

**Report to** Planning applications committee

**Item**

17 December 2015

**Report of** Head of planning services

**Subject** Application no 15/01534/F - Uplands Court. Upton Road, Norwich, NR4 7PH

**Reason for referral** Objection

4(C)

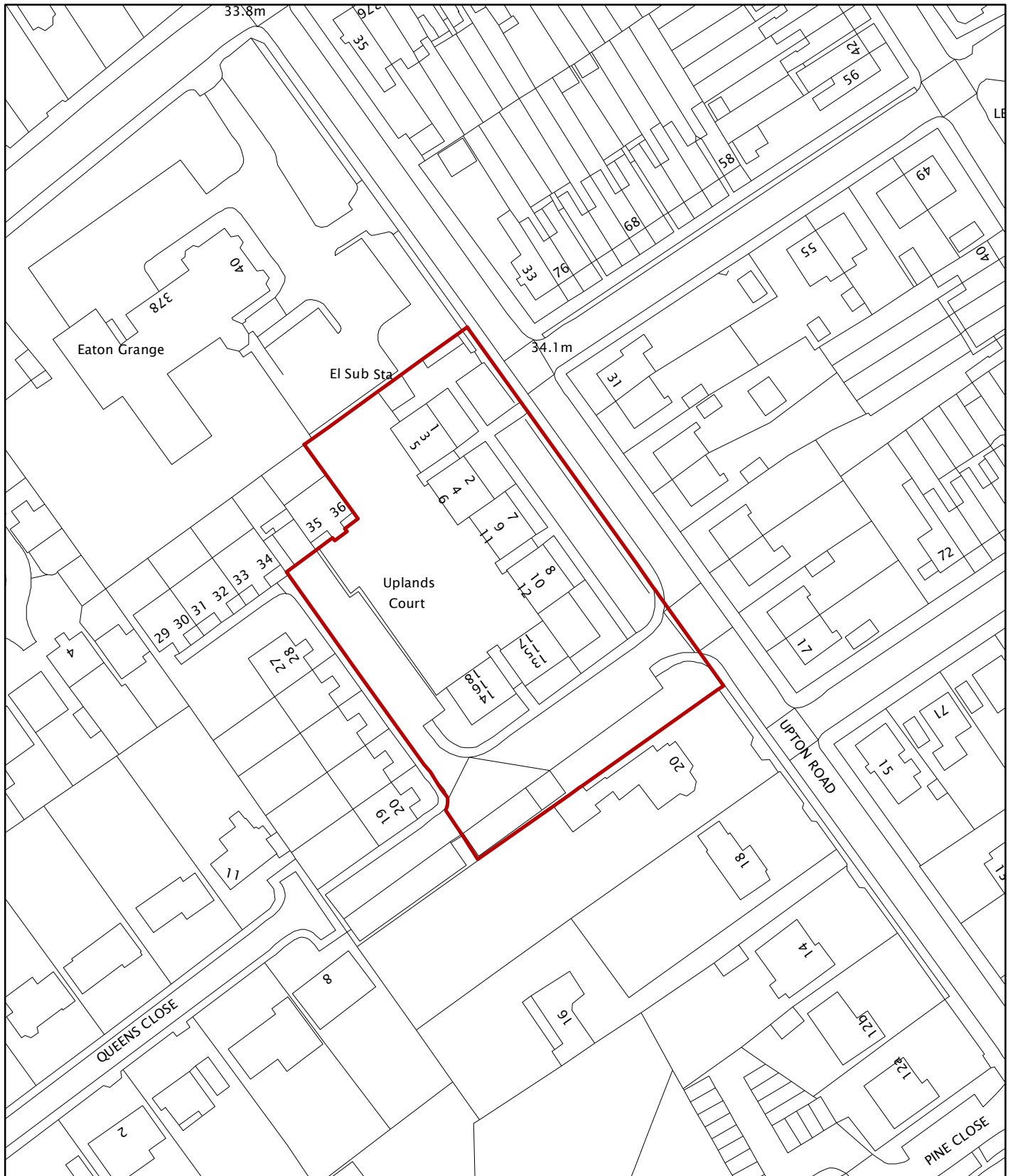
---

<b>Ward:</b>	Eaton
<b>Case officer</b>	Kian Saedi - <a href="mailto:kiansaedi@norwich.gov.uk">kiansaedi@norwich.gov.uk</a>

Development proposal		
Demolition of plant room, erection of infill block of four flats, external refurbishment of the existing building and associated landscaping works.		
Representations		
Object	Comment	Support
3	0	1

Main issues	Key considerations
1 Principle of development	Suitability of site for residential development
2 Design	Scale, form, massing, appearance, impact on street scene and character of area
3 Amenity	Overlooking/loss of privacy, overshadowing, overbearing
<b>Expiry date</b>	10 December 2015
<b>Recommendation</b>	Approve subject to conditions





© Crown Copyright and database right 2015. Ordnance Survey 100019747.

Planning Application No 15/01534/F

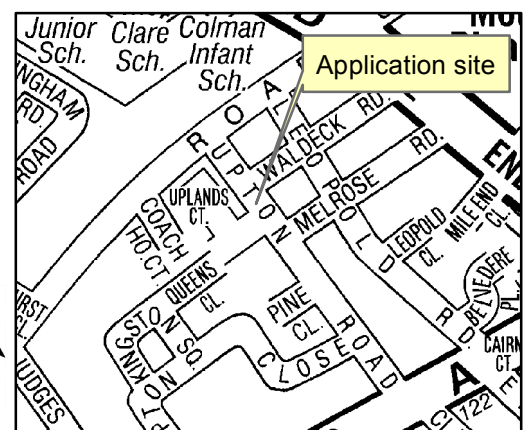
Site Address Uplands Court

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES





## The site and surroundings

1. Upton Road is nestled between Newmarket Road conservation area and the Unthank and Christchurch conservation area. The surrounding area is predominantly characterised by two-storey, semi-detached properties, but the site itself is located within Uplands Court which features blocks of two and three storey flats.
2. A number of mature trees line Upton Road as well as several trees which are served by a Tree Preservation Order (TPO) and located adjacent to the existing car port/refuse storage area of the site.

## Constraints

3. TPO served on trees adjacent to the car port

## The proposal

4. The proposal is for the demolition of the existing single-storey plant room and erection of an infill block to provide four 2-bed flats.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>4</b>
No. of affordable dwellings	<b>0</b>
Total floor space	<b>~400 sq.metres</b>
No. of storeys	<b>4</b>
Max. dimensions	<b>Flat roof development with maximum height of ~11 metres</b>
<b>Appearance</b>	
Materials	<b>Bricks to match existing. Copper colour cladding and through colour render on sections of the building. External materials to be agreed by condition.</b>
<b>Transport matters</b>	
Vehicular access	<b>As existing from Upton Road</b>
No of car parking spaces	<b>4</b>



<b>Proposal</b>	<b>Key facts</b>
No of cycle parking spaces	<b>4</b>
Servicing arrangements	<b>Bin storage/collection point</b>

## Representations

5. 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. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

<b>Issues raised</b>	<b>Response</b>
Loss of privacy/overlooking	Main issue 3
Loss of light/overshadowing	Main issue 3
Out of scale and out of character development	Main issue 2
Poor design	Main issue 2

## Consultation responses

6. 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.
7. **Norwich Society:**
8. Interesting infill proposal which will greatly improve the existing corner of the development

### Highways (local)

9. No objection on highway/transportation grounds

## Assessment of planning considerations

### Relevant development plan policies

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



- JCS2 Promoting good design
- JCS3 Energy and water
- JCS4 Housing delivery
- JCS5 The economy
- JCS6 Access and transportation
- JCS20 Implementation

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

**Other material considerations**

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

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

**Case Assessment**

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

**Main issue 1: Principle of development**

14. Key policies and NPPF paragraphs – DM12, JCS4, NPPF paragraphs 49 and 14.
15. The principle of residential development is acceptable on this site under policy DM12 subject to the criteria in the second part of DM12 and subject to the other policy and material considerations discussed below given that:



- The site is not designated for other purposes;
  - The site is not in a hazardous installation notification zone;
  - The site is not in the late night activity zone;
  - It does not involve the conversion of high quality office space; and
  - It is not in the primary or secondary retail area or in a district or local centre.
16. The site is located in an established residential area, within walking distance to bus routes serving the city centre and wider surroundings. It has also been demonstrated that sufficient car and cycle parking can be provided for future residents who will also benefit from adequate servicing facilities. The site is therefore considered to be suitable for residential development.
17. The four units of accommodation will contribute to an identified need for new housing in the city area. The proposed scheme does not trigger any need to provide affordable housing.

## **Main issue 2: Design**

18. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
19. The area of the site to which the development relates currently features a single-storey plant room, above which the two blank gable ends of adjacent blocks of flats are exposed. The elevation is consequently bland and provides no interest to the street scene. The proposal involves demolition of the plant room and the erection of a four-storey infill block as well as refurbishment to the existing block of flats included within the application site.
20. The proposed four-storey development will feature a flat roof and reach ~11 metres in height, which is 1.2 metres above the ridge and 3.2 metres above the eaves of the adjacent blocks of flats. While the additional height will create some degree of visual prominence, this is welcomed in terms of defining the corner plot and marking a gateway to Upland Court. The flat roof is considered appropriate in this context and any attempt to mirror the roof form of the existing development would look odd in its elevated position and provide unnecessary height. Although the height of the development is greater than surrounding development, the difference in scale is not significant enough to result in the proposed scheme over-dominating the street scene. The scale, form and massing of the proposed development is therefore considered acceptable and will relate positively to the existing block of flats.
21. The new development will be constructed of brickwork to match the neighbouring blocks of flats and similar window proportions to the neighbouring blocks have been designed into the scheme. The corner plot will feature projecting bays to be finished in through colour render and copper colour cladding is proposed for the upper floor and various projecting bays across the Upton Road frontage. Refurbishment works are proposed for the existing block of flats fronting Upton Road which will tie into the new development and help to enhance the appearance of this section of the building. Details of external materials to be used in the construction of the development will be secured by condition to ensure the satisfactory appearance of the development.



22. The proposal will enhance and add visual interest to the Upton Road frontage and enhance the character of the street scene, while retaining sufficient connection to the existing flatted development at the site. Landscaping works will be secured by condition which will further enhance the appearance of the site and enable biodiversity enhancements.

23.

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

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

#### ***Neighbouring Amenity:***

25. The proposal introduces the potential for overlooking from the windows and balconies of the proposed flats to the surrounding residential area. The distance between opposing windows of the nearest residential property to the south is ~22 metres and is separated by the road to Upland Court and partially screened by the trees adjacent to the car port. The distance between opposing windows of the nearest property on Upton Road is ~ 25 metres. The separating distance between the proposed development and existing dwellings in the surrounding area is significant and satisfies the standards recommended by the BRE for ensuring no loss of privacy through overlooking.
26. Such is the position of the proposed development and relatively minor increase in the upper height of the building that the proposal will not result in any significant increase in overshadowing to neighbouring properties.
27. The proposed development will protrude beyond the neighbouring flats fronting Upton Road and Uplands Court by ~2 metres. This will lead to some degree of overbearing impact upon the adjacent bedroom windows fronting Upton Road and to a lesser extent from the balcony/living room area of the flats fronting Uplands Court, but the associated windows will still benefit from good levels of outlook and daylighting, and on balance the degree of overbearing is not considered so significant to warrant a refusal of the application. No objections have been received from neighbouring properties in response to the proposal.

#### ***Occupier Amenity:***

28. All of the flats benefit from adequate internal living space in accordance with national space standards, with good levels of outlook from all habitable rooms.
29. Three of the four flats benefit from an external balcony and one of the flats from a smaller Juliet balcony. The ground floor flat features bi-folding doors leading to an external terrace. It will be necessary for a detailed landscape scheme to be agreed by condition to ensure that the occupant of the ground floor flat is provided with a defensible area of private space and to ensure that the external space is adequately separated and screened from the highway in the interests of privacy.
30. The design and access statement identifies the potential for landscape improvements around the surrounding buildings and such improvements can come forward as part of the landscaping scheme to be agreed by condition. In addition to improving the amenity of existing occupants, the landscaping works will assist in



further enhancing the appearance of the site and ensuring that biodiversity enhancements are realised.

31. Each new flat will benefit from a parking space and access to cycle parking, details of which will be conditioned to ensure that the provision is secure and covered.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Not applicable
Landscaping	DM2/3	Yes subject to condition. Landscape improvements shall be made to the site to ensure the privacy of the proposed ground floor flat and for the benefit of existing occupiers where possible. Biodiversity enhancements will also be requested as part of the scheme which may involve the installation of bird/bat boxes
Contamination	DM11	A contamination report has been submitted with the application which evaluates the risk of contamination at the site to be low. It does however recommend soil testing around the sub-station with suitable disposal in the event that contaminants are discovered. A condition will be added to any planning consent requiring a remediation scheme to be submitted to and agreed with the local planning authority and development stopped in the event that any unknown contaminants are discovered



Requirement	Relevant policy	Compliance
		Several mature trees are located adjacent to the existing car port and refuse storage area at the site, which are served by a Tree Preservation Order. The application originally set out for a bin store/collection point to be constructed adjacent to these trees using a 'no-dig' construction beneath the trees.
Trees	DM7	The application includes no arboricultural assessment or method statement to demonstrate how the area of hard standing would be constructed without harming the trees. The application has now been amended with the refuse storage area relocated to the south-east corner of the site, which will ensure that there are no arboricultural implications associated with the development.

### **Equalities and diversity issues**

33. There are no significant equality or diversity issues.

### **Local finance considerations**

34. 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.
35. 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.
36. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

37. The proposal provides four additional units of accommodation in an established residential area and will improve the external appearance of the building and character of the surrounding street scene. 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. 15/01534/F - Uplands Court Upton Road Norwich NR4 7PH and grant planning permission subject to the following conditions:



1. Standard time limit;
2. In accordance with plans;
3. Details of external materials;
4. Landscaping scheme to include biodiversity enhancements and refuse/ cycle storage detail;
5. No occupation of the development hereby approved shall take place until a verification plan and a proposed monitoring, maintenance and contingency plan have been submitted to and agreed in writing by the local planning authority. The verification plan shall provide details of the data that has been collected in order to demonstrate that the works recommended in section 5.3.1 of the approved contamination report are completed and shall identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The proposed monitoring, maintenance and contingency plan shall identify how these requirements will be met;
6. If, during development, contamination not previously identified is found to be present, then no further development shall be carried out in pursuance of this permission until a scheme has been submitted to and approved by the Council as Local Planning Authority detailing how this contamination shall be dealt with in accordance with the remediation scheme as set out above. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue;
7. No demolition or construction activities shall be carried out at the application premises without express consent from the local planning authority outside of the following hours:
  - before 07:00 hours and after 18:00 hours Mondays – Fridays;
  - before 08:00 hours and after 17:00 hours on Saturdays; and
  - not at all on Sundays or Public Holidays;
8. Water efficiency.

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

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

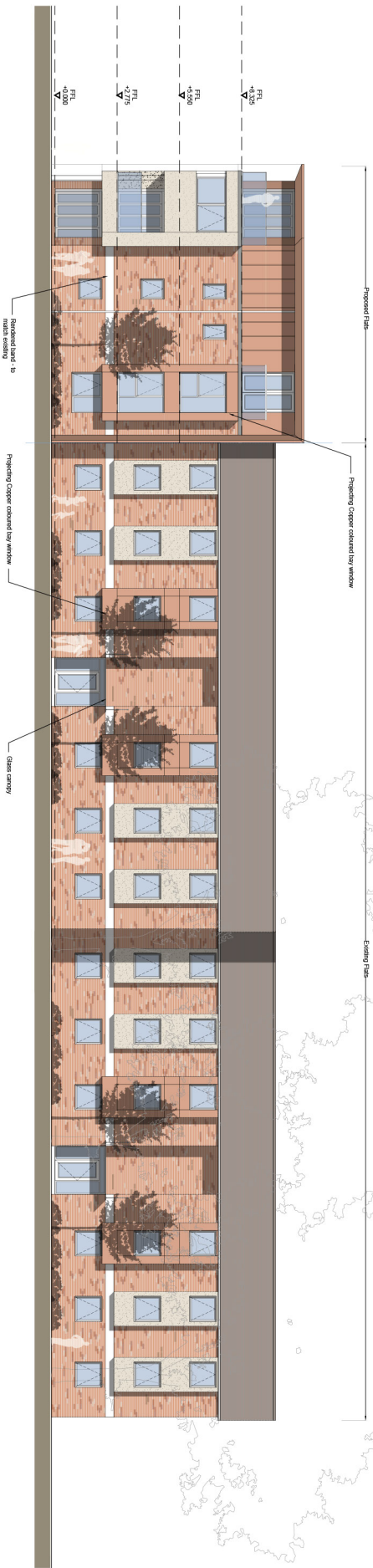
Informatives:

- 1) The applicant is advised to adhere to the recommendations set out in section 6.0 of the approved contamination report;
- 2) Street naming and numbering.

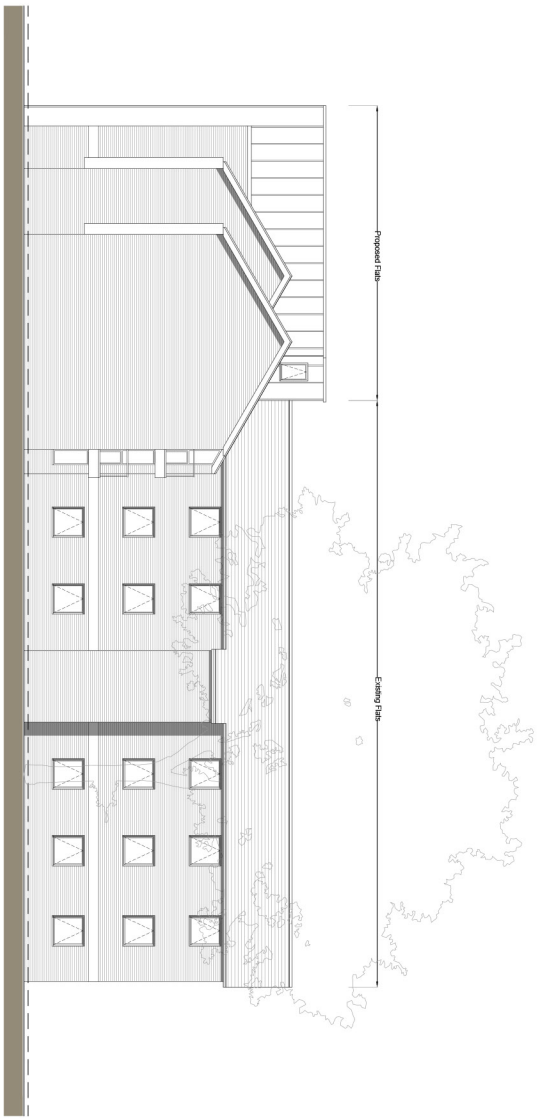


**MATERIAL PALETTE**  
BRICK - Red Matt to match existing  
RENDER - Through Colour Render  
WINDOWS - White UPVC windows  
DOORS - Composite entrance doors  
ROOFING - Grey tiles  
CLADDING - White UPVC panels & cladding  
CHIMNEY - Chimney to be retained to enhance windows.

FRONT ELEVATION  
(NORTH EAST)



SIDE ELEVATION  
(NORTH WEST)



UPLANDS COURT · NORWICH · NORFOLK

02.10.15	Revisions added to PM.	DWG	NM
14.09.15	Proposed window to stairwell removed.	DWG	NM
REV	DESCRIPTION	DRAWN	CHECKED BY

CF

PLANNING

**Chaplin Farant Limited**  
51 Varroville Road  
Norwich  
NR2 7JL  
Tel: 01603 700060  
Fax: 01603 700061  
info@chaplinfarant.com  
www.chaplinfarant.com

**Report Investment Management**  
Residential Development  
Uplands Court  
Norwich

**Proposed NE & NW Elevations**

**5005**

**059**

**Sept 15**

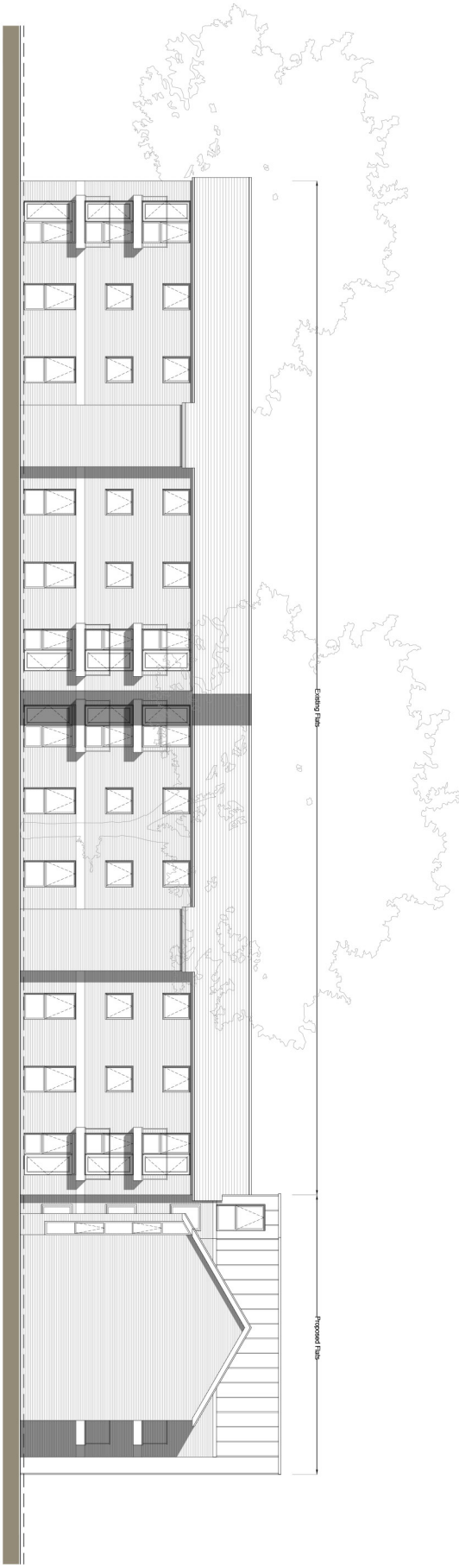
**1:100**

**NM**

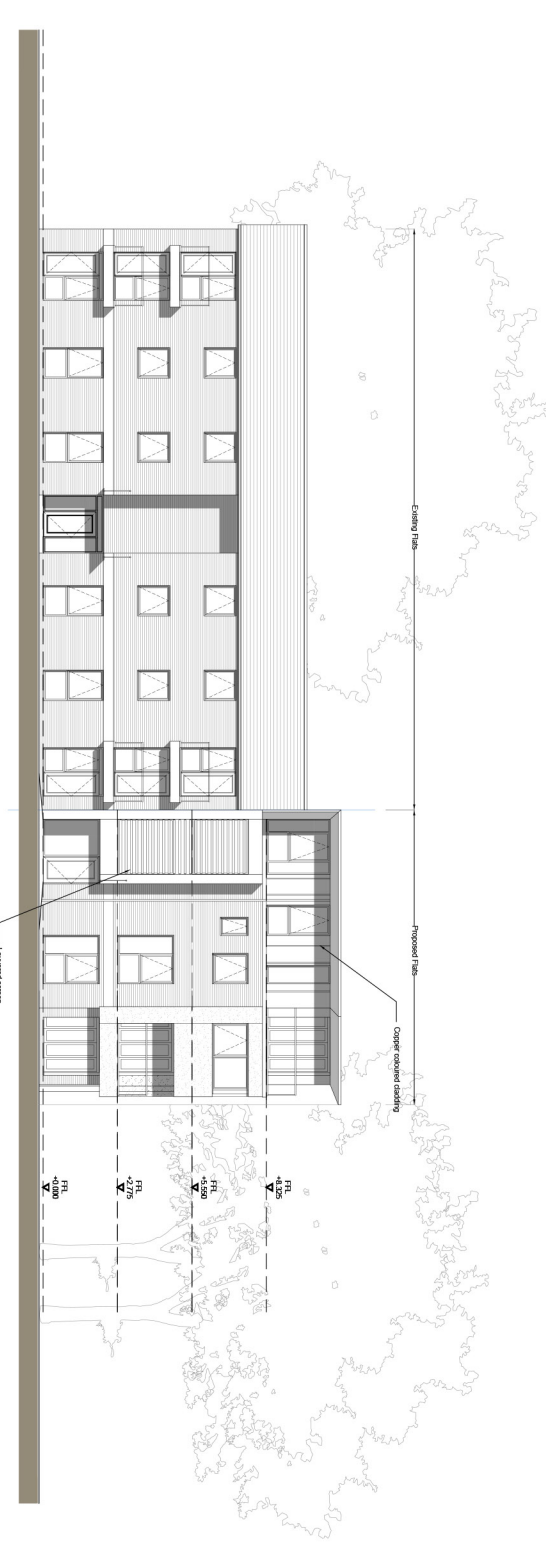
**DWG**



**MATERIAL PALETTE**  
BRICK - Red Matt to match existing  
RENDER - Through Colour Render  
WINDOWS - White UPVC windows  
DOORS - Composite entrance doors  
ROOFING - Grey tiles  
PAVING - Grey paving  
FURNITURE - Grey metal  
Other materials to be matched to surrounding area.



REAR ELEVATION  
(SOUTH WEST)



SIDE ELEVATION  
(SOUTH EAST)

UPLANDS COURT · NORWICH · NORFOLK

REF	DATE	DESCRIPTION	DWG	NM
1	14.09.15	Proposed elevation to external removal	DWG	NM
Revisions				
2	14.09.15	Proposed elevation to external removal	DWG	NM

**Chaplin Farant Limited**  
51 Vauxhall Road  
Norwich  
Tel: 01603 700000  
Fax: 01603 700001  
info@chaplinfarant.com  
www.chaplinfarant.com

**Proposed SW & SE Elevations**

**Region Investment Management**  
Residential Development  
Uplands Court  
Norwich

**5005**

**060**

**Sept 15**

**1:100**

**NM**



ACCOMMODATION SCHEDULE

PLOT NO.	ACCOMMODATION	TENURE	APPROX. G.I.A (m²)	Dwelling Type
P1	4b	private sale	81m²	flat
P2	4b	private sale	82m²	flat
P3	3b	private sale	89m²	duplex flat
P4	3b	private sale	89m²	duplex flat



UPLANDS COURT · NORWICH · NORFOLK



CAR PARKING

1 Dwelling	1 spaces
Total Parking	4 spaces

DRAWING LEGEND

- Indicative soft landscaping scheme (subject to detail design)
- Existing Flats
- Proposed Flats

Planning

18.11.15	Location of the storage point moved	DMC	NM
14.09.15	Revised as per client comments	DMC	NM
REV DATE	DESCRIPTION	DRAWN	CHECKED BY
Revisions			
CF			
Project Investment Management			
Residential Development			
Uplands Court			
Norwich			
Proposed Site Plan			
5005			
052			
B			
Sept 15			
1:500 @ A3			
DMG			
NM			