

**Report to** Planning Applications Committee

**Item**

8 July 2021

**Report of** Head of planning and regulatory services

**Subject** Application no 21/00665/F - Land and Garages Rear of 2 to 20 Hanover Road, Norwich

**4(d)**

**Reason for referral** Objections

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<b>Ward</b>	Town Close
<b>Case officer</b>	Maria Hammond - 07717 451417 - <a href="mailto:mariahammond@norwich.gov.uk">mariahammond@norwich.gov.uk</a>
<b>Applicant</b>	Orwell Housing Association Ltd.

<b>Development proposal</b>		
Demolition of garages and construction of 4 no. dwellinghouses.		
<b>Representations</b>		
Object	Comment	Support
11	0	0

<b>Main issues</b>	<b>Key considerations</b>
1	Principle of loss of garages and parking and provision of new housing
2	Design and heritage
3	Amenity
4	Transportation
5	Ecology
<b>Expiry date</b>	5 July 2021
<b>Recommendation</b>	Approve

## The site and surroundings

1. The site consists of a garage block and surface car park accessed from Hanover Road within the Town Close area of the city.
2. The garage block contains 12 garages and there is parking for a further 29 cars using a parking permit system.
3. To the south-east of the site are residential properties dating from the Georgian period which front onto Newmarket Road. To the south-west are some two storey flats dating from the late twentieth century. To the north-west are Victorian terrace properties and their gardens, and to the north-west bungalows within Hanover Court which date from the mid-twentieth century.

## Constraints

4. The site is just outside the boundary of the Newmarket Road Conservation Area, however the footpath access from Newmarket Road and adjacent properties on Newmarket Road which adjoin the site are part of the Conservation Area. These properties are all locally listed, and so is the Doctor's surgery which is adjacent to the footpath.

## Relevant planning history

5. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
16/01742/F	Demolition of existing garages. Erection of 2 No. two bed houses and 2 No. 1 bed bungalows.	APPR	20/01/2017
18/00289/F	Demolition of garages and construction of 4 No. dwellinghouses.	APPR	15/05/2018

## The proposal

6. The application proposes the demolition of the garages and construction of four dwelling houses. This is the same development as approved in permission 18/00289/F which expired in May 2021 without implementation (see appended report). That scheme was a revision of a previous approval from 2017 and all form part of the Council's programme for a registered provider to deliver new affordable housing on available Council land.
7. Since the previous approval, ownership of the land has transferred to Orwell Housing Association and in August 2020 a large part of the parking area was fenced off in anticipation of the commencement of development. There have been no other changes in the circumstances of the site since the previous grant of permission.
8. The scheme proposes siting a pair of semi-detached bungalows in the northeast corner of the site and a two-storey block comprising two flats towards the southwest. Each dwelling would have a private garden and one car parking space, with nine additional parking spaces around the site retained for local residents in controlled parking zone S.

9. This is identical to the 2018 approved scheme and additional details relating to the conditions of that permission have been submitted.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	Four
No. of affordable dwellings	All four to be available for affordable rent
Total floorspace	1 bed flats: 50-56sqm (meets minimum standards) 1 bed bungalows: 50sqm (meets minimum standards)
No. of storeys	Flats – two storey, bungalows – single storey
Max. dimensions	Flats –7.3m approx. Bungalows – 4.8m approx.
Density	38 dwellings per hectare
<b>Appearance</b>	
Materials	Red stock facing brick, dark grey concrete pantile roof tiles, White uPVC double glazed windows, composite front doors
<b>Transport matters</b>	
Vehicular access	From Hanover Road
No of car parking spaces	13 (4 dedicated spaces for the new dwellings, 9 spaces for general use within zone S).
No of cycle parking spaces	Each unit would have a secure cycle store.
Servicing arrangements	Bin collection to take place from properties.

### Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 11 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
Unacceptable invasion of privacy	See main issue 3
Two storey building will obscure and limit light	See main issue 3
Not clear if rear drive access would be retained	See main issue 4
Reduction in parking spaces in overcrowded area. Loss of spaces elsewhere locally.	See main issues 1 and 4
Residents have need to park close to home	See main issues 1 and 4
Parking problems experienced since car park closed in 2020.	See main issues 1 and 4
Previous parking surveys inaccurate and incorrect. Should be updated.	See main issues 1 and 4
Increase in traffic on tight route (including during construction) will endanger pedestrians and cyclists and access for	See main issue 4

<b>Issues raised</b>	<b>Response</b>
emergency services will be nearly impossible	
Proposed layout is poor and more parking could be provided	See main issues 2 and 4
Design is below national standards – rooms smaller than national guidelines	See main issue 3 – each dwelling and each bedroom satisfies minimum space standards
Why has previous permission not been implemented?	See main issue 1
Benefit of housing for eight people would be at cost to over 100 residents on Hanover Road and Newmarket Road and the wider area	See main issue 1
Design is lacklustre	See main issue 2
Should be car free in accordance with DM32	See main issue 4
Bungalows too close to boundary wall and this party wall should be re-built or strengthened. Foundation works may damage neighbouring dwelling.	Party wall issues are a private matter to be resolved between the relevant land owners
Unhappy 'spare' parking spaces are alongside existing gardens and concern about potential health impacts	See main issue 3
Amenity impacts from construction on residents and doctor's surgery	See main issue 3

### **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. The site investigation undertaken is not considered to be sufficient as it only analysed two soil samples, one of which does not appear to have been located in a proposed garden area. Additionally, the potential contamination from the previous site usage as a timber yard was not specifically assessed in the chemical analysis.
13. Contaminated land conditions recommended

### **Highways**

14. The site has been subject to a previous planning consent, highway and parking matters were commented on then.
15. I have no objection on highway grounds to the principle of residential development on this site. The site has an extant vehicular access to Hanover Road that will be retained and is suitable for its intended use for these four dwellings. The site also benefits from a pedestrian access via an alleyway to Newmarket Road that is satisfactorily retained and incorporated into the site.

16. It is understood the site will provide 1 parking space per dwelling and the new dwellings will not be entitled to on-street parking permits for surrounding streets, which is compliant with local plan policy. In addition, it is proposed to provide 9 'spare' parking spaces which would be assigned to the city council's housing department and could then be made available to Hanover Road car park housing permit holders (which is restricted to adjacent residents to the site, but excludes the new dwellings) which overall will help ensure that there is no loss of parking amenity.
17. An amendment off-street Traffic Regulation Order was secured following consultation to ensure that the 9 spare parking spaces would be included in the Hanover Road off-street Housing car park permit scheme.
18. In terms of the overall proposed site layout, in highway terms it allows for the satisfactory access by car or refuse truck, access to car parking spaces and sufficient space for these vehicles to turn around and exit in a forward gear. Consideration has been given for pedestrian access to the alleyway to Newmarket Road. It is understood that freeholders of dwellings fronting Newmarket Road that back onto the site have cited access rights that need to be retained by any development layout on this site. This is a civil matter to be resolved between the LPA/applicant and the freeholders, as the site is not highway.
19. There appears to be satisfactory provision for cycle parking within garden sheds.
20. The revised Construction Traffic Management Plan is acceptable.

### **Landscape and Ecology**

21. The methodology and conclusions of the Ecology report are accepted: habitats on site are of negligible ecological value; demolition of the garages is unlikely to pose a particular risk to Bats; and no further surveys are likely to be required. The mitigation recommendations are supported.
22. The Construction Method Statement should be revised to include the relevant recommendations of the Ecology report regarding excavations and storage of materials.
23. Any new fencing should be provided with small mammal access points at approximately 6m intervals. The recommendations to provide Swift and bat boxes are supported.
24. Currently the scheme is predominantly hard landscape which would create a very stark environment. This is not consistent with the character of the proposed residential use and is important not only for the character of the area and the quality of environment of the residents but also for local biodiversity networks. The landscape design proposed would be acceptable with enhancements to areas of soft landscape, boundary treatments and entrance design.

### **Citywide Services**

25. This will be alternate weekly collection so will be individual wheelie bins.

## **Assessment of planning considerations**

### **Relevant development plan policies**

26. **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
  - JCS20 Implementation
  
27. **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
  - DM9 Safeguarding Norwich's heritage
  - DM11 Protecting against environmental hazards
  - DM12 Ensuring well-planned housing development
  - DM13 Communal development and multiple occupation
  - 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**

28. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**
  - NPPF2 Achieving sustainable development
  - NPPF5 Delivering a sufficient supply of homes
  - NPPF9 Promoting sustainable transport
  - 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
  - NPPF16 Conserving and enhancing the historic environment
  
29. **Supplementary Planning Documents (SPD)**
  - Landscape and trees SPD adopted June 2016
  
30. **Advice Notes and Guidance**
  - Water efficiency advice note October 2015
  - Internal space standards information note March 2015

## **Case Assessment**

31. 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**

32. Key policies and NPPF paragraphs – JCS4, DM12, DM13, NPPF sections 5 and 11
33. The principle of the loss of the existing garages and parking and redevelopment of the site with housing has previously been considered acceptable in the 2017 and 2018 permissions, the latter of which expired during consideration of the current application.
34. Those previous permissions, and the recency of the expiration of the 2018 permission, are a material consideration that must carry some considerable weight in the determination of this application. The weight that can be attributed to the previous consents should only be lessened by any material planning changes to the circumstances of the site, the development plan and other material considerations since they were determined.
35. In terms of the circumstances of the site, the main change has been the fencing off of a large part of the car park in 2020 when the applicants took ownership and hoped to commence development. As a temporary measure during construction, those properties which have private parking spaces accessed through the site have been offered alternative parking locally. In addition, a 22 space car park on Beaumont Place which was not previously available for use by zone S parking permit holders has recently been made available for use by all zone S permit holders. This is considered to be a material change in circumstances which will reduce parking pressure in zone S, helping to mitigate the loss of parking within the application site itself. This is considered to be a change which weighs in favour of the proposal and to which some weight can be attached.
36. Surrounding the site, one property which backs on to the site has been extended to the rear with single storey highly glazed additions and the impacts of the proposal on amenity are considered below.
37. The adopted development plan (Joint Core Strategy and Development Management Policies) has not changed since consideration of the previous proposal. However, there have been some minor revisions to the National Planning Policy Framework. One revision material to the assessment of this proposal is the introduction of section 11 which advises on planning decisions to promote an effective use of land in meeting the need for homes (and other uses). This section gives substantial weight to the value of using suitable brownfield land, such as the application site, within settlements for homes and promotes and supports the development of under-utilised land and buildings.

38. In the assessment of the previous proposals, it was considered that the provision of new affordable housing offered significant benefits which outweighed the limited harm resulting from the loss of parking. Having regard to section 11 of the NPPF, it can now also be considered that this represents a more effective and efficient use of this sustainably located, brownfield site in a residential area than the existing use for car parking.
39. The weight given to the benefits of the new housing in the previous applications was reinforced by the five year housing land supply position which at the time of the determination of the previous application stood at 4.61 years within the Greater Norwich area. There is now a 6.16 year supply of land for housing and therefore this site would not contribute to making up the deficit and the weight to be given to the benefit should be reduced. However, this housing land supply figure has been calculated including the previously approved four dwellings so the previous permission made a small contribution to the requirement which would be lost should this identical proposal not be approved. Therefore, it remains the case that the benefits of redeveloping this site for new housing outweigh the loss of parking and the proposal is acceptable in principle.

### **Main issue 2: Design and heritage**

40. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 124-132 and 184-202
41. The design and layout remain as previously approved.
42. Additional details of the materials and hard and soft landscaping have all been submitted. It is acknowledged that there would be a high proportion of hard landscaping and the more verdant character of surrounding streets would not be reflected. However, following some amendments to the hard and soft landscape design, it is accepted that this is appropriate within the constraints of the site and would represent an enhancement to visual and residential amenity and biodiversity compared to its existing condition. The materials for the buildings are also considered appropriate to their design and setting.
43. It therefore remains the case that the design is appropriate to the site and would preserve the character of the adjacent Conservation Area and setting of locally listed buildings.

### **Main issue 3: Amenity**

44. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
45. As noted above in response to a representation, all dwellings comply with minimum space standards for the overall floorspace and space within bedrooms.
46. Representations have raised concern about loss of privacy and overshadowing. There would be no windows on the elevation facing towards the neighbouring properties on Newmarket Road so there would only be oblique views from the first floor flat and it is not considered the openings on the other elevations of any dwelling would result in any direct or unacceptable overlooking or loss of privacy.



47. In terms of overshadowing and loss of light, the two-storey flat building would sit north of the closest neighbouring dwellings and a sufficient distance from all others not to create any significant or unacceptable impacts.
48. Concern has also been raised about the potential health impacts from car parking spaces adjacent to gardens. Whilst in some areas of the site car parking will be closer to neighbouring dwellings than at present, overall there would be a net reduction in the number of vehicles accessing and parking on site so it is not considered there would be additional health impacts.
49. Representations have raised concern about amenity impacts during the construction period. As required by a condition on the previous permission, a construction method statement has been submitted which proposes an identified access route (considered below), scheduled deliveries, measures to reduce noise, dust and other pollution, material storage, ecological mitigation, wheel washing and waste management. Delivery and working hours are proposed to be 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturdays and no work on Sundays or Bank Holidays. Communication with neighbours is proposed to be established and direct contacts provided for the project and site managers to address any issues should they arise. These proposals are considered appropriate to mitigate any unacceptable disruption and amenity impacts during construction.

#### **Main issue 4: Transport**

50. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
51. As with the previous proposals, there has been significant concern about the loss of existing parking and impacts on existing residents, however as considered above, it remains the case that the benefits of the proposal outweigh this loss of parking.
52. The parking provision, at one per dwelling with nine additional spaces for local permit holders, is acceptable within standards and each new dwelling would have a garden shed for cycle storage and space for bin storage.
53. It has been suggested that this should be a car-free development and the location of the site does accord with the requirements of Policy DM32. This suggestion has been put to the applicants who have advised that their requirements remain unchanged since approval of the previous scheme and the application should be determined as submitted with one space per new dwelling.
54. It is appreciated there is concern about the dangers from traffic accessing the site during construction and occupation via tight turns in narrow local roads. The Highway Authority consider the access to be suitable for the development and have recommended a dedicated construction access route which has been adopted in the submitted method statement and should be followed throughout construction.
55. Some neighbouring properties have pedestrian and vehicle access through the site. As with the previous scheme, these routes would be retained.

#### **Main issue 5: Ecology**

56. Key policies and NPPF paragraphs – JCS1, JCS2, DM6, NPPF paragraphs 170, 175-177.

57. An ecology survey of the site found no suitable habitat for breeding birds, bats or other protected species and proposes mitigation measures to address the low risk during demolition and construction. To enhance the biodiversity of the site, bat and bird boxes are proposed to be incorporated and new fences would include small mammal access gaps. The landscape scheme also includes areas of shrub and tree planting which will enhance the interest and appearance of the site relative to its existing covering entirely with hardstanding.

### **Compliance with other relevant development plan policies**

58. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Water efficiency	JCS1 & JCS3	Yes subject to condition
Sustainable urban drainage	DM3 & DM5	Areas of soft landscaping and permeable paving will reduce the existing impermeable area of the site. Infiltration to soakaways is not possible here and the reduced volume of surface water run-off will use the existing public sewer connection.
Contamination	DM11	An initial investigation has been undertaken but further sampling shall be required once the existing garages in the area of proposed gardens are demolished. Further investigation and mitigation recommended by condition.

### **Equalities and diversity issues**

59. There are no equality or diversity issues.

### **Local finance considerations**

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

### **Conclusion**

61. This application effectively proposes renewing a recently expired permission to redevelop a site of garages and car parking with four new dwellings and some replacement parking. There have been some minor changes in the considerations material to the assessment of the proposal, with one of these being the provision of access to a new car park for zone S permit holders, helping to mitigate against the loss of parking from the application site. None of the changes are so significant as to

alter the conclusion that the benefits of new housing outweigh the partial loss of parking and there are no other unacceptable impacts weighing against the proposal.

62. 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 21/00665/F - Land and Garages Rear of 2 to 20 Hanover Road Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans (including material details, landscape scheme, ecology report and construction method statement);
3. All construction traffic to use approved route;
4. Contamination investigation;
5. Hard landscape scheme (including car and cycle parking and bat and bird boxes) to be implemented prior to first occupation;
6. Landscape maintenance;
7. Previously unidentified contamination;
8. Imported topsoil;
9. Water efficiency.

### **Informative note:**

- The new dwellings will not be entitled to parking permits (the Hanover Road housing permits, or for the adjacent controlled parking zone on-street permits).
- Asbestos advice