

Planning applications committee

Date: Thursday, 08 September 2022

Time: 09:30

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

Members of the public, agents and applicants, ward councillors and other interested parties must notify the committee officer if they wish to attend this meeting by 10:00 on the day before the committee meeting, please. The meeting will be live streamed on the council's YouTube channel.

Committee members:

Councillors:

Driver (chair)
Sands (M) (vice chair)
Bogelein
Champion
Davis
Grahame
Lubbock
Peek
Sands (S)
Stutely
Thomas (Va)
Thomas (Vi)
Young

For further information please contact:

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Information for members of the public

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

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



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

Agenda

Page nos

1 Apologies

To receive apologies for absence

2 Declarations of interest

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

3 Minutes

5 - 6

To approve the accuracy of the minutes of the meeting held on 11 August 2022

4 Planning applications

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

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

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

Please note:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available
- The committee will adjourn for lunch at a convenient

point between 13:00 and 14:00 if there is any remaining business.

	Summary of planning applications for consideration	7 - 8
	Standing duties	9 - 10
4a	Application no 22/00610/F - Land at Mousehold Lane, Norwich, NR7 8HA	11 - 44
4b	Application no 22/00728/F - Angel Road Infant School, Angel Road - Siting of two modular classroom buildings and creation of seating area.	45 - 68
4c	Application no 22/00801/F - 406 Unthank Road, Norwich, NR4 7QH	69 - 90
4d	Application no 22/00506/F - 301 Unthank Road, Norwich NR4 7QA	91 - 108
5	Proposal for Extraordinary Meeting of committee and site visit - Application nos 22/00570/F & 22/00571/L - University of East Anglia	

It is proposed to hold an extraordinary meeting of the committee on Thursday, 29 September 2022, to determine application nos 22/00570/F & 22/00571/L for refurbishment and repair of building 3, Teaching Wall, Norfolk Road, University of East Anglia.

Therefore it is proposed that the site visit is held at 9:30 am followed by committee at 11:00 am.

The committee is recommended to approve these arrangements.

Date of publication: **Wednesday, 31 August 2022**



Planning applications committee

9:30 to 09:55

11 August 2022

Present: Councillors Driver (chair), Sands (M) (vice chair), Carlo (substitute for Councillor Grahame), Lubbock, Peek, Sands (S), Stutely, Thomas (Va) and Thomas (Vi)

Apologies: Councillors Bogelein, Champion, Davis, Grahame and Young

1. Declarations of interests

Councillors Driver, Sands (M), Peek, Sands (S), Stutely, Thomas (Va) and Thomas (Vi) declared an other interest in item 3 (below) Application no 22/00563/F 31 Rockingham Road, Norwich, NR5 8HZ because one of the objectors was the current President of the Norwich Labour Party.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 14 July 2022.

3. Application no 22/00563/F 31 Rockingham Road, Norwich, NR5 8HZ

(Councillors Driver, Sands (M), Peek, Sands (S), Stutely, Thomas (Va) and Thomas (Vi) had declared an interest in this item.)

The planner (case officer) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports, which was circulated at the meeting and explained that the property was mid-century not Victorian. This was a retrospective planning application for an extension. There had been objections to the application regarding the extension being built over an external drain and causing water damage to the neighbouring property. The issue about noise and antisocial behaviour was not relevant for the assessment of this case.

At the chair's discretion the applicant addressed the committee. There had been a misunderstanding that the extension could be built under permitted development rights. He confirmed that he was working with Building Control, Anglian Water and the council to address the issues regarding the external drainage and surface water drainage on the neighbour's extension and would keep them informed of progress. The application was similar to other extensions in the area and in keeping with the

main dwelling. This was a mixed area of students and families, and his tenants were well behaved.

During discussion, the planner, together with the planning team leader and the area development manager, referred to the report and answered members' questions. This included discussion about the pooling of water on the neighbour's extension as it could not run off into the applicant's garden since the extension had been built and were advised that this was a matter for Building Control and did not affect the decision on the planning application. Members were advised that the council did not have a policy to require a green roof on flat roofs and that a specific planning application would be required. Members also noted that the extension was measured its full length from the house and not from the outbuildings, and at 6.1 metres required planning permission.

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

Discussion ensued on what stage did Anglian Water and Building Control become involved in cases such as this. Members were advised that issues were raised by neighbours or through the building control process. In this case both authorities were involved before it had come to the attention of the council as a potential planning enforcement matter. Members were also advised that Nutrient Neutrality would be an issue if the proposal had been to increase the capacity of the C3 dwelling to a larger HMO of 6 or more residents.

The committee noted that the application had been called in by Councillor Jones, University Ward.

RESOLVED, unanimously, to approve application 22/00563/F 31 Rockingham Road, Norwich, NR5 8HZ and grant planning permission subject to the following condition:

1. In accordance with plans.

CHAIR

Summary of planning applications for consideration

ITEM 4

8 September 2022

Agenda item no .	Application no	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4a	22/00610/F	Land at Mousehold Lane	Maria Hammond	Erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD) and Play Frame (Class E/Sui Generis).	Objections	Approve
4b	22/00728/F	Angel Road Infant School	Katherine Brumpton	Siting of two modular classroom buildings and creation of seating area.	Objections	Approve
4c	22/00801/F	406 Unthank Road	Stephen Polley	Demolition of an existing shelter, construction of a new single storey garden building, replacement garage and associated landscape works.	Cllr Call In	Approve
4d	22/00506/F	301 Unthank Road	Danni Howard	Two storey rear extension, single storey rear and side extension and installation of dormer window to rear roof slope.	Cllr Call In	Approve

STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

Crime and Disorder Act, 1998 (S17)

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

Natural Environment & Rural Communities Act 2006 (S40)

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Planning Act 2008 (S183)

- (1) Every Planning Authority should have regard to the desirability of achieving good design

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law

Article 8 – Right to Respect for Private and Family Life

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

Report to Planning Applications Committee

Item

8 September 2022

Report of Head of Planning & Regulatory Services

Subject Application no 22/00610/F Land at Mousehold Lane,
Norwich, NR7 8HA

**Reason
for referral** Objections

4a

Ward	Catton Grove
Case officer	Maria Hammond mariahammond@norwich.gov.uk
Applicant	McDonald's Restaurants Ltd

Development proposal		
Erection of a freestanding restaurant with drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD) and Play Frame (Class E/Sui Generis).		
Representations		
Original consultation		
Object	Comment	Support
40, plus petition with 244 signatures	0	33
Re-consultation		
Object	Comment	Support
5	0	0

Main issues	Key considerations
1	Principle of development: loss of existing use and provision of new use
2	Transportation
3	Amenity
4	Design
5	Ecology and trees
Expiry date	14 September 2022
Recommendation	Approve



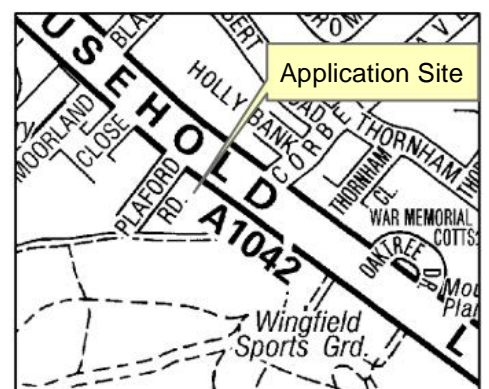
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Planning Application No 22/00610/F
 Site Address Land at Mousehold Lane

Scale 1:1,000



NORWICH
 City Council
 PLANNING SERVICES



The site and surroundings

1. The 0.49 hectare site is located on the southern side of the A1042 Mousehold Lane, part of the outer ring road.
2. It is currently occupied by an established used car retailer and the site is largely open and hard surfaced, with a modest single storey sales building along the eastern boundary and two workshop buildings of a similar scale across the southern boundary. Low railings mark the boundary to the road and there is one totem sign near the two-way vehicle access. Floodlights exist on poles around the site.
3. On Mousehold Lane, a well-lit and busy 40mph route, there is a signal controlled pelican crossing outside the site and waiting restrictions along the carriageway.
4. To the east of the site there is a petrol filling station with retail store which is open 24 hours a day, seven days a week.
5. To the west and north, there are residential dwellings, and the surrounding area has a largely suburban character with occasional commercial uses, such as the application site. Two storey dwellings along Plaford Road to the west have reasonably sized gardens that back onto the site.
6. The southern boundary of the site adjoins Mousehold Heath, which is a designated county wildlife site, local nature reserve and popular and valuable recreational space. There is no direct access between the site and Mousehold Heath. The nearest point of access is an informal pedestrian route approximately 100 metres to the east, off Mousehold Lane.
7. In the wider area, Sprowston Retail Park lies approximately half a kilometre to the east and Open Academy is just beyond that. Infant, junior and secondary schools in Sprowston lie further north.

Constraints

8. The site is within a critical drainage catchment.
9. Mousehold Heath is a county wildlife site and local nature reserve and defined as green wedge of open space in the Local Plan.
10. In this area, Mousehold Lane marks the boundary between Norwich City Council and Broadland District Council.

Relevant planning history

11. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
4/1996/0658	Part internally illuminated gantry sign	TEMP	14/11/1996
22/00597/A	Display of: 1) 3 No. internally illuminated fascia signs;	PCO	

Ref	Proposal	Decision	Date
	2) 3 No. internally illuminated booth lettering signs; 3) 1 No. internally illuminated digital booth screen sign.		
22/00598/A	Display of: 4no. freestanding signs 1no. internally illuminated play land sign 1no. banner sign 24no. DOT signs 2no. internally illuminated digital menu boards	PCO	
22/00601/A	Display of: 1 no. freestanding internally illuminated totem sign.	PCO	

The proposal

12. The application proposes clearing the site and erecting a new detached single storey restaurant building with 'drive-thru'. The restaurant would accommodate 76 covers.
13. The building would be sited roughly at the centre of the site with car parking to the front and a one-way drive-thru lane passing around the building to collection points on the west elevation of the building. Play structures and seating are proposed within a fenced patio adjacent to the pedestrian entrance to the building on the east elevation.
14. The existing vehicle access would be closed off and a new two lane in and out arrangement would be located approximately nine metres west of this. A separate pedestrian access is also proposed closer to the pelican crossing and a gated maintenance access and substation are proposed in the northeast corner of the site fronting Mousehold Lane.
15. Within the highway, a new right turn lane is proposed.
16. Across the site, new landscaping is proposed.
17. Three separate applications for advertisement consent were submitted concurrently with this proposal and include a totem sign at the entrance, signage with the car park and around the site and signage on the building. These will be determined under delegated powers following a resolution on this planning application.

Summary information

Proposal	Key facts
Scale	
Total floorspace	350 square metres
No. of storeys	One
Max. dimensions	14.2 metres wide, 27.2 metres long and 5.8 metres high
Appearance	
Materials	Dark grey engineering brick, timber effect cladding, stone effect cladding, white canopies, black framed windows and doors
Construction	Modular construction
Energy and resource efficiency measures	LED lighting, auto shut-off taps, automatic closures and draft proofing to doors, building management
Operation	
Opening hours	24/7
Ancillary plant and equipment	Kitchen extract fan, air handling units, chiller units and AC condensing units located on roof
Transport matters	
Vehicular access	New access point with in and out lanes and pedestrian island. New right turn lane proposed on Mousehold Lane.
No of car parking spaces	41, including two accessible, two parent and child, two with EV charging and two in a 'fast forward lane' for collection from the drive-thru. Three motorcycle spaces.
No of cycle parking spaces	10 for customers, 2 for staff
Servicing arrangements	Delivery Management Plan submitted. Three to five deliveries a week between 07:00 and 23:00 but not between 16:00 and 18:00 weekdays and 12:00 to 14:00 weekends. Delivery vehicles collect waste cardboard, food, cups, oil and empty delivery crates. Landfill waste collected three times a week. Refuse storage and compactor in corral enclosure at rear of building.

Representations

18. Adjacent and neighbouring properties have been notified in writing of the original submission and there was a re-consultation on subsequent amendments.
19. In total, 84 letters of representation were received from 82 individuals in response to the original consultation. Of these, 40 raise objections and 44 are in support, but 11 of the representations in support make either no comment or raise no material considerations. In addition, a petition has been received. This has a total of 244 signatures. 200 signatories made additional comments but 37 of these raise no material considerations.
20. In response to the re-consultation, five representations in objection have been received, including one said to be on behalf of all petition signatories.

21. The issues which have been raised in the individual letters of representation are summarised in the table below. The petition sets out the reasons for objecting to the proposal, including:
- (a) Observations on content of submissions
 - (b) Proposal does not enhance the environment for the community, contrary to DM1
 - (c) Adding only jobs in fast food industry does not comply with DM1
 - (d) Negative impact on similar takeaways in Heartsease and Sprowston Road
 - (e) Noise survey would have more relevance if compared with real world data
 - (f) Broadland District Council recorded 8 complaints about noise and anti-social behaviour between July 2020 and June 2021. Neighbours also complained about odours from cooking.
 - (g) 24/7 opening
 - (h) Adverse impacts on health, well-being and quality of life for residents
 - (i) Air pollution from idling engines of queuing vehicles
 - (j) Litter – proposals for litter picking inadequate and litter could have negative impact on flora, fauna, geological and physical features of Mousehold Heath
 - (k) Car headlights and restaurant lighting will increase light dusk to dawn, seven days a week
 - (l) Will extra light negatively impact animal species at Mousehold Heath?
 - (m) Existing junctions along Mousehold Lane are difficult to pull out off. Proposal will lead to much more traffic than existing use at all times of day.
 - (n) Proposed left turn out may be ignored.
 - (o) Addition of right turn lane into site on Mousehold lane would reduce lane widths and cause queuing traffic
 - (p) Sprowston Development Plan is trying to encourage traffic away from congested routes, proposal would exacerbate the problem at junctions
 - (q) Boundary Road McDonalds is often full and has traffic overspilling onto highway, could be traffic queuing onto road, including outside times existing site is open
 - (r) Not enough staff parking
 - (s) Increased number of pedestrians will naturally increase number of accidents
 - (t) Increase in traffic against DM1 and will increase carbon emissions
 - (u) Highway safety will be compromised
 - (v) Norfolk Police recorded 61 crimes at Boundary Road McDonalds between 2016 and 2021, including 28 classified as 'violence against the person'.
 - (w) Excessive advertising (subject to different applications)
 - (x) Necessity of site, suggestion of others
 - (y) Two high schools within 600m. Decisions on planning should consider the Government's aim to halve obesity in children by 2030.
 - (z) Proposal does not respect, enhance and respond to character of predominantly residential area
 - (aa) Major residential amenity concern

Issues raised	Response
Creation of jobs	See main issue 1
Convenience/less far to travel	See main issue 1
New amenity in area	See main issue 1
Look better than existing car sales site	See main issue 4
Highway safety – dangerous junctions	See main issue 2

Issues raised	Response
Exacerbate traffic congestion	See main issue 2
Revisions to layout works better, still dangerous	See main issue 2
Applicant's comparable highway examples and justification not relevant, examples of existing/likely issues provided	See main issue 2
Damage to Mousehold Heath – litter, wildlife, lighting	See main issue 5
Litter	See main issue 3
Pollution from vehicles	See main issue 3
Proximity to schools	See main issue 1
Odour pollution	See main issue 3
Eyesore	See main issue 4
Noise pollution	See main issue 3
Light pollution	See main issue 3
Public health – fast food, obesity, children	See main issue 1
Anti-social behaviour and crime	See main issue 3
Too many already	See main issue 1
Encourage pests	See main issue 3
Timing of deliveries at anti-social hours – how will deliveries be managed? Existing impact from garage.	See main issue 3
Disturbance from 24/7 opening	See main issue 3
Staff parking in surrounding area	See main issue 2
Harm to residential area	See main issue 3
Loss of trees	See main issue 5
Should be discouraging car use	See main issue 2
Insufficient parking	See main issue 2
Statement of Community Involvement deliberately deceptive	It is noted the applicants carried out a pre-application consultation locally which received 387 responses with 217 objecting, 142 supportive, 18 supportive with reservations and 9 unsure.
Plans don't show houses opposite	The submitted 3D visuals do not show the full extent of neighbouring properties, but these are shown on the other plans and the site and its surroundings have been visited to assess the proposal.
House prices	Not a material planning consideration
Need – for and against	Not a material planning consideration
Better uses for land	The submitted application must be considered.
No site notices	Notification letters were sent to neighbouring properties in accordance with statutory consultation requirements.
Automatically generated support?	It is noted that several representations in support were received via a single

Issues raised	Response
	email address. It is acknowledged the applicant may have canvassed these responses and facilitated their submission. Each contained an individual's name and contact details so can be considered where the submitted comments raise material planning considerations.

Consultation responses

22. 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

23. Contamination: In light of the reports submitted in support of the application, a condition is recommended.
24. Noise: If the noise report is fully implemented, then I would not object to this application. I would like to condition that the report is implemented in full and add the condition suggested in the report to manage noise levels and add a condition concerning timing of deliveries.
25. Noise & Anti-Social Behaviour: One area the noise report doesn't cover is people noise apart from ordering. Recommend conditions on CCTV and a management plan.
26. Odour: I am satisfied that the odour control system proposed shall eliminate the odour and prevent it creating a nuisance to the nearby properties subject to a condition requiring compliance.
27. Lighting: I have no objections, provided the lighting is installed in accordance with the submitted design.
28. Waste escaping from site: Is it possible to add a condition that McDonalds will litter pick the adjacent pathways and land regularly?

Highways

29. Following negotiations and the submission of revised drawings, it is the view of the highway authority that the applicant has now ensured that issues of concern have been adequately mitigated. Therefore subject to our recommended conditions, we believe it would be difficult to substantiate an objection.
30. The former use of the site as a car sales site had an ingress and egress vehicle access arrangement and a low amount of traffic. The proposed use of the site is a significant intensification and will generate more traffic movements over a longer period of the day, every day of the week and in particular at peak times compared to its extant planning use of the site.

31. Objections have raised concerns regarding increased traffic drawn to the site along Mousehold Lane and the adverse impact on congestion and safety affecting the outer ring road and nearby side roads such as Plaford Road and Corbet Avenue that may affect safety and delays for motorists wishing to turn out of these roads, as well as concerns of proximity of egress traffic from the adjacent petrol filling station.
32. It is accepted that this is a heavily trafficked location and that there are a number of different turning movements that occur at present. In planning terms extant traffic issues are a matter of fact and new development should not be used to resolve all those other issues in the locality. It is our assessment that the proposed access and egress is of adequate distance from the nearby pedestrian crossing facility and other side roads and site accesses. The proposed access also has adequate visibility in both directions, there is adequate time and distance for motorists leaving the site to assess when it is safe to turn outwards. For these reasons it is our view that in principle there is a reasonably safe and suitable means of access and egress from the proposed restaurant.
33. Further highway safety mitigation is proposed whereby a new right hand turn lane on Mousehold Lane will provide adequate space for vehicles to turn into the site. This right hand turn lane has the benefit of removing turning traffic from the carriageway which aids safety and reduces delays to through traffic.
34. The site will also be designed to operate as a left only egress to simplify traffic movements from the site. This traffic management technique can be effective in reducing right turn movements and associated conflict with live traffic. This left out arrangement will not be enforceable and is accepted that some motorists may turn right in an eastbound direction. Visibility has been assessed as meeting Manual for Streets standard, and therefore there is not a safety objection.
35. A service and delivery management plan (SDMP) will restrict the size and routing of trucks for the site. McDonalds will use smaller 11m rigid trucks which has helped ensure that vehicles used for deliveries and refuse collection can enter the site without traversing the pedestrian refuge and navigate the site layout without requiring extensive amounts of parking spaces to be cleared. These vehicles will also be required to only approach from the west and leave to the west, thus eliminating slowing, stopping, and turning movements from the east that might adversely affect traffic queuing over the pelican crossing. This also means that the larger vehicles can enter and leave the site easily and efficiently on a routine basis without adversely affecting traffic on Mousehold Lane. This will of course rely upon the operator to implement the SDMP and your Authority to enforce.
36. The extant pelican crossing provides a safe facility for pedestrians, and the extant waiting restrictions (double yellow lines and no stopping crossing wags) provide adequate parking management for the locality. Pedestrians wishing to enter the site have a choice of two walking routes with crossing markings within the site that are on a reasonable desire line from the road, making it direct and convenient and thus more likely to be used than other routes across the site car park and trafficked areas.
37. Overall the layout of the site assists safe pedestrian movement from the locality across the restaurant car park and does not conflict unduly with vehicular movement. It is our view that the extant pelican crossing is in suitable location in relation to the development and does not require further improvement.

38. Overall, there are a number of mitigation measures that have positively addressed concerns raised and help to ensure a safe and suitable means of access, an adequate layout and positive approach towards pedestrians and cyclists.
39. In terms of the amount of parking on site, the Transport Assessment has sought to demonstrate that the site can accommodate the amount of car spaces required for staff and customers, this assessment is accepted as reasonable.
40. For this location within an urban area and adjacent to a primary route it will experience a significant amount of 'pass by' trade, which is traffic already on the road network and making decisions to buy food and drink en route as part of a journey for another purpose, i.e., it's not operating as a remote destination restaurant in an out of town location.
41. During the construction phase it will be necessary for the developers to carefully consider the safe operation of the site, to protect the free flow of traffic on Mousehold Lane and the safety of pedestrians on the adjacent footway and crossing.
42. To maintain sustainable travel to the site by bus, foot and cycling, the applicant should encourage this for staff and customers to the premises. The operator of the premises should ensure that off-site parking is discouraged to prevent unsafe or nuisance parking on adjacent highway. This can be achieved by use of a Travel Information Plan.
43. To achieve an acceptable development in highway terms, the following mitigation measures and conditions are recommended:
 - (1) A new site access constructed to Light commercial standard with a 'left only out' egress, to include a new pedestrian refuge
 - (2) Ensure that the visibility splay of 2.4m x 55m in both directions is not obstructed
 - (3) Provision of a right hand turn lane on Mousehold Lane
 - (4) Use of 11 metre rigid trucks for deliveries and refuse collection
 - (5) Agreement to use a servicing and delivery management plan by condition, that will ensure that all deliveries and refuse traffic will approach from the west and leave to the west.
 - (6) Site layout to include two dedicated walking routes for pedestrians
 - (7) Reconstruction of the footway adjacent to the site to full kerb height (and closure of a redundant site access)
 - (8) A travel information plan will also assist management of the site to encourage
 - (9) Sustainable travel for staff and customers and to avoid problem issues such as off site staff car parking and to encourage travel by bus, walking and cycling.
 - (10) A Construction Traffic Management Plan to include provision for construction workers parking to be provided on site in addition to suitable turning and waiting

provision for other construction vehicles, and pedestrian safety measures (hoardings).

44. The National Planning Policy Framework (NPPF) states:

'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'

45. It is our view that this package of mitigation measures to be secured by condition, will be adequate and will enable the development to be acceptable in highway terms and therefore does not meet the NPPF tests of safety and severity of impact.

Landscape and ecology

46. The landscape proposals would involve replacing a significant area of existing hard surfacing with soft landscaping, including approximately 30 trees and areas of native shrubs/hedging. Most of this planting is located at the southern part of the site which adjoins Mousehold Heath. This is welcomed.

47. The site has negligible existing landscaping and a small quantity of low value habitat. Of most value and concern is the woodland habitat immediately adjacent to the south which forms part of Mousehold Heath. A number of Oak trees overhang the southern site boundary. It is therefore important that proposals for planting and fencing works within root protection areas are carefully undertaken in accordance with the recommendations of the AIA and AMS.

48. Hard landscaping

(1) Please could the material and appearance of 2m high acoustic fencing be clarified?

(2) New 1.1m high close boarded fence to provide anti-headlight glare screen is proposed which would block most views of the perimeter landscape planting, thereby obscuring a soft treatment which would contribute positively to the streetscape with a hard feature which would detract from it.

(3) Redevelopment of the site offers an opportunity to significantly improve the streetscape, which the proposals fail to fully take.

(4) Tall fence panels adjacent/perpendicular to the footway should be reduced in height to around 1m to provide sight lines for pedestrians, improve personal security and reduce adverse visual impact.

(5) Pedestrians using the footway would make a two-stage crossing away from the desire-line. The layout should be amended to give priority to pedestrians.

(6) The Site plan shows considerable lengths of pedestrian guard railing around the north and east sides of the building. Please could reducing the amount be considered.

(7) Pedestrian routes through car park are shown on Site plan with dropped kerbs. These should be replaced with flush kerbs to improve accessibility.

49. Soft landscaping

- (1) The landscape plan includes a maintenance specification. A longer-term Landscape management plan should be conditioned.
- (2) The landscape proposals include wildflower seeding which would have biodiversity benefits.
- (3) It would be preferable for hedging to be maintained at a greater height to provide more screening and biodiversity benefits.
- (4) There is quite a lot of street furniture/clutter around the building and car park. This, in combination with the extent of tarmac and other hard surfacing would tend to have an adverse visual effect on the setting of the building and would be visible from Mousehold Lane. The proposed landscaping would help to mitigate this to an extent. It would be preferable for a few additional trees to be provided along the frontage to soften the car park and contribute to the streetscape.

50. Ecology

- (1) Preliminary Ecological Appraisal (PEA) conclusions and recommendations are supported. The PEA has informed the Landscape proposals, which is welcomed.
- (2) The proposed landscape scheme and ecological enhancement measures are likely to provide a clear net gain against the baseline of the existing site which is of low ecological value and does not support any protected species.
- (3) PEA recommends a Construction Ecological Management Plan [CEMP] to ensure the protection of the priority habitats to the south of the site. This is supported and should be conditioned.
- (4) The PEA recommends that the loss of nesting habitat should be compensated for by including tree planting on site and 2 no. bird nesting boxes.

External lighting - A lighting plot has been provided which identifies the LUX levels within the site and on the boundaries. Lighting should be directed away from the habitat of Mousehold Heath to the south of the site, to minimise adverse effects on wildlife. Please could confirmation be provided that the lighting scheme accords with the recommendations of the PEA.

51. Suggested Conditions:

- Landscaping Details
- Mitigation Programme
- Bird Nesting Season
- Small mammal access
- Mitigation Details – for bee and bird boxes
- External lighting
- Construction Ecological Management Plan

Norfolk police (architectural liaison)

52. Encouraged to learn applicant will consider applying for Secured By Design award.
53. Some matters require consideration: design of entrance, layout to provide clear lines of sight and control access, natural surveillance, car parking, cycle parking, landscaping, lighting, alarms and CCTV.

Norwich Society

54. We have no objections in principle - this looks to be a standard MacDonald's drive-through and restaurant, carefully screened to cause no offence, conveniently located on the ring road. Our only concern is to the large area of parking exposed on the street frontage. It would provide a more enclosed and consistent frontage if the building could be located there, with parking principally at the rear.

Sprowston Town Council

55. Sprowston Town Council has made no objection to this application, but has requested the following points be taken into account when a determination is made:
- (a) Ask that safe vehicular access onto Mousehold Lane is assured for residents using Corbet Avenue, Blackwell Avenue, Alford Grove, Oaktree Drive, Playford Road and Moorland Close.
 - (b) Any lighting visible from the Mousehold Heath side of this site should be of a type that is not disruptive to bats and switched off at the times when artificial lighting is most likely to interfere with bat activity.
 - (c) Concerned about a possible increase in littering within Mousehold Heath. Note reference to regular litter picking within 150 metres of the proposed restaurant. This area is insufficient, request litter picking be extended to cover as wide an area of Mousehold Heath as practicable.
 - (d) Noise, odour, traffic and light pollution should be mitigated by restricting restaurant opening hours not beyond midnight.

Broadland District Council

56. Request that due consideration is given to the impact of the proposed development on the amenities of its residents which live opposite the site, in respect of highway safety; increased traffic movements; noise and disturbance; odour; light pollution etc. which could give rise to a detriment to our residents amenities.

Assessment of planning considerations

Relevant development plan policies

57. **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
 - JCS5 The economy
 - JCS6 Access and transportation

- JCS7 Supporting communities
- JCS12 The remainder of the Norwich urban area including the fringe parishes
- JCS19 The hierarchy of centres

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

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM11 Protecting against environmental hazards
- DM17 Supporting small business
- DM18 Promoting and supporting centres
- DM24 Managing the impacts of hot food takeaways
- DM28 Encouraging sustainable travel
- DM29 Managing car parking demand in the city centre
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

59. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF6 Building a strong, competitive economy
- NPPF7 Ensuring the vitality of town centres
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment

Case Assessment

60. 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 Policy 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

61. Key policies and NPPF paragraphs – JCS1, JCS5, JCS6, JCS7, JCS12, JCS19, DM1, DM17, DM18, DM24, NPPF paragraphs 81, 86-88, 90-91, 92, 110, 130

Loss of existing use

62. The proposal would result in the loss of the existing car sales operation. This low intensity use does not benefit from any specific policy protection and there is no objection to its loss. For information, it is noted that the application states existing employees would be relocated to other sites operated by the same company.

Proposed new use

63. Restaurants and hot food takeaways are classified as main town centre uses. The 'drive thru' is an integral part of this proposal to facilitate collection of takeaways. In terms of use class, it is considered to be *sui generis*.
64. NPPF section 7 and Policy DM18 direct main town centre uses to defined centres. This principle is in accordance with Policy JCS6 which seeks to concentrate development close to essential services and facilities and DM1 which seeks to minimise the overall need to travel, reduce dependency on private car use and ensure ease of access to facilities and services. It also protects and enhances the vitality and viability of these centres which play a vital role at the heart of local communities in accordance with JCS12 and paragraph 86 of the NPPF.
65. The proposed site is not within a defined centre. The closest is the Sprowston Road/Shipfield Road district centre over 400 metres west of the site.
66. Where main town centre uses are proposed outside defined centres, Policy DM18 and paragraph 87 of the NPPF require applicants to undertake a sequential assessment to consider if there are suitable sites available in centres and, if not, on the edge of centres. Out of centre sites should only be considered if it can be demonstrated that sequentially preferable alternatives are available.
67. The applicant has submitted a Sequential Test and subsequently revised this to consider additional centres. In terms of suitability, they have identified that a site of approximately 0.3 ha is required to meet operational requirements, providing a restaurant of approximately 100 seats with parking and drive-thru. The drive-thru is said to be an integral part of the development which cannot be separated as it would account for around 50% of the site's trade. A drive-thru is said to require a location with 20,000 passing traffic movements for a roadside position or to be co-located with other 'attractors'.
68. In terms of location, McDonalds operate nine existing stores across Norwich and are seeking to add one to the north-east of the city. They state each store serves its own local market.
69. Their area of search has included the large district centres at Anglia Square and Riverside and Plumstead Road and Sprowston Road/Shipfield Road district centres. Given the location on the boundary with Broadland District Council, they have also looked at Dussindale district centre. No sites which are suitable to meet the needs of the development and currently available have been identified in any of these centres, nor on the edge of them.

70. In accordance with the hierarchy of centres in Policy JCS19, the city, large district or district centres would be most appropriate for a development of this scale, so it is considered that consideration has been given to the right locations. The submitted assessment does not identify any specific sites within or on the edge of these centres to explain why they are not suitable or demonstrate that they are not available. Therefore, there is no robust justification given to support the assertion there are no suitable sites available for the development in sequentially preferable locations.
71. However, it is acknowledged that a site of at least 0.3ha is relatively large for these centres, especially at district level. When considering 'suitability' of sites, regard must be had to the NPPF and Planning Practice Guidance (a material consideration) which advises some flexibility should be applied on issues such as format and scale but appeals and case law have established that alternative forms of development cannot be considered. It is therefore only the suitability of sites for the application proposal – a restaurant with drive-thru – that can be assessed in the sequential test. Therefore, sites within or on the edge of centres that could, for example, only accommodate a restaurant, of which there are likely many, cannot be considered as suitable.
72. It is also acknowledged that, as well as the stipulated size, vehicular access is a requirement of a suitable site. Whilst being considered a main town centre use, it is acknowledged that the drive thru element of the proposal with associated requirement for vehicular access does reduce the potential number of suitable sites within or on the edge of centres.
73. When consideration is given to the specific needs of a site to accommodate the proposed development and the size and nature of centres at the appropriate level of the hierarchy to the north-east of the city, it is accepted that it would be very difficult to find a sequentially preferable site within any reasonable period. The content and conclusions of the Sequential Test are therefore acceptable.
74. In addition to satisfying the sequential test, Policy DM18 also requires that out of centre proposals do not conflict with the overall sustainable criteria in Policy DM1. These criteria include minimising the overall need to travel, reducing dependency on private car and ensuring ease of access to facilities and services.
75. The proposed out of centre location is in a largely residential area from which it would draw custom and is also on a busy, principal route where it would attract passing trade. Pedestrian and cycle access is available along and via Mousehold Lane from the surrounding area and the nearest regular bus services run along Sprowston Road, over 400 metres to the west and Salhouse Road over 500 metres to the east. However, the location and nature of the use would attract a significant amount of travel by private car. The drive-thru element makes this largely inevitable wherever the site is located and any alternative site either within a defined centre or better located in relation to public transport and other services and facilities is unlikely to significantly reduce private car travel for the drive-thru element which is estimated to account for 50% of trade. McDonalds operate restaurants without drive-thrus, including two in the city centre, but the Planning Practice Guidance is clear that this element of the proposal cannot be disaggregated when considering the sequential test.
76. Traffic and transport matters are considered further below, but in terms of principle with regards DM18, it is accepted that there is unlikely to be an available site which

is suitable to meet the operational needs of the proposed restaurant with drive-thru and the drive-thru element will inevitably attract a proportion of private car travel wherever it is located. On balance, it is considered that the sequential test has been passed and accordingly the principle of the use in the location is not unacceptable in relation to Policy DM18.

77. Several objections have stated there is no need for the proposed use in this location and/or there are sufficient McDonalds branches elsewhere already. Other representations support the provision of a new branch in this location and note the reduced travel distance compared to existing branches. Concern has also been raised about the impact of additional competition on existing local takeaways, but none of these are material considerations.
78. Policy DM24 requires that new hot food takeaways do not give rise to unacceptable environmental effects and have safe and convenient access which is not detrimental to highway or pedestrian safety. These matters are considered further below.
79. Some representations have raised concern about the public health effects of fast food restaurant, including in relation to obesity and children, especially given the proximity to local schools and routes to/from them. Policy DM1 and paragraphs 92(c) and 130(f) of the NPPF all highlight the role of planning in creating places which promote and improve health and well-being and support healthy lifestyles. Planning Practice Guidance advises that planning policies can seek to limit the proliferation of uses which do not support a wide range of healthier food production and consumption choices, but only where it can be justified by evidence demonstrating this is appropriate, including from local public health colleagues. The adopted local plan and emerging Greater Norwich Local Plan do not contain any such policies and Norfolk County Council's public health team have been consulted on this application but not offered any response. In the absence of any specific policy concerning the provision or location of such services, any evidence that the proposal would unacceptably harm public health and the fact that in planning terms the proposal is not specifically for a fast-food restaurant and could sell food of any type, there are no grounds to resist the proposal in relation to public health, healthy lifestyles or proximity to schools.
80. Much of the support for the proposal refers to the creation of jobs and it is noted that the loss of seven existing employees would be outweighed by the creation of 30 full-time and 90 part-time jobs (62 full-time equivalent). This is a benefit weighing in favour of the proposal in relation to the economic objectives of sustainable development in the NPPF which is to be considered in relation to the social and environmental objectives in the planning balance.
81. In principle, the proposal is for a main town centre use in an out of centre location which would attract a significant proportion of travel by private car. When due consideration is given to the availability of sequentially preferable, more sustainably located sites that would be suitable for the development, it is concluded that the proposal cannot be resisted on this basis. There is no policy basis on which to oppose a drive-thru in principle and whilst this aspect of the proposal is regrettable in terms of the constraints it imposes on potential sites for a new restaurant and the poor environmental sustainability, Planning Practice Guidance and case law advises that sites for the proposal as a whole must be considered and the provision of a drive-thru cannot be separated out. The private car travel associated with this

therefore must be accepted to an extent and consideration is given to minimising this and promoting more sustainable travel in the Transport section below.

82. The employment creation does provide an economic benefit weighing in favour of the proposal and the scale and nature of the proposal is not so significant as to harm the viability or vitality of existing centres. Whilst there is some conflict with the sustainability objectives of Policies JCS1, JCS6, JCS7 and DM1, on balance, the principle of the proposal is not unacceptable with regards Policies JCS5, JCS12, DM17, DM18 and DM24.

Main issue 2: Transport

83. Key policies and NPPF paragraphs – JCS6, DM24, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
84. The A1042 Mousehold Lane is identified as a principal route and, as recognised in many of the representations, a busy part of the outer ring road with many junctions onto residential side roads. Objections have raised concerns about traffic, highway safety and parking.

Traffic

85. As acknowledged by the Highway Authority and objectors, the proposed use would be a significant intensification compared to the existing and generate more traffic movements over longer periods of the day and week. The submitted Transport Assessment uses analysis of what the consultants consider to be a similar existing restaurant to estimate there would be 128 traffic movements in and 121 out during a Saturday peak between 12:00 and 13:00, compared to 22 two-way vehicle trips for the existing use at peak time on a Saturday. The Assessment also identifies three potential types of trip visiting the site: additional trips specifically to the site; diverted trips where drivers are already on the road network but alter their route to visit; and, pass by trips. On Friday and Saturday peaks, it is estimated there would be 47 and 49 'additional trips' on the road network to the site. It is also estimated that 37% of trips would be 'transfer trips' that would otherwise be made to existing restaurants.
86. This is already a heavily trafficked location and the Highway Authority have no objection in relation to traffic movements and are satisfied the proposed access is an adequate distance from the pelican crossing and junctions to side roads to not unacceptably compromise their safe use. As considered above, the drive-thru element of the proposal will inevitably attract a high degree of private car use, but not to an extent that would unacceptably exacerbate existing traffic congestion. Measures can be taken to promote more sustainable travel by customers dining in and staff and it is considered necessary to secure compliance with the submitted travel plan to promote more sustainable travel options.
87. The drive-thru lane has capacity for 20 vehicles to queue and based on experience from the comparable existing store, it is estimated there would be a maximum of 12-13 in the queue at peak times, so would not result in queuing out of the site onto the highway.
88. Traffic routing and parking during construction should be agreed by condition to ensure there is no unacceptable disruption.

Highway safety

89. Negotiations during the course of the application have secured amendments to the layout of the proposed new access. The Highway Authority are satisfied that this would benefit from adequate visibility in both directions. There would be dedicated in and out lanes, segregated by a pedestrian island, and road markings and signage within the site would identify vehicles should exit to the left (west) only. This should reduce potential for right turns and associated conflict with live traffic but as it would not be within the public highway, it would not be enforceable. On the basis that the visibility to turn right is acceptable, the Highway Authority do not have a safety objection to this aspect of the proposal.
90. A new right turn lane is proposed within the highway on Mousehold Lane which the Highway Authority advise has been satisfactorily designed and would remove turning traffic from the carriageway to aid safety and reduce delays to through traffic. Completion of this new lane and other necessary works within the highway prior to first use of the development can be secured by condition.
91. Pedestrian safety across the new vehicular access has been considered. Tactile paving, dropped kerbs and a central pedestrian refuge are included. It is noted that these would not be in alignment with the existing footway along Mousehold Lane, so pedestrians passing the site would need to inconveniently divert off their direct route to make a safe crossing. This aspect of the access layout is necessary to allow large delivery vehicles to safely manoeuvre in and out of the site and this pedestrian crossing area would be dedicated as public highway and subsequently maintained as such. This is recognised to be a compromise of the design but is acceptable.
92. An alternative pedestrian access into the site is also proposed closer to the pelican crossing and would directly cross the car park to the building with zebra crossing demarcations. This and other pedestrian routes would need to traverse the car park which is regrettable, but appropriate signage and road markings are proposed, and the Highway Authority are satisfied there would be no undue conflict with vehicle movements.

Parking

93. In total, 41 car parking and three motorcycle spaces are proposed within the site. The Transport Assessment justifies this level of parking with reference to the comparable existing site and other sites within Norfolk which have an average of 45.
94. Local Plan parking standards would allow for a maximum of 18 spaces for restaurants and takeaways in this location, so the proposed provision is far in excess of this. The provision does include two bays for drive-thru customers with large orders to pull over and wait, rather than delaying the rest of the queue, so these may be infrequently used. The Transport Assessment estimates that the maximum parking demand at a peak time would be 31 (staff and customers) so the need and justification for such provision that is also in excess of this has been questioned, however the applicant wishes to retain the proposal for 41 spaces and notes this would mitigate any risk of overspill parking off-site. The Highway Authority consider the assessment justifying the parking provision to be reasonable,

but it should be noted they do not apply or comment on the City Council's parking standards.

95. Representations have raised concern about parking, particularly by staff, overspilling to local residential roads where there is reported to be existing parking congestion. Indeed the Highway Authority raised this risk as a concern at pre-application stage. The Transport Assessment estimates there would be a maximum of 15 staff on site at any time and the travel plan suggests four of these would drive to work. There would be three spaces dedicated for staff, as well as access to the other spaces. Given the above-standard parking provision, it is considered unlikely there would be overspill parking outside the site but that the submitted travel plan should promote sustainable travel options for staff and be secured by condition.
96. Two spaces are proposed to have EV charging points which is in excess of standards and welcomed.
97. A total of 12 cycle spaces are proposed: 10 in a covered shelter by the building entrance for customers and 2 secure cycle lockers for staff. This total provision is in accordance with standards, however there should be 4 for staff. As the covered shelter would be available for staff to use, this is acceptable. It is noted that delivery riders may also use the customer shelter which is conveniently located by the building entrance.

Servicing

98. The vehicular access has been re-designed and delivery management plan amended to propose that no vehicles larger than an 11 metre rigid truck are used for deliveries and servicing and that they must enter from and egress to the west.
99. This has overcome initial concerns about the safety of the access, impact on traffic from the east and dependency on a convoluted management plan that would have required certain parking spaces to be vacated ahead of deliveries to allow space for larger lorries to manoeuvre through the site. Three parking spaces are identified for staff only and would still need to be vacated to facilitate deliveries, as would two drive-thru collection spaces. As McDonalds use one distributor who has a messaging system to advise stores of arrival times within specific delivery slots, it is considered that the delivery management plan could effectively mitigate any risk of highway issues. The submitted plan does, however, need to be more robust in terms of monitoring and enforcement and a revised plan should be secured by condition.
100. Refuse storage is proposed in a fenced corral at the rear of the building and collection arrangements are in place.

Summary

101. Policy DM28 expects new development to be consistent with the criteria for sustainable development set out in policy DM1, particularly in relation to reducing the overall need to travel and for parking areas and vehicles movements not to dominate. Furthermore, Policy DM31 requires developments to incorporate parking within the limits prescribed. In these respects, the proposal conflicts with these policies. There would, however, be no unacceptable traffic or highway safety impacts and a balanced assessment must be made, as considered below.

Main issue 3: Amenity

102. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
103. Representations have raised concern about noise, 24/7 disturbance, anti-social behaviour and crime, odour and air pollution, litter and pests, light pollution and impacts on neighbouring residents' health, well-being and quality of life.

Noise and disturbance

104. A noise assessment has been submitted which considers impacts from the proposed plant, drive-thru activity, car parking activity and deliveries in relation to an on-site survey of existing background noise levels. It proposes the use of attenuators on the plant to achieve compliance within World Health Organisation (WHO) guidelines and finds that noise from drive-thru activity would be within these guidelines, albeit above the existing background noise levels at some points.
105. Noise from car parking activity is proposed to be mitigated with a 2 metre high acoustic fence along the western boundary in order to result in noise levels below the existing and within WHO guidelines at the nearest dwellings. Door slamming would result in occasional peak events but, when taken into account, this remains within WHO guidelines
106. The delivery management plan proposes restricted delivery periods and measures such as switching off engines on arrival and switching off on-board refrigeration units to mitigate noise impacts.
107. The assessment concludes that, subject to the attenuated plant being limited to prescribed noise levels by condition, the development could trade 24/7 without noise causing a significant adverse impact to neighbouring occupiers. Environmental Protection have no objection in relation to noise subject to this condition on plant and another securing compliance with the delivery management plan.
108. Sprowston Town Council have requested that the premises should not operate beyond midnight, however as the noise assessment has not found there to be any unacceptable impacts at night, a condition restricting opening hours would not be reasonable. It is noted the adjacent petrol station and shop are open 24/7.
109. It is noted objections refer to existing noise from the adjacent petrol station and this would have been recorded during the on-site noise survey, thereby capturing cumulative impacts.

Anti-social behaviour and crime

110. The proposed 24/7 operation has potential to give rise to behaviour within the site which could be detrimental to local amenity. Norfolk Police have made some observations and recommendations which largely relate to the operation of the site, rather than material planning considerations
111. It is considered appropriate to require agreement of a management plan to consider how staff would prevent and respond to any anti-social behaviour in the interests of protecting local amenity. Additional information about the provision and use of

external CCTV is also considered necessary in the interests of minimising potential for crime, disorder and public nuisance.

Odour and air pollution

112. An Odour Control Assessment has been submitted which identifies there is a 'high' odour risk rating from the proposed development, However, in recognition of the proximity of residential dwellings, it takes a more cautious approach and treats the situation as 'very high' risk. An odour and grease abatement system consistent with this 'very high' category is proposed with an appropriate maintenance programme. Subject to a condition ensuring compliance with these measures, Environmental Protection are satisfied that it would eliminate odours and prevent nuisance to nearby properties.
113. Representations have also raised concern about air pollution from additional traffic, including vehicles queuing within the site. These concerns are appreciated. The delivery management plan includes measures to prevent the large delivery vehicle engines idling to manage noise and pollution. The site is outside the air quality management area, Environmental Protection have raised no objection in this respect and Policy DM11 does not require any specific action.

Litter and pests

114. Litter has been raised as a concern in many representations, including the impact this could have on Mousehold Heath and wildlife. The Government's Planning Practice Guidance (updated in August 2022) stresses that there is as an extensive legislative framework governing littering and that the importance of ensuring appropriate measures are in place to secure compliance should be emphasised to applicants. Furthermore, it advises that LPAs can ask premises to undertake litter picking and, if appropriate, secure this by condition on planning applications for hot food takeaways.
115. The application states it is company policy to conduct a minimum of three daily litter patrols within 150 metres of a restaurant. Objections have commented that this radius would not be sufficient to protect Mousehold Heath and the wider area. It is considered reasonable and necessary to require agreement of a detailed litter management plan across an appropriate defined area by condition and subsequent compliance can be monitored and enforced as necessary, in addition to enforcement under the non-planning legislation by the appropriate authorities. This should protect the amenity of the local area, wildlife and the character of Mousehold Heath and also manage the risk of pests.

Light pollution

116. An external lighting scheme for the site has been submitted which demonstrates that light levels would be below recommended limits for a suburban area and would not overspill into Mousehold Heath. Compliance with the submitted lighting design should be secured by condition.
117. It is noted that some representations have reported the existing floodlights on site affect neighbouring occupiers and this proposal offers an opportunity to secure better designed and managed lighting.

Health, well-being and quality of life

118. Representations have also raised concern about the general impacts of the proposed development and its operation on the health, well-being and quality of life of neighbouring occupiers in this predominantly residential area. It is appreciated that the proposed use would be more intensive than the existing car sales and therefore have a greater impact on neighbours at all hours. However, subject to the conditions above to manage noise, anti-social behaviour, CCTV, odour, litter and lighting, it is not considered there would be any unacceptable impacts and the proposal accords with Policies DM2, DM11 and DM24.

Main issue 4: Design

119. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 124-132.
120. The scale of the proposed single storey flat roofed building would be modest relative to the scale of the site and set well-back from the road and boundaries to neighbouring properties. It is an 'off the shelf' design for a McDonalds restaurant which consequently fails to positively respond to or reflect local character, however by virtue of its modest scale and setting adjacent to the petrol station, it is not considered it would cause any unacceptable harm to local character.
121. In terms of the wider site layout, the large hard surfaced car park and vehicular and pedestrian circulation would dominate, partly as a result of the above-standard level of car parking provision. The wide vehicular access would provide open views into the site of this vehicle dominated design. However, the existing site is entirely hard surfaced, fully open to views from the road and occupied by parked cars for sale. The proposal does include areas of soft landscaping around all boundaries, so compared to the existing site there would be an improvement in appearance and more positive contribution to the streetscene, subject to the success of the landscape design.
122. Elements of the soft and hard landscape proposals have been amended in response to the Landscape comments at paragraphs 46-48 above. The amendments include the siting of a hedge to the front of the fence along the road boundary to provide a green appearance to the road boundary and four trees are proposed behind this. An anti-headlight glare screen does, however, remain which would block any views that might otherwise be available through the hedge and appears unnecessary, but the applicant wishes to retain it within the proposal. Further tree, hedge and shrub planting is proposed along the western boundary to the dwellings on Plaford Road and full details of a 2 metre high timber acoustic fence along this side have now been submitted. The most extensive area of soft landscaping is across the southern boundary where it would provide a green backdrop to the development in views from the road and a buffer for visual and amenity impacts to Mousehold Heath. A hedge along part of the eastern boundary has been increased in height to screen a 1.8m high fence, but exposed sections would remain which is regrettable.
123. It is also regrettable that a new gated access and small sub-station are proposed fronting the highway in the northeast corner which present a tall, hard boundary adjacent to the public footway, but this is a small proportion of the frontage which would otherwise present a softer and more welcoming environment for pedestrians. Similarly, there is an excessive amount of 'off the shelf' guard railing around the

building. The applicant has been asked to rationalise this but advised it is proposed to ensure the safety of customers and children on the patio. A standard McDonalds playframe, drive-thru canopies and shelter are also proposed across the site. These additional ancillary structures add to clutter across the site but are subservient in scale and not individually harmful in appearance. The small area of green roof on the 2.4m by 3.4m shelter adjacent to the western boundary is welcomed.

124. Whilst it is considered that the landscape scheme does not fully take the opportunity to improve the streetscape, it would be an enhancement compared to the negative contribution the existing site makes and it is not unacceptable. It shall be necessary to agree provision of the landscaping, a long-term landscape management plan and tree pit detail by condition.
125. In design terms, whilst it is regrettable that a bespoke building that responds to local character and a more beneficial landscape scheme is not proposed, the appearance of the site as a whole would represent an improvement on the existing and is acceptable with regards Policy DM3.
126. The additional impacts of signage shall be considered in the separate advertising applications.

Main issue 5: Ecology and trees

127. Key policies and NPPF paragraphs – JCS1, DM6, DM7, NPPF paragraphs 8, 170, 175-177.
128. The existing site has a small area of low value habitat (hedge) that would be lost and replaced with more extensive areas of soft landscaping which have been informed by the findings of a Preliminary Ecological Appraisal.
129. In the long-term, the proposed tree planting (31) would provide nesting habitat to compensate for that lost and in the short term two bird boxes are proposed, full details of which should be agreed by condition. Bee posts and pollinator friendly planters are proposed and areas of wildflower are incorporated within the more substantial planted margins. Whilst any biodiversity net gain has not been quantified, it is considered there would be enhancements compared to the low baseline of the existing site.
130. Priority habitats and wildlife within Mousehold Heath to the south should be protected by a construction ecological management plan to be secured by condition and it is not considered there would be any longer term harm.
131. It has been confirmed that the lighting design has been reviewed by the applicant's ecologist who advises the level of lighting at the site boundary would be insignificant to all species of bat which may use the tree corridor to the south for foraging or commuting.
132. Conditions should secure ecological mitigation measures, the design and implementation of the biodiversity enhancements, timing of work outside the nesting season, compliance with lighting scheme, provision of small mammal access in new boundaries and construction ecological management plan. Subject to these, the proposal is considered acceptable in accordance with Policy DM6.

133. There are no existing trees within the site to be affected, but some along the western boundary would require crown works. The existing buildings along the southern boundary are proposed to be demolished under arboricultural supervision and protective fencing is proposed to the south and west boundaries throughout construction. Subject to securing these protection measures by condition, the proposal is acceptable with regards trees in accordance with DM7.

Compliance with other relevant development plan policies

134. 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.

Requirements	Relevant policy	Compliance
Sustainable urban drainage	DM3 & DM5	A Flood Risk Assessment has been submitted which proposes draining surface water to infiltration tanks, via a treatment chamber and sand filter. This system has been designed to provide storage for the 1:100 year plus 40% climate change event and is considered an acceptable sustainable drainage solution. A condition should require implementation and subsequent maintenance.
Contamination	DM11	An intrusive contamination investigation found low level lead, copper, zinc, asbestos and hydrocarbon contamination. Remediation is proposed, comprising of removal of made ground from areas of soft landscaping and replacement with clean subsoil and topsoil. Subsequent verification is also detailed. Environmental Protection are satisfied this is acceptable, subject to a condition securing the remediation and verification.

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

Site Affected: (a) Broads SAC/Broadland Ramsar
(b) 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 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 does not:-
 - Result in an increase in overnight accommodation in the catchment area of the SAC;
 - By virtue of its scale and existing provision of other stores within and outside the catchment, draw people into the catchment area of the SAC;
 - Result in additional or unusual pollution to surface water as a result of processes forming part of the proposal.

Consequently, the proposal would not result in an increase in nutrients flowing into the SAC in the form of either nitrogen or phosphorous.

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

(b) 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 does not:-

- Result in an increase in overnight accommodation in the catchment area of the SAC;
- By virtue of its scale and existing provision of other stores within and outside the catchment, draw people into the catchment area of the SAC;
- Result in additional or unusual pollution to surface water as a result of processes forming part of the proposal.

Consequently, the proposal would not result in an increase in nutrients flowing into the SAC in the form of either nitrogen or phosphorous.

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

Equalities and diversity issues

135. There are no equality or diversity issues.

Local finance considerations

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

Conclusion

137. The application proposes a restaurant with drive-thru on an existing car sales site. There have been some amendments to the proposal since it was first submitted, primarily to the highways access, but the applicant wishes to retain other elements as submitted and the application must be determined on this basis.
138. It represents a main town centre use proposed in a location outside any defined centre. A sequential assessment has not found any suitable sites which are available within or on the edge of centres for this development and this conclusion is accepted given the specific requirements of the proposal and nature of the centres assessed. In undertaking the sequential test, the drive-thru element cannot be separated from the restaurant element. Therefore whilst the proposal would rely on a proportion of private car travel, this is accepted as an inevitable consequence of the development whether it were in sequentially preferable location, or not.
139. Whilst the proposed use does raise some conflict with the sustainability objectives of Policies JCS1, JCS6, JCS7 and DM1 and the environmental and social sustainability objectives of the NPPF, the applicant's travel plan provides evidence that the number of additional car trips that the proposal will generate will be low. The above-standard level of car parking proposed also conflicts with these sustainability objectives and Policy DM31, and whilst this is regrettable in terms sustainability and visual impact, it would mitigate the risk of overspill parking and congestion onto the local highway network in this busy area on a principal route.
140. Following the amendments and subject to various conditions, the Highway Authority have no objection and conditions can also ensure there is no unacceptable harm in respect of amenity, ecology, trees, contamination and drainage. Whilst the building and landscape design could be improved to better respond to local character and take the opportunity to enhance the appearance of the site, on balance, the proposal is not unacceptable in these respects.
141. The environmental and social sustainability objectives of the development plan and NPPF attract significant weight and must be balanced with the economic objectives. It is acknowledged that the out of centre location does represent some compromises to environmental and social sustainability objectives, but the

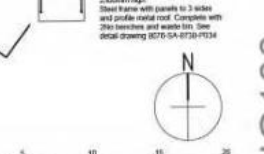
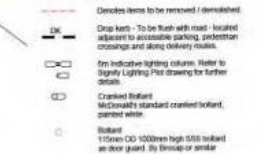
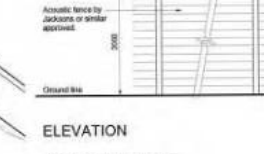
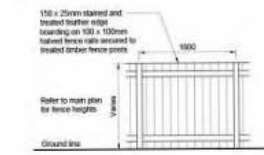
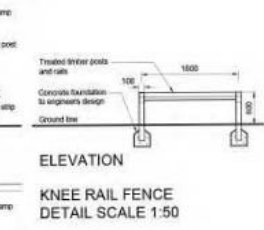
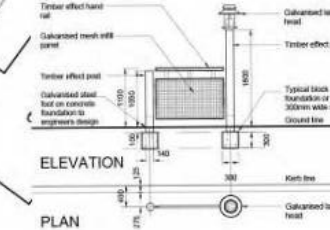
development has satisfactorily passed the sequential test to justify the location and any harm is balanced to some extent by the economic benefits of a more efficient use of the land and creation of additional job opportunities and economic activity.

142. Therefore, on balance, the development can be considered to be in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

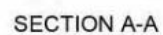
Recommendation

To approve planning application no 22/00610/F Land at Mousehold Lane, Norwich, NR7 8HA and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Construction management plan, including measures to manage traffic, ecological and amenity impacts;
4. Ecological mitigation;
5. Works outside bird nesting season;
6. Tree protection;
7. Detailed scheme for vehicular crossing prior to first use;
8. Detailed scheme for all off-site highway works;
9. Completion of off-site highway works;
10. Parking, servicing and manoeuvring areas laid out prior to first use;
11. Provision of cycle storage;
12. Revised delivery management plan;
13. Travel plan;
14. Access only as shown, existing closed and footway reinstated;
15. Demarcation of new highway boundary;
16. Tree planting details;
17. Design and details of sub-station;
18. Details of bee posts and bird boxes;
19. Completion of contamination remediation and subsequent verification;
20. Anti-social behaviour management plan;
21. External CCTV design and management;
22. Detailed litter management plan;
23. Landscape management plan;
24. Surface water drainage maintenance plan;
25. Landscape implementation;
26. Noise limits for plant;
27. Odour mitigation measures implementation and maintenance;
28. External lighting as submitted, no additional without approval;
29. Small mammal access in boundaries;
30. Maintain visibility splay.



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STREET SCENE A



STREET SCENE B



STREET SCENE C



SITE SCENE



KEY PLAN



Notes:
All drawings to be read in conjunction with all other drawings are noted on issue sheet.

1	12/10/2021	Issue sheet 1 of 1	Issue sheet 1 of 1	Issue sheet 1 of 1	Issue sheet 1 of 1
2	12/10/2021	Issue sheet 2 of 1	Issue sheet 2 of 1	Issue sheet 2 of 1	Issue sheet 2 of 1

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Report to Planning Applications Committee

Item

8 September 2022

Report of Head of Planning & Regulatory Services

Subject Application no 22/00728/F, Angel Road Infant School,
Angel Road - Siting of two modular classroom buildings
and creation of seating area.

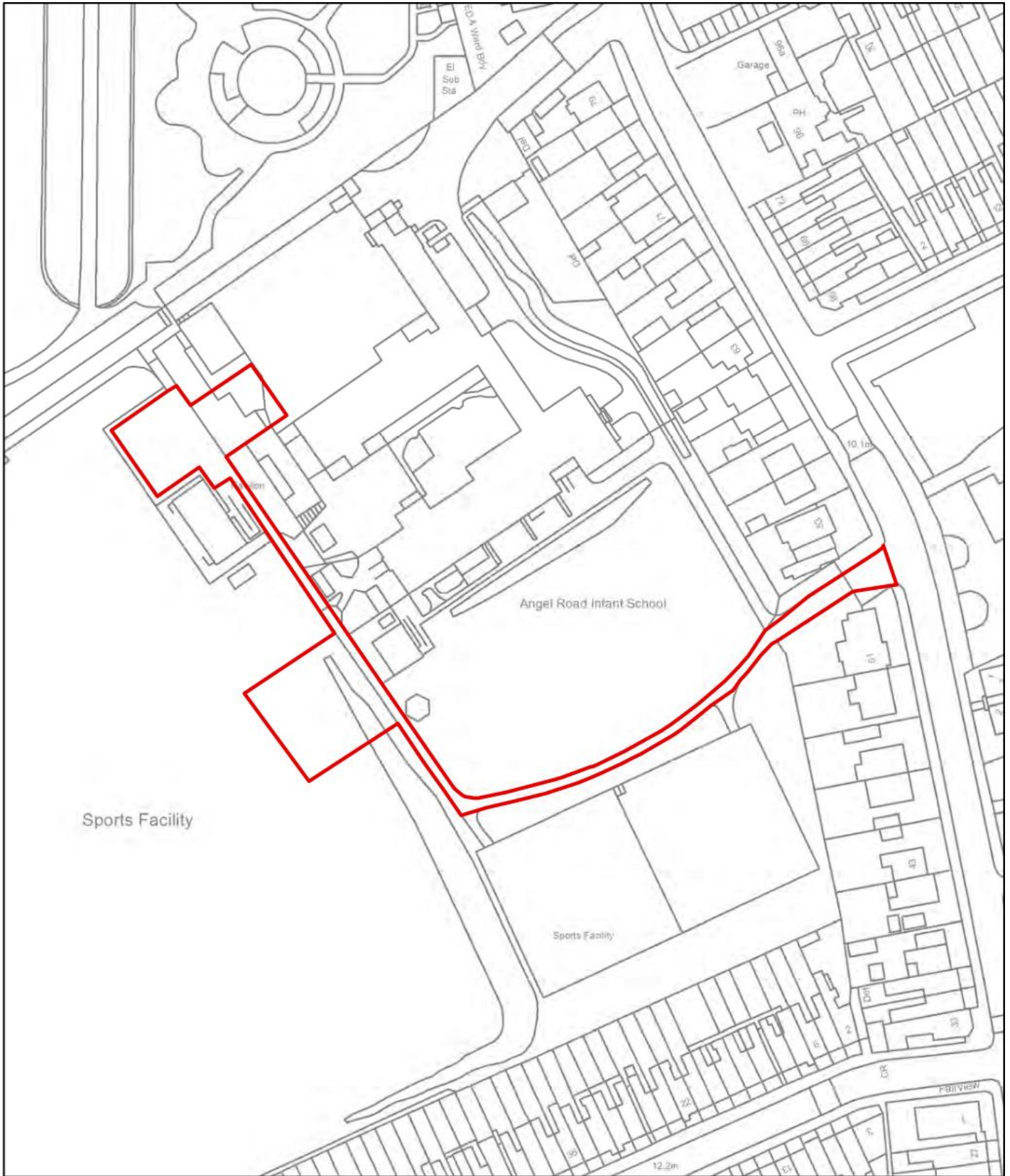
**Reason
for referral** Objections

4b

Ward	Mile Cross
Case officer	Katherine Brumpton contact Katherinebrumpton@norwich.gov.uk
Applicant	Evolution Academy Trust

Development proposal		
Siting of two modular classroom buildings and creation of seating area		
Representations		
Object	Comment	Support
2 (members of the public) 1 (Councillor)	0	0

Main issues	Key considerations
1	Principle of development
2	Design
3	Heritage
4	Amenity
5	Transport
6	Flood Risk
7	Trees
Expiry date	16 September 2022
Recommendation	Approve



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Planning Application No 22/00728/F
Site Address Angel Road Infant School

Scale 1:1,250

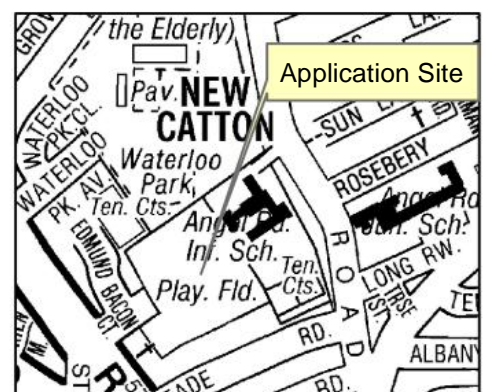


NORWICH
City Council

PLANNING SERVICES



Page 46 of 108



The site and surroundings

1. Angel Road Infant School is located to the west off Angel Road with Angel Road Junior School being located directly opposite.
2. The Infant School is sited to the south of Waterloo Park. To the west lies the YMCA Norfolk centre, which includes a nursery, café and children's indoor soft play, and a church centre. Otherwise, the neighbours and wider area are predominantly residential.
3. The proposed modular units have already been placed on site and therefore this application is retrospective.
4. In addition, there are three existing modular buildings sited within the immediate area, to the southwest of the main school buildings. One of the proposed modular buildings would sit to the north of these existing units, whilst the second would sit to the south of 2 of them and alongside another. There would be a total of 4 modular units in a row, plus another sited closer to the school building.
5. The three "existing" modular buildings in the row comprise:
 - (a) One which was granted temporary permission for 2 years under 21/01338/F. This temporary permission runs to 13 December 2023.
 - (b) One which was granted a 5 year temporary consent under Y/4/2012/4009 in 2012 (by Norfolk County Council as the relevant planning authority whilst the management of the school was under their jurisdiction). This 5 year temporary consent lapsed on 3 July 2017.
 - (c) One which is sited to the north east of proposed building one, and was granted a 5 year temporary consent under Y/4/2005/4003 by Norfolk County Council. This 5 year consent lapsed in 2010, but the structure has become lawful due to the passing of 10 years.

Constraints

6. The main school building is locally listed

"Typical of the new steel-framed modernist school building style emerging in 1950's, cf David Percival's Hewett School." Taken from Norwich Society's Local Listing Report 2012
7. Critical Drainage Catchment Area
8. Open Space
9. Adjacent to Waterloo Park, a Historic Park and Garden II*. See Appendix A for full listing.

Reasons for Designation: *"Waterloo Park, Norwich, opened in 1933, is designated at Grade II* for the following principal reasons: * Date: the park is as a good example of an early C20 municipal park; * Design: the park's design is essentially unchanged from its original layout of the mid 1929; * Designer: the park was designed by Captain Sandys-Winsch, a protégé of Thomas Mawson; * Historic*

*interest: the park was the second largest of a series of parks laid out by Sandys-Winsch in Norwich; four others are registered; * Structures: the park retains various structures from its foundation.”*

Relevant planning history

10. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
4/1998/1020	Provision of mobile accommodation for playgroup and school use.	APCON	27/01/1999
04/00095/F	Additional prefabricated unit for play school use.	APPR	05/03/2004
05/00150/CF3 (Norfolk County Council reference Y/4/2005/4003)	Replacement of 1 No. mobile classroom with a new 3-bay mobile classroom.	APPR	24/06/2005
12/01219/CF3 (Norfolk County Council reference Y/4/2012/4009)	Provision of a 6-bay Modular Accommodation building to the west of the main school building for a period of five years. Accommodation to provide two classrooms, entrance lobby, toilet facilities, entrance ramp, steps, external lighting, air conditioning and associated works.	OBJ (APPR by Norfolk County Council)	03/07/2012
13/01212/CF3	Change of use of part of redundant tennis court to form car parking provision; the erection of fencing and gate.	APPR	07/08/2013
21/01338/F	Siting of temporary modular building (retrospective).	APPR	13/12/2021
22/00328/F	Erection of new teaching block and associated works.	WITHDN	06/05/2022

The proposal

- Following discussions with the agent and applicant revised and additional plans and information have been submitted. The proposal now includes the siting of 2 modular buildings, creation of a seating area and associated cycle/scooter parking. A fire hydrant is also proposal, to meet the current standards.
- The modular buildings would both be single storey, include 2 classrooms each plus toilets and small stores. They would be finished in green plastisol cladding to the walls, with grey flat roofing membrane and grey fenestration.
- The seating area would include works to a steep grass bank to create large steps that can function as seating, together with two sets of more regular sized steps on either side.

14. The revised Design and Access Statement advises that the school currently provides for years 1-3, together with reception. The school intends to now accommodate years 5 and 6 within the proposed modular buildings, with the pupils coming from Angel Road Junior School.
15. A submitted statement from the Evolution Academy Trust advises that in July 2021 the condition of Angel Road Junior School represented a current risk to the pupils, which included ceiling collapses. The trust's current intention is to acquire funding to replace all the modular units on the site with a permanent building, which includes funding from the government via a Building Schools fund. It is also understood that other year groups from the Angel Road Junior School have been relocated to the neighbouring St Clements Hill.

Representations

16. Adjacent and neighbouring properties have been notified in writing. 2 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.
17. Re-consultation occurred following the submission of revised plans and additional details.

Issues raised	Response
Application looks like it is retrospective	At the time of the site visit on 24 June 2022 1 of the 2 buildings had been sited already (the building sited furthest south). Confirmation that both buildings have been installed was received on 22 August 2022. Whilst it is regrettable that the school chose to undertake development before consent had been secured, the planning acts do allow for applications to be sought retrospectively. The fact that the application is retrospective should not affect the assessment of the proposal one way or another.
Complaints regarding how the trust has handled the wider situation in relation to the Angel Road Junior School.	The concerns are noted, but are not a material planning matter
The Junior School should be retained. Its closure and the proposed development would result in the loss of admissions which would equate to 210 across the seven year groups.	See main issue 1
Concerns that the buildings could become more permanent	See main issue 1
10 years temporary permission is too long	See main issue 1
Angel Road Infant School is too small for the extra pupils	See main issue 1

Issues raised	Response
Some of the school playing field could be sold off	There is no indication of this in the submission. If part of the playing field were to be sold off, then a change of use application may be needed for any proposed use of the land.
Inconsistencies within the submission	These have been addressed with the submission of the revised details
Concerns regarding highway safety and potential removal of a tree next to the southern access. Car parking insufficient	See main issue 5. More details have now been provided. No trees are proposed to be removed as part of this development.
Impact upon adjacent Waterloo Park, a Historic Park and Garden	See main issue 3
Loss of playing area and conflict with DM8.	See main issue 1

18. Councillor Brociek-Coulton has objected, raising concerns about if there is enough room for the children to have lunches in a separate hall or if they will have to have their lunch in their classrooms.

Consultation responses

19. 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.

Fire Water Officer

20. Proposed location of the fire hydrant is acceptable. Condition and informative required.

Norfolk Gardens Trust

21. No objection

Highways (local)

22. Updated travel plan appears to be satisfactory and will assist sustainable travel.
23. The adjacent highway has extensive waiting restrictions that help to manage parking and aid free flow of traffic and safer crossing points for children and parents.
24. I have no objection with regards to the proposed modular classrooms

Historic England

25. No response

Norfolk police (architectural liaison)

26. No objection. Supplied additional information regarding the safety of the buildings and discussed the recommendations directly with the agent. Advice relates to elements such as toughened glass and alarms.

Sport England

27. No objection
28. The classrooms will not impact the use of the playing field, and meets exception 3 of their playing fields policy criteria.

Tree protection officer

29. No objection with condition added regarding arboricultural supervision.

Assessment of planning considerations

Relevant development plan policies

30. **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
 - JCS6 Access and transportation
 - JCS7 Supporting communities
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
 - JCS19 The hierarchy of centres
31. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM5 Planning effectively for flood resilience
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM8 Planning effectively for open space and recreation
 - DM9 Safeguarding Norwich's heritage
 - DM22 Planning for and safeguarding community facilities
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

32. **Relevant sections of the National Planning Policy Framework July 2021 (NPPF):**
- NPPF2 Achieving sustainable development

- NPPF3 Plan-making
- NPPF4 Decision-making
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

33. Supplementary Planning Documents (SPD)

- Open space & play space SPD adopted Oct 2015

Case Assessment

34. 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 council's 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

35. Key policies and NPPF paragraphs – DM8, JCS7, NPPF section 8.
36. The application has now been accompanied by an updated Design and Access Statement together with a statement from the school (Evolution Academy Trust). The units are intended as a temporary measure to accommodate pupils from the Angel Road Junior School. The statement indicates the Trust's current intent to replace the modular units with a permanent building, but no planning permission or funding exists for this at present.
37. This application is not to close the Angel Road Junior School, it is only for the siting of the 2 modular buildings at the Angel Road Infant School. Therefore, the future of the Angel Road Junior School does not form part of your officers' assessment of the current application. Any proposals to redevelop that site would need to be assessed independently is an application for that purpose were to be made.
38. The applicants have requested a temporary period of 10 years, however this is considered to be too long. The situation that the academy is in is appreciated, however a shorter period of 5 years should be sufficient time to allow them to acquire funding, draw up any proposals, formally submit them and commence any building work required. The application is therefore being assessed on the basis of a temporary permission for 5 years. Should an application be submitted for a permanent extension to the school a more in-depth assessment of the capacity of the site to accommodate the extra pupils in the long term would need be undertaken.

39. Following discussions with the agent and applicant more information has been received as to how the site would function with the extra pupils. The existing main hall, dining room and pavilion all provide areas where pupils can have their lunch, and there is enough space to accommodate them in sittings. Additional information has been received in relation to the transport issues, which is discussed below.

Open Space and Recreation

40. The playing field is designated Open Space, and contains the school's athletics track, and two football pitches. The existing, and 2 units under consideration, are all sited to the side of the formal markings. As such the modular units do not have a direct impact upon the formal provision. The school is relatively well provided in terms of outdoor space, with the large formal grassed area being accompanied by 2 tennis courts (currently unused), an informal grassed area and 2 hard landscaped paly areas.
41. DM8 advises that "In assessing proposals for development on existing school playing fields which involves the extension, expansion or redevelopment of school buildings and facilities, significant weight will be given to the need to meet identified local needs for school places over the plan period and beyond. Such development will be supported and accepted where it meets the criteria in policy DM22."
42. The temporary loss of the open space is not anticipated to have a significant impact upon the quality or quantity of the open space available for the students. Whilst the requirement is not because of identified local needs for school places there is an identified need to accommodate the extra students.
43. Sport England have not raised an objection, with their consultation comments identifying that the proposal would; not reduce the size of any playing pitch, result in the inability to use any playing pitch, reduce the sporting capacity of the playing field, result in the loss of any ancillary facilities, or prejudice the use of the remaining playing field. Sport England normally oppose applications which would lead to the loss of part of a playing field unless the development meets an exception in their playing fields policy. Due to the above, the proposal meets exception 3 in their policy, and therefore Sport England are not objecting.

Conclusion

44. The concerns raised by the representations are noted and appreciated, however they largely focus on the wider matter of the use of the Angel Road Junior School, which is not the subject of this application.
45. With no objection from Sport England and no direct impact upon the playing pitches or ancillary facilities, the impact upon the sporting facilities at the site is considered be acceptable.
46. The temporary siting of the modular units, together with the increase in student numbers are acceptable in principle at this site, with the site large enough to accommodate them. The other main issues are discussed in more depth below, however the site is considered

Main issue 2: Design

47. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 124-132.

48. The modular units are not easily viewable from any public viewpoint. Limited views can be gained from rear windows of nearby dwellings and from within the school grounds. Given the temporary nature of the proposals, the functional design is considered acceptable.
49. The proposals are enhanced by the use of timber for the skirting around the base of the units and the steps and access ramp, in comparison to a less sensitive material. The finish would be green, which draws upon the wider colour palette of the playing field and boundary treatments, minimising their impact.

Main issue 3: Heritage

50. Key policies and NPPF paragraphs – JCS2, DM9, NPPF paragraphs 184-202.
51. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.
52. The school building is locally listed and appears largely unaltered. It sits lower than the main playing field, and the site of the modular buildings. The main school building which fronts the playing field is not a principal elevation and there are several small outbuildings sited along this south- west side. This elevation is therefore less sensitive in terms heritage value, as the views are frequently interrupted.
53. Waterloo Park is a Grade II* Historic Park and Garden. It is sited to the north of the location of the modular buildings, with a relatively significant row of hedges and trees bordering the site. As single storey flat roofed units the buildings visual impact is reduced and would be largely screened from view from within the park, even in the winter months. Whilst they do not represent a particularly high-quality design, their impact upon the heritage asset is considered to be low. Furthermore, the units are temporary, and so any impact is also temporary.
54. The proposal would therefore have some limited impact upon the heritage assets, but this is limited to less than substantial harm.

Main issue 4: Amenity

55. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.
56. The units are sited alongside the existing school buildings and hard landscaping. The nearest residential neighbours are some 90m away. The direct impact from the new classrooms is not anticipated to have a significant impact upon any residential neighbour.
57. The additional staff and student numbers will have some impact, however given that the proposal would result in 2 additional years groups on top of the existing 4 schools years and nursery, the change is not anticipated to have an overall

significant impact beyond that already experienced from the school. Due to the nature of schools, the noise impact will primarily be restricted to school hours and school term time, restricting the impact further.

Main issue 5: Transport

58. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
59. Additional information has been submitted after discussions were had with the agent and applicant. Information now includes 2 documents titled Travel Plans, one of which identifies a potential area for additional visitor and staff cycle parking, and another area for student cycle and scooter parking. No further details have been provided, but sufficient information has been submitted to allow an informed assessment of any future details to be submitted, and to ensure that they can provide the extra storage within the wider site.

Main issue 6: Flood risk

60. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 155-165.
61. DM5 advises that within critical drainage catchment areas proposals which involve new buildings or hardstanding should ensure that adequate and appropriate consideration has been given to mitigating surface water flood risk. The units would be served with soakaways for any surface water and connect to the existing foul sewerage.
62. The modular unit to the north (building two) is located on an existing hard standing area, used as a playground. The unit to the south is sited on land which was just treated with amenity grass.
63. The units have been installed using a slab and jacks system, with a timber slatted hit and miss skirt. This results in the area below the units being somewhat open for ventilation, but also for any surface water. The submitted details advise that the units are served with new soakaways, details have not yet been submitted.
64. With a condition requesting that suds details are submitted and agreed upon, the level of mitigation is considered to be acceptable, complying with DM5.

Main issue 7: Trees

65. Key policies and NPPF paragraphs – JCS1, DM7, NPPF paragraphs 170 and 175.
66. There is anticipated to be no direct impact upon trees from the proposed modular buildings.
67. The proposed seating area is close to a Lime Tree, which sits at the top of the bank. A submitted plan shows that a small section would encroach into the Root Protection Area (RPA). Following a response from the Tree Officer the impact is anticipated to be relatively small and can be mitigated against with the imposition of a condition requesting that there is arboricultural supervision when any works within the RPA occur. With this condition the proposal is considered to comply with DM7.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Refuse storage/servicing	DM31	Yes subject to condition
Sustainable urban drainage	DM3 & DM5	Yes subject to condition

69. 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

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 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

Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND

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 to accommodate students from the school opposite and will not impact upon the number of students across the catchment and will therefore not impact upon water quality in the Broads SAC/Broadland Ramsar.

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

(b) River Wensum SAC

Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND

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 does not:-

- Result in an increase in overnight accommodation in the catchment area of the SAC;
- By virtue of its scale, draw people into the catchment area of the SAC
- Result in additional or unusual pollution to surface water as a result of processes forming part of the proposal.

In addition, the discharge for the relevant WwTW is downstream of the SAC.

Consequently, the proposal would not result in an increase in nutrients flowing into the SAC in the form of either nitrogen or phosphorous.

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

Equalities and diversity issues

70. There are no significant equality or diversity issues. Both modular buildings will be served with ramped accesses along with steps.

Local finance considerations

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

Conclusion

72. 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 22/00728/F at Angel Road Infant School and grant planning permission subject to the following conditions:

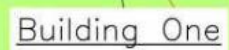
1. Standard time limit;
2. In accordance with plans;
3. SUDS details;

4. Arboricultural supervision;
5. Submission parking/ cycle/ bin storage details;
6. Provision of fire hydrant.

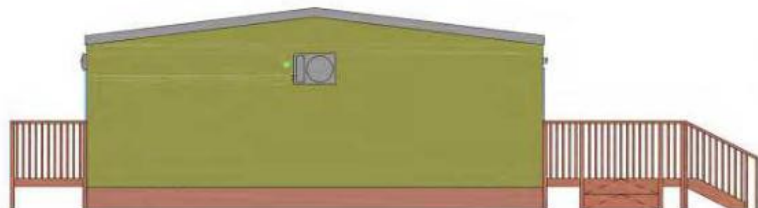


Page 59 of 108

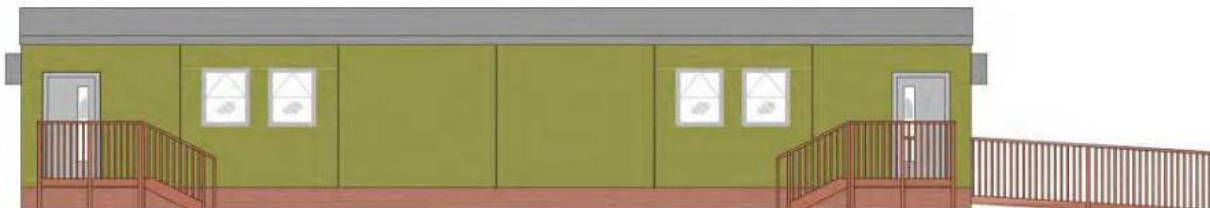
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ISSUE: 08	DATE: 24.05.2022



Page 60 of 109



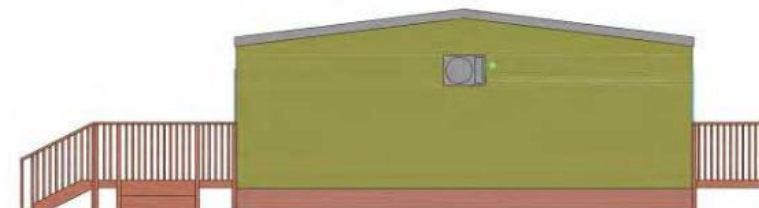
② Elevation D
1:50



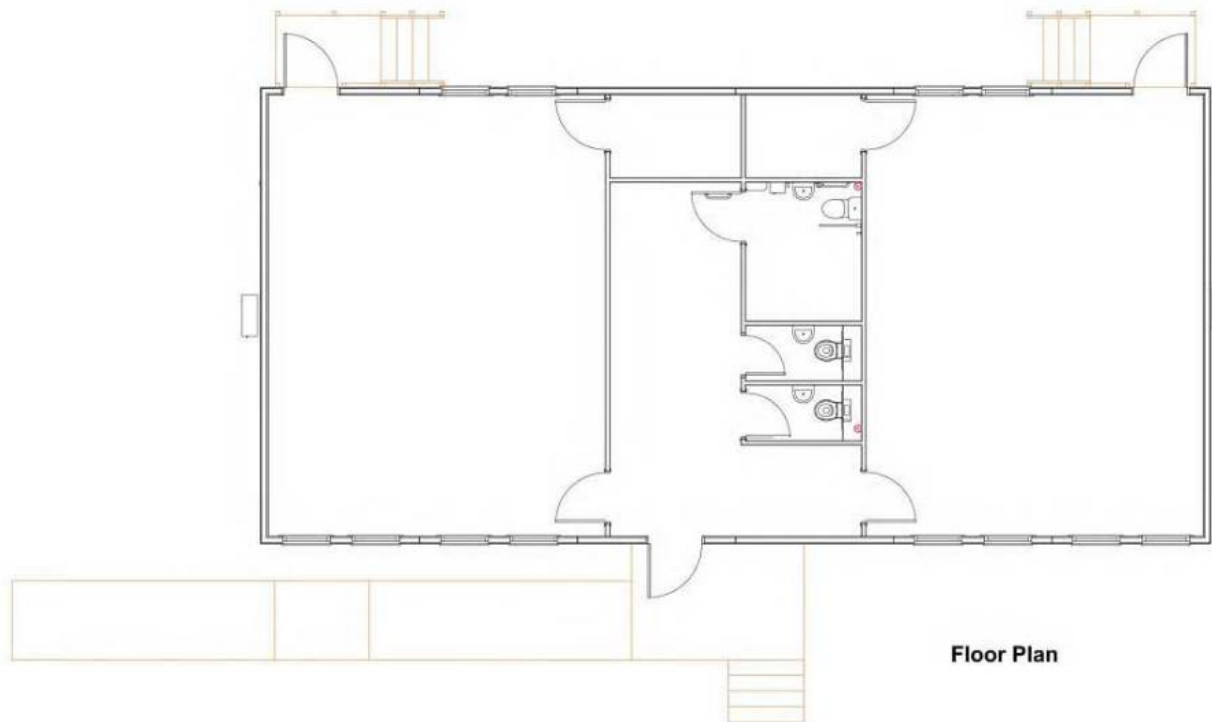
③ Elevation C
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⑤ Elevation A
1:50



④ Elevation B
1:50

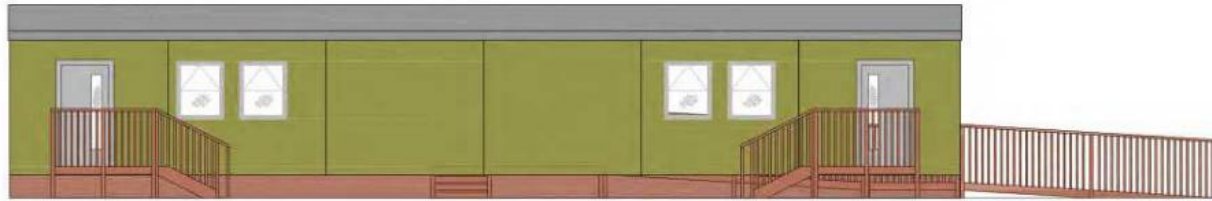


Floor Plan

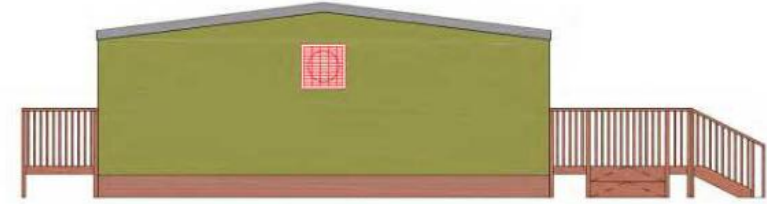




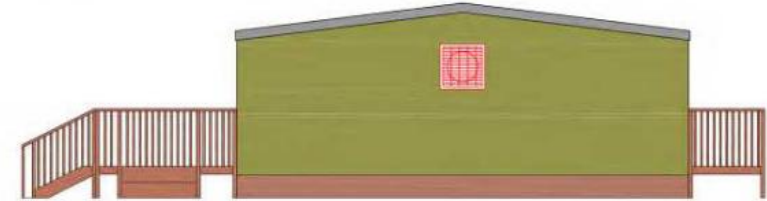
② Elevation D
1 : 50



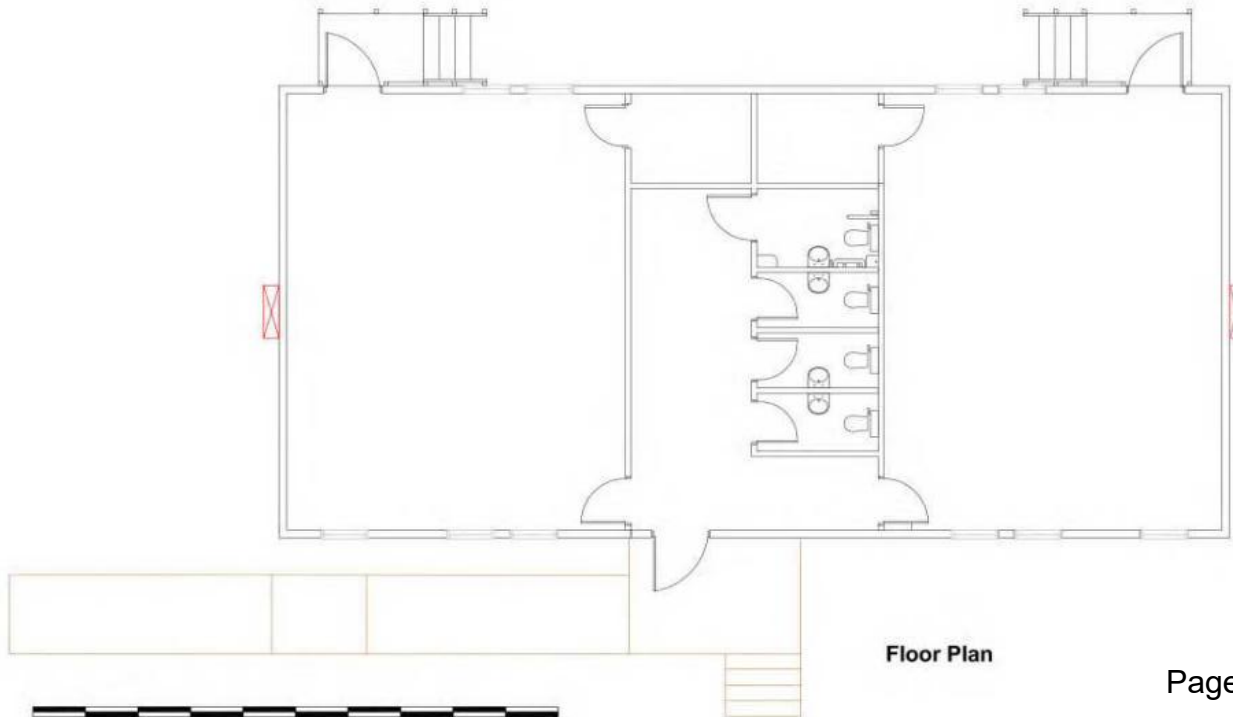
⑤ Elevation A
1 : 50



③ Elevation C
1 : 50



④ Elevation B
1 : 50



Floor Plan



REVISION
B
ISSUE

CLIENT/PROJECT
Evolution Academy Trust
Angel Road School

DRAWING TITLE
Prop. External Steps
DRAWN BY

neal@ltarc.co.uk
07795 973986
amy@ltarc.co.uk

10 Stepping Lane
Norwich, Norfolk
NR1 1PE

LEWIS +
TYRRELL
ARCHITECTS22012
010

Section C-C 1:50

Lower-level ramp access shown dashed

New composite or timber decking seating on subframe (to be either composite, precast or aluminium)

Existing asphalt playground material

Stairs to finish contrasting colour handrail & guarding to stairs / raised deck (Part M compliant)

14.00

17.30

3000

900

14.08

+14.11

Existing asphalt playground retained

Any works within RPA to be agreed with Tree Officer

Install with decking boards to slip safety

Decking to suit height

14.6R

Notes/Specification:

- Read in conjunction with the 2021 Tree Survey (provided by Greyfriars Project Management) Proposed T8 Laurel tree removal and any works within RPA to be agreed with Tree Officer.
- Decking boards to be commercial quality either composite or C24 class 3 timber such as Millboard or Marley CitiDeck. Boards to have low slip potential in accordance with BS 7976. To edge of seating and stairs use contrasting nosing.
- Decking subframe to be either composite, precast or aluminium to ensure longevity of the structure.
- Contrasting colour handrails both wall mounted and on guarding to be warm touch and Part M compliant.
- Guarding shown as galvanised metal fixed to stair subframe with vertical balustrade no more than 100mm apart to comply with building regulations - subcontractor to advise if any suitable alternatives.
- Corduroy paving / warning surface to top and base of stairs in accordance with Part M.
- New decking levels shown in ellipses (+14.6R).

Section B-B 1:50

Existing asphalt playground retained

Any works within RPA to be agreed with Tree Officer

Install with decking boards to slip safety

Decking to suit height

14.6R

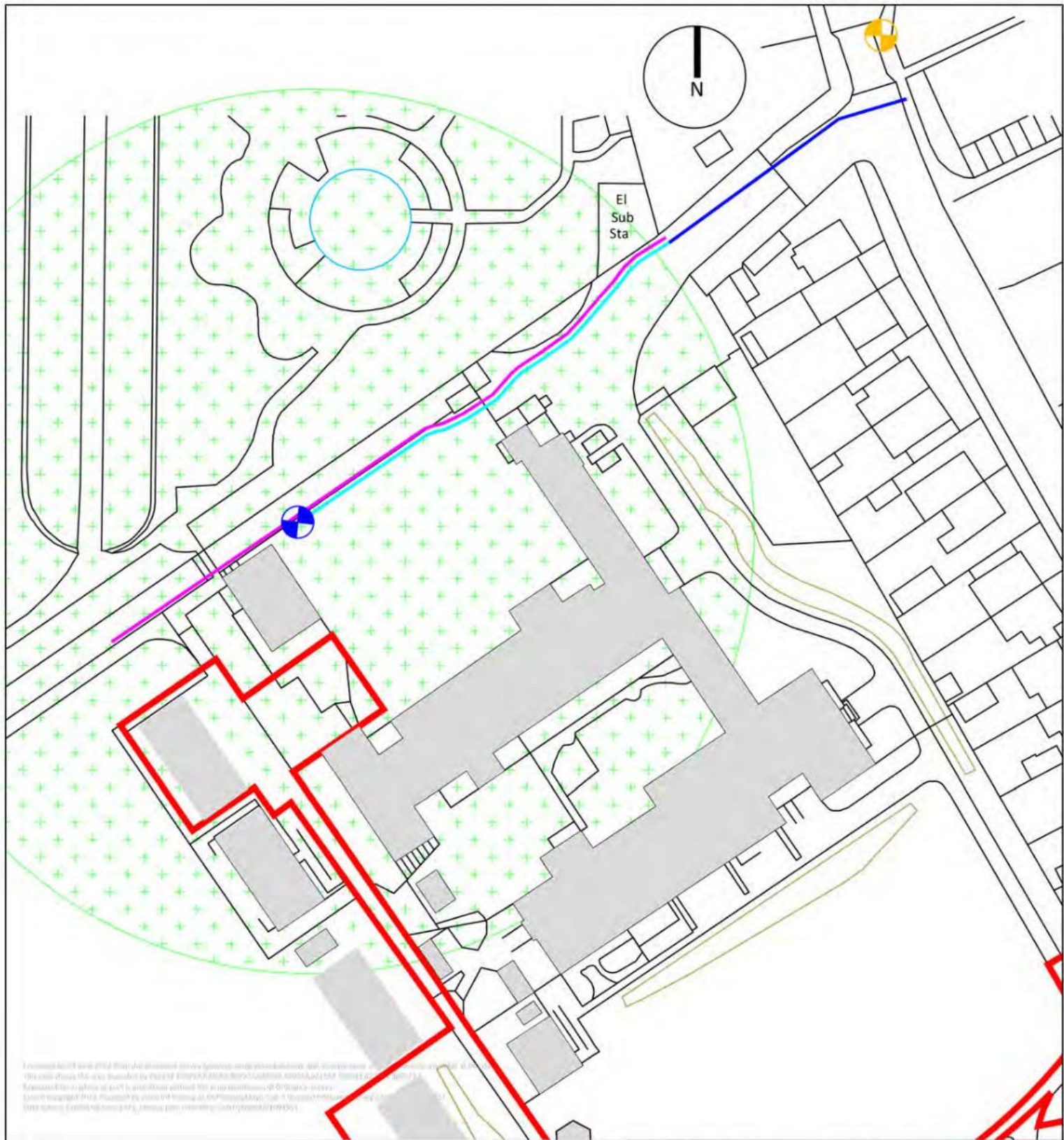
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0 100 200 300 400 500 600 mm

0 1 2 m

Notes/Specification:

1. Read in conjunction with the 2021 Tree Survey (provided by Greiftrays Project Management). Proposed T8 Laurel tree removal and any works within RPA to be agreed with Tree Officer.
2. Decking boards to be commercial quality either composite or C24 class 3 timber such as Millboard or Marley CityDeck. Boards to have low slip potential in accordance with BS 7976. To edge of seating and stairs use contrasting nosing.
3. Decking subframe to be either composite, precast or aluminium to ensure longevity of the structure.
4. Contrasting colour handrails both wall mounted and on guarding to be warm touch and Part M compliant.
5. Guarding shown as galvanised metal fixed to stair subframe with vertical balustrade no more than 100mm apart to comply with building regulations - subcontractor to advise if any suitable alternatives.
6. Corduroy paving / warning surface to top and base of stairs in accordance with Part M.



I warrant that the data and information provided herein are true and correct to the best of my knowledge and belief and that I am not aware of any material omissions or misstatements of material facts. I warrant that the data and information provided herein are not to be used for any purpose other than that for which they are provided and that I am not responsible for any loss or damage arising from the use of the data and information provided herein for any purpose other than that for which they are provided.

- School building
- 70m coverage area
- Existing hydrant
- Proposed hydrant - location agreed with Norfolk Fire Service 29/06/22
- New electric route for information
- 77m Hydrant pipe to share electric trench
- 44m Hydrant pipe in new trench + road crossing + connection to existing 225 main
- Planning Redline

Note all dig in hard material, asphalt reinstatement

GREYFRIARS PROJECT MANAGEMENT LTD
38 SURREY STREET
NORWICH
NR1 3NY

EMAIL: INFO@GREYFRIARSPM.COM
WWW.GREYFRIARSPM.COM



PROJECT ANGEL ROAD SCHOOL

TITLE HYDRANT PLAN

DRAWN	CHECK
MH	STL
SCALE	DATE
NTS @ A4	29/06/2022

JOB No. /	Drwg No. /	Rev
ARS /	003 /	--

STATUS
FOR INFORMATION

Appendix A - List entry Waterloo Park

Official list entry

Heritage Category: **Park and Garden**

Grade: **II***

List Entry Number: **1001348**

Date first listed: **08-Oct-1993**

Date of most recent amendment: **20-Aug-2013**

Statutory Address 1: **Angel Road, Norwich, NR3 3JD**

This list entry identifies a Park and/or Garden which is registered because of its special historic interest.

Understanding registered parks and gardens

(<https://historicengland.org.uk/listing/what-is-designation/registered-parks-and-gardens/>)

Corrections and minor amendments (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

Location

Statutory Address: **Angel Road, Norwich, NR3 3JD**

The building or site itself may lie within the boundary of more than one authority.

County: **Norfolk**

District: **Norwich (District Authority)**

Parish: **Non Civil Parish**

National Grid Reference: **TG 22604 10317**

Summary

One of five registered sites in the city of Norwich which form part of a set of public parks laid out in the 1920s and 1930s by the then Parks Superintendent, Captain A Sandys-Winsch.

Reasons for Designation

Waterloo Park, Norwich, opened in 1933, is designated at Grade II* for the following principal reasons: * Date: the park is as a good example of an early C20 municipal park; * Design: the park's design is essentially unchanged from its

original layout of the mid 1929; * Designer: the park was designed by Captain Sandys-Winsch, a protégé of Thomas Mawson; * Historic interest: the park was the second largest of a series of parks laid out by Sandys-Winsch in Norwich; four others are registered; * Structures: the park retains various structures from its foundation.

History

At the beginning of the C20 an area of land owned by the Great Hospital Trust was laid out as a park in a densely populated area of Norwich which lay outside the old city walls. The conversion of the existing fields was completed by 1904 and the park, originally known as Catton Recreation Ground, was opened in May of that year. In the late 1920s a proposal was put forward to redevelop the site and in 1929 a design was drawn up by Captain Sandys-Winsch, a protégé of Thomas Mawson, who was appointed as Norwich City Parks and Gardens Superintendent in 1919, remaining in the post for 34 years. It was one of a series of parks that received government funding after World War I as part of a building and planting programme, providing unemployment relief. Work began in 1931 and two years later the park was reopened under the new name of Waterloo Park. It provided within its 18 acres (7.5ha) grass tennis courts, football pitches, bowling greens, formal gardens, pergola walks, a pavilion, a bandstand, and a children's playground which was considered to be one of the finest in East Anglia. It was reported at its opening to have been created with the purpose of giving 'pleasure to the greatest number of people'. The park, which offers active and passive recreation within a formal setting of yew-hedged enclosures, remains (2013) a public amenity.

The park, funded by Heritage Lottery Fund (HLF), was restored in 2000.

The other four registered parks which make up the series are Wensum Park, Eaton Park, Heigham Park, and Mile Cross Gardens.

Details

LOCATION, AREA, BOUNDARIES, LANDFORM, SETTING The c 7.5ha site on which Waterloo Park is laid out lies in a residential area to the north of the city centre. The site, an inverted kite shape, occupies a gently falling east-facing slope. It is surrounded by housing to the north-west, south-west, and north-east and is bordered by a school to the south-east.

ENTRANCES AND APPROACHES The main entrance to Waterloo Park is through the gateway with its brick piers and iron gates (listed Grade II), which stands on Angel Road on the south-east boundary. A second gateway enters the park midway along the south-west boundary from the end of Waterloo Park Avenue while there is a third entrance off Philadelphia Lane on the north-west.

PARK The Angel Road gate lies on the main east/west axis of the site, the walk from it planted with an avenue of cherries leading between two stone walls. To either side are yew-hedged bowling greens, one to the south and two to the north, both sets having a pavilion sited on their eastern edge (no longer in use, 2013). These are divided from the back gardens of the houses beyond by a path alongside the brick boundary wall which is planted with a row of pleached limes.

The walk from the eastern entrance then crosses the main north/south axis, a broad path flanked by 300m long herbaceous borders, which leads to a pavilion at the north end. The original layout of the northern tip of the site as a school garden has been modified, and it is now informally planted as a light grove through which runs a putting green (now closed, 2013). To the east of the northern end of the main path is a service yard and buildings.

A double set of curved steps leads up from the eastern entrance walk to the central garden on the upper level. The focus of this green is a bandstand (listed Grade II) set in a moat of pools and rills. The north and south sides of the green are marked by pergolas (listed Grade II). Steps lead down from the centre of the two pergolas to the levelled playing fields which lie to the north and south. From the west side of the bandstand terrace, steps lead up to the pavilion (listed Grade II) which dominates the site (currently out of use, 2013). Straight walks bordered by flower beds

set into broad grass borders, again backed by yew hedges, extend north and south of the building. Above it, to the west, are yew-hedged tennis courts, the area being divided into two halves by a central flagged path. Three grass tennis courts were converted to hard surface courts in 2012.

A path leads round the western perimeter of the site giving access from the Waterloo Park Avenue entrance. This walk leads through less formal areas and passes in front of a yew alcove for seats at the southern end of the site. From here it continues east into the children's playground which lies south of the southern bowling green. This area was redesigned in the 1990s to an award-winning layout, and the original play equipment modernised, but it retains the original focus of a circular paddling pool surrounded by a ring of sand pits.

The park also contains the 'splash park' which was refurbished in 2011 with more up-to-date children's play facilities.

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System number: **2755**

Legacy System: **Parks and Gardens**

Sources

Books and journals

Goreham, G, The parks and open spaces of Norwich, (1961)

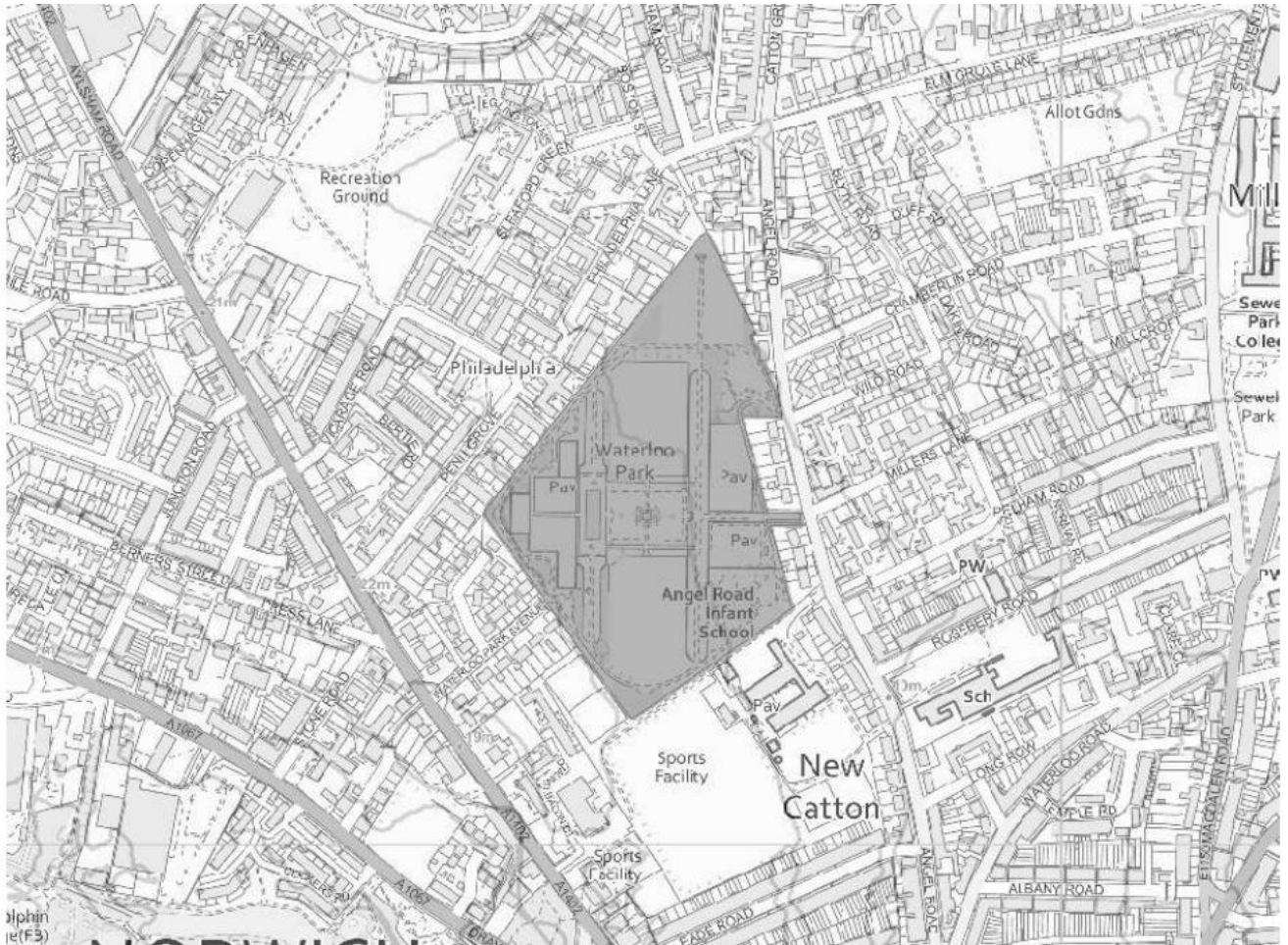
Other

The Norwich Parks, (Norwich City Council internal report 1993),

Title: Plan of Waterloo Park Source Date: 1928 Author: Publisher: Surveyor: Plan of Waterloo Park, 1928 (City Hall, Norwich)

Legal

This garden or other land is registered under the Historic Buildings and Ancient Monuments Act 1953 within the Register of Historic Parks and Gardens by Historic England for its special historic interest.



Map

This map is for quick reference purposes only and may not be to scale.
This copy shows the entry on 18-Aug-2022 at 11:52:59.

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(<https://historicengland.org.uk/terms/website-terms-conditions/>).

End of official list entry

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

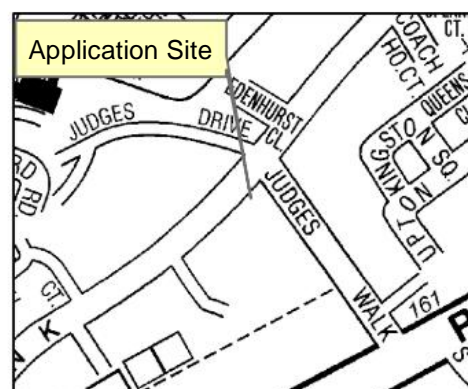
4c

**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



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:

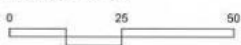
1. Site clearance and wildlife;
2. Protected species.



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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

The Site

Revisions

FOR PLANNING



**Redhead
 Architects**

www.redheadarchitects.com

Client Edward and Katy Porter
Project Judges Walk
 406 Unthank Road
 Norwich
 NR4 7QH

Title SITE PLAN

Date 13/01/2022

Scale 1:1250 @A3

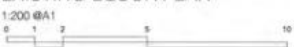
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EX-001

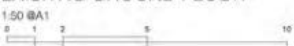
EXISTING BLOCK PLAN



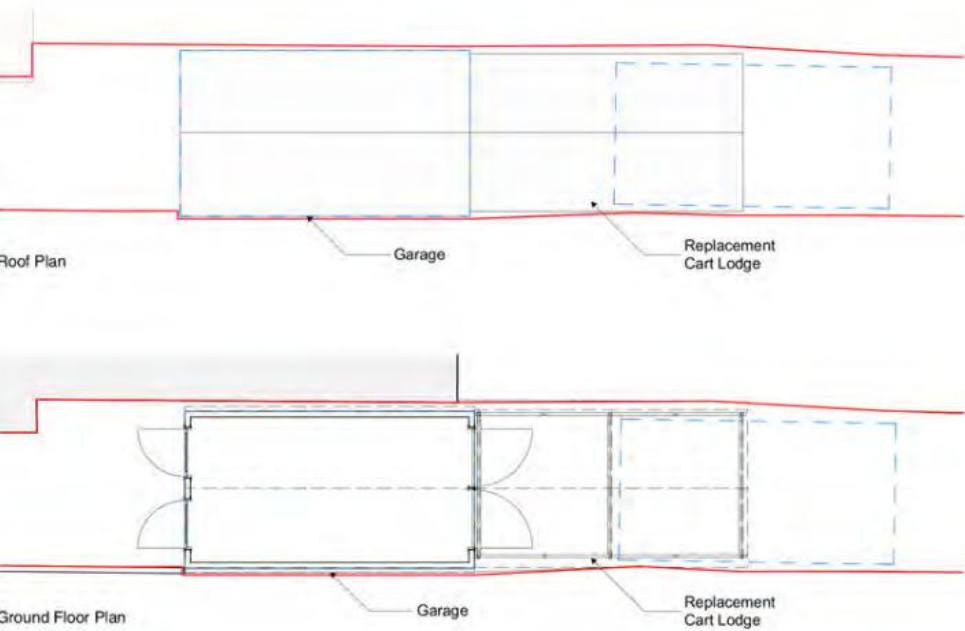
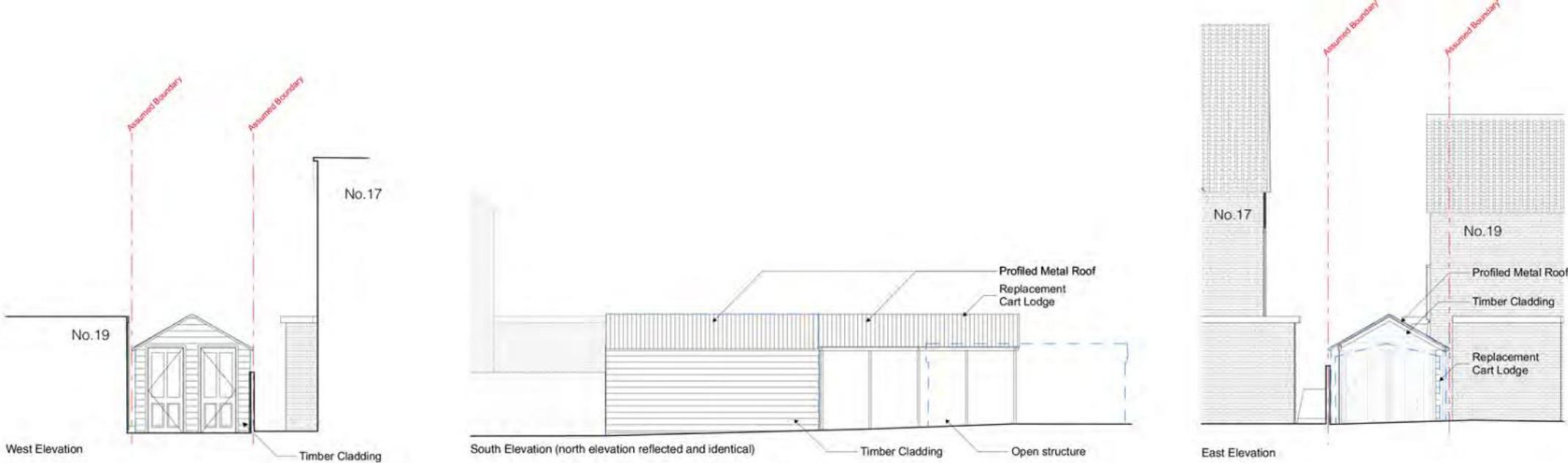
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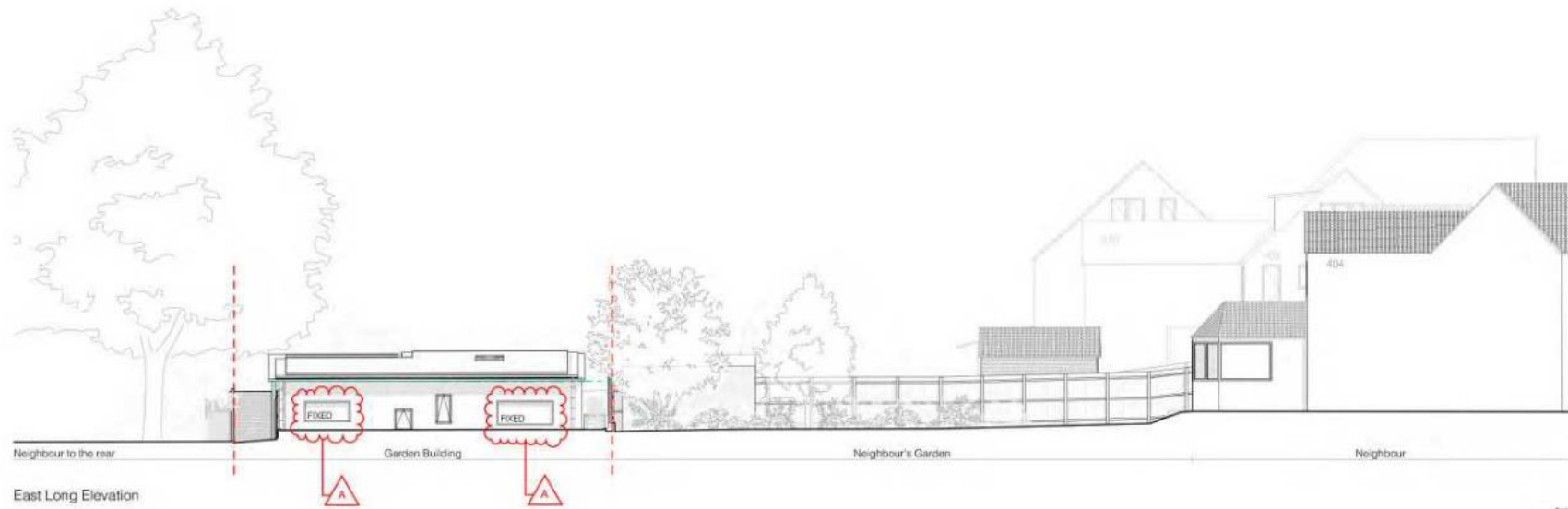
FOR PLANNING	
 Redhead Architects <small>www.redhead.co.uk</small>	
Client: Edward and Ruby Foster Project: Lushes Farm <small>200, Lushes Farm Road Lushes Farm North Devon</small>	Title: EXISTING BLOCK PLAN Date: 09/06/2023 Scale: 1:200 (A1) 1:400 (A0) Drawn by: JAC
Ref: JAC <small>Redhead Architects Ltd is a limited liability company registered in England and Wales. No. 10548888. VAT No. 265 584 123. Redhead Architects Ltd is a member of the Chartered Institute of Building (CIOB) and the Royal Institute of British Architects (RIBA).</small>	
EX-010	

EXISTING GROUND FLOOR



FOR PLANNING	
 Redhead Architects <small>www.redheadarchitects.co.uk</small>	
Client: Edward and Lucy Porter Project: Lushley Farm, 100 Lushley Lane, Lushley, Epsom, Surrey, Surrey, UK Ref: JAE	Site: EXISTING GROUND FLOOR Date: 09/03/2023 Scale: 1:50 @A1 1:100 @A2 Sheet No: 100 EX-100



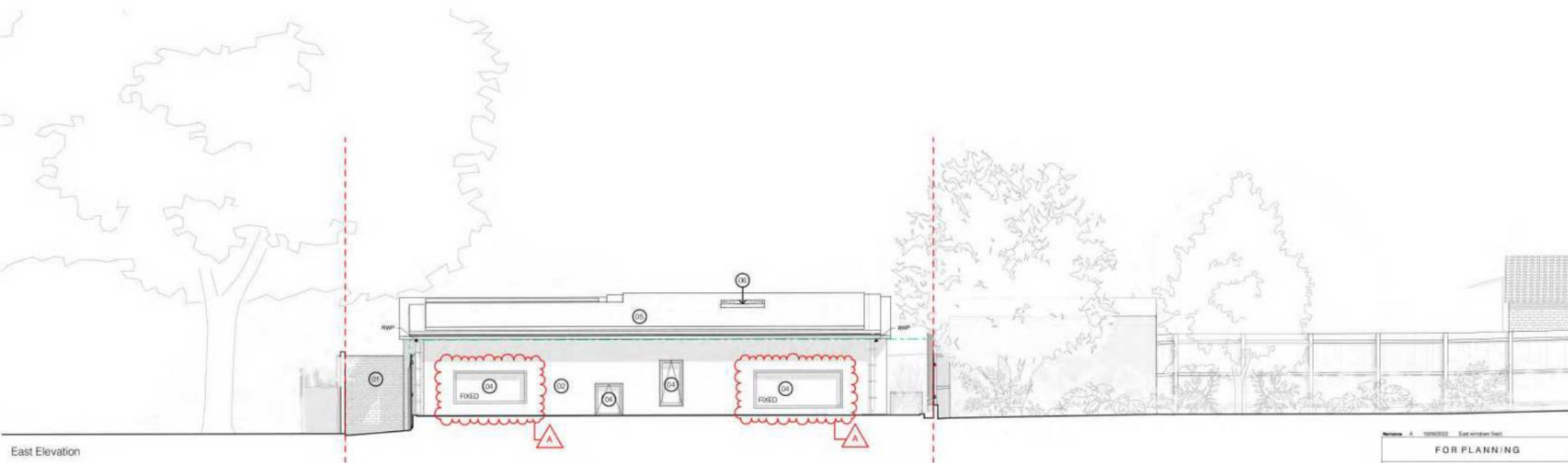


PROPOSED EAST AND WEST LONG EVATIONS

1:100 @A1



Key:
 - - - Site Boundary
 - - - Existing Fenceline



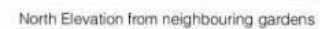
PROPOSED EAST AND WEST ELEVATIONS

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



1:50 @A1



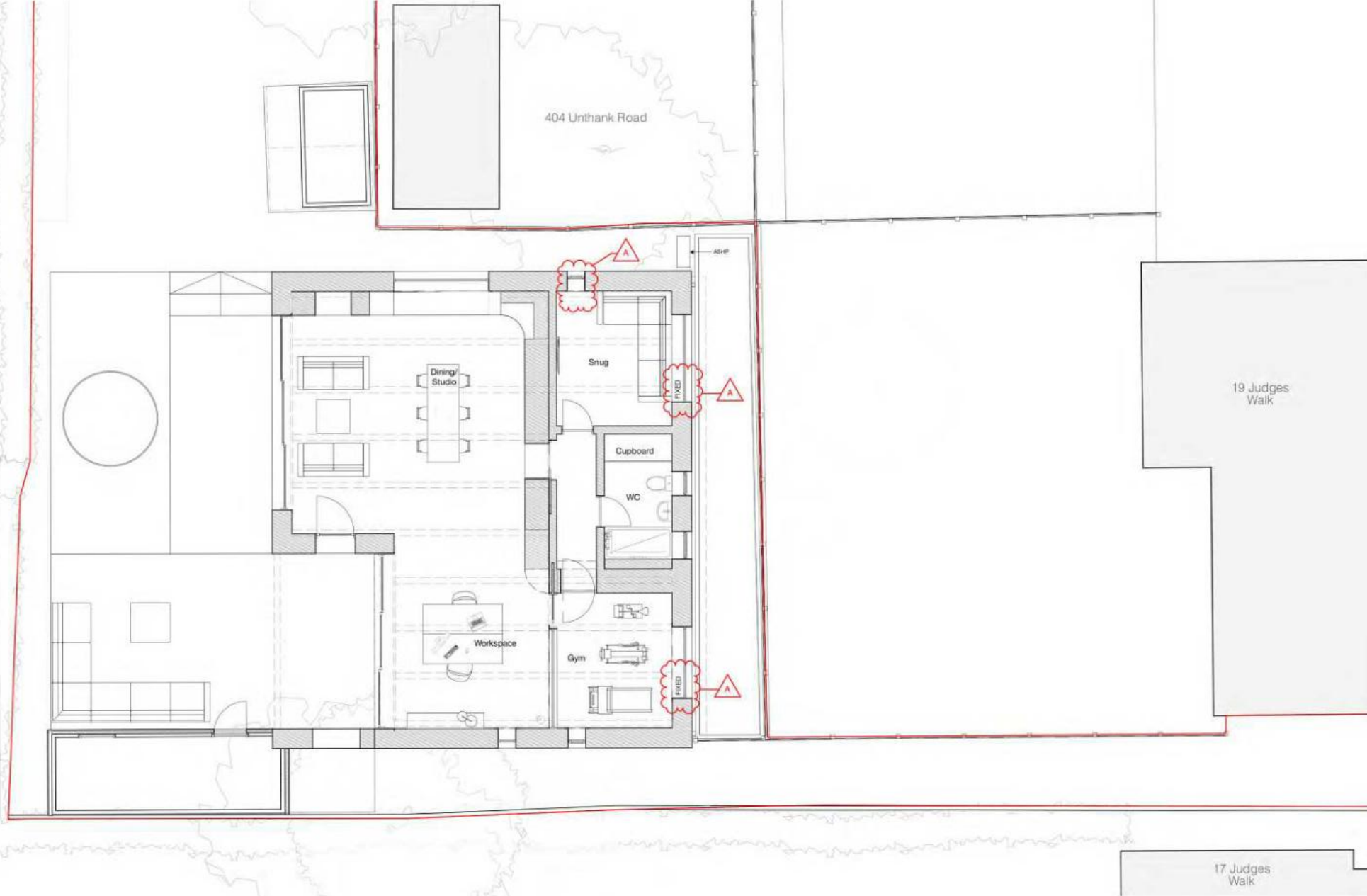
01.	Brick
02.	Render
03.	Alu door
04.	Alu window
05.	Green roof
06.	Glazed rooflight

PROPOSED GROUND FLOOR

1:50 (BA1)



Key:
— Site Boundary



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

FOR PLANNING

Redhead Architects
www.redheadarchitects.co.uk

Client: Edward and Kay Foster	Title: PROPOSED GROUND FLOOR
Project: Judges Walk, 404 Unthank Road, Norwich, NR1 7TN	Date: 10/06/2022
Ref: JAF	Scale: 1:50 (BA1) 1:100 (BA2)
	Drawn by: TJS
	Rev: A

PL-100

Report to Planning Applications Committee

Item

8 September 2022

Report of Head of Planning & Regulatory Services

Subject Application no 22/00506/F 301 Unthank Road, Norwich
NR4 7QA

4d

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

Ward	Eaton
Case officer	Danni Howard - 01603 989423 - dannihoward@norwich.gov.uk
Applicant	Maggie & Steve Southworth

Development proposal		
Two storey rear extension, single storey rear and side extension and installation of dormer window to rear roof slope.		
Representations		
Object	Comment	Support
6	0	3

Main issues	Key considerations
1	Design
2	Heritage Impact
3	Amenity
4	Trees
Expiry date	14 September 2022 (Extended from 7 July)
Recommendation	Approve



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Planning Application No 22/00506/F
Site Address 301 Unthank Road

Scale 1:1,000

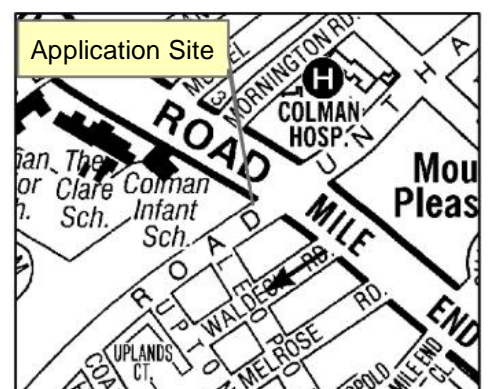


NORWICH
City Council

PLANNING SERVICES



Page 92 of 108



The site and surroundings

1. The site located on the north side of Unthank Road, less than 100m from the junction with Colman Road and Mile End Road. The subject property is a two-storey, semi-detached dwellinghouse and is locally listed as described in paragraph 5. The rear of the site is constructed over an 'L' shape, with a two-storey outshot and adjoining single storey outshot on the southeast side of the property which is mirrored across the grouping of houses within the local list description. Several of the houses within the group have been altered to the rear by way of extensions and dormers.
2. The surrounding area consists mostly of locally listed buildings with decorative frontages. The south side of the street contains a Victorian terrace, whereas the northern side where the subject property is located features larger, more decorative semi-detached dwellings well distanced from the highway by ample front gardens. The sites surrounding the application site are, in common with the application site generally, partially screened from the highway by fence topped walls alongside mature planting and trees.
3. The site is bordered on the northeast side by adjoining property no. 299 and on the southwest side by no. 303. The site is bordered to the rear by Kinchen Hall on Colman Road, which has historically been in a community use.

Constraints

4. Unthank and Christchurch Conservation Area
5. Locally Listed as a group with nos. 295, 297, 299, 303 & 305 – Description: *Early C20. 3 pairs semi-detached. 2 storeys, red brick. Slate roof with timbered gable over 2-storey square bay with sashes. Timber at eaves. Recessed entrance under stone lintel. Brick string course. Single fronted. 297 re-roofed with artificial slate.*
6. Critical Drainage Catchment.

Relevant planning history

7. The records held by the city council show the following planning history for the site.

Ref	Proposal	Decision	Date
22/00233/TCA	H1 hawthorn: Fell; P1 prunus: Fell; PR1 pear: Reduce height from approx 12ft to a final height of approx 10.5ft; P2 prunus: Fell; W1 walnut: Crown lift to approx 2.8m; H1: Fell; H2: Crown lift to approx 1.5m.	NTPOS	29/03/2022

The proposal

8. The application proposes extensions to the existing house as follows:
 - (a) Two storey rear extension with hipped roof. Ridge height at 6.9m; eaves height at 6m; depth extending 2.9m from the existing house; and width at 4.35m. There will be 1no. window inserted in the rear elevation. The roof materials are proposed to match the existing.
 - (b) Single storey rear and side extension with mono-pitched roof to infill the 'L' shape and extend 2.45m beyond the proposed two-storey extension rear of the property. The proposal will extend 2.25m from the side of the rear outshot, finishing in line with the existing property line. The maximum height will be 3.5m and eaves height 2.95m. 2no. roof lights will be inserted on the side and rear roof slope respectively. 1no. door and 2no. windows will be inserted on the side elevation and a set of sliding doors in the rear elevation.
 - (c) Insertion of dormer window with dual pitched roof on the existing rear roof slope. The maximum height will be 0.85cm measured from the roof slope; width 1.4m and depth 1.4m. It has been noted by the agent that the proposed dormer is not currently proposed to facilitate a loft conversion, however the internal conversion of loft space to additional living space does not require planning permission should the applicant decide to do so in future.
 - (d) External materials are proposed to be brick to match the existing at ground floor and white render to the first floor rear elevation and across the inset side elevation. Roof materials are proposed to be tiles to match the appearance of the existing.
 - (e) An existing single storey garage sited in the rear garden will be demolished to facilitate the proposed development.
9. The proposal as originally submitted was for a two-storey side and rear extension which raised concerns via letters of objection. The proposal was subsequently revised to reduce the two-storey extension to the rear of the existing property and add a single storey rear and side extension following negotiations with the planning officer during the assessment process.

Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Nine 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.
11. Nine letters of representation (6 objections, 3 supporting) were received during the consultation of the original proposal as described in paragraph 11. A re-consultation was undertaken for the revised scheme and one additional letter of objection from an existing contributor has been received at the time of writing this report.
12. The application is being brought before planning applications committee because it has been called in by Cllr Judith Lubbock.

Issues raised	Response
Extension is too close to the boundary and would set a bad precedent in the conservation area.	See Main Issue 2 – Heritage Impact
Loss of privacy to neighbours	See Main Issue 3 - Amenity
Size and design of two-storey development would have detrimental impact on amenity of no. 303 by overshadowing, loss of light, loss of outlook and loss of privacy.	The height, scale and form of the proposal have since been revised. See Main Issue 3 - Amenity
Extension is out of character with other properties in the Conservation Area due to scale, design and materials.	The scale and design of the proposal have since been revised. See Main Issue 2 – Heritage Impact
Increase in overlooking into gardens of 303 and 299 due to two storey development.	See Main Issue 3 – Amenity
Use of off-white render would be detrimental to the appearance of the original building as well as surrounding properties and is inappropriate for Conservation Area.	See Main Issue 1– Design
Development would be clearly visible from Unthank Road and terraced properties opposite and is too large with detrimental impact on open aspect of neighbourhood.	The scale of the proposal has since been reduced. See Main Issue 1– Design
There is a large Robinia adjacent the proposed development site, stemming in the boundary of 301. This has not been addressed in the application and harm may be caused.	An Arboricultural Impact Assessment (AIA) has been submitted with the revised scheme. See Main Issue 4 - Trees
Dispute that the claim in the ecology report that the proposal will not impact nutrient neutrality.	See assessment of nutrient neutrality in other matters.
Ecology report does not conclude that no roosting bats are present and recommended surveys should be undertaken.	The recommended emergence survey was requested by the case officer following comments from the ecology officer. A report following the survey was provided with the revised scheme.
The proposed development is overbearing.	The scale and form of the proposal has since been revised.
Concerns regarding loss of light and out of scale development with suggestion two storey aspect at the back should be reduced to the level of the single storey extension at 299.	The scale and form of the proposal has since been revised. The two storey extension will not extend further than the single storey extension at 299.
Concerns the revised proposal is eating into the garden, increasing runoff, destroying habitats and resulting in a loss of trees. The applicant should commit to replacing trees already lost and re-wilding the garden	No trees are proposed to be removed to facilitate the revised proposal. The existing garden is not overgrown or 'wild' and there is unlikely to be any notable habitat loss. Removal of shrubbery/planting that aren't trees can be done without planning consent. It is not appropriate to require re-planting of

Issues raised	Response
	trees within this application as they had separate consent to be felled. A condition is recommended for surface water drainage – see other matters.

Consultation responses

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

Design and conservation (for original and revised proposal)

14. Thank you for consulting design & conservation but we do not propose to offer comment on the scheme. This should not be taken as an indication that the proposals are acceptable or otherwise; the application should be determined in accordance with the development plan, the NPPF where relevant and the duty upon the council to either preserve or enhance the character of the conservation area.

Natural areas officer (for proposal as originally submitted)

15. Comment on original application. The survey recommends that an emergence bat survey is undertaken to confirm if there are bat roosts present. Please can you ask the agent to get this completed. We should not issue a decision before this is completed.

Natural areas officer (for revised proposal)

16. As below I asked for an additional survey to be undertaken, in line with the recommendations on the originally submitted Ecological Assessment. Thank you for reconsulting me following on from the submission of a report outlining the results of this survey, a bat emergence survey.

The emergence survey was required for the main house, which was identified as having low roost potential. A suitable survey has been undertaken. The survey was able to conclude that bats pass over the site, but no roosting behaviour/roosts were identified on site. The only bats recorded were common pipistrelles.

The original report provides some suggestions for biodiversity enhancements, to include small-hole bird boxes and native planting. Whilst these suggestions are welcomed it is noted that the development is a relatively small scale residential extension, extending primarily onto existing hardstanding. As such the enhancements are not considered to be essential to meet the requirements of DM6 in this instance.

Please can the following informatives be added.

Informatives;

IN9 Site Clearance and Wildlife

IN27 Protected Species

Please note that I am not commenting on the Nutrient Neutrality and shadow HRA assessment; this does not mean that it is acceptable. Please make your own judgement.

Tree protection officer

17. No objections from an arboricultural perspective. However, in order to protect retained on, and off-site trees, it is vital that the recommendations contained within the AIA are implemented. Applying Condition TR7 - works on site in accordance with AIA/AMS/TPP, would therefore be appropriate.

Assessment of planning considerations

Relevant development plan policies

18. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
19. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM5 Planning effectively for flood resilience
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM9 Safeguarding Norwich's heritage

Other material considerations

20. **Relevant sections of the National Planning Policy Framework July 2021 (NPPF):**
- NPPF12 Achieving well-designed places
 - NPPF14 Meeting the challenge of climate change, flooding and coastal change
 - NPPF15 Conserving and enhancing the natural environment
 - NPPF16 Conserving and enhancing the historic environment

Case Assessment

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

Main issue 1: Design

22. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 126-136.

23. The rear dormer would meet the size requirements to be considered permitted development in most circumstances but requires consent as the house is within a conservation area. The scale of the proposed dormer is small and its visual impact against the main house is minimal. The roof form is in-keeping with the existing property and remains subservient in appearance against the existing dwelling and proposed extensions.
24. The two-storey rear extension has been revised to remain in line with the width of the existing outshot. The extension roof will sit at a ridge height lower than the existing but matches the gradient of the existing roof slope so the extension does not dominate the rear of the property and reads as a subservient addition to the original form of the dwelling. The two-storey extension will not disturb the existing first floor fenestration and will include 1 no. additional timber framed window on the rear elevation only.
25. The single storey extension will infill the existing space between the stepped rear elevations but will not extend beyond the existing property line to the side. The original layout of the property will still be easily read at the first floor and the proposed extension is not considered to harm the character or distinctiveness of the property. The proposed windows on the side elevation will not match those existing at the first floor but do reflect the form of the existing ground floor windows, which are of a different size and form to the first floor. The addition of a door on the side elevation will not harm the appearance or character of the property as a whole.
26. Concerns were raised on the original proposal that the use of render would be detrimental to the appearance of the property. The area to be rendered has been reduced from the original proposal and red brick will still appear as the more prevalent materials across the rear and side elevation. As such the use of render is not considered to harm the appearance or character of the property.

Main issue 3: Heritage

27. Key policies and NPPF paragraphs – JCS2, DM9, NPPF paragraphs 189-208.
28. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014]) has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings and conservation areas when carrying out the balancing exercise.
29. The proposal will not impact or distract from the areas of significance as noted in the local list description and as such is not considered to harm a locally designated heritage asset.
30. Concerns were raised that the scale and design of the original proposal would negatively impact the conservation area. The revised proposal significantly reduces the scale of the two-storey proposal, which will not be visible from Unthank Road. Some of the side single storey extension may be visible when passing the property, however, as the development is well distanced from the road and there is additional screening from trees and planting against the boundaries forward of the property these views will be limited and are unlikely to notably impact the conservation area.

31. Concerns were also raised stating the use of render is inappropriate and harmful for the conservation area. The use of render is not uncommon across the conservation area and can be seen in use along Unthank Road. The area to be rendered is small and sited to the rear of the property where it will be visible mostly from private amenity space. There will be very limited views, if any, of the render from the public realm and as such the use of the material is not considered to cause harm to the conservation area.

Main issue 4: Amenity

32. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 129.
33. A daylight and sunlight assessment based on the revised proposal was submitted. The report found that the adjoining no. 299 adhered to the 45 degree rule assessment in line with BRE guidelines and didn't require any further testing.
34. Detailed technical assessments including Vertical Sky Component (VSC), daylight distribution and Annual Probable Sunlight Hours (APSH) were carried out on no. 303 following severe concerns regarding loss of light from the original proposal. The property was found to fully adhere to BRE guidelines in terms of VSC and APSH in the proposed condition, and no change in daylight from existing. The report therefore concludes that there will be no noticeable reductions in daylight or sunlight as a result of the revised proposal.
35. As there are no side facing windows at first floor level the two-storey extension will not cause a notable loss of privacy to the neighbouring properties. There will be approximately 1.7m distance from the proposed ground floor side windows to the site boundary. They will be mostly obscured from view of no. 303 by the existing fencing, however any potential impact on privacy is also mitigated by the distance to the boundary. As such the proposal is not considered to cause a significant level of harm to residential amenity by virtue of loss of privacy.

Main issue 8: Trees

36. Key policies and NPPF paragraphs – JCS1, DM7, NPPF paragraphs 174 and 180.
37. The proposal will not impact any trees that stem from within the site, however there are some nearby trees which stem adjacent the site boundary, close to the development area, that stem from within the boundary of no. 303. As the trees are protected by the Conservation Area, a separate notice would be required to be submitted for any works to trees, such as pruning, that would be required to facilitate the development.
38. An Arboricultural Impact Assessment (AIA) was not submitted with the original proposal, which raised concerns from neighbours during the original consultation period. An AIA was later submitted based on the impact of the revised proposal. The report demonstrates that no trees are to be removed to facilitate the development. The proposed works will marginally encroach the root protection area (RPA) of the adjacent Robinia (T3) and may have a minor impact on a nearby cherry tree (T4). Tree protection methods and recommended methodologies for the proposed development are demonstrated within the appendices of the report. The AIA finds that if the recommended methodology for removal of the garage and the proposed development, contained within the report, is adhered to then there is unlikely to be any notable harm to the affected trees. As such it is considered appropriate to add a condition to any approval requiring works and tree protection

methods take place in accordance with the approved AIA in line with comments received from the tree protection officer.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Not applicable
Car parking provision	DM31	Not applicable
Refuse storage/servicing	DM31	Not applicable
Energy efficiency	JCS1, JCS3 & DM3	Not applicable
Water efficiency	JCS1 & JCS3	Not applicable
Sustainable urban drainage	DM3 & DM5	Yes subject to condition

Other matters

40. The site is within a critical drainage catchment and the proposal will create an increase in impermeable floorspace. As such, mitigation measures to reduce surface water runoff, such as the installation of a water butt, would be expected in order to comply with local policy DM5. There are no clear mitigation measures demonstrated on the submitted drawings, however it has been declared in discussion with the agent that there is intent to install a new soakaway and water butt with the proposed development. It is therefore appropriate to condition details to be submitted to the local authority prior to any above ground works.
41. A bat survey was submitted with the original proposal which recommended an additional emergence survey be undertaken to rule out the potential for roosting bats. Concerns were raised in objections that this had not been done however a report with the results of the emergence survey was submitted with the revised proposal documents. The report found no evidence of emerging bats or suggestion of roosting behaviours and it concluded the site is absent of roosts. Some concerns were also raised regarding loss of habitat. As the proposal mostly extends over existing hardstanding there is unlikely to be a harmful loss of existing habitat. There is therefore no need to condition any mitigation measures for protected species, however the informatics recommended in comments from the natural areas officer should be added for completeness.
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

Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND

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

Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND

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.

Equalities and diversity issues

43. The proposed development is intended to provide safer and more accessible upstairs sleeping arrangements for the applicant, who has a disability that may worsen with time. The additional space downstairs with the addition of a shower room will future-proof the property should the applicant no longer be able to safely reside upstairs, whilst also providing a bathroom for a carer when required.

Local finance considerations

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

Conclusion

45. The proposal will not cause an impact on amenity that warrants refusal of the application. There will be limited impact on the character of the surrounding conservation area and the design will not harm the character of the property to a level that would warrant refusal of the application. 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.

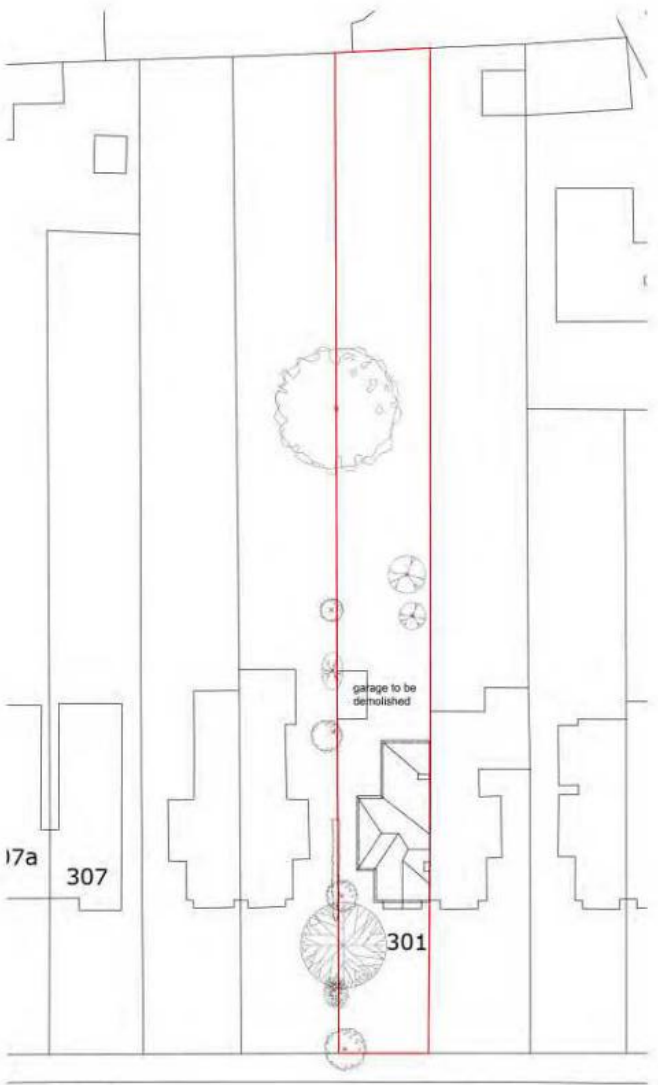
Recommendation

To approve application 22/00506/F 301 Unthank Road, Norwich NR4 7QA and grant planning permission subject to the following conditions:

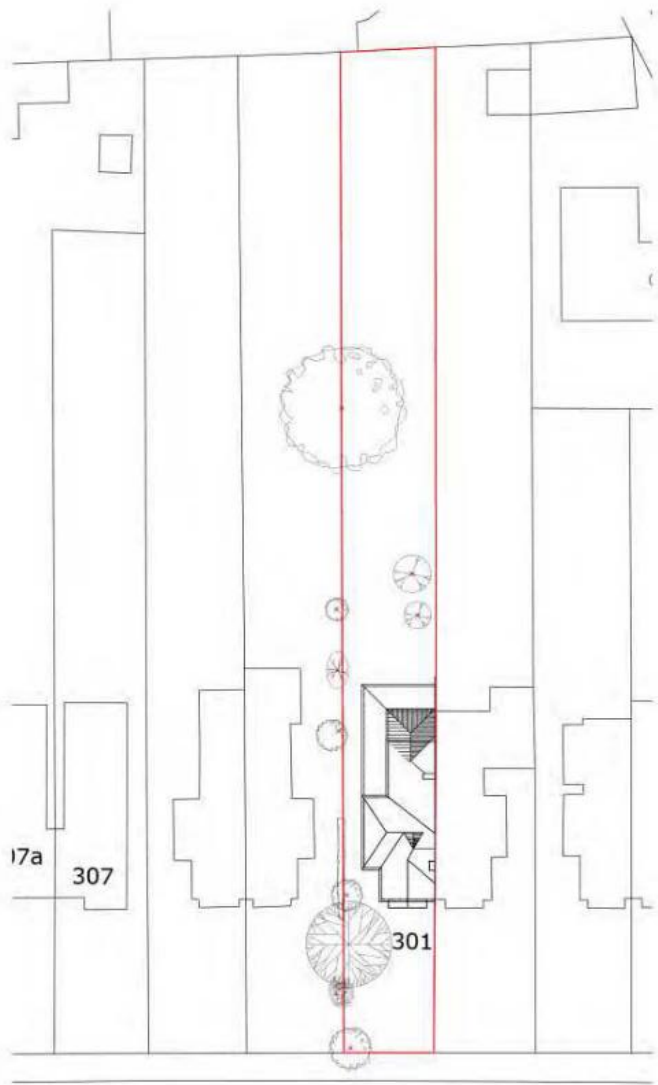
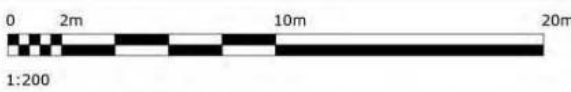
1. Standard time limit;
2. In accordance with plans;
3. Works in accordance with AIA;
4. Details of surface water drainage.

Informatives:

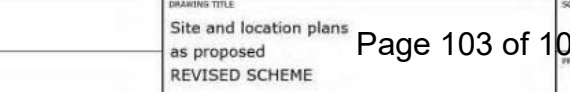
1. IN9 Site Clearance and Wildlife
2. IN27 Protected Species



site plan 1:500
as existing

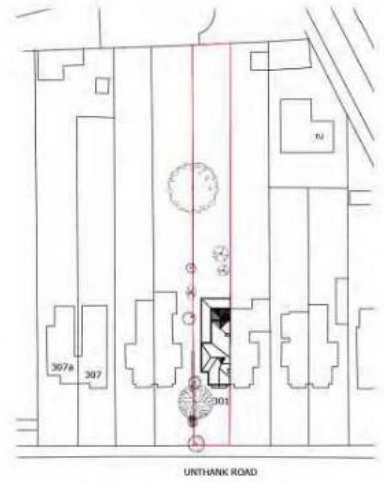


site plan 1:500
as proposed



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location plan 1:1250

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Ordnance Survey 0100031673



NOTE: Trees shown are indicative only. Refer to the arboricultural consultants AIA & Tree Protection Plan for species, size and condition of trees on or adjacent to the site which may be affected by the work.

	CLIENT Maggie & Steve Southworth		DRAWING TITLE Site and location plans as proposed REVISED SCHEME		SCALE as shown	DATE Aug'22	DRAWN BY CR	CHECKED BY
	PROJECT 301 Unthank Road, Norwich Extension & alterations		PROJECT NO. 00995		DRAWING NO. PL10		REV	



south-east



north-west



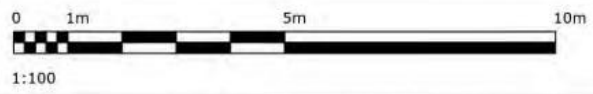
south-west

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CLIENT	Maggie & Steve Southworth
PROJECT	301 Unthank Road, Norwich Extension & alterations

DRAWING TITLE	Elevations as existing
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1:100	Apr'22	CR	
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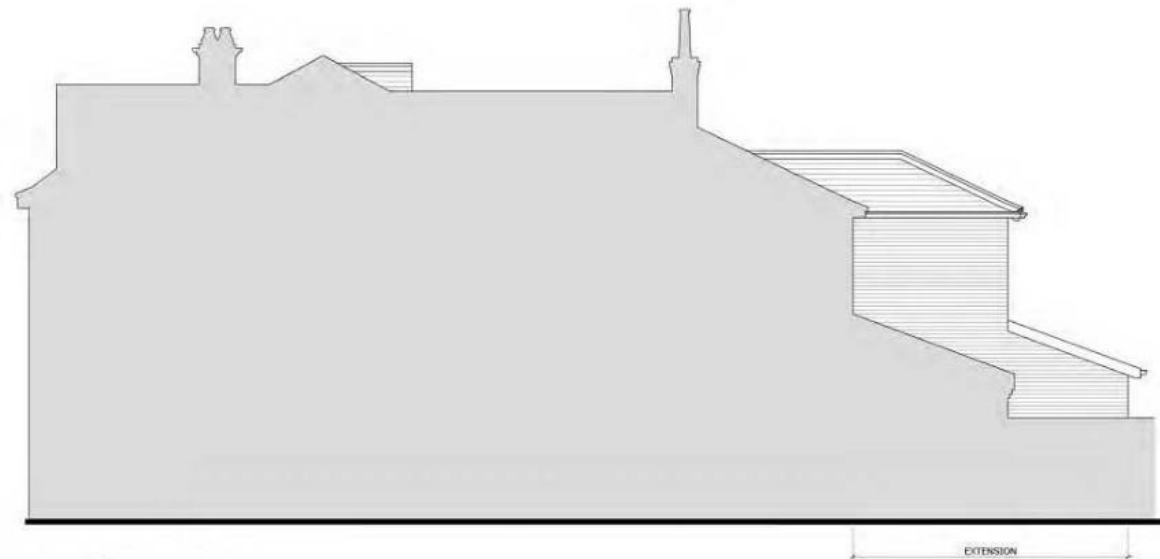
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no change



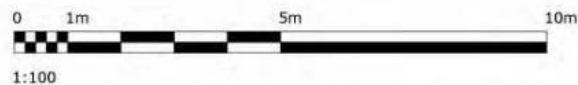
south-west



north-west



north-east



CLIENT
Maggie & Steve Southworth

PROJECT
301 Unthank Road, Norwich
Extension & alterations

DRAWING TITLE
Elevations
as proposed
REVISED SCHEME

Page 105 of 108

SCALE 1:100	DATE Aug'22	DRAWN BY CR	CHECKED BY MPS
PROJECT NO. 00995	DRAWING NO. PL09	REV	

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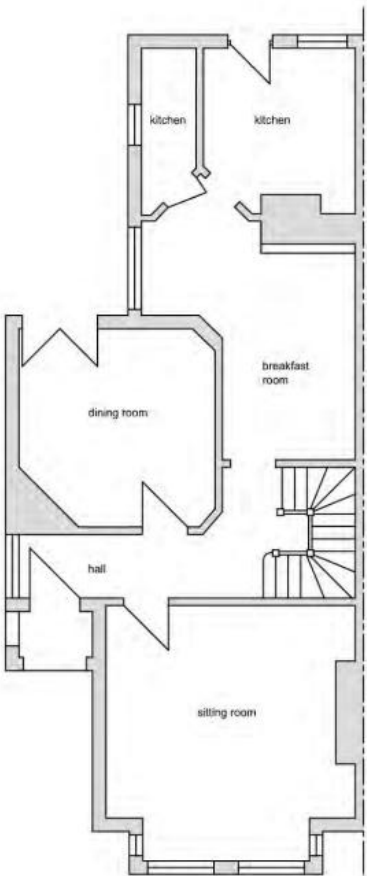
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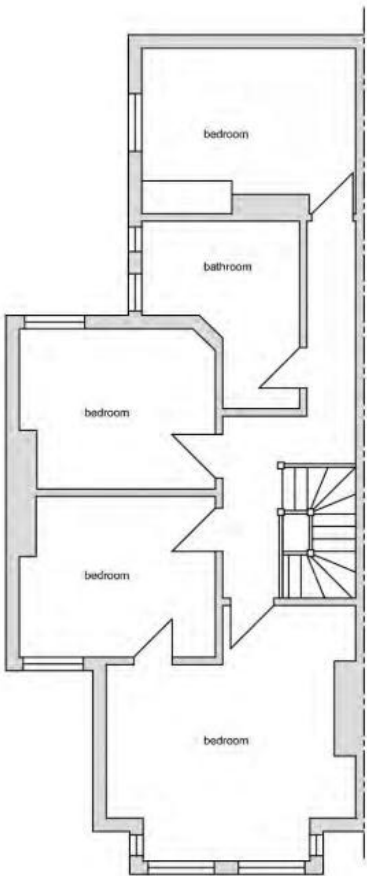
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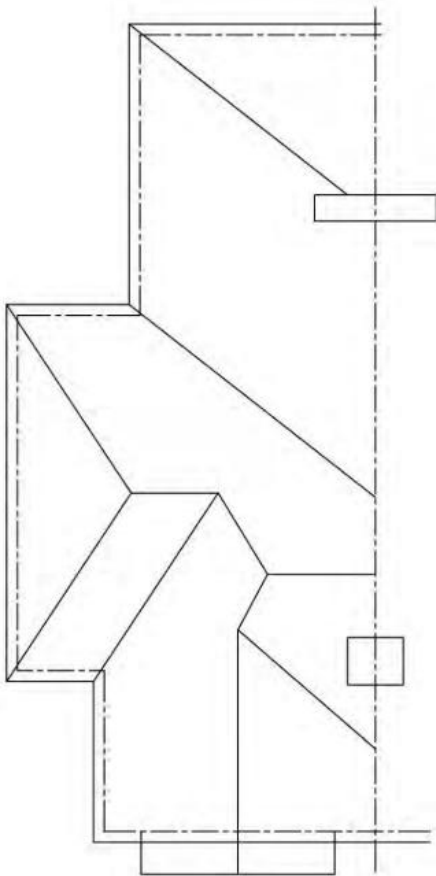
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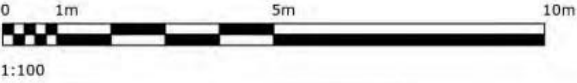
GROUND FLOOR
plans



FIRST FLOOR



ROOF PLAN



CLIENT	Maggie & Steve Southworth
PROJECT	301 Unthank Road, Norwich Extension & alterations

DRAWING TITLE
Plans
as existing

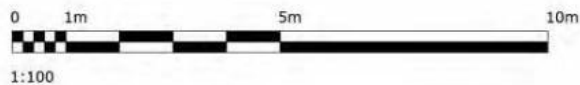
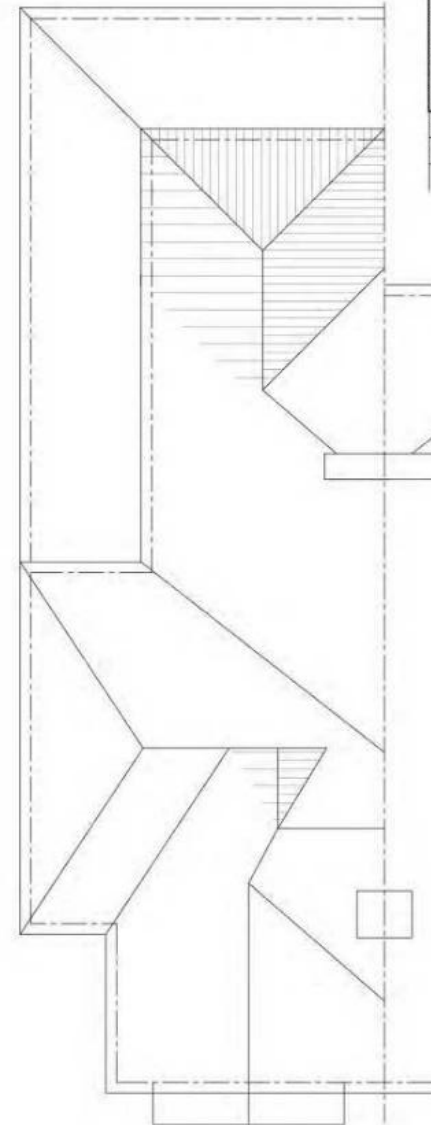
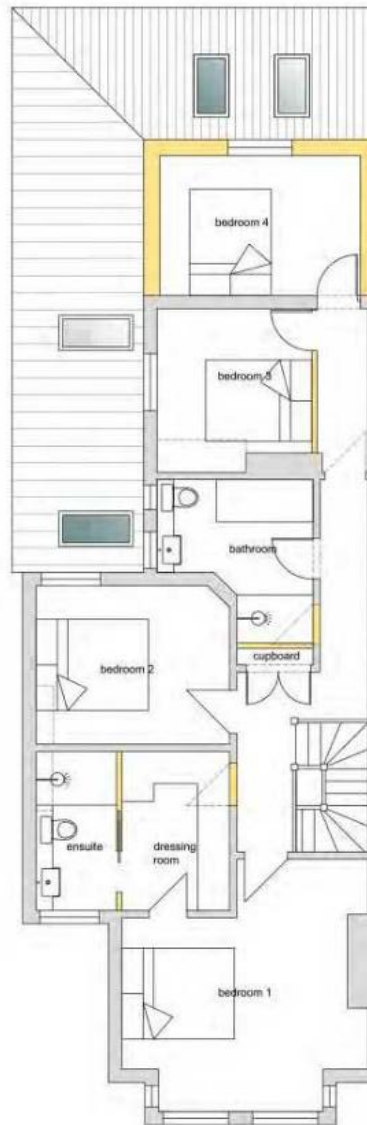
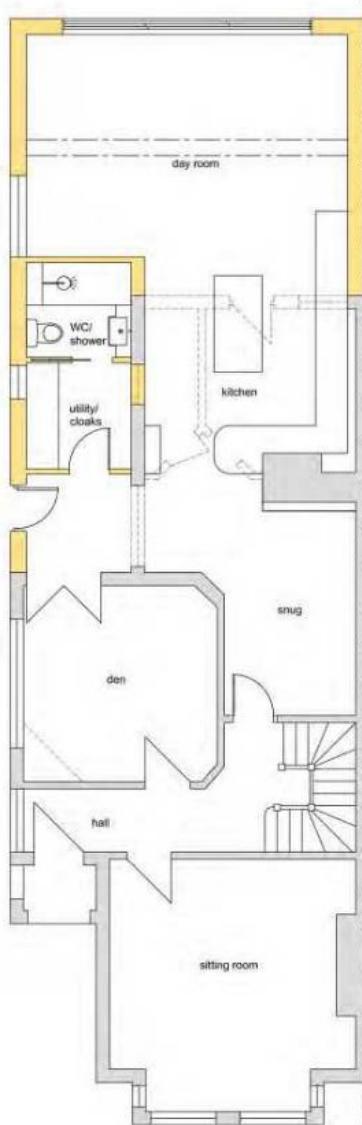
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CLIENT	Maggie & Steve Southworth
PROJECT	301 Unthank Road, Norwich Extension & alterations

DRAWING TITLE

Plans
as proposed
REVISED SCHEME

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		REV	

