

### **Planning applications committee**

**Date:** Thursday, 09 February 2017

**Time:** 09:30

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

#### **Committee members:**

##### **Councillors:**

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

#### **For further information please contact:**

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#### **Information for members of the public**

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

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

## **Agenda**

**Page nos**

**1 Apologies**

To receive apologies for absence

**2 Declarations of interest**

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

**3 Minutes**

**5 - 16**

To agree the accuracy of the minutes of the meeting held on 12 January 2017.

**4 Planning applications**

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

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

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

Please note:

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

**Standing duties**

**17 - 18**



	<b>Summary of applications for consideration</b>	<b>19 - 20</b>
<b>4(a)</b>	<b>Application no 16/01574/O - Land at Lily Terrace, Norwich</b>	<b>21 - 32</b>
<b>4(b)</b>	<b>Application no 16/01625/F - 1 Beckham Place, Edward Street, Norwich NR3 3DZ</b>	<b>33 - 44</b>
<b>4(c)</b>	<b>Application no 16/01268/F - Merchants Court, St Georges Street, Norwich</b>	<b>45 - 60</b>
<b>4(d)</b>	<b>Application no 16/01780/F - 23 Bek Close, Norwich, NR4 7NT</b>	<b>61 - 70</b>
<b>4(e)</b>	<b>Application no 16/01796/F - 20 Swansea Road, Norwich, NR2 3HU</b>	<b>71 - 78</b>
<b>4(f)</b>	<b>Application no 16/01720/F - 1 Salter Avenue, Norwich NR4 7LX</b>	<b>79 - 88</b>
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<b>4(h)</b>	<b>Application no 16/01788/F - 36 The Avenues, Norwich NR2 3QR</b>	<b>99 - 110</b>
<b>4(i)</b>	<b>Application no 16/01753/F - 60 Denmark Road, Norwich NR3 4JS</b>	<b>111 - 118</b>
<b>4(j)</b>	<b>Application no 16/01771/VC - Rouen House, Rouen Road, Norwich NR1 1RB</b>	<b>119 - 128</b>
<b>4(k)</b>	<b>Tree Preservation Order [TPO], 2016. City of Norwich Number 514; 1 The Mustard Mill, Bracondale Millgate, Norwich, NR1 2FB</b>	<b>129 - 140</b>
<b>4(l)</b>	<b>Enforcement Case 16/00020/ENF – 66 Whistlefish Court, Norwich, NR5 8QR</b>	<b>141 - 146</b>
<b>4(m)</b>	<b>Enforcement Case 16/00020/ENF – 67 Whistlefish Court, Norwich, NR5 8QR</b>	<b>147 - 152</b>

Date of publication: **Wednesday, 01 February 2017**



**Planning applications committee****09:30 to 13:10****12 January 2017**

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

Apologies: Councillors Lubbock and Woollard

**1. Declarations of interest**

Councillors Button and Sands declared an interest in item 8 (below), Application no 16/01615/N3 – Land adjacent to River Yare, Bowthorpe Southern Park because they regularly walked through the parkland area.

Councillor Jackson said that he had discussed item 9 (below), Applications nos 16/00752/F and 16/00753/L - 42 St Giles Street, Norwich NR2 1LW, with residents in his capacity as ward councillor for Mancroft ward but did not have a pre-determined view.

**2. Minutes**

**RESOLVED** to agree the accuracy of the minutes of the meeting held on 8 December 2016.

**3. Application 16/01499/F – Garages adjacent to 40 Thurling Plain**

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and contained a summary of an additional representation and the officer response.

A resident addressed the committee and outlined his objections and concerns about the scheme. This included concern about the council's consultation with the local community and that some people had not received all the correspondence; disappointment that none of the members had visited the site; that construction vehicles would cause access problems, particularly for emergency vehicles: and, that the loss of garages would exacerbate problems with parking in the area.

The agent responded on behalf of the applicant and explained that the consultation had been more widespread than usual, local councillors had been involved at each

stage and the council had listened to the concerns that had been raised. He said that only ten out of the 32 garages were currently tenanted; some of these were not used for storing cars and there was alternative provision in the vicinity. He confirmed that there would be a construction management strategy in place during the development of the scheme.

During discussion, the senior planner, together with the planning team leader, referred to the report and answered members' questions. The council's housing team had conducted a community consultation a year ago. Members noted that many of the garages were not used for storing cars and the removal of the garages would free up parking spaces on the site. Car parking had been monitored at different times of day and week. Members expressed regret that the dwellings would be below the current minimum space standard. The senior planner explained that at the time the scheme was costed the applicant had been working to the Homes and Communities minimum space standard and this was the reason for the dwellings being marginally below the current minimum space standards. He also explained that the layout of the parking spaces had taken into account the most likely preferences of future residents.

The chair said that although the committee had not had an organised site visit, members could have visited the site individually or had existing knowledge of the site.

Councillor Bradford, local member for Crome ward, said that he could not support the application as he considered that car parking spaces in this area of Heartsease were at maximum use during the evenings and that this development would further exacerbate parking in the area, particularly as part of the accumulative effect of developing other garage sites in the area. Councillor Sands said that he could not support the proposed development as the dwellings would be below the minimum size standard. Councillors Ackroyd and Henderson also expressed regret that the proposed dwellings did not meet the minimum space standard.

**RESOLVED**, with 7 members voting in favour (Councillors Herries, Driver, Button, Carlo, Jackson, Malik and Peek), 2 members voting against (Councillors Bradford and Sands) and 2 members abstaining (Councillors Ackroyd and Henderson) to approve application 16/01499/F and grant planning permission subject to the following conditions:

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

#### Article 35(2) Statement

The local planning authority in making its recommendation has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

#### **4. Application 16/01742/F– Land and garages rear of 2 to 20 Hanover Road**

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting, containing a correction to the description of the development proposal and summarising the consultation response received from the council's environmental protection officer and seven further representations received objecting to the scheme.

Three residents and Councillor Haynes, Town Close ward councillor, addressed the committee and outlined their objections to the scheme. This included concerns about the legal right of way to a house on Newmarket Road; that the layout of the scheme could be improved by reducing the number of dwellings and concerns about lack of parking spaces and that people would be unable to park near their homes; increased risk of traffic to pedestrians, particularly school children; loss of amenity; that the development was out of keeping with the conservation area and that the vehicular access/egress on to Hanover Road would be too tight. Councillor Haynes asked for a condition to prevent construction vehicles from accessing the site between 8:30 to 9:30; and 15:00 and 16:00 during the week when children would be arriving or departing from school.

The agent responded on behalf of the applicant and explained that tenants of the garages would be given appropriate notice. The area was in a controlled parking zone and had access to the car club. He explained that the council's legal advisers and the registered social landlord were aware of the issues relating to the right of way and that he considered that the deed referred to by the resident related to a footpath rather than vehicular access.

At the discretion of the chair, the agent was permitted a further three minutes to explain the background to the bidding process for the development of the council's garage sites to provide as much affordable housing as possible by a registered social landlord.

Discussion ensued in which the senior planner, together with the transport planner and the planning team leader, referred to the report, and replied to the issues raised above and answered members' questions. Members were advised that the issue of access was not a planning matter but could potentially prevent the development going forward. Considerate constructor practice would be implemented but it would not be practical to restrict construction vehicles to the site. Blue badge parking bays could be provided but this would be less flexible than general use for all residents. There was a range of different categories of permits available.

Councillor Sands, having raised several concerns about the rights of access to the site and the proposed dwellings not meeting the minimum size standard, proposed that consideration of this item should be deferred to address these issues. The motion was not seconded and was not considered further.

Councillor Carlo said that she was minded to oppose this application as Hanover Road was a cul-de-sac where turning round was very difficult, and parking was intense in the area. She suggested moving one of the housing blocks and increasing the number of off-street parking spaces on the site, explaining that she considered the five year housing supply was not such an issue in the city as in Broadland or South Norfolk district council areas. Councillor Henderson said that she was opposed to the application because the proposed dwellings did not meet the minimum space standard.

**RESOLVED**, with 6 members voting in favour (Councillors Herries, Driver, Button, Malik, Peek and Bradford) and 5 members voting against (Councillors Ackroyd, Carlo, Henderson, Jackson and Sands) to approve application 16/01742/F and grant planning permission subject to the following conditions:

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

#### Article 35(2) Statement

The local planning authority in making its recommendation has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

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

#### **5. Application no 16/01554/F - Grazing Land Swanton Road, Norwich**

The senior planner (development) presented the report with the aid of plans and slides. He also referred to the supplementary report of updates to reports, which was circulated at the meeting, and contained a summary of a late representation from the reduction and recycling manager of the Swanton Road Recycling Centre and the officer response.

Discussion ensued in which the senior planner, together with the senior development officer (enabling), referred to the report and answered members' questions. Members sought clarification on the principles of the development for the provision of 13 permanent pitches on the site and noted that Broadland Housing was experienced at managing similar facilities. Members expressed concern that the site was a former landfill site and received reassurance that environment protection officers had not objected to the scheme provided that there was adequate venting and appropriate remediation works in place. Members also noted that the new buildings would provide a comfortable environment for daytime use and would exceed current standards of building regulation.

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

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

#### Article 35 (2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application and application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report for the application.

#### Informatives

1. Impact on wildlife.

2. Control of invasive species.
3. Highways contacts, street naming and numbering, design note, works within the highway etc.

**6. Application no 16/01578/F - 52 Prince of Wales Road, Norwich, NR1 1LL**

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

Councillor Grahame, local member for Thorpe Hamlet ward, addressed the committee and outlined the concerns about what the potential impact that the change of use of the premises to a lap dancing venue would have on Prince of Wales Road and the patrons that it would attract.

The agent spoke on behalf of the applicant and explained that a lot of the concerns that had been raised were based on misconceptions. Lap dancing was not part of the sex industry and was well regulated, with performers complying with strict codes of conduct.

During discussion, the senior planner, together with the planning team leader, referred to the report and answered members' questions. She explained the extent that this was a lawful planning use located within the late night activity zone.

During discussion, some members commented that Prince of Wales Road was perceived as a "no go" area for local residents and that the change of use would increase fear of crime. Whilst other members said that they would use this road at night as it is busy and well lit. Councillor Button, as chair of licensing committee, said that lap dancers were well protected and that she knew of women who had coffee in these clubs. Councillor Henderson, Thorpe Hamlet ward councillor, expressed concern that the change of use would exacerbate problems with prostitution and drug use in the Rosary Road area.

**RESOLVED** with 8 members voting in favour (Councillors Herries, Driver, Ackroyd, Button, Malik, Peek, Sands and Bradford), 2 members voting against (Councillors Carlo and Henderson), and 1 member abstaining (Councillor Jackson) to approve application no. 16/01578/F - 52 Prince Of Wales Road Norwich NR1 1LL and grant planning permission subject to the following conditions:

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



## 7. Application no 16/01215/MA - 115 Newmarket Road Norwich, NR2 2HT

The planning assistant (development) presented the report with the aid of plans and slides. She also referred to the supplementary report of updates to reports which was circulated at the meeting and contained a correction to paragraph 7 of the report and additional text to paragraph 11 and section 23, Main issues 1 Design and Heritage.

A neighbour addressed the committee and explained that both he and another neighbour had been professionals involved in setting up the Newmarket Road Conservation Area. He then referred to the planning history of the site and the objections to this application. He considered that the garage should be reduced in size and moved back from the wall to make room for more planting.

The agent said that the application was to vary conditions of existing planning consent. The council's planning officer and tree officer considered that there was no significant harm to the conservation area and its amenity.

During discussion the planning assistant, together with the planning team leader, referred to the report and answered members' questions. The committee was assured that there was sufficient room between the wall and the garage for two lime trees to grow and be maintained. It was expected that once pollarded the branches would spread out to screen the garage from the road. A breach of condition notice would be issued if the applicant did not comply with the conditions of the planning consent.

Councillor Jackson said that he would propose refusal of the application because the applicant had not had the garage built in accordance with plans and was detrimental to the amenity of the conservation area and had left insufficient room for trees to become established. The proposal was not seconded and therefore did not progress.

**RESOLVED**, with 9 members voting in favour (Councillors Herries, Driver, Button, Carlo, Henderson, Malik, Peek, Sands and Bradford) and 2 members voting against (Councillors Ackroyd and Jackson) to approve application no. 16/01215/MA - 115 Newmarket Road Norwich NR2 2HT and grant planning permission subject to the following conditions:

( A number of these conditions have been reworded from the original consent as is appropriate under Section 73, Part 3 of the Town and Country Planning Act 1990.)

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

Informatives:

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

**8. Application no 16/01615/NF3 - Land adjacent to River Yare, Bowthorpe Southern Park, south of Mardle Street, Norwich**

(Councillors Button and Sands had declared an interest in this item.)

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

During discussion, in which members welcomed the proposal, the senior planner explained that one side of the bridge there was a bridle path. The bridge would be constructed to take the weight of a horse in case at some time in the future the bridle path was extended.

**RESOLVED**, unanimously, to approve application no. 16/01615/NF3 - Land Adjacent to River Yare, Bowthorpe Southern Parr, south of Mardle Street, Norwich and grant planning permission subject to the following conditions:

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

Informatives:

1. The applicant is advised that they will need to apply for temporary traffic orders to close the routes to the public for the duration of the works.
2. The applicant will need a bespoke permit for the footbridge works for '(a) Erecting structures (whether temporary or permanent) in, over or under a 'main river'.  
(a) Application forms and further information can be found at:  
<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

- (b) Anyone carrying out these activities without a permit, where one is required, is breaking the law.
3. The applicant is advised to explore opportunities for the handrails to be as open as possible, within the confines of ensuring adequate pedestrian safety, in order to reduce the likelihood of debris causing a blockage during a flood event.

Article 35(2) statement

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

**9. Applications nos 16/00752/F and 16/00753/L - 42 St Giles Street, Norwich NR2 1LW**

The planner (development) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports, which was circulated at the meeting, and contained the summary of an additional representation and officer response.

During discussion, the planner referred to the report and answered members' questions. She said that the issue of access was a civil matter between the various parties.

**RESOLVED**, unanimously, to:

- (1) approve application no. 16/00752/F - 42 St Giles Street Norwich NR2 1LW and grant planning permission subject to the following conditions:
1. Standard time limit;
  2. In accordance with plans;
  3. Details of external materials, including walls, roof, windows, doors, gutters, downpipes and fascias;
  4. Submission of hard and soft landscaping scheme;
  5. Submission of details of cycle storage and bin storage;
  6. No windows or openings shall be installed at first floor level within the new dwelling or within the eastern elevation of the rear part of the commercial building;
  7. The vertical glazing (facing south) for the new glazed extension shall be obscure glazed and permanently retained as such;
  8. Water efficiency – residential.

Informative

1. Car free housing/ not eligible for parking permits.
2. Construction working hours.
3. Asbestos.

Article 35(2) Statement:

The local planning authority in making its decision has had due regard to paragraph

187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

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

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

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

**10. Enforcement Case 15/00167/ENF– 55 Cunningham Road, Norwich, NR5 8HH**

The planning team leader presented the report and explained that the use of the dwelling as a house in multiple occupation was a breach of planning consent.

Members considered that enforcement of this breach of planning consent should send out a strong message to potential landlords.

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

**11. Enforcement Case 16/00020/ENF – 66 Whistlefish Court, Norwich, NR5 8QR**

**RESOLVED** to withdraw this item from consideration because the site was not specified on the plan.

**12. Enforcement Case 16/00020/ENF – 67 Whistlefish Court, Norwich, NR5 8QR**

**RESOLVED** to withdraw this item from consideration because the site was not specified on the plan.

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.



Item no	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	16/01574/O	Land at Lily Terrace	Lara Emerson	Outline application for the development of 5 no. townhouses.	Objections	Approve
4(b)	16/01625/F	1 Beckham Place, Edward Street	Becky Collins	Conversion of two storey property into 3 flats	Objections	Approve
4(c)	16/01268/F	Merchants Court, St Georges Street	Tracy Armitage	3 No. penthouse apartments, bin stores, car parking, cycle provision and external canopy.	Objections	Approve
4(d)	16/01780/F	23 Bek Close	Katherine Brumpton	Single storey side extension	Objections	Approve
4(e)	16/01796/F	20 Swansea Road	Katherine Brumpton	Single storey rear extensions	Objections	Approve
4(f)	16/01720/F	1 Salter Avenue	Katherine Brumpton	Single storey side and rear extension	Objections	Approve
4(g)	16/01750/F	418 Unthank Road	Katherine Brumpton	Erection of pitched roof with rooflights to outbuilding	Objections	Approve
4(h)	16/01788/F	36 The Avenues	Stephen Polley	Single storey side and rear extension. Rooflights to front, side and rear roofslopes.	Objections	Approve
4(i)	16/01753/F	60 Denmark Road	Stephen Polley	Rear extension and associated alterations to party wall.	Applicant related to a council employee	Approve

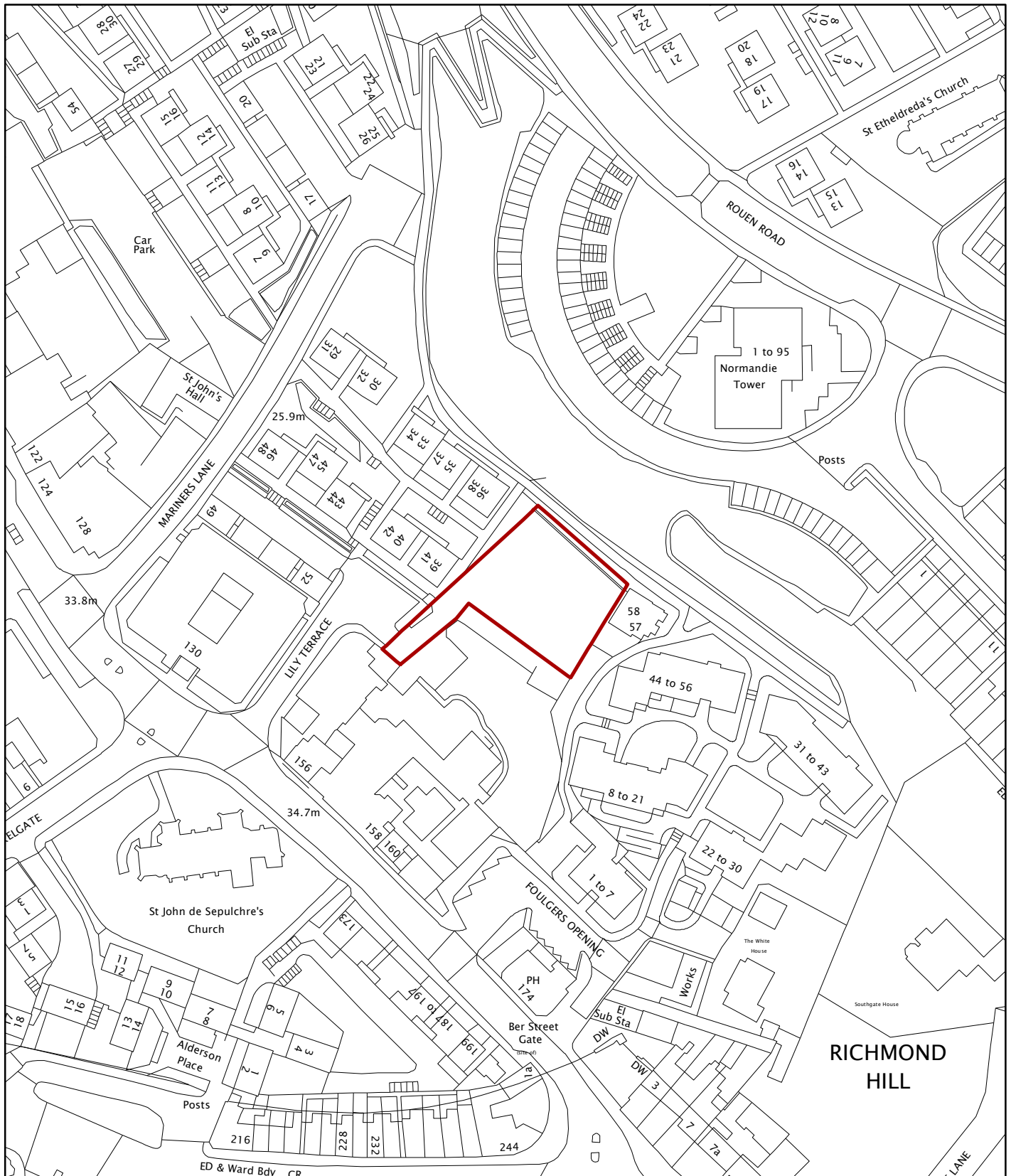
Item no	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(j)	16/01771/VC	Rouen House, Rouen Road	Caroline Dodden	Variation of condition 3 of previous permission 14/01108/U to allow an out of hours service to operate between 18:00 and 08:00 hours	Objections	Approve
4(k)	TPO 514	1 The Mustard Mill, Trowse Millgate	Mark Dunthorne	Confirm TPO without modifications	Objection	Approve
4(l)	16/00020/ENF	66 Whistlefish Court	Ali Pridmore	Authorise enforcement action against unauthorised use as HMO (SG) and unauthorised use of garage as a dwelling (C3)	Enforcement (deferred from last meeting)	Authorise enforcement action
4(m)	16/00020/ENF	67 Whistlefish Court	Ali Pridmore	Authorise enforcement action against unauthorised use as HMO (SG) and unauthorised use of garage as a dwelling (C3)	Enforcement (deferred from last meeting)	Authorise enforcement action

<b>Report to</b>	Planning applications committee	<b>Item</b>
<b>Report of</b>	9 February 2017	
<b>Subject</b>	Head of Planning Services	
<b>Reason for referral</b>	Application no 16/01574/O - Land at Lily Terrace, Norwich	<b>4(a)</b>
	Objection	

<b>Ward:</b>	Mancroft
<b>Case officer</b>	Lara Emerson - <a href="mailto:laraemerson@norwich.gov.uk">laraemerson@norwich.gov.uk</a>

<b>Development proposal</b>		
Outline application for the development of 5 no. townhouses.		
<b>Representations</b>		
Object	Comment	Support
4	0	0

<b>Main issues</b>	<b>Key considerations</b>
1. Principle of development	Principle of residential development on the site.
2. Design & heritage	Form; mass; impact on listed buildings; impact on conservation area.
3. Amenity	Loss of outlook privacy and light to neighbours; noise; amenity of future residents.
4. Trees	Loss of two trees; protection of trees to be retained.
5. Access, parking & servicing	Access to new dwellings; loss of communal car park; number of car parking spaces provided to new dwellings; refuse arrangements.
<b>Expiry date</b>	9 February 2017
<b>Recommendation</b>	Approve



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Planning Application No 16/01574/O

Site Address Land at Lily Terrace

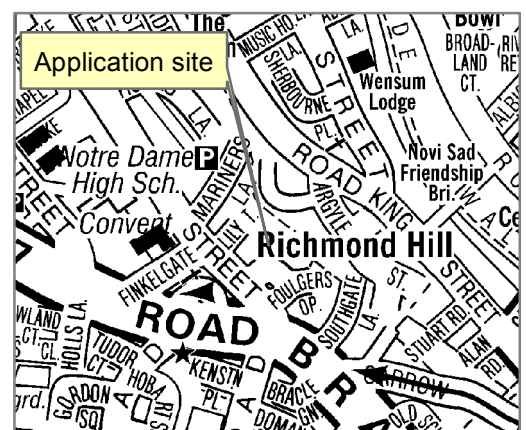
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**NORWICH**  
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PLANNING SERVICES

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## The site, surroundings and constraints

1. The site is currently a private car park which is situated behind two blocks of flats known as Ber House and Bixley House. The car park is accessed off Lily Terrace which is a small access road leading from Ber Street.
2. The site sits within a predominantly residential area, although a number of commercial uses exist on Ber Street. To the south-east of the site there are a number of 2-4 storey residential blocks accessed from Foulgers Opening, to the north-west of the site there are a number of two storey residential properties accessed from Lily Terrace, and to the south-west of the site there are two further blocks of residential flats which front Ber Street. To the north-east of the site there is a steep wooded bank which separates the site from Normandie Tower on Rouen Road.
3. The topography of the area is such that the land slopes down from the south to the north. As such, the properties accessed from Foulgers Opening and Ber Street are on higher ground, while the existing properties accessed from Lily Terrace are on slightly lower ground, and Normandie Tower is at a considerably lower ground level.
4. The area is occupied by a wide variety of building types, styles and ages. The area is historically sensitive and forms part of the City Centre Conservation Area (Ber Street Character Area). Ber House and Bixley House (also known as 156 and 158 Ber Street) are both Grade II listed. However, it is their frontages facing Ber Street which are of most historic value as 158 Ber Street has had significant modern extensions which dominate the rear of the properties. 160 Ber Street is also Grade II listed but cannot be viewed from the site. However, these historic features are coupled with a number of more modern developments on the remaining three sides of the application site.
5. The site sits within the Area of Main Archaeological Interest and there are a number of 'find spots' near to the site on Ber Street and Mariners Lane. Historic maps show that the site has not been developed since at least the mid eighteenth century and the site has not been landscaped as part of the adjacent wooded ridge.
6. There are currently a number of trees on and adjacent to the site. Within the site two individual trees and one group of trees are covered by Tree Protection Orders (TPOs). To the rear of the site, the steep bank which separates the site from Normandie Tower on Rouen Road forms part of the 'wooded ridge' which offers ecological and recreational benefits.

## Relevant planning history

7.

Ref	Proposal	Decision	Date
16/00743/TPO	Lime: Dismantle to ground level and replant with same.	Part approved/ part refused	07/06/2016

## The proposal

8. The proposal is for the erection of five 4-storey townhouses. The properties each have 3 bedrooms, Juliet balconies to the rear, integral garages and small rear gardens. The properties are constructed of brick with dual-pitched pantiled roofs.
9. The plans have been amended slightly during the course of the application to allow for the removal of the existing access gate to allow easy access to the site for the various users (residents, users of the car park, services etc).

## Summary information

Proposal	Key facts
<b>Scale &amp; Appearance</b>	
Total no. of dwellings	<b>5</b>
No. of affordable dwellings	<b>0</b>
Total floorspace	<b>760m<sup>2</sup></b>
No. of storeys	<b>4</b>
Max. dimensions	<b>11.4m tall 4 storeys</b>
Density	<b>52 dwellings per hectare</b>
Materials	<b>Red clay facing brick, slate roof, grey aluminium doors and windows (to be agreed by condition)</b>
<b>Transport matters</b>	
Vehicular access	<b>From existing access on Lily Terrace</b>
No of car parking spaces	<b>1 integral garage per dwelling</b>
No of cycle parking spaces	<b>Not detailed at this stage (details to be requested by condition)</b>
Servicing arrangements	<b>Refuse to be collected from Lily Terrace either inside or outside of the entrance</b>

## Representations

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

<b>Issues raised</b>	<b>Response</b>
Loss of communal car parking spaces	See paragraph 48.
Concerns that the management company will continue to lease the car parking spaces to non-residents, creating a lack of parking for residents.	See paragraph 48.
Concerns about loss of access to the car park during construction of the dwellings.	This is a private matter to be addressed between the management company and anyone who leases the car parking spaces.
Questions about how the maintenance funding for the existing gate will be divided between the existing and new residents.	The application has been amended to remove the gate from the entrance. The funding of any maintenance costs is a private matter to be addressed by the management company and any other interested parties.
Concerns over additional noise from the gate if it is the only access point for the new dwellings.	The application has been amended to remove the gate from the entrance.
Concerns about how services such as the Royal Mail will access the new dwellings via the locked gate.	The application has been amended to remove the gate from the entrance.
Devaluation of properties following loss of car parking	This is not a material planning consideration and cannot be taken into account in the assessment of this proposal.

### **Consultation responses**

12. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### **NCC Design and conservation**

13. No objection. Conditions recommended.
14. The development constitutes 'less than substantial harm' to the heritage assets but this harm is considered to be outweighed by the need to provide housing in this substantial location. Due to a number of nearby archaeological finds, the site may well have archaeological value. Request material samples by condition.

### **NCC Highways**

15. *Verbal comments 19<sup>th</sup> Jan 2017*
16. No objection.
17. Existing flats are eligible for on-street parking permits and there are a number of council garages available nearby. Recommend a condition to obtain a management agreement for the retained car parking. A pin entry system to operate the access gate would be preferable in terms of providing access for refuse collection. A large

communal bike store (for the existing and new dwellings) could be provided on site to alleviate pressure on car parking.

### **NCC Landscape**

18. Landscape is a reserved matter and will be dealt with via a separate reserved matters application. The Landscape Officer has offered some advice to the applicant in the preparation of the landscaping scheme.

### **NCC Tree protection officer**

19. No objection.
20. The loss of the two trees on the northwest boundary is acceptable and replacement planting is considered unnecessary. Satisfied that the trees covered by TPOs will be adequately protected.

### **NCC Environmental Services**

21. *Verbal comments 24<sup>th</sup> and 25<sup>th</sup> January 2017*
22. No objection.
23. Waste collection would be from just inside or just outside the entrance to the site.

### **Norfolk County Council Historic Environment Service**

24. No objection. Recommended conditions.
25. The site is likely to contain well-preserved archaeological remains. A written scheme of archaeological investigation should be requested by condition.

### **Assessment of planning considerations**

#### **Relevant development plan policies**

26. **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
  - JCS11 Norwich city centre
27. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM4 Providing for renewable and low carbon energy
  - DM6 Protecting and enhancing the natural environment
  - DM7 Trees and development
  - 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**

#### **28. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

#### **29. Supplementary Planning Documents (SPD)**

- Landscape & Trees SPD adopted June 2016

### **Case Assessment**

30. 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**

31. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
32. Paragraph 14 of the NPPF emphasises there should be a presumption in favour of sustainable development and that local planning authorities should positively seek opportunities to meet the development needs of their area, unless any adverse impacts would significantly and demonstrably outweigh the planning benefits. In this case, the most recent Housing and Economic Availability Assessment has identified a pressing need for housing land within the Norwich Policy Area within which this site falls.
33. The most relevant policy for assessing the principle of residential development is policy DM12. The proposed development has been assessed against this policy and it is considered that each of the relevant criteria is satisfied in this case.
34. The site sits within a predominantly residential area and as such a residential development is considered appropriate in this location. The site is in a highly

sustainable location being in close proximity to the city centre and with public transport routes nearby.

35. The principle of residential development is considered acceptable on the site.

### **Main issue 2: Design & heritage**

36. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
37. The site is fairly well screened on all sides and the proposed development would only be easily viewable from private properties and from Lily Terrace itself. Nevertheless, the site is in a sensitive historic setting as it is adjacent to a number of listed buildings and important landscape features.
38. There are a number of buildings which are tall and/or on higher ground around the site, most notably the 2, 3 and 4 storey buildings on Ber Street and Foulgers Opening. As such, the proposed 4 storey properties will not appear excessively dominant or overbearing in this location. The visual impact of the proposed development is softened by the use of traditional materials, the gap between properties 2 and 3 and the use of a sloping roof. The overall height and form of the proposed townhouses is considered to be appropriate.
39. The tall and narrow ‘townhouse’ design creates a modern and high density scheme. Accompanied with traditional features such as timber sash-style windows, stone cills and pantiled roofing, the development is considered to be visually appropriate within this mixed setting.
40. It is important in this case that the materials are carefully considered and as such, a condition is recommended to request samples of materials to be approved by the council before development commences.
41. The site sits within the Area of Main Archaeological Interest and there are a number of ‘find spots’ near to the site on Ber Street and Mariners Lane. Historic maps show that the site has not been developed since at least the mid eighteenth century and the site has not been landscaped as part of the adjacent wooded ridge. As such, there is a high potential for archaeological remains to exist below the site and a condition is recommended which requires an archaeological scheme of investigation.

### **Main issue 3: Amenity**

42. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
43. The first issue to consider is the impact of the proposed development on the amenity of nearby residents. Any loss of light, outlook or privacy to neighbouring residential properties is minimised by:
- a) The positioning of the proposed dwellings on the site so that they are not immediately adjacent to neighbouring buildings to the south-east or the north-west; and
  - b) The careful placing of the windows mainly on the front and rear. Only two small windows are sited on each of the side elevations. A condition is recommended

which requires these side-facing windows to be obscure glazed and non-opening (except at 1.7m above floor level) to prevent overlooking.

44. The second issue to consider is the amenity afforded to occupants of the proposed development. The properties are each afforded adequate internal living space of 152m<sup>2</sup> which exceeds the minimum space standards set out within policy DM2. Each property also benefits from a small rear garden. Properties 2 and 3 have side-facing windows at 1<sup>st</sup> and 2<sup>nd</sup> floor level which directly face each other. A condition is recommended which requires these side-facing windows to be obscure glazed and non-opening (except at 1.7m above floor level) to prevent overlooking.
45. It is considered that the proposed development would adequately protect the amenity of adjoining occupiers and would offer adequate living conditions to future occupants.

#### **Main issue 4: Trees**

46. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
47. The proposed development involves the loss of two trees which are self-set specimens located against the north-west boundary wall. The tree officer is content with the removal of these two trees as they are considered to be low-value and in poor condition.
48. The trees which are to be retained on site and those which are located nearby on neighbouring land are to be protected during construction. The tree officer is happy that the submitted Arboricultural Report satisfactorily addresses this issue and as such, a condition is recommended to ensure that all work is carried out in accordance with this submitted report.

#### **Main issue 5: Access, parking & servicing**

49. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
50. All four of the objections to this application relate to the loss of parking for the existing residents of Ber House and Bixley House, which has historically been provided through the leasing of parking spaces within this car park. However, a number of spaces are to be retained within the car park which it is understood that the existing residents will have the opportunity lease, and in addition the residents of these existing flats are eligible for on-street parking permits and there a number of council garages available to rent nearby.
51. The proposed dwellings are to be provided with 1 car parking space each (within the integral garage) which accords with the parking standards set out in Policy DM31 and Appendix 3.
52. There is sufficient space within the application site to provide the required cycle storage as set out within DM31 and Appendix 3 (secure storage for 2 cycles per dwelling). A condition is recommended to require additional details of cycle storage.
53. There is adequate space for the storage of bins to the front or to the rear of the properties. Refuse can be collected from the site entrance on Lily Terrace.

## **Other matters**

54. As set out in JCS Policy 3, the development is required to meet Code for Sustainable Homes Level 4 for water efficiency. A condition is recommended to require the development to be built to this standard.
55. In order to satisfy Policy DM5, sustainable drainage should be incorporated within the development. At this stage, we are not considering landscape since this matter has been reserved to be considered at a later date. However, a condition is recommended which requests details of the proposed sustainable drainage scheme.

## **Equalities and diversity issues**

56. There are no significant equality or diversity issues.

## **Local finance considerations**

57. 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.
58. 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.
59. In this case local finance considerations are not considered to be material to the case.
60. The development is not liable for payment of a Community Infrastructure Levy at this stage since this is an outline application.

## **Conclusion**

61. As set out in the preceding paragraphs, the proposed development provides 5 well-designed dwellings in a highly sustainable location with minimal impacts on the surrounding heritage and landscape assets or on the amenity of neighbours.
62. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 16/01574/O - Land at Lily Terrace, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit (TL3);
2. In accordance with plans (AC3);
3. Materials to be agreed (DE2);
4. Details of cycle parking (CP3);
5. Sustainable drainage scheme (FW3);
6. Archaeological written scheme of investigation (AH1);

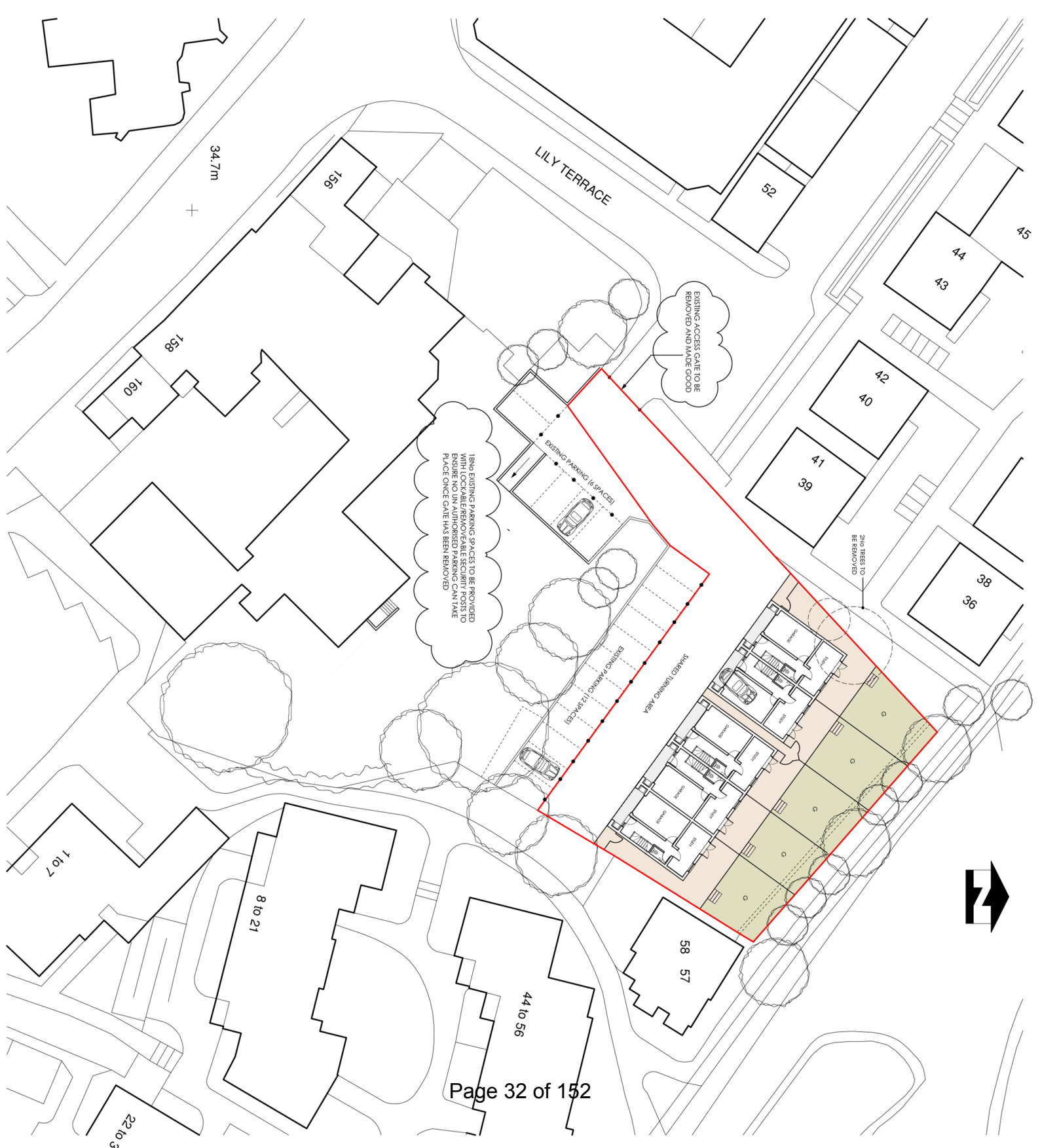
7. Obscure glazing (DE12);
8. In accordance with Arboricultural Report (TR7);
9. Water efficiency (FW1);

Informatives:

1. Transport  
The development will not be eligible for parking permits  
Street naming and numbering
2. Considerate Construction Scheme

**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, 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.



**Report to** Planning applications committee

**Item**

9 February 2017

**Report of** Head of planning services

**Subject** Application no 16/01625/F - 1 Beckham Place, Edward Street, Norwich NR3 3DZ

**Reason for referral** Objection

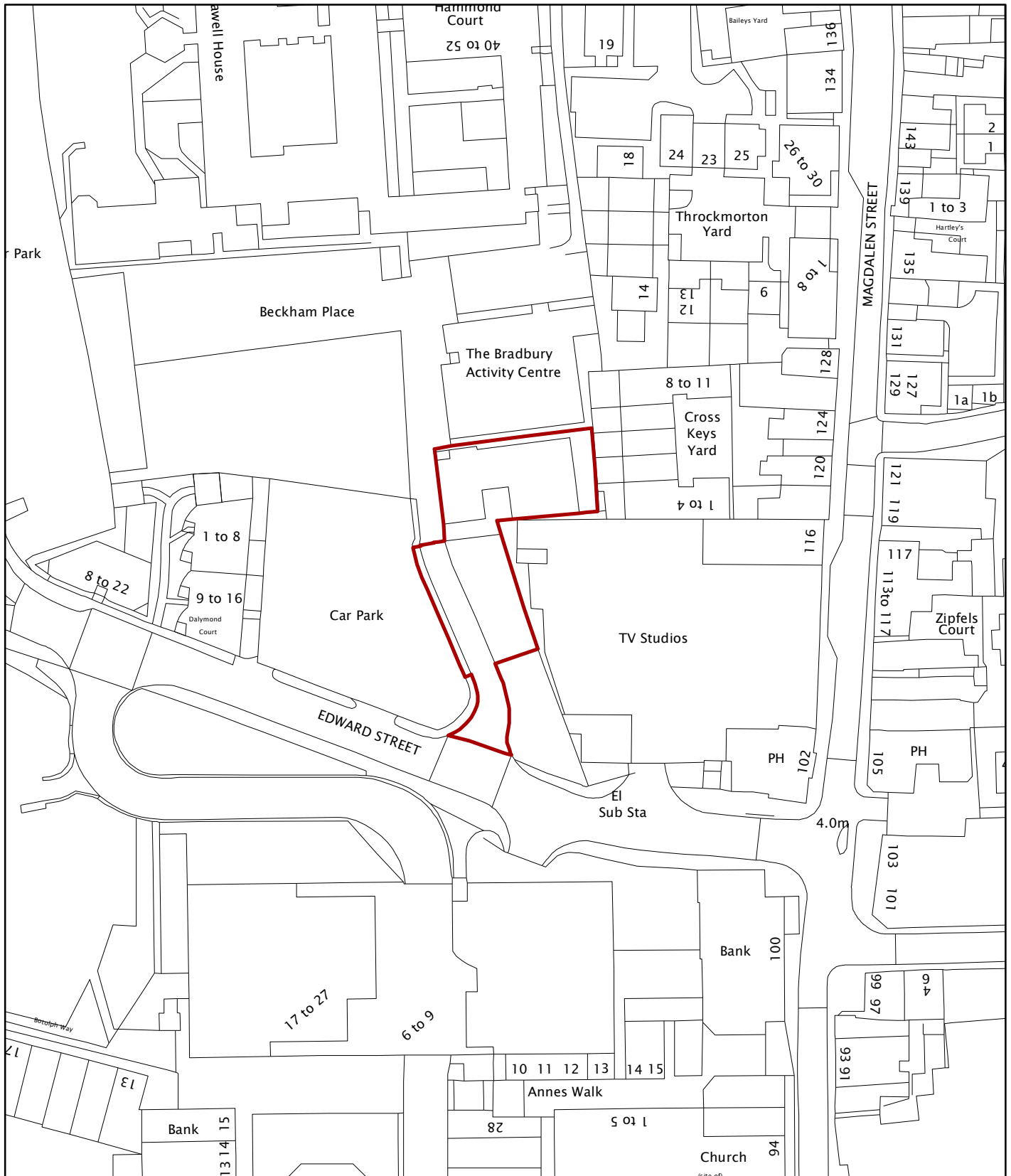
4(b)

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<b>Ward:</b>	Mancroft
<b>Case officer</b>	Becky Collins - <a href="mailto:beckycollins@norwich.gov.uk">beckycollins@norwich.gov.uk</a>

Development proposal		
Conversion of two storey property into 3 No. flats and first floor rear extension.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1	Principle of Development
2	Design and Heritage
3	Amenity
<b>Expiry date</b>	26 December 2016
<b>Recommendation</b>	Approve



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Planning Application No 16/01625/F

Site Address 1 Beckham Place, Edward Street

Scale 1:1,000



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## **The site and surroundings**

1. The application site lies to the north of Edward Street and Anglia Square, accessed off Beckham Place, a narrow road currently leading to car parking to the front and rear, with planning permission to construct residential units on the rear car parking site.
2. The proposal is to convert the existing building, previously Anglia Bowls Centre a primarily A1 use, to flats. The existing building does not have a street frontage, but its side elevation is visible from Edward Street.
3. The building is constructed of red brick with metal windows and a wooden hatch with winch above on the side, southern elevation. The applicant states that the fabric of the building is in an advanced state of disrepair, with the single glazed windows needing replacement. There is no insulation within the brick walls and the roof needs replacing. The proposals include these works. The frontage element of the building onto Beckham Place is two storey, to the rear are single storey extensions which form a U shape along the north and east elevations to create a central courtyard space to the rear (east). These rear elements will remain in use as Anglia Bowls Centre, with a new entrance off the courtyard.
4. There is hardstanding for car parking to the south of the existing building and bin storage within the courtyard. There are a number of mature trees along the eastern boundary of the site.
5. To the west of the site are two blocks of four storey flats. To the north of the site is the Bradbury Activity Centre, which is a centre for blind and partially blind people. To the east is Epic Studios as well as other residential properties.

## **Constraints**

- Anglia Square Conservation Area
- Area of main archaeological interest
- Critical Drainage Catchment Area
- Regeneration Area
- Car parking reduction area
- City centre parking area

## **Relevant planning history**

6. None

## **The proposal**

7. Conversion of two storey property into three flats.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>2</b>
No. of affordable dwellings	<b>0</b>
Total floorspace	<b>987 square metres</b>
No. of storeys	<b>2</b>
<b>Transport matters</b>	
Vehicular access	<b>Off Edward Street/Beckham Place</b>
No of car parking spaces	<b>9</b>
No of cycle parking spaces	<b>To be conditioned</b>
Servicing arrangements	<b>To be conditioned</b>

## Representations

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

Issues raised	Response
No objection, subject to no change to the external footprint of the building. The building up of the single storey workshop to the rear would cut out natural light and windows in the rear elevation look directly into the bedroom of number 6 Cross Keys Yard, Magdalen Street, despite the distance between the buildings, as well as block light to the rear courtyard of 7 Cross Keys Yard.	Section 3: Amenity
Epic Centre has a 3am licence and makes a lot of noise, having a house so close to an existing noise creator will cause problems and therefore object to the change of use from commercial.	Section 3: Amenity

Issues raised	Response
A separate boundary dispute concern has also been raised by the Epic Centre.	This is not a material planning consideration but a legal matter.

## Consultation responses

9. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### Environmental protection

10. Have raised concerns with regards to potential noise impacts from the Epic Centre. They suggest conditions to prevent occupation of the dwellings prior to approval of appropriate acoustic glazing and passive/forced acoustic ventilation and other noise mitigation measures to be agreed.

## Assessment of planning considerations

### Relevant development plan policies

11. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
  - JCS5 The economy
  - JCS6 Access and transportation
  - JCS11 Norwich city centre
12. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM4 Providing for renewable and low carbon energy
  - DM5 Planning effectively for flood resilience
  - DM9 Safeguarding Norwich's heritage
  - DM12 Ensuring well-planned housing development
  - DM13 Communal development and multiple occupation
  - DM18 Promoting and supporting centres
  - DM28 Encouraging sustainable travel
  - DM30 Access and highway safety
  - DM31 Car parking and servicing
  - DM32 Encouraging car free and low car housing

## **Other material considerations**

### **13. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF12 Conserving and enhancing the historic environment

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

- Trees, development and landscape SPD adopted XXXX

## **Case Assessment**

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

### **Main issue 1: Principle of development**

16. Key policies and NPPF paragraphs – JCS2: Promoting good design DM13 and DM17 and NPPF Paragraphs of particular relevance 9, 17, 56, 60-66 and 128 - 141.
17. The proposal includes the conversion of an existing building to two residential units. Policy 6 of the NPPF and 4 of the Joint Core Strategy (JCS) promote the delivery of housing in sustainable locations, close to existing services and facilities, this site is located very close to the city centre and close to Anglia Square which is a district centre with lots of shops and services along Magdalen Street.
18. Policy DM13 deals with the conversion of properties into flats. DM13 states that this is appropriate where a high standard of amenity can be achieved for existing and future occupants; proposals would not compromise wider regeneration proposals; would not have a detrimental impact on the character or appearance of the surrounding area; the proposal will result in a diverse mix of uses; and a satisfactory standard of servicing, parking and amenity space is provided. Compliance with this policy is further discussed below.
19. Policy DM17 of the Norwich Local Plan aims to protect small business sites. This policy states that the loss of these types of units will only be permitted where units are no longer viable or feasible; where the retention of the unit would be detrimental to local amenities; or where there would be an overriding community benefit. The existing business will be retained on site in the single storey building to the rear of the

frontage, two-storey unit and on this basis the proposal is considered in accordance with policy DM17.

### **Main issue 2: Design and Heritage**

20. Key policies and NPPF paragraphs – JCS2, DM3, DM9 and NPPF paragraphs 9, 17, 56 and 60-66 and paragraphs 128-141.
21. The building, as existing, has undergone some alterations and is fairly industrial in appearance, this is accentuated by the ‘winch and hatch’ on the side elevation. It is proposed that this is to be retained.
22. The property is located in the Anglia Square Conservation Area. The Conservation Area Appraisal for this area describes this area as being *‘dominated by late C20 commercial developments, industrial units and surface car parking. Typical of the character of this site. The area was subject to comprehensive redevelopment in the 1960s and 70s and is one of very poor townscape quality which visually severs the northern housing areas from the rest of the historic central area’*. The Conservation Appraisal suggests that any future development in this part should seek uplift, however small, in quality in the street scene.
23. The proposal includes new replacement fenestration including grey aluminium windows, a new roof (metal standing seam roof) and infill timber cladding to the front elevation and a small brick first floor extension to the rear elevation. The proposals, subject to condition to discharge the exact materials to be used, are considered acceptable with the metal roof and aluminium window frames making reference to the areas commercial/industrial past. The proposed timber cladding takes its reference from the new flats to the west, providing some continuity in the street scene.
24. The plans have been amended on the advice of officers during the planning application process. This has resulted in the removal of an external staircase, which was considered to have a detrimental impact on street scene and the character and appearance of the Conservation Area, despite this part of the proposal allowing for the re-use of the ‘hatch’ on the southern side of the building. The staircase has subsequently been removed and a small 1.5 metre width extension placed on the first floor rear elevation of the building to accommodate internal stair. This has resulted in two small units at first floor level with awkward layouts and the kitchen of flat 2 is served only by roof lights. However, the flats as proposed meet the nationally prescribed space standards and on this basis the revisions to layout are considered appropriate within the Conservation Area.
25. Further conditions are required for the construction of bin or cycle stores, and appropriate gates and boundary treatments are used to preserve the character of this part of the Conservation Area.

### **Main issue 3: Amenity**

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

27. Policy DM13 requires a high standard of amenity for future occupants and a satisfactory standard of servicing, parking and amenity space. The proposal includes no private amenity space for future occupants, especially as the courtyard will provide the entrance to the A1 unit to the rear and potential bin storage as well.
28. The proposal includes new and relocated first floor windows in the rear elevation of the building to provide light to bedrooms. There are residential properties to the rear of the application site, approximately 25 metres away. This is considered to be adequate separation distance to protect the amenity of existing and future occupants.
29. Letters of representation have been received raising concerns with the applicants extending the footprint of the existing building. The plans have been amended to include a small extension to the first floor of the building. Given the size of this extension and the distance away from neighbouring properties, it will not materially impact upon their amenity and on this basis is considered acceptable.
30. There is a living room window proposed in the ground floor rear elevation. Although the use of the courtyard could impact the future occupants of this unit, it is likely that the A1 unit to the rear will only be in use during the day and the application states that the occupant of the ground floor unit will be the owner of the A1, although this could not be guaranteed through this permission. The site is a constrained site and this relationship and the limited amount of amenity space could impact the amenity of the future occupant, it is not considered that given the size of this unit and its location close to city centre, amenities and a local park would be significantly detrimental to warrant refusal of planning permission at this time.
31. One concern with regards to amenity for future occupants is noise. In accordance with Policy DM11 of the Norwich Local Plan, appropriate noise mitigation measures should be implemented within the building to protect future occupants from noise generated between the units. Also, as the site is surrounded by commercial premises on its eastern sides. Appropriate noise mitigation measures can be secured via condition, as recommended by Environmental Protection to protect the amenities of future occupants from noise.

### **Compliance with other relevant development plan policies**

32. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes, as existing
Refuse Storage/servicing	DM31	Yes subject to condition

Requirement	Relevant policy	Compliance
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition

### **Other matters**

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

#### **Trees**

34. There are a number of trees on the boundary of the site. Any works to trees would require the prior consent of the Local Authority due to the sites location within the Conservation Area. The application submission mentions works to these trees and subject to a condition to control those works then this part of the proposal is considered in accordance with Policy DM7 of the Norwich Local Plan.
35. The site is located close to local bus stops and is within easy walking distance of the City Centre. The application submission states that there is adequate parking provision within the site for the flats and the business to the rear of the site with a total number of 9 spaces available. A low or no residential parking scheme is considered acceptable in this location and part of the car parking area may be required for bin and cycle storage. On this basis, the proposed car parking as shown is considered acceptable.

#### **Highways**

36. The proposals also include the use of the courtyard for bin storage, this may be appropriate. However, a condition is required to demonstrate that there is sufficient storage space for the number of bins required and should include separation between the bin storage for the residential use and the A1 unit. There is however, sufficient space within the wider site to accommodate adequate bin and cycle storage.

#### **Energy**

37. Policy 3 of the Joint Core Strategy requires new development to be water efficient. A condition will be added to ensure the proposals meet with this requirement.

### **Equalities and diversity issues**

38. There are no significant equality or diversity issues.

### **Local finance considerations**

39. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance

considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.

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

## **Conclusion**

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

## **Recommendation**

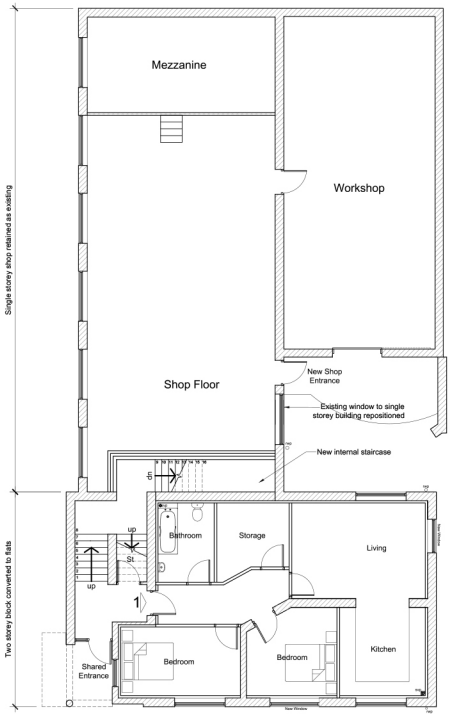
To approve application no. 16/01625/F - 1 Beckham Place, Edward Street, Norwich, NR3 3DZ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Bin and cycle storage
4. Materials including windows and doors
5. Conservation roof lights
6. Preservation of conservation features i.e. winch
7. Water
8. Works to boundary trees
9. Gates and boundary treatment
10. Acoustic measures

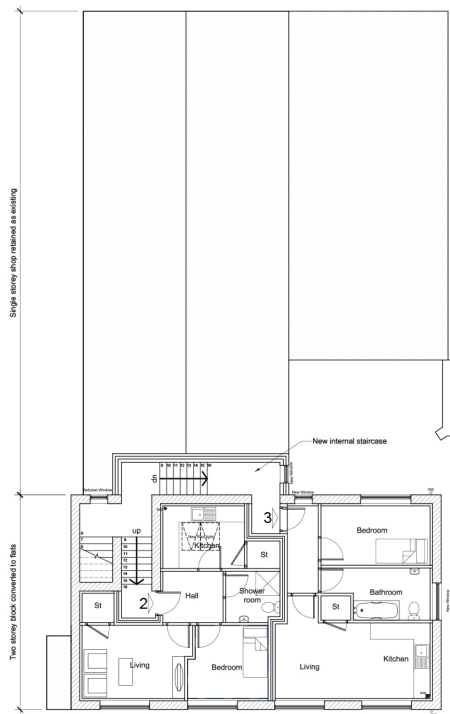
## **Article 35(2) Statement**

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

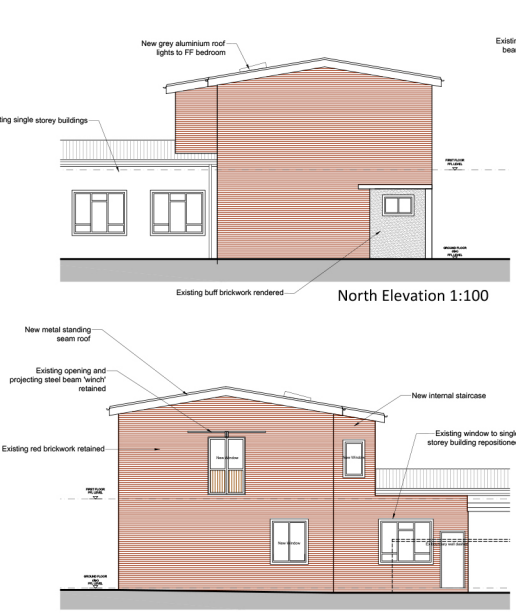




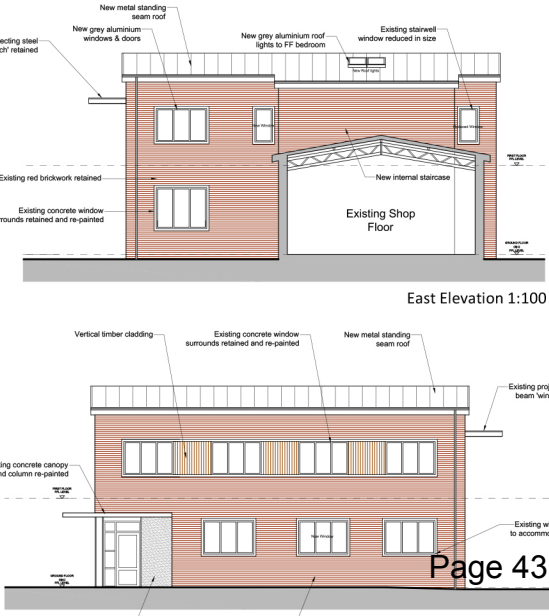
Ground Floor Plan - Flat 1  
1:100



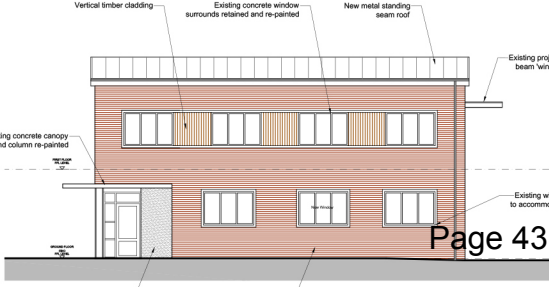
First Floor Plan - Flats 2 & 3  
1:100



North Elevation 1:100



East Elevation 1:100



West Elevation 1:100



Location Plan 1:1250

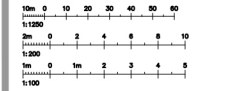


Site Block Plan 1:200

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B	11.1.17	Flat 2 layout amended following planner comment	RB
A	12.12.16	Drawings amended following planner comment	RB
rev:	date:	description:	by:

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ISO 9001  
REGISTERED

Planning

client:  
**Anglia Bowls**

location:  
**1 Beckham Place, Edward St, Norwich, NR3 3DZ**

title:  
**Proposed Drawings**

scale @ A3:  
As Shown

date:  
Oct 2016

project no:  
**7595**

drawn by:  
RB

approved:  
RB

dwg no:  
**11**

revision:  
**B**



**Report to** Planning applications committee

**Item**

9 February 2017

**Report of** Head of planning services

**Subject** Application no 16/01268/F - Merchants Court, St Georges Street, Norwich

**Reason for referral** Objection

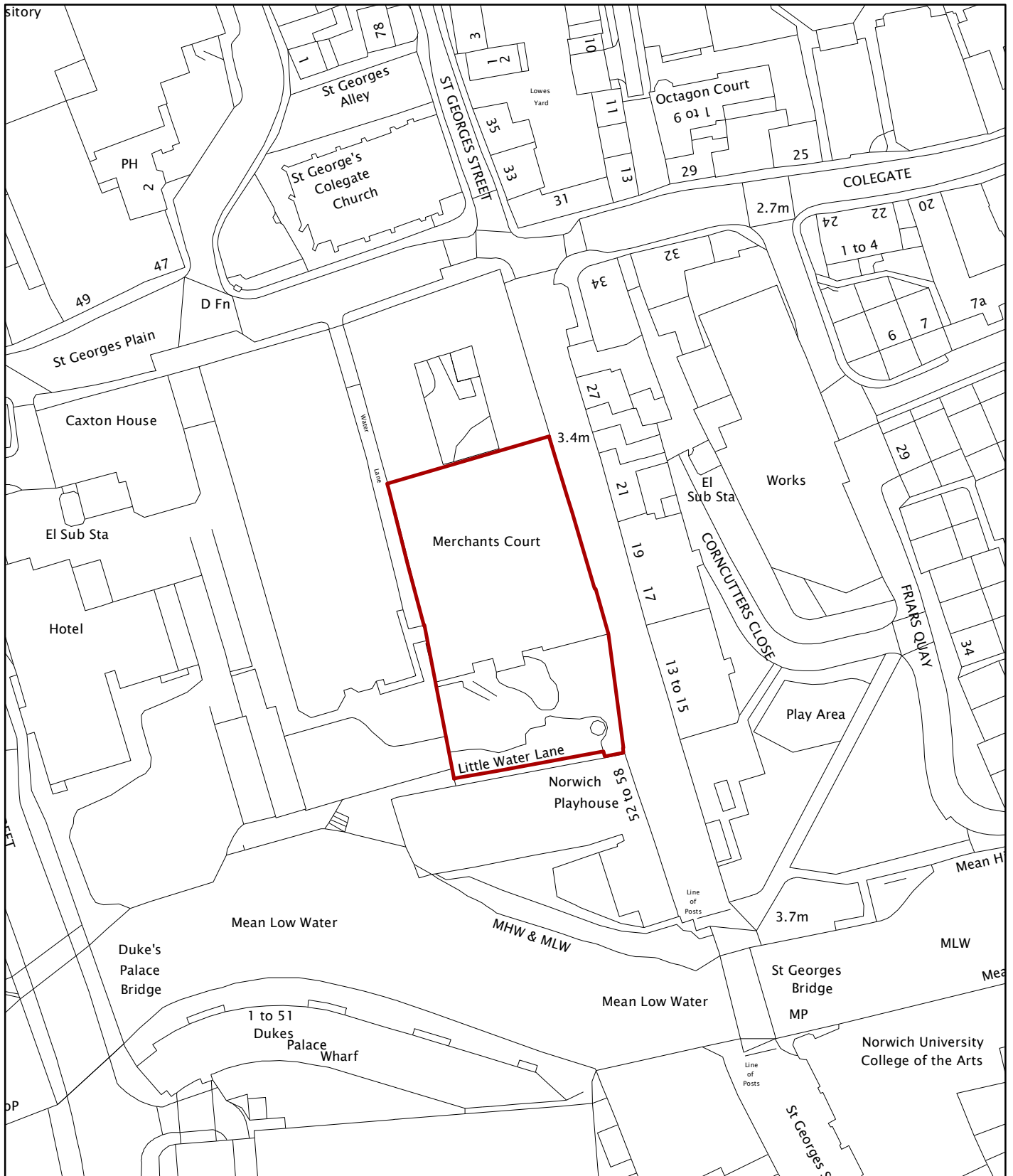
4(c)

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<b>Ward:</b>	Mancroft
<b>Case officer</b>	Tracy Armitage - <a href="mailto:tracyarmitage@norwich.gov.uk">tracyarmitage@norwich.gov.uk</a>

Development proposal		
3 No. penthouse apartments, bin stores, car parking, cycle provision and external canopy.		
Representations		
Object	Comment	Support
4	-	-

Main issues	Key considerations
1 Principle of development	Residential development in the city centre
2 Design	Alterations to the building
3 Amenity	Amenity of future and surrounding residents
4 Access, parking	Impact of trees and public realm
<b>Expiry date</b>	15 November 2016
<b>Recommendation</b>	Approve



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Planning Application No 16/01268/F

Site Address Merchants Court  
St Georges Street

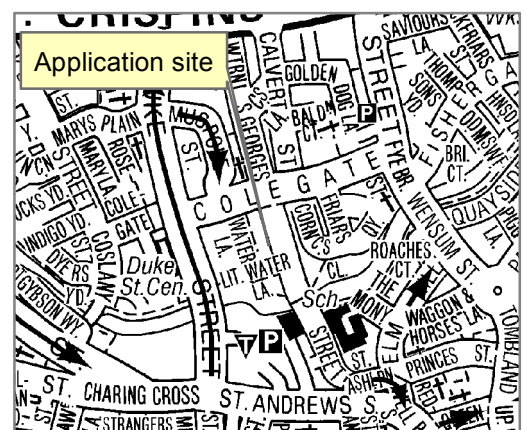
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

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## The site and surroundings

1. The site is located on St Georges Street to the north of the river Wensum in the city centre. Merchants Court forms a three storey office building which is a locally listed building, and is in the city centre conservation area. The site is currently in use as an office, although not all of the building is occupied.
2. There are a variety of other uses surrounding the site. The Playhouse bar and theatre are to the south of the site. The Jane Austen Free School is directly adjacent to the west of Water Lane dividing the two sites. To the east of the site is a row of two storey buildings forming commercial uses at ground floor with storage and ancillary uses at first floor.
3. Directly to the north of the application site are other residential units known as Amelia House. Also within this building there is a restaurant and bar at ground floor and some other smaller commercial uses within the building.
4. The surrounding area contains a mix of buildings, including a number of older buildings including listed buildings forming 25 to 29 St Georges Street which are closest to the application site. The Playhouse bar and theatre is a locally listed building. The streets also retain the medieval street patterns through the area.
5. The site contains some trees and shrubs within the parking area to the south of the building. The site is also within flood zone 2, in the area of main archaeological interest.

## Constraints

- City centre conservation area
- Locally listed building
- Area of main archaeological interest
- Trees

## Relevant planning history

Ref	Proposal	Decision	Date
4/1994/0954	Conversion of ground floor shops (Class A1) and courtyard into offices (Class B1), change of use of two shop units to restaurant (Class A3) and external alterations.	APCON	04/10/1996
4/1995/0540	Formation of car park entrance	INSFEE	27/07/1995
4/1999/0190	Condition 4: details of plant and machinery for previous planning permission 4940954/F.	APPR	16/03/1999

Ref	Proposal	Decision	Date
11/00477/F	Installation of air conditioning condenser units at front of building and change of use of ground floor from office (Class A2) to consulting rooms (Class D1).	APPR	16/06/2011
13/01034/F	Reconfiguration of existing roof structure to erect 3 No. penthouse apartments. Reconfiguration of the external car park area to create refuse stores, car parking and cycle provision. Erection of new external canopy to residential entrance and addition of rooflights.	APPR	23/08/2013
13/01037/PDD	Change of use of first and second floors from commercial to residential to provide 17 No. apartments.	AEGPD	09/08/2013
15/01540/F	New vehicle access route to Merchants Court Car Park from St Georges Street.	APPR	08/09/2016
16/01285/PDD	Change of use of first and second floors from commercial (Class B1(a)) to residential (Class C3) to provide 17 No. apartments.	AEGPD	25/10/2016

## The proposal

6. The application is for the extension of the building to create a third floor. The works include the reconfiguration and alteration of the existing roof, which currently comprises multiple pitched roofs, arranged around a central atrium. The change to the external appearance of the building is that the overall height of the roof is raised by approximately 0.8m, rooflights are inserted and three external terrace areas created. The section of the building containing the existing lift would also increase in height by 2.3m to accommodate the lift accessing the third floor. Within this new floor 2 no. three bedroom flats and 1no. two bedroom flat would be created. The proposal is identical to the scheme for which planning permission was approved in 2013 (planning ref the 13/01034/F).
7. In addition the proposal includes the reconfiguration of the existing car park area to provide: 7 car parking spaces, cycle and bin storage and revised landscaping. Since planning permission was previously approved in 2013, the establishment of a primary school on the adjacent site has closed vehicular access to this parking area. Planning permission was approved by virtue of application ref: 15/01540/F for a new access to the car park from St Georges Street. This approved access has yet to be provided and identical arrangements are indicated as part of the proposed scheme.

8. The ground floor of the building is proposed to be retained as offices. The first and second floor have approval to be converted to 17 residential flats. These are not subject to this planning application as permitted development rights regulations enable these to convert to residential without needing to apply for Full planning permission. Prior Approval is required, and has been approved under application 16/01285/PDD (and previously 13/01037/PDD).

## Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Four letters of representation have been received (as a result of two consultations) 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
<p><b>Provision of access:</b></p> <p>Increase in traffic of St Georges Street to detriment of pedestrians and cyclists and contrary to initiatives of the council for this street</p> <p>Loss of trees, shrubs, seating and planters</p> <p>Traffic - result in noise and pollution to the detriment the amenity of residents</p>	<p>The access has planning permission by virtue of 15/01540/F approved 08/09/16.</p> <p>This application includes the approved access layout and details.</p> <p>Matters in relation to traffic along St Georges Street, loss of trees were considered previously.</p> <p>This application provides the opportunity for landscape improvements which were not secured previously see</p>
Arboricultural Impact Assessment (AIA) not up to date	A revised AIA has been submitted
Over development of the site	This is a city centre site and a highly sustainable location. The additional three dwellings is not considered to result in overdevelopment
Access to Water Lane should be retained	This is retained.
Transport Statement (TS) out of date	The TS previously submitted in support of the 2013 application was resubmitted with this application. An update was not considered necessary given the scale of the development and level of likely traffic generation.

## Consultation responses

10. Consultation responses are summarised below:

- Environment Agency – no objections in principle; advise use of flood risk standing advice.
- Local Highway Authority – no objection subject to conditions regarding bike storage; considerate construction.
- Environmental Health – no objections in principle - subject to conditions regarding plant noise mitigation.
- Tree Protection Officer - concurs with updated AIA and method statement. Stresses the importance of complying with it.

## Assessment of planning considerations

### Relevant development plan policies

11. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**

- JCS1 Addressing climate change and protecting environmental assets
- JCS2 Promoting good design
- JCS3 Energy and water
- JCS4 Housing delivery
- 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
- JCS11 Norwich city centre

12. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing



## **Other material considerations**

### **13. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

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

- Trees, development and landscape SPD

## **Case Assessment**

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

### **Main issue 1: Principle of development**

16. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
17. The proposed residential development in this location would be on previously developed land in an accessible and central location. The proposal would maximise the use of the existing building and comply with the criteria for new residential development set out in DM12

### **Main issue 2: Design**

18. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
19. The proposed alterations to the roof would largely retain the existing roof slope/roof form and the 0.8m increase in height will have minimal visual impact. The height of the existing lift shaft roof would increase and this would be visible from St Georges Street. However, this feature would remain lower than the main building fronting onto St Georges Street and as such the overall scale and form of this component would be acceptable. A condition is recommended for external materials to be agreed to ensure a good quality to the appearance of the new development.
20. In addition although the proposed new roof lights are numerous, they are well spaced and set back in a position where they will not be highly visible to the

surrounding area. The use of a suitable conservation style roof light will ensure a satisfactory visual overall appearance.

21. The terraced areas do not project but are inset into the new roof slope. This minimises the visibility of these features and the risk of any overlooking towards adjacent properties.
22. Additional roof lights are proposed to the north west of the building for the flats at second floor. These require full planning permission as they form external alterations to the building. These roof lights would be to flats permitted under the prior approval application as referred to above. The provision of roof lights would lead to the potential for overlooking from neighbouring uses, although the majority of windows would be at a lower level. However, given the distance of the majority of these to the neighbouring commercial windows and the fact the roof lights would be at high level there is considered to be an acceptable level of amenity for future residents of the flats.

### **Main issue 3: Amenity**

23. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
24. There are residential units on the south side of the river at some distance on Duke Street, but also in more close proximity there are residential units to the north of the site in Amelia House. These however are at a lower level than the proposed development at third floor and on the same building line as the proposed roof lights and terraces. There may be limited views when standing on the edge of the terrace area to neighbouring dwellings, but the existing roof slope leads to the terraces being recessed to a certain degree that would prevent most overlooking.
25. The additional height would not reduce outlook, daylight or direct sunlight for any adjacent neighbouring dwellings due to the absence within close vicinity of residential units, and the absence of south facing windows at roof level on Amelia House to the north. In addition There would also be significant separation of windows and terraces from neighbouring windows to reduce the potential for noise disturbance from the new residential use
26. Noise from adjacent uses and its impact on the amenity level of future occupiers is also a consideration. Proposed windows serving the dwellings are at sufficient height or facing away from the potentially noisy uses of the Playhouse theatre to the south, wine bar and restaurant to the north and the free school to the west, so as to not have any significant noise disturbance to future residents of these three flats
27. The outlook from the proposed flats would be provided through rooflights and the terrace areas. Whilst this is not ideal, in a city centre location of high density of development, this is considered to be a suitable solution. Mechanical ventilation may be needed for some bedrooms close to the proposed plant area, to ensure ventilation without noise disturbance at night time. Conditions are recommended for further noise surveys to be carried out to ensure adequate acoustic screening around the plant and mechanical ventilation where required to allow ventilation whilst windows are shut at noise sensitive hours such as night time.
28. The residents of the three penthouse flats would have access to private external amenity space provided by the terraces.

## **Main issue 4: Heritage**

29. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-141.
30. The building is locally listed and was previously in use as a shoe factory. The original factory building which does not form part of this application was constructed around the mid-19<sup>th</sup> century. The building was later extended south to form the application site. This was constructed between 1914 and 1928 according to historic maps. The southern elevation was subsequently altered in the 1970s.
31. The site is within the City Centre Conservation Area and within the accompanying appraisal it is identified within the Colegate Character Area. The character area is partly defined by large 19<sup>th</sup> century leatherworking factories
32. The industrial heritage of the area leads to taller buildings being in keeping with the scale and form of development. The conversion of the roof to additional living space would lead to a noticeable increase in height of the building, but not to a degree that would be out of character to the surrounding area. The overall scale and form of development is therefore considered to be acceptable.
33. The proposals entail the loss of a glazed roof lantern to create the internal atrium, and to ensure a good quality design finish a condition is recommended for the fenestration and elevation treatment of these internal elevations and terraces. Details are also recommended to be conditioned for the location and type of any rainwater drainage goods and any ventilation mechanisms for new bathrooms and kitchens.
34. The reconfigured car park provides the opportunity for the improvement of this existing unkempt area of the site. The new planting areas provide the opportunity for increased shrub and tree planting, enhancing the landscape setting of the building and appearance of the site within wider conservation. A condition is recommended for landscaping and the detailed appearance of the cycle and bin stores to be agreed to ensure a good quality to the appearance of the new development.

## **Main issue 5: Access, parking and servicing area**

35. Key policies and NPPF paragraphs – JCS6, DM3, DM7, DM28, DM30, DM31,
36. An existing car park providing approximately 7 spaces it located to the south of the Merchants Court building. The forecourt space is landscaped, includes an electricity substation and provides an informal pedestrian route between St Georges Road and Water Lane. The proposed scheme retains: the existing parking spaces (to serve the parking needs of the whole building; the substation and indicates vehicular and pedestrian access from St Georges Street in the precise form approved under application 15/01540/F.
37. The northern section of the existing forecourt is reconfigured to provide a new ramped access, secure cycle parking and bin storage. Pedestrian access across the site is maintained. The proposed arrangements retain existing planting areas along the Play House boundary and raised beds in the NE corner of the site. New planting areas are created either side of the new ramp and at the eastern end of the parking row. These provide scope for additional soft planting and small tree planting, improving the public realm quality of the area.

38. The application has been supported by an Arboricultural Impact Assessment (AIA) which covers both the access and car park arrangements. The new access requires the removal of a category B tree (Honey locust) and an area of shrubbery located in a section of raised planter (which includes a young Rowan). Additionally the formation of the access route encroaches under the canopy of a mature London Plane, a prominent/significant tree within the Conservation Area. Planning permission for this access was granted in 2016 following protracted negotiations over the detailed design of the external works and confirmation that a no-dig construction approach was feasible. It is recommended that similar planning conditions attached to 15/01540/F are re-imposed to ensure that the access is implemented in strict accordance with the previously agreed details and method statements. This application provides the opportunity to secure the creation of additional and renewal of soft planting areas within the parking area. The AIA proposes 7 new trees of compact/fastigate habit. The precise species and specification of these would be subject to a landscaping condition - but species such as crab apple and witch hazel have been suggested by the applicant.
39. Subject to the imposition of necessary planning conditions the parking and landscaping proposals are considered acceptable.

### **Compliance with other relevant development plan policies**

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

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

### **Other matters**

41. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: List relevant matters.
42. **Flood risk** - The site is located within flood zone 2. As all residential development is located on the third floor the risk of flooding only relates to the access and egress from the building. For this reason a sequential assessment to consider other sites is not considered to be reasonable or necessary, subject to the suggested conditions below. Further to this the new buildings of a cycle store and refuse store would only be a very small additional amount of built form within this flood zone. The proposal is therefore not considered to increase flood risk elsewhere. A number of mitigation measures are outlined in the flood risk assessment accompanying the application, including the need for an evacuation plan. A condition is recommended to cover mitigation measures.

43. **Protected species**-The likelihood of bats using the existing roof structure has been considered. No evidence of bats has been found within the building. As a precautionary measure a condition is recommended in line with the mitigation measures recommended in the submitted ecology report, to ensure removal of ridge tiles by hand in case any bats are encountered. An informative note is recommended to remind developers of the requirement to obtain a licence from Natural England if any protected species are encountered.
44. **Archaeology**-The site is within the area of main archaeological interest in the city centre. The only new buildings are the cycle store and refuse store. These are on areas of existing hardstanding and so it is likely that any artefacts would have already been disturbed and removed from the site. However, as the site is within the main area of interest a condition is recommended for works to stop if any artefacts are found.

### **Equalities and diversity issues**

45. There are no significant equality or diversity issues.

### **Local finance considerations**

46. 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.
47. 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.
48. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

49. The proposed three flats at roof level would lead to an appropriate form and design of development that would be acceptable to the overall appearance of the existing building and streetscene. The distance of the nearest residential units would ensure there is no significant loss of amenity from overlooking, outlook, loss of daylight or direct sunlight. The proposed development would have external private amenity space along with adequate cycle storage and refuse storage and some car parking. The access and parking arrangements are considered satisfactory subject to appropriate tree protection measures and landscaping enhancement.
50. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

### **Recommendation**

To approve application no. 16/01268/F - Merchants Court St Georges Street Norwich and grant planning permission subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Approval of external materials of bricks, tiles, windows and doors
4. Details of internal elevations of the new atrium area and terraces
5. Details of rainwater goods types and locations, ventilation mechanisms and locations for bathrooms and kitchens, conservation rooflights and entrance canopy
6. Arboricultural Implications Assessment/AMS
7. Landscaping – including permeable paving
8. Removal of vegetation outside of bird nesting season
9. Approval and provision of secure cycle storage
10. Details of location, size and appearance of refuse store
11. Archaeology – works to stop if artefacts uncovered
12. Water conservation for new dwellings
13. Flood warning and evacuation plan
14. Additional noise survey to assess appropriate noise attenuation around plant and mechanical ventilation to flats where required
15. Provision for public access across the site from St Georges Street to Water Lane
16. Relocation of lamp post

### **Article 35(2) Statement**

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

Notes:

NOTE:

- 1) ALL DIMENSIONS ARE IN METRES AND LEVELS IN METRES UNLESS OTHERWISE STATED.
- 2) TOPOGRAPHICAL SURVEY INFORMATION FROM GREENHATCH DRAWING No. 21630\_OGL\_REV1 RECEIVED ON THE 31/03/2015.
- 3) TO BE READ IN CONJUNCTION WITH 9174-C-1001, C1002, C1004, C1005 AND C1006.

LEGEND

- PERMEABLE REGULAR PAVING CONCRETE BLOCK PAVING (PENNANT GREY COLOUR TO MATCH EXISTING COLOUR ON DISABLED BAY)
- BUFF CONCRETE FLAG PAVING TO MATCH EXISTING
- MARSHALLS REGULAR COBBLES SETT PAVING TO MATCH EXISTING ON DISABLED PARKING BAY
- CHARCOAL CONCRETE TEXTURED EDGING TO MATCH EXISTING ON PARKING BAYS
- 100mm YELLOW LINING FOR DISABLED BAY AND HATCH
- EXISTING HIGHWAY BOUNDARY
- PROPOSED PLANTER BROW WALL TO MATCH EXISTING
- REMOVAL BOLLARDS
- FIXED BOLLARDS
- RELOCATED STREET LIGHTING COLUMN



B 12.01.17 Re-issue E/JW  
A 10.01.17 Amendments to car bays and planting E/JW

Rev: Date: Details: By: Chk:

**EngineRoom**

EngineRoom  
Unit E, Bristol Court  
Marlesham Heath  
Bettis Avenue  
Ipswich IP5 3RY

Client / Location: Willmott Dixon  
Car Park Access Saint Georges Street  
Norwich

Drawing: **Proposed General  
Arrangement**

Scale: 1:100 @ A1 Date: 25.11.16 Drawn: E/JW Check:

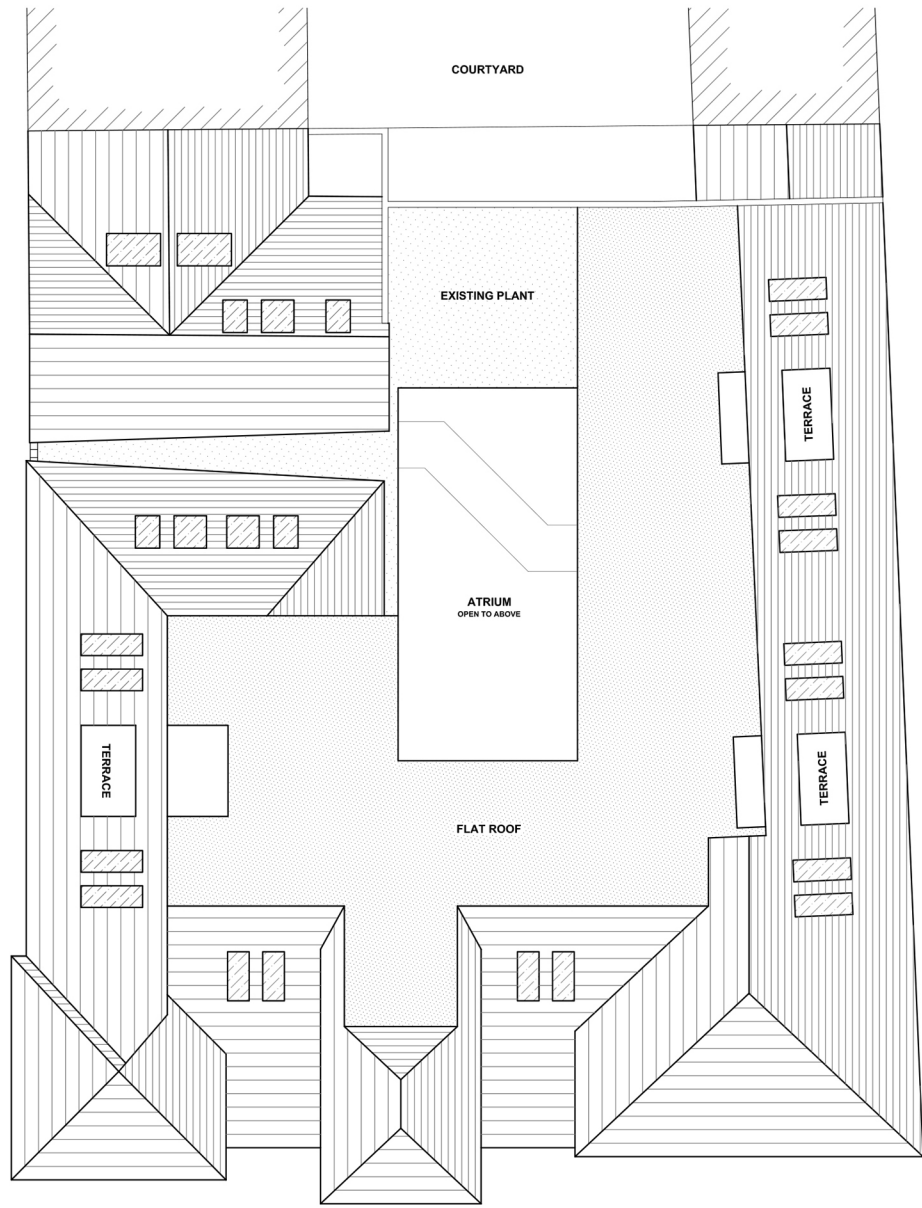
Job No: 1601024 Dwg No: 300 Rev: B

© EngineRoom(technical) Ltd. This title block is 100mm wide at full scale.  
Do not scale. Work to figured dimensions only which should be verified on site.



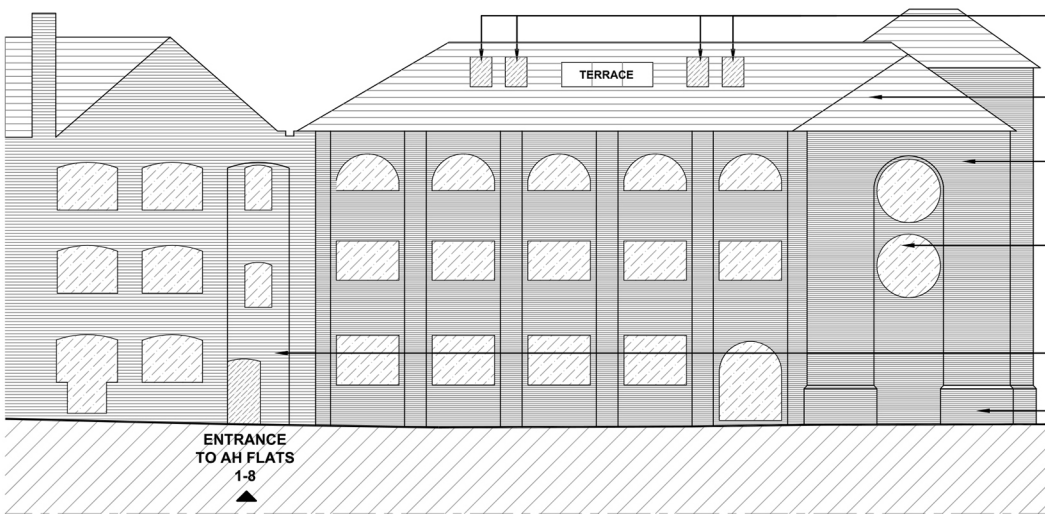
Notes:  
ER 2026 / 115  
1:100 @ A1  
1:200 @ A3  
Do not scale to ascertain dimensions.  
Figured dimensions and levels should be verified by the Contractor on site before construction.  
Copyright for all designs and drawings in whole or in part shall remain with the designers in accordance with The Copyright Act.

These floors are unaffected by this application.  
Any works indicated are covered under a separate full plans application.



Rev:	Date:	Details:	By:	Chk:
<b>EngineRoom</b>				
EngineRoom Unit E, Bristol Court Martlesham Heath Betts Avenue Ipswich IP5 3RY				
<b>PLANNING</b>				
Client / Location: Residential Development Merchant's Court Norwich, NR3 1AG				
Drawing: Proposed Third Floor and Roof Plan				
Scale: 1:100 @ A1	Date: 01/13	Drawn: EJP	Check: PB	
Job No: ER 2026	Dwg No: 115	Rev:		
© EngineRoom. This title block is 100mm wide. Do not scale.				



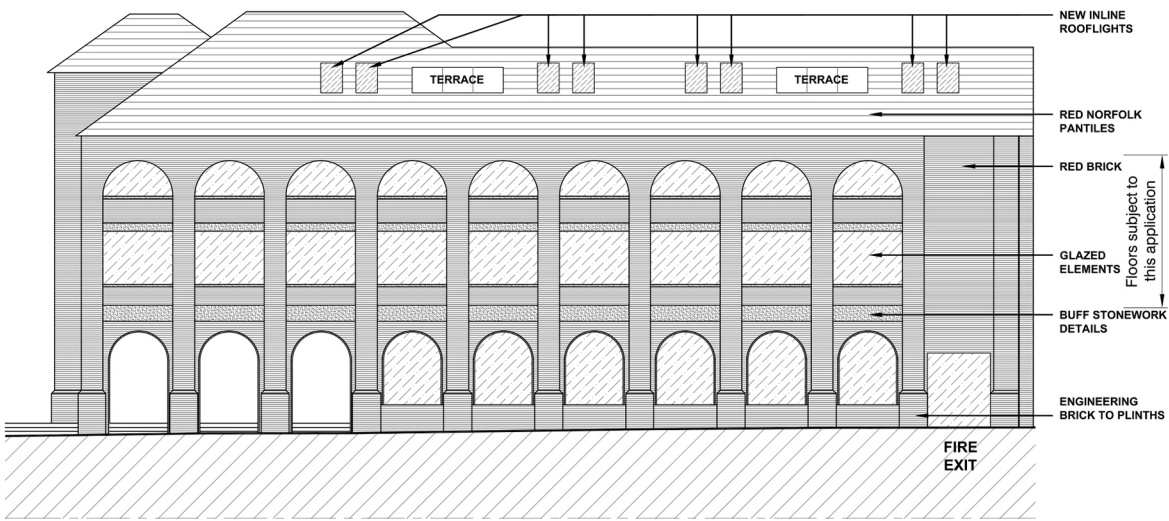


WEST ELEVATION



SOUTH ELEVATION

Floors subject to this application are indicated.  
Any works indicated to other floors are covered under a separate full plans application.



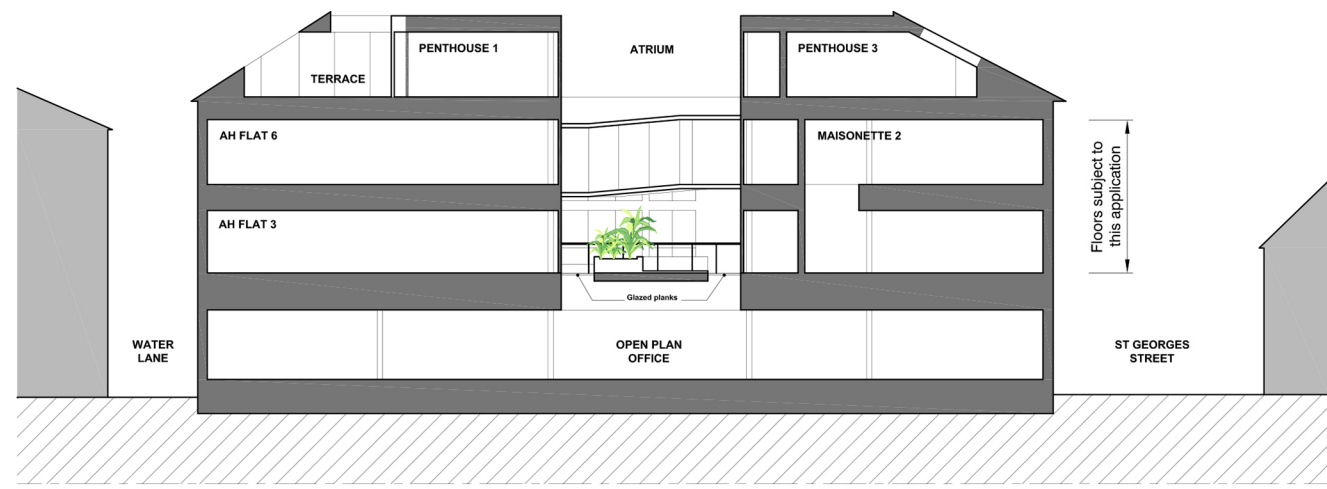
EAST ELEVATION



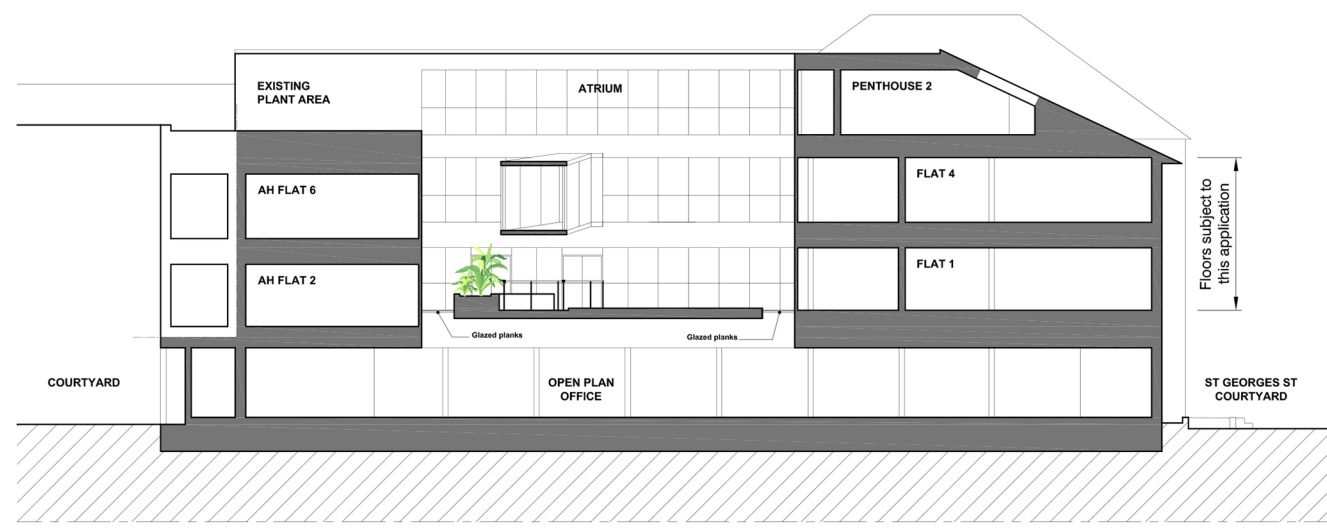
Rev:	Date:	Details:	By:	Chk:
<b>EngineRoom</b>				
EngineRoom Unit E, Bristol Court Martlesham Heath Betts Avenue Ipswich IP5 3RY				
<b>PLANNING</b>				
Client / Location: Residential Development Merchant's Court Norwich, NR3 1AG				
Drawing: Proposed Elevations				
Scale: 1:100 @ A1	Date: 01/13	Drawn: EJP	Check: PB	Rev:
Job No: ER 2026	Dwg No: 117	Rev:		
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Notes:  
ER 2026 / 116  
1:100 @ A1  
1:200 @ A3  
Do not scale to ascertain dimensions.  
Figured dimensions and levels should be verified by the Contractor on site before construction.  
Copyright for all designs and drawings in whole or in part shall remain with the designers in accordance with The Copyright Act.

Floors subject to this application are indicated.  
Any works indicated to other floors are covered under a separate full plans application.



SECTION A



SECTION B

Rev:	Date:	Details:	By:	Chk:
<b>EngineRoom</b>				
EngineRoom Unit E, Bristol Court Martlesham Heath Betts Avenue Ipswich IP5 3RY				
<b>PLANNING</b>				
Client / Location: Residential Development Merchant's Court Norwich, NR3 1AG				
Drawing: Proposed GA Sections				
Scale: 1:100 @ A1	Date: 01/13	Drawn: EJP	Check: PB	
Job No: ER 2026	Dwg No: 116	Rev:		
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**Report to** Planning applications committee

**Item**

9 February 2017

**Report of** Head of planning services

**Subject** Application no 16/01780/F - 23 Bek Close, Norwich, NR4 7NT

**Reason for referral** Objections

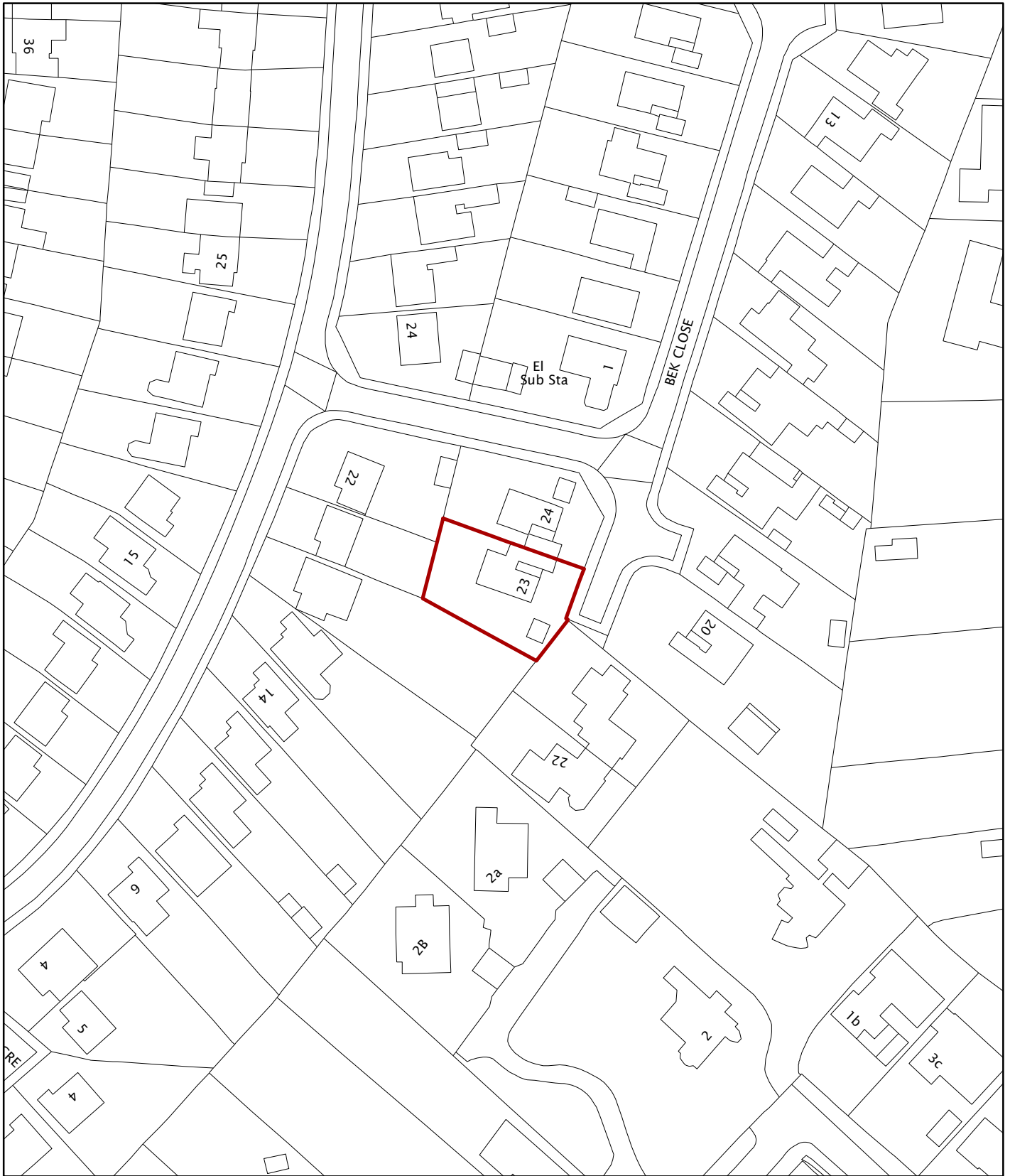
4(d)

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<b>Ward:</b>	Eaton
<b>Case officer</b>	Katherine Brumpton - <a href="mailto:katherinebrumpton@norwich.gov.uk">katherinebrumpton@norwich.gov.uk</a>

Development proposal		
Single storey side extension.		
Representations		
Object	Comment	Support
7	0	0

Main issues	Key considerations
1 Design	Impact on existing dwelling and surrounding area.
2 Trees	Impact upon neighbour's trees
3 Transport	Impact upon highway safety
4 Amenity	Impact upon neighbour's residential amenity.
<b>Expiry date</b>	13 February 2017
<b>Recommendation</b>	Approve



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Planning Application No 16/01780/F

Site Address 23 Bek Close

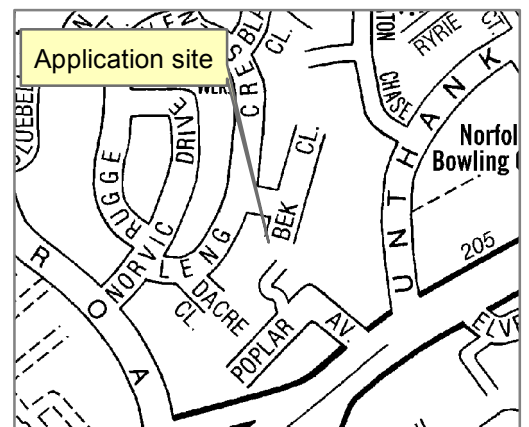
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

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## The site and surroundings

1. Site is located on the west side of Bek Close and faces the end of the cul-de-sac. Dwelling is single storey and located on land which slopes down to the south and west. Land also slopes up to the east. However the immediate neighbour to the north is located at the same level.
2. A rear and side garden are present, within which a large summerhouse sits to the eastern side (front) of the side garden. A paved area is located to the front which serves as parking.

## Constraints

3. TPO Protected trees within neighbouring dwelling number 21 Bek Close.

## Relevant planning history

- 4.

Ref	Proposal	Decision	Date
10/01225/F	Single storey extension to south elevation, incorporating two new bedrooms and living room. Single storey flat roof extension to north incorporating new bathroom.	APPR	26/08/2010

## The proposal

5. To erect a single storey side extension to the south containing two bedrooms, and an additional kitchen and bathroom. Due to the land sloping the extension would require an internal staircase to reach it. However this allows for the extension to sit lower than the existing dwelling, and be served with a continuous roof slope extending from the existing roof.
6. The extension would result in a 5 bedroom dwelling, served with two kitchens, one living room and two bathrooms.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Max. dimensions	8.5m by 5.5m
<b>Appearance</b>	
Materials	All to match existing dwelling

Proposal	Key facts
<b>Transport matters</b>	
Vehicular access	No change – paved parking area to the front measures 10.2m by 3.2m (with a curved end).
No of car parking spaces	The space is technically large enough for one car, however to be large enough for two it would have to be 10m with no curved edge. It is not unreasonable to suggest that 2 smaller cars may be able to park in the paved area.
No of cycle parking spaces	No details submitted. Would be requested via a condition. The garden is relatively large and would easily accommodate storage, or the summer house could be utilised.

## Representations

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

Issues raised	Response
Proposed extension will overlook properties. Both along Leng Crescent, from its elevated position, and to the east towards other dwellings on Bek Close.	See main issue 4
Dwelling originally built as a 2 bedroom, with the garage since being converted in a third bedroom. Proposal would create a 5 bedroom dwelling and provide potential for dwelling to be used as a House of Multiple Occupancy (HMO) or/and rented out on AIRBNB. 18 Leng Crescent is already a dwelling used by students. Thought that there was a limit to the number of student lets in any one area. Road is typically occupied by elderly residents.	See main issues 1 and 4
Increase in size of property will lead to an increase in noise from the dwelling, especially if it is used by students. Could result in 6 individuals living at the dwelling (if a living room is used as a bedroom). Or rooms could be rented to couples and the dwelling occupied by 12 people.	See main issue 4

Issues raised	Response
Proposal represents overdevelopment of the plot and could set a precedent. Would result in a feeling of being hemmed in for some neighbours and create amenity issues.	See main issue 4
Provision for only 1 car parking space and restricted road access. Extra cars will create safety issues, block pavements/driveways and create problems for emergency vehicles and bin collections etc. Site is close to a turning circle. Dwellings along the road have a covenant which prevents parking in the road outside of their houses.	See main issue 3
Proposal could have a negative impact upon trees, including any boundary treatment to the east.	See main issue 2
Previous application for one dwelling at 20 Bek Close was refused on road safety grounds.	Application reference 4900800/0 was partially refused on highway safety concerns. However following an appeal this reason was not supported by the inspector, although the appeal was dismissed.
Proposal could devalue the neighbouring properties.	This is not a material planning matter.

## Consultation responses

8. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### Tree protection officer

9. The submitted Arboricultural Implications Assessment and Preliminary Method Statement is acceptable. If the measures as set out within the report are fully implemented no objections to the proposal from an arboricultural perspective.

## Assessment of planning considerations

### Relevant development plan policies

10. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS6 Access and transportation



- JCS12 The remainder of the Norwich urban area including the fringe parishes

**11. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM7 Trees and development
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

**Other material considerations**

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

- NPPF0 Achieving sustainable development
- NPPF7 Requiring good design
- NPPF11 Conserving and enhancing the natural environment

**Case Assessment**

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

**Main issue 1: Design**

14. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
15. The proposed extension is considered to respond to the character of the existing house and remain subordinate, mainly due to the level it would be set at and its siting back from the principal elevation. Due to the property being partially screened from the road the extension would not be readily visible from the street scene. As such its impact here would be minimal.
16. The footprint is relatively significant, however given the size of the plot this is not considered to represent overdevelopment. Furthermore there are several single storey dwellings within the close that have already been extended on 3 elevations. The proposal would result in the dwelling being extended on 2 elevations.

**Main issue 2: Trees**

17. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
18. There are several trees, and two hedges comprising of cypress within the immediate area of the extension. The majority is off site. Whilst some of the trees



on neighbouring properties are covered by Tree Protection Orders (TPOs) none are that have been identified as potentially impacted by the development.

19. The submitted report concludes that the extension could be built as to not significantly impact any of the vegetation if suitable measures are taken. These measures include the reduction of overhanging branches to T3 (a cherry tree), erection of tree protection barriers and ground protection and methods employed such as hand-dig. With these measures conditioned the impact upon the trees and cypress hedges is considered acceptable.

### **Main issue 3: Transport**

20. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
21. The proposal equates to an application for a two bedroom extension. Although it is noted that representations have been made citing concern regarding parking issues the Local Plan supports parking provision for housing in this area from 1 space up to 2 spaces, in order to promote sustainable transport. Although a representation has claimed that a covenant exists preventing parking on pavements, no evidence of this has been presented and at the time of the site visits some cars were seen parked on the pavements. In addition covenants exist separate to planning permissions.
22. The current level of parking is therefore considered acceptable for the level of development proposed.
23. No details of cycle storage have been provided. Given the level of parking available and comments received from neighbours it is considered important that sufficient cycle storage is provided. These details shall be requested via a condition.

### **Main issue 4: Amenity**

24. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
25. As above the application is for a two bedroom side extension. Whilst it is noted that the dwelling appears to be currently used as House of Multiple Occupancy (HMO), it is worth noting that the property can be a HMO under permitted development up to 6 individuals. Beyond this planning permission is required. This application does not seek permission for a HMO for more than 6 individuals and as such is not considered within the report. A note can be added on any decision notice to clarify that a change of use is not being granted.
26. As a single storey extension the level of overlooking is somewhat limited. Furthermore the level of vegetation combined with boarded fences to south and west elevations would prevent any direct views. To the east the summerhouse provides a solid barrier, with the vegetation beyond providing more screening. Due to the difference in land levels the proposed windows to the front elevation would largely look at the applicant's own front garden rising in front of them. With the neighbouring dwelling here sat some 15m away, and with their driveway in between, the proposal is not anticipated to result in any significant overlooking even if the summerhouse was to be removed at a later date.

27. As a result of the above assessment, the proposal would not cause material harm to residential amenity and therefore the proposal complies with policy DM2 of the Development Management Policies document.

### **Other matters**

28. There are no other matters that have not already been discussed.

### **Equalities and diversity issues**

29. There are no significant equality or diversity issues.

### **Local finance considerations**

30. 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.
31. 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.
32. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

33. The application would result in an additional two bedrooms for an existing residential property. The design is considered acceptable and conditions are recommended to ensure satisfactory bin storage and cycle parking is provided. The proposal would not cause harm to trees, the character of the area or the amenity of neighbouring occupiers.
34. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

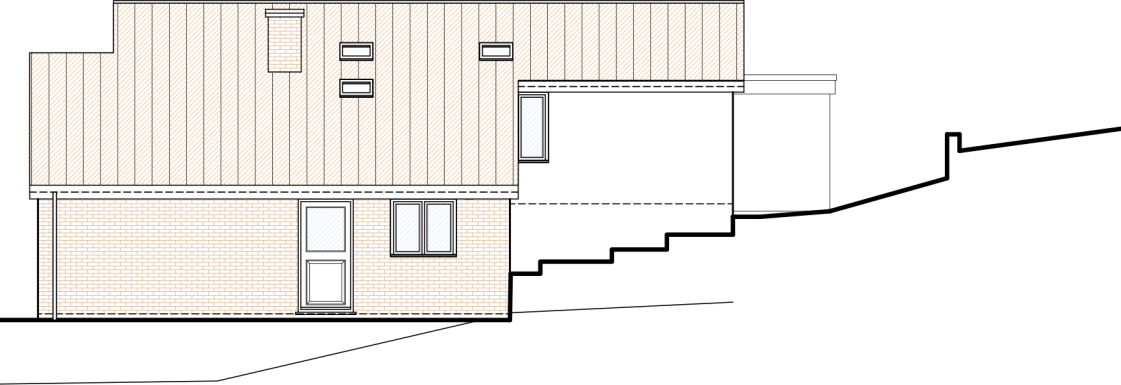
To approve application no. 16/01780/F - 23 Bek Close, Norwich, NR4 7NT and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Works on site in accordance with AIA and AMS
4. Submission cycle storage and bin storage details

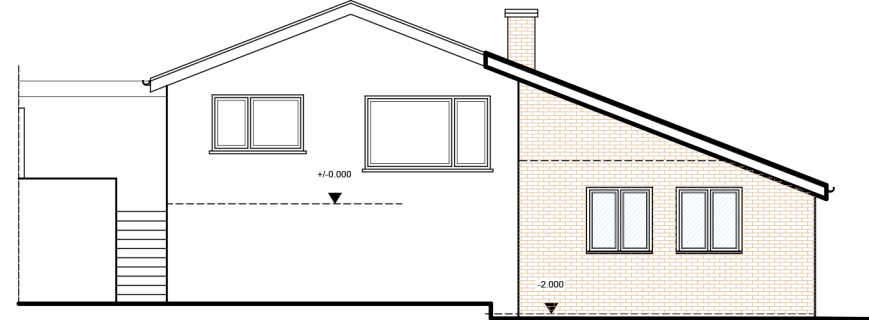
### **Article 35(2) Statement**

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national

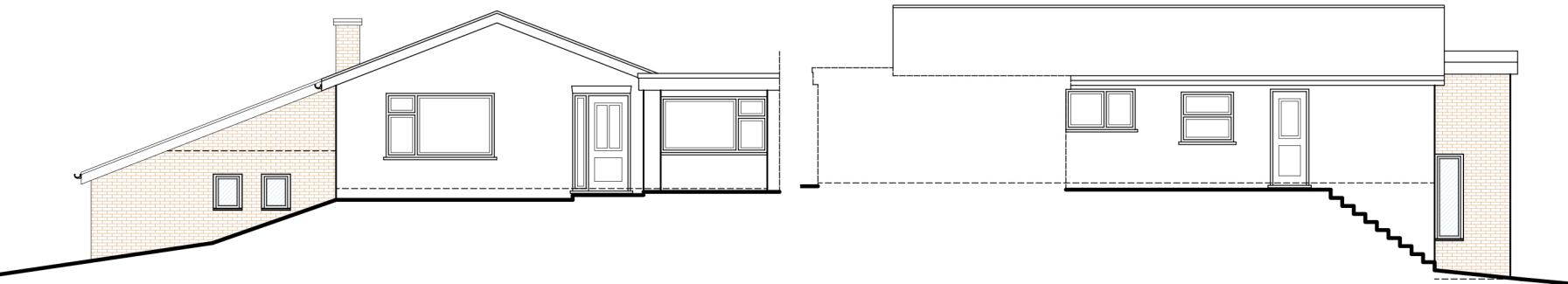
planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



 SOUTH ELEVATION  
Scale 1:100



 WEST ELEVATION  
Scale 1:100



 EAST ELEVATION  
Scale 1:100

 NORTH ELEVATION  
Scale 1:100

A NOV 16 REVISED SCHEME

**NOTE:**

The client should be aware of his/her statutory requirement to appoint a principle designer and a principle contractor under the CDM 2015 regulations.

Peter Codling Architects does not undertake this H&S role unless specifically appointed.

## PRELIMINARY

### PETER CODLING ARCHITECTS

7 THE OLD CHURCH, ST. MATTHEW'S ROAD, NORWICH, NR1 1SP Tel: 01603 660000 Fax: 01603 630000

Mr Lingham

Proposed elevations

SCALE 1:100@A3

JOB NO 5020	05	A
DATE Nov 16	DRAWN BY ndb	

THIS DESIGN IS THE COPYRIGHT OF PETER CODLING ARCHITECTS AND MAY NOT BE ALTERED, PHOTOGRAPHED, COPIED OR REPRODUCED WITHOUT WRITTEN CONSENT.

ALL DIMENSIONS ARE TO BE CHECKED BY THE GENERAL CONTRACTOR ON SITE AND ANY DISCREPANCY CLARIFIED BY THE ARCHITECT BEFORE THE WORK PROCEEDS.

**Report to** Planning applications committee

**Item**

9 February 2017

**Report of** Head of planning services

**Subject** Application no 16/01796/F - 20 Swansea Road Norwich  
NR2 3HU

**Reason  
for referral** Objection

4(e)

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<b>Ward:</b>	Nelson
<b>Case officer</b>	Katherine Brumpton - <a href="mailto:katherinebrumpton@norwich.gov.uk">katherinebrumpton@norwich.gov.uk</a>

Development proposal		
Single storey rear extensions		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Design	Impact upon existing dwelling and surrounding area
2 Amenity	Impact on neighbouring occupiers
<b>Expiry date</b>	13 February 2017
<b>Recommendation</b>	Approve



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Planning Application No 16/01796/F

Site Address 20 Swansea Road

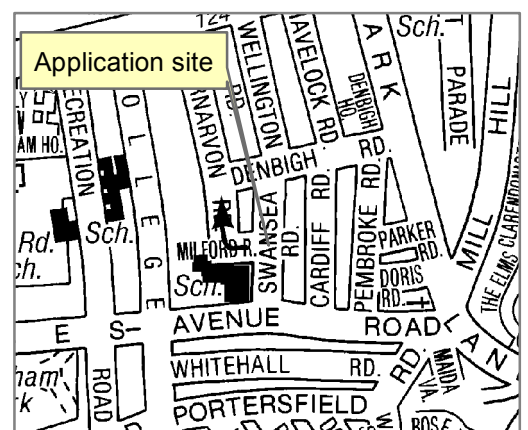
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PLANNING SERVICES

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## The site and surroundings

1. The property is a mid-terrace dwelling and appears to date from the early twentieth century. It is located on the west side of Swansea Road; this road is located to the east of the city centre. The property is finished in buff bricks to the front and red bricks to the rear, with windows a mixture of white timber and white uPVC, and the roof finished in Norfolk pantiles. A passageway leads from the front of the dwelling providing access to the rear gardens of both the applicants dwelling and one of the attached neighbours, number 18.
2. To the rear a shared two storey section extends out from part of the rear elevation, and appears to be part of the original design (shared with number 22). On the ground floor this serves as a kitchen for the applicants. A relatively small flat roof extension has been added onto this section at a later date, to provide for a bathroom and lobby. The neighbour at 22 also has a single storey extension here, with a mono pitched roof.

## Constraints

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

## Relevant planning history

4. No recent relevant planning history.

## The proposal

5. The proposal is to replace the existing single storey flat roof extension with a pitched roof single storey extension. In addition a flat roof extension is proposed alongside this and the existing kitchen. The extensions would serve to create a replacement bathroom and larger kitchen.
6. The pitched roof section would lie along the boundary with the neighbour to the south (number 22) and extend beyond the two storey section. It would extend as far out as the neighbour's extension. The new flat roof extension would be partially attached to the pitched roof extension, and partially to the existing kitchen. This would run along the boundary to the north (number 18).
7. Following discussions with the agent and applicants a revised drawing was received reducing the height of the flat roof section from 3.1m to 2.8m. As this is not a significant change and was not an issue raised by either representation further consultation was not considered necessary in this case. The amended plans are considered below.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Max. dimensions	Flat roof section: 4.2m x 2m. Height 2.8m Pitched roof section: 4.1m x 2.3m. Height 2.6m to eaves,

<b>Proposal</b>	<b>Key facts</b>
	4.1m at its maximum height
<b>Appearance</b>	
Materials	Red multi bricks to match, white uPVC fenestration, centurion roof tiles to pitched roof and GRP covering to flat roof.

## Representations

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

<b>Issues raised</b>	<b>Response</b>
Overshadowing from pitched roof	See main issue 2.
Concerns regarding removal of load bearing walls and resulting structural integrity of the rear elevation	This would be covered under Building Regulations.
Proposed new access to drains may also cause structural issues. Works to reroute the drains are on their property (no.18 Swansea Road).	This would be covered under Building Regulations. Ownership of the passageway and triangle of land used to access the rear gardens of both 18 and 20 lies with 20 Swansea Road, with 18 having a right of way. If this is disputed this is considered to be a civil matter, and does not significantly impact the proposed development.
Create light pollution from the roof light	See main issue 2.
Design not in keeping with a terrace house and would be the only one of its kind in the area. Negative impact upon the landscape.	See main issue 1.
New back door is an intrusion into their privacy (number 18)	See main issue 2.

## Consultation responses

9. No consultations were undertaken.



# Assessment of planning considerations

## Relevant development plan policies

10. **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
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
11. **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

## Other material considerations

12. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF0 Achieving sustainable development
  - NPPF7 Requiring good design
  - NPPF10 Meeting the challenge of climate change, flooding and coastal change

## Case Assessment

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

## Main issue 1: Design

14. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
15. Swansea Road is in area of the city largely characterised by 2 storey terrace dwellings. Whilst the principle elevations remain generally free from extensions, many properties have been extended to the rear, largely in the form of single storey extensions. Extensions have both flat roofs and pitched roofs.
16. As with the majority of rear elevations within the immediate area, the rear of the applicant's dwelling is not readily visible from any public vantage point. As such there is no anticipated impact upon the street scene.

17. The width of the site is relatively narrow, which is normal for these types of terraced properties. A shared passageway and small triangle of land beyond allows access to the rear garden. The proposed flat roof extension has been angled to accommodate this triangle.
18. The proposed extensions are considered to be of an acceptable design. They are both subordinate to the main dwelling and reflect the relatively small extensions found elsewhere within the immediate area. Whilst the pitched roof does not match that of the main dwelling in terms of angle, this is considered acceptable as it allows for a lower roof pitch which reduces the impact upon the neighbour's amenity.

## **Main issue 2: Amenity**

19. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
20. The proposed extensions will be of a larger footprint and height than the existing extension, and as a consequence have more of an impact upon the neighbour's residential amenity, particularly the two attached neighbours. However the pitched roof section would run alongside the north of the mono pitched extension at number 22; therefore the impact upon this neighbour is considered to be minimal, and to be compliant with the above policies.
21. The pitched roof would be located 2.1m from the boundary to the north with number 18, and sat further to the rear of any part of the dwelling of number 18. The flat roof would lie along the boundary, which is currently served with a 2m close boarded fence. This neighbour appears to currently have several flat roof structures in their rear garden opposite the proposed extensions, and has a significant level of ivy across their walls and windows, in addition to a holly bush/tree. All these serve to reduce the light reaching this neighbouring dwelling. The introduction of the proposed extension is not anticipated to significantly impact this neighbour's residential amenity.
22. The level of light pollution from the extensions is anticipated to be relatively low considering the number of windows within the immediate area and the level of glazing proposed.
23. The introduction of a rear access door is not seen as significantly different from that already in place. In addition the neighbours share access along the passageway and so a degree of noise and disturbance is to be reasonably expected when properties are accessed from the rear. A front door remains in place.
24. The proposal is considered to have an acceptable level of impact upon neighbour's residential amenity, and therefore is considered to comply with DM2.

## **Other matters**

25. The proposed development is not considered to result in significant change in the drainage situation on site. The majority of the land to be built on is also covered in hardstanding.

## **Equalities and diversity issues**

26. There are no significant equality or diversity issues.

## **S106 Obligations**

27. There are no s106 Obligations.

## **Local finance considerations**

28. 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.
29. 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.
30. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

31. The proposed development is considered to be of an appropriate scale and design for the dwelling and would not result in any significant impact upon any neighbour's residential amenity. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 16/01796/F - 20 Swansea Road Norwich NR2 3HU and grant planning permission subject to the following conditions:

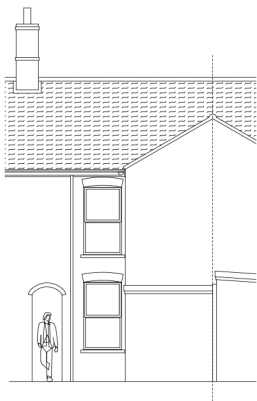
1. Standard time limit;
2. In accordance with plans;

## **Article 35(2) Statement**

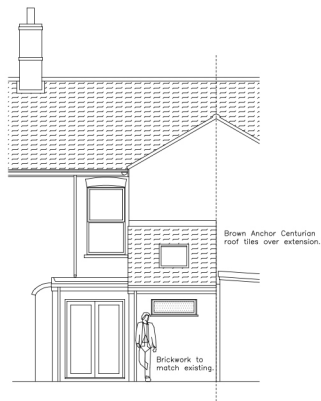
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the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



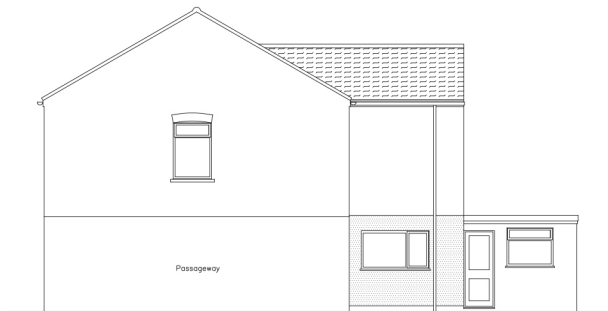
SCALE BAR (metres) @ 1:50 scale



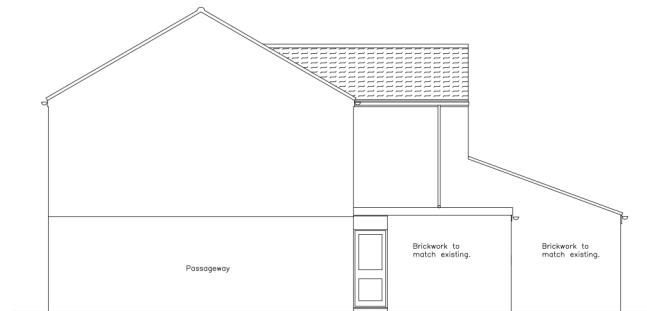
EXISTING REAR ELEVATION. (1:50)



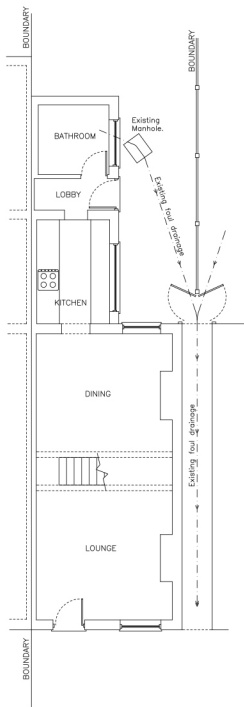
PROPOSED REAR ELEVATION. (1:50)



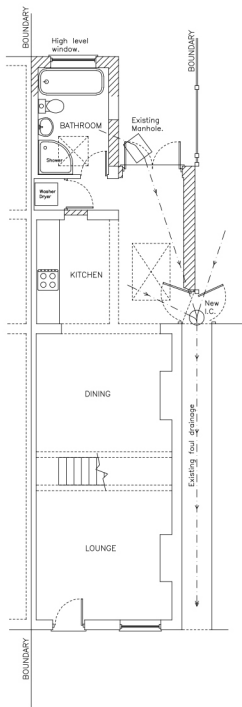
EXISTING SIDE ELEVATION. (1:50)



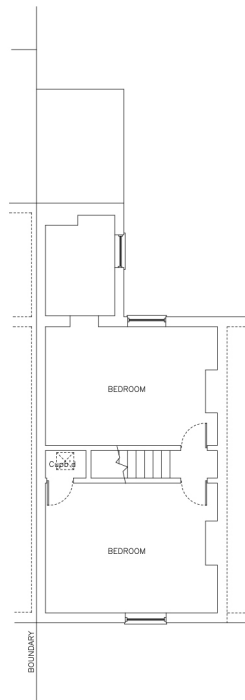
PROPOSED SIDE ELEVATION. (1:50)



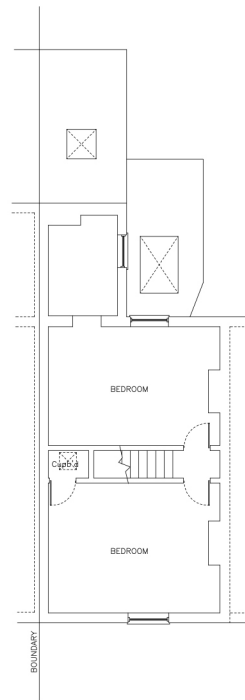
EXISTING GROUND FLOOR PLAN. (1:50)



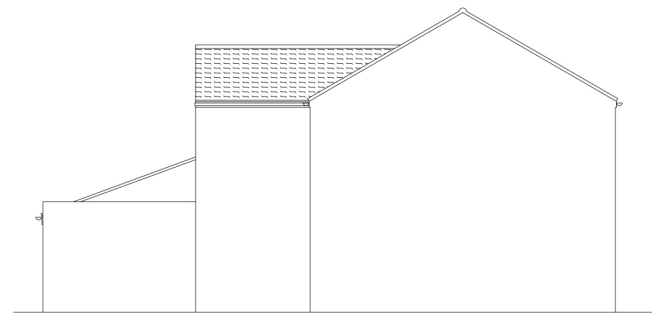
PROPOSED GROUND FLOOR PLAN. (1:50)



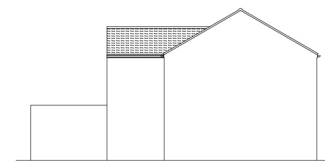
EXISTING FIRST FLOOR PLAN. (1:50)



PROPOSED FIRST FLOOR PLAN. (1:50)



PROPOSED SIDE ELEVATION. (1:50)  
VIEWED FROM No. 22



EXISTING SIDE ELEVATION. (1:100)  
VIEWED FROM No. 22

Rev	Description	By	Chk	App	Date
B	FLAT ROOF EXTENSION HEIGHT REDUCED.	GR	GR	GR	10.01.17
A	SIDE ELEVATION RE-LABELLED	GR	GR	GR	13.12.16

**gs designs**  
ARCHITECTURAL AND STRUCTURAL DESIGN

Project:  
20 SWANSEA ROAD,  
NORWICH,  
NORFOLK NR2 3HU.

Drawing Title:  
REAR EXTENSION  
PLANS AND ELEVATIONS

Scale of A0	Drawn By	Date	Checked By	Date	Approved By	Date
1:50 1:100	GR	10.01.17	GR	13.12.16	GR	13.12.16
Project No.	20SR	N	S	01	A	
Approval	Information	Tender	Contract	Planning		

**Report to** Planning applications committee

**Item**

9 February 2017

**Report of** Head of planning services

**Subject** Application no 16/01720/F - 1 Salter Avenue, Norwich  
NR4 7LX

**Reason  
for referral** Objection

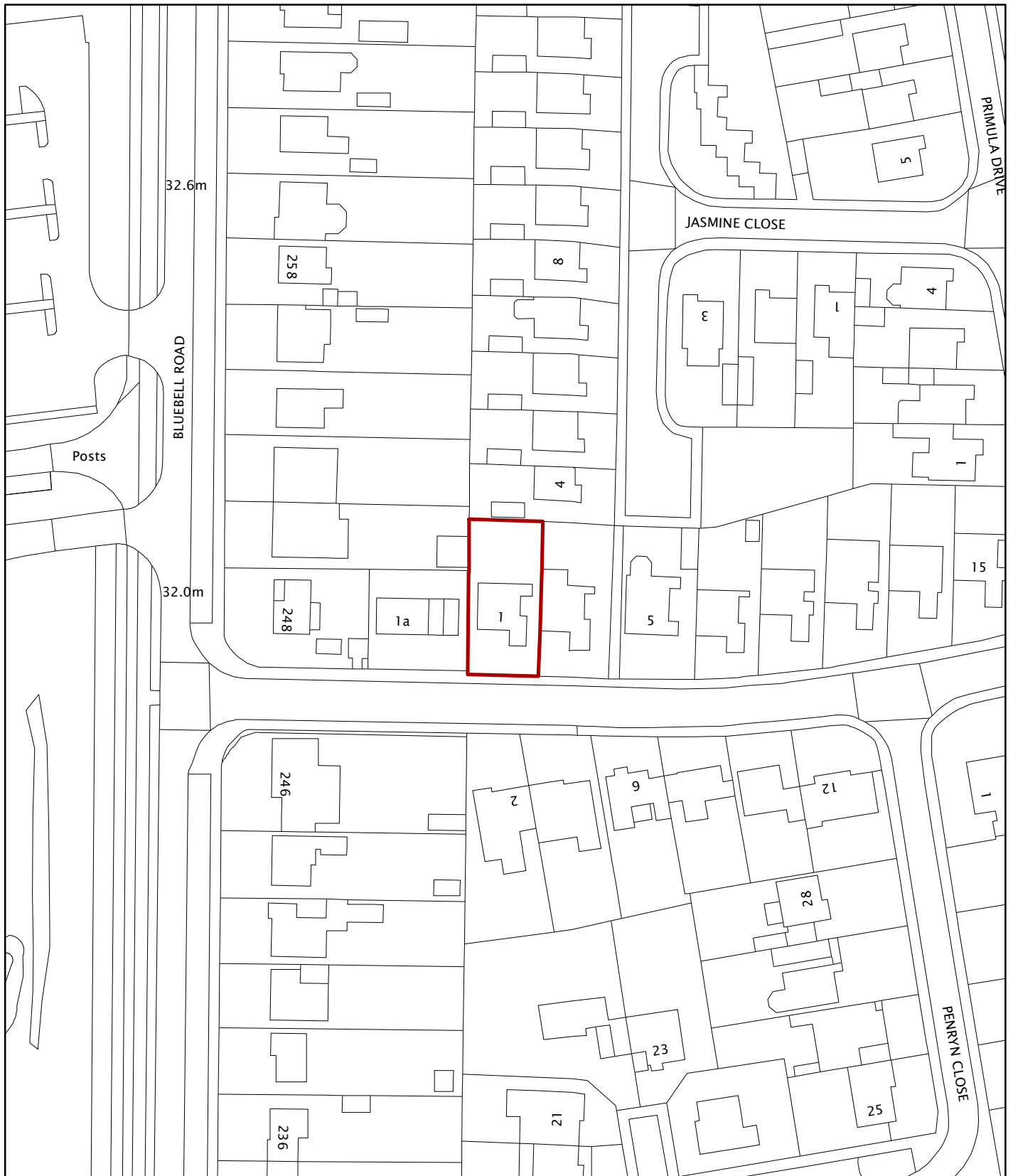
4(f)

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<b>Ward:</b>	University
<b>Case officer</b>	Katherine Brumpton - <a href="mailto:katherinebrumpton@norwich.gov.uk">katherinebrumpton@norwich.gov.uk</a>

Development proposal		
Single storey side and rear extension		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Design	Impact on existing dwelling and surrounding area
2 Amenity	Impact upon neighbouring occupiers
<b>Expiry date</b>	13 February 2017
<b>Recommendation</b>	Approve



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Planning Application No 16/01720/F

Site Address 1 Salter Avenue

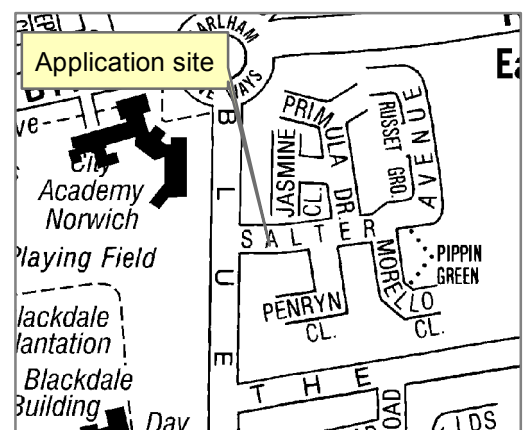
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

Page 80 of 152



## The site and surroundings

1. The property is a detached dwelling and forms part of a wider development in the area which appears to date from the 1970's. Dwellings are generally two storied with low dual pitched roofs and often with a flat roof attached garage.
2. The applicant's dwelling is finished in buff bricks on the ground floor with hanging brown tiles on the first floor. An attached flat roof garage is located on the front (south) and side (east) elevation.
3. The site partially borders a dwelling on Bluebell Road. The dwellings here are older and of a different character, although also largely detached and two storey.

## Constraints

4. No constraints.

## Relevant planning history

5. No recent relevant planning history.

## The proposal

6. The proposal is to erect a flat roof side/rear extension along the east (side) and north (rear) elevations. This would replace a small brick outbuilding/shed which is attached to the side of the dwelling.
7. The extension would lie along the eastern boundary and provide for a new kitchen, cloakroom and new sitting room.
8. The original plans indicated an extension which would extend 10.8m from the rear elevation. Following discussions with the agent and applicant regarding the scale and design of the proposal amended plans were received which has reduced the length to extend 8m from the rear elevation. These amended plans are considered below.
9. The amended plans were re-advertised (reply by date is 9 February 2017). Committee will be updated regarding any further representations received as a result.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Max. dimensions	Between 8m and 15.7m in length, and 2.4m and 5.5m in width. 2.75m in height.
<b>Appearance</b>	
Materials	Fenestration and bricks to match the existing dwelling, with

Proposal	Key facts
	the roof finished in bituminous material.

## Representations

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

Issues raised	Response
Extension may lead to more students living at the dwelling, and exacerbating the impact they already have (going out drunk late at night and noisily returning in the early hours of the morning).	See main issue 2 and other matters
Potential increase in number of students could result in more cars parking on the path and not leaving enough space for pushchairs/wheelchairs etc.	See main issue 2
Out of scale development/over dominant building	See main issue 1
Create overlooking into their bedroom windows (250 Bluebell Road)	See main issue 2
Soakaway is too close to their property (250 Bluebell Road)	There is no concern regarding the location of the soakaway; it is not anticipated to create any flooding for the adjacent properties.

## Consultation responses

11. No consultations were undertaken.

## Assessment of planning considerations

### Relevant development plan policies

12. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design



- JCS12 The remainder of the Norwich urban area including the fringe parishes

**13. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design

**Other material considerations**

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

- NPPF0 Achieving sustainable development
- NPPF7 Requiring good design

**Case Assessment**

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

**Main issue 2: Design**

16. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
17. The proposed extension would continue from the existing garage, extending the flat roof along the whole side of the house and into the rear garden. The extension would however have a roof height of 2.75m, whereas the garage roof is 2.4m. Wider than the garage, from the road a section would be visible which would be served with a full length glazed door and a full length window. The extension here would be visibly subordinate; sat to the rear of both the garage and main elevation, and relatively small in size. The impact upon the street scene is therefore considered acceptable.
18. Whilst the extension would extend 15.7m along the east elevation it would not be visible as a whole; it would lie predominantly alongside the neighbouring property. A section measuring just over 5m would be visible beyond the neighbouring dwelling to the east. This part would also have a visible skylight.
19. The impact at the rear would be more significant, with the extension extending from the rear wall by 8m and sited 3.8m from the rear boundary. However there are several flat roof extensions and outbuildings in the immediate area that also have a significant footprint in comparison to the main two storey part of the dwelling. As a flat roof the visual impact would be reduced upon the wider area simply due to its height. Whilst a better design could be achieved which was more integrated with the original dwelling, refusal of the application based on design grounds is not

considered to be justified in this case due to the character of the wider area and the level that the extension would be screened.

### **Main issue 6: Amenity**

20. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
21. The section of the extension to the front and immediately to the side of the applicant's dwelling is not anticipated to have any impact upon neighbour's amenity as it would sit alongside the blank two storey wall of the neighbour's dwelling.
22. The rear section would lie along the boundary with the neighbour to the east, and at 2.8m high be taller than the 2m boundary walls/fences allowed under permitted development. However the extension would be sited to the west of the neighbouring dwelling, and as such the level of overshadowing is not anticipated to be significant. There are no overlooking concerns as the only window on this elevation would be obscure glazed and fixed, and face the neighbour's own single storey rear extension.
23. Windows sited within the western elevation would provide views across the applicant's own garden. Beyond this lies a boarded fence measuring approx. 1.8m and a neighbour's outbuilding (250 Bluebell Road). This neighbour's dwelling then lies approximately 30m from the proposed extension. Given the distance and the level of screening there is no concern that the proposed would result in significant overlooking to this neighbour.
24. A window to the rear would be high level, and therefore there are also no concerns regarding overlooking here.

### **Other matters**

25. Given that the house is understood to be used for student lets, it is considered prudent to add a note on any permission to inform the applicant that planning permission would be required for a change of use to a large House of Multiple Occupancy (HMO) if the building is to be occupied by more than 6 residents. The proposed plans do not show more bedrooms on the ground floor; however it would be conceivable that some of the rooms shown could be used as bedrooms at a later date and therefore an informative is recommended to remind the applicant of this matter.

### **Equalities and diversity issues**

26. There are no significant equality or diversity issues.

### **S106 Obligations**

27. There are no s106 Obligations.

### **Local finance considerations**

28. 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.

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

## **Conclusion**

31. The proposal is considered to be acceptable in terms of its design, impact on the character of the area and impact on residential amenity. As such the development is considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

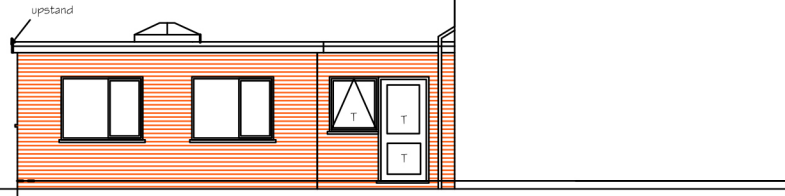
To approve application no. 16/01720/F - 1 Salter Avenue Norwich NR4 7LX and grant planning permission subject to the following conditions:

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

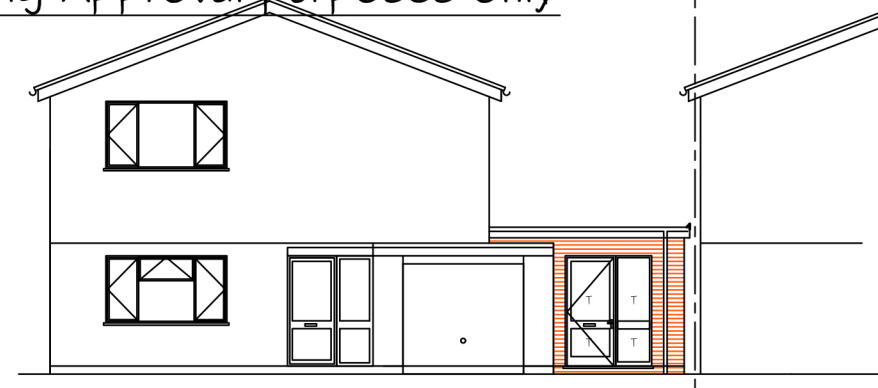
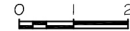
## **Article 35(2) Statement**

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

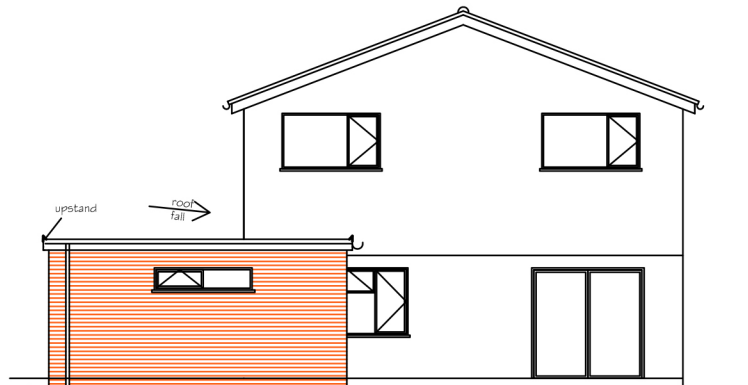
Drawing for Planning Approval purposes only



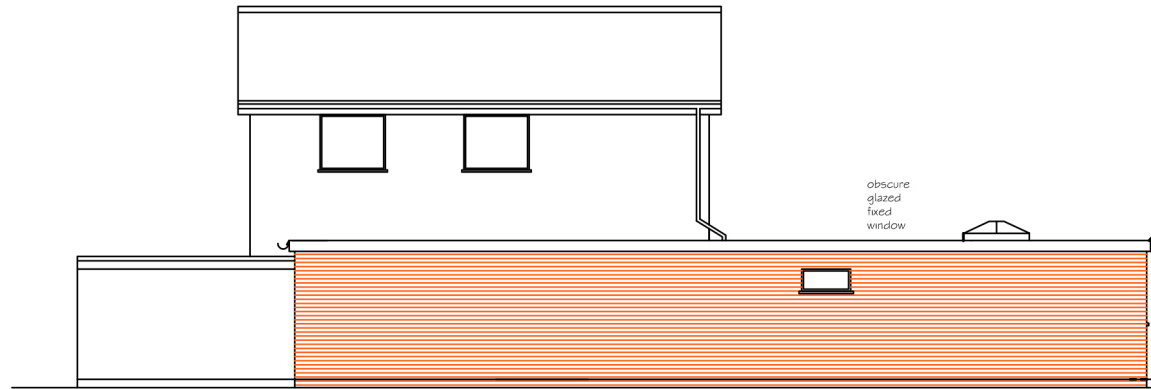
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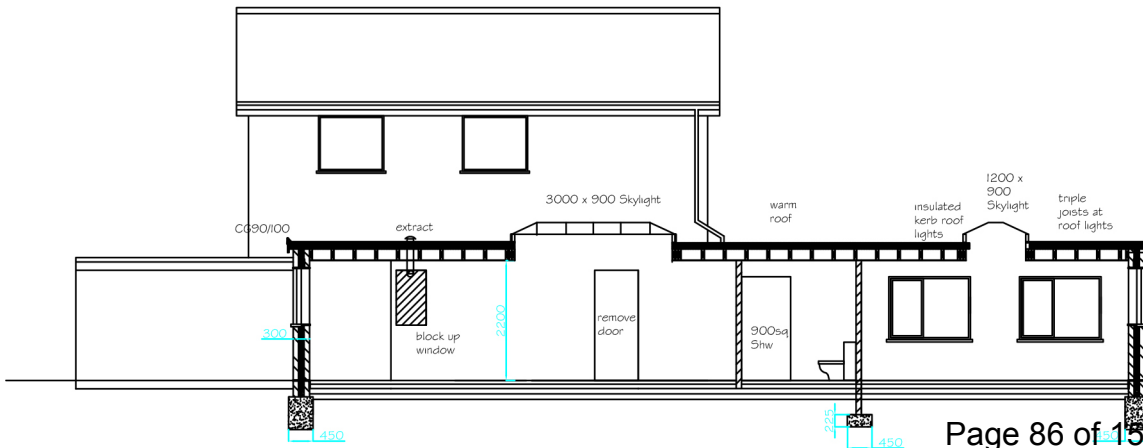
South elevation 1:100



North elevation 1:100



East elevation 1:100



Section 1:100



B Jan 17 Extension length further reduced  
A Jan 17 Extension length reduced

**Stephen Moore Architectural Services**  
Architectural Services, Building Engineer, Chartered Surveyor  
3 Sunny Grove, New Costessey, Norwich,  
Norfolk, NR5 0EJ  
T: (01603) 446982 / 07740662505  
E: stephen@sm-as.co.uk  
W: www.sm-as.co.uk

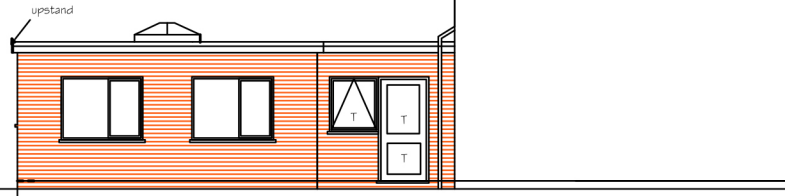


CLIENT:  
Mr & Mrs I Parker  
1 Satter Ave Norwich  
NR4 7LX  
PROJECT:  
Single storey side  
And Rear Extension

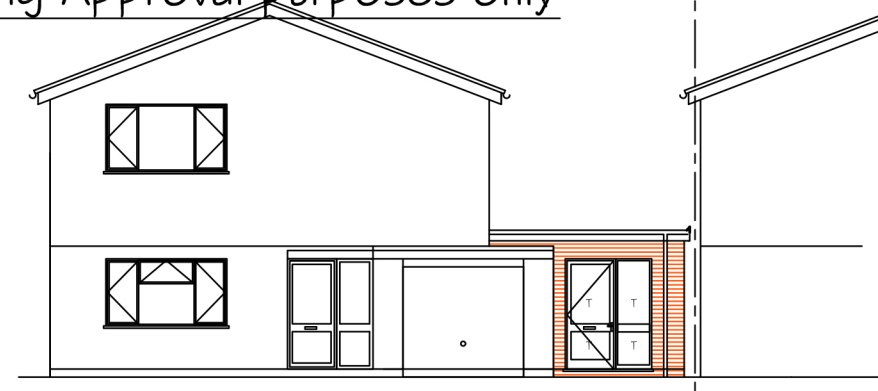
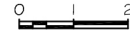
DRAWING:  
Proposed Elevation  
and Section  
DRAWN BY: SMM  
SCALE: 1:100  
PROJECT No: 1509/927

DATE: Oct 16  
PAPER SIZE: A3  
DRG No: 2B

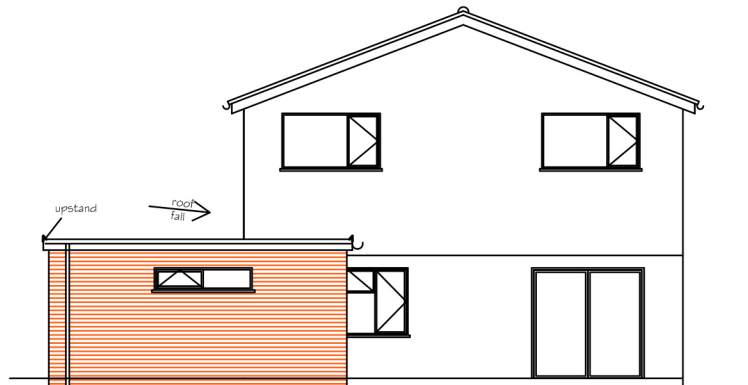
# Drawing for Planning Approval purposes only



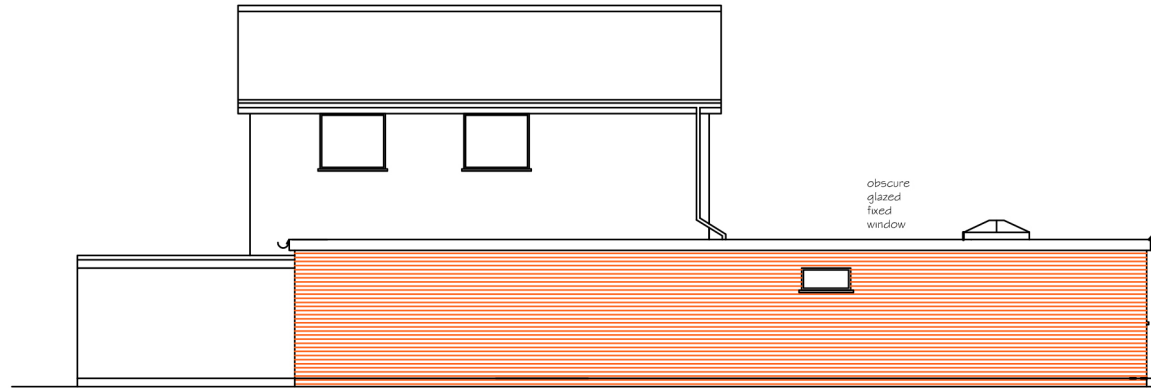
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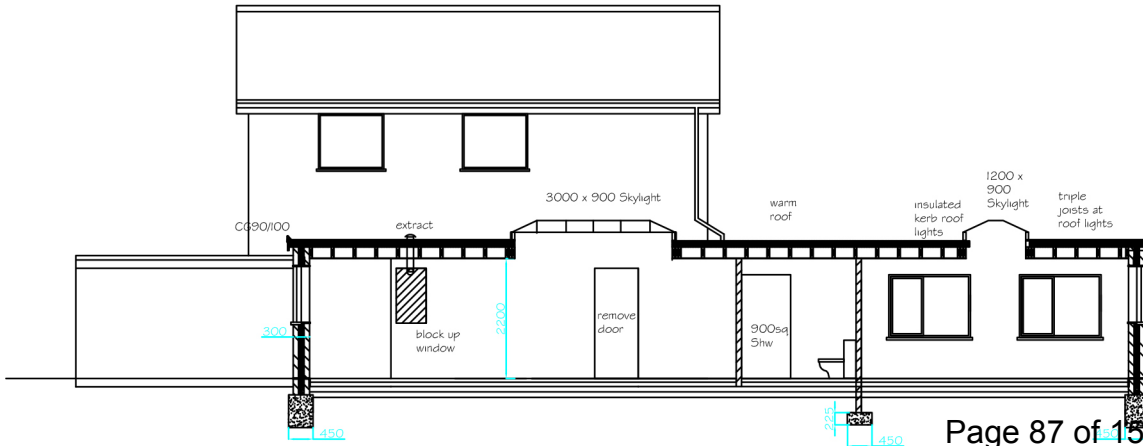
South elevation 1:100



North elevation 1:100



East elevation 1:100



Section 1:100



18 Jan 17 Extension length further reduced  
17 Jan 17 Extension length reduced

**Stephen Moore Architectural Services**  
Architectural Services, Building Engineer, Chartered Surveyor  
3 Sunny Grove, New Costessey, Norwich,  
Norfolk, NR5 0EJ  
T: (01603) 446982 / 07740662505  
E: stephen@sm-as.co.uk  
W: www.sm-as.co.uk



CLIENT:  
Mr & Mrs I Parker  
1 Satter Ave Norwich  
NR4 7LX  
PROJECT:  
Single storey side  
And Rear Extension

DRAWING:  
Proposed Elevation  
and Section  
DRAWN BY: SMM DATE: Oct 16  
SCALE: 1:100 PAPER SIZE: A3  
PROJECT No: 1509/927 DRG No: 2B



**Report to** Planning applications committee

**Item**

9 February 2017

**Report of** Head of planning services

**Subject** Application no 16/01750/F - 418 Unthank Road, Norwich  
NR4 7QH

**Reason  
for referral** Objection

4(g)

---

<b>Ward:</b>	Eaton
<b>Case officer</b>	Katherine Brumpton - <a href="mailto:katherinebrumpton@norwich.gov.uk">katherinebrumpton@norwich.gov.uk</a>

Development proposal		
Erection of pitched roof with rooflights to outbuilding		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Design and Heritage	Impact upon the outbuilding and surrounding area, to include the impact upon the Conservation Area
2 Amenity	Impact upon neighbouring occupiers
<b>Expiry date</b>	10 February 2017
<b>Recommendation</b>	Approve



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Planning Application No 16/01750/F

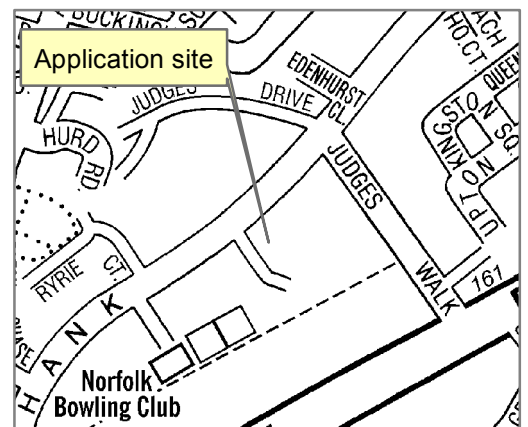
Site Address 418 Unthank Road

Scale 1:1,000



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## The site and surroundings

1. The property is a relatively large 2 ½ storey detached dwelling sited within the northern section of Unthank Road. Dwellings here are generally at least two storeys, detached and with generous plots. The site has a shorter garden than its immediate neighbours, with the neighbour's garden to the north-east forming an 'L' shape around the bottom of the garden.
2. The existing mono pitched outbuilding is sited to the far south corner of the rear garden, and sits alongside the neighbours shed to the rear (south-east). Other outbuildings exist in the area, and range from green houses to more substantial tiled buildings of both a dual pitched and hipped roof design.
3. Whilst the form of the dwellings varies along this part of the road, the type of design is fairly consistent, to include the use of materials. The palette largely consists of clay pantiles and pin tiles, white render and red bricks to the walls and white windows, with the applicant's dwelling no exception.

## Constraints

4. The site is within a Conservation Area
5. Surface Water Flooding to front of the dwelling (low risk, 1 in 1,000)

## Relevant planning history

6.

Ref	Proposal	Decision	Date
12/00053/TCA	Wind damaged Silver Birch in back garden to be taken down and stump ground out.	NTPOS	20/02/2012

## The proposal

7. The proposal is to erect a dual pitched roof on top of an existing outbuilding. The eaves height would need to be made consistent as part of the works. Roof lights would be sited within the rear (south-east) elevation. Internally the space would be single storey and include a wc and small kitchen area. Following discussions with the applicant there is no intention to use the outbuilding as an annexe or install a first floor.
8. Amended plans were received to clarify the elevations (north is now labelled as north-east etc). These were not re-advertised as the true orientation could be worked out via the other submitted documents, and the amended plans did not alter the design.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Max. dimensions	Height to eaves 2.4m, height to roof ridge 4.24m. Footprint (no change) 4.8m by 5.5m.
<b>Appearance</b>	
Materials	Clay pin tiles in antique red. Elevations would be clad in shiplap boarding, with timber fenestration.

## Representations

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

Issues raised	Response
Replacement should be a hipped roof rather than gable ended to reduce amenity impact and impact upon Conservation Area. Materials should be in keeping with the conservation area.	See main issue 1 and 2
Loss of light and significant visual impact due to height and style of roof, and siting so close to boundary.	See main issue 2
Proposed works have already begun, to include connection to the mains drains, although work has halted. Some damage was caused to a neighbour's outbuilding.	See main issue 1. Damage to a neighbouring outbuilding is a civil matter, but none was evident at the time of the site visit.
Plans are inaccurate as they show the height to eaves at 2.4m and not 2.8m adjoining number 420 Unthank Road	Measurements were queried with the applicant who re-measured the height to the eaves. Applicant confirmed that the plans were correct. The outbuilding sits on the other side of a fence from the neighbour who queried the accuracy. As such the drawings are accepted as correct.
Outbuilding should not be used as a place separate from the dwelling or/and for overnight accommodation. No first floor	See main issue 2

should be incorporated	
Additional noise may arise from use of outbuilding as a games room.	See main issue 2
Plans unclear as the orientations are not accurate.	Amended plans have been received and registered clarifying the orientation of the elevations.

## Consultation responses

10. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### Design and conservation

11. No comments: "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."

## Assessment of planning considerations

### Relevant development plan policies

12. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
13. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM5 Planning effectively for flood resilience
  - DM9 Safeguarding Norwich's heritage

### Other material considerations

14. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
  - NPPF7 Requiring good design
  - NPPF10 Meeting the challenge of climate change, flooding and coastal change

- NPPF12 Conserving and enhancing the historic environment

## **Case Assessment**

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

### **Main issue 1: Design and Heritage**

16. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
17. The existing outbuilding has been constructed using a mixture of buff bricks, red multi bricks and breeze blocks. It is not considered to enhance the character of the site or wider Conservation Area and alterations are therefore considered acceptable in principle.
18. Works have already begun, and it is understood that the applicant was not aware that planning permission was required. However these works have now ceased. The works so far appear to have been limited to achieving a uniform eaves height, some internal structural works and beginning to dig to connect the outbuilding to the drainage.
19. The proposed cladding of the walls is considered to be an improvement on the current appearance, and would result in a building more suited to the character of the area. The dual pitched roof finished in clay pin tiles reflects both the applicant's dwelling and other outbuildings within the area; there are several gable end pitched roof outbuildings within the vicinity.
20. The impact upon the Conservation Area and character of the applicant's dwelling is considered to be acceptable and to comply with the above policies.

### **Main issue 3: Amenity**

21. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
22. By erecting a dual pitched roof the impact upon the neighbours is going to be increased to some extent. The impact is assessed below.
23. The outbuilding is not proposed to be used as an annexe or to have a first floor. The proposed use as a garden room/games room does not require planning permission as it is considered to be incidental to the enjoyment of the dwelling house.
24. The outbuilding is sited at the end of the garden over 23m from the applicant's own house, and over 27m from both immediate neighbouring dwellings. As such the main impact upon neighbours would be upon their private amenity spaces rather

than their dwellings. Both immediate neighbours have large gardens extending beyond that of the applicant's.

25. The height of the roof will create some additional overshadowing, however it is sited close to the boundary to the south-west and south-east, where due to the orientation the overshadowing would not be significant for this adjacent neighbour (number 420). In addition there are several trees in this area which already create shading of the neighbour's gardens. The additional overshadowing from the outbuilding is not anticipated to be significant given these circumstances.
26. The other neighbour bordering the site (number 416) is located to the north-east of the outbuilding. The outbuilding sits 5-6m away from this boundary, which is itself treated with a dense leylandii style hedge of between 2m and 2.5m height and a timber boarded fence of approximately 1.8m. Given the distances involved and the level of boundary treatment already present, the proposed roof is not anticipated to have a significant impact in terms of overshadowing here either.
27. The proposed roof lights cause no concern in terms of overlooking, however if a first floor/mezzanine area was installed they would allow for overlooking to the rear section of the neighbour's garden, albeit over the top of the neighbour's own shed. Following discussions with the applicant a condition preventing another floor to be added would be included on any decision notice to prevent any undue overlooking.
28. As a result of the above assessment, the proposal would not cause material harm to residential amenity and therefore the proposal complies with policy DM2 of the Norwich Local Plan.

#### **Other matters**

29. Whilst part of the site is at risk from surface water flooding this is to the front of the dwelling and not near the outbuilding. As such this is not considered to be an issue for this application.
30. Whilst there is anticipated to be no works which would affect the trees within the area, they are protected as they fall within a Conservation Area. It is considered appropriate to add a note advising the developer that any works to the trees would require consent. No additional foundations are required as part of this development.

#### **Equalities and diversity issues**

31. There are no significant equality or diversity issues.

#### **S106 Obligations**

32. There are no s106 Obligations.

#### **Local finance considerations**

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

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

## **Conclusion**

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

## **Recommendation**

To approve application no. 16/01750/F - 418 Unthank Road Norwich NR4 7QH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No first floor or mezzanine shall be installed

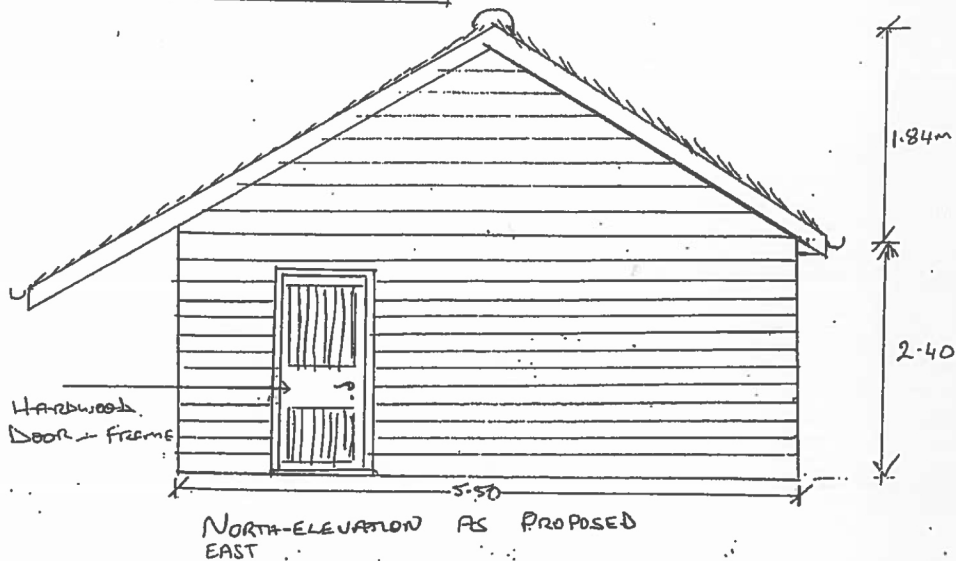
## **Article 35(2) Statement**

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

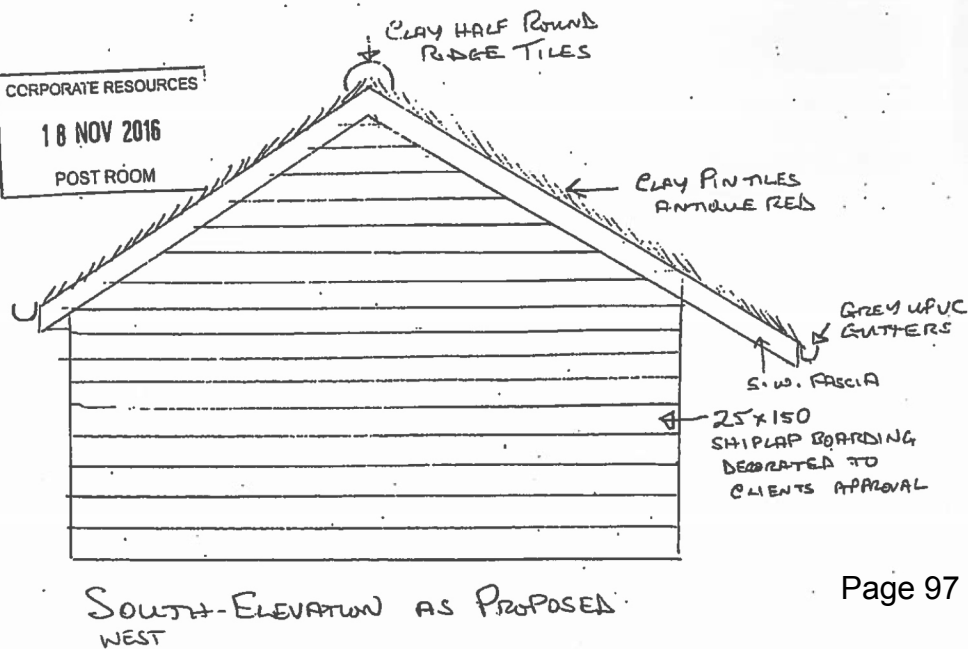
MR + MRS J. ROYALL  
418 UNTHANK ROAD  
NORWICH SCALE 1:50

PROPOSED IMPROVEMENTS TO GAMES ROOM  
DRAWING 001 | 14/11/16

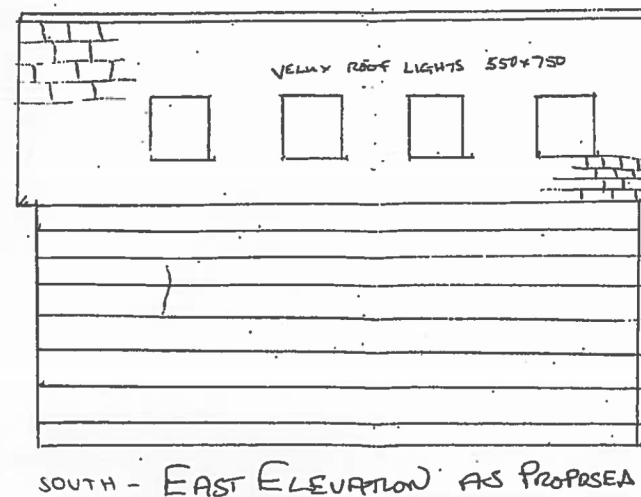
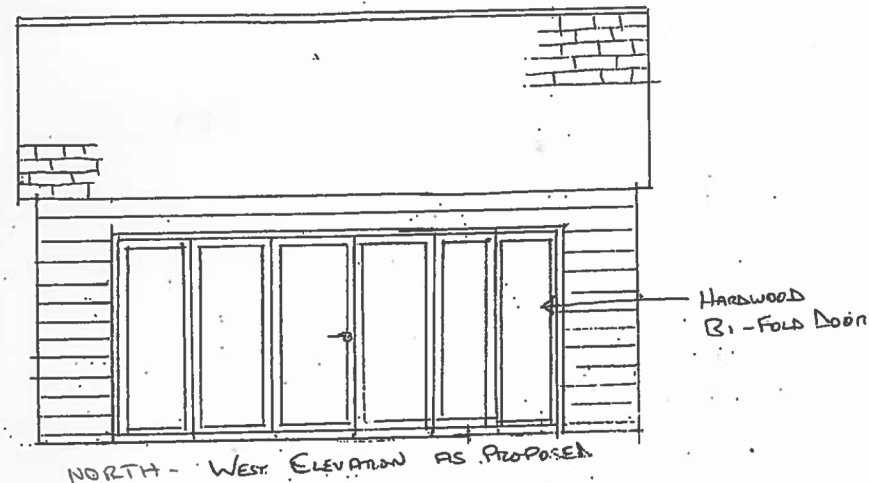
16 DEC 2016  
Planning Services



CORPORATE RESOURCES  
18 NOV 2016  
POST ROOM



1601750F



16 DEC 2016  
Planning Services





**Report to** Planning applications committee

**Item**

9 February 2017

**Report of** Head of planning services

**Subject** Application no 16/01788/F - 36 The Avenues,

Norwich NR2 3QR

**Reason  
for referral** Objections

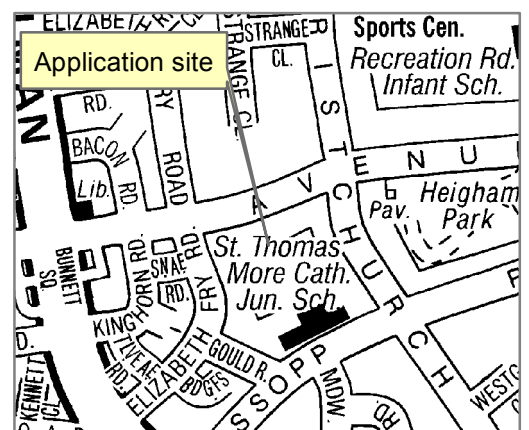
4(h)

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<b>Ward:</b>	University
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

Development proposal		
Single storey side and rear extension. Rooflights to front, side and rear roof slopes.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1 Residential Amenity	The impact of the development on the adjoining property (no.38) and the neighbouring properties to side (no.34 & no.30) daylight, sunlight, outlook, overlooking / privacy
2 Scale and Design	The impact of the development within the context of the original design / surrounding area
<b>Expiry date</b>	20 January 2017
<b>Recommendation</b>	Approve



## The site and surroundings

1. The site is located on the southern side of The Avenues to the west of the city. The predominant character of the area is residential, comprising large 2-storey detached and semi-detached dwellings built in a variety of styles during the first half of the twentieth century. Properties in the area have been built on large plots featuring driveways to the front and large mature gardens to the rear.
2. The subject property is a two storey semi-detached dwelling constructed circa 1950 finished with a cream coloured render and clay pantiles. The design includes a shared projecting central gable to the front and a hipped roof. The site features a front garden and parking area, a side driveway which leads to an original single detached garage within the rear garden. It should be noted that the property has been empty for a period of at least ten years and as a result is in a poor state of repair.
3. The property is bordered by the adjoining semi-detached dwelling to the west, no. 38 The Avenues and no. 34 to the east which is of the same property type. The site boundaries are marked by a mature hedgerow to the west and a brick wall along the shared boundary with no. 34 which continues along the driveway. Beyond the rear garden to the south are the playing fields of St Thomas Moore Junior with the school buildings being a minimum of 100m from the subject property. It should also be noted that a number of the neighbouring properties have already been extended and altered by way of a variety of works.

## Constraints

4. Critical Drainage Catchment: Nelson and Town Close

## Relevant planning history

5. None

## The proposal

6. The proposal is for the demolition of the original garage located to the rear of the property and for the construction of a single storey side and rear extension. The proposal also includes the installation of 2 no. front facing, 1 no. side facing and 2 no. rear facing rooflights to facilitate the use of the roof space as habitable living accommodation. The 2 no. rear facing roof lights are 'cabrio' type roof lights manufactured by Velux which feature two openable sections and a rail allowing users to stand within the opening. It should be noted that they are not the 'terrace' type versions of the same product as originally stated on the submitted plans which incorporate a platform on which users can stand.

## Summary information

Proposal	Key facts
Scale	
No. of storeys	Single storey

Max. dimensions	See attached plans
<b>Appearance</b>	
Materials	Red brick Cement render Powder coated windows and doors (new and replacement)

## Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 3 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
The impact of the development on the next door property (no.34) caused by the scale and design of the extension by way of loss of sunlight, outlook,	See main issue 1.
Loss of privacy / increase in overlooking of area to rear of property caused by proposed rear roof lights (nos. 38, 34 & 30)	See main issue 1.
Maintenance of boundary between nos. 34 & 36	See other matters.

## Consultation responses

8. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

## Assessment of planning considerations

### Relevant development plan policies

9. **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
10. **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
- DM7 Trees and development

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

- Insert any relevant site specific policies

**Other material considerations**

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

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

**Case Assessment**

13. 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. The land also slopes away being higher at the front than the rear resulting in a maximum roof height of 3.3m at the front and 3.5m at the rear.

**Main issue 1: Amenity**

14. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
15. The proposed side and rear extension is to be constructed along the shared boundary with no. 34 to the east. The side extension begins just behind the original front elevation and extends 2.1m towards eastwards towards the boundary and then 11.7m towards the rear, 4m of which extends beyond the original rear elevation. The shared boundary is not marked by a straight line, being wider at the front than the rear, resulting in the extension appearing closer to the shared boundary at the rear than the front.
16. Particular concern was raised that the extension would result in a loss of sunlight reaching the kitchen and patio area of no. 34 as the proposal is considered to be overly tall and dominant along the shared boundary. Whilst it is accepted that the extension will be clearly visible and alter the current situation, it is not considered that it will result in significant harm by way of loss of sunlight. A gap of approximately 2.5m will be maintained on the side of no. 34 where a driveway is

currently located and the kitchen currently is served by a side facing door and rear facing window, ensuring that sufficient daylight reaches it. The rear of the property is also south facing, ensuring that sunlight will reach the rear patio and rear facing rooms for more than a quarter of annual probable sunlight hours, in line with BRE guidelines.

17. Particular concern was also raised that the proposal would result in a loss of outlook creating an enclosed, claustrophobic area. Currently the garage within the rear of the subject property is sited approximately 4m away from the rear wall, forming a gap between the property and garage providing some outlook. The removal of the 6m long garage will create a new outlook with improved views to the south. The side extension, although close to the boundary is not un-typical for this type of proposal with no. 67 The Avenues opposite having recently constructed a similar side extension with a flat roof measuring over 3m in height. As such, the proposal is not considered to result in significant harm to the neighbouring residential amenities of no. 34 by way of loss of light, outlook or by creating a particularly enclosed space.
18. Particular concern has been raised regarding the installation of 2 no. roof lights to the rear roof slope. As noted above, the proposed roof lights were initially referred to as creating a terrace which has understandably caused some concern. The proposed roof lights are actually referred to as 'cabrio' by the manufacturers. The roof lights differ from typical models as they feature two separate sections on being top hung, the other being bottom hung which open with the aid of a rail.
19. Whilst the roof lights would allow for views across neighbouring gardens and the school playing field, they are actually considered to constitute permitted development, and therefore do not in themselves require an application for planning permission. When open the roof lights do no more than provide for standing on the attic floor, partly above the adjoining roof slope, by forming a balustrade around part of the existing floor area within the loft space. That provides the occupiers with a greater facility than putting their heads out of an open window. As such, no enlargement of the dwelling has been made. Please see appendix A. for details of Planning Inspector's decision APP/L5810/X/15/3002668 for reference which confirms that the 'cabrio' style roof lights are permitted development.

## **Main issue 2: Design**

20. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
21. The proposal is considered to be of an appropriate scale and design, fitting in well with the character and appearance of the subject property and surrounding area. When viewed from the front, the side extension appears subservient as is set back from the front elevation and features a curved wall which suits the original 1950's design well. The curved wall design feature has recently been implemented at no. 67 The Avenues where a similar side extension is now in place.
22. The use of matching materials will also assist in ensuring the extension fits in well with particular attention having been paid to the side elevation where brick panels break up the render finish as per the existing rear chimneys.

23. The property is currently in a very poor state of repair having been vacant for a significant period of time. The complete renovation of the property includes the use of high quality products and materials such as powder coated aluminium windows and doors. Overall, it is considered that the proposal will enhance the appearance of the property and surrounding street scene.

### **Other matters**

24. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
25. Concern was raised regarding the maintenance of the boundary wall and fence between nos. 36 and 34. Such issues are considered civil matters and are not material planning considerations forming part of the determination of the application.

### **Equalities and diversity issues**

26. There are no significant equality or diversity issues.

### **Local finance considerations**

27. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
28. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
29. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

30. The proposal will result in an extended dwelling which is of an appropriate scale and design, both reflecting the character of the original dwelling and that of the surrounding area.
31. The extension will have some impact upon the amount of sunlight reaching the side windows of neighbouring properties, however such impact will be minimal as they are secondary rooms or benefit from dual aspects.
32. The potential for an increase in overlooking is minimal as the insertion of roof lights to the rear elevation does not result in the creation of a terrace.
33. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 16/01788/F - 36 The Avenues Norwich NR2 3QR and grant planning permission subject to the following conditions:

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

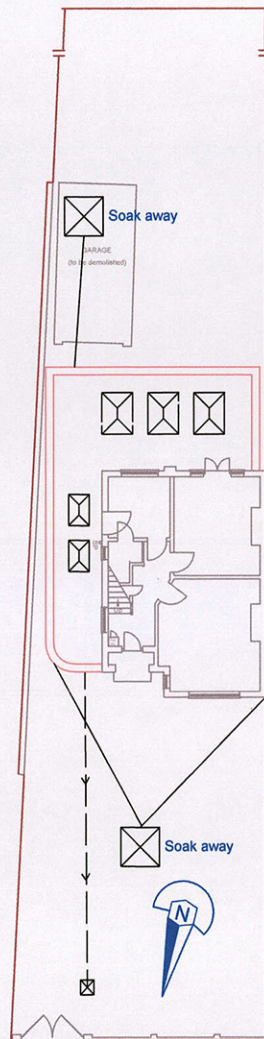
### **Article 32(5) Statement**

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



- Existing structure
- Proposed structure
- Boundary

25 NOV 2016  
Planning Services



SITE PLAN (scale 1:200)



OS LOCATION PLAN (scale 1:1250)



**Outerspace Designs**  
2 Southgate Lane,  
Norwich, NR1 DB  
01603 927237  
outerspacedesigns@gmail.com  
Mobile 07909694453

## LOCATION & SITE PLANS

Issue date  
15.11.16

Drawing scale  
1 : 200,1250

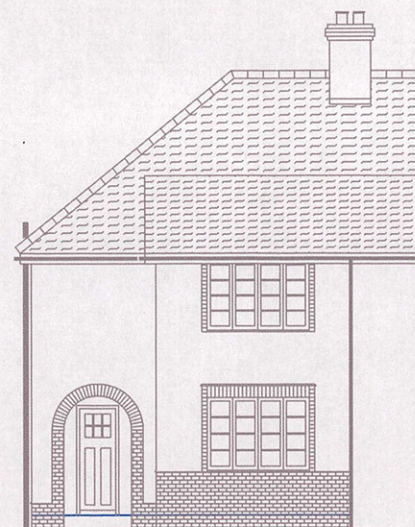
Project Ref:  
BLC/36/16

Drawing No  
4 of 4

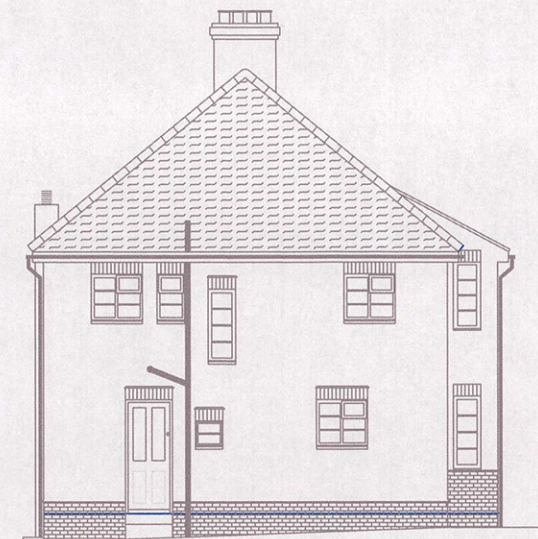


Existing structure

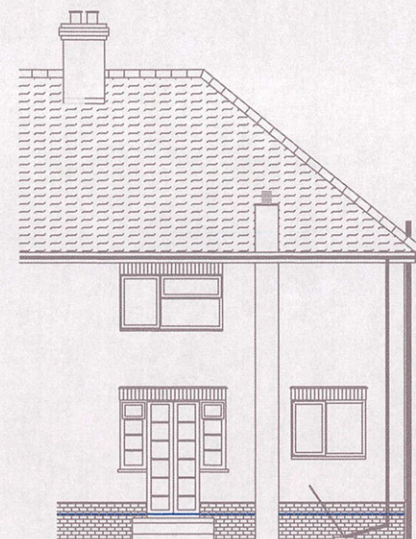
25 NOV 2016  
Planning Services



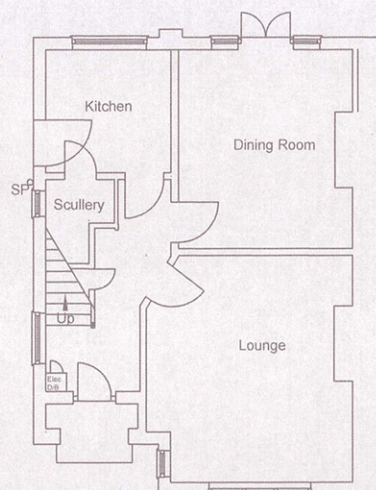
EXISTING FRONT ELEVATION



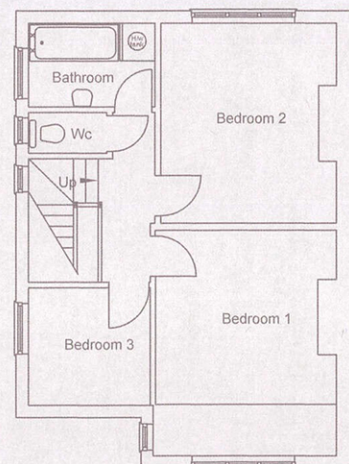
EXISTING L/H SIDE ELEVATION



EXISTING REAR ELEVATION



EXISTING GROUND FLOOR



EXISTING FIRST FLOOR



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### EXISTING PLANS & ELEVATIONS

Issue date  
15.11.16

Drawing scale  
1 : 100

Project Ref  
BS/36/16

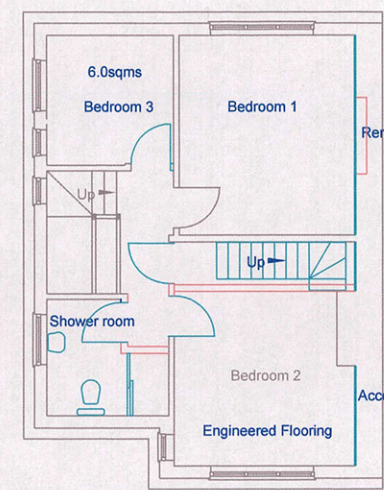
Drawing No  
2 of 4



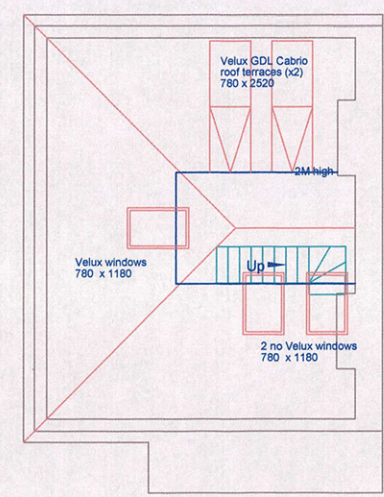
- Existing structure
- Proposed structure
- Proposed detail

25 NOV 2016  
Planning Services

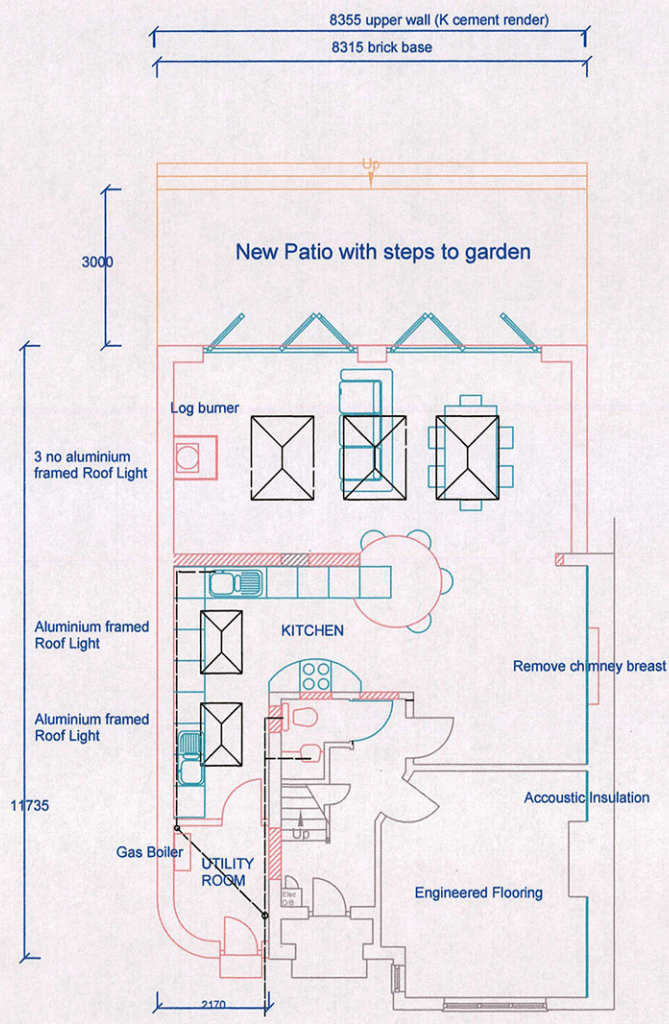
Stair access to attic may change if there is 2M headroom from Bedroom 3 and BReg compliant



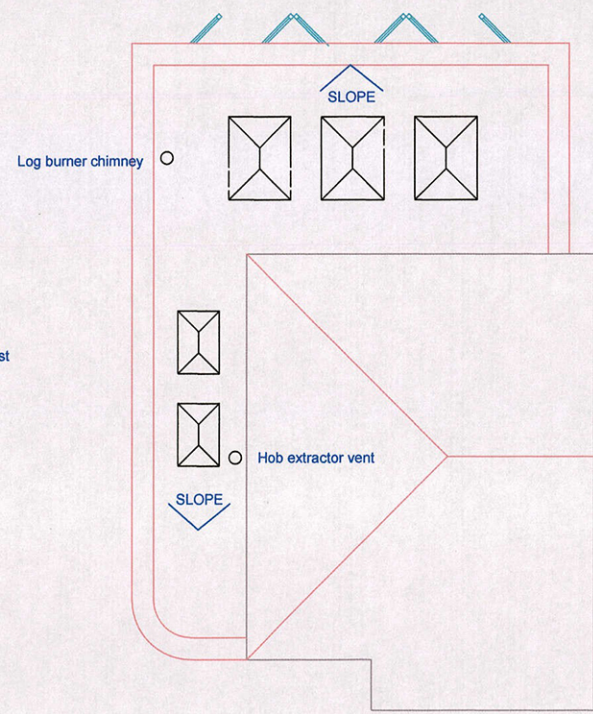
PROPOSED FIRST FLOOR



PROPOSED ATTIC FLOOR



PROPOSED GROUND FLOOR



PROPOSED ROOF PLAN



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**PROPOSED  
EXTENSION &  
BUILDING WORK**

Issue date  
15.11.16

Drawing scale  
1 : 100

Project Ref  
BLC/36/16

Drawing No  
3 of 4





**Report to** Planning applications committee

**Item**

9 February 2017

**Report of** Head of planning services

**Subject** Application no 16/01753/F - 60 Denmark Road, Norwich  
NR3 4JS

**4(i)**

**Reason  
for referral** Member of staff application

---

<b>Ward:</b>	Sewell
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

<b>Development proposal</b>		
Rear extension and associated alterations to party wall.		
<b>Representations</b>		
Object	Comment	Support
0	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Scale and Design	The impact of the development on the character and appearance of the property and surrounding area.
2 Residential Amenity	The impact of the development of neighbouring properties and occupiers of the subject property
<b>Expiry date</b>	2 February 2017
<b>Recommendation</b>	Approve



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Planning Application No 16/01753/F

Site Address 60 Denmark Road

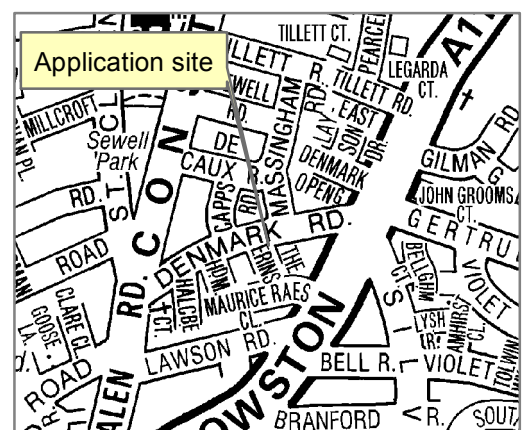
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

Page 112 of 152



## The site and surroundings

1. The site is located on the north side of Denmark Road to the north of the city. The subject property is an end of terrace two storey dwelling constructed circa 1900 using red bricks and clay pantiles. The property differs from typical terrace properties as it features a larger first floor built over a covered yard area accessed via timber doors to the front and rear. The rear garden area is predominantly concrete hardstanding and contains two original outbuildings. The property has previously been extended by way of single storey rear extensions.
2. The site is bordered by the adjoining terrace property to the west, no. 58 Denmark Road which shares a projecting two storey gable projection and single storey extension beyond. To the east of the site are several large advertisement boards which face Massingham Road beyond. The prevailing character of the surrounding area is predominantly residential with a mixture of older and more modern terrace type properties and larger flats, many of which have been altered or extended.

## Constraints

3. There are no particular constraints.

## Relevant planning history

4. There is no relevant planning history.

## The proposal

5. The proposal is for the removal of the existing single storey lean to extension and for the construction of a single storey rear extension to wrap around the existing single storey rear extension.

## Summary information

Proposal	Key facts
<b>Scale</b>	
No. of storeys	Single
Max. dimensions	See attached plans
<b>Appearance</b>	
Materials	White uPVC windows and doors  Forticrete roof tiles (to match existing)  Colourwash render walls

## Representations

6. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

## Consultations

7. No consultations have been undertaken.

## Assessment of planning considerations

### Relevant development plan policies

8. **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
9. **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

### Other material considerations

10. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF0 Achieving sustainable development
  - NPPF6 Delivering a wide choice of high quality homes
  - NPPF7 Requiring good design

### Case Assessment

11. 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 2: Design

12. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
13. The proposed extension is to be built to the rear of the main section of the original dwelling, so that the covered yard area remains unaltered. The proposal is to extend 2m beyond the rear wall of the existing single storey section and 2m to the



side, effectively squaring of the footprint of the rear sections of the property. The extension features a sloping roof with an eaves height of 2.7m and a maximum height of 3.4m. The proposal also includes reducing the height of a shared parapet wall with no. 58.

14. The proposed extension is to create a larger kitchen and utility area which is to feature a new set patio doors and two no. roof lights to the rear. A further roof light is to be installed on the new side facing roof slope as well as two small windows serving a new toilet and utility space. A new door is also to be installed on the side elevation, replacing the existing lean to entrance.
15. The extension is to be finished using roof tiles which match the appearance of the existing roof tiles and colour washed render to match the existing rear walls.
16. The proposed extension is considered to be of an appropriate scale and design, impacting very little on the overall appearance of the subject property or surrounding area. The squaring off of the existing rear sections will enhance the overall appearance of the rear yard area as an improved internal layout and more uniformed external appearance is created. The proposal is therefore considered to be acceptable in design terms.

#### **Main issue 6: Amenity**

17. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
18. The proposal will have very little impact on the residential amenities of the occupiers of neighbouring properties with only no. 58 noticing any change. The proposal is of a scale and location which will ensure that no overlooking, loss of privacy, overshadowing, loss of outlook or loss of light will occur.
19. The proposal will assist in enhancing the residential amenities of the occupiers of the subject property as both the internal and external living spaces are improved. The proposal is therefore considered to be acceptable in amenity terms.

#### **Equalities and diversity issues**

20. There are no significant equality or diversity issues.

#### **Local finance considerations**

21. 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.
22. 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.
23. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

24. The proposal will result in an extended dwelling which is of an appropriate scale and design, having very little impact on the character of the original dwelling and that of the surrounding area.
25. The proposal will have no detrimental impacts on the residential amenities of neighbouring properties.
26. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 16/01753/F - 60 Denmark Road Norwich NR3 4JS and grant planning permission subject to the following conditions:

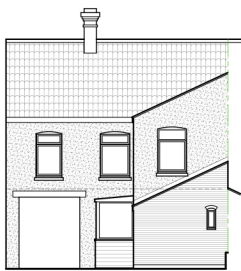
1. Standard time limit;
2. In accordance with plans;

## **Article 32(5) Statement**

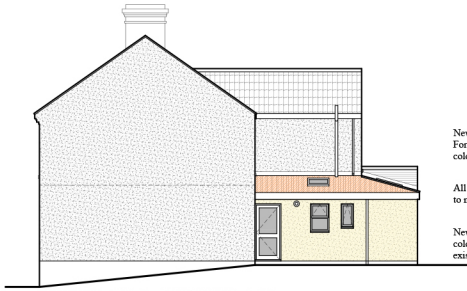
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the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



EXISTING SIDE (East) ELEVATION - 1:100



EXISTING REAR (North) ELEVATION - 1:100

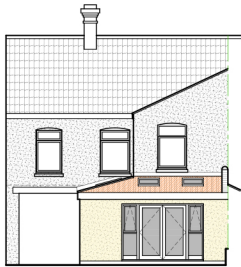


PROPOSED SIDE (East) ELEVATION - 1:100

New 15 degree roof slope to be clad with Forticrete Centurian low-pitch roof tiles of colour to match those of main roof.

All new windows and doors to be white uPVC to match existing.

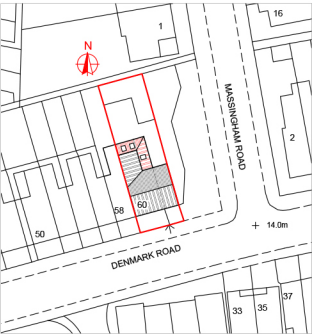
New extension walls to be finished with colour-washed render to match those of existing rear walls.



PROPOSED REAR (North) ELEVATION - 1:100

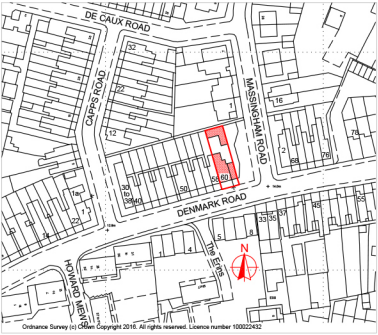
Existing party parapet wall to be reduced in height once new roof works are complete to maintain stability. Making sure that attached neighbouring roof slope is not disturbed!

3no. roof windows to be installed to provide additional daylight to internal space.

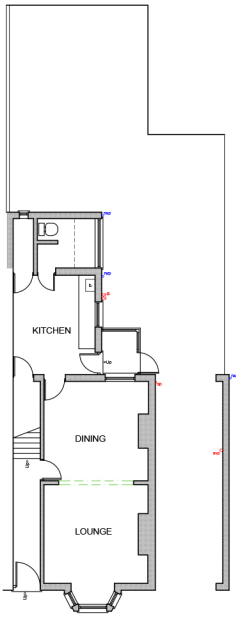


BLOCK PLAN - 1:500

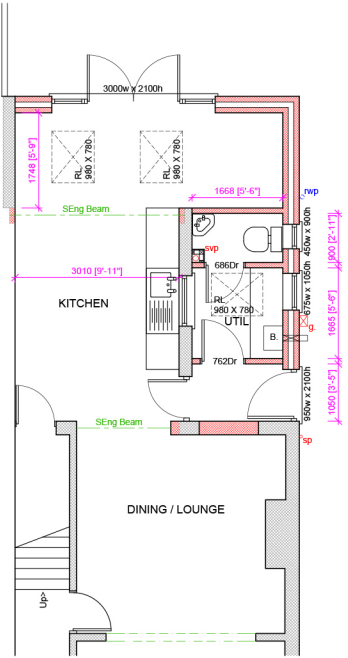
Proposed extension hatched in red



SITE LOCATION PLAN - 1:1250



EXISTING GROUND FLOOR PLAN - 1:100




PROPOSED PART GROUND FLOOR PLAN - 1:50

Contractors **MUST** check all dimensions on site.  
Only figured dimensions are to be worked from.  
Any discrepancies **MUST** be reported to architect **BEFORE** proceeding.  
If in doubt **ASK**.  
This drawing is copyright, and is **NOT** to be copied, scanned or reproduced without the written consent.  
Construction (Design & Management) Regulations 2015  
It has been presumed that the 'principal designer duties', as detailed in the above (CDM Regs) have either been taken on by the client or their chosen contractor.  
This means that the person who prepared these detailed drawings for the proposed works has **NOT** been deemed to have been appointed as a 'designer' (including principal designer) and therefore is **NOT** responsible for the various duties placed on designers as set out in Regulation 9 and 10 of the above regulations.

## PRELIMINARY

ANY WORK STARTED ON SITE IS AT YOUR OWN RISK  
UNTIL ALL APPROVALS AND CONSENTS ARE GRANTED

Rev	Description	Initial	Date
<b>GJ Building Surveying Services</b>  <ul style="list-style-type: none"><li>New Build, Conversion, Alteration and Extension Design</li><li>Building Surveys</li><li>Measured Surveys</li><li>Planning &amp; Building Regulation Submissions</li><li>Project Management</li><li>Party Wall Matters</li><li>Residential, Commercial and Industrial</li></ul> <p>PO Box 1044, NORWICH, NR13 3XR T 01493 751137 W www.gjbs.co.uk E mail@gjbs.co.uk</p>			
Issued For	Comment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Construction	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Record	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Client	Mr T BROWN		
Project	REAR EXTENSIONS & ALTERATIONS TO 60 DENMARK ROAD NORWICH NR3 4JS		
Title	EXISTING & PROPOSED PLANS & ELEVATIONS, BLOCK AND SITE LOCATION PLANS		
Info	Local Authority	NORWICH CC	Date Apprd
	Planning Ref	-	-
	Building Ctl Ref	-	-
Date	NOV 2016	Job No.	Dwg No.
Scale	AS SHOWN	GJ/16/1716	02
Drawn By	G		-



**Report to** Planning applications committee

**Item**

9 February

**Report of** Head of planning services

**Subject** Application no 16/01771/VC - Rouen House, Rouen Road  
Norwich NR1 1RB

4(j)

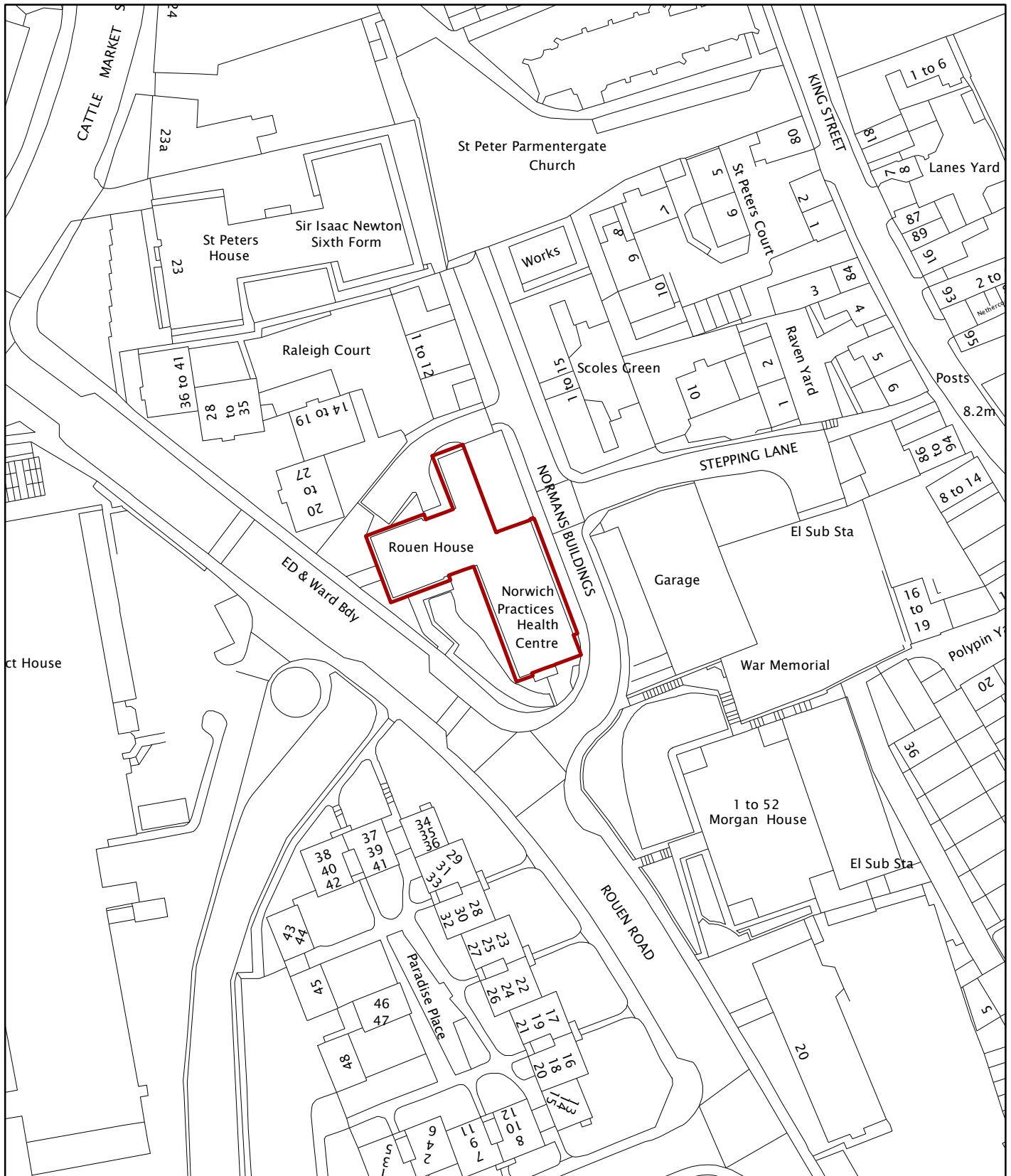
**Reason  
for referral** Objections

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<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Caroline Dodden - <a href="mailto:carolinedodden@norwich.gov.uk">carolinedodden@norwich.gov.uk</a>

Development proposal		
Variation of Condition 3 of previous permission 14/01108/U to allow the GP out of hours service to operate between 18:00 and 08:00.		
Representations		
Object	Comment	Support
3		

Main issues	Key considerations
1 Principle of development	Use of existing ground floor doctors surgery for GP out of hours service
2 Amenity	Potential noise disturbance from visitors, staff and operational vehicles
3 Transport and parking	Use of existing staff and visitors parking arrangements for out of hours service
<b>Expiry date</b>	10 February 2017
<b>Recommendation</b>	Approve



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Planning Application No 16/01771/VC

Site Address Rouen House, Rouen Road

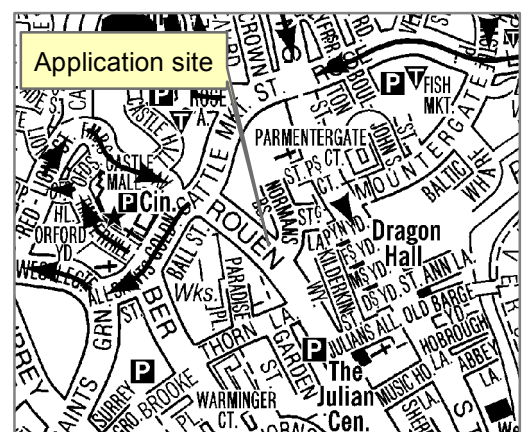
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

Page 120 of 152



## The site and surroundings

1. Rouen House is a five storey office building situated on the southeast side of Rouen road, which was built in the 1970s, at the same time as Prospect House situated to the west, on the opposite side of Rouen Road. A number of residential blocks of flats, such as Raleigh Court, Scoles Green, Morgan House and Paradise Place are located close to Rouen House.
2. The access road named Normans Buildings lies directly to the south of the building and runs along its rear boundary. This road provides access to a vehicle workshop and garage, a small commercial unit and a number of residential flats.
3. Stepping Lane forms a T-junction with Normans Buildings behind Rouen House, which provides access to a private car park, further residential dwellings and provides a pedestrian access to King Street/ Mountergate.

## Constraints

4. The building falls within the city centre conservation area, an area of main archaeological interest and an office priority area.

## Relevant planning history

5.

Ref	Proposal	Decision	Date
14/01108/U	Change of use of the lower ground and ground floors from offices (Class B1) to clinic (Class D1).	APPROVED	14/11/2014
15/00042/F	External alterations to entrances and external ramp and provision of plant enclosure.	APPROVED	24/04/2015

## The proposal

6. To vary condition 3 of previous permission 14/01108/U to allow the GP Out of Hours (OOH) service to operate between 18:00 and 08:00 from the doctors surgery on the ground floor of the premises.

### Summary information

Proposal	Key facts
<b>Transport matters</b>	
No of car parking spaces	<b>8 spaces within and adjacent to the site, 3 additional spaces allocated within nearby private car park.</b>

No of cycle parking spaces	<b>10 existing cycle parking spaces</b>
----------------------------	---

## Representations

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

Issues raised	Response
To allow 24 hour operation under this permission would also allow the existing walk-in-centre to operate in the same way, setting a precedent that could transform the Rouen Road/ King Street area from a quiet residential area into a busy 24 hour area, particularly if other businesses chose to operate 24 hours a day.	Main issue 2: Amenity
There is an existing problem with walk-in-centre customers parking in unauthorised places, obstructing and parking on business premises and residential access, which causes much disruption. The proposal will exacerbate the situation.	Main issue 3: Transport
The information provided is incomplete on details about staff, duties and mobile staff and inaccurate with regards to other business operating 24 hours a day in the locality, as this is not the case.	Main issue 2: Amenity
Concern regarding the use of a private car park for operational vehicles, which could cause significant noise nuisance throughout the night, particularly as there are many residences that overlook it on King Street and Rouen Road.	Main issue 2: Amenity Main issue 3: Transport

It is noted that three letters of support were submitted with the application, from the Norwich Clinical Commissioning Group, IC24 (who provide the out of hours service) and the One Norwich Primary Care Leadership Board. The comments state that the combined services would provide a 'health hub' that will reduce pressure on A & E attendances and allow better communication between primary health care services.



## Consultation responses

8. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### Highways (local)

9. No objection on highway/transportation grounds. The provision of NHS services is clearly vitally necessary and out of hours provision is entirely logical.
10. The adjacent highway network has adequate waiting restrictions that are enforceable, and any private land must take their own steps to manage their land as they see fit.
11. The quantum of in person visits to the centre according to the application will be very low and should not cause undue nuisance to local residential amenity.
12. With regard to parking of operational vehicles on site this should in principle be accommodated; the onus is on the applicant to ensure this is achievable.
13. As a city centre location, no on-street parking permits are offered. All staff or visitor parking must be accommodated on street or in adjacent car parks. As this is a mixed use part of the city centre, residents and businesses must co-exist. In such central locations there must be an understanding that activity will occur day and night.

## Assessment of planning considerations

### Relevant development plan policies

14. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS6 Access and transportation
  - JCS7 Supporting communities
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS11 Norwich city centre
  - JCS20 Implementation
15. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM11 Protecting against environmental hazards
  - DM22 Planning for and safeguarding community facilities
  - DM30 Access and highway safety
  - DM31 Car parking and servicing

## **Other material considerations**

### **16. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF8 Promoting healthy communities

## **Case Assessment**

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

### **Main issue 1: Principle of development**

18. Key policies and NPPF paragraphs – JCS7, DM22, NPPF paragraph 70.
19. Planning permission, ref: 14/01108/U was granted at the Planning Applications Committee in November 2014 for the change of use of the lower ground floor of Rouen House to a walk-in health centre and the ground floor to a doctors' surgery. This facility was relocated from level 4 of Castle Mall shopping centre (known as the Timberhill Health Centre) and has been running for approximately 18 months.
20. The proposal seeks to vary condition 3 of the 2014 consent to allow 24 hour operation of the health centre, seven days a week. It would make use of the existing facilities within the ground floor GP surgery at Rouen House. The OOH service is having to move out of its current base at the Bowthorpe Community Hospital site on Bowthorpe Road.
21. Access to the OOH service is telephone based (111 service) and provides an out of hours non-emergency medical service to the public. The service covers Norwich and the surrounding area and overnight shares the wider county with other clinicians based at Thetford, Kings Lynn and North Walsham. After being assessed over the phone, people would either be invited to attend the surgery or alternatively booked for a home visit. The service would operate alongside the walk-in-centre between the hours of 6pm and 9pm and then operate alone through the night until 8am.
22. Normal overnight staffing of the OOH service would be by two mobile clinicians, two drivers, two base clinicians and a receptionist. At weekends and bank holidays, this may be supplemented with an additional clinician and driver and up to two base GP's at the busiest times.
23. Policy DM22 permits and encourages new or enhanced public or community facilities where they are located within or adjacent to the city centre or existing and

proposed local and district centres. The principle of locating a GP surgery and walk-in-centre was approved under the 2014 permission and the policy seeks to support the enhancement of such facilities. As such, it is considered that the principle of enhancing an existing community facility accords with local plan policy DM22.

### **Main issue 2: Amenity**

24. Key policies and NPPF paragraphs –DM2, DM11, NPPF paragraphs 9 and 17.
25. Rouen House is situated near the western end of Rouen Road, approximately 80 metres from the junction with Cattle Market Street and Golden Ball Street. The area has a mix of uses, including offices, a car workshop and showroom and a number of blocks of flats. Whilst it is acknowledged that the background noise level in the area is likely drop at night, it should be borne in mind that the premises is located within the city centre and as such, some noise and disturbance is inevitable in such a central location.
26. Callers to the OOH service would use the main Rouen Road entrance only and entry would be gained via a call button. The service would not be publicised and as explained in paragraph 21, it would only receive callers that have been triaged through the telephone assessment. It is considered that, if members were minded to approve the application, a new condition could be added to ensure that only the Rouen Road entrance was used by visitors to the OOH service.
27. Two objectors are concerned that allowing 24 hour operation by varying condition 3 could also significantly intensify the use of the existing GP surgery and the walk-in-centre on the lower ground floor. Details of average numbers of people seen over the last year at the current Out of Hours site have been submitted and range from 1.3 per hour up to 4.6 per hour. It is stated by the Applicant that these figures are not significantly different on weekend nights. Whilst the information above, including the potential amount of people attending Rouen House, cannot be controlled, it is proposed that a condition be attached to set out the opening times of the ground floor doctors surgery and GP OOH service and that a separate condition for the daytime operating hours of the lower ground floor walk-in-centre be added. This would more accurately control the operating hours of the different services on the ground and lower ground floors.
28. The same objectors are also concerned about potential noise disturbance from the two or three operational vehicles that would be visiting those people who cannot attend the premises, particularly if the vehicles were to be located in a private car park accessed from Stepping Lane, which is overlooked by many residents on Rouen Road and King Street. The proposed parking arrangements are discussed in detail in the Transport section below.

### **Main issue 3: Transport and parking**

29. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
30. It is considered logical in terms of sustainable travel that the OOH service is located within the city centre, given the population of the city and outer suburbs. Although the service will only be accessible by car for most of its operating time, a city centre location will ensure maximum accessibility.

31. The Applicant anticipates that OOH staff would use the two parking spaces within the rear undercroft and one space at the side of the building. In particular, it is considered that the mobile clinician's vehicles would be parked in the reserved spaces within or adjacent to the building, in order to minimise any potential noise disturbance. Whilst, the use of the private car park on Stepping Lane may not be needed by OOH staff, it is considered that a parking management plan should be submitted to ensure that operational vehicles, in particular, are not parked in the Stepping Lane car park other than in the early evening. As such, a condition should be attached to require the submission of a parking management plan for the OOH service.
32. The objectors state that there is an existing daytime problem from some walk-in-centre callers, who park inconsiderately or obstruct business premises and residents dwellings at the rear, on Stepping Lane and Normans Buildings. It is considered that the on- and off-street parking available on Rouen Road overnight would be sufficient to deal with the likely demand for the OOH service. Given that the entrance to the OOH service would be from Rouen Road, the likely lower number of vehicular movements and those visitors to the OOH service would receive specific parking information before their visit, it is considered that the operation of the overnight service would not exacerbate any existing parking problems during the daytime and early evening.

### **Compliance with other relevant development plan policies**

33. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>As existing</b>
Car parking provision	DM31	<b>As existing</b>
Refuse Storage/servicing	DM31	<b>As existing</b>
Energy efficiency	JCS 1 & 3 DM3	<b>Not applicable</b>
Water efficiency	JCS 1 & 3	<b>Not applicable</b>
Sustainable urban drainage	DM3/5	<b>Not applicable</b>

### **Equalities and diversity issues**

34. There are no significant equality or diversity issues.

## **Local finance considerations**

35. 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.
36. 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.
37. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

38. The OOH service is considered to be a vitally important service that would benefit from being based within a centrally located doctors surgery. The proposal to vary condition 3 to allow 24 hour operation is considered acceptable subject to conditions being attached to take account of the different operating times of the ground floor surgery and lower ground floor walk-in-centre, the use of the Rouen Road entrance only for visitors and the submission of a parking management plan.
39. As such, the development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 16/01771/VC - Rouen House, Rouen Road, Norwich NR1 1RB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. The ground floor doctor's surgery shall not be open to the public between the hours of 21:00 and 07:00 other than to provide an Out of Hours GP service in association with the NHS 111 non-emergency service or, with the prior approval of the Local Planning Authority, such other service that may replace it;
4. The walk-in-centre on the lower ground floor of the premises shall not be open to the public between the hours of 21:00 and 07:00 on any day;
5. Members of the public visiting the Out of Hours service operating on the ground floor shall access the premises by the Rouen Road entrance only.
6. Submission of a parking management plan for the Out of Hours service;
7. The on and off-site improvements approved under Application 15/00554/D shall be permanently retained as such;
8. The Travel Information Plan approved under Application 15/00554/D shall be made available to staff and visitors to the site and be reviewed annually;
9. The pedestrian and vehicle signage approved and under Application 15/00554/D shall be permanently retained as such;
10. The off-site highway works approved under Application 15/00554/D shall be permanently retained as such;

11. The cycle storage approved under Application 15/00554/D shall be permanently retained as such;
12. Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification), the lower ground and ground floors of the premises, the subject of this permission, shall only be used as a walk-in health centre and doctors surgery, including GP out of hours service (Class D1) and for no other purposes including any other purpose in Class D1 of the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification).

### **Informative**

The services will not be entitled to business parking permits.

### **Article 35(2) statement**

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

**Report to** Planning applications committee

**Item**

09 February 2017

**Report of** Head of planning services

**Subject** Tree Preservation Order [TPO], 2016. City of Norwich  
Number 514; 1 The Mustard Mill, Bracondale Millgate,  
Norwich, NR1 2FB

**Reason  
for  
referral:** Representations for and objections to confirmation of tree  
preservation order 514

4(k)

<b>Ward:</b>	Thorpe Hamlet
<b>Case officer</b>	Mark Dunthorne, arboricultural officer <a href="mailto:MarkDunthorne@norwich.gov.uk">MarkDunthorne@norwich.gov.uk</a>

Proposal		
To confirm Tree Preservation Order 2016, City of Norwich Number 514, 1 The Mustard Mill, Bracondale Millgate, Norwich, NR1 2FB without modifications		
Representations		
Object	Comment	Support
1	0	1

Main issues:	Key considerations:
1 Amenity	Impact on local residents. Level of amenity for future occupiers of/visitors to, Bracondale Millgate.
2 Climate change	Trees increase resilience to climate change
3 Air quality	Trees improve air quality
3 Biodiversity & wildlife	Trees aid biodiversity and wildlife
TPO Expiry date	7 May 2017
<b>Recommendation</b>	Confirm TPO 514 without modifications



**PLANNING SERVICES**

Norwich City Council, City Hall,  
Norwich, NR2 1NH  
Telephone 0344 980 3333

Date : 31/10/2016

Scale : 1:500

Drawn by : SRB





## Introduction

1. The semi-mature silver birch tree is situated on a grass area adjacent to 1 The Mustard Mill. It forms part of a pair of silver birch trees on this land, both trees being the subject of this preservation order.
2. The location of the trees is shown on the attached plan
3. Tree Preservation Order No 514 was served on the 7 November 2016 following an application to fell (and replant with a smaller species) the southern-most birch tree of the pair (T1).

## The site, surroundings and content

4. The residents of 1 The Mustard Mill applied, via an agent, to the Council in September 2016, requesting the tree be felled to improve the view from their property. Replacing the tree with a smaller specimen also formed part of the application.
5. The Council's Arboricultural officer visited the site and assessed the tree using the nationally recognised Tree Evaluation Method for Preservation Orders (TEMPO). The assessment has the following classifications:

<b>TEMPO score:</b>	<b>TEMPO Decision guide</b>
0 - 11	Does not merit a TPO
12 -15	TPO defensible
16 - 25	Definitely merits TPO

The assessment resulted in a score of 17 for the birch tree, definitely meriting a Tree Preservation Order. City of Norwich, no. 514 Tree Preservation Order, 2016: 1 The Mustard Mill, Bracondale Millgate, Norwich, NR1 2FB, was served on 7<sup>th</sup> November 2016.

6. The Order applies to the two birch trees in this area, as they essentially create a formal pair. The Order is provisionally in effect for 6 months from the date on which it was served.
7. The application to fell the tree was refused on the 20 October 2016. The reasons for refusal were:  
  
"Tree is a good, healthy, semi-mature specimen with a considerable life expectancy. It has significant amenity value, is 'in-keeping', and contributes to, the pleasant nature of the immediate area."
8. Tree Preservation Order No 514 is provisionally in effect from 7 November 2016, until the 7 May 2017, 6 months from the date on which it was served. During this period the council gives consideration as to whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make

objections or other representations about any trees covered by the Order. The council received one objection and one letter of support for the order.

9. The council's standing orders require that when an objection to an Order is received a report must be presented to planning committee before the Order is confirmed.
10. Notice of the new Order (along with a letter of explanation) was served on the owner of the property, on the neighbouring properties and on interested parties.

## Representations

11. The objection to the Order was received by the occupier of 1 The Mustard Mill.

Full details of the objection are available on request. The issues set out in the objection and the responses from the arboricultural officer are summarised below:

	Representation	Response
11.1	Loss of view from 1 The Mustard Mill.	The view of the surrounding area from 1 The Mustard Mill may be slightly impeded by the presence of the tree, however, it is certainly not dominated by it. The silver birch is considered attractive in of itself, with a relatively 'open' canopy, allowing plenty of light to penetrate. The tree is situated in an ideal position, for the benefit of all the residents and visitors of Bracondale Millgate. The benefits of retaining the tree far outweigh the reasons for its removal.
11.2	Threat to the property (1 The Mustard Mill).	The tree poses no threat to nearby built structures, and this is not considered an acceptable reason to remove the tree.
11.3	Impact of the tree on the value of the property (1 The Mustard Mill).	Rather than impacting in a negative manner on the value of the property, several studies have shown that the presence of trees increases property values.

The letter of support was received from the occupier of 1 The Watermill. It highlights the fact that the tree enhances the appearance of the area, as well as providing some privacy from overlooking properties.

## **Main issues**

### **Issue 1**

12. The loss of a well-established, healthy tree, which is in good condition and visible to residents and visitors will impact negatively on the amenity of the area. The current (and future) size of the tree is compatible with its surroundings. Replacing with a smaller specimen is considered unnecessary and would diminish the amenity value of the area.

### **Issue 2**

13. The loss of this tree would also contribute to the impacts of climate change. Through photosynthesis trees naturally absorb CO<sub>2</sub> a key greenhouse gas and act as a carbon sink by sequestering it. Also, by a combination of reflecting sunlight, providing shade and evaporating water through transpiration trees moderate the local microclimate and temperature. A smaller specimen would lessen these effects.

### **Issue 3**

14. The tree has a positive effect on air quality by cutting levels of airborne particulates and removing air pollutants. A smaller specimen would lessen these effects.

## **Conclusion**

15. The objection to the Order has been taken note of, and whilst officers appreciate the concerns raised, it is their opinion that the tree is compatible with its surroundings and makes a positive contribution to the amenity of the area. It has sufficient value to validate its continued protection by confirming the Tree Preservation Order.

## **Recommendation**

16. To confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 514; 1 The Mustard Mill, Bracondale Millgate, Norwich, NR1 2FB, without modifications.

THE CITY COUNCIL OF NORWICH

FORM OF TREE PRESERVATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

THE CITY OF NORWICH TREE PRESERVATION ORDER NUMBER 514, 2016

The City Council of Norwich, in exercise of the powers conferred on them by Section 198 of the Town and Country Planning Act 1990 hereby make the following Order –

**Citation**

1. This Order may be cited as Tree Preservation Order, 2016  
City of Norwich Number 514, 1 The Mustard Mill, Bracondale Millgate,  
Norwich NR1 2FB

**Interpretation**

2. 1. In this Order “the authority” means the City Council of Norwich
2. In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Effect**

3. 1. Subject to article 4, this Order takes effect provisionally on the date on which it is made.
2. Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
  - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
  - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

**Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

DATED this 7<sup>th</sup> day of November  
two thousand and sixteen.

THE CORPORATE SEAL of THE )  
CITY COUNCIL of NORWICH )  
Was hereunto affixed in the )  
Presence of )



Am Bull

Authorised by the Council

SCHEDULE

## Article 3

SPECIFICATION OF TREES

Trees specified individually  
(encircled in black on the map)

Reference on Maps	Description	Situation
<b>T1.</b>	<b>Birch</b>	<b>Land to the South East of 1 The Mustard Mill, Bracondale Millgate , Norwich NR1 2FB Grid Ref 624289, 306858</b>
<b>T2</b>	<b>Birch</b>	<b>Land to the South East of 1 The Mustard Mill, Bracondale Millgate , Norwich NR1 2FB Grid Ref 624299, 306868</b>

Groups of Trees  
(within a broken black line on the map)

Reference on Map	Description	Situation
<b>None.</b>		

Trees specified by reference to an area  
(within a black dotted line on the map)

Reference on Map	Description	Situation
<b>None.</b>		

Woodlands  
(within a continuous black line on the map)

Reference on Map	Description	Situation
<b>None</b>		

**IMPORTANT – THIS COMMUNICATION MAY AFFECT YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended).**

**TOWN & COUNTRY PLANNING (Tree Preservation) (England) REGULATIONS 2012**

**TREE PRESERVATION ORDER 2016**

**THE CITY COUNCIL OF NORWICH NUMBER 514**

**ADDRESS: 1 The Mustard Mill, Bracondale Millgate,  
Norwich NR1 2FB**

**THIS IS A FORMAL NOTICE** to let you know that on **07 November 2016**, the Council made the above Tree Preservation Order.

A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the Schedule and shown on the map without the Council's consent. Some explanatory guidance on tree preservation orders is given in the enclosed leaflet, **Protected Trees: A Guide to Tree Preservation Orders**, produced by the Department of Communities & Local Government.

The Council has made the Order *to protect the amenity of the area*

[The Order took effect, on a provisional basis, on **07 November 2016**. It will continue in force on this basis for a further 6 months until the Order is confirmed by the Council, or if the Council decide not to confirm the order, the date on which the Council decide not to confirm the order, whichever occurs first.] The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments, we must receive them in writing by **05 December 2016**. Your comments must comply with Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is provided overleaf. Send your comments to the **Tree Protection Officer, Norwich City Council, City Hall, St Peter's Street, Norwich NR2 1NH** or you can email: [planning@norwich.gov.uk](mailto:planning@norwich.gov.uk) All valid objections or representations are carefully considered before a decision on whether to confirm the Order is made. The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact: **The Tree Protection Officer, Norwich City Council, St Peter's Street, Norwich, NR2 1NH (Tel: 01603 212546)** email: [planning@norwich.gov.uk](mailto:planning@norwich.gov.uk)

DATED this **07 November 2016**.

Signed



Mark Dunthorne  
Arboricultural Officer  
City Hall, Norwich NR2 1NH  
Tel: 01603 212426  
Email: [Markdunthorne@norwich.gov.uk](mailto:Markdunthorne@norwich.gov.uk)

**COPY OF REGULATION 6 OF The Town and Country Planning (Tree Preservation)(England) Regulations 2012**

**Objections and representations**

**6.—**(1) Subject to paragraph (2), objections and representations—

(a) shall be made in writing and—

(i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or

(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.



# TREE EVALUATION METHOD FOR PRESERVATION ORDERS -TEMPO

## SURVEY DATA SHEET & DECISION GUIDE

Date: 20/10/16	Surveyor: MD
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Tree details	BEACONHILL	Tree/Group No: 1	Species: S. BIRCH
TPO Ref (if applicable):	MILLGATE	Location:	
Owner (if known):			

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

### Part 1: Amenity assessment

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- |                          |                         |
|--------------------------|-------------------------|
| 5) Good                  | Highly suitable         |
| 3) Fair                  | Suitable                |
| 1) Poor                  | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable              |

\* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes	5
---------------	---

b) Retention span (in years) & suitability for TPO

- |           |                 |
|-----------|-----------------|
| 5) 100+   | Highly suitable |
| 4) 40-100 | Very suitable   |
| 2) 20-40  | Suitable        |
| 1) 10-20  | Just suitable   |
| 0) <10*   | Unsuitable      |

\*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes	2
---------------	---

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- |   |                     |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees  | Highly suitable     |
| 4) Large trees, or medium trees clearly visible to the public       | Suitable            |
| 3) Medium trees, or large trees with limited view only              | Suitable            |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable     |
| 1) Trees not visible to the public, regardless of size              | Probably unsuitable |

Highly suitable  
Suitable  
Suitable  
Barely suitable  
Probably unsuitable

Score & Notes	4
---------------	---

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- |  |
|--|
| 5) Principal components of arboricultural features, or veteran trees                           |
| 4) Tree groups, or members of groups important for their cohesion                              |
| 3) Trees with identifiable historic, commemorative or habitat importance                       |
| 2) Trees of particularly good form, especially if rare or unusual                              |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) |

Score & Notes	1
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### Part 2: Expediency assessment

Trees must have accrued 9 or more points to qualify

- |                               |
|-------------------------------|
| 5) Immediate threat to tree   |
| 3) Foreseeable threat to tree |
| 2) Perceived threat to tree   |
| 1) Precautionary only         |

Score & Notes	5
---------------	---

### Part 3: Decision guide

- |       |                       |
|-------|-----------------------|
| Any 0 | Do not apply TPO      |
| 1-6   | TPO indefensible      |
| 7-11  | Does not merit TPO    |
| 12-15 | TPO defensible        |
| 16+   | Definitely merits TPO |

Add Scores for Total:	17
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Decision:	TPO
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**Report to** Planning applications committee  
09 February 2017

**Item**

**Report of** Head of planning services

**Subject** Enforcement Case 16/00020/ENF – 66 Whistlefish Court,  
Norwich, NR5 8QR

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4(I)

### **SUMMARY**

**Description:** Without planning permission the conversion of an attached garage to form a separate unit of residential accommodation class C3 residential use. Also without permission the change of use from C3 residential / C4 HMO use to sui generis HMO use.

**Reason for consideration at Committee:** Enforcement Action recommended.

**Recommendation:** Authorise enforcement action up to and including prosecution in order to secure the cessation of the unlawful residential C3 use and return the use of the former garage to incidental / ancillary use and to cease the unauthorised sui generis HMO use and return the property back to C3 residential (Class C3) use or HMO (Class C4) use.

**Ward:** Wensum

**Contact Officer:** Ali Pridmore



## **The Site**

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

## **Relevant planning history**

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

## **The Breach**

3. The conversion of a former detached garage to form a separate unit of residential (Class C3) use accommodation without planning permission. The change of use from (Class C3) / HMO (Class C4) use to sui generis HMO use without the benefit of planning permission.
4. The development and change of use requires planning permission which is required under section 171A(1) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991).
5. The owner of 66 Whistlefish Court has been informed the conversion of the former detached garage and the unauthorised sui generis HMO use is a breach of planning control and was asked to cease the unauthorised use and return the former garage back to incidental / ancillary use.
6. It appears to Norwich City Council that the above breach of planning control has occurred within the last four years and is not therefore immune from enforcement action.

## **Policies and Planning Assessment**

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

Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS):

- JCS2 Promoting good design
- JCS4 Housing
- JCS6 Access and transportation

Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan):

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM12 Principles for all residential development

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

### **Justification for Enforcement**

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

### **Equality and Diversity Issues**

9. The Human Rights Act 1998 came into effect on 2 October 2000. In so far as its provisions are relevant:
  - (a) Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the council the responsibility to take enforcement action when it is seen to be expedient and in the public interest. The requirement to secure the removal of the unauthorised building works in the interests of amenity is proportionate to the breach in question.
  - (b) Article 6: the right to a fair hearing is relevant to the extent that the recipient of the enforcement notice and any other interested party ought to be allowed to address the committee as necessary. This could be in person, through a representative or in writing.

### **Conclusions**

10. The current unauthorised residential use would have a significant detrimental impact on the residential amenities of occupiers and neighbouring properties.
11. Authority is sought from the planning applications committee for enforcement action to secure the cessation of the unauthorised use of the former garage for residential (Class C3) use and return the building back to an incidental / ancillary use. Authorisation is also sought to secure the cessation of the unauthorised sui generis HMO use and return the property back to residential (Class C3) use or HMO (Class C4) use. Enforcement action is to include direct action and prosecution if necessary.

### **Recommendations**

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

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





**Report to** Planning applications committee  
09 February 2017

**Item**

**Report of** Head of planning services

**Subject** Enforcement Case 16/00020/ENF – 67 Whistlefish Court,  
Norwich, NR5 8QR

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4(m)

### **SUMMARY**

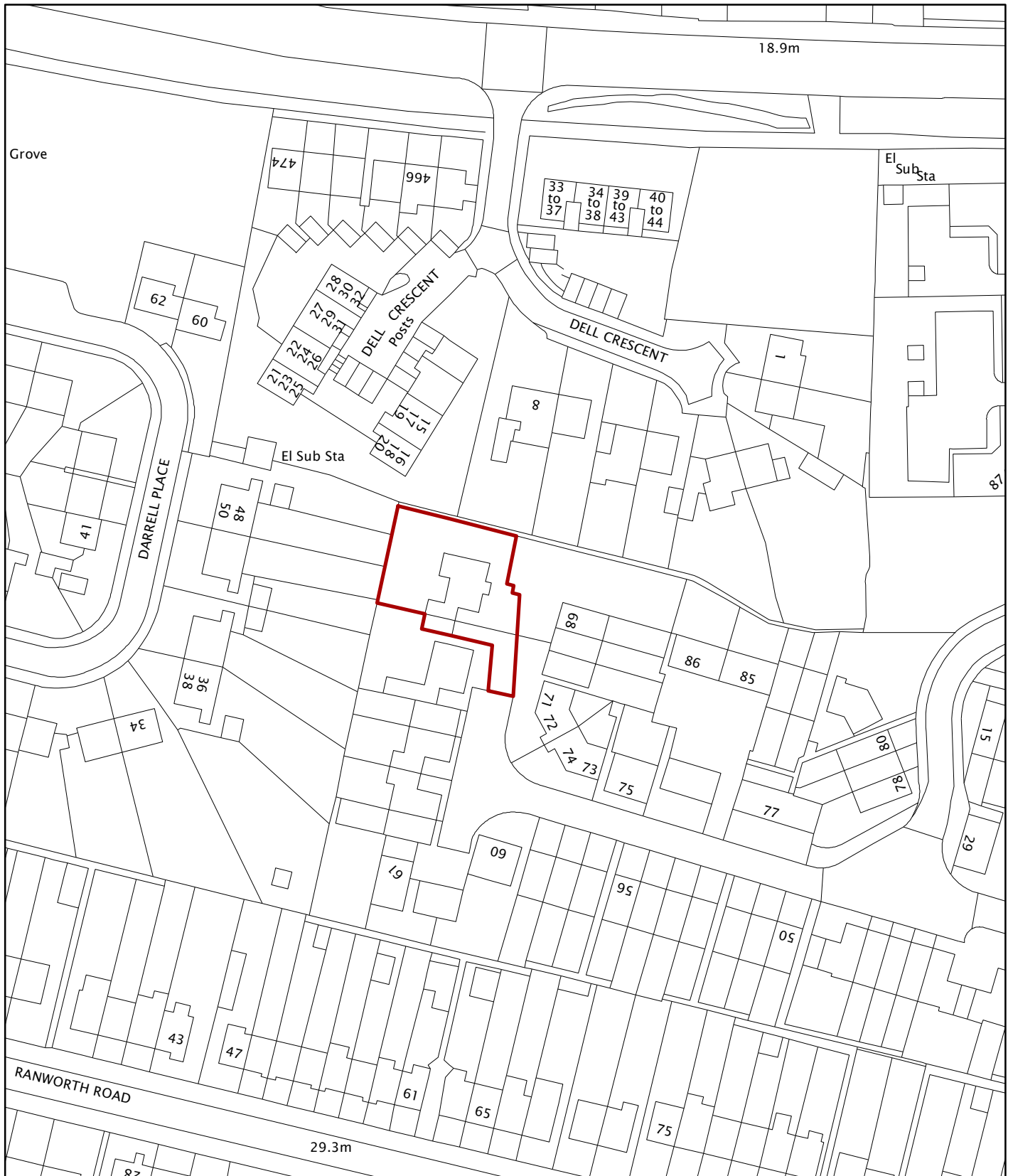
**Description:** Without planning permission the conversion of an attached garage to form a separate unit of residential accommodation class C3 residential use. Also without permission the change of use of the main house from C3 residential / C4 HMO use to sui generis HMO use.

**Reason for consideration at Committee:** Enforcement Action recommended.

**Recommendation:** Authorise enforcement action up to and including prosecution in order to secure the cessation of the unlawful residential C3 use and return the use of the former garage to incidental / ancillary use and to cease the unauthorised sui generis HMO use of the main house and return the property back to C3 residential (Class C3) use or HMO (Class C4) use.

**Ward:** Wensum

**Contact Officer:** Ali Pridmore



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Planning Application No 16/00020/ENF

Site Address 67 Whistlefish Court

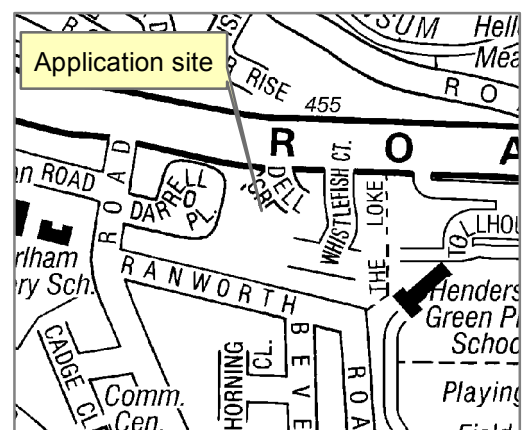
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**NORWICH**  
City Council

PLANNING SERVICES

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## **The Breach**

3. The conversion of a former detached garage to form a separate unit of residential (Class C3) use accommodation without planning permission. The change of use from (Class C3) / HMO (Class C4) use to sui generis HMO use without the benefit of planning permission.
4. The development and change of use requires planning permission which is required under section 171A(1) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991).
5. The owner of 67 Whistlefish Court has been informed the conversion of the former detached garage and the unauthorised sui generis HMO use is a breach of planning control and was asked to cease the unauthorised use and return the former garage back to incidental / ancillary use.
6. It appears to Norwich City Council that the above breach of planning control has occurred within the last four years and is not therefore immune from enforcement action.

## **Policies and Planning Assessment**

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### **Justification for Enforcement**

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

### **Equality and Diversity Issues**

9. The Human Rights Act 1998 came into effect on 2nd October 2000. In so far as its provisions are relevant:
  - (a) Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the Council the responsibility to take enforcement action when it is seen to be expedient and in the public interest. The requirement to secure the removal of the unauthorised building works in the interests of amenity is proportionate to the breach in question.
  - (b) Article 6: the right to a fair hearing is relevant to the extent that the recipient of the enforcement notice and any other interested party ought to be allowed to address the committee as necessary. This could be in person, through a representative or in writing.

### **Conclusions**

10. The current unauthorised residential (C3) use would have a significant detrimental impact on the residential amenities of occupiers and neighbouring properties.
11. Authority is sought from the planning applications committee for enforcement action to secure the cessation of the unauthorised use of the former garage for residential (Class C3) use and return the building back to an incidental / ancillary use. Authorisation is also sought to secure the cessation of the unauthorised sui generis HMO use and return the property back to residential (Class C3) use or HMO (Class C4) use. Enforcement action is to include direct action and prosecution if necessary.
12. Authority is also sought from the planning applications committee for enforcement action to secure the cessation of the unauthorised use of the property as sui generis residential use and return it back to residential (Class C3) use or HMO (Class C4) use, incidental / ancillary use.

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

## **Recommendations**

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

