

Report for Resolution

Report to Planning Applications Committee
17 December 2009

Report of Head of Planning Services

Subject 09/01104/F Land adjacent to 14 Old Laundry Court,
Norwich

Item
6(1)

SUMMARY

Description:	Erection of 6 no. two-bedroom townhouses.	
Reason for consideration at Committee:	Objections	
Recommendation:	Approve subject to conditions	
Ward:	Mancroft	
Contact Officer:	Rob Parkinson	Senior Planner Telephone No: 01603 212765
Date of Validation:	25 th October 2009	
Applicant:	Norwich Properties	
Agent:	Anglia Design LLP	

INTRODUCTION

The Site

Location and Context

1. The site is located adjacent and to the west of the existing Old Laundry Court residential area situated to the north of Heigham Street, which becomes the site's southern boundary. To the south of Heigham Street is St. Bartholomew's Church and public open space. The River Wensum runs past the site to the north, although an attractive landscaped area sits between this site and the river. The site is constrained by its immediate neighbour, the Heigham Street Waterworks to the west.
2. The site is 592 sq.m. in area and is largely level, though slopes slightly towards the River Wensum. However, this is a site at a much lower level than the adjacent Heigham Street. Following development of the adjacent residential area, a large detached dwelling that once stood on the site was demolished and the site has remained vacant since. The old access drive into the site from Heigham Street has remained closed and is not proposed to be reinstated as part of this proposal.
3. As a context to the proposed scheme design, the existing residential development of Old Laundry Court is a development comprising 23 houses in a semi-circular layout, and two distinct rows of terraces set around a courtyard drive. These have been built with a variation of heights and interspersed gable ends within the row of terraces which adds interest to the elongated development. This is particularly

successful where the scheme uses a consistent building line to address the River Wensum, creating an impressive view from the north

Relevant Planning History

4. The following application show a gradual evolution of residential proposals on the application site:

04/01066/F – Erection of 4 no. semi-detached houses. **Refused, March 2005.**

05/00800/F – Erection of 2 no. semi-detached houses and 1 no. detached house. **Approved, December 2005.**

06/00612/F – Erection of 2 no. 1-bedroom apartments, 2 no. 2-bedroom duplex apartments, and 2 no. 2-bedroom townhouses. **Approved, October 2006.** Planning permission was granted in 2006 for these six dwellings, comprising two townhouses within a southern block, and four apartments within a northern block. However, this permission has since expired without being implemented.

09/00613/F – A similar proposal to the current application, for 6 no. 2-bedroom (plus study) townhouses within two blocks of three dwellings, around a central courtyard. **Withdrawn, October 2009**, to allow the scheme to be revised.

The Proposal

5. The scheme sets out to provide 6 no. 2-bed (plus study) 2.5-storey townhouses within two blocks, one to the north and one to the south of a courtyard accessed from the existing Old Laundry Court to the east. The proposals also include 6 no. car parking spaces, cycle, and refuse stores.

Representations Received

6. Public neighbour notification was by letter, which included those who had raised objections to the previously withdrawn scheme. At the time of writing, the Council has received 14 representations in opposition to the scheme, including a formal objection from the Old Laundry Court Owners Association Ltd (OLCOAL), representing the 25 owners of the properties of Old Laundry Court, and which is anticipated will act for the new occupants of any approved residential scheme on the application site. The combined representations raised the following concerns:

Issues Raised	Response
Overdevelopment (particularly compared to the lapsed permission), and where a maximum of four houses should be provided on the site.	See paragraph 44
Parking, turning and access arrangements.	See para. 25-26
Refuse storage and collection arrangements.	See para. 21-22
Cycle storage.	See para. 23-24
Foul sewerage capacity and rain water drainage.	See para. 38-39
Design and block siting.	See para. 27-34
Landscaping and boundary treatments.	See para. 35-36
Overlooking and overshadowing of adjacent existing	See para. 27-33

7. In addition, the following non-material planning considerations were raised:
 - Further rental or buy-to-let properties would harm the area's character;
 - Designs are not going to attract families to live in the houses;
 - Rights of access across the shared driveway into the site;
 - Refuse bins block the access drive for new and existing residents.
8. Although not a formal pre-application requirement as is the case for a larger scheme, it is understood the applicant consulted OLCOAL prior to the submission of the previous application (ref 09/00163/F), since revised here.
9. As part of their representation, OLCOAL has also suggested how a revised proposal could be brought forward at the site (which includes fewer houses and more parking spaces). However Members can only consider the proposals brought before them under this formal planning application.
10. Members are also reminded of the formal request that a site visit be undertaken to inform any decision on this proposal. This was raised informally after the last Committee meeting, and it was suggested that members who are not familiar with the site should view the site prior to the meeting on the 17th December.

Consultation Responses (summarised)

11. Consultation responses have been received from internal consultees in Environmental Health, Planning Transportation, Conservation and Design, and the Arboricultural Officer. These are included as part of the assessment.
12. Statutory consultation responses have been received from:

Environment Agency:

- Flood risk should be considered against the Environment Agency's standing advice and the final assessment should be undertaken by the Local Planning Authority.
- Contaminated land – the previous land use is unclear and any permission should consider including conditions to require a site investigation strategy prior to the commencement of development.
- The site is within a groundwater protection area and pollution prevention controls should be provided.
- Foul drainage proposals should be the subject of consultation with the sewerage undertaker to ensure mains capacity exists or an alternative disposal strategy can be provided and the Environment Agency consulted.
- Use of resources should be minimised, for example through passive solar gain and water efficiency techniques.

Health and Safety Executive – The site lies within the 500m consultation zone around the Heigham Street Waterworks, as established by 'saved' Local Plan policy EP3. No comments received to date.

Norfolk Landscape Archaeology – The site lies within the Area of Main Archaeological Interest, and is in close proximity to the St Bartholemews Church and river bank Saxon settlement area. No comments received to date.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1: Delivering Sustainable Development
PPS1 Annex: Planning and Climate Change
PPS3: Housing
PPG13: Transport
PPG24: Planning and Noise
PPS25: Planning and Flood Risk

Relevant East of England Plan (May 2008) Policies

SS1 – Achieving Sustainable Development
H1 – Regional Housing Provision
ENV7 – Quality in the Built Environment
WM6 – Waste Management in Development
NR1 – Norwich Key Centre for Development and Change

Relevant Saved City of Norwich Replacement Local Plan Policies

NE1 – Protection of environmental assets (River Valley)
NE9 – Comprehensive landscaping scheme and tree planting
HOU1 – Provision of housing to meet needs
HOU5 – Accessibility for wheelchair users
HOU13 – Proposals for new housing development on other sites
HBE3 – Archaeological assessment in Area of Main Archaeological Interest
HBE12 – High quality of design
HBE19 – Design for safety and security including minimising crime
EP3 – Health and Safety consultations
EP16 – Water conservation and sustainable drainage systems
EP17 – Protection of watercourses from pollution from stored materials
EP18 – High standard of energy efficiency for new development
EP20 – Sustainable use of materials
EP22 – High standard of amenity for residential occupiers
TRA5 – Approach to design for vehicle movement and special needs
TRA6 – Parking standards – maxima
TRA7 – Cycle parking standard
TRA8 – Servicing provision

Supplementary Planning Documents and Guidance

Open Space and Play Provision SPD adopted – June 2006

Issues to be Assessed

Principle of Development

13. This is a brownfield site formerly used for residential purposes, and is adjacent to an existing residential area. Whilst the proposals are very high density for a scheme outside the city centre (the 592 sq. m site will provide a density equivalent to 102 dwellings/ha) the principle of development is consistent with national policies PPS1 and PPS3, and is similar to the adjacent Old Laundry Court scheme which is also a high density of development. Whilst there is no live planning

permission on the site, a similar permission has already been accepted. There are no planning obligations considered necessary as arising from the development.

Site Access

14. The site is accessed from the east via a shared access drive off Old Laundry Court, between no. 14 and no. 15 Old Laundry Court. This is not a public highway, but it is understood access rights exist for the new development.
15. The Old Laundry Court Owners Association Ltd have suggested that accessing the 6x dwellings in addition to the four already using this drive would be too intense and dangerous to pedestrians. This is because the drive is only 3.5m wide, does not include pavement areas, will experience considerable extra traffic and turning is restricted and often blocked by refuse bins or parked cars. OLCOAL also identify a County Council guideline (which operates in neighbouring rural districts) which recommends a maximum of 5 dwellings should be served from private access drives. However, this standard is not applied in the City Council and Planning Transportation considers the access to be adequate as proposed.

Site Layout

16. The scheme proposes two blocks of 3no. 2-bedroom 2.5-storey townhouses, arranged in a linear built form that is intended as a continuation of the neighbouring development.
17. The northern block (Block A) is again parallel to the River Wensum and aims to continue the building line of Old Laundry Court, which has successfully addressed the river frontage and provides an attractive view with the landscaped setting in front, when seen from the north. Although the proposed building line is some 300mm closer to the river than the existing development, it is not considered to be detrimental to the overall appearance.
18. The southern block (Block B) fails to continue the form of the existing building line, or even that of the existing garage to the west of no. 15 Old Laundry Court. This is unfortunate, although it does retain a general linear layout and in this arrangement is necessary to accommodate car parking within the internal courtyard, whilst still providing adequate rear garden space. For interest, the previous permission also used the same northern building line for this block, albeit somewhat less dominant when viewed from the east because the previous block included only two houses with the east side elevation positioned 3.5m further west than currently proposed.
19. The 'additional' town house within Block B has moved the eastern elevation to within 3.2m of the closest part of the garden of no. 15 Old Laundry Court. It has been suggested that the positioning of Block B could lead to overshadowing and loss of light from, predominantly, the existing rear garden and western elevation of no. 15 Old Laundry Court, but also those of no. 16 and 17. These are legitimate concerns, especially given the existing gardens are already sunken below the level of Heigham Street, but the siting of Block B is not considered too problematic; the sun's trajectory through east-south-west should still be able to reach most of the rear garden(s) and any loss would be in the latter part of the evening, albeit particularly so for no. 15. The gap between the new block and the rear elevation of no. 15 would be 13.5m, which is considered sufficient to avoid detrimental impact to that dwelling.
20. There is no access to the rear gardens of units 2 or 3 in Block A, or unit 5 in Block

B other than going through the houses. Although the scheme provides slightly less outdoor amenity space for some of the dwellings than is usually required (20.5 m² for unit 3, for example, compared to the Local Plan policy standard of 24 m²), the overall provision is considered satisfactory given the extra availability of the attractive existing adjacent communal landscaped amenity area along the riverside.

Refuse and Servicing

21. Individual refuse storage is proposed within the curtilage of each of the three dwellings that have access to their rear gardens. The remaining four will use a communal storage area although they will be provided with two private wheelie bins for each dwelling. This will need to be designed such that it is lockable and can be agreed via conditions. This is preferable to using large paladin bins given the distance and route to be negotiated through the development in order to reach the public highway at Old Laundry Court.
22. There are already difficulties around bin storage within the Old Laundry Court development, and it is indeed possible this development will exacerbate problems, particularly on refuse collection days. However, whilst disputes over collection arrangements are unfortunate, planning's responsibility does not extend this far. By providing the shared storage area, bins should at least be kept out of the way for most of the week, rather than cluttering up the street scene and pavements as happens currently in the adjacent existing development. Planning Transportation colleagues are satisfied with the refuse provision and collection proposals.

Cycle Storage

23. Individual cycle storage is also provided within the curtilage of each of the three dwellings that have access to their rear gardens. The remaining four will use individual private stores provided within a shared area alongside the refuse store at the west of the site. Provided that details are agreed to ensure the stores are private and secure, Planning Transportation colleagues find the scheme acceptable.
24. The cycle stores and refuse store are all proposed within one shelter. Currently this is proposed to be a flat-roofed low-rise building which is unsympathetic to the design of the overall site. Any permission should include conditions to require final designs and materials to be agreed prior to development and provided prior to first occupation. It is considered that a mono- or fully pitched tiled roof is necessary to achieve an acceptable design to sit comfortably with the rest of the scheme.

Car Parking

25. The scheme proposes 1:1 car parking for all dwellings, which is in accordance with Local Plan policy. Two car parking spaces for two of the houses within Block A are provided within a single storey garage block adjacent and to the east of Block A, adjoining the existing single garage of no. 14 Old Laundry Court. The remaining four spaces are positioned within the internal courtyard, two of which screen the proposed cycle and bin store, and two positioned to the front of unit 6 within Block B. This is very similar to the previous permitted scheme. Neighbours are concerned the shortage of garages will lead to parking conflict, but planning conditions could be used to determine parking layout and identify specific spaces. Further conditions would also be used to prevent the use of garages for any purpose other than for parking cars. Although seemingly a tight arrangement, Planning Transportation are satisfied it would work, and raise no objection to the

scheme. Further, the limited courtyard space is likely to prevent extra ad hoc parking from non-residents.

26. There appears to be significant car parking congestion and strain amongst residents of the existing Old Laundry Court site, which may have given rise to all the public roads having double-yellow parking restrictions. This may have arising from the existing development having integral garages fronting the street, which may or may not actually be used for parking. The current proposals have avoided integral garages as a means to improve living space, provide more activity at street level, and avoid future problems by defining street parking spaces from the outset.

Design and Amenity

27. Aside from the main difference that the proposed scheme does not include integral garages, both proposed blocks include features that are consistent with the rhythm and general appearance of the existing Old Laundry Court complex.
28. Block A, to the north, is a 2.5 storey, 9.4 m high ridge, pitched-roof terrace of 3 no. two-bedroom plus study town-houses. With en-suite bedrooms in the roof, the dormers at both front and rear provide a continuation of the design of the northern side of Old Laundry Court. This is quite effective along the riverside elevation where the proposed balconies and dormers offer a similar style to the existing development, although the centrally positioned dormers could be said to end the rhythm of the existing double-dormer riverside frontage roofscape. The existing garages already add interest to the riverside frontage by including recessed brickwork features. The rear elevation of Block A includes a balcony and fully glazed French doors that can open onto the private garden space. The internal arrangements provide the main living spaces on the rear, northern elevation to take advantage of these vistas and minimise the potential for causing overlooking across the 11m gap between the two blocks.
29. The two existing garages adjacent to the north block creates a welcome separation between the existing and new schemes, whilst the hipped roof will confirm this separate identity and help to lessen the intensity of the scheme. The use of stairwell windows in the eastern elevation provides interest to the stark gable end; any loss of amenity from neighbouring dwellings will be mitigated by requiring these windows to be top-opening only and to use obscure glazing at all times, which shall be required by a condition. Similar windows are proposed for the west elevation, although these do not necessarily need to be obscure glazed.
30. Block B, to the south of the site, is also a 2.5 storey high pitched-roof terrace of 3 no. two-bedroom plus study town-houses. This block however, is slightly lower at 8.9m high so as to reduce the massing and overshadowing that could affect neighbours, without being too out of place when positioned against the rhythm of the adjacent site. Although the building lines of this block are set back from that of the existing dwellings along Heigham Street, it does still provide continuity and aims to tie-into the rest of the Old Laundry Court development when seen from both Heigham Street and the interior courtyard. The rear elevation tries to take advantage of the southern aspect by using fully glazed French doors opening onto the private garden space adjacent to Heigham Street.
31. The internal arrangements of this block provide the main living rooms on the south elevation, towards Heigham Street. Whilst this will minimise the potential for causing overlooking towards Block A, these rooms could be subjected to more

road traffic noise, so conditions will be needed for window details to ensure minimal adverse impact from traffic noise.

32. Again, dormer windows (albeit centrally positioned on each dwelling) on both the front and rear elevations provide a continuation of the design of Old Laundry Court. When viewed from the Heigham Street and Waterworks Road aspect, the proposed frontages and fenestration proportions should be in keeping with the existing adjoining development. The windows along the Heigham Street elevation would all be subject to conditions that aim to secure adequate noise insulation measures to mitigate the impacts of road traffic noise. None of the dormers would give rise to overlooking of nearby properties.
33. As a result of the roof space in both blocks being used for en-suite bedrooms, there has been some concern over overlooking, but each dormer window is off-set from the opposite block, so any direct views into windows opposite should be minimal. Overlooking from the stairwell windows in the east elevation of Block B can also be avoided by requiring windows to be top-opening only and to use obscure glazing.
34. Both blocks are similar in appearance in their front elevations facing the courtyard, and use front doors and windows in attractive proportions that are similar to the neighbouring site. Although the use of porch canopies over the front doors is slightly discordant with the existing scheme, the use of porch canopies above front doors further adds to the identity of the scheme as being separate to the existing site. Details of the materials of doors, windows and porches would be agreed through conditions, and retained to ensure the scheme maintains its collective identity.

Landscaping and Boundary Treatments

35. Landscaping within the internal courtyard has been suggested at the front of the proposed dwellings, with the intention to both enhance a feeling of ownership and in some part to screen the bin store. The final landscaping layout and details and short-term maintenance can be required by condition, and it is suggested their ongoing upkeep can be continued through the work of the owners association. These areas will further reduce the potential for additional ad hoc parking. The existing landscaped area by the river frontage will be unaffected by these proposals and it is hoped the occupants of the new dwellings will benefit from the access to the river vistas.
36. The boundary treatments around the site are all proposed to match the existing old brick walls between the site and adjacent Heigham St Waterworks. Although this is acceptable in principle, conditions shall also be used to ensure these matters are approved and provided prior to first occupation.
37. Any lighting proposed around the site will also be subject to agreement through conditions to minimise detriment to amenity of residents.

Environmental Considerations

38. The site is located partly within Flood Risk Zone 2, which necessitated a Flood Risk Assessment (FRA) to be included as part of an application. The FRA is not particularly comprehensive and does not include a drainage strategy, but its scope does comply with PPS25 requirements. In summary, the FRA found that fluvial flooding does not present a risk to this site, and did not present any concerns for

the design of the scheme. However, the designs as proposed include a finished floor level almost 1m above the 1:100 yr flood event level with climate change allowance, which exceeds the Environment Agency 600mm minimum standards, and which can be required by conditions. The Sequential Test has found the site to be appropriate for residential development, despite residential uses being a 'more vulnerable' use in Flood Risk Zone 2. As the development is more than 9m from the river bank, the scheme does not need separate Environment Agency consent for works adjacent to a main river, although measures are required to ensure there are adequate pollution controls in place to prevent contamination of groundwater resources.

39. The FRA also stated there was no surface water flood risk, with surface water being disposed of through existing infrastructure. Foul sewerage disposal, however, has been the subject of concern for locals as there have been recent problems with existing connections. The applicant anticipates both the scheme's surface water and foul sewage to be accommodated within existing infrastructure connections, but neither of these possibilities have been confirmed with Anglian Water. A pre-development condition will be attached to any permission to require a drainage strategy to be approved in consultation with the utility provider and Environment Agency, to either confirm whether there is sufficient infrastructure capacity to accommodate the additional flows or provide additional infrastructure or alternative service arrangements if necessary. Conditions will also be used to clarify on-site rainwater disposal and water saving measures.
40. The previous uses of the site are not entirely clear as it may have formed part of the former baths and laundry and engineering works of the wider area, in which case there is potential for contamination to exist on site which could leave private gardens vulnerable to contamination. So as to avoid land contamination being an issue, Environmental Health consider it appropriate to require site investigation surveys and any necessary remedial treatment to be carried out prior to the commencement of development.
41. The methods of construction piling and the arrangements for construction traffic accessing the site have also been identified as an issue amongst local residents. Whilst techniques are not a matter for planning to control, it is considered beneficial to establish the means of site access and servicing so as to minimise the disruption caused to both the local highway network and the neighbouring residents and commercial premises. Conditions would be used in a permission to agree site access, hours of deliveries, materials storage and dust suppression as part of a construction management plan. Further conditions would require the considerate restoration of any damaged areas of the site that may result, such as road surfaces or boundary walls.
42. The site lies within the Area of Main Archaeological Interest, and is in close proximity to the St Bartholomew's Church and river bank Saxon settlement area. Although no comments have been received to date, there were neither objections raised nor conditions required on the previous permission in 2006. It is considered appropriate for any approval of permission to be subject to confirmation that Norfolk Landscape Archaeology raise no objection to the scheme, and to include any conditions that may be necessary as part of any permission.
43. The site also lies within the 500m consultation zone of the adjacent Heigham Street Waterworks. Although no comments have been received to date, there were

neither objections raised nor conditions required on the previous permission in 2006. It is considered appropriate for any approval of permission to be subject to confirmation that Health and Safety Executive raise no objection to the scheme, and to include any conditions that may be necessary as part of any permission

Conclusions

44. The principle of residential development of a similar intensity has already been accepted on this site. It is considered that this scheme, with the improvements to the design, will promote a better quality of development for future residents. It offers a scheme that will enhance the setting of the area whilst preserving the existing amenity for existing neighbouring occupants. Whilst some notable issues could arise as a result of the development, these are either able to be mitigated or are considered non-planning concerns. Further, it is considered that any concerns over compromised amenity of neighbouring residents can be sufficiently addressed through the use of appropriate planning conditions. On balance, this proposal is recommended for approval and is considered an appropriate use of a brownfield site, at a density commensurate with the adjoining residential development.

RECOMMENDATION

To approve Application No. 09/01104/F and grant planning permission, subject to receiving no objection(s) from Norfolk Landscape Archaeology or the Health and Safety Executive, and any approval being subject to the following conditions:

1. Standard time limit;
2. The development shall be built in accordance with the plans as approved;

(Prior to commencement of development)

3. Site contamination investigation studies and further works;
4. Any archaeological conditions (if considered necessary);
5. Flood proofing measures shall be agreed and provided prior to occupation;
6. Materials to be approved for:
 - o Roofing and external wall materials and rainwater goods
 - o Windows and doors and porch canopies
7. Bin and bike store materials and design for both communal facility and individual dwellings;
8. Construction methods, phasing and access arrangements;
9. Noise insulation standards for windows and doors in south elevation of Block B fronting Heigham Street;
10. Foul sewage and surface water disposal strategies to be agreed in consultation with Environment Agency and Anglian Water;

(Prior to first occupation)

11. Boundary walls and all fences or other enclosures details and provision;
12. Provision of bike & bin stores;
13. Details of, and provision of, access, car parking and their allocated spaces;
14. Landscaping plan and hard and soft landscaping materials, including surfacing;
15. Landscaping maintenance and ongoing replacement;

(General)

16. Obscure glazing and top-opening only windows to be provided in eastern

- elevations of both Blocks A and B;
17. Garages shall only be used for the parking of cars;
 18. In the event of there being damage caused to landscaping, existing boundary walls or shared access drive during the construction period, all repairs shall be carried out and reinstated with materials to match the existing with 6 months of completion.
 19. Development shall be constructed with a minimum finished floor level of 5.05m AODN.
 20. No part of any dwelling shall be altered or enlarged without prior consent.
 21. Any appropriate conditions relating to Health and Safety Executive recommendations (if considered necessary)..

The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies SS1, H1, ENV7, WM6 and NR1 of the adopted East of England Plan (May 2008), 'saved' policies NE1, NE9, HOU1, HOU5, HOU13, HBE3, HBE12, HBE19, EP3, EP16, EP17, EP18, EP20, EP22, TRA5, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan (November 2004), PPS1, PPS3, PPG13, PPG24 and relevant Supplementary Planning Guidance.

Having considered all of the above and other material planning considerations this is considered an appropriate use of a brownfield site with development at an appropriate density. Subject to conditions imposed to enhance the amenity of future occupants and protect the amenity of adjacent existing residential development, the scheme is considered to provide an acceptable layout and a quality of design consistent with the appearance of the local environment.