

Report to Planning applications committee

Item

12 July 2018

Report of Head of planning services

Subject Application no 18/00168/F - Site North of 2 Wellington Road, Norwich

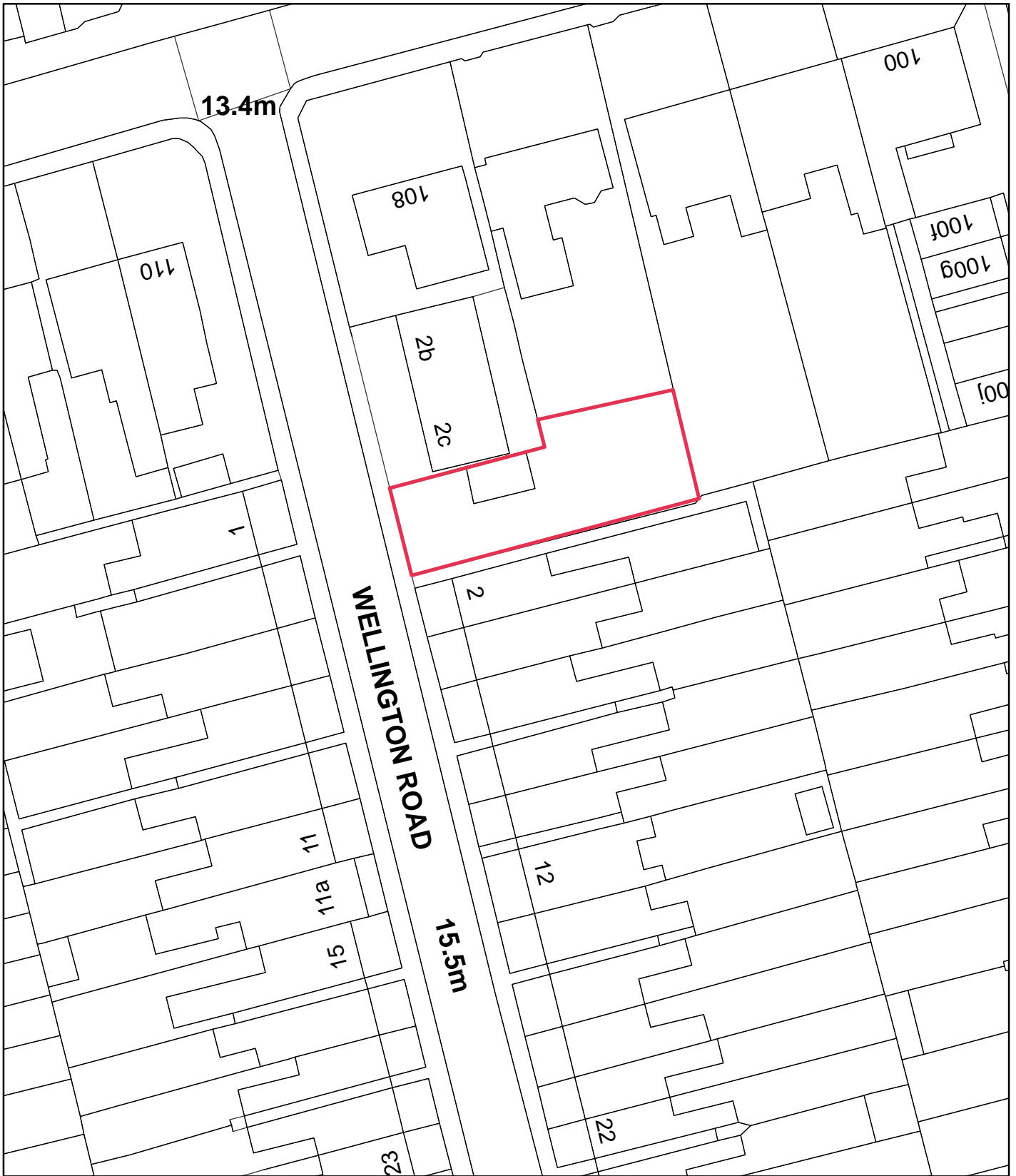
4(c)

Reason for referral Objection

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

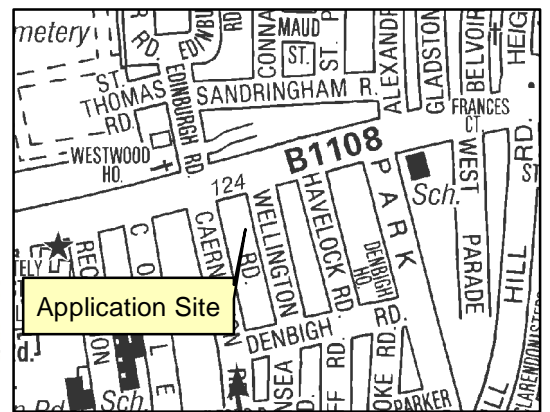
Development proposal		
Demolition of existing outbuilding and erection of 1 No. three bed dwelling.		
Representations		
Object	Comment	Support
6	0	3

Main issues	Key considerations
1 Principle	Location, infill
2 Design and heritage	Scale, materials
3 Amenity	Loss of light, loss of privacy
4 Trees	Loss of trees
5 Transport	On-street parking pressures.
6 Biodiversity	Loss of on-site biodiversity
Expiry date	11 April 2018
Recommendation	Approve



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Planning application no: 18/00168/F
 Site Address: Site North of 2 Wellington Road
 Scale 1:500



The site and surroundings

1. The subject site is located on the East side of Wellington Road. The plot is somewhat unusual in that it is currently part of an existing L-shaped garden from one of the properties along Earlham Road. The plot is currently a garden area, with an outbuilding currently used for storage/as an office and comprises a number of trees. There are large gates which provide access to the garden from Wellington Road. The surrounding area is predominantly residential in character, largely made up of terraced dwellings. There is a flatted development to the North of the site which was previously constructed within the rear garden of No. 108 Earlham Road. The ground level slopes away towards the North so that the terraced dwellings are at a higher level than the flatted development. At present, the plot is an open area within the streetscene with vegetation which contributes to the surrounding visual amenity.

Constraints

2. The plot is located within the Heigham Grove Conservation Area and covered by an Article 4 direction.
3. It should be noted that the plot is within the conservation area and covered by the direction above by virtue of the host property along Earlham Road being location within this area. The rest of Wellington Road is not included.
4. The host property along Earlham Road is locally listed.
5. The property is located within a critical drainage area.

Relevant planning history

6.

Ref	Proposal	Decision	Date
4/1990/1132	Change of use from residential (Class C3) to office use (Class B1). Includes No 3	REF	07/02/1991

The proposal

7. The proposal is for the demolition of the existing outbuilding, subdivision of the plot and erection of 1No. 3 bedroom dwelling.
8. The proposal also includes alterations to boundary walls and creation of a parking area.
9. Members should note that the proposal has been revised to reduce the scale of the building, in particular reducing the two storey projection at the rear in an attempt to allay concerns over overshadowing and overbearing impact. In addition, there have been minor design amendments and changes to the front garden area.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	1
Total floorspace	132m2 – exceeds space standards
No. of storeys	2
Max. dimensions	7.20m x 16.30m 5.60m at eaves, 9.00m at ridge
Appearance	
Materials	Proposed brick, render and cladding. To be secured by condition.
Transport matters	
No of car parking spaces	On-street parking
No of cycle parking spaces	Able to be accommodated on site. To be secured by condition.
Servicing arrangements	Bin stores indicated. To be secured by condition

Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 6 letters of representation have been received in objection and 3 letters in support, 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
Garden grabbing	See Main Issue 1
Additional dwelling would be an asset	See Main Issue 1
Modern design is out of character and does not follow existing building lines	See Main Issue 2
Adequate space for a dwelling	See Main Issue 2
Loss of light and privacy	See Main Issue 3

Issues raised	Response
Loss of outlook/views	See Main Issue 3
Loss of vegetation/green space	See Main Issue 4
Impact on on-street parking pressures and problematic access for construction vehicles	See Main Issue 5
Loss of wildlife	See Main Issue 6
Construction noise/dust	See other matters
Impact on property values	See other matters
Structural damage to surrounding dwellings	See other matters

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.

Design and conservation

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

Highways (local)

Original comments

13. No objection on highway grounds. Not clear whether a car will gain access to the proposed driveway. Vehicles left on the street are acceptable. Ideally a vehicle tracking diagram would be submitted. The site is not in a controlled parking zone and on street parking is unrestricted. If a CPZ were implemented in this area, the dwelling would be entitled to permits if occupied prior to the CPZ implementation. If occupied after CPZ implementation the dwelling would not be entitled to permits.

Revised comments

14. Remain sceptical as to whether a car can park on site. Preference for the dwelling to be car free and designed as such. It would be better if the car were parked perpendicular to the road. Comments regarding CPZ as per paragraph 12.

Natural areas officer

Original comments

15. It is not quite clear from the application what condition the small building which would be demolished is currently in. The concern would be that if it has not been used recently and is vacant/derelict it could be used by bats. Having looked on google streetview and at a photo of the building in the Tree report I tend to think that the structure has low potential for bats. I therefore think that an ecological assessment is not necessary. There would be a loss of a small amount of habitat in terms of trees and garden area. The proposed landscaping would help towards mitigating this. Some additional compensation in the form of a bird box or 2 would be beneficial.

Revised comments

16. Boundary treatments appear to be mainly walls with some fencing in the rear garden I suggest that small mammal accesses are provided. This could be conditioned with BI4 Small mammal access. Arboricultural Impact Assessment: Seven B category trees and six C category trees would be removed for development purposes. The 5 no. proposed replacement trees are ornamental species and would be of fairly small size. These trees are welcomed but would not fully replace those lost in terms of biomass. As previously, in view of the loss of habitat some additional ecological mitigation should be provided: Suggest bat tubes and sparrow terrace. To avoid the risks to nesting birds when the site is cleared condition B13 Bird Nesting Season should be applied.

Tree protection officer

Original comments

17. The proposed development will result in the loss of a number of garden trees, many of which contribute positively to the local area. The AIA report shows the lime trees at the west of the site on Wellington Road as retained with appropriate protection measures described, but the planting plan submitted with the application shows tree being planted on top of retained trees' location. I have asked for the consulting arborists to clarify this detail. Please could you condition TR7 Works on site in accordance with AIA, AMS and TPP and once the planting plan has been clarified please could you also condition TR12 Mitigatory replacement tree planting.

Revised comments

18. The revised AIA makes more sense in terms of the replacement planting locations, the tree removals, and the tree protection measures there is adequate replacement planting to mitigate the tree removals.

Assessment of planning considerations

Relevant development plan policies

19. **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
 - JCS4 Housing delivery

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- 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

21. 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
- 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

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 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

23. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
24. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 53 of the NPPF states development in residential gardens, for example where development would cause harm to the local area. The council considered this matter as part of the development of policies in the local plan and concluded that the criteria based policies in DM3 and DM12 are satisfactory to determine applications for dwellings in gardens. Therefore there are no specific policies restricting new dwellings in the gardens of existing properties.

25. The principle of residential development is acceptable on this site under policy DM12 subject to the criteria in the second part of DM12 and subject to the other policy and material considerations detailed in below given that:
- The site is not designated for other purposes;
 - The site is not in a hazardous installation notification zone;
 - The site is not in the late night activity zone;
 - It does not involve the conversion of high quality office space; and
 - It is not in the primary or secondary retail area or in a district or local centre.

Main issue 2: Design and heritage

26. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
27. Concerns were raised that the proposed dwelling would be out of keeping with the character of the surroundings.
28. The site is located between an attractive Victorian terrace and a 1960s flatted development. The flats to the North are a negative building that detracts from the character of the area. Whilst the proposed dwelling is of a more contemporary design, it features similarities to the terraced dwellings, including similar window proportions, following the same building line and stepping down in height to following the slope of the ground level. The property would not come forward of the more traditional properties along the street and whilst it is slightly wider than those properties, its reduced height aims to prevent it becoming an overly dominant building in the street scene. Therefore, the proposed dwelling is considered to be of an appropriate height, scale and form to its surroundings.
29. Due to the proposed layout, the new dwelling would occupy a plot with direct access to Wellington Road with a rear garden of a similar size to the adjacent properties. Therefore the proposal is also considered to be in keeping with the pattern of surrounding development.
30. The proposed materials have also been raised as a concern. The initially proposed materials include brickwork and slate roof, which would match the terraced dwellings. The property includes more contemporary materials, such as render, timber cladding and aluminium windows. Whilst these materials are not necessarily common to the surrounding area, they are not considered to be detrimental to its character and would ensure the dwelling appears clearly as a contemporary addition to the street. It should be noted that full details of materials will be secured by condition.

Main issue 3: Amenity

31. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
32. The proposal would provide future occupiers with a good standard of amenity. The property would comply with space standards and offers ample outdoor space.
33. Concerns were raised that the new dwelling would result in additional opportunity for overlooking. The property would be located a sufficient distance from

neighbouring properties that overlooking is not considered to be a significant concern. There are also no windows in the side elevations of the flats or No. 2 Wellington Road.

34. Concerns were also raised regarding the loss of light to both neighbouring rooms and gardens. Due to the height and orientation of the property, it is likely that there would be a loss of evening light to the neighbouring garden. Officers raised concerns with regard to the original scheme as it was considered to be overbearing and result in a significant loss of light to ground floor windows at No.2 Wellington Road and the flats to the North. It should be noted that the flats already have a poor quality outdoor area to the rear. The proposal has been amended so that the first floor does not project past the rear of No.2 in order to minimise the impact upon windows to the rear. In addition, the property has been pulled away from the boundary with the flats and a pitched roof used to minimise the impact.
35. Concerns were also raised regarding loss of outlook of a green area and views of the cathedral. Preventing loss of outlook is covered in DM2, however this relates to avoiding development that has an overbearing impact. In this instance, concerns over loss of private views of a distant feature/object are not a material planning consideration.

Main issue 4: Trees and landscape

36. Key policies and NPPF paragraphs – DM3, DM7, DM8, NPPF paragraphs 9, 17, 56, 109 and 118.
37. Concerns were raised regarding the loss of trees on site. The proposal includes the removal of 13 trees on site. It is acknowledged that this will change the character of this part of Wellington Road. However, the scheme also includes a replacement planting scheme for trees, which the tree protection officer considers is acceptable to mitigate the loss of existing trees. In addition, it has been raised that the currently proposed replacement planting scheme would not fully account for the loss of biomass on site. The tree protection officer has asked for further replacement planting details by condition and a full landscaping scheme will be secured by condition to ensure that replacement planting is secured which will also aim to secure vegetation at the front of the site to soften the appearance of the dwelling.

Main issue 5: Transport

38. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
39. Concerns were raised that a new dwelling in this location would result in increased parking pressures. At present, this road is congested and is not in a controlled parking zone.
40. The proposal originally included a driveway to provide one off-road parking space. The scheme has been revised to address amenity concerns and replacement tree planting indicated in the front garden which has resulted in the reduction of space at the front of the site. The property is now shown as car free development which the Transportation Officer has indicated is acceptable.

41. The Transportation Officer also highlighted that, if a controlled parking zone (CPZ) were to be introduced in future, the dwelling would only be entitled to a parking permit if it were occupied prior to the introduction of the CPZ.
42. Members should also note that the proposed dwelling would be located in a sustainable location with good walking, cycling and bus routes within close proximity.

Main issue 6: Biodiversity

43. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
44. Concerns were raised that the proposal would result in the loss of biodiversity on site. It is acknowledged that the construction of a dwelling within this rear garden space would result in a less verdant character to this plot.
45. However, the natural areas officer did not raise any objection. They highlighted that the outbuilding, given that it is in use as an office, is unlikely to provide a suitable habitat for bats and therefore an ecology assessment was not required. In addition, they have recommended that a condition is included to ensure that no works are undertaken during bird nesting season, and also to include biodiversity enhancement measures.

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 – On-street space unrestricted.
Refuse Storage/servicing	DM31	Yes subject to condition
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:
48. Concerns were raised regarding disturbance from construction noise and dust. Whilst this is not a planning matter, an informative should be included recommending considerate construction practices.

49. Changes to property values as a result of the development (whether positive or negative) are not a material planning consideration.
50. Structural damage to surrounding properties is not a planning matter. Structural considerations will be dealt with separately by building control.

Equalities and diversity issues

51. There are no significant equality or diversity issues.

Local finance considerations

52. 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.
53. 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.
54. In this case local finance considerations are not considered to be material to the case.

Conclusion

55. It is acknowledged that the proposal will result in changes to the amount of light received to neighbouring windows/garden and that the appearance of the site will change from a garden space to that of a new dwelling. However, the proposal is considered to be of an appropriate design and in keeping with the pattern of surrounding development. The proposal can provide for sufficient mitigate for the loss of garden space, which would be secured by condition, and is located in a sustainable location.
56. The proposal will provide benefits in terms of the provision of additional housing. 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

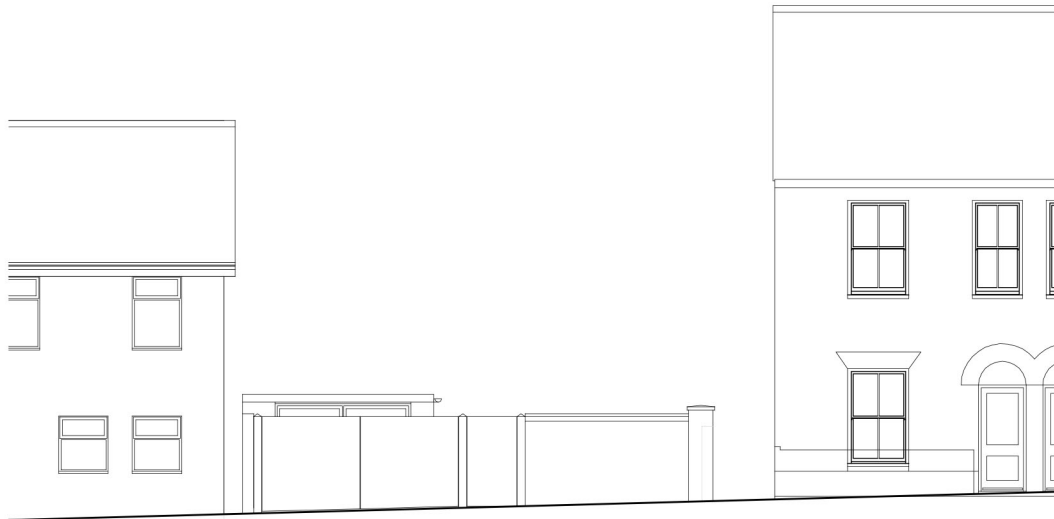
To approve application no. 18/00168/F - Site North Of 2 Wellington Road Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials
4. Bin and bike stores
5. Landscaping including biodiversity enhancements
6. In accordance with AIA
7. Mitigatory tree planting
8. Removal of PD rights
9. SUDS

10. Water efficiency
11. Bird nesting season

Informative

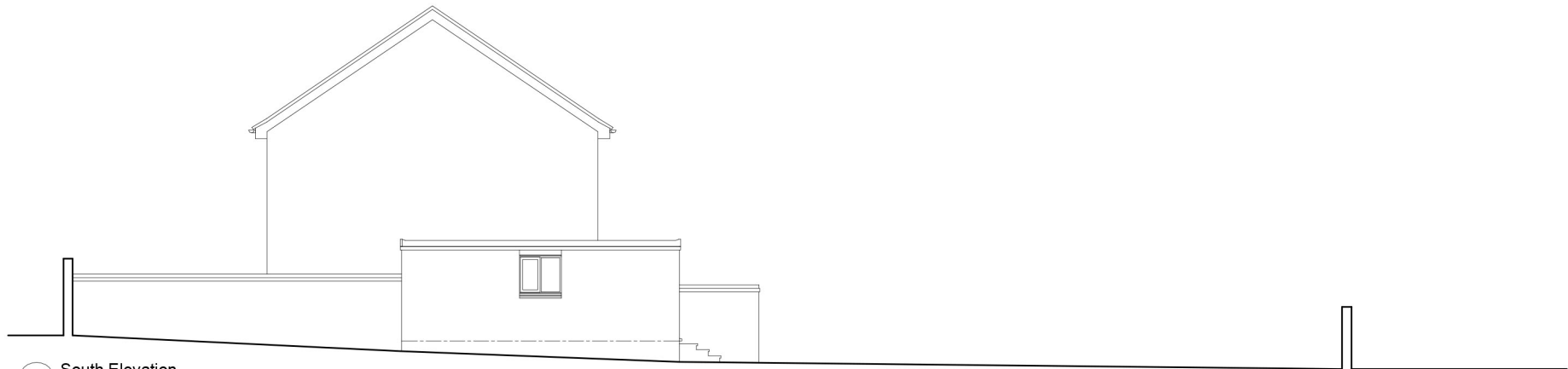
1. Parking permits
2. Protected species
3. Considerate construction
4. Works to the highway
5. Bins
6. Addressing



05 West Elevation
scale 1:100 @ A3



06 East Elevation
scale 1:100 @ A3



03 South Elevation
scale 1:100 @ A3

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Revisions:

Date:	Rev:	Note:

Project: New House adjacent to 2 Wellington Road, Norwich.

Client: Mrs A J Anderton.

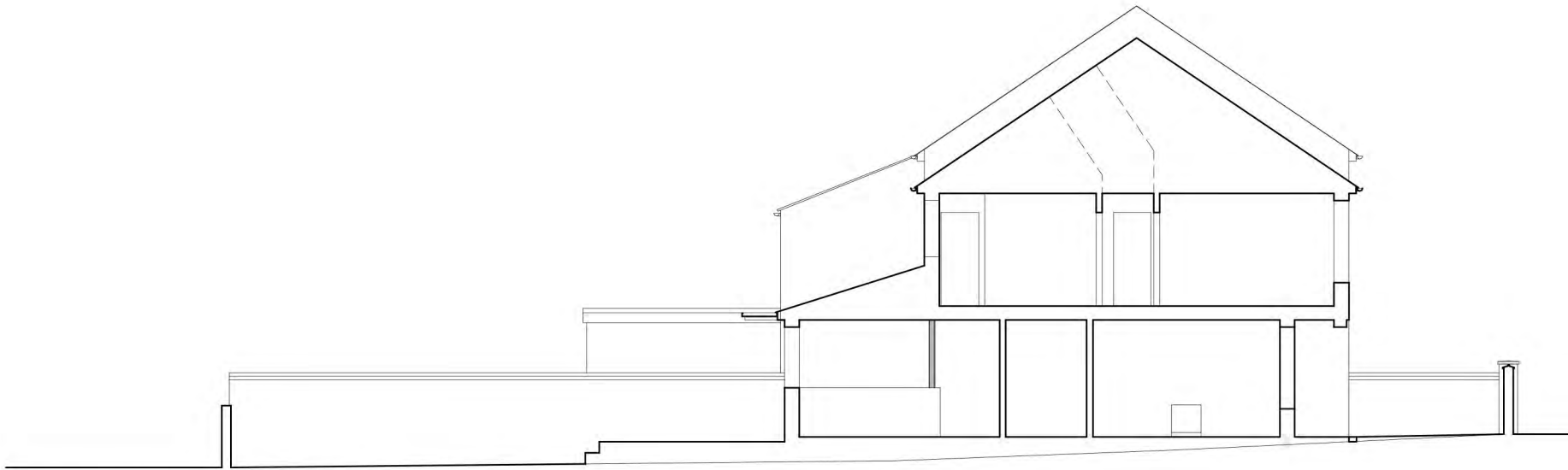
Dwg Title: Existing Elevations

Scale: 1:100

Date: 10/1/18

Dwg. No: JHA/17/22-2

Rev:



08 Section A-A
scale 1:100 @ A3



07 West/Street Elevation
scale 1:100 @ A3

existing gate removed
new hedge planting
new pedestrian gate

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Revisions:

Date:	Rev:	Note:
30/6/18	A	New hedge and gate to frontage

Project: New House adjacent to 2 Wellington Road, Norwich.

Client: Mrs A J Anderton.

Dwg Title: Street Elevation and Section A-A

Scale: 1:100

Date: 30/6/18

Dwg. No: JHA/17/22-7

Rev: A



03 South Elevation
scale 1:100 @ A3



05 West Elevation
scale 1:100 @ A3

1. Natural slate roofing
2. Iroko vertical cladding (naturally silvered)
3. Powder coated aluminium windows (dark grey)
4. Through-coloured render (K-Rend, grey)
5. Mid grey GRP flat roofing with grey aluminium powdercoated trims
6. Rooflight Company Neo rooflight
7. Brickwork (reclaimed or new of type similar to existing boundary walls)
8. Timber doors (grey painted finish)
9. Fixed glazed rooflight
10. Timber fencing

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Revisions:

Date:	Rev:	Note:

Project: New House adjacent to 2 Wellington Road, Norwich.

Client: Mrs A J Anderton.

Dwg Title: Proposed South and West Elevations

Scale: 1:100

Date: 28/4/18

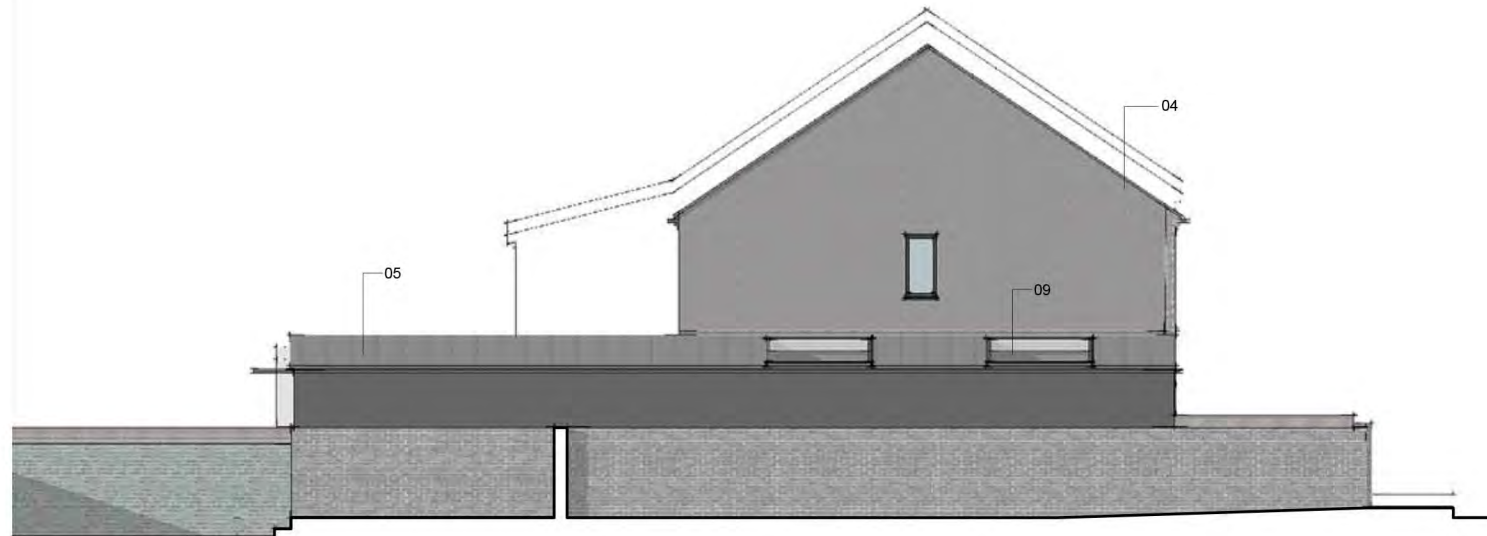
Dwg. No: JHA/17/22-6

Rev: B



06 East Elevation
scale 1:100 @ A3

1. Natural slate roofing
2. Iroko vertical cladding (naturally silvered)
3. Powder coated aluminium windows (dark grey)
4. Through-coloured render (K-Rend, grey)
5. Colourcoat Urban standing seam roof in mid grey
6. Rooflight Company Neo rooflight.
7. Brickwork (reclaimed or new of type similar to existing boundary walls)
8. Timber doors (grey painted finish)
9. Fixed glazed rooflight
10. Timber fencing



04 North Elevation
scale 1:100 @ A3

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Revisions:

Date:	Rev:	Note:

Project: New House adjacent to 2 Wellington Road, Norwich.

Client: Mrs A J Anderton.

Dwg Title: Proposed North and East Elevations

Scale: 1:100

Date: 28/4/18

Dwg. No: JHA/17/22-5

Rev: B



- New Tree Planting:**
- T1. Paperbark Maple Acer Griseum
 - T2. Cornus Kousa Miss Satomi
 - T3. Cercis Canadensis Forest Pawsey
 - T4. Cherry Prunus Kursar
 - T5. Ilex Aquifolium Nellie Stevens

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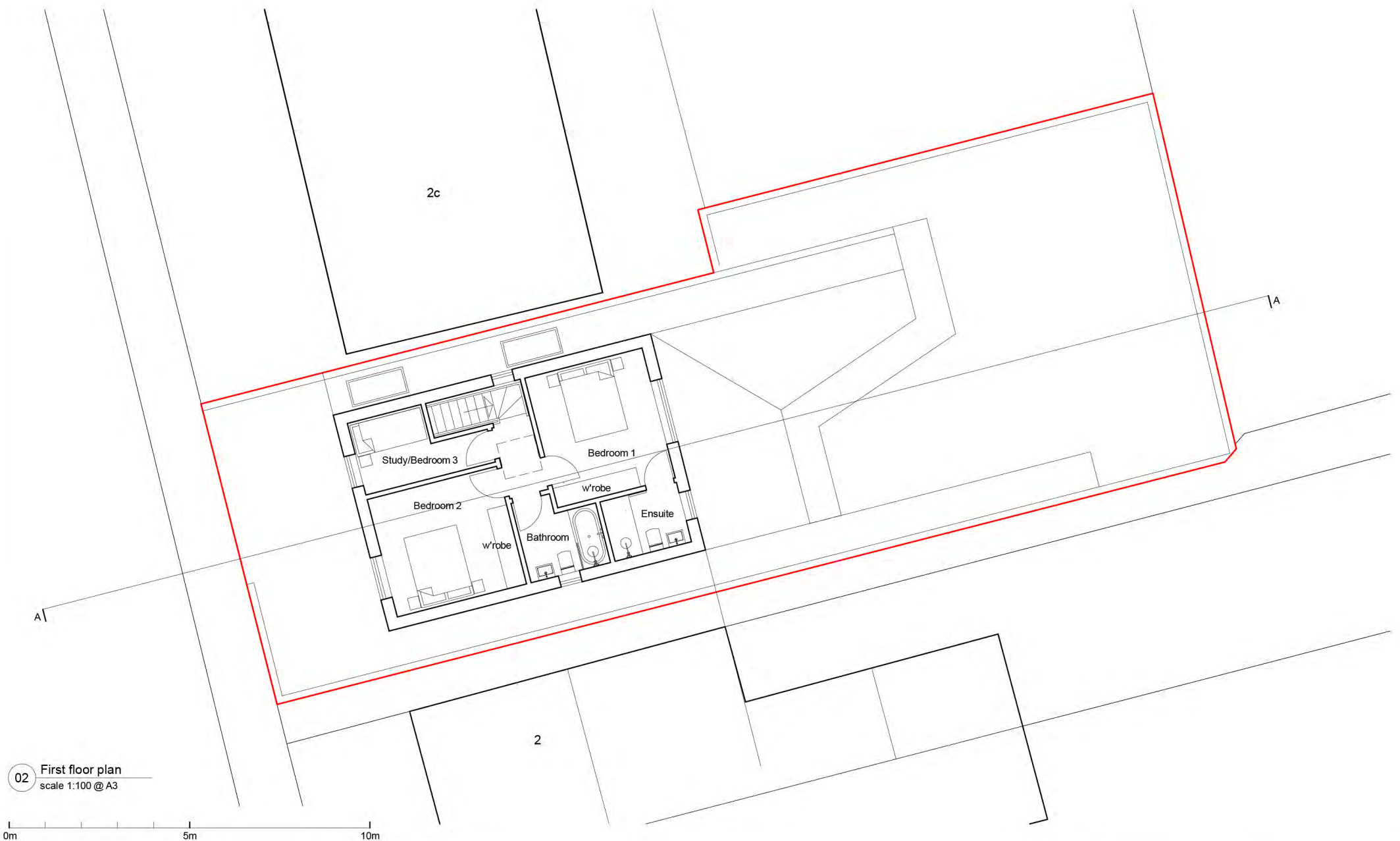


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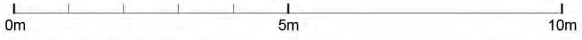
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Revisions:		
Date:	Rev:	Note:
30/6/18	C	New hedge and gate to frontage

Project: New House adjacent to 2 Wellington Road, Norwich. NR2 3HT
Client: Mrs A J Anderton.
Dwg Title: Proposed Ground Floor Plan/Site Plan
Scale: 1:100 **Date:** 30/6/18
Dwg. No: JHA/17/22-3 **Rev:** C



02 First floor plan
scale 1:100 @ A3



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Revisions:		
Date:	Rev:	Note:

Project: New House adjacent to 2 Wellington Road, Norwich.
Client: Mrs A J Anderton.
Dwg Title: Proposed First Floor Plan/Site Plan
Scale: 1:100 **Date:** 6/5/18
Dwg. No: JHA/17/22-4 **Rev:** B