

Planning Applications Committee  
2 April 2009  
Section C

<b>Agenda Number:</b>	<b>B2</b>
<b>Section/Area:</b>	INNER
<b>Ward:</b>	MANCROFT
<b>Officer:</b>	Rob Parkinson
<b>Valid Date:</b>	12th February 2009
<b>Application Number:</b>	09/00054/F
<b>Site Address :</b>	West End Retreat Browne Street Norwich NR2 4QY
<b>Proposal:</b>	Erection of 4 No. two bedroom flats, access, parking and formation of new car parking for public house (re-submission).
<b>Applicant:</b>	<b>Admiral Taverns</b>
<b>Agent:</b>	<b>Mr Aaron Smith</b>

**THE SITE**

The West End Retreat Public House is located on the north side of Browne Street and is a detached two storey property, constructed of white painted rendered brick. The eastern half of the site currently comprises a small informal parking area and the trade garden, which had previously been used as a bowling green for the pub, accessed off Browne Street. The land is enclosed by a 1.5m high brick wall and is bordered by Browne Street to the south and Goldsmith Street to the east. To the north is a parking courtyard for dwellings to the north.

The site is located in a predominantly residential area. The area contains a mixture of house designs and styles and dwelling types ranging from 4 storey 1960's flats to the south, sheltered housing bungalows to the east side of Goldsmith Street, recent 3 storey townhouses at the western end of Browne Street fronting on to Old Palace Road, and 2 storey maisonettes and flats to the north, on Devonshire Street.

## **PLANNING HISTORY**

**4/2002/0803** - Replacement garage (APPR - 11/09/2002)

**08/00497/F** - Erection of 4 No.2 bedroom flats, access, parking and formation of new car parking for public house. (WITHDN - 22/01/2009)

An identical scheme at this site has already been approved in principle by the Planning Applications Committee on 2<sup>nd</sup> October 2008 (Application number 08/00497/F). The application was subsequently withdrawn on 22<sup>nd</sup> January 2009 during the final stages of completing the Section 106 Agreement. Withdrawal was necessary because there was an anomaly in the application's 'red line' area and the ownership title.

This administrative error has since been resolved and the application resubmitted and re-advertised accordingly. There have been no changes in the nature or description of works proposed, nor in policy considerations since then, and it is considered that, fresh neighbour concerns notwithstanding, the application remains suitable to again recommend for approval.

## **THE PROPOSAL**

Erection of 4 No. two bedroom flats, access, parking and formation of new car parking for public house (re-submission).

## **CONSULTATIONS**

Advertised in the press, on site and neighbours notified.

Representations have been received on behalf of a nearby resident within the Devonshire Street flats to the north, who has voiced concerns that the proposed development would cause overlooking into the rear windows of their property.

The Norwich Society has also voiced concern that the proposal would result in the loss of urban amenity space.

The previous application drew concern from one neighbour who had no objection to the actual design but was concerned that the beer garden area will be reduced in size, which would intensify the use of the existing, smaller beer garden, which is close to their property. This person was also concerned that an Oak tree to the side of his property could eventually grow large enough to overhang the beer garden, although this was not actually a part of the application.

## **PLANNING CONSIDERATIONS**

### **National Planning Policy:**

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPG17 - Planning for open space, sport and recreation

### **Relevant East of England Plan Policies:**

T14: Parking

WM6: Waste Management in Development

ENV7: Quality in the Built Environment

### **Relevant Local Plan policies:**

HBE12 - High quality of design, with special attention to height, scale, massing and form of development  
HBE19 - Designs for Safety and Security including minimising crime  
EP16 - Water conservation and sustainable drainage systems  
EP18 - High standard of energy efficiency for new development  
EP20 - Sustainable use of materials  
EP22 - High standard of amenity for residential occupiers  
HOU1 - Provision of new housing to meet needs and monitoring  
HOU13 - Housing development: other proposals  
SR3 - Retention of existing sports grounds and public open space  
TRA6 - Parking standards  
TRA7 - Cycle parking standards

### **Principle of Development**

The proposal accords with government policy PPS 1 which aims to ensure that planning promotes sustainable development, and PPS 3 which promotes the sustainable location of new housing. The proposal complies with national policy as it is for housing development at an appropriate density in an urban area with good access to public transport, services and facilities. The surrounding uses are predominately residential, although the site is adjacent to a public house.

### **Existing land use: Urban Open Space**

This site is allocated within the City of Norwich Replacement Local Plan (Adopted 2004) as urban greenspace (0.08ha in area), and as such policy SR3 is of particular relevance. Policy SR3 resists the loss of urban greenspace where there is an overriding amenity or biodiversity interest in retaining the site in its existing open form. This site would initially have been allocated within the Local Plan as it was a bowling green. According to the applicant, this site currently has little use and is surrounded by a 1.5m brick wall.

This allocation was recently recognised within the Norwich Open Space Needs Assessment (Dec. 2007) as a private informal open space. Within this assessment the site was given a score of 64.7% for quality, which was the second lowest for private informal open space within the East Sector of the city. When considering alternative open space provision for the East Sector, the report states the following: "Natural green space, informal amenity open space and outdoor sports areas should be retained as a general policy, though there may be small areas of open and green space which is in poor condition and of low public value which could be considered for disposal".

Although the loss of open space in this location would be regrettable, due to the size of this allocation (only 0.08ha), the poor quality, and limited use of the open space, the principal of redevelopment of this site raises no policy objections.

When considered against the Local Plan, this site is considered to be suitable for housing development against policies HOU1, HOU13 and EP22. This site is well situated and has good access to local facilities and the city centre.

### **Layout**

The scheme consists of a single block of 4no. flats. The building is to be positioned 1.4m set back from the Browne Street boundary wall and 7.6m from the Goldsmith Street

frontage, which will maintain the building line. A new vehicular access will be created onto Goldsmith Street. There is provision for cycle parking and bin storage with a new pedestrian access and gate providing a reasonable carry distance to the public highway collection point.

The proposal would provide car parking for residents' cars between the proposed flats and the existing pub. The pub trade garden would be retained to some degree but reduced in size. This is considered acceptable.

The development of 4 flats on this 538 sq.m. site represents a density of 74 dwellings per hectare. The scheme includes provision of sufficient land for amenity space.

### **Design**

The site is positioned at the meeting of many different heights and proportions of buildings. The height of this development acknowledges the surrounding buildings, and it is therefore considered that a two storey building would sit comfortably with the surrounding buildings.

The building's massing is to be broken by the two storey section with gables centrally positioned projecting from the main frontage, which will add visual interest to the street scene elevation. At the rear, the scale of the building is split by the entrance section and balconies either side.

Water efficiency can also be maximised and sustainable drainage systems included through conditions attached to any planning permission.

### **Landscape/Tree Issues**

The development would not be located within the root protection area of the aforementioned Oak tree and therefore the tree is not at risk. Whilst it may begin to overhang the beer garden, this would happen regardless of any site development and is not a material consideration for this application.

Both soft and hard landscaping will be provided by the development, details of which should be conditioned. A scheme will be developed which softens the transition between the buildings and the amenity space, whilst enhancing the design of the buildings and the surrounding area and providing a high quality living environment for the occupiers. Boundary treatments should also be conditioned should approval be granted.

### **Transport and Access**

In transport terms there is no objection to residential development in this location. Details of bin stores would be required by condition (a communal store containing an 800 litre bin for general waste, and 3x 250 litre bins for recyclables would be adequate for this development).

The creation of the access onto Goldsmith Street will require the removal of existing on-street parking. The applicant will have to pay for the promotion of the Traffic Regulation Order, and the construction of the access must be dependant on that order being successfully implemented. The Council will charge £1495 + VAT for the administration related to this requirement. This could be secured through a Section 106 Agreement.

These properties would not be eligible for parking permits, though parking is provided on-site in accordance with Local Plan standards.

### **Neighbour amenity**

In terms of neighbour amenity the main considerations are the relationship the proposed building would have with the beer garden of the pub and the bungalows on the opposite side of Goldsmith Street.

The two windows facing west towards the beer garden are both bathroom windows, and conditional obscure glazing would overcome any concerns of overlooking in this respect.

In relation to properties in Goldsmith Street and Devonshire Street, the proposed terraces and balconies on the proposed flats are considered to be far enough away to avoid any significant detrimental impact by overlooking. The distances between the properties are at least 22m and 20m respectively, and the Devonshire Street properties will also benefit from a degree of screening by the existing trees and possibly any new planting schemes around the site.

Although the beer garden area will be reduced in size and would in all likelihood lead to a more intensive use of the smaller garden by patrons, the beer garden is situated close to the pub and it is considered that any noise nuisance creating an impact on neighbouring amenity could be addressed through Environmental Health proceedings.

Overall, the impacts on amenity in this instance are not considered sufficient to warrant refusal and are considered to be in line with policy EP22 of the Local Plan by providing sufficient on-site amenity space without detracting from the local amenity.

### **CONCLUSION**

The principle of redevelopment of the site, resulting in a loss of allocated urban greenspace is a finely balanced consideration. However, given the relative poor quality of the space and its current limited use, it is considered that that the principle of housing development on this site is acceptable and in line with national guidance and regional and local development plan policy. Subject to a Section 106 Agreement to enable the necessary highways works, the recommendation is therefore to approve the application with the same conditions as previously approved by Committee in October 2008. Any changes to the recommendation would need to be based on changes in material considerations or policy since October 2008.

### **RECOMMENDATIONS**

- (1) APPROVE PLANNING PERMISSION subject to the signing of a S106 Agreement or satisfactory prior to 9 April 2009, to include the costs of promoting a Traffic Regulation Order necessary to enable the required highways works as detailed above, and appropriate conditions, including the following:
  1. Standard time limit;
  2. Submission of sample of materials;
  3. Provision car parking, cycle storage and refuse stores prior to first occupation;

4. Obscure glazing to specific windows;
5. Details of landscaping;
6. Landscaping to be carried out within 6 months of the first occupation of any residential unit;
7. Landscaping to be maintained and any new trees/shrubs lost to be replaced;
8. Details of any fencing around the site and landscaped areas to be submitted and provided prior to first occupation;
9. Scheme for the provision and implementation of surface water drainage to be submitted;
10. Scheme for the provision and implementation of foul water drainage to be submitted;
11. Scheme for the provision and implementation of measures to maximise water efficiency to be submitted.

### **Reasons for Recommendation**

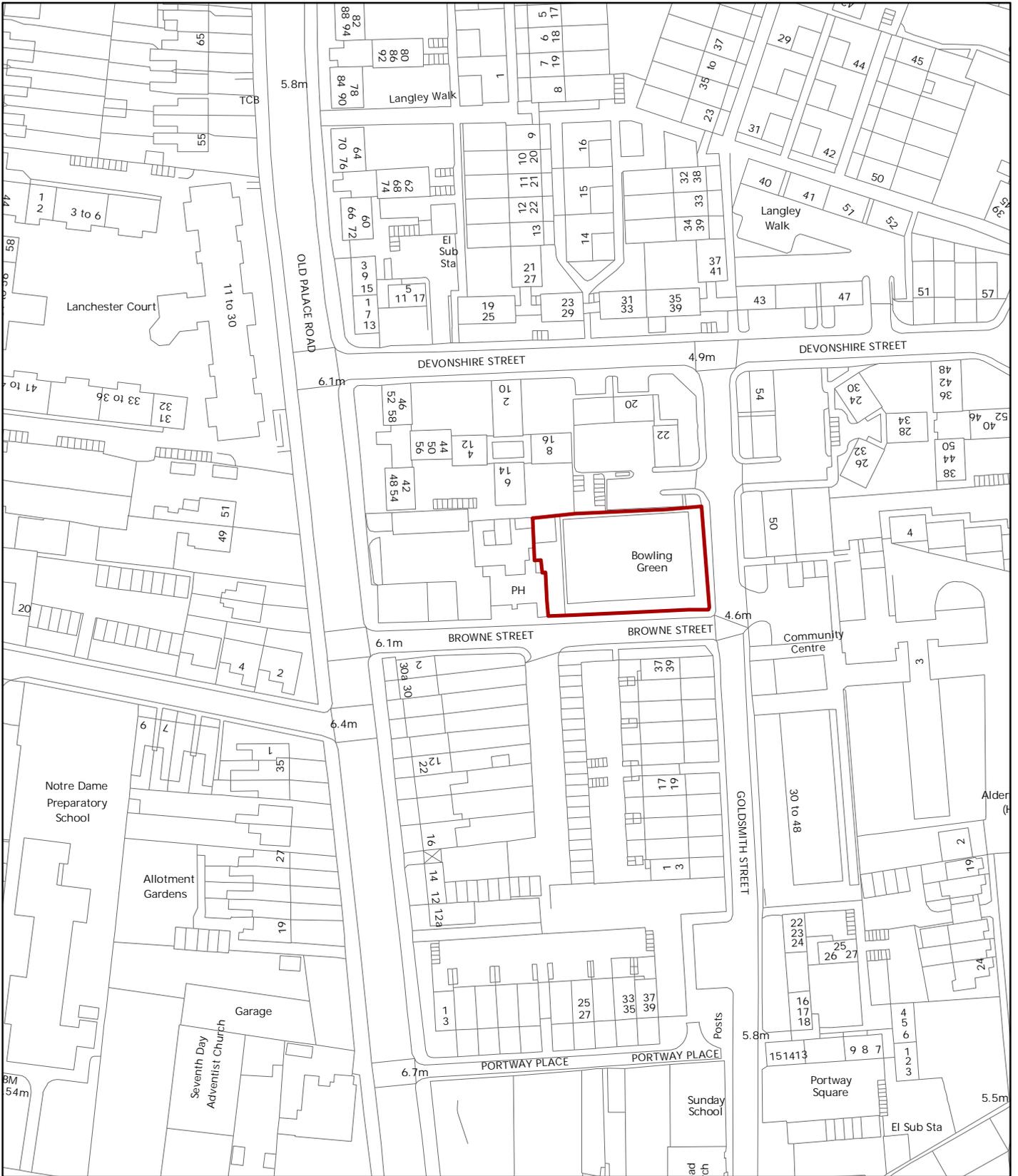
The recommendation has been made with regard to saved policies HBE12, HBE19, EP16, EP18, EP20, EP22, HOU1, HOU13, SR3, TRA6, TRA7, and TRA10 of the City of Norwich Replacement Local Plan (Adopted November 2004), policies T14, WM6 and ENV7 of the East of England Plan (adopted May 2008), national guidance PPS1, PPS3, PPG17 and all other material considerations. Given the poor quality of the existing greenspace, it is considered that the proposal is acceptable and in line with National and Development Plan Policy.

The proposed layout and design takes account of existing trees around the site and the relationship with adjacent housing and would be consistent with the relevant policies contained in the Replacement Local Plan. The requirements for transport infrastructure improvements created by the development can be adequately secured through a legal agreement between the Applicants and the Local Planning Authority.

The proposal is considered to make more efficient use of the land by introducing new residential units in line with policy guidance within PPS3 and provide sustainable development in line with policy guidance within PPS1. It is also considered that the proposals would enhance this part of the City and improve the buildings relationship with the surrounding public realm.

- (2) that if a Section 106 Agreement or satisfactorily worded undertaking is not completed prior to 9 April 2009, to delegate authority to the Head of Planning and Regeneration Services, to refuse planning permission for the following reason:-

The development would not have made provision to secure the necessary highways works that are required to make the development acceptable, and as such would be contrary to City of Norwich Replacement Local Plan (Adopted 2004) policy TRA10.



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Planning Application No- 09/00054/F  
 Site Address - West End Retreat, Browne Street  
 Scale - 1:1,250



**NORWICH**  
**City Council**

DIRECTORATE OF REGENERATION  
 AND DEVELOPMENT

