Item

Report to Planning applications committee

11 July 2019

Head of planning services Report of

Application no 18/01058/F - Land Rear of 50 to 54 Gertrude Road, Norwich, NR3 4SF Subject

Reason

for referral

Objections

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

Development proposal				
Construction of 3 No. dwellings (Class C3).				
Representations				
Object Comment Support				
2	0	0		

Main issues	Key considerations
1 Principle	Use of garden land, type of home
2 Design	Scale, form, materials
3 Amenity	Overlooking, loss of light
4 Parking	Congestion, retention of access to
-	Mousehold Heath
Expiry date	1 January 2019
Recommendation	Approve



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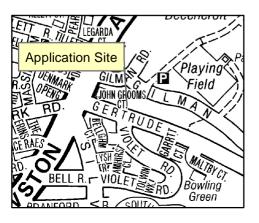
Planning Application No 18/01058/F

Site Address Land rear of 50 to 54 Gertude Road

Scale 1:500







## The site and surroundings

1. The subject site is formed of the end sections of three gardens of properties along Gertrude Road. The Gertrude Road dwellings are red brick terraced dwellings. The gardens are of a significant length and can be accessed from Gilman Road to the North. The ground level slopes away towards the South so that the properties along Gertrude Road are located at a lower level than Gilman Road. The garden areas contained within the application site are largely laid to lawn and two of the properties have existing garage at the Northern end of the plots. The adjacent plot at No. 48 has already been developed to provide a two storey dwelling. To the North, West and South, the area is predominantly residential in character. To the East is Mousehold Heath.

## **Constraints**

- 2. The application site is located within a critical drainage area
- 3. Mousehold Heath to the East is designated open space, a County Wildlife Site and Local Nature Reserve.

## Relevant planning history

4.

Ref	Proposal	Decision	Date
17/01197/O	Outline application with all matters reserved for the erection of 2 No. semi-detached two bedroom dwellings.	WITHDN	25/06/2018
17/00850/F	Demolition of existing garage. Subdivision of garden and erection of 1 No. two bed detached dwelling.	APPR	17/08/2017

## The proposal

5. The proposal is for the demolition of the existing garages, the sub-division of the gardens and the construction of three two-bedroom dwellings.

#### **Summary information**

Proposal	Key facts
Scale	
Total no. of dwellings	Three
No. of affordable dwellings	N/A

Proposal	Key facts
Total floorspace	Approx. 226m2
No. of storeys	Two
Max. dimensions	16m x 3.5m (largest dwelling)
	5.70m at eaves, 6.00m maximum height
Appearance	
Materials	Render and timber cladding
	Details required by condition
Transport matters	
Vehicular access	Existing and extended access from Gilman road
No of car parking spaces	3 spaces total, one per dwelling.
No of cycle parking spaces	Cycle parking within front driveway
	Details to be secured by condition
Servicing arrangements	Bin store within front driveway
	Details to be secured by condition

# Representations

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

Issues raised	Response
2 x three bedroom houses would be better as there are a lot of 2 bedroom houses already	See Main Issue 1
Incongruous design to 10E and surrounding street	See Main Issue 2
No living roof included	See Main Issue 2
Loss of light and overlooking to neighbouring windows and garden	See Main Issue 3

Issues raised	Response
Confusion of number and position of parking spaces and loss of footpath to Mousehold Heath	See Main Issue 4
The proposal should provide biodiversity and landscape benefits	See Other Matters
Front driveway and footpath would not provide disabled access	See Other Matters
Could the applicant be persuaded to include measures such as grey water harvesting/solar panels etc	See Other Matters
Concerned that impermeable surfaces will be used for driveway	See Other Matters

## **Consultation responses**

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

## **Citywide Services**

8. I've looked at the plans and there should be no issues with collection of waste and recycling.

### **Ecology Officer**

 As discussed the survey does not cover the whole site and it needs to for a proper assessment to occur. This is especially important as there is a second outbuilding to be considered. Please re-consult once we have received an updated survey.

#### ADDITIONAL COMMENTS

10. I'm pleased to say that no more survey work is now required. The impact from the development can also be sufficiently mitigated against. I would recommend enhancements too, to comply with the NPPF. The report includes a useful plan indicating where mitigation and enhancement measures could be included (page 17).

I would discourage the use of timber boarded fencing, especially on the eastern boundary with Mousehold Heath. However if any is installed the following condition would be necessary; BI4 Small mammal access.

I understand that you would be adding a landscape condition. Please can this include external lights (to ensure that any are bat sensitive) and soft landscaping to the eastern boundary. I would also request the following be added to any decision; BI3 Bird Nesting Season, BI5 In accordance with report – 5.2 and 5.3

Norfolk Wildlife Services Ecological Report: Land off Gilman Road, Norwich ref 2018/126 dated 13/06/2019 4 house sparrow boxes and 3 integrated bat boxes, IN9 Site Clearance and Wildlife

## **Highways (local)**

11. No objection on highway grounds

The proposed development is located at the edge of an established residential area, the means of access to Gilman Road would be acceptable.

There would probably need to be highway works to provide the off street parking spaces adjacent to the extant edge of the carriageway, in the form of suitable work to prevent the highway being weakened by this work. Please speak to our resident engineer for advice.

The proposed bin and bike storage needs more detailing for us to grant consent, ie. How are bikes tethered and secured, and if there is sufficient space for wheelie bins to be stored.

The parking space surface material needs to be detailed, we recommend a permeable block paving surface.

A construction management plan is needed to explain how the site will be developed and if any traffic management is needed e.g. hoardings, skips etc

It is important that Gilman Road is not obstructed or safety compromised for pedestrians and cyclists.

Informatives: Contact the council for postal numbering, Obtain bins from the council prior to first occupation, Contact the council Streetworks team if any traffic management on the highway is required e.g. hoardings, skips etc.

#### Landscape

12. I have not visited the site but have looked on satellite images and the site would appear to have some existing vegetation cover. The ecological report suggests some mitigation measures for lost habitat however it is unclear if trees will be lost if the site is cleared. The site plan suggests that there are trees on site and I would like to see more comprehensive details of what is being removed or impacted by the proposed site development.

The new layout creates a predominantly hard landscape to the front of the new properties and there are no details provided of boundary treatments. Given the proximity of the site to natural areas, Ivy or hedge screens could be used which have a narrow footprint but will create green link to the green areas beyond. Similarly opportunities for greening rear gardens should be explored.

There are no details provided of surface materials for driveways and similarly no information on managing surface water drainage.

### Tree protection officer

13. There has been no formal tree information submitted and I have not visited the site.

From desktop searches, the trees on the site itself appear to be insubstantial; however vegetation will be lost through the site clearance and to create access to Gilman Road. It would be appropriate to provide some form of replacement planting to mitigate this loss.

## **Assessment of planning considerations**

### Relevant development plan policies

- 14. 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
- 15. 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
  - 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

- 16. Relevant sections of the National Planning Policy Framework 2019 (NPPF):
  - NPPF2 Achieving sustainable development
  - NPPF5 Delivering a sufficient supply of homes
  - NPPF 8 Promoting health and safe communities
  - NPPF 9 Promoting sustainable travel
  - NPPF11 Making effective use of land
  - NPPF12 Achieving well-designed places
  - NPPF14 Meeting the challenge of climate change, flooding and coastal change
  - NPPF15 Conserving and enhancing the natural environment

#### **Case Assessment**

17. 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

- 18. Key policies and NPPF paragraphs DM12, NPPF 5 and 11.
- 19. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 70 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate 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.
- 20. 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 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.
- 21. Furthermore, this proposal does not compromise the delivery of wider regeneration proposals, does not have a detrimental impact upon the character and amenity of the surrounding area which cannot be resolved by the imposition of conditions (subject to more detailed assessment below), contributes to achieving a diverse mix of uses within the locality and contributes to providing a mix of dwellings within the area. The proposal would make a small contribution to housing supply in Norwich.
- 22. Therefore the proposal is considered to accord with the first part of policy DM12 (subject to assessment below) and is acceptable in principle.
- 23. Comments were received suggesting that two three-bedroom properties would be preferable over three two-bedroom properties, as there are a lot of two-bedroom dwellings within the surrounding area. This suggestion is not however consistent with the latest evidence within the Strategic Housing Market Assessment 2017 that there remains a need for new dwellings including 3,227 two-bedroom homes in the Greater Norwich area between 2015-2036.
- 24. Members should also note that application 17/00850/F was approved in 2017 for the subdivision of the garden of No. 54 Gertrude Road and the construction of 1 dwelling. This permission is still extant and, subject to the submission of details reserved by condition, could still be implemented.

### Main issue 2: Design

- 25. Key policies and NPPF paragraphs JCS2, DM3, NPPF 8 and 12.
- 26. The proposal is for the constructed of three two-storey terraced properties. Concerns were raised that the design of the dwellings would not be in keeping with the character of properties in the surrounding area.
- 27. The surrounding area is characterised by a number of different property types. To the South, the dwellings along Gertrude Road are two storey terraced houses; Gilman Road includes two-storey brick flatted development as well as more recently constructed detached properties.
- 28. It is acknowledged that the proposed dwellings are of a style that differs to those in the surrounding area. The properties would be relatively narrow, with a stepped mono-pitched roof. However, the dwellings are not considered to be at odds with a prevailing character of the area given the wide variety of properties that exist on Gilman Road and Gertrude Road. A property has been recently constructed within the rear garden of No. 48 Gertrude Road (under permission 14/00142/F) which is also narrow, but has an unusual roof form and is built of rendered panels. This property is not considered to be of a particularly successful design and the three proposed dwellings are considered to be more appropriate in appearance. The dwellings would have stepped front elevations to create visual interest, would be constructed of render and timber cladding, and would include the installation of green roofs. This is considered to result in a high quality appearance which is welcomed in the context the adjacent Mousehold Heath.

### Main issue 3: Amenity

- 29. Key policies and NPPF paragraphs DM2, DM11, NPPF 8 and 12.
- 30. The proposed dwellings would provide adequate internal space for future residents and the properties satisfy the requirements of the national space standards.
- 31. Each of the proposed properties would have private rear garden space. For Plots A and B, this would be a relatively small area and ideally a larger garden would be provided. However, given the proximity to Mousehold Heath, on balance the smaller gardens are considered acceptable in this instance. It is noted that the layout plans indicate that these spaces would be patio areas, however given the setting of the properties in proximity with Mousehold Heath, a full landscaping scheme will be required by condition to ensure high quality outdoor spaces that make a positive contribution to the surroundings are provided.
- 32. The proposal would result in the sub-division of the existing Gertrude Road gardens. Although this represents the erosion of outdoor space available for these properties, due to the significant size of the gardens, the remaining garden space is considered acceptable.
- 33. Concerns were raised that the proposal would result in overlooking of the adjacent property in the rear garden of 48 Gertrude Road, and also the terraced properties along Gertrude Road. Given the location and orientation of the existing and proposed dwellings, overlooking from the proposed properties to the house in the rear garden of 48 Gertrude Road would be at oblique angles only. The relationship

- between the proposed properties and this existing dwelling is considered to be typical of the houses in the surrounding area.
- 34. As a result of the ground level change and location of the dwellings the proposal has the potential to result in a loss of privacy to the rear elevations of the Gertrude Road properties. However, the distance between the rear of the property in Plot C (the closest dwelling) and the dwellings on Gertrude Road is approximately 26m, which is considered sufficient to prevent any significant loss of privacy.
- 35. It is acknowledged that the proposed dwellings also have the potential to be overbearing and result in a loss of light the adjacent section of garden at No. 56 Gertrude Road. However, development is only proposed for the Northernmost sections of garden. As a result of the significant length of the gardens (approx. 50m) much of the adjacent garden will be unaffected by the proposal in terms of loss of light and outlook.

### Main issue 4: Transport

- 36. Key policies and NPPF paragraphs JCS6, DM28, DM30, DM31, NPPF 9 and 12
- 37. The three new dwellings would be accessed from Gilman Road. Representations raised concern with the loss of the footway in this area and that the new properties could result in conflict between parked/moving vehicles, pedestrians and cyclists.
- 38. Gilman Road exits Sprowston Road and leads around to dwellings and flats. A small branch of the road provides access to the rear of the Gertrude Road houses, the Mousehold Heath Car Park and to the remainder of Gilman Road over which vehicular rights have been extinguished and pedestrian and cyclist access is allowed only. Although there is access to the rear of the Gertrude Road properties in this location, it is acknowledged that the positioning of fencing etc is such that vehicles are unlikely to use this area for parking. However, vehicular parking could be resumed at any point. Furthermore, the vehicular movements arising from three additional properties in a low-traffic area is not considered to result in highway safety concerns.
- 39. The footway in this location is a very narrow section of path that extends from the main part of Gilman Road to the boundary between Nos. 52 and 54 Gertrude Road, almost halfway along this branch of the road. Therefore any pedestrians/cyclists would already need to use the existing vehicular highway in order to gain access to Mousehold Heath. Therefore the Easternmost part of Gilman Road before the Heath essentially functions as a shared surface. The proposal would result in the loss of the very small footway for the provisions of driveways, however this is not considered to result in significantly different access for pedestrians/cyclists compared with the current situation.
- 40. The Highways Officer has not raised any objection to the proposal, subject to the clarification of certain details including the provision of a construction management plan to reduce disruption during construction. These clarifications and additional information should be secured by condition.
- 41. The proposal can provide for a policy compliant level of parking on site (1 space per dwelling). Plot C includes a larger driveway area to the front of the property, however this is not large enough to accommodate more than one car (according to

recommended parking space dimensions detailed within Appendix 3 of the Local Plan).

### 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
Car parking provision	DM31	Yes – 1 space per dwelling
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

- 43. The application site is located within a critical drainage area. In accordance with policy DM5 the proposal is required to ensure that they do not worsen the surface water drainage situation of the site. The application includes indicative drawings showing a soakaway to be installed on site. The details of this will be secured by condition. Furthermore, details of any hard surfacing will also be require by condition, and should include the provision of permeable surfaces.
- 44. The application site contains a number of small trees. The Tree Protection Officer considers their removal acceptable subject to the agreement of replacement planting. Details of replacement planting should be secured by condition.
- 45. The proposal involves the demolition of two garages and the development of existing garden space. An ecology survey has been submitted and mitigation measures have been suggested as a precaution. The Ecology Officer considers the information submitted is sufficient and that the mitigation measures are appropriate. In addition, it is considered that appropriate planting at the site and the use of green boundaries can provide a positive contribution for biodiversity. The proposal also proposes the installation of green roofs to the main roof slope of the dwellings. These mitigation measures should be secured by condition.
- 46. Concerns were raised that the proposal did not provide for disabled access to the front of the property. In accordance with policy DM12, only schemes providing 10 or more dwellings are required to be built to Lifetime Homes standards. However, accessibility of new properties are covered by Building Regulations under a separate process to the Planning process.

47. A representation also raised that the application should include further energy efficient measures such as greywater harvesting, solar panels etc. There is no requirement for a scheme of this size to provide energy efficiency measures. The use of solar panels was discussed with the agent however, the use of solar panels would have resulted in the loss of the green roofs. Given the location of the properties in close proximity to Mousehold Heath, the green roofs were the preferred option and so precluded the use of solar panels. The energy efficiency of new dwellings is also considered under Building Regulations, which is a separate process from the Planning process.

## **Equalities and diversity issues**

48. There are no significant equality or diversity issues.

#### Local finance considerations

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

## Conclusion

- 52. Whilst the narrow form and mono-pitched roofs of the proposed dwellings are somewhat unconventional in terms of design and appearance, this is not considered to conflict the character of the surrounding area given the wide variety of property types in the area. The design of the dwellings and use of materials is considered to be of a higher quality appearance to the adjacent dwelling in the rear garden of 48 Gertrude Road. The properties would be located a sufficient distance from the dwellings along Gertrude Road and any overlooking of the property to the rear of 48 Gertrude Road would be at oblique angles. The proposal can provide for sufficient parking and can provide acceptable levels of outdoor space given the proximity of Mousehold Heath without unacceptable loss of garden for the Gertrude Road dwellings. Whilst the proposal does represent the erosion of existing garden space, the provision of green roofs, appropriate landscaping and biodiversity mitigation/enhancement measures (to be secured by condition) are considered appropriate.
- 53. Therefore, 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. 18/01058/F - Land Rear of 50 to 54 Gertrude Road Norwich NR3 4SF and grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans;
- 3. Details of materials;
- 4. Landscaping scheme to include details of hard surfaces, lighting, green roofs, boundary treatments, biodiversity mitigation and tree replacement;
- 5. Surface water drainage details;
- 6. Construction management plan;
- 7. In accordance with ecology report;
- 8. Bird nesting season;
- 9. Water efficiency;
- 10. Removal of permitted development rights for rear extensions, outbuildings, porches, boundary treatments.





SITE AREA = 297 sq m

Client	Mr R. Varney
Project	Gilman Road, Norwich, NR3 4SF
Drawing	Existing Block Plan

1:200 @ A3 Scale Date Project No

017/38

JUN 2017 Drawing No

0001

Status

PLANNING Drawn By DJ Revision

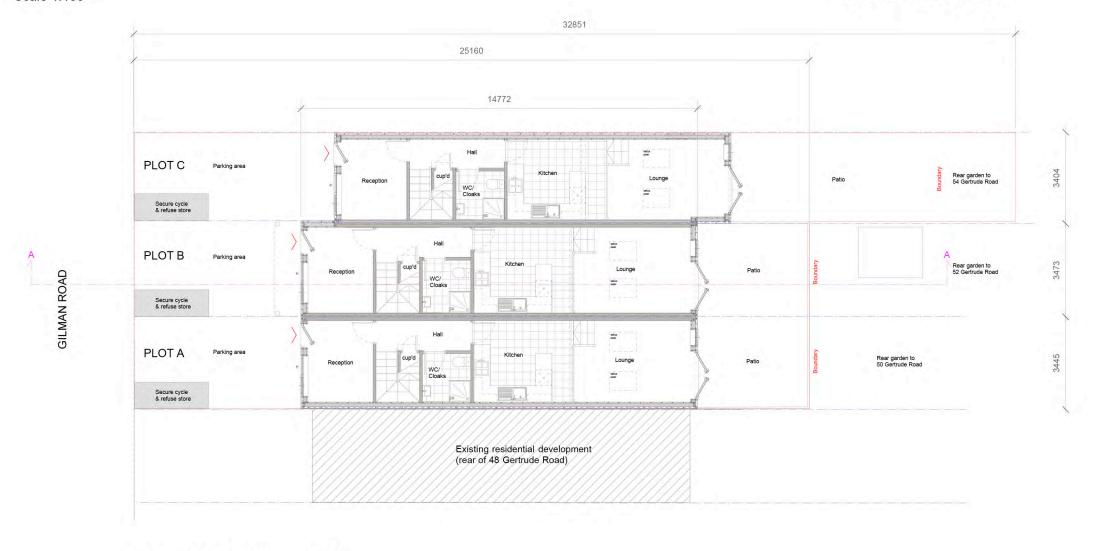
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Total building GF GEA: 152.21 sqm Total site area: 288.32 sqm



Plot A (rear of 50 Gertrude Road) Ground floor GIA: 45.66 sqm

Plot B (rear of 52 Gertrude Road) Ground floor GIA: 45.66 sqm

Plot C (rear of 54 Gertrude Road) Ground floor GIA: 42.35 sqm Plot A

Site Area: 89.20 sqm

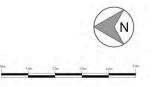
Plot B

Site Area: 89.20 sqm

Plot C

018/38

Site Area: 109.92 sqm



Client	Mr R. Varney	
Project	Gilman Road, Norwich, NR3 4SF	
Drowing	Proposed Ground Floor Plans	

Project Nº	Drawing N	
Date	JUN 2018	
Scale	1:100 @ A3	

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Revision		
Drawn By	DJ	
Status	PLANNING	

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SITE AREA = 297 sq m

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Project	Gilman Road, Norwich, NR3 4SF	Project Nº	Drawing Nº	- 4, 1, 1	Revision
Drawing	Proposed Block Plan	017/38	0002		С

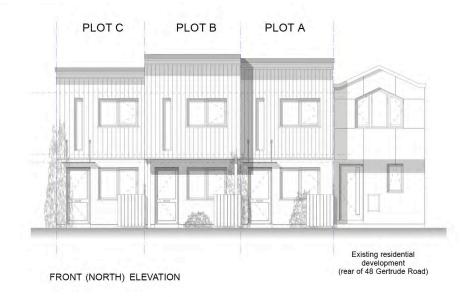
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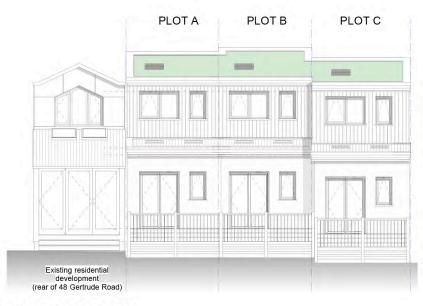
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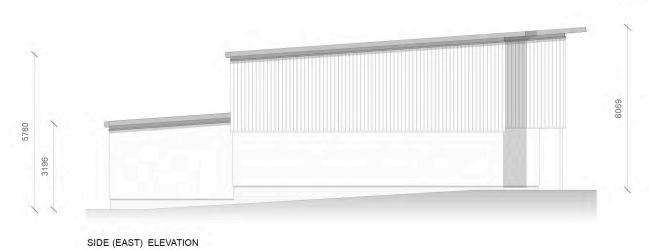
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#### REAR (SOUTH) ELEVATION



#### Finishes:

Lipper monopitch (5 deg):

Kingspan KS1000RW composite roof panels laid to roof pitch with Bauder
XF301 Extensive Lightweight Sedum Roof
System installed over.

Lower monopitch (5 deg): Kingspan KS1000RW composite roof panels laid to roof pitch

Terrace: EDPM (slate grey) with timber deck panels

Roof line trimming, drips, guttering & downpipes Pre-formed profiled 0.7mm aluminium roof perimeter, kingspan highline gutter trims with square section aluminium/plastisol downpipes (all anthracite)

Walls (Upper) Vertically hung Western Red Cedar (untreated) timber planks

Walls (Lower) Silicone based render on render panels (white) over low level engineering brickwork plinth (blue/grey)

Windows uPVC framed double glazed units Frame colour: Anthracite

Doors Aluminium framed double glazed units (inc. sliding/folding door sets)
Frame colour: Anthracite

Client	Mr R. Varney	Scale Date	1:100 @ A3 JUN 2018
Project	Gilman Road, Norwich, NR3 4SF	Project No	Drawing No
Drawing	Proposed Flevations	018/38	0170

Scale	1:100 @ A3	Status	PLA
Date	JUN 2018	Drawn By	DJ
Project Nº	Drawing No		Revi
018/38	0170		B

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Revision

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Plot A (rear of 50 Gertrude Road) First floor GIA: 29.38 sqm

Plot B (rear of 52 Gertrude Road) First floor GIA: 33.37 sqm

Plot C (rear of 54 Gertrude Road) First floor GIA: 28.37 sqm

Total building FF GEA: 109.30 sqm

Roof Area: 167.31 sqm



Client	Mr R. Varney	Scale Date			Status PLANNING Drawn By DJ	
Project	Gilman Road, Norwich, NR3 4SF	Project No	Drawing No		Revision	
Drawing	Proposed First Floor & Roof Plans	018/38	0201		Α	

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