



NORWICH
City Council

Planning applications committee

Date: Thursday, 13 December 2018

Time: 09:30

Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

Committee members:

Councillors:

Driver (chair)

Maxwell (vice chair)

Bradford

Button

Henderson

Malik

Peek

Raby

Ryan

Sands (M)

Stutely

Trevor

Wright

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Democratic services

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If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

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 - 24

To approve the accuracy of the minutes of the meeting held on 8 November 2018.

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

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Summary of planning applications for consideration

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| 4(a) | Application nos 18/01591/MA and 18/01586/RM - Three Score Site Land South of Clover Hill Road, Norwich | 29 - 52 |
| 4(b) | Application no 18/00014/F - 183 Newmarket Road, Norwich, NR4 6AP | 53 - 68 |

Date of publication: **Tuesday, 04 December 2018**



Planning applications committee

10:00 to 15:25

8 November 2018

Present: Councillors Driver (chair), Maxwell (vice chair), Bradford (to end of item 9, below), Button, Malik, Peek, Raby, Ryan, Sands (M), Stutely, Trevor (to end of item 9, below) and Wright

Apologies: Councillors Henderson

1. Declarations of interest

Councillors Maxwell, Bradford and Trevor declared an other interest in item 6 (below), Applications 18/01082/F and 18/01083/L - Norwich Castle Museum, Castle Hill, Norwich, NR1 3JS, as current members of the Norwich area museums committee.

Councillor Malik said that, as Nelson ward councillor, he had spoken to residents about item 8 (below), Application no 18/01062/NF3 - Heigham Park, Recreation Road, Norwich, but did not have a predetermined view.

(During consideration of item 8 (below), Application no 18/01062/NF3 - Heigham Park, Recreation Road, Norwich, Councillor Ryan said that he was a former member of the cabinet at the time that the closure of the council's grass tennis courts had been discussed. He stated that he did not have a predetermined view on this application. Councillor Button said that she had been shadowing the cabinet member responsible for parks when the closure of grass courts had been discussed but did not have a predetermined view on this application.)

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 11 October 2018.

3. Site Visit Anglia Square – Friday, 9 November 2018 at 8:30 am

The area development manager (inner) confirmed the arrangements for members of the committee to attend a site visit to Anglia Square¹.

RESOLVED to conduct a site visit to Anglia Square on Friday, 9 November 2018 at 8:30 for any members of the committee who are interested in attending.

¹ Councillors Driver, Maxwell, Button, Peek, Raby, Ryan, Sands (M), Stutely and Trevor attended the site visit on 9 November.

4. Extraordinary meeting of the planning applications committee

RESOLVED to hold an extraordinary meeting of the planning applications committee on Thursday, 6 December 2018 at 9:30.

(Members requested a short adjournment so that members could have an opportunity to read the supplementary report of updates to reports which was circulated at the meeting.)

5. Applications 18/01082/F and 18/01083/L - Norwich Castle Museum Castle Hill, Norwich, NR1 3JS

(Councillors Maxwell, Bradford and Trevor had declared an interest in this item.)

The design and conservation officer and the senior planner jointly presented the report, with the aid of plans and slides. The officers also referred to the supplementary report of updates to reports which was circulated at the meeting and comprised a further consultation from Norfolk Fire service and a response from the applicant to Norfolk Constabulary's concerns regarding the design of the viewing platform and people in crisis.

A member of the public who was employed by the Norfolk Museums Service addressed the committee and outlined his objections to the proposed removal of the Victorian balcony, designed by Edward Boardman. He referred to national and local planning policies and said that the removal of the balcony was not justified to recreate a modern interpretation of a Norman castle keep.

A representative for the applicant responded to the issues raised by the speakers and explained that Edward Boardman had wanted to restore the original floor levels in the keep. The removal of the balcony was a crucial element of the proposal. Norwich Castle was important as a Grade I building because it was an example of a Norman castle and not as a Victorian museum. There were plenty of more visible examples of Boardman's work in the city. The benefits of the scheme provided a "once in three generations" opportunity to make the museum fit for the 21st century and its social and economic benefits, outweighed the harm caused by the removal of the Victorian structures from the keep and the entrance hall.

Discussion ensued in which the senior planner, design and conservation officer and the area development manager (inner) referred to the report and presentation, and answered members' questions about projected visitor numbers and elements of the design. Members also sought reassurance about the phasing of the development and provision of services, such as weddings, whilst construction was in progress. The design and conservation officer said that it was likely that fire regulations would restrict the number of people on the viewing platform at any one time. Members were advised that there would be a demolition strategy in place and that fabric removed from the keep and entrance hall would be retained by Norfolk Museums Service.

The chair moved and the vice chair seconded the proposals as set out in the report and as amended in the supplementary report.

During discussion members commented that they regretted the loss of the examples of Edward Boardman's work and understood the concerns that had been raised about Victorian features being removed, but considered that this was outweighed by the economic and social benefits to Norwich Castle and the city. A member said that the visitor experience to the castle would be enhanced by this proposal. Members noted that visitor numbers to the museum were projected to increase by a third. Members were satisfied that the Victorian features removed during the demolition process would be preserved or reused elsewhere.

RESOLVED, unanimously, to:

- (1) approve application no. 18/01082/F - Norwich Castle Museum Castle Hill Norwich NR1 3JS and grant planning permission subject to the following conditions:
 1. Standard time limit
 2. In accordance with plans;
 3. Compliance with AIA, AMS and TPP
 4. Landscaping details of roof platform.
 5. Landscaping details to ground/mound.
 6. Construction Method Statement.
 7. Details of ecological enhancement measures.
 8. Water efficiency.
 9. Stop works if nesting birds or bats are discovered during the project.

Informatives:

1. Considerate construction

Article 35(2) Statement:

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework (2018) 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) approve application no. 18/01083/L - Norwich Castle Museum Castle Hill Norwich NR1 3JS and grant planning permission subject to the following conditions:
 1. Standard time limit
 2. In accordance with plans;
 3. Detailed drawings or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:
 - (a) All external building materials (including manufacturer, product, colour finish, scaled drawings and samples where required) for the roof

- platform, lift and stair enclosures and the cladding for new roof extensions and new bridge link.
- (b) Schedule of internal finishes to walls, ceilings and floors;
 - (c) All new stairs and handrails
 - (d) All new external balustrades and fixings into historic fabric.
 - (e) All new openings to include depth of reveal, details of lintels, reveals and thresholds, elevations and sections at a scale of not less than 1:20
 - (f) All new internal and external doors (plan, section and elevation drawings at a scale of not less than 1:20 and horizontal/frame sections at not less than 1:2) including swing and operation
 - (g) Junctions between northern W.C extension and Keep walls
 - (h) Junctions between new lead roof and walls to lightwell 5
 - (i) New lantern to lightwell 5
 - (j) All new external plant and equipment (including new kitchen plant and roof v vents) and associated screening
 - (k) All new equipment relating to fire safety provision (active and passive) (including detailed design and routing of any dry risers and details of any new fire hydrants)
 - (l) Any new or relocated lightening protection
 - (m) Any new or relocated flag pole
 - (n) Any new or relocated surface mounted fixtures (items affixed to the Keep walls, floor or ceilings including projectors, conduit, track or wiring)
 - (o) Any new external lighting
 - (p) Column casings/treatment
 - (q) Precise material and detailed design (scaled plan, elevation and section drawing) of all new and relocated lift shafts, stairs and stair enclosures
 - (r) all new and replacement cornices, skirting, floor coverings, lantern light film, in the principal entrance hallway and adjacent Boardman era corridor
 - (s) A methodology for the careful lifting, storage and reinstatement for the mosaic Norwich City's Coat of Arms in the principal entrance hallway;
 - (t) All new floor coverings (must include details of new entrance hallway, Boardman corridor and atrium spaces, lightwell 5 at ground floor level) as well as within the Keep.
 - (u) details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air
 - (v) Details of any new or relocated rainwater goods
 - (w) Detailed design of all alterations to the Boardman stone stair, including nosings and new compliant handrail.
 - (x) Strengthening works to the pier within the main entrance hallway/protection of the dungeons (report shall be prepared by a suitably qualified person, namely a Member of the Institute of Structural Engineers (M.I. Struct. E.) or a Member of the Institution of Civil Engineers (M.I.C.E.).
 - (y) A new signage strategy and the detailed design of any proposed fixed signage.
4. A construction method statement informed by the contractor and prepared by a suitably qualified person, namely a Member of the Institute of Structural Engineers (M.I. Struct. E.) or a Member of the Institution of Civil Engineers

(M.I.C.E.) shall be prepared to indicate what piling they propose, what type of machinery will be required, all methods of protection and how it will be moved on and off site without undue harm to the form, fabric and structural stability of the Grade I Listed building (with particular reference to the Keep, dungeons and bridge) shall be submitted to and approved by the Local Planning Authority and works carried out in accordance with said report.

5. A construction method statement and detailed scaled drawings (informed by the glazing manufacturer and prepared by a suitably qualified person, namely a Member of the Institute of Structural Engineers (M.I. Struct. E.) or a Member of the Institution of Civil Engineers (M.I.C.E.)) in respect of the proposed glass atrium roof on the eastern side of the Keep wall/Bigod tower shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing. Works shall be carried out in strict accordance with the details so agreed.
6. Demolition method strategy shall be submitted to and approved by the Local Planning Authority prior to works commencing. This report should indicate how elements of the building can be sequentially removed without compromising structural integrity of the elements to be retained. It shall be prepared by a suitably qualified person, namely a Member of the Institute of Structural Engineers (M.I. Struct. E.) or a Member of the Institution of Civil Engineers (M.I.C.E.).
7. No scaffold should be affixed to any elevations of the building without the prior written agreement of the Local Planning Authority.
8. Any damage caused to the building by the works hereby approved shall be made good in accordance with a scheme first submitted to and agreed in writing by the local planning authority and the making good in accordance with the scheme as agreed shall take place within 6 months of the completion of the scheme.
9. Archaeology written scheme of investigation (including methodology for the opening up and strengthening works to the opening in the eastern wall of the keep.
10. Stop work if unidentified features revealed.
11. A photographic record of the existing Keep interior and entrance hallway interior and exterior shall be undertaken prior to demolition works commencing and submitted to the Local Planning Authority and HER. (The record shall comply with the requirements of level 2 of the Historic England guidance document, 'Understanding Historic Buildings: A Guide to Good Recording Practice' document).
12. Notwithstanding the services drawings, no new or relocated service routes or risers shall be installed so as to affect the surviving decorative plasterwork walls, ceiling or the floorzone within the Benefactors Room. Any proposed service routes within this space will require the prior written agreement of the Local Planning Authority.
13. No new keep roof extensions or additions (plant vents, equipment, services, balustrades, stairwell or lift enclosures etc) (with the exception of the flagpole or lightening protection) shall project above the height of the highest point of the battlements.

Informatives

1. You are reminded that the original historic fabric of the listed building should be retained unless specifically authorised for removal by the council as part of

a listed building consent. Historic fabric which must be retained would include lath and plaster ceilings and walls, floorboards, original skirting boards, dado rails, cornice, fireplaces, staircases, and any other surviving historic fabric. Where these elements are in poor condition, localised like for like repair could be undertaken by competent workmen, with the minimum amount of intervention to the historic fabric. You are reminded that the installation of new internal and external lighting and service routes and risers fixed to the building will in most cases will require listed building consent. Any proposals for these particular works must be first approved by the council as part of a listed building consent before they are installed within the listed building.

2. You are reminded that no work should commence on implementing this Listed Building Consent until all matters, samples, and details reserved by condition have been submitted to, and approved by, this local planning authority. It is an offence to carry out work to a Listed Building unless all such conditions have been complied with. Any proposed departure from the works specified in the approved drawings should be brought to the attention of the planning department for further consideration before the work is carried out. The Council will use its enforcement powers, including use of Breach of Condition Notices or Prosecution, to ensure compliance with conditions and prevent harm to the special historic character and historic interest of Listed Buildings. You are advised that there is currently a maximum fine of £20,000 if the offence is dealt with summarily, and if the offence is dealt with by indictment the fine is unlimited.

Reasons for approval:

The proposal internal and external alterations to the grade I listed Norwich Castle will result in harm to some aspects of the historic significance of this important heritage asset. In particular the changes to the Victorian museum in the keep and entrance lobby would result in harm to the historic significance of this phase of the building's development, the proposed bridge would visually and physically affect the keep and the kitchen extension to the 1960s block would change the appearance of the building from certain viewpoints. The level of harm however is considered to be less than substantial and clear and convincing justification can be made for this harm. In accordance with paragraph 196 of the National Planning Policy Framework this harm should be weight against the public benefit of the proposed changes.

In this case it is considered that providing new visitor facilities and educational resources, making access to the complex easier and more appealing, increasing visitor numbers and allowing for an increased understanding of the medieval keep will all help enhance these community facilities and in turn promote learning and Norwich's economy. Taking everything into account it is considered that these benefit outweigh the less than substantial harm to this heritage asset. The proposed works are therefore considered to be acceptable and in accordance with the National Planning Policy Framework, policies 1 and of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and policies DM1, DM3 and DM9 of the Norwich Development Management Policies Local Plan (December 2014).

6. Application no 18/01315/F - Car Park Barn Road, Norwich

The senior planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports circulated at the meeting. This contained a copy of the comments from the Norwich Society in response to the consultation and a further letter of representation from a resident. Following the response of the Environment Agency to the geo-environmental assessment, conditions 6 and 7 as set out in the report had been satisfied and could be removed. The senior planner recommended that condition 9 (as set out in the report) be amended to include a piling method statement.

A resident of the adjacent flats addressed the committee and expressed her concerns about the proposal in relation to noise; antisocial behaviour; overlooking and loss of privacy; that mature trees would be replaced by bushes and concern that the air quality from traffic would be detrimental to the health of the students living in the new accommodation. She also considered that the design was out of character to the historic churches in the vicinity, the city wall and the Lanes.

The applicant (provider of student accommodation) addressed the committee. He explained that the company had provided the first purpose built student accommodation in the city and that this scheme would be the company's third; the company had a sound management practice and contributed to community cohesion, and had good relationships with its key stakeholders, University of East Anglia, Norwich University of the Arts and City College Norwich; and, would provide significant landscaping to balance the removal of the trees, improve the public realm and enhance the city walls.

During discussion the senior planner and the area development manager (inner) referred to the report and answered members' questions. Several members commented that a green wall should have been considered in the proposals. The senior planner assured members that the daylight analysis showed that all student rooms would have adequate light, including the rooms on the northern corner of the site. This proposal would contribute to the unmet need for student accommodation in the city. The current study into student accommodation in the city indicated that current provision of purpose built student accommodation and that the proposal would help to meet the unmet need for student accommodation and mitigate the loss of residential houses to shared student houses in multiple-occupation (HMOs). Members were also advised that the council would retain the freehold of the site, operate the car park and lease the student accommodation to the management company. There were no proposals to let the accommodation out to holiday makers and in any case lettings were usually made to students for the academic year. Air quality was not a concern. There would be a good level of screening to soften the car park and enhance the heritage interpretation at this gateway for the city.

The chair moved and the vice chair seconded the recommendations as set out in the report and amended in the supplementary report of updates to reports.

Discussion ensued in which Councillor Malik said that he could not support this proposal because he considered that the council could have provided affordable housing on this site for working people. Other councillors welcomed the scheme which they considered was a good design and would enhance this gateway to the city and develop the former bombsite; provide purpose built accommodation for

students and alleviate pressure on the private rental market where rents were out of reach to families particularly in wards where there were large numbers of student HMOs. The chair pointed out that there was still a shortfall of purpose built student accommodation in the city. He also pointed out that the car park would provide electric charging points.

Councillor Trevor commented that she was concerned about the well-being of future students whose rooms were dark and which she considered would create an unpleasant working and living environment for them.

A member asked that the developers gave consideration to using green walls in future developments.

RESOLVED with 10 members voting in favour (Councillors Driver, Maxwell, Wright, Raby, Button, Sands, Ryan, Peek, Stutely and Bradford) and 2 members voting against (Councillors Malik and Trevor) to approve application no. 18/01315/F - Car Park, Barn Road, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No works above ground until following details agreed:
 - (a) Materials for walls (including brick bond and mortar),
 - (b) Materials for roof (including green roof)
 - (c) Windows and doors (including lintels and cils, glazing frames and profiles and reveals)
 - (d) Rainwater goods, fascias, bargeboards
 - (e) Bat boxes
 - (f) Screen to car park
4. No works until archaeology agreed.
5. Stop works if unidentified feature revealed.
6. Stop work if unknown contamination found .
7. No works until piling method statement has been agreed.
8. With the exception of site clearance, archaeology, tree protection works and ground investigation no development shall take place until slab levels have been agreed.
9. With the exception of site clearance, archaeology, tree protection works and ground investigation, no development shall take place until surface water management strategy has been submitted to and approved in writing by the LPA. No drainage into the ground other than with consent from the LPA.
10. No occupation until external lighting agreed and implemented.
11. No works above ground until fire hydrant provision agreed.
12. No works above ground until scheme for generating a minimum of 10% of the predicted energy requirement from decentralised renewable and/or low carbon sources has been agreed.
13. The development shall be designed to meet 110 litres/person/day water efficiency.
14. Works to be carried out in accordance with AIA, AMS.
15. No occupation until landscaping scheme has been approved.
16. No works above ground until a contract has been entered into with the Council for a financial payment to maintain trees

17. No occupation until following details agreed:
 - a) Car parking
 - b) Cycle storage and parking for residents and visitors to the site
 - c) Servicing, including waste and recycling bin storage and collection facilities
18. Removal of permitted development rights for boundary treatment
19. No occupation until public realm and highway improvements carried out – s278 application needed.
20. Full travel information plan to be submitted during the first year of occupation. Travel information to be made available in accordance with the interim travel plan. To be maintained and reviewed in accordance with the agreed details.
21. Parking and management arrangements (including arrangements to deal with the arrival and departure of residents at the beginning and end of academic term to be in accordance with agreed details.
22. Management to be carried out in accordance with approved details.
23. No works above ground until details of plant, machinery and mechanical ventilation systems have been agreed.
24. Dust management plan.
25. Bird nesting season.
26. No works above ground until details of ecological enhancements including bird/bat boxes and green roof have been agreed.
27. Compliance with Construction Management Plan and Construction Traffic Management Plan.
28. No occupation of the student accommodation until car park has been completed.

Informatives

1. Anglian Water assets
2. TRO fee of £1995
3. Need for s278 agreement
4. Tree maintenance fee
5. No entitlement to on-street parking permits
6. Refuse bins and collection arrangements to be arranged prior to first occupation
7. Construction working hours
8. Details of windows (condition 3(c)) to include information to demonstrate that the windows comply with the recommendations within the noise impact assessment.

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework (2018) 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.

7. Application no 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich

The senior planner presented the report with the aid of plans and slides. He referred to the supplementary report of updates reports circulated at the meeting and summarised comments from the Norfolk Fire and Rescue Service which raised no

objections but stipulated that all parts of the building must be accessible for a fire appliance and additional fire hydrants to be provided.

The chair moved and the vice chair seconded the recommendations as set out in the report and amended in the supplementary report of updates to reports.

Members welcomed that this site was fully compliant with policy and would provide 33 per cent affordable housing, comprising six units on site and a commuted sum for provision of a unit elsewhere. The area development manager (outer) assured members that there was a reasonable amount of time before the commuted sum needed to be used.

RESOLVED, unanimously, to approve application no. 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit for submission of reserved matters
2. In accordance with plans
3. Energy efficiency
4. Water efficiency
5. Surface water drainage scheme
6. Unexpected contamination
7. Details of bin and cycle storage
8. Imported topsoil and subsoil
9. Slab levels
10. Construction method statement.
11. Provision of additional fire hydrants.

8. Application nos 18/00062/F and 18/00063/L - Rear of St Faiths House, Mountergate, Norwich, NR1 1PY

The planner 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 correction to a statement in paragraph 84 of the report relating to all flats meeting the minimum space standard because one flat was just below the standard. Members were advised that there were a number of objections to the original proposal and although these had not been withdrawn, no further objections to the revised scheme to mitigate their concerns had been received.

During discussion the planner together with the area development manager (inner) referred to the report and answered members' questions. Members were advised that this site was policy compliant with affordable housing provision because the vacant building credit had been taken into consideration. In reply to a member's question, the area development manager (inner) said that conversion of St Faiths House was better suited for residential use and had not provided office space fit for modern standards.

RESOLVED with 11 members voting in favour (Councillors Driver, Maxwell, Wright, Raby, Button, Malik, Trevor, Ryan, Peek, Stutely and Bradford) and 1 member voting against (Councillor Sands) to:

- (1) approve application no. 18/00062/F - Rear of St Faiths House Mountergate, Norwich, NR1 1PY and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of an off-site contribution towards affordable housing and subject to the following conditions:
1. Time limit.
 2. In accordance with plans.
 3. Works to St Faiths House required to be completed before occupation of any other part of the site.
 4. All materials to be agreed.
 5. All habitable rooms fronting Mountergate to be provided with windows and ventilation in accordance with the approved Noise Impact Assessment.
 6. A scheme to deal with contamination to be agreed.
 7. Development to stop if unidentified contamination found during works.
 8. No use of piling without express consent.
 9. Residential units to achieve water efficiency of 110l per person per day,
 10. Water efficiency measures for commercial unit to be agreed.
 11. Surface water management scheme to be agreed.
 12. Reinstatement of the footway on Mountergate - scheme to be agreed.
 13. Car parking management plan to be agreed.
 14. Landscaping scheme to be agreed (including use of planting which provides benefits for wildlife).
 15. Development shall take place in accordance with the approved Written Scheme of Investigation.
 16. No works except site clearance and demolition until a further ecological survey is carried out to determine whether the north eastern elevation of St Faith's House is being used by bats.
 17. No development during the bird nesting season without consent.
 18. Ecologist contact details to be made available to site contractor.
 19. Boundary treatments to include small mammal access.
 20. Bat and bird boxes to be installed on the site - number, locations and specification of boxes to be agreed.
 21. Fire hydrant to be included - scheme to be agreed.
 22. Details of bicycle parking to be agreed, including additional provision not identified on the approved plans.
 23. On-site renewable energy generation - scheme to be agreed.

Informatives:

1. The developer will be expected to meet the costs of supplying and installing the fire hydrant.
2. The developer will be expected to meet the costs of reinstating the footway on Mountergate.
3. Street naming and numbering - contact the council.
4. New residential properties are not entitled to on-street parking permits.

- (2) approve application no. 18/00063/L - Rear of St Faiths House, Mountergate, Norwich, NR1 1PY and grant listed building consent subject to the following conditions:

1. Time limit.

2. In accordance with plans.
3. Full photographic survey of the building.
4. An existing floor plan of St Faiths House with retention notes.
5. Details to be agreed:
 - (a) Schedule of existing and proposed finishes
 - (b) Details relating to the installation and composition of new stud partitions.
 - (c) Details relating to new windows and doors, which shall be of a style and material to match the predominant significant relevant element.
 - (d) Details relating to fireproofing and soundproofing measures required
 - (e) Plans, sections and elevations detailing the relationship of the new extension at first floor (and the associated
 - (f) roof structure) with the existing building
6. Any damage caused to the building shall be made good.
7. All works of localised repair and making good to retained fabric shall be finished to match the adjacent work.
8. Any historic features not previously identified shall be retained in-situ and reported to the local planning authority.

Informative:

1. Only the works shown are approved.

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

9. Application no 18/01104/F – 2 Quebec Road, Norwich, NR1 4AU

The planner 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 summarised seven letters of representation that had been received outside the consultation period, three in support and three further letters of objection and one new objection to the application; a correction to the report only three objections had been made to the revised scheme in the consultation period and a statement that the property was detached when it was semi-attached to no 30a St Leonards Road.

The adjacent neighbour addressed the committee about his and other residents' concerns about the extension and the impact that it had on his house and the streetscene. He referred to the comments of the Norwich Society and design and conservation officer. The extension dominated the main house when it should be subsidiary to it. He displayed slides showing the view of the extension from the balcony of his property. The building should have been a metre lower. The proposed mitigation did not alleviate its impact. He asked members whether the application would have been acceptable if it was not retrospective.

The applicant addressed the committee, showing slides of the changes that had been made to the façade of the building to restore Victorian characteristics. He considered that the building was higher by 700mm not a metre. The amendments to the scheme had been discussed with the council's design and conservation officer. He said that he and his partner had received positive feedback from other residents.

The area development manager (inner) referred to the report and answered members' questions about the scheme and explained that when the complaint about

the breach of planning consent had come to light officers had sought to negotiate a solution.

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

RESOLVED with 10 members voting in favour (Councillors Driver, Maxwell, Raby, Button, Malik, Sands, Ryan, Peek, Stutely and Bradford) and 2 members voting against (Councillors Trevor and Wright) to approve application no. 18/01104/F – 2 Quebec Road, Norwich NR1 4AU and grant planning permission subject to the following conditions:

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

(The committee adjourned for lunch at 13:30. Councillors Trevor and Bradford left the meeting at this point. The committee reconvened with all other members present as listed above.)

10. Application no 18/01062/NF3 - Heigham Park, Recreation Road, Norwich

(Councillors Button and Ryan declared that they did not have a predetermined view at this point in the meeting. See item 1 Declarations of interest, above, for further details.)

The area development manager (outer) 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 contained a summary of an additional representation from Councillor Carlo and reproduced a response from The Gardens Trust. The issues raised had been addressed in the main report. Members were advised that determination of this application was a balanced judgement for members. He explained that officers did not consider the proposal was causing “substantial harm” in that the provision of hard courts at Heigham Park was not irreversible and the grass tennis courts could be reinstated in the future. He advised that “substantial harm” was an extremely high bar and that in this case, officers considered that there was “less than substantial” harm in the terms of paragraph 196 of the NPPF which members would need to weigh against the benefits of the scheme. It was a finely balanced judgement but the benefits were considered to outweigh the harm caused by the scheme.

A representative of the Heigham Park Grass Court Group addressed the committee and said that grass courts were an integral feature of this park. The group had submitted a robust business case to manage the grass courts and considered it was a viable alternative to the proposed hard courts. This was followed by four other objectors who commented that the removal of the grass courts would cause significant harm to this heritage asset, which was an example of an Arts and Crafts garden with sports facilities (the tennis courts and bowling green). An important feature of the park was the herbaceous borders with the grass verges which takes the eye across the grass courts to the pavilion. The Gardens Trust opposed the proposal because it considered that this design feature should be retained. A proxy for one of the speakers, who had to leave the meeting because of the delay in the item being considered, commented on the impact of the proposal on climate change

and the ecology. He commented on the use of a hard surface in a ward which was in a critical drainage area and calling on the committee to retain the grass surface. He also referred to studies which demonstrated that bats were affected by the use of lights and suggested that the committee deferred consideration for ecological surveys before a decision was made. A local resident said that the proposals to remove the grass courts were unjustified and “deeply unpopular” with around 110 objectors and only 10 in support. The business case for the management of the courts would benefit the city council by retaining the grass courts and avoiding harming the heritage assets of the park; provide grass courts in the city, and increase the provision of facilities, at no cost to the council. The group supported the Norwich Parks Tennis Scheme but considered that it was not appropriate in this park. There was an opportunity to overturn the application and would provide a win-win to both the city council and local people of this area. A retired doctor addressed the committee and spoke of the health benefits for people playing tennis on grass courts, with lower injury rates than hard courts and benefits to older people with less impact on knee and hip joints and reduced rates of fractures for children. Playing tennis in a desirable location was beneficial to people’s health and wellbeing and mental health. He said that as there were other wards with greater levels of deprivation, the council should allocate its resources to these areas and engage with the Heigham Park Grass Court Group’s business plan which at no cost to the council could conserve the grass tennis courts in this “wonderful” park.

Councillor Carlo, Nelson ward councillor, referred to national and local planning policy and said that Heigham Park was a Arts and Crafts Park and that the “vista” looking across the herbaceous borders towards the pavilion created an important visual link which would be lost if the new hard courts were installed. Leaving the gates open would not recreate this artistic feature. She referred to the report and said that the report author had not articulated that the park was a significant heritage asset and as such this raised the bar for assessing the level of public benefit to outweigh harm to it. The business plan should be a material planning consideration and should be considered as it offered a solution to the retention of the grass tennis courts. The council’s match funding would be better spent in an area of greater need. She called on members to refuse the planning permission.

The parks and open spaces manager spoke on behalf of the applicant, Norwich City Council. The grass tennis courts were closed at the end of the 2017 season. The number of sessions played (285 in the last season) meant a widening gap between the cost of provision and the income received. He explained that the council was looking at alternative ways it could deliver its tennis facilities and the proposal for three all-weather courts at Heigham Park was a crucial part of the expansion of the Norwich Park Tennis model which had proven success as a delivery model across the council’s parks and was used as an exemplar by the Lawn Tennis Association for other local authorities. These benefits included all year round beginner tennis courses for adults with around 50 participants per week, the local tennis league being one of the largest in the country with over 380 matches being played at Eaton Park this year; and 246 participants taking part in three taster sessions. He pointed out the number of court sessions had increased from 12,000 two years ago to 18,640 court sessions last year and were at current capacity. The proposals for Heigham Park were aligned with the council’s corporate priorities which included: providing tennis facilities at an affordable price, delivered by a Sport England Tennismark, an accredited provider; increasing public presence in the park for longer periods which deterred antisocial behaviour and improved public

perception; the delivery of high quality tennis facilities to residents in an efficient manner, with online bookings; and contributing to the council's savings targets. He acknowledged the concerns of the residents but said that any change to the park would have an impact. This application had the support of the leader of the council and the cabinet member for health and wellbeing and he was confident that the benefits to the expansion of the Norwich Park Tennis scheme to residents outweighed any harm.

Councillor Malik, Nelson ward councillor, said that he was aware of the sensitivity surrounding this application but needed to point out that the council was about to embark on a consultation in this area on measures to improve parking which included: permit parking; traffic regulation orders to prevent parking on the grass verges of The Avenues; and installation of waiting bays and double yellow lines. He also pointed out that there were 10 lawn tennis courts available for hire to members of the public at the Hewitt Academy.

In reply to a question from Councillor Malik, the area development manager (outer) then explained the financial arrangements for the scheme which would be financed by the Lawn Tennis Association, who originally had promised to match fund by 50 per cent but this had been reduced due to the delay in considering the application to 25 per cent. The remainder of the funding was a S106 funding from the Lakenham Cricket Ground which had been earmarked for this scheme. He advised members that the reference to the community group's business case in the report was to put the application into context and that the decision to be made by members was on the current proposals before them and not on any alternative. Members would need to determine the application on the basis of relevant development plan policy and other material considerations weighing the benefits of the scheme against the harm. It was the applicant's view that the proposed all-weather courts met its objectives to provide all year round tennis facilities to the wider public and was financially viable and sustainable. If permission was granted however, the applicant could decide not to implement the scheme and consider other options.

Discussion ensued in which the area development manager (outer) referred to the report and answered members' questions. At the request of the chair, the parks and open spaces manager confirmed that it was the applicant's intention for the pavilion to be used by the tennis operator and that this would be their preferred outcome based on the arrangements at Eaton Park. The area development manager (outer) pointed out that there would be an informal area of grass for recreation purposes. Members then asked questions about the proposed surface which would be porous. Officers were not aware of any examples of AstroTurf being used for tennis courts. In reply to a question the area manager development (outer) then explained the contribution that the all-weather courts would have to the expansion of the Norwich Parks Tennis scheme and the benefits to the wider community in making tennis accessible and providing coaching to all sectors of the community. Members also sought reassurance about the impact of the court lights on residents and considered whether the hours of operation could be reduced. A member pointed out that in summer there should be sufficient light until 22:00 but that in winter the lights could be switched off at 21:00. The issue of parking on the verges was an existing one that was not specific to this application. Highways officers were seeking to address this through various measures including traffic regulation orders.

The area development manager (outer) then answered questions about the role of the committee in determining this application in relation to planning policy and that the alternative proposal from the community group was for the cabinet and green spaces to consider rather than a planning matter. The indication was that the group's business case was not a viable alternative and did not meet the council's corporate priorities. The alternative proposal had not been explored further because it did not offer all-weather tennis facilities. Funding from the Lawn Tennis Association was available to the council to provide courts that met the association's guidelines.

The chair moved and the vice chair seconded the recommendations as set out in the report in order to open up the discussion.

A member spoke in support of the application from the sporting perspective and health benefits that it would have for the wider community. The application had the support of Sport England and the Lawn Tennis Association.

Councillor Sands said that he had coached several sports on a variety of surfaces and that he considered that there was an opportunity for a joint enterprise which would enable the grass tennis courts to be retained. He considered that further consideration of the application should be deferred to allow an opportunity for the business case to be considered further. The application could be considered as proposed if there was not a viable alternative. The chair then withdrew his motion. Councillor Sand then moved and Councillor Wright seconded that the application be deferred to a future meeting. He said that he was concerned about the ramifications of making a decision on this application without knowing the view of the cabinet on the business case.

Discussion ensued on the motion to defer consideration. A member said that he considered that the community group's business plan was well intentioned but that it was not a viable proposal. There were 10 grass courts available for public hire at the Hewitt Academy. Another member said that grass tennis courts had had their day and required a lot of maintenance. The all-weather courts would be available to people of all ages. The council had already lost half of the Lawn Tennis Association grant by delaying a decision. The area development manager (outer) said that a delay could mean that the funding for the scheme was no longer available. Consideration of the business case was irrelevant in that it was a separate decision making process. The chair pointed out that the cabinet could review the community group's business case and, if it were the case that it was viable, to not implement the planning consent. Councillor Stutely said that he appreciated the wider benefits to the community but was concerned about the heritage aspect of the application and favoured deferment to enable other options to be considered. Councillor Raby also said that he supported the motion to defer as he had concerns on heritage and ecological grounds about the proposed all-weather courts.

Other members commented in favour of the recommendations as set out in the report and against the proposal to defer further consideration of this application. During discussion other members considered that over time use of the grass tennis courts had changed. The benefits of all-weather courts had wider benefits to the community and could be used by local schools and other groups. These benefits would outweigh the harm to the heritage of the park. The new courts would not detract from the herbaceous borders which were an important feature of this park.

On being put to the vote, the motion to defer consideration of the application was lost, with 4 members voting in favour (Councillors Sands, Wright, Raby and Stutely) and 6 members voting against (Councillors Driver, Maxwell, Button, Malik, Ryan and Peek).

The chair then moved, seconded by the vice chair, the recommendations as set out in the report.

RESOLVED, with 6 members voting in favour (Councillors Driver, Maxwell, Button, Malik, Ryan and Peek) and 4 members voting against (Councillors Wright, Raby, Sands and Stutely) to approve application no. 17/00505/NF3 - Eaton Park, South Park Avenue, Norwich NR4 7AU and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to be submitted of travel information plan;
4. Details to be submitted for heritage interpretation;
5. Details of Arboricultural site meeting, Method Statements including site layout for construction activities / buildings, ground protection mats and for any facilitation pruning to be agreed and implemented;
6. Works in accord with condition 4 outcomes and Arboricultural Implications Assessment, Tree Survey and Tree Protection Plan during construction. Retention of tree protection and no changes within areas;
7. Details of landscaping including - hard surfacing materials to paths and access areas, ecological enhancement; mitigation strategy for hedgehogs or small mammal access programme, planting schedules and landscape maintenance to be agreed and implemented;
8. Details of cycle storage/parking; access gates and use; site lighting; operation of any site lighting to be agreed and implemented;
9. No use of lights after 22:00 hours or before 08:00 hours on any day.

Article 35(2) statement

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

(Councillors Button and Ryan left the meeting at this point.)

11. Application no 18/01026/F - The Alders, Cooper Lane, Norwich, NR1 2NS

The planner presented the report with the aid of plans and slides. In reply to a member's question, she explained that the proposal did not affect the wet woodland on the bank of the river.

Councillor Driver, Lakenham ward councillor, spoke in support of the application.

RESOLVED, unanimously, to approve application no. 18/01026/F - The Alders, Cooper Lane, Norwich, NR1 2NS and grant planning permission as a departure to the development plan, subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Material samples;
4. Arboricultural supervision of work in root protection areas;
5. Tree protection measures;
6. Boundary treatments to be agreed and include small mammal access;
7. External lighting to be agreed;
8. No removal of trees or vegetation in 1 March to 31 August, unless demonstrated to have no detrimental impacts on nesting birds;
9. No removal of trees or vegetation in 1 May to 31 August, unless demonstrated to have no detrimental impacts on bats;
10. Bat bricks/boxes to be agreed;
11. Flood resilient/resistant measures to be agreed;
12. Surface water drainage to be agreed;
13. Water efficiency;
14. Bin and cycle storage to be provided prior to first occupation;
15. Remove permitted development rights for curtilage buildings and boundary treatments.

Article 31(1)(cc) 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 recommended approval of the application as a departure from the development plan subject to appropriate conditions and for the reasons outlined in the officer report.

12. Application no 18/00338/F - 152 Gipsy Lane, Norwich NR5 8AZ

The area development manager (outer) presented the report with the aid of plans and slides.

RESOLVED, unanimously, to approve application no. 18/00338/F - 152 Gipsy Lane Norwich NR5 8AZ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Replacement tree planting prior to occupation;
4. Bin and bike stores provided prior to occupation;
5. Water efficiency.

13. Performance of the Development Management Service: Progress on Appeals Against Planning Decisions and Updates on Planning Enforcement Cases

The area development manager (outer) presented the report with the aid of plans and slides.

During discussion the area development manager (outer) referred to the report and answered questions on the progress of enforcement action and appeals at various sites across the city. This included discussion on the outcome of the Sentinel House site appeal and the expected outcome of the Bowthorpe Methodist Church's appeal against enforcement.

Members were advised that following the revised changes to the committee scheme of delegations, all planning enforcement action would be reported to the committee.

The committee concurred that the performance reports should be considered at committee on a quarterly basis.

RESOLVED to note the report.

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

13 December 2018

Item No.	Case number	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	18/01586/RM	Three Score Site Land South of Clover Hill Road	Rob Webb	Reserved matters of access, appearance, landscaping, layout and scale to add 1 no. additional dwelling and amend design of adjoining unit in relation to outline planning permission 12/00703/O.	Objection	Approve
	18/01591/MA	Three Score Site Land South of Clover Hill Road		Material amendment to previous permission 15/00298/RM to allow amendments to house/site layouts, landscaping and brick detailing.	Referred to committee at request of the head of planning services	Approve
4(b)	18/00014/F	183 Newmarket Road	Charlotte Hounsell	New dwelling, garage, access drive and entrance gates	Objection	Approve

Report to Planning applications committee

Item

13 December 2018

Report of Head of planning services

Subject Application nos 18/01591/MA and 18/01586/RM - Three
Score Site Land South of Clover Hill Road, Norwich

4(a)

Reason for referral Objection to 18/01591/MA.

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

Development proposal		
18/01591/MA - Material amendment to previous permission 15/00298/RM to allow amendments to house/site layouts, landscaping and brick detailing.		
18/01586/RM - Reserved matters of access, appearance, landscaping, layout and scale to add 1 no. additional dwelling and amend design of adjoining unit in relation to outline planning permission 12/00703/O.		
Representations		
Object	Comment	Support
1	0	0

Main issues	Key considerations
1	Principle of development
2	Design
3	Heritage
4	Amenity
5	Transport
6	Flood risk
7	Trees, landscape and biodiversity
8	Affordable housing
Expiry date	22 January 2019
Recommendation	To approve both applications



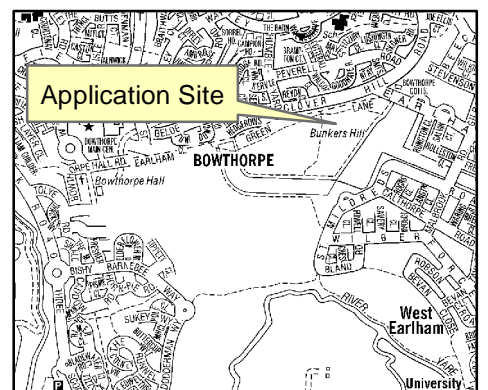
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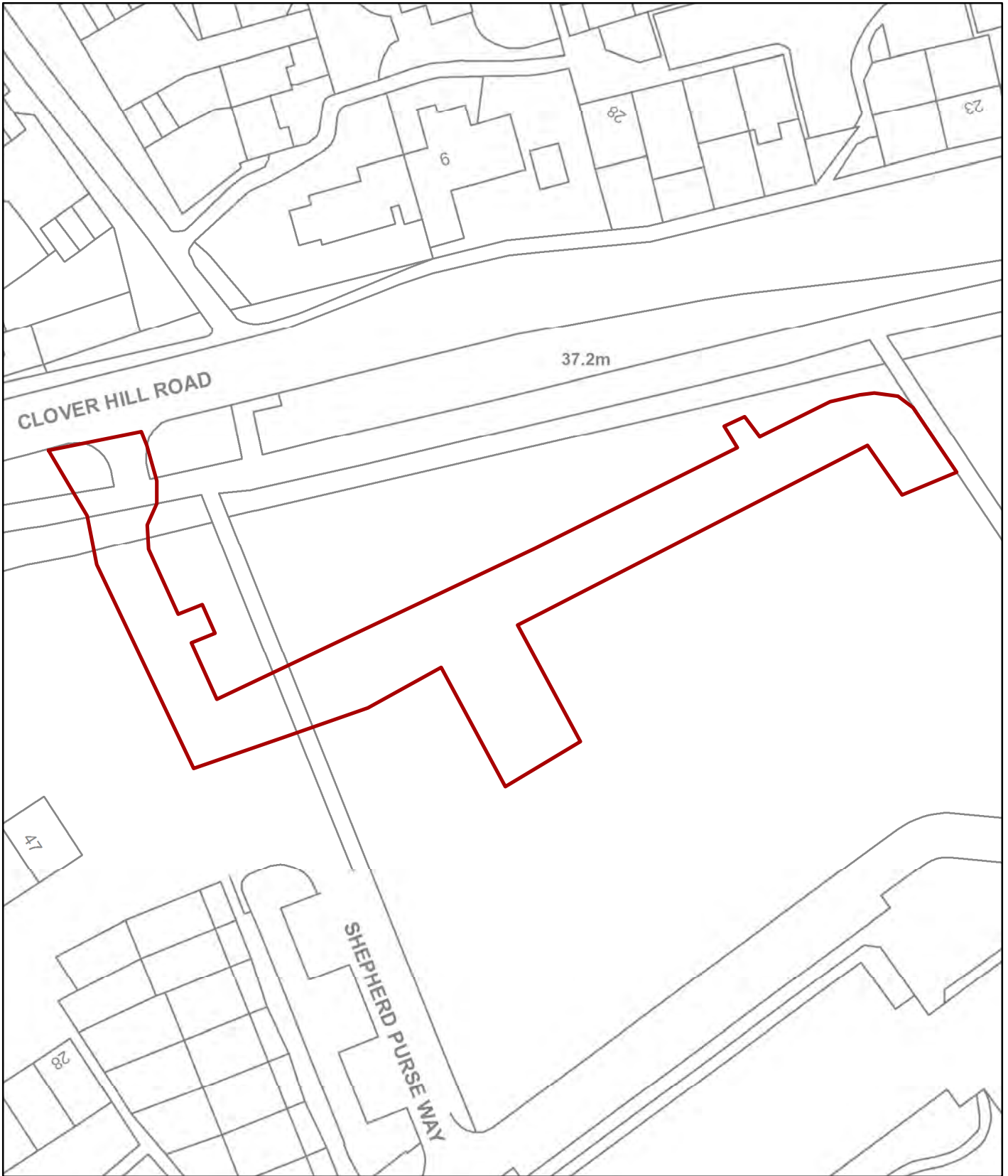
Planning Application No 18/01591/MA
 Three Score Site Land South of
 Clover Hill Road
 Site Address
 Scale 1:2,161



NORWICH
City Council

PLANNING SERVICES



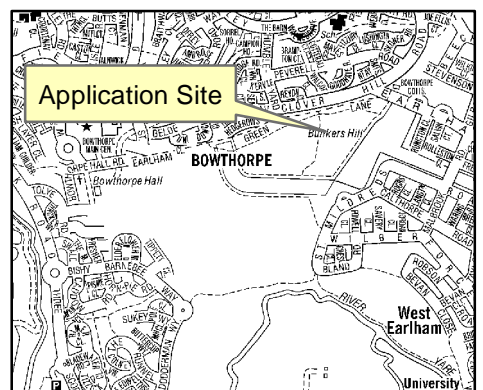


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Planning Application No 18/01586/RM
 Three Score Site Land South of
 Clover Hill Road
 Site Address
 Scale 1:667



NORWICH
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 PLANNING SERVICES



The site and surroundings

1. Outline planning consent (reference 12/00703/O) was granted in July 2013 for redevelopment of the Three Score site at Bowthorpe with up to 1000 homes, including affordable housing, care home, a new village centre including at least one local shop, public open space and associated roads and infrastructure. The consent was granted following the completion of a legal agreement and the resolution of planning applications committee to approve the application on 14 March 2013.
2. The first phase of development was for a care village comprising dementia care and housing with care units which has been completed. Reserved matters approval (reference 15/00298/RM) was granted for phase 2a - the erection of 172 dwellings on the 9th June 2015 and construction is currently underway, with some of the dwellings already having been completed.
3. Prior to development the site was predominantly uncultivated grass land and formed the last area of undeveloped land within Bowthorpe as it was initially envisaged in the 1970s.

Constraints

4. The overall site slopes gently from north to south dropping circa 28m with a tree belt from the northern to the eastern boundary where it joins Bunkers Hill Wood (County Wildlife Site) to the northeast corner of the site. Hedgerows are an important feature along Earlham Green Lane and along the eastern boundary of the site with St Mildreds Road. To the southwest is a historic double hedgerow known locally as grass lane. Other than the hedgerows and tree belt described above the site has few standalone trees within its boundaries however scrub has encroached into the site along the northern and eastern boundaries. There is also a line of scrub along the southern boundary adjacent to the existing informal footpath.
5. Bowthorpe and Earlham Marshes (County Wildlife Site and Local Nature Reserve) are located to the south of the site adjacent to the River Yare. This connects the site hydrologically to a number of other County Wildlife Sites downstream. The marshes are covered by river valley policy, are a site of nature conservation interest, publically accessible recreational open space and urban green space. The majority of the application site is outside of flood zones 2 and 3 however a small area within the site adjacent to the southern boundary is within flood zone 2. The application site extends into part of the river valley to the southwest corner adjacent to Dodderman Way.
6. The south eastern half of the site is covered by ground water source protection zone 1.

Relevant planning history

Ref	Proposal	Decision	Date
12/00703/O	Redevelopment of site with up to 1000 homes, including affordable housing, care home, a new village centre including at least one local shop, public open space and associated roads and infrastructure.	APPR	08/07/2013
13/02031/RM	Reserved matters of appearance, landscaping, layout and scale for part of permission 12/00703/O as varied by 13/02089/VC for the erection of a care village comprising 80 apartment dementia care and 92 flat housing with care schemes, provision of associated landscaping, car parking, open space and infrastructure.	APPR	14/03/2014
13/02089/VC	Variation of Conditions 8 (spine road), 10 (lighting of spine road), 28 (roads, footways and cycleways) and 47 (fire hydrants) of previous planning permission 12/00703/O in order to change the trigger point for submission of details.	APPR	12/03/2014
14/00848/F	Construction of a temporary operational access, provision of lighting columns and a corridor for underground utilities provision from Clover Hill Road to the Norse Care Home.	APPR	01/09/2014
14/00850/F	Construction of a lagoon outfall comprising of the extension to the ditch system, installation of a head wall and associated pipe work below ground.	APPR	10/09/2014
14/00874/RM	Reserved matters relating to surface water drainage infrastructure for outline planning permission 13/02089/VC 'Redevelopment of site with up to 1000 homes, including affordable housing, care home, a new village centre including at least one local shop, public open space and associated roads and infrastructure'. (Revised proposals).	APPR	10/09/2014

Ref	Proposal	Decision	Date
14/01235/VC	Variation of conditions 1, 2 and 7 of planning permission 13/02031/RM to provide for amendments to the scheme to allow for a new substation, revised level information to provide for sub-soil to be re-used on site, revised landscaping details, omission of apartment 81 and amendments to window details.	APPR	23/12/2014
15/00298/RM	Reserved Matters for erection of 172 dwellings and associated works in connection with application 13/02089/VC.	APPR	09/06/2015
15/00837/VC	Variation of Condition 2: Arboricultural Method Statement of previous permission 14/00874/RM.	APPR	07/09/2015
15/01230/VC	Variation of condition 7 - bus gate of planning permission 13/02089/VC in order to change timing for delivery.	APPR	13/11/2015

The proposal

7. The applications are the result of an aim by the applicant to improve the viability of sections 3 and 4 of the development and better respond to market demand following the initial marketing and sales that has taken place.
8. Application ref. 18/01591/MA seeks permission for a number of minor changes to the site layout and landscaping, changes to the dwelling types, some changes to materials and elevational details.
9. The most significant changes sought as part of this application is the replacement of the 'J' house types in block 21 with 'D' house types, with this row no longer directly adjoining the adjacent flat block. This has been done because the 'D' types would be simpler to build than the more complicated 'J' types, and the applicant also believes they would be more desirable to potential buyers. Another more significant change is the replacement of a communal garden originally intended to be located between blocks 17, 18 and 19 with a private rear gardens.
10. Other changes include the following:
 - (a) removal of decorative panels and brise soleil from rear elevations where not required for passivhaus
 - (b) brick recesses removed to rear elevations
 - (c) All two storey houses reduced by 4 brick courses

- (d) Flats in blocks 21 and 24 made taller by 3 brick courses
 - (e) the replacement of white brick with buff brick or white render across all units
 - (f) shape of flat block F rationalised and building separated from adjacent housing terrace
 - (g) pedestrian access formed off Clover Hill Road to provide access to new row of D1 houses
 - (h) Minor changes to landscaping of whole site
 - (i) Amendments to elevations of D1 house types in block 21
 - (j) All blocks – levels reviewed with stepped foundations shown on elevations where necessary
 - (k) Block 22 – provision of a front facing balcony in lieu of a rear facing balcony to take advantage of more open views.
 - (l) Block 20 – H1 house types set back from the adjoining C1 types, to allow sufficient space for parking of two vehicles.
11. Under the original approval, between 106-112 of the houses are to be built to passivhaus standards. The new application does not propose to alter this.
12. Application reference 18/01586/RM seeks permission to add an additional dwelling at the end of the terraced row of block 17. The house would be a 2 storey, 2 bedroom 'C1' house type, the same as those in the adjoining row. Space has been created for the dwelling by reducing the garden sizes of two of the dwellings in the adjacent block 16, and by reorganising the parking layout and landscaping elsewhere on site. Although the new dwelling would lead to the loss of 3 parking spaces, a further 4 spaces have been created to offset this loss and to provide a space for the additional unit.

Representations

13. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 1 letter of representation has been received regarding application 18/01591/MA 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
Squeezing in an additional dwelling can only be achieved by reducing the planned garden sizes of other properties. The new dwelling will have a negative impact on the amount of available daylight.	See main issue 2

Issues raised	Response
Adding a dwelling will add at least one more vehicle and the development will experience the same problems with buy to let properties with too many people and vehicles per property.	See main issue 5

Consultation responses

14. 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

15. 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

16. We are returning it without comment as the amendments do not impact any of the issues within our remit.

Highways (local)

17. No objection on highway grounds

Landscape

18. The communal garden is an important positive feature of the approved scheme and its loss would not be acceptable unless equivalent compensation can be demonstrated.

Archaeology

19. No further comments & no further works required.

Assessment of planning considerations

Relevant development plan policies

20. **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
- JCS10 Locations for major new or expanded communities in the Norwich policy area
- JCS12 The remainder of the Norwich urban area including the fringe parishes
- JCS20 Implementation

21. 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
- DM9 Safeguarding Norwich's heritage
- DM10 Supporting the delivery of communications infrastructure
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel
- DM29 Managing car parking demand in the city centre
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM33 Planning obligations and development viability

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

- R38 Three Score, Bowthorpe

Other material considerations

23. Relevant sections of the National Planning Policy Framework July 2018 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of homes
- NPPF7 Ensuring the vitality of town centres
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment

Case Assessment

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

Main issue 1: Principle of development

25. Key policies and NPPF paragraphs – JCS4, DM12, SA R38, NPPF paragraphs 11 and 59.
26. The principle of development has already been established through the grant of outline and reserved matters approval. The assessment to make is whether the changes sought as part of the new applications are acceptable in terms of relevant planning policies and other material considerations. These matters are assessed in the following sections.

Main issue 2: Design

27. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 124-132.
28. In terms of the changes sought by the minor material amendment application, some of the changes are for practical reasons and would not result in a significant change to the appearance of the development, such as the reduction in brick courses and slight raising in height of the flats. Other changes, including the removal of brick recesses and removal of decorative panels to the rear of properties and the loss of white brick would result in a more notable change to the appearance. It is acknowledged that these design changes have a slightly negative impact compared to the previously approved scheme. However the changes are largely focused on the more private rear elevations, and in this sense they would not have a significant impact on the public realm. The more public facing front elevations would largely retain the more decorative features which help create a sense of identity.
29. The substitution of house types is acceptable, as they are generally on a similar footprint to those which they replace and in some cases enable an improved layout, for example where the J types in block 21 have been substituted for the more rectangular D types. This allows for a reduction in awkward angles and for more rational garden shapes and sizes to that row.
30. The new dwelling which is proposed as part of the reserved matters application is acceptable in terms of its design, being similar to the previously approved C1 dwelling type, and identical to the revised C1 types now proposed as part of the amended scheme. It would satisfy the internal space standards for a 2 bed, 4 person dwelling (being approximately 80sqm). It would also sit comfortably within the site, having a private rear garden of a similar size to adjacent dwellings.
31. Overall, the design changes and addition of a further dwelling unit is acceptable and the scheme as a whole continues to represent good design.

Main issue 3: Heritage

32. Key policies and NPPF paragraphs – JCS2, DM9, NPPF paragraphs 184-202.
33. No heritage assets would be materially affected by the proposed changes.

Main issue 4: Amenity

34. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
35. The main changes affecting amenity relate to the replacement of house types and the proposed additional dwelling. Because this phase of development has not been completed or occupied the impacts would be on future, not current occupiers. As discussed earlier, the replacement of J house types with D house types in block 21 results in improved garden sizes for all of the dwellings in that block, together with more rational internal room shapes. It would however result in a slight reduction in size of garden to two of the dwellings in block 23, although these would still be adequate.
36. The new dwelling would lead to a reduction in garden size to the dwelling at the end of block 16, however this property would still have a garden size which is larger than other units in the row. In addition the property next door would benefit from a slightly increased garden size. The siting of the new unit would not cause material harm in terms of loss of sunlight, daylight or overshadowing.
37. A further significant change would be the replacement of the communal garden between blocks 17, 18 and 19 with private gardens. The impact of this is to some extent subjective, as it depends on whether a higher value is placed on a landscaped communal space or by creating private gardens. It is noted that these dwellings did not previously have completely private amenity space, so in that sense the change is beneficial. Conversely the communal garden would have been an attractive element of the scheme which may have fostered a sense of community and shared space, and a higher level of planting, as noted by the council's landscape officer. On balance it is considered that both approaches have their advantages and are acceptable, and therefore this change is considered acceptable.
38. The loss of balconies on flat block E would represent a loss of amenity for future occupiers of those flats compared to the previous plans, but regard is had to the fact that these flats on upper storeys each had two balconies, and they would still retain one each under the new plan, which is acceptable.

Main issue 5: Transport

39. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
40. The principle of residential development in this location has already been established through the grant of the previous permission. The new applications have a very limited impact in terms of transport. They would result in an amended parking layout including the addition of 1 new parking space to serve the new dwelling which is proposed. This complies with local plan parking standards for this location. No objection has been received from the transport officer. In the context of

an approved scheme for 172 dwellings, the addition of a further unit would have a negligible impact. The proposal complies with the relevant transport policies.

Main issue 6: Flood risk

41. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 155-165.
42. Surface water drainage details have already been provided for the proposal. The site will be divided into two sub-catchments, avoiding all flows being conveyed into an 'end of pipe' solution reducing risk of pollution and consequences of any blockage. There are two infiltration structures which would accept surface water runoff from all the impermeable surfaces of the development. These are located in the eastern corner of the development plan and along the southern boundary of the site.
43. Surface water drainage serving the existing highway conveys flows at a restricted discharge rate into existing Anglian Water surface water infrastructure with attenuation being provided in the form of oversized pipes.
44. As part of the previously approved plans information was provided to show that the SUDS (sustainable urban drainage systems) have been designed to contain and discharge the 1:100 rainfall event, including an allowance for 30% climate change. Calculations were provided to demonstrate that there would be no over ground flooding in a 1:30 rainfall event.
45. It is considered the proposed changes are unlikely to have a significant impact on the drainage scheme. However, a condition is recommended requesting the submission and approval of updated surface water drainage plans to reflect the revisions to the scheme.

Main issue 7: Trees, landscaping and biodiversity

46. Key policies and NPPF paragraphs – JCS1, JCS2, DM3, DM6, DM7, DM8, NPPF paragraphs 8, 91, 96-101, 127, 170, 175-177.
47. Concern has been raised by the council's landscape officer regarding the loss of the communal garden, which was to include communal furniture, play equipment, pergolas and planting including 6 standard trees. Whilst its loss is regrettable, it is considered that the increase in private amenity space that would result does represent a benefit for individual occupiers of the proposed dwellings. The applicant has adjusted the layout in the vicinity of plots 144-147, 164-166 and 148-156 to provide an enlarged amenity planting area where the trees would be re-provided.
48. It is acknowledged that there would still be a loss in terms of biodiversity and communal green space, but on the basis of the increased in private gardens, which themselves could support planting and biodiversity, it is not considered to constitute material harm that would justify refusing the application.
49. Other issues include the provision of a new footpath link adjacent to plot number 145 through an existing mature tree belt and native understory. All works would be carried out using a "no-dig" strategy as outlined within the previously approved Arboricultural Implications Assessment. A condition is recommended seeking the detail of this.

50. The proposals are acceptable in terms of trees, landscaping and biodiversity.

Main issue 8: Affordable housing

51. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraph 50.

52. This phase of development is due to deliver 33% affordable housing (57 units) which is a policy compliant level. The addition of one dwelling to the 172 already approved does not trigger a requirement for any further provision.

Compliance with other relevant development plan policies

53. 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	Already conditioned as part of outline consent
Energy efficiency	JCS 1 & 3 DM3	Already conditioned as part of outline consent
Water efficiency	JCS 1 & 3	Already conditioned as part of outline consent
Sustainable urban drainage	DM3/5	Yes subject to condition

Equalities and diversity issues

54. There are no significant equality or diversity issues.

S106 Obligations

55. There is no requirement for a S106 agreement because the relevant matters are covered by existing agreements.

Local finance considerations

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

57. 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.

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

Conclusion

59. The proposals are 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 they should be determined otherwise.

Recommendation

- (1) To approve application no. 18/01591/MA – Three Score site land south of Clover Hill Road. Norwich and grant planning permission subject to the following conditions:
1. In accordance with plans;
 2. Landscaping in accordance with the plans submitted
 3. Details of materials for amended designs including: Bricks, render, tiles, windows, rainwater goods, balconies and soffits, roof terrace screens.
 4. Tree protection in accordance with the AIA
 5. Conservation (ecology) management to take place in accordance with approved plan.
 6. Details of updated surface water drainage plan to reflect amendments to be submitted for approval.
 7. Unexpected contamination
 8. No infiltration of surface water into the ground without express consent of the local planning authority.

And:

- (2) To approve application no. 18/01586/RM - Three Score Site Land South of Clover Hill Road, Norwich and grant planning permission subject to the following conditions:
1. Standard time limit;
 2. In accordance with plans;
 3. Landscaping in accordance with the plans submitted
 4. Details of materials including: bricks, render, tiles, windows, rainwater goods, soffits
 5. Method for removal, storage and re-use of topsoil in full accordance with supplementary ecology statement approved as part of application ref. 15/00298/RM
 6. Conservation (ecology) management to take place in accordance with approved plan.
 7. Surface water drainage plan to be submitted for approval.
 8. Unexpected contamination
 9. No infiltration of surface water into the ground without express consent of the local planning authority.

Article 35(2) Statement:

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



<p>Scale: 0 5 10 20m 1:500</p> <p>A1</p>			
<p>NOTES:</p> <p>This drawing is a preliminary site plan and is not to be used for construction purposes. It is for information only and is subject to change without notice. It is not to be used for any other purpose without the written consent of the architect.</p> <p>Proprietary rights are reserved in this drawing. It is the property of the architect and shall remain confidential.</p> <p>© 2015 Barron + Smith Architects</p>			
<p>KEY PLAN:</p> <p>↑</p> <p>KEY</p>			
<p>PHASES OF WORK:</p> <p>PL for Planning Submission</p> <p>S2 - Fit for Information</p> <p>Drawn and Sealed on behalf of MPS Norwich for Norwich City Council</p>			
<p>BARRON + SMITH ARCHITECTS</p> <p>Email: info@barronandsmith.com Web: www.barronandsmith.com</p> <p>Norwich: 10 Central Avenue, St Andrew's Business Park Norwich, NR1 9AF T +44 (0) 1603 706706</p> <p>RIBA Chartered Practice RIBA Chartered Architect ISO9001 ISO14001 Green Register AECB Patented Trust Patent Member</p>			
<p>CLIENT:</p> <p>NORWICH City Council</p>			
<p>PROJECT:</p> <p>Three Sails Phase 2</p>			
<p>TITLE:</p> <p>Proposed Site Plan</p>			
<p>SCALE:</p> <p>1:500@A1 & 1:1000@A3</p>	<p>DATE:</p> <p>11-02-15</p>	<p>DRAWN:</p> <p>AC</p>	<p>CHECKED:</p> <p>AC</p>
<p>PROJECT NO:</p> <p>15-1-1086</p>	<p>DESIGN PHASE:</p> <p>DR-A</p>	<p>SCALE NO:</p> <p>010</p>	<p>REVISED:</p> <p>—</p>

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KEY PLAN



NOTES



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P1	Amendments for Planning	21/10/18

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CLIENT
 R G Carter

PROJECT
 Bowthorpe Threescore Section 3/4

TITLE
 Overall Site Plan

SCALE	DISCIPLINE	PROJECT NUMBER
1 : 500	ARCHITECT	1004

DRAWING NUMBER	REV CODE	REV CODE
001		P1

STATUS CODE	PURPOSE OF ISSUE	Drawn by	Approved by
S2	PLANNING	DT/ED	AP
		Checked by	AP



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PROJECT
 Bowthorpe Threescore Section 3/4

TITLE
 Section 3 Site Plan

SCALE	DISCIPLINE	PROJECT NUMBER
1 : 200	ARCHITECT	1004
DRAWING NUMBER	REV CODE	
004	P1	
STATUS CODE	PURPOSE OF ISSUE	Drawn by / DT/ED / Checked by / AP
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KEY PLAN

NOTES



C1 House Type - Rear Elevation
1 : 100



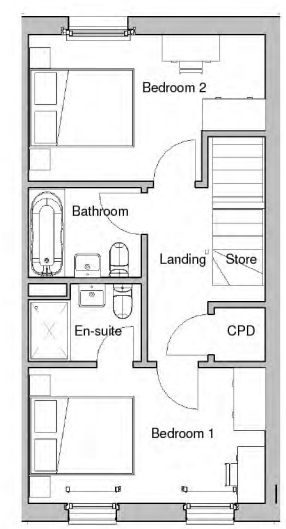
C1 House Type - Front Elevation
1 : 100

Elevation label corrected

Rev	Description	Date
P1	Amendments for Planning	21/10/18
P2	Tweaks following planning comments	29/11/18



C1 House Type - GFL
1 : 100



C1 House Type - FFL
Page 47 of 68

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PROJECT
Bowthorpe Threescore Section 3/4

TITLE
C1 House Type (Typical)

SCALE DISCIPLINE PROJECT NUMBER
1 : 100 ARCHITECT 1004

DRAWING NUMBER REV CODE
030 P2

STATUS CODE S2	PURPOSE OF ISSUE PLANNING	Drawn by DT/ED	Approved by AP
		Checked by AP	

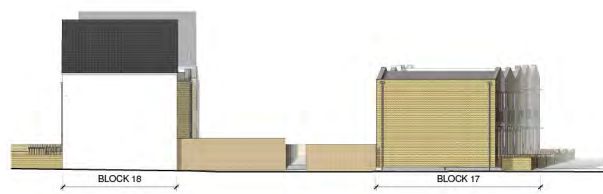
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KEY PLAN 



1 Zone C Street Scene 1



2 Zone C Street Scene 2



3 Zone C Street Scene 3

NOTES
Refer to Section 3 & 4 Site Plans - 004 & 005 for position of Street Elevations

Rev	Description	Date
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PROJECT
Bowthorpe Threescore Section 3/4

TITLE
Section 3 (Zone C) Street Elevations 1, 2 & 3

SCALE	DISCIPLINE	PROJECT NUMBER
1 : 200	ARCHITECT	1004
DRAWING NUMBER	REV CODE	REV CODE
100	P1	P1
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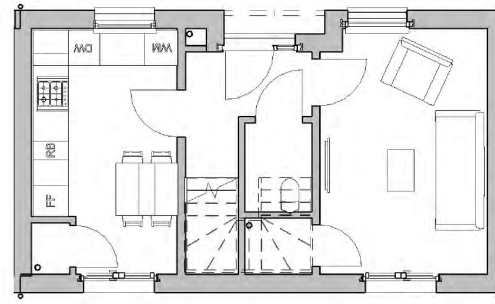
KEY PLAN



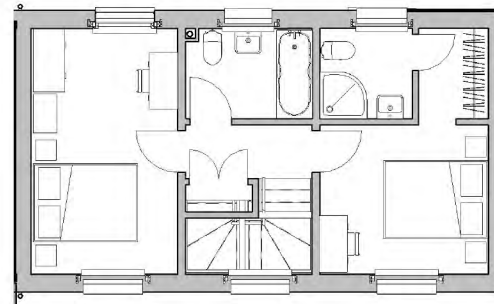
D1 (J1/J2) House Type - Front Elevation
1 : 100



D1 (J1/J2) House Type - Rear Elevation
1 : 100



D1 (J1/J2) House Type - GFL
1 : 100



D1 (J1/J2) House Type - FFL
1 : 100

NOTES

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PROJECT
Bowthorpe Threescore Section 3/4

TITLE
D1 (J1/2) House Type

SCALE DISCIPLINE PROJECT NUMBER
1 : 100 ARCHITECT 1004

DRAWING NUMBER REV CODE
031A PI

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House Type 103

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PROJECT
 Bowthorpe Threescore Section 3/4

TITLE
 Section 4 Site Plan

SCALE	DISCIPLINE	PROJECT NUMBER
1 : 200	ARCHITECT	1004
DRAWING NUMBER	REV CODE	
005	P1	
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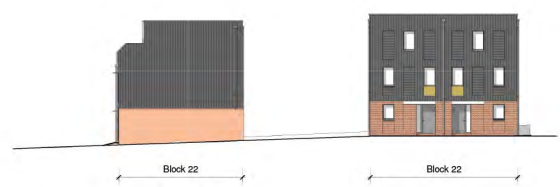
Refer to Section 3 & 4 Site Plans - 004 & 005 for position of Street Elevations



1 Section 4 (Zone D) Street Elevation 1



2 Section 4 (Zone D) Street Elevation 2



3 Section 4 (Zone D) Street Elevation 3

Rev	Description	Date
P1	Amendments for Planning	21/10/18

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PROJECT
 Bowthorpe Threescore Section 3/4

TITLE
 Section 4 (Zone D) Street Elevations 1, 2 & 3

SCALE 1 : 200
 DISCIPLINE ARCHITECT
 PROJECT NUMBER 1004

DRAWING NUMBER 102
 REV CODE P1

STATUS CODE S2
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PROJECT
 Bowthorpe Threescore Section 3/4

TITLE
 Section 4 (Zone D) Street Elevations 4 & 5

SCALE 1 : 200 DISCIPLINE ARCHITECT PROJECT NUMBER 1004

DRAWING NUMBER 103 REV CODE P1

STATUS CODE S2 PURPOSE OF ISSUE PLANNING Drawn by DT/ED Approved by AP

Report to Planning applications committee

Item

13 December 2018

Report of Head of planning services

Subject Application no 18/00014/F - 183 Newmarket Road,
Norwich, NR4 6AP

4(b)

Reason for referral Objection

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

Development proposal		
New dwelling, garage, access drive and entrance gates.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1	Principle of development
2	Design and Heritage
3	Amenity
4	Trees
5	Highways
Expiry date	27 February 2018
Recommendation	Approve



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Planning Application No 18/00014/F
183 Newmarket Road

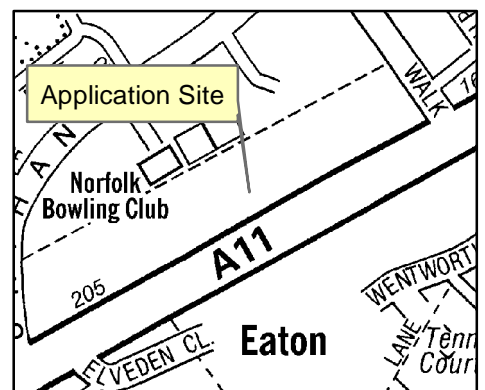
Site Address

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The subject site is located on the North side of Newmarket Road, South West of the City Centre. The existing property is a large detached dwelling constructed circa 1900 and is constructed of rough cast render to the upper floor and red brick to the ground floor. The property is set within large grounds and there is a significant side and rear garden with a number of mature trees and hedging along the boundaries. The ground level at the very rear of the site steps up by approximately 1.00m. The property also has a large front garden with a driveway and vehicular access onto Newmarket Road. The property has previously been extended to the rear to provide additional living accommodation. The surrounding area is residential in character. It should be noted that a number of other plots in the surrounding area have been sub-divided and new dwellings constructed within the rear gardens.

Constraints

2. The property is located within the Newmarket Road Conservation Area
3. The main dwelling is locally listed

Relevant planning history

- 4.

Ref	Proposal	Decision	Date
4/2002/1143	Erection of single storey rear extension.	Approved	04/04/2003
4/2003/0222	Erection of single dwelling & associated access.	Refused – appeal dismissed	19/09/2003
05/00554/F	Subdivision of curtilage and erection of one dwelling house.	Refused – appeal dismissed	12/08/2005
17/00813/F	Demolition of existing garage and erection of new garage with studio above and ground floor utility room.	Approved	28/07/2017

The proposal

5. The proposal is for the subdivision of the plot and the construction of a 1.5 storey dwelling with associated driveway access, parking and entrance gates.
6. It should be noted that the original proposal has been revised significantly since its submission in order to address officer's concerns.

7. These revisions have included an altered location and orientation of the property, revised design, revised access and parking arrangements and revised tree considerations. The assessment below is based upon the revised proposal only.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	1 additional dwelling
Total floorspace	306m²
No. of storeys	1.5
Max. dimensions	Approx. 29.00 x 19.00 6.20m maximum height
Appearance	
Materials	Red facing brick, cedar boarding, ply membrane and sedum/green roof.
Transport matters	
Vehicular access	New driveway proposed to join with existing access to Newmarket Road.
No of car parking spaces	2 spaces within garage. Additional external parking on driveway

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation were received to the first consultation. As a revised scheme was submitted a second consultation was undertaken. The previous representations were not withdrawn and additional comments were 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
'Filling in' of garden areas	See Main Issue 1
Overbearing and overdevelopment	See Main Issue 2
Inappropriate design	See Main Issue 2

Issues raised	Response
Loss of residential amenity through overlooking/loss of privacy	See Main Issue 3
Concerns for tree protection	See Main Issue 4
Additional access to Newmarket Road could result in a collision area combined with access to dental practice	See Main Issue 5
Ownership query over access in deed	See Other Matters
Concerns regarding potential changes to design in future	See Other Matters

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

Original Scheme

10. No comments received.

Revised Scheme

11. 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.

Highways (local)

Original Scheme

12. No objection in principle on highway grounds subject to consideration of following matters. The proposed dwelling is accessed via an extant/shared vehicle access to the highway, this is acceptable in principle. What is more problematic are:

- (a) Emergency access; as it is more than 45 metres from the highway the Fire Service need to be consulted. They will have a view about the following:
- (a) Can a fire truck access the site? – the access arrangements appear tight
 - (b) Is the surface of the track suitable for a heavy vehicle like a fire truck?
 - (c) Can the fire truck turn around and exit the site in a forward gear?
(tracking needed)

- (d) If not, how will the fire truck reverse to enable it to exit in a forward gear?
 - (e) Will a sprinkler system be necessary for the building?
- (b) Refuse collection:
- (a) The occupiers will need to drag their bins to a collection point.
 - (b) Will this be practical given the length of the drive?
 - (c) Will the surface be suitable for dragging bins? (e.g. gravel will make it tiresome)
 - (d) Where will bins be stored on site?
 - (e) Presume that bikes can be stored with the garage, but ideally the garage would be bigger to accommodate a family's number of bikes – or a separate bike store provided.

Revised Scheme

13. No objection in highway terms, it is making use of an extant vehicle access to Newmarket Road. I trust that Norfolk Fire and Rescue are content with the proposals? They will be interested in the turning head.

Tree protection officer

Original Scheme

14. I visited the above property on 21 Feb 2018 met with the owner. She expressed concerns about retaining the oak tree (T2) and asked if we would object to its removal. I said with adequate replacement planting it would be acceptable. The trees at the entrance that need removing, again, I don't object to their removal but I do have concerns about the level changes and the no-dig road construction details. We require more information on how it will be constructed. A profile detail would be useful.

Revised Scheme

15. I have reviewed the revised tree protection plan and the submitted cross sections of the driveway construction details. I can confirm this is all satisfactory and clarifies the no-dig method that will be used and sets out the tree protection measures. Please could you condition; TR7 Works on site in accordance with AIA, AMS and TPP: Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS). No other operations shall commence on site in connection with the hereby-approved development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the [Tree Protection Plan ref OAS 17-111-TS01 and OAS 17-111-TS02]. The approved protective fencing shall be retained in a good and effective condition for the duration of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior written approval of the local planning authority has first been sought and obtained. TR10 No-dig methods: Any new footpaths/ driveways within the root protection areas of existing trees, as shown on [drawing ref OAS 17-111-TS01 and OAS 17-111-TS02] shall be of a no-dig

construction and constructed in accordance with the submitted Arboricultural Method Statement.

Norfolk Fire Service

Original Scheme

16. The proposal must meet the necessary requirements of the current Building Regulations 2010 – Approved Document B (volume 1 – 2006 edition, amended 2010, 2013) as administered by the Building Control Authority. It appears from the submitted plans that the premises will extend beyond 45mtrs from the public road access point. If this is the case then access for a fire appliance will be required, over the private land, to within a distance of 45mtrs of all points in the building and of minimum width 3.7mtrs. The access must comply with Section 11 of the above guidance document, including a turning head if the distance travelled from the public road is in excess of 20mtrs.

Revised Scheme

17. I acknowledge receipt of the above application and I do not propose to raise any objections providing the proposal meets the necessary requirements of the current Building Regulations 2000 – Approved Document B (volume 2 – 2006 edition amended 2007, 2010, 2013) as administered by the Building Control Authority.

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
 - JCS4 Housing delivery
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
 - DM9 Safeguarding Norwich's heritage
 - DM12 Ensuring well-planned housing development
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

20. **Relevant sections of the National Planning Policy Framework 2018 (NPPF):**
- NPPF2 Achieving sustainable development

- NPPF5 Delivering a sufficient supply of homes
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

Case Assessment

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

Main issue 1: Principle of development

22. Key policies and NPPF paragraphs – DM12 and NPPF5.
23. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 70 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate development in residential gardens, for example where development would cause harm to the local area. The council considered this matter as part of the development of policies in the local plan and concluded that the criteria based policies in DM3 and DM12 are satisfactory to determine applications for dwellings in gardens. Therefore there are no specific policies restricting new dwellings in the gardens of existing properties.
24. The principle of residential development is acceptable on this site under policy DM12 subject to the criteria in the second part of DM12 and subject to the other policy and material considerations detailed below given that:
- (a) The site is not designated for other purposes;
 - (b) The site is not in a hazardous installation notification zone;
 - (c) The site is not in the late night activity zone;
 - (d) It does not involve the conversion of high quality office space; and
 - (e) It is not in the primary or secondary retail area or in a district or local centre.
25. Furthermore, this proposal does not compromise the delivery of wider regeneration proposals, does not have a detrimental impact upon the character and amenity of the surrounding area which cannot be resolved by the imposition of conditions (subject to more detailed assessment below), contributes to achieving a diverse mix of uses within the locality and contributes to providing a mix of dwellings within the area. The proposal would make a small contribution to housing supply in Norwich.

26. Therefore the proposal is considered to accord with policy DM12 (subject to assessment below) and is acceptable in principle.

Main issue 2: Design and Heritage

27. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF 12 and 16
28. Concerns were raised that the proposal would represent overdevelopment of the site. The properties in the surrounding area benefit from large gardens with well-screened boundaries. It is acknowledged that the proposed dwelling would be of a significant size and would result in the development of part of the garden area. However, the significant size of the plot is considered to be able to comfortably accommodate the new dwelling whilst still maintaining large gardens for both properties. The sub-divided plot would be similar in size to other sub-divided plots in the surrounding area. Therefore, the proposal is not considered to be an over-intense form of development or incongruous to the surroundings that would significantly alter the prevailing character of the area.
29. Concerns were also raised that the proposed development would be unattractive and out of keeping with the style of properties in the surrounding area. The property is of a contemporary design that contrasts with the more traditional properties on Newmarket Road. Given that this is a new dwelling, this approach is considered to be acceptable and would clearly show that this property is a newer addition to the area. The property would be low-rise and has been designed to break up the massing and scale of the building. In addition, the indicative materials take reference from the surrounding area and include red brick, timber cladding and the use of a green roof to fit in with the natural character of the surroundings. The property would also be located to the rear of a very large plot and is unlikely to be visible from Newmarket Road. Therefore the proposal is considered to preserve the character of the conservation area.
30. This section of the Newmarket Road Conservation Area is characterised by large properties within substantial plots which were created during the late C19th. Construction of dwellings on the plots has taken place over a prolonged period of time from the late C19th with some plots not being built on until the late C20th. 183 Newmarket Road is one of the earlier properties along Newmarket Road and of greater architectural quality, it is in part for this reason that previous appeals have been dismissed. It should be noted that a number of plots along Newmarket road have been subdivided in recent years. Most have related to more modern host dwellings. The inspector in previous decisions on this site has given greater weight to the fact that this is one of the original villas constructed within the conservation area.
31. The revised proposals have sought to configure a design which is low in profile and maintains boundary trees supported by new planting. This is with the intention that the new dwelling would not be visible within the public realm of the Conservation Area and in particular from Newmarket Road. Visibility of the dwelling is likely to be minimal to non-existent. The main sign of a new dwelling and the division of the historic plot boundary will result from the revisions to the point of access and driveway leading to the rear. With this specific design proposal therefore, less than substantial harm to the conservation area would be minimal and would principally result from the new driveway signifying the division of the plot.

Main issue 3: Amenity

32. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
33. The proposed dwelling would exceed national space standards for a 4 bedroom property and the future occupiers would benefit from a good standard of amenity.
34. Concerns were raised that the proposal would result in a loss of privacy to neighbouring dwellings. The property to the East has also previously sub-divided the plot and a new dwelling has been built within the rear garden. The originally submitted proposal included a two storey dwelling with a large number of windows at first floor facing the property to the East. The revised scheme has resulted in the majority of the new dwelling being of single storey construction. Although there are still a large number of windows on this Eastern elevation, they are not considered to result in significant overlooking given that they are at ground floor. It is noted that ground level vegetation cover may not be present all year round. However a condition is recommended to secure details of boundary treatments and landscaping which will present an opportunity to include new fencing and/or planting to mitigate any loss of privacy.
35. Furthermore, neighbours were concerned that the balcony at the second floor would result in a significant overlooking. The balcony area would be set back to the very rear of the plot and would be approximately 30m from the closest property. It is acknowledged that there would be some overlooking of adjacent garden areas however, this would be at oblique angles and would be minimised during the months where there is greater vegetation cover on the boundary. Therefore the proposal is not considered to have significant detrimental impact upon neighbouring amenity.
36. The new access driveway has been located a sufficient distance from the host property to ensure that there is no significant impact on their amenities.

Main issue 4: Trees

37. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
38. Concerns were raised by both neighbours and officers regarding the protection of trees. There are many trees on site that make a significant contribution to the character of the area. The trees provide screening in the front garden area and line the boundaries with the neighbouring properties. As well as the construction of the dwelling, the proposal involves the construction of a driveway along the Western side of the plot. The Tree Officer was concerned that the driveway would be detrimental to a number of trees. Additional tree information and in-depth construction details have been provided for the construction of the dwelling and the driveway. The Tree Officer has reviewed this information and considers that the retained trees on site will be adequately protected subject to the conditions included at the end of this report.
39. There are a number of trees that would be removed as part of this proposal. This includes trees that have partially fallen over or are dead or generally low value trees. It is therefore considered necessary to include a condition requiring a full landscaping scheme to secure adequate replacement planting.

40. In addition to the above, it was noted on site that there is sizeable gap in the vegetation along the Western boundary of the site which would mean that the property would likely be visible from Newmarket Road. This is exacerbated by the area of openness at the front of 183A Newmarket Road. A revised site plan has been submitted with indicative planting to screen the property, as well as additional planting along the proposed driveway. This additional planting is considered to provide appropriate landscaping on site and sufficient screening. Full landscaping details will be requested by condition.

Main issue 5: Transport

41. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
42. Concerns were raised that an additional driveway and point of access to Newmarket Road would result in a collision spot. The applicant was previously advised that a new access point onto Newmarket Road would not be deemed acceptable in highway terms. The proposal includes the provision of a new driveway but the existing access point onto Newmarket Road would be shared. In addition, given that vehicles are likely to be travelling at low speeds when entering and exiting each driveway, the proposal is not considered to be significantly detrimental to highway safety. Furthermore the transportation officer did not object to the proposal.
43. The Transportation Officer also queried whether a fire appliance could access the site. It should be noted that emergency access is dealt with under Building Regulations. Norfolk Fire Service were consulted on the application and did not offer any objections to the revised proposal. The scheme presented provides an area for a turning head at the end of the driveway.

Compliance with other relevant development plan policies

44. 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 – policy compliant level of parking provided
Refuse Storage/servicing	DM31	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

Other matters

45. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
46. Concerns were raised regarding ownership of the driveway area. Land ownership is not a material planning consideration and has therefore not been considered further.
47. One representation expressed that the revised design was an improvement but they were concerned that the design may be eroded in future alterations of the scheme. It should be noted that any alterations to the design would need to be applied for. In addition, as outlined by paragraph 130 of the NPPF, the local planning authority should ensure that the quality of the proposal materially diminished between permission and completion, as a result of changes being made to the permitted scheme.

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.

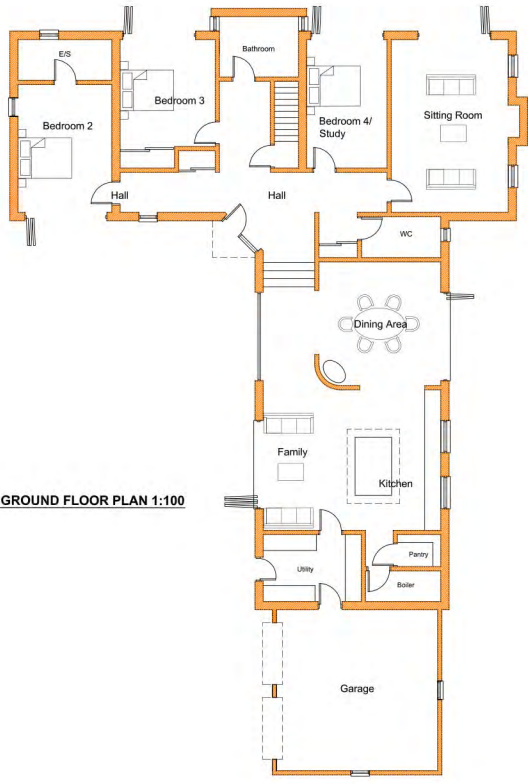
Conclusion

52. The application seeks the subdivision of the plot to provide a new dwelling to the rear of the site. The main issues in this case are the ability to retain trees on site, particularly in the provision of the new access and the impact on the conservation area. In relation to trees subject to compliance with the arboricultural method statement and replacement tree planting the proposals are considered to be acceptable and the dwelling to the rear will be screened and largely not visible in from the wider Conservation Area. The main sign of a new dwelling and the division of the historic plot boundary will result from the revisions to the point of access and driveway leading to the rear. With this specific design proposal therefore, less than substantial harm to the conservation area would be minimal and would principally result from the new driveway signifying the division of the plot. On balance the benefits of the delivery of a new dwelling on the site are considered to marginally outweigh the harm to the conservation area and therefore the recommendation is to approve subject to conditions.

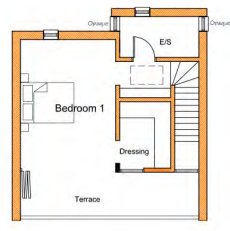
Recommendation

To approve application no. 18/00014/F - 183 Newmarket Road Norwich NR4 6AP and grant planning permission subject to the following conditions:

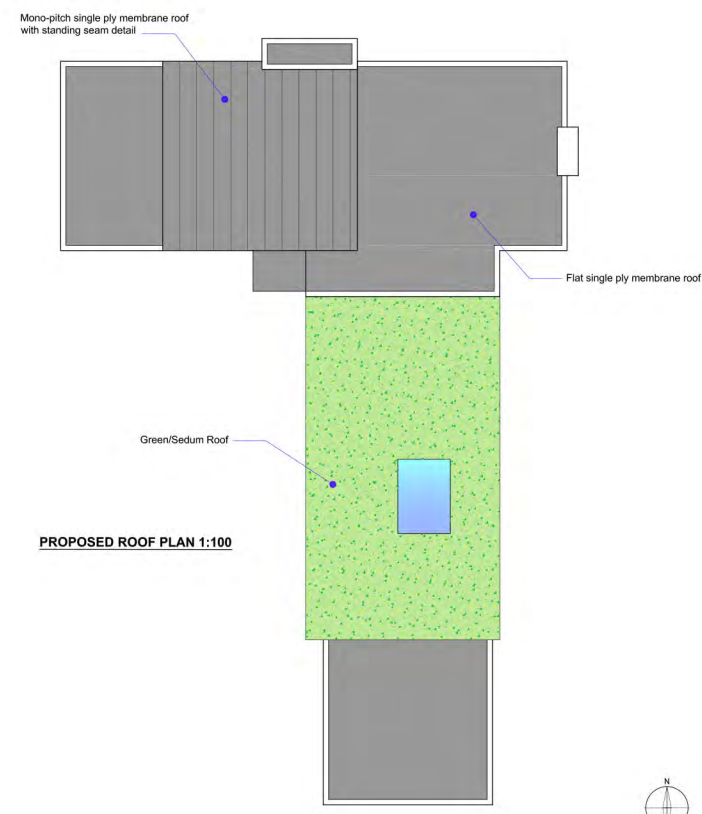
1. Standard time limit;
2. In accordance with plans;
3. In accordance with AIA/AMS/TPP;
4. No dig methods;
5. Arboricultural supervision;
6. Details of materials;
7. Landscaping;
8. SUDS;
9. Water efficiency;
10. Bin and bike storage
11. No development in bird nesting season



PROPOSED GROUND FLOOR PLAN 1:100



PROPOSED FIRST FLOOR PLAN 1:100



PROPOSED ROOF PLAN 1:100

Notes

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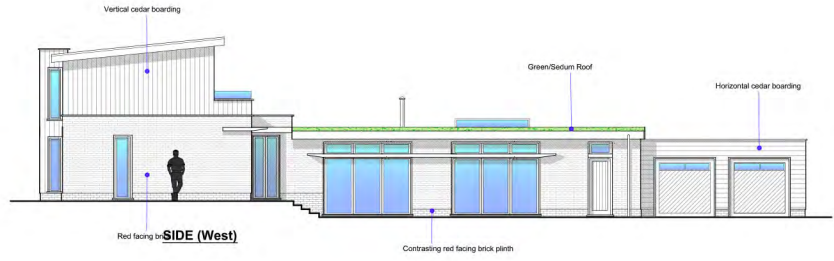
No.	Revisions	By	Date
A	Revised scheme	mja	06.07.18
B	Scheme revised. Footprint reduced by 7% materials amended: green roof shown and roof plan added	mja	27.07.18



LOCATION PLAN 1:1250



FRONT (South)



Red facing to SIDE (West)

Contrasting red facing brick plinth

ELEVATIONS 1:100



REAR (North)



SIDE (East)

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Client
Mr and Mrs Cook

Job
**New dwelling at
 183 Newmarket Road
 Norwich**

Drawing Title
**Proposed floor plans, site plans
 and location plan**

Scale
1:100/500/1250@A1 Date
October 2017

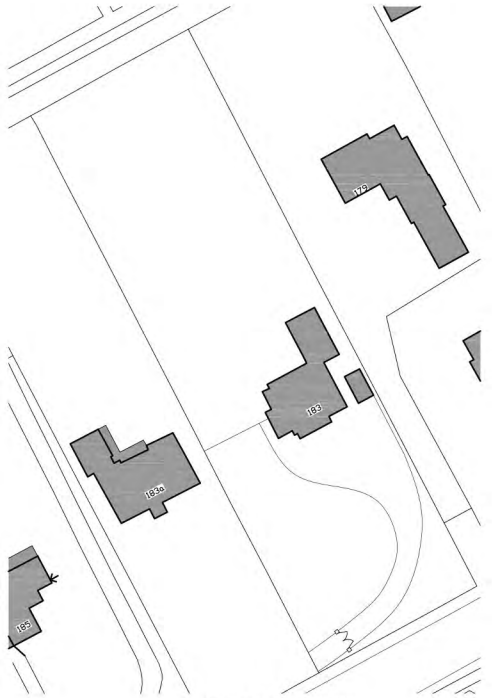
Drawn By
mja Status
 PRELIMINARY

Drawing No. 17 36 10 B Rev. PLANNING
 BUILDING REGS
 TENDERS
 CONSTRUCTION
 AS BUILT

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No.	Revisions	By	Date
A	Footprint of new dwelling reduced in size by 7%. Existing site plan moved to this drawing.	mpa	27.07.18



EXISTING SITE PLAN 1:500



PROPOSED SITE PLAN 1:250

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Client: Mr and Mrs Cook

Job: **New dwelling at 183 Newmarket Road Norwich**

Drawing Title: **Existing and Proposed Site Plan**

Scale: **1:250/500@A1** Date: **June 2018**

Drawn By: **mja** Status: PRELIMINARY
 PLANNING

Drawing No: **17 36 13 A** Rev: BUILDING REGS
 TENDERS
 CONSTRUCTION
 AS BUILT



