

Report to Planning applications committee

Item

26 November 2015

Report of Head of planning services

Subject Application no 15/01204/F - Site between 95 and 111
Adelaide Street, Norwich

**Reason
for referral** Objection / revisions to application previously referred
to committee.

4(B)

Ward:	Mancroft
Case officer	Joy Brown - joybrown@norwich.gov.uk

Development proposal		
2 No. flats.		
Representations to proposal as submitted		
Object	Comment	Support
3	1	0
Representations to amended proposal (consultation period does not expire until 23 November so to be updated verbally)		
0	0	0

Main issues	Key considerations
1 Principle	Housing supply
2 Design	Impact on streetscene, setting, mass, height
3 Heritage	Impact on neighbouring locally listed former Bread and Cheese Public House
4 Amenity	Impact upon neighbouring residents and provision of satisfactory living conditions for future residents
5 Transport	Development with no off street car parking
Expiry date	5 November 2015 (extension of time until 3 December 2015)
Recommendation	Approve



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Planning Application No 15/01204/F

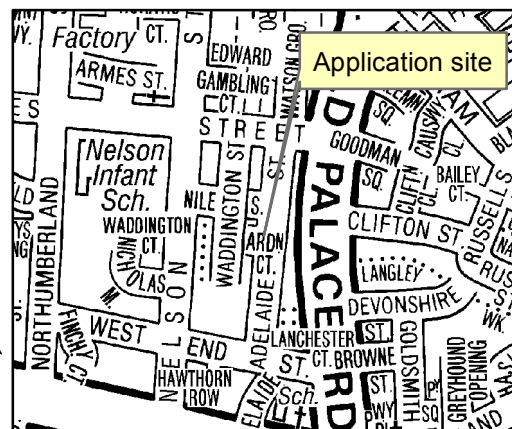
Site Address Site between 95 and
111 Adelaide Street

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The site is situated on the western side of Adelaide Street near the junction with Nile Street. It is a vacant plot to the north of 91-95 Adelaide Street (which is a relatively modern terrace) and to the south of the Bread and Cheese public house (111 Adelaide Street) which is a locally listed building (non-designated heritage asset). The public house has recently closed and is currently being converted into flats.
2. The surrounding area is mainly residential with it being characterised by two storey 19th century terraces. There are also some flats and bungalows in close proximity to the site.

Constraints

3. The site is not within a conservation area but the site is adjacent to a locally listed building.
4. The site is relatively flat and is currently covered in fairly dense vegetation.

Relevant planning history

Ref	Proposal	Decision	Date
03/00230/F	Erection of dwelling.	Approved	07/11/2003
04/00200/D	Condition 5: details of glazing for previous planning permission 03/00230/F ' Erection of dwelling'	Approved	08/04/2004
14/00957/F	Erection of 3 No. flats.	Refused, due to concerns with regard to design, impact upon the neighbouring locally listed building, impact upon living conditions of future and existing residents and car parking.	11/12/2014

5. Planning permission has also recently been granted at the neighbouring Bread and Cheese Public House for the conversion of the building to 4 no. flats (ref number 15/00256/F). Development has commenced.

The proposal

6. The application seeks full planning permission for the erection of two flats (1 no. two bedroom flat at ground floor level and 1 no. one bedroom at first floor level). The proposed building will be two storey with one flat accommodating each floor. The building will be attached to the neighbouring public house and will be separated

from the neighbouring terrace block by a pathway which provides access to the rear of 95 Adelaide Street.

7. The proposal has been amended during the process of assessing the application to take into consideration some of the concerns raised by the planning officer and neighbouring residents. The plans as submitted included 2 no. two bedroom flats and a balcony at first floor level. The flat at first floor level has been changed from a two bedroom flat to a one bedroom flat which has meant that the projecting element to the rear has been reduced in height from two storey to single storey. The balcony has also been omitted.
8. The proposal also seeks to address the previous reasons for refusal by reducing the overall height of the proposal and changing the roof form from a flat roof to a pitched roof so it relates better to its setting and neighbouring buildings (including the locally listed Bread and Cheese Public House). Reducing the overall depth and in particularly the depth of the first floor flat also seeks to minimise the impact upon neighbouring residents.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	2
No. of affordable dwellings	0
Total floorspace	104 sqm (GIA)
No. of storeys	2
Max. dimensions	Ridge height – 7.8m, Eaves height - 4.8m, Width – 6.1m, Depth – 12.7m
Appearance	
Materials	Red brick and cream render, Red clay pantiles
Transport matters	
No of car parking spaces	0
No of cycle parking spaces	3
Servicing arrangements	Sufficient space is provided for 4 x 240 litre bins

Representations

9. Adjacent and neighbouring properties have been notified in writing. Four 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 depth of the proposed building means that it is overbearing and intrusive to the neighbouring property to the south. The balcony will also create overlooking and noise issues to the property to the south and the garden of 2 Arderon Court.	See main issue 4
The depth of the proposal will result in proposed windows to the new flats within the Bread and Cheese public house building being covered or lost. Consideration needs to be given to adequate ventilation to the bathrooms.	See main issue 4
The development does not respect the existing building line. The front elevation of the proposal should be more in keeping with the public house.	See main issue 2 and 3

10. A further consultation took place on the amended proposal. The consultation period does not expire until 23rd November and therefore a verbal update of any responses will be given at the committee meeting.

Consultation responses

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

Environmental protection

12. No comments received

Highways (local)

13. No comments received

Natural areas officer

14. The period when site clearance should be avoided should be March – August inclusive as many birds that nest in scrub often have second broods present well into August.

Tree protection officer

15. No objection. The proposed development will not have a demonstrable effect on the existing tree (Lawson Cypress).

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
 - JCS6 Access and transportation
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
 - 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
 - DM7 Trees and development
 - DM9 Safeguarding Norwich's heritage
 - DM12 Ensuring well-planned housing development
 - DM28 Encouraging sustainable travel
 - DM31 Car parking and servicing
 - DM32 Encouraging car free and low car housing
 - DM33 Planning obligations and development viability

Other material considerations

18. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
 - 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
 - NPPF12 Conserving and enhancing the historic environment

Case Assessment

19. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate

otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning 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. The principle of two flats on this vacant site is acceptable and will help meet the housing need within Norwich. As such the main issues in assessing any future application on the site are design and the impact upon the neighbouring locally listed building, the impact upon living conditions of future and existing residents and car parking. The previous application (14/00957/F) was refused on all of these grounds.

Main issue 2: Design

22. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
23. The proposed development is on a vacant site within a predominately residential area which is characterised by two storey 19th century terraces. However the terrace directly to the south of the site is much more recent than this and the public house to the north dates from the mid 19th century
24. Consent has previously been granted on the site for a contemporary dwellinghouse and although this does form some kind of precedent, it must be noted that this was permitted over 10 years ago and since this time the City of Norwich Replacement Local Plan was adopted in 2004 and the Development Management Policies Local Plan was adopted in 2014. Furthermore the adjacent public house has since been identified as a locally listed building and therefore careful consideration does need to be given to whether the proposed flats are appropriate in this setting taking into consideration the stronger design policies which are now in place.
25. A previous application for the erection of 3 no. flats was refused at planning committee in December 2014. It was considered that the proposed building did not adequately take account of its setting, with the proposed development appearing overbearing and out of keeping with the surrounding buildings. Furthermore it was considered that there was an unusual relationship between the proposed building and the pitched roofs of the other building on the street.
26. It is the officer's opinion that the revised proposal has overcome these concerns. Reducing the height of the building from three storey to two storey and replacing the flat roof with a pitched roof has resulted in a development which relates much better to the terrace to the south and the public house building to the north. The design of the building is still much more contemporary than the surrounding building but this is considered an appropriate design response given that the terraces to the south are of no particular architectural merit. In particular it should be noted that the proposed building is set back behind the build line of the neighbouring terrace

which not only has allowed for a front garden wall which makes the building appear more recessive but roof form has also helped reduce the overall mass.

27. Therefore it is considered that the revised proposal does address the previous reason for refusal and subject to conditions relating to materials, fenestration and landscaping the proposed development, although different from the surrounding buildings, does now adequately take account of its setting.

Main issue 3: Heritage

28. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-141.
29. The site is situated adjacent to the former Bread and Cheese Public House which is locally listed and an early example of a corner public house. The public house has now closed and is being redeveloped for 4 flats. It is however still important that this current application is assessed in terms of its impact upon the significance of this non-designated heritage asset, in line with paragraph 135 of the NPPF.
30. One of the reasons for refusal on the previous application was that the proposed three storey development dwarfs the neighbouring public house due to the size, mass and positioning of the building. As such it was considered that the proposal would have a detrimental impact upon the neighbouring heritage asset.
31. It is the officer's opinion that the proposed amendments have addressed these concerns. The ridge of the proposed building is still slightly higher than the ridge of the public house and the building is still set slightly further forward of the building line. However the reduced overall height and changing the roof form has now resulted in a proposal whereby it can no longer be considered that there is harm to the significance of the neighbouring building.

Main issue 4: Amenity

32. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
33. *Impact on living conditions of neighbouring residents*
34. The previous application was refused as it was considered by Members that the proposed development would result in the loss of light and overshadowing to the property to the south and will also have an overbearing impact upon the neighbouring residents. Furthermore it was considered that the proposal would lead to overlooking to neighbouring residents on Adelaide Street, Arderon Court and Waddington Street.
35. Officers considered that the revised application (as submitted) did not adequately address these concerns and neighbouring residents also raised concerns that the development would still impact upon their living conditions. Following discussions with the applicant the proposal has been amended further. Reducing the overall size and therefore the depth of the first floor flat has significantly helped to minimise the impact upon all neighbouring residents. Although the rear elevation is still 1.5m deeper than the rear elevation of the terrace to the south, due to properties being separated by a passageway and due to the orientation the proposal will not result in any significant overshadowing or loss of light. The single storey element will also have little impact due to its height and due to the distances involved. With regards to overlooking although the proposal will inevitably result in some additional

overlooking to properties on Arderon Court and Waddington Street, this will now only be at a minimal level as the two storey element is not as deep as originally proposed and therefore it is considered no worse than can be expected in a tight urban context such as this.

36. Furthermore consideration now needs to be given to the impact that this proposal will have upon the living conditions of future residents of the neighbouring Bread and Cheese Public House as permission has recently been granted for its conversion. It is noted that new high level windows are proposed within the south elevation of the ground floor of the public house in order to provide light and ventilation to the kitchen and bathroom of the rear ground floor flat and the bathroom of front ground floor flat. The proposed development will mean that the windows to both bathrooms will be blocked off; however the window to the kitchen will be unaffected. Given that it is not necessary to have natural light and ventilation to bathrooms this is considered acceptable. The owner of the former Public House has also raised concern about the positioning of flues for the kitchen and bathrooms for the proposed flats within the Bread and Cheese Public House. Although this proposed development will limit where these can be positioned, there are still several options available including a shared systems which exits through the roof. Details of flues for the neighbouring development have been conditioned and have not yet been discharged so this can be agreed as part of a future application.
37. *Living conditions for future residents*
38. One of the reasons that the previous application was refused was due to Members considering that it would provide a poor standard of amenity for future residents of the site due to a combination of the flats having a small internal area and a lack of sufficient private, useable external space for all flats.
39. Since the determination of the previous application, national space standards have superseded those set out within the Local Plan and although both flats are still below the national standards, it is considered that the open plan layout works well and the proposed flats will just about provide sufficient internal space for future residents. Furthermore the proposed openings provide satisfactory light and ventilation into both properties.
40. With regards to external amenity space, a garden will be provided for the ground floor flat but no external amenity space will be provided for the upper floor flat. The application as submitted did include a small balcony; however this resulted in amenity issues to neighbouring properties and as such has subsequently been omitted from the proposal. Notwithstanding the above, given that the upper floor flat has been reduced in size from two to one bedroom, it is not likely to be occupied by a family and given that the site is within walking distance of a number of public open spaces such as the Wensum Park West, it is not considered that there are sufficient grounds to refuse an application on the lack of external amenity space for this one bedroom flat.

Main issue 5: Transport

41. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.

42. The final reason for refusal of the previous application was due to a lack of off site car parking which in turn would significantly increase demand for on street car parking in an area which has no controlled parking.
43. The local highway officer has provided no comment on this current application; however they raised no objection to the previous application was for 3 no. 2 bedroom flats. No offsite car parking is being provided as part of this revised application as the site is not of sufficient size to accommodate this. However it is felt that but reducing the total number of flats from three to two and also reducing the number of bedroom of the first floor flat, the demand for on street car parking has been reduced from the previous application.
44. Furthermore bearing in mind that the site is situated within a sustainable location with easy access to buses and due to the site being situated in cycling and walking distance of the city centre and local shops and services on Dereham Road, it is considered that a car free development is appropriate in this instance.
45. It is proposed to have sufficient cycle storage space for three cycles which although not covered should be relatively secure subject to a condition requiring further details of the tethers.

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	No car parking is provided and the site is not situated within a permit area. No objection from local highway officer due to sustainable location.
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

Other matters

47. 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.

- Trees – There is one large conifer tree in close proximity to the site. The tree officer has confirmed that he has no objection to the proposal.
- Landscaping – Due to the size of the site there is little scope for landscaping; however a condition should be attached to any future permission requiring details of the front and rear curtilage to ensure that the proposal is of good design and the space is suitable for the enjoyment of residents
- Biodiversity – There is no evidence of any protected/important plant or animal species on the site or habitats of potential value to support such species. A condition should be attached relating to site clearance during bird nesting season.
- Energy and water – As the proposal is for two flats there is no requirement for the development to include a source of renewable energy. No water efficiency calculations have been provided as part of the application. A condition should be attached to any permission to ensure that the proposal satisfies the requirements of Joint Core Strategy policy 3.

Equalities and diversity issues

48. There are no significant equality or diversity issues.

S106 Obligations

49. The proposal is for less than five dwellings and as such affordable housing is not required.

Local finance considerations

50. 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.
51. This development would generate the payment of Community Infrastructure Levy to a sum of £8325.42 (index linked) (unless any relief for self-build is successful) and New Homes Bonus grant.
52. 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.
53. In this case local finance considerations are not considered to be material to the case.

Conclusion

54. The previous application for 3 no flats was refused at planning committee due to the building not adequately taking account of its setting, the impact upon the neighbouring locally listed building, the impact upon neighbouring residents, the poor standard of amenity for future residents of the site and due to no off street car parking being provided.
55. It is the officer's opinion that reducing the number of flats from three to two, reducing the size and depth of the first floor flat, reducing the height and replacing the flat roof with a pitched roof has helped addressed these previous concerns. Therefore it is now considered that the proposal adequately takes account of its setting and will not cause significant harm to the significance of the neighbouring locally listed former Bread and Cheese Public House. Furthermore the proposal provides satisfactory living conditions for future residents of the site and will have minimal impact upon neighbouring residents.
56. The development is therefore 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. 15/01204/F - Site between 95 and 111 Adelaide Street, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of external facing and roofing materials
4. Details of windows and doors, canopy above front door
5. Details of bin store, cycle store, all external amenity areas, boundary treatments, gate to passageway. Provision prior to occupation and to be retained in perpetuity.
6. No site clearance during nesting season (March to August) inclusive unless agreed
7. Windows in side elevation to be obscured glazed
8. Water conservation and drainage

Informatives

1. Community infrastructure levy
2. Refuse and recycling bins
3. Street naming and numbering

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.

No 110 Former Bread and Cheese Public House

oad

Nile Road

13900

4060

5060

1830

2100

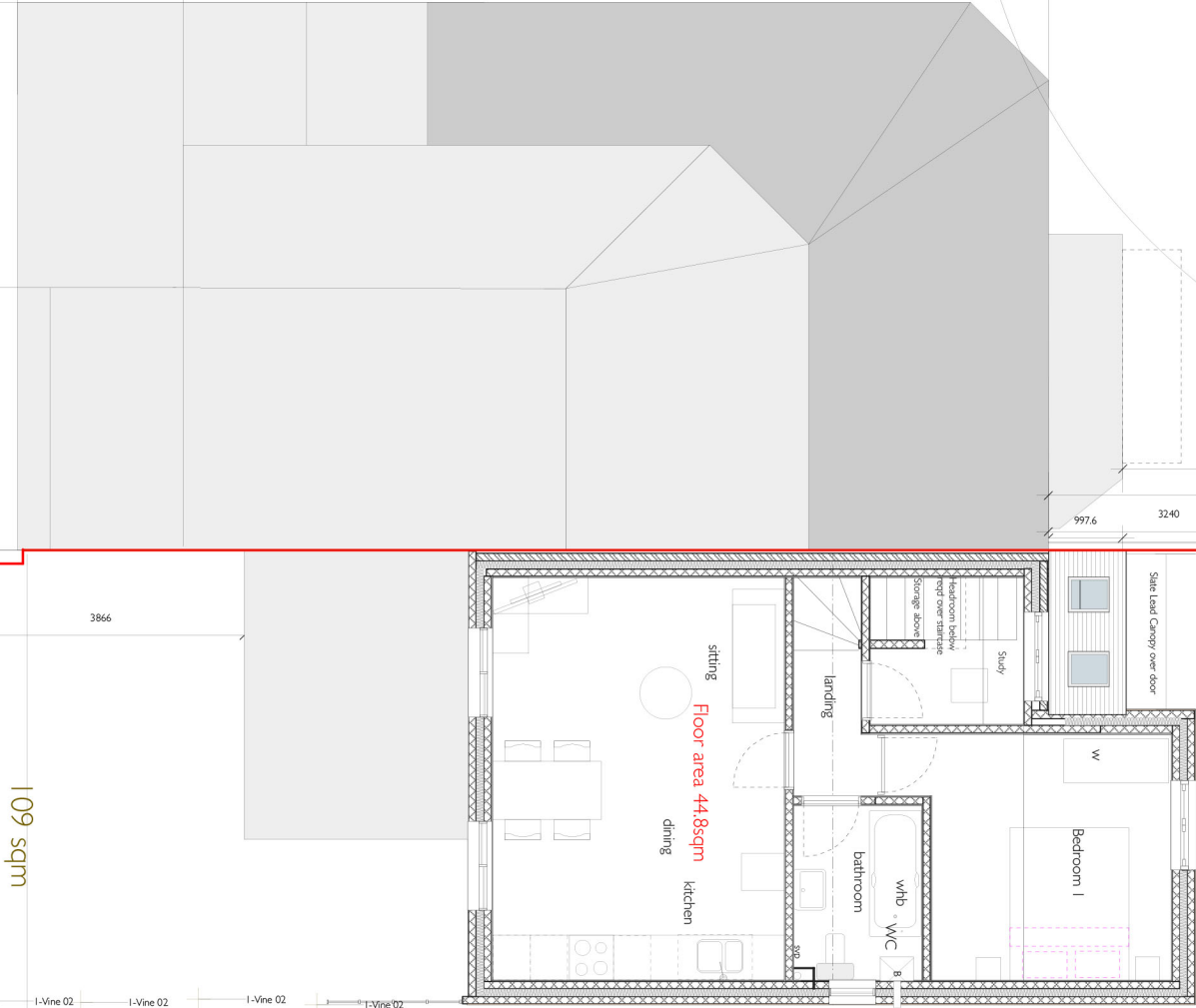
3940

1740

1830

3240

997.6



Site

State Load Canopy over door

Study

bedroom below
top over staircase
Storage above

landing

bathroom

whb + WC

sitting

dining

Floor area 44.8sqm

kitchen

W

Bedroom 1

0040

No 5

Garden Wall with bins behind

*US Tile soft

Chairs are glass
with restrictor to
top hung opener

Revision: A 15/10/20 Reduced 1st bathroom and plan area

Revision: B 15/10/20 Approved amended

GENERAL NOTES

Do not scale from drawings. All written dimensions to be checked on site. Dimensions to be checked on site. Dimensions to be checked on site.

Approved dimensions are approximate only. No responsibility taken for the accuracy of the drawings.

All work must be carried out in accordance with Building Regulations and to the satisfaction of the local Authority.

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Client: MG Property Developments

Scale @ A2: 1:50

Plot adjacent to Bread and Cheese and 179' 25"

Adelaide Road, Norwich, NR2 4PD

Date Created: 20/02/15

20/02/15

