

Report to Planning applications committee

Item

8 September 2022

Report of Head of Planning and Regulatory Services

Subject Application no 22/00801/F - 406 Unthank Road, Norwich,
NR4 7QH

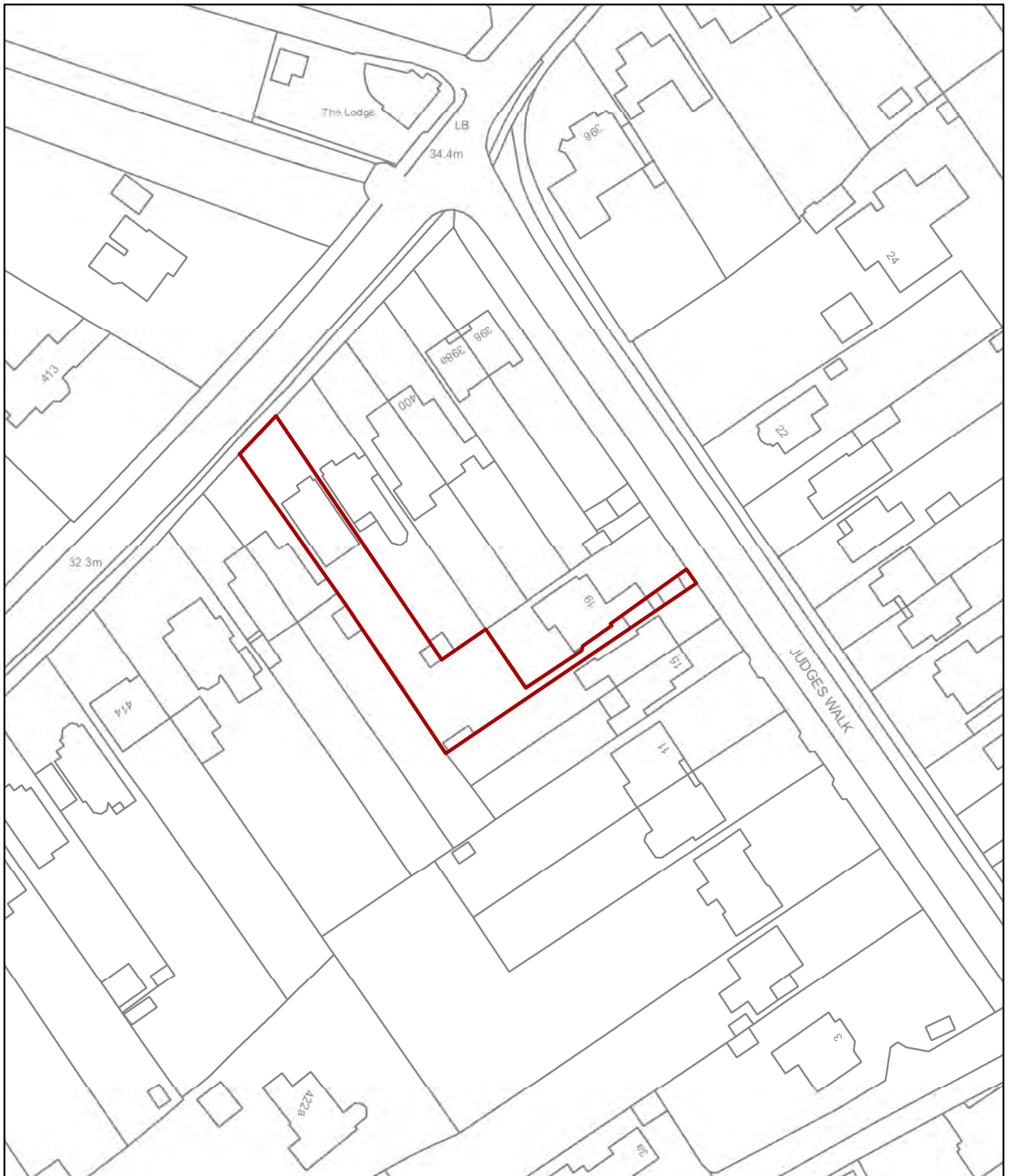
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**Reason
for referral** Called in by Councillor Lubbock

Ward:	Eaton
Case officer	Stephen Polley - stephenpolley@norwich.gov.uk

Development proposal		
Demolition of an existing shelter, construction of a new single storey garden building, replacement garage and associated landscape works.		
Representations		
Object	Comment	Support
2 (One household, one councillor call in)	0	0

Main issues	Key considerations
1 Design & Heritage	The impact of the development within the context of the site / surrounding conservation area.
2 Amenity	The impact of the development on the neighbouring properties and occupiers of the subject property. Use of the outbuilding.
3 Trees	The impact of the development on mature trees located within the conservation area.
Expiry date	16 September 2022
Recommendation	APPROVE



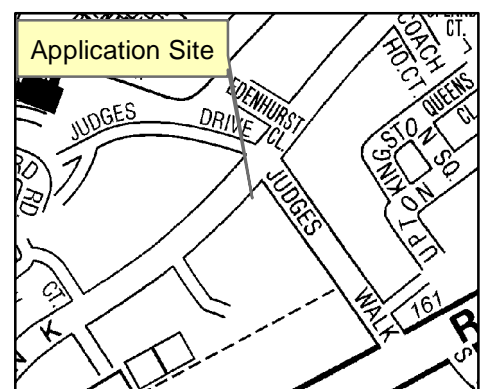
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Planning Application No 22/00801/F
Site Address 406 Unthank Road

Scale 1:1,000



NORWICH
City Council
PLANNING SERVICES



The site and surroundings

1. The site is located on the east side of Unthank Road, to the south-west of the city. The predominant character of the area is residential, primarily consisting of a mixture of large semi-detached and detached dwellings constructed on large plots in a variety of styles. The area displays a range of styles however a significant number were constructed at a similar time during the first half of the twentieth century from a similar palette of materials including red clay pantiles, render finishes, red bricks and timber fenestration. The area is also defined by the large gardens which contain mature trees and planting, creating a verdant character.
2. The site is arranged over an unusual 'L' shape plot which is regular in terms of scale and layout toward the front and occupied by the front garden / parking area, two-storey semi-detached dwelling and rectangular rear garden. A rectangular section to the rear extends beyond the rear boundary of the adjoining semi-detached dwelling and is currently not in use by the occupants by virtue of a dilapidated second world war bomb shelter occupying much of the space. The rear section also includes a dilapidated workshop within the corner of the site. The site also includes a thin access strip that leads to Judges Walk to the east occupied by a garage and car port, both of which are in a poor state of repair.
3. The site is bordered by no. 404 Unthank Road to the east, the adjoining semi-detached dwelling, and no. 408 Unthank Road to the west, a similar semi-detached detached dwelling. The rear section of the site directly abuts the rear boundary of no. 19 Judges Walk, a two-storey detached dwelling, alongside which the side access also runs. The rear boundaries of both the garden and access are shared with no. 17 Judges Walk. The site boundaries are marked by close boarded fencing and sections of tall mature planting, most notably along the rear.

Constraints

4. Conservation Area: Unthank and Christchurch

Relevant planning history

5.

Ref	Proposal	Decision	Date
09/00516/F	Demolition of single storey rear extension and its replacement with two storey extension to rear of dwelling.	REF	05/08/2009
10/00048/F	Rear extension replacing an existing single storey rear part of the house.	APPR	09/03/2010

The proposal

6. The proposal involves the demolition of the existing bomb shelter, garage and car port to be replaced with an outbuilding, garage and car port.

7. A single-storey outbuilding would then be constructed within the rear section of the garden. The outbuilding is designed over a 10.6m x 12m footprint with a mono-pitched sloping roof rising from an eaves height of 2.4m at the eastern end of the site to a maximum height of 3.6m. The outbuilding would be constructed using light coloured bricks, render finishes to the eastern elevation, timber / aluminium fenestration and a green roof. The proposal includes the construction of a 6.1m x 2.1m, 1.8m tall flat roof store, in place of the existing workshop within the corner of the site that would be attached to the main outbuilding. It would form part of the rear boundary of the site and would partially enclose a terrace area serving the outbuilding.
8. The outbuilding is to be used as an additional work and living space that includes a dining / living area, studio area, gym, snug and W/C, as well as the outside terrace area. The outbuilding would primarily allow the occupants of the main dwelling to work from home, freeing up space currently used inside the main dwelling.
9. The proposal also includes the construction of a replacement garage and cart lodge within the side access.
10. It is noted that the proposed design has been revised during the determination of the application. Rear facing windows serving the proposed snug and gym rooms are now to be non-opening. An additional window serving the snug room has been added to the north elevation.

Representations

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

Issues raised	Response
The proposed scheme does not have regard for the historic environment of the surrounding conservation area. Compromise the setting of neighbouring listed buildings. Choice of materials.	See main issue 1
Size of building is excessive for its intended purposes.	See main issue 1
Would be constructed along shared boundary / change in outlook / noise disturbances / gym and snug have windows directly adjacent to shared boundary.	See main issue 2
Potential use of the outbuilding as separate accommodation.	See main issue 2

Issues raised	Response
Disturbance caused by the use of side access.	See main issue 2
Potential for harm to be caused to trees on / near the site	See main issue 3
How to get plant / materials on site?	Access to the site for construction purposes is not a material planning consideration
Disturbance caused by construction.	Work on site would be expected to take place during normal working hours. Any instances unreasonable disturbances are being caused can be investigated by the Council's Environmental Protection team.
Drainage	The proposed drainage serving the development will be considered by a separate building regulations application.

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.

Ecology

13. The application has been submitted with an Ecological Assessment by suitable qualified professionals.

The site includes modified grassland. Hedgerow, scattered trees and several outbuildings, to include the partially sunken air raid shelter.

Only the air raid shelter is notable in terms of protected species; it was identified as having a low potential for bat roosts. However given the time of the survey it could be surveyed at the same time as the initial survey for hibernating bats. None were found, and the shelter contained no cavities or other features suitable for roosting bats.

The report identifies that no compensation/mitigation is required. However I note that a green roof is proposed. Para 174 of the NPPF advises that planning decisions should result in net gains for biodiversity. If designed to provide a true biodiversity enhancement the roof would provide a net gain for the development. Selection of species should include species which provide pollen and include at least 50% native plants. It has been shown in other cities that meaningful green

roofs can make a significant positive impact to bird species, such as Red Starts in London. Therefore the design and selection of species should be conditioned.

No further surveys are required. Please add the following.

Condition -

- LA1 Landscaping Details (edited for the green roof)

informatives;

- IN9 Site Clearance and Wildlife
- IN27 Protected Species

Tree protection officer

14. Excavation/construction activity within a small section of the root protection area of the Cat 'A' sycamore could be potentially damaging to the trees root system. It would be useful to have confirmation of foundation type/depth of excavation in this area. *Follow on response to applicant:* Apply condition TR4 – Arb supervision within the root protection area, that'd be satisfactory.

Assessment of planning considerations

Relevant development plan policies

15. **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
16. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM9 Safeguarding Norwich's heritage

Other material considerations

17. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
 - NPPF0 Achieving sustainable development
 - NPPF7 Requiring good design
 - NPPF12 Conserving and enhancing the historic environment

Case Assessment

18. 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 & Heritage

19. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
20. The proposal first involves the demolition of an existing second world war era air raid shelter that has previously been dug into the ground within the middle of the rear section of the garden. The shelter is in a dilapidated and unsafe state resulting in the rear section of the garden not being used for safety reasons. The rear section of the garden is therefore currently of an overgrown and unkempt appearance. A flat roof workshop / storage building is also to be demolished.
21. The proposed outbuilding is then to be constructed within the rear section of the garden, occupying approximately two-thirds of the space, with the remaining third being used as the external terrace area. The bulk of the outbuilding is to be constructed within the eastern corner of the rear section of the garden. The south elevation will act as a boundary to the site which extends along as a wall with an arch to attach to the proposed replacement store building, which will be constructed within the southwest corner of the rear section of the garden.
22. As such, most of the rear section of the garden will be modified or built on. It is however noted that the main section of rear garden serving the subject property will remain unaffected, remaining in its original form which is consistent with the prevailing character of the area. This is significant in terms of assessing the overall scale of the proposed development and the impact on the character of the surrounding conservation area. The application site is unique within the area in terms of it's overall scale and arrangement, with the rear section covering the width of two dwellings. The arrangement of semi-detached and detached dwellings with long narrow rear gardens that is typical of the conservation area would therefore not be significantly altered by the proposed outbuilding. It is also noted that the rear section, by virtue of the siting of the air raid shelter has already been built on.
23. The proposed outbuilding is to be constructed using high quality materials, including brick and render finishes that are not out of keeping with the prevailing character of the area. The siting of the outbuilding, within the rear section of the garden, combined with it's low height will ensure that it is largely not visible from the public realm. The outbuilding will however be visible from several of the neighbouring dwellings, including no. 19 Judges Walk. The proposed outbuilding is to be constructed a minimum distance of 0.7m from the rear boundary of no.19. The boundary is marked by a 1.9m tall close boarded fence and some mature planting that will screen the bulk of the outbuilding from view. The proposed outbuilding is to

be finished with a green roof, ensuring that it is not visually incongruous with the existing verdant character of the conservation area.

24. Precise details of the proposed green roof have not yet been confirmed. It is therefore considered reasonable to add a condition requiring details of the proposed green roof to be submitted to the council for consideration prior to construction of the outbuilding to ensure that it is of an appropriate appearance and finish.
25. The proposed replacement garage and cart lodge are to be constructed in largely the same location as the existing structures. They will be of the same form and appearance; however they will be a maximum of 0.7m taller than the existing structures. They will be visible from the public realm but they will not result in significant harm being caused to the appearance of the site or character of the conservation area. The existing structures are in a very poor state of repair. The replacement structures are of a very similar appearance to the existing and as such will enhance the appearance of this part of the site, without there being any significant changes in character.
26. In summary, the proposed outbuilding is of a large scale overall, however its siting and design will ensure that it has a limited impact on the historic character of the conservation area. The unique arrangement of the site also ensures that the scale is not disproportionately large, with the main section of the rear garden remaining unchanged. As such, the proposed development is of an appropriate scale, form, appearance and is therefore acceptable in design and heritage terms.

Main issue 2: Amenity

27. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
28. Policy DM2 seeks to protect the amenities of the neighbouring occupiers with particular regard given to overlooking, overshadowing, loss of light/outlook and the prevention of disturbance from noise, odour, vibration, air or artificial light pollution. In this case due to the orientation of the site the proposals would not result in any overshadowing of neighbouring properties.
29. Regarding outlook, the proposed outbuilding will be visible above the fence marking the rear boundary of no. 19 Judge Walk. The sloping roof is designed in such a way that that the lowest part of the outbuilding slopes up away from the boundary with no.19. As such, only a small part of the rear elevation and eaves will be visible. The most visible part of the proposed outbuilding will therefore be the green roof, with the existing outlook from 19 Judges Walk beyond and above remaining unchanged. There will be a change to the current situation for the occupants of no. 19, but it is not considered that the resultant outlook will cause significant harm to their quality of life or residential amenity. The siting of the proposed outbuilding will ensure that it does not have significant impacts on the outlook of any other neighbouring dwellings.
30. Regarding overbearing, the proposed outbuilding will be constructed within close proximity to the boundary shared with no. 19. As is the case with outlook, the design of the proposed outbuilding will ensure that it does not appear as an overbearing structure along the shared boundary., The siting of the proposed

outbuilding will ensure that it does not be overbearing presence on any other neighbouring dwellings.

31. With regard to overshadowing, the height, design and siting of the proposed outbuilding will ensure that it does not caused overshadowing of any neighbouring dwellings or external amenity spaces.
32. Regarding noise, the design of the proposed outbuilding has been revised to alleviate the concerns of the neighbouring residential occupiers. The rear elevation includes windows serving the proposed gym and snug rooms that face the boundary shared with no. 19. The design has been revised so that these windows are now non-opening which will assist in reducing noise emitting from the outbuilding. The revised design also includes the addition of a small openable window to the north elevation serving the proposed snug to allow air to flow. It is considered reasonable to add a condition requiring the rear facing windows are non-opening.
33. It is noted that the rear of the site could be developed or used in numerous ways without the need for planning permission that would generate more noise than the current situation. For example, it would be possible for an outbuilding of a similar scale to be built using the property's permitted development rights provided that it was designed with a lower roof height. A larger workshop and play equipment are also examples of uses of this part of the site that could take place without the need for planning permission that would alter the current situation in terms of noise. It is therefore not considered that the proposed outbuilding will cause a level of harm by way of noise disturbance that is unreasonable.
34. With regard to overlooking, the proposed outbuilding is to primarily face towards the main dwelling and onto the proposed terrace area. Windows facing neighbouring dwellings will be screened by existing boundary treatments, ensuring that significant harm will not be caused by way of overlooking.
35. The proposed outbuilding is to be used by the occupants of the main dwelling as an ancillary living space that would better cater for home working at the site. The design also provides the ability for leisure uses associated with the use of the main dwelling. The proposal does not include the provision of any bedspaces, however it is acknowledged that this could change in the future. As such, it is considered reasonable to add a condition requiring that the use of the proposed outbuilding remains ancillary to the main dwelling and that it is not let or sold as a separate unit of accommodation, in order to the protect the amenity of the neighbouring residential occupiers.
36. The proposed replacement garage and cart lodge are to be constructed in place of the existing structures. Their siting and design will ensure that they will not have any significant impacts on the amenity of any neighbouring residential occupiers.
37. The use of the side access is long established; however it has not been used by the current occupants by virtue of the dilapidated nature of the structures. The use of the access will result in noise emitting from the side access. The use of the access is not considered to be inappropriate or result in significant harm.
38. The proposed development will result in some noticeable changes to the current situation for the occupants of neighbouring dwellings. The level of change is not

however considered to result in significant harm being caused to the amenity of the neighbouring residential occupiers.

Main issue 3: Trees

- 39. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
- 40. Several trees are located within or within proximity of the site, including a category A sycamore. There is concern that the digging of foundations could cause harm to the root system of the tree. The applicant has stated that the precise methodology of the construction of the outbuilding is yet to be determined, however the intention is to use techniques that minimise harm. It is therefore reasonable to add a condition requiring arboricultural supervision on site to ensure that the root system is sufficiently protected.
- 41. The other tree protection measures indicated in the AIA / AMS are acceptable and should also be required by way of condition.

Other matters

42. Assessment of Impacts under the Conservation of Habitats & Species Regulations 2017 (as amended)

Site Affected: (a) Broads SAC/Broadland Ramsar
 (b) River Wensum SAC

Potential effect: (a) Increased nitrogen and phosphorus loading
 (b) Increased phosphorous loading

The application represents a 'proposal or project' under the above regulations. Before deciding whether approval can be granted, the Council as a competent authority must undertake an appropriate assessment to determine whether or not the proposal is likely, either on its own or in combination with other projects, to have any likely significant effects upon the Broads SAC, and if so, whether or not those effects can be mitigated against.

The Council's assessment is set out below and is based on advice contained in the letter from Natural England to LPA Chief Executives and Heads of Planning dated 16th March 2022.

- (a) Broads SAC/Broadland Ramsar
 - i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
 - ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer: NO

The proposal is for works to an existing dwelling and will not impact upon the average occupancy figures for dwellings across the catchment and will therefore not impact upon water quality in the SAC.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

(b) River Wensum SAC

- i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
- ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer: NO

The proposal is for works to an existing dwelling and will not impact upon the average occupancy figures for dwellings across the catchment and will therefore not impact upon water quality in the SAC. In addition, the discharge for WwTW is downstream of the SAC.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

43. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
44. An ecology assessment of the site has been submitted for consideration. The assessment concluded that the ecological impacts resulting from the development will be minimal, and therefore no further compensation is recommended.
45. Concern has been raised that works on site had already commenced. It has been noted during the site visit that much of the internal spaces of the property have been cleared ready for construction. The rear conservatory has also been removed. No works which require planning permission have commenced on site.
46. Concern has been raised regarding the mature trees located to the front of the site. The proposal only involves enlargement of the footprint of the property the side and rear. As such, construction should not impact upon the trees which are located a minimum of 15m from the subject property.

Equalities and diversity issues

47. There are no significant equality or diversity issues.

Local finance considerations

48. 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.
49. 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.

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

Conclusion

51. The proposed outbuilding is considered to be of an appropriate scale and design that will not cause significant harm to the character and appearance of the conservation area.
52. The proposed development will have a limited impact upon the residential amenities of neighbouring properties with no significant harm being caused by way of overshadowing, overlooking, loss of outlook or by noise disturbance.
53. The future use of the outbuilding can be secured via condition to ensure that it remains ancillary to the main dwelling.
54. 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. 22/00801/F - 406 Unthank Road Norwich Norfolk NR4 7QH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of green roof.
4. Ancillary accommodation;
5. In accordance with AIA;
6. Arboricultural supervision
7. Windows to be fixed shut and retained thereafter.

Informatives:

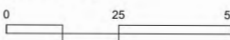
1. Site clearance and wildlife;
2. Protected species.



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Plan Produced for: E & K Porter
Date Produced: 13 Jan 2022
Plan Reference Number: TQRQM22013173735532
Scale: 1:1250 @ A3

SITE PLAN
1:1250 @A3

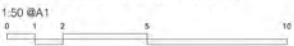


KEY:
— Site Boundary

Revisions

FOR PLANNING	
<div><div>Redhead Architects</div><div>www.redheadarchitects.com</div></div>	
Client Edward and Katy Porter	Title SITE PLAN
Project Judges Walk 406 Unthank Road Norwich NR4 7QH	Date 13/01/2022
Ref JUD	Scale 1:1250 @A3
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	EX-001

EXISTING GROUND FLOOR



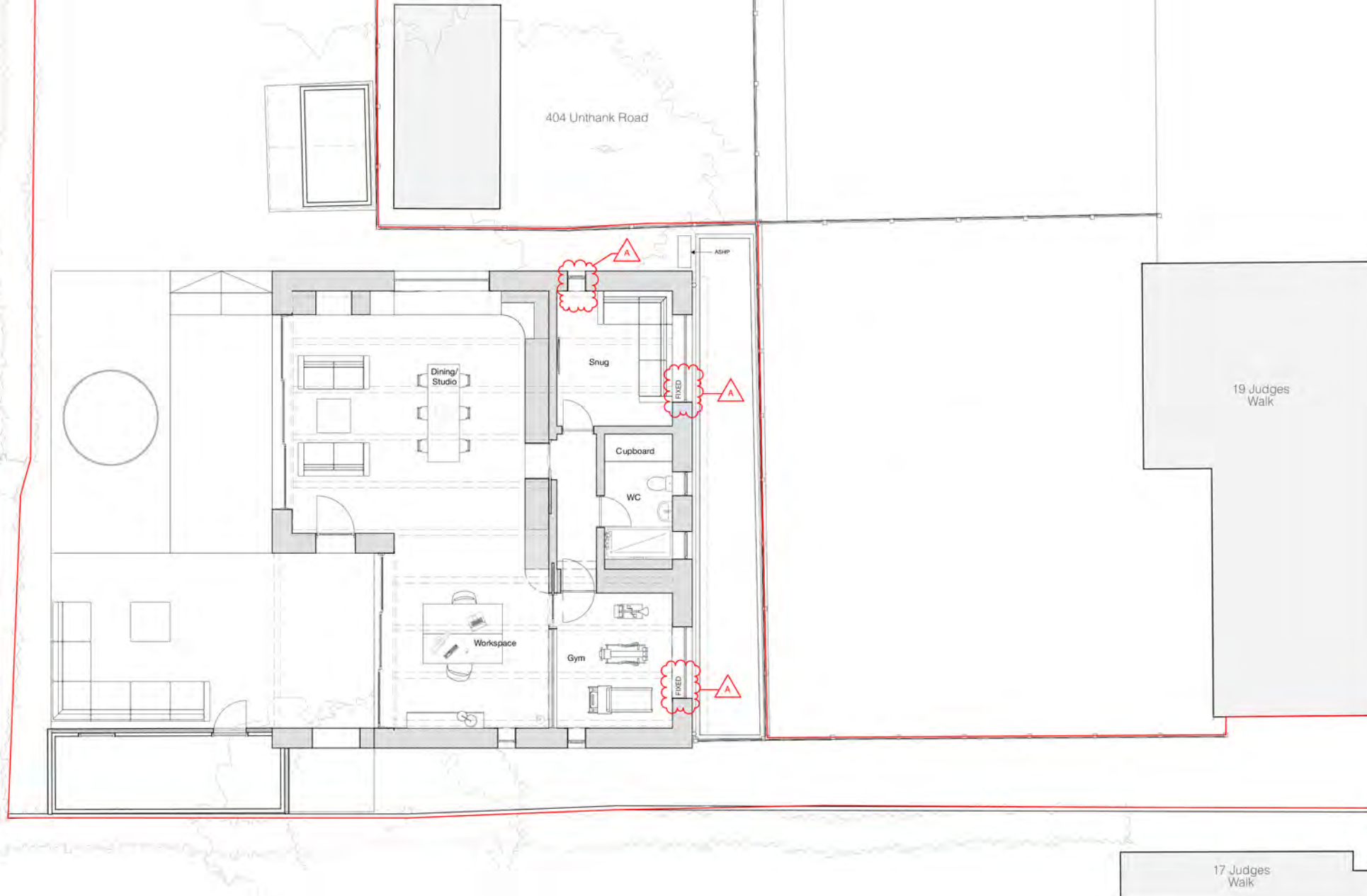
Revisions		FOR PLANNING	
 Redhead Architects <small>www.redheadarchitects.co.uk</small>		Title EXISTING GROUND FLOOR	
		Client Edward and Katy Porter Project Jubilee Place 200 Jubilee Place London E14 4JH	
Date 08/03/2021 Scale 1:50 @A1 1:100 @A3 Drawn by TDS		EX-100	

PROPOSED GROUND FLOOR

1:50 @A1



Key:
— Site Boundary



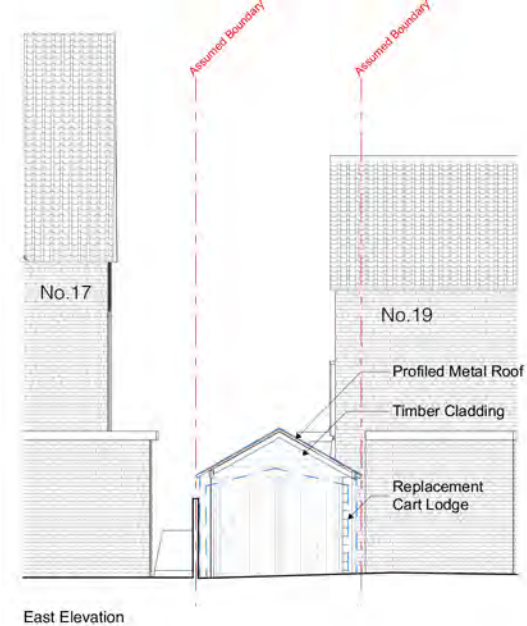
Revision: A 10/06/2022 East windows fixed. New window to north elevation.

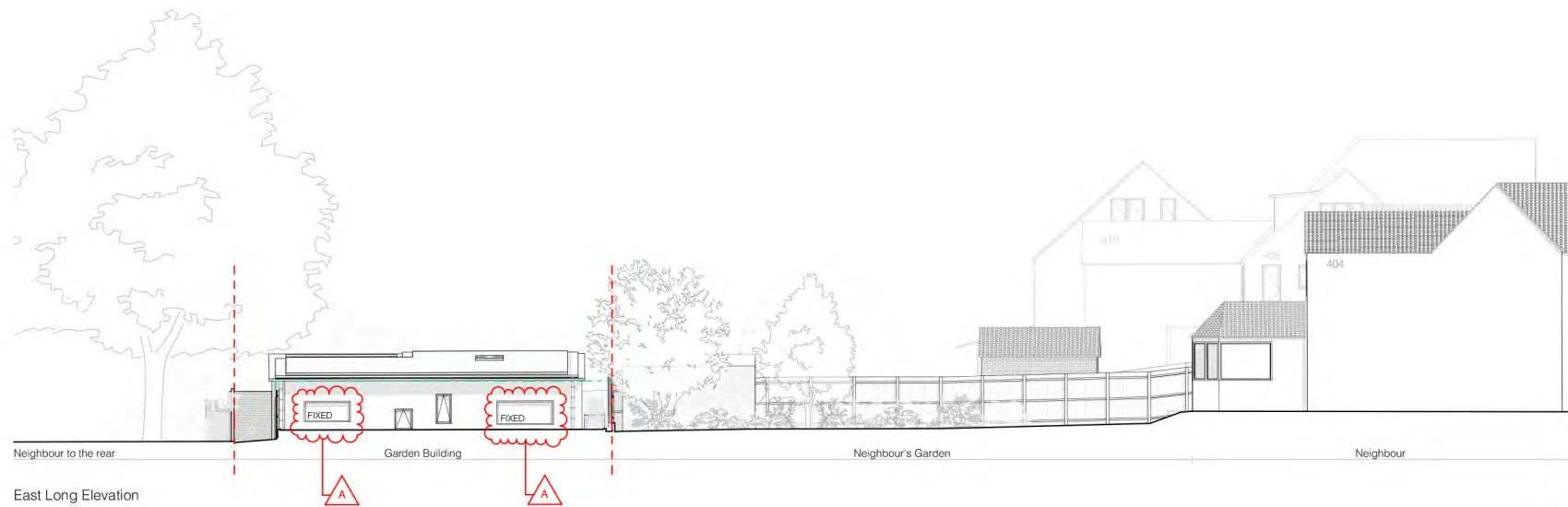
FOR PLANNING

Redhead Architects
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Client: Edward and Katy Foster
Project: Judges Walk
19 Judges Walk
Newham, London
Date: 10/06/2022
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Drawn by: JAD
Title: PROPOSED GROUND FLOOR
No: A

PL-100 A





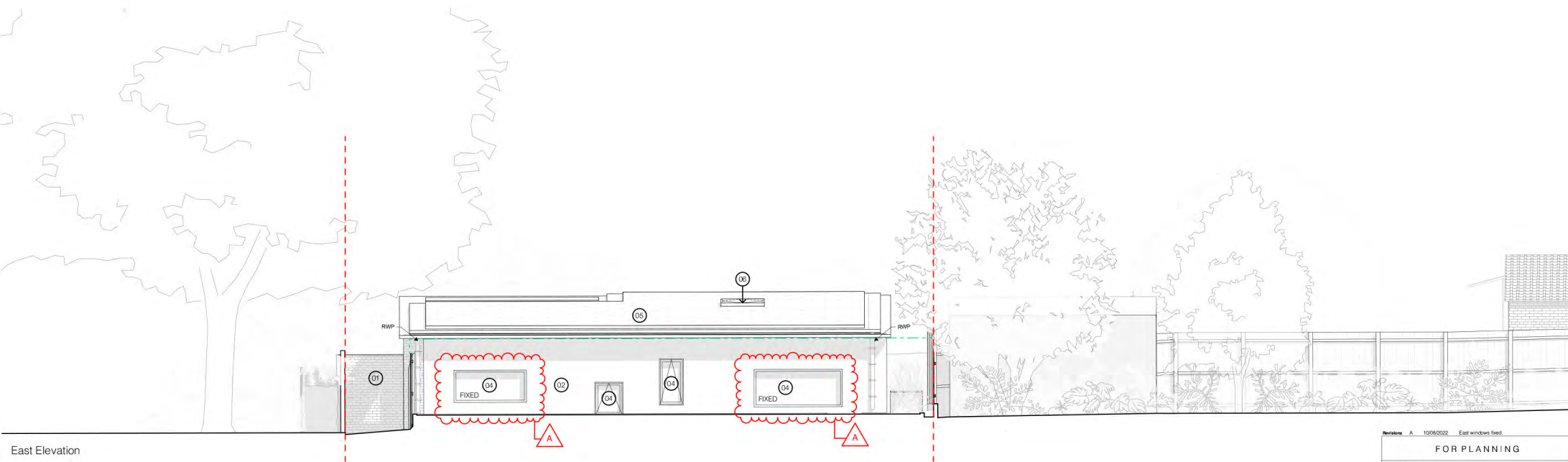
PROPOSED EAST AND WEST LONG EVATIONS



Revisions		A	10/06/2022	East windows fixed.
		FOR PLANNING		
		 Redhead Architects <small>www.redheadarchitects.com</small>		
Client		Edward and Katy Porter		Title
Project		Juddys Hill, 400 Lifford Road, NTH 7GH		PROPOSED EAST AND WEST LONG ELEVATIONS
Ref		JUD		Date
				10/06/2022
				Scale
				1:100 @A1 1:100 @A3
				Drawn by
				TGS
				PL-200
				A



West Elevation



East Elevation

PROPOSED EAST AND WEST ELEVATIONS

1:50 @A1

Key:
- - Site Boundary
- - Existing Fenceline

Legend

- 01. Brick
- 02. Render
- 03. Alu door
- 04. Alu window
- 05. Green roof
- 06. Glazed rooflight

Revisions A 10/08/2022 East windows fixed

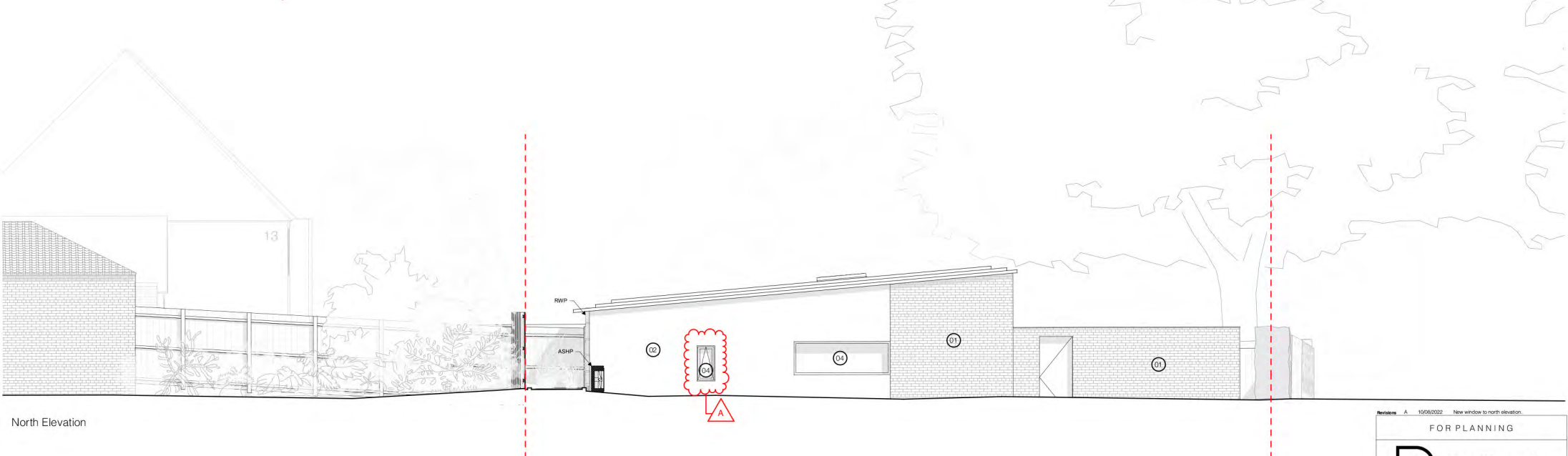
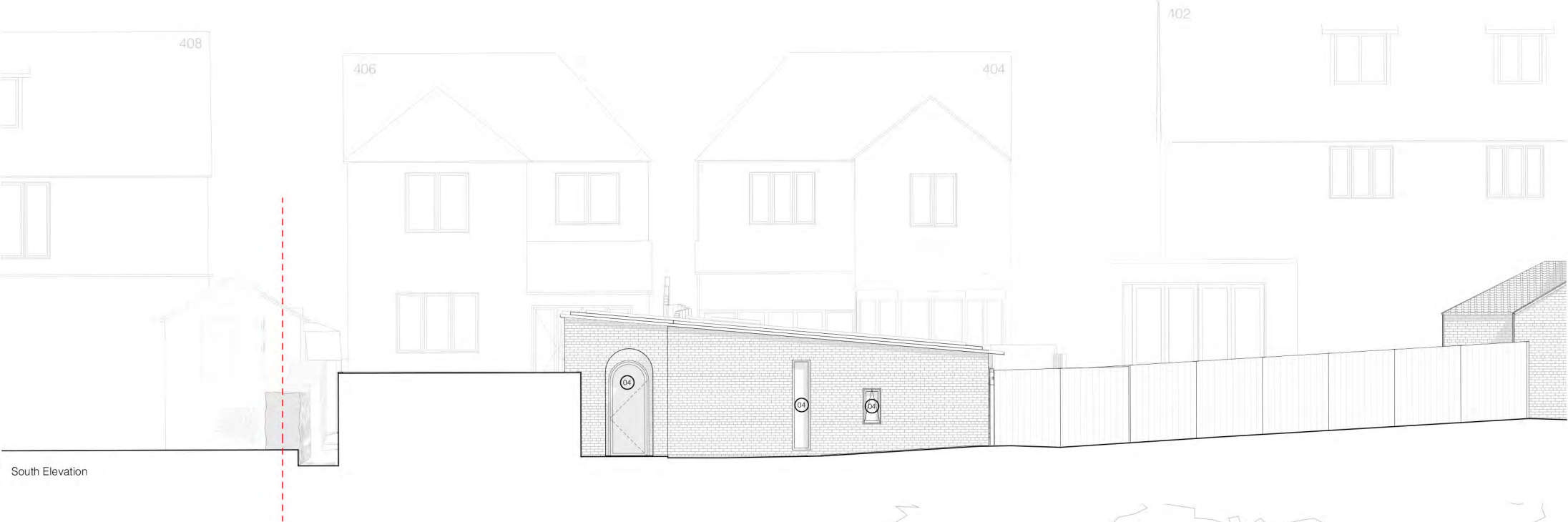
FOR PLANNING

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Client: Edward and Katy Porter
Project: 200m Road, Netherfield Road, N14 7QH
Date: 10/08/2022
Scale: 1:50 @A1 1:100 @A3
Drawn by: TGS
Rev: JLD

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PL-201 A



PROPOSED NORTH AND SOUTH ELEVATION

1:50 @A1

Key: - - Site Boundary

Legend

- 01. Brick
- 02. Render
- 03. Alu door
- 04. Alu window
- 05. Green roof
- 06. Glazed rooflight

Revisions: A 10/06/2022 New window to north elevation.

FOR PLANNING

Redhead Architects

Client: Edward and Kelly Porter

Project: Judges Walk

100 Lifford Road

Warrington

North East

Ref: JUD

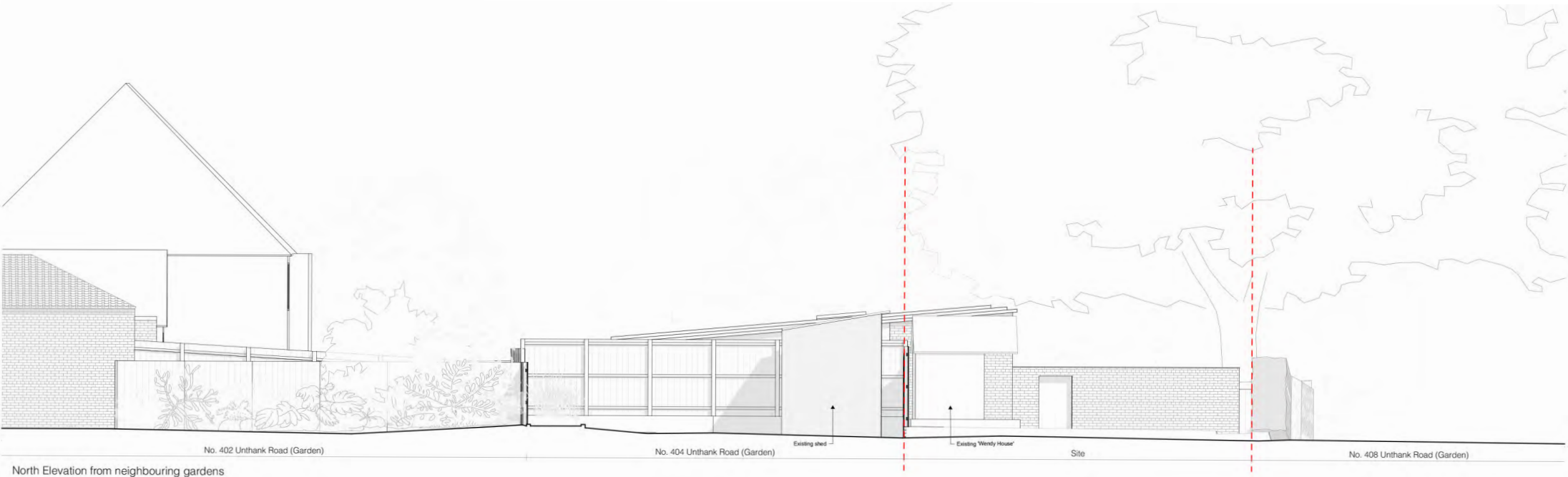
Title: PROPOSED NORTH AND SOUTH ELEVATION

Date: 10/06/2022

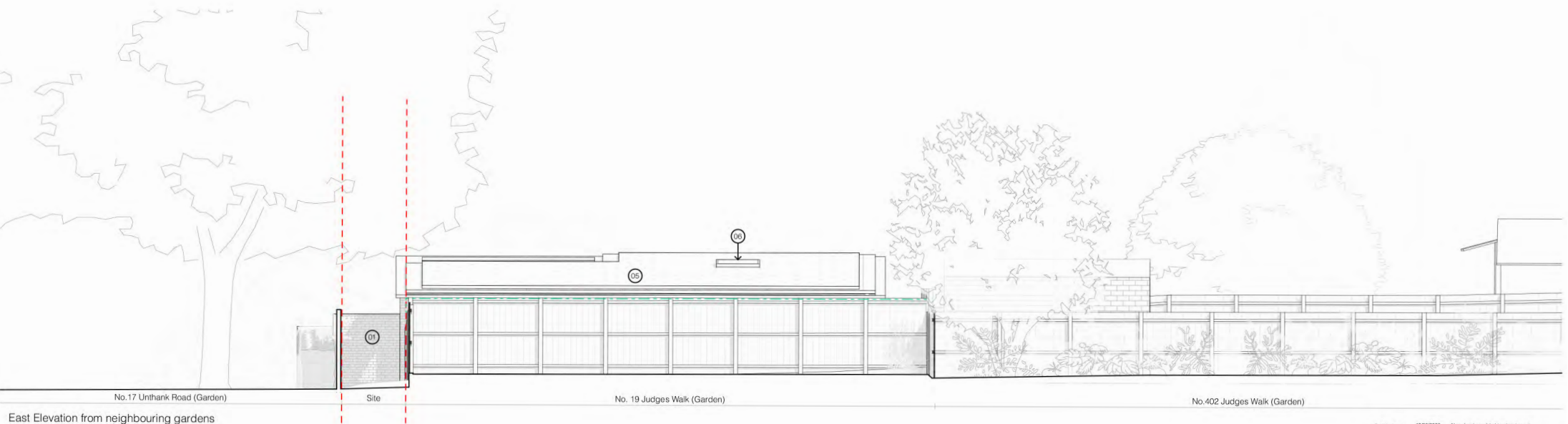
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Drawn by: TGS

PL-202



North Elevation from neighbouring gardens



East Elevation from neighbouring gardens

PROPOSED EAST AND NORTH ELEVATION

1:50 @ A1

Key:
 - - Site Boundary
 - - Existing Fenceline

Legend

- 01. Brick
- 02. Render
- 03. Aluminium door
- 04. Aluminium window
- 05. Green roof
- 06. Glazed rooflight

Revisions: 10/05/2022 New drawing added to planning set.

FOR PLANNING

Redhead Architects

Client: Edward and Katy Porter
 Project: Judges Walk, 402 Unthank Road, Tisbury, Wiltshire
 Date: 10/05/2022
 Scale: 1:50 @ A1 1:100 @ A3
 Drawn by: TOS

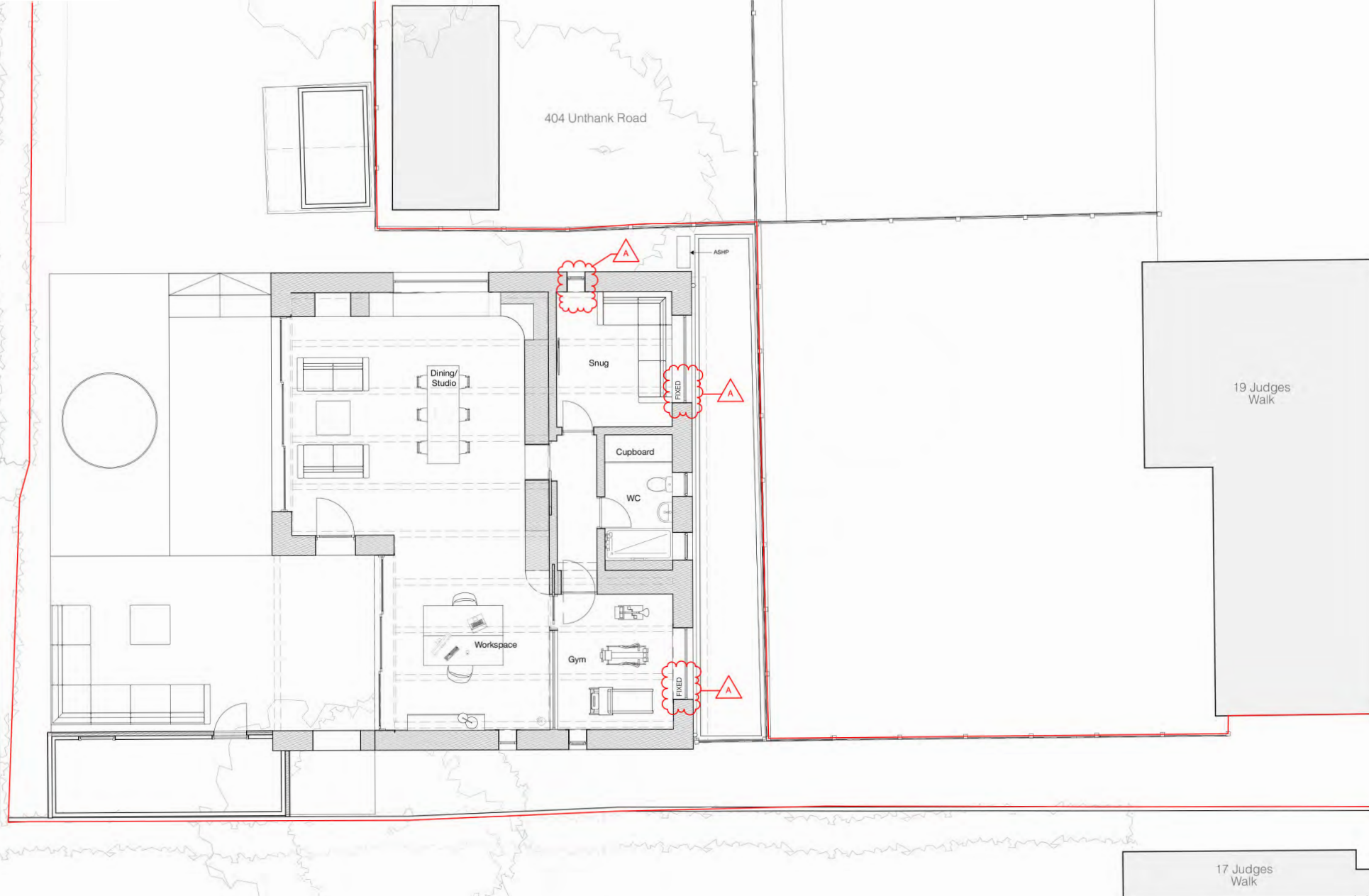
PL-203

PROPOSED GROUND FLOOR

1:50 @A1



Key:
— Site Boundary



Revisions A 10/05/2022 East windows fixed. New window to north elevation

FOR PLANNING

Redhead Architects
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Client Edward and Ruby Porter	Title PROPOSED GROUND FLOOR
Project Judges Hall 404 Unthank Road Nelson	Date 10/05/2022
Ref J10	Scale 1:50 @A1 1:100 @A3
	Drawn by TSS

PL-100 A