

Report to Planning applications committee
09 July 2015

Report of Head of planning services

Subject Application no 15/00736/NF3 – Heathgate open space,
Norwich

**Reason
for referral** City council application and site

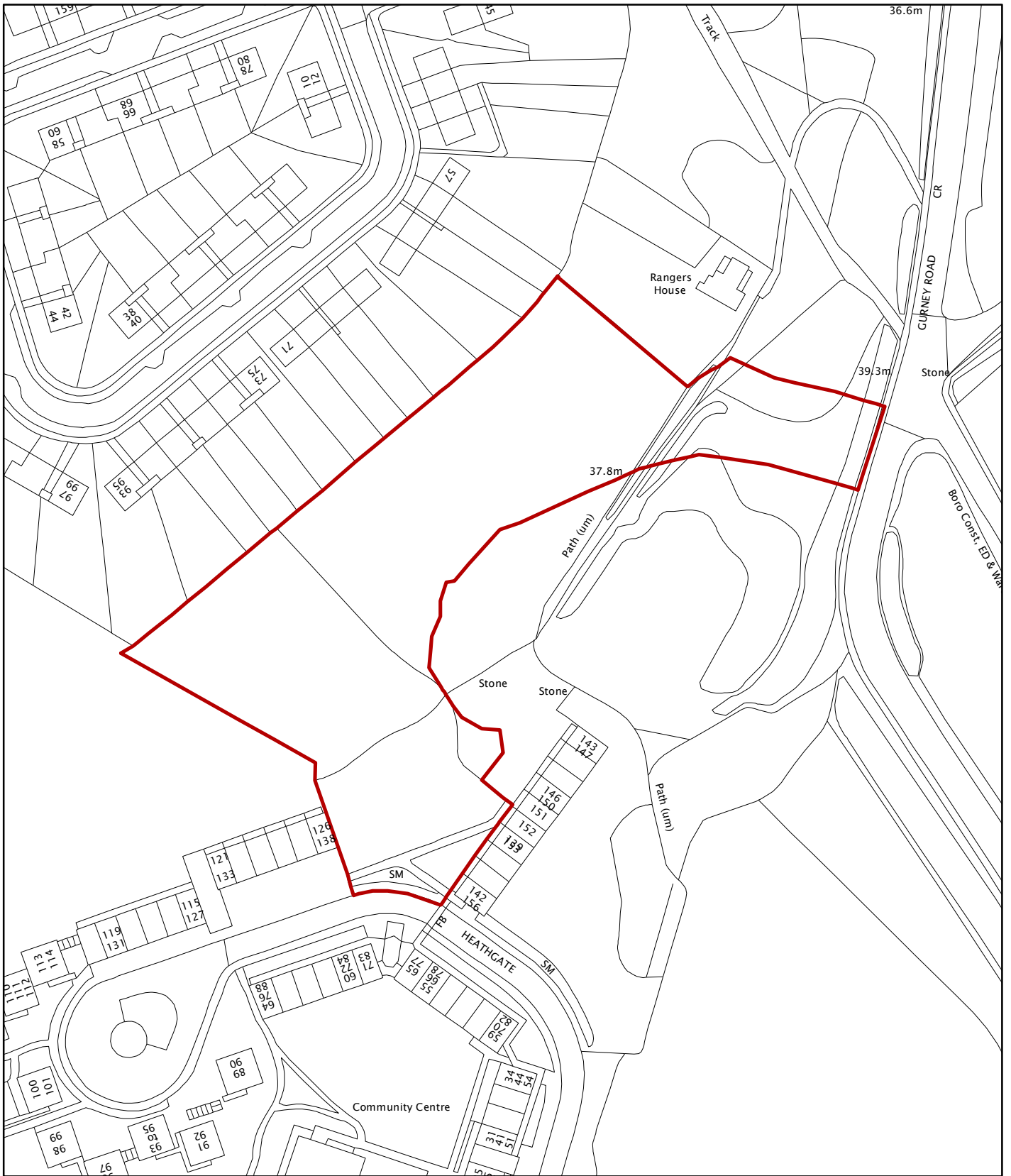
Applicant Norwich City Council

4(B)

Ward:	Thorpe Hamlet
Case officer	Mr Steve Fraser-Lim - stevefraser-lim@norwich.gov.uk

Development proposal		
Cycle pathway from Gurney Road to Heathgate including associated landscaping and lighting.		
Representations		
Object	Comment	Support
0	0	0

Main issues	Key considerations
1	Principle of development, and impact upon designated open space.
2	Layout, scale, external appearance and landscape
3	Impact upon trees and biodiversity
Expiry date	7 July 2015
Recommendation	Approve subject to conditions



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Planning Application No 15/00736/NF3

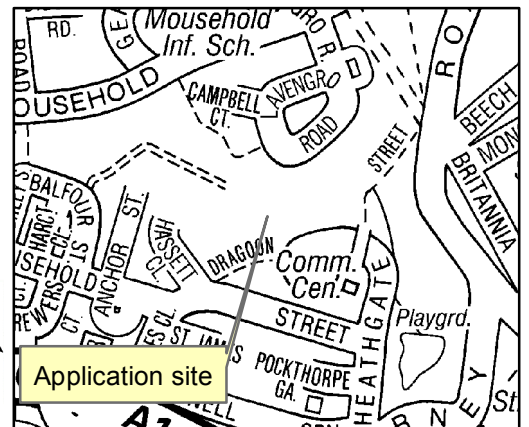
Site Address Heathgate Open space

Scale 1:1,250



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The application site comprises of a 0.8 hectare strip of land linking from Gurney Road to Heathgate. The site includes grassed amenity space at the rear of Heathgate flats to the south, as well as scrub and heathland on north east side of the site adjacent to Gurney Road, forming part of Mousehold Heath. The site includes groups of mature trees within both grassed and scrub areas, as well as some existing concrete footpaths, and bin storage area adjacent to Heathgate flats.
2. The surrounding area is characterised by residential development of varying styles, interspersed with significant areas of landscaping and open space. Residential development adjoins to the south, and the north west, with open space to the west and Mousehold Heath to the east.

Constraints

3. Parts of the site are identified as forming publicly accessible open space and woodland within the Development Management Policies Plan 2014, where policy DM6 is of particular relevance.
4. The St James Pit Site of Special Scientific Interest (SSSI), designated due to its geological interest is located immediately to the west of the site, and Mousehold Heath on the opposite side of Gurney Road to the east is designated as a Local Nature Reserve and County Wildlife Site.

Relevant planning history

5.

Ref	Proposal	Decision	Date
14/01070/NF3	Erection of a cycle route from Hassett Close to Gurney Road with associated landscaping including a viewing 'mound' and tree planting.	Approve	01/10/2014

The proposal

6. The proposals are for construction of a cycle route, comprising a 3m wide asphalt hard surface from Gurney Road to Heathgate. In order to overcome the significant level changes over the route, a switch back ramp is proposed on the southern part of the site rising from Heathgate, to the higher ground at the rear of the Heathgate flats. 1.4m high metal railings are proposed adjacent to the ramps. The cycle route would cut across grassed amenity areas at the rear of the Heathgate flats before passing in a cutting through scrub heathland to join with Gurney Road.
7. Motion sensitive lighting is proposed along the route. Up to two trees would be lost during construction of the cutting adjacent to Gurney Road. 2 trees are proposed to

be removed to facilitate the proposals although 40 replacement trees are proposed to be planted to mitigate this loss.

8. The proposals are part of a wider programme to develop a high quality cycle network linking the Norfolk and Norwich University Hospital, UEA, city centre, Heartsease and Broadland. The programme, referred to as ‘push the pedalways’ will see a series of programmes for improvements to the pink pedalway and connections leading to it.
9. The proposals would serve a similar function to the previously approved scheme (see history section, in providing a key linkage between Heartsease, Barack Street and the City Centre. Unfortunately following further feasibility studies it was found that the previously approved scheme would be too costly and complex to construct. Therefore this current proposal has been submitted as a more feasible alternative. The proposed cycle route will still link with Barack Street and the city centre, but in a less direct manner using Heathgate and Cannell Green, rather than a dedicated path across a larger area of open space.

Summary information

Proposal	Key facts
Appearance	
Materials	3m wide asphalt cycleway, concrete retaining slabs adjacent to switch back, timber clad retaining fence within cutting adjacent to Gurney Road. 1.4m high metal ‘kee clamp’ railings, lighting columns and timber bollards in places.
Energy and resource efficiency measures	Motion sensitive lighting, designed to switch off when the path in not in use.

Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Consultation responses

11. 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.

Highways England

12. No objection. The path is remote from the highway network and therefore of no interest to the Highways England.

Tree Officer

13. No objection. The proposed access through Heathgate open space will require minimal loss of trees with only 2 Sliver Birch being removed to facilitate the works and it is proposed that approximately 40 trees are to be planted to mitigate this loss. However the proposal will require considerable changes in levels throughout its route, with some minor severance within the root protection areas of trees to be retained (>6.5%). This is acceptable.
14. It is proposed that a no-dig construction is to be used within the root protection area of oak tree T847, again which is acceptable. This particular element of the works should be monitored closely by the project arboriculturalist. Given the nature of the works and its close proximity to adjacent trees it is necessary to ensure a proactive schedule of arboricultural monitoring throughout any permitted works to ensure the well being of those trees to be retained immediately adjacent to the proposed access.
15. Conditions should be placed on any permission requiring compliance with the submitted Arboricultural Report, and submission of a detailed schedule of the Arboricultural monitoring/supervision for our approval, prior to commencement of development. This should include a pre -commencement meeting with the Project Arboriculturalist, Project and Site Manager and Ground works team.

Landscape

16. The proposals are generally acceptable. However the height of the railings seems unduly high, and the Kee-Klump railings are utilitarian in appearance. Timber posts with tubular railings at a lower height would be more suitable. The proposed retaining structure comprising concrete slabs could be hard in appearance. Details of its appearance should be provided. In addition the suggested relocation of the football pitch is shown on a considerable slope. Consideration should be given for alternative locations with less of a level difference.

Assessment of planning considerations

Relevant development plan policies

17. **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
 - JCS9 Strategy for growth in the Norwich policy area
18. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM1 Achieving and delivering sustainable development
 - DM3 Delivering high quality design
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM8 Planning effectively for open space and recreation
 - DM28 Encouraging sustainable travel

Other material considerations

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

- NPPF0 Achieving sustainable development
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment

Case Assessment

20. 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, and impact of the proposals upon designated open space

21. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
22. The push the pedalways programme is aimed at developing a high quality cycle network between the city centre other major employment sites and institutions in the city. The programme aims to encourage more people to travel by bicycle in a safe environment. The proposals are identified within the Norwich Area Transport Strategy (NATS), part of which seeks to provide new links to help to improve pedestrian and cycle environment.
23. The proposed cycle route will support the development of a network safe and convenient cycle routes throughout the city. This will encourage travel by sustainable modes of transport into and out of the city centre, promote healthier patterns of living and reduce carbon dioxide emissions. As such the proposals are strongly encouraged by JCS policies 1, 6, 7 and 11, and Local Plan policy DM28. The proposed route would provide a less direct cycle route for cyclists in comparison to the previously approved scheme. However it would still result in a significant improvement in cycle provision in comparison to the existing situation. As such the principle of the proposed cycle route is supported.
24. Policy DM8 sets out a similar presumption against development upon open space unless this is for sport / recreation, would improve recreational facilities and would not result in significant biodiversity impacts.
25. The proposed cycle route would be sited within this designated open space comprising a 3m wide cycleway and lighting which would occupy an area of available open space, and would cut across an unconventionally sized football pitch

with goals. As such proposals could have the potential to impact upon the overall recreational value of this space.

26. However the designated area of open space comprises predominantly mown grass of limited biodiversity value (with the exception of some trees which are considered in a separate section below). A replacement football pitch with existing goals is proposed to be re-provided to the west of the proposed cycleway. The cycleway would also facilitate access through and to the open space and Mousehold Heath to the east, which would be of benefit to the local community, as well as the wider public interest. As such the proposals are considered to accord with Policy DM8.

Main issue 2: Layout, scale, external appearance and landscape

27. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
28. The proposed cycle way would be simply designed with asphalt surface and associated lighting, and simple metal railings surrounding the switchback ramp, with concrete retaining slabs. Timber cladding to retaining walls within the proposed cutting to soften this area of the route.
29. Concerns raised by statutory consultees with regard to the utilitarian design of the proposed Kee Klamp railings concrete clad retaining wall adjacent to the Heathgate flats are noted. However they are similar to other paths and railings in the surrounding area and as such would not detract significantly from the appearance of the site or its surroundings. In addition it is accepted that the height of railings would make them more prominent, but that this height is required to ensure adequate safety for cyclists. The use of timber cladding to the retaining walls of the cutting is welcomed as it will be likely to be colonised by heathland plant species and will help to soften the appearance of the proposals in this more sensitive location adjacent to the heathland. As such the proposed cycle path design would not detract unduly from the appearance of the surrounding area, in accordance with the above policies.

Main issue 3: Impact upon trees and biodiversity

30. Key policies and NPPF paragraphs – DM6, DM7. NPPF paragraphs 9 and 17.
31. The north eastern area of the site comprises heathland which adjoins a designated Local Nature Reserve and County Wildlife Site (Mousehold Heath). Policy DM6 requires development to take reasonable opportunities to avoid harm to and protect and enhance the natural environment of Norwich.
32. The proposals would result in the loss of areas of overgrown scrub and two Silver Birch trees close to the Heathgate flats, as well as excavation of a cutting for the cycle path. However this area of the site forms part of Mousehold Heath, an area traditionally comprising acidic grassland and heath, which provide favourable habitat for reptiles and invertebrates. More recently the area has been colonised by invasive tree species such as Sycamore and Silver Birch, which introduced a secondary woodland habitat. The removal of existing scrub vegetation and some invasive trees will help to restore heathland habitat in this location, which is considered to be of greater biodiversity value and more appropriate in this location than the existing secondary woodland. Replacement tree planting is proposed

within the open space in a location which is more appropriate for tree planting than land adjacent to Mousehold Heath.

33. In addition further mitigation measures in the form of motion sensitive lighting to reduce lighting levels when not required are proposed, and minimise impact on bat foraging routes. Conditions are recommended requiring arboricultural supervision during works in proximity of root protection areas, to ensure that trees identified for retention, are retained. Subject to these conditions the proposals are not considered to detract unduly upon trees, biodiversity, protected species and the ecological value of the surrounding area in accordance with policies DM6 and DM7.
34. In addition as the proposals would bypass the nearby Site of Special Scientific Interest and they are not considered to detract from the geological interest of this site.

Compliance with other relevant development plan policies

35. 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
Energy efficiency	JCS 1 & 3 DM3	The proposed motion sensitive lighting will help to conserve energy, and demonstrate a response to climate change.
Amenity	DM2	The proposals would bring an increased number of cyclists and pedestrians in closer proximity to residential properties at Heathgate. However there are already a number of footpaths in this location and as such the proposals would not result in a significant loss of amenity to these adjacent occupiers in terms of noise, disturbance or light pollution.

Equalities and diversity issues

36. There are no significant equality or diversity issues.

Local finance considerations

37. 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.
38. 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.

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

Conclusion

40. The proposals would improve pedestrian and cycling facilities, support sustainable modes of transport and healthier patterns of living as supported by JCS and Local Plan policies. They would not harm the quality of existing open space on the site. Whilst the proposals would result in the loss of two trees their removal would have some biodiversity benefits in terms of restoring heathland habitat. Loss of trees on site is mitigated by replacement tree planting and landscaping.

41. The proposals would also not result in harm to residential amenity or the appearance of the surrounding area. As such the proposals would be in accordance with the aforementioned policies.

Recommendation

Grant planning Permission subject to the following conditions:

1. Standard time limit;
2. Development in accordance with approved plans;
3. Landscaping (to include details of paving materials, replacement tree planting);
4. Development in accordance with the Arboricultural report;
5. Submission of a detailed schedule of the Arboricultural monitoring/supervision;
6. No removal of trees and vegetation to be carried out outside of the main bird nesting season (March-September)

Article 35(2) statement

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