summarised in the table below. All representations are available to view in full at http://planning.norwich.gov.uk/online-applications/ by entering the application number.

Issues raised	Response
Objections	
Over-dominant building	Main issue 2
Poor design/out of character with surrounding area	Main issue 2
Loss of light/overshadowing. Overshadowing to community garden	Main issue 4
Loss of privacy/overlooking	Main issue 4
Poor access	Main issue 3

Issues raised	Response
Impact on highway safety	Main issue 3
Primrose Place is in council ownership and is un-adopted. The road is narrow, has no pavement and is used by young children and wheelchair users. The plans for the development should have set out the need for an agreement with Norwich City Council on any required access, impact and use.	Main issue 3
Comment	
The residents wish to be assured that the local authority will satisfy itself that the protected Red Oak Tree will not suffer any adverse consequences either below or above ground, by reason of the construction works and subsequent occupancy of the new development, and that appropriate supervision will be in place during the course of the development works to ensure proper compliance. In the event of permission for the proposed development being approved, the residents expect that consent will include the usual provisions as to Best Practice in the construction work, including noise, times of work, light etc.	The applicant has provided revised arboricultural information that adequately demonstrates that the proposed development will avoid any harm to the protected Red Oak Tree. The council's tree officer has reviewed this information and expressed their satisfaction with the detail. The applicant is expected to adopt measures to minimise disturbances to the surrounding area during the construction phase and an informative will be added to this effect. The applicant is also advised to sign up to the Considerate Constructors Scheme.

Consultation responses

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

Environmental protection (provided verbally)

10. Whilst the application includes a risk assessment, this doesn't go far enough in setting out an assessment of risk to all risk receptors, including an options appraisal and remediation strategy. Planning permission to be conditioned accordingly.

Citywide services

11. No issues from a collection point of view.

Highways (local)

12. No objection on transport grounds in principle. The proposed use will have a lesser traffic impact than its previous use as a car park.

Norwich Society

13. We note that this application is now for 2 dwellings rather than 3 as in the original application and the design is good. However, the same issues remain, mainly the loss of the existing car parking facilities.

Tree protection officer

14. Happy with the updated arboricultural protections areas and recommendations.

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
 - JCS4 Housing delivery
 - JCS6 Access and transportation
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
 - JCS20 Implementation
- 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
 - DM5 Planning effectively for flood resilience
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM8 Planning effectively for open space and recreation
 - DM11 Protecting against environmental hazards
 - DM12 Ensuring well-planned housing development
 - 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 March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- 18. Supplementary Planning Documents (SPD)
 - Landscape and Trees SPD adopted June 2016

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 polices 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

- 20. Key policies and NPPF paragraphs DM12, NPPF paragraphs 49 and 14.
- 21. Housing applications should be considered in the context of the presumption of sustainable development.
- 22. The NPPF states that where a 5 year land supply cannot be demonstrated, applications for housing should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date. The Norwich Policy Area does not currently have a 5 year land supply and therefore Local Plan policies for housing supply cannot be considered up-to-date. As a result the NPPF requires planning permission to be granted for sustainable development unless:

(a) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or

- (b) Specific policies in the NPPF indicate development should be restricted.
- 23. The site is brownfield land and located in an established residential area adjacent to the Unthank Road local retail centre and within walking distance of the city centre. Future residents would benefit from excellent access to an abundance of local facilities and services as well as frequent bus routes serving the wider area. The location of the site is therefore considered to be sustainable and appropriate for residential development and the two proposed dwellings will contribute positively towards the city housing stock.

Main issue 2: Design

- 24. Key policies and NPPF paragraphs JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
- 25. The proposal has been carefully designed to account for what is a highly constrained site, both in terms of available space and proximity to neighbouring residential properties and a protected tree. The design of the current scheme positively responds to pre-application advice and this is reflected in the footprint of the development which has been designed to avoid any significant harm to neighbouring amenity and the protected tree adjacent to the north-west corner of the site.
- 26. The proposed dwellings are semi-detached and reflect a contemporary design and appearance that echoes the scheme approved under 15/01546/F on the adjacent site to the rear of the Adnams retail unit. The houses would be constructed of a red brick (specification to be agreed) and this provides coherence with the predominant material used in the surrounding residential area. Elevational interest is added in the geometric form of the development and the incorporation of regular, perforated and projecting brick detailing.
- 27. The scale and massing of the development is appropriate in the context of the surrounding built environment and is not therefore considered to be over-dominant.
- 28. The contemporary design is considered to be acceptable and will enhance the appearance of the site.

Main issue 3: Transport

- 29. Key policies and NPPF paragraphs JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
- 30. The site is highly accessible being as it is adjacent to the Unthank Road local retail centre, within walking distance of the city centre and close to regular bus services to the surrounding area. Two car parking spaces are to be provided on site and this satisfies the maximum *local plan* standard for a site in this location. Furthermore, four secure and covered cycle parking spaces are to be provided which will encourage sustainable travel to and from the site.
- 31. In terms of the highway impacts of the scheme, the proposal will generate far less traffic than the existing car park use of the site. Whilst it's recognised that the access from Unthank Road is poor, given that the proposal will not increase traffic flows into the site, this is not considered to be a significant issue. For the same reason the proposal will not result in any additional harm to highway safety.
- 32. The existing car park is private and the proposal will not therefore impact upon the parking spaces that are rightfully available to neighbouring residents. Should additional car parking be desired then there are garages in the surrounding area that are available to rent. Primrose Place and Rose Valley are already subject to parking restrictions that are adequate for ensuring that roads will not become obstructed and that fly parking does not occur. Visitors could take advantage of limited waiting bays on Unthank Road or surrounding streets.
- 33. The applicant has confirmed that the application site benefits from rights to "at all times with or without vehicles to pass and repass over along and upon" the road at Primrose Place.

Main issue 4: Amenity

Impact on neighbouring amenity:

- 34. Key policies and NPPF paragraphs DM2, DM11, NPPF paragraphs 9 and 17.
- 35. In terms of the impact upon neighbouring properties, the amenity impacts of the proposal are considered to be acceptable. The nearest distance between facing windows relating to habitable rooms on the proposed development in relation to existing neighbouring properties is 20 metres and this falls only marginally below the BRE recommended separating distance of 21 metres for ensuring adequate privacy between properties. It is not therefore considered that the proposal will result in any significant overlooking to neighbouring properties.
- 36. Such is the orientation of the site, scale and massing of the development and distance between neighbouring properties, that overshadowing will occur on the area of open space to the north of the site only. This land is designated as protected open space and is used as a community garden by Rose Valley residents. The proposal will not result in the loss of any of the open space but will result in some overshadowing during morning and early afternoon hours. Whilst this will reduce the quality of this space to some extent, the space is public land and does not serve as the sole external amenity space available for neighbouring residents, many of which will also benefit from private gardens. The overshadowing to the open space is not therefore considered significantly detrimental to the amenities of neighbouring residents.
- 37. The application site sits beyond the principal elevation of the neighbouring property to the south-west, number 5 Primrose Place. This property has its main garden space at the front running parallel to the application site and there is therefore some potential for impact from the proposed development.
- 38. The application site is separated from Number 5 Primrose Place by a ~1.7 metre high boundary fence. A canopy structure has been constructed in the neighbouring garden running along part of the boundary with the application site which reaches ~2.1 metres in height at the eaves before pitching away from the boundary to a height of 2.5 metres. The presence of this structure mitigates for some of the impact of overbearing but it is accepted that some impact would still be felt in the area of front garden immediately in front of the neighbouring property. However, unit 1 has been stepped in from the boundary with 5 Primrose Place by 2.5 metres and it is considered that whilst the proposal will result in some degree of overbearing, the impact will not be significantly detrimental to the residential amenities of the neighbouring property.

Amenity of future occupiers:

- 39. Occupiers of both dwellings would be provided with ample internal living space compliant with space standards set by national government and applied by the Council. Satisfactory external amenity space is also provided which accommodates adequate servicing and cycle parking facilities.
- 40. The site is also located adjacent to the Unthank Road local retail centre would provide various services and facilities available to prospective residents.

Main issue 5: Flood risk and drainage

- 41. Key policies and NPPF paragraphs JCS1, DM5, NPPF paragraphs 100 and 103.
- 42. The site is located within both a Critical Drainage Area and also an area of land identified at being at risk from surface water flooding within both the 1 in 100 and 1 in 1000 storm events or 'medium' to 'low' risk respectively.
- 43. Given the limited available space on site it has not been possible to position the dwellings away from the areas most at risk, but the application includes a Flood Risk Assessment and Drainage Strategy demonstrating how the drainage and flooding issues will be dealt with.
- 44. At present the site is entirely hard surfaced in a non-permeable material and therefore contributes negatively to the drainage in the surrounding area. The proposal sets out a sustainable approach to drainage which will be improved by maximising the use of permeable surfacing, soft landscaping and the incorporation of a sedum 'green' roof to two areas of flat roof. It is also proposed to install water butts which will improve this situation further in addition to a below ground storage tank, which will control and attenuate the discharge of surface water to the public sewer. These measures will result in a reduction to the overall impermeable surface area from 100% to 56%. The drainage credentials of the scheme are therefore positive and in accordance with policy DM5 of the *local plan*.
- 45. The Flood Risk Assessment identifies the risk from surface water flooding and recommends that the dwellings include flood resilient construction up to a level of 18 metres AOD with a minimum ground floor level of 17.3 metres AOD, which is stated as being adequate for protecting the development from flooding. Bedrooms are provided at first floor level as an additional precaution Planning permission will be conditioned to ensure that the recommendations set out in the flood assessment are secured.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3	Not applicable
	DM3	
Water efficiency	JCS 1 & 3	Yes subject to condition

Requirement	Relevant policy	Compliance
Sustainable urban drainage and flooding	DM3/5	Yes subject to condition
Trees	DM7	Yes subject to condition
		Need method statement to reflect recommendations set out in approved AIA
Landscape and biodiversity	DM6	Yes subject to condition. The landscaping scheme shall maximise the use of permeable surfacing at the site and introduce appropriate planting. The scheme shall also include details of the sedum roofs.
Contamination	DM11	Yes subject to condition

Equalities and diversity issues

47. There are no significant equality or diversity issues.

Local finance considerations

- 48. 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.
- 49. 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.
- 50. In this case local finance considerations are not considered to be material to the case.

Conclusion

51. The proposal will make use of a brownfield site to create two residential dwellings in a highly accessible and sustainable city location. Subject to conditions 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.

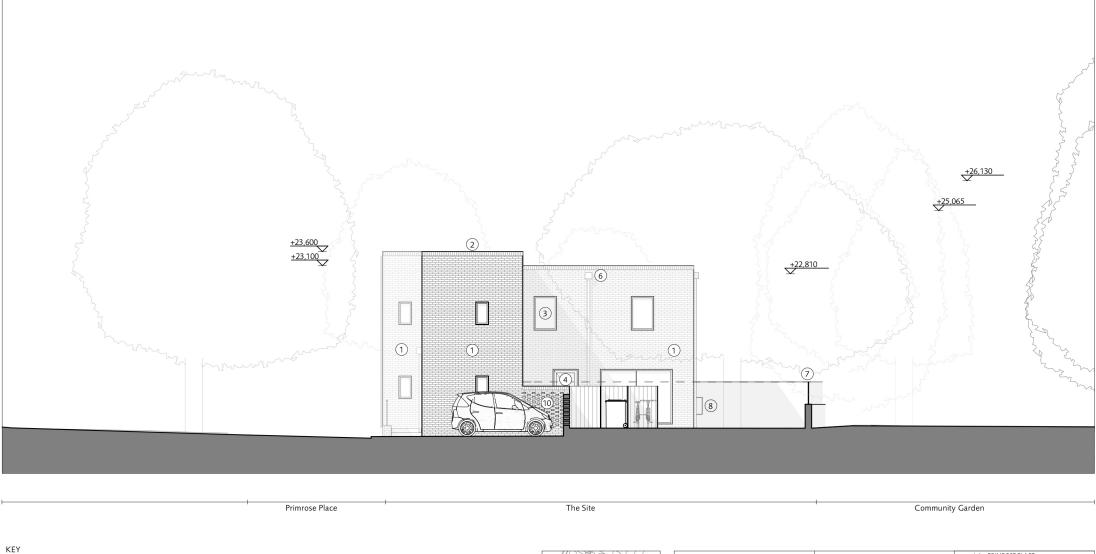
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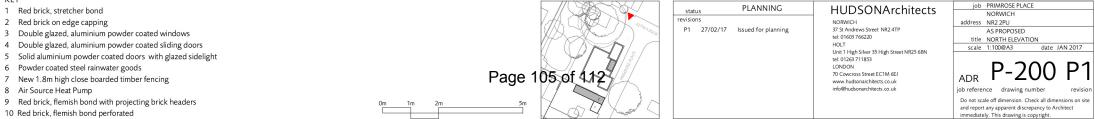
To approve application no. 17/00360/F - Land east of play area Rose Valley Norwich and grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans;
- 3. Details of external materials to be used in the construction of the development;
- 4. Landscape scheme to include soft landscape details, permeable hard surfacing, green roof, servicing and cycle parking details;
- 5. Detailed arboricultural method statement in accordance with the recommendations set out in the approved AIA;
- 6. Contamination Risk Assessment;
- 7. Contamination Any unknown contamination to be dealt with accordingly;
- 8. Imported material to be certified or adequate for use;
- 9. Development to be carried out in accordance with the recommendations set out under section 9 of the Flood Risk Assessment and Drainage Strategy;
- 10. Water efficiency;
- 11. Removal of P.D rights for enlargements and extensions.

Article 35(2) Statement

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





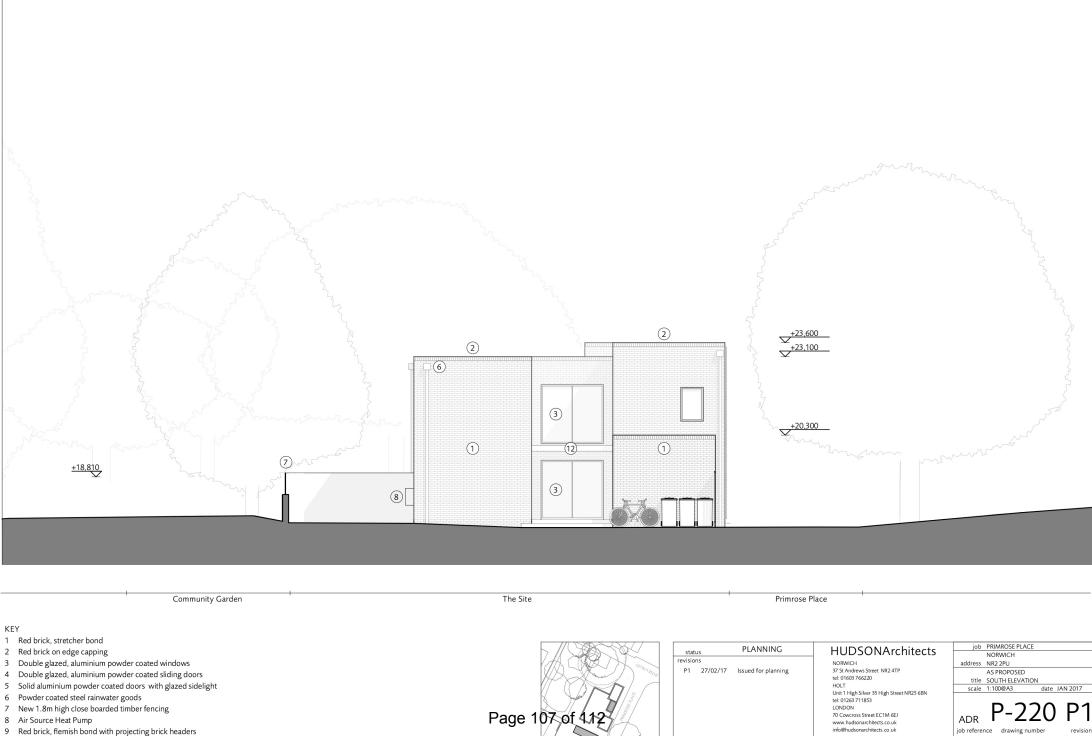


- KEY
- 1 Red brick, stretcher bond
- 2 Red brick on edge capping
- 3 Double glazed, aluminium powder coated windows 4 Double glazed, aluminium powder coated sliding doors
- 5 Solid aluminium powder coated doors with glazed sidelight
- 6 Powder coated steel rainwater goods
- 7 New 1.8m high close boarded timber fencing
- 8 Air Source Heat Pump
- 9 Red brick, flemish bond with projecting brick headers
- 10 Red brick, flemish bond perforated

11 Metal gate / railings

Page 106 of 412 5m

status	PLANNING	HUDSONArchitects	job	PRIMROSE PLACE		
revisions P1 27/02/17 P2 07/04/17		NORWICH 37 St Andrews Street NR2 4TP tel: 01637 566230 HOLT Unit 1 High Silver 35 High Street NR25 6BN tel: 01263 71 1853 LONDON 70 Cowcross Street EC1M 6EJ www.hudsonarchitects.co.uk info@hudsonarchitects.co.uk	ADR job refere Do not sc and repor	NR2 2PU AS PROPOSED EAST ELEVATION 1:100@A3 P-21	ber k all dime ncy to Are	revision



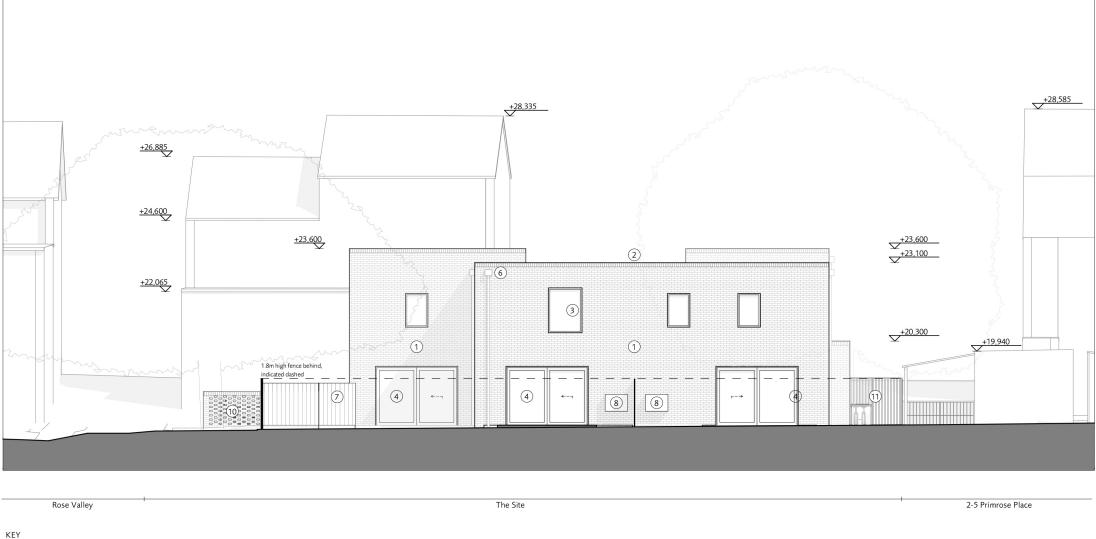
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and report any apparent discrepancy to Architect

immediately. This drawing is copyright.

- 10 Red brick, flemish bond perforated
- 12 Timber Pergola



1 Red brick, stretcher bond 2 Red brick on edge capping status revisions 3 Double glazed, aluminium powder coated windows 4 Double glazed, aluminium powder coated sliding doors 5 Solid aluminium powder coated doors with glazed sidelight 6 Powder coated steel rainwater goods 7 New 1.8m high close boarded timber fencing Page 108 of 412 8 Air Source Heat Pump 9 Red brick, flemish bond with projecting brick headers



