

Report to Planning applications committee

Item

17 December 2015

Report of Head of planning services

Subject Application no 15/01390/F - 82 Unthank Road,
Norwich, NR2 2RW

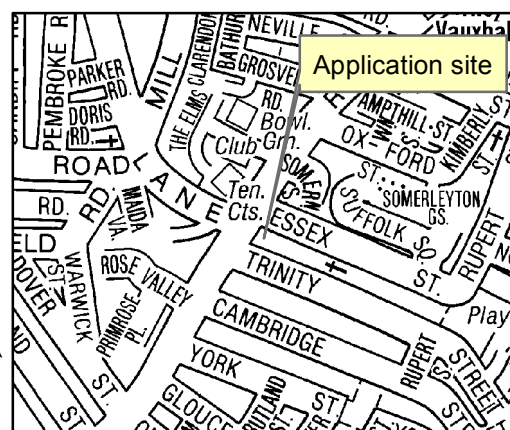
**Reason
for referral** At request of head of planning

4(A)

Ward:	Town Close
Case officer	Judith Davison - judithdavison@norwich.gov.uk

Development proposal		
Demolition of hotel and erection of 6 No. houses of multiple occupation comprising 2 x 5 bed and 4 x 6 bed (use class C4).		
Representations		
Object	Comment	Support
114	-	1

Main issues	Key considerations
1 Principle of development	HMO development
2 Loss of locally listed building in conservation area	Historical significance of building and impact of its loss on appearance and character of Heigham Grove conservation area; justification for demolition
3 Design	Layout, height, scale and massing of proposed new building in prominent location, and impact on the conservation area and local streetscene
4 Amenity	Impact on residential amenity, and quality of amenity provided for new residents. Noise and other impacts of development.
5 Highways	Adequacy of parking arrangements; impact of development on highways safety; accessibility; refuse storage; cycle storage.
6 Landscaping	Impact on landscape setting and streetscape.
7 Affordable housing	Provision of an element of affordable housing
Expiry date	28 January 2016
Recommendation	Refuse



The site and surroundings, and constraints

1. The Lodge Hotel at 82 Unthank Road is situated in a prominent position between Trinity Street and Essex Street. It dates from the 19th century, is a substantial mid Victorian villa built in the Gothic Revival style and appears to have functioned as a rectory in the past. The building is located at the edge of the Unthank Road shopping centre and is easily accessible by public transport.
2. The building has had several phases of extension and alteration over the years. In 1965 it was divided into two properties – 82 Unthank Road, and 1A Essex Street. The extensive garden which stretched across to Trinity Street was portioned off and garages built before being used as a petrol filling station. This area is now occupied by Tesco Express on the corner of Trinity Street and Unthank Road. 82 Unthank Road currently operates as a budget hotel containing 22 rooms.
3. The Lodge is a locally listed building, designated both for its historical significance and for its contribution to the street scene as a corner landmark. It is located within Heigham Grove Conservation Area. This part of the conservation area is subject to an article 4 direction which seeks to protect the area's historic character by removing permitted development rights for a range of development including alterations to a building which front a highway and replacement of windows and doors.
4. This part of the conservation area is characterised by mid to late 19th century villas which are all residential in scale and character. Given its position towards the outer edge of the conservation area, the Lodge features prominently within both outward and inward views of the conservation area.
5. The site is also within the critical drainage catchment and adjacent to (but outside) the Unthank Road local centre.

Relevant planning history

6. There is no relevant recent planning history for this building.

The proposal

7. The proposal is to demolish 82 Unthank Road and replace it with a building containing 6 Houses of Multiple Occupation (HMOs), along with shared facilities (a laundry on the ground floor, and a gym). The accommodation is proposed to be arranged as follows: two 5-bed HMOs on the ground floor, two 6-bed HMOs on the first floor, two 6-bed HMOs on the second floor, and communal space on the third floor to serve the second floor HMOs.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	6 HMO flats, providing a total of 34 bedrooms.

No. of affordable dwellings	None
Total floorspace	2,480 sq m
No. of storeys	4
Max. dimensions	33 x 26 m (excluding access road)
Density	54 dwellings per ha
Appearance	
Materials	Proposed to be 'traditional materials'; building to be externally clad with cream coloured brickwork.
Construction	Steel or concrete frame
Energy and resource efficiency measures	Proposed to incorporate energy efficient lighting, showers etc, roof insulation, and mechanical ventilation to bathrooms and kitchens.
Transport matters	
Vehicular access	Access to be taken from Trinity Street
No of car parking spaces	None on site. The proposal is for parking (number of spaces unspecified) to be provided off-site at other properties owned by the applicant, at the rear of Bristol House, 9 Unthank Road, and 2 Earlham Road.
No of cycle parking spaces	16
Servicing arrangements	Servicing proposed to be via rear access from Trinity Street.

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 115 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.

Issues raised	Response
Loss of locally listed building and impact on the conservation area and on architectural heritage of area; would set a precedent.	See main issue 2.

Issues raised	Response
Poor quality and unsympathetic design, over-dominant and out-of-scale building, out of character in this location.	See main issue 3.
Loss of trees	See main issue 6.
Impact on residential amenity, loss of light, privacy and overlooking. Poor quality of amenity for future occupiers	See main issue 4.
Noise, smell and disturbance that would be generated by demolition, construction and future operation of premises	See paragraph 71
Lack of on-site parking; concern at enforceability of off-site parking	See main issue 5.
Impact on traffic and highways	See main issue 5.
Health risks	The concerns raised are non-specific on what health risks might be presented by the development. It is considered that the key material impacts of the development have been assessed within the report.
Concern at likely use of building and increase in anti-social behaviour, noise generation, and criminal offences	The proposals are for a C4 HMO use. Whilst there are uncertainties over the likely end tenant this is not considered relevant to the material planning considerations here. What must be determined is if a C4 use as proposed is appropriate in this location. Speculation on possible anti-social behaviour or criminal activity would not be a material ground on which to refuse consent.
Nature of proposed development – lack of clarity about who it is aimed at. Intensification of HMOs is undesirable in this area which already has many HMOs.	See main issue 1.
Poor track record of applicant – failure to maintain this and other properties in area. Not a fit person or company to operate here, and is playing games with the planning system. The council should enforce against the applicant.	This is not a planning issue and cannot be taken into account in the decision-taking process. Any planning permission would run with the land.

Issues raised	Response
This is a money making venture by an applicant who is indifferent to the impact on the neighbourhood.	This is not a planning issue and cannot be taken into account in the decision-taking process.
Representation of support: objections are a personal attack on the owner. The existing building is of poor design and not sufficient quality to justify retention. New development will enhance the area.	See main issues 1, 2 and 3.

9. In addition the results of a local survey carried out by Town Close Labour Party have been passed to the Planning Service. This includes comments from 13 named individuals all expressing concerns about the proposed development. The issues raised largely correspond to those listed above and include: concern at the track record of the applicant and the potential of this scheme to encourage anti-social behaviour; concern at the proposed demolition of a building of historic importance; potential for restoring the building rather than demolishing; and the need to preserve the character and appearance of the conservation area.

Consultation responses

10. 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

11. The existing building contributes significantly to the conservation area and street scene. The proposal to demolish it and replace with a new structure is unacceptable in conservation and design terms. The design of the proposed new building is also unsuitable for the surrounding conservation area.
12. In conclusion, the development will result in substantial harm to the non-designated heritage asset of 82 Unthank Road due to its complete demolition and also less than substantial harm to the wider conservation area, due to the loss of the historic asset on this very visible corner. It is strongly recommended that the application is refused. The principle of any sort of demolition on the site is unacceptable and the building should be retained. Improvements should be made to the setting of 82 Unthank Road and to the building itself to preserve the character of this important conservation area and streetscape.

Historic England

13. The existing building at 82 Unthank Road is an undesignated heritage asset which makes an important contribution to the significance of the conservation area. The proposed development would result in harm to the significance of the area in terms of paragraphs 132 and 134 of the NPPF through the demolition and erection of an inappropriate new building. The lack of consideration of the heritage asset's significance, and the proposal's impact upon it in documentation submitted with the

application, also fails to satisfy paragraph 128 of the NPPF. We are not convinced that the public benefit derived from the proposed development outweighs the harm to the heritage assets in terms of paragraph 134, especially as the existing building could be adapted and extended to achieve some of it. We therefore urge the council to refuse permission.

Highways (local)

14. Overall this is an unconventional proposal on a constrained site that appears to have been ill-conceived and poorly designed. With a better designed scheme with pre-application advice most of the highway objections could have been overcome.
15. There are a number of objections to the proposed development on highway grounds as follows:
 - a) Inadequate vehicle egress to Essex Street;
 - b) Road safety risk of vehicle egress to Essex Street;
 - c) Inadequate accessibility of the site for the mobility impaired;
 - d) Inadequate refuse storage; and
 - e) Inadequate cycle storage.

Landscape

16. The proposals fall short of meeting several requirements of policy DM3 relating to landscape in terms of c) local distinctiveness and character, d) layout and siting, h) materials and details, and i) green infrastructure, landscaping and biodiversity.
17. The information supplied is inadequate to sufficiently understand the design narrative or justification. Other information is anecdotal for example stating that the level and type of landscaping is 'extensive' and 'stunning'. The proposed green wall is out of character for the area and setting. There is no justification given for loss of the trees on the existing site frontage. Redevelopment or refurbishment of the existing building and site would be preferable and offer more benefit to the existing street scene, streetscape and site itself than the development proposals presented.
18. In summary the proposals lack consideration of the landscape setting and general streetscape and in landscape terms would result in harm to both.

Norfolk historic environment service

19. No response

Norfolk police (architectural liaison)

20. A number of suggestions are made in respect of the proposals based on the principles of 'designing out crime', including restricting external entry to the rear access to those with correct access code, and relocating the proposed cycle stands to ensure natural surveillance from within the building. The comments note that HMO style accommodation is subject to increased criminal activity and recommends a number of approaches to manage this, including provision of

external and internal doorsets to minimum standards, glazing to ground floor and accessible windows to minimum standards, and effective security lighting and internal lighting.

Natural areas officer

21. The recommendations outlined in section 7 of the ecology report should adequately address any potential bat issues involving this building.

Housing development

22. The Affordable Housing Joint Core Strategy policy 4 states that a development of 5-9 dwellings should include 20% affordable dwellings. Therefore this development is required to have 1 affordable dwelling.
23. If the developer proposes that it is not viable to offer an affordable dwelling then a viability study will be required to demonstrate this.
24. Considering the property type and the expected additional management costs required, it is likely that an affordable dwelling within this development will be unattractive to a Registered Provider (RP). In the event that a RP cannot be found to manage the affordable dwelling it would be acceptable to consider the alternative of a commuted sum – Para 74 affordable housing SPD 2015. The amount to be calculated based on the floor area of the proposed development and again can be negotiated due to viability.

Lead Local Flood Authority

25. The proposals would be classified as minor development in relation to the Lead Local Flood Authority guidance and therefore the local planning authority would be responsible for assessing the suitability of any surface water drainage proposal for minor development in line with the NPPF.

Norwich Society

26. The existing former rectory is a building of considerable character, located in a conservation area. It has a strong visual presence and is an integral and familiar part of the street scene. In addition it still seems to be in good condition. It is difficult to justify its demolition for the reasons shown in the application.
27. We consider the design of the proposals to be completely inappropriate. It is simply ugly and would be totally detrimental to the character of the area.

Assessment of planning considerations

Relevant development plan policies

28. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery

29. 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
- 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
- DM33 Planning obligations

Other material considerations

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

- NPPF0 Achieving sustainable development
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF12 Conserving and enhancing the historic environment

31. Supplementary Planning Documents (SPD)

- Affordable housing SPD adopted 2015

Case Assessment

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

Main issue 1: Principle of development.

33. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
34. The NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. It also sets out a number of core planning principles which underpin decision-taking and plan-making. These include seeking high quality design and a good standard of amenity for existing and

future occupants of land and buildings, taking account of the roles and characters of different areas, and conserving heritage assets in a manner appropriate to their significance.

35. The proposal is to demolish the existing locally listed building and replace with a new building containing 6 HMO flats. There are 2 different types of HMO:
 - a 'small HMO' of between 3 and 6 occupants (classified in planning terms as a 'C4 HMO'), and;
 - a 'large HMO' that generally has 7 or more unrelated occupants (termed a 'Sui Generis HMO').
36. The 6 flats are classed as a small HMOs and fall into class C4 of the Town and Country Planning Use Classes Order 2015. Policy DM12 deals with residential development including small HMO's and allows for residential development subject to a number of criteria. In this case the land is not designated for other purposes, is not within a hazardous installation zone, not in a late night activity zone and does not involve ground floor conversion in a retail area. DM12 has a number of further criteria a) to f). The proposals do not conflict with criteria a), e) or f). Criteria b) which relates to the character and amenity of the area is discussed further in the sections below.
37. Criteria c) and d) of DM12 require a diverse mix of uses and mix of dwellings respectively. Given the limited scale of the site a mix of uses and or dwellings is not considered necessary on sites of this size. Equally there is no policy objection to the loss of hotel accommodation.
38. This area currently has a significant proportion of shared houses and flats (classed as HMOs) and a number of objectors are concerned about further intensification of this use. Whilst the local plan does not have a specific policy restricting small HMOs, the local plan contains policies which are relevant to this issue, including those concerned with impact of development on amenity of existing and future residents, impacts on the character and amenity of the surrounding area including heritage assets, and ensuring a satisfactory standard of servicing, parking and amenity space for residents (addressed in relevant sections later in this report).
39. For the reasons outlined above the proposed development of this site for C4 housing is not contrary to the local plan in principle, however, there are a number of aspects of the proposal which are considered to make the overall proposal unacceptable in planning terms. These include design, heritage, amenity, highways and landscape considerations and are addressed in relevant sections of the report below.

Main issue 2: Heritage

40. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-138.
41. The building at 82 Unthank Road is locally listed, situated in a prominent location on the frontage of Unthank Road, and is located within Heigham Grove Conservation Area. The application contains no information on the significance of the heritage assets and historic environment affected by the proposal, which is required by NPPF paragraph 128, and does not provide any justification for the asset's demolition.

42. The key heritage consultees and many objectors have stressed that the building and its setting should be restored rather than demolished / redeveloped, which would better achieve the NPPF's overarching aim of delivering sustainable development that does not harm the historic environment. The applicant has not demonstrated why the building cannot be retained and put to a viable economic use.
43. The NPPF identifies the protection and enhancement of the historic environment as an important element of sustainable development in the planning system. Historic England considers the building to be an undesignated heritage asset (in terms of the NPPF) which makes a positive contribution to the historic significance of the conservation area. The loss of the non-designated heritage asset must be considered under paragraph 135 of the NPPF with a balanced judgement being made having regard to the scale of harm and the significance of the heritage asset. The scale of harm in this case is clearly total loss.
44. The non-designated heritage asset, despite a degree of neglect in recent past, is considered to make a positive contribution to the significance of the conservation area, this is confirmed in the Heigham Grove Conservation Area Appraisal March 2011. Paragraph 130 of the NPPF outlines that any determination in the state of the asset though neglect should not be taken into account. Paragraph 138 details that loss of such a building in a Conservation Area should be treated as either substantial harm under paragraph 133 or less than substantial harm under paragraph 134.
45. The building dates from the last quarter of the 19th Century and has good gothic detailing. It is believed to have been a rectory for St John Maddermarket church in the city centre. There has been some conjecture that it is a rectory to the nearby Holy Trinity church however this has its own rectory adjacent to it. It does however share close detailing with Holy Trinity and its adjacent church hall. As a group, all of these assets considerably contribute to the character of the conservation area.
46. The wider conservation area is characterised by 19th century residential development ranging from streets of small Victorian terrace houses to more substantial villas set within leafy surroundings. The building contributes strongly to that character and particularly a group of villas fronting Unthank Road. The particular property is extremely prominent in outward and inward views and particularly from Park Lane. Its loss through demolition would cause less than substantial harm to the appearance and character of the conservation area.
47. The proposed development is contrary to local plan policy DM9 which states that development resulting in harm to or loss of a locally identified heritage asset will only be acceptable in certain circumstances, including where there are overriding public benefits associated with the development and it is not viable to retain the asset within the development, neither of which is demonstrated to be the case in the very limited information submitted with the application. In addition the proposals will detract from the significance of the conservation area rather than enhancing it or better revealing its significance.

Main issue 3: Design

48. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-138.

49. The design of the proposed new building is of poor quality: the design lacks basic detailing, relates poorly to the domestic scale and architectural detailing of the surrounding area, and accordingly fails to improve the character and quality of the area. Its impact is all the worse for the fact that the site is in a very prominent position on the frontage of Unthank Road. Rather than replacing poor design with better design (NPPF paragraph 9) the proposal would replace a local landmark building which makes a positive contribution to Heigham Grove Conservation Area with a building which takes little reference from other buildings in the locality and does nothing to promote or reinforce local distinctiveness (NPPF paragraphs 60 and 64, JCS2).
50. The proposals are contrary to a number of aspects of local plan policy DM3. The proposed building has a much larger footprint than the existing one, extending right up to its boundaries on Essex Street and with the properties to the rear. Its overall scale is out of proportion to the adjacent residential buildings, and insufficient information has been provided regarding materials and details to be used. The demolition of 82 Unthank Road would also affect an existing glimpsed view of the local landmark of Holy Trinity Church (identified in CCAA). There is no evidence that the design has been proposed with regard to the constraints of the site or characteristics of the area. The building does not respond to the local distinctiveness and character of the Conservation Area and would degrade the existing historic environment.
51. The proposal is therefore considered to be contrary to policies DM3 and DM9 of the local plan as well as JCS policy 2.

Main issue 4: Amenity

52. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
53. The proposals involve constructing a new building which extends right up to the rear boundary, with a blank façade of 3 storeys (plus a set-back 4th storey). The bulk, height and proximity of this building would have unacceptable impacts on existing residents, particularly to residents of 1 Essex Street. 117-127 Trinity Street currently comprises a flatted block to the Trinity Street frontage with garaging and access behind. With given the lack of accommodation or external amenity space to the rear of 117-127 it is unlikely there would be a negative impact on the existing property. 117-127 does, however, have consent for redevelopment (ref. 15/00305/F granted in May 2015) for 13 flats. This scheme involves three storey accommodation to the rear extremely close to the boundary with the current application site. The current proposals would lead to a blank three storey wall hard up against (far less than 1m) living and bedroom windows of approved flats in the 117-127 Trinity Street scheme, having obvious effects on any future residents in terms of an overbearing impact, no outlook and loss of light.
54. In terms of the amenity of future residents of the application site, some of the ground floor bedrooms have inadequate natural light as they have no external windows or even windows onto the central atrium, providing a poor level of amenity to potential occupiers of these flats. Other ground floor rooms with an external window would also have a poor standard of amenity given the outlook either directly to the boundary with Tesco's or the highway.

55. There is virtually no external amenity space for the proposed development given the proposed layout which extends to boundaries on the north, south and east sides, with only a minimal amount of outside space on the Unthank Road frontage. It is assumed that the third floor balconies are being proposed as external amenity space however the plans show that they are only for residents of floor two which means there is inadequate provision of external amenity space overall contrary to DM2.
56. It should be noted however that the size of the communal facilities on the third floor suggest that they could be used by all residents. Again there is inadequate information provided to clarify this matter. The communal areas only have windows out to Unthank Road and to the central light well within the building therefore it is not considered that this space would likely result in significant noise impacts to neighbouring properties.

Main issue 5: Parking and Highways

57. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
58. **Parking:** The applicant is offering provision of off-site parking at other properties in his ownership in the area. Although this arrangement may be workable, it cannot be secured in perpetuity; there is nothing to prevent the businesses being sold off or the sites developed for other uses, so this solution is not acceptable in planning terms.
59. However, given its accessible location for all modes of transport, the site would be suitable in principle for car free housing in accordance with local plan policy DM32. Residents in this area are not entitled to on street parking permits and the waiting restrictions in the adjacent Controlled Parking Zone are adequate to deter parking without the use of permits.
60. **Highway safety:** The development proposes a one-way service vehicle arrangement to the rear of the building via an undercroft, with vehicles entering from an existing vehicle access from Trinity Street to a newly created vehicle access onto Essex Street. It is proposed that refuse and delivery vehicles would use this means of access to the site despite its 2.1m height restriction. As such clearly this solution is not workable and even if there were increased height such a vehicle would have inadequate space to turn out onto Essex Street given the limited waiting bay opposite.
61. The proposed vehicle egress is indicated to open directly out onto Essex Street. Essex Street is now a one way street with cycle contraflow allowed. There is practically no indivisibility between a vehicle leaving the site and contraflow cyclists. A vehicle would be well into the footpath and road before the drive could see any oncoming traffic. These arrangements are unacceptable on highway safety grounds and contrary to local plan policy DM30.
62. **Refuse storage:** The proposed location of the refuse store is convenient for refuse collection, but badly located for all residents. It is not clear how waste would be managed on site, whether residents would need to access the bin store or if a concierge would assist. The size of the refuse store appears inadequate given the number of residents likely to be on site however it may be possible to increase

provision elsewhere within the internal footprint. It is considered that this matter could be managed by condition were the application approved.

63. **Cycle storage:** The proposed amount of cycle storage is inadequate given the number of residents on site, and lack of on-site car parking. Policy DM31 requires one covered and secure space per resident equating to 34 spaces, 16 external spaces are proposed. The proposed location for the cycle stands offers no opportunity for natural surveillance: the cycle storage should offer secure and covered cycle parking in a quantum commensurate with the number of residents on site. The proposed laundry building would potentially provide for adequate secure cycle storage. It is unclear why this laundry building is proposed and laundry facilities can't be provided within the communal area of each flat. Given that it has been proposed as a laundry it is not considered that a condition requiring it to be a cycle store would be reasonable and therefore this is recommended as a further reason for refusal.

Main issue 6: Landscaping and trees

64. Key policies and NPPF paragraphs – JCS1, DM3, DM6, DM7, NPPF paragraphs 9, 17, 118.
65. The proposals lack consideration of the landscape setting and general streetscape, and would result in harm to both in landscape terms. The proposals fall short of the requirements set out in policy DM3 in relation to a range of landscaping issues, and would not deliver high quality design as promoted by the NPPF (section 7).
66. Although the retention of the low level flint wall is appropriate to maintain the site boundary character which is in keeping with other parts of Unthank Road, the streetscape proposals do not make best use of the site and it is considered unlikely that the proposed tree planting could be supported within the small area indicated on the plans. The proposals will result in loss of existing trees on the site frontage however no justification is provided in the supporting material for this.
67. The proposed green / living wall is out of character for the Unthank Road frontage and setting generally. The proposals include development right up to the rear boundary and up to the Essex street frontage, resulting in the loss of external areas to the rear and side of the existing building and therefore limiting any landscape benefits.

Main issue 7: Affordable housing

68. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraph 50.
69. The size of the development would trigger the provision of one unit of affordable housing in accordance with JCS policy 4. The proposals do not include this provision and the applicant has not justified non-provision of affordable housing in the supporting documentation. Therefore in the absence of a S106 agreement securing the provision of affordable housing the proposals should be refused for lack of provision.

Compliance with other relevant development plan policies

70. 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	See main issue 5
Car parking provision	DM31	See main issue 5
Refuse Storage/servicing	DM31	See main issue 5
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes subject to condition

Other matters

71. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:

- a) Ecology – subject to compliance with the submitted ecology statement it is not considered that the demolition would lead to any significant harm to protected species;
- b) Construction – concern has been raised by residents over disturbance during construction. As with any proposal this is an inevitable part of development, informative notes are often applied to consents to promote considerate construction but disturbance during construction is not in itself considered to be a justified reason to refuse consent.

Equalities and diversity issues

72. The plans submitted lack clarity on levels over the site. However the main pedestrian access from Unthank Road would need to be stepped and there does not appear to be a level alternative. There appears to be potential for level access to the rear and it may be possible to condition a level access to the front were approval to be granted.

Local finance considerations

73. 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.

74. 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.
75. In this case local finance considerations are not considered to be material to the case.

Conclusion

76. The proposed demolition of 82 Unthank Road and its replacement with a new building is fundamentally unacceptable and contrary to a range of planning policy set out in the NPPF, JCS and Norwich Development Management Policies plan. The loss of the locally listed historic building in a prominent location in Heigham Grove conservation area will impact on the character and appearance of the conservation area, and its replacement by an inappropriate new building of poor quality design is out of character with the local area, and will impact on amenity of both existing residents and future occupiers, and on highway safety. Whilst it could be argued that the development has the benefit of delivering new housing, it has been established that such accommodation would be substandard and in this case the harm would significantly outweigh any such benefits. In deed it has not been demonstrated why similar or greater benefit could not be derived from conversion of the existing building. As such for the reasons outlined below the recommendation is to refuse.

Recommendation

To refuse application no. 15/01390/F - 82 Unthank Road Norwich NR2 2RW - for the following reasons:

1. The proposals involve the complete loss of an undesignated heritage asset in the Heigham Grove Conservation Area. No justification has been provided for the loss of the asset. The loss is considered to represent less than substantial harm to the Conservation Area and any benefits of the proposal are not considered to outweigh this harm. The proposals are therefore considered to be contrary to paragraphs 128, 135 and 134 of the NPPF, and contrary to policy DM9 of the adopted Norwich Development Management Policies Local Plan 2014;
2. The proposed new building by virtue of its layout, massing, external appearance and landscaping fail to promote or reinforce local distinctiveness or the character of the historic environment. The new building would lead to less than substantial harm to the character of the conservation area and would be contrary to policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014, policies DM3 and DM9 of the adopted Norwich Development Management Policies Local Plan 2014 and paragraphs 9, 17, 64 and 134 of the NPPF;
3. Given the scale of the proposed building and it's location hard up against the eastern boundary of the site the proposal will result in an overbearing form of development which would result in loss of light and outlook for number 1 Essex Street and the approved new properties at 117-127 Trinity Street. As such the proposals would result in a significant detrimental impact to neighbour amenity

contact to policy DM2 of the adopted Norwich Development Management Policies Local Plan 2014 and paragraphs 9 and 17 of the NPPF;

4. Given the lack of windows to some bedrooms and poor outlook and limited light that would be received by others combined with a lack of any usable external amenity space the proposals are not considered to deliver a high standard of amenity for future occupiers. The proposals are therefore considered to be contrary to policy DM2 of the adopted Norwich Development Management Policies Local Plan 2014 and paragraphs 9 and 17 of the NPPF;
5. The egress from the site is proposed onto Essex Street via a covered drop off area. The egress from the building is direct onto the highway and a vehicle would need to manoeuvre considerably into the highway before the driver could see any oncoming pedestrians, cyclists or vehicles. It is considered that the potential highways safety implications of this arrangement are severe and as such the proposals are contrary to policy DM30 of the adopted Norwich Development Management Policies Local Plan 2014;
6. The proposals fail to provide adequate provision for cycle parking and it is not considered that within the confines of the proposals that such provision could be conditioned as such the proposals are considered to be contrary to policy DM31 the adopted Norwich Development Management Policies Local Plan 2014;
7. In the absence of a legal agreement to secure the provision of affordable housing or any justification to demonstrate that such provision is not viable or feasible the proposal are contrary to policy 4 of the adopted the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014 and policy DM33 the adopted Norwich Development Management Policies Local Plan 2014.

Article 35(2) statement

- The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations. The proposal in question is not considered to be acceptable for the reasons outlined above. Given the extent of departure from policy and lack of justification for the proposals it was not considered expedient or appropriate in this case to discuss amendments to the proposals. The applicant is advised that the Council has a pre-application advice service should they wish to consider alternative proposals on the site.

SOLAR PANELS / ENERGY RETENTION SYSTEM

LEAD FINISH UPPER LEVEL

GLAZED ADJOINING GYM/ EXERCISE

GREY POWDER COATED WINDOWS AND DOORS

GREY PRESSED METAL FASCIAS AND SOFFITS

LIVING WALL PLANT INFILL

FLINT INFILL

GLAZED ENTRANCE/ RECEPTION/ COFFEE AREA

FRONT ELEVATION - (UNTHANK ROAD)

ESSEX ST.

LIGHT GREEN BOX PROFILE ROOFING

ASSUMED RETAINING WALL TO REAR

REAR ELEVATION

THIS DRAWING TO BE READ IN CONJUNCTION WITH
RELEVANT DRAWINGS AS FOLLOWS :
LODGE - 01 - PROPOSED GROUND FLOOR PLAN
LODGE - 02 - PROPOSED FIRST AND SECOND FLOOR PLAN
LODGE - 03 - PROPOSED THIRD FLOOR PLAN
LODGE - 04 - PROPOSED ELEVATIONS - 1
LODGE - 05 - PROPOSED ELEVATIONS - 2
LODGE - SITE PLAN

ARCHITECTH

DESIGN AND PLANNING

01362 652994

PROPOSED DEVELOPMENT OF THE LODGE

82 UNTHANK ROAD

NORWICH

NR2 2NW

MR T. BURLINGHAM

82 UNTHANK ROAD

NORWICH

NR2 2NW

PROPOSED ELEVATIONS - 1

SCALE

1:100 AT A2

DATE

SEPTEMBER 2015

DRAWING

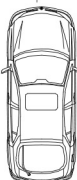
LODGE - 04

REV

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GROUND FLOOR DELIVERY / DROP OFF / SERVICES



EXISTING RAMP ACCESS

23.01
ASSUME SITE FFL

GROUND FLOOR

2 NO. 5 BEDROOMS AND KITCHEN / COMMUNAL HMDS

PROPOSED REDEVELOPMENT OF THE LODGE
82 LINTJANK ROAD
NORWICH
NR2 2RW

MR T. BURLINGHAM
82 LINTJANK ROAD
NORWICH
NR2 2RW

PROPOSED GROUND FLOOR PLAN		FOR PLANNING APPROVAL	
SCALE	DATE	DRAWING NO	REV
1:100 AT A2	SEPTEMBER 2015	LODGE - 01	C

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PREFACE AND NOTES TO THE DRAWING
LODGE - 01 - PROPOSED GROUND FLOOR PLAN
LODGE - 02 - PROPOSED FIRST AND SECOND FLOOR PLANS
LODGE - 03 - PROPOSED THIRD FLOOR PLAN
LODGE - 04 - PROPOSED ELEVATIONS - 1
LODGE - 05 - PROPOSED ELEVATIONS - 2
LODGE - SITE PLAN

REV C - LAYOUT AND NOTES REVISED - OCT 2015
REV B - LAYOUT AND NOTES REVISED - OCT 2015
REV A - LAYOUT AND NOTES REVISED - SEPT 2015