NORWICH City Council

Planning applications committee

Date: Thursday, 12 January 2017
Time: 09:30
Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

Committee members:

Councillors:
Herries (chair)
Driver (vice chair)
Bradford
Button
Carlo
Henderson
Jackson
Lubbock
Malik
Peek
Sands (M)
Woollard

For further information please contact:

Committee officer: Jackie Rodger
t: (01603) 212033
e: jackierodger@norwich.gov.uk

Democratic services
City Hall
Norwich
NR2 1NH

www.norwich.gov.uk

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

IN TRAN communication for all

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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 - 16**

4 Planning applications

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 4 above are required to notify the committee officer by 10:00 on the day before the meeting.

Further information on planning applications can be obtained from the council's website:
http://planning.norwich.gov.uk/online-applications/

Please note:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available
- The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.

Standing duties **17 - 18**

Summary of applications for consideration **19 - 20**

4(a) Application 1601499F – Garages adjacent to 40 Thurling Plain **21 - 32**

4(b) Application 1601742F– Land and garages rear of 2 to 20 Hanover Road **33 - 46**

Date of publication**: Monday, 09 January 2017**

NORWICH City Council

MINUTES

Planning applications committee

10:15 to 12:50 **8 December 2016**

Present: Councillors Herries (chair), Driver (vice chair), Bradford, Button, Carlo, Henderson, Jackson, Lubbock, Malik, Sands (M) and Woollard

Apologies: Councillor Peek

1. Declarations of interest

Councillor Lubbock declared that she had a predetermined view on item 4 (below), Application no 16/01182/F - Garden land adjacent to 82 Eaton Road, Norwich and would reserve the right to speak as a member of the public and then leave the meeting during the deliberation of the item.

The following members as ward councillors stated that they did not have predetermined views in applications within their wards, as follows:

Councillor Jackson said that as Mancroft ward councillor he had been involved in discussions with residents about item 7, Application no 16/01399/F – Land adjacent to Wensum Chapel, Cowgate, but did not have a pre-determined view.

Councillors Carlo and Malik said that as Nelson ward councillors they had been involved in discussions with residents about item 3 (below), Application no 16/00970/F - Whitehall Lodge 56 - 112 Whitehall Road, Norwich, NR2 3EW, but did not have a pre-determined view.

2. Minutes

RESOLVED to agree the accuracy of the minutes of the meetings held on 10 November 2016, subject to noting that the meeting ended at 13:20.

3. Application no 16/00970/F - Whitehall Lodge, 56 - 112 Whitehall Road, Norwich, NR2 3EW

The senior planning technical officer presented the report with the aid of plans and slides.

The adjacent neighbour addressed the committee and outlined her objections to the proposal which included: loss of sunlight and outlook and was too overbearing; and, that she considered that the proposed extension would have a harmful impact on her small garden, making it feel "hemmed in". She pointed out that the residents of number 50 shared her concerns.

The agent addressed the committee and explained that the applicant's intention was not to increase the number of residents and therefore there would be no increase of staff numbers, waste collections and deliveries. The purpose of the extension was to reduce the number of shared bedrooms and improve bathroom and toilet facilities. The senior planning technical officer responded to the issues raised by referring to the report and plans showing the proposed floor plan and the extent of the current ground floor section.

Councillor Tim Jones, Nelson ward councillor (who had arrived at the meeting at this point) addressed the committee and said that the lodge had been developed in a piece meal way; the extension would reduce the garden amenity space for the care home's residents; would be detrimental to the amenity space of the neighbouring properties; and, that there had been no daylight assessment. Neighbours had complained that clinical waste was left out and collected in the early hours of the morning.

The senior planning technical officer and the planning team leader (outer area) referred to the report and presentation and responded to the issues raised by Councillor Jones and answered members' questions. The committee was advised that there were conditions requesting details of landscaping to be provided and to ensure that the bin storage was secure and covered.

During discussion, Councillor Malik expressed concern that there was potential for the care home owners to increase the number of residents in the future. He suggested that some residents might prefer to share a room. Members were advised that an additional condition could be added to limit the number of residents in the care home in line with its Care Quality Commission licence (29 residents) and would require the applicants to make a further planning application if they wanted to increase the number of residents in their care.

Councillor Sands explained that he would be voting against the application because of the impact that it would have on the neighbours' garden. Councillors Carlo and Lubbock also considered that the application was not acceptable because of its detrimental impact on the amenity of the neighbouring garden which included: loss of sunlight and creating a "cramped outlook".

Other members considered that there was a need for a care home in an urban environment and that the proposed internal room layout and extension would benefit the residents and officers.

The chair moved the recommendations with the additional condition limiting the number of residents in line with the Care Quality Commission licence.

RESOLVED, with 6 members voting in favour (Councillors Herries, Driver, Button, Jackson, Woollard and Bradford), 4 members voting against (Councillors Carlo, Lubbock, Malik and Sands) and 1 member abstaining (Councillor Henderson), to approve application no. 16/00970/F - Whitehall Lodge 56 - 112 Whitehall Road Norwich NR2 3EW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials to match;
4. Landscaping;
5. Bin storage.
6. No of residents to not exceed the limit established in the Care Quality Commission licence.

(The committee adjourned for a short break at this point, and reconvened with all members listed above as present.)

4. Application no 16/01182/F - Garden land adjacent to 82 Eaton Road, Norwich

(Councillor Lubbock having declared a pre-determined view left the meeting before the committee discussed the item and did not take part in the determination of this application.)

The senior planning technical officer presented the report with the aid of plans and slides.

The agent on behalf of the immediate neighbours and one of the immediate neighbours addressed the committee and outlined their objections to the proposed dwelling, which included concerns: about the size and mass of the new dwelling; that it exceeded the building line to the front and rear; was out of character with other dwellings, would directly overlook no 86, would create a tunnelling effect in the house and garden and prevent sunlight reaching the lounge of no 86. They did not object to the principle of development on the site but suggested that a two bedroomed bungalow would be more appropriate.

Councillor Lubbock, Eaton Ward councillor, outlined her objections to the scheme which included: overdevelopment of the site; lack of information about the ownership of the site; and inconsistent reporting of comments from the Norwich Society.

(Councillor Lubbock left the meeting at this point.)

The agent explained that the application was from a family member related to the owners of number 82. A lot of the issues raised in the planning consultation had been resolved by the revised plans. The design reflected the 1950's architectural style.

During discussion the senior planning technical officer referred to the report and replied to the issues raised by the speakers and members' questions. This included a clarification of the revised plan and the steps to mitigate harm to the amenity of the neighbours. Officers had attempted to show this in the block plans.

The committee commented on the issue of the ownership of the land and was advised that it was not a material planning consideration. A member commented that it might be difficult to move bins into the rear garden. Another member said that there was a variety of different houses on Eaton Road, including smaller ones, and that a bungalow would look out of character.

Councillor Sands said that he did not support the application because he considered that it was overdevelopment of a garden site.

RESOLVED, with 7 members voting in favour (Councillor Herries, Driver, Button, Carlo, Woollard, Henderson and Bradford), 2 members voting against (Councillors Malik and Sands) and 1 member abstaining (Councillor Jackson) to approve application no. 16/01182/F - Garden Land Adjacent to 82 Eaton Road Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials
4. Details of hard and soft landscaping and planting
5. Cycle and bin storage.
6. Water efficiency.

Article 35(2) Statement
The local planning authority in making its recommendation has had due regard to paragraph 187 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 the application is recommended for approval subject to appropriate conditions and for t reasons outlined in the officer report.

(Councillor Lubbock was readmitted to the meeting at this point.)

5. Application no 16/01516/F – Garages rear of 48-54, Rye Avenue, Norwich

The senior planner (development) presented the report with the aid of plans and slides.

During discussion members commented on the scheme and considered that the scheme was well designed and good use of this underused garage site.

RESOLVED, unanimously, to approve application 16/01516/F and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of facing and roofing materials; windows; joinery; boundary treatments, walls and fences; external lighting;
4. Details of hard and soft landscaping and planting
5. Water efficiency
6. Contamination risk assessment and report to be submitted
7. Unknown contamination to be addressed

8. Control on imported materials
9. Updated Arboricultural Method Statement and Tree Protection Plan to be approved and implemented in accordance with approved documents.
10. Ecology measures to be agreed and implemented.

Article 35(2) Statement
The local planning authority in making its recommendation has had due regard to paragraph 187 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 the application is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

6. Application no 16/01371/F– Car Park adjacent to no. 125 West Pottergate, Norwich

The senior planner (development) presented the report with the aid of plans and slides. Members were advised that there had been one objection from the neighbouring property concerned about the loss of parking space for a disabled relative who visited regularly. There was no identified need for a space specifically for use by disabled residents.

During discussion the senior planner referred to the report and in reply to a member's question explained that the conservation area was to the south of the site, that there were no listed buildings in the vicinity and that there was a mixture of development including the adjacent modern flats.

RESOLVED, unanimously, to approve application 16/01371/F – Car park adjacent to no 125 Pottergate, Norwich, and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. First floor window on west elevation to be obscure glazed and fixed shut.
4. PD rights for first floor windows on rear elevation removed.
5. Details of facing and roofing materials; windows; joinery; boundary treatments, walls and fences.
6. Details of hard and soft landscaping and planting.
7. Tree Protection Plan and Arboricultural Method Statement to be approved and implemented.
8. Water efficiency.
9. Contamination risk assessment and report to be submitted.
10. Unknown contamination to be addressed.
11. Control on imported materials.

Article 35(2) Statement
The local planning authority in making its recommendation has had due regard to paragraph 187 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 the

application is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

7. Application no 16/01399/F – Land Adjacent to Wensum Chapel, Cowgate

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and confirmed that there had been no objections to this proposal.

Councillor Jackson, Mancroft ward councillor, said that he was surprised that there had been no objections to the proposal as residents had been opposed to the scheme before the roofline had been reduced. The senior planner confirmed the arrangements for the planning consultations, including a site notice. The smaller scale building with two rather than three storeys did not have a harmful impact on the neighbouring properties. Councillor Jackson commented that he was concerned that a resident had not known about the application until he had told him about it. Councillor Jackson then said that he could not support the application because of he considered that the design was inappropriate for the location and that the mono-pitched roof and blank wall did not fit into the character of the area.

Other members considered that the design was a good use of the site and that it was in an area where residents could be car free.

RESOLVED, with 10 members voting in favour (Councillors Herries, Driver, Button, Carlo, Lubbock, Malik, Sands, Woollard, Henderson and Bradford) and 1 member voting against (Councillor Jackson) to approve application 16/01399/F- land to Wensum Chapel, Cowgate and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details and samples of facing and roofing materials; windows; joinery; boundary treatments, walls and fences;
4. Details of hard and soft landscaping and planting;
5. Water efficiency;
6. Contamination risk assessment and report to be submitted;
7. Unknown contamination to be addressed;
8. Control on imported materials;
9. Updated Arboricultural Method Statement and Tree Protection Plan to be approved and implemented in accordance with approved documents.
10. Archaeology Written Scheme of Investigation.

Article 35(2) Statement
The local planning authority in making its recommendation has had due regard to paragraph 187 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 the application is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

8. Application no 16/00988/F – 27 Spelman Road, Norwich, NR2 3NJ

The planning assistant (development) presented the report with the aid of plans and slides.

During discussion the planning assistant explained that there had been five objectors to the original scheme which had been revised to accommodate their concerns. The revised plans had been sent out for consultation and none of the objectors had withdrawn their original objections.

In reply to a question the planning assistant said that she was not aware that work had commenced on site. She did not think it was appropriate to condition landscaping as there was already established planting and the neighbouring gardens were approximately 15m in length.

RESOLVED, unanimously, to approve Application no 16/00988/F – 27 Spelman Road, Norwich, NR2 3NJ, subject to the following conditions:

1. Standard time limit.
2. In accordance with plans.
3. Details of materials of timber cladding, window and doors.

Article 35(2) Statement
The local planning authority in making its decision has had due regard to paragraph 187 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 the application has been recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

9. Application no 16/01628/NF3 - Hardy Road, Norwich

The senior planner (development) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting and contained a summary of the response from the Environment Agency, and recommending a further condition to the planning permission. The Broads Authority had considered the application and asked that the height of the riverbank be increased by 30cm. The plans would be amended accordingly.

In reply to a members' question, the senior planner said that the timber piling would be replaced like for like. It was proposed that the riverbank would be given a softer treatment. Consideration had been given to using the small brick building as a bat house but it was not suitable and in poor condition. Members were advised that the comments of the council's natural areas officer would be taken into consideration. The works would be completed when the Broadland Housing scheme was developed which it was hoped would come forward in the next couple of years.

RESOLVED, unanimously, to approve application no. 16/01628/NF3 - Hardy Road, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Public access for pedestrians and cyclist into perpetuity
4. Tree removal - outside nesting season
5. Tree protection plan and method statement
6. Standard unknown contamination
7. Detailed landscaping, including maintenance and management plan
8. Structure shall be fully recorded prior to demolition
9. Structure shall not be demolished without the scheme for re-development proceeding.
10. Implementation of ecological mitigation – including eradication of Giant Knotweed;
11. Implementation of heritage interpretation scheme.

Article 35(2) Statement
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

10. Application nos 13/02087/VC and 13/02088/VC - Norwich City Football Club Carrow Road, Norwich, NR1 1JE

The senior planner (development) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting and containing comments on the revised landscape proposals that were submitted after the finalisation of the committee report.

During discussion members considered the proposal and noted the constraints of the area around the stadium and the timescale for the landscaping works to be carried out.

RESOLVED, unanimously, to approve:

(1) Application No 13/02087/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, and grant planning permission, subject to the completion of a satisfactory Section 106A Deed of Variation legal agreement to include obligations of the original consents with the necessary amendments to the definition of development, and amended planning conditions as summarised below:

1. New time conditions – provision of
   By 1 September 2017, the hard and soft landscaping and street trees either side of the east-west Geoffrey Watling Way
   By 1 September 2018, the landscaping around the South Stand and the provision of street trees adjoining the adopted highway on the southern boundary of the existing surface ‘triangle’ car park

By 1 September 2018, works to the riverbank shall be provided in accordance with the specification detailed on drawings ref 161006 SL-01 P2 and 161006 SL-02 P1 received. The works, associated safety features and signage shall thereafter be permanently retained in a condition and manner which facilitates use as de-masting and short stay visitor moorings.

2. The development hereby approved shall take place substantially in accordance with the layout shown on Masterplan drawing number 1011/NO/P02 dated 16 April 2007
3. Prior to first use of hard landscaped area – submission and agreement of Parking Management Plan – operation thereafter in accordance with agreed plan
4. Condition requiring full detailed specification of landscape scheme
5. Previous condition - arrangements for drop-off and collection of fans on match days
6. Previous condition – control of installation of any plant and machinery on any non-residential premises
7. Previous condition – control of installation of any extract ventilation or fume extraction system within the non-residential premises
8. Previous condition – control - Foul drainage
9. Previous condition – control of discharge into any watercourse, surface water, sewer or soakaway system
10. Previous condition - Litter bins
11. Previous condition - All exterior
12. Previous condition - pedestrian areas outside the buildings available for public access shall be kept free of all obstructions, unless first agreed in writing with the local planning authority.
13. Previous condition – control amplified sound
14. Previous condition - non-residential servicing arrangements
15. Previous condition - Parking controls within the residential developments
16. Previous condition – PD restrictions
17. Previous condition – Replacement of any trees or plants - failure within 5 year
18. Previous condition - Tree protection.
19. Previous condition – Restrictions on deliveries
20. Previous condition - Community use of facilities.
21. Previous condition CCTV

(2) Application No 13/02088/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, and grant planning permission, subject to the completion of a satisfactory Section 106A Deed of Variation legal agreement to include obligations of the original consents with the necessary amendments to the definition of development, and amended planning conditions as summarised below:

1. New time conditions – provision of
   By 1 September 2017, the hard and soft landscaping and street trees either side of the east-west Geoffrey Watling Way

By 1 September 2018, the landscaping around the South Stand and the provision of street trees adjoining the adopted highway on the southern boundary of the existing surface 'triangle' car park
By 1 September 2017, works to the riverbank shall be provided in accordance with the specification detailed on drawings ref 161006 SL-01 P2 and 161006 SL-02 P1. The works, associated safety features and signage shall thereafter be permanently retained in a condition and manner which facilitates use as de-masting and short stay visitor moorings .

2. The development hereby approved shall take place substantially in accordance with the layout shown on Masterplan drawing number 1011/NO/P02 dated 16th April 2007
3. Prior to first use of hard landscaped area – submission and agreement of Parking Management Plan – operation thereafter in accordance with agreed plan
4. Condition requiring full detailed specification of landscape scheme
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6. Previous condition – control of installation of any plant and machinery on any non-residential premises
7. Previous condition – control of installation of any extract ventilation or fume extraction system within the non-residential premises
8. Previous condition – control - Foul drainage
9. Previous condition – control of discharge into any watercourse, surface water, sewer or soakaway system
10. Previous condition - Litter bins
11. Previous condition - All exterior
12. Previous condition - pedestrian areas outside the buildings available for public access shall be kept free of all obstructions, unless first agreed in writing with the local planning authority.
13. Previous condition – control amplified sound
14. Previous condition - non-residential servicing arrangements
15. Previous condition - Parking controls within the residential developments
16. Previous condition – PD restrictions
17. Previous condition – Replacement of any trees or plants - failure within 5 year
18. Previous condition - Tree protection.
19. Previous condition – Restrictions on deliveries
20. Previous condition - Community use of facilities.
21. Previous condition CCTV

Article 35(2) Statement
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

(At the conclusion of the meeting the chair and members of the committee expressed their gratitude to two officers, who were leaving the council: Ian Whittaker, planning development manager, and Steve Fraser-Lim, planning team leader (outer area) for their contribution to the work of the council and support to members of the committee.)

CHAIR

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.

Summary of planning applications for consideration **ITEM 4**

12 January 2017

Item No.	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	16/01499/F	Garages adjacent to 40 Thurling Plain	Robert Webb	Demolition of existing garages. Erection of 4 No. two bed houses and 5 No. one bed flats.	Objections and council land	Approve
4(b)	16/01742/F	Land and garages rear of 2 to 20 Hanover Road Norwich	Robert Webb	Demolition of existing garages. Erection of 2 No. two bed houses and 2 No. 1 bed bungalows.	Objections and Council land	Approve
4(c)	16/01554/F	Grazing Land Swanton Road	Lee Cook	Erection of 13 No. gypsy and traveller pitches with associated amenity blocks for each plot.	Objections, departure and council's own site	Approve
4(d)	16/01578/F	52 Prince of Wales Road, Norwich, NR1 1LL	Becky Collins	Alterations and change of use to Lap Dancing Venue (Sui-Generis).	Objections	Approve
4(e)	16/01615/NF3	Land adjacent to River Yare, Bowthorpe Southern Park	Kian Saedi	Bridge link re-instated, fish fry refuge, dyke network re-instated and spillway.	Objections and council's own application	Approve
4(f)	16/01215/MA	115 Newmarket Road	Charlotte Hounsell	Amendment to approved plans and variation of condition 3 to address non-compliance with pre-commencement of previous planning permission 15/01782/F.	Objections	Approve
4(g)	16/00752/F & 16/00753/L	42 St. Giles Street	Caroline Dodden	External and internal alterations and conversion of outbuilding to 1 no. dwelling.	Objections	Approve

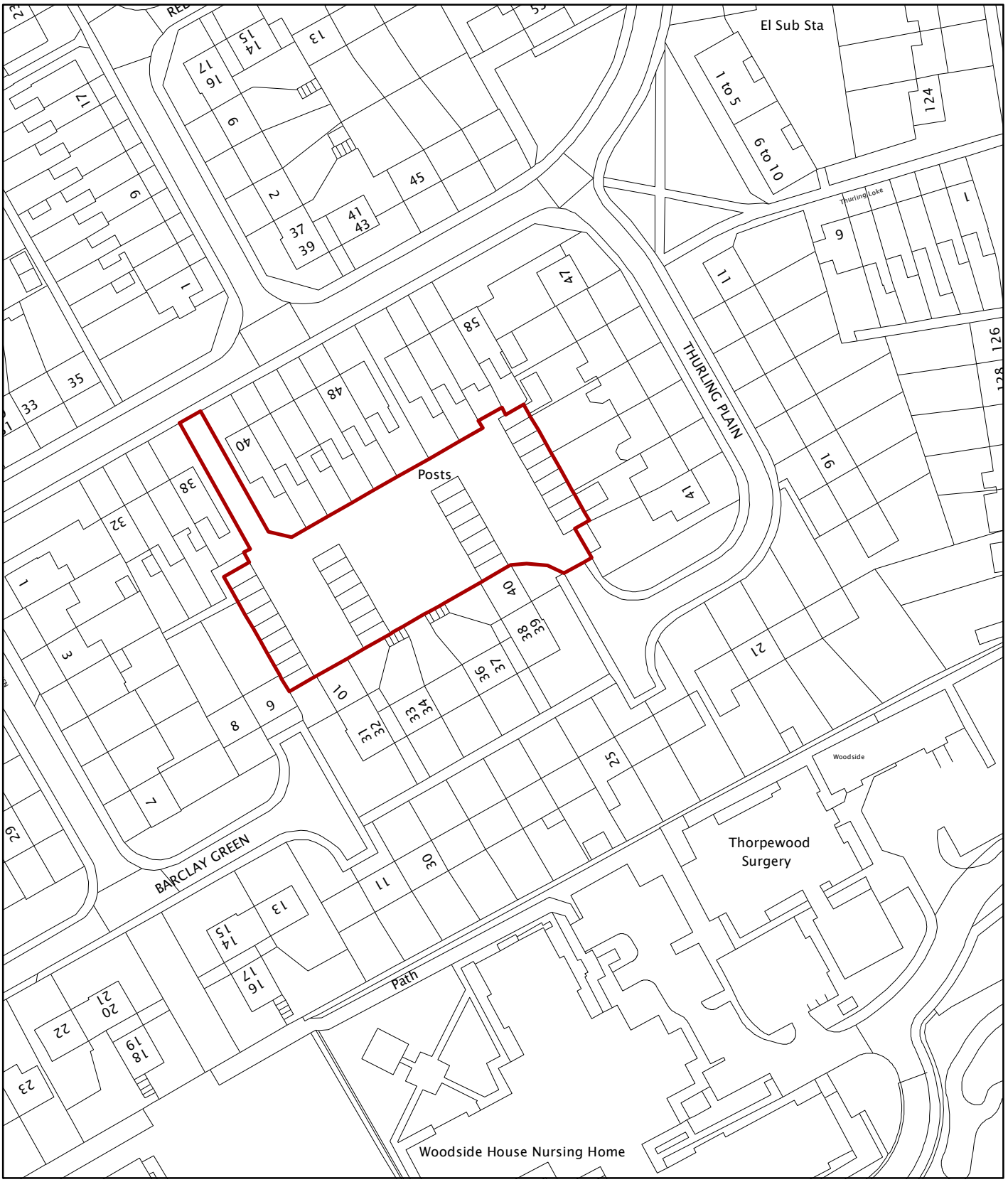
Item No.	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(h)	15/00167/ENF	55 Cunningham Road	Ali Pridmore	Authorise enforcement action against unauthorised use as HMO (SG)	Enforcement	Authorise enforcement action
4(i)	16/00020/ENF	66 Whistlefish Court	Ali Pridmore	Authorise enforcement action against unauthorised use as HMO (SG) and unauthorised use of garage as a dwelling (C3)	Enforcement	Authorise enforcement action
4(j)	16/00020/ENF	67 Whistlefish Court	Ali Pridmore	Authorise enforcement action against unauthorised use as HMO (SG) and unauthorised use of garage as a dwelling (C3)	Enforcement	Authorise enforcement action

Report to	Planning applications committee 12 January 2016	**Item**
Report of	Head of planning services	
Subject	Application 16/01499/F – Garages adjacent to 40 Thurling Plain	4(a)
Reason for referral	Application affecting City Council owned land and objections received.	

Ward:	Crome
Case officer	Robert Webb - robertwebb@norwich.gov.uk

Development proposal		
Demolition of existing garages. Erection of 4 No. two bed houses and 5 No. one bed flats.		
Representations		
Object	Comment	Support
6	0	0

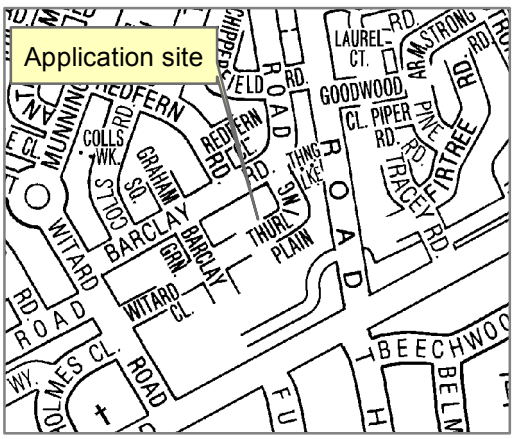
Main issues	**Key considerations**
1 Principle of development	Principle of redevelopment for housing
2 Design	Impact on character of the area, scale, form, massing and appearance.
3 Transport	Accessibility of site, impact on car parking, traffic, highway safety, cycle parking, servicing.
4 Amenity	Impact on neighbouring occupiers, loss of parking
5 Flood risk	Consideration of impact on flooding within the critical drainage area.
Expiry date	20 January 2016 (agreed timescale)
Recommendation	Approval subject to conditions.



Planning Application No 16/01499/F

Site Address Garages adjacent to 40 Thurling Plain

Scale 1:1,000



NORWICH City Council

PLANNING SERVICES

The site and surroundings

1. The site is accessed from Thurling Plain and Barclay Road, within a large housing estate in the Heartsease area of the city and consists of 32 garages owned and managed by the City Council, as well surface parking for 20 cars. The site is surrounded by two storey residential properties and their rear gardens in Barclay Road, Thurling Plain and Barclay Green. The garages are arranged in two blocks.

Constraints

2. The site is within a critical drainage area as designated by the Norwich Local Plan.

Relevant planning history

3. There is no relevant planning history held by the City Council.

The proposal

4. The proposal relates to one of a number of sites identified by Norwich City Council as having the potential to accommodate new affordable housing to be developed by a registered provider, Orwell Housing Association. The Council are seeking to deliver 66 affordable units across the city overall as part of the current programme, and these would be designed to meet Homes and Communities Agency (HCA) design and quality standards. The dwellings would be available at social or affordable rent whilst meeting high environmental standards. All homes would be advertised using the City Council's choice based letting scheme.

5. This application seeks to demolish the existing garages and develop the site to provide 4 no. two bedroom houses and 5 no. 1 bedroom flats. The houses and flats would be arranged in two terraced rows. Each property would have an allocated parking space and 7 of the properties would have a private garden. The proposal also allows for 12 parking spaces for general use by all residents and their visitors. Each property would benefit from solar photovoltaic panels helping to produce at least 10% of the properties energy requirements.

Summary information

Proposal	**Key facts**
Scale	
Total no. of dwellings	9
No. of affordable dwellings	9
Total floorspace	The 2 bed houses would have a floorspace of 75m2. The ground floor flats would have a floorspace of 46m2 and the first floor flats would have a floorspace of 53m2.
No. of storeys	2

Appearance	
Materials	Walls – red stock facing brickwork. Roof –concrete pantiles. Windows – Upvc white. Doors IG steel face painted.
Energy and resource efficiency measures	Solar pv panels, low energy lighting, gas condensing combination boiler with flue gas heat recovery system.
Transport matters	
Vehicular access	From Thurling Plain and Barclay Road.
No of car parking spaces	21 (1 for each proposed property and 12 general parking spaces)
No of cycle parking spaces	Cycle shed for each property with a bike store serving the first floor flats.
Servicing arrangements	Bin storage area within each property and bin store serving the flats.

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 6 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
Concern about loss of parking and increased parking congestion	See main issue 4.
Concern about overlooking and loss of privacy	See main issue 4.
Concern about access for emergency vehicles	See main issue 3.
Concern about making garden boundaries secure	See main issue 4.
Concern about location of bin presentation area.	See main issue 4.
Impact of construction activities	This is not a planning matter and will be controlled via environmental legislation
Loss of value to properties	This is not a planning matter.

Consultation responses

7. 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.

NCC Environmental Protection

8. I have viewed the desk study provided for this application and agree with the recommendation that further intrusive works are required. The area has a former military use, and this is noted in the report. If approval is given, I suggest that the following conditions are applied.

Highways (local)

9. No objection on highway/transportation grounds. The proposed development and layout is acceptable with regard to vehicular access and typical user needs of the site.

Lead Local Flood Authority

10. The development falls below the threshold for which we would provide detailed comments.

Natural Areas Officer

11. Provided that the mitigation measures in the ecology report are followed, there should be no adverse impacts from demolition of the garages. Hedgehog gaps, birdboxes and native species planting recommended.

Assessment of planning considerations

Relevant development plan policies

1. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
    - JCS2 Promoting good design
    - JCS3 Energy and water
    - JCS4 Housing delivery
    - JCS7 Supporting communities
    - JCS9 Strategy for growth in the Norwich policy area

2. **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
    - DM5 Planning effectively for flood resilience
    - DM11 Protecting against environmental hazards
    - DM12 Ensuring well-planned housing development

- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

3. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
    - NPPF4 Promoting sustainable transport
    - NPPF6 Delivering a wide choice of high quality homes
    - NPPF7 Requiring good design
    - NPPF10 Meeting the challenge of climate change, flooding and coastal change
    - NPPF11 Conserving and enhancing the natural environment

Case Assessment

4. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following sections provide an assessment of the main planning issues in this case in relation to the relevant policies and material considerations.

Main issue 1: Principle of development

5. Joint Core Strategy (JCS) Policy 4 supports housing delivery within the Norwich Policy Area, within which this site falls. JCS policy 4 also encourages provision of affordable housing including of social rent and affordable rent tenure types as these are recognised as being particularly important in meeting housing need in the city.

6. Policy DM12 of the Norwich Development Management Policies Plan supports new residential development within the city boundary except in specific circumstances. None of the exceptions apply to this application site.

7. Paragraph 14 of the NPPF emphasises there should be a presumption in favour of sustainable development and that local planning authorities should positively seek opportunities to meet the development needs of their area, unless any adverse impacts would significantly and demonstrably outweigh the planning benefits. The NPPF also encourages the effective use of land by reusing land that has been previously developed.

8. The site constitutes previously developed land and is in a sustainable location for new housing being within walking distance of nearby local shopping centres and with bus links available to the city centre. In addition the proposal would provide further planning benefits by providing new affordable housing.

Main issue 2: Design

9. Key policies and NPPF paragraphs – JCS2, DM3, DM9 and NPPF paragraphs 9, 17, 56 and 60-66.

10. The design shown is that of conventional rows of modern two storey pitched roof housing, with a bungalow at the end of one of the rows to minimise the impact on adjacent properties. The houses and bungalow would have simple elevations and pitched roofs. The overall scale and appearance of the properties would integrate well with the two storey character of the surrounding residential neighbourhood.

11. The two bedroom houses proposed would have an internal floor area of 75 square metres and are intended as two bedroom four person houses. The floorspace is therefore below the national space standards figure of 81 square metres for this level of occupation. It is recognised however that if the dwellings were occupied by three people, then the minimum space standard of 72m2 would be met. The first floor flats meet the minimum standard of 50m2 based on 2 person occupation, however the three ground floor flats are slightly below the standard at 46m2. They would however meet the standard based on single occupancy.

12. Whilst the failure of the two bed houses and ground floor flats to meet the minimum space standards is regrettable, on balance it is not considered in itself a reason to warrant refusal of the application, given that the development is otherwise well-designed and would lead to significant benefits through the delivery of affordable housing in a sustainable location. The design, layout and materials proposed are considered to be acceptable.

Main issue 3: Transport and servicing

13. Key policies and NPPF paragraphs – DM2, DM11, NPPF chapter 4.

14. The proposal would provide car and cycle parking in accordance with the Council's standards set out within the local plan. The access and turning within the site is acceptable and no objection on highway grounds is raised by the Highway Officer.

15. It is anticipated that a Traffic Regulation Order will be sought to provide new double yellow lines close to the access onto Barclay Road to allow the safe access for waste collection vehicles to reach the dedicated bin store serving the flats. A condition is recommended to allow the waste collection details to be agreed should an alternative solution be required.

Main issue 4: Amenity

16. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

17. The proposal would not cause material harm in terms of overshadowing or loss of privacy to the adjacent properties, due to the orientation of the houses and the separation distances from neighbouring houses. Although some overlooking of neighbouring gardens would occur, the relationship would not be dissimilar to that of other properties on the wider estate and the proximity of dwellings is considered to be acceptable.

18. All of the objectors have raised concerns about the loss of parking and increased parking pressure that could arise. Account has been taken of these concerns and a revised layout plan has been agreed with the applicant which would provide 12 parking spaces for the general use of anyone in the locality.

19. In terms of the impact on parking, surveys carried out by the City Council within the last year show that in June 2016, 16 of the 32 garages were occupied. In addition there were a further 27 garages available within 800m walk of the site. There are currently 20 surface car parking spaces, although surveys indicate that only a small number of these are generally occupied, with occupancy not exceeding 50% at any of the times of survey. Whilst it is accepted that the proposal would result in the loss of some parking spaces, this is partly mitigated by the 12 spaces being provided for general use.

20. It is appreciated that the car park is a very useful facility for local residents and their visitors and that some harm would occur to local amenity as a result of its redevelopment. However this must be weighed against the significant benefits of delivering new affordable housing, both in the context of an urgent need for more affordable dwellings and also the lack of a five-year land supply of housing in the Norwich Policy Area. Regard is also had to the fact the proposal does provide for some additional parking to partly mitigate the loss of spaces. Taking this into account, and having regard to guidance within paragraph 14 of the National Planning Policy Framework, it is considered that the loss of the parking would not *significantly and demonstrably* outweigh the benefits of the proposal. It is therefore considered the application should not be refused on the basis of loss of parking.

21. With regard to other comments received, satisfactory boundary treatments would be sought by condition, and the applicant has confirmed that the proposed layout conforms to building regulations with regard to access for emergency vehicles. The bin presentation area that was to be sited at the rear of no.41 Thurling Plain has been removed from the plan, as it is anticipated that the residents of plots 1-4 can simply put their bins outside the front of their property for collection on bin day.

22. The proposal provides for a good standard of residential amenity for the proposed users, including adequate parking spaces, private gardens, cycle storage and energy efficient housing.

Main issue 5: Flood risk

23. Key policies and NPPF paragraphs – JCS1, DM5, NPPF Chapter 10

24. The site is within Flood Zone 1 and therefore at a low risk from flooding from rivers, however it is within a critical drainage area where there is a higher risk of surface water flooding. The application is accompanied by a Flood Risk Assessment which states that the development would maximise the use of soft landscaping and incorporate permeable paving. There would be a significant reduction of surface water run-off compared to the existing situation. The proposal complies with the relevant policies.

Other matters

25. Conditions can be imposed to ensure the proposal is acceptable in terms of its impact on biodiversity, land contamination and energy efficiency measures.

Conclusion

26. The proposed development would deliver nine new energy efficient, affordable homes in a sustainable location. The design and layout of the proposal is acceptable. Whilst it is recognised that the loss of the garages and some parking spaces would impact upon local residents and result in some loss of amenity, it is not considered to represent significant and demonstrable harm when weighed against the benefits of the proposal in the context of local and national planning policy and housing need.

27. The development is in accordance with the requirements of the National Planning Policy Framework and the policies of the development plan, and there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application 16/01499/F and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of facing and roofing materials; windows; joinery; boundary treatments, walls and fences; external lighting;
4. Details of hard and soft landscaping to be submitted
5. Water efficiency
6. Contamination risk assessment and report to be submitted
7. Unknown contamination to be addressed
8. Control on imported materials
9. Ecology measures to be agreed and implemented prior to first occupation.
10. Waste collection arrangements to be approved.

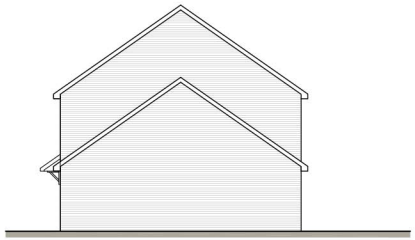
Article 35(2) Statement

The local planning authority in making its recommendation has had due regard to paragraph 187 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 the application is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

PROPOSED SIDE ELEVATION
PLOTS 1-4

PROPOSED REAR ELEVATION
PLOTS 1-4

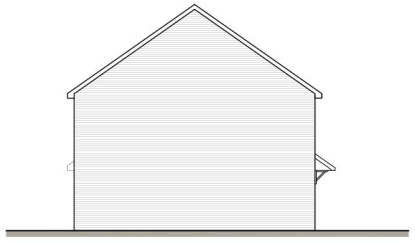
PROPOSED FRONT ELEVATION
PLOTS 5 - 9



PROPOSED SIDE ELEVATION
PLOTS 5 - 9

PROPOSED SIDE ELEVATION
PLOTS 1-4

PROPOSED FRONT ELEVATION
PLOTS 1-4



PROPOSED SIDE ELEVATION
PLOTS 5 - 9

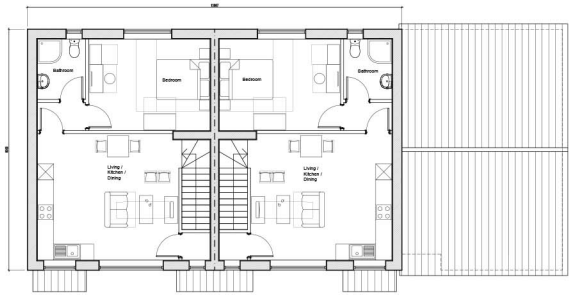
PROPOSED REAR ELEVATION
PLOTS 5 - 9

▲ Toughened Safety Glazing

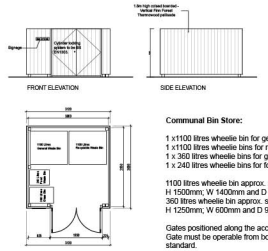
Obscured Glazing

Roof Pitch 35 degrees.
Wienerberger Shire Dark Grey smoothfaced concrete pantile
Fascias, soffits & bargeboards uPVC colour: white
Windows uPVC colour: white
Entrance Doors, IG steel faced painted
uPVC gutters & downpipes colour: black
Ibstock New Sandhurst (red) Stock facing Brickwork
Concrete pantile to timber gallows porch
photovoltaic panels – type and quantity to specialists details

PROPOSED FIRST FLOOR PLAN
PLOTS 1 - 4



PROPOSED GROUND FLOOR PLAN
PLOTS 5 - 9



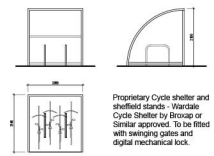
Communal Bin Store:

1 x1100 litres wheelie bin for general waste
1 x1100 litres wheelie bins for recycle waste
1 x 360 litres wheelie bins for glass
1 x 240 litres wheelie bins for food waste

1100 litres wheelie bin approx. size:
H 1500mm; W 1400mm and D 1250mm
360 litres wheelie bin approx. size:
H 1250mm; W 600mm and D 900mm

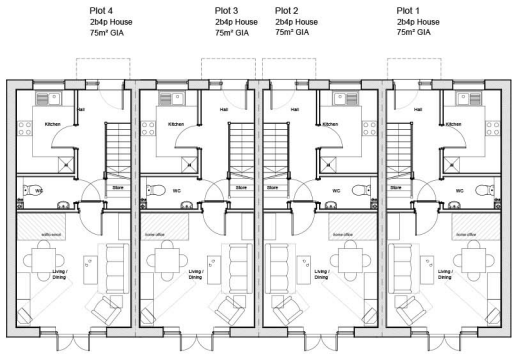
Gates positioned along the access route with a minimum clear opening of 1.5m wide. Gate must be operable from both side and in accordance with Secured by Design standard.

Any pathways making up part of the inclusive access route must be firm, slip resistance and reasonable smooth, with minimum width 1.2m.
Access route are designed to be level with dropped kerbs as necessary to allow manouverings of large bins to/from refuse lorries.

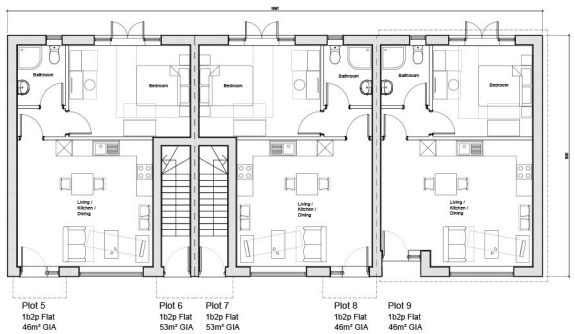


Proprietary Cycle shelter and sheffield stands - Wardale Cycle Shelter by Brocap or Similar approved. To be fitted with swinging gates and digital mechanical lock.

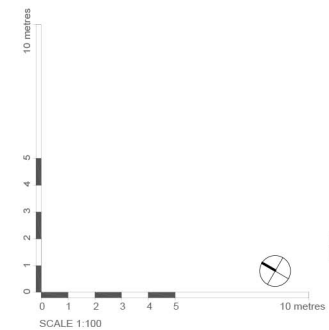
proposed cycle store details - 1:100



PROPOSED GROUND FLOOR PLAN
PLOTS 1 - 4



PROPOSED GROUND FLOOR PLAN
PLOTS 5 - 9



06.10.16	F	Amended to clients comments	aab PW
19.09.16	E	Amended to planners comments	aab PW
18.08.16	D	Amended to clients comments	aab PW
17.08.16	C	Amended to clients comments	aab PW
03.08.16	B	Amended to clients comments	aab PW
08.07.16	A	Layouts amended. Plot 1 set back.	kdw PW
Date	Revision	Description	Drawn Checked

peterwellsarchitects
office farm, letheringham, woodbridge, suffolk, IP13 7RA - 01728 745356 - info@peterwellsarchitects.co.uk

Project :	NCC GARAGE SITE, THURLING PLAIN, NR7 9QG				
Client :	ORWELL HOUSING				
Drg. Title :	Proposed Plans & Elevations		Drg. Status :	Planning	
Date :	June 2016	Scale : 1:100 @ A1	Drg. No :	PW777-PL03	Revision : F

Drawing Symbols & Abbreviations

Drawing Notes

Topographical Surveys

Measured Building Surveys

Additional Notes

Control Schedule

CONTROL ID	EASTINGS	NORTHINGS	ELEVATION	DESCRIPTION
RS01	623318.875	309425.067	3.745	MAG NAIL
RS02	623345.859	309430.337	3.812	MAG NAIL
RS03	623344.719	309456.318	4.136	MAG NAIL

Date	Revision	Description	Drawn	Checked

peterwellsarchitects
office farm, letheringham, woodbridge, suffolk, IP13 7RA - 01728 745356 - info@peterwellsarchitects.co.uk

Project :	NCC GARAGE SITE, THURLING PLAIN, NR7 9QG					
Client :	ORWELL HOUSING					
Drg. Title :	Existing Site Plan & Location Plan			Drg. Status :	Planning	
Date :	June 2016	Scale :	1:100 & 1:1250 @ A1	Drg. No. :	PW777-PL01	Revision : /

Schedule of Accommodation:		
Plot No.	Type	g.i.f.a
Plot 1	2bed-4p House	75m²
Plot 2	2bed-4p House	75m²
Plot 3	2bed-4p House	75m²
Plot 4	2bed-4p House	75m²
Plot 5	1bed-2p Flat	46m²
Plot 6	1bed-2p Flat	53m²
Plot 7	1bed-2p Flat	53m²
Plot 8	1bed-2p Flat	46m²
Plot 9	1bed-2p Flat	46m²
Totals	2b-4p House	4 units
	1b-2p Flat	5 units
Total		9 units
Car Parking 1 space per unit + visitor spaces		12 spaces

LEGEND

- Denotes proposed tree planting, layout to be to Specialist design & to the approval of the Local Authority.
- Denotes 2390 x 1790mm timber garden shed for cycle storage etc, to have a permanent lock to BS 3621:2004. Shed to be securely fixed to concrete base.
- Denotes standard 150 litre polythene water butt with childproof lid & stand receiving discharge from r.w. downpipe. Provide draw off tap for water & automatic overflow pipe into adjacent sw gully. Downpipe must be easily detached for cleaning of interior.
- Denotes standard concrete paving slab to private garden areas colour 'Natural' to the approval of the Local Authority.
- Denotes 3 No 240 litre wheelie bins, General domestic waste & Recycling / food waste provided & collected by the Local authority on a weekly rotation basis.
- Denotes recycled plastic compost bin min size 220 litre, 900mm high & 740mm dia.
- Provide min 1800mm high impregnated close boarded anti climb fences with gravel boards & concrete posts to boundaries between private gardens & public spaces and as privacy screen.
- Provide min 750mm high impregnated timber palisade fence.
- Denotes 1500 x 1500mm wheelchair turning circle.
- Denotes tar spray and shingle road finish, with a concrete edging kerb. Sub base to be as detailed by Engineer. To the approval of the Local Authority.
- Denotes areas of landscape planting to design produced by specialist & to the approval of the local authority.
- Denotes permeable block pavior to parking bays and turning areas - finish laid in accordance with engineers details. Different colour blocks to be used to parking bays. Final Specs all to the approval of the Local Authority.
- Marshalls Saxon patio paving - To the approval of the Local Authority.

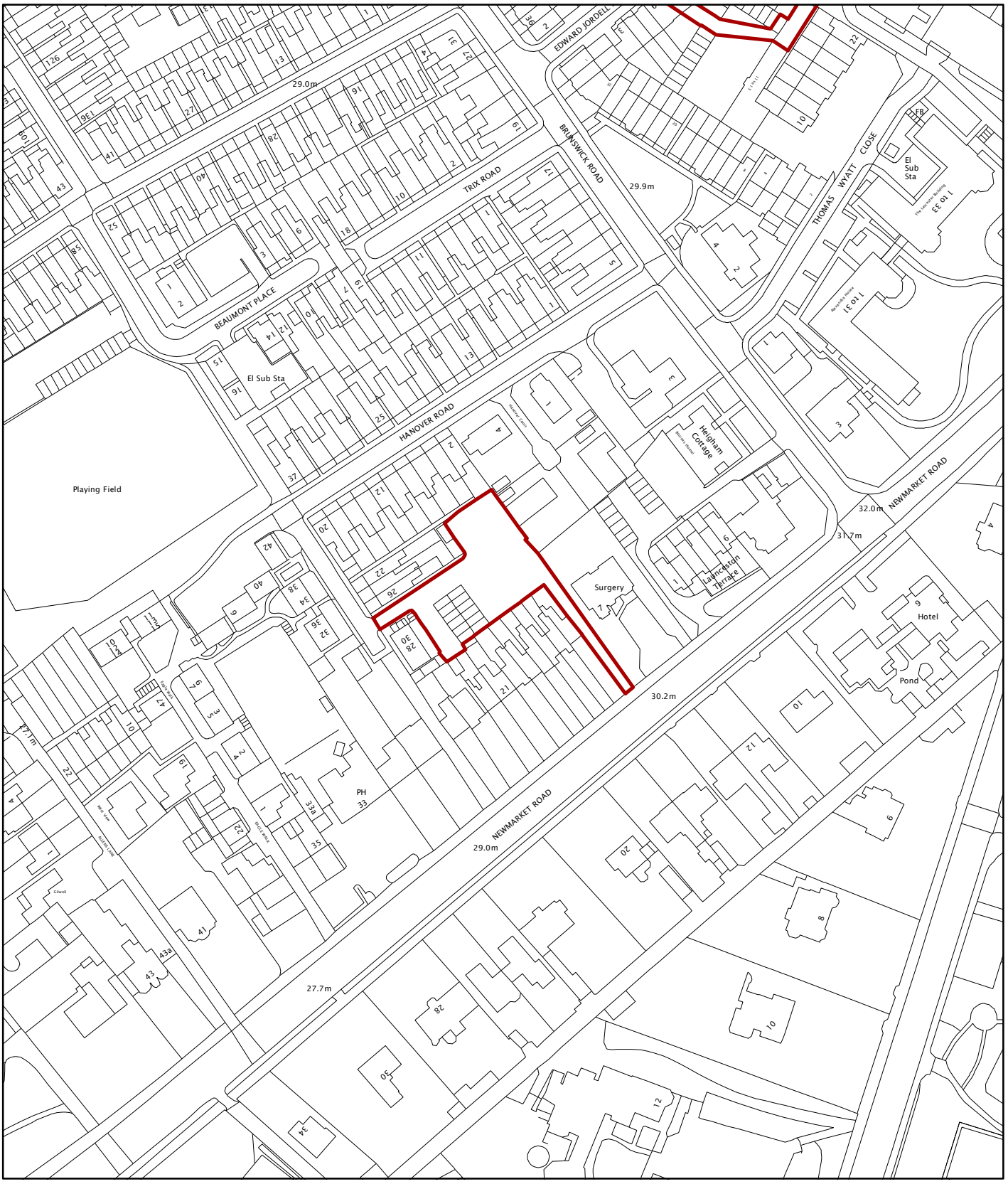
0 1 2 3 4 5 10 metres

SCALE 1:100

Date	Revision	Description	Drawn	Checked
20.12.16	J	BPA fix plots 1-4 removed as per planners request	aab	PW
14.12.16	H	Amended to planners comments	aab	PW
06.10.16	G	Amended to clients comments	aab	PW
30.09.16	F	Amended to clients comments	aab	PW
16.08.16	E	Amended to planners comments	aab	PW
18.08.16	D	Amended to clients comments	aab	PW
17.08.16	C	Amended to clients comments	aab	PW
03.08.16	B	Amended to clients comments	aab	PW
08.07.16	A	Layouts amended. Plot 1 set back.	kdw	PW

peterwellsarchitects
office farm, letheringham, woodbridge, suffolk, IP13 7RA - 01728 745356 - info@peterwellsarchitects.co.uk

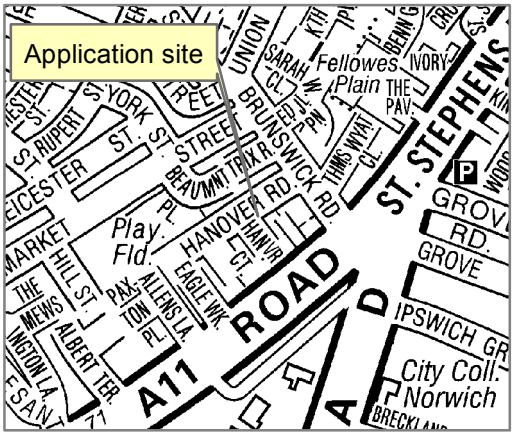
Project :	NCC GARAGE SITE, THURLING PLAIN, NR7 9QG						
Client :	ORWELL HOUSING						
Drg. Title :	Proposed Site Plan			Drg. Status :	Planning		
Date :	June 2016	Scale :	1:100 @ A1	Drg. No. :	PW777-PL02	Revision :	J



Planning Application No 16/01742/F

Site Address Land and garages rear of 2 to 20 Hanover Road

Scale 1:1,674



NORWICH City Council

PLANNING SERVICES

N

The site and surroundings

1. The site consists of a garage block and surface car park owned and managed by Norwich City Council and accessed from Hanover Road. It is within the Town Close area of the city.

2. The garage block contains 12 garages and there is parking for a further 29 cars using a parking permit system.

3. To the south-east of the site are residential properties dating from the Georgian period which front onto Newmarket Road. To the south-west are some two storey flats dating from the late twentieth century. To the north-west are Victorian terrace properties and their gardens, and to the north-west bungalows within Hanover Court which date from the mid-twentieth century.

Constraints

4. The garage/parking court is not within the Conservation Area however the footpath access from Newmarket Road and adjacent properties on Newmarket Road which adjoin the site are part of the Conservation Area. These properties are all locally listed, and so is the Doctor's surgery which is adjacent to the footpath.

5. The site is also within a Critical Drainage Area as designated by the Norwich Local Plan.

Relevant planning history

6. There is no relevant planning history held by the city council.

The proposal

7. The proposal relates to one of a number of sites identified by Norwich City Council as having the potential to accommodate new affordable housing to be developed by a registered provider, Orwell Housing Association. The council is seeking to deliver 66 affordable units across the city overall as part of the current programme, and these would be designed to meet Homes and Communities Agency (HCA) design and quality standards. The dwellings would be available at social or affordable rent whilst meeting high environmental standards. All homes would be advertised using the City Council's choice based letting scheme.

8. This application seeks to demolish the garage block and develop the site to provide 2 no. two bedroom houses and 2 no. 1 bedroom bungalows. The homes would be arranged in two semi-detached pairs. Each property would have an allocated parking space and a private garden. The proposal also allows for 9 parking spaces for general use by all residents in the area and a new soft landscaped area. Each property would benefit from solar photovoltaic panels helping to produce at least 10% of the energy requirements of the development.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	4
No. of affordable dwellings	4
Total floorspace	The 2 bed houses would have a floor space of 72.4m^2. The 1 bedroom bungalows would have a floor space of 46.2m^2.
Appearance	
Materials	Walls – red stock facing brickwork. Roof –concrete pantiles. Windows – uPVC white. Entrance doors – composite material.
Energy and resource efficiency measures	Solar PV panels, low energy lighting, gas condensing combination boiler with flue gas heat recovery system.
Transport matters	
Vehicular access	From Hanover Road.
No of car parking spaces	13 (one for each of the proposed dwellings and 9 further general parking spaces).
No of cycle parking spaces	Cycle shed for each property within the garden.

Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 18 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
Concern about loss of parking and increased parking congestion	See main issue 4.
Concern about overlooking and loss of privacy	See main issue 4.
Concern about overshadowing and loss of light	See main issue 4.

Issues raised	Response
Impact on highway safety	See main issue 4.
Access to the site for delivery vehicles and emergency vehicles.	See main issue 3.
The design of the properties is out of keeping with the character of the area	See main issue 2.
Loss of vehicular access to rear of properties in Newmarket Road.	See main issue 4.

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.

NCC Environmental Protection

11. To be reported.

Highways (local)

12. No objection on highway/transportation grounds. The proposed development and layout is acceptable with regard to vehicular access and typical user needs of the site.

Lead Local Flood Authority

13. The development falls below the threshold for which we would provide detailed comments.

Conservation Officer

14. 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.

Norwich Society

15. This is an underwhelming design and the loss of residents' parking will cause issues in the surrounding streets.

Assessment of planning considerations

Relevant development plan policies

1. **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
- JCS7 Supporting communities
- JCS9 Strategy for growth in the Norwich policy area

2. **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
    - DM5 Planning effectively for flood resilience
    - DM9 Safeguarding Norwich's heritage
    - DM11 Protecting against environmental hazards
    - DM12 Ensuring well-planned housing development
    - DM28 Encouraging sustainable travel
    - DM30 Access and highway safety
    - DM31 Car parking and servicing

Other material considerations

3. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
    - NPPF4 Promoting sustainable transport
    - NPPF6 Delivering a wide choice of high quality homes
    - NPPF7 Requiring good design
    - NPPF10 Meeting the challenge of climate change, flooding and coastal change
    - NPPF11 Conserving and enhancing the natural environment
    - NPPF12 Conserving and enhancing the historic environment

Case Assessment

4. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the council's standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following sections provide an assessment of the main planning issues in this case in relation to the relevant policies and material considerations.

Main issue 1: Principle of development

5. Joint Core Strategy (JCS) Policy 4, supports housing delivery within the Norwich Policy Area, within which this site falls. JCS policy 4 also encourages provision of affordable housing including of social rent and affordable rent tenure types as these are recognised and being particularly important in meeting housing need in the city.

6. Policy DM12 of the Norwich Development Management Policies Plan supports new residential development within the city boundary except in specific circumstances, none of the exceptions apply to this application site.

7. Paragraph 14 of the NPPF emphasises there should be a presumption in favour of sustainable development and that local planning authorities should positively seek opportunities to meet the development needs of their area, unless any adverse impacts would significantly and demonstrably outweigh the planning benefits. The NPPF also encourages the effective use of land by reusing land that has been previously developed.

8. The site constitutes previously developed land and is in a sustainable location for new housing within walking distance of the city centre and close to a main public transport route, Newmarket Road. In addition the proposal would provide further planning benefits by providing new affordable housing.

Main issue 2: Design

9. Key policies and NPPF paragraphs – JCS2, DM3, DM9 and NPPF paragraphs 9, 17, 56 and 60-66, and guidance within chapter 12 of the NPPF.

10. The design for the houses is one of a red brick two storey pair of semi's with simple elevations and a hipped roof. The bungalows would also be red brick with simple elevations and a hipped roof. The site layout has been amended during the course of the application resulting in an improved parking layout and the addition of soft landscaping which would provide a welcoming entrance to the site from Newmarket Road.

11. Concern has been raised about the impact of the proposed houses on the character and appearance of the area. Whilst it is noted that the dwellings would be in close proximity to the Conservation Area and a number of locally listed buildings, the character of the site is one of a car park with a flat-roof garage block and regard is had to the fact there is a varied mix of dwelling types and sizes surrounding the site. Given the 'backland' nature of the site and the relatively modest size and scale of the buildings proposed, it is concluded that the proposal would not cause material harm to the setting of the Conservation area or locally listed buildings, or general character of the area.

12. The two bedroom houses proposed would have an internal floor area of 72.4 square metres and are intended as two bedroom four person houses. The floorspace is therefore below the national space standards figure of 81 square metres for this level of occupation. It is recognised however that if the dwellings were occupied by three people, then the minimum space standard of 72m^2 would be met. Similarly the two bungalows are slightly below the recommended standard of 50m^2 at 46m^2. However they too would meet the standard of 40m^2 based on single occupancy.

13. Whilst the failure to meet the recommended minimum space standards is regrettable, on balance it is not considered in itself a reason to warrant refusal of the application, given that the development is otherwise well-designed and would lead to significant benefits through the delivery of affordable housing in a sustainable location. The design, layout and materials proposed are considered to be acceptable.

Main issue 3: Transport

14. Key policies and NPPF paragraphs – DM2, DM11, NPPF chapter 4.

15. The proposal would provide car and cycle parking for the new houses in accordance with the council's standards set out within the local plan, as well as some additional parking to partly mitigate the loss of the garages and car park. The access and turning within the site is acceptable and no objection is raised by the highway officer on highway safety grounds. The proposal provides a turning head suitable for the use by larger delivery vehicles if required.

16. It is intended that the remaining parking spaces would be managed by the city council and available for local residents to use using a permit system. The issue of the loss of parking is dealt with under main issue 4.

Main issue 4: Amenity

17. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

18. One of the main concerns raised by residents is the issue of loss of parking and increased parking congestion. The applicant has sought to mitigate this impact by maximising the number of spare parking spaces within the site that would be available for local residents to use under a permit system. As a result 9 spare parking spaces are proposed. It is recognised that this would represent a significant reduction in parking spaces and therefore it is important to consider the impact on residential amenity that might occur.

19. In terms of the impact on parking, surveys carried out by the city council show that in June 2016, all 12 garages were occupied. There were a further 11 garages available within 800m walk of the site. The surveys indicate the car park is not heavily used during daytime hours, with no more than 10 cars recorded at any one time, meaning that only a third of the available spaces appear to be regularly used during the day. At night time and weekends a slightly higher number of cars were recorded, however the highest number recorded, 14, represents less than 50% of the available spaces. The surveys recorded that there were generally on-street parking spaces available within Hanover Road and the car park to the rear of no. 42 Hanover Road.

20. It is appreciated that the car park is a very useful facility for local residents and their visitors and that some harm would occur to local amenity as a result of its redevelopment. However this must be weighed against the significant benefits of delivering new affordable housing, both in the context of an urgent need for more affordable dwellings and also the lack of a five-year land supply of housing in the Norwich Policy Area. Regard is also had to the fact the proposal does provide for some additional parking to partly mitigate the loss of spaces, and that there would appear to be alternative parking available within walking distance of the site.

21. Taking all of this into account, and having regard to guidance within paragraph 14 of the National Planning Policy Framework, it is considered that the loss of the parking would not *significantly and demonstrably* outweigh the benefits of the

proposal. It is therefore considered the application should not be refused on the basis of loss of parking.

22. With regard to concerns about loss of vehicle access to properties on Newmarket Road adjoining the site, it is understood that the proposal maintains vehicle access to those properties which have legal rights of access. The proposal also maintains pedestrian access to the rear of all the properties.

23. Regarding concerns about overshadowing and loss of light, it is considered the separation distances of the two storey houses from the existing houses, together with the hipped roof design would result in a satisfactory relationship that would not cause a material loss of light or overshadowing. Similarly the siting and low profile of the bungalows would ensure material harm to neighbouring occupiers would not arise in terms of loss of light and overshadowing. In terms of privacy, whilst some oblique overlooking of neighbouring gardens and properties would be possible, no material harm from direct overlooking would occur due to the siting and as a result of obscure glazed windows on the side elevations.

24. The proposal provides for a good standard of residential amenity for the proposed users, including private gardens, cycle storage and energy efficient housing.

Main issue 5: Flood risk

25. Key policies and NPPF paragraphs – JCS1, DM5, NPPF Chapter 10

26. The site is within Flood Zone 1 and therefore at a low risk from flooding from rivers, however it is within a critical drainage area where there is a higher risk of surface water flooding. The application is accompanied by a Flood Risk Assessment which states that the development would maximise the use of soft landscaping and incorporate permeable paving. There would be a significant reduction of surface water run-off compared to the existing situation. The proposal complies with the relevant policies.

Other matters

27. Conditions can be imposed to ensure the proposal is acceptable in terms of land contamination issues and energy efficiency measures.

Conclusion

28. The proposed development would deliver four new energy efficient, affordable homes in a sustainable location. Whilst it is recognised that the loss of the garages and some parking spaces would impact upon local residents and result in some loss of amenity, it is not considered to represent significant and demonstrable harm when weighed against the benefits of the proposal in the context of local and national planning policy and housing need. The proposal is considered to be acceptable in all other regards.

29. The development is in accordance with the requirements of the National Planning Policy Framework and the policies of the development plan, and there are no material considerations that indicate it should be determined otherwise.

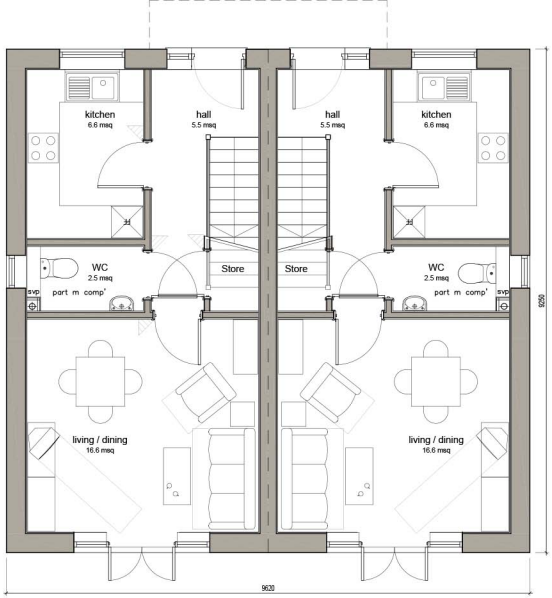
Recommendation

To approve application 16/01742/F and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of facing and roofing materials; windows; joinery; boundary treatments, walls and fences to be submitted
4. Details of hard and soft landscaping to be submitted
5. Water efficiency
6. Contamination risk assessment and report to be submitted
7. Unknown contamination to be addressed
8. Control on imported materials
9. Windows on first floor side elevations of proposed houses to be obscure glazed.

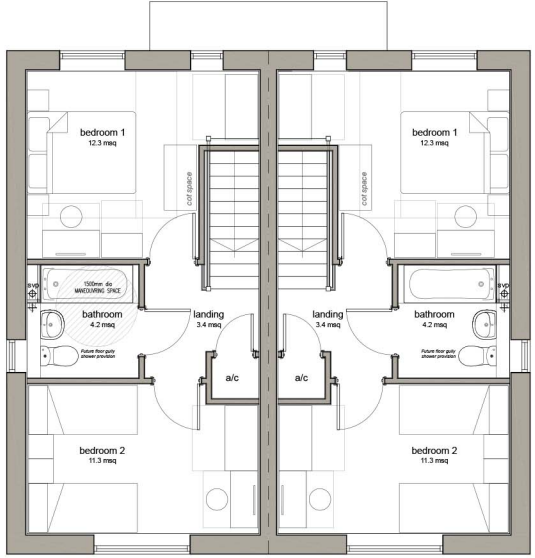
Article 35(2) Statement

The local planning authority in making its recommendation has had due regard to paragraph 187 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 the application is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.



Plot 1 Ground Floor Plan
2b4p House
72.4m² GIA

Plot 2 Ground Floor Plan
2b4p House
72.4m² GIA



Plot 1 First Floor Plan

Plot 2 First Floor Plan

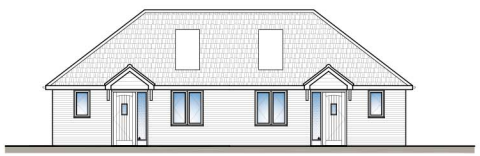
Proposed North-East Elevation - Plots 1-2 - 1:100

Proposed South-West Elevation - Plots 1-2 - 1:100

Proposed North-West Elevation - Plots 1-2 - 1:100

Proposed South-East Elevation - Plots 1-2 - 1:100

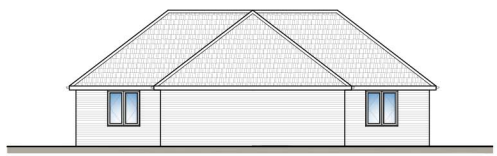
Roof Pitch 37.5 deg.
Concrete pantiles to roof and porches
Fascia's, soffit's & bargeboards uPVC colour: white
Windows uPVC colour: white
Entrance Doors, GRP / Composite
uPVC gutters & downpipes colour: black
Red Stack facing Brickwork
2no. 1173 x 2898mm PV30/500 Veridian Clearline PV panels per house
1no. 1173 x 2898mm PV30/500 Veridian Clearline PV panels per bung.



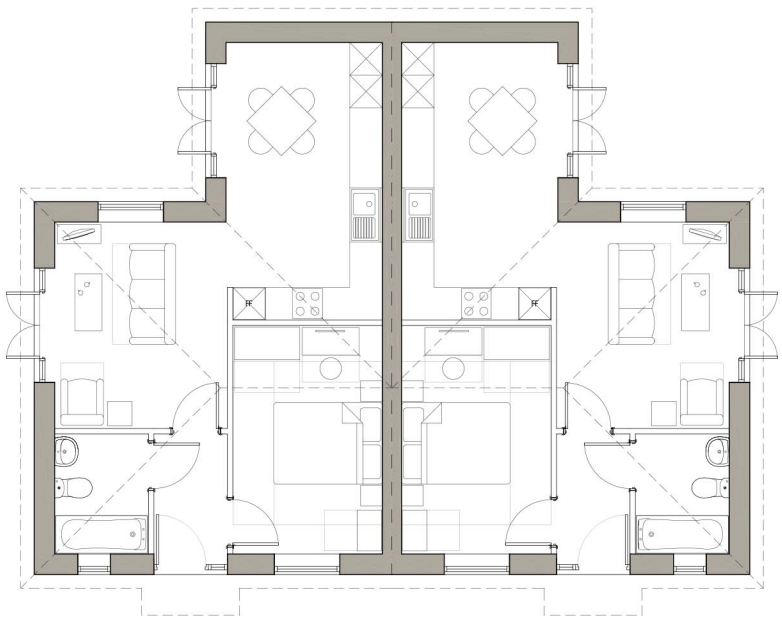
Proposed South-West Elevation - Plots 3-4 - 1:100

Proposed North-West Elevation - Plots 3-4 - 1:100

Proposed South-East Elevation - Plots 3-4 - 1:100

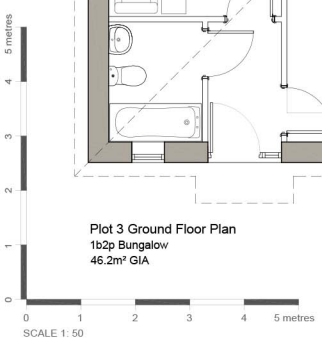


Proposed North-East Elevation - Plots 3-4 - 1:100



Plot 3 Ground Floor Plan
1b2p Bungalow
46.2m² GIA

Plot 4 Ground Floor Plan
1b2p Bungalow
46.2m² GIA



Date	Revision	Description	Drawn	Checked
17/11/16	B	Amended to planners comments	AAB	PW
31/08/16	A	Amended to clients comments	AAB	PW

peterwellsarchitects
office farm, letheringham, woodbridge, suffolk, IP13 7RA - 01728 745356 - info@peterwellsarchitects.co.uk

Project :	NCC GARAGE SITE, LAND TO REAR OF HANOVER ROAD, NR2 2HD						
Client :	ORWELL HOUSING						
Drg. Title :	PROPOSED FLOOR PLANS AND ELEVS			Drg. Status :	PLANNING		
Date :	AUG 2016	Scale :	1:50/100 @ A1	Drg. No. :	PB770-PL04	Revision :	B

Date	Revision	Description	Drawn	Checked

peterwellsarchitects

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Project :	NCC GARAGE SITE, LAND TO REAR OF HANOVER ROAD, NR2 2HD					
Client :	ORWELL HOUSING					
Drg. Title :	EXISTING SITE PLAN (TOPO)			Drg. Status :	PLANNING	
Date :	AUG 2016	Scale :	1:100 @ A1	Drg. No. :	PW770-PL02	Revision : /


LEGEND
N
Denotes proposed tree planting, layout to be to Specialist design & to the approval of the Local Authority.
Denotes 2390 x 1790mm timber garden shed for cycle storage etc, to have a permanent lock to BS 3621:2204. Shed to be securely fixed to concrete base.
Denotes standard 150 litre polythene water butt with childproof lid & stand receiving discharge from r.w. downpipe. Provide draw off tap for water & automatic overflow pipe into adjacent sw gully. Downpipe must be easily detached for clearing of interior.
Denotes standard concrete paving slab to private garden areas colour 'Natural' to the approval of the Local Authority.
LP
Denotes 4m high column street lamp.
Denotes 3 No 240 litre wheelie bins, General domestic waste & Recycling / food waste provided & collected by the Local authority on a weekly rotation basis.
Denotes recycled plastic compost bin min size 220 litre, 900mm high & 740mm dia.
Provide min 1800mm high impregnated close boarded anti climb fences with concrete gravel boards & concrete posts to boundaries between private gardens & public spaces and as privacy screen.
Provide Armco or similar galvanised crash barrier between rear garden fence and garage forecourt.
Provide 600mm high timber knee rail fence
Provide 1200mm black metal railing fence
Denotes areas of landscape planting to design produced by specialist & to the approval of the local authority.
Denotes permeable block pavior to parking bays and turning areas - finish laid in accordance with engineers details. Final Spec to the approval of the Local Authority.
Tarmac finish to engineers specification
Marshalls Saxon patio paving - To the approval of the Local Authority.
Out Building
Private Dwelling
terrace Dwellings
Brick Construction
3
1b-2p
Bungalow
53sqm private garden space.
4
1b-2p
Bungalow
53sqm private garden space.
Access maintained to pedestrian gate.
Access maintained to vehicular gates.
Type C turning head to be provided.
6000
Spare Parking Space
1
2b-4p
House
2
2b-4p
House
Pedestrian Rights of way to rear of No's 9-21 Newmarket Road maintained.
Rights of way to rear of No's 23-27 Newmarket Road maintained.
Hanover Road
Surgery
Flats
Garages
terrace Dwellings
14319
10 metres
SCALE 1:100
Page 45 of 148
peterwellsarchitects
office farm, letheringham, woodbridge, suffolk, IP13 7RA - 01728 745356 - info@peterwellsarchitects.co.uk
Project : NCC GARAGE SITE, LAND TO REAR OF HANOVER ROAD, NR2 2HD
Client : ORWELL HOUSING
Drg. Title : PROPOSED SITE PLAN
Drg. Status : PLANNING
Date : AUG 2016
Scale : 1:100 @ A1
Drg. No. : PB770-PL03
Revision : L
DISCLAIMER: This drawing was prepared for the Client, Project & Site stated below and for the purposes set out in the Project Particulars. Peter Wells Architects accepts no responsibility whatsoever should the drawing be used by any other person, on any other site or for any other purpose than those stated. This drawing is to be read in conjunction with all relevant dimensions and specifications. ALL MEASUREMENTS ARE TO BE CHECKED ON SITE AND ANY DISCREPANCIES REPORTED TO PETER WELLS ARCHITECTS
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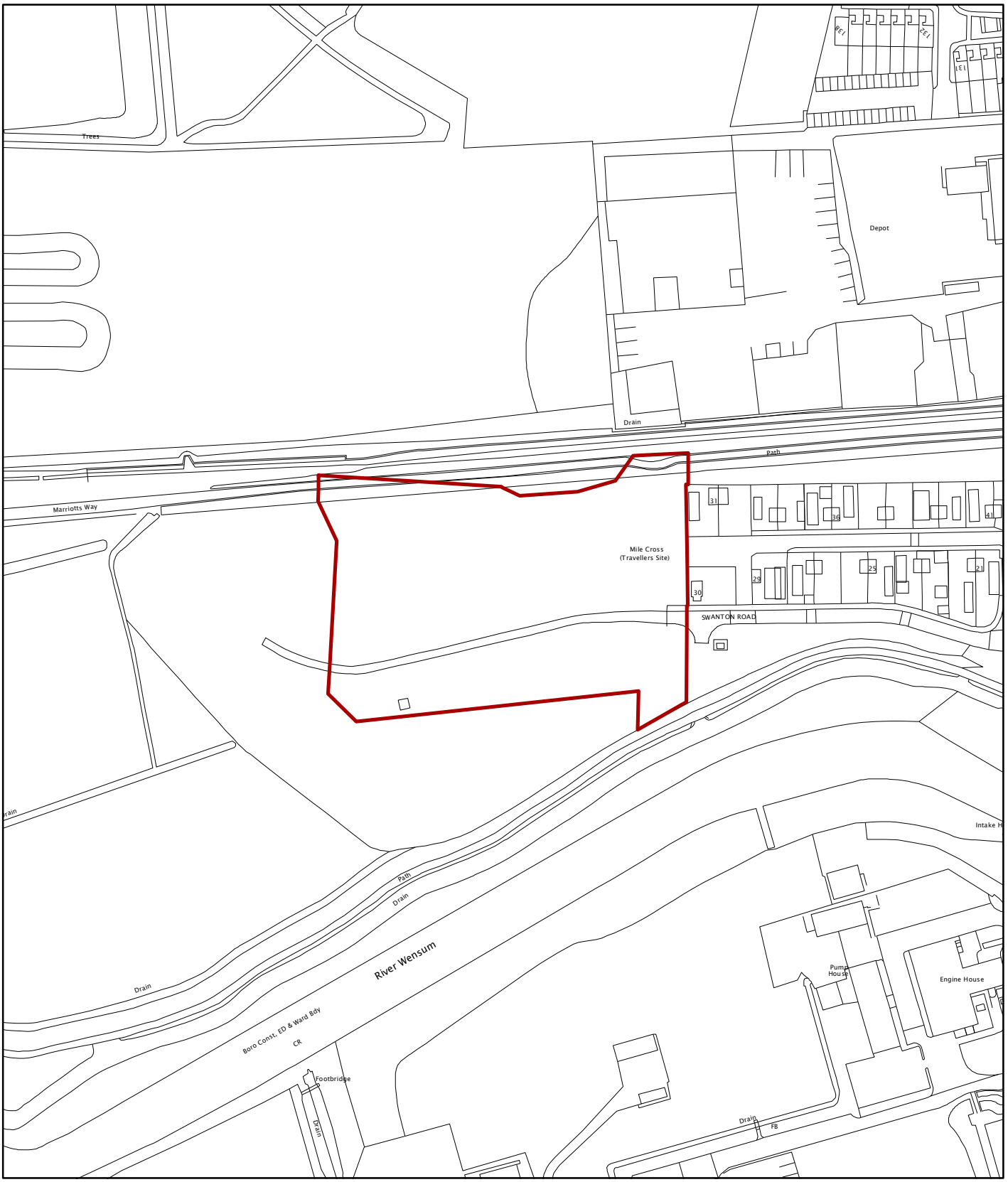
Report to	Planning applications committee 12 January 2017	**Item**
Report of	Head of planning services	4(c)
Subject	Application no 16/01554/F - Grazing Land Swanton Road Norwich	
Reason for referral	City council site / verbal/written objection / departure from development plan	

Ward:	Mile Cross
Case officer	Lee Cook - leecook@norwich.gov.uk

Development proposal		
Erection of 13 No. gypsy and traveller pitches with associated amenity blocks for each plot.		
Representations		
Object	Comment	Support
2	0	0

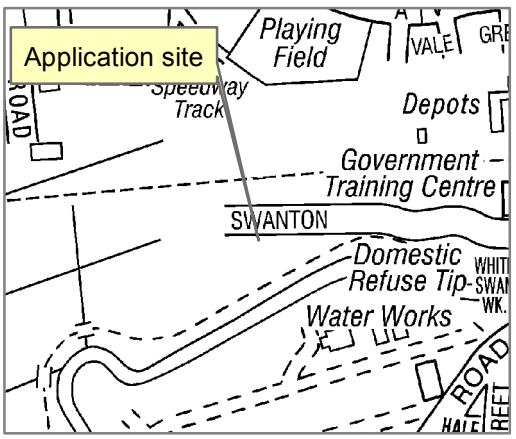
Main issues	**Key considerations**
1 Principle	Provision of gypsy and traveller facilities; land use and management; previous use of site; loss of designated open space
2 Transport	Traffic movements; road impacts; peak periods and existing business impacts; site access / roadway design; cycle parking; bin storage; vehicle turning
3 Landscaping and open space	Planting and naturalised modelling of screening; planting and management
4 Biodiversity	Mitigation measures; lighting; invasive species
5 Trees	Quality of existing trees; retention and protection during works
6 Contamination	Site investigations; remediation and site construction detail aimed at protecting against contamination; gas protection
7 Design	Specific needs of the user group; wheelchair accessible; street elevation and garden frontage
8 Amenity	Privacy; site boundary; shading or overlooking; external amenity space
Expiry date	18 January 2017
Recommendation	Approve



Planning Application No 16/01554/F

Site Address Grazing Land Swanton Road

Scale 1:2,000



NORWICH City Council

PLANNING SERVICES

The site and surroundings

1. The site is located to the west of Swanton Road, which is accessed off Mile Cross Road. Immediately to the east of the site is an existing travellers' site. Further to the east is a household waste recycling centre. The area is mainly surrounded by open space with Marriotts Way and Sloughbottom Park being situated to the north, the river Wensum and associated river footpath and open space to the south and open space which includes Sweetbriar Marshes SSSI to the west. The site has several bunds / embankments which are around 1m high around the site boundary with the central area being relatively flat.

2. The existing travellers' site provides 21 pitches with each pitch having a kitchen area, washing facilities and toilet. These are provided in the form of a single storey pitched roof building. Each pitch also has wooden fencing which divides each plot from the adjacent pitch. The site also has a community building. Access and egress from this site is onto Swanton Road.

Constraints

3. The site is located on contaminated land and was a former landfill site. It is also situated within the HSE Consultation Zone for Heigham Water Treatment Works (middle zone). Land to the east is a designated Gipsy and Traveller site. Land to the west and partly to the south includes designations as local nature reserve, further to the west as County wildlife site and site of special scientific interest. The site is identified on the proposals map as an area of urban greenspace. There are also several trees around the site.

Relevant planning history

4. It is understood that 18 pitches similar to that on the existing Swanton Road gypsy and traveller site where previously developed on the site, however these pitches were demolished some years ago and since then the site has been largely dormant. Some evidence shows that the site has been used informally to store materials and for grazing. Recent permissions in the area include:

Ref	Proposal	Decision	Date
4/1993/0710/S	Refurbishment of existing site, replacement of amenity blocks and erection of wardens office and store.	approved	22/11/1993
07/01195/W	Redevelopment of the recycling centre, including removal of stell cladding from the southern facade of the building, to be replaced with roller shutters, some hard landscaping at the front of the building.	approved	not determined by NCC
11/00176/CF3	Extension to existing Travellers' site to create 3 No. additional pitches comprising of 1 No. single amenity block and 1 No. double amenity block, erection of fencing,	approved	not determined by NCC

Ref	Proposal	Decision	Date
	installation of 2 No. 5m high lighting columns and alterations to the access road.		

The proposal

5. The proposal is to create a new separate site adjacent to the existing Gypsy and Traveller's site to provide 13 new residential caravan pitches and two storage compounds. Each pitch will have a single storey amenity block which includes a wc, washing facilities and sitting / kitchen area. Landscape bund will be provided around the site and screen fencing to storage areas. Low level bollard lighting is proposed to the roadway and external lights to amenity buildings. The proposal also includes a separate access to the site at the end of Swanton Road. Space is shown as being available for the possible location of a community room next to the main road entrance.

Summary information

Proposal	Key facts
Scale	
Total no. of units	13 pitches each with space for two No. trailers and parking
Total floorspace	Internal floor-space of each day unit approximately 28m² including internal walls.
No. of storeys	Single storey amenity blocks with pitch roof
Max. dimensions	Each day unit is approximately 6.85m deep x 4.95m wide. 3.1m to eaves height and 4.2m to ridge
Appearance	
Materials	Brick and roof tiles. Painted timber windows and doors.
Construction	A fabric first approach is to be adopted to enable increased building performance to minimise running costs for the tenants.
Energy and resource efficiency measures	Residents have advised that the amenity buildings are used predominantly during the daytime; the applicant has pursued an underfloor heating solution, utilising tariffs and the floor as a slow release heat source.
Operation	
Ancillary plant and equipment	None shown
Transport matters	
Vehicular access	Via Swanton Road. Access road is designed as a cul-de-sac

Proposal	Key facts
	and turning is available at the west end of the new roadway.
No of car parking spaces	2 marked per plot and 3 marked for possible community building area
Servicing arrangements	Access available along Swanton Road and bin standing areas are provided within each pitch. Some access works might be required to enable larger vehicle access and maintain a one way route for adjoining site. This is said to be part of wider management strategy. A dedicated area is shown for residents to store any materials along with a second storage area proposed for the existing site.

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 1 letter of representation has been received and a local resident has telephoned 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
Need for traveller sites; allocation in Local Plan; management of the site	Main issue 1
Loss of Open Space	Main issue 1 and 3 to 5
Highway impacts and impact on the operations of the adjacent Waste Facility	Main issue 2
Impact of contaminants on human health (verbal comment)	Main issue 6
Claimed ownership of the site (not owned by the City Council) (verbal comment)	Paragraphs 61 to 62

Consultation responses

7. 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

8. No objection in principle. Looked at the reports and broadly agree with their conclusions and recommendations. It is clear that there is a degree of contamination on site that makes it currently unsuitable for the proposed end use.

However, considers that the reports would be sufficient to prevent any additional pre-commencement conditions, provided a contractor remediation method statement is provided with the detailed scheme as recommended in the report conclusion. Otherwise, our standard conditions will apply as usual. No occupation will be allowed until the remediation works have been verified. A condition re the discovery of previously unknown contamination will also be recommended. Building control will need to be satisfied with the proposed gas protection and potable water supply works.

9. Second comment - have reviewed the submitted additional information, satisfied that the pre-commencement condition(s) can be avoided and can proceed with condition suggestions requiring subsequent verification, to stop works if unknown contaminants are found and to provide details for certification of imported materials

Environmental services team

10. No objection in principle. The current collection arrangement with the existing site is a one way system so the collection vehicle does not require turning around or reversing. The proposed new section of the site appears to have one road as an entrance/exit, in which case there will need to be turning point - either in the existing site or in the new section to enable to the vehicle to turn around and exit in a forward gear. Refuse vehicle dimensions provided.

Environment Agency (EA)

11. No comments

Health and Safety Executive (HSE)

12. Does not advise, on safety grounds, against the granting of planning permission in this case

Highways (local)

13. No objection in principle. Swanton Road is a minor side street, and there is nothing particularly unusual or dangerous about the bends on it. The amount of traffic movement that would be created by a further 13 pitches are unlikely to be of any significance by comparison with the number of vehicles on the road now, particularly in view of the recycling facility. The only issue is whether any additional movements at peak periods would lengthen the queues, which are only there as a result of the capacity at the recycling centre (and not the capacity of the road). Expectation would be that the number of additional vehicle movements during any peak period would be so small as to be unnoticeable. Does not believe there is substance in the objection from a transport perspective.

14. No issue about access to public transport and local facilities either. All of these are within walking distance of the site, and access to them would therefore not be affected by any queues.

Housing strategy

15. No objection in principle. The housing development team fully supports this application. The Gypsy and Traveller Accommodation Assessment (GTAA) undertaken in 2012 identified a requirement for 13 additional gypsy and traveller

pitches by 2021. The site was allocated for the provision of the gypsy and traveller community within the 2004 Local Plan; however was not captured within the latest Local Plan; as options for the site were being explored.

16. The council had previously decided against extension of the existing site on this land, as DCLG guidance on the design of sites indicated that "experience of site managers and residents alike suggest a maximum of 15 pitches is conducive to providing a comfortable environment which is easy to manage". The adjacent Swanton Road site already has 21 pitches. Broadland Housing Association (BHA) has indicated that they will manage the site as separate to the existing provision with its own vehicular and pedestrian access. This will mitigate against the risks identified in the DCLG guidance. We welcome that this site will be all for affordable housing to be owned and managed by BHA, who currently manage the Harford Bridge site.

17. The site has good access to public transport, services and community facilities including shops, healthcare facilities and schools. The individual pitches are of a generous size allowing for two large caravans, two vehicles and significant amenity space for residents. This will help reduce on street parking on the site making a safer environment for children. The design has been amended and agreed in consultation with the local gypsy and traveller community with larger pitches, traffic calming and landscaping screening measures having been enhanced. The proposal for additional areas of storage will help to ensure that the site is well maintained and we note that this is also being provided to the existing site. Whilst there is no requirement for enhanced energy saving measures it is encouraging to see that a fabric first approach is being adopted along with under floor heating which will help to keep fuel bills for residents lower. HCA funding has been confirmed for the development meaning this site will be delivered quickly to meet the identified need.

Landscape

18. Discussed at pre-application stage. No objections raised to principle.

Norfolk county lead flood authority

19. No objection in principle. Standard advice provided.

Norfolk police (architectural liaison)

20. No comments

Natural areas officer

21. No objection in principle. The ecological report and mitigation measures should adequately address the biodiversity issues.

Tree protection officer

22. No objection in principle. Has met with arborist and representatives from the developers. Discussed the bunds around the site and agreed they should be of irregular form, with gentle rises and falls to give a more natural looking finish. The planting on the bunds should be naturalistic, and informal. To be comprised of groups of native species including hawthorn, guilder rose and field maple. There is minimal tree work required, some crown lifting of retained trees to facilitate the

construction of the bund and some coppice work of sallow and bramble cutting on the approach road to improve the overall appearance. The work does not appear to pose any risk to retained trees and all construction appears to be outside of the RPA's of retained trees.

Assessment of planning considerations

Relevant development plan policies

23. **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
    - JCS9 Strategy for growth in the Norwich policy area
    - JCS12 The remainder of the Norwich urban area including the fringe parishes

24. **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
    - DM5 Planning effectively for flood resilience
    - DM6 Protecting and enhancing the natural environment
    - DM7 Trees and development
    - DM8 Planning effectively for open space and recreation
    - DM11 Protecting against environmental hazards
    - DM12 Ensuring well-planned housing development
    - DM14 Meeting the needs of Gypsies, travellers and travelling showpeople
    - DM30 Access and highway safety
    - DM31 Car parking and servicing

Other material considerations

25. 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
    - NPPF6 Delivering a wide choice of high quality homes
    - NPPF7 Requiring good design
    - NPPF10 Meeting the challenge of climate change, flooding and coastal change
    - NPPF11 Conserving and enhancing the natural environment

26. Department for Communities and Local Government (DCLG); Planning policy for traveller sites August 2015

27. Supplementary Planning Documents (SPD)
    - Landscape and trees SPD adopted June 2016

Case Assessment

28. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

29. Key policies and NPPF paragraphs – DM8, DM12, DM14, JCS1, JCS4, NPPF paragraphs 49 and 14.

30. In terms of the provision of gypsy and traveller accommodation the evidence base underlying the Joint Core Strategy and the former East of England Plan single issue review identified a need within the Greater Norwich area for an additional 15 permanent residential pitches for gypsies and travellers in each local authority area between 2006 and 2011 with a greater level of provision where needs were higher. As mentioned in the housing strategy comments above the GTAA undertaken in 2012 on behalf of the local authorities within the greater Norwich area identified a requirement for 51 additional gypsy and traveller pitches by 2021.

31. This issue is one of ongoing discussion between the local councils. However, it remains the City Council's preference to meet its identified needs within its own administrative area and land holdings. The site was allocated for the provision of the gypsy and traveller community within the 2004 Local Plan; however was not captured within the latest Local Plan as options for the site and gypsy and traveller provision were being explored at the time of Plan examination. The council had previously decided against extension of the existing site and has had regard to DCLG guidance in terms of site size and single site management.

32. Policy 4 of the JCS sets out that new sites should be provided in accessible locations and in locations where local research demonstrates they would meet the needs of the Gypsy and Travellers community. Policy DM14 is considered to provide an appropriate basis for consideration of applications for such uses in the absence of an allocated site for development. This works to assist independent Registered Providers to pull together attractive bids for grant funding support as sites become available.

33. An established site is immediately adjoining the proposed development. The area is in an accessible location and suitable for such a use. In terms of management each site is shown to be independent of each other with separate facilities and access. Broadland Housing has identified its proven track record in terms of managing gypsy and traveller's sites and the site will be owned and managed as a separate site to the existing one thereby reducing local management issues. The scheme meets an identified need for the area and HCA funding has been confirmed for the

development. The site is available and suitable to meet an identified housing need. As such it is considered that the development is acceptable in principle.

34. The scheme involves the loss of some urban greenspace, the site being identified on the proposals map as urban greenspace, and as such policy DM8 is relevant. The Open Space Needs Assessment (2007) looked at both the quality and quantity of open space across the whole of the Norwich City Council area. The site is situated within the north area (Catton Grove, Mile Cross and Sewell) and although there is a shortage of open space in this area, the study acknowledges that there may be circumstances where areas of open space with poor quality and low value for the community might be redeveloped for other purposes where this might have a larger overall benefit.

35. The site is a semi-natural private area of green space created by the levelling out of land which in the past has been used as a tip and as an earlier gipsy and traveller's site. The quality of this part of open space is poor and has more recently been used as grazing land. The main benefit of the site is in providing a visual link to wider and more important open space and designated wildlife sites. In terms of the design of the new pitches care has been given to ensuring that the site is screened from the surrounding valley area and planting proposed to mounds which will enhance planting links in the area and provide local habitat enhancements. The scheme proposes the removal of Japanese knotweed and giant hogweed. The management / site set up is shown to also include localised rubbish clearance to help improve the amenities of the wider area.

36. Given that the quality of the open space is poor; it is not fully publically accessible; that the proposal only involves losing a small part of the open space; and that there is no biodiversity and limited amenity interest in retaining the site in its existing form there is no objection of the loss of urban greenspace as it is considered that the specific benefits of improving gypsy and traveller site provision and as planned to also provide localised habitat enhancement would outweigh the loss in this instance.

Main issue 2: Transport

37. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.

38. Swanton Road leads off Mile Cross Road to the east and serves an existing gypsy and traveller site and commercial type premises along the northern side of the road. It is a relatively minor side route and main traffic movements include those for the local recycling facility. The agent has been asked to review road impacts and capacity and additional information has now been submitted to confirm that the amount of traffic movement that would be created by a further 13 pitches would not be significant and vehicle movements during any peak periods very limited. The additional pitch provision should therefore not have a significant effect on the operations within the area.

39. The lower part of Swanton Road operates a one-way route for the existing site. There is no requirement for the new site access to have an approved vehicle cross over however final details are suggested by condition to show how access will be maintained for both sites and the internal roadway designed. Secure cycle parking would be advisable if not accommodated in any site sheds. It is suggested that

Sheffield stands are provided, set in a concrete base. There is adequate room for bin storage and vehicle turning space shown within the site layout. Accessible storage compounds are also provided to give site storage facilities for residents. These are of a suitable design and layout to serve each area. There are no objections on transportation grounds subject to conditions mentioned above.

Main issue 3: Landscaping and open space

40. Key policies and NPPF paragraphs – DM3, DM8, NPPF paragraphs 9, 17 and 56.

41. Open space impacts are considered above and subject to suitable landscaping the loss of the existing poor quality area is considered to be acceptable.

42. The existing Gypsy and Travellers site is already situated within the river valley. The new scheme shows a screening bund and also details measures to protect certain trees on site. A reasonably detailed scheme has been worked up showing native species planting and naturalised modelling of the proposed bund features. These should help to reduce the visual impact of any new development and as such a condition is suggested for landscaping to agree final details of planting and management and to agree any hard surface materials and final detail of other potential biodiversity enhancements e.g. bird and bat boxes. Subject to conditions for landscaping and tree protection, it is not considered that the size or location of the new development will have a significantly detrimental impact on the character and setting of the valley.

Main issue 4: Biodiversity

43. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.

44. The site is mainly semi improved neutral grassland which has been subject to grazing in recent years. The natural areas officer has confirmed that the ecological report and mitigation measures should adequately address the biodiversity issues and there should be little adverse impact on the wider area. The lighting recommendations in the assessment are appropriate and should be followed. Although the river is likely to be the most important bat foraging corridor in the area, the Marriott's Way may also be used by bats for foraging or as a 'commuting' route into the city centre it is important to avoid light spill here. Final details of site and bollard lighting are suggested by way of condition to ensure protection of amenities within the area.

45. Regarding invasive species a specialist company has been engaged to eradicate the Japanese knotweed known to be present on the site before clearance or construction work starts. It is expected that all work would be guaranteed and followed up with site inspections for 2 – 3 subsequent growing seasons to ensure that the knotweed has been successfully eliminated. The site is within a known Giant hogweed 'hotspot' and the council has been controlling it on council land in the vicinity for many years. Although mature plants are relatively easy to kill using herbicide treatment, Giant hogweed grows readily from buried seed. It is likely that disturbance during construction works may encourage new plants to grow from the seedbank. As the ecological assessment points out, not only is GH invasive it also represents a significant hazard to human health, especially to children who are more likely to come into direct contact with it. It is important that the site is inspected for any signs of GH in the growing season following the completion of site

works and treatment arranged as necessary and an appropriate informative is suggested to be included in any decision.

Main issue 5: Trees

46. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.

47. All trees are confined to the periphery of the site. These include some mature sycamore on the northern boundary and some stands of crack willow to the south and west. Groups contain trees forming continuous features or clusters with similar characteristics and assist with the landscape setting of the area. Seven trees and three tree groups have been classed as Category B and eight individual trees and one group have been classified as Category C. All are of a reasonable quality or have potential to mature to provide amenity benefits within the area.

48. All trees are shown to be retained and protected during development. Remedial tree work has; however, been specified for arboricultural and health and safety reasons and has been agreed in principle with the tree officer. Tree impact is therefore limited. Assessment and recommendations have been made in terms of any necessary works and to protect the trees during construction. Conditions are suggested for provision of tree protection in accordance with submitted arboricultural documents and retention of such protection during construction.

Main issue 6: Contamination

49. Key policies and NPPF paragraphs – DM11, NPPF paragraphs 120-122.

50. The site is situated on a former landfill site and as such policy DM11 is of particular relevance. The applicant has undertaken some site investigations and made recommendations which environmental protection officers have made comments on. Further detail has been submitted to assess remediation and site construction detail aimed at protecting against contamination on the site.

51. The applicant has confirmed their appointed contractor's remediation strategy aimed at avoiding the need for a pre-commencement condition in the event that planning permission is granted. In addition and in line with the geotechnical report undertaken by Delta-Simons Environmental Consultants for the site, measures are proposed in respect of gas protection and contamination to each of the habitable dayrooms and external amenity spaces / garden areas within the proposal.

52. External amenity / garden areas are to be excavated to a depth of 600mm, a coloured geotextile membrane (to ensure it is easily identifiable) laid to separate and encapsulate the made ground and 600mm of imported topsoil used to restore site levels. A dual gas protection measure has been proposed under each of the amenity units, with 50mm gas void matting being laid at the base of excavated area prior to re-compaction of engineering fill. The gas void matting will be vented to air via an external gas vent box located at ground level. The proposal also includes for a continuous DPM Gas membrane to be situated around the foundation construction to each of the amenity units; the membrane will be lapped, taped and jointed to ensure a continuous sealed protection layer. The gas protection measures proposed offer at least two layers of defence against an apparent low risk of gas identified in the investigation, and should there be concerns about gas

during/following construction the void former provides the means for an active venting approach.

53. Environmental protection officers raise no objection to the application with regards to this issue and suitable conditions are suggested requiring subsequent verification of remediation works, to stop works if unknown contaminants are found and to provide details for certification of imported materials to protect future occupants and water sources. The site is also situated within the Health and Safety Consultation Zone for the Heigham Waterworks. HSE confirm that they do not advise against development of this site.

Main issue 7: Design

54. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.

55. The applicant has worked through a number of design options in consultation with existing residents to get to a design which responds to the specific needs of the user group. Two designs have been developed, a general needs unit and a wheelchair accessible unit, (designed in accordance with Part M4 (3) requirements) offering a sizable, flexible day room space.

56. The amenity block provides day facilities, in terms of kitchen, bathroom and recreational space. The design of the amenity buildings has been developed to further reinforce the residential street typology of the scheme, through the creation of a strong street elevation and garden frontage. The layout and design of the pitches and amenity blocks are considered acceptable and are in keeping with the other blocks on the adjacent site.

Main issue 8: Amenity

57. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

58. Each of the pitches is screened to retain privacy and the two sites separated by landscaping and screen fencing. The buildings are single storey and there are no significant issues of shading or overlooking. Each pitch also provides a significant amount of external amenity space, to the front, rear and side of the plot with a patio area being provided to the rear of the amenity block. Concerns about privacy and security with regard to the site boundary have been addressed by inclusion of increased height landscaped bunds which separate the site from adjacent open spaces. As such it is not considered that the new pitches will have a negative impact upon the amenities of the area.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	No – see below
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

Other matters

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

Land ownership

61. A local tenant has claimed that he had some interest in the site in the ownership of Norwich City Council by virtue of the fact that he had grazed his horses there for some time and has managed access onto the site. This has implications in terms of administration of the planning application and Strategic Housing has sought legal advice in this matter. It is understood that the freehold of the traveller's site is owned by Norwich City Council. This has then been leased to Norfolk County Council (lease due to end next year). The county council have then granted tenancy agreements to various traveller tenants.

62. The usual issues to be concerned about would be whether someone has claimed adverse possession to the land or whether they have acquired any rights over the land in connection with his existing tenancy agreement. No detailed legal claim on the land backed up with legal argument and evidence has been submitted. I am advised that the claimant has in principle agreed to accept one of the new leases/licences being offered in respect of the land. The legal advice given is that both of the above scenarios are highly unlikely and the site is owned by the City Council who is free to develop the land subject to anything mentioned in the freehold title, any existing rights of way and any planning/environmental licences /applications being granted.

Energy and water

63. Key policies and NPPF paragraphs – JCS3, DM1, NPPF paragraphs 94 and 96.

64. In terms of the energy strategy this is a complex issue in terms of the difficulty which the applicant faces in terms of site management and maintenance of low zero carbon technologies in use for the day rooms to provide 10% of energy requirements on site and they are cautious of the use of renewable technology in this location. The applicants starting point is to ensure residents are provided with heating systems that are affordable to use, straightforward to install, operate and maintain and suitable for the location. There preferred option is for a fabric first approach in order to reduce energy demand, rather than renewables that over time might fail to deliver predicted savings.

65. Residents advise they will likely make greater use of the proposed enlarged amenity blocks during the day but will spend night-times in their trailers / mobile homes. This occupancy pattern lends itself to a rapid thermal response, which might best be achieved by underfloor heating and using the floor as a thermal store. The amenity blocks are classed as non-residential for Building Regulations and so the usual requirements for Part L 2013 for domestic dwellings do not apply.

66. The thermal insulation properties (U-values) of the proposed fabric - walls, floors, roofs and windows have been reviewed and found that these exceed Building Regulation requirements for this type of building by 30%. This shows a commitment to providing systems which reduce energy demand.

67. Broadland Housing Association advise that they have been involved in extensive research and development in this field. They have pointed to being the first to develop the Eco Homes standard very good in the City; first to mainstream use of structurally insulated panels in the East of England; provided Passivhaus development in North Norfolk with national award for Best Affordable Housing Scheme; been commissioned by Innovate UK for proposed development at Carrow Quay to be a case study to inform future Building Regulations on adaptations to mitigate impacts of future climate; are piloting partners for an EU Horizon 2020 funded project to develop technologies to improve delivery of low energy buildings; are engaged by UEA for research into Equity and Justice in Energy Markets to inform Government policy; and are currently developing approaches to support occupants optimise the energy efficiency potential of their homes.

68. In terms of the energy strategy there are benefits in terms of maintenance and management in using the proposed approach and in potentially reducing fuel bills for future occupants through other means. This scheme is very individual in terms of end use and it is appreciated that the nature of daytime occupation would not necessarily easily fit within a blanket application of policy for low zero carbon technologies being used on-site. Given the background of the developer and end use proposed it is considered acceptable in the circumstances of this application to agree a fabric first approach and energy efficient services to minimise energy use rather than request additional on-site energy generation technologies. A condition is suggested; however, to ensure and that water conservation measures are incorporated into the scheme in line with domestic water level limits.

Flood risk

69. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.

70. The site is shown on Environment Agency mapping to be mainly in Flood Zone 1, but in Flood Zone 3 at its south east corner and surrounded by land in Flood Zones

2/3. Flood Zones 1 are 'low' probability flood zone areas defined as land having a less than 1 in 1000 or greater annual probability of river flooding. The submitted report advises that when ground levels are compared with predicted river flood levels, that the site is above both the 1 in 100 and 1 in 1000 year flood levels for the River Wensum with allowance for climate change.

71. The development is also shown to comply with EA requirements for floor levels in Flood Zones 2/3 where a minimum ground floor level of 4.91m AOD should be adopted for the new development based on river flood levels with a +20% allowance for climate change. Existing ground levels are shown as 5.81m AOD at entrance up to 7.26m AOD which will be naturally sited above the above minimum requirement.

72. Ground conditions are not suitable for infiltration of surface water run-off due to known underground contaminants and a discharge to the watercourse is required. On-site storage and flow control is suggested to be provided that limits any discharge to the equivalent 'greenfield' run-off rate for the 1 in 1 year storm event, for all storms up to and including the 1 in 100 year event plus 40%. Foul drainage should connect by gravity to manhole connection on Swanton Road and Anglian Water has confirmed to the applicant that there is sufficient capacity for this. The submitted report suggests that the developer should register with the Flood Warnings Direct Service so that they can advise the site occupiers of any flood alerts for the area. This and final detail of design and management of flood attenuation system are suggested by way of condition.

Equalities and diversity issues

73. There are significant equality and diversity issues.

74. Within the DCLG planning policy for traveller sites for the purposes of planning policy "Gypsies and Travellers" means: *Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

75. Gypsy and Irish Travellers are also considered an ethnic minority group. The needs of Gypsy and Traveller populations are diverse and consideration should be given to differing needs and wishes.

76. One of the proposed pitches has been designed as a wheelchair accessible unit with revised access and washing facilities (accessible shower) for elderly and disabled users. The scheme overall provides for additional pitch provision in an accessible location within the Norwich area to be managed by a known Registered Provider of housing.

Local finance considerations

77. 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.

78. 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.

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

Conclusion

80. Within the Norwich area there is a need to provide a considerable number of additional pitches up to 2026. Swanton Road is an established Gypsy and Travellers site which is well managed. It is considered that the proposed development adjacent to this existing site is capable of being managed and delivered in line with current guidance. The new site is appropriate and justified in this location, despite this being a departure of policy DM8 of the Development Plan. The development is in accordance with the general requirements of the National Planning Policy Framework, and it has been concluded that there are no material considerations that indicate that the application should not be approved or be determined otherwise.

Recommendation

To approve application no. 16/01554/F - Grazing Land Swanton Road Norwich and grant planning permission subject to the following conditions:

1. Commencement of development within 3 years from the date of approval;
2. Development to be in accord with drawings and details;
3. Details to be agreed before above slab level works commence of facing and roofing materials; joinery; verges; and external lighting;
4. Details before above slab level works commence of cycle storage; site access / alteration of one way system; turning head; and bin stores provision;
5. Details before above slab level works commence of landscaping including: planting; tree pits; biodiversity enhancements, bird and bat boxes; site treatment works; boundary treatments, including any proposals to separation of private amenity areas, gates, walls and fences; and landscape management and implementation programme and maintenance;
6. Compliance with AIA and AMS and Tree Protection Scheme implemented prior to commencement;
7. Retention of tree protection during construction;
8. Water efficiency measures;
9. Details before above slab level works commence of the surface water drainage system future maintenance and implementation including details before occupation of emergency flood warning - Flood Warnings Direct Service so that site manager can advise the site occupiers of any flood alerts for the area;
10. Details before occupation of contamination verification plan;
11. Cessation of works if unknown contaminants found and submit details of remediation;
12. Details before occupation of testing and/or suitable compliance of all imported material prior to occupation;

Article 35 (2) statement

The local planning authority in making its decision has had due regard to paragraph 187 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 at the pre-application and application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report for the application.

Informatives

- Impact on wildlife
- Control of invasive species
- Highways contacts, street naming and numbering, design note, works within the highway etc.

Do not scale from the drawing, use written dimensions only.

0m 5 10 15 30m
1:500

ORIGINAL SHEET SIZE A1

NOTES

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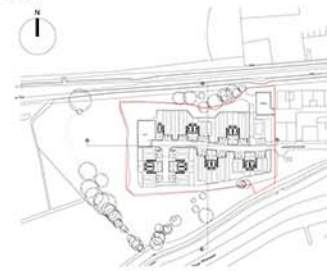
KEY PLAN



KEY

A	Amended Layout				
	REVISED BY: DO	DATE: 31/10/16	CHECKED BY: AC	DATE: 31/10/16	

PURPOSE OF ISSUE
For Planning

FILE STATUS CODE
S2 - Fit for Information

Hamson Barron Smith

office@hamsonbarronsmith.com
www.hamsonbarronsmith.com

Norwich
Townshend House
30 Crown Road
Norwich, NR1 3DT
T +44 (0) 1603 227115

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CLIENT
Broadland Housing Association

PROJECT
Swanton Road
Norwich

TITLE
Proposed Site Plan

SCALES	DATE	DRAWN	CHECKED
1:500 @ A1	06-10-16	DO	AC

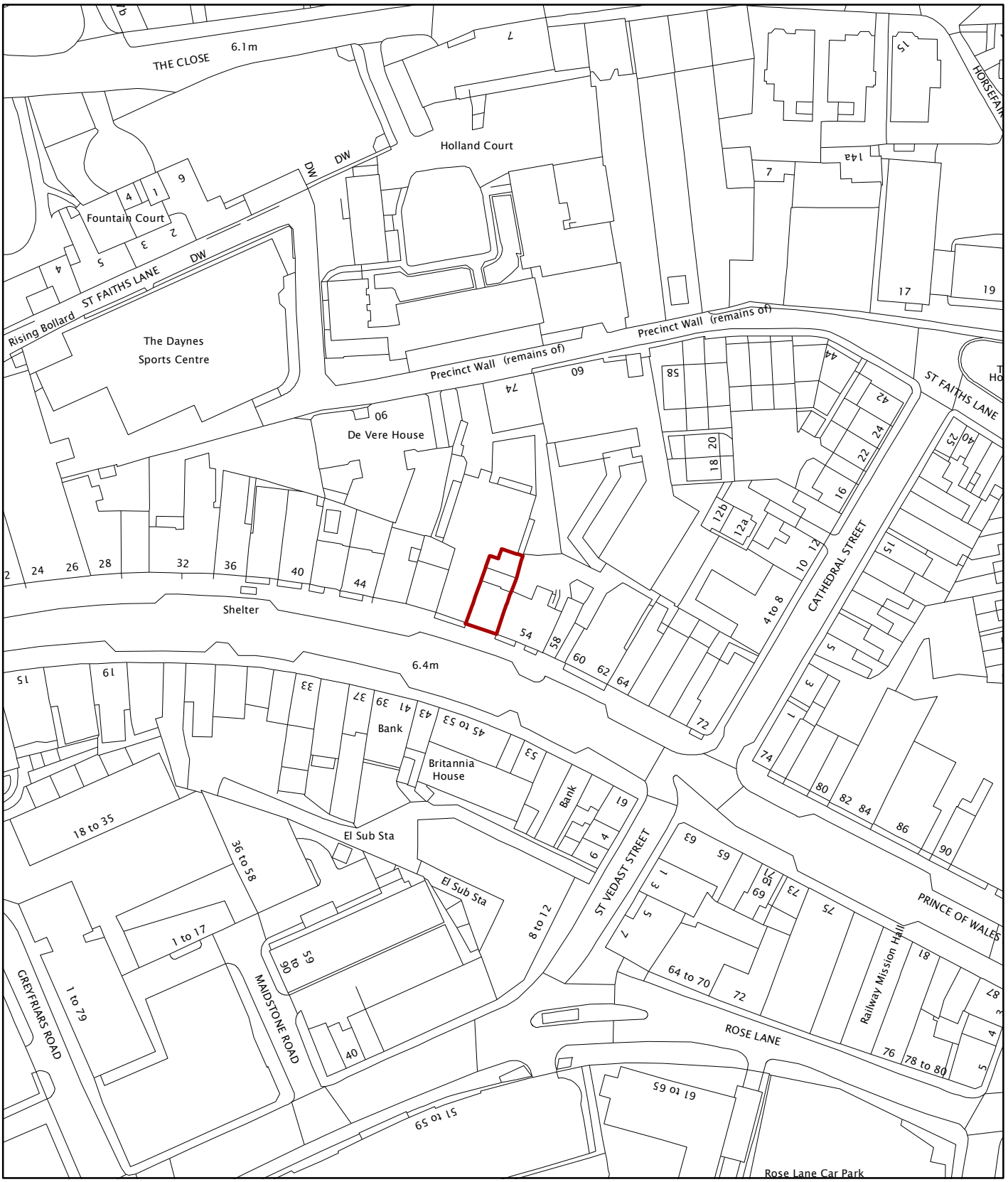
PROJECT NR	DRAWING FIELDS	UNIQUE NR	REV CODE
11-27-16-1-1058	DR-A	006	A

Report to	Planning applications committee 12 January 2017	**Item**
Report of	Head of planning services	
Subject	Application no 16/01578/F - 52 Prince of Wales Road, Norwich, NR1 1LL	4(d)
Reason for referral	Objections	

Ward:	Thorpe Hamlet
Case officer	Becky Collins - beckycollins@norwich.gov.uk

Development proposal		
Alterations and change of use to Lap Dancing Venue (Sui-Generis).		
Representations		
Object	Comment	Support
5	0	0

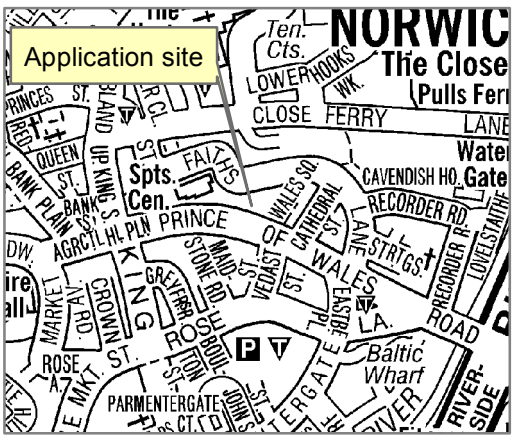
Main issues	**Key considerations**
1	Principle
2	Amenity
3	Crime
4	Design and Heritage
Expiry date	29 December 2016
Recommendation	Approve



Planning Application No 16/01578/F

Site Address 52 Prince of Wales Road

Scale 1:1,250



NORWICH City Council

PLANNING SERVICES

The site and surroundings

1. No. 52 Prince of Wales Road is a mid-terraced, 4 storey building with a basement situated on the north side of Prince of Wales Road. The basement and ground floors were previously used as a bar. The upper floors of the premises was previously used as a hotel, its current use is unknown.

2. No. 50 Prince of Wales Road is occupied by a bar and club (Mantra) at basement and ground floor level with residential accommodation above.

3. There is a four storey office building to the rear that has planning permission to be turned into a 47 unit apart-hotel complex (Class C1) and Britannia House, at 45-53 Prince Of Wales Road, which is located opposite the proposal site, has permitted development rights to change the use of the first, second and third floors from commercial to residential flats.

4. The property falls within the Late Night Activity Zone and City Centre Conservation Area.

Constraints

1. Conservation Area – Prince of Wales Road character area
2. Locally Listed building
3. Area of main archaeological interest
4. Late Night Activity Zone
5. City Centre Leisure Area

Relevant planning history

1.

Ref	Proposal	Decision	Date
4/2002/0916	Infilling of basement area at rear.	REF	23/12/2002
4/2002/0086	Change of use from offices to Hotel (Class C1) and associated restaurant.	APPR	09/05/2002
4/1989/0409	Demolition of chimney stack.	REF	01/06/1989
4/1997/0733	Change of use of ground floor and basement from office (Class B1) to taxi control office and waiting room	LAPSED	12/12/1997

Ref	Proposal	Decision	Date
03/00124/D	Condition 10 - Details of extract ventilation system for previous planning permission (Application No. 4/2002/0086/F) 'Change of use from offices to Hotel (Class C1) and associated restaurant at 52 - 52a Prince Of Wales Road'	APPR	23/09/2005
13/01038/U	Change of use of basement and ground floor from restaurant (Class A3) to drinking establishment (Class A4).	APPR	18/10/2013
13/01913/A	Display of 1 No. internally illuminated fascia sign.	APPR	02/04/2014
14/00014/F	Erection of glazed entrance and enclosure to bar.	APPR	04/04/2014
14/00389/MA	Variation of condition 7 by enlarging lobby behind new double doors and removal of condition 11 of planning permission 13/01038/U 'Change of use of basement and ground floor from restaurant (Class A3) to drinking establishment (Class A4)'.	APPR	19/05/2014

The proposal

2. Alterations and change of use to Lap Dancing Venue (Sui-Generis). No alterations to the external elevations of the property.

Summary information

Proposal	Key facts
Scale	
Total floorspace	**159 sqm**
Transport matters	
Vehicular access	**As existing to the rear of the building**
No of car parking spaces	**1 (as existing)**
No of cycle parking spaces	**To be located to the rear of the building**

Servicing arrangements	**To be located to the rear of the building**

Representations

3. 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**
National planning policy states that planning decisions "should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion." (NPPF, para 69) Residents have made it clear on a number of occasions that they do not wish to see a proliferation of these uses in Norwich, and that these establishments make them feel less safe. The area is already avoided, despite being the main route to/from city centre to rail station, and adding sexual arousal to the drunkenness that afflicts the late night zone will only worsen this situation and result in the likelihood of harassment and threats towards women.	Main Issue 3 - Crime
There are flats above no.52 and 54, and the impact on these residential properties needs to be considered. Although the noise impact is likely to be similar to existing use, other aspects of amenity also have to be considered (local plan policy DM23). Noise pollution may change from what is already present, undermining the principle of a fair city for all, and our policies on equality. Also, the quality of life of residents will be impacted in negative manner.	Main Issue 2 - Amenity
Exterior advertising will change the character of the area, particularly given that the site is close to a school. Bars and lap-dancing clubs are not viewed as equivalent, either in planning terms (hence the separate use class) or by the public.	Main Issue 4 – Design and Heritage
The proposal would not preserve the moral integrity of Norwich. The use is	Main Issue 1 - Amenity

Issues raised	Response
inappropriate.	
The proposal will add to the poor reputation of Prince of Wales Road, not improve it.	Main Issue 4 – Design and Heritage
If the council is serious about regenerating the Thorp Hamlet/King Street area, what sort of message will the addition of a lap dancing club will convey to potential investors? Encouragement should be given to greater economic diversity.	Main Issue 4 – Design and Heritage

Consultation responses

4. 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.

Norfolk Constabulary

5. I have considered the alterations relative to the proposed change of use and have no architectural comment to make.

Environmental protection

6. Propose the imposition of acoustic measures as set out in the submitted Design and Access Statement and applied as conditions to the previous permission reference 13/01038/U (acoustic measures, amplification/max sound measures, sound level management, prevention of inappropriate use of outside areas, ventilation/extraction, plant and machinery).

Assessment of planning considerations

Relevant development plan policies

National Planning Policy Framework:
Policy 1 – Building a strong, competitive economy
Policy 2 – Ensuring the vitality of town centres
Policy 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011:
Policy 2 – Promoting good design
Policy 5 – The economy
Policy 8 – Culture, leisure and entertainment
Policy 11 – Norwich City Centre

Norwich Local Plan:
DM1 Achieving and delivering sustainable development
DM2 Ensuring satisfactory living and working conditions

DM3 Delivering high quality design
DM9 Safeguarding Norwich's heritage
DM23 Supporting and managing the evening and late night economy

Case Assessment

7. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

8. Key policies and NPPF paragraphs – DM23, JCS8, NPPF Policy 2.

9. The property falls within the Late Night Activity Zone, Leisure Area and City Centre Conservation Area. The Late Night Activity Zone is where activities such as nightclubs and entertainment facilities can be provided, with the intention of excluding conflicts with residential properties in the area.

10. Policy DM23 seeks to assist in managing the evening and night-time economy and to encourage a diverse range of complementary leisure, evening and night-time uses. This policy permits leisure and entertainment uses within defined areas, on the basis that they would not give rise to unacceptable amenity and environmental impacts, which could not be overcome by the imposition of conditions. Where necessary, permissions can be granted subject to conditions restricting hours of opening to protect the amenity of surrounding occupants; the vitality and viability of the area generally; and to minimise the potential for crime and disorder. Subject to matters of amenity and environmental impacts, further discussed below, this proposal is not considered to be materially different from the buildings current operation, given its long opening hours, music licence and location within the Late Night Activity Zone. It is therefore considered acceptable in principle, subject to matters of amenity, further discussed below.

Main issue 2: Amenity

11. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

12. There are existing residential properties in close proximity to the site, especially at first floor levels, including residential units above number 54 Prince of Wales Road. Above the proposal is a Hotel, above number 52 there are residential units. The proposal does have the potential to impact the amenity of local residents and act as a disturbance to residents of the hotel. However, given the sites existing use as a bar, its consented opening hours (not between 4am and 9am) and other surrounding uses, it is not considered that this proposal would have significant additional impact on the amenity of neighbouring properties.

13. Environmental Health suggest a number of conditions, similar to those imposed on the consented use of the site as a bar, to ensure the amenity of residents and those using the hotel are protected from this development. These conditions include acoustic measures, amplification/max sound measures, sound level management, prevention of inappropriate use of outside areas, ventilation/extraction, plant and

machinery conditions. A condition will also be applied restricting the hours of deliveries in order to protect amenity.

14. On this basis, the proposal for a change of use at 52 Prince of Wales Road is considered acceptable and unlikely to significantly further impact the amenity of neighbouring properties in comparison to the existing use of the premise. The proposal is therefore considered in accordance with policies DM2 and DM23 of the Norwich Local Plan.

Main Issue 3: Crime

15. Key policies and NPPF paragraphs – JCS2, DM3 NPPF paragraph 58

16. Key policies within the development plan require new development to minimise opportunities for crime, disorder and anti-social behaviour. Policy 6 of the NPPF encourages development which creates safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Given the existing use of the site and the current permitted opening hours, it is not considered that this proposal would lead to an increase in crime or the fear of crime, the numbers of people exiting such a use is likely to reduce and could reduce the incidence of crime in this area. The Police have raised no objection to the application and it is therefore not considered that there will be a material increase in crime sufficient to warrant refusal of planning permission in this instance.

Main Issue 4: Design and Heritage

17. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.

18. The application site lies within the Norwich Conservation Area. The proposal includes no changes to the external alterations of the building other than the addition of film coating on the internal side of the glass at the entrance to the site off Prince of Wales Road, this change is not considered to be development requiring planning permission. On this basis it is considered that the proposal would not materially change the character or appearance of the Conservation Area or the street scene.

19. A minor change to the existing signage is proposed, although this would advertise the venue as a lap-dancing club, this is a change to text on an existing advertisement and therefore would not require consent. On the basis that the use is considered acceptable in principle, this proposed advertising is also considered acceptable.

20. One of the objectives within the Conservation Area Appraisal for the Prince of Wales Road character area is to provide greater control of advertising and lighting on buildings, advertising is covered by separate regulations, as set out above. However, it is considered reasonable to add a condition with regards to lighting to protect and enhance the character and appearance of the Conservation Area.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	**Yes subject to condition**
Car parking provision	DM31	**Yes**
Refuse Storage/servicing	DM31	**Yes subject to condition**

Other matters

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

Transport

23. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.

24. The car parking and servicing arrangements will remain as per the current use, with one car parking space provided. Given the sites location close to the city centre, public transport nodes, local car parks and in an area where low car parking provision is encouraged, then it is not considered necessary for this development to provide additional car parking.

25. The plans show an area for bin and cycle storage to the rear of the existing building. The waste storage and collection arrangements are the same as the existing use and given that the proposal is comparable to that of the existing, these arrangements are considered acceptable. Sufficient cycle storage should be provided, on this basis a condition is proposed to ensure secure cycle provision.

Equalities and diversity issues

26. Despite some concerns being raised about the proposed use of the premises, it is not considered that there are significant equality or diversity issues.

Local finance considerations

27. 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.

28. 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.

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

Conclusion

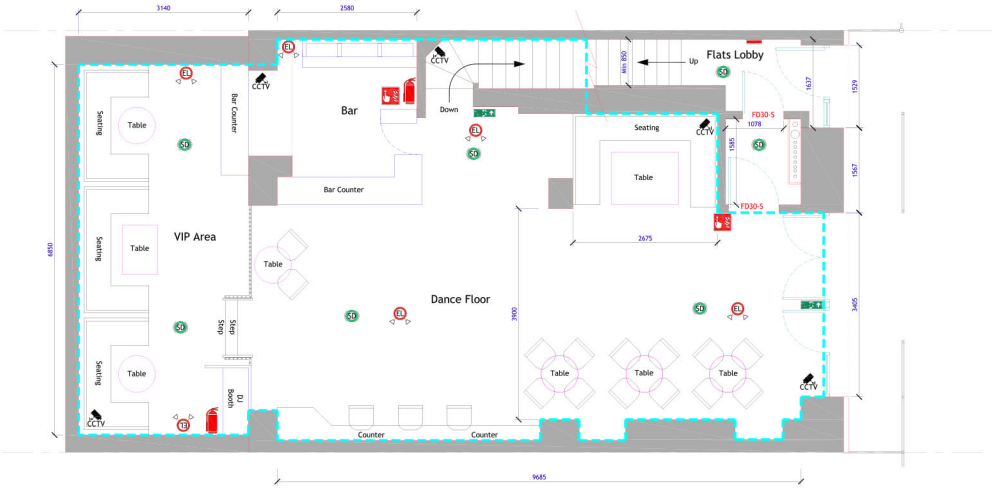
30. The development is considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application no. 16/01578/F - 52 Prince Of Wales Road Norwich NR1 1LL and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Cycle storage;
4. Acoustic measures;
5. Amplification/max sound measures;
6. Sound level management;
7. Prevention of inappropriate use of outside areas;
8. Ventilation/extraction;
9. Plant and machinery
10. Deliveries
11. Lighting.

Article 35(2) Statement
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



EXISTING GROUND FLOOR PLAN
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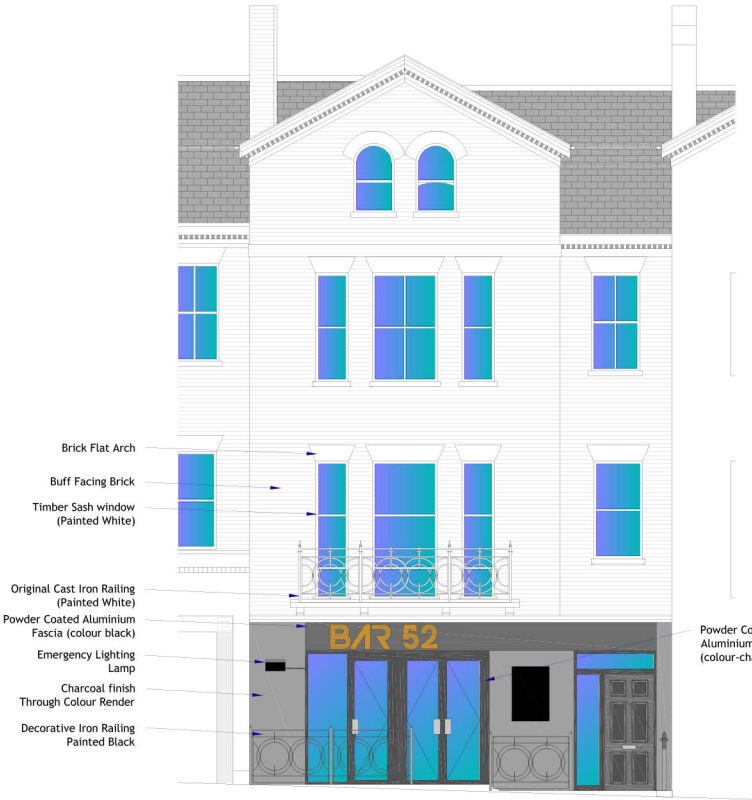
EXISTING BASEMENT FLOOR PLAN
scale - 1:50@A1



EXISTING FRONT ELEVATION
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DRAWING KEY

- Licenced Area
- Fire Call Point
- Fire Extinguisher
- Fire Exit Sign
- Accident Book
- Closed Circuit T.V
- Smoke Detector
- Emergency Lighting
- First Aid Station
- Fire Alarm Cntrl Panel

Rev	Description
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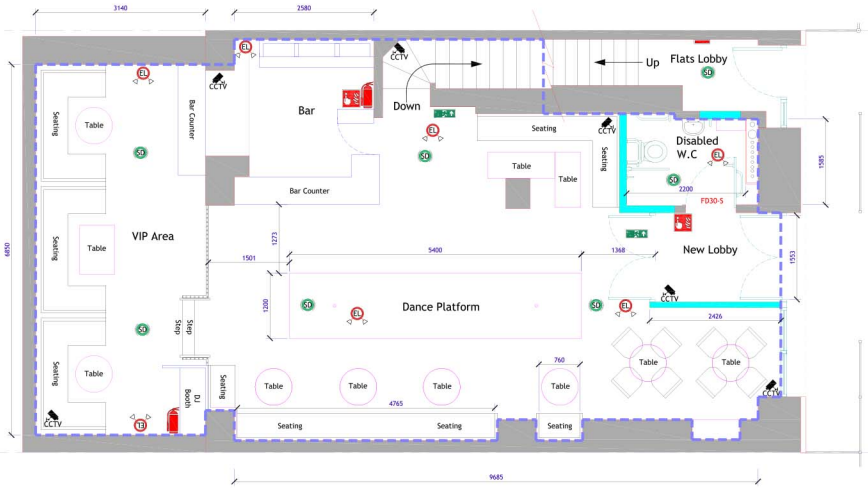
Project Title: 52 Prince Of Wales Road Proposed Change of Use

Drawing Title: Plans & Elevation As Existing

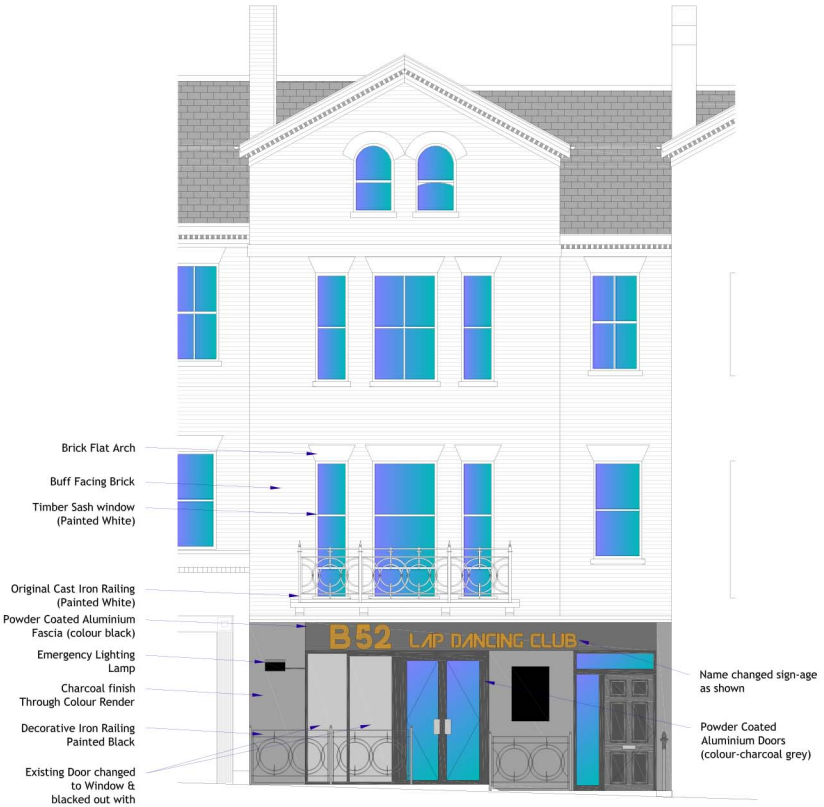
Drawing No:		Rev:
CP-16-07-002		N/A
Drawn:	Scale:	Approved:
CWP	As shown @A1	N/A
CLient:	Date:	Job No:
Petrit Vladi	07/10/16	CP-16-07

CwP Architectural Services
4 Glebe Drive, Chedgrave, Norwich, Norfolk, NR14 6LA
Tel: 01508 528873 Mob: 07958 158259
E-mail: cwparchitectural@yahoo.co.uk



PROPOSED GROUND FLOOR PLAN
scale - 1:50@A1

PROPOSED BASEMENT FLOOR PLAN
scale - 1:50@A1



PROPOSED FRONT ELEVATION
scale - 1:50@A1

DRAWING KEY

- New & in-filled walls
- Licenced Area
- Fire Call Point
- Fire Extinguisher
- Fire Exit Sign
- Accident Book
- Closed Circuit T.V
- Smoke Detector
- Emergency Lighting
- First Aid Station
- Fire Alarm Cntrl Panel

Rev	Description
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Project Title: 52 Prince Of Wales Road Proposed Change of Use

Drawing Title: Plans & Elevation As Proposed

Drawing No:	Rev:
CP-16-07-003	N/A
Drawn: CWP	Scale: As shown @A1
Approved: N/A	
CLient: Petrit Vladi	Date: 07/10/16
Job No: CP-16-07	

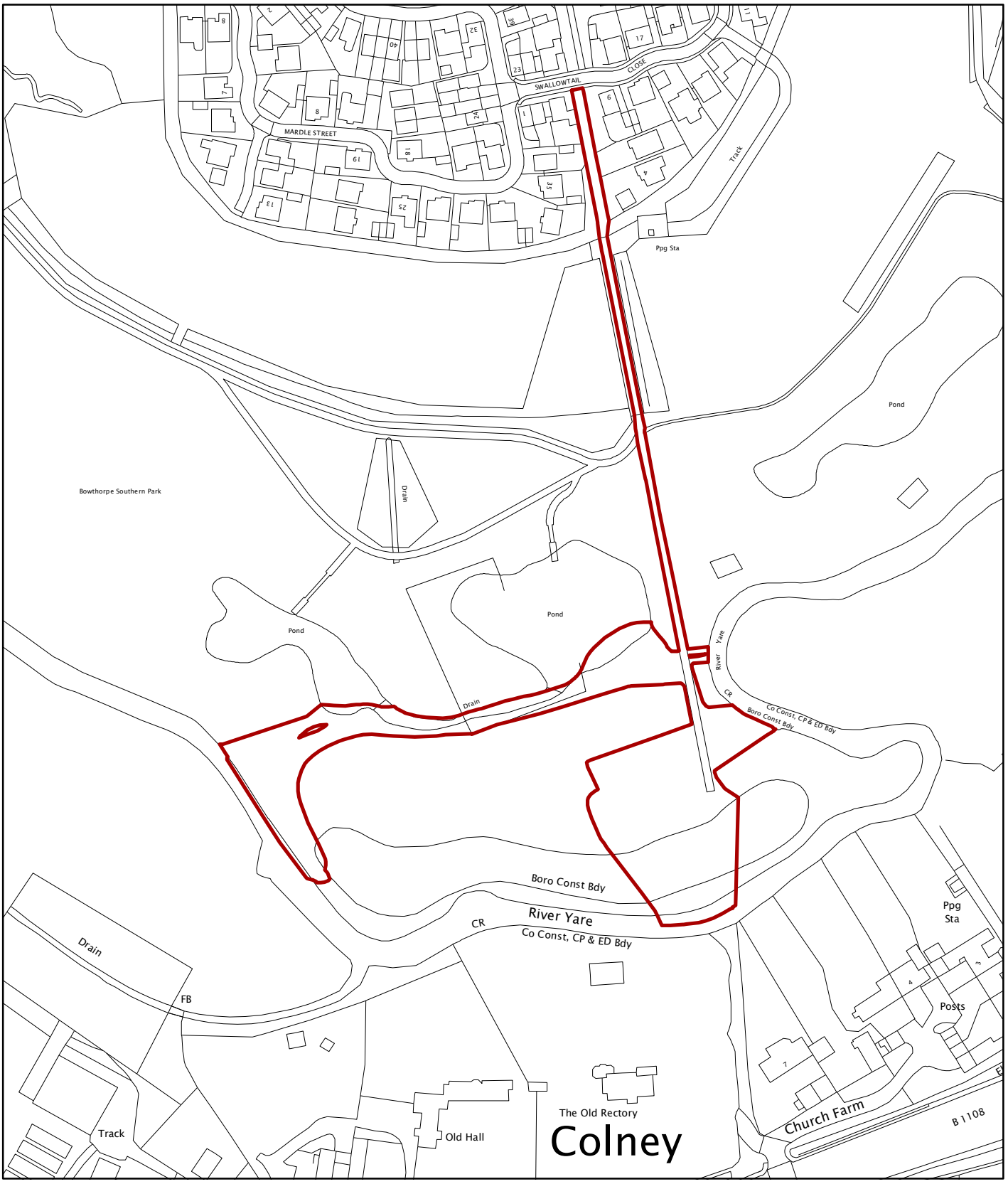
CwP Architectural Services
4 Grebe Drive, Cringleford, Norwich, Norfolk, NR4 1UA
Tel: 01508 528873 Mob: 07958 158259
E-mail: cwparchitectural@yahoo.co.uk

Report to	Planning applications committee 12 January 2017	**Item**
Report of	Head of planning services	
Subject	Application no 16/01615/NF3 - Land adjacent to River Yare, Bowthorpe Southern Park, south of Mardle Street, Norwich	4(e)
Reason for referral	Objection and city council application	

Ward:	Bowthorpe
Case officer	Kian Saedi - kiansaedi@norwich.gov.uk

Development proposal		
Bridge link re-instated, fish fry refuge, dyke network re-instated and spillway.		
Representations		
Object	Comment	Support
2	0	0

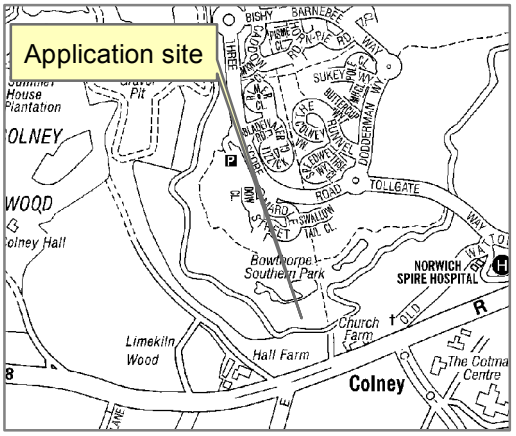
Main issues	**Key considerations**
1 Principle	Impact on open space and Yare Valley Character Area
2 Design and heritage	Design of bridge and impact on adjacent heritage assets
3 Landscaping, trees and biodiversity	Impact on trees, biodiversity enhancements
4 Amenity	Loss of privacy, security
5 Flood risk	Water compatibility of development
Expiry date	21 December 2016 extended to 19 January 2017
Recommendation	Approve



Planning Application No 16/01615/NF3

Site Address Land adjacent to River Yare
Bowthorpe Southern Park

Scale 1:2,000



NORWICH City Council

PLANNING SERVICES

The site and surroundings

1. The site is located within Bowthorpe Southern Park and straddles the River Yare. To the north of the river the land lies within Bowthorpe Southern Park and within the Norwich City Council district area. The area providing the landing point for the new bridge on the southern side of the river lies within the district of South Norfolk and forms the route of a bridleway between number 7 Church Close and the 'Old Rectory'.

2. The area of the site to the north of the river is in the ownership of Norwich City Council and is managed by the Norwich Fringe Project as open space and for biodiversity purposes.

Constraints

3. The site is subject to the following constraints:

   - Flood zone 2/3
   - Designated Open Space (DM8)
   - Yare Valley character area (DM6)
   - The river corridor is a County Wildlife Site.
   - The Old Rectory located to the south-west of the site is a grade II listed building.

The proposal

4. The application involves the reinstatement of a bridge link between the park and Colney, the creation of a fish fry refuge, dyke network reinstatement and the construction of a spillway.

5. The main objective of the proposal is the re-connection of two existing public rights of way through the construction of a new footbridge. The proposal for the bridge is part of a wider project for improvements to green space in Bowthorpe associated with the development of Three Score. The river crossing and footpath improvements will provide a direct link between housing in Bowthorpe, Bowthorpe Southern Park and major employment locations at the NRP and the NNUH.

Representations

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

Issues raised	Response
Harm to the character of the area resulting from the erection of the bridge	Main issue 2
Impact on the Old rectory which is a listed building	Main issue 2
Loss of privacy	Main issue 4
Harm to security of properties adjacent to Watton Road from increased activity which will follow from the erection of the bridge	Main issue 4
Potential problem with people beginning walk at entrance to the path shared with the Rectory and Church Farm which is private land with no scope for parking	Main issue 4
Impact on biodiversity	Main issue 3
"The Planning Statement refers to a wider range of improvements of green space in Bowthorpe. I would submit that the further development of Three Score will inevitably result in the reduction of green space in Bowthorpe while there is very little in the nature of development which can actually 'improve' green space which already exists"	Noted
The proposal is unnecessary and a link already exists between the north end of the proposed new link to the pedestrian crossing at the lights at the end of Colney Lane	In considering the bridge link alone, the proposal will shorten the route from Bowthorpe to Colney Lane and will encourage greater use of the park as a result. The proposal will provide improved connection to Colney and Norwich Research Park where significant future growth is anticipated and in turn the improved link should encourage people to use more sustainable modes of transport
The financial expenditure on the project is not justified	CIL money expenditure has the support of the Greater Norwich Growth Board (Broadland District Council, Norwich City Council, South Norfolk Council, Norfolk County Council, and the New Anglia Local Enterprise Partnership (LEP)

Consultation responses

7. 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

8. 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.

Environment Agency

9. We have no objection to this application providing that you have taken into account the flood risk considerations which are your responsibility.

Lead Local Flood Authority

10. No objections have been raised.

Public Rights of Way (Norfolk County Council)

11. No objections to the joining together of the two existing Public Rights of Way – Norfolk Bridleway no.2 and Public Footpath no.3 and to include all necessary ramps and abutments to the north and south of the river. Recommendations are set out for the final design of the bridge.

Landscape

12. In principle the proposal is acceptable in landscape terms, subject to any approval taking account of the recommendations for ecology protection and mitigation.

Natural England

13. Natural England has no comments to make on this application.

Norfolk historic environment service

14. The proposed development is located within an area known to contain heritage assets with archaeological interest. If the development contains heritage assets with archaeological interest, groundworks associated with the construction of the bridge and creation of the pond and dykes have potential to disturb them. Conditions are proposed in mitigation.

Natural Environment Team (Norfolk County Council)

15. If you are minded to approve this application, we recommend that Sections 6.10-6.14 are conditioned as part of the decision. This includes enhancements to the site which specifically should include at least 2 bat boxes and 1 hibernacula (the latter to be constructed from timber retained on site) to be erected on suitable locations on or close to the site. Lastly, a water vole survey should also be completed within 1 month of the commencement of works.

Natural areas officer (Norwich City Council)

16. Provided that the mitigation measures outlined in the ecology report are implemented, these proposals are likely to have negligible ecological impacts. Once construction of the proposed bridge is completed, the accompanying ecological enhancement measures outlined in the ecology report are likely to bring minor positive biodiversity benefits to the site.

Tree protection officer

17. No objection to the proposed tree removal needed to construct the link bridge. All tree work should be carried out to BS3998.

Assessment of planning considerations

Relevant development plan policies

18. **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
    - JCS6 Access and transportation
    - JCS12 The remainder of the Norwich urban area including the fringe parishes
    - JCS20 Implementation

19. **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
    - DM8 Planning effectively for open space and recreation
    - DM9 Safeguarding Norwich's heritage
    - DM28 Encouraging sustainable travel
    - DM30 Access and highway safety

Other material considerations

20. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
    - NPPF0 Achieving sustainable development
    - NPPF4 Promoting sustainable transport
    - NPPF7 Requiring good design
    - NPPF8 Promoting healthy communities
    - NPPF10 Meeting the challenge of climate change, flooding and coastal change
    - NPPF11 Conserving and enhancing the natural environment
    - NPPF12 Conserving and enhancing the historic environment

21. Supplementary Planning Documents (SPD)

- Trees, development and landscape SPD adopted June 2016

Case Assessment

22. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

23. Key policies and NPPF paragraphs – DM6 and DM8, NPPF paragraphs 73-75.

24. Policy DM8 seeks to protect areas of designated open space in the interests of "enhancing local amenity, helping to promote better health and well-being and fostering community cohesion, as well as providing essential green infrastructure, establishing habitats and networks of ecological and wildlife value and contributing greatly to the character and appearance of the city."

25. The proposal involves no loss of open space and will enhance access to Bowthorpe Southern Park, including biodiversity enhancements associated with the fish fry refuge and works to reinstate the river bank and construct the spillway. The works to reinstate the river bank and construct the spillway will result in the floodplain functioning properly, providing extra capacity during peak flows and enabling greater public access across the year.

26. The biodiversity impacts of the development and design of the bridge are discussed in more detail later in this report, but the proposal is not considered to carry any negative implications to the Yare Valley Character Area.

27. In summary therefore, the principle of the development is considered to be acceptable owing to the enhancements in public access to the park and biodiversity enhancements that will result from the associated works.

Main issue 2: Design and heritage

28. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.

29. The bridge is to be constructed at the south of the site and will provide a link between 'Norwich public footpath No.3' and 'Colney bridleway No.3' across the River Yare. The bridge is stated to have been designed to national and European standards with the exception of the gradient exceeding 1 in 12 due to the arched profile, the width being reduced to 2 metres and the height of the parapets reduced to 1.15m.

30. The river is very likely to provide a key foraging habitat for bats, in particular the Daubenton's bat which feeds close to the river surface. The bridge has been

designed to provide sufficient space for bats to navigate underneath and takes account of the levels associated with peak flows. The space beneath the bridge has been assessed on this basis and will provide sufficient flight space so that any impact upon Daubenton's bats will be negligible. The curved design of the bridge will also prevent the need to significantly raise the levels of the banks on either side of the river which could otherwise carry implications for less ambulant users and to the ecology of the site from the engineering works that would be required.

31. The width of the bridge has been reduced to two metres in agreement with the British Horse Society and this will mean that should a horse need to cross the bridge, it will have to do so in single file. Opportunities for appropriate signage will be conditioned to provide instruction for horse riders wishing to cross the bridge.

32. The design of the bridge has now been amended to raise the parapets to 1.4 metre to meet the height standard for cyclists and this approach has been approved by the Public Rights of Way Group at county Council.

33. The balustrades of the bridge are to be constructed of steel and painted, with timber deck blanks laid for the footway. Final details of the bridge will be conditioned to ensure appropriate paint colour and material for the footway. The design of the bridge is otherwise considered to be unobtrusive and will not result in any significant harm to the setting of 'The Old Rectory' which is grade II listed. Screening to the listed building is also provided in the form of existing mature trees planted adjacent to the southern bank of the river.

Main issue 3: Landscaping, trees and biodiversity

34. Key policies and NPPF paragraphs – JCS1, DM3, DM6, DM7, DM8, NPPF paragraphs 9, 17-18, 56, 109 and 118.

35. It's anticipated that in order to facilitate access for the construction of the bridge and to provide the footpath route to the bridge deck, between 11 and 14 trees will need to be felled on the north side of the river and several trees will need to be pollarded or coppiced. The trees are understood to have originally been planted as visual mitigation for the gravel extraction works that took place in the valley. They were not planted with management in mind and several were planted very close together. Several Willow trees can be seen to have recently fallen down naturally.

36. The works to the trees will open up both the canopy and the growth potential of the understorey, helping to create a more diverse habitat and greater range of tree heights. It is not therefore considered necessary to require replacement planting of the trees to be felled. The site is managed by the Fringe Project which in turn is funded in part by both the City Council and South Norfolk District Council. Should it be determined that any replacement planting is necessary then it would be arranged directly by the City Council as the applicant. The felled trees will be recycled on site and integrated within river enhancement projects.

37. A fish fry refuge is to be created via a dyke which is to be culverted beneath the footpath. The fish fry refuge has been suggested by the Environment Agency and will provide a warmer and shallower area of water where fish fry can gather away from predation from larger fish. The refuge will mimic backwater conditions more akin to the natural state of a river and this element of the proposal represents a clear biodiversity enhancement.

38. The earth excavated for the fish fry refuge will be recycled on site in the construction of the path/ramp to the new bridge which will reduce the need to import materials from elsewhere.

39. Part of the river has breached its banks, understood to have occurred during the 2015/16 winter period. Since then the surrounding area has flooded regularly and the flooding has not abated in the summer period. This has led to concerns that the main river levels could drop which would result in harm to fish habitats. The scheme included works to reinstate the bank and install a spillway upstream which will restore the floodplain to its previous state and provide extra capacity in peak flows. The dykes will provide new habitats for water voles and the ponds will benefit from receiving oxygenated water from the river. Details of spillway construction will be secured by condition to ensure proper functioning.

40. The application includes an ecological assessment which identifies the potential for Kingfisher, Crayfish and Water Vole habitat adjacent to where the bridge is to be constructed. Planning consent will be conditioned to require a pre-works survey for protected species and compliance with the recommended mitigation measures and enhancements set out in section 6.10 - 6.14 of the ecological assessment.

41. In summary therefore, while the proposal will involve the loss of several trees on the site, the loss of the trees is justified and the overall biodiversity benefits of the proposal are substantial.

Main issue 4 : Amenity

42. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

43. The proposal will increase pedestrian activity adjacent to residential properties, notably to the south of the river along the bridleway between ‘The Old rectory’ and number 7 Church Farm. It is noted that while the bridleway is an existing public right of way, its use is limited owing to the fact that it is rarely possible to cross the river unless in drier summer periods when the levels can be low enough to walk across. Any increase in activity along the bridleway will therefore increase the opportunity for pedestrians to look into the rear gardens of neighbouring properties. However, the bridleway is an existing public right of way and there has to be an expectancy therefore of people using the path. ‘The Old Rectory’ is well screened by trees and vegetation adjacent to the bridleway path but clear views would be possible into the rear garden number 7 Church Farm. It is understood that the applicant offered to install a new fence along the boundary with 7 Church Farm to provide additional screening but that the offer was declined.

44. Security concerns have been raised with the impacts of more people using the Bridleway and potential for criminal activity. Incidents of people accessing private gardens ‘looking for the bridleway’ have also been reported. The potential for improved signage and interpretation is recognised and this would help to ensure that users of the route do not stray onto private land and that car parking would not be permitted on private land. However, it is also noted that much of the land adjacent to the Bridleway entrance at Church Farm is private and depending on where signage is located, landowner consent may be needed. A condition is therefore proposed for a signage/interpretation feasibility scheme (and potential implementation) to explore opportunities for improved signage at the site. The signage will also include guidance for horse riders adjacent to mounting blocks that

the bridge is single file only, which has been requested by the Public Rights of Way Group.

Main issue 5: Flood risk

45. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.

46. As referred to in Main issue 3, the proposed works to reinstate the river bank and construct the spillway will have the effect of increasing the capacity of the river in times of peak flow. This is because the river will not be flooded so regularly and so the floodplain will have greater capacity to absorb overflows.

47. The site is located within Flood Zone 3 but the proposed development is considered to 'water compatible' as defined within National Planning Practice Guidance. The Environment Agency (EA) and Lead Local Flood Authority (LLFA) have both been consulted and raise no objections to the proposal.

Equalities and diversity issues

48. There are no significant equality or diversity issues.

Local finance considerations

49. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.

50. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.

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

Conclusion

52. 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. 16/01615/NF3 - Land Adjacent To River Yare Bowthorpe Southern Park South Of Mardle Street Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to include final design of bridge (including colour of paint, material for footway and design of gates) and details of the gravel or hoggin path;

4. Landscape details;
5. Details of spillway construction;
6. Construction method statement;
7. Feasibility study and associated scheme for the installation of signage and interpretation at the site to include direction to the bridleway, notification that surrounding land is private and not available for public car parking, and guidance for horse riders adjacent to mounting blocks;
8. Compliance with the mitigation measures and enhancements outlined in section 6.10-6.14 of the ecology assessment to include a pre-works survey to ensure that no disturbance to nesting Kingfishers will occur.
9. Archaeology – no development until a written scheme of investigation has been submitted to and approved by the local authority;
10. Archaeology – no development unless in accordance with the written scheme of investigation;
11. Archaeology – post investigation assessment.

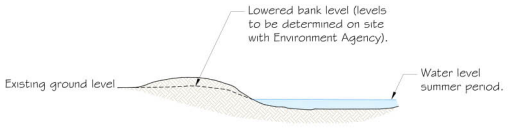
Informatives:

1) The applicant is advised that they will need to apply for temporary traffic orders to close the routes to the public for the duration of the works.
2) The applicant will need a bespoke permit for the footbridge works for '(a) Erecting structures (whether temporary or permanent) in, over or under a 'main river'. Application forms and further information can be found at: https://www.gov.uk/guidance/flood-risk-activities-environmental-permits Anyone carrying out these activities without a permit where one is required, is breaking the law.
3) The applicant is advised to explore opportunities for the handrails to be as open as possible, within the confines of ensuring adequate pedestrian safety, in order to reduce the likelihood of debris causing a blockage during a flood event.

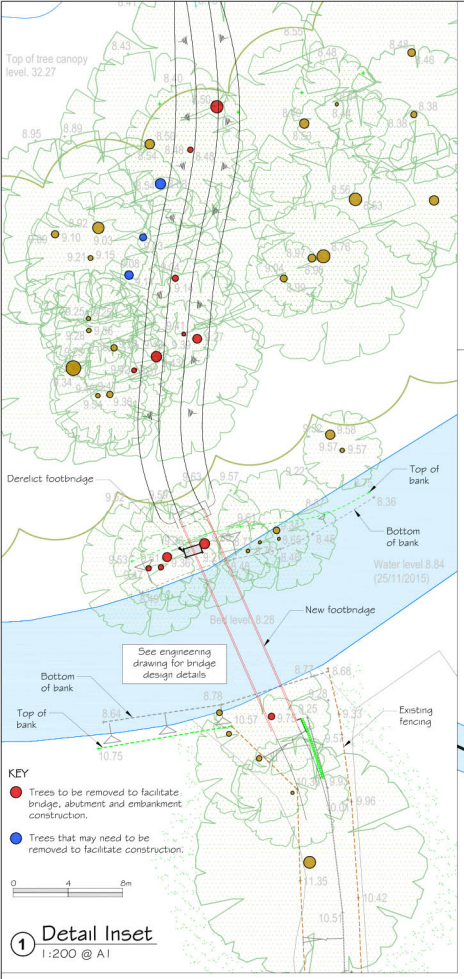
Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

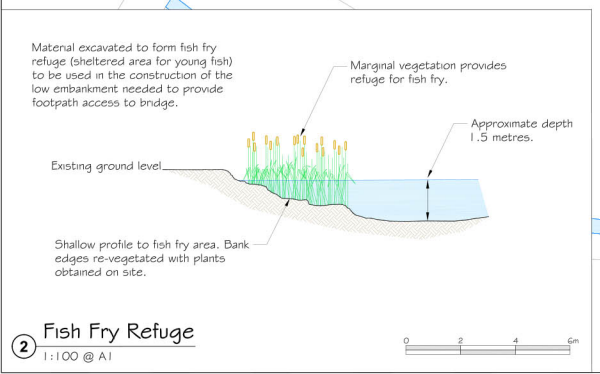
A high level spillway will be designed in conjunction with officers from the Environment Agency. The existing bank is slightly raised due to past dredging activity. The spillway height will be designed to overtop during certain periods in the year to achieve a more naturally functioning floodplain. The works will not increase flood risk to people or property and will assist in providing more controlled water management in Bowthorpe Southern Park and the potential for improved habitat.



3 Cross section A-A
1:100 @ A1



1 Detail Inset
1:200 @ A1



2 Fish Fry Refuge
1:100 @ A1

Bowthorpe Southern Park

Pond

Pond

Pond

Norwich public footpath No.3.

River Yare

Drain

Existing breach culverted over public right of way using 2 no. 300 mm pipes.

See inset 3 for cross section detail.

New dyke to connect existing ponds to river.

A

A

Construction of spillway in partnership with Environment Agency.

Approximate location and size of fish fry refuge. Profiling of pond edge to be determined on site with Environment Agency Fisheries officer. Typical profile see inset 2

New dyke culverted under footpath using 2 no 300mm pipes.

Edges of dyke graded back to encourage marginal vegetation.

NORWICH CITY COUNCIL EXECUTIVE AREA

Material excavated used to create footpath route to bridge.

Woodland

Approximately 10 metres of bank protection works to include cutting back of Willows. Installation of geo-textile to act as silt curtain and to encourage vegetation reinstatement.

River Yare

See inset 1 for detail

See engineering drawing for full details of bridge abutment and embankment construction.

Colney bridleway No.3.

SOUTH NORFOLK DISTRICT COUNCIL EXECUTIVE AREA

24/10/16 rev a annotations

NORWICH City Council

Title

BOWTHORPE COLNEY BRIDGE LINK

SITE PLAN

Scale(s)	1:500 @ A1
Date	06/10/2016
DWG. No.	LP15007/LL1 rev a
Designed by	
Drawn By	L.A.C
NEG. No.	
Checked By	

Dave Moorcroft
Executive Head of Services
Regeneration & Development
City Hall, Norwich, NR2 1NH
tel 0344 980 3333
planning@norwich.gov.uk

N

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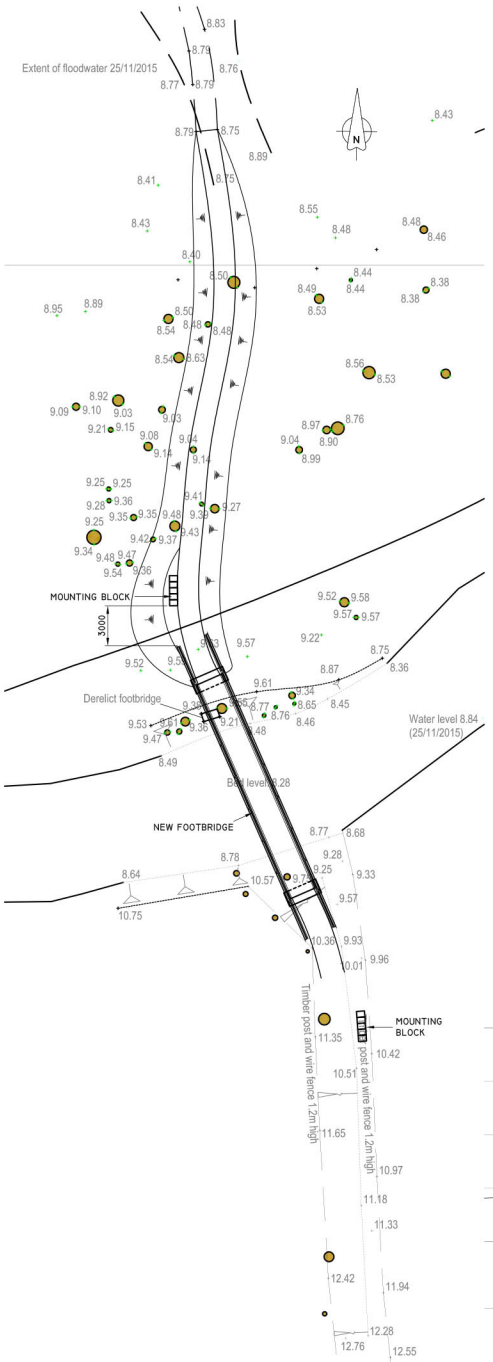
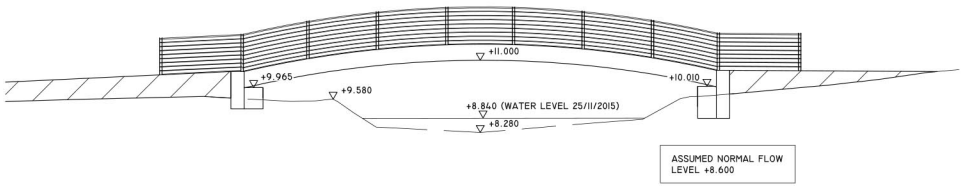


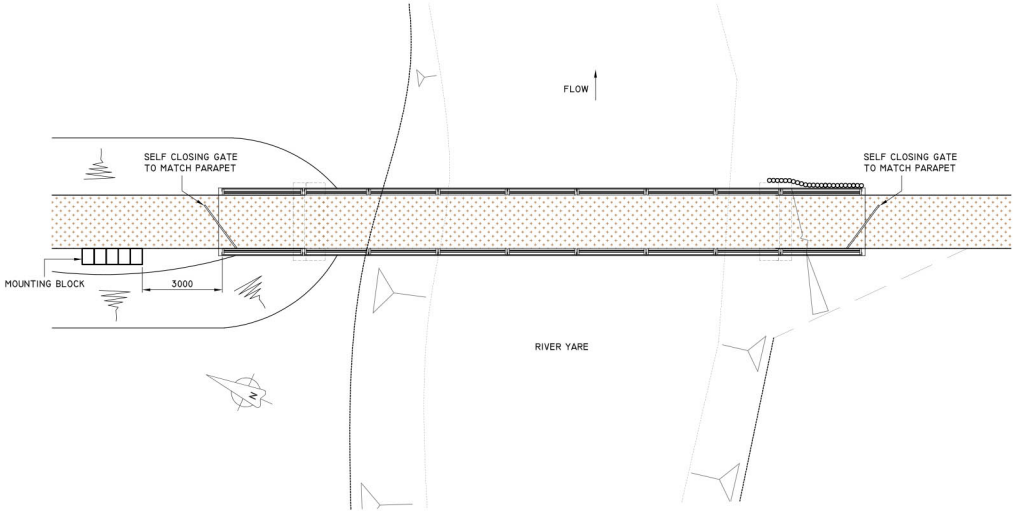
BRIDGE LOCATION PLAN

(1:200)



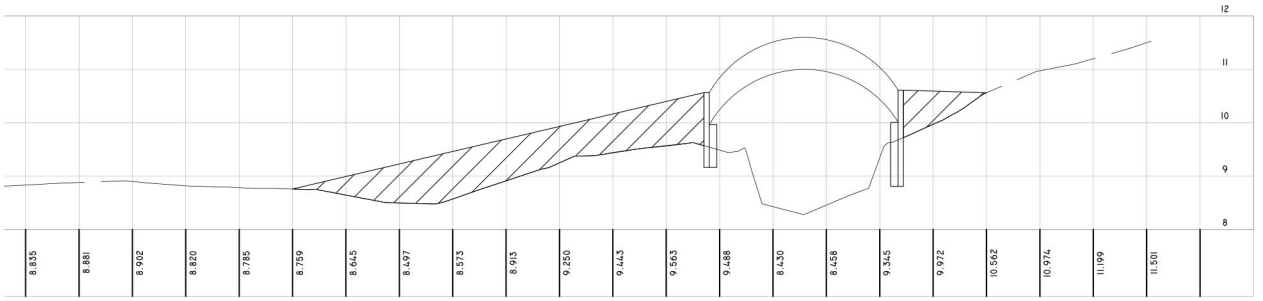
BRIDGE ELEVATION (400MM RISE)

(1:100)



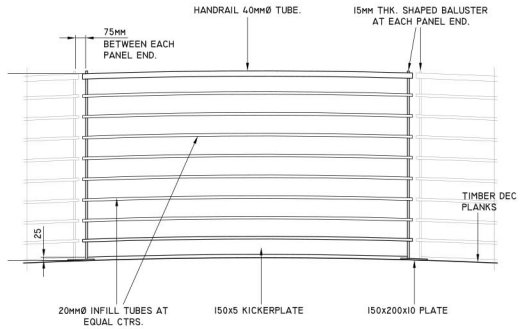
INDICATIVE BRIDGE PLAN

(1:100)



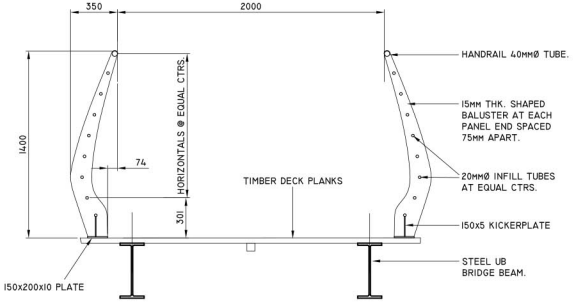
BRIDGE SECTION ALIGNMENT

(HORIZONTAL 1:250, VERTICAL 1:50)



TYPICAL HANDRAIL PANEL

(1:20)



INDICATIVE SECTION

(1:20)

0 50MM ON A1 DWG. 50

REV	DESCRIPTION	BY	CHK	DATE
P5	GUARDING REVISED TO REFLECT CLIENTS CURRENT REQUIREMENTS.	TN	MA	07.12.16
P4	ADDITIONAL PARAPET PANELS & MOUNTING BLOCKS ADDED.	SJR	MA	20.10.16
P3	INDICATIVE SECTION, INDICATIVE BRIDGE PLAN AND LONG SECTION ALIGNMENT ADDED. WALKWAY SLOPE AMENDED	JG	MA	29.07.16
P2	PARAPET PANEL DETAILS ADDED. GENERAL LEVELS AMENDED.	TL	MA	01.06.16
P1	BRIDGE LEVELS ADJUSTED.	CP	MA	11.05.16

CLIENT

PROJECT
COLNEY TO BOWTHORPE RIVER LINK.

DRAWING TITLE
PROPOSED FOOTBRIDGE DETAILS.

PINNACLE CONSULTING ENGINEERS
PINNACLE HOUSE,
3 MERIDIAN WAY,
NORWICH,
NORFOLK,
NR7 0TA. TELEPHONE: 01603 327 170
WELWYN GARDEN CITY I LONDON I BRISTOL I DUBLIN

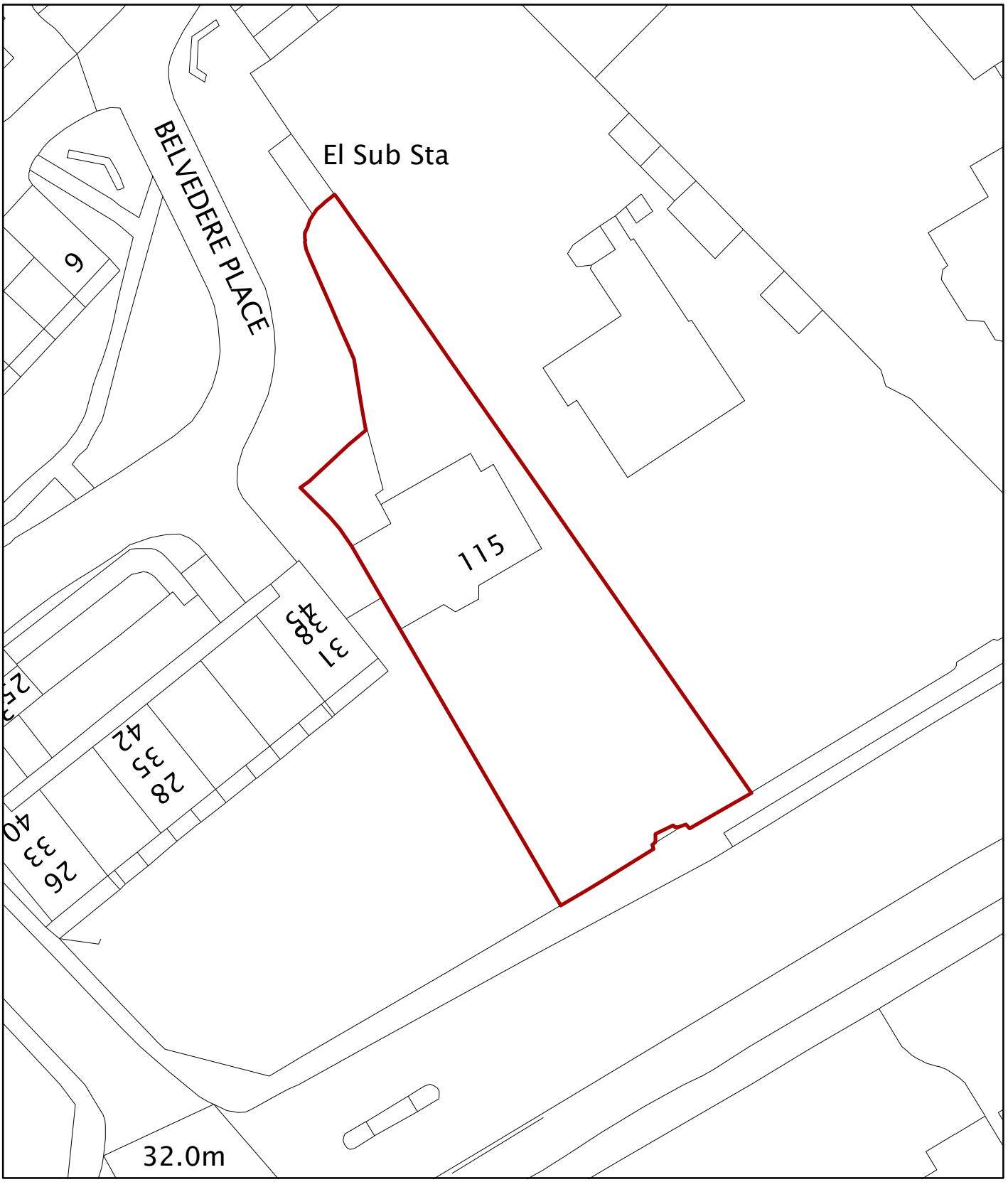
DRAWING STATUS			
PRELIMINARY			
SCALE	DATE	DRAWN BY	CHECKED
SHOWN	01.03.16	CP	MA
DRG NO.	REVISION	SHEET SIZE	
160110 - 201	P5	A1	

Report to	Planning applications committee 12 January 2017	**Item**
Report of	Head of planning services	
Subject	Application no 16/01215/MA - 115 Newmarket Road Norwich, NR2 2HT	4(f)
Reason for referral	Objection	

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

Development proposal		
Amendment to approved plans and variation of condition 3 to address non-compliance with pre-commencement of previous planning permission 15/01782/F.		
Representations		
Object	Comment	Support
2	0	0

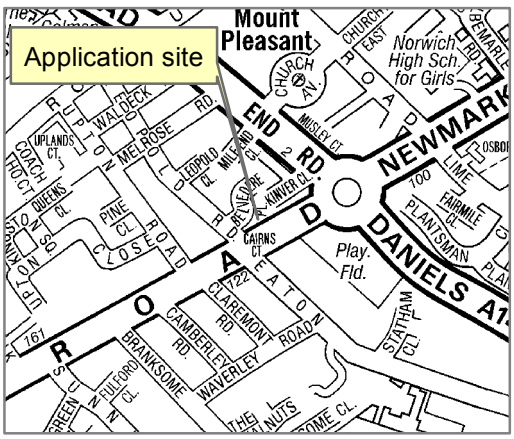
Main issues	**Key considerations**
1 Design and Heritage	Changes to the size Changes to the position Impact of the changes on the listed building and conservation area
2 Trees	Whether adequate tree screening can be provided Impact on surrounding trees
Expiry date	12 October 2016
Recommendation	Approve



Planning Application No 16/01215/MA

Site Address 115 Newmarket Road

Scale 1:500



NORWICH City Council

PLANNING SERVICES

The site and surroundings

1. The subject property is located on the North side of Newmarket Road adjacent to the junction with Leopold Road. The property is a Grade II Listed Building. The property is constructed of buff brick and slate roof tiles. There is a large front garden, which previously had several trees along the frontage. Consent was granted for the removal of these trees under the consents detailed below. The property now has a front boundary wall and fence with gate piers, which was regularised under the previous consent (15/01782/F). The properties in the surrounding area are of differing age and design; however these are generally set well back from the road with large front gardens and green frontages.

Constraints

2. The property is a Grade II listed building

3. The property is located within the Newmarket Road Conservation Area

4. The property is a Tree Preservation Order site

5. The property is located within a Critical Drainage Area.

Relevant planning history

6.

Ref	Proposal	Decision	Date
14/00496/L	Removal of partition between first floor bathroom and wc.	APPR	28/05/2014
14/00676/TCA	T1, T2 & T3 Limes: Repollard back to previous pollard points; T4, T5, T6 & T7: remove to as near ground level as possible; T11 Elm, T12: Leyland Cypress, T14: Lawson Cypress and T15: Portuguese Laurel: Remove to as near as ground level as possible; T16 Tree of Heaven: Canopy reduced to give 2m clearance over roof; T17 Holly, T18: Lime & T19 Sycamore: dismantle to as near ground level as possible.	NTPOS	28/05/2014
14/00793/F	Demolition of rear single storey extension; extension of existing rear extension; relocation of garage and	APPR	01/08/2014

	widening of access.		
14/00794/L	Demolition of rear single storey extension; extension of existing rear extension; re-roofing and re-facing of existing single storey extension and removal of some internal walls.	APPR	01/08/2014
14/01335/TPO	T17 Holly: dismantle to ground level. T18 Lime: dismantle to ground level. T19 Sycamore: dismantle to ground level.	REF	03/11/2014
15/01782/F	Erection of double garage and retention of previously erected front boundary wall and fence.	APPR	29/03/2016
15/01784/L	Erection of double garage and retention of previously erected front boundary wall and fence.	APPR	29/03/2016
16/00678/F	Erection of double garage and retention of previously erected front boundary wall and fence.	WITHDN	07/07/2016
16/00679/L	Erection of double garage and retention of previously erected front boundary wall and fence.	WITHDN	07/07/2016

The proposal

7. This application is an amendment to a previous consent. Application 15/01782/F and 16/00679/L was submitted for a new garage within the curtilage of the property which was granted consent.

8. This consent included a pre-commencement condition requiring details of materials to be submitted which was not discharged. The finials from the front gate piers were also required to be re-instated or replaced within three months of the date of that permission. The finials have currently not been re-instated or replaced.

9. The garage was subsequently built however not in accordance with the approved plans. A further application was then submitted to regularise this which the applicant then chose to withdraw.

10. An enforcement case was registered through several public and counsellor comments regarding the unauthorised garage. Additional correspondence with the applicant outlined that an application should be forthcoming by a certain date otherwise formal enforcement action would be taken. The appropriate application was submitted within the specified deadline.

11. The current application is to regularise the amendments to the scheme and to reword the conditions imposed on the original consent as necessary. The changes from the original consent are as follows:

a) The garage has been built approximately 0.50m closer to the front boundary wall

b) The garage is of slightly larger dimensions

c) Please see the conditions section for reworded conditions

Summary information

Proposal	**Key facts**
Scale	
Max. dimensions	Approximately 7.60m x 6.40m, 2.40m at the eaves and 4.40m at its maximum height.
Appearance	
Materials	The garage is constructed of buff brick with slate roof tiles The garage door is a metal door with panelled wood effect.
Transport matters	
Vehicular access	The vehicular access is extant.

Representations

12. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received from two objectors 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 proposed garage is an inappropriate addition in this location – highly visible	See main issue 1
The garage causes harm to the conservation area	See main issue 1
The garage has resulted in the removal of a tree stump on site	See main issue 2
Inadequate space for the trees to grow or survive	See main issue 2
Insufficient information submitted regarding the replacement trees	See main issue 2

Issues raised	Response
The location of the garage will compromise the sustainability of other protected trees in the area	See main issue 2

Consultation responses

13. 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

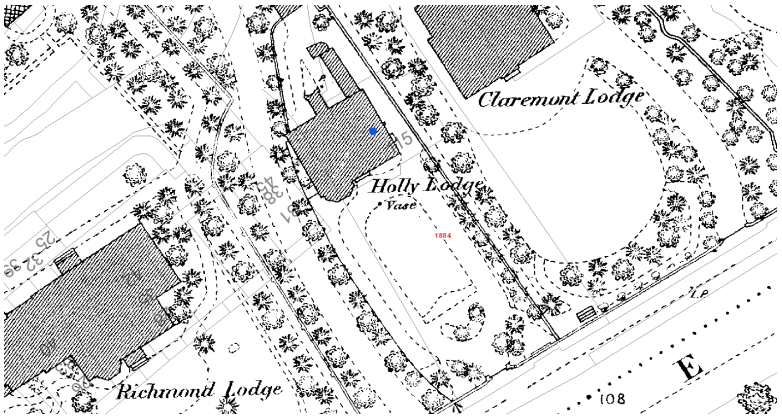
14. Comments from the design and conservation officer:

a) The property has been Grade II Listed since 1972. It is a detached, single-family dwelling house located within the Newmarket Road Conservation Area. The list description for the building states: -

b) House. Mid C19. Yellow brick; slate roof; 2 brick chimneys. 2 storeys, 3 first-floor windows. Rusticated brick quoins. 2 steps up to central double-leaf doors with plain overlight. Rendered reveals are flanked by pilasters with plain entablature. Canted 2-storey bay to left has dentilled stringcourse and large-paned sash windows under flat gauged brick arches Other windows have similar sashes in rendered moulded architraves. Box cornice. C20 single-storey redbrick extension to left has flat roof and picture window.

c) The building is indicated on the 1884-6 OS map as 'Holly Lodge' a substantial residential dwelling located on the northern side of Newmarket Road. The building is set within substantial gardens with a front boundary wall with centrally placed opening and gate piers to the southern boundary of the site.

d) The front garden was landscaped with substantial trees lining the perimeter of the site. This garden setting contributed to the setting and significance of the listed building. Substantial detached dwellings set within relatively undeveloped garden settings with strong boundary treatments/substantial trees/foliage fronting Newmarket Road forms part of the character, appearance and significance of the conservation area.



Consent is sought for the following works: -

1. Erection of double garage upon the south western corner of the site fronting onto Newmarket Road, the removal of one tree and the reinstatement of 3 new Lime trees along the southern boundary, retrospective consent for the retention of the existing (modern) front boundary treatment, the installation of fencing across the entire width of the garden.

Erection of double garage upon the south eastern corner of the site fronting onto Newmarket Road

e) Planning permission and listed building consent were granted for very similar proposals in 2015 under ref: 15/01782/F and 15/01784/L.
f) The current proposals are not vastly different from the approved scheme. The garage will have a slightly larger footprint and will be in closer proximity to the front boundary wall and highway. The approved two garage doors are replaced with a single enlarged roller-shutter garage door. The door is approx. 5.2m wide with a faux wood effect.
g) Concern has been raised with that the limited space between the front boundary wall and the new garage and whether this area will allow sufficient space for trees to survive. These trees are imperative to help mask views of the new development from the street and to ensure that the character and appearance of the conservation area and setting of the listed building is maintained. The applicant needs to demonstrate to the satisfaction of the tree officer that the lime trees will be able to survive in this location.
h) The development will have a very slightly greater street presence from the road as a result of its increased scale and closer proximity to the southern boundary. The character of this part of the conservation area comes (in part) from the well screened front gardens and boundary treatments fronting Newmarket Road, in addition to substantial detached buildings set within largely undeveloped ardent garden settings. It is therefore imperative that sufficient greenery is planted to mask views of the development from the street.
i) It is recommended that a condition be added to any consent to ensure that the trees will be installed within a specific timescale and that they will be so maintained thereafter.
j) The proposed approx. 5.2 m wide roller shutter garage door with a faux wood effect is rather large. Two standard size garage doors with genuine timber doors would be more in keeping with the character and appearance of the conservation area. However, when viewed from the street (at an oblique angle) the doors do not appear to be disproportionately large to the scale of the garage itself.
k) The materials will be buff brick to match the main house along with natural slate. These materials should be approved and a condition applied to ensure that they are so maintained.

The removal of one tree and the reinstatement of 3 new Lime trees along the Southern boundary.

l) It is understood that the removal of T1 has already been consented. New lime trees welcomed as they will help to screen the garage development. It is unclear as to whether the trees will be able to thrive in the relatively limited space provided. Further detail is required.

Retrospective consent for the retention of the existing (modern) front boundary treatment.

m) Consent is already granted for the redevelopment of the front boundary treatment. New acorn finials need to be provided upon the gate piers. Details of the pier should be required by condition and should be required to be installed within 6 months of the date of any consent.

The installation of fencing across the entire width of the garden.

n) The fencing off and enclosure of half of the front garden is unwelcome, yet it is unclear what has been permitted under the 2015 scheme and what existed before the most recent development. A condition should be added to the consent to ensure that this fencing and gate is stained to match the colour of the existing oak-effect garage doors. A drawing indicating this fencing should be submitted so that it may be formally approved.

o) It would be advantageous for us to secure a less dominant boundary treatment – a hedge with a metal gate would be preferable for example.

p) An informative is recommended to be added to the consent to make the applicant aware that any alteration to the existing fences, walls and railings in and around the site would require the prior written consent of the LPA.

Conclusion:

q) The proposed works very similar to those approved in 2015 and as this consent remains extant I would recommend that the application is approved subject to the following conditions:-

- Guttering and downpipes to the garage hereby approved should be painted metal and should be so maintained.
- Details of the new finials and coping stones to the piers of the front boundary wall should be submitted to and approved by the Local Planning Authority within 3 months of the date of this consent. The new finials and coping stones shall be installed in accordance with the details so approved within 9 months of the date of this consent.
- The existing timber gate and fence which spans the width of the front garden shall be stained to match the colour of the garage doors hereby approved. This staining should be undertaken within 6 month of the date of this consent and shall be so maintained.
- A time limit should be required for the installation of the trees requiring the trees to be planted within a specific time frame and requiring replacement should the trees die.

r) All tree planting forming part of the plans and details approved through this planning permission shall be carried out in the first planting and seeding season following the approval of the development or the completion of the development whichever is the sooner. Any trees which, within a period of five years from the first planting and seeding season referred to above, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason - To protect the appearance and amenity of the area and to accord with policies of the development plan, in particular policy DM3 and DM9 of the Local Plan.

Recommended Informative

Any alteration to the existing fences, walls and railings in and around the site would require the prior written consent of the LPA.

Highways (local)

15. No objection on highway/transportation grounds. The vehicle access to Newmarket Road is extant and there appears to be space for a vehicle to exit the site in a forward gear.

Tree protection officer

16. Just to confirm my thoughts/recommendations following our site visit the other day.

There is adequate space for tree planting between the garage and boundary wall. This would be dependent on underground conditions though. Consideration should be given to species and future management/maintenance of the trees, in order to avoid any damage to the built structures. For example, maintaining limes as pollards, would be ideal in this situation.

Consideration should also be given to installing root barriers when planting, again to avoid/minimise any potential damage to the built structures.

17. After the submission of additional details: Yes, I'm happy with that.

Assessment of planning considerations

Relevant development plan policies

18. **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

19. **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
    - DM7 Trees and development
    - DM9 Safeguarding Norwich's heritage
    - DM30 Access and highway safety

Other material considerations

20. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
    - NPPF0 Achieving sustainable development
    - NPPF7 Requiring good design
    - NPPF8 Promoting healthy communities
    - NPPF11 Conserving and enhancing the natural environment
    - NPPF12 Conserving and enhancing the historic environment

21. Supplementary Planning Documents (SPD)
    - Landscape and trees supplementary planning document (June 2016)

Case Assessment

22. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

23. **Main issue 1: Design and Heritage**

24. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.

25. Under the previous consent, details of materials were required to be provided prior to the construction of the proposal. This condition was not discharged however. The garage has now been built using buff brick and slate roof tiles to match the construction of the main dwelling.

26. The subject property is located within an area that is characterised by large dwellings set well back from the road within sizeable plots. Green screening, particularly trees, are a significant characteristic of this conservation area. The property previously had consent to remove the trees at the very front of the plot which has left the front area looking stark in comparison to the surrounding properties. The previous consent required the provision of replacement planting along the frontage to serve as a screen for the garage but also to re-instate the green frontage at this property so that it would better respond to its surroundings.

27. The garage has increased in size by approximately 0.40m x 0.40m and has been built approximately 0.50m closer to the front boundary wall. This has resulted in an increase in the built form at the front of the site. It is considered that this proposal has a slightly greater street presence than that of the previously approved scheme. However, the Conservation and Design Officer considers that provided sufficient green screening can be provided the revised proposal does not have a significantly detrimental impact upon the character of the conservation area.

28. In addition, this application is to assess whether the alterations to the already approved scheme are acceptable or not. As before, there is an increase in the built

form at the front of this site. However, this is not considered to be significantly different from how the approved scheme would be viewed from the street. Therefore the changes to the size and position of the garage, by themselves, are considered to be acceptable.

Main issue 2: Trees

29. Key policies and NPPF paragraphs – DM6, DM7, NPPF paragraphs 109 and 118, Landscape and trees supplementary planning document (June 2016).

30. Under the previous consent, three new lime trees were proposed to be planted along the frontage of the property to replace those that had previously been lost and to screen the garage. The provision of new trees was thought to result in the improved appearance of the site as previous consents had resulted in the removal of the trees at the front of the site. Concerns have been raised that the garage has resulted in the removal of a tree stump. At the time of determining the previous application, there was one remaining heavily pollarded tree near the front of the site and consent was granted for its removal as adequate replacement planting was proposed.

31. Concerns were raised that the revised size and position of the garage would not leave sufficient room for the planting and survival of the new trees. These concerns related to both the space available within the ground as well as how the trees were to grow past the eaves overhang of the garage. The Tree Officer's original comments echoed these concerns. Objectors also voiced concerns that insufficient information had been submitted

32. Additional information was submitted in the form of a statement from an arboriculturalist outlining that there was sufficient space for the trees to grow and that the particular choice of tree species had been made as they were resistant to pollarding. This should allow them to be grown past the height of the garage before allowing the canopy to spread and reducing the likelihood of conflict with the structure. The Tree Officer reviewed this additional information and stated that this was sufficient.

33. The provision of further trees is also considered to bring biodiversity benefits to the currently un-vegetated frontage, although these are unlikely to be significant.

34. Concerns were also raised that the structure would compromise the sustainability of the other trees in the surrounding area. It is noted that there are trees on the adjacent site with root protection areas (RPA) that conflict with the existing garage. However, the tree officer did not raise any concerns regarding this issue during the consideration of 15/01782/F and the current proposal does not differ significantly from the original proposal.

35. Therefore, it is considered that the concerns relating to trees have been addressed and that the replacement trees will still be able to grow and survive to provide sufficient screening despite the changes in size and position of the garage. A condition is also recommended requiring the replacement of any tree which does not survive within a five-year period of the decision date.

Other matters

36. Key policies and NPPF paragraphs – JCS6, DM2, DM11, DM30, NPPF paragraphs 9, 17 and 39.

37. The vehicular access is extant and no changes are proposed as part of this application.

38. The revised position and size of the garage has the potential to be detrimental to the visual amenity of the area (please also see Main Issues). However, as per the matters already discussed above, the provision of trees is considered to be an appropriate method of screening the garage from view from the highway and is also considered to improve the appearance of the site from its current form.

Equalities and diversity issues

39. There are no significant equality or diversity issues.

S106 Obligations

40. There are no S106 obligations.

Local finance considerations

41. 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.

42. 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.

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

Conclusion

44. The principle of the garage in this location is not under assessment as this has already been accepted under a previous consent. The concerns relating to the revised size and position of the garage as well as whether the provision of trees was possible have been addressed. The new size and position of the garage is not considered to be significantly different from what was approved under 15/01782/F and not considered to result in a significant detriment to the character of the conservation area in comparison to that previous consent. The proposed trees are considered to have adequate space to grow and will be managed to achieve a spread that will provide appropriate screening of the garage and will help to restore the green frontage to this site. Therefore the changes proposed as part of this application are considered to be acceptable subject to the conditions outlined at the end of this report.

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.

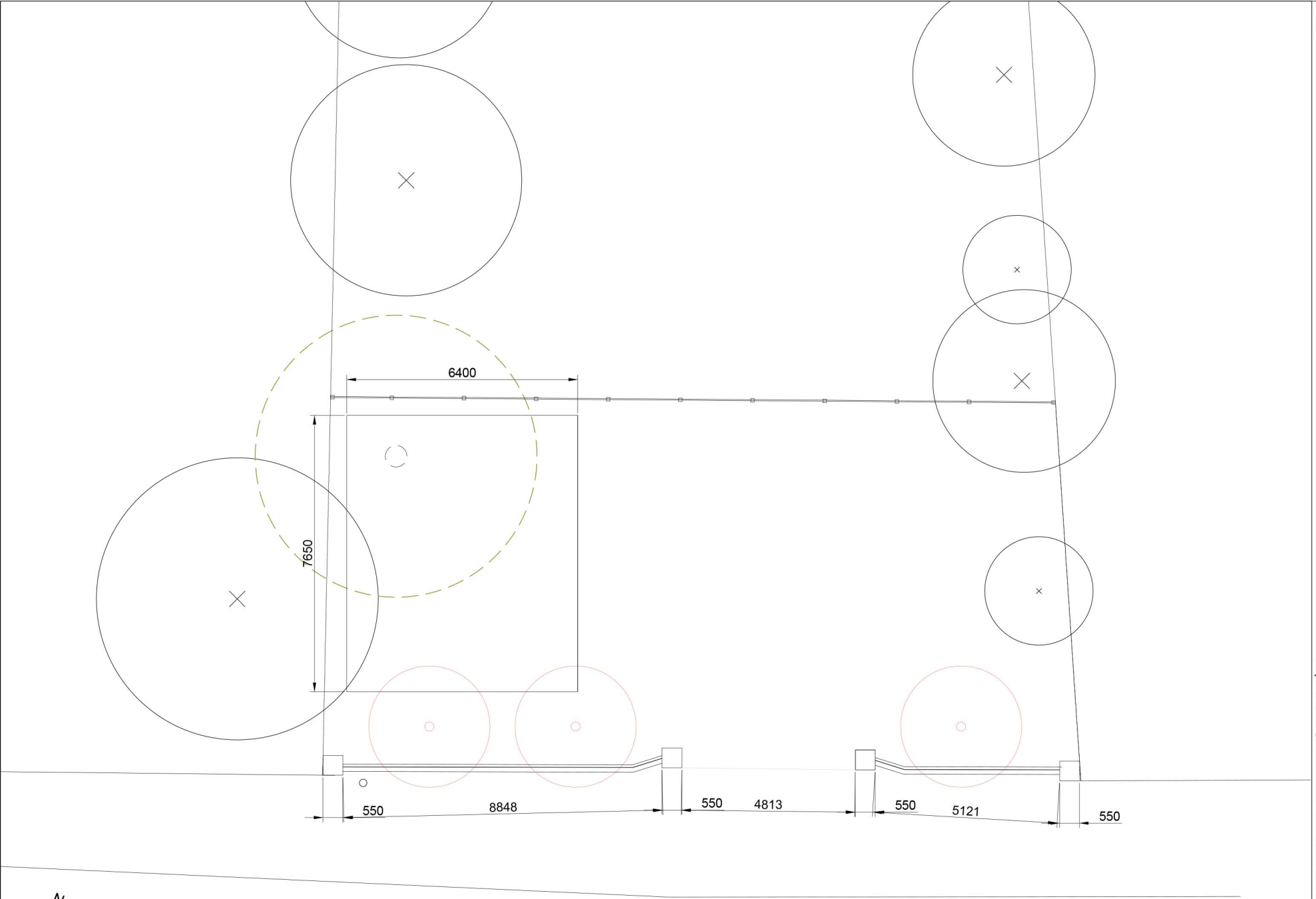
Recommendation

To approve application no. 16/01215/MA - 115 Newmarket Road Norwich NR2 2HT and grant planning permission subject to the following conditions. A number of these conditions have been reworded from the original consent as is appropriate under Section 73, Part 3 of the Town and Country Planning Act 1990.

1. Standard time limit;
2. In accordance with plans;
3. Materials as built are to be retained as such thereafter;
4. Replacement tree planting to be carried out within the next planting season and replacement trees must be provided if any of the trees do not survive within a five year period;
5. Details of the new finials and coping stones to the piers of the front boundary wall should be submitted within a 2 months of the date of the permission and then installed within 6 months of the date of agreeing the details.

Informatives:

1. Any alteration to the existing fences, walls and railings in and around the site would require the prior written consent of the Local Planning Authority.
2. Guttering and downpipes to the garage should ideally be painted metal.
3. The existing timber gate and fence which spans the width of the front garden should be stained to match the colour of the garage doors hereby approved.



Note

SUMMARY

Existing trees retained

Proposed trees

Planting to be removed

Rev F: Building footprint dimensions corrected. LB 15.06.16

PROJECT TITLE
115 Newmarket Road

PROJECT NUMBER
-

CLIENT
C & R Leeming

DRAWING TITLE
Layout Extract

DRAWING NUMBER
002

REV
F

SCALE
1-100

DATE
Feb 2016

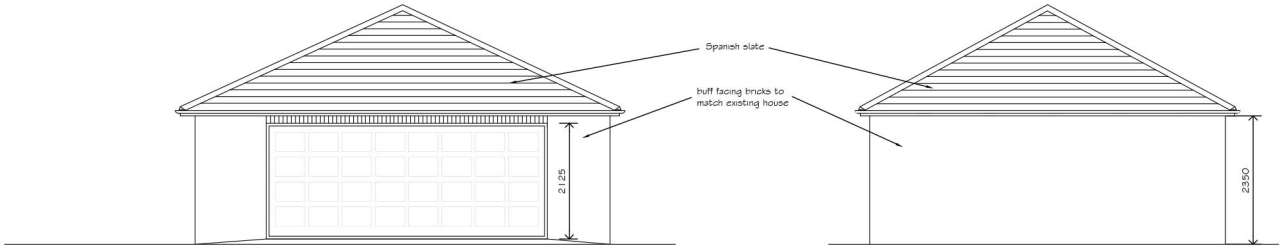
DRAWN BY

Lanpro
Planning and Development Consultants
Brettingham House, 98 Pottergate,
Norwich, NR2 1EQ
01603 631 319
www.lanproservices.co.uk

N

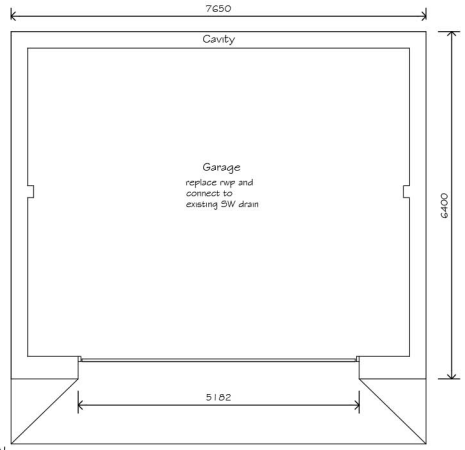
Layout Extract
1-100

SOUTH ELEVATION from Newmarket Road



EAST ELEVATION

SOUTH (¢ NORTH) ELEVATION



FLOOR PLAN

Note

SUMMARY

PROJECT TITLE
115 Newmarket Road

PROJECT NUMBER
-

CLIENT
C & R Leeming

DRAWING TITLE
Floor Plan and Elevations

DRAWING NUMBER
003

REV
E

SCALE
1-100

DATE
April 2016

DRAWN BY

Lanpro
Planning and Development Consultants
Brettingham House, 98 Pottergate,
Norwich, NR2 1EQ
01603 631 319
www.lanproservices.co.uk

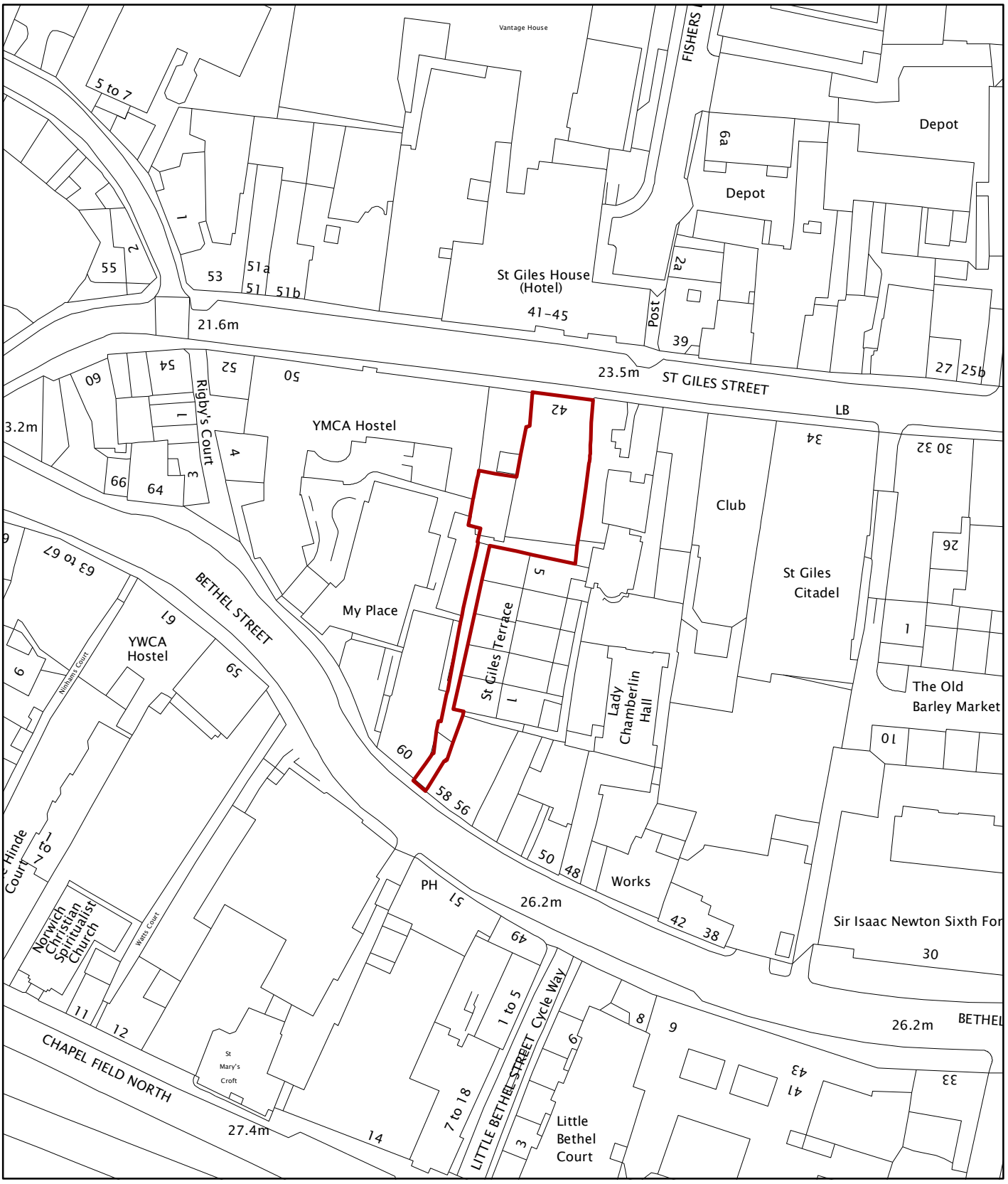
Floor Plan and Elevations
1-100

Report to	Planning applications committee	**Item**
	12 January 2017	4(g)
Report of	Head of planning services	
Subject	Applications nos 16/00752/F & 16/00753/L - 42 St Giles Street, Norwich NR2 1LW	
Reason for referral	Objections	

Ward:	Mancroft
Case officer	Caroline Dodden - carolinedodden@norwich.gov.uk

Development proposal		
External and internal alterations and conversion of outbuilding to 1 no. dwelling (revised proposal).		
Representations		
Object	Comment	Support
4	1	

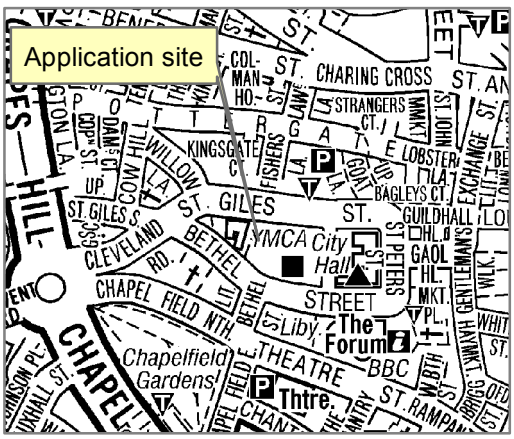
Main issues	**Key considerations**
1 Principle of development	Suitability of site for new residential accommodation
2 Heritage and design	Impact on listed building and neighbouring listed buildings
3 Accessibility and servicing	Acceptability of proposed access and servicing from St. Giles Terrace for proposed new dwelling.
4 Residential amenity	Impact on existing and future occupiers
Expiry date	9 December 2016
Recommendation	Approve



Planning Application No 16/00752/F &16/00753/L

Site Address 42 St Giles Street

Scale 1:1,000



NORWICH City Council

PLANNING SERVICES

The site and surroundings

1. No. 42 St. Giles Street is a mid-terraced former house. The ground floor has a large workshop to the rear which was added at some point during the mid-20th century to house the furniture business which formerly occupied the ground floor and another single storey outbuilding. The ground floor has most recently been occupied by an antique furniture business.

2. The gable end of No.5 St. Giles Terrace is located directly to the rear of the site. The rear boundary wall has a door, which provides pedestrian access in front of St. Giles Terrace and partly alongside No.60 Bethel Street. The western outbuilding looks onto the eastern side of the new YMCA building on Bethel Street and the rear of the former YMCA building on St. Giles Street.

Constraints

3. No.42 St Giles Street is a Grade II Listed Building within the city centre conservation area. Its list description states:-

   'Former house now shops. Late C17 street range altered and refaced in C19. C18 rear additions. Rendered. Pantile roof. 2 storeys. 7 first floor windows. Two off-centre doors, that on the right with moulded surround and flat hood on consoles. Shopfront to left side with central recessed door and Adam motif in top lights. Casement window between doors with similar Adam toplight. Sash windows with glazing bars in simple reveals throughout. Plain ironwork balcony to the 4 left-hand windows. Parapet. 4 gabled dormers with sash windows. Fine C18 panelling and fireplace surround at first floor rear'.

4. The site falls within the St. Giles characterisation area of the city centre conservation area, where St. Giles Street is identified as having positive frontages on both sides of the street and a positive vista when looking westwards towards St. Giles Church.

5. All of the adjoining and adjacent buildings are listed buildings.

6. The site falls within an area of main archaeological interest and an identified city centre leisure area, a critical drainage area and an area for increased parking.

Relevant planning history

Ref	Proposal	Decision	Date
4/2001/0260	Internal alterations to second floor.	LBC	12/04/2002
4/1989/0724	Replacement of display window with sash window on front facade.	APCON	17/07/1989

Ref	Proposal	Decision	Date
04/00455/L	Internal alterations	APPCON	10/06/2004

The proposal

7. External and internal alterations to existing three and single storey buildings including removal of asbestos roof and reduction in width of the rearmost workshop building, a new single storey glazed building to the rear of the main building. Conversion and raising of roof to an existing outbuilding to create a one bed residential unit with access from St. Giles Terrace.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	**One existing and one proposed new dwelling**
Transport matters	
No of car parking spaces	**None**
No of cycle parking spaces	**Two**
Servicing arrangements	**Existing ground floor commercial unit and upper residential unit serviced via St. Giles Street** **Proposed dwelling at rear to be serviced from St. Giles Terrace**

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. The proposal has been revised considerably from the original submission. The first and second re-consultations have received four letters of representation and one letter of comment 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
Access to the proposed rear residential dwelling would be via St. Giles Terrace only, which is unacceptable for a number of reasons: • The pedestrian path via St. Giles Terrace is narrow and is inadequate as the only means of access; it is common sense that the proposed dwelling should also be accessible via St. Giles Street. • The five houses in the Terrace all have rear access via a rear passageway as well. The proposed dwelling would have only one access option which would be a serious issue for emergency services and general safety and security; • The entrance door is within a wall and access through it is down an angled, irregular flight of steps. It would be almost impossible to install bulky items via this entrance. • It would represent more activity through St.Giles Terrace. • The access of the proposed dwelling represents an abuse of the title to access in the deeds of No. 42 St. Giles Street.	Paragraphs 37 – 39
Consider that the conversion of the small building into a house constitutes over-development, which would be an undesirable addition in such a confined space.	Paragraphs 25 – 26, 41 - 42
Concerned about the setting of the listed Terrace and consider that this should not be compromised by any external alterations to the door or wall, as they are integral to the character of this unique Terrace.	Paragraphs 28 - 34

Issues raised	Response
Concerned about the removal of an asbestos roof being a possible hazard to residents and whilst it is assumed this will be carried out by professionals we would also suggest that the material is removed via St. Giles Street.	Paragraph 30

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.

Design and conservation

10. The current building has a large workshop to the rear which was built during the post war period which formerly housed a furniture business. The workshop addition to the rear appears to have been added at some point during the mid-20th century to house the furniture business.

11. It would be preferable for the post-war extension to be completely removed (including the flat roof workshop) and the space opened back up as garden space. However, the corresponding loss of retail space would be unlikely to be economically viable.

12. As a compromise, the applicant now proposes to re-roof the existing structures, with the replacement of the pitched roof with a flat roof. This would allow for the outlook and light levels from within the principal rear rooms of the listed building and the setting of this and neighbouring heritage assets to be greatly improved.

13. The proposed infill extension will be a timber framed glazed addition with vertical glazing bars to harmonise with the materials and proportions of the existing fenestration within the host building. The scale of this addition is such, to allow for the use of the area as a dressing room in association with the wedding dress shop and will allow potential brides to try their dresses on in natural light. The glazed addition will also permit light into the rear room of the principal listed building –which improves the existing arrangement in this respect.

14. At ground floor level, a new door timber panelled doors with fanlight and side lights is to be inserted within an existing arched opening within the principal hallway. The door will allow effective sub-division between the shop unit and

the residential accommodation above without harm to the period character of the space.

15. At the upper floor levels, general renovation works are proposed in connection with the residential use. Details of all new fixed furniture and new and relocated services will be required by condition in order to ensure that new services, routes and risers will not compromise any surviving historic form or fabric.

16. The rear outbuilding is proposed to be converted into residential use, this structure is curtilage listed. Its non-original roof form is to be removed and elevated to allow for a greater internal floor to ceiling height at first floor level. A new stair will be inserted to allow access to the upper level. The detailed design of the new stair will be required by condition. The existing timber joinery, plasterwork, fireplace and surround and surviving timber floor boards in this space will be retained in situ and will not be removed or altered as a result of this consent.

Highways (local)

17. No objection in principle on highway/transportation grounds.

Citywide Services

18. Servicing for the new proposed dwelling could be tagged onto the existing servicing arrangements for the houses in St. Giles Terrace. This would be a weekly black sack collection and a fortnightly blue sack (recycling) collection.

Assessment of planning considerations

Relevant development plan policies

19. **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
    - JCS9 Strategy for growth in the Norwich policy area
    - JCS11 Norwich city centre

20. **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
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

Other material considerations

21. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
    - NPPF0 Achieving sustainable development
    - NPPF4 Promoting sustainable transport
    - NPPF6 Delivering a wide choice of high quality homes
    - NPPF7 Requiring good design
    - NPPF12 Conserving and enhancing the historic environment

Case Assessment

22. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan polices are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the 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

23. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.

24. The property has been used for commercial purposes on the ground floor for many years. This floor space has been occupied until recently by an antique furniture shop, workshop and store and it is understood that a wedding dress shop is intending to occupy the proposed ground floor area. As such, the proposal includes removing a dual pitched roof and replacing it with a flat roof and the addition of single storey glazed building to the rear of the main building. These elements will be discussed in more detail under in the next section.

25. The revised scheme proposes one new dwelling within an existing rear outbuilding that was previously used as storage for the former furniture business. Policy DM12 sets out the criteria by which all residential development should comply with. The policy seeks to maximise opportunities for the conversion and re-use of existing residential and commercial premises for housing where this is achievable and practicable. The policy states that such proposals will be strongly supported where premises are under-used or long-term vacant. The proposal would provide a residential unit of 86sq.m, which is of an acceptable size in relation to the national space standards for a one bedroom unit.

26. As such, the principle of the conversion of the outbuilding is considered to be acceptable, but specific matters raised by neighbours, particularly relating to the access arrangements, are discussed in greater detail in section 3 below.

Main issue 2: Heritage and design

27. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.

28. Policy DM9 states that development shall maximise opportunities to preserve, enhance or better reveal the significance No. 42 St Giles Street is a grade II listed building, which is surrounded by listed buildings and falls within the city centre conservation area. The revised proposals involve internal and external alterations to the building. The scheme has been negotiated over a number of months and now entails the removal of a dual-pitched asbestos roof, which has a steeply pitched form and currently severely compromises the view and light levels from within the principal rear rooms at first floor level. This structure has greatly compromised the rear of the building and its curtilage, as well as the settings of No. 42, but also Nos. 44, 40 St Giles Street and St Giles Terrace.

29. Whilst it would be preferable for the extension to be completely removed, the corresponding loss of a considerable amount of commercial space could make the unit economically unviable and in any event, it is understood that a tenant has already been found to occupy the proposed floor-space.

30. The applicant now proposes to reduce the width of the rear extension by approximately 1.7 metres to create a larger courtyard space for the proposed rear dwelling and re-roof the existing rear structures and in particular, replace the existing steeply pitched roof with a flat roof incorporating a series of three Velux style roof-lights. This would allow for the outlook and light levels from within the principal rear rooms of the listed building and the setting of this and neighbouring heritage assets to be greatly improved. As such, this alteration is considered to be acceptable, subject to a condition relating to materials. In addition, an informative would be attached to the planning consent advising the developer that asbestos should be handled and disposed of as per current Government guidelines and regulations.

31. The proposed single storey glazed building has been specifically requested by the future tenant in order to gain natural light within the commercial floor-space. It will be a timber framed glazed addition with vertical glazing bars to harmonise

with the materials and proportions of the existing fenestration within the host building. The vertical glazing panels would be obscure glazed in order to provide privacy to the proposed dwelling's courtyard. This addition is considered to be acceptable subject to conditions regarding materials and obscure glazing.

32. It is proposed to convert the rear outbuilding and to raise its roof by approximately 300mm to form a residential dwelling. The roof is not original and the proposal would see it removed and elevated to allow for a greater internal floor to ceiling height at first floor level. Within the outbuilding a new staircase would be inserted to allow access to the upper level. The detailed design of the new stair will be required by condition. The existing timber joinery, plasterwork, fireplace and surround and surviving timber floor boards in this space will be retained in situ and will not be removed or altered as a result of this consent.

33. It is considered that the proposed alterations needed to convert this outbuilding are acceptable subject to conditions. It should be noted that alterations to the rear wall and associated door do not form part of the applications.

34. The upper floor levels of the main building are currently used as a single residential unit. General renovation works are proposed here. Details of all new fixed furniture and new and relocated services will be required by condition in order to ensure that new services, routes and risers will not compromise any surviving historic form or fabric. Subject to details, it is considered that the internal works are acceptable.

Main issue 3: Access and servicing

35. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.

36. The access and servicing arrangements for the commercial floor space and existing residential unit above are currently from St Giles Street and will remain under the current proposals.

37. The requirements of the proposed commercial tenant have meant that the new dwelling at the rear would need to be accessed and serviced from St. Giles Terrace. From within the site there are a number of steps that lead up to an existing entrance door within a boundary wall. The door connects to a narrow pedestrian footpath that runs along the front gardens of the terrace of five houses that makes up St. Giles Terrace. The pathway leads onto Bethel Street through pedestrian gates. The distance from the entrance door to Bethel Street is approximately 38 metres and the proposed dwelling would need to be added to the servicing arrangements of St. Giles Terrace for the purposes of refuse collection.

38. Whilst the access situation for the proposed dwelling is not ideal, the nature of the access and distance to the highway is acceptable in planning and terms and falls within the acceptable distance for emergency services. The specific

legalities of the right of way to the rear of No. 42 St. Giles Street are a separate matter and do not preclude the granting of planning permission.

39. Overall, it is considered that the nature of the proposed access and servicing arrangements would not outweigh the significant benefit of creating a one bedroom dwelling.

Main issue 4: Amenity

40. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

41. The revised scheme has addressed all of the previous concerns relating to residential amenity. The proposed rear dwelling would have rooflights added to the south and east sides of the new hipped roof, which protects any potential privacy concerns relating to the rear of No. 44 St. Giles Street.

42. The commercial unit would not have any windows facing the new dwelling and its proposed external courtyard and it is proposed to ensure that the new glazed extension to the commercial unit has obscure glazing. As such, the new dwelling would have reasonable privacy. A condition is proposed to ensure the obscure glazing is retained and that new windows cannot be added at a later date.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	No – on-site parking not required as within a highly sustainable location
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

Equalities and diversity issues

44. It is acknowledged that access to the proposed new dwelling would not be level, given the historic nature of the site and differences in levels between the outbuilding and ST. Giles Terrace. This matter is not considered to be significant in terms of equality or diversity.

Local finance considerations

45. 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.

46. 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.

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

Conclusion

48. 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

(1) To approve application no. 16/00752/F - 42 St Giles Street Norwich NR2 1LW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of external materials, including walls, roof, windows, doors, gutters, downpipes and fascias;
4. Submission of hard and soft landscaping scheme;
5 Submission of details of cycle storage and bin storage;
6. No windows or openings shall be installed at first floor level within the new dwelling or within the eastern elevation of the rear part of the commercial building;
7. The vertical glazing (facing south) for the new glazed extension shall be obscure glazed and permanently retained as such;
8. Water efficiency – residential.

Informatives

1. Car free housing/ not eligible for parking permits

2. Construction working hours
3. Asbestos

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 187 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 the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

(2) To approve application no. 16/00753/L – 42 St. Giles Street Norwich NR2 1LW and grant listed building consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Submission of full photographic survey of the interior of the principal listed building and rear outbuilding;
4. Submission of detailed drawings or samples of materials as appropriate, in respect of the following:
   (a) All new and/or relocated internal and external service routes (including mechanical and electrical services, drainage and waste and lighting scheme)
   (b) All new internal floor coverings within the principal listed building and rear outbuilding
   (c) Detailed design of all new internal doors and architraves
   (d) Detailed design of new stair to the rear outbuilding
   (e) Detailed design of landscaping to rear courtyard
   (f) Material for the new mono-pitched roof addition to rear.
5. All rainwater goods/guttering shall be painted metal and so maintained.
6. All partitions hereby granted consent shall be of lightweight construction and scribed around any existing historic features and shall be so maintained.
7. All existing fabric shall be retained unless notated otherwise on the drawings approved under this consent.
8. The rooflights shall be of a traditional conservation type, flush with the roof and slim framed with a dark matte finish, and so maintained.
9. Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided on site, and approved in writing by the local planning authority before the relevant parts of the approved works are commenced, and the sample panels shall be retained on site until the work is completed in accordance with the panel so approved.
10. All work and work of making good shall be finished to match the existing exterior of the building(s) in respect of materials, colour, texture, profile and, in the case of brickwork, facebond, and shall be so maintained.

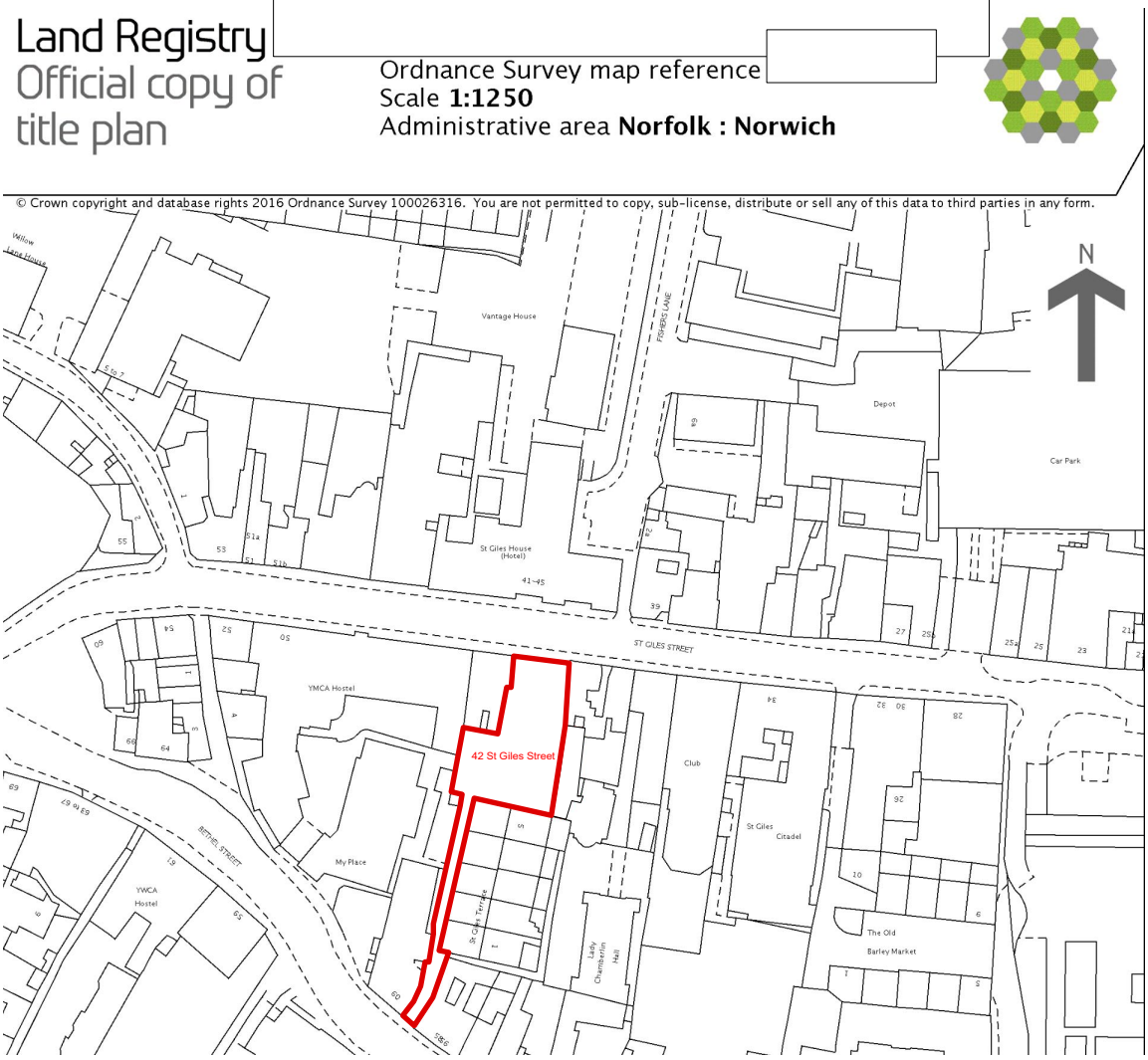
Reason for approval

The proposals will not result in harm to the special architectural and historic interest or significance of the listed building. The proposals are therefore considered to be in accordance with the objectives of NPPF, Policy 2 of the Adopted Joint Core Strategy (March 2014) and policies DM1, DM3 and DM9 of the Norwich Development Management Policies Local Plan (December 2014).

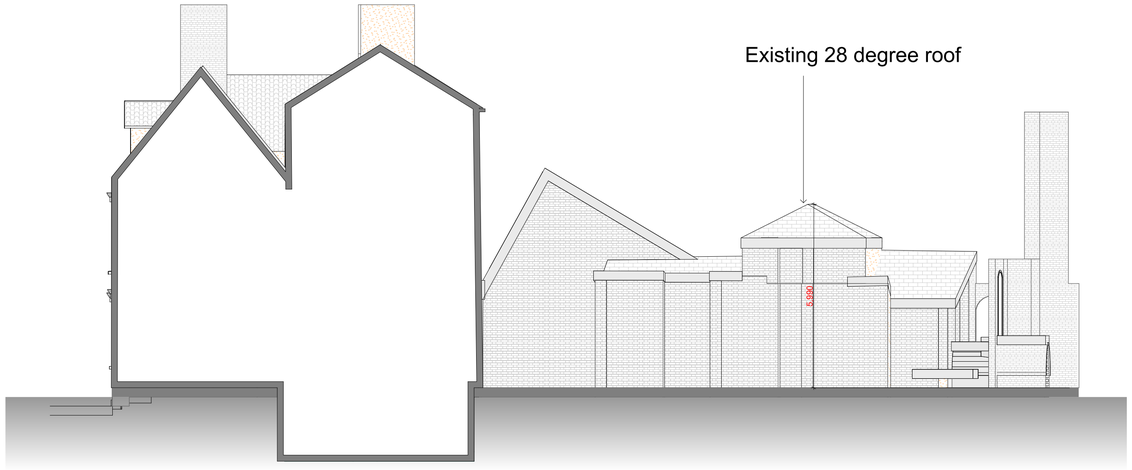
Proposed

Purpose of Issue	**Concept**
Scales @ A1	**1:50**
Project No.	**1398**
Project	**James Brett Antique Shop**
Client	**Peter Smithers**
Layout Title	**Proposed Site Plan**
Drawing No.	**1398-BA-A-PL04-Rev B**
Amendments	**Rev B - Amendments made to satisfy planning issues received by email - 29/11/16**

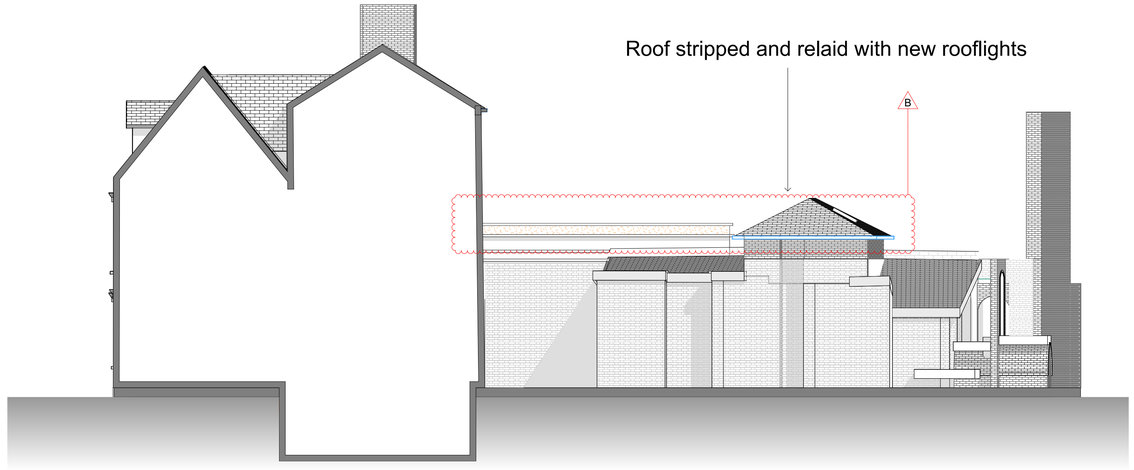
CAM ARCHITECTS
Studio 10 Netherconesford, 93-95 King Street, Norwich NR1 1PW
Tel 01603 666151 - Fax 01603 621476
info@camarchitects.co.uk - www.camarchitects.co.uk



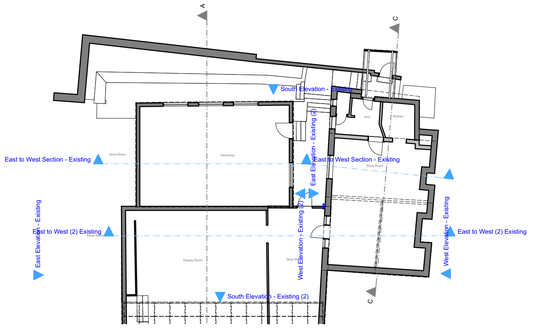
Location Plan 42 St Giles Street, Norwich
Drwg no. 1398-BA-A-PL08 REV A
Scale 1:1250



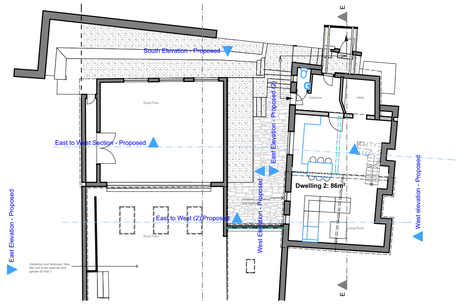
Existing West Elevation



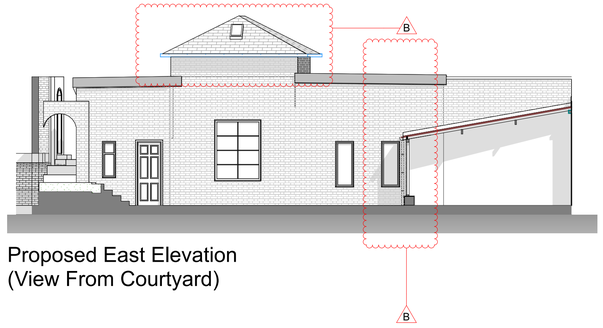
Proposed West Elevation



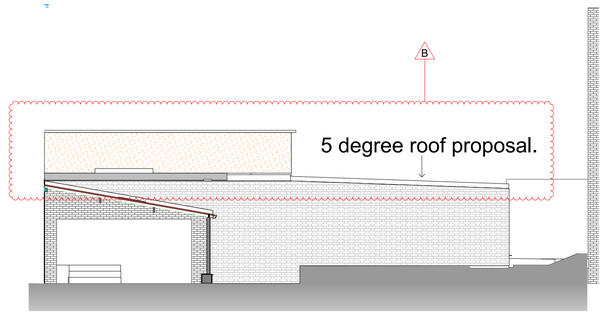
Existing Ground Floor plan



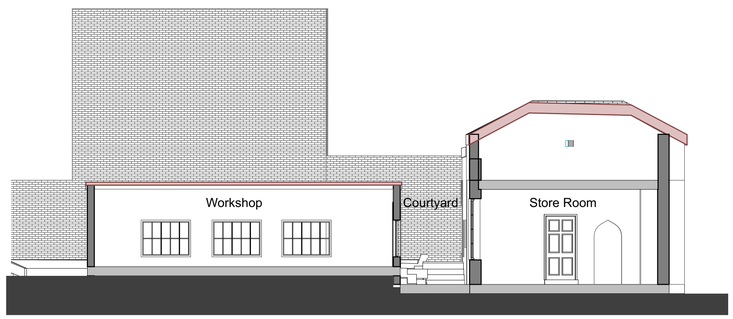
Proposed Ground Floor plan



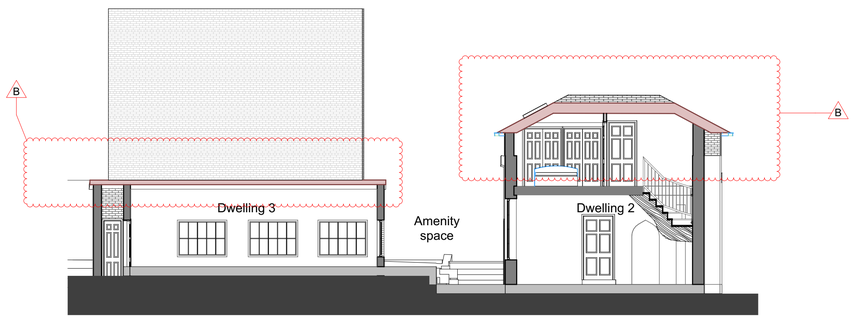
Proposed East Elevation
(View From Courtyard)



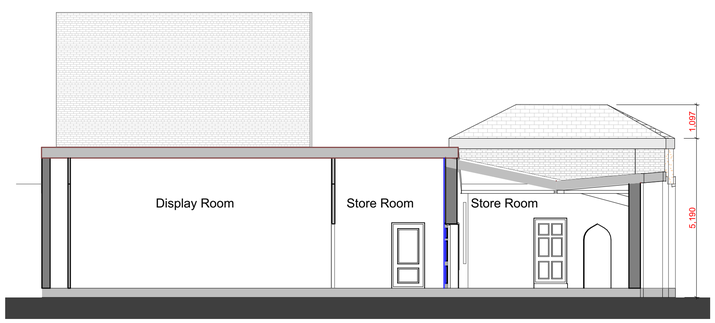
Proposed West Elevation
(View From Courtyard)



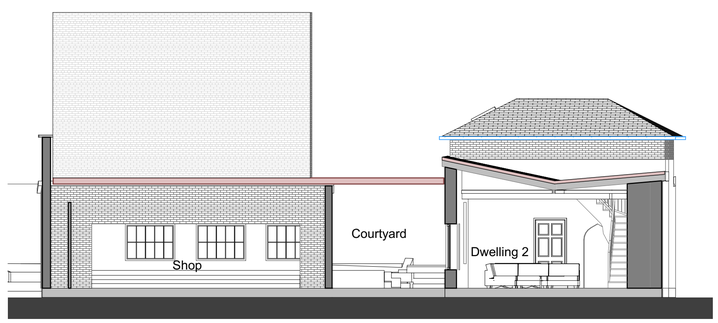
Existing Section (East to West) through proposed dwellings 2 and 3. (The Workshop & Storeroom)



Proposed Section (East to West) through proposed dwellings 2 and 3. (The Workshop & Storeroom)



Existing Section (East to West) through Shop Floor, Court Yard and dwelling 2



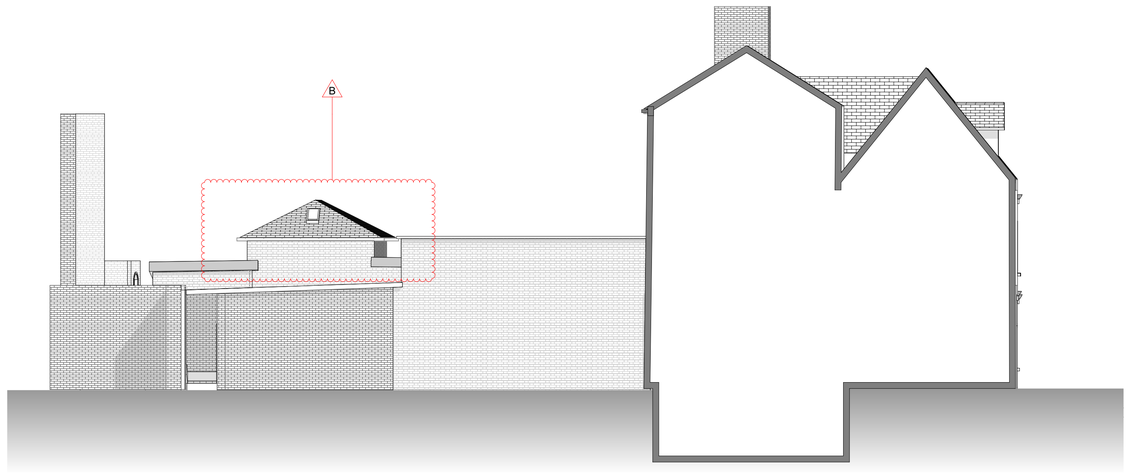
Proposed Section (East to West) through Shop Floor, Court Yard and dwelling 2

NOTE:
All internal features of significance to be retained including all doors and architraves, floor boards and skirting boards, plasterwork, cornices and ceiling roses, stairs and balustrades, all fireplaces and surrounds, windows, architraves and shutterboxes. Timber panelled walls to upper floor level.

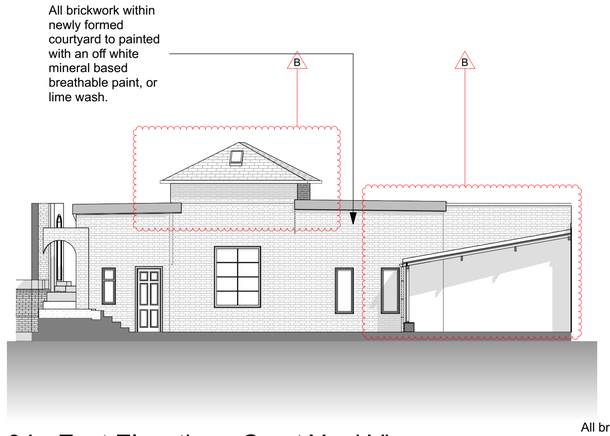
The existing slate tiles should be reused wherever possible with new slate tiles to match existing where required. New rainwater goods should be metal and powder coated or painted black.

Purpose of Issue	**Concept**
Scales @ A1	**1:100, Elevations** **1:200 Floor Plans**
Project No.	**1398**
Project	**James Brett** **Antique Shop**
Client	**Peter Smithers**
Layout Title	**Proposed & Existing Elevations & Sectioins**
Drawing No.	**1398-BA-A-PL09** **Rev B**
Amendments	**Rev B - Amendments made to satisfy planning issues received by email on 06/10/16**

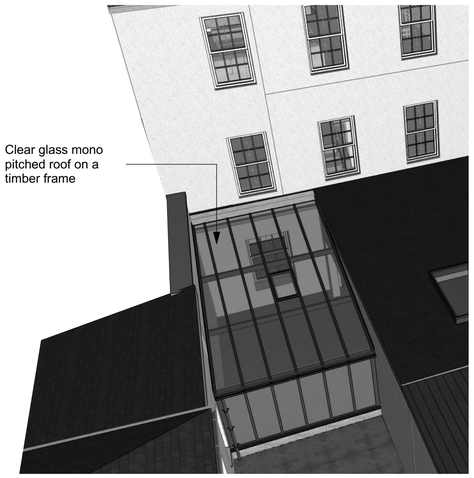
CAM ARCHITECTS
Studio 10 Netherconesford, 93-95 King Street, Norwich NR1 1PW
Tel 01603 666151 - Fax 01603 621476
info@camarchitects.co.uk - www.camarchitects.co.uk



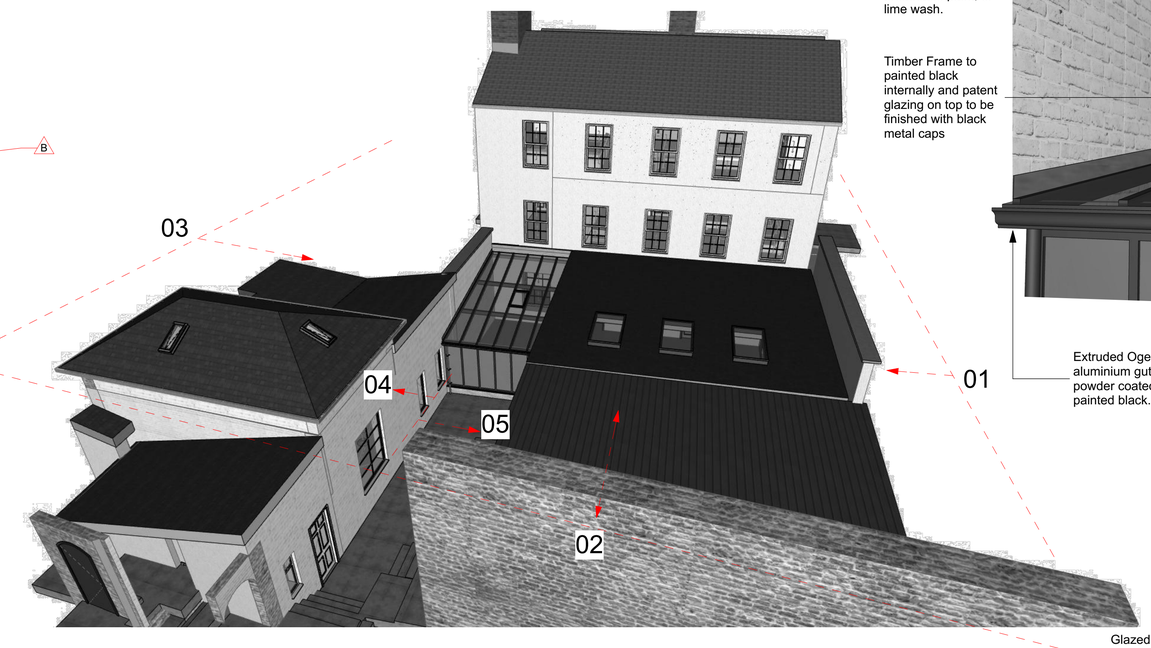
01 - East Elevation

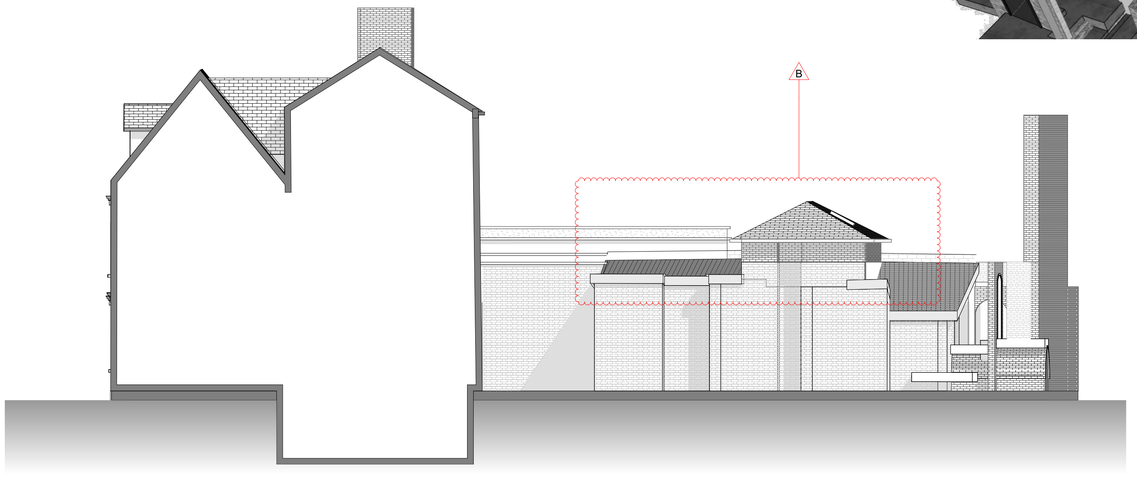


04 - East Elevation - Court Yard View

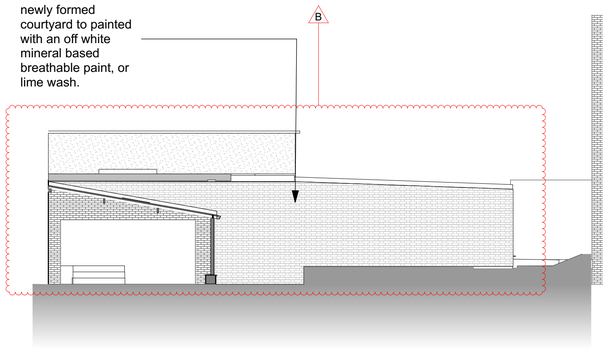


02 - South Elevation





03 - West Elevation



05 - West Elevation - Court Yard View

NOTE:
All internal features of significance to be retained including all doors and architraves, floor boards and skirting boards, plasterwork, cornices and ceiling roses, stairs and balustrades, all fireplaces and surrounds, windows, architraves and shutterboxes. Timber panelled walls to upper floor level.

The existing slate tiles should be reused wherever possible with new slate tiles to match existing where required. New rainwater goods should be metal and powder coated or painted black.

Purpose of Issue	**Concept**
Scales @ A1	**1:100, 1:208.33, 1:182.68, 1:285.71**
Project No.	**1398**
Project	**James Brett Antique Shop**
Client	**Peter Smithers**
Layout Title	**Proposed Elevations & 3D Visuals**
Drawing No.	**1398-BA-A-PL10 Rev B**
Amendments	**Rev B - Amendments made to satisfy planning issues received by email on 06/10/16**

CAM ARCHITECTS
Studio 10 Netherconesford, 93-95 King Street, Norwich NR1 1PW
Tel 01603 666151 - Fax 01603 621476
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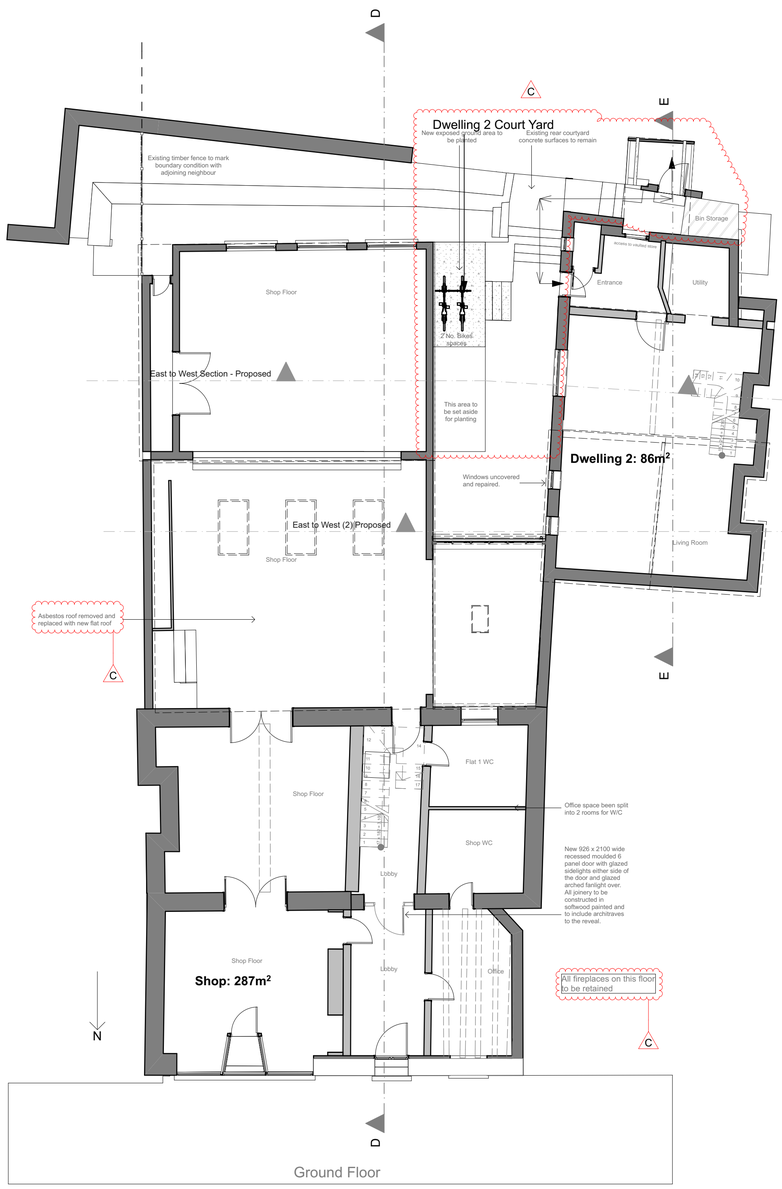
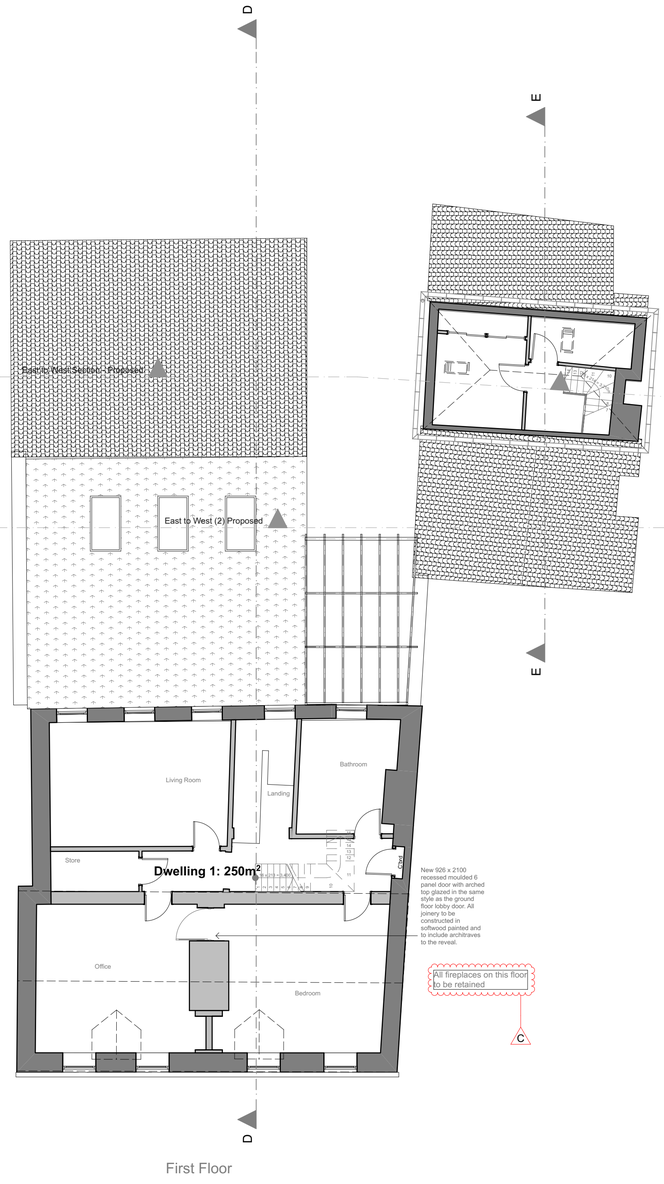
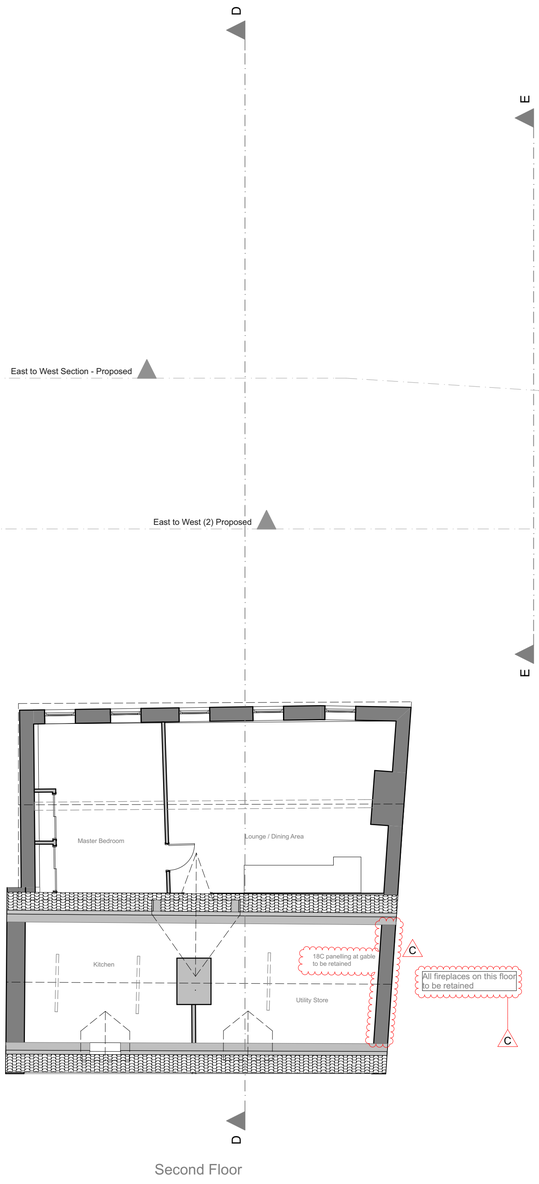






NOTE:
All internal features of significance to be retained including all doors and architraves, floor boards and skirting boards, plasterwork, cornices and ceiling roses, stairs and balustrades, all fireplaces and surrounds, windows, architraves and shutterboxes. Timber panelled walls to upper floor level.

The existing slate tiles should be reused wherever possible with new slate tiles to match existing where required. New rainwater goods should be metal and powder coated or painted black.

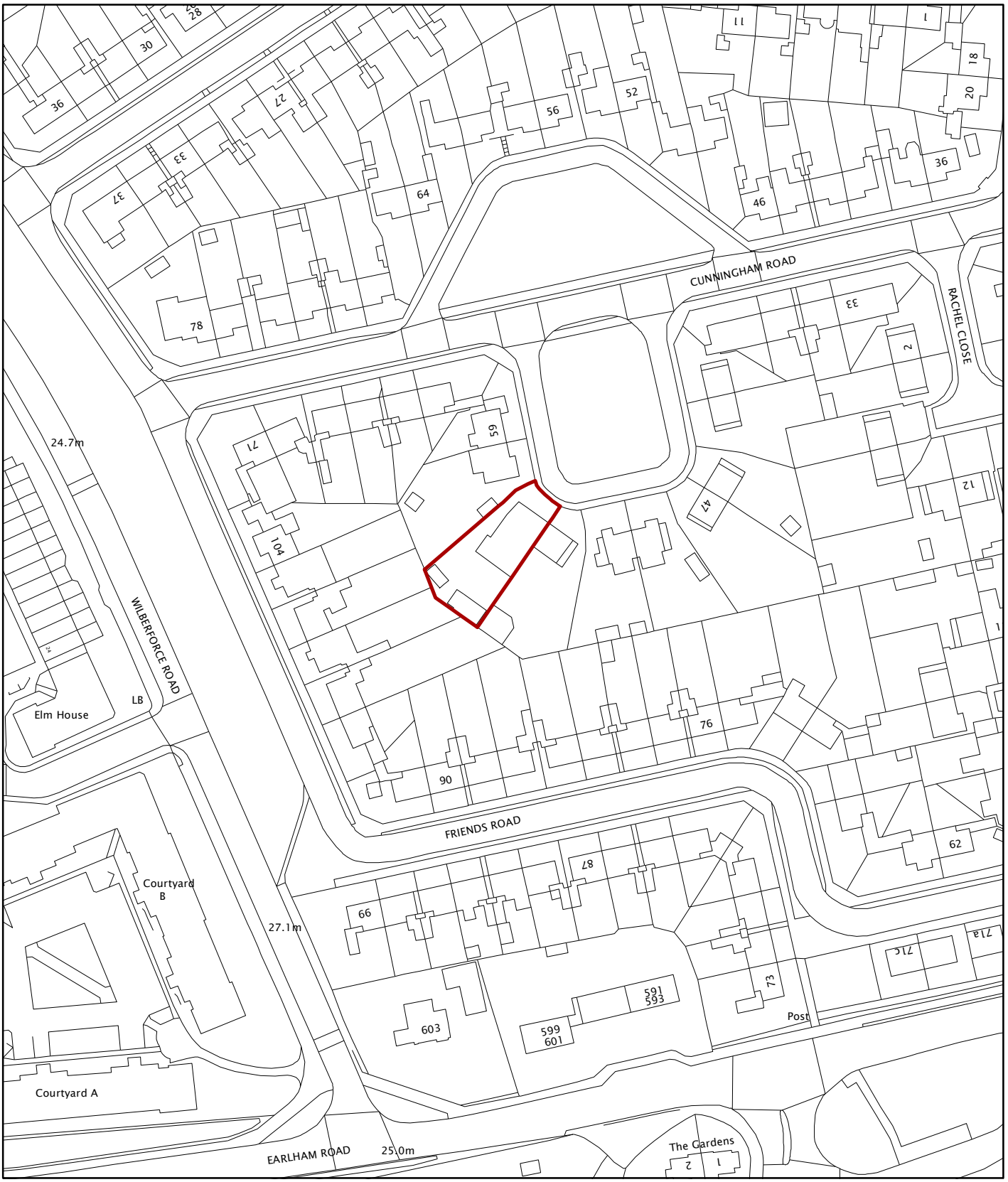
Purpose of Issue	**Concept**
Scales @ A1	**1:100**
Project No.	**1398**
Project	**James Brett Antique Shop**
Client	**Peter Smithers**
Layout Title	**Proposed Floor Plans**
Drawing No.	**1398-BA-A-PL05-Rev C**
Amendments	**Rev C - Amendments made to satisfy planning issues received by email - 29/11/16**

CAM ARCHITECTS
Studio 10 Netherconesford, 93-95 King Street, Norwich NR1 1PW
Tel 01603 666151 - Fax 01603 621476
info@camarchitects.co.uk - www.camarchitects.co.uk

Report to	Planning applications committee 12 January 2017	**Item**
Report of	Head of planning services	4(h)
Subject	Enforcement Case 15/00167/ENF– 55 Cunningham Road, Norwich, NR5 8HH	

SUMMARY

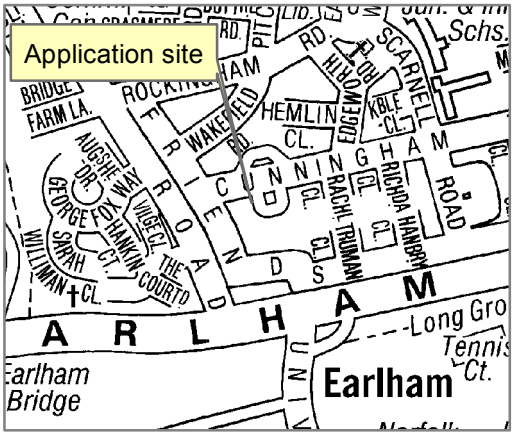
Description:	Change of use from residential (Class C3/C4) use to unauthorised house in multiple occupation (sui generis) use.
Reason for consideration at Committee:	Enforcement action recommended.
Recommendation:	Authorise enforcement action up to and including prosecution in order to secure the cessation of the unlawful residential (sui generis) use.
Ward:	University
Contact Officer:	Ali Pridmore



Planning Application No 15/00167/ENF

Site Address 55 Cunningham Road

Scale 1:1,250



NORWICH City Council

PLANNING SERVICES

The Site

1. The site is located on Cunningham Road which lies to the west of the city. The area is predominantly made up of two storey semi-detached residential dwellings. The property itself is a post-war steel clad 2 storey residential dwelling. There are no constraints on the site.

Relevant planning history

2. 14/01351/F – Application for the erection of single storey side and rear extension which was granted on the 21 October 2014.

Purpose

3. The current change of use from residential (Class C3/C4) use to house in multiple occupation (sui generis) use does not have planning permission and the change of use has occurred within the last four years and is therefore not immune from enforcement action. The change of use is a breach of planning control.

4. The owner of 55 Cunningham Road has been informed the current sui generis use is a breach of planning control and was asked to cease the unauthorised use or to apply for retrospective planning permission which she was advised might not be supported. No further contact has been received from the owner of 55 Cunningham Road.

5. Authority is sought from the Planning Applications Committee for enforcement action to secure the cessation of the unauthorised sui generis use and return the property back to its authorised use as residential (Class C3/C4 use). Enforcement action to include direct action and prosecution if necessary.

Breach

6. The property has changed use from a residential dwelling with 5 or less bedrooms to a house in multiple occupation (sui generis) with 8 bedrooms. The change of use is considered to be a material change of use for which planning permission would be required under section 171A(1) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991).

7. The unauthorised use does not fall within the same use class under the Town and Country Planning (Use Classes) Order 1987 (as amended) and the change is not permitted by the Town and Country Planning (General Permitted Development) Order 2015.

8. It appears to Norwich City Council that the above breach of planning control has occurred within the last four years and is not therefore immune from enforcement action. The current unauthorised use is not an appropriate use of the land which is currently causing significant harm to the local amenity, in terms of noise, additional parking and increase in household waste from the more intensive use of the dwelling. The

Council does not consider that planning permission should be given because planning conditions would not overcome these objections.

Policies and Planning Assessment

9. National Planning Policy Framework:
    - Statement 1 Building a strong and competitive economy
    - Statement 7 Requiring good design

    Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS):
    - JCS2 Promoting good design
    - JCS6 Access and transportation

    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
    - DM12 Principles for all residential development
    - DM13 Communal development and multiple occupation
    - DM28 Encouraging sustainable travel
    - DM30 Access and highway safety
    - DM31 Car parking and servicing

Justification for Enforcement

10. Cumulatively, the close proximity of the property to the adjoining property and other neighbouring properties means that the current sui generis residential use of the property would have a significant detrimental impact on the residential amenities of the neighbouring properties, particularly by way of possible noise disturbance as a result of the increased number of visits to the site, as well from the increased density of occupation of the building. The use also has a wider detrimental impact on the character of the area, contrary to policies DM2 and DM13 of the Development Management Policies Development Plan Document, April 2013.

11. The level of car parking and refuse storage facilities provided for the increased density of bed spaces within the property is unacceptable, contrary to policy DM3 of the Development Management Policies Development Plan Document, April 2013.

Equality and Diversity Issues

12. The Human Rights Act 1998 came into effect on 2nd October 2000. In so far as its provisions are relevant:

    (a) Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the Council the responsibility to take enforcement action when it is seen to

be expedient and in the public interest. The requirement to secure the removal of the unauthorised building works in the interests of amenity is proportionate to the breach in question.

(b) Article 6: the right to a fair hearing is relevant to the extent that the recipient of the enforcement notice and any other interested party ought to be allowed to address the Committee as necessary. This could be in person, through a representative or in writing.

Conclusions

13. On balance it is considered that the current unauthorised residential (sui generis) use is not considered acceptable. The likelihood of noise disturbance to nearby residents is considered to be likely and waste storage and collection arrangements would be inadequate and there might also be an adverse impact on parking.

14. It is therefore necessary to ask for authorisation from the planning applications committee to ensure the cessation of the unauthorised residential (sui generis) use and therefore remedy the breach of planning control.

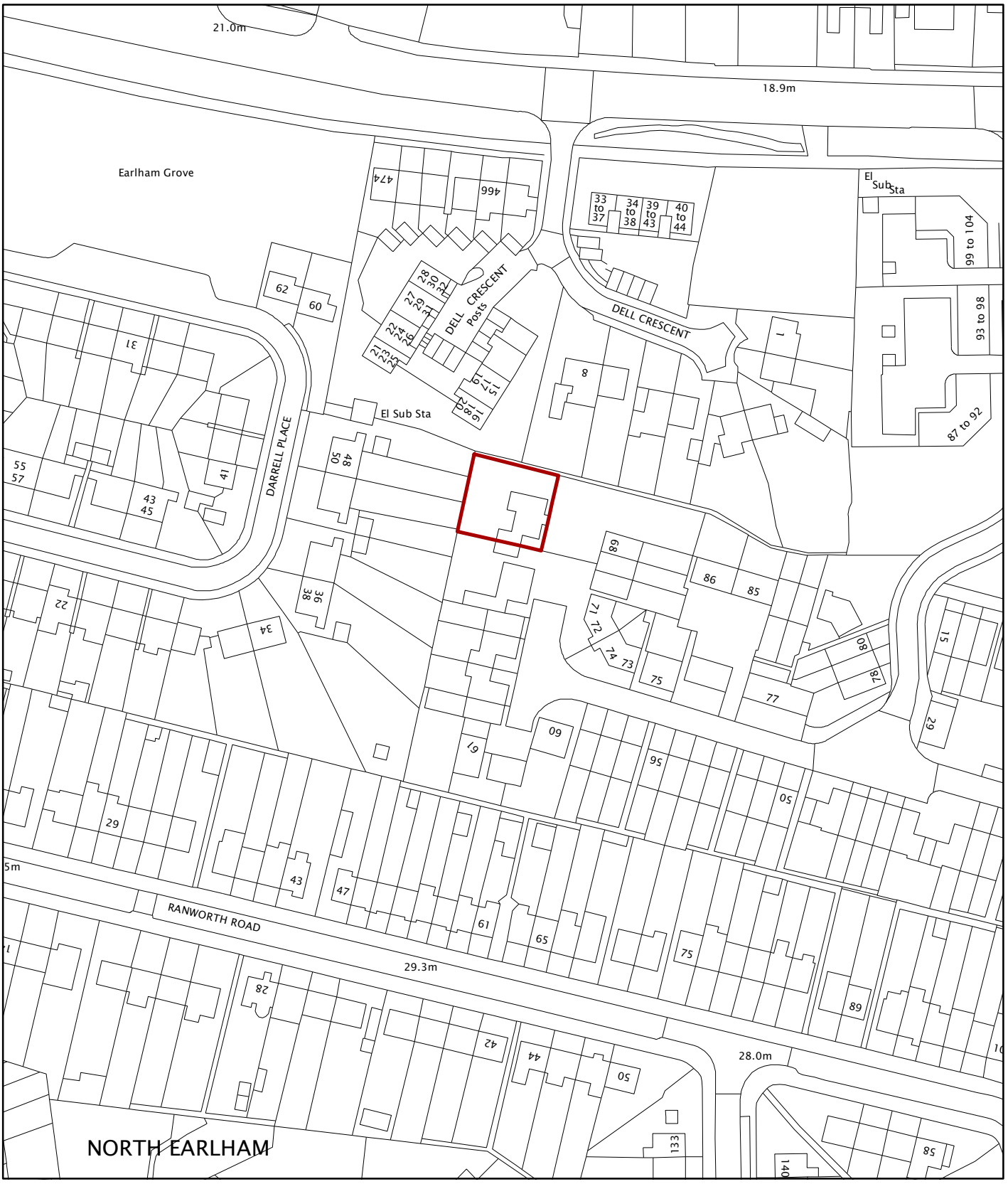
Recommendations

15. Authorise enforcement action to secure the cessation of the unauthorised residential (sui generis) use and return the property back to its authorised residential (Class C3/C4) use; including the taking of direct action may result in referring the matter for prosecution if necessary.

Report to	Planning applications committee	**Item**
	12 January 2017	
Report of	Head of planning services	4(i)
Subject	Enforcement Case 16/00020/ENF – 66 Whistlefish Court, Norwich, NR5 8QR	

SUMMARY

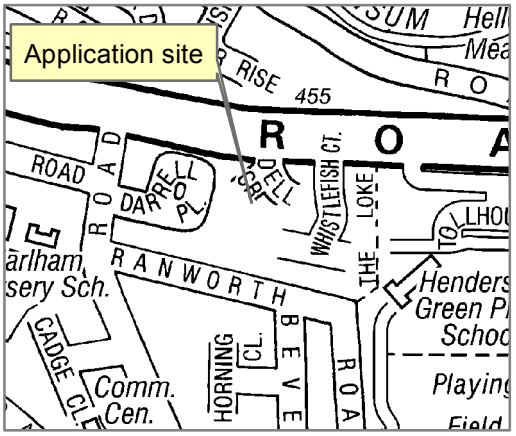
Description:	Without planning permission the conversion of an attached garage to form a separate unit of residential accommodation class C3 residential use. Also without permission the change of use from C3 residential / C4 HMO use to sui generis HMO use.
Reason for consideration at Committee:	Enforcement Action recommended.
Recommendation:	Authorise enforcement action up to and including prosecution in order to secure the cessation of the unlawful residential C3 use and return the use of the former garage to incidental / ancillary use and to cease the unauthorised sui generis HMO use and return the property back to C3 residential (Class C3) use or HMO (Class C4) use.
Ward:	Wensum
Contact Officer:	Ali Pridmore



Planning Application No 16/00020/ENF

Site Address 66 Whistlefish Court

Scale 1:1,250



NORWICH City Council

PLANNING SERVICES

The Site

1. 66 Whistlefish Court is a three storey semi-detached house located on a modern housing estate off Dereham Road. The area contains a mix of houses and flats and the surrounding area is predominantly residential in character.

Relevant planning history

2. 04/00763/F – Application for the erection of 97 dwellings which was granted permission on the 29 April 2005.

The Breach

3. The conversion of a former detached garage to form a separate unit of residential (Class C3) use accommodation without planning permission. The change of use from (Class C3) / HMO (Class C4) use to sui generis HMO use without the benefit of planning permission.

4. The development and change of use requires planning permission which is required under section 171A(1) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991).

5. The owner of 66 Whistlefish Court has been informed the conversion of the former detached garage and the unauthorised sui generis HMO use is a breach of planning control and was asked to cease the unauthorised use and return the former garage back to incidental / ancillary use.

6. It appears to Norwich City Council that the above breach of planning control has occurred within the last four years and is not therefore immune from enforcement action.

Policies and Planning Assessment

7. National Planning Policy Framework:
    - Statement 1 Building a strong and competitive economy
    - Statement 6 A wide choice of good quality homes
    - Statement 7 Requiring good design

    Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS):
    - JCS2 Promoting good design
    - JCS4 Housing
    - JCS6 Access and transportation

    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
    - DM12 Principles for all residential development

- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Justification for Enforcement

8. The dwelling provides a poor standard of amenity for its occupiers. In addition it would have a significant detrimental impact on the residential amenities of the neighbouring properties, particularly as a result of the unduly intensive use of premises, resulting in a loss of privacy and a wider detrimental impact on the character of the area. This would be contrary to policies DM2 and DM13 of the Development Management Policies Development Plan Document adopted 2014.

Equality and Diversity Issues

9. The Human Rights Act 1998 came into effect on 2 October 2000. In so far as its provisions are relevant:

   (a) Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the council the responsibility to take enforcement action when it is seen to be expedient and in the public interest. The requirement to secure the removal of the unauthorised building works in the interests of amenity is proportionate to the breach in question.

   (b) Article 6: the right to a fair hearing is relevant to the extent that the recipient of the enforcement notice and any other interested party ought to be allowed to address the committee as necessary. This could be in person, through a representative or in writing.

Conclusions

10. The current unauthorised residential use would have a significant detrimental impact on the residential amenities of occupiers and neighbouring properties.

11. Authority is sought from the planning applications committee for enforcement action to secure the cessation of the unauthorised use of the former garage for residential (Class C3) use and return the building back to an incidental / ancillary use. Authorisation is also sought to secure the cessation of the unauthorised sui generis HMO use and return the property back to residential (Class C3) use or HMO (Class C4) use. Enforcement action is to include direct action and prosecution if necessary.

Recommendations

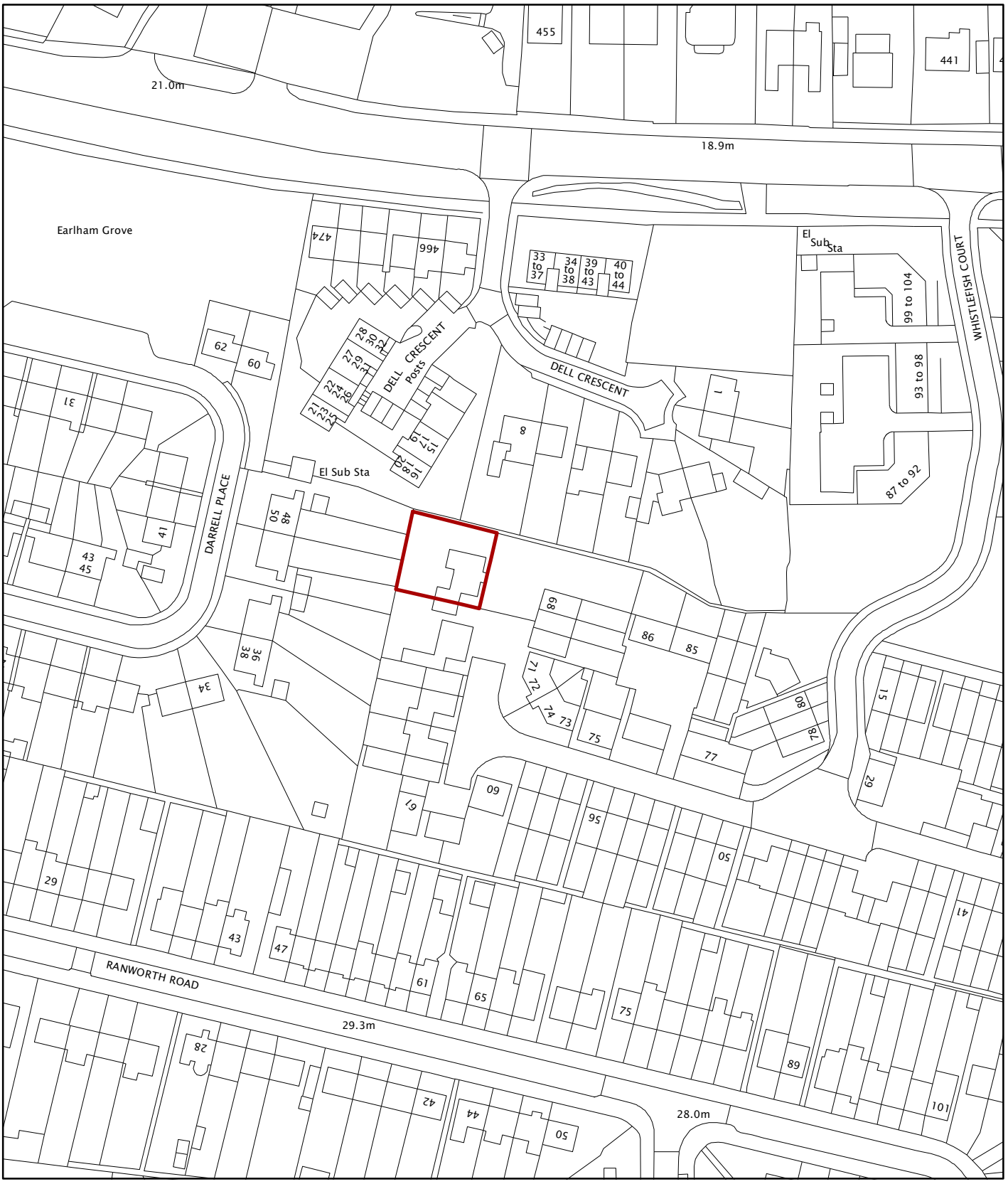
12. Authorise enforcement action to secure the cessation of the unauthorised change of use of the dwelling from a HMO (Class C4) use to a HMO sui

generis use, and authorise enforcement action to secure the cessation of the unauthorised change of use of the former garage for residential (C3) use and return it back to its authorised use as incidental / ancillary use; including the taking of direct action may result in referring the matter for prosecution if necessary.

Report to	Planning applications committee	**Item**
	12 January 2017	
Report of	Head of planning services	4(j)
Subject	Enforcement Case 16/00020/ENF – 67 Whistlefish Court, Norwich, NR5 8QR	

SUMMARY

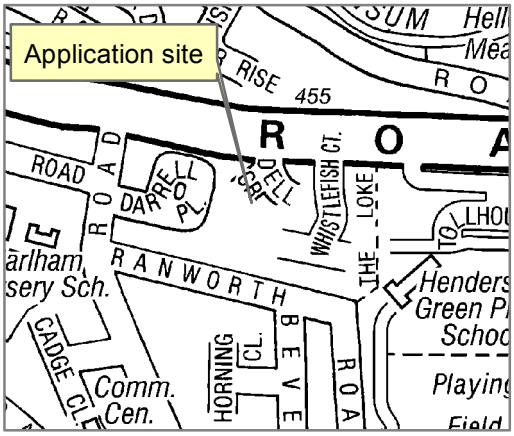
Description:	Without planning permission the conversion of an attached garage to form a separate unit of residential accommodation class C3 residential use. Also without permission the change of use of the main house from C3 residential / C4 HMO use to sui generis HMO use.
Reason for consideration at Committee:	Enforcement Action recommended.
Recommendation:	Authorise enforcement action up to and including prosecution in order to secure the cessation of the unlawful residential C3 use and return the use of the former garage to incidental / ancillary use and to cease the unauthorised sui generis HMO use of the main house and return the property back to C3 residential (Class C3) use or HMO (Class C4) use.
Ward:	Wensum
Contact Officer:	Ali Pridmore



Planning Application No 16/00020/ENF

Site Address 67 Whistlefish Court

Scale 1:1,250



NORWICH City Council

PLANNING SERVICES

The Site

1. 67 Whistlefish Court is a three storey semi-detached house located on a modern housing estate off Dereham Road. The area contains a mix of houses and flats and the surrounding area is predominantly residential in character.

Relevant planning history

2. 04/00763/F – Application for the erection of 97 dwellings which was granted permission on the 29 April 2005.

The Breach

3. The conversion of a former detached garage to form a separate unit of residential (Class C3) use accommodation without planning permission. The change of use from (Class C3) / HMO (Class C4) use to sui generis HMO use without the benefit of planning permission.

4. The development and change of use requires planning permission which is required under section 171A(1) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991).

5. The owner of 67 Whistlefish Court has been informed the conversion of the former detached garage and the unauthorised sui generis HMO use is a breach of planning control and was asked to cease the unauthorised use and return the former garage back to incidental / ancillary use.

6. It appears to Norwich City Council that the above breach of planning control has occurred within the last four years and is not therefore immune from enforcement action.

Policies and Planning Assessment

7. National Planning Policy Framework:
    - Statement 1 Building a strong and competitive economy
    - Statement 6 A wide choice of good quality homes
    - Statement 7 Requiring good design

    Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS):
    - JCS2 Promoting good design
    - JCS4 Housing
    - JCS6 Access and transportation

    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
    - DM12 Principles for all residential development

- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Justification for Enforcement

8. The dwelling provides a poor standard of amenity for its occupiers. In addition it would have a significant detrimental impact on the residential amenities of the neighbouring properties, particularly as a result of the unduly intensive use of premises, resulting in a loss of privacy and a wider detrimental impact on the character of the area. This would be contrary to policies DM2 and DM13 of the Development Management Policies Development Plan Document adopted 2014.

Equality and Diversity Issues

9. The Human Rights Act 1998 came into effect on 2nd October 2000. In so far as its provisions are relevant:

   (a) Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the Council the responsibility to take enforcement action when it is seen to be expedient and in the public interest. The requirement to secure the removal of the unauthorised building works in the interests of amenity is proportionate to the breach in question.

   (b) Article 6: the right to a fair hearing is relevant to the extent that the recipient of the enforcement notice and any other interested party ought to be allowed to address the committee as necessary. This could be in person, through a representative or in writing.

Conclusions

10. The current unauthorised residential (C3) use would have a significant detrimental impact on the residential amenities of occupiers and neighbouring properties.

11. Authority is sought from the planning applications committee for enforcement action to secure the cessation of the unauthorised use of the former garage for residential (Class C3) use and return the building back to an incidental / ancillary use. Authorisation is also sought to secure the cessation of the unauthorised sui generis HMO use and return the property back to residential (Class C3) use or HMO (Class C4) use. Enforcement action is to include direct action and prosecution if necessary.

12. Authority is also sought from the planning applications committee for enforcement action to secure the cessation of the unauthorised use of the property as sui generis residential use and return it back to residential (Class C3) use of HMO (Class C4) use, incidental / ancillary use.

Enforcement action is to include direct action and prosecution if necessary.

Recommendations

13. Authorise enforcement action to secure the cessation of the unauthorised change of use of the dwelling from a HMO (Class C4) use to a HMO sui generis use, and authorise enforcement action to secure the cessation of the unauthorised change of use of the former garage for residential (C3) use and return it back to its authorised use as incidental / ancillary use; including the taking of direct action may result in referring the matter for prosecution if necessary.