

Planning applications committee

Date: Thursday, 13 August 2020

Time: 10:00

Venue: Remote access

Committee members:

Councillors:

Driver (chair)
Maxwell (vice chair)
Bogelein
Button
Huntley
Lubbock
Neale
Ryan
Peek
Sands (M)
Sarmezey
Stutely
Utton

For further information please contact:

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Information for members of the public

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For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website

Agenda

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1 Apologies

To receive apologies for absence

2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

3 Minutes

5 - 8

To approve the minutes of the meeting held on 9 July 2020.

4 Planning applications

Please note that the planning applications committee public speaking procedures, as set out in Appendix 11 of the council's constitution, with the exception of 6(2) relating to ward councillors, have been temporarily suspended. Members of the public are invited instead to submit a written statements to be read out by officers at the meeting. The number of statements is limited to 6 for a major application and 4 for a minor application and this will be subject to the following guidelines:

- (a) where such statements exceed 500 words they will be summarised by officers rather than read word for word;
- (b) if more than the above number of statements are submitted, officers will summarise the contents of the statements;
- (c) the applicant or agent will be able to prepare one statement which will be read out: and,
- (d) statements from members of the public may be in objection or support.

Discretion will be used by the chair, if a member of the public is unable to provide a written statement and other arrangements will be made. Please contact the committee officer to discuss this.

Further information on planning applications can be obtained from the council's website:

<http://planning.norwich.gov.uk/online-applications/>

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4(c)	Application no 20/00630/MA - 1 Leopold Close, Norwich, NR4 7PR	51 - 62
4(d)	Application no 20/00631/F - 149 Lincoln Street, Norwich NR2 3JZ	63 - 78
4(e)	Application nos 19/01488/F & 1901487/L – Strangers Club, 22-24 Elm Hill, Norwich NR3 1HG	79 - 94
4(f)	Application nos 19/01801/F – Land adjacent to St Faiths House, Mountergate, Norwich, NR1 1QA	95 - 106
4(g)	Application no 20/00024/F - 174 Newmarket Road, Norwich, NR4 6AR	107 - 116
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Date of publication: **Wednesday, 05 August 2020**

Planning applications committee**10:00 to 11:25****9 July 2020**

Present: Councillors Driver (chair), Maxwell (vice chair), Bogelein, Button, Huntley, Lubbock, Neale, Peek, Sands, Sarmezey, Stutely and Utton

Apologies: Councillor Ryan

1. Declarations of interest

There were none.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meetings held on 23 April 2020.

3. Review of the Scheme of Delegation

The area development manager (outer) presented the report and, together with the area development manager (inner), answered members' questions on the proposal to amend the committee's scheme of delegation and to temporarily suspend the rules relating to public speaking at the committee (as set out in Appendix 11 of the council's constitution) for three months, proposing that members of the public might instead submit written statements. The report also contained a summary of the ten decisions made under temporary arrangements (adopted by the committee on 23 April 2020) which had required the chair's and, in one case where the chair had an interest, the vice chair's approval.

During the presentation, the area development manager (outer) provided an update to the report and confirmed that officers had considered the proposals against the public sector equality duty. The changes to the scheme of delegation were not considered to have any equality implications. In relation to public speaking arrangements, the proposed approach would ensure that there was no discrimination against users of the service with protected characteristics whom do not have access to IT equipment. The requirement for statements and the inability to speak at the meeting could have implications for users of the service with protected characteristics who were unable to put comments in writing. The council normally sought all representations on planning applications in writing to avoid any ambiguity in the submissions being made. However appropriate adjustments and assistance

would always be provided where a user had a protected characteristic which meant this was not possible. Should such a situation arise, it was therefore recommended that appropriate adjustments were put in place and, that at the chair's discretion, public speaking arrangements were adjusted on a case by case basis.

During discussion on the proposals for the amendment to the scheme of delegations, members expressed concern that the proposal to increase the number of objections for minor applications to be considered at committee from two to four would be unfair to immediate neighbours who were likely to be the only and most affected party by the planning proposal and denied an opportunity to speak at committee. Several members said that, whilst they understood that the proposals to amend the scheme of delegation was to make better use of the committee's time, they appreciated the importance to residents of proposals which affected their homes. It was noted that councillors could use the call-in procedures. The area development manager (outer) confirmed that ward councillors could call in any planning application provided that the grounds were material planning considerations. This included concerns about loss of light and daylight shadowing. A member said that members of the public needed to be made aware of the call-in arrangements and be provided with their ward councillors' details. The area development manager (inner) advised that the majority of household applications were approved in accordance with officer recommendations and ward councillors could call in cases for consideration by the committee. The officers confirmed that they would review the correspondence to applicants and respondents to planning consultations accordingly. A member commented that she considered that it was unnecessary to make "drastic" changes to the scheme of delegation at this time. She considered that the review should be of the temporary arrangements agreed at the last meeting so as to involve the committee and enable public participation in determining planning applications going forward. Another member said that retrospectively she had been disappointed with the delegation of decisions to the chair/vice chair and said that she was aware that there had been issues with at least two decisions made under delegated powers which were of concern to residents.

The area development manager (outer) confirmed that although meetings were being held remotely at present; the situation leading to return to in person meetings was under constant review. New guidelines for public meetings had been issued earlier in the week. The committee was not being asked to make a decision on the format of meetings which would be made elsewhere. The report proposed temporary arrangements for public participation to take part while virtual meetings were being held. Members commented that paragraph 7 of the report was misleading because it indicated that all meetings going forward would be virtual which would not be the case in the longer term. Discussion ensued in which members suggested that depending on the platform used, members of the public could sign in or phone in so they could speak at virtual meetings. A member suggested that ward councillors should be permitted to speak at committee on behalf of local residents. During discussion a member suggested that the proposed arrangements for public speaking were adopted and reviewed after the August meeting rather than waiting until November. Members concurred with this proposal.

The chair moved and the vice chair seconded the recommendations as set out in the report.

Councillor Bogelein moved an amendment to the proposed scheme of delegations (set out in Appendix C), seconded by Councillor Neale, to reduce the number of objections from four to two, thus amending (2)(a) to “two or more objections”. She also pointed out that communications regarding planning applications should explain the councillor call-in arrangements and provide councillor contact details rather than an automated letter of acknowledgement.

Discussion ensued on the amendment, in which some members welcomed the proposed amendment to 2(a). In reply to a question, the area development manager (inner) explained that if the proposed scheme of delegation as set out in Appendix C was not approved the current arrangement of delegation to the chair and vice chair would continue. Councillor Lubbock, supported by Councillor Utton, indicated that if this was the case, she would move that the committee reverted to the agreed scheme of delegation set out in Appendix A. She said that she considered that the changes to the scheme of delegation as proposed and at this critical time were unacceptable and unnecessary.

On being put to the vote, with 8 members voting in favour (Councillors Bogelein, Neale, Huntley, Utton, Sarmezey, Peek, Lubbock and Sands) and 4 members voting against (Councillors Driver, Maxwell, Button and Stutely) the amendment to 2(a) was approved and became part of the substantive motion to approve the scheme of delegations as set out in Appendix C. It was then:

RESOLVED, with 10 members voting in favour (Councillors Driver, Maxwell, Huntley, Bogelein, Sarmezey, Sands, Peek, Neale, Button and Stutely) and 2 members abstaining (Councillors Lubbock and Utton) to approve the scheme of delegation as set out in Appendix C and amended in accordance with the minutes above, and to adopt it with immediate effect.

Discussion ensued on the temporary proposals for public engagement with committee meetings. It was agreed that ward councillors should be given the option to speak on planning applications at the meeting and that this could be arranged. Members also noted that assistance would be given to members of the public who could not provide a written statement and that these cases would be considered on a case by case basis. The arrangements would be reviewed immediately after the August committee meeting. Councillor Bogelein moved and Councillor Stutely seconded that the rules relating to ward councillors were not suspended and that ward councillors would be admitted to the meeting on Zoom or the appropriate platform.

RESOLVED, unanimously, to allow ward councillors to speak at the next meeting of the planning applications committee and to review the temporary arrangements for public participation, as set out in the report and minuted above, following the next meeting.

4. Date of next meeting

RESOLVED to hold the next meeting of the committee at 10:00 on 13 August 2020 and each second Thursday of the month thereafter.

CHAIR

Summary of planning applications for consideration

ITEM *

13 August 2020

Item No.	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	19/01147/F	Land Opposite 153 Holt Road	Sarah Hinchcliffe	Construction of vehicle hire depot including associated external storage, parking areas and creation of vehicular access.	Objections	Approve
4(b)	20/00568/F	Garages In Front Of 24 - 26 Leopold Road	Maria Hammond	Demolish six garages. New single storey dwelling.	Objections	Approve
4(c)	20/00630/MA	1 Leopold Close	Maria Hammond	Amendment to approved plans of planning permission 19/01623/MA.	Objections	Approve
4(d)	20/00631/F	149 Lincoln Street	Maria Hammond	Change of use from retail (Class A1) to residential (Class C3).	Objections	Approve
4(e)	19/01487/F & 19/01488/L	Strangers Club, 22-24 Elm Hill	Lara Emerson	Kitchen extract (revised proposal).	At the discretion of the Area Development Manager. (5 objections received but it's an 'other' application)	Approve
4(f)	19/01801/F	Land to the Rear of St Faiths House, Mountergate	Lara Emerson	Demolition of warehouse buildings and construction of boundary wall, secure boundary fence and associated remediation works.	Objections	Approve

Item No.	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(g)	20/00024/F	174 Newmarket Road	Steve Polley	Two storey and single storey side extension.	Called in	Approve
4(h)	20/00497/F	Aylsham Crescent	Steve Polley	Change of use from financial services (Class A2) to cafe/takeaway (Class A3/A5) including external ventilation equipment.	Called in	Approve

STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

Crime and Disorder Act, 1998 (S17)

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

Natural Environment & Rural Communities Act 2006 (S40)

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Planning Act 2008 (S183)

- (1) Every Planning Authority should have regard to the desirability of achieving good design

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law

Article 8 – Right to Respect for Private and Family Life

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

Report to Planning applications committee

Item

13 August 2020

Report of Area development manager

Subject Application no 19/01147/F - Land for Storage and Premises Opposite 153 Holt Road, Norwich

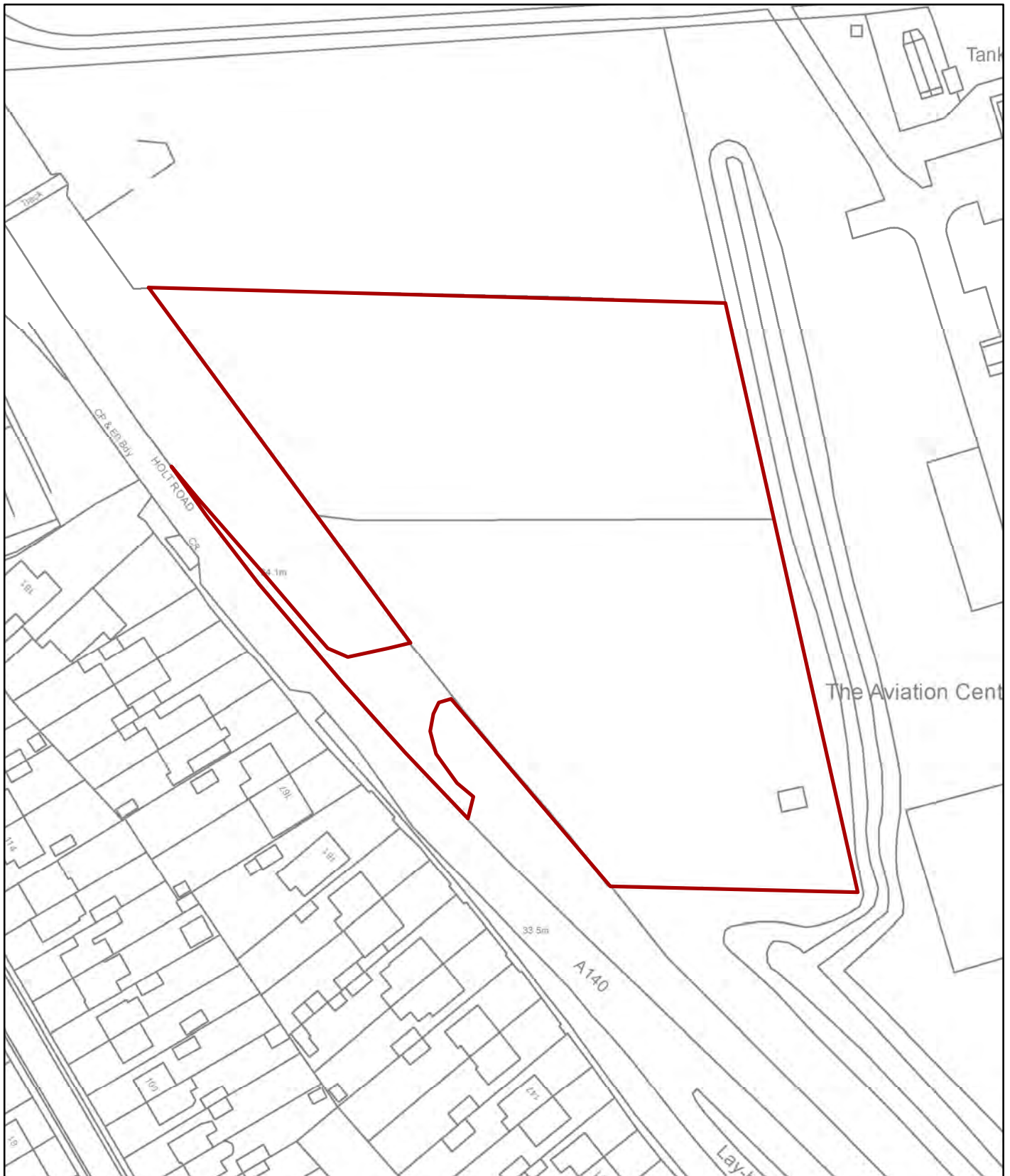
Reason for referral Objections

4(a)

Ward:	Catton Grove
Case officer	Sarah Hinchcliffe - sarahhinchcliffe@norwich.gov.uk

Development proposal		
Construction of vehicle hire depot including associated external storage, parking areas and creation of vehicular access.		
Representations		
Object	Comment	Support
9	0	0

Main issues	Key considerations
1. Principle of development	Use in this location.
2. Design	Position, height, scale, massing of new building.
3. Trees, landscaping and biodiversity	On-site and off-site landscaping and biodiversity enhancement.
4. Transport	Access, parking, cycle parking, refuse storage and collection
5. Amenity	Impact on surrounding neighbours
6. Impact on Norwich Airport	Safeguarding
7. Flood risk	Flood risk of development, water management and disposal.
Expiry date	3 February 2020 (extended to 14 August 2020)
Recommendation	Approve



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Planning Application No 19/01147/F
 Site Address Land opposite 153 Holt Road

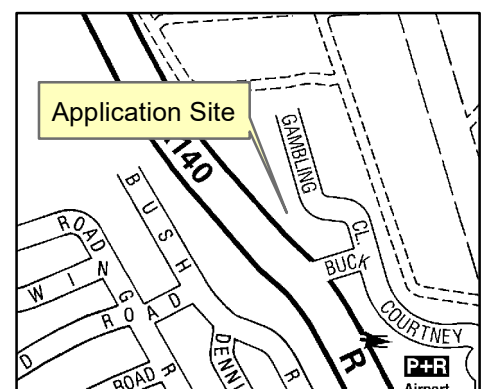
Scale 1:1,250



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 PLANNING SERVICES



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The site and surroundings

1. The site is an area of open former paddock land, which is partly enclosed by galvanised steel palisade fencing and gates and is located adjacent to the A140 Holt Road to the north of the city. The site is located in close proximity to Norwich Airport.
2. To the north of the site is a further area of paddock land formally occupied by a traveller family, with Norwich Airport and the runway to the north of this. To the east is Gambling Close, which features a number of industrial units/hangars, which houses the East Anglian Air Ambulance and other helicopter based operations at the airport. To the south is a landscape buffer to land operated by the airport. To the west is Holt Road and a number of residential dwellings on the opposite side of the road, located within the parish of Hellesdon.

Constraints

3. The site is designated for either airport related development or employment development purposes under Policy R30 of the Norwich Site Allocations and Site Specific Policies Local Plan.
4. Areas of the site are at risk of surface water flooding.
5. The site is located outside of, but adjacent to the airport operational area, the extent of which is directly adjacent to the east and south and 50 metres to the north.

Relevant planning history

6. 17/01555/O - Outline application including matters of access for vehicle hire business. Approved 14/05/2018.

This application established the principle of use of a smaller extent of land in this location for vehicle hire use, using the same point of access to the development from the Holt Road. Outline planning permission was granted subject to a number of conditions intended to control noise from the site and creation of a suitable access, with matters such as landscaping, layout, scale and appearance of any buildings to be dealt with by a subsequent reserved matters application.

Ref	Proposal	Decision	Date
05/00489/F	Replacement of existing perimeter fencing and gates.	Approved	7.9.2005
05/00958/U	Change of use to provide storage space for vehicles.	Refused	9.1.2006
06/00674/F	Proposed improvement of existing access and provision of hardstanding to site area.	Refused Appeal dismissed	21.8.2006 1.11.2007

Ref	Proposal	Decision	Date
07/01077/F	Retrospective application for retention of replacement 5m wide gates following approval of 4m wide replacement gates under reference 05/00489/F.	Approved	7.12.2007
08/00354/F	Proposed relocation of fleet hire business and builders store to land off Holt Road.	Refused	11.6.2008

The proposal

7. Full planning permission is sought for a vehicle hire business including the erection of a depot building and offices with large areas of vehicle parking/storage and access from Holt Road. The applicant is Trott Rentals Ltd who provide commercial vehicle hire, including vans and trucks of varying sizes up to 44 ton with and without trailer. The business is currently located at 21 Hurricane Way within the Airport Industrial Estate and will employ 8 full time members of staff at the proposed new premises.
8. The applicant has stated that the current site on Hurricane Way is constrained in terms of its layout and size, and this presents logistical problems which impede the operation and efficiency of the business. Congestion issues within the surrounding industrial estate which occur at peak times are also cited as impediments to the business. The applicant wishes to relocate to a purpose built and designed premises, to include a hire vehicle maintenance area, a small office and large areas of hire vehicle storage, as it is stated this would allow the business to operate more efficiently and meet market demand more effectively through expansion of its fleet of vehicles as necessary.
9. The southern part of the site benefits from outline planning permission for the proposed use as set out in the planning history section above. Since that time, the applicant has acquired further land to the north necessitating a full application for the proposed development on what is now a larger site.

Summary information

Proposal	Key facts
Scale	
Total floorspace	711 square metres (including first floor above office accommodation)
No. of storeys	Two in part. Workshop consists of full height single storey.
Max. dimensions	21 metres by 31 metres, 8 metres high (to ridge), 5.9 metres high (to eaves)

Appearance	
Materials	Plastic coated steel sheeting for roof and brickwork walls. uPVC windows and doors, composite fire doors and plastic coated steel workshop doors.
Energy and resource efficiency measures	Future solar PV array shown on south facing roofslope.
Operation	
Opening hours	Monday to Friday – 07:30 to 17:30, Saturday 09:00 to 12:00, Sundays and Bank Holidays – none stated.
Staff	8 full time
Ancillary plant and equipment	Up to 5 air conditioning units to serve office accommodation. Vehicle workshop uses powerlift, compressors and welding equipment.
Transport matters	
Vehicular access	From Holt Road.
No of car parking spaces	6 spaces for staff; 10 spaces for visitors, including 1 disabled space.
No of cycle parking spaces	Number not stated, but area shown between building and customer parking spaces.
Servicing arrangements	From access to site from Holt Road.

Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 9 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
Since the NDR has opened there are more vehicles than ever using Holt Road, having an adverse impact on highway safety.	See main issue 4

Issues raised	Response
Increased traffic on this extremely busy stretch of road will add to congestion adversely affecting the free flowing movement of traffic along Holt Road	See main issue 4
An up to date traffic census since the opening of the NDR should be commissioned to ascertain how busy and dangerous the road is.	See main issue 4
Another large entrance on the A140 will make it dangerous for residents living opposite to enter and exit their drives safely. Access to the site should be gained via Amsterdam Way instead.	See main issue 4
This will create an increased danger for the large number of cyclists using the road.	See main issue 4
The site is not suitable for the proposed vehicle hire business if it is not feasible for the entrance/exit of the site to be from Gambling Close as Policy R30 prefers.	See main issue 4
Detrimental to residential amenity in terms of extra noise and pollution from the proposed vehicle hire business and additional traffic generated by the business	See main issue 5
Headlights from use of the access would shine into windows of residential properties opposite.	See main issue 5
Could the building be relocated further north away from residential properties?	See main issue 2
Out of scale development.	See main issue 1 and 2
Better screening/fencing should be installed like at the airport park and ride site.	See main issue 3
Loss of trees.	See main issue 3
The planning history for the site shows similar uses have been refused and dismissed at appeal.	See main issue 1

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. No comment. The noise issues on the site are largely mitigated by the site layout with the loudest operation being the washing of vehicles being positioned so that the building is a barrier to the transmission of noise.
13. Having visited the site many times over the years I can confirm that it is significantly impacted by road traffic noise that will mask operations on site. It may however be prudent to suggest a condition limiting any plant and machinery to the rear of the building to take advantage of the new building as a noise barrier.

Highways (local)

14. As the access is on a classified road, it will require Strategic Highways to be consulted. It will also require consideration of the proposed TCF yellow Pedalway extension to Horsham St Faiths that is planned on the eastern side of Holt Road. Somehow a 3m wide shared use path used by pedestrians and cyclists will need to cross this new site access safely. It must not be allowed to present a danger or an obstacle or to the progress of cyclists using the yellow pedalway.

Highways (strategic)

15. The applicant has previously secured outline planning permission at the site for similar proposals. This was achieved after outlining that access from Gambling Close is not feasible and proposing an access which engineers out the right turn into the site to address previous concerns regarding slow stopping turning movements and impact on the free flow of traffic.
16. The current application is similar to those previously approved, albeit on a larger site with the same access arrangements directly onto Holt Road.
17. Whilst our preference would be for the site to be accessed from Gambling Close. On balance it is felt that we could not substantiate an objection to the proposals, as the proposals offers a technical acceptable solution. Suggest the inclusion of various conditions to ensure highway safety.

Landscape

18. Having discussed previous iterations of the scheme and reviewing this latest proposal, I can confirm that I would not raise a landscape objection.
19. It is a shame that part of the Northern boundary remains unscreened and open, especially given that this will be an area for vehicle turning or possibly vehicle storage. However, the most sensitive boundary that needed addressing in planning terms is that to Holt Road, and I consider the treatment proposed is adequate.
20. The privet hedge is an unusual addition, however will serve a purpose in terms of additional screening of the vast hardstanding area.

21. Some of the specification details of the planting have not been provided, this information would need to be confirmed in order to demonstrate that the planting will be adequate. This information can be secured by the standard condition being applied.

Ecology

22. The amended plans and Preliminary Ecological Appraisal (PEA) represent an improvement and the PEA does now correspond with the Landscaping Plan. I understand that the boundary trees are to be retained and should therefore be protected during construction.
23. The impact upon biodiversity, if the proposals are all implemented, would be slightly beneficial. Unfortunately there does not appear to be any significant net gain of biodiversity provided here.
24. If you consider the proposal is acceptable I would request conditions to secure the mitigation and enhancement measures and a Construction Environment Management Plan.

Norfolk historic environment service

25. Recent large scale archaeological excavations east and west of the application site in the parishes of Horford and Old Catton have revealed significant remains of Bronze Age and Roman date of types unknown four years ago. As the application site has not been under arable cultivation for most of the latter parts of the 20th century many of the usual mechanisms for generating historic environment record data have been absent and therefore detailed information on the archaeological potential of the site is lacking.
26. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development. If planning permission is granted, we ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework 2019 paragraphs 199 and 189.

Hellesdon Parish Council

27. Object. There were concerns about the impact of increased volumes of heavy goods traffic at peak times of the day, and road safety access to and from the Holt Road given the proposed expansion of the East Anglian Air Ambulance HQ and the proposed moving of the Recycling Depot.

Tree protection officer

28. No objections from an arboricultural perspective.

Norwich Airport

29. Do not object provided the following conditions are applied to any grant of planning permission:

- Any external lighting should be of a flat glass, full cut-off design and horizontally mounted to prevent light spill above the horizontal.
- Photovoltaic solar panels shall be designed and mounted to prevent glare and a glint and glare assessment shall be submitted prior to installing such panels.
- Any sustainable urban drainage (SuDS) shall not be of an open water design.
- Any use of cranes should be in accordance with BS7121 and CAP1096 and the Airport should be notified in advance.

Landscaping amendments are an acceptable compromise. Keeping hedges trimmed will help reduce berry production. The trees would need to be maintained at a height not exceeding 15 metres above ground level.

Lead Local Flood Authority

30. **Initial comments and early revisions** - object to the planning application in the absence of an acceptable Drainage Strategy. There is insufficient information to demonstrate that surface water arising from the development would not result in an increased risk of flooding to the site or by discharging it to a location which would lead to the increased risk of flooding elsewhere.
31. The LLFA are aware of multiple incidents of internal and external flooding to properties directly downstream of the site. With this in mind, the LLFA consider any upstream management of surface water to be of critical importance.
32. **Final comments on revised drainage design** - the applicant has provided a revised Drainage Strategy to account for the local flood risk issues and surface water drainage at this location. With the submission of revision P3 of the Drainage Strategy the concerns raised in our previous response have been sufficiently addressed by the applicant. We are able to remove our objection, subject to conditions requiring the development be carried out in accordance with revised Drainage Strategy.

Anglian Water

33. The foul drainage from this development is in the catchment of Whitlingham Trowse Water Recycling Centre that will have available capacity for these flows.
34. The sewage system at present has available capacity for these flows via a gravity connection to the public foul sewer in Holt Road. It is noted that it is proposed to discharge flows from a pressure wash to the foul sewer. Whilst this is acceptable in principle, these flows would be considered as "Trade Effluent" for which an application to discharge trade effluent must be made to Anglian Water. In order for us to make an accurate capacity assessment, we will require the submission of a proposed discharge rate and a breakdown of the chemicals in the effluent in order to assess the biological capacity of the receiving water recycling centre. Until such time, we cannot permit the discharge of trade effluent from the development to the public foul sewer.
35. From the details submitted the proposed method of surface water management does not relate to Anglian Water operated assets. Anglian Water recommends that petrol/oil interceptors be fitted to all car parking/washing/repair facilities. Failure to

enforce the effective use of such facilities could result in pollution to the local watercourse and may constitute an offence.

Assessment of planning considerations

Relevant development plan policies

36. 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
- JCS5 The economy
- JCS6 Access and transportation
- JCS9 Strategy for growth in the Norwich policy area
- JCS12 The remainder of the Norwich urban area including the fringe parishes
- JCS20 Implementation

37. 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
- DM11 Protecting against environmental hazards
- DM16 Supporting the needs of business
- DM17 Supporting small business
- DM27 Development at Norwich airport
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM33 Planning obligations and development viability

38. Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)

- R30 – The Paddocks, Holt Road

Other material considerations

39. Relevant sections of the National Planning Policy Framework March 2019 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF6 Building a strong, competitive economy
- NPPF8 Promoting healthy and safe communities
- 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

- NPPF16 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

Case Assessment

40. 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 council's 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

41. Key policies and NPPF paragraphs – JCS5, JCS12, SA R30, DM1, DM16, DM17, NPPF chapters 2 and 6.

The most relevant policy to the proposal is Policy R30 of the Norwich Site Allocations and Site Specific Policies Plan, which states:

The Paddocks, Holt Road, is allocated for either:

- *airport operational uses, where an airport masterplan endorsed by the city council within two years from the adoption of this plan demonstrates that the land is required for airport operational purposes during the plan period, or;*
- *development for general employment purposes (use classes B1, B2 and B8) where:*
 - a) the agreed airport masterplan referred to above demonstrates that the land will not be required for airport operational purposes during the plan period, or;*
 - b) no masterplan for the airport has been endorsed by the city council within two years from the date of adoption of this plan.*

In all cases, development will:

- *provide vehicular access to the site only from Gambling Close, unless it can be demonstrated that satisfactory direct access from Holt Road can be achieved without unacceptable impacts on highway safety or the free flow of traffic;*
- *provide appropriately for servicing, parking and other transportation requirements, taking account of the need to promote sustainable transport in accordance with DM policy DM28;*
- *demonstrate (through a noise impact assessment) that appropriate account has been taken of the potential impacts of noise from existing and proposed airport operations and noise generation from the development itself, in accordance with DM policy DM11;*
- *incorporate suitable boundary treatment, screening to the Holt Road frontage and mitigation measures to reduce the impact of the development on the outlook and living conditions of adjoining and nearby residents, in accordance with DM policies DM2 and DM3.*

42. With regard to the first requirement of the policy, although a masterplan for the airport was endorsed by the council in October 2019, it is significantly longer than two years since adoption of the Site Allocations and Site Specific Policies. Within the masterplan the land in question is shown to be outside of the airport operational

boundary and not in the ownership of Norwich Airport and therefore does not feature within any of the airports future development proposals. This means that general employment development for use classes B1, B2 or B8 is acceptable. The proposed use is sui generis, but it is an employment use which is considered to be in keeping with the aims of the policy.

43. It should also be noted that proposals for a similar form of commercial development were approved in outline form at planning committee in May 2018. This application differs from that previously approved in that the application site is now 86% larger as it includes a further area of paddock land to the north. Also the application includes full details of the building and areas of parking, access, drainage and landscaping.
44. The proposal remains in accordance with the principles set out in policies JCS5, JCS12, and guidance within the NPPF. Specific requirements of policy R30 are considered under the relevant sections to follow.

Main issue 2: Design

45. Key policies and NPPF paragraphs – JCS2, DM3, NPPF sections 8, 11, 12.
46. Policy DM3 requires new development to respect, enhance and respond to the character and local distinctiveness of the area with design of all development having regard to the character of the surrounding neighbourhood and elements contributing to the overall sense of place.
47. The character and local distinctiveness of development on the east side of Holt Road is one of large scale commercial development, including hangars and warehouse scale development associated with operations at the airport and extensive areas of car parking associated with the airport and Airport Park and Ride site. Opposite on the west side of the wide expanse of Holt Road however is suburban residential development. To the north is the more open, rural character associated with the airport operational boundary, including its runway and agricultural fields extending up to the northern distributor road (NDR or Broadland Northway).
48. The proposed depot building is of a scale, form and materials which is not dissimilar to the commercial development in evidence in this area. The position of the building on the site has been influenced by the need for large vehicles to directly access the building from the site access and manoeuvre through and exit the building as easily as possible. The incorporation of office accommodation with its associated glazing within the western end of the building provides some visual interest to the building.
49. The extent of the airports localiser beam which limits building heights within the eastern section of the land has also had a significant impact on the height and position of the building on the site. The building is orientated so as to not directly face towards the residential properties on the opposite side of Holt Road.
50. A later revision to the plans shows a 'future solar array' indicated across most of the south facing roofslope. The inclusion of such renewable energy generation measures are welcomed and would not be considered visually unacceptable on the roofslope of a building such as this, subject to meeting the airport requirements to

provide a glint and glare assessment to prevent their installation having an impact on operations at the airport.

51. Large areas of the site will be covered with hard surfacing to aid operational requirements of the business allowing the manoeuvrability of large vehicles and aiding their storage on the site. The applicant was asked to consider reducing the extent of hard standing and/or using a more permeable hard standing solution such as permeable paving or permeable tarmac, however the applicant insists that such products are not suitable for use on this site as they are not robust enough to prevent damage by manoeuvring large vehicles. Whether the extent of hardstanding proposed is acceptable should be considered alongside the extent and type of landscaping and biodiversity enhancement measures proposed around the site perimeter (considered as main issue 3) and also the context of the area, given the existence of large areas of hard surfacing on surrounding sites.
52. On balance given the site context and the uses and activities taking place around the site the development is considered acceptable as it is not considered to have an unacceptable impact on the character and appearance or local distinctiveness of the area.

Main issue 3: Trees, landscaping and biodiversity

53. Key policies and NPPF paragraphs – JCS1, 12, SA R30, DM3, DM6, DM7, NPPF section 12, 15.
54. An arboricultural report has been submitted which demonstrates that development of the site would safeguard existing trees. It is unfortunately the case that the northern part of the site had been cleared of scrub and small trees prior to the carrying out of the tree and ecology survey and subsequent submission of this planning application. Any remaining trees are located outside of the site along the western boundary within the highway verge. Landscaping details have been provided on an annotated site plan which provide a level of information sufficient to understand the extent and type of mitigatory landscaping proposed.
55. Policy JCS12 seeks to improve the gateways to Norwich by seeking environmental and townscape improvements on all major routes from the urban edge to the city centre. In addition Policy R30 sets out requirements for suitable screening and landscaping of the site. The site frontage currently features a number of mature trees within the highway verge, however there is an unappealing galvanised steel palisade fence which is visible in certain places. New hedgerow planting is proposed along the frontage of the site with Holt Road, consisting of a combination of mixed native hedgerow inside the palisade fencing and privet hedge (providing continuous cover throughout the year) outside of the fencing at the entrance to the site and between the customer parking and the roadside verge. This is considered to be suitable boundary treatment, which provides screening to the most sensitive Holt Road frontage and reduces impacts on the outlook and living conditions of nearby residents that policy R30 requires.
56. The fourteen new trees proposed to be planted in the north west corner of the site and along part of the northern boundary and the native species hedging will also serve to provide additional vegetative screening of the site when approaching from the north along the A140.

57. Policy DM6 strongly supports and encourages appropriate proposals which deliver significant benefits or enhancements to local biodiversity. While NPPF paragraph 175 supports the conservation and enhancement of biodiversity and encourages developments which provide improvements and net gains for biodiversity.
58. A preliminary ecological appraisal and impact assessment was provided in support of the application which identifies that the site comprises grassland, scrub and trees along the western site boundary which represent moderate biodiversity value. Recommendations within the report to improve site biodiversity for bird, bat and invertebrate species required some modification due to safeguarding issues at Norwich Airport surrounding the provision of landscaping which attracts birds.
59. Revised biodiversity enhancement and mitigation measures have been proposed which would reduce the overall impact of the development from at worst moderate adverse impacts to minor adverse-neutral impacts. Measures include:
 - (a) habitat supplementation measures including bat boxes for roosting opportunities and bird nesting boxes on boundary trees within the site,
 - (b) planting native broad-leaved trees,
 - (c) new native species hedge planting along the palisade fence lines,
 - (d) a minimum buffer strip of 3 metres should be left along the site margins and tree lines to maintain habitat connectivity,
 - (e) any new external lights will be set on a motion detector and positioned in such a way that they do not shine on the tree canopies along the west roadside boundary
60. With an aim to retain and supplement boundary habitats and maintain a corridor for wildlife around the site, the proposals if all implemented, would have a marginally beneficial impact upon biodiversity. Supplementary tree and hedge cover along the Holt Road boundary of the site will maintain habitat connectivity for bats and birds along this roadside boundary. While the buffer strip along the southern and eastern boundary provides effective habitat for invertebrates and terrestrial mammals in a location where provision of hedging cannot be sufficiently justified in visual amenity terms. The location of the airport operational boundary hinders wider habitat connectivity from the site to land further north and east. Unfortunately, the proximity of the site to the airport has also diminished some of the efforts to provide more diverse, fruit and berry producing landscaping, reducing the opportunity to deliver a significant net gain of biodiversity.
61. Some of the identified measures have been included within the landscaping details provided, with outstanding detail to be secured by conditions requiring the submission of a Construction Environment Management Plan (CEMP) and further landscaping management and maintenance details.

Main issue 4: Transport

62. Key policies and NPPF paragraphs – JCS6, SA R30, DM28, DM30, DM31, NPPF section 9.

63. As stated above, it is a requirement of policy R30 to “provide vehicular access to the site only from Gambling Close, unless it can be demonstrated that satisfactory direct access from Holt Road can be achieved without unacceptable impacts on highway safety or the free flow of traffic”. The application proposes vehicle and pedestrian access direct from the A140 Holt Road. The access would be designed in such a way to prevent northbound vehicles from making a right turn into the site, instead they would have to go around the roundabout further north on the A140 and double back, before turning left into the site. This would ensure the site does not cause congestion through turning movements for northbound traffic on the Holt Road. Highway officers are satisfied with the access proposals, which are the same as was approved as part of the outline planning approval granted at the site in 2018. Conditions are recommended to control the off-site works that would be required to implement the access.
64. The minor off-site highway works proposed include an uncontrolled crossing point from the western side of Holt Road to a short new section of footway to the south side of the new site access on the eastern side of the road. This will allow pedestrians to access the site and travel to work from the local area or by local bus services with stops a maximum of 800 metres from the site. The local highways officer commented that pedestrians and cyclists must be able to cross any new access safely upon the proposed extension of the yellow pedal way along the east side of Holt Road. A planning condition can secure this at detailed design stage of the site access and off-site works, if it remains a relevant consideration at the time of submission of the information to allow construction to commence.
65. In terms of increased traffic, the Transport Statement submitted with the application states that on average the existing business hires out 7 vehicles per day. The maximum recorded number in a single day was 27, however this was an exception to the rule. In addition there would be 8 staff members travelling to and from the site and one service vehicle travelling to and from the site. Based on these figures the likely maximum numbers of daily movements is 63 two way movements, although in reality the movements are likely to be lower than this on an average day. The maximum number of movements would result in a 0.5% increase in the number of vehicles which use the Holt Road over the course of an average day (using a pre NDR construction baseline), which is not considered to be a significant increase.
66. However, the development proposed on this site would allow expansion of vehicle hire operations beyond the limits that its current location places on it and beyond the levels outlined within the submitted Transport Statement. The Highway Authority however is content that with the approved access arrangements directly on to the A140, the site size and type of development proposed would unlikely lead to levels of traffic generation that would generate highway concerns.
67. Residents of Holt Road who live opposite the site and Hellesdon Parish Council are concerned that traffic volumes have increased on the road, in particular during rush hour periods. They are concerned of the impact that this may have on congestion and highway safety and the ability of customers and staff to access the site safely and any consequential impacts on them accessing their properties opposite. The submitted Transport Statement does not include traffic data since the NDR has been open and the highway authority were not able to provide any up to date position as to whether the opening of the NDR has had a positive or negative impact on traffic volumes on the A140. The highway authority did however explain

that this is a principle radial route into the city and as such it would be expected to accommodate significant volumes of traffic compared to other roads lower in the route hierarchy. Highway officers at both a strategic and local level raise no objections to the proposal.

Main issue 5: Amenity

68. Key policies and NPPF paragraphs – SA R30, DM2, DM11, NPPF sections 12, 15.
69. There are a number of residential properties opposite the site and concerns have been raised by residents regarding the potential impacts of noise and light pollution from the proposed development.
70. A noise impact assessment has been provided by the applicant to inform the proposal. The assessment identifies the airport and traffic using the local road network (including the busy Holt Road) as being the main noise sources affecting the existing noise climate. It considers typical noise from plant associated with the proposed building and likely noise from internal and external plant installations and its impact on the closest residential dwellings, approximately 60 metres from the building on the opposite side of Holt Road. Measurements were carried out and details supplied of existing plant and equipment used at the applicants existing business facility, including up to 5 air conditioning units to existing office space, powerlifts, compressors and welding equipment to the workshop area. This information was also verified against previously measured noise levels within a vehicle maintenance workshop for HGVs/vans.
71. The construction of the building was initially proposed to be single skin cladding protected at a lower level by a 2.1 metre high internal blockwork wall. Roller doors on the northern and southern elevation are proposed and an assumption is made that the roller doors to the north elevation remain open to provide ventilation. A revision to the plans proposes brickwork walls, which would only serve to improve the noise attenuation capabilities of the building.
72. Externally, given the high ambient noise levels along Holt Road from road traffic it was considered that any increase in noise level associated with vehicle movements on the site would be negligible. The proposals include a pressure wash bay for which noise measurements from a similar existing HGV pressure wash area were considered.
73. The noise assessment maps highest calculated noise levels on the nearest noise sensitive receptor, from cumulative plant noise of all plant being operated at the same time. The assessment assumes the operating hours restrictions from the outline planning permission will be in place at the site. The resultant calculated specific sound level for all operations remains significantly lower than existing background noise levels measured in a location at a distance equivalent to the distance of the closest residential properties from the Holt Road. Therefore, noise breakout from the building and externally mounted air conditioning plant is highly unlikely to result in an adverse impact on the nearest dwellings along Holt Road. Therefore, taking into account the existing noise climate and noise control measures, the residential amenity of the nearest residential receptors would be adequately protected and should not result in any adverse impact or perceptible change in noise level as a result of the proposed development.

74. The council's environmental protection officer has confirmed that the site is currently significantly impacted by road traffic noise. The proposed site layout will mitigate noise impacts, with the noisiest operations taking place away from residential properties, with the building itself acting as a noise barrier. Use of planning conditions could ensure that this remains the case.
75. A number of planning conditions to control the impacts of the proposal were attached to the outline consent for similar development approved in 2018 and which remains extant. It remains reasonable and necessary to include the same conditions at this time. These include restricting the opening hours of the business to between 7.30am and 8.00pm Monday to Saturdays, and no opening on Sundays or public holidays. The exception to this would be on the occasions where customers wish to return vehicles outside of normal opening hours. This would operate by customers returning the vehicle to the depot and posting the keys through a drop-box, the instances of this are understood to be relatively rare and therefore the impacts associated with it are considered acceptable, providing that this is the only activity which takes place outside of the prescribed times.
76. Slightly more restrictive time constraints are recommended for the servicing and repair of vehicles and pressure washing of vehicles – with it being recommended that this does not take place outside of the hours 7.30am – 6.30pm Monday to Saturdays and no servicing/repairs/pressure washing to take place on Sundays and public holidays. Further conditions preventing vehicle servicing outside of any building are recommended to ensure impacts on local residents are acceptable.
77. Regarding the impact of light pollution, it is considered that there would be some impact from the vehicles turning into and out of the site for residents opposite the access, but regard is had to the fact the road is well lit, carries a significant volume of traffic and the impact would be intermittent. Furthermore, the conditions restricting opening hours would greatly minimise the instances of this impact during unsociable hours.
78. Lighting on the site itself is limited to down lighting units mounted on the building itself. A condition is recommended limiting the hours of use of external lighting on site, to ensure that impacts on neighbours and Norwich Airport are acceptable. Subject to this, the light impacts of the proposal are considered acceptable.
79. Adjacent sites in commercial use to the east of the site are far enough away for the proposals to not have a detrimental impact on working conditions of occupants of surrounding businesses.

Main issue 6: Impact on Norwich Airport

80. The application site is in close proximity to Norwich Airport the proposal has the potential to affect the airport in terms of airport safeguarding due to the proximity of the site to radar and localiser equipment and the main runway.
81. Discussions and negotiations have previously taken place between the airport and the applicant to ensure there is no conflict with safeguarding equipment. Extensive discussions have taken place with the airport safeguarding officer and modifications made to the landscaping proposals in order to secure a balance of landscaping which provides some screening and biodiversity benefits while not attracting bird species which the airport seek to deter. A number of conditions are recommended

at the request of Norwich Airport regarding height of cranes, impacts of solar panels, landscaping, materials and external lighting to ensure there is no conflict with safeguarding. Subject to control of all of these matters the Airport raises no objection on safeguarding grounds.

Main issue 7: Flood risk

82. Key policies and NPPF paragraphs – JCS1, DM3, DM5, NPPF section 14.
83. It is a requirement of the NPPF that development does not increase flood risk elsewhere. Policy DM5 goes on to require the incorporation of mitigation measures to deal with surface water arising from development proposals to minimise and where possible reduce the risk of flooding on the site and minimise risk within the surrounding area. The site is located within flood zone 1, however there are localised areas of surface water flooding on the site and on Holt Road adjacent. There are also local instances of flooding affecting properties to the south.
84. The proposal will significantly increase the amount of impermeable surfacing on the site as 90% of the site area will be covered with the depot building and associated hard surfacing for storing and manoeuvring vehicles. A Drainage Strategy has been provided by the applicant which has been informed by on-site ground investigation to determine the infiltration potential of the ground.
85. The Drainage Strategy involves the discharge from the impermeable areas via pipes into three large localised infiltration crate soakaways. A combination of a 'polypipe permachannel system' with a silt and oil interceptor at the channel outflow and a silt trap located prior to surface water entering the soakaway, are required due to the commercial nature of the site and the need to ensure adequate pollution treatment to reduce metals and hydrocarbons entering into the system.
86. The pressure wash bay is a higher risk area which will be hydraulically contained, not allowing discharge to the surface water system. The area will be contained by kerbs acting as a bund to this area, with a 30mm rise to prevent surface water ingress into this area. The effluent containing washing products will, after passing through a wash down interceptor be discharged to the public sewer on Holt Road. Anglian Water after a series of information exchanges have confirmed that their network has available capacity to accommodate the flows from the development, including trade effluent discharge. The applicant is required to obtain a separate trade effluent consent direct from Anglian Water.
87. The surface water drainage design has been revised such that it is now suitably sized and can accommodate a 1% critical rainfall event plus climate change (1 in 100 year event with 40% climate change allowance), with all surface water being maintained within the drainage network on the site.
88. The Lead Local Flood Authority advise that it is able to remove its early objection to the proposals as the Drainage Strategy design has been revised to manage all surface water on the site and sufficiently address their earlier concerns. The strategy has removed the existing on-site flood risk, accommodating this and surface water from the increased impermeable areas on the site within the drainage system. Local flood risk will be satisfactorily managed and there will be no increase in the risk of flooding on site or elsewhere in accordance with the provisions of the NPPF and policy DM5.

Compliance with other relevant development plan policies

89. 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, motor cycle parking provision	DM31	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition

Other matters

90. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: List relevant matters.

Equalities and diversity issues

91. There are no significant equality or diversity issues.

Local finance considerations

92. 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.
93. 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.
94. In this case local finance considerations are not considered to be material to the case.

Conclusion

95. The proposal accords with the requirements of policy R30, with no objection from highway officers regarding the creation of a new vehicle access onto Holt Road. The appearance, landscaping and biodiversity improvements to the site are considered acceptable given the context of the site adjacent to Norwich Airport and other commercial uses. The amenity impacts, traffic impacts and flood risk of the proposal will be controlled by the use of conditions to ensure no material harm occurs to neighbouring occupiers or to the free flow of traffic and highway safety.

96. 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

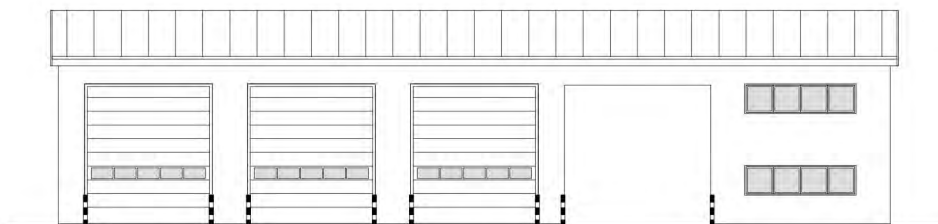
To approve application no. 19/01147/F - Land for Storage and Premises Opposite 153 Holt Road, Norwich, and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Use of site restricted to vehicle hire only;
4. Site not to open to the public (except for the purposes of returning hire vehicles only) outside of the hours 07.30-20.00 Monday to Saturday, with no opening on Sundays or public holidays;
5. No servicing or repair of vehicles or pressure washing of vehicles shall take place outside of the hours 07.30-18.30 Monday to Saturday and not at all on Sundays or public holidays;
6. No machinery or power tools to be operated outside the building except for the purpose of maintenance of land or buildings;
7. No loudspeaker or audio equipment to be used outside of any building;
8. Pressure washing of vehicles restricted to the pressure wash area as identified on the plan;
9. Front doors to the workshop to remain closed while work in the workshop takes place;
10. No external lighting, other than security lighting to be used outside of the hours 07.00-23.00 on any day;
11. Access to the site to be via main access only and all other access shall be permanently closed, and the highway verge shall be reinstated in accordance with a scheme to be agreed;
12. Gradient of vehicle access not to exceed 1:12 for the first 15 metres into the site as measured from the carriageway;
13. Prior to commencement of use any access gates/bollard/chain or other means of enclosure shall be hung to open inwards, set back and thereafter retained a minimum distance of 15 metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site;
14. Details of one electric vehicle charging point, cycle, motor cycle parking and bin stores to be approved and then provided in accordance with the approved details and retained thereafter for the duration of the use;
15. No works shall commence on site until a construction management plan has been submitted including details of any cranes, construction worker parking and wheel cleaning facilities;
16. No commencement of development until a detailed scheme for the off-site improvement works (access and pedestrian improvements) have been submitted and approved. Prior to the commencement of the use permitted the improvement works shall be implemented in accordance with the approved details;
17. Prior to commencement submission and approval of an Archeological Written Scheme of Investigation;
18. Prior to construction of building, materials to be approved;

19. Prior to their installation details of solar array including a glint and glare assessment;
20. Installation of drainage strategy in accordance with approved details before site first brought into use;
21. Supplementary landscaping details;
22. Prior to commencement submission of a construction environment management plan (CEMP);
23. No tree/hedgerow removal during bird nesting season;

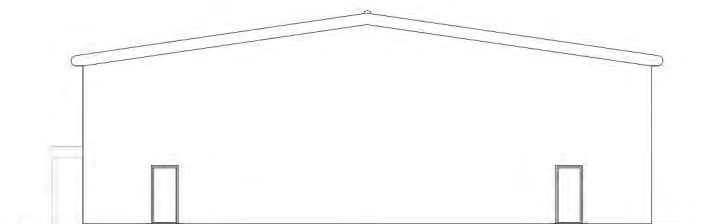
Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments to landscaping and drainage the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

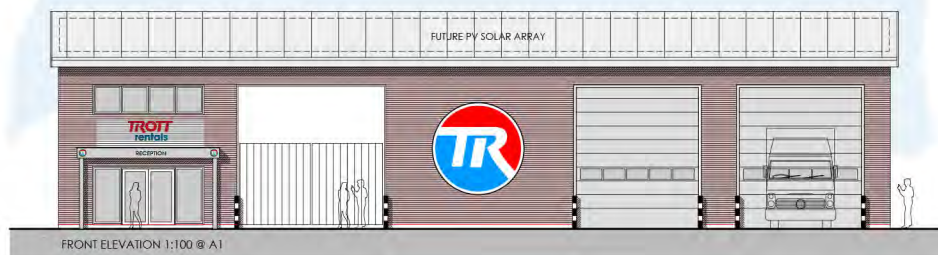


REAR ELEVATION 1:100 @ A1

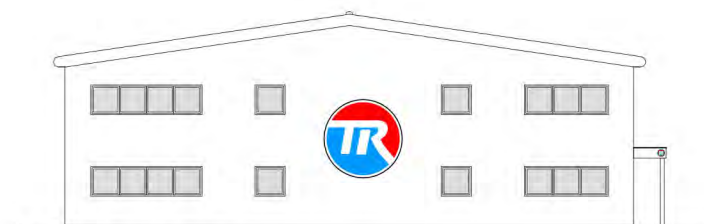
MATERIALS:
WALLS - CLAY BRICKWORK
ROOF - PLASTIC COATED STEEL SHEETING
OFFICE WINDOWS/DOORS - UPVC
VEHICLE DOORS - COLOURED COMPOSITE
WORKSHOP DOORS - PLASTIC COATED STEEL



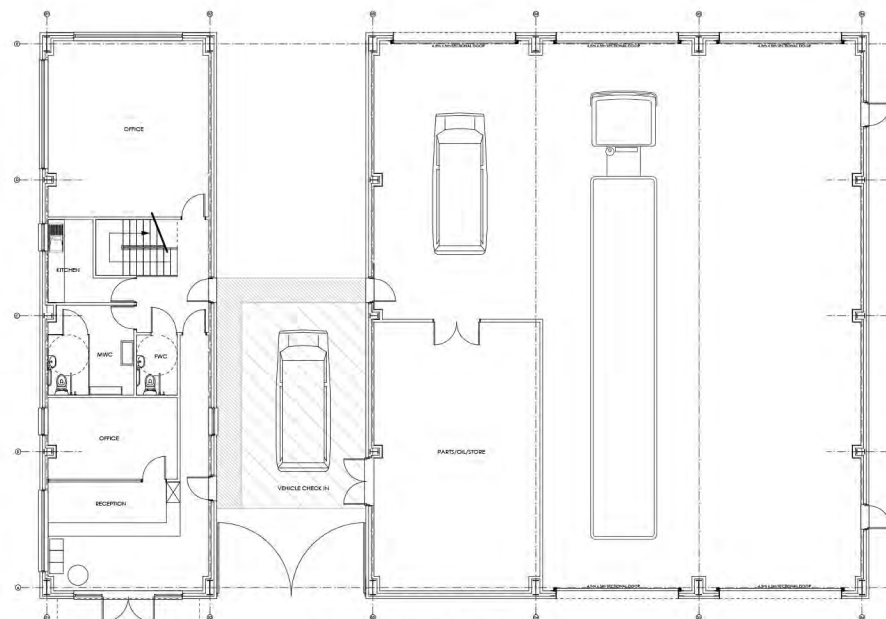
END ELEVATION 1:100 @ A1



FRONT ELEVATION 1:100 @ A1

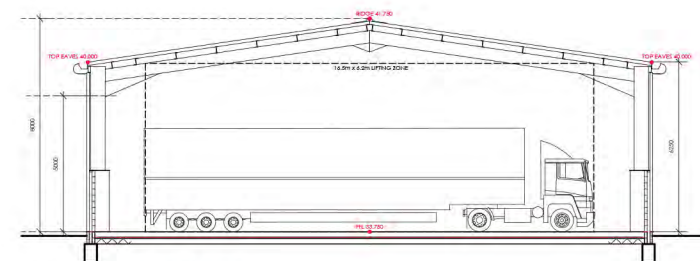


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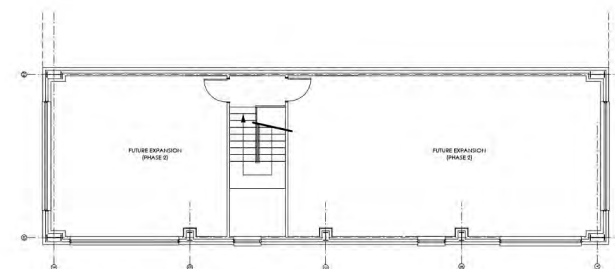


LAYOUT PLAN 1:100 @ A1

D 12-12-19 HEIGHTS ADDED
C 27-11-19 PLANNING ISSUE III
B 07-08-19 PLANNING ISSUE II
A 12-06-19 PLANNING ISSUE



SKETCH SECTION 1:100 @ A1



FIRST FLOOR PLAN 1:100 @ A1

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Land at Holt Road, Norwich, Norfolk,
NR6 6UA - Trott Rentals Ltd

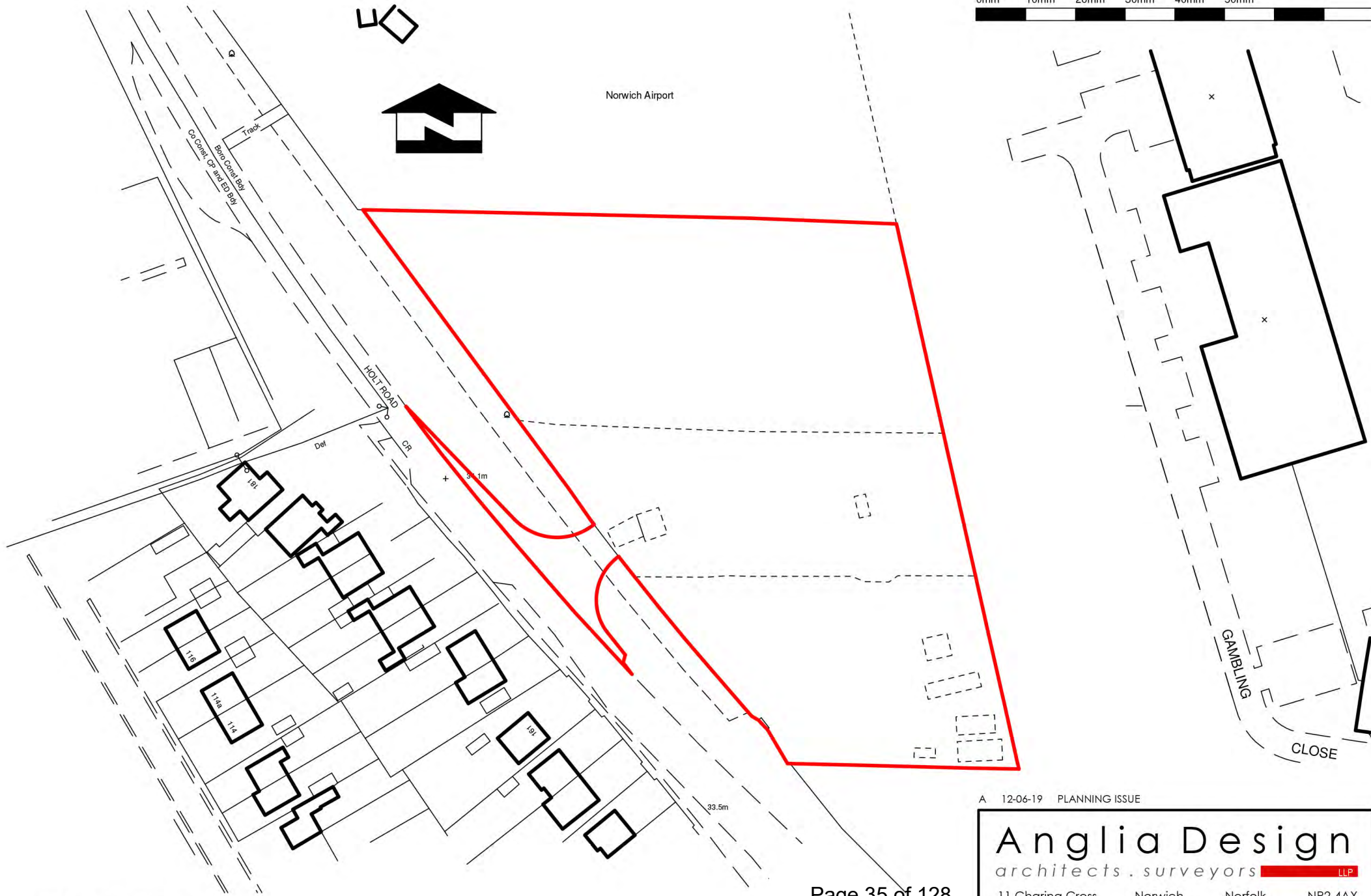
Date: June 2019

Drawing No: RS/3931/19/20

PLANS & ELEVATIONS
Page 34 of 128

Anglia Design
architects . surveyors LLP

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em: mail@angliadesign.co.uk





Report to Planning applications committee

Item

13 August 2020

Report of Area Development Manager

Subject Application no 20/00568/F - Garages in front of 24 - 26
Leopold Road, Norwich

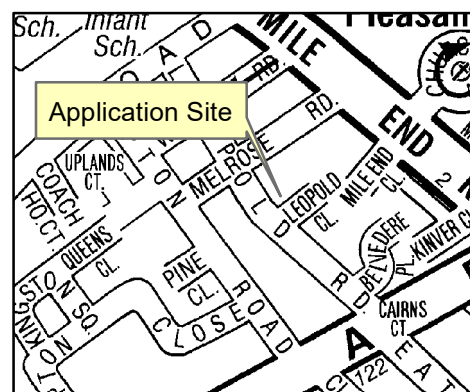
**Reason
for referral** Objections

4(b)

Ward:	Eaton
Case officer	Maria Hammond - mariahammond@norwich.gov.uk

Development proposal		
Demolish six garages. New single storey dwelling.		
Representations		
Object	Comment	Support
5		

Main issues	Key considerations
1	Principle of loss of garages and erection of dwelling
2	Design
3	Amenity
4	Transport
Expiry date	18 August 2020
Recommendation	Approve



The site and surroundings

1. The application site is a small site of 0.02 hectares on the northeast side of Leopold Road, a suburban residential road to the southwest of the city centre. A row of six single storey garages occupies the site, separated from the road by an area of hardstanding and built hard up to the rear and side boundaries.
2. Development along Leopold Road to the southeast of the site is characterised by quite substantial detached and semi-detached two storey dwellings in spacious plots, dating from the early twentieth century, with some later flatted developments also. To the northwest, there are Victorian terraces and matching infill development and the site occupies a transitional point between these two characters.
3. Immediately southeast of the site there is a recently constructed storey and a half dwelling, occupying part of the rear garden of a dwelling at the corner of Leopold Close (references 18/01025/F and 19/01623/MA and subject to current application 20/00630/MA which is considered elsewhere on this agenda).
4. Northwest, the site adjoins the rear garden of an end terrace dwelling which fronts Melrose Road. Northeast, it adjoins part of the rear garden of the next dwelling along on Melrose Road, the part furthest from the house. These rear gardens to terraced dwellings on Melrose Road are long and narrow.
5. Front boundary treatments in the surrounding area are predominantly hedges, some behind low brick walls.

Constraints

6. The site is within a critical drainage catchment.

Relevant planning history

7.

Ref	Proposal	Decision	Date
20/00359/F	Demolish six garages. New two storey dwelling.	REF	14/05/2020

The proposal

8. It is proposed to demolish the row of existing garages and construct a detached single storey, one bedroom dwelling. This would sit relatively centrally within the site with a parking space and cycle and bin storage to the northwestern side and a private garden to the southeast.
9. This application follows the refusal of an application a one and half storey dwelling on the site (20/00359/F) which was refused due to the poor quality design of the house and landscaping which would appear incongruous in the streetscene and be

detrimental to local character, and the unacceptable overbearing and overshadowing impacts on neighbouring gardens to dwellings on Melrose Road resulting from the height of the eaves and ridge and proximity to the rear boundary.

10. At single storey, the height of the proposed dwelling has been reduced from the previous proposal and the design and siting have also been revised. During the consideration of the application, further amendments have been made to reduce the roof height.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	One
Total floorspace	50 square metres
No. of storeys	One
Max. dimensions	8.96 metres by 6.6 metres in footprint and 2.45 metres to the eaves and 4.7 metres to the ridge.
Appearance	
Materials	Beige coloured render, anthracite grey UPVC windows, French doors and fascias, anthracite grey composite entrance door and natural slate roof.
Transport matters	
Vehicular access	As existing
No of car parking spaces	One
No of cycle parking spaces	Storage shed proposed
Servicing arrangements	Bin storage proposed, collection by road

Representations

11. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Five 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
Loss of an amenity which is used by local residents - currently all garages are occupied.	See main issue 1.
Over development of area	See main issue 2.
Loss of light to Melrose Road properties. To minimize overshadowing it would be preferable if the pitch of the roof could be reduced.	See main issue 3. The roof pitch and total height has been reduced in amendments made since this comment was received. No responses were received to the re-consultation on the amended drawings.
Loss of outlook	See main issue 3.
Loss of privacy	See main issue 3.
Building should be no closer to the road than 1 Leopold Close	See main issue 2.
Ideally increased to 2 parking spaces	See main issue 4
Restrict future development	Future alterations and extensions can be managed by removing permitted development rights by condition, if considered necessary and reasonable. The submission of applications for future development cannot be controlled and any future proposals would be considered on their own merits.
Not materially different from previous proposal.	Observation noted.
Should be positioned within 0.5m or 1m of Leopold Road and of new dwelling at 1 Leopold Close to reduce conflict with Melrose Road properties or unacceptable overlooking and overdevelopment will be consequence	The proposal as submitted needs to be determined.
Loss of existing garages and on street parking	See main issues 1 and 4
Rear boundary wall should be replaced like for like	See main issue 2
Very careful handling is required to prevent soil- or airborne contamination.	See Environmental Protection comments below and main issue 3

Consultation responses

12. 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

13. Following an assessment of the site and its historical use I would recommend the conditions concerning unknown contamination and imported material.

Highways (local)

14. Recommendation

- (a) Reconstruction of footway to full kerb height except where vehicle access is required.
- (b) Car parking area constructed with permeable block paving or similar.

Assessment of planning considerations

Relevant development plan policies

15. **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
16. **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
 - DM11 Protecting against environmental hazards
 - DM12 Ensuring well-planned housing development
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

17. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**
- NPPF2 Achieving sustainable development
 - NPPF5 Supporting high quality communications infrastructure

- NPPF9 Promoting sustainable transport
- NPPF5 Delivering a sufficient supply of homes
- 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

18. 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

19. Key policies and NPPF paragraphs – DM12, NPPF section 5
20. The site is not subject to any of the exceptions in Policy DM12 so the principle of residential development is acceptable, subject to consideration of the matters below.
21. The loss of the six existing garages must be considered. The applicant has advised that two are used for vehicle parking and four for storage by local residents. They are said to be in a poor state of repair with water ingress, at the end of their useful life and their appearance is detrimental to the character of the area.
22. The proposal would displace the existing uses and, as noted in representations, potentially increase on-street parking locally. There is no highways objection to the proposal and the site is not in a controlled parking zone so on-street parking is available to all residents and users of the existing garages. It is not therefore considered that the loss of the existing garages would make any significant contribution to any local parking congestion and the addition of a dwelling to local housing supply is a benefit of the proposal which, subject to the considerations below, weighs in its favour.

Main issue 2: Design

23. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12
24. This is a small site constrained by its relationship with neighbouring properties. Accordingly, the one bedroom dwelling is modest in footprint and, in response to the refusal of the previous proposal for a dwelling with first floor accommodation, only single storey in height. During consideration of the application the height has been further reduced by lessening the roof pitch (from 35 to 30 degrees). The impacts on amenity are considered below, however in design terms the scale, which allows for parking and garden space and marks the transition in character along the road, is considered appropriate. The siting would roughly align with the front of the newly constructed dwelling adjacent to it and provide an appropriate

visual relationship between the two. Contrary to what one representation suggests, the scale of the proposal is not considered overdevelopment of the site.

25. The roof form of the previous proposal was a rather convoluted response to the constraints of the site in an attempt to accommodate a first floor whilst reducing the ridge height, and was considered poor quality design which would be detrimental to local character. The revised design now proposed is more conventional and reflects the character of the area. In its detailed design, the dwelling is simple which is considered appropriate to its modest scale and the materials are characteristic of the area.
26. The site layout makes provision for parking, servicing and amenity space, with an open front garden and wall and hedge to enclose the garden to the side. It is considered that a high quality landscaping scheme, including any new boundary treatments, permeable hard surfaces and soft landscaping should be agreed by condition to ensure this complements the dwelling and its appearance in the streetscene. Subject to this, the design is considered acceptable.

Main issue 3: Amenity

27. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 180.
28. The dwelling would comply with minimum space standards for a one bedroom dwelling and each room would have adequate outlook and natural light. To the southeast of the site, there would be adequate private external amenity space and the standard of amenity for future occupiers is therefore considered acceptable.
29. Compared to the previous refused proposal, the distance from the rear boundary has increased from 0.5 metres to 1.2 metres and the height reduced from 7.6 metres to 4.7 in an attempt to reduce the overbearing and overshadowing to the gardens of dwellings on Melrose Road to the north of the site. Due to the orientation of the site and the narrow width (approximately 3.6 metres) of the neighbouring gardens to the north, it is considered the proposal would still result in some overshadowing for a proportion of the day.
30. This proposal would, however, affect a smaller area of the gardens and reduce the proportion of the day affected, compared with the previous proposal, and the overbearing presence of the dwelling would be lessened, particularly by the increased distance from the boundary. It is not considered the accommodation of the dwellings would be affected by overshadowing or overbearing, nor the gardens as a whole at any point in time. Whilst acknowledging that there would still be some impact, it is not considered that this proposal for a single storey dwelling would result in any overshadowing or overbearing impacts on the amenity of neighbouring occupiers that would be unacceptable or contrary to Policy DM2.
31. Impacts on outlook and privacy of neighbouring dwellings have also been raised in objections to the application. As there would be no first floor, it is considered the existing and proposed boundary treatments and distances to neighbouring dwellings are sufficient to mitigate any loss of privacy and it is not considered the appearance of the dwelling would be detrimental to the private outlook of any neighbouring dwelling, particularly given the more harmful appearance of the existing garages.

32. A residential dwelling will generate more intensive activity than the existing garages but given the predominant residential use in the local area it is not considered this would be detrimental, especially with regard to the one bedroom scale of the dwelling.
33. Representations have sought assurances that only a single storey would be built and no future proposals for increases in height or other amendments could be made that might be detrimental to amenity. Should permission be granted, it would be necessary for the development to be constructed in accordance with the approved plans and any deviation would be liable to enforcement action. It is not possible to restrict the submission of future applications for further development, extensions or other alterations, but each proposal would be considered on its own merits. It is, however, considered appropriate to remove permitted development rights for extensions and roof alterations in light of the weight given to the scale of the proposal in the assessment above.
34. An informative note can be used to advise of the need for considerate construction in this residential area and to manage the risk of any pollution or contamination arising.
35. The proposal for a single storey dwelling is therefore considered to provide an acceptable standard of amenity for future occupiers and not result in any unacceptable impacts on neighbouring dwellings and is acceptable in accordance with Policy DM2.

Main issue 4: Transport

36. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9
37. The larger dwellings along Leopold Road southeast of the site have off-street parking and the terraced streets to the northeast are not subject to permit parking restrictions. The displacement of the existing vehicles parked in garages is therefore unlikely to have any unacceptable impact on parking congestion in the area.
38. The proposal makes provision for off-street parking for one car, in accordance with standards, so would not contribute to the use of existing on-street parking. The dropped kerb across the site frontage should be restored to full height and would increase space for on-street parking for all users.
39. The proposal can provide for sufficient bin and cycle storage which can be secured via condition.

Compliance with other relevant development plan policies

40. 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
Water efficiency	JCS 1 & 3	Yes subject to condition

Requirement	Relevant policy	Compliance
Sustainable urban drainage	DM3/5	There will be a reduction in the impermeable area across the site which is welcomed. Rainwater harvesting is proposed and full details of surface water drainage shall need to be agreed by condition.
Biodiversity	DM6	The construction and condition of the existing garages is considered to offer low potential for protected species to be present. An informative note can advise of the need to take action should anything be found and biodiversity enhancements can be secured by condition.
Contamination	DM11	The historic use of the site as garages presents a low risk of contamination which can be satisfactorily dealt with by the conditions recommended by Environmental Protection.

Equalities and diversity issues

41. There are no significant equality or diversity issues.

Local finance considerations

42. 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.
43. 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.
44. In this case local finance considerations are not considered to be material to the case.

Conclusion

45. The proposed loss of garages is not considered to result in any displacement of uses that would contribute significantly to local parking congestion or otherwise harm amenity and the erection of a dwelling here is acceptable in principle in accordance with Policy DM12.
46. The design is considered appropriate to the site and its surroundings and, having been substantially amended from a previous refused proposal for a storey and a half dwelling, would not result in any unacceptable impacts on the amenity of neighbouring occupiers.

47. 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. 20/00568/F – Garages in front of 24 - 26 Leopold Road, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Hard and soft landscaping to be agreed;
4. Surface water drainage to be agreed;
5. Biodiversity enhancements to be agreed;
6. Bin and cycle storage to be provided prior to first occupation;
7. Unknown contamination;
8. Imported topsoil;
9. Water efficiency;
10. Remove permitted development rights for extensions, roof additions and roof alterations

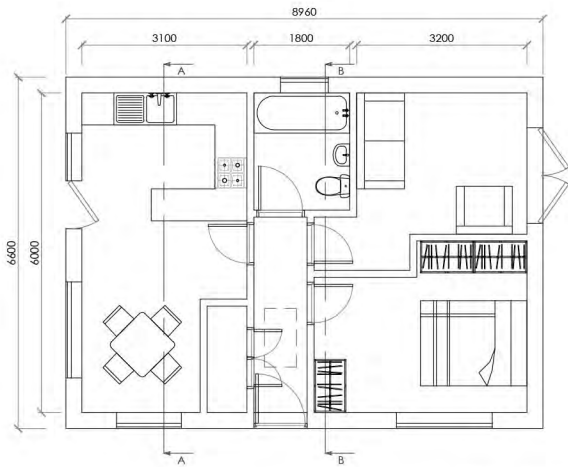
Informatives

1. Construction working hours and practices
2. Site clearance and wildlife

Article 31(1)(cc) statement

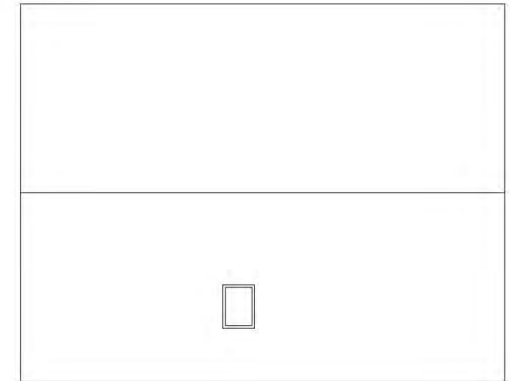
The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments to the siting and height, the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

GROUND FLOOR PLAN



scale in metres 1:50

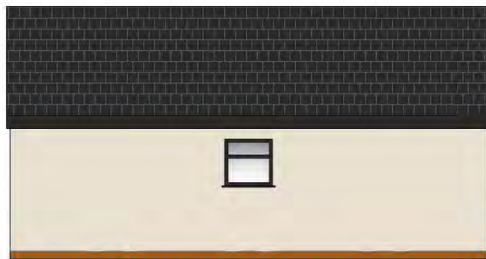
ROOF PLAN



Materials List:

External Structure: K-Rend - Beige with vertical natural timber finish style cement board to dormer cheeks
Windows: Anthracite UPVC
French Doors: Anthracite UPVC
Entrance Door: Composite Polymer with Anthracite colour framing
Trimming fascia: Anthracite UPVC
Main Roof: Natural Slate

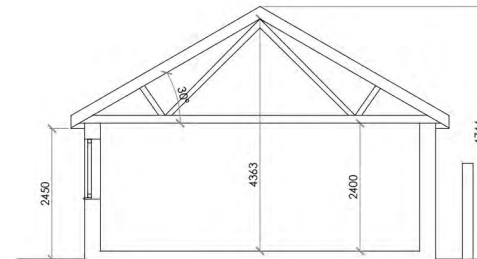
SITE LEVEL TO REMAIN AS EXISTING AND NEW FFL TO BE 150mm ABOVE SITE LEVEL



NORTH ELEVATION



WEST ELEVATION



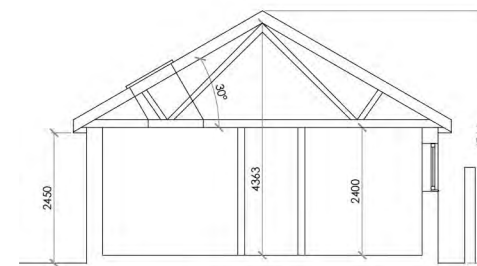
SECTION A-A



SOUTH ELEVATION



EAST ELEVATION



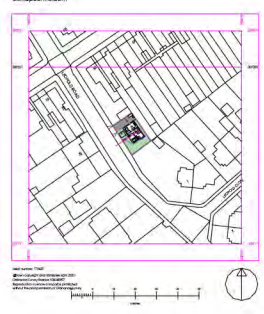
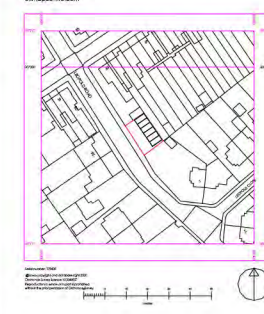
SECTION B-B

D	19.04.20	PLANNING AMENDMENTS	SR
E	16.06.20	REVISION	SR
F	27.04.20	VARIOUS MODIFICATIONS	SR
A	14.02.20	FIRST ISSUE	SR
Rev	Date	Description	By
DESIGNED BY			
			
01533 886 121 info@arcitek.co.uk www.arcitekbuildingdesign.co.uk			
Drawing Title PROPOSED PLANS, ELEVATIONS AND SECTION			
Project Title NEW 2-BED DETACHED DWELLING			
Address GARAGE SITE, LEOPOLD ROAD, NORWICH			
Scale	1:50-B A1	Drawn By	SR
Drawing no.	17174-001	Revision	D
		Date	14.02.20

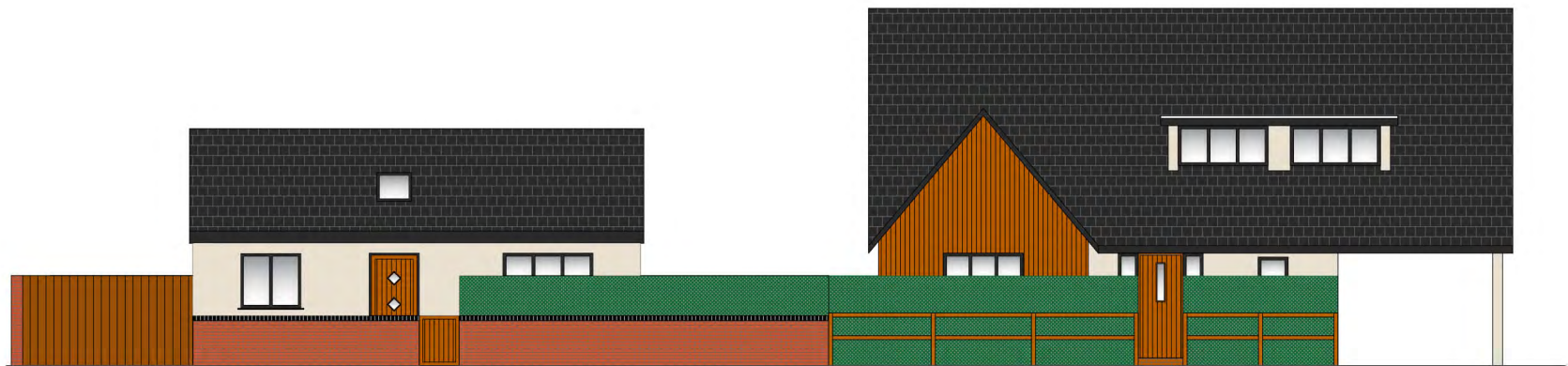
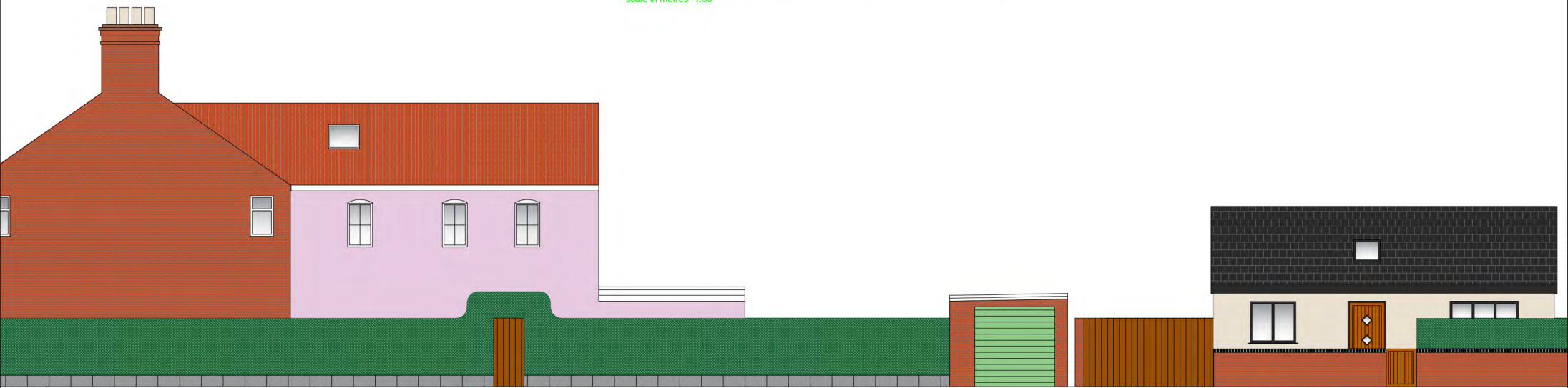
621300



621400



D	19.04.20	PLANNING AMENDMENTS	SR
E	16.05.20	REVISION	SR
F	27.04.20	VARIATION MODIFICATIONS	SR
A	14.02.20	FIRST ISSUE	SR
Rev	Date	Description	By
DESIGNED BY			
01533 886 121 info@arcitek.co.uk www.arcitekbuildingdesign.co.uk			
Drawing Title LOCATION AND SITE PLAN			
Project Title NEW 2-BED DETACHED DWELLING			
Address GARAGE SITE, LEOPOLD ROAD, NORWICH			
Scale 1:1250/200 @ A1	Drawn By SR	Date 14.02.20	
Drawing no. 17174-002		Revision D	



0	19.06.20	PLANNING AMENDMENTS	SR
1	18.06.20	REVISION	SR
2	27.04.20	VARIOUS MODIFICATIONS	SR
A	14.02.20	FIRST ISSUE	SR
Rev	Date	Description	By
DESIGNED BY			
			
01533 886 121 info@arcitek.co.uk www.arcitekbuildingdesign.co.uk			
Drawing Title Street View From Leopold Road			
Project Title NEW 2-BED DETACHED DWELLING			
Address GARAGE SITE, LEOPOLD ROAD, NORWICH			
Scale 1:50 @ A1	Drawn By SR	Date 14.02.20	
Drawing no. 17174-003	Revision C		

Report to Planning applications committee

Item

13 August 2020

Report of Area development manager

Subject Application no 20/00630/MA - 1 Leopold Close, Norwich,
NR4 7PR

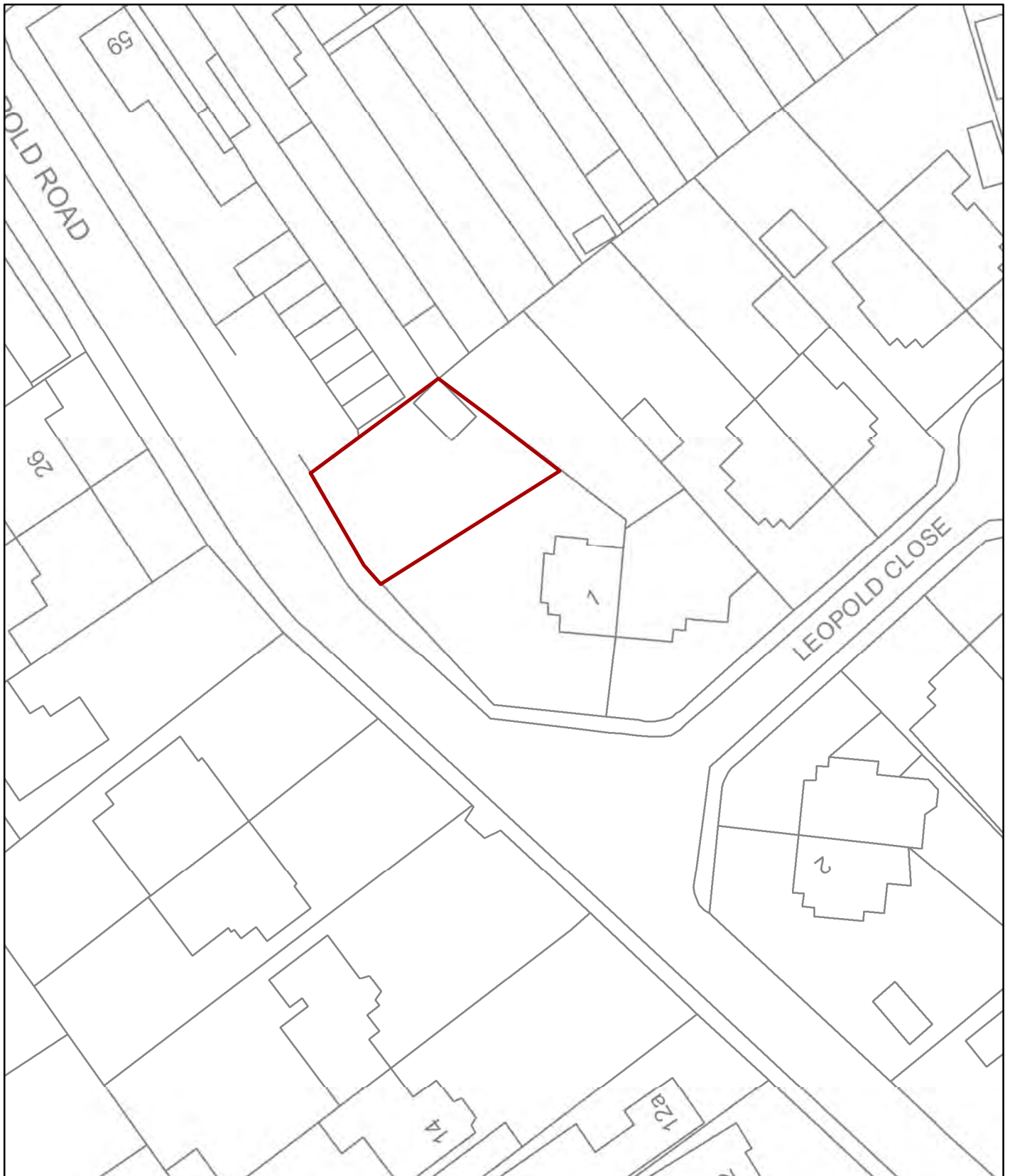
**Reason
for referral** Objections

4(c)

Ward:	Eaton
Case officer	Maria Hammond - mariahammond@norwich.gov.uk

Development proposal		
Amendment to approved plans of planning permission 19/01623/MA.		
Representations		
Object	Comment	Support
5	0	0

Main issues	Key considerations
1	Principle of retrospective amendments
2	Design
3	Amenity
4	Transportation
Expiry date	18 August 2020
Recommendation	Approve



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Planning Application No 20/00630/MA
 Site Address 1 Leopold Close

Scale 1:500

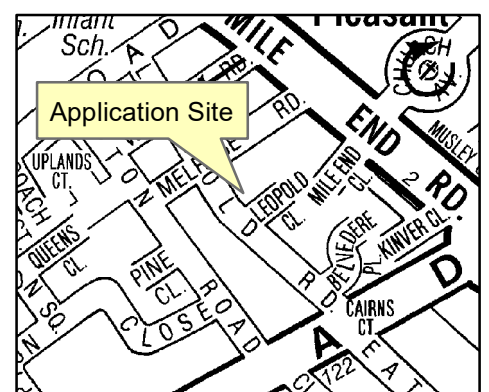


NORWICH
 City Council

PLANNING SERVICES



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The site and surroundings

1. The application refers to the site as 1 Leopold Close and the site forms part of the former curtilage of this dwelling, however the new dwelling constructed upon it will have the address of 17A Leopold Road. It is on the northeast side of Leopold Road, a suburban residential road to the southwest of the city centre.
2. The site borders the garden space of No. 3 Leopold Close to the rear and a garage site to the northwestern side (which is the subject of application 20/00568/F considered elsewhere on this agenda). The surrounding area is residential in character, although the properties in Leopold Close are of a distinct flat-roofed design compared with the more varied property styles along Leopold Road.
3. In 2018, following a resolution by the planning applications committee, planning permission was granted for the construction of a one and a half storey dwelling on the site (18/01025/F). That permission has been subject to a subsequent material amendment (19/01623/MA) which changed covered parking beneath the first floor accommodation to additional ground floor space with associated layout alterations to retain two parking spaces. This permission has been implemented and the construction of the dwelling is now complete with external works ongoing.

Constraints

4. The site is within a critical drainage catchment.

Relevant planning history

5.

Ref	Proposal	Decision	Date
18/01025/F	Construction of one and a half storey dwelling.	APPR	18/09/2018
19/01587/D	Details of Condition 3: External materials; Condition 4: Cycle and refuse storage; Condition 5: Landscaping and Condition 6: Surface water management of previous permission 18/01025/F.	APPR	24/12/2019
19/01623/MA	Amendment to approved plans of planning permission 18/01025/F.	APPR	13/01/2020

The proposal

6. The application proposals material amendments to the previously approved dwelling and seeks to regularise changes which have already been made in the construction of the development.
7. The amendments are:

- (a) Increase in floor level by 150mm (two courses of bricks).
- (b) Increase in ridge height by 250mm (to 7.4 metres above ground level).
- (c) Increase in eaves height by 300mm.
- (d) Increase in dormer window height, with roof 400mm higher above ground level.
- (e) Omission of half hip to southeastern end of roof, full ridge height has been built across the whole dwelling.
- (f) Omission of areas of timber cladding, render used throughout with timber effect cladding to dormer.
- (g) Different configuration of window and door openings in approved positions on rear elevation and slightly deeper windows on northwest elevation.
- (h) A larger patio area is proposed to the rear and a ramp and additional hardsurfacing is proposed to the front. Reduction in soft landscaping. Change from metal to timber cycle store.

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Five letters of representation, including one from a ward councillor, 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
Loss of privacy to properties on Leopold Road	See main issue 3
Reduction in privacy, light and space for Leopold Close and Melrose Road gardens	See main issue 3
Permission was granted on the fact that it was a 1.5 storey house no higher than the houses on Leopold Close with a half hip roof to reduce the mass of the building to the front and side aspect. The height was restricted to reduce the negative impact of light and space to Leopold Close and Melrose Road.	See main issues 2 and 3
Queries over increase in height	See main issue 2
Height is out of character for the roofline along this side of the road	See main issue 2

Issues raised	Response
Adequate parking to comply with the Local Plan has not been provided.	See main issue 4
Planning approval allows the construction of a 3 bedroomed property. The property has in fact been constructed with 5 bedrooms. Has been advertised as student accommodation.	See main issue 2
Two additional vehicles, parked on the street will create significant issues in relation to parking, more than two even more so.	See main issue 4
The massing of the building appears significantly greater with the omission of the hipped roof	See main issue 2
Appearance of the property is now one that is overdeveloped for the small plot size	See main issue 2
Plans provide for a window to be installed in the elevation facing 1 Leopold Close	This was previously approved in application 19/01623/MA and is a small ground floor window to a WC looking out to the fenced boundary.
Concerns about submission of amendments and retrospective nature of application.	Noted. See main issue 1.
Unhappy this new application has a number of changes which were not in the original application. If a building is built breaching the planning permission is should be taken very seriously and the Planning Committee should know about it so they can take a fresh look at the submitted plans.	Noted. See main issue 1.
Has been built to a higher height and increase in mass which affect the surrounding properties.	See main issues 2 and 3

Consultation responses

9. 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.

Highways (local)

10. No objection on highway grounds.

Assessment of planning considerations

Relevant development plan policies

11. **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
12. **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
 - 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

Other material considerations

13. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**
 - NPPF2 Achieving sustainable development
 - NPPF1 Building a strong, competitive economy
 - NPPF5 Supporting high quality communications infrastructure
 - NPPF9 Promoting sustainable transport
 - NPPF5 Delivering a sufficient supply of homes
 - 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

14. 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 proposals

15. The application proposes material amendments to an approved scheme and the planning system allows for this. Equally, the planning system allows for such amendments to be applied for subsequent to completion as a means to seek to regularise breaches from approved plans. Whilst it is regrettable that the amendments were not submitted for consideration prior to implementation, the retrospective nature of any application is not a material consideration.
16. 'Intentional unauthorised development' is, however, a consideration which can weigh against retrospective proposals. In this case, the architect has advised that significant technical difficulties arose with the half-hip to the roof which would have required substantial steelwork and modifications to the already constructed superstructure. It is regrettable that the applicants did not engage with the local planning authority at this stage and that the amendment was only brought to our attention following construction, however the extent of any intention to carry out development without the necessary permission cannot be proven and this should not be given any significant consideration or weight in the determination of the application. The proposed amendments are considered below on their own merits and in relation to the relevant development plan policies.
17. Representations have raised the fact that the dwelling, which the approved floorplans showed to have three bedrooms, has been marketed as five bedroom student accommodation. The approved internal layout has separate sitting and living rooms on the ground floor, plus a large open plan kitchen and family room. The sitting and living rooms could be used as bedrooms and there is sufficient floorspace to comply with minimum space standards for a five bedroom dwelling and adequate communal space and external amenity space.
18. Permitted development rights allow for changes of use from C3 single dwellinghouses to C4 small houses of multiple occupation (up to 6 residents). Use of the dwelling was not restricted on the previous permissions, indeed there is no policy basis on which to apply such restrictions, so the approved dwelling can be lawfully used as either a single dwellinghouse or small HMO.

Main issue 2: Design

19. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12
20. The amendments which have been made materially affect the scale and appearance of the dwelling, however not to any significant extent and the completed construction remains largely similar to that previously approved.
21. In design terms, the omission of the half hip to one end of the roof provides a uniform ridge line and simpler overall building envelope. The increase in ridge and eaves height are negligible, the main visual difference being a small section of wall between the top of the ground floor windows and eaves. The storey and a half pitched roof dwelling is taller than the two storey flat roofed dwellings at Leopold Close (which are approximately 6 metres tall) but this is not as a result of the minor increase in height from 7.15m to 7.4m. Accordingly, the height and other amendments to the dimensions are considered acceptable.

22. Changes to the fenestration are also minor and the openings remain in the approved positions but, for example, a three panel bi-fold door opening has been altered to a set of double doors with narrow side windows on the rear elevation. These amendments do not significantly affect or detract from the previously approved design.
23. An area of timber cladding has been omitted from the front facing gable which does not significantly change the overall appearance and timber effect cladding has been used on the dormer, rather than the approved render. This material is less preferable but not unacceptable in the context of the character of the surrounding area.
24. Additional hard landscaping and the reduction in soft landscaping is regrettable, however it is accepted that a ramped access to the front door is necessary and the previously approved hedge to the front boundary and tree planting would be retained which will soften the appearance of the hard surfaces and integrate the development into the established streetscene.
25. The amendments are therefore acceptable in design terms in accordance with Policy DM3 and criterion b) of Policy DM12.

Main issue 3: Amenity

26. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127
27. The representations which have been received raise concern about the impact of the omission of the half hip to the roof on the light and space to neighbouring properties.
28. The approved roofline hipped the southeastern-most 2.1 metres, dropping it by 2.2 metres from the main ridge so this end triangle would slope away from the original dwelling at 1 Leopold Close. The officer's Committee report on the original application stated: *"The scheme has given consideration to the outlook of the immediate neighbours at number 1 by maintaining approx. 6.00m between the properties and utilising a hipped roof on the Southern side to reduce the massing of the building along the boundary."* This design feature was part of the original submitted scheme, rather than being an amendment negotiated by officers to make the development acceptable. Whilst it reduced the mass closest to the neighbouring dwelling, it was not assessed to be fundamental in mitigating the impacts of any loss of light or overbearing and it was not stated that the scheme would be unacceptable without it.
29. The space between the two dwellings remains as approved and the original dwelling at 1 Leopold Close sits at an angle to the new dwelling, fronting the road junction into Leopold Close, rather than Leopold Road. It has retained garden space to the side and rear and the new dwelling is sited to the northwest of it so any loss of light would occur only in the afternoon and evening. However, it is not considered that the change in the roofline (and increase in height) with a full gable facing towards 1 Leopold Close increases the mass of the dwelling so significantly as to result in any unacceptable change in outlook, additional overbearing, overshadowing or loss of light to 1 Leopold Close above that of the approved scheme.

30. The existing dwelling at 1 Leopold Close is the closest to the site, however the garden of number 3 extends to the rear of the site. It was not considered that the approved scheme would result in any significant loss of sunlight on this or other surrounding gardens and the proposed amendments do not increase the scale or mass so substantially to result in any additional unacceptable loss of sunlight above the approved scheme.
31. Representations have also referred to a loss of privacy. No additional window or door openings are proposed. The marginal addition to floor heights is not considered so significant to cause any views from the dormer on the Leopold Road elevation or first floor bedroom window on the northwest elevation to result in any additional overlooking or loss of privacy to neighbouring dwellings, particularly as the distances between dwellings remains as approved.
32. It is appreciated that the increased scale and mass of the dwelling and the retrospective nature of the application have attracted local concern. However, the amendments do not significantly change the previously approved scheme and not to any extent which is considered to unacceptably harm the amenity of neighbouring occupiers. The proposal is therefore considered to be in accordance with Policy DM2.

Main issue 4: Transport

33. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9
34. The parking layout and provision of cycle and bin storage remains as previously approved.
35. As noted above, the property can be used as a small HMO without further consent. Any proposal for a five bedroom HMO here would not require any additional car parking to the approved scheme with two off-street spaces.

Equalities and diversity issues

36. There are no significant equality or diversity issues.

Local finance considerations

37. 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.
38. 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.
39. In this case local finance considerations are not considered to be material to the case.

Conclusion

40. Whilst it is regrettable that this application seeking to regularise amendments to a new dwelling and that these completed amendments have changed aspects of the proposal which were considered to improve the relationship with neighbouring dwellings, when considered on their own merits they do not result in a scale or mass that results in any unacceptable impacts on the amenity of neighbouring dwellings. The design is also considered to be appropriate to the site and its setting.
41. 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.

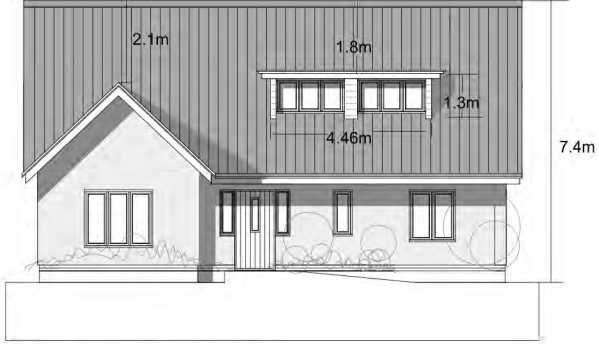
Recommendation

To approve application no. 20/00630/MA - 1 Leopold Close Norwich NR4 7PR and grant planning permission subject to the following conditions repeated from the previous permission and varied to reflect the amendments hereby made:

1. In accordance with plans;
2. No occupation until cycle and refuse storage provided
3. Hard and soft landscaping to be completed and maintained as agreed
4. No occupation until surface water drainage completed and thereafter maintained as agreed
5. Water efficiency

Article 31(1)(cc) statement

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has recommended the application for approval subject to appropriate conditions and for the reasons outlined in the officer report.



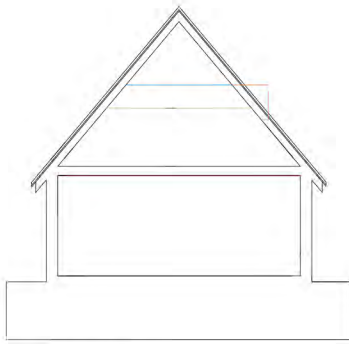
FRONT ELEVATION



REAR ELEVATION

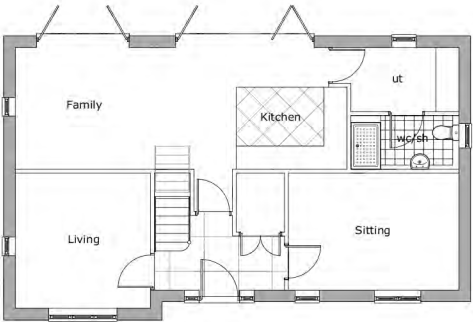


END ELEVATION

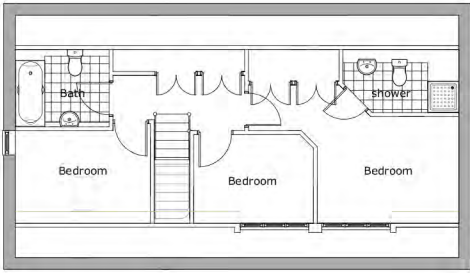


SECTION

SECTION KEY
 Green line : 1.5m above floor level
 Blue line : 2.1m above floor level
 Red line : 2.1m head height into dormers



GROUND FLOOR



FIRST FLOOR
 Green line indicates 1.5m from floor level



END ELEVATION

REVISED : June 2020 : Front elevation up-dated
 REVISED : June 2020 : Drawing up-dated

ICON ARCHITECTURAL
 HETHEL ENGINEERING CENTRE
 CHAPMAN WAY
 HETHEL NORWICH
 NR14 8FB
 01953 857669



LAND at 1 LEOPOLD CLOSE NORWICH

PROPOSED

1.5

STOREY

HOUSE

Page 61 of 128



Natural slate - spanish A



K-Rend through colour render



ash white

MATERIALS - facing - surfacing - enclosures

PLANTING SCHEDULE

GENERAL NOTE

Any existing boundary landscaping to remain with appropriate management and/or pruning as required; the minimum of planting to be removed to provide access.

GRASS - if needed

Seeded areas to front gardens to be rotavated, cleared of stones greater than 50mm levelled, rolled and seeded at the rate of 35g/sqm with an appropriate native mix.

GROUND PREPARATION

On completion of the construction works the planting areas must have a level covering of topsoil to a depth of 200mm. The ground will be cultivated and raked level removing any large stones or construction debris. All areas to be planted with ground cover shrubs will have 'timag' slow release fertiliser applied during cultivation at the rate of 1.00 grams/sqm. A spun-bonded polypropylene mulching sheet will be fitted and pegged into place on the shrub areas.

PLANTING PROPOSALS

All planting stock will be well grown and disease free and conform to BS 3936. All ground cover plants and standard trees to be interspersed in the identified areas will be planted through the membrane by cutting a cross in the membrane and folding back the flaps to allow excavation of the planting hole.

PLANTING

When planting allow for water retention granules ('Broadleaf P4' or equal) for all plants at the manufacturers suggested rates.

On arrival at site all bare-rooted plants should also be root dipped ('Broadleaf root-dip' or equal) at the manufacturers suggested rate to prevent drying out and to reduce plant shock.

For all standard trees allow for a double stake and crossbar and heilan pad and strapping. Allow for 1no. 80 ltr bag of tree planting and mulching compost per tree to be mixed with the tree back-fill. While establishing a 1.0m square should be kept free of ground around the tree.

If strimmers are to be used for maintenance then all standard trees in grass must be fitted with strimmer guards.

MAINTAINANCE

All planting will be maintained for a period of 5 years from the date of final planting - any dead or diseased items to be replaced on a like for like basis. For a period of 36 months after planting, all planted areas will be kept free of weed growth, checking stake condition and topping-up mulching as required. The Standards will require watering during the first summer after planting on a minimum two week cycle.

INSTALLATION

Agreed landscaping scheme to be implemented in the first planting season after substantive construction works are complete or, by agreement with the Planning Authority no later than the first planting season following completion of the entire scheme

AREAS AS ANNOTATED

- 10 Cytisus scoparius
- 7 Calluna vulgaris - Heather
- 7 Sorbus reducta - ground cover
- 5 Berberis livoni - ground cover

Feature plants supplied in 5 ltr containers
Ground cover plant numbers per area



PROPOSED TREES

Silver Birch - betula pendula

Paperbark maple - Acer griseum - All trees nursery standard planted with appropriate stake

PROPOSED HEDGE-LINE

Beech hedging - fagus sylvatica

Bare rooted - 400 to 600mm

4 to 7 plants per metre

occupiers to take responsibility for on-going maintenance beyond noted maintenance/replanting period

MATERIALS

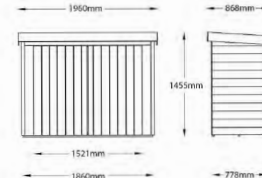
- FRAMES : UPVC - anthracite
- FASCIA : UPVC - anthracite
- BARGE : UPVC - anthracite
- RAINWATER GOODS : UPVC - anthracite
- DOOR - front : UPVC - off-white
- DORMER - cheeks : Rendered - as superstructure

- DRIVE : natural aggregate - free-draining
- PATH : 500 x 500 pc paving laid with open joints - buff
- TERRACE : 500 x 500 pc paving laid with open joints - buff
- BIN PAD : 500 x 500 pc paving laid with open joints - buff

- ROAD FRONTAGE : 900mm high timber post and rail fence with hedge-line
- INNER BOUNDARIES : existing 1800mm high timber panel fencing



SITE LAYOUT - landscaping - enclosures - surfaces

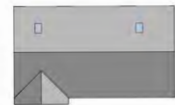


CYCLE STORE

secure timber double cycle and accessory store
proprietary enclosure - timber - natural

REVISED : July 2020 : Front gable and dormer dimensions regulated to on-site dimensions
REVISED : July 2020 : alternate cycle store added
REVISED : June 2020 : drawing up-dated

ICON ARCHITECTURAL
HETHEL ENGINEERING CENTRE
CHAPEL WAY
HETHEL, NORWICH
NR16 9FB
01603 887669



Report to Planning applications committee

Item

13 August 2020

Report of Area Development Manager

Subject Application no 20/00631/F - 149 Lincoln Street, Norwich
NR2 3JZ

**Reason
for referral** Objections

4(d)

Ward:	Nelson
Case officer	Maria Hammond - mariahammond@norwich.gov.uk

Development proposal		
Change of use from retail (Class A1) to residential (Class C3).		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1	Principle of loss of retail use and change to residential
2	Amenity
3	Transportation
Expiry date	18 August 2020
Recommendation	Approve



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Planning Application No 20/00631/F
Site Address 149 Lincoln Street

Scale 1:500

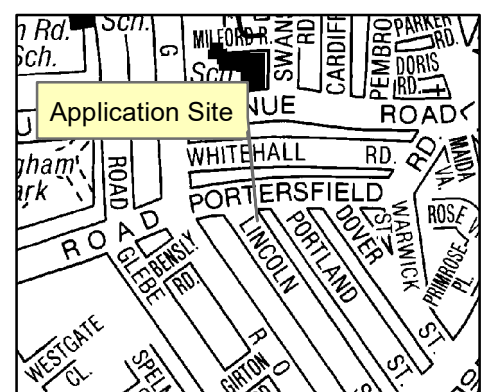


NORWICH
City Council

PLANNING SERVICES



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The site and surroundings

1. The application concerns a two storey end of terrace property at 149 Lincoln Street. It occupies a corner site at the junction with Portersfield Road.
2. Historically the site has been formed of a small retail unit (25 square metres) at the corner on the ground floor, with linked residential accommodation across the remainder of the ground floor and whole of the first floor. There is a residential entrance off Lincoln Street with a modest front garden, the shop frontage around the corner is open and hard surfaced and on the Portersfield Road frontage there is a small garden and secondary residential access. The shop has been vacant for a number of years and the residential accommodation has remained occupied, possibly as two dwellings without consent.
3. The red brick and pantile building is consistent in appearance with the remainder of the terrace along Lincoln Street, the large shop window openings spanning the corner set it apart from the residential dwellings, however.
4. The surrounding area is predominantly residential, other than a short row of shops, including a convenience store, on the opposite side of the Lincoln Street/Portersfield Road junction.

Constraints

5. The site is within a critical drainage catchment and controlled parking zone.
6. It is not within any defined retail centre.

Relevant planning history

7. There are no records of relevant applications on the site. Two applications for alterations to the property were made concurrently with this proposal but have been withdrawn.

The proposal

8. It is proposed to change the use of the retail unit to residential, to incorporate it with the existing accommodation to form one single dwellinghouse.
9. No external alterations are proposed.

Representations

10. 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 <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Shame to lose this retail (class A1) space in a high-traffic, family-oriented area. It would be a loss to the community to not preserve this property and its history. Has potential for a shop, cafe, or mixed-used space.	See main issue 1
Object if the property is to be converted for multiple occupancy. There is a row of student accommodation at present next to this property and this causes the houses opposite extreme noise pollution.	A single dwellinghouse (C3) is proposed. Permitted development rights do, would however allow for a change of use to a C4 small HMO (up to 6 residents).

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.

Highways (local)

12. No objection on highway grounds.
13. Informative: The new dwelling will not be entitled to on-street parking permits.

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)**
- JCS4 Housing delivery
 - JCS5 The economy
 - JCS19 The hierarchy of centres
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
 - DM5 Planning effectively for flood resilience
 - DM18 Promoting and supporting centres
 - DM21 Protecting and supporting district and local centres
 - DM22 Planning for and safeguarding community facilities
 - DM31 Car parking and servicing

Other material considerations

16. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF7 Ensuring the vitality of town centres
- NPPF7 Requiring good design
- NPPF9 Promoting sustainable transport

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 policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the council's 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, DM18 and DM21, NPPF sections 6 and 7
19. Policies DM18 and DM21, in accordance with paragraph 85 of the NPPF, seek to support retail centres. Policy DM12 also does so by preventing the change of use of ground floor units in defined centres to residential.
20. This site, however, is not within a defined centre. Whilst it forms part of a small group of neighbourhood shops with those across the junction, it has not been defined as a local centre in the Local Plan. The closest defined centre to the site is along Unthank Road.
21. It is noted that this corner shop is an established part of the heritage and character of the area, being one of many properties at the corners of terraced streets providing small scale shops and services to local neighbourhoods. There is, however, no policy objection to the loss of a retail use here and the principle of the proposal is acceptable.
22. It is noted that, rather than create a new separate dwelling (which would not be possible within the 25 sqm of floorspace), the proposal would integrate this room into a single dwellinghouse.
23. A representation has raised concern about the potential use as a house in multiple occupation (HMO) and the impacts this could have on local amenity in combination with other HMOs in the local area. The applicant has made clear the intention to use the property as a single C3 dwellinghouse, however permitted development rights would allow for a change of use to a C4 small HMO without further permission and there is no policy basis on which to restrict the use to C3 only.

Main issue 2: Amenity

24. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraph 127.

25. The proposal would expand the existing residential accommodation, enhancing the amenity of future occupiers, and obscuration of part of the former shop windows, is proposed to protect occupants of this prominent room with large openings from views from the street.
26. There is an existing garden which provides adequate external amenity space.
27. This is a predominantly residential area and the modest additional residential use would be less intensive than the past retail use so it is not considered there would be any harm to neighbouring amenity.
28. The proposal is therefore acceptable in terms of amenity in accordance with Policy DM2.

Main issue 3: Transport

29. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
30. There is an existing shed which can provide cycle storage and ample space for bin storage. A new dwelling would not be eligible for a parking permit, however there would be no net gain in dwellings and existing arrangements will remain. The dwelling can therefore be appropriately accessed and serviced.

Compliance with other relevant development plan policies

31. 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
Sustainable urban drainage	DM3/5	No external alterations are proposed and therefore the impermeable area and surface water run-off from the site will not alter.

Equalities and diversity issues

32. There are no significant equality or diversity issues.

Local finance considerations

33. 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.
34. 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.

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

Conclusion

36. The application proposes changing the use of a small corner shop to integrate it into the existing residential accommodation and form a single dwellinghouse. Whilst it is appreciated this historic use is part of the character of the area, there is no policy objection to the loss of a small retail unit outside a defined centre.
37. Incorporating this small space into the existing dwelling would not harm the amenity of neighbouring occupiers, would provide an acceptable standard of amenity for future occupiers and has acceptable existing provision for parking and refuse.
38. 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.

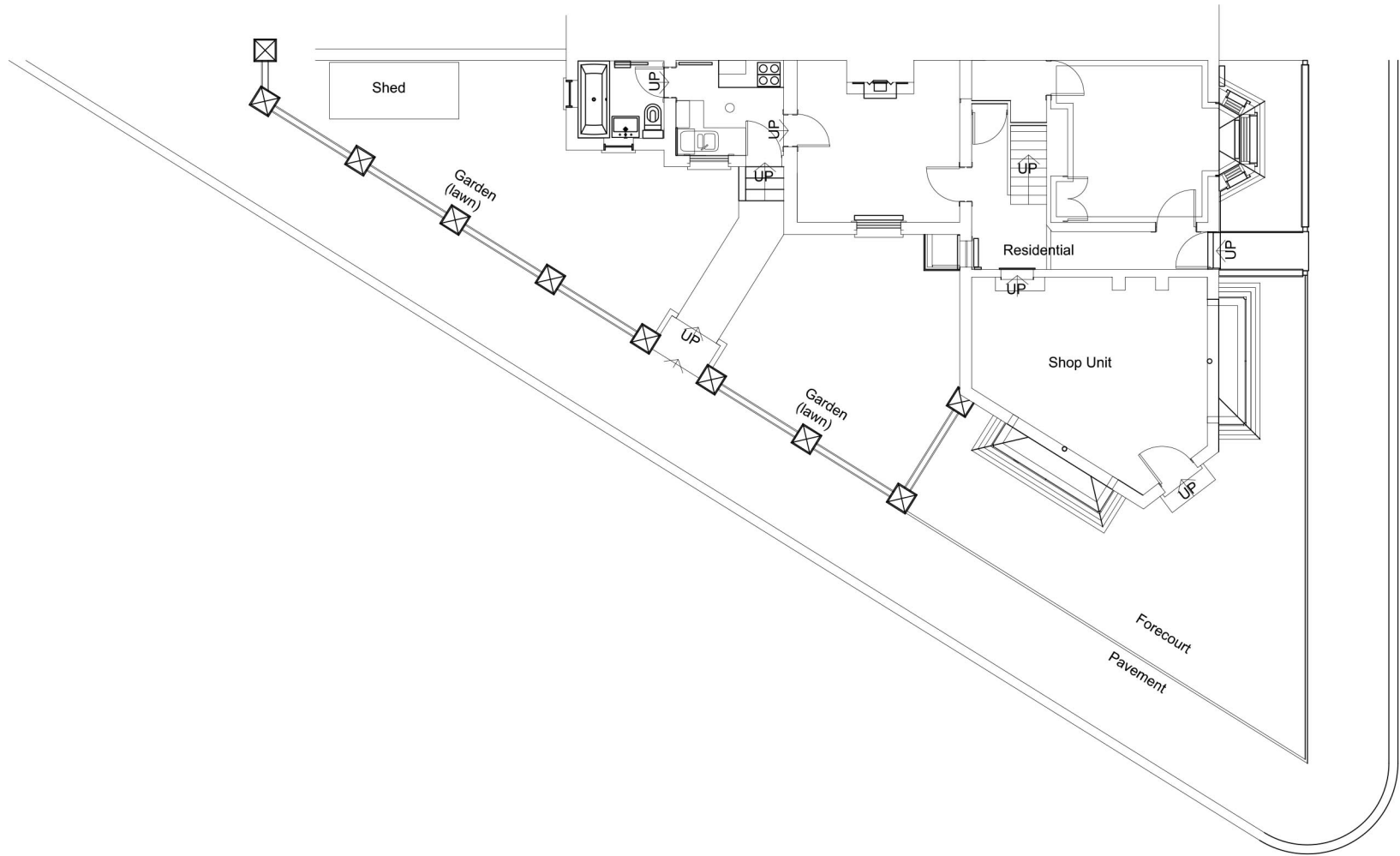
Recommendation

To approve application no. 20/00631/F - 149 Lincoln Street Norwich NR2 3JZ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.

Article 31(1)(cc) statement

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has recommended approval of the application subject to appropriate conditions and for the reasons outlined in the officer report.



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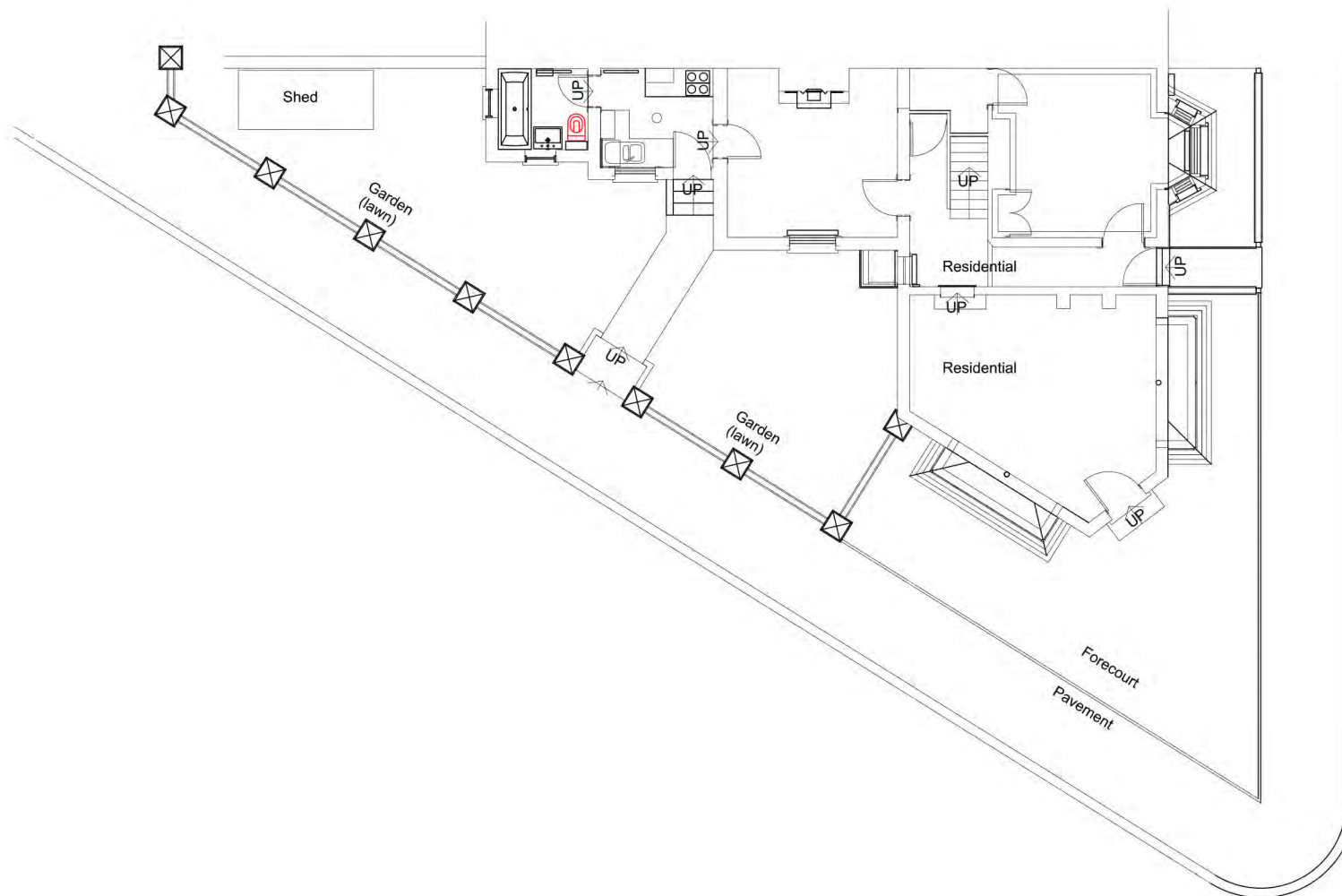
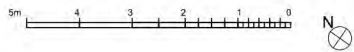
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T: +44 (0)7916 124910

Date: 20/12/20.03.23
Scale: 1/100
Drawn by: CSD
Checked by: CSD
Date:

Project: 149 LINCOLN STREET
NR2 3JZ
Title: Existing Ground Floor
Plans

Project No:	Building:	Zone:	Drawing No:	Revision:
LINS	01	SK1



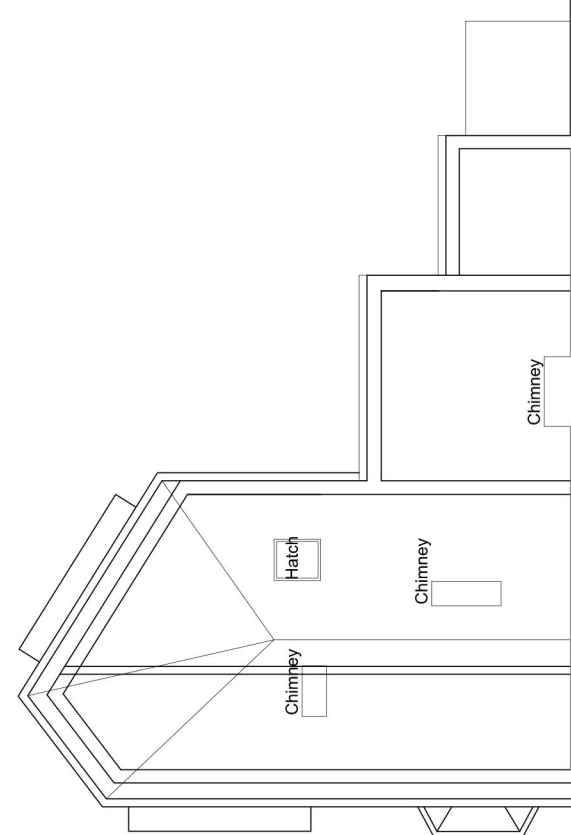
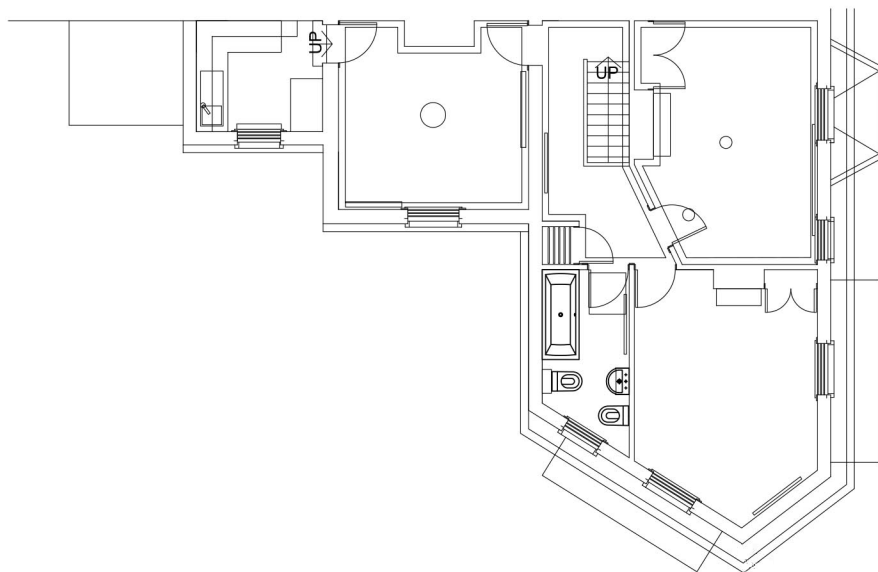
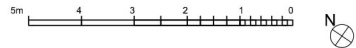
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Project: 149 LINCOLN STREET NR2 3JZ				
Title: Proposed Ground Floor Plans				
Project No:	Building:	Drawn By:	Drawing No:	Revision:
LINS	..	01	SK1	

Date:
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@ A3 Lincoln Street



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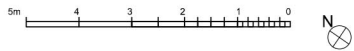
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Date	Drawn by	Check by	Date
20/12/03.23
Scale	1/100	CAD File No.	@ A3 LincolnSNNorwich1

Project:
149 LINCOLN STREET
NR2 3JZ
Title:
Existing First Floor and second floor
Plans

Project No.	Building	Zone	Drawing No.	Revision
LINS	03	SK1



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Date	Drawn by	Issue by	Date
20/20.03.23			
Scale: 1/100	CAD File No: @ A3 Lincoln/SINorwich1		

Project:				
149 LINCOLN STREET				
NR2 3JZ				
Title:				
Existing Elevations				
Project No:	Building	Zone	Drawing No:	Revision:
LINS	04	SK1



privacy adhesive film
attached to the interior
ffl + 1800MM



privacy adhesive film
attached to the interior
ffl + 1800MM



privacy adhesive film
attached to the interior
ffl + 1800MM

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Date	Drawn by	Issue by	Date
20120.03.23			

Scale: 1/100
@ A3 Lincoln/SNorwich1

Project:
149 LINCOLN STREET
NR2 3JZ
Title:
Proposed Elevations

Project No.	Building	Zone	Drawing No.	Revision
LINS	05	SK1



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attached to the interior
fll + 1800MM

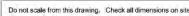
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Project: 149 LINCOLN STREET NR2 3JZ Title: Proposed Section				
Project No:	Building	Zone	Drawing No:	Revision:
LINS	05	SK1

Date:	Drawn by:	Issue by:	Date:
20/20.03.23
Scale:	CAD File No:		
1/100	@ A3 LincolnStNorwich1		





Report to Planning applications committee
13 August 2020

Report of Area development manager

Subject Application nos 19/01488/F & 19/01487/L – Strangers Club, 22-24 Elm Hill, Norwich NR3 1HG

Reason for referral At the discretion of the area development manager

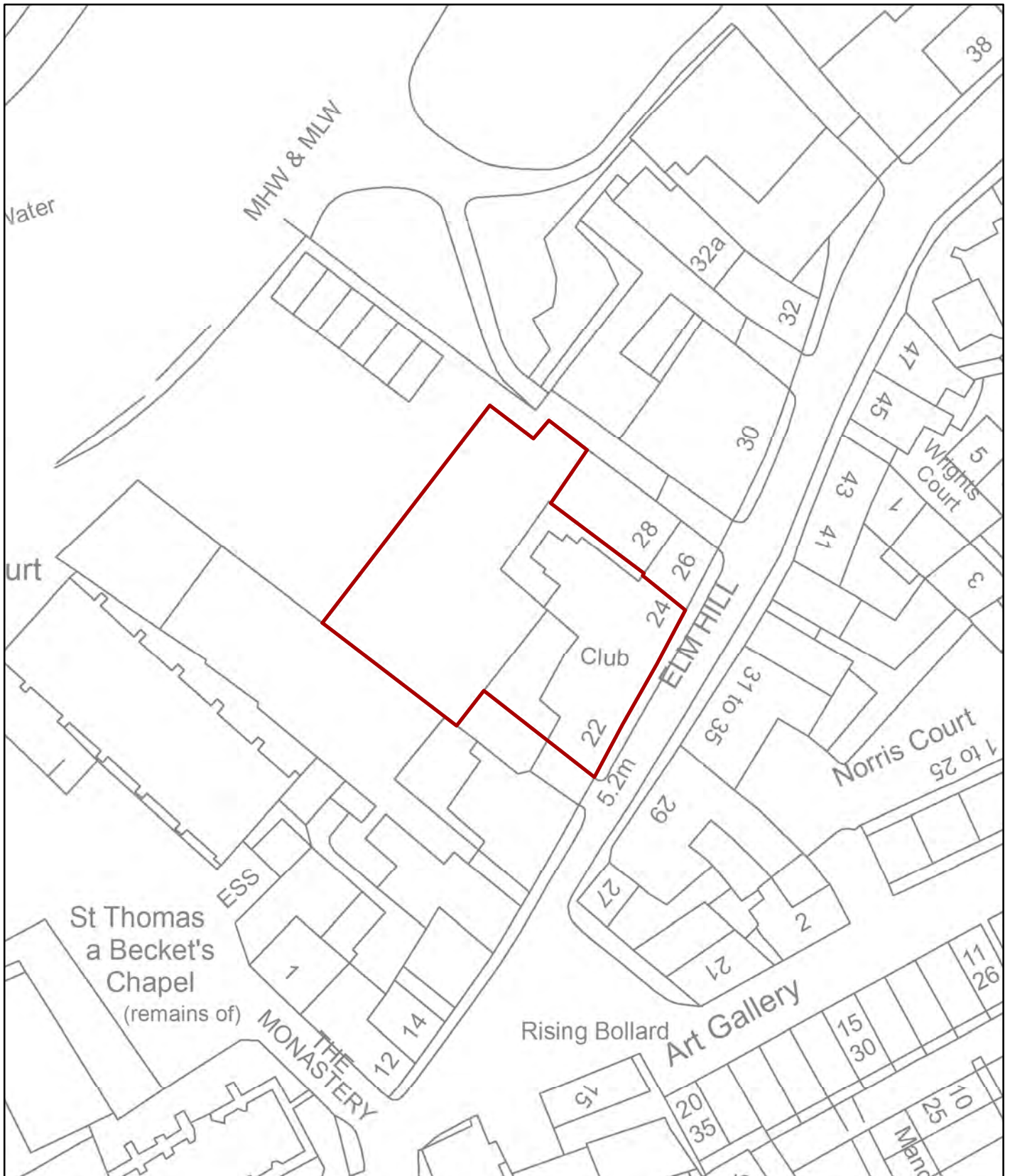
Item

4(e)

Ward	Thorpe Hamlet
Case officer	Lara Emerson - laraemerson@norwich.gov.uk

Development proposal		
Kitchen extract (revised proposal).		
Representations		
1 st consultation		
Object	Comment	Support
1	0	0
2 nd consultation		
Object	Comment	Support
5	0	0

Main issues	Key considerations
1. Heritage	<ul style="list-style-type: none"> - Insertion of hole in listed building, and whether this insertion pre-dates the requirement for listed building consent. - Impact of proposals on character of host building. - Impact of extraction on adjacent listed building. - Maintenance access to both buildings.
2. Amenity	<ul style="list-style-type: none"> - Impact of odour and noise to nearby properties.
Expiry date	21 February 2020 (extended from 16 December 2019)
Recommendation	Approve



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Planning Application No 19/01487/F & 19/01488/L
 Site Address Strangers Club
 22-24 Elm Hill
 Scale 1:500

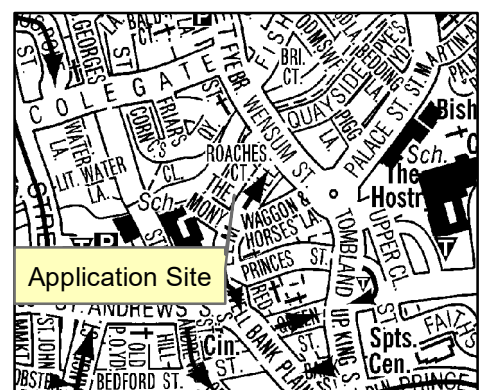


NORWICH
 City Council

PLANNING SERVICES



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The site, surroundings and constraints

1. 22-24 Elm Hill, known as the Strangers Club, is a Grade II* listed building sitting on the north side of Elm Hill within the Elm Hill and Maddermarket character area of the City Centre Conservation Area. The building is used as a private members club which includes a restaurant and kitchen. To the rear of the building is a public car park.
2. There are multiple heritage assets within the setting, most notably the Grade II* listed 26-30 Elm Hill which is immediately adjacent to the proposed area of development. 26-30 Elm Hill is vacant and on the Buildings at Risk register. Both the application site and 26-30 Elm Hill are in the ownership of the city council.
3. The two buildings (22-24 and 26-30 Elm Hill) are attached, but their rear ranges are separated by a narrow gap (ranging from 650-700mm). It is within this gap that an existing extraction system is located.
4. The list description is as follows:

TG 2308 NW ELM HILL (north-west side) 16/309 26.2.54 Nos. 22 and 24 (Strangers Club) GV II Former use not known, now club. C16 and later. Timber frame. Ground floor rendered; exposed close studding with herringbone red-brick infill at first floor. Pantiled roof. Brick chimney (rebuilt). 2 storeys with cellar to right. First-floor jetty. 6 first-floor windows. Left carriage entrance to Crown Alley has finely carved bressummer also bearing merchant's mark and arms of the Mercers Company. 2 identical Tudor-style doors with ribs and iron studs in moulded surrounds, flank two large windows which have moulded mullions and transoms (heavily restored) of 6 and 10 leaded lights respectively. The larger window is reputed to have been re-set from the first floor. 2 smaller diamond - lattice C20 casements to right and left and others on first floor. Projecting C16 timber-framed wing to rear has gable-end brick chimney, 2-centred arch and a mullioned and transomed casement. The interior has moulded beams and a fireplace introduced from elsewhere.*

Relevant planning history

Reference	Description	Decision	Date
19/00546/L	Internal alterations to mid and first floors.	Approved	10/07/2019

The proposal

5. The club's kitchen, located within the building's rear range, has an existing extraction system exiting on its eastern wall, facing into the narrow (0.7m) gap between the subject property and the adjacent property (26-30 Elm Hill). According to the applicant, an extraction system was first installed in this location in 1965, and the system has been upgraded a number of times since. It appears as though the extracted air has been leaving deposits of grease on the wall of the adjacent property due to the proximity of the two buildings.
6. In order to resolve this issue, the applicant has explored a number of extraction options. Initially, a proposal was submitted which involved installing a long duct which would direct extracted air from the existing hole to the back of the building. The duct would have crossed an existing window and would be visible from the

rear. The council raised concerns with the applicant about the heritage impact of such a scheme and revised plans have now been submitted. The revised scheme which is now under consideration is for an improvement to the existing system by installing an additional mesh filter within the system and a baffle on the outside. The internal filter would remove particles from the extracted air, and the baffle would act as a surface for the extracted air to condensate on. The existing fan casing is located approximately 4.5m from the rear face of the building and measures approximately 550mm wide and high and projects approximately 240mm into the gap between the buildings. The proposed baffle would add an additional 100mm projection into the gap between the two buildings, making the total projection approximately half of the available distance. The casing is approximately 1.5m from ground to underside. The hole through which the extraction system exits the building measures approximately 490mm by 490mm.

7. The existing system does not benefit from listed building consent or planning permission so the first matter to determine is what aspects of the works require consent(s). According to the applicant, an extraction system was first installed in this location in 1965, and the system has been upgraded a number of times since, most recently in 1996. The city council has no evidence to challenge this timeline of events.

Listed building consent

8. It does not appear that the hole through which the extraction system exits the building has been altered since it was first inserted in 1965. It can therefore be concluded that any works which affect the significance of the building, as a result of the installation in 1965, would not be subject to the system of listed building control introduced by the Town and Country Planning Act 1968, its subsequent amendments, or the Planning (Listed Building and Conservation Areas) Act 1990. There is no time limit for the local planning authority to take enforcement action against unauthorised works to listed buildings, so while the hole itself is immune from enforcement action, anything which was installed after 1968 (i.e. the current extraction system) is unauthorised in listed building terms. The proposed modifications to the existing system also require listed building consent.

Planning permission

9. Paragraph 171B of the Town & Country Planning Act 1990 states that enforcement action cannot be taken against breaches of planning control after a period of 4 years has passed. Since the existing extraction system appears to have been in place for more than 4 years (since 1996, according to the applicant), it is immune from planning enforcement action. The proposed installation of a baffle filter affects the external size and appearance of the system, so this element of the proposal requires planning permission.

Representations

10. The application has been advertised on site and in the press, and adjacent and neighbouring properties have been notified in writing. 1 letter of representation from

the Norwich Preservation Trust was received during the original consultation period citing the issues as summarised in the table below.

Issues raised	Officer Response
The proposed extension to the existing unauthorised flue extract would fail to resolve the noise, odour and moisture damage currently being caused to 26-30 Elm Hill.	See Main Issue 1: Heritage and Main Issue 2: Amenity.
The proposed extension to the existing unauthorised flue would make future access to repair the west wall of 26-30 Elm Hill impossible.	See Main Issue 1: Heritage.

11. Following a period of negotiation between the case officer, consultees and the applicant, and the submission of a revised extraction scheme, a second neighbour consultation was undertaken. 5 letters of representation were received during this second consultation period which raised largely the same issues as those summarised above, plus the additional matter below. One of these objections was from the Norwich Society, and one was from the Council for British Archaeology. The Preservation Trust also objected again.

Issues raised	Officer Response
The addition of a baffle will reduce the fire risk but this is dependent upon regular maintenance and cleaning.	A maintenance schedule and compliance with it can be secured by condition.
The application should be refused because of the negative precedent that approval would set.	Each case is assessed on its own merits.
The application lacks clear & convincing justification.	See Main Issue 1: Heritage.

Consultation responses

12. 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

13. 22-24 Elm Hill, known as the Strangers Club, is a Grade II* listed building in the Elm Hill and Maddermarket character area. There are multiple heritage assets within the setting, notably 28 Elm Hill which is immediately adjacent to the proposed area of development.
14. Both the building and character area contribute to the historic character of Norwich. In-line with national and local policy, great weight should be given to the conservation of a heritage asset and any potential for harm should be outweighed by public benefit, which may include securing optimal viable use.
15. When considering this application, it is necessary to consider how the proposal will affect the special character of the host listed building, how it will affect the character of the immediate setting (which is a conservation area) and how it will affect any heritage assets within its setting.

16. It is important to note that the proposal relates to an existing system. The proposal seeks to regularise the existing arrangement, with the addition of further internal filtration, designed to limit potentially harmful deposits within the vented air, and a removable baffle/cowl designed to dissipate the vented air away from the adjacent building.
17. The applicant has stated an extraction system has been in this location since 1965. They also state improvements to the system were made at the behest of Norwich City Council environmental protection officers in 1994, with further improvements made in 1996. It does not appear that any of these works benefit from planning permission and/or listed building consent, where required.
18. It should be noted that any works which affect the significance of the building, as a result of an installation in 1965, would not be subject to the system of listed building control introduced by the Town and Country Planning Act 1968, its subsequent amendments, or the Planning (Listed Building and Conservation Areas) Act 1990.
19. To be clear, any harm to the special character of the building as a result of works undertaken prior to the 1968 Act having come into force, will be considered in a manner relevant to the scope of this proposal. Said harm will not be considered as a direct result of this proposal.
20. The proposed system involves utilising a hole through the side elevation of the projecting rear range, which the applicant has indicated was undertaken historically. Alternative solutions were investigated during the application process, with the intent of venting in a more 'open' location. However, these alternative solutions involved significant ducting either through or around the building, both of which would result in additional harm to the host building and the wider setting, than that proposed.
21. The use of the hole through which the extraction currently vents limits further harm to the fabric of the host listed building, as a result of this proposal. The use of the existing hole to vent into the space between the two buildings results in no impact upon the aesthetic of the wider setting.
22. The distance between the projecting rear range and the adjacent building is approximately 700mm at its widest. The existing fan casing measures approximately 550mm wide and high, with a depth of approximately 240mm. The proposed baffle/cowl will add an additional 100mm projection into the gap between the two buildings, making the total projection approximately half of the available distance. The casing is approximately 1.5m from ground to underside.
23. There is concern that the proposed system causes an obstruction within a limited space, which will affect the ease with which repair and maintenance of both the host building and the adjacent building can be undertaken. The applicant has demonstrated they have attempted to minimise the obstruction by specifying a removable cowl, in order to facilitate access between the buildings, both for their benefit and that of the adjacent building.
24. It should be noted that the confined space between the two buildings is historic and not uncommon to historic buildings in developed urban areas. Access to the area is limited by the dimensions of the space alone and likely requires specialist or bespoke solutions in order to do so safely.

25. Based on the information submitted, access between the buildings as a result of the proposal will result in further marginal limitation. However, as it is likely necessary to use bespoke designed solutions to fully access this space, it is not felt that the additional limitation as a result of the proposal is prohibitive.
26. Comments relating to the implications for fire safety have been offered during consultation, suggesting that any build-up of 'fatty/greasy' deposits would result in an increased risk to the building and its neighbours. Comments have also been offered suggesting that the build-up of deposits is directly harmful to the fabric of the adjacent building.
27. The applicant has submitted an engineer's report stating that '*little to no grease is present within the canopy plenum and/or airborne during extraction*'. It further states '*The addition of mesh filters as secondary filters shall improve the filtration further*'. The introduction of the additional cowl is designed to direct the vented air away from the adjacent building.
28. Colleagues in Norwich City Council's environmental protection team have indicated they are satisfied the proposed system reduces the airborne grease particles to an acceptable level, due to the additional filter and would dissipate in an acceptable manner due to the baffle.
29. Based on the information available, physical impact upon the adjacent listed building by the proposed system would appear to be negligible and possibly less likely than physical impact upon the host building itself.
30. Harm to the host listed building as a result of the works required by this application is minimal. There is little to no harm to the setting and the adjacent listed building as a result of the works proposed by this application.
31. The established use of the building is a viable use and the proposed extraction system is necessary for the continuation of this use. Other potential solutions for either this use, or other uses, will likely involve further harm. Thus, the proposal will enable continued optimal viable use of the building.
32. Based on the information submitted, harm caused by the proposal is outweighed by the associated public benefit, thus there are no clear heritage reasons why the application should be refused.

Historic England

33. The new scheme proposes installing additional filtration internally and a removable baffle over the existing fan casing externally as an alternative to long flue about which we had concerns. The applicants have submitted a report by Create Consulting Engineers on the effectiveness of this additional plant. This suggests 80% of the grease, oil and fatty material drawn from the kitchen (the build-up of which is clearly evident on the wall of numbers 26-30) would be removed from the expelled air. The environmental protection officer at the city council confirmed this and suggested that the additional baffle plate would also stop any remaining material being deposited directly onto the building opposite.
34. This is a very welcome development. However, it must be said that the addition of the external baffle would increase the amount of plant projecting into the narrow space between the buildings. However, this would only be by a further 100mm and

the new baffle will be removable for regular maintenance and the fan casing could be demounted on occasion to allow access. As the new baffle would be, like the existing fan, some 1.5 metres above ground level access for inspection would be no less practical.

35. Visually the additional 100mm of equipment will be an increase on the existing fan, but this is perhaps preferable to mounting flues or extraction equipment on the rear of the building as previously proposed. In addition, using the existing hole in the wall is preferable to creating new routes, such as through the rear chimney breast.
36. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of listed buildings irrespective of the level of harm caused (paragraphs 193 and 194).
37. We have considered the new information in terms of the above policy. The proposed external addition to the existing plant at numbers 22-24 Elm Hill would increase its visibility and impede access between the listed building and the adjacent numbers 26-30. These are certainly negative aspects of the scheme but the significant reduction in material expelled from the kitchen caused by the additional filters and baffle is a major improvement on the current situation. Given this, the ability of the external plant to be demounted and the avoidance of both further physical damage and greater visual impact we would not, on balance, object to the revised application.
38. Historic England has no objection to the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 7, 8, 193, 194 and 196.

Environmental Protection

39. The additional mesh filter would be expected to reduce fats/oils and grease (FOG) emitted from the system by 80%. Vapour will also be reduced but I am not aware of any calculation of the reduction. Odour is usually due to the suspension of FOG in the airstream so this will also significantly reduce.
40. The baffle plate will stop the direct deposit of FOG on the building opposite, the baffle is in cool air providing a condensation and contact surface that is not present at this time, further reducing airborne FOG/vapour.
41. This together with a major reduction in the FOG in the airstream will significantly reduce the impact on the nearby brickwork.
42. From a visit undertaken while the system was working there is no statutory nuisance occurring and noise/odour was not an issue at that time. I have checked

our records and NCC have not received any noise or odour complaints about the premises.

43. In my experience the fire officer will not be concerned over the amount of FOG build up as witnessed in the system at present (in the photograph of the extract exit) it is for a fire officer to make that judgment however.
44. The system is not the best solution for this extract system, but as the perfect extract would be a system with an exit at least 1 metre above eaves height fitted with an accelerator cowl resulting in a exit velocity >2m p/s . This would require major works to the building and the resultant flue would not be the preferred option on a listed building.

Norfolk Fire Service

45. I have visited the premises and I can confirm that I have no observations to make regarding this matter.

Assessment of planning considerations

Relevant development plan policies

46. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS2 Promoting good design
47. **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
 - DM9 Safeguarding Norwich's heritage
 - DM11 Protecting against environmental hazards

Other material considerations

48. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**
 - Section 12 Achieving well-designed places
 - Section 16 Conserving and enhancing the historic environment

Case Assessment

49. 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 Policy Framework (NPPF), the council's 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: Heritage

50. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF sections 12 and 16.
51. Paragraphs 7-12, above, set out which elements of the proposal require consent. Importantly, it has been explained that the hole itself does not require listed building consent and is immune from planning enforcement and its presence is therefore accepted as authorised. With an authorised hole in place, the council's conservation officer considers that using this hole is the least harmful way to provide extraction to the kitchen, as long as the issues of damage to the adjacent building can be managed. Given the proximity to the adjacent building, the extraction system is also very well screened from public view and has a limited visual impact on the character and appearance of the building, the surrounding conservation area, or of the setting of any of the nearby heritage assets.
52. Historically, it appears that the extraction system has been depositing grease on the brickwork of the opposite wall (26-30 Elm Hill). 26-30 is a Grade II* listed building which is on Historic England's Heritage at Risk register. The purpose of this application is to resolve this issue and its associated visual impacts, along with any fire risk or amenity issues. According to the applicant's kitchen ventilation consultant (Create Consulting Engineers) and the council's environmental protection officer, the proposed modifications to the system (additional internal mesh filter and external baffle filter) should reduce grease by around 80%. The environmental protection officer considers that this "will significantly reduce the impact on the nearby brickwork." The Norfolk Fire Service have visited the site and do not raise any concerns regarding fire risk. It is therefore concluded that with the upgrades proposed, the brickwork of the host building and adjacent building will be protected.
53. Due to the narrow gap between the buildings (varying between 650-700mm), maintenance access to both buildings is severely restricted. There is concern that the proposed system causes an obstruction within a limited space, which will affect the ease with which repair and maintenance of both the host building and the adjacent building can be undertaken. While the proposed baffle will extend a further 100mm into the gap, the applicant has demonstrated they have attempted to minimise the obstruction by specifying a removable cowl, in order to facilitate access between the buildings and maintenance of the system itself. It should be noted that the confined space between the two buildings is historic and not uncommon to historic buildings in developed urban areas. Access to the area is limited by the dimensions of the space alone and likely requires specialist or bespoke solutions in order to do so safely regardless of the existing extraction system or the proposed upgrades. Based on the information submitted, access between the buildings as a result of the proposal will result in further marginal limitation. However, as it is likely necessary to use bespoke designed solutions to fully access this space, it is not felt that the additional limitation as a result of the proposal is prohibitive.
54. Overall, it is considered that the existing extraction system, accompanied by the proposed upgrades, would cause less than substantial harm to the listed building. This less than substantial harm must be accompanied by clear and convincing justification and must also be outweighed by public benefit. As set out by the council's conservation officer, there is little to no harm to the setting and the adjacent listed building as a result of the works proposed by this application.

55. The established use of the building is a viable use and the proposed extraction system is necessary for the continuation of this use. Other potential solutions for either this use, or other uses, will likely involve further harm. Thus, the proposal will enable continued optimal viable use of the building and is the best available solution in this case. The scheme is therefore accompanied by clear and convincing justification.
56. Based on the information submitted, harm caused by the proposal is outweighed by the associated public benefit, thus there are no clear heritage reasons why the application should be refused.

Main issue 2: Amenity

57. Key policies and NPPF paragraphs – DM2, DM11.

Impact of odour and noise to nearby properties.

58. The council's environmental protection officer has visited the site and has confirmed that during their visit the current system was not causing a statutory nuisance, either in terms of noise or odour. According to records, the council has not received any complaints about noise or odour during the 55 years that an extraction system has been located here.
59. The proposed modifications to the system will not make any difference to the noise generated, but will significantly reduce the particles of fat suspended within the extracted air. Overall, the impact on amenity of nearby occupants is considered acceptable at present and is expected to improve as a result of the proposals.

Equalities and diversity issues

60. There are no significant equality or diversity issues.

Local finance considerations

61. 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

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.

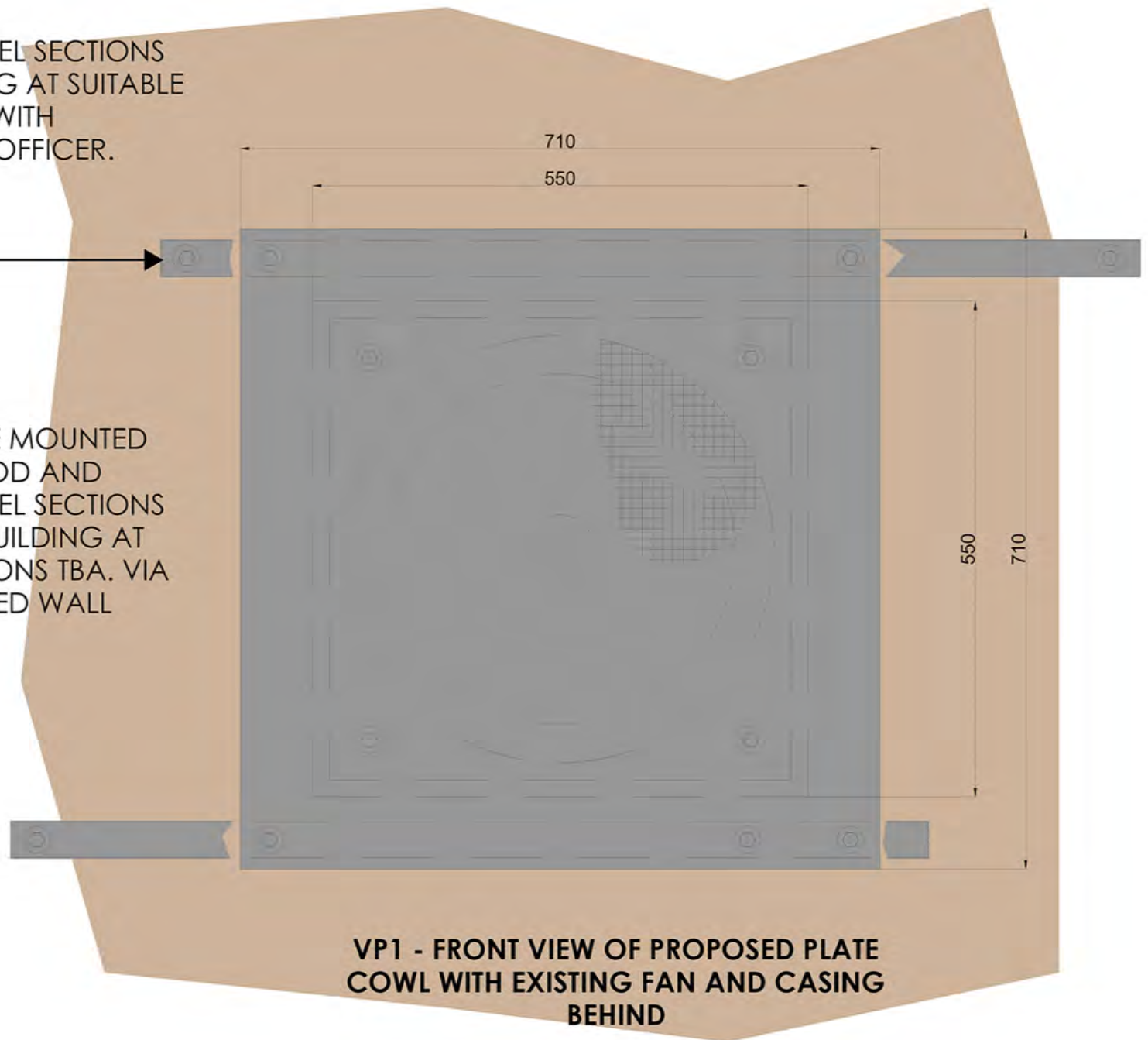
Recommendation

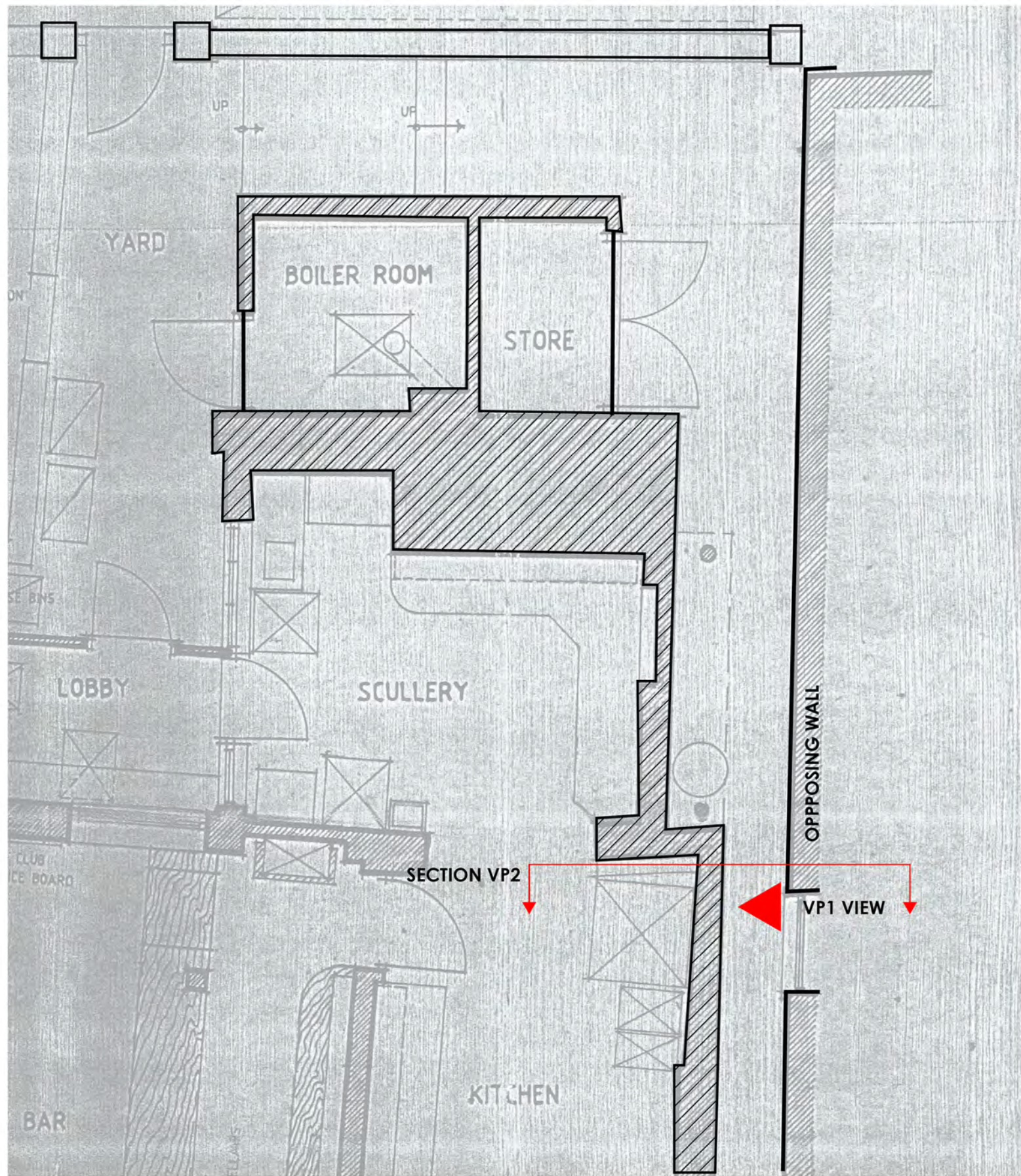
To:

- (1) approve application no. 19/01487/F – Strangers Club, 22-24 Elm Hill, Norwich, NR3 1HG and grant planning permission subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans;
 3. Submission of a maintenance regime and maintenance in accordance with approved regime.
- (2) approve application no. 19/01488/L – Strangers Club 22-24 Elm Hill Norwich NR3 1HG and grant listed building consent subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans.

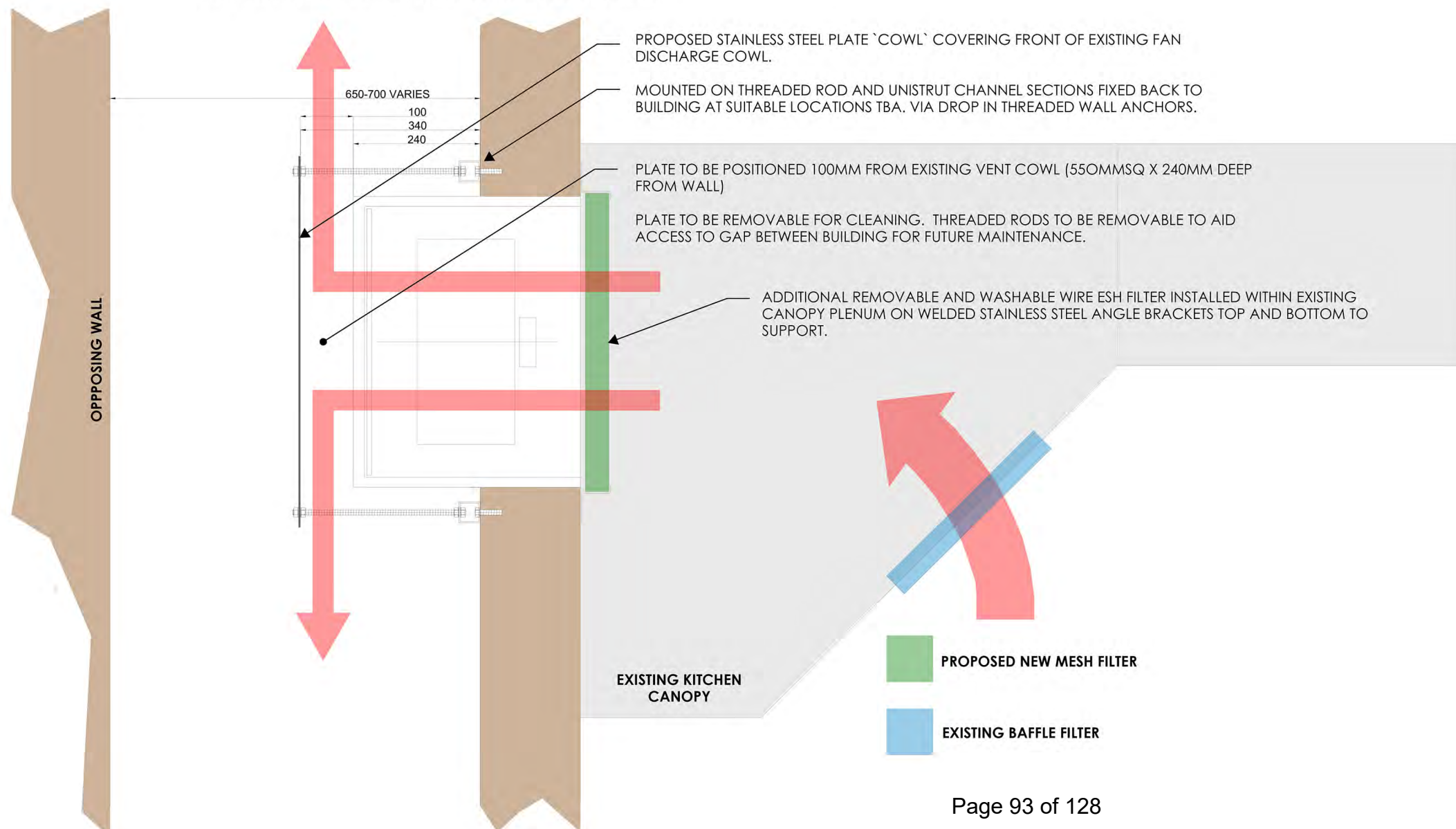
UNISTRUT CHANNEL SECTIONS
FIXED TO BUILDING AT SUITABLE
LOCATIONS TBA WITH
CONSERVATION OFFICER.

PROPOSED PLATE MOUNTED
ON THREADED ROD AND
UNISTRUT CHANNEL SECTIONS
FIXED BACK TO BUILDING AT
SUITABLE LOCATIONS TBA. VIA
DROP IN THREADED WALL
ANCHORS.





VP1 - EXISTING VIEW BETWEEN BUILDINGS FROM CLUB COURTYARD



Report to Planning applications committee
13 August 2020

Report of Area development manager

Subject Application nos 19/01801/F – Land adjacent to St Faiths House, Mountergate, Norwich, NR1 1QA

Reason for referral Objections

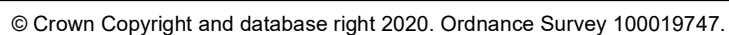
Item

4(f)

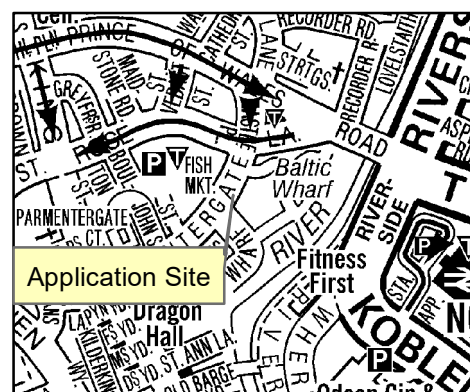
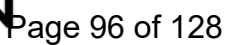
Ward	Thorpe Hamlet
Case officer	Lara Emerson - laraemerson@norwich.gov.uk

Development proposal		
Demolition of warehouse buildings and construction of boundary wall, secure boundary fence and associated remediation works.		
Representations		
1 st consultation		
Object	Comment	Support
3	1	0
2 nd consultation		
Object	Comment	Support
1	1	0

Main issues	Key considerations
1. Design & Heritage	Loss of industrial buildings, gap site in conservation area, boundary treatments, impact on listed buildings.
2. Biodiversity	Impact on biodiversity.
Expiry date	30 July 2020 (extended from 22 April 2020)
Recommendation	Approve



PLANNING SERVICES



The site, surroundings and constraints

1. The site is located on the east side of Mountergate close to its junction with Rose Lane. To the north of the site is a small modern 2 storey office building surrounded by a small car park. To the east is a portion of a hotel car park, a riverside park and the River Wensum. To the south of the site is St Faiths House itself which is in use as offices and is Grade II listed. Further south is the private road known as Baltic Wharf and a 3 storey modern office block. To the west of the site is Weavers House which is a Grade II listed building which has recently been converted to 3 flats. On the opposite side of Mountergate is the new Rose Lane car park.
2. The site contains a number of industrial warehouse buildings which have been vacant for many years and are identified as negative buildings within the King Street Character Area Appraisal. The site can be accessed from Mountergate and from Baltic Wharf.
3. Other designations include:
 - (a) The site is allocated within the Norwich Site Allocations Plan (2014) as part of strategic site CC4.
 - (b) City Centre Regeneration Area (Policy DM5)
 - (c) City Centre Leisure Area (Policy DM18, DM23)
 - (d) Area of Main Archaeological Interest (Policy DM9)
 - (e) Office Development Priority Area (Policy DM19)
 - (f) City Centre Parking Area (Policy DM29)

Relevant planning history

Reference	Description	Decision	Date
18/00062/F	Demolition of existing commercial buildings and redevelopment of site to include construction of 17 no. dwellings and commercial ground floor fronting Mountergate. Conversion and change of use of St Faiths House to 5 no. residential flats (Class C3) (revised scheme).	Withdrawn	09/09/2019
18/00063/L	Alterations to St Faiths House to facilitate the conversion to residential units.	Withdrawn	09/09/2019
19/01802/L	Demolition of warehouse buildings and construction of boundary wall, secure boundary fence and associated remediation works.	Approved	24/02/2020

The proposal

4. Demolition of warehouse buildings and construction of boundary wall along Mountergate, secure boundary fence around the rest of the site and associated

remediation works. The wall would vary in height (due to land levels) from 1.75m to 1.92m.

5. A listed building consent application has already been approved for these works (necessary since it is likely that one of the warehouse buildings attaches to the rear of the listed St Faiths House).

Representations

6. The application has been advertised on site and in the press, and adjacent and neighbouring properties have been notified in writing. 4 letters of representation were received during the original consultation period citing the issues as summarised in the table below.

Issues raised	Officer Response
<p>I support the application for the demolition of the fire damaged, dilapidated warehouse and the tidying up of the surrounding area.</p> <p>The derelict buildings that face onto Mountergate would be a welcome removal.</p> <p>There is nothing wrong with the demolition of the sheds.</p>	Support noted.
<p>The application does not state how the land space created by the demolition will be utilized.</p> <p>The land needs to be used for social housing or a homelessness shelter.</p> <p>It is likely that this is a precursor to an application for a large development to the hotel, which would not be in keeping with the character of Mountergate.</p>	<p>See Main Issue 1: Design & Heritage.</p> <p>Note that the application is for demolition only.</p>
<p>We have blocked drains at St. Faiths House and cannot access the main drain as it is within the large adjoining shed.</p>	<p>This matter is not relevant to the planning application, but it has been passed on to the applicant.</p>
<p>I am concerned the main building does not appear to have been inspected for bats.</p>	<p>A further ecology survey has since been carried out and the results submitted to us. See Main Issue 2: Biodiversity.</p>
<p>I would be concerned if any clearance works were to happen during bird nesting season.</p>	<p>See Main Issue 2: Biodiversity.</p>
<p>Site traffic movements on a junction with restricted visibility onto Mountergate is a concern for those travelling on Mountergate.</p> <p>The Baltic Wharf/Mountergate junction is dangerous, especially for vulnerable road users such as cyclists, and the addition of yet further traffic movements on an already visually obstructed junction is undesirable.</p>	<p>The proposal involves sealing off the site. There would be no additional traffic generation. Traffic movements during demolition are discussed within paragraph 49 below.</p>

7. Following a period of negotiation between the case officer, consultees and the applicant, and the submission of more comprehensive ecology reports, a second neighbour consultation was undertaken. 2 letters of representation were received during this second consultation period which raised largely the same issues as those summarised above, plus the additional matter below.

Issues raised	Officer Response
Concern about safe removal of asbestos within the buildings.	See paragraph 50.

Consultation responses

8. 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

9. The principle of demolition is acceptable in this particular case due to the quality of the buildings and the known issues around squatting and arson (although clearly I would prefer this to come forward as part of a comprehensive redevelopment scheme).
10. I would like to see details of the wall (brick type, elevations, brick bond etc). Ideally something low in height & with some interest such as brick pillars & a traditional brick bond & product spec.
11. The applicant would be required to carry out any necessary repairs to the listed building following demolition so they might want to consider ownership/party wall matters.

Historic England

12. This application proposes the demolition of existing commercial buildings on a site in the conservation area adjacent to two grade II listed buildings. We are concerned this would leave an undeveloped 'gap' site which would result in harm to the historic significance of the listed buildings and conservation area in terms of the National Planning Policy Framework. We would not support the application, but recommend the Council seek a scheme for redevelopment of the site or establish a legal agreement restricting implementation of the demolition until such a scheme is agreed before approving these works.

Environmental Protection

13. After some negotiation regarding asbestos contamination and the submission of a revised Demolition Method Statement, the application is considered acceptable.

Transport

14. No objection on highway grounds.

Historic Environment Services

15. Condition demolition to slab level only.

Ecology

16. Comments upon initial receipt of the application:
17. The letter dated 21st February from James Blake associates represents an opinion following an external building inspection. As such I don't feel it can be given significant weight. Suitably qualified Ecologists may have undertaken the inspection but the conclusions may not be based on sufficient evidence.
18. It is not entirely clear which building or buildings were inspected as the letter refers to one building whereas it is proposed to demolish 2 buildings on the site. Judging from the site location map (Appendix A), I assume that the building on the Mountergate street frontage was inspected. If so, it would clearly be necessary to also consider the other building.
19. It is also not clear what extent of internal inspection of the building was actually possible or achieved.
20. The letter does not include any reference to desktop study to check records of local bat sightings.
21. The conclusion of the letter is that The majority of the building is considered to have a 'negligible' potential for bats with a section to the south west considered to have a 'low' bat roost potential. This may be the case. However, I do not feel that the letter provides sufficient information to enable a planning decision to be made.
22. My concern is based on:
 1. The proximity of the river; the site is within 200m of the Wensum which is a bat feeding and movement corridor.
 2. The timescale over which the buildings have been derelict.
 3. The lack of information/inspection of the buildings.
23. The letter suggests that the morning of the demolition a dusk emergence and dawn re-entry survey should be conducted which should be followed by a soft demolition supervised by a bat licenced ecologist. This approach also concerns me as (apart from the seeming impossibility of conducting a dusk survey in the morning) if such a survey revealed the presence of bats it may mean the building has a roost. In this case continuing immediately with demolition would risk harm to bats and thereby contravene legislation. I agree that an emergence/re-entry survey is needed, but this should take place before any demolition is permitted. I suggest that a survey is undertaken soon (weather/season is approaching optimal period) and a report on the survey should be submitted for our consideration. We would then have better information on a protected species before making a decision.
24. Demolition Management Strategy Addendum does not include any references to ecological requirements. The applicant should be asked to arrange for their

Ecological and Demolition consultants to co-ordinate the inclusion of ecological checks into the Demolition strategy and Method Statement.

25. Method Statement Section 2.1 Regulations. This should include relevant Wildlife legislation as outlined in the Bat letter.
26. 14.1 Demolition sequence does refer to Ecology works (tbc) - but this clearly needs working up with input from the Ecological consultant. These documents need revising and resubmitting.
27. From the Method Statement, it appears that the site would be levelled using existing spoil and compacted. Over time the site will be colonised by plants, invertebrates etc. and develop into habitat with biodiversity increasing over time. At some point, it seems likely that the site would be redeveloped. If as is equally likely, the intervening period lasts for several years there may be opportunities for ecological enhancement; for example small mammal access in the perimeter fencing/walls.
28. I also suggest that it would be worth exploring advanced planting and ecological features to establish green infrastructure between the river and Mountergate along fringes of the site, and that this could be covered by a legal agreement. This would represent mitigation for having an empty site in the city centre for the foreseeable future which would otherwise be surrounded by fencing and be contributing little to the ecology or streetscape.
29. Suggested Conditions:
 - BI4 Small mammal access
 - BI3 Bird Nesting Season.
30. We may need to consider other conditions if the bat emergence/re-entry survey reveals the presence of bats.
31. I'm not sure that the previous survey does give enough assurance as it was carried out on 6th Feb 2018. Best practice is not to rely on surveys that are more than 2 years out of date, plus the condition of the buildings seems to have deteriorated since then. From google streetview it looks like windows have gone missing which might have allowed bat access.
32. I don't think we would be asking them for much more in terms of survey than what their Ecology consultants are recommending. The survey just needs to be brought forward so that we can see the results before making a decision.
33. *Final comments after submission of full bat survey report:*
34. The revised Bat survey has been carried out by suitably qualified Ecologists. The conclusions are essentially that there is a likely absence of a bat roost within the buildings on site, and that works can proceed with no negative impacts on bats predicted. These conclusions are accepted.
35. The revised Demolition Method Statement (11May2020) now includes a section on Ecology works (p21). However this does not mention bird nesting and at p31

Ecology works are described as TBC if required. Bird nesting should obviously be included as I understand that the applicants are keen to proceed and we are within the bird nesting season.

36. James Blake Associates undertook a bird nesting check as outlined in their letter 27 April 2020. It noted a large number of feral doves and pigeons with numerous active nests, and recommended that a second nesting check should be undertaken immediately (within 48 hours) prior to demolition. This information should be included in the Demolition Method Statement and reinforced by Condition BI3 Bird Nesting Season.

Assessment of planning considerations

Relevant development plan policies

37. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
38. **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
 - DM6 Protecting and enhancing the natural environment
 - DM9 Safeguarding Norwich's heritage
 - DM11 Protecting against environmental hazards

Other material considerations

39. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**
- Section 12 Achieving well-designed places
 - Section 15 Conserving and enhancing the natural environment
 - Section 16 Conserving and enhancing the historic environment

Case Assessment

40. 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 Policy Framework (NPPF), the council's 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: Design & Heritage

41. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF sections 12 and 16.
42. The proposed demolition of these warehouse buildings would result in an empty area of land which is undesirable in any case, and especially when considering the site's context within a conservation area and adjacent to two listed buildings. However, in this case the King Street Character Area Appraisal has identified these buildings as making a 'negative' contribution to the conservation area, and their demolition would open up views to both listed buildings. In addition, the buildings are in a very bad condition and therefore difficult to secure from break-ins. There have been instances of arson, which is obviously undesirable in structures which are attached to a listed building. This makes the situation more urgent and although the site is likely to come forward for comprehensive redevelopment in the near future, the demolition of these buildings is considered acceptable in the short term.
43. The boundary treatments to Scandic House and Baltic Wharf are proposed to remain as existing (brick/block walls). The car park boundary is proposed to be secured with a boundary fence, which is considered acceptable in this less sensitive location. The frontage on Mountergate is proposed to be secured with a brick boundary wall. This is considered to be the least harmful option, as long as the wall has some interest. Full details will be required by condition.
44. Overall, the proposal would lead to less than substantial harm to the conservation area and the setting of St Faiths House and Weavers House but the public benefits of securing the site are considered to outweigh this harm. However, it is essential that the boundary treatments are constructed as proposed without leaving the site exposed once the building is demolished. This can be secured by a suitably worded condition.
45. Since the site sits within an area of high archaeological significance it is necessary to restrict demolition to slab level only.

Main issue 2: Biodiversity

46. Key policies and NPPF paragraphs – DM3, DM8, NPPF sections 8, 12 & 15.
47. The buildings are derelict and close to the River Wensum which is a known bat feeding corridor. A full bat survey has now been submitted and the conclusions are essentially that there is a likely absence of a bat roost within the buildings on site, and that works can proceed with no negative impacts on bats predicted. These conclusions have been accepted by the council's ecologist.
48. The largest building to be demolished accommodates quite a number of bird nests, so it is essential that works are not carried out during the bird nesting season (March – August) unless an ecologist confirms that this is acceptable. A bird nest check should be carried out within the 48 hours leading up to demolition regardless of the time of year. Conditions are recommended to this effect.

Other matters

49. The proposed works would not generate any long term traffic implications, but there would be some implications during the demolition works themselves. The applicant

has submitted a demolition method statement which sets out that it is anticipated that the works would take 8 weeks, and that traffic would enter and exit via the existing site access on Baltic Wharf, accompanied by a banksman. The method statement also sets out various appropriate ways that the works would be controlled to limit noise and dust to surrounding properties.

50. An informative is recommended which reminds the applicant of their responsibilities in safely removing asbestos from the site, and the Demolition Method Statement sets out a method which is acceptable to the council's Environmental Protection Officer.

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. 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

53. 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.

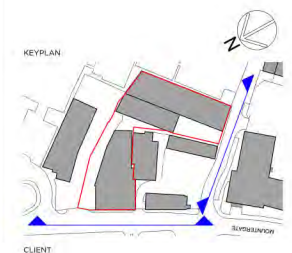
Recommendation

To approve application no. 19/01801/F – Land adjacent to St Faiths House, Mountergate, Norwich, NR1 1QA and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of wall to be submitted prior to relevant works;
4. No site clearance during bird nesting season;
5. Small mammal access;
6. Demolition to slab level only;
7. Construction of approved boundary treatments within 6 months of the completion of demolition works.

Informative:

1. Asbestos regulations



SHEPPARD ROBSON

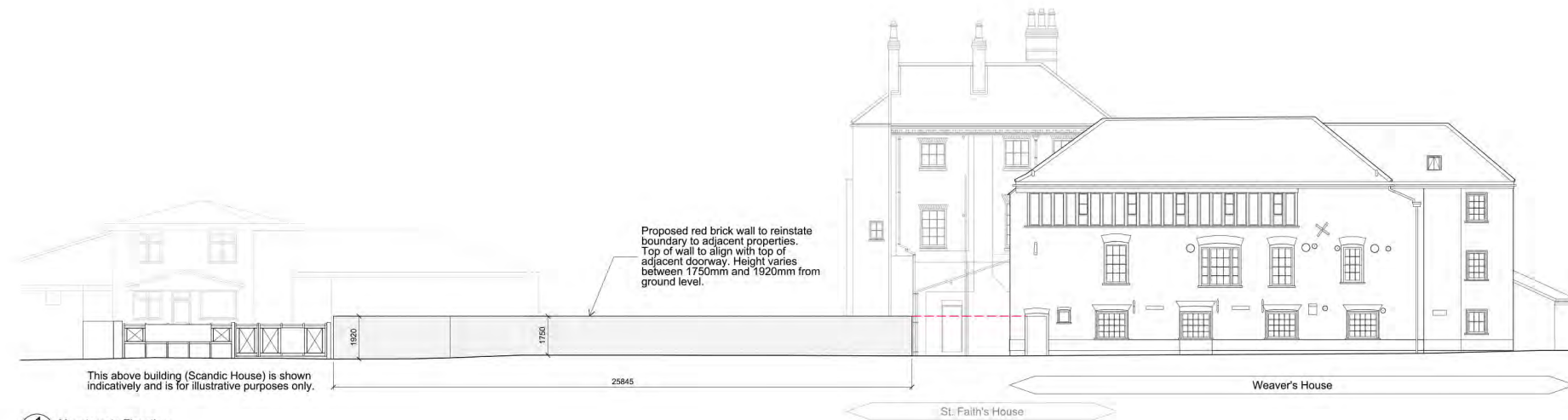
77 Parkway Camden Town London NW1 7PU
T: +44 (0)20 7554 1700 E: enquiries@sheppardrobson.com

PROJECT
83 MOUNTERGATE, NORWICH

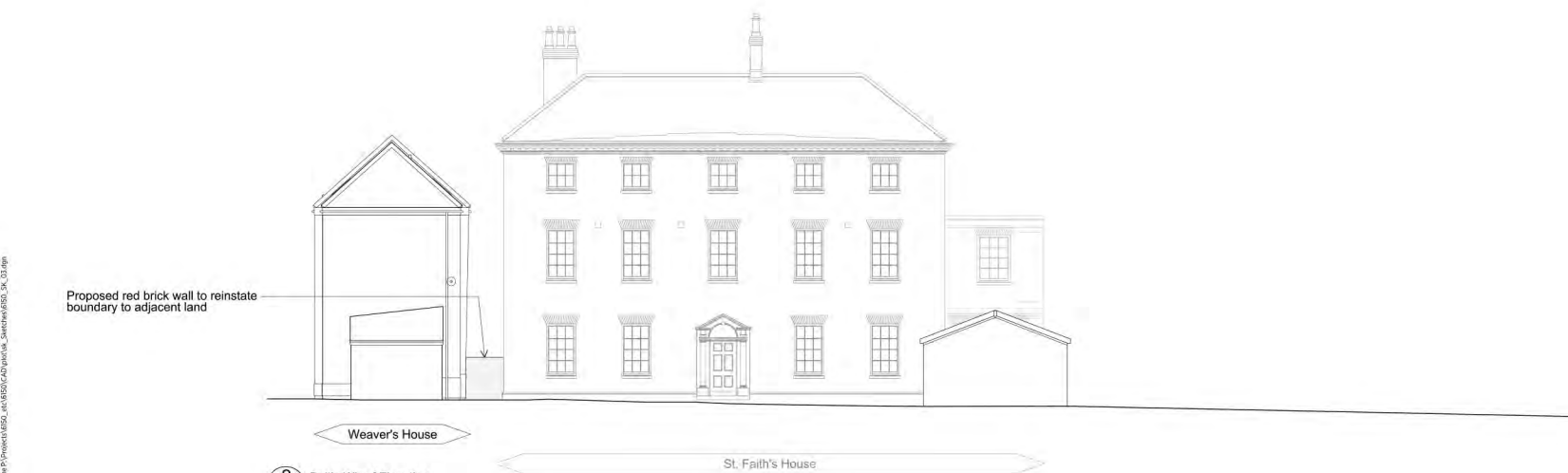
SCALE/BAI	DATE	ORIGINATOR	CHECKED	AUTHORISED
1:100	17.01.2020	GP	GP	DB

TITLE
PROPOSED BRICK WALL

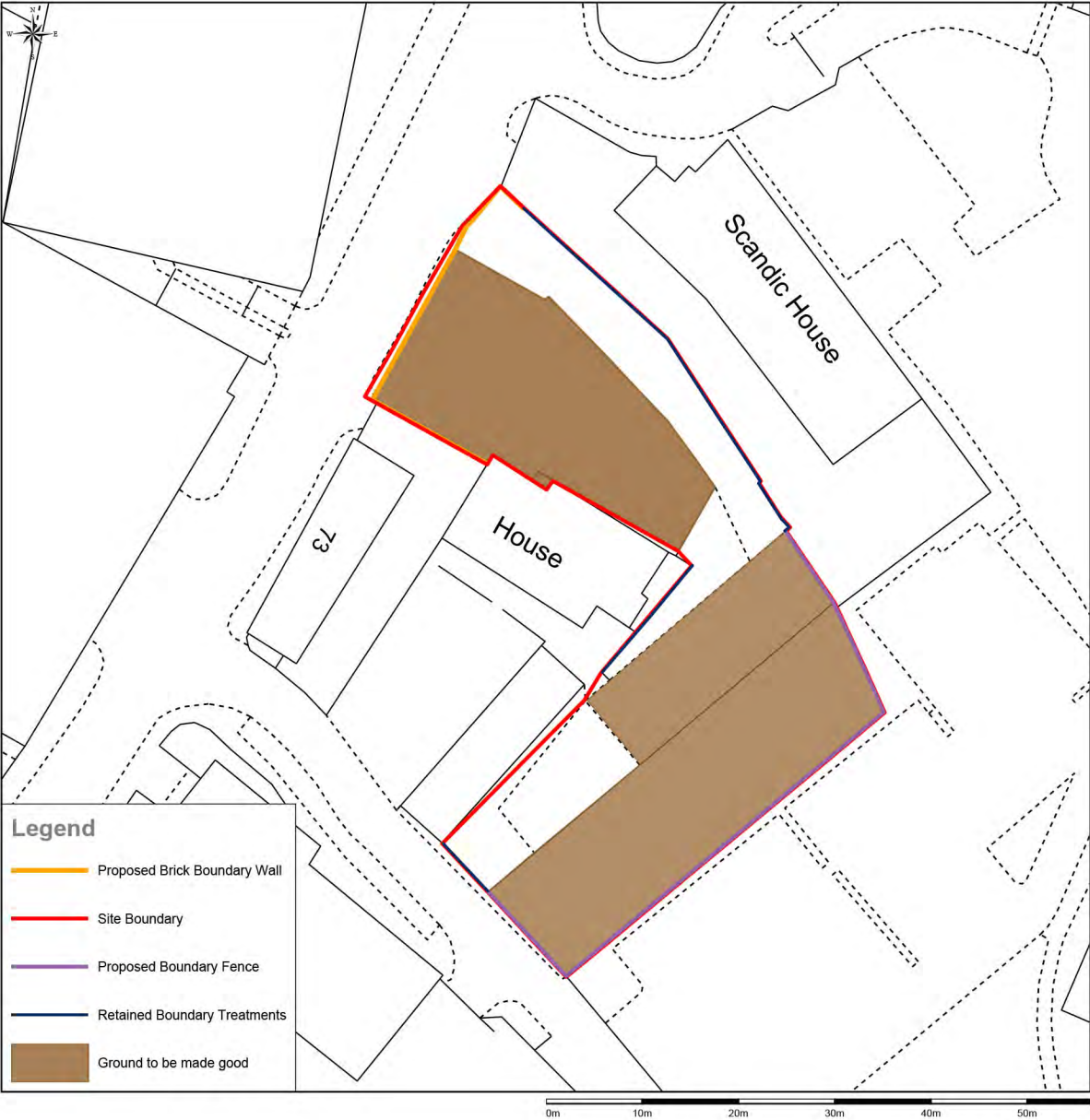
STATUS	PURPOSE FOR ISSUE	REV.
S2	INFORMATION	P01
DRAWING NO.	6150 - SRA - XX-XX-SK-A-0261	



1 Mountergate Elevation



2 Baltic Wharf Elevation



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Report to Planning applications committee

Item

13 August 2020

Report of Area development manager

Subject Application no 20/00024/F - 174 Newmarket Road,
Norwich, NR4 6AR

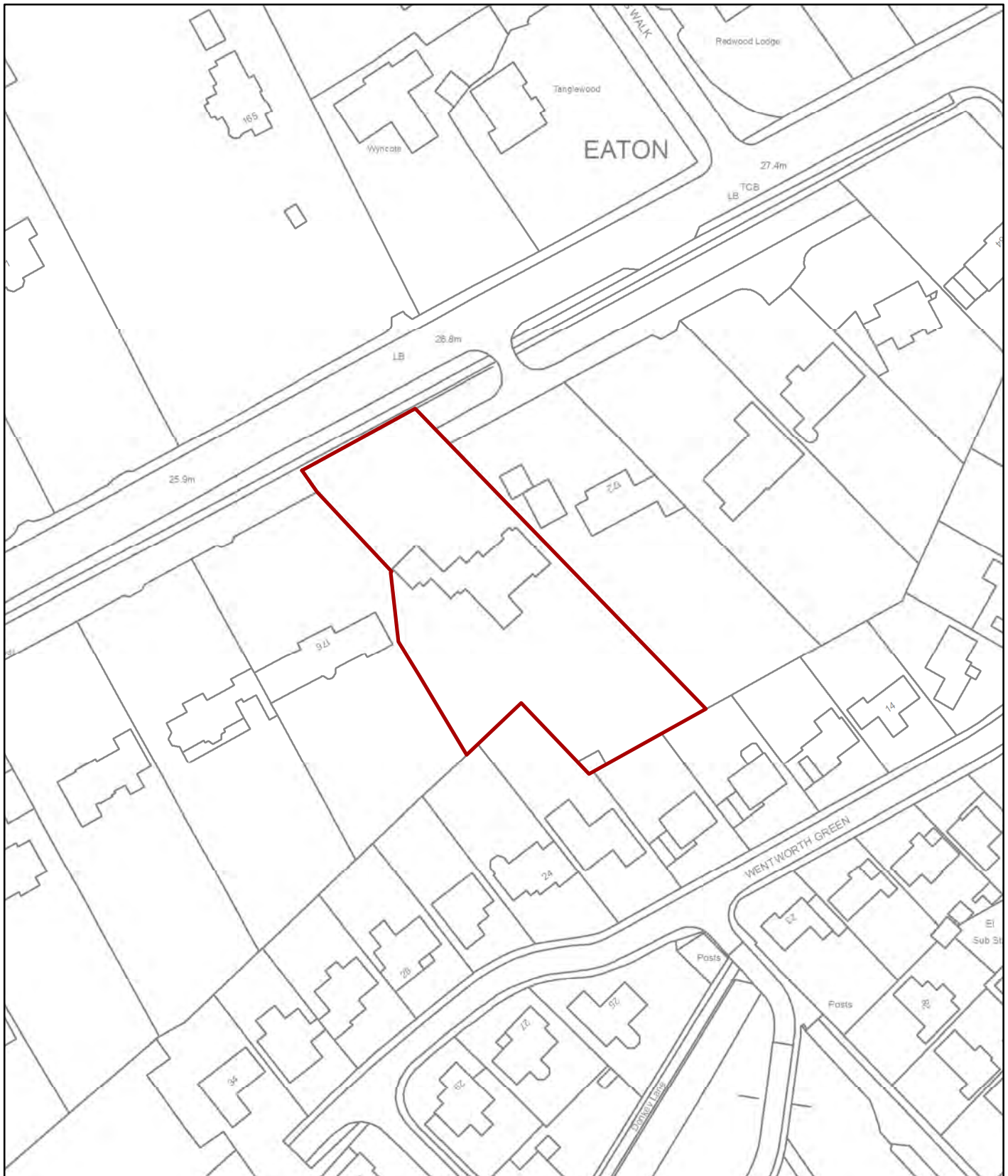
**Reason
for referral** Called in by an elected member

4(g)

Ward:	Eaton
Case officer	Stephen Polley stephenpolley@norwich.gov.uk

Development proposal		
Two storey and single storey side extension.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1 Scale and Design	The impact of the proposed development within the context of the original design / surrounding conservation area
2 Residential Amenity	The impact of the proposed development on the neighbouring properties; noise; odour; overbearing; privacy; use of proposed extension.
3 Trees	Impact on existing trees / mitigation of lost trees.
Expiry date	25 March 2020
Recommendation	Approve



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Planning Application No 20/00024/F
Site Address 174 Newmarket Road

Scale 1:1,250

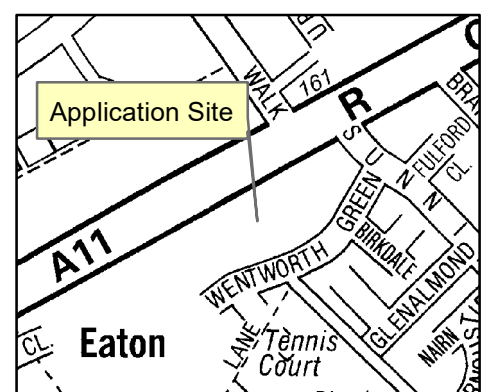


NORWICH
City Council

PLANNING SERVICES



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The site and surroundings

1. The site is located to the south side of Newmarket Road, to the southwest of the city. The subject property is a large two-storey detached dwelling constructed during the 1960's. It has been extended previously by way of two and single-storey extensions to the rear and has also recently undergone extensive alterations to the external appearance, including the addition of timber cladding. The site features a large horseshoe driveway to the front, a recently cleared access to the side, and a large rear garden.
2. The site is bordered by large detached dwellings to the east and the west, nos. 172 and 176 Newmarket Road respectively. Beyond the site to the rear are smaller properties located on Wentworth Green, the closest of which being no. 22. The site boundaries are marked by tall mature trees and sections of fencing. The prevailing character of the surrounding area is residential, with large detached dwellings lining the road.
3. It should be noted that the previous owners of the site removed numerous trees without consent in preparation for the construction of a new dwelling within the rear garden. The main area of removal is also the area of the site where the proposed extensions are to be constructed.

Constraints

4. The site is located within the Newmarket Road Conservation Area, an area to the front of the site is subject to a Tree Preservation Order and the highway verges between the site and Newmarket Road are designated open space.

Relevant planning history

5.

Ref	Proposal	Decision	Date
11/00733/F	Proposed extension and alterations and demolition of existing conservatory (Revised Proposals).	APPR	15/07/2011
12/00619/TCA	Trim trees at back of rear garden by up to 4m.	NTPOS	03/05/2012
13/01098/TCA	Fell tree in driveway	NTPOS	30/07/2013
18/00111/F	Timber cladding and rendering to front elevation.	APPR	27/03/2018
18/00508/O	Outline application with all matters reserved for sub-division of plot and construction of dwellinghouse.	REF	20/07/2018

Ref	Proposal	Decision	Date
18/01766/O	Outline application including matters of access for sub-division of plot and construction of dwellinghouse.	APPR	26/06/2019
20/00680/TCA	T1: Remove	CANCLD	28/07/2020

The proposal

6. The proposal is for the construction of a two-storey and single-storey side extension at 174 Newmarket Road.
7. A 6.3m x 10.5m two storey extension is to be constructed to the western end of the existing dwelling. The extension has been designed to follow the form of the existing building with a matching roof design, 5.9m tall to the eaves and 8.3m tall to the ridge.
8. A 10.5m x 22.2m single storey extension is to be constructed to the side and rear of the property. The extension has been designed with a 4.3m tall flat roof which features a 1.3m tall roof lantern. The extension includes a projecting 2.4m x 9.6m section to the side, designed with a 2.7m tall flat roof.
9. The two-storey side extension provides enlarged living space, whilst the single-storey extension facilitates the construction of an indoor swimming pool and associated spaces.

Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 3 letters of representation have been received including one from a ward member, 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
The cumulative scale of the extensions are contrary to the character of the conservation area	See main issue 1
Noise will be generated by the use of the swimming pool	See main issue 2
Proximity to neighbouring boundary will result in loss of privacy	See main issue 2
Concern regarding impact on trees marking shared boundaries	See main issue 3
The swimming pool should not be let to the public	See main issue 2

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.

Tree protection officer

13. This property is currently the subject of a Tree Replacement Notice. This proposal may limit and/or, influence, possible locations of replacement trees. The Tree Replacement Notice should be considered a constraint on development. I would not be able to support this application until the replacement tree issue has been resolved.

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)**
- JCS2 Promoting good design
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
 - DM7 Trees and development
 - DM9 Safeguarding Norwich's heritage

Other material considerations

16. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
 - NPPF7 Requiring good design

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 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: Design and Heritage

18. Key policies and NPPF paragraphs – JCS2, DM3, DM9 NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
19. The proposed two-storey side extension follows the form of the existing building exactly, with matching eaves and ridge heights as part of the design. The single-storey extension is to be set back from the front elevation and is not taller than the lowest level of the first floor windows. It is noted that the design has been revised so that the footprint has been stepped in from the western and southern boundaries. The smaller single-storey extension is notably smaller in scale than the main building.
20. It is noted that the site is located on slightly sloping land. A plan has been submitted detailing estimated site levels relative to the proposed development. It is therefore reasonable to add a condition requiring that any changes in site levels that are not shown on the plan need to first be approved in writing by the local planning authority.
21. The proposed extensions are to be constructed using matching materials including red bricks, render, timber cladding and stone cladding. Matching windows are also to be used.
22. It is acknowledged that the proposed extensions, whether considered individually, or cumulatively with previous extensions, represent significant additions to the original dwelling. It is however not considered that the completed development will result in a dwelling that is significantly out of scale with its neighbours. The surrounding area features numerous large detached dwellings on generous plots. The proposed development will result in an enlarged dwelling that still benefits from a large garden, broadly comparable to numerous other properties located within the Newmarket Road Conservation Area.
23. The proposed extensions will largely not be visible from outside of the site as they are located a significant distance from the public realm and are obscured from view by mature planting on the boundary. As such, they will have a neutral impact on the overall appearance of the site and character of the wider conservation area.
24. The proposed changes are significant in scale, however they have been designed to be in keeping with the current appearance of the subject property. As such, the proposed development is considered to be acceptable in design and heritage terms.

Main issue 2: Amenity

25. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
26. The proposed development will have very limited impact on the amenity of neighbouring residential occupiers by virtue of the distance between properties, siting of the extensions and mature planting providing screening along the shared

boundaries. As such, the extensions will not result in significant harm being caused by way of overlooking, overshadowing, outlook or by being overbearing.

27. Bi-folding doors serving the pool extension are to face onto the rear garden of the subject property, with there being no windows or doors facing towards the closest neighbouring properties directly from the swimming pool room. It is also noted that the extension has been moved away from the shared boundaries to assist in reducing the noise impact of the development on neighbouring properties.
28. To further mitigate any potential negative impacts such as noise or odour from the pool, a replacement tree planting plan to be agreed with the local planning authority prior to commencement of works.
29. The proposed plant room is to be constructed adjacent to neighbouring boundaries. The plant serving the pool is to be housed with a brick built part of the extension which will assist in limited any noise emitting from its use.
30. The proposed layout plan indicates the creation of a consulting, waiting and patient WC rooms within the single-storey extension. The applicant has confirmed that a very limited number of private patients will visit the site as the occupants are both GP's. A limited number could be considered ancillary to the main dwelling and it is proposed to add a condition to ensure that the GP consultancy use remains ancillary to the main residential use of the dwelling. Any more intensive use could trigger a material change and require separate planning consent.
31. The proposed development will enhance the residential amenity of the occupiers of the subject property as the living space is significantly enlarged with significant external amenity space being retained. The proposed development is therefore considered to be acceptable in amenity terms.

Main issue 3: Trees

32. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
33. A number of trees have been removed from the site within the recent past without consent from the local planning authority. Mature trees are key contributors to the character of the conservation area and as such their loss is not supported. There is an ongoing enforcement case relating to the unauthorised tree works.
34. Of particular relevance are the trees located along the southern and western boundaries that were removed as they provided screening between the rear garden of the subject property and the gardens of nos. 176 Newmarket Road and 22 Wentworth Green.
35. A tree replacement notice has been served and which requires the planting of three replacement 12-14cm girth trees. The reduced footprint of the single storey extension provides sufficient distance from the boundaries to allow for this replacement planting.
36. It is considered necessary to add a condition requiring a detailed replacement tree planting plan to be submitted to the local planning authority ensure that adequate screening is in place between the proposed extension and the neighbouring gardens.

37. It is also noted that separate, more recent unauthorised tree works have commenced to the front of the site. However, it is not considered that these trees have any relationship to the proposed development and will be considered under separate enforcement action.

Equalities and diversity issues

38. There are no significant equality or diversity issues.

Local finance considerations

39. 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.
40. 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.
41. In this case local finance considerations are not considered to be material to the case.

Conclusion

42. The proposal will result in an enlarged dwelling which is considered to be of an acceptable scale and design, which does not cause significant harm to the character and appearance of the subject property or surrounding conservation area.
43. The proposed development will have a very limited impact upon the residential amenities of neighbouring properties with no significant harm being caused by way of overshadowing, overlooking or loss of outlook.
44. The submission of a detailed replacement tree planting plan will enhance the provision of trees within the site for the benefit of the appearance of the site, conservation area, neighbour amenity and biodiversity.
45. 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. 20/00024/F - 174 Newmarket Road Norwich NR4 6AR and grant planning permission subject to the following conditions:

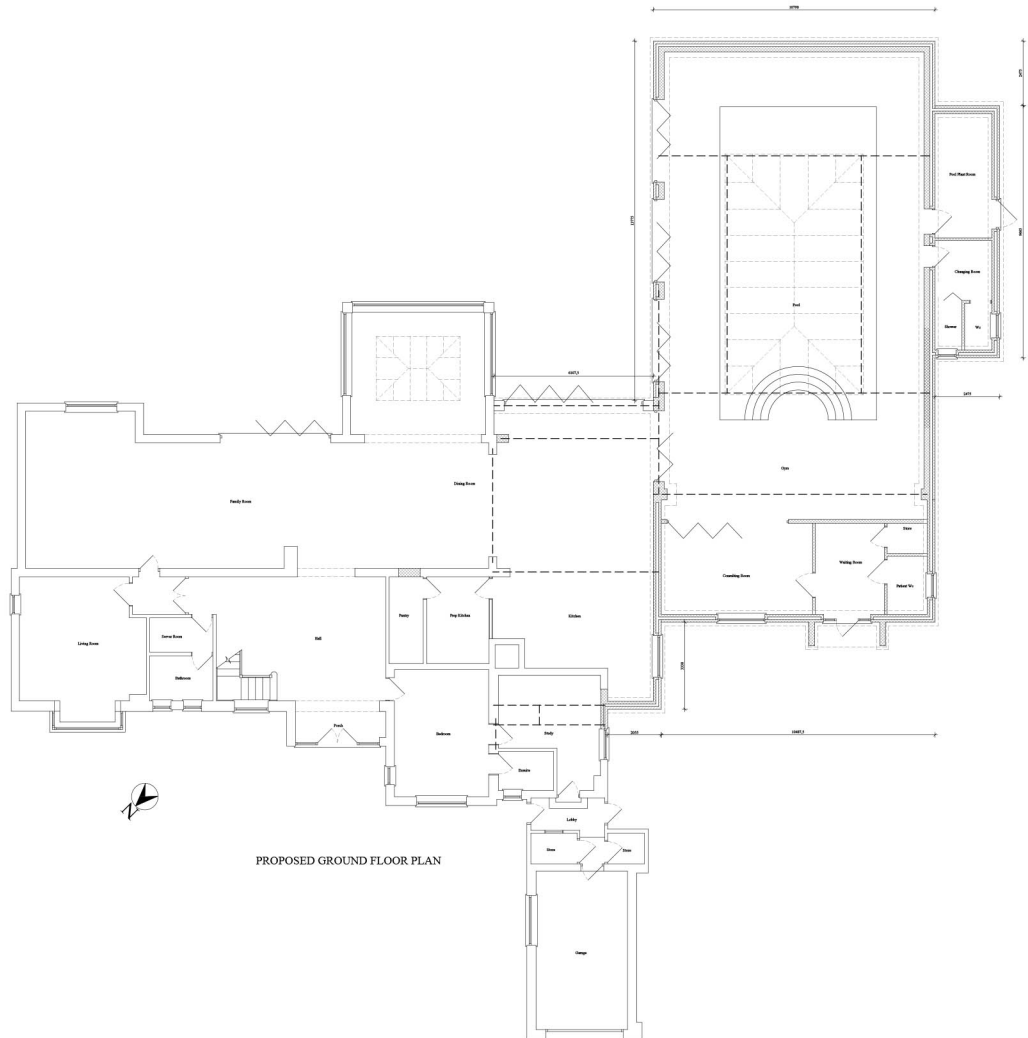
1. Standard time limit;
2. In accordance with plans;
3. Replacement tree planting plan;
4. Site levels;
5. Swimming pool / GP business to remain ancillary in use.



PROPOSED NORTH WEST ELEVATION



PROPOSED SOUTH WEST ELEVATION



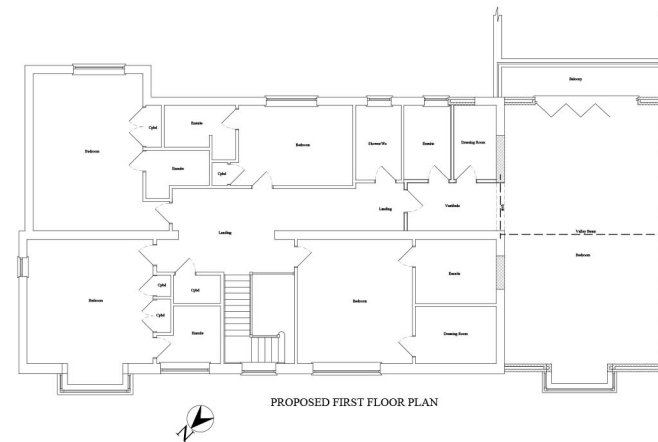
PROPOSED GROUND FLOOR PLAN



PROPOSED NORTH EAST ELEVATION



PROPOSED SOUTH EAST ELEVATION



PROPOSED FIRST FLOOR PLAN

EXISTING PLANS AND
ELEVATIONS
FOR A
DOUBLE AND SINGLE STOREY
REAR AND SIDE EXTENSION
AT
174 NEWMARKET ROAD
NORWICH
FOR
Mr & Mrs Mirza

SCALE: 1:50 & 1:100
dwg no: 586-2, 12th MARCH 2020
REV. A

MICHAEL RAYNER
ARCHITECTURAL
01508 536 669
07900 431 431
mike.rayner3co@gmail.com

Report to Planning applications committee

Item

13 August 2020

Report of Area development manager

Subject Application no 20/00497/F - 6 Aylsham Crescent,
Norwich, NR3 2RZ

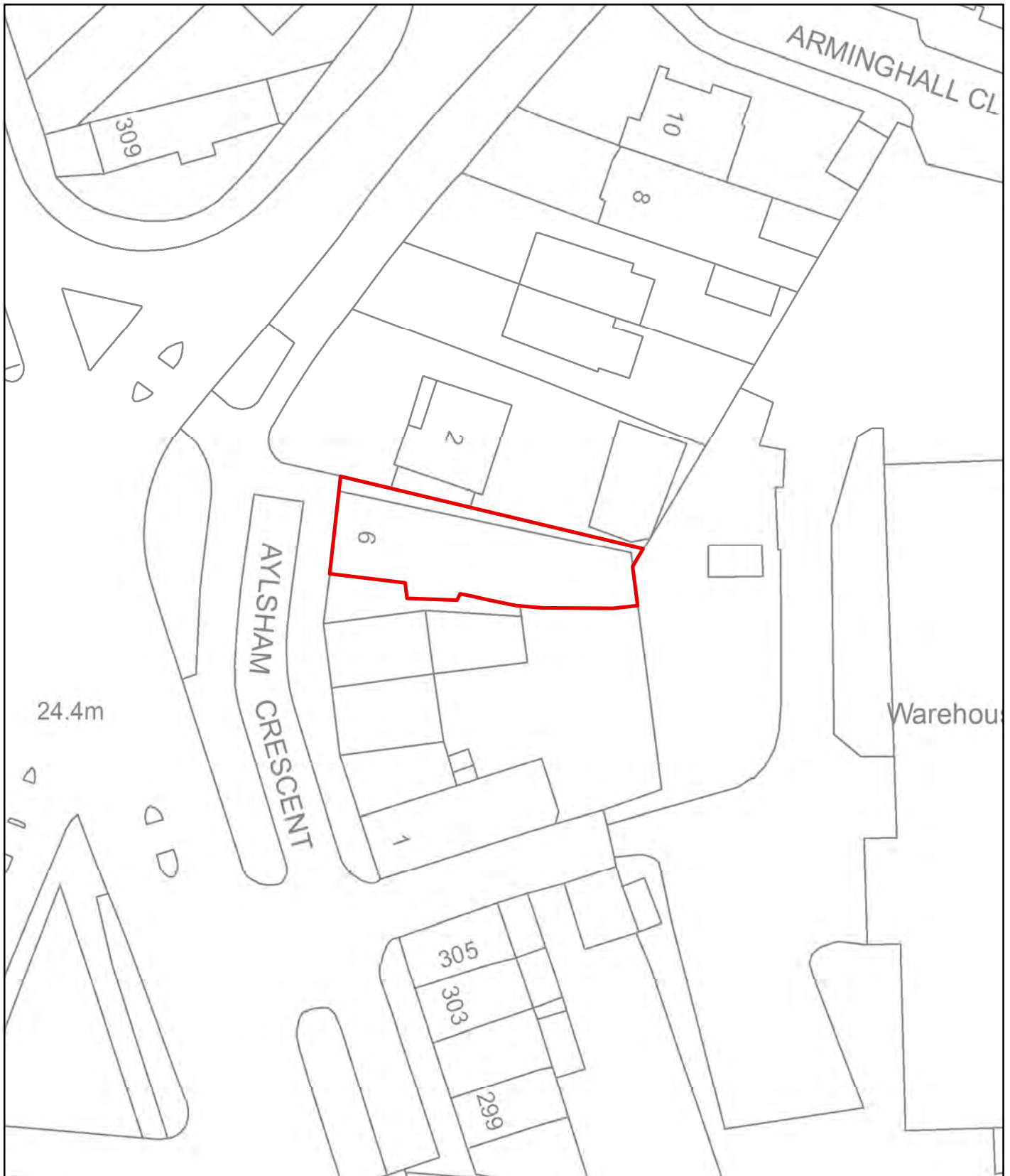
**Reason
for referral** Called in by an elected member

4(h)

Ward:	Catton Grove
Case officer	Stephen Polley stephenpolley@norwich.gov.uk

Development proposal		
Change of use from financial services (Class A2) to cafe/takeaway (Class A3/A5) including external ventilation equipment.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1 Principle of development	Loss of an A2 unit within a district centre
2 Design	The impact that the proposed change of use will have on the character and appearance of the building and wider area
3 Amenity	The impact of the proposed change of use on neighbouring residential amenity
4 Transport	The acceptability of the proposed change of use in terms of accessibility and storage
Expiry date	24 June 2020
Recommendation	Approve



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Planning Application No 20/00497/F
Site Address 6 Aylsham Crescent

Scale 1:500

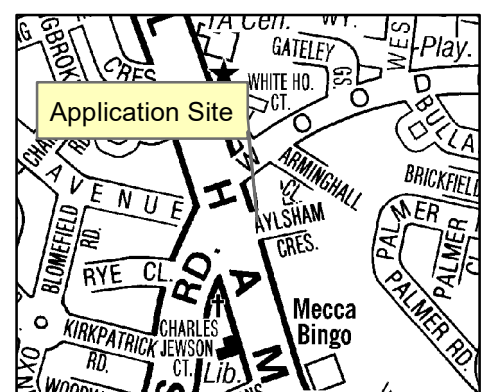


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PLANNING SERVICES



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The site and surroundings

1. The site is located at the most northern extent of Aylsham Crescent, a small parade of shops accessed via Aylsham Road, at the junction with Woodcock Road, to the northwest of the city. The prevailing character of the area is a mixture of retail, residential and light industrial / commercial. Similar retail units are located to the south, light industrial / commercial units to the east and residential properties to the north.
2. The shopping parade consists of eleven units spread across two groups. All are of only a single-storey. The subject unit comprises a larger rectangular shaped unit with a flat roof which has been added to by way of a slightly lower flat roof extension to the rear. The rear is accessible via a yard to the rear. There is also a passageway running alongside the northern flank providing access to a door serving the rear extension. It was most recently used as a building society, however is has been vacant for a significant period of time following its closure approximately 8 years ago.
3. The site is bordered by the adjoining retail unit to the south, no. 5 Aylsham Crescent which currently operates as a hot food takeaway, and no. 2 Woodcock Road to the north, a detached single-storey dwelling.

Constraints

4. District Retail Centre: Aylsham Road, Mile Cross
Critical Drainage Catchment: Catton Grove and Sewell

Relevant planning history

5.

Ref	Proposal	Decision	Date
4/1996/0136	Internally illuminated sign to front of shop	INSFEE	18/04/1996
07/00781/U	Change of use from shop (A1 use) to financial services (A2 use).	APPR	10/08/2007
08/00498/A	2 No. non-illuminated high level signs; 1 No. internally illuminated fascia sign and 1 No. double-sided internally illuminated projecting sign.	PART	11/07/2008

The proposal

6. The application seeks consent to change the use of the building from the established use – A2 financial services – to a mixed A3 Café and A5 hot food takeaway. The application is submitted without a specific tenant in place to operate the site. The applicant seeks the planning consent in order to market the unit with

the A3/A5 uses as a consequence of the amount of time the A2 unit has been vacant.

7. The proposals would not require any significant changes to the external appearance of the unit, with the existing shopfront remaining. The submitted plans indicate a number of internal alterations to facilitate the creation of a kitchen area. The plans also indicate the potential location of an extraction system, to the rear of the building, although no specific details of any extraction equipment have been provided, as a consequence of the speculative nature of the application.

Representations

8. Adjacent and neighbouring properties have been notified in writing. Four letters of representation have been received citing the issues as summarised in the table below including one from a ward councillor. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Noise / odour disturbance caused by the proposed A5 use	See main issue 3
Increase in volume of hot food takeaways within the area	See main issue 1
Increase in traffic / parking problems within the area	See main issue 4
Increase in rubbish / litter within the area	See main issue 4

Consultation responses

9. 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

10. I note the information submitted by the applicant and request the following:

Hours of use: The applicant is required to detail the hours of use.

Noise: Full details of the ventilation system (including noise data sheets) must be submitted for written approval by the Council before installation.

NO3 Anti-vibration mountings (UNIFORM Ref = NO3A):

No occupation of the development shall take place in pursuance of this permission until precise details of the method of attaching the ventilation/ extraction units shown on approved plans to the building have been submitted to and agreed in writing with the Local Planning Authority. These submitted details shall specify the

use of anti-vibration mountings. The installation of the units shall be carried out in accordance with the details as agreed and retained as such thereafter.

Reason

To ensure that residential living conditions and local amenities are not adversely affected by the development proposed through unacceptable levels of noise and disturbance, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

OD1 NON-INDUSTRIAL - Details of ventilation and extraction to be submitted (UNIFORM Ref = OD1A):

No extract ventilation or fume extraction system shall be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority. The detailed scheme shall include the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment to be installed and used in the premises in pursuance of this permission, together with a schedule of maintenance. No use of the premises as hereby permitted shall take place until the approved scheme has been installed and is operational and thereafter it shall be retained in full accordance with the approved details and the maintenance of the system, including any flue, shall be carried out in accordance with the scheme as agreed.

Reason

To protect the amenities of the area and prevent nuisance from noise and odour in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

IN8 Asbestos (UNIFORM Ref = IN8A):

The developer is advised that any asbestos encountered on the site, either as part of the existing buildings or as fill material, should be handled and disposed of as per current Government guidelines and regulations.

Highways (local)

11. No objection on highway grounds. There is adequate access for vehicles and pedestrians, there are two cycle stands in front available for staff or customers. The proposed use is suitable for a shopping parade in traffic and parking terms.

Assessment of planning considerations

Relevant development plan policies

12. **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
 - JCS5 The economy
 - JCS6 Access and transportation
13. **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
- DM17 Supporting small business
- DM18 Promoting and supporting centres
- DM21 Protecting and supporting district and local centres
- DM24 Managing the impacts of hot food takeaways
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

Other material considerations

14. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design

Case Assessment

15. 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

16. Key policies and NPPF paragraphs – DM18, DM21, JCS19, NPPF Sections 5 & 11.
17. The site is situated within the Aylsham Road / Mile Cross district retail centre as defined by policy DM21 of the development management policies plan. The policy seeks to protect the vitality and viability of locally defined retail centres by preventing the loss of significant amounts of A1 retail floor space. A threshold of 60% A1 retail units has been set within the policy.
18. The proposed change of use involves the loss of an established A2 financial services unit, which is not afforded any specific protection by policy DM21. The creation of a new A3 / A5 unit would therefore not have any impact on the provision of A1 retail floorspace within the district centre.
19. It is acknowledged that there are already other hot food takeaways within the local area, including three within the Aylsham Crescent parade of shops. Although there are no proposed hours of use provided by the applicant, the proposed change of use also includes A3 cafe use which would typically suggest opening hours during the working day. Cafes can therefore be considered to be broadly supportive of the vitality and viability of local centres.

20. The proposed change of use will result in the loss of an A2 financial services unit. The unit has been vacant for a significant period of time with the last business occupying the premises vacating in approximately 2014. No evidence of any marketing exercises has been provided by the applicant to confirm that the A2 use is no longer viable. There is however evidence available online to confirm that the unit has been marketed for sale as an A2 unit. The continued vacancy of the unit is undesirable from the perspective of the vitality and viability of the parade and the widened uses would allow a wider marketing of the unit to bring it into a viable use. in the future, as per the aims of policy DM21 and DM18.

Main issue 2: Design

21. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
22. The proposed development will have only a limited impact on the overall appearance of the unit and the character of the wider area. The retention of the shopfront will ensure that the appearance remains consistent with the prevailing character.
23. The proposed extraction system is located to the rearmost section of the unit. Views from the public realm would be limited to non-existent. It may be seen at a distance from sections of Arminghall Close. Given its location adjacent to a garage block to the rear of 2 Woodcock Road and screening to the rear its visual impact from private property would be limited. Precise details and impacts of the extraction system can be secured by condition to ensure that any harm to the visual amenity of the area it sufficiently mitigated.

Main issue 3: Amenity

24. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
25. The site is located in an area with a mixed character, as such only the neighbouring property to the north of the site, 2 Woodcock Road, is likely to experience any significant changes to the current situation. The property is within close proximity of the unit and include a rear yard / garden area that abuts the site.
26. Policy DM2 seeks to protect the amenities of the neighbouring occupiers with particular regard given to overlooking, overshadowing, loss of light/outlook and the prevention of disturbance from noise, odour, vibration, air or artificial light pollution. In this case due to the orientation of the site the proposals would not result in any overshadowing of neighboring properties. With regard to noise and odour, the biggest potential impacts are from the extraction equipment and from visitors using the business late at night. As the proposed use is speculative, exact operational details cannot be considered at this stage. Full details of the proposed extraction system will be required to be submitted to the council for consideration prior to any A3 / A5 uses commencing at the site. In terms of hours of use it is proposed given the proximity to the neighboring resident and speculative nature of the application at this stage it is proposed to limit the use to the hours of 8 in the morning to 10 in the evening. Any change to this would need to be varied by application.

27. Environmental protection has the ability to intervene should incidents of litter from the site not being disposed of correctly.
28. The situation of the site in relation to the neighbouring dwelling will ensure that harm is not caused by way of overlooking.

Main issue 4: Transport

29. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
30. The site is considered to be located within an appropriate location for the proposed uses. Cycle parking for visitors is already in situ to the front of the unit, the road outside provides parking and the rear yard suitable space for the storage of waste.

Equalities and diversity issues

31. There are no significant equality or diversity issues.

Local finance considerations

32. 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.
33. 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.
34. In this case local finance considerations are not considered to be material to the case.

Conclusion

35. The principle of the proposed change of use is considered to be acceptable as the development will result in the creation of a new A3/A5 unit within an appropriate location.
36. Further details of the extraction system are to be submitted prior to the commencement of any approved use and hours of use are restricted to ensure that harm is not caused to the residential amenities of the neighbouring property to the north.
37. 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. 20/00497/F - 6 Aylsham Crescent Norwich NR3 2RZ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Hours of use of business restricted to between 8am and 10pm;
4. Anti-vibration mountings;
5. Details of ventilation and extraction to be submitted;

Informative

1. Asbestos



Existing Survey of 6 Aylsham Crescent, Norwich, NR3 2RZ for N Ozdemir

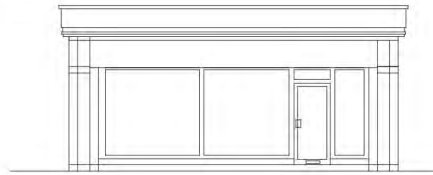
LOCATION PLAN



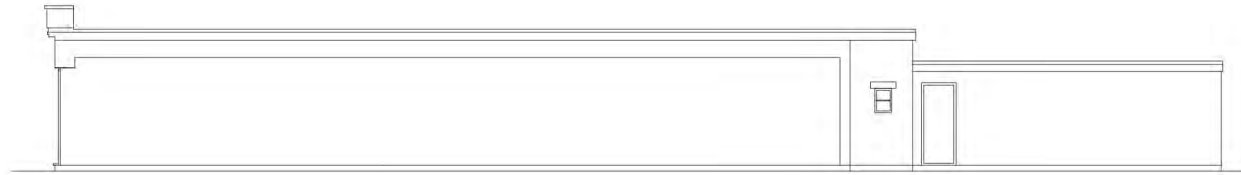
Ordnance Survey, (c) Crown Copyright 2020. All rights reserved. Licence number 100022432

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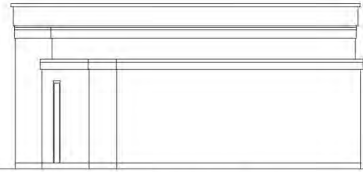
Location Plan - Metres @ 1:1250 @ A2



WEST ELEVATION



SOUTH ELEVATION

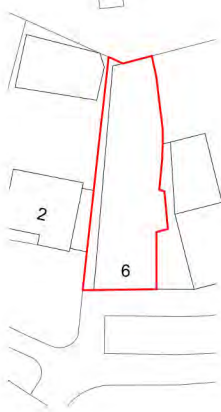
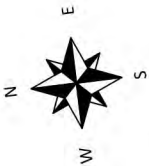


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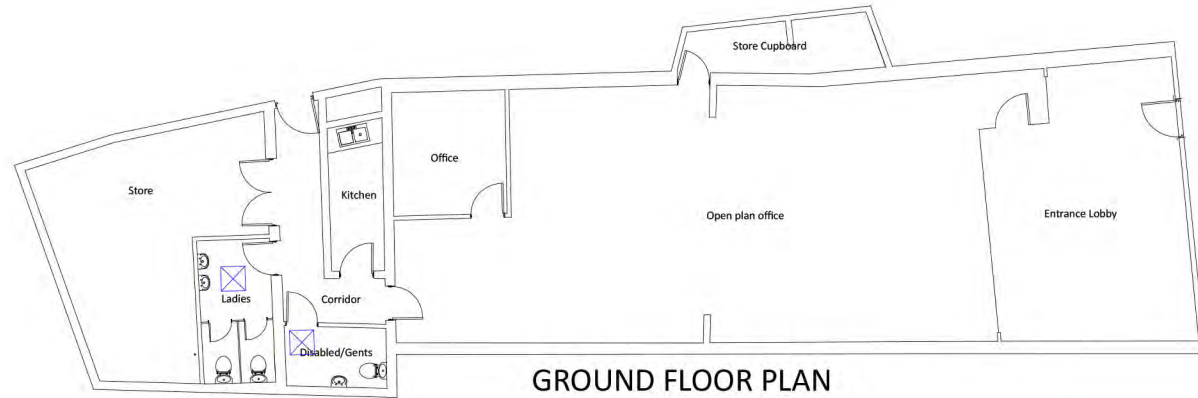
NORTH ELEVATION

BLOCK PLAN



0 20 40 50 [M]

Block Plan - Metres @ 1:500 @ A2



GROUND FLOOR PLAN

ELEVATIONS & PLAN @ 1:100

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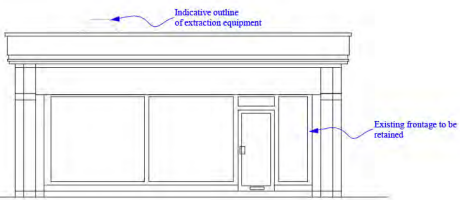
Metres @ 1:100 @ A2

K GARNHAM
DESIGN

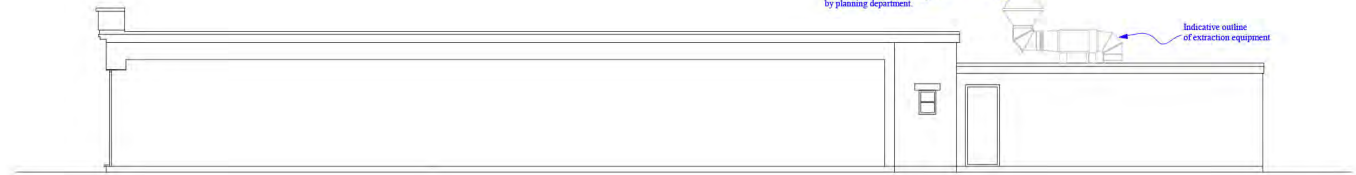
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Project - Existing Survey and Proposed Extension At 6 Aylsham Crescent Norwich, NR3 2RZ	Client - Nuharrem Ozdemir	
	Scale - as dwg	Drawing Number - 1603
	Drawn By - KGG	Sheet Number - 1
	Date - 03.03.20	Revision Number - B
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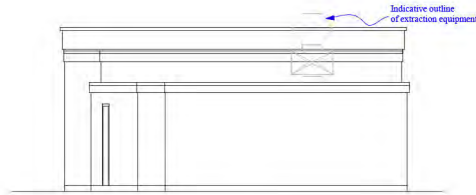
Proposed change of use from A2 to A3 & A5 at 6 Aylsham Crescent, Norwich, NR3 2RZ for N Ozdemir



WEST ELEVATION



SOUTH ELEVATION



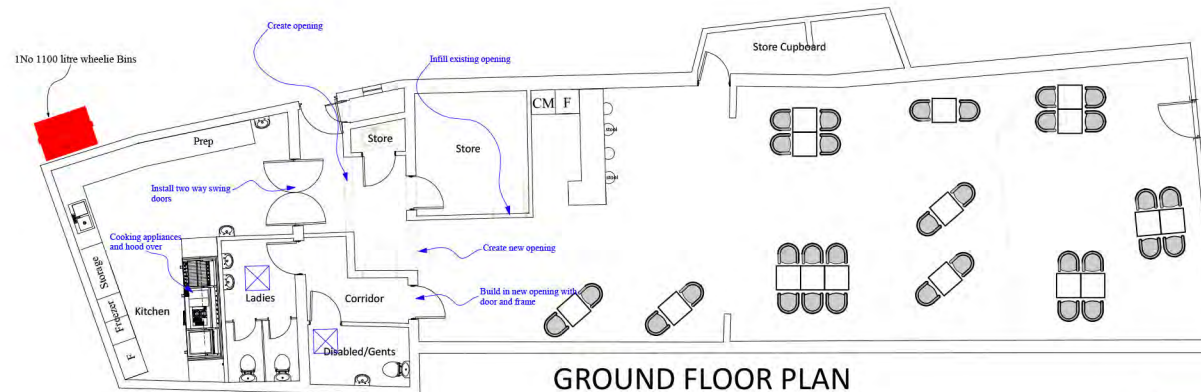
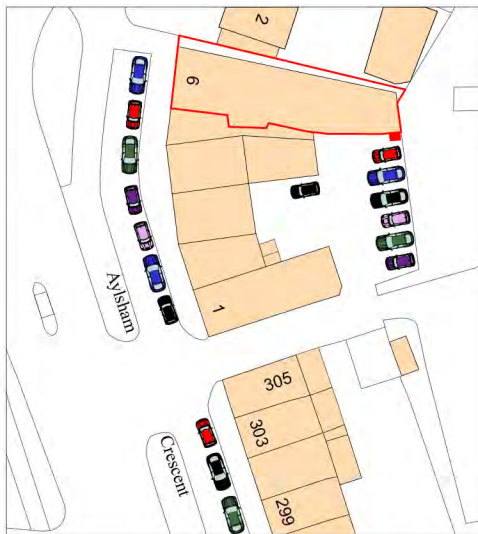
EAST ELEVATION



NORTH ELEVATION



BLOCK PLAN



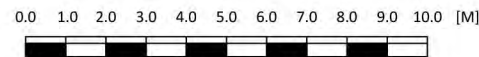
GROUND FLOOR PLAN

MATERIAL SCHEDULE:-

EXISTING & PROPOSED

Walls - Facing brick to elevations all retained
Roof - A number of existing flat roofs all retained
Windows - Front display window frame of aluminium fabrication to be retained
Doors - Door to front of unit of aluminium to be retained
Fascias with white decorative finish to be retained
Rainwater Goods - Guttering and Downpipes black UPVC, guttering with down pipe all to be retained as existing

ELEVATIONS & PLAN @ 1:100



Metres @ 1:100 @ A2

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