NORWICH City Council

Committee name: Planning applications

Committee date: 13/11/2025

Report title: 22/00551/F 9 Cheyham Mount

Report from: Head of planning and regulatory services

OPEN PUBLIC ITEM

Purpose:

To determine:

Application no:	22/00551/F
Site Address:	9 Cheyham Mount, Norwich, NR4 6HJ
Decision due by:	17/11/2025
Proposal:	New 3 bedroom dwelling on side garden of existing dwelling and associated works
Key considerations:	Principle of development, residential amenity, character and appearance, highways safety and parking, trees, biodiversity, other matters
Ward:	Eaton
Case Officer:	Gemma Rooney
Agent:	Mr Steve Tibbett, Tibbett Architectural Services
Reason at Committee:	Objections

Recommendation:

It is recommended to **APPROVE** the application for the reasons given in the report and subject to the planning conditions set out in paragraph 62 of this report, and grant planning permission.

The site and surroundings

1. The application site comprises garden land on the corner of no.9 Cheyham Mount. The corner plot lies adjacent to the junction of Cheyham Mount and Penshurst Mews. The existing garden has established landscaping comprising mature shrubs and trees.

2. No.9 Cheyham Mount benefits from an existing access and driveway serving in excess of 2no. vehicles and is set back from the highway with a front garden.

3. The topography of the land slopes gradually up from the north and west to the south and east, meaning the surrounding dwellings along Penshurst Mews sit higher than the dwelling at no.9 Cheyham Mount.

4. The surrounding area comprises two storey residential built form.

Constraints

5. None.

Relevant Planning History

6. None.

The Proposal

7. The application seeks consent for 1no. dwelling and associated works.

Summary of Proposal – Key facts:

8. The key facts of the proposal are summarised below:

Scale	**Key Facts**
Total floorspace	93 sqm
No. of storeys	2
Max. dimensions	Eaves: 4.9m Ridge: 6.8m Width: 7m Depth: 8.5m

Appearance	**Key Facts**
Materials	Ibstock Leicester Multi Red brick White upvc windows and doors Brown pantiles
Energy and resource efficiency measures	Solar PV panels to western roofslope

Transport Matters	**Key Facts**
Vehicular access	New crossover access proposed off Cheyham Mount
No of car parking spaces	2
No of cycle parking spaces	Shed proposed in rear garden where cycle storage could be provided

Representations

9. Adjacent and neighbouring properties have been notified in writing. Three letters of representation from two neighbours have been received citing the issues as summarised in the table below:

Issues raised	**Response**
Loss of privacy / overlooking	See main issue 2.
The proposal will affect the value and potential for neighbours to sell their property due to the main bedroom	Property values are not a material planning consideration. Impact on residential amenity is addressed in

Issues raised	Response
window being overlooked	Main Issue 2.
The application will involve cutting down mature silver birch trees and others including an apple tree. We should be conserving as many trees as possible	No trees are proposed to be removed. See Main Issue 6.

Consultation responses

10. 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 highways authority) (Norfolk County Council) – 16 December 2022

There is no objection on highway grounds as the applicant has demonstrated an adequate site layout and visibility from the site.

For the drainage at the site boundary a soakaway will be required which is not shown on the submitted plan.

An EV charging point is welcome.

Should your Authority be minded to approve the application recommends conditions relating to detailed scheme for construction of vehicular crossing over the verge/footway and on-site car parking / servicing / loading / unloading / turning / waiting area to be laid out, demarcated, levelled, surfaced and drained and EV charging point provided in accordance with the approved plan ref 21/1388/PL.03 Rev C and retained thereafter available for that specific use.

Informatives recommended to advise this development involves works within the public highway that can only be carried out by Norfolk County Council as Highway Authority unless otherwise agreed in writing and public utility apparatus may be affected by this proposal.

Natural England – 13 August 2025

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Without appropriate mitigation the application would have an adverse effect on the integrity of:

- The Broads Special Area of Conservation (SAC)
- Broadland Ramsar
- European designated sites scoped into the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy (‘GIRAMS’)

In order to mitigate these adverse effects and make the development acceptable, the following proposed mitigation measures should be secured:

- A suitable contribution per new dwelling towards the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS).

- Purchase of credits to mitigate the nutrient load of phosphorous (P) and nitrogen (N)

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Tree Protection Officer (Norwich City Council) – 12 May 2025

Happy with the conclusions in the arb report, no objections.

Recommend condition TR7 – works on site in accordance with AIA/AMS/TPP.

Assessment of Planning Considerations

Relevant Development Plan Policies

11. **Greater Norwich Local Plan for Broadland, Norwich and South Norfolk adopted March 2024 (GNLP)**

    - GNLP1 Growth Strategy
    - GNLP2 Sustainable Communities
    - GNLP3 Environmental Protection and Enhancement
    - GNLP4 Strategic Infrastructure
    - GNLP5 Homes
    - GNLP7.1 Growth in the Norwich Urban Area and fringes

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
    - DM4 Providing for renewable and low carbon energy
    - DM6 Protecting and enhancing the natural environment
    - DM7 Trees and development
    - DM12 Ensuring well-planned housing development
    - DM28 Encouraging sustainable travel
    - DM30 Access and highway safety
    - DM31 Car parking and servicing

Other material considerations

13. **Relevant sections of the National Planning Policy Framework 2024 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of homes
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF15 Conserving and enhancing the natural environment

14. **Supplementary Planning Documents (SPD)**

- Landscape and trees SPD adopted June 2016

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 polices 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. Principle of development

16. Key policies and NPPF paragraphs – GNLP5, DM12, NPPF Paragraph 11 and Section 5.

17. Paragraph 75 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate development in residential gardens. The council considered this matter as part of the development of policies in the local plan and concluded that the criteria based policies in DM3 and DM12 are satisfactory to determine applications for dwellings in gardens. Therefore, there are no specific local policies restricting new dwellings in the gardens of existing properties.

18. The principle of residential development is acceptable on this site under policy DM12, subject to the criteria in the second part of DM12 and subject to the other policy and material considerations detailed below, given that:

- The site is not designated for other purposes;
- The site is not in a hazardous installation notification zone;

- The site is not in the late night activity zone;
- It does not involve the conversion of high quality office space; and
- It is not in the primary or secondary retail area or in a district or local centre.

19. Criteria a) to f) in the second part of policy DM12 are considered further below.

20. Norwich City Council is currently unable to demonstrate a five-year housing land supply as required by the National Planning Policy Framework (NPPF). This engages the presumption in favour of sustainable development, as outlined in paragraph 11(d) of the NPPF. In such circumstances, planning permission should be granted unless the application of policies in the NPPF provides a clear reason for refusal. In the assessment of this case, there are no overriding constraints or significant adverse impacts that would demonstrably outweigh the benefits of providing additional housing in this location.

Main Issue 2. Residential amenity

21. Key policies and NPPF Sections– GNLP2, DM3, NPPF Section 12.

22. *Impacts on neighbouring occupiers*

23. Concerns have been raised in relation to potential mutual overlooking between the proposed dwelling and no. 4 Penshurst Mews. Whilst the new dwelling would be constructed immediately adjacent to the existing southern boundary, a highway verge that lies outside of the application site would be retained that would give the sense of a landscaped buffer. In addition to this, the proposed dwelling would be separated from no.4 Penshurst Mews by the existing public highway, therefore a separation distance of 10m to the front boundary of no.4 Penshurst Mews would be retained, with an overall window to window distances of c.15m. The proposed development is therefore not considered to result in a loss of privacy or create a harmful level of overlooking to this neighbouring property. The separation ensures that views would be oblique or distant, and not materially harmful to the amenity of neighbouring occupiers.

24. The proposed dwelling would be positioned to the south of the existing host dwelling, broadly in line with the existing built form. While the host dwelling contains windows on the southern elevation, the submitted plans indicate that these openings are to be blocked up, with new openings introduced to the east and west elevations to serve bedrooms 1 and 2 and the living room. This alteration would remove any potential for direct overshadowing or loss of outlook arising from the proposed development. The relationship between the two dwellings would therefore be considered acceptable, subject to a condition securing the implementation of the revised window arrangements in the host dwelling, prior to the occupation of the new dwelling.

25. The proposals work well with reference to their relationship with adjacent properties and it is not considered that the proposals would result in any unacceptable impact to adjacent properties in terms of outlook, overlooking or overshadowing or in terms of quality of the living environment for existing occupiers.

26. *Impacts on future occupiers*

27. The dwellings would comply with minimum internal space standards required by Policy DM2. Due to the orientation of the plot together with the positioning of windows, the dwelling would receive adequate light to habitable rooms.

28. Adequate external amenity space to the sides and rear of the building would be provided for the new dwelling, and the extent of this is considered suitable for the location and size of the dwelling.

29. The application is not proposing removal of any trees on site, therefore established trees in both the front and rear gardens would be retained. Whilst this would result in some natural overshadowing to the dwelling, it is considered that future occupiers would still benefit from adequate dappled light through the trees. The design of the proposals means that the dwelling would benefit from the trees visual and environmental value whilst maintaining daylight and sunlight levels for future occupants.

30. In summary, it is considered that a single dwelling could be reasonably accommodated within the site, without resulting in any significant detrimental impacts upon the residential amenity of existing properties, in accordance with local and national policies.

Main Issue 3. Character and appearance

31. Key policies and NPPF Section – DM2, DM11, NPPF Section 12.

32. The proposals have been amended during the course of the application to develop a design response that reflects the character and form of the adjacent 1960's style development. The revised design adopts a simple, low-profile roof form which slopes away from the highway, rather than presenting a gable end. This approach reduces the overall visual prominence of the dwelling when viewed from the street and allows it to sit more comfortably within the established building line and roofscape.

33. Materials proposed include a red multi brick, brown pantiles and white upvc fenestration. The choice of materials is considered sympathetic to the local context, ensuring that the new dwelling integrates well with its surroundings.

34. The revised design would ensure the proposed dwelling would not appear dominant or incongruous within the streetscene and due to its modest scale, would not appear cramped in context of the plot.

35. It is not considered that the dwelling, in terms of its form, scale or overall appearance, would appear out of keeping with the surrounding context. Therefore, the proposal is considered to comply with the relevant local and national policies referred to above in providing an acceptable visual impact.

Main Issue 4. Highways safety and parking

36. Key policies and NPPF Sections – GNLP2, GNLP4, DM28, DM30, DM31, NPPF Section 9.

37. The proposal includes the provision of a new vehicular crossover to serve the proposed dwelling. The Highways Officer has been consulted as part of the

application process and advised of no objection on highway grounds as the applicant has demonstrated an adequate site layout and visibility from the site.

38. Notwithstanding, no drainage has been indicated at the site boundary and given the sloping topography of the site this is considered a reasonable request to require details to be secured via condition. An additional condition has been requested to ensure the scheme is laid out and surfaced prior to the occupation of the dwelling.

39. The layout shows sufficient on site parking provision for the new dwelling, in accordance with the Council's adopted parking standards. Furthermore, the parking provision for the existing host property would be retained.

40. Cycle storage has not been demonstrated explicitly, however this can be readily accommodated within a shed in the rear garden, as indicated on the proposed plan. Furthermore, there is ample room for bin storage to be provided in the rear amenity space.

41. Subject to the imposition of the aforementioned conditions, the proposal is considered acceptable in terms of highways safety and parking provision.

Main Issue 5. Trees

42. Key policies and NPPF Sections – GNLP2, GNLP3, DM7, NPPF Section 15.

43. Neighbour comments have raised concerns regarding the impact to existing trees on site. The application has been supported by an Arboricultural Report which notes there are no Category A grade trees, however there are 2no. mature silver birch trees and a range of smaller stature species concentrated in the structural planting around the boundaries of the site.

44. Whilst the proposed dwelling would be closer to the trees and some nuisance from falling leaves would be expected, this would be no more than already occurs to the existing dwelling, which has co-existed with the trees for many years.

45. The Arboricultural Report recommends that no construction activities should take place within root protection areas, except as indicated in the detailed method statement; it further concludes that development can be accommodated with minimal impacts on the retained arboricultural interest of the site. The Trees Officer has reviewed the application and accompanying report and confirmed that they agree with the recommendations made within the document and therefore has no objections subject to a condition requiring works taking place in accordance with the Arboricultural Method Statement at Appendix D of the report and the Tree Protection Plan at Appendix E.

Main Issue 6. Biodiversity

46. Key policies and NPPF Sections – GNLP3, DM6, NPPF Section 15.

47. As the application was submitted before the statutory legislation of Biodiversity Net Gain was introduced, a 10% Net Gain is not required.

48. Although the site is exempt from Biodiversity Net Gain requirements, adopted policy DM6 'protecting and enhancing the natural environment' requires that "*Opportunities should be taken to incorporate and integrate biodiversity, green*

infrastructure and wildlife friendly features in the design of individual schemes". Specific details of ecology improvements have not been provided however it is considered reasonable to secure these via condition.

Main Issue 7. Other matters

49. ***GIRAMS***

50. GIRAMS is a county-wide strategy designed to mitigate the recreational impacts of new residential development on protected habitats across Norfolk. It ensures compliance with the Conservation of Habitats and Species Regulations 2017 by funding measures that manage visitor pressure on sensitive sites. All qualifying developments are required to contribute a set tariff per dwelling, which supports the delivery of green infrastructure and visitor management initiatives. The Council is applying this tariff in line with adopted policy GNLP3.

51. ***Nutrient Neutrality***

52. In accordance with Natural England's guidance on nutrient neutrality, the proposed development falls within the Broads Special Area of Conservation (SAC) catchment and has the potential to contribute to increased nitrate and phosphate loading. To mitigate this impact, the applicant has purchased credits through Wendling Beck and the appropriate certificates confirming purchase have been provided. These credits, confirmed would offset the development's nutrient output, ensuring no adverse effect on the integrity of the Broads SAC. The Council, as Competent Authority, has reviewed the submitted evidence and completed a Habitats Regulation Assessment which has been referred to Natural England for consultation. Natural England's response can be seen in the consultations section above or in full on the council's public access website.

Compliance with other relevant development plan policies

53. A number of development plan policies include key targets for matters such as energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Energy efficiency	GNLP2	Indicates fabric first approach potentially in combination with PV installation however no specific policy requirement to secure via condition given quantum of development.
Water efficiency	GNLP2	Yes, subject to condition. To promote responsible water usage, a condition has been included requiring the proposed dwellings to meet the water efficiency standard set out in Regulation 36(2)(b) of Part G2 of the Building Regulations 2015.

Equalities and diversity issues

54. There are no equality or diversity issues.

S106 Obligations

55. A GIRAMS Unilateral Undertaking has been agreed for this application.

Local finance considerations

56. 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.

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

Human Rights Act 1998

58. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998.

59. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

Planning Balance and Conclusion

60. For the reasons set out within this report, it is considered that the proposed development accords with all relevant national and local planning policies and it would not result in any significant detrimental harm in respect of the relevant material planning considerations.

61. Given that the Council cannot demonstrate a 5 year supply of land for housing, the tilted balance set out in paragraph 11(d) of the NPPF is engaged. As stated out in paragraph 20 this sets in place a presumption in favour of sustainable residential development. In such circumstances, planning permission should be granted unless the application of policies in the NPPF provides a clear reason for refusal. In the assessment of this case, there are no overriding constraints or significant adverse impacts that would demonstrably outweigh the benefits of providing additional housing in this location.

62. The application is therefore recommended for approval.

Recommendation

63. To **APPROVE** application 22/00551/F 9 Cheyham Mount, Norwich, NR4 6HJ and grant planning permission subject to the following conditions:

    1. Standard time limit;
    2. In accordance with plans;
    3. Works on site in accordance with AIA, AMS and TPP;
    4. Access details;
    5. Parking and turning;
    6. Boundary treatment provision;
    7. Ecology improvements;
    8. Alterations to existing openings;
    9. Materials in accordance with details;
    10. Water efficiency

Appendices: None

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