

Report to Planning applications committee

Item

10 December 2020

Report of Area development manager

Subject Application no 20/00422/F - Thorpe Motor Company, 32 -
36 Harvey Lane, Thorpe St Andrew, Norwich, NR7 0DH

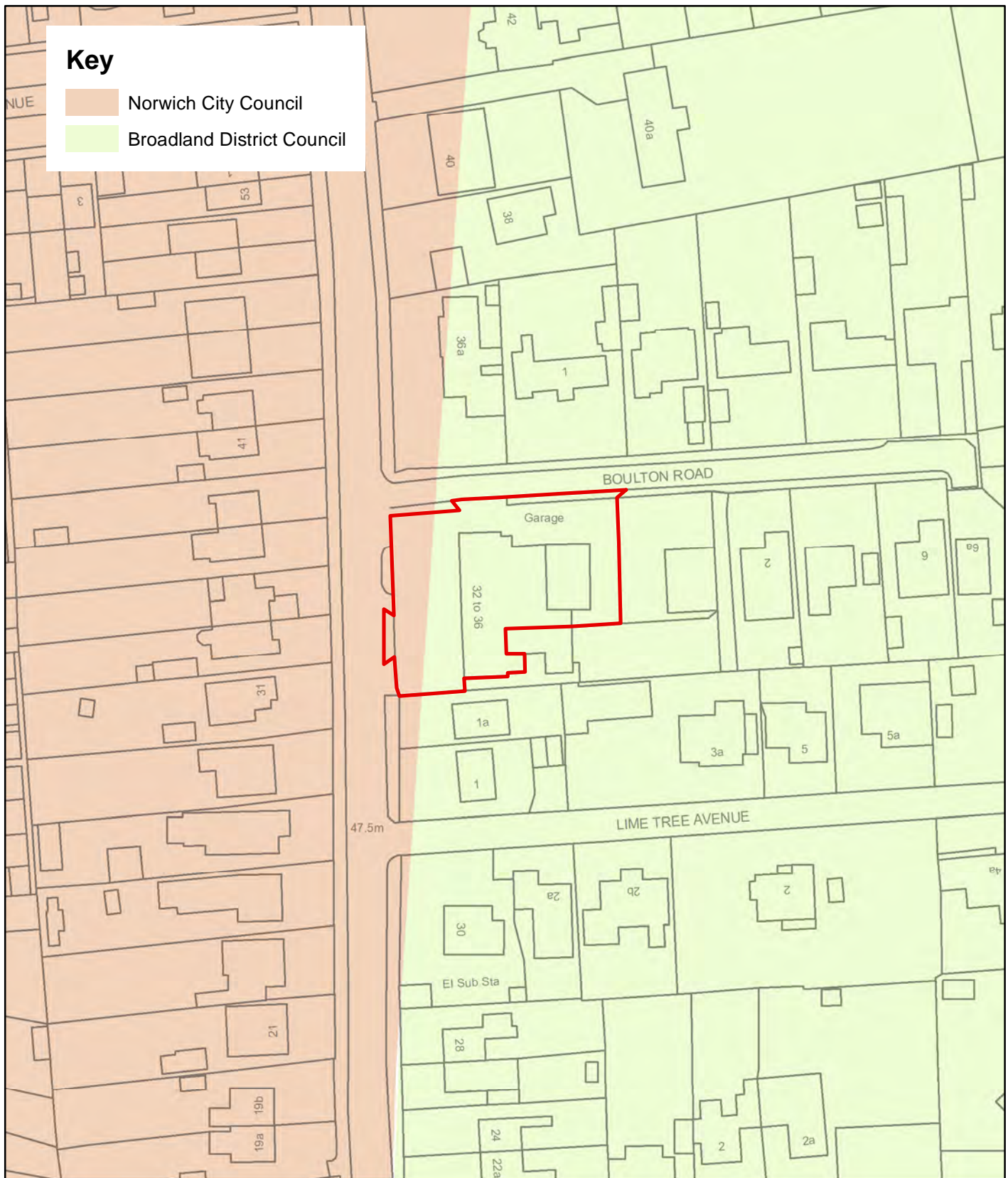
**Reason
for referral** Objections

4(b)

Ward:	Crome
Case officer	Maria Hammond - 07717 451417 - mariahammond@norwich.gov.uk

Development proposal		
Redevelopment of site to provide 4 No. dwellinghouses and 4 No. apartments.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1	Principle of loss of existing use and new residential development
2	Design
3	Amenity
4	Transport
Expiry date	29 May 2020, extended to 15 December 2020
Recommendation	Approve



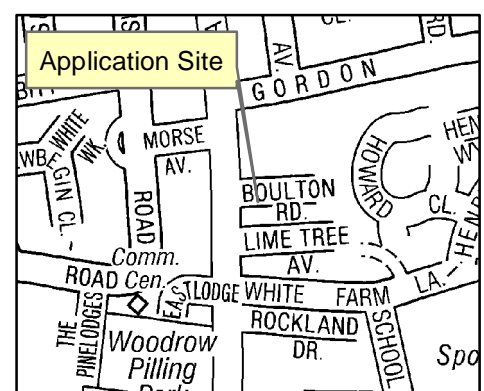
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Planning Application No 20/00422/F
 Site Address 32 -36 Harvey Lane
 Thorpe St Andrew

Scale 1:1,000



NORWICH
 City Council
 PLANNING SERVICES



The site and surroundings

1. The site is a former vehicle sales garage at the corner of Harvey Lane and Boulton Road. It is occupied by a showroom building that is largely two storey under a flat roof and has attached workshops to the rear. The building is surrounded by large areas of hardstanding and the frontage to Harvey Lane is defined by low level rails.
2. The administrative boundary between Norwich City Council and Broadland District Council runs through the site and identical applications have been submitted to each LPA which Broadland have led on (Broadland application reference 20200699). The portion of the site within the jurisdiction of Norwich City Council is a tapering part of the frontage to Harvey Lane that is 7.5 metres at its widest. Around 13% of the site is in Norwich, with the remainder in Broadland.
3. Mid-twentieth century residential development surrounds the site and is characterised by two storey semis on the opposite side of the road and detached houses and bungalows to either side and along Boulton Road. One dwelling set back from the road is attached to the application site buildings and has pedestrian access along the southern boundary. Low walls and hedges form the front boundaries along Harvey Lane and dwellings in the area generally have generous, mature front gardens.

Constraints

4. A small part of the site is at risk of surface water flooding.
5. The site is within 250 metres of the designated ancient woodland at Lion Wood.

Relevant planning history

6. There is no recent relevant planning history.

The proposal

7. The site is proposed to be cleared and redeveloped with a two-storey building fronting Harvey Lane providing four apartments, each with one bedroom, and two pairs of three-bedroom semi-detached dwellings fronting Boulton Road.
8. The apartments would have a car park and store building to the south and external amenity space to the front. Each house would have parking directly off Boulton Road and private gardens to the rear.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	8 dwellings

Proposal	Key facts
No. of affordable dwellings	None required by policy
Total floorspace	642 square metres
No. of storeys	Two
Max. dimensions	Apartment building: 8.3m by 15m by 8.8 metres high Semi-detached houses: 8.3m by 11.4m by 8.8. metres high
Density	66 dwellings per hectare
Appearance	
Materials	Bricks, tiles and fenestration to match local materials
Transport matters	
Vehicular access	One point off Harvey Lane to apartments and direct access to each house off Boulton Road
No of car parking spaces	14
No of cycle parking spaces	Cycle store for apartments
Servicing arrangements	Bin store for apartments, designated areas in gardens for houses

9. Broadland District Council has recommended the identical application for approval subject to conditions and a section 106 agreement securing offsite contributions for formal recreation and green infrastructure. This is being considered by its planning committee on 2 December 2020 (subsequent to the writing of this report) and a copy of the committee report is attached to this report at Appendix A. Members will be updated of the Broadland District Council's planning committee's decision at your meeting on 10 December 2020.

Representations

10. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received by Norwich City Council 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. For information, Broadland District Council received five letters of representation raising the same and similar issues.

Issues raised	Response
Worried parking on the road will increase due to lack of parking provided. Two spaces for visitors is not enough.	See main issue 4
Design is not in line with current feel of place and character of area	See main issue 2
Will adversely affect views and property value	The impacts of a development on private views and property values are not material planning considerations.
Increased noise	See main issue 3
Issues with speeding traffic	See main issue 4

Consultation responses

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

Environmental protection

12. No information has been supplied regarding the potential for contamination to exist on the site. As it was a former Petrol Filling Station as well as a garage I would recommend conditions: scheme to deal with risks of contamination, unknown contamination and imported material.

Highways

13. No objection on highway grounds. The proposed use and layout of the site overall is acceptable.
14. Recommendations:
- (a) That the footways on all sides of the site are reconstructed to full kerb height except where vehicle crossovers are required. This is likely to require a Small Highway Works Agreement.
 - (b) Waiting restrictions (double yellow line markings) will need to be reinstated.
 - (c) The parking spaces adjacent to Boulton Road and parking court accessed from Harvey Lane would benefit from being laid out in paving with bricks of contrasting colour demarcating parking spaces. For better visual appearance.
 - (d) The parking court accessed from Harvey Lane must have drainage that prevents run off to Harvey Lane.
15. Further comments on revised plans:

Please can these points be considered:

- (a) The walking route from the flats to the car park could be more convenient:
- (b) It is good practice to reinstate the footway to full kerb height where a crossover is redundant, please can the plan be updated accordingly.
- (c) It would also be beneficial if the entire footway adjacent to the site on both sides was resurfaced once construction has completed, footways can easily be damaged during construction.
- (d) The double yellow lines would need reinstatement following these works.
- (e) Visibility; please can the brick wall be set back if necessary to achieve adequate visibility: can a plan be annotated to demonstrate what is achievable in a southern direction with a 2.4m set back.
- (f) Pram drop needs to be shown on the plans on Boulton Road.

Landscape

- 16. Given that the proposal now includes a more appropriate boundary treatment to Harvey Lane, and has made provision for some decent sized trees I am happy to support this in principle, and would request that further details are secured by condition of any approval that may be given.

Norfolk historic environment service

- 17. The proposed development site is located adjacent to the north-western part of the Roman settlement at Thorpe St Andrew. The full nature and extent of this settlement is not known. Further artefacts and features of Roman date were found approximately 350m south of the application in the summer of 2019. New discoveries have been made since Broadland application 20171522 was approved. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains of Roman date) to be present within the current application site and that their significance would be affected by the proposed development.
- 18. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework 2019 paragraphs 199 and 189.
- 19. In this case the programme of archaeological mitigatory work will commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction).

Assessment of planning considerations

Relevant development plan policies

- 20. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS3 Energy and water

- JCS4 Housing delivery
- JCS5 The economy
- JCS6 Access and transportation

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM17 Supporting small business
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

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

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF6 Building a strong, competitive economy
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

23. Supplementary Planning Documents (SPD)

- Trees, development and landscape SPD adopted June 2016

Case Assessment

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

Main issue 1: Principle of development

25. Key policies and NPPF paragraphs – DM12, DM13, DM17, NPPF sections 5 and 6
26. Although the majority of the site and the footprint of the proposed dwellings are within Broadland District Council's jurisdiction, this assessment considers the development as a whole. However, particular attention should be paid to the development proposed within the city council's portion of the site and how this facilitates the larger development.
27. The site is occupied by a vacant employment use. Policy DM17 seeks to safeguard existing small and medium sized sites for business and other economic development purposes, other than in defined exceptional circumstances. To consider the loss of such sites favourably, the policy requires that: all possibilities for reusing or redeveloping the site for similar purposes have been fully explored and there is no demand for such units in the area; and, it is no longer viable, feasible or practicable to retain for business use; or, retaining it would be detrimental to amenity or prevent/delay beneficial development; or, there would be overriding community benefit from the new use which could not otherwise be achieved.
28. The site was marketed for rent over a period of six months from October 2018 to April 2019. The agent marketing the property has advised that although there was some interest in the site for commercial reuse, that the buildings require significant upgrading and investment to be attractive to any prospective commercial reuse. The applicants subsequently purchased the site on the basis of advice from Broadland District Council that redevelopment for housing was likely to be supported in principle. As the local planning authority leading the consideration and negotiation on this application, Broadland District Council have had regard to the foregoing and also to the difficult economic climate the coronavirus pandemic has caused for existing commercial premises to continue to operate and for new businesses to form. Whilst the submitted justification does not fully comply with their equivalent policy to DM17, they have concluded it is not necessary to carry out a further marketing exercise.
29. Weight is also given to the brownfield nature of the land and its location within a primarily residential area in accordance with paragraphs 117 and 118 of the NPPF which advise that decisions should promote an effective use of land in meeting the need for homes and other uses and that substantial weight should be given to using suitable brownfield land within settlements for homes that support the opportunity to remediate despoiled or contaminated land. Residential redevelopment of this vacant, brownfield site which is an isolated commercial concern in an otherwise suburban residential area with some contamination resulting from former uses therefore has some wider benefits.
30. Broadland District Council are persuaded that, on balance, the loss of the commercial use is not unacceptable. Whilst it is recognised that the requirements of Policy DM17 have not been fully complied with in the submission, it is considered likely that in the current climate any further marketing exercise would conclude that there is limited viability or feasibility to retain the site in commercial use and that retaining it in either its current vacant state or last use for vehicle sales and repairs

causes harm to local amenity that would be outweighed by the benefits of new housing.

31. In terms of the principle of residential development, the site is not subject to any of the exceptions listed in Policy DM12, and therefore new dwellings here are acceptable in principle. The mix of semi-detached dwellings and apartments does not reflect the established character of the area, however it does add some diversity to the housing stock and the slightly higher density is not considered to be harmful to the character or amenity of the area in principle, subject to the detailed considerations below.
32. On balance, the loss of the existing employment use is not unacceptable and redeveloping the site for housing is considered appropriate in principle.

Main issue 2: Design

33. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12
34. The proposed layout has the larger apartment building fronting the main road, with the pairs of semis along the side road which responds well to the corner position of the site and its setting. In terms of scale, the area is characterised by a mix of two storey dwellings and bungalows. Whilst the apartment building would be larger in footprint than the detached dwellings in the area, it would not be significantly so and this and the two storey semi-detached houses with accommodation in the roof have a form which is consistent with the character of the area. They are not therefore considered to be out of scale or harmful to the prevailing character and design amendments negotiated since the original submission have improved the appearance and relationship with the surrounding area.
35. The detailed design is relatively traditional and includes high quality details to the eaves, cills and lintels and these and materials should be secured by condition (on the Broadland permission) to ensure the development enhances the appearance of the site and its setting.
36. The layout provides for dedicated parking and servicing space in appropriate locations and external amenity space for all dwellings; private gardens to the houses and a communal space for the apartments. The siting of the communal garden along the Harvey Lane frontage allows for this to be landscaped and enhance the appearance of the site within the streetscene. This frontage is the part of the site within the City Council area and negotiations have secured a new wall and native species hedge to the road boundary, with soft landscaping, including new trees, in the communal garden behind. Full details should be secured by condition to ensure high quality amenity space is provided, the landscaping complements the development and its setting and also enhances biodiversity.
37. Subject to conditions, the design is considered acceptable.

Main issue 3: Amenity

38. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 180-182.

39. Each of the proposed apartments has 45 sqm of floorspace which is appropriate for single occupancy and the semis exceed minimum standards for their size. Every unit would have acceptable outlook and natural light and the amount of external amenity space is considered appropriate to enhance amenity and reflect the character of the area. The proposal is therefore considered to provide a suitable standard of amenity for future occupiers.
40. There is an existing dwelling to the rear of the site which is partly attached to the existing building. This dwelling will benefit from the proposed demolition which will create greater space around it and better outlook and light. Any matters concerning the existing attachment and new boundaries can be resolved privately through the Party Wall Act.
41. The layout of the site, distances to other neighbouring dwellings and arrangement of windows are such that it is not considered there would be any direct overlooking or unacceptable harm to the amenity of neighbouring dwellings. It is noted that objections raise concern about the impact on the outlook of existing dwellings, however the distance between dwellings across roads mitigates any overbearing or direct impact and overall it is considered the proposal would improve the appearance from the existing car sales garage.
42. Concern has also been raised about noise from the development, however in relation to the established use of the site, it is not considered the eight dwellings would result in any additional or unacceptable noise that would harm the amenity of this residential area. An informative note to advise how noise and disruption during construction should be managed can be included in any decision.

Main issue 4: Transport

43. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9
44. Objections have raised concern that the proposal would exacerbate existing traffic and parking issues in the area. There is no highway objection to the proposal and amended plans have been submitted to address the requirements of the Highway Authority.
45. Car parking consists of one space per one bedroom apartment, two per three bedroom house and two additional visitor spaces. This is in excess of Norwich City Council standards but in compliance with Broadland District Council's. Given the suburban location on the edge of the city council's area, it is considered appropriate to give more weight to Broadland's standards. With this level of parking on site it is not considered there would be any exacerbation of existing on-street parking issues. Concern has also been raised about speeding traffic, however this is not a matter which can be resolved through this planning application.
46. A dedicated bin and cycle store is proposed to serve the apartments and each house would have its own provision. An appropriate bin collection area is also proposed for the apartments.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition
Biodiversity	DM6	A survey has found a small area of the building may be suitable for roosting bats. Broadland District Council's Ecology Officer has reviewed the information and confirmed that the mitigation and enhancement measures, including a bat activity survey, suggested within the report are supported and should be secured by condition (on the Broadland permission).
Contamination	DM11	The risk of contamination from past uses of the site should be subject to an investigation to be secured by condition.
Heritage	DM9	The site is an area of known archaeological interest so an investigation should be secured by condition.

S106 Obligations

48. Broadland District Council's development plan policies include requirements for developments of this scale to contribute to off-site recreation and green infrastructure. There are no corresponding policy requirements in the city council's development plan and therefore, in accordance with paragraph 56 of the NPPF, it is not considered necessary, fair or reasonable to require the applicant to enter into a planning obligation on any permission the council issue. However, the development will deliver these contributions through any permission Broadland District Council grant for the proposal and the benefits will not be confined to their administrative area.

Equalities and diversity issues

49. There are no significant equality or diversity issues.

Local finance considerations

50. 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.

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

Conclusion

53. The application proposes redevelopment of a currently vacant commercial premises with eight dwellings. The loss of the site and premises for alternative commercial use has not been justified to the full extent required by Policy DM17, however regard is had to the brownfield status of the site, its location in an otherwise suburban residential area, the current economic climate and the benefits of residential use to local amenity and housing supply. Broadland District Council's support for the principle of housing here is also noted and it is accepted the benefits of the proposal outweigh the limited conflict with Policy DM17.
54. The scheme is considered to respond to its setting and not result in any unacceptable harm to the amenity of neighbouring occupiers. Whilst parking is above the standards adopted for the city, the additional provision is not unacceptable and assists in addressing local concern about on-street parking. There is no highways objection and contamination, ecology and archaeology investigations and mitigation can be secured by condition across the two permissions.
55. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

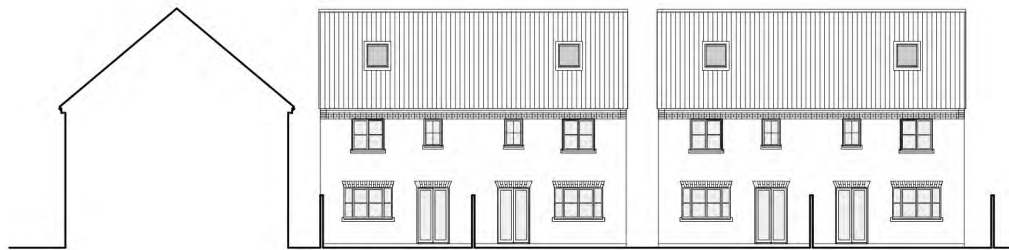
To approve application no. 20/00422/F - Thorpe Motor Company 32 - 36 Harvey Lane Thorpe St Andrew Norwich NR7 0DH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Landscaping scheme
4. Implementation of landscaping scheme
5. Archaeological work to be agreed
6. Highway access
7. Visibility splays
8. Provision of parking
9. Highway improvements offsite
10. Highway improvements offsite – implementation
11. Contaminated land investigation
12. Implementation of remediation

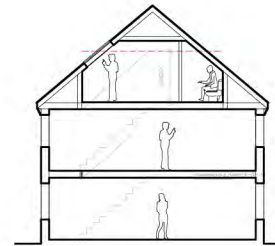
13. Contaminated land during construction

Article 31(1)(cc) statement

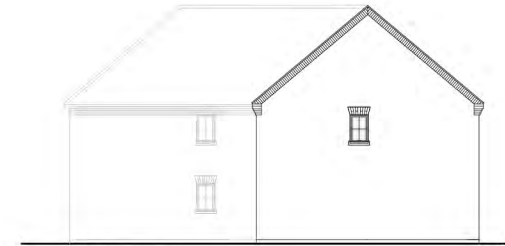
The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments to the design,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



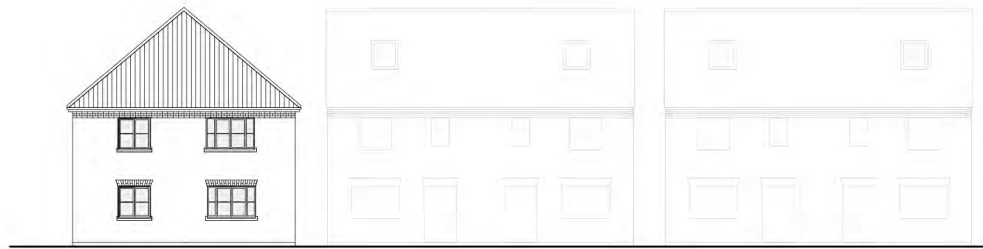
SOUTH ELEVATION 1:100 @ A1



SKETCH SECTION



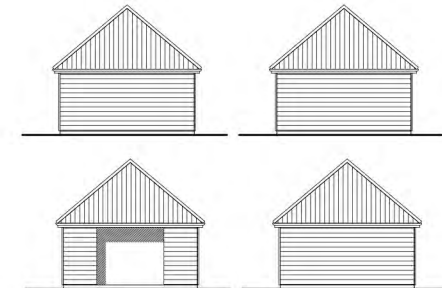
EAST ELEVATION 1:100 @ A1



SOUTH ELEVATION 1:100 @ A1



WEST ELEVATION (HARVEY LANE) 1:100 @ A1



BIN/CYCLE STORE ELEVATIONS 1:100 @ A1

B 25-09-20 PLANNING ISSUE II
A 26-03-20 PLANNING ISSUE

Former Harvey Lane Garage, Harvey Lane
Norwich, Norfolk, NR7 0DD

Date: January 2020

Drawing No: RS/4227/20/50

ELEVATIONS



Anglia Design
architects . surveyors

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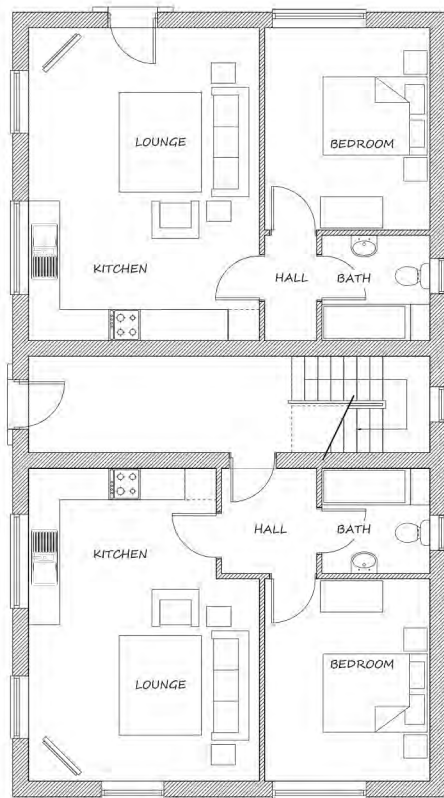
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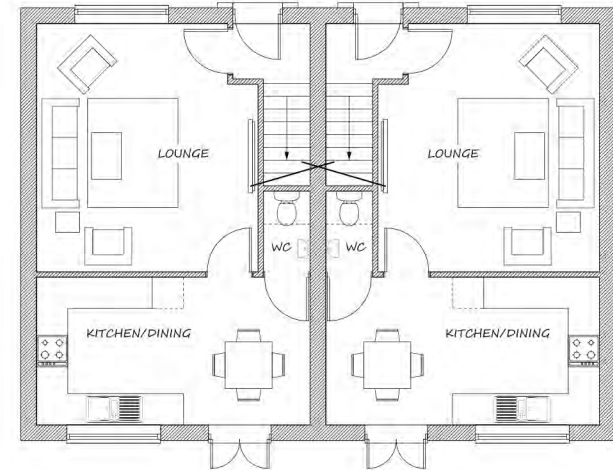
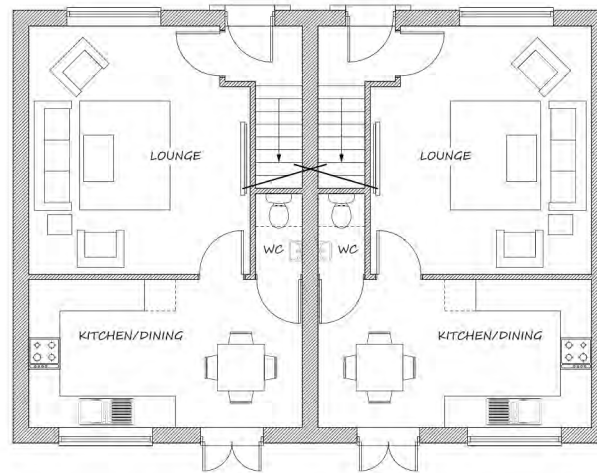
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GROUND FLOOR PLAN 1:50 @ A1



B 25-09-20 PLANNING ISSUE II
A 25-02-20 PLANNING ISSUE



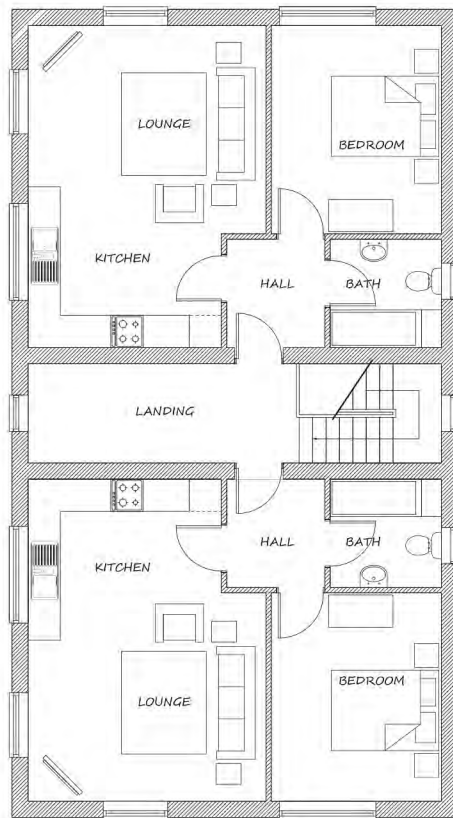
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Norwich, Norfolk, NR7 0DD

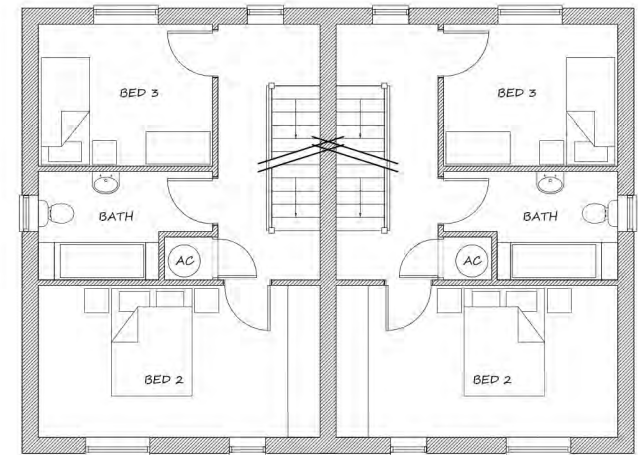
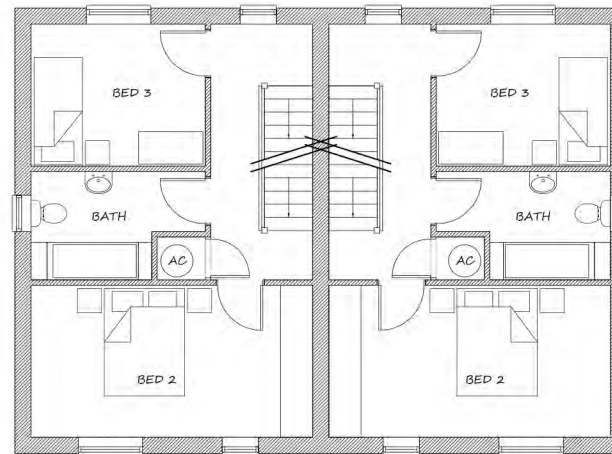
Date: January 2020
Drawing No: RS/4227/20/20

GROUND FLOOR PLANS

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architects . surveyors
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FIRST FLOOR PLAN 1:50 @ A1



B 25-09-20 PLANNING ISSUE II
A 25-02-20 PLANNING ISSUE

Former Harvey Lane Garage, Harvey Lane
Norwich, Norfolk, NR7 0DD

Date: January 2020
Drawing No: RS/4227/20/30

FIRST FLOOR PLANS



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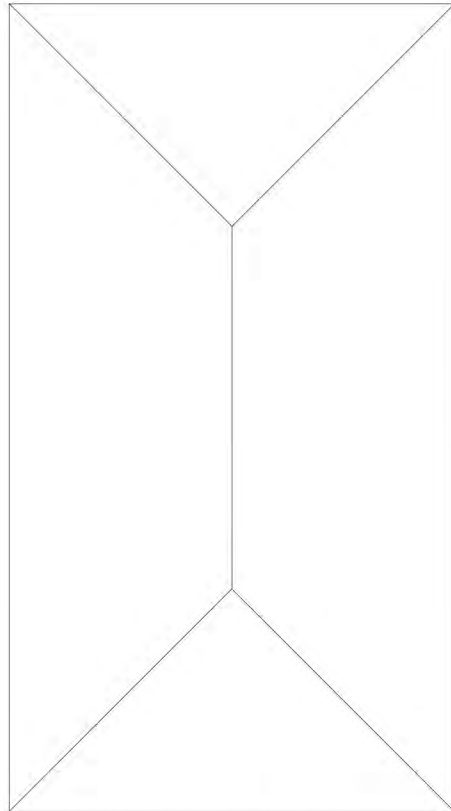
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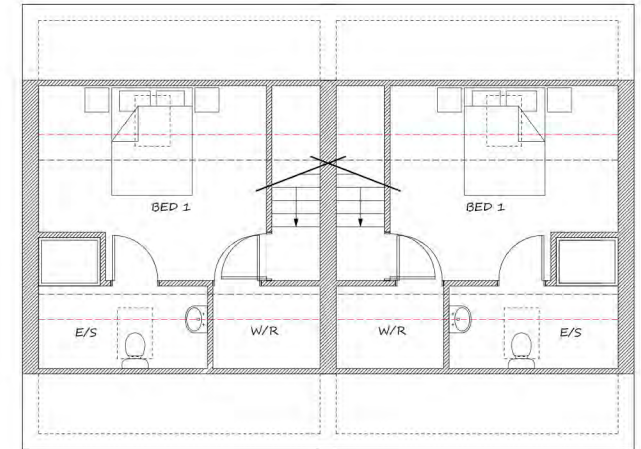
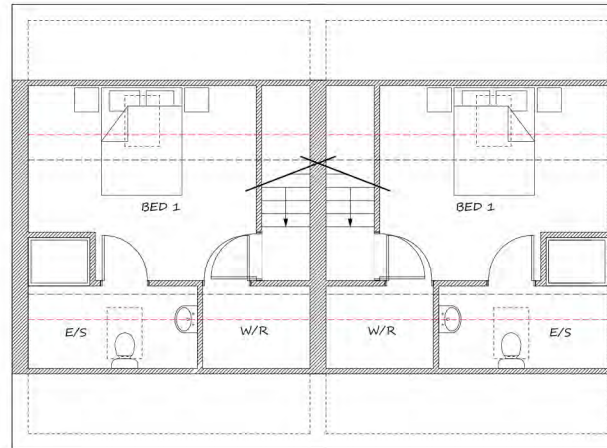
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SECOND FLOOR PLAN 1:50 @ A1



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A 25-02-20 PLANNING ISSUE



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Former Harvey Lane Garage, Harvey Lane
Norwich, Norfolk, NR7 0DD

Date: January 2020
Drawing No: RS/4227/20/40

SECOND FLOOR PLANS

Anglia Design
architects . surveyors **LLP**

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**Extract from report to Broadland District Council's planning committee
2 December 2020**

Application No: [20200699](#)
Parish: **Thorpe St Andrew**

Applicant's Name: Mr G Holmes
Site Address: 32-36 Harvey Lane Garage, Harvey Lane,
Thorpe St Andrew, Norwich, NR7 0DH
Proposal: Demolition of garage site and erection of 4 no:
dwellings and 4 no: apartments

Reason for reporting to committee

The proposal would result in the loss of an employment site.

Recommendation summary:

Delegate authority to the Director of Place to **APPROVE** subject to completion of Section 106 Agreement and conditions.

1 Proposal and site context

- 1.1 The application is seeking full planning permission for the redevelopment of the former car sales and garage site for a development of 8 new dwellings comprising 4 houses and 4 flats, with associated amenity space, access, car parking and landscaping.
- 1.2 There will be two pairs of three-bedroomed semi-detached houses, the third bedroom will be contained within the roof space. These properties will front Boulton Road. The four one-bedroom flats will be within a single two-storey block with frontage onto Harvey Road and Boulton Road.
- 1.3 The applicant has indicated that the buildings will be constructed using traditional brick with pantile roofs, white upvc windows and coloured composite doors. Boundary treatments will comprise of timber boundary fencing for rear gardens of the four houses and low brick walls and native species hedging to enclose the amenity space at the front of the apartment block along the road frontages of Harvey Lane and Boulton Road. The access and parking areas will be laid with permeable setts.
- 1.4 The site is located in an established residential area within Thorpe St Andrew, approximately two miles east of Norwich City Centre on Harvey Lane. Harvey Lane forms the boundary between Broadland District Council and Norwich City Council and a small part of the frontage of the site lies within the Norwich City Council's administrative area. Therefore duplicate applications have been submitted to both councils for determination. As most of the site lies within Broadland's administrative area, Broadland District Council is acting as lead planning authority in the determination of the application.

- 1.5 The application site lies within the defined settlement limits of Thorpe St Andrew where the principle of new residential development is generally accepted.
- 1.6 The former garage occupies a corner plot that fronts Harvey Lane to the west and Boulton Road to the north. The area is predominantly residential in character and comprises of a mix of houses and bungalows of differing types, scale and age. In the immediate vicinity of the site development comprises of mainly older style semi-detached pairs of houses of traditional construction. Opposite the site to the northern side of Boulton Road are bungalows. To the west and immediately opposite the site on Harvey Lane are pairs of semi-detached houses. The southern and eastern boundaries are also bordered by residential properties. Immediately adjacent to the eastern boundary on Boulton Road are a pair of semi-detached houses, which are currently under construction. To the rear of the garage building on the eastern boundary is a hipped roof house, which is currently connected to the existing garage building by a flat roof extension. This has a garden running west to east behind the new development with vehicular access from Boulton Road and pedestrian access adjacent to the eastern boundary through the site onto Harvey Lane.
- 1.7 The site extends to an area of approximately 1,215m² with buildings of approximately 428 m² in floor area currently occupying the site. The existing garage buildings comprises of a two-storey flat roof block with office and showroom on the ground floor with a residential flat above. There is a single storey showroom extension and portal frame workshops to the rear.
- 1.8 The site currently has an open frontage with informal access and dropped kerbing off both Harvey Lane and Boulton Road. Double yellow lines extend around the corner and part way along frontage of both roads. A new single vehicular access would be provide to access 6 parking spaces for the flats comprising of one space per flat and 2 visitor spaces. Parking for the proposed houses would be provided directly from Boulton Road with each property having 2 dedicated on-site parking spaces. The new dwellings will have footpaths from parking spaces leading to a fully Part M compliant level access.
- 1.9 A bin store will be provided for the flats to be located with direct access from Harvey Lane. Space is provided to the front of each house for bin standing and collection from Boulton Road.
- 1.10 Each house will have a private rear garden similar in size to other properties in the area. The flats will have use of a communal green space that wraps around the front of the building.

2 Relevant planning history

- 2.1 No relevant planning history.

3 Planning Policies

3.1 National Planning Policy Framework (NPPF)

NPPF 02 : Achieving sustainable development
NPPF 04 : Decision-making
NPPF 05 : Delivering a sufficient supply of homes
NPPF 09 : Promoting sustainable transport
NPPF 11 : Making effective use of land
NPPF 12 : Achieving well-designed places
NPPF 15 : Conserving and enhancing the natural environment

3.2 Joint Core Strategy (JCS) 2014

Policy 1 : Addressing climate change and protecting environmental assets
Policy 2 : Promoting good design
Policy 5 : The Economy
Policy 6 : Access and Transportation
Policy 9 : Strategy for growth in the Norwich Policy Area
Policy 12 : The remainder of the Norwich Urban area, including the fringe parishes

3.3 Development Management Development Plan Development Plan Document (DM DPD) 2015

Policy GC1: Presumption in favour of sustainable development
Policy GC2: Location of new development
Policy GC4: Design
Policy EN1: Biodiversity and habitats
Policy EN2: Landscape
Policy EN3: Green Infrastructure
Policy EN4: Pollution
Policy E2: Retention of employment sites
Policy RL1: Provision of formal recreation space
Policy TS3: Highway safety
Policy TS4: Parking guidelines
Policy CSU5: Surface water drainage
Parking Standards SPD

4 Consultations

4.1 Thorpe St Andrew Town Council:

The Committee welcomes the proposal for the garage site and has no objection to its loss. However, the current plan is considered an overdevelopment of the site and objects on this basis.

Further comments on revised plans:

Maintain previous objections as overdeveloped, and lack of parking for that number of dwellings.

4.2 Broadland District Council Contracts Officer:

For the residents of the flats, we wouldn't expect the crew to enter this bin/cycle store so would ask that a bin collection point is provided for residents of these properties to place bins out nearest the footpath. There should be clear access for the collection crew. I have marked this on the plan attached.

For the houses, it would also be appropriate to mark the bin collection points. They shouldn't be immediately next to parked cars or blocking paths. I'd suggest a hard stand could be added nearest to the highway for the houses.

The developer should be aware that Broadland now charge for bins, and should contact us at least 6 weeks in advance of completion to let us know if they or the residents should be charged for bins.

Further comments on revised plan:

The developer has added collection points as requested here and this all looks very workable and serviceable now. The only issue I can see is the collection point for the flats is hidden behind a wall and hedge and is likely to be missed as it isn't visible and directly adjacent to the footpath. If the developer is able to make a small amendment so that the collection point is accessible from the footpath (by taking the hedge and fence back slightly) this would resolve any likely ongoing issue here. This is especially important as these properties are along the boundary with Broadland and Norwich City and we need the Broadland crews to see them. I don't feel a whole new plan is necessary, if the developer can deal with this at build stage to prevent this becoming a problem.

4.3 Broadland District Council Environmental Management Officer:

I have read through the report that has been submitted with the application and note the content. However, the report was written in 2017 to support the proposal to redevelop the eastern edge of the site for 2 dwellings and not the whole of the site. Therefore I have a concern that the risk assessment does not reflect the nature of this application. In addition the investigation has not included the ground conditions beneath the buildings on site and has not stated where the surface water run-off from the concrete pad in the workshop area of site goes to.

I feel that more work is required to assess the ground conditions before development can progress. I would suggest that a condition is added to require a detailed assessment of the ground conditions across the site before development can get underway. I am happy for this to be done once demolition is completed to allow assessment of the ground beneath the

buildings to be considered. Investigation in the area of the underground tanks would also be required, once the tanks have been removed to enable a better assessment of the potential for contamination in these areas to be carried out.

If you haven't already can I suggest that you consult the EA on this application?

4.4 Norwich City Council – Environmental Protection:

No information has been supplied regarding the potential for contamination to exist on the site. As it was a former Petrol Filling Station as well as a garage I would recommend conditions.

Further comments on revised plans:

The additional information provided does not include anything relating to the potential for contaminated land to exist on site. Therefore, my previous comments remain valid.

4.5 Environment Agency:

We have inspected the application as submitted and consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application. We ask to be consulted on the details submitted for approval to your Authority to discharge these conditions and on any subsequent amendments/alterations.

Contaminated Land

This site is located above Secondary A and Principal Aquifers (Happisburgh Glacigenic Formation / Lowestoft Formation and Crag Formation respectively), Source Protection Zone 2 and the application overlies WFD groundwater body, and is also in a WFD drinking water protected area. The site is considered to be of moderate environmental sensitivity. The historic and future use could present potential pollutant linkages to controlled waters. Consideration for the risk posed by surface water drainage and foundations will need to be undertaken.

Condition 1

Prior to each phase of development approved by this planning permission no development / No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- (1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- (2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- (3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- (4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Advice to LPA

This condition has been recommended as we are satisfied that there are generic remedial options available to deal with the risks to controlled waters posed by contamination at this site. However, further details will be required in order to ensure that risks are appropriately addressed prior to development commencing. The Local Planning Authority must decide whether to obtain such information prior to determining the application or as a condition of the permission. Should the Local Planning Authority decide to obtain the necessary information under condition we would request that this condition is applied.

Condition 2

No occupation of any part of the permitted development / of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Condition 3

No occupation of any part of the permitted development / of each phase of development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Condition 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reasons for conditions 1,2,3 and 4

To protect and prevent the pollution of the water environment (particularly the Secondary A and Principal aquifers, SPZ2 and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF 2019; paragraphs 170, 178 and 179), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) A4 – A6, J1 – J7 and N7.

Condition 5

No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reasons for condition 5

To protect and prevent the pollution of the water environment (particularly the Secondary A and Principal aquifers, SPZ2 and EU Water Framework Directive Drinking Water Protected Area) in line with National Planning Policy Framework (NPPF 2019; paragraphs 170, 178 and 179), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) G1, G9 to G13, N7 and N10. The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration sustainable drainage systems (SuDS) such as soakaways, unsealed porous pavement systems or infiltration basins.

Condition 6

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reasons for condition 6

Piling or other penetrative ground improvement methods can increase the risk to the water environment by introducing preferential pathways for the movement of contamination into the underlying aquifer and/or impacting surface water quality. For development involving piling or other penetrative ground improvement methods on a site potentially affected by contamination or where groundwater is present at a shallow depth, a suitable Foundation Works Risk Assessment based on the results of the site investigation and any remediation should be undertaken. This assessment should underpin the choice of founding technique and any mitigation measures employed, to ensure the process does not cause, or create preferential pathways for, the movement of contamination into the underlying aquifer, or impacting surface water quality.

We have provided further guidance to the applicant in the form of an appendix at the end of this letter.

4.6 Norfolk County Council as Highway Authority

No objection on highway grounds. The proposed use and layout of the site overall is acceptable.

Recommendations:

- (1) That the footways on all sides of the site are reconstructed to full kerb height except where vehicle crossovers are required. This is likely to require a Small Highway Works Agreement.
- (2) Waiting restrictions (double yellow line markings) will need to be reinstated.

- (3) The parking spaces adjacent to Boulton Road and parking court accessed from Harvey Lane would benefit from being laid out in paving with bricks of contrasting colour demarcating parking spaces. For better visual appearance.
- (4) The parking court accessed from Harvey Lane must have drainage that prevents run off to Harvey Lane.

Further comments on revised plans:

Please can these points be considered:

- (1) The walking route from the flats to the car park could be more convenient:
- (2) It is good practice to reinstate the footway to full kerb height where a crossover is redundant, please can the plan be updated accordingly.
- (3) It would also be beneficial if the entire footway adjacent to the site on both sides was resurfaced once construction has completed, footways can easily be damaged during construction.
- (4) The double yellow lines would need reinstatement following these works.
- (5) Visibility; please can the brick wall be set back if necessary to achieve adequate visibility: can a plan be annotated to demonstrate what is achievable in a southern direction with a 2.4m set back.
- (6) Pram drop needs to be shown on the plans on Boulton Road.

4.7 Broadland District Council Community Safety and Interventions:

I have no issues with this application.

4.8 Landscape and Ecology Norwich City Council:

Little information has been submitted with this application in relation to landscape, so I cannot give full comments on the acceptability of the proposal. However I have no major concerns given that this site currently contains little vegetation and the proposal has potential to offer landscape enhancement value. My main comments are around the appearance of the development from Harvey Lane, to ensure the development is well assimilated into the wider character of the street. The following recommendations should be considered to ensure the landscape proposal is to an acceptable standard:

- The boundary treatment to Harvey Lane is important, the character of Harvey Lane is of a combination of low brick walls, fences and hedges, a combination of a low wall and hedge would make a good contribution to the streetscape and help bring this site into the residential character
- The inclusion of area of communal spaces for the apartments and reasonable sized gardens for the dwellings is welcomed. Where possible, gardens should include trees, of an appropriate size

- The ecology section of the D&A states that large trees could not be accommodated due to the location and suburban character, however I disagree with this and consider that one of the key characteristics of Harvey Lane is the presence of large mature trees to the frontages of properties. It appears that there is adequate space for a medium sized tree within the communal area serving the apartments, this would add a maturity and character to the development over time and would be very beneficial to the frontage
- I'm not convinced about the location of the bin and cycle store, this needs to be better integrated into the site and frontage, setting it back further and including a hedge to the full length of the boundary would help
- I also have some concerns over the appearance and impact of the relatively large parking courtyard area, the inclusion of a full hedge to the frontage and the inclusion of a tree within the communal space directly to the north as suggested above, would, subject to visibility splay requirements, help better screen and integrate this part of the site

The detailed design of a landscape proposal could be secured through the standard landscape conditions applied to any approval that may be given, however some feedback from the applicant on the points above relating to the Harvey Lane boundary in particular is necessary at this time, to ensure an adequate landscape scheme is deliverable.

I have also reviewed the information provided in the preliminary bat roost and barn owl appraisal, and confirm that the mitigation and enhancement measures suggested within the report are supported and should be conditioned as part of any approval that may be given.

Further comments on revised plans:

I have reviewed the revised details submitted. The changes made respond well to the concerns I had regarding the original landscape proposals. Given that the proposal now includes a more appropriate boundary treatment to Harvey Lane, and has made provision for some decent sized trees I am happy to support this in principle, and would request that further details are secured by condition of any approval that may be given.

4.9 Norfolk County Historic Environment Services:

The proposed development site is located adjacent to the north-western part of the Roman settlement at Thorpe St Andrew. The full nature and extent of this settlement is not known. Further artefacts and features of Roman date were found approximately 350m south of the application in the summer of 2019. New discoveries have been made since Broadland application 20171522 was approved. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains of

Roman date) to be present within the current application site and that their significance would be affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological work in accordance with National Planning Policy Framework 2019 paragraphs 199 and 189. In this case the programme of archaeological mitigatory work will commence with informative trial trenching to determine the scope and extent of any further mitigatory work that may be required (e.g. an archaeological excavation or monitoring of groundworks during construction). We suggest that the following conditions are imposed:-

- A) No development/demolition shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).and
- C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured. A brief for the archaeological work can be obtained from Norfolk County Council Environment Service historic environment strategy and advice team. We now charge applicants for the elements of our involvement on planning cases not covered by our service level agreements with local planning authorities.

Further comments on revised plans:

No additional comments to make, apply standard conditions as above.

4.10 Other Representations:

Objections and comments have been received from five residential neighbours of the site and are summarised as follows:

- 32A Harvey Lane is a separate but linked property and there are will be party wall and access issues to resolve before development can take place;

- Insufficient on-site parking for proposed residents and visitors;
- Existing inappropriate parking making it dangerous to exit White Farm Lane and obstructing the bus stop;
- Road becoming single lane with cars parked both sides;
- Parking should be controlled by yellow lanes;
- Pavement parking obstructing use for disabled people and people with prams;
- Concern that traffic and parking on this part of the road will increase and become a problem;
- Increased risk of road accidents;
- Number of units should be decreased and parking increased;
- No residents parking should be allowed on Harvey Lane;
- Design not in keeping with the areas;
- Loss of views;
- Loss of property value;
- Increased noise;
- Welcome development but do not consider flats are in keeping with the character of the road;
- View will be of bins with no screening;
- Speeding traffic;
- Development of the old Woodman Pub site on Thunder Lane is a good example in keeping with the area;
- Hoping that some green landscaping will be considered.

Further comments on revised plans:

Comments have been received from 4 nearby residents and are summarised as follows:

- Changes have no impact on my former objections regarding access, party wall and utilities;
- Concern about pile driving, damage to property and disturbance during construction;
- Boulton Road will be used as an overflow carpark for these properties;
- Value that the appearance of the area will be improved;
- There should be parking restrictions;
- Welcome the addition of screening and want the development to start as soon as possible as the site is looking neglected;
- The site looks over-developed;
- Insufficient parking;
- Concerned about inappropriate parking on Harvey Lane causing obstructions;
- Traffic calming measures should be considered and parking restrictions to reduce risk to residents;
- Level of proposed parking is inadequate for the site.

5 Assessment

Key Considerations

- 5.1
- The principle of development
 - The design and impact upon the character and appearance of the area
 - The impact upon highway safety and parking
 - The impact upon neighbour amenity

Principle

- 5.2 As set out in paragraph 1.1 of this report the application seeks full planning permission for the demolition of the existing buildings and erection of four houses and a block of four apartments, with associated access, car parking, landscaping and amenity space.
- 5.3 The main issues to be taken into consideration in the determination of this application are an assessment of the proposal against the policies of the development plan and the National Planning Policy Framework (NPPF) and whether there are any other material considerations. These include whether the application contributes towards achieving sustainable development. The details of its impact on highway safety, layout and scale of the development and the impact on neighbours, character and appearance of the area must also be considered.
- 5.4 Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This point is reinforced by the NPPF, which itself is a material consideration as is the Planning Practice Guidance.
- 5.5 The application site lies within the defined settlement limits where Policy GC2 of the Development Management Development Plan Document (DM DPD) seeks to accommodate new development. In this respect the application is in accordance with the development plan. Furthermore, the application site is within the Norwich Policy Area, which is a focus for major growth and development under Policy 9 of the Joint Core Strategy (JCS). The site is well connected to local services and for the purposes of Policy 1 of the JCS and Policy GC2 of the DM DPD is considered a sustainable location for new residential development.
- 5.6 The primary use of the site when last in use was as a car sales showroom and forecourt. Buildings to the rear were until recently used as an MOT bay and body repair and storage unit, also on site was a motor cycle repair workshop. Consideration must therefore be had for the loss of employment land and loss of jobs. Policy E2 of the DM DPD states that within settlement limits, sites which are in employment use or were last used for employment will be retained in employment use unless it has been demonstrated that continued employment use is not viable or there is a significant environmental or community gain from redevelopment that outweighs the employment

benefits. Policy 5 of the JCS highlights the need to provide and retain a range of small employment sites to support jobs and economic growth.

- 5.7 The site was marketed for rent over a period of 6 months covering October 2018 to April 2019. The agent marketing the property has advised that although there was some interest in the site for commercial reuse, that the buildings require significant upgrading and investment to be attractive to any prospective commercial reuse. The site was subsequently sold to the applicant who was advised by the local planning authority as part of a pre-application enquiry that redevelopment of the site for housing would likely be acceptable. At this time the applicant was not advised that a marketing exercise was required to comply with Policy E2 of the DM DPD and the site was acquired on the basis that redevelopment for housing would be supported in principle. In addition, the situation with Covid has created severe complications for existing commercial premises to continue operating and new businesses forming. For the reasons set out above a balanced judgement has been made that it would not be necessary to carry out any further marketing exercise to establish the viability of the continued use of the site for commercial use.
- 5.8 Paragraph 117 of the NPPF states that decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment. Paragraph 118(c) of the NPPF requires substantial weight to be given to using suitable brownfield land within settlements for homes that support the opportunity to remediate despoiled or contaminated land.
- 5.9 The former use of the site did provide a local service and some employment and the location of the site is reasonably appropriate for the type of service it provided. However, it is not necessarily sensitive to its surroundings due to noise and disturbance associated with the workshops. Use of the site for housing rather than commercial is considered more compatible in this primarily residential area. Former uses of the site including use as a petrol filling station and more recently for car and motorbike repairs and servicing has potentially caused some contamination and ground pollution. Development of the site would also have a wider benefit to the environment due to a requirement for contamination remediation works to be carried out.

Design, Character and Appearance

- 5.10 The proposed buildings are of a scale, design and materials in keeping with the prevailing character of the site and surrounding development. The hipped roof of the apartment building and treatment of the external elevations is in keeping with properties opposite and also with 32a Harvey Lane, which is located immediately to the south and east. The pairs of dwellings fronting Boulton Road are two storey with dual pitched roofs. Development on the opposite side and further to the east along Boulton Road is all single storey and with hipped roofs. However new development currently under construction immediately to the east of the application site is of one and a half

storey and designed with dual pitched roof which will achieve visual transition between new two storey development and existing single storey dwellings.

- 5.11 The size and shape of the site and adjacent development has determined the size of the buildings. The front building line respects both the Boulton Road and Harvey Lane frontages. As a corner plot, the design of the apartment block has acknowledged its dual frontage location and takes account of its appearance in the wider street scene.
- 5.12 Policy 2 of the JCS requires development be designed to the highest possible standards and to respect local distinctiveness. Policy GC4 of the DM DPD states that proposals should pay regard to the character and appearance of the area through careful consideration of space, appearance and scale. It is considered that the proposed development meets the aims of both Policy 2 of the JCS and Policy GC4 of the DM DPD.
- 5.13 Thorpe St Andrew Town Council and a nearby resident has objected to the proposed development on the grounds that the proposal represents overdevelopment of the site. The four houses each have a private garden and parking provision, providing plot sizes very much in keeping with surrounding development. The apartments also have dedicated parking and amenity space. There is space between buildings and design of the properties will ensure that the development does not look cramped on the site or in the context of the wider street scene. Paragraph 122 of the NPPF states that decisions should support development that makes efficient use of land taking account of the desirability of maintaining an area's prevailing character and setting. It is considered that the development has achieved this requirement without compromising the appearance of the site or street scene and does not give rise to an overdevelopment of the site.

Highway Safety and Parking

- 5.14 A number of comments have been received from nearby residents and the Town Council that there is inadequate parking for the development as proposed and that the development will compromise the safety of other road users.
- 5.15 The Highway Authority has raised no objections to the proposed development on either ground subject to provision of adequate visibility from the junction with Boulton Road and the proposed access onto Harvey Lane and ensuring that the on-site parking is provided in accordance with the submitted plans.
- 5.16 Some recommendations have been made including reinstatement of kerbing and double yellow lines near the site. All matters raised by the Highway Authority as highlighted above in paragraph 4.6 have been addressed by the applicant in a revised plan. To ensure the development is carried out in accordance with the agreed plans the planning permission will be subject to conditions.

- 5.17 The proposal provides parking that meets the requirements set out in the Parking Standards SPD. This sets out that one bedroom flats should be provided with 1.5 car parking spaces per unit and three-bedroomed houses should each be provided with 2 car parking spaces. The flats are also provided with 4 cycle parking spaces. In areas where there is good access to reliable and frequent bus services less than 2 car parking per unit is considered acceptable over the development site. Therefore there is no under-provision of parking for the proposed development.
- 5.18 Policy TS3 DMDPD states that development will not be permitted where it would result in any significant adverse impact upon the satisfactory functioning or safety of the highway network and Policy TS4 of the DMDPD requires new development to provide appropriate parking and manoeuvring space to reflect the use and location as well as its accessibility by non-car modes. It is considered that the development is in accordance with these policies.

Neighbour Amenity

- 5.19 Other than concerns about parking, design and over development of the site there have been no other material planning objections made by neighbours of the site such as overlooking, loss of privacy, outlook or light.
- 5.20 There are first floor windows proposed on the southern elevation of the apartment building that face towards the side elevation of 1a Lime Tree Avenue. This property has no main windows on this elevation, only a small window towards the front of the building at ground floor level, which is screened by a 2 metre high close boarded fence and planting and a small velux window on the roof slope towards the back of the property. The apartment building is located to the north, approximately 13 metres from the boundary of 1a Lime Tree Avenue with the proposed car parking in between. The position of the new apartment building is further towards the road than the existing garage and this together with the space between the new and existing buildings and orientation, it is considered that no significant overlooking, loss of privacy or light will be created to the house or garden for the occupants of 1a Lime Tree Avenue.
- 5.21 There is an attached residential neighbour, number 32a Harvey Lane, who has raised some matters relating to the party wall, shared utilities and maintaining access. The applicant has been made aware of their comments and has advised that there has been contact with the owner of this property and that while no formal party wall agreement has been made at this stage, these matters will be dealt with directly with the neighbours party wall surveyor should the application be successful.
- 5.22 Notwithstanding the party wall issues that have been raised, 32a Harvey Lane will benefit significantly from the demolition of the garage buildings, which will result in the property having more space around the building, additional light and views. 'Detaching' the house will open up the site. To the west the

property will be adjacent to the apartment car parking area and to the north it will be next to the rear boundary of the gardens of the proposed new properties on Boulton Road. 32a Harvey Lane, has no windows on the northern elevation facing the proposed new houses and as a result there will be no mutual overlooking or loss of privacy.

- 5.23 The first floor windows on the rear elevations of the eastern pair of the proposed houses will overlook the rear garden of 32a Harvey Lane, however these will be at an oblique angle and approximately 14 metres away from any of this properties rear windows ensuring there is no loss of privacy.
- 5.24 Consideration has also been given to the living conditions of future occupants of the proposed development with regard to light, outlook and privacy. In particular the relationship between the western most dwelling and the apartment building and whether this is an appropriate form of development.
- 5.25 In terms of privacy, there will be no windows apart from two small bathroom windows on the eastern elevation of the apartment that could look directly into rear gardens or windows of the proposed new houses. With obscure glazing any potential loss of privacy for future occupants can be prevented.
- 5.26 As the site is a corner plot, the way the development appears in the street scene is highly important for the character of the area. This has implications for how the buildings relate to one another within the development itself. The relationship between the apartment building and the dwelling immediately to the east has had to be given careful consideration. Outlook is affected by the extent of the two storey building that projects approximately 6.5 metres beyond the rear building line of the houses, but the bulk of the apartment building has been kept to a minimum by the use of a shallow pitched hipped roof. Also the plots are orientated due south and overshadowing from the apartment building will generally occur only later in the day for most of the year to allow the properties to benefit from good levels of daylight into their gardens and rear windows. The balance between achieving a development that sits well within the street scene and provides future occupants with an acceptable level of amenity is considered appropriate in this case.
- 5.27 The proposed development is therefore considered to be in accordance with Policy GC4 which states that proposal should pay adequate regard to considering the impact upon the amenity of existing properties and the amenity of future occupants of the proposed development. In this regard there will be no significant loss of light, outlook or privacy as a result of this development.

Other Issues

- 5.28 Affordable housing is not being sought for this development. Paragraph 63 of the NPPF states that affordable housing should not be sought for residential developments that are not major development. Major residential development is defined as 'development where 10 or more homes will be provided, or the

site has an area of 0.5 hectares or more. This proposal is for 8 new homes and the size of the site is just 0.12 hectares.

- 5.29 The former use of the site as a garage has the potential to have generated some land contamination. A contamination report has been submitted with the application but relates to only the eastern part of the site and not the whole site. Broadland District Council, Norwich City Council and the Environment Agency have each commented that there are no objections to development of the site for housing but that further site investigation work is required to establish the levels of contamination of the site and to set out what mitigation measures may then be required. All are happy that the requirement for a contamination report can be dealt with by the use of planning conditions following demolition of existing buildings but prior to any commencement of development on the site. Conditions required are set out in section 4.4 above. The proposal is therefore considered to be in accordance with Policy EN4 of the DMDPD and paragraphs 178 and 179 of the NPPF which require the developer to ensure that a site is suitable and safe for development affected by contamination.
- 5.30 A preliminary bat and barn owl assessment has been carried out that concludes that a small area of the building may be suitable for roosting bats. The Ecology Officer has reviewed the information and confirms that the mitigation and enhancement measures suggested within the report are supported. The mitigation and enhancement measures comprise of a requirement to carry out a bat activity survey, use of Bat Conservation Trust compliant lighting, works to be conducted outside of bird nesting season, installation of integrated swift and bird boxes on dwellings and trees, hedgehog friendly fencing and care during construction. These measures will be conditioned as part of any approval that may be given. The application is therefore considered to meet the aims of Policy EN1 of the DMDPD which aims to protect and enhance the biodiversity of the district by ensuring adequate mitigation is incorporated within the development.
- 5.31 There is very little landscaping currently on the site. In accordance with Policy EN2 of the DMDPD the development will seek to enhance the appearance of the site and increase ecological value with the addition of new native species hedgerow to the Harvey Lane and Boulton Road street frontages and some medium sized trees to be planted around the site. A condition requiring the submission of a detailed landscaping scheme for both hard and soft landscaping will be required to be submitted for approval.
- 5.32 As set out above in paragraph 4.8 above, the Historic Environment Officer has advised that the site has potential archaeological interest. A pre-commencement condition allowing archaeological investigations and if relevant mitigation to take place is therefore considered appropriate to be added to if the application is approved. This will meet the aims of paragraph 189 of the NPPF which requires an assessment of sites that have potential to include heritage assets with archaeological interest.

- 5.33 Policy RL1 of the DMDPD requires residential development consisting of five dwellings or more to make adequate provision and subsequent management arrangements for formal recreation space. Policy 1 of the JCS and Policy EN3 of the DMDPD also require development to contribute to the Green Infrastructure of the District. In this case an off-site financial contribution will be sought and secured through a Section 106 Agreement.
- 5.34 An Appropriate Assessment in accordance with the Conservation and Habitat and Species Regulations has been carried out by the Council and concluded that the development will not adversely affect the integrity of any habitat sites as mitigation measures will be provided in accordance with Policy EN3 of the DMDPD and regarding water quality and hydrology issues these can be mitigated by condition so again there is no likely impacts.
- 5.35 This application is liable for Community Infrastructure Levy (CIL) although a reduced rate will be applicable in this case as the existing floor space will be subtracted from proposed new floorspace.
- 5.36 The need to support the economy as part of the recovery from the COVID-19 pandemic is a material consideration. This application will provide employment during the construction phase of the project and future occupiers will also contribute to the local economy e.g. when maintaining and servicing their properties and spending in the local area. This weighs in favour of the proposal.
- 5.37 Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area. The Council has taken a proactive approach to this through the allocation of a range small and medium sized sites and through defining settlement boundaries to facilitate suitable windfall development. Point (c) of NPPF para 68 states that local planning authorities should 'support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'. Although this is a material consideration in the determination of the application, it can only be afforded limited weight, given the previous supply of housing on small sites within the district.

6 Conclusion

- 6.1 The site is located in a sustainable location within the settlement limits of Thorpe St Andrew, close to Norwich City centre, all services, facilities and public transport.
- 6.2 Loss of an employment site is balanced against the benefits that the development will have for the appearance of the site, the impact upon the amenity of residential neighbours and removal of any contamination associated with previous uses of the land and buildings. The development will also contribute albeit in a limited way to local wildlife and the local landscape.

- 6.3 The site is provided with adequate car parking and there are no highway safety issues associated with the proposal.
- 6.4 The development will contribute to the provision/enhancement of formal recreation and Green Infrastructure.
- 6.5 The proposal is therefore considered to comply with the aims of Policies 1, 2 and 9 of the JCS, Policies GC2, GC4, EN1, EN2, EN3, EN4, E2, RL1, TS3 and TS4 of the DMDPD and paragraphs 68, 117, 118, 122, 178 and 179 of the NPPF and is recommended for approval.

Recommendation: Delegate authority to the Director of Place to **APPROVE** subject to the following conditions and successful completion of a Section 106 Agreement with the following Heads of Terms:

- (1) Offsite contributions for formal recreation
- (2) Green Infrastructure

and subject to the following conditions:

- (1) Time limit (TL01)
- (2) In accordance with plans and documents (AD01)
- (3) External materials (D02)
- (4) Landscaping scheme (L04)
- (5) Implementation of landscaping scheme (L07)
- (6) Archaeological work to be agreed (H01)
- (7) Ecology mitigation (EC01)
- (8) Highway access (HC05)
- (9) Visibility splays (HC17)
- (10) Provision of parking (HC21)
- (11) Highway improvements offsite (HC33A)
- (12) Highway improvements offsite (HC33B)
- (13) Contaminated land investigation (AM12)
- (14) Implementation of remediation (AM13)
- (15) Contaminated land during construction (AM14)

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