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**Report to** Planning applications committee

10 October 2019

**Report of** Area Development Manager

Subject 19/00271/F - 1 Holmwood Rise, Norwich, NR7 0HJ

Reason

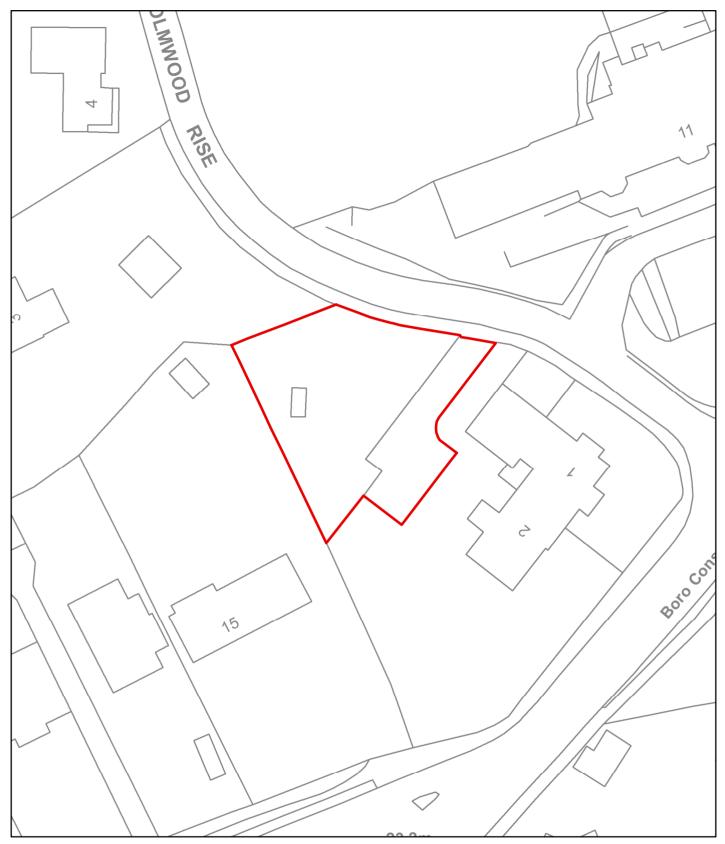
for referral Objection

e, Norwich, NR7 0HJ 4(b)

Ward:	Thorpe Hamlet	
Case officer	Katherine Brumpton - katherinebrumpton@norwich.gov.uk	

Development proposal				
Construction of 1 No. dwelling and associated works.				
Representations				
Object Comment Support				
4	0	0		

Main issues	Key considerations
1	Principle of development
2	Design
3	Heritage
4	Trees
5	Transport
6	Amenity
7	Biodiversity
Expiry date	24 April 2019
Recommendation	Approve



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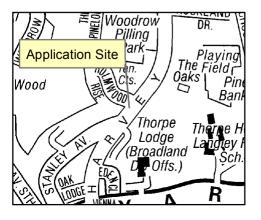
Planning Application No 19/00271/F Site Address 1 Holmwood

1 Holmwood Rise

Scale 1:500







### The site and surroundings

- 1. The site is a former parking area for the adjacent flats to the south east. The land has now been separated from the flats and been largely cleared of vegetation and any paving, although a shared access driveway remains along the south east of the site. There is an existing small brick and timber building on the site.
- 2. There are several trees within the site and adjacent to it, all of which are protected by virtue of being within a Conservation Area, and some by the addition of Tree Protection Orders (TPOs).
- 3. The land slopes significantly down to the south west, with the adjacent dwellings to the south west being lower than the site. The land rises to the north west, north and north east.
- 4. 1 and 2 Holmwood Rise is one block of flats. A care home lies directly opposite. All other properties in the immediate area are detached dwellings.

#### **Constraints**

- 5. Thorpe Ridge Conservation Area
- 6. TPO on site (84: Group consisting of 4 holly, 2 beech, 1 oak and I Sycamore 84A: Yew)
- 7. Land falls to the south
- 8. Ancient woodland is sited to the north of the site, approx. m away from the site.

## Relevant planning history

9.

Ref	Proposal	Decision	Date
4/1988/1396	Residential development of site to provide fifteen flats with associated vehicular access and parking.	REF	22/12/1988
4/1989/0663	Condition no. 2: Details of the proposed finished site levels for previous permission (application no. 890312/F); "Erection of one dwelling".	APPR	30/06/1989
12/00043/TCA	Removal of 1 No. tree and repollarding of 1 No. Sycamore.	NTPOS	15/02/2012
13/01873/F	Erection of single storey extension and three external balconies to existing flats [revised proposal].	APPR	19/05/2014
13/01884/F	Erection of 2 No. two bedroom townhouses and 2 No. three bedroom	REF	28/03/2014

Ref	Proposal	Decision	Date
	townhouses.		
15/01925/TCA	Goat Willow (T1): Remove	NTPOS	13/01/2016
	Birch (T2 & T3): Remove		
18/00226/TPO	Beech (within G4) - removal of 2 No. extended branches on the south-east side of tree.	APPR	27/02/2018
	Yew (T1) - reduction of crown by approx. 2m.		
19/00314/TPO	Beech (T1): Fell.	APPR	29/03/2019

# The proposal

10.

# **Summary information**

Proposal	Key facts	
Scale		
Total no. of dwellings	1	
Total floorspace	295m2	
No. of storeys	2 ½ (2 storeys plus accommodation in roof space)	
Max. dimensions	Height between 10m and 11.4m Footprint 12.27m by 9.8m to 13.9m	
Appearance		
Materials	Red brickwork and render to walls, slate grey pantiles to the roof and white PVCu fenestration.	
Transport matters		
Vehicular access	Existing access off Holmwood Rise	
No of car parking spaces	3 (1 double garage and 1 external space)	
No of cycle parking spaces	No details provided at this stage	

# Representations

11. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 4 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <a href="http://planning.norwich.gov.uk/online-applications/">http://planning.norwich.gov.uk/online-applications/</a> by entering the application number.

Issues raised	Response
Create overlooking and overshadowing to dwellings along Stanley Avenue, which include 1 bungalow and 1 chalet bungalow. The overlooking will occur from both the windows and balconies.	See main issue 6
The overlooking would occur from the main habitable rooms, and result in overlooking into a neighbours bedroom and garden.	
Due to the elevated position and design of the dwelling the proposal would be overbearing and result in a loss of light to neighbours on Stanley Avenue.	See main issue 6
Permission to remove trees is given too readily; they are an important habitat for many species and help clear the pollution. The submitted information does not make is clear how much hardstanding is proposed over the RPAs. If too much of a tree's RPA is covered this can lead to the premature decline of a tree.	See main issue 4
A separate application has been submitted for the removal of T1; the removal would be detrimental to the character of the Conservation Area.	
The level of private amenity area available for the future residents is somewhat limited due to the level of trees on the site. This could lead to future pressure for removal of some of the trees. This also exacerbates the level of overlooking anticipated from the balconies.	See main issue 6
Proposed design is disproportionate in design and height for the site. The size of the plot is smaller than other detached dwellings in Holmwood Rise; the proposal is out of character with the existing pattern of development.	See main issue 2

Statement that the dwelling would only occupy 21% of the plot is misleading as this calculation seems to include a shared access and parking/turning area for the adjacent apartments.	The assessment has been undertaken on the submitted plans, see main issue 2.
Design cues are taken from a property on Rosary Road; why are they not taken from closer buildings?	See main issue 2.
Design results in a large mass of brickwork with no recession of detailing meaning it will be dominant in the street scene. It would not preserve or enhance the character or appearance of the Conservation Area.	See main issue 2 and 3.
Damage caused in preparing the plot for sale has resulted in removal of vegetation along the eastern fence line. A replacement fence would not address the overlooking issues due to the elevated position and proposed balconies.	See main issue 6
Existing dwellings are more sympathetic to the fall of the land.	See main issue 2
The level of glazing will add to the dazzle they experience currently from other dwellings with glazing at a higher level than them (they are a bungalow).	The distance between dwellings and level of proposed glazing is not considered to represent a significant level of an increase to any reflection from glazing experienced by neighbours.
Were not written to as part of the process.	The consultation process was undertaken as is standard for this type of application; a site notice was posted outside the site, an advertisement was added to the local newspaper (Eastern Evening News) and immediate neighbours were written to. This fulfils the council's obligations under The Town and Country Planning (Development Management Procedure)(England)Order 2015.

# **Consultation responses**

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

#### **Broadland District Council**

- 13. The pre app advice from Norwich stated that "A more architecturally coherent and simplified design should be considered with a reduced scale to achieve a more cohesive development within the surrounding area". Suggest that this still applies.
- 14. Design is rather incoherent and the scale is excessive in relation to the size of the plot and surrounding properties (particularly those on Stanley Avenue). Due to the plot size the massing of the building is very large and would appear at odds with the Conservation Area. The proposal would potentially cause some harm to the setting of the Conservation Area.
- 15. The trees contribute greatly to this verdant part of Thorpe Ridge and Thorpe St Andrew Conservation Areas and this proposal may result in the removal of trees in the future due to the proximity of the trees to the dwelling.

#### **Design and conservation**

16. This is not an application that I intend to provide conservation and design officer comments on because it does not appear on the basis of the application description to require our specialist conservation and design expertise. This should not be interpreted as a judgement about the acceptability or otherwise of the proposal.

#### Highways (local)

17. No objection. The extant vehicle access is suitable for the proposed usage.

#### Norfolk historic environment service

18. No further work or conditions required; the site has been trenched already.

#### **Norwich Society**

19. Object to the design. Floorplan and elevations overly complicated. Too many materials and no coherence about the elevations. Building is too tall in proportion to the plot and streetscape. Suggest design should be simplified and scaled down.

#### Tree protection officer

- 20. No objections.
- 21. Given that the site is quite confined and that works are proposed within the Root Protection Areas (RPAs) of trees the proposal is only achievable from an arboricultural perspective if the recommendations of the Arboricultural Implications Assessment are implemented in full.
- 22. Conditions are requested.
- 23. T1 is the subject of 19/00314/TPO and has been granted consent to be removed. The beech tree has deteriorated and replacement planting has been conditioned.

### **Assessment of planning considerations**

#### Relevant development plan policies

- 24. Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
- 25. 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
  - DM12 Ensuring well-planned housing development
  - DM28 Encouraging sustainable travel
  - DM30 Access and highway safety
  - DM31 Car parking and servicing
  - DM32 Encouraging car free and low car housing

#### Other material considerations

- 26. Relevant sections of the National Planning Policy Framework February 2019(NPPF):
  - NPPF2 Achieving sustainable development
  - NPPF4 Decision making
  - NPPF5 Delivering a sufficient supply of homes
  - 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
- 27. Supplementary Planning Documents (SPD)
  - Trees, development and landscape SPD adopted June 2016

#### **Case Assessment**

28. 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 polices are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following

paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

#### Main issue 1: Principle of development

- 29. Key policies and NPPF paragraphs DM12, JCS4 and NPPF paragraphs 68.
- 30. The site is not subject to any specific site allocation and therefore the main policy against which to assess the principle of development against is policy DM12 of the DMPLP. This policy raises no in principle objection to residential development at this site but outlines a number of criteria against which development should be assessed.
- 31. In this case the site is not covered by any of the exceptions in the first part of the policy and with regard to the criteria a) of the policy the proposal would not prejudice wider regeneration proposals on the site. DM12 criterion b) requires that the proposal has no detrimental impacts on the character and amenity of the surrounding area. In addition criterion e) of DM12 requires a density in keeping with the existing character and function of the area.
- 32. Policy DM3 and DM9 require that new development respects, enhances and responds to the character and local distinctiveness of the area and has regard to the character of the surrounding neighbourhood and the elements contributing to its overall sense of place. The compliance with these criteria is assessed below.
- 33. Para 68 of the NPPF supports the development of windfall sites, which this is, and advises that great weight should be given to the benefits of using suitable windfall sites. The suitability is discussed more below.

#### Main issue 2: Design

- 34. Key policies and NPPF paragraphs JCS2, DM3, NPPF paragraphs 124, 127 and 130.
- 35. The character of Holmwood Rise, as defined in the Conservation Area appraisal, is residential with large, 19thC, detached, two and three storey dwellings with diverse forms and styles and a range of materials. Properties on Holmwood Rise are sited at various distances and angles from the highway. The site levels increase as you progress up the road, which is surrounded by vegetation and mature trees. With the road curved and the level of vegetation, there are no clear views of the wider road.
- 36. In addition to the vegetation the area is characterised by detached dwellings with a rather eclectic mixture of design details. The proposal draws upon some of these details found within the immediate area such as dormer windows, irregular window layouts and accommodation in the roof. Sited adjacent to the block of flats and opposite the care home the scale of development at this end of Holmwood Rise is relatively large.
- 37. The detached dwellings along Holmwood Rise are relatively generous in size and are set within a residential area with a relatively significant amount of trees. The proposed materials are red brick and render to walls, slate grey pantiles to the roof and white PVCu fenestration. Details have not been submitted. The use of high quality materials is encouraged to help achieve a sympathetic design, and a condition would be added to request exact details. Notwithstanding this the use of

red bricks and pantiles and white fenestration are all used within the immediate area and are considered appropriate for this site. Render is used within the wider area. Its inclusion serves to break up the elevations and ties in the dormer windows, and so its use is also supported.

38. The scale of the property would be viewed within the context of the adjacent flats and dwelling to the north. Site higher than the site, the dwelling to the north (3 Holmwood Rise) will be higher. It is also of a 2 ½ storey design with a not dissimilar footprint.

#### Main issue 3: Heritage

- 39. Key policies and NPPF paragraphs DM9, NPPF paragraphs 189-202.
- 40. The site falls within Thorpe Ridge Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Paragraph 193 of the NPPF states that 'great weight' should be given to preserving a heritage asset
- 41. The Thorpe Ridge Conservation Area is noted for the number of mature trees, which can be found within woodlands and on wide tree lined suburban streets. The site is within area "B", defined as 20<sup>th</sup> century suburban housing. However the character of Holmwood Rise is not one of wide streets; the road winds up from Harvey Lane with properties set in a variety of positions and orientations off the road. This is in contrast to the neighbouring roads such as Stanley Avenue where there are areas of strong uniformity and consistency in the siting, size and style of dwellings.
- 42. Opposite the site lies Holmwood Residential Care Home which is locally listed. This dates from the mid to late C19 and has a large side extension to the west elevation. The flats immediately adjacent to the site, in addition to the rest of Holmwood Rise date from the latter part of the C20.
- 43. The proposed development would divide an existing generous plot for the flats. Whilst it is noted that there are larger plots within Holmwood Rise, the plot size would not be disproportionate to those at the top of the road.
- 44. The proposed dwelling would be partially viewed through existing screening from the northern end of Stanley Avenue and from Harvey Lane. The dwelling would be viewed within the context of the significant number of trees and eclectic mixture of properties along the road. The dwelling would not block or harm any important views of Holmwood Residential Care Home.
- 45. With high quality materials the proposal is considered to have regard to the historic environment and would provide a public benefit of providing an additional dwelling.
- 46. Recognised as a key feature within the Conservation Area, the impact upon the trees is considered important from a heritage perspective as well as from a natural environment perspective. The impact is discussed further below.

#### Main issue 4: Trees

47. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 170-173.

- 48. Sited within a Conservation Area all the trees are protected by virtue of section 211 of the Town and Country Planning Act 1990. Furthermore several are protected by the addition of TPOs.
- 49. An ancient woodland is sited to the northeast of Holmwood Rise and there is a clear visual link between the woodland and trees found within the urban area. The proposed dwelling is sited to ensure that no trees are required to be removed as part of the development, and the existing trees would provide part of the character of the dwelling.
- 50. 4 individual trees have been assessed as part of the arboricultural reports, all of which are mature, generally unmanaged and have poor overall form. The removal of any of these is not required as part of the proposed development.
- 51. Detailed construction methods have been included within the reports, and with these adhered to, the development should have no material effect upon the health of those trees to be retained or to their overall value.
- 52. Application 19/00314/TPO was submitted after this planning application for the removal of T1. It involved a closer inspection of the beech tree. This revealed it to be unhealthier than previously assessed. 19/00314/TPO has been approved, with a replacement tree conditioned. However the submitted Landscape Plan indicates that this is not intended to be removed at this time.

#### Main issue 5: Transport

- 53. Key policies and NPPF paragraphs JCS6, DM28, DM30, DM31, NPPF paragraphs 102-111.
- 54. The existing vehicular access to the site is shared with the adjacent flats; this would not change. Parking on the site would be provided via a garage and one external space. No details of refuse storage or cycle storage have been provided.
- 55. Given the size of the plot the proposal is considered to be capable of complying with the DMLP. At the location parking for a minimum of 1 car and up to 2 cars is recommended. The garage does not meet the expected size for a double garage so it is anticipated that it can be used for cycle storage. A condition regarding details of refuse storage would be added.

#### Main issue 6: Amenity

56. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 124-132.

#### Existing residents

- 57. DM2 advises that developments should not result in an unacceptable impact on the amenity of the area or the living conditions of neighbouring occupants.
- 58. To the south east lies a block of flats (no.1 & 2 Holmwood Rise) and to the south west 15 Stanley Avenue. The proposed dwelling is orientated to sit at angle with Stanley Avenue but face on to the flats.
- 59. The block of flats consist of a 3 storey section adjacent to Harvey Lane and a 2 storey section adjacent to the site. The glazing on the elevation facing the flats is largely sited within the top of the gable end, at a level with a pitched roof serving the

flats on the 2 storey section. The flats will experience a degree of overlooking from windows on this elevation which they do not experience at the moment, however given the distance, the different in height the siting of the glazing within the elevation this impact is considered to be acceptable.

- The proposal includes a large amount of glazing on the first floor on the south west elevation with a corresponding balcony. These would face the corner of 15 Stanley Avenue and potentially overlook some of their garden into the first floor bedroom window at this end. At the time the application was submitted the tree known as T1 was to be retained, however as above it is now due to be removed at some point in the future. T1 currently provides some screening between the site and the south west, principally 15 Stanley Avenue. A landscaping plan has been submitted, which in addition to other elements aims to address any overlooking that would occur towards Stanley Avenue. The Landscape Plan indicates that the planting of 2 full standard holly trees to the northwest of T1 would provide a good level of screening, in combination with a living fence panel at ground level. It is considered appropriate that this application also requires details of any replacement planting required when T1 is removed as T1 forms part of the screening. With appropriate conditions the level of screening proposed along the south western boundary is considered to mitigate against any overlooking concerns. Some wider views beyond 15 Stanley Avenue would be obtained by future residents but given the distances involved these are not considered to be unacceptable.
- 61. The dwelling to the north would experience some level of overlooking; however this would be largely into their driveway which is already largely visible from public viewpoints.
- 62. The care home to the east is not anticipated to experience any significant levels of overlooking due to the orientation and siting.
- 63. Due to the siting, existing trees and orientation there is no anticipated significant overshadowing.

#### Future occupiers of the proposed development

- 64. The development will result in 2 areas of private external amenity at ground level and 2 balconies.
- 65. Whilst the site contains a significant amount of trees and therefore a significant part of the external area will be impacted by them, the trees are all mature. As such they are not anticipated to grow significantly. If pressure is put upon the council to remove the trees in the future the trees remain protected and so this can be resisted.
- 66. The submitted landscape plan provides some details of how a sympathetic design can be achieved to maximise the external area. With a condition requesting further details of the landscaping the amenity of both the future occupiers and existing residents is considered acceptable.

#### Main issue 7: Biodiversity

67. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 170-177.

- 68. A Preliminary Ecological Assessment has been submitted. The building has been assessed as having negligible suitability for bats. The trees on the site have low to moderate bat roosting potential except for T1 which has been assessed as having moderate potential.
- 69. Increased external lighting could result in a negative impact upon any foraging bats using the adjacent boundary features, and as such sensitive lighting should be used. The landscape condition is proposed to include the submission of details of any external lighting.
- 70. The proximity of the ancient woodland raises some concerns regarding pollution during construction; however the submitted report suggests control measures that would address the concerns.
- 71. The removal of T1 has been discussed above, and is part of a separate process under the TPO regulations.
- 72. Suggested enhancement measures include 2 integral bat boxes and integral bird boxes, such as sparrow or swift, and the introduction of night scented flowers as part of the landscape scheme. Insufficient details have been given for the enhancements but they can be conditioned.

#### Compliance with other relevant development plan policies

73. 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
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

#### Other matters

- 74. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
- 75. Surface water is proposed to be disposed of via a soakaway. Details can be obtained via a condition.

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

76. There are no significant equality or diversity issues.

#### Local finance considerations

- 77. 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.
- 78. 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.
- 79. In this case local finance considerations are not considered to be material to the case.

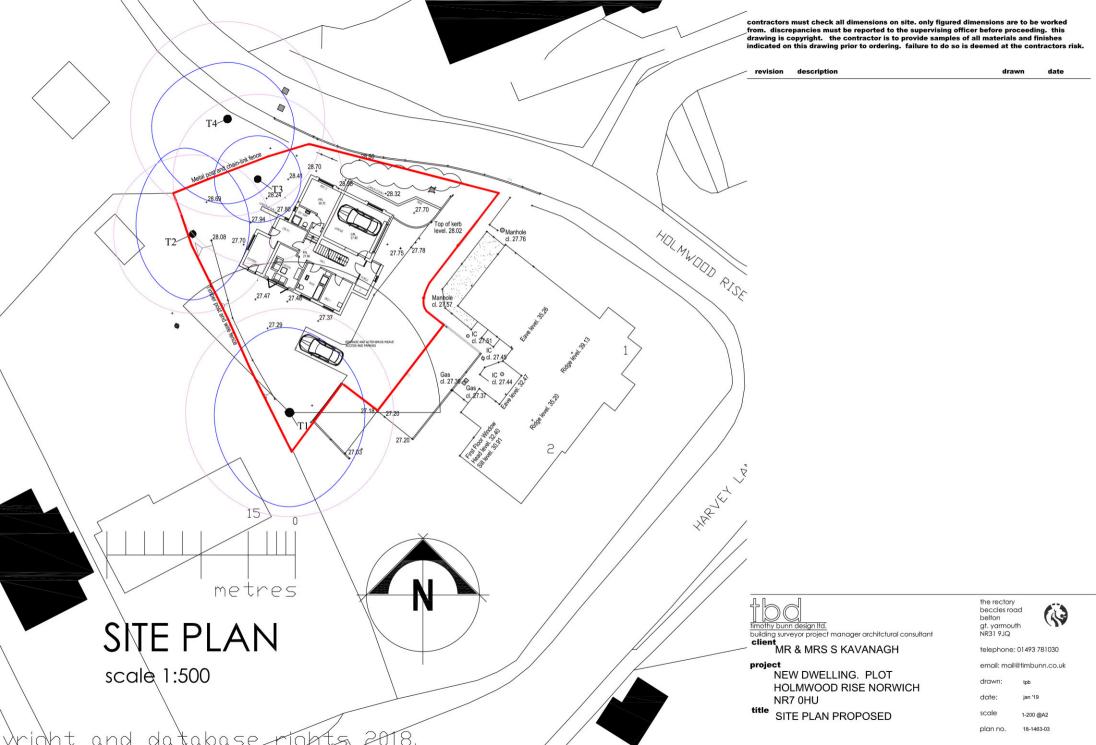
### Conclusion

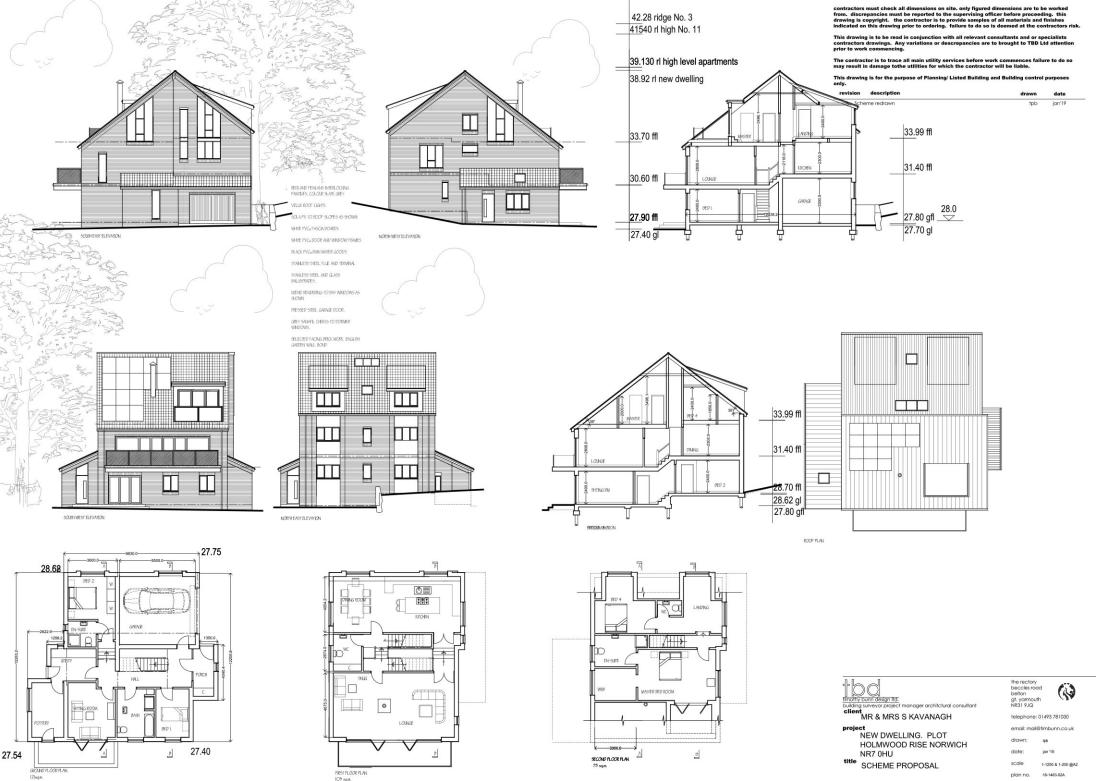
- 80. The proposed development is considered to represent a windfall site and would provide an additional dwelling. The development would comply with comply with DM12, and with the proposed conditions meet the above policy criteria.
- 81. The development is therefore in accordance with the requirements 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. 19/00271/F - 1 Holmwood Rise Norwich NR7 0HJ and grant planning permission subject to the following conditions:

- 1. Standard time limit;
- 2. In accordance with plans;
- 3. External Materials;
- 4. Replacement tree;
- 5. Landscaping Details Minor Scheme (to include external lighting)
- 6. In accordance with report;
- 7. Mitigation Details;
- 8. Water Efficiency residential;
- 9. SUDS Details submission and implementation;
- 10. Provision of cycling parking/ bin storage;
- 11. Residential Extensions, Curtilage Buildings, Boundary Treatments.











Client Mr. & Mrs. Kavanagh

Date July 2019

Drawing no. 2019-353-003 Revision A

and topographical survey

Drawn by LBL Checked by Scale 1:200 @ A3

DRAFT

Eden Cottage
Hunt's Corner
Banham
NR16 2HL
01953 987656

