

**Committee name:** Planning applications

**Committee date:** 09/11/2023

**Report title:** Application no 23/00744/F 21 Upton Close, Norwich, NR4 7PD

**Report from:** Head of planning and regulatory services

**OPEN PUBLIC ITEM**

**Purpose:**

To determine:

**Application no:** 23/00744/F

**Site Address:** 21 Upton Close, Norwich, NR4 7PD

**Decision due by:** 09/11/2023

**Proposal:** Demolition of existing 2 storey house and garage.  
Replacement 2 storey dwelling and garage and  
ancillary outbuildings

**Key considerations:**

- The overall design of the proposal, and the impact that the proposal will have on the character and appearance of the wider area
- The impact of the proposal on neighbouring residential amenity

**Ward:** Eaton

**Case Officer:** Daisy Hill

**Applicant/agent:** Steven Wade

**Reason at Committee:** Objections

**Recommendation:**

It is recommended to approve the application for the reasons given in the report and subject to the planning conditions set out in paragraph 66 of this report, and grant planning permission.



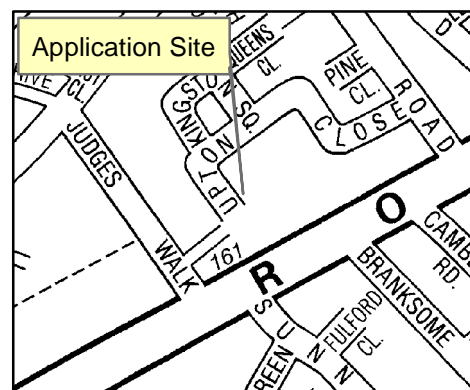
© Crown Copyright and database right 2023. Ordnance Survey 100019747.

Planning Application No 23/00744/F  
 Site Address 21 Upton Close

Scale 1:500



**NORWICH**  
 City Council  
 PLANNING SERVICES



## **The site and surroundings**

1. The application site sits within a residential area, southwest of the City Centre and north of Newmarket Road.
2. The application site is located at the southern end of Upton Close, at the end of the cul-de-sac. A pedestrian/cycle way links Upton Close to Newmarket Road.
3. The site features a detached, 2 storey, 4 bedroomed dwelling. The dwelling is of Modernist design and features a characteristic flat roof. It was designed by Norwich born Architect John Winter.
4. The main body of the dwelling features 2 storeys with a single storey extension to the rear creating a 'L-shaped' footprint.
5. Offroad parking is provided in the form of an 'in and out' driveway which spans across the front of the property along with an integral, tandem garage.
6. The property is of redbrick construction and features a rendered roof fascia and custom-made timber windows with timber infill panels.
7. The site includes a generous garden which links to a further parcel of land that features a large, open air swimming pool and wooden storage shed that holds the pool plant equipment.
8. The site is bounded in all directions, by other dwellings (and/or their associated gardens) along Upton Close and Newmarket Road.

## **Constraints**

9. Adjacent to Newmarket Road Conservation Area

## **Relevant Planning History**

10. No relevant planning history.

## **The Proposal**

11. The proposal seeks consent for the demolition of the existing detached, 2 storey, flat roofed, modernist dwelling, and its integral garage and for a replacement detached, 2 storey, hipped roof dwelling and double garage.
12. The proposal also seeks consent for the construction of some ancillary outbuildings on the rear part of the site. A garden store and a summerhouse/garden room are proposed with an external terrace linking them to the existing swimming pool.

## **Summary of Proposal – Key facts:**

13. The key facts of the proposal is summarised in the tables below:

<b>Scale</b>	<b>Key Facts</b>
Total floorspace	Main Dwelling: 289.6m <sup>2</sup> Summerhouse/Garden Room: 48.75m <sup>2</sup> Garden Store: 37.25m <sup>2</sup>

Scale	Key Facts
No. of storeys	Main Dwelling: 2 storeys Summerhouse/Garden Room: Single storey Garden Store: Single storey

Appearance	Key Facts
Materials	<p><u>Main Dwelling:</u>  <b>Walls</b> = White smooth render over a grey brick plinth. Cladding to selected gables/elevations (vertical cedar boarding, natural finish).</p> <p><b>Roof</b> = Pitched roof to main house, dark grey fibre cement tiles. Low pitch roofs to garage and kitchen, grey coloured metal roofing with standing seam jointing.</p> <p><b>Windows</b> = UPVC (grey coloured).</p> <p><b>Doors</b> = Aluminium Bi-Fold Patio doors (grey coloured). Coloured composite front door and garage door.</p> <p><u>Summerhouse/Garden Store:</u>  <b>Walls</b> = White/grey smooth render over a grey brick plinth. Waney edge timber boarding to front.</p> <p><b>Roof</b> = Standing seam metal roofing (grey coloured) with solar PV panels.</p> <p><b>Windows</b> = UPVC (grey coloured).</p> <p><b>Doors</b> = Aluminium Bi-Fold Patio doors (grey coloured).</p> <p><u>Boundary Treatments:</u>  Mature hedges and timber fences to remain.</p> <p><u>Driveway:</u>  Bonded gravel driveway.</p>
Energy and resource efficiency measures	Solar PV panels to roof of outbuildings

Transport Matters	Key Facts
Vehicular access	Driveway to front of property
No of car parking spaces	To be determined by condition
No of cycle parking spaces	3 cycle parking spaces required and as the site has accessible private amenity space and a range of outbuildings proposed, these requirements will be deemed to have been met
Servicing arrangements	Concealed refuse storage area provided at side of house

## Consultation responses

14. 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.

## Representations

15. Adjacent and neighbouring properties have been notified in writing. 8 letters of representation have been received citing the issues as summarised in the table below:

Issues raised	Response
Use of outbuildings as overnight accommodation/short term lets	See main issue 3
Proximity of new dwelling to neighbouring boundary	See main issue 3
Outlook/aesthetics of new garage	See main issue 2
Use of pool as a commercial proposition	See main issue 3
Impact on residential amenity from use of swimming pool area	See main issue 3
Shading/sunlight impacts of proposal on neighbouring properties	See main issue 3

## Statutory and non-statutory consultees

Ecology (Norwich City Council)

16. No comments received.

Tree Protection Officer (Norwich City Council)

17. No objections from an arboricultural perspective. (T1 has already been removed).

## 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
- JCS3 Energy and water
- JCS6 Access and transportation

**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
- 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

Other material considerations

## **20. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment

## **21. Advice Notes and Guidance**

- Water efficiency advice note October 2015
- Internal space standards information note March 2015

## **Case Assessment**

22. 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 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**

23. Key policies and NPPF paragraphs – JCS4, DM12, NPPF paragraphs 11 and 59.

24. Paragraph 50 of the NPPF states that local authorities should deliver a wider choice of quality homes. Policies JCS 4 and DM12 are supportive of new dwellings which help to meet housing need in the city.

25. The existing and proposed use of the site (which are the same) are considered to form part of the mix of residential accommodation, contributing to the city's

housing stock. As this application is for a replacement dwelling, the principle of residential development on this site has already been established by virtue of the existing use of the site and therefore a '1 for 1' replacement, is acceptable under policy DM12.

## **Main Issue 2. Design & Heritage**

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

27. In reference to policy, Local Plan Policy DM3 'Delivering High Quality Design' asks that design should "respect, enhance and respond to the character and local distinctiveness of the area."

28. The main element of the proposal involves the demolition of the existing 2 storey, flat roofed dwelling. Whilst the existing dwelling serves as a good example of modernist architecture, it very much stands alone in terms of its design when compared to the rest of the street. The site itself does not sit in a conservation area and the property is not locally or statutorily listed. The proposed replacement dwelling, when considering its height, scale, and form, features a design much more akin to the other properties along Upton Road. Therefore, the overall design appears much more sympathetic to its surroundings.

29. The materials proposed for the main dwelling have been carefully considered and feature a palette that will provide a fresh, modern look. The use of natural cladding in key areas will work well to balance the use of render and provide a sympathetic, warm aesthetic. The site is bounded by tall trees and established greenery and the natural cladding will complement these surroundings.

30. The proposed dwelling will take on a more sympathetic appearance, especially with regards to its height, scale, and form, in keeping with the prevailing residential character of the area.

31. The proposed garage section will sit further forward on the plot. By virtue of the location of the application site (at the end of the cul-de-sac) the visibility of the garage and the impact on the street scene is not considered to be unacceptable.

32. The outbuildings (summerhouse and garden store) are to be single storey in height and the scale and form sit comfortably within that area of the plot.

33. The materials proposed for the summerhouse and garden store will closely resemble those found on the main dwelling and therefore, a unified scheme will flow throughout the site.

34. In terms of impact on the wider setting in the context of the adjacent conservation area (Policy DM9), the site abuts the very edge of the Newmarket Road Conservation Area. Given its location, the proposal couldn't be said to have any notable impact on the conservation area.

35. 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.

### **Main Issue 3.       Amenity**

36. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.

#### *Existing occupiers*

37. The main body of the proposed dwelling will sit slightly behind the current building line of the existing property.
38. The new dwelling will sit substantially further away from its northerly neighbour (number 19) and marginally closer to the boundary with 157 Newmarket Road.
39. The height of the proposed dwelling is taller than that of the existing (as the existing featured a flat roof) however the proposed roof height is akin to the neighbouring properties.
40. Careful consideration has been given to the placement of windows throughout the proposed dwelling. The windows featured on the side elevations at first floor level will serve bathrooms and will therefore feature obscured glass. A condition is recommended to ensure compliance.
41. By virtue of its positioning and design, the proposed dwelling is unlikely to cause a negative impact on existing occupiers with regards to overlooking and loss of privacy. The orientation of the site coupled with the positioning of the proposed dwelling further away from number 19, mean it's highly unlikely that any additional overshadowing, loss of light and outlook would impact any existing occupiers.
42. The garage's single storey nature and the overall orientation of the site, mean that it will not cause any harm to the amenity of neighbouring residential occupiers by way of overshadowing, outlook or by being overbearing. The garage will be visible from the street scene and from neighbouring properties but that does not constitute a reason for refusal.
43. With regards to the outbuildings, their single storey nature and their positioning on the site mean that they are highly unlikely to cause overshadowing, loss of light and outlook to any existing occupiers, nor could they appear overbearing. The buildings may be visible from neighbouring properties but that does not constitute a reason for refusal. A condition is recommended to ensure the outbuildings are retained for purposes ancillary to the residential use of the dwelling.
44. The use of the swimming pool in association with the host dwelling is unlikely to cause an unacceptable level of disturbance from noise, odour, vibration, air or artificial light that would negatively impact the existing occupiers. Many properties nearby feature private pools and therefore this use is not considered unacceptable in this location.

#### *Future Occupiers*



- 45. The proposed dwelling will provide approximately 289.6m<sup>2</sup> of internal living space, arranged over two floors. The overall provision therefore significantly exceeds the nationally described space standards for a dwelling of this type.
- 46. The site layout also includes the provision of a generous rear garden immediately to the rear of the property plus the additional, adjoined parcel of land which features the swimming pool.
- 47. The proposal demonstrates it can provide a good level of internal and external amenity space. As such, the proposal is considered to provide for a good standard of amenity for the future occupiers.

#### **Main Issue 4. Transport**

- 48. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111.
- 49. The proposed scheme proposes to retain the 3 existing parking spaces that the existing dwelling featured. The new scheme also features a double garage. Although the space provided satisfies the minimum requirement for parking provision within this location (which is 1 space per dwelling), it exceeds the maximum parking provision (which is 2 spaces per dwelling). Discussions with the applicant took place at an earlier stage and it was agreed that a landscaping plan would be required to demonstrate how the frontage could be reconfigured to provide more landscaping and less car parking. A condition is recommended to agree details, and it would be an aim of that condition to reduce available car parking to a policy compliant level in order to discourage unsustainable forms of transport.
- 50. The proposed double garage along with the secured rear garden and proposed outbuildings can provide covered and secure cycle parking. A concealed refuse storage area is provided down the side of house therefore the proposed cycle parking and refuse storage satisfy the requirements of policy DM31.

#### **Main Issue 5. Water efficiency**

- 51. Key policies and NPPF paragraphs – DM1, JCS3, NPPF paragraphs 8, 148, 151-154.
- 52. Requirement G2 and Regulations 36 and 37 of the Building Regulations 2010 – Water Efficiency stipulate a minimum water efficiency standard for new homes.
- 53. It requires that the average water usage of a new home (including those created by a change of use) is no more than 125 litres per person per day or 110 litres/person/day if required as part of the planning permission.
- 54. A condition is recommended to ensure compliance with these regulations.

#### **Main Issue 6. Biodiversity**

- 55. Key policies and NPPF paragraphs – JCS1, DM6, NPPF section 15.
- 56. An ecological survey of the site and its buildings has been carried out by a recognised professional. Their findings and recommendations have been submitted as an ecological assessment. Their survey found no evidence of bat

roosting or bat activity. The assessment determined the current situation as negligible and therefore no enhancement measures have been recommended.

#### **Main Issue 7.        Trees**

57. Key policies and NPPF paragraphs – JCS1, DM7, NPPF paragraphs 170 and 175.
58. The site is bounded by other dwellings and/or their associated gardens in all directions and therefore, the site features many established trees and bushes.
59. The proposal will see the removal of one Category U tree (T1) with all other vegetation retained. T1 is in poor condition and therefore has less than 10 years useful life expectancy and would not constitute a constraint. Upon consultation, our Tree Officer was satisfied with the proposals and no objections were raised from an arboricultural perspective. A condition is recommended to ensure compliance with the Arboricultural Impact Assessment (AIA).

#### **Main Issue 8.        Nutrient Neutrality**

60. 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 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 & Wensum SACs, 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 16<sup>th</sup> 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, 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) 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**

61. There are no equality or diversity issues.

### **Local finance considerations**

62. 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.

## Human Rights Act 1998

63. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and freedom of others or the control of his/her property in this way is in accordance with the general interest.

## Section 17 of the Crime and Disorder Act 1998.

64. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

## Planning Balance and Conclusion

65. 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. The recommendation is to approve the application subject to the conditions listed below.

## Recommendation

66. To approve application 23/00744/F 21 Upton Close, Norwich, NR4 7PD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Works in accordance with AIA, AMS, TPP;
4. Landscaping details;
5. Residential Ancillary Accommodation;
6. Water Efficiency – Residential;
7. Obscure glazing – side windows

**Appendices:** None

**Contact officer:** Planning Officer

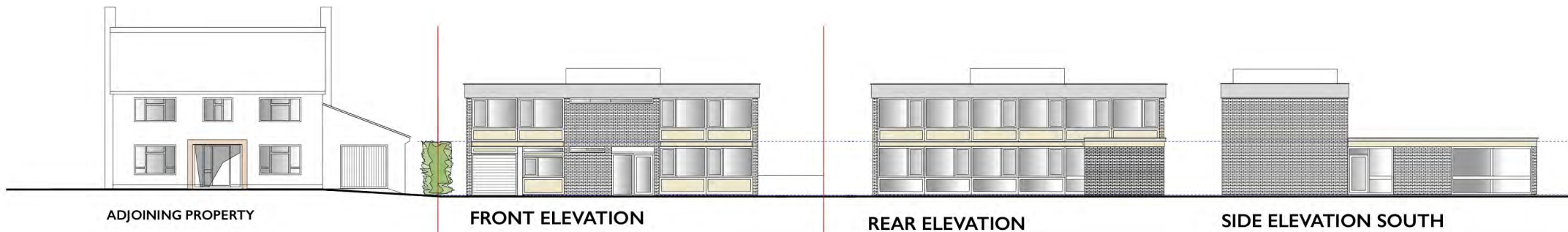
**Name:** Daisy Hill

**Telephone number:** 01603 987566

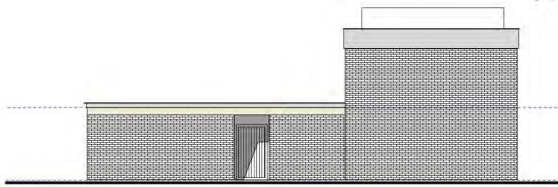
**Email address:** [daisyhill@norwich.gov.uk](mailto:daisyhill@norwich.gov.uk)



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.

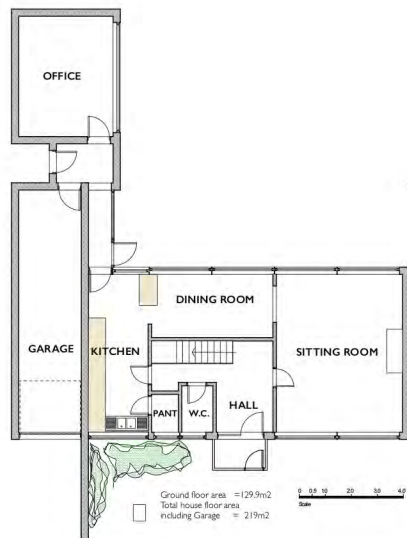


### STREET VIEW

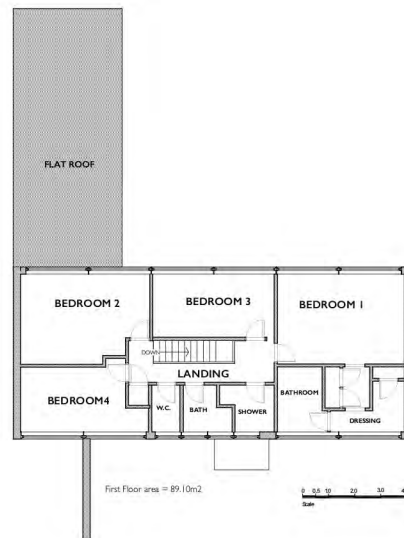


SIDE ELEVATION NORTH

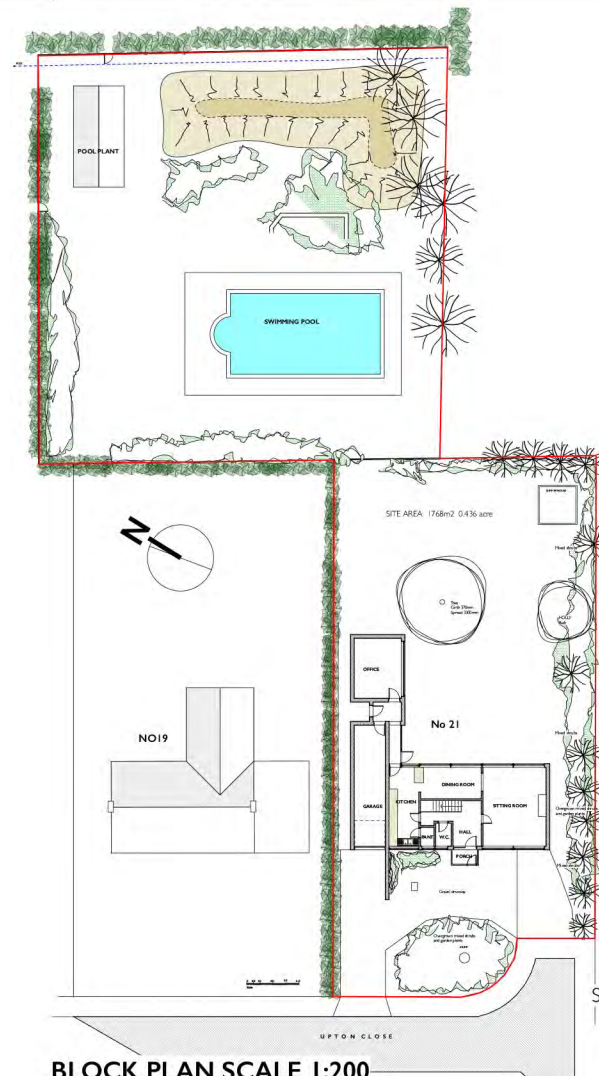
EXISTING MATERIALS  
 WALLS Red Brick  
 WINDOWS Timber with timber infill panels  
 MAIN ROOF FASCIA Render  
 ROOF Flat built up felt  
 ROOF Raised Screen for Plant & Equip Timber



GROUND FLOOR PLAN Scale 1:100



FIRST FLOOR PLAN Scale 1:100



BLOCK PLAN SCALE 1:200

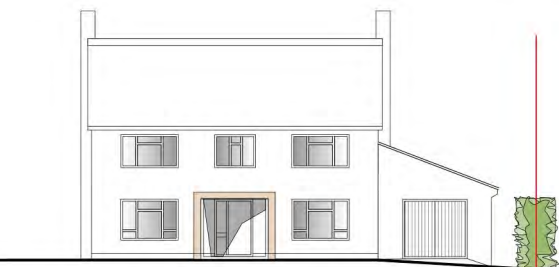


LOCATION PLAN Scale 1:1250

### SITE SURVEY 21 UPTON CLOSE NORWICH NR4 7PD

Scale 1:200 & 1:100 Date April 2023 Drawing 2251/01





ADJOINING PROPERTY



FRONT ELEVATION

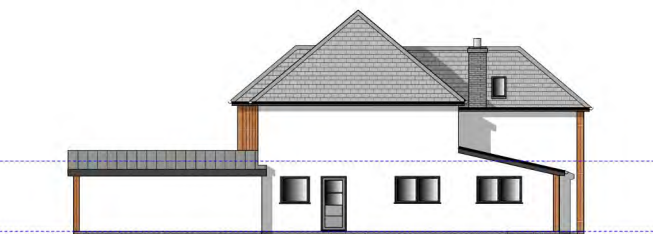


SIDE ELEVATION NORTH



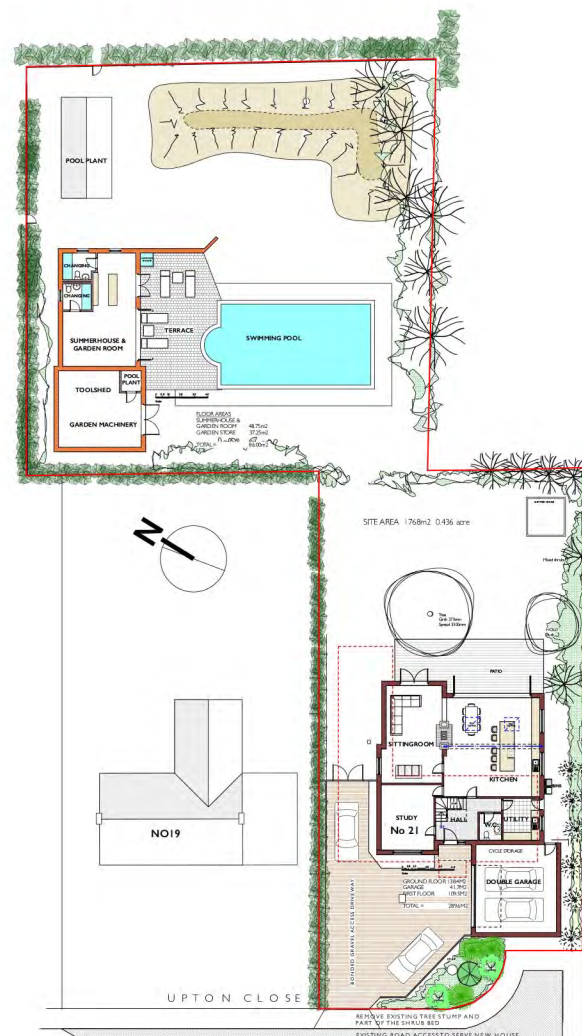
REAR ELEVATION

STREET VIEW



SIDE ELEVATION SOUTH

PROPOSED MATERIALS  
WALLS White Render, Grey brick plinth  
CLADDING Vertical Cedar boarding  
WINDOWS UPVC Grey  
ROOF Dark Grey fibre cement slates  
ROOF GARAGE & KITCHEN Grey colour metal sheeting with standing seams



BLOCK PLAN SCALE 1:200



LOCATION PLAN Scale 1:1250



GROUND FLOOR PLAN Scale 1:100



FIRST FLOOR PLAN Scale 1:100

**PROPOSED REPLACEMENT DWELLING**  
**21 UPTON CLOSE**  
**NORWICH NR4 7PD**

Scale 1:200 & 1:100 Date June 2023 Drawing 2251/02

STEVEN WADE  
Architectural Design  
wadedesign@btinternet.com  
Goose Lane Farmhouse  
Thwaite Common Erpingham  
Norwich NR11 7QG  
01263 768538



# SUMMERHOUSE, GARDEN ROOM & GARDEN MACHINERY STORE

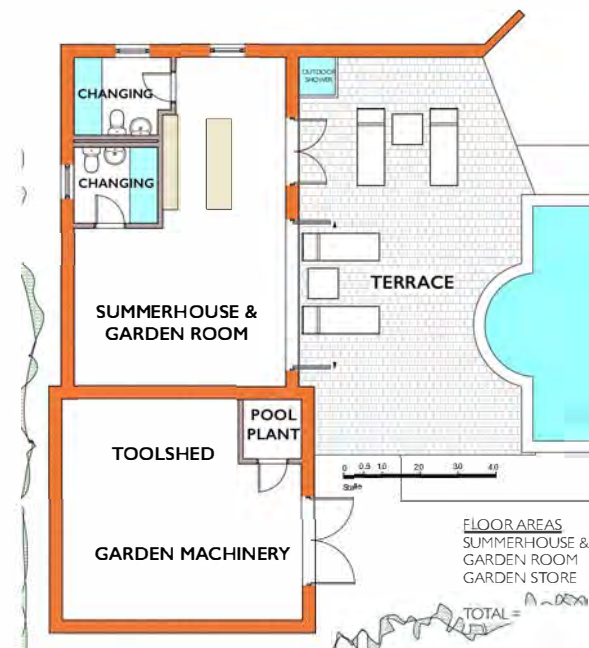


MATERIALS SUMMER HOUSE & GARDEN ROOM WITH GARDEN MACHINERY STORE

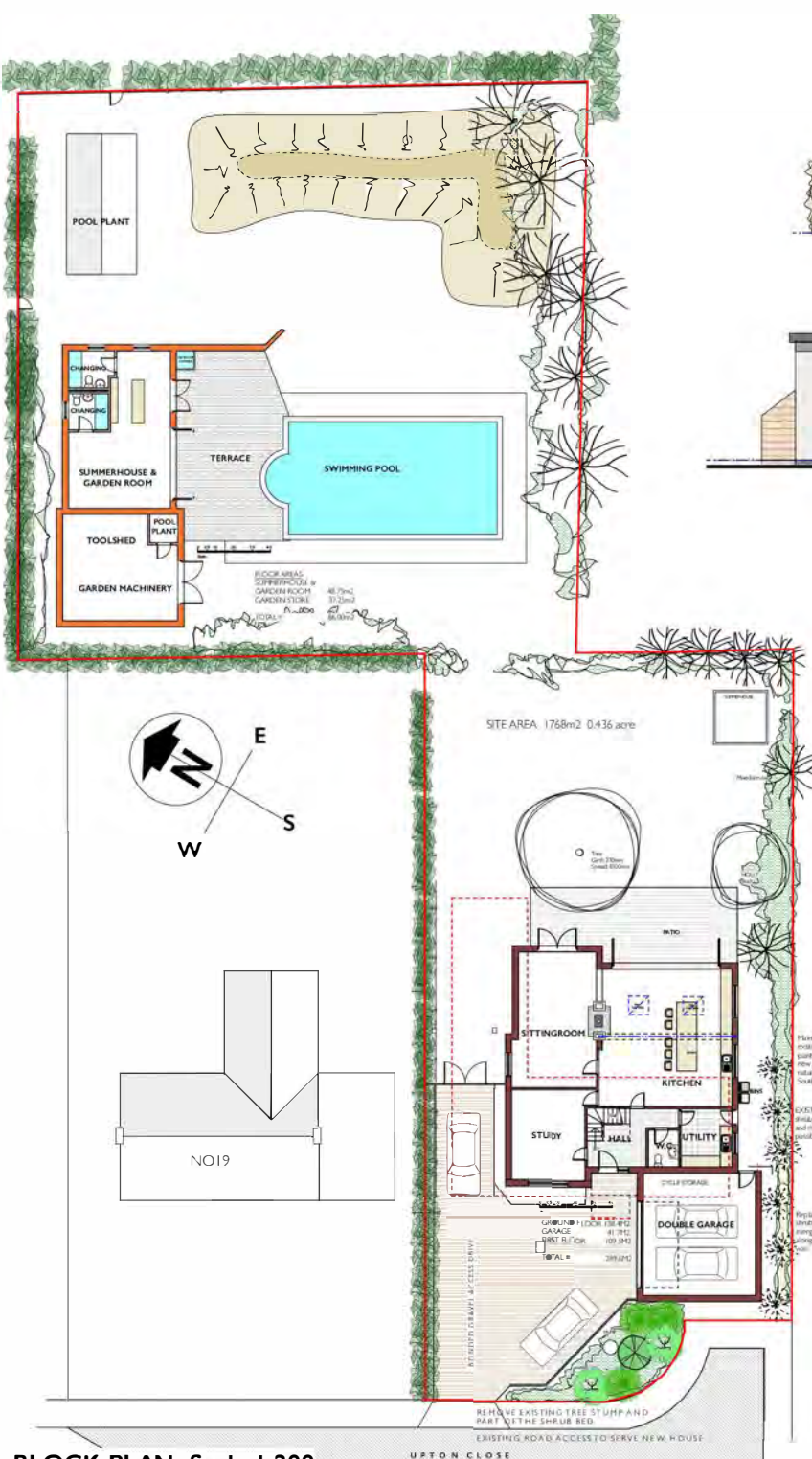
ROOF Standing seam metal roofing Grey with solar PV panels.  
WALLS Coloured Render grey/white  
Waney edge timber boarding cladding  
PLINTH Grey facing brick.  
WINDOWS Grey UPVC



**LOCATION PLAN Scale 1:1250**



**SUMMERHOUSE & GARDEN ROOM WITH GARDEN MACHINERY STORE PLAN Scale 1:100**



**PROPOSED REPLACEMENT DWELLING**  
**21 UPTON CLOSE NORWICH NR4 7PD**

**SITE LAYOUT AS PROPOSED**

Scale 1:200 & 1:100 Date June 2023 Drawing 2251/03

STEVEN WADE  
Architectural Design  
Good Lane Farmhouse  
Thetford Norfolk NR11 7QG  
01263 768538  
www.stevenwade.co.uk