



# NORWICH City Council

**Committee name:** Planning applications

**Committee date:** 15/01/2026

**Report title:**

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

**OPEN PUBLIC ITEM**

**Purpose:**

To determine:

<b>Application no:</b>	23/00791/F
<b>Site Address:</b>	Curtis House, Curtis Road, Norwich, NR6 6RB
<b>Decision due by:</b>	31/01/2026
<b>Proposal:</b>	Re-development of the site with 7No. dwellings (revised proposal).
<b>Key considerations:</b>	Principle of development; amenity; design; transport.
<b>Ward:</b>	Catton Grove
<b>Case Officer:</b>	Samuel Walker
<b>Applicant/agent:</b>	Drayton NR8 Limited / Canon Clarke Architects
<b>Reason at Committee:</b>	Objections

**Recommendation:**

It is recommended to approve the application for the reasons given in the report, subject to the planning conditions set out at the end of this report AND to receipt proof of purchase of nutrient credits, and grant planning permission.

## The site and surroundings

1. The site occupies land at the corner of Curtis Road, a road of mixed character off the outer ring road.
2. The road extends south off Mile Cross Lane with a defined employment area on the eastern side and at the southern end within which uses include a furniture retailer, a hardware shop, a used car dealers an engineering company and a brewery.
3. A branch of Curtis Road extends to the west and is lined by detached and semi-detached mid-twentieth century two storey dwellings and bungalows on each side. This road also gives vehicular access to the rear of a parade of shops on Aylsham Road.
4. The character of the residential development along Curtis Road is distinctly suburban. The mix of semi-detached and detached dwellings set back from the road by front gardens and with generous rear gardens results in a density consistent with the suburban character. To the southwest, the site borders a denser area of semi-detached two storey dwellings at the end of Baxter Court, accessed off Aylsham Road.
5. The application site was most recently occupied by a single storey building covering almost the entire footprint. This was last in retail use. This was served by a hard surfaced informal parking area to the north with two vehicular access points and a further gated access at the southwest corner. A mix of flat and pitched roofs covered the single storey building that had evolved and been extended over a number of years. The walls had a mix of cladding, blockwork and facing brick. The demolition of this site was approved under application reference: 23/00393/DEM. This demolition has now been carried out and the site is cleared ready for redevelopment.
6. The main bulk of the site sits on the corner junction of the cross roads of Curtis Road, there is a narrow strip at the south which protrudes west from the main bulk which lies behind the rear curtilage of properties 1 to 11 Curtis Road and to the side of dwellings at the northern end of Baxter Court (Nos 113 and 114).

## Constraints

7. The site is within a critical drainage catchment area,
8. A defined employment area exists to the east and south.
9. The site is within the Yare Nutrient Neutrality catchment area.

## Relevant Planning History

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

Case no	Proposal	Decision	Date
95/00644/F	Extension to rear to provide additional storage and warehouse facility	Approved	01/08/1995

97/00744/F	Extension to provide additional storage facility	Approved	03/02/1997
01/00665/F	Retrospective application for cladding to north elevation of premises	Approved	19/07/2001
21/00040/O	Outline application including matters of access and layout for demolition of existing buildings and re-development of the site with 9 houses (mix of 2 & 3 bed).	Refused	15/02/2021
21/00893/O	Outline application including matters of access and layout for demolition of existing buildings and re-development of the site with 7 houses (mix of 2 & 3 bed).	Approved	15/03/2022
23/00393/DEM	Demolition of vacant commercial unit.	Prior approval approved	07/06/2023

## The Proposal

11. The proposal is for re-development of the site with 7No. residential dwellings. Following receipt of Outline Planning consent in 2022 and demolition consent in 2023 the existing buildings on the site have already been demolished and the site cleared ready for construction.
12. Two pairs of semi-detached dwellings would front the residential part of Curtis Road to the north. All four of these dwellings would have direct vehicular access off the road. Three of these dwellings (Plots 1-3) will have two parking spaces each accessed from Curtis Road to the north of the site, Plot 4 - the dwelling nearest to the junction will have one parking space accessed from the north, and access to a private garage at the rear of their property from a shared driveway from Curtis Road to the east.
13. The boundary to the east of Plot 4 (the property at the northeast corner of the site) is to be a brick wall 1.8m tall, reducing down to 0.6m adjacent to the driveway access to the southeast of the site.
14. A further pair of semi-detached dwellings (Plots 5 and 6) would sit to the south of the site, facing east, with a shared vehicular access off the southern road spur.
15. Plot 7 is proposed to be a detached *one and a half* storey house having the first floor under a steeply pitched, gabled roof. This plot is located in the finger of land to the west.
16. A shared drive serving the garage for Plot 4 and two parking spaces each to Plots 5,6 and 7 would be accessed off Curtis Road to the east. Each three bedroom dwelling would have two parking spaces, private rear gardens, cycle storage and bin storage areas.

17. The two pairs of semis facing north would have grey brick bay windows and porch canopies, with red brick to the ground floor and render above. The roofs would be hipped. The pair to the south would have a similar design, but with no render.
18. Bricks walls of various heights are proposed along part of the southern boundary and either side of the vehicular access on the eastern boundary. Areas of soft landscaping are proposed between parking spaces along the northern boundary, corner at the road junction, around the shared parking and turning area and along the eastern and southern boundaries.
19. The boundary to the south would be 2.2m height brick wall, this along with the garage structure relating to Plot 4 are proposed to mitigate noise between the new residential and the neighbouring commercial premises as discussed in the assessment below.
20. The application initially proposed eight dwellings, but was revised to seven in response to officer feedback.

### Summary of Proposal – Key facts:

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

Scale	Key Facts
No. of storeys	Two
Max. dimensions	Two pairs of semis to north: 7.7m Pair of semis to south: 8.1m Detached dwelling: 8.4m

Appearance	Key Facts
Materials	Red and grey brick, render, concrete plain tile, metal porch canopies, metal rainwater goods.

Transport Matters	Key Facts
Vehicular access	Plots 1-3 direct access from north, Plot 4 direct access from north for one space and access to garage from shared drive to the east. Plots 5-7 shared access from east
No of car parking spaces	Two per dwelling, each with EV charging
No of cycle parking spaces	In garden sheds
Servicing arrangements	Bin storage in each garden, collection point is shared drive for plots 5-7

### Representations

22. Adjacent and neighbouring properties have been notified in writing. 6 letters of representation have been received citing the issues as summarised in the table below:

<b>Issues raised</b>	<b>Response</b>
Increase from previously approved 7 dwellings to 8 dwellings	The application has since been revised to comprise 7 dwellings.
Potential of at least 18 extra vehicles	Main Issue 4 (Transport)
Existing traffic, deliveries, overspill parking, large potholes and blocked drain	Main Issue 4 (Transport)
Conflict with movement of industrial vehicles	Main Issue 4 (Transport)
Appropriate access for emergency vehicles?	Main Issue 4 (Transport)
Reduces width of pavement	Main Issue 4 (Transport)
Increased noise, inconvenience. Greater impact on neuro-diverse residents.	Main Issue 3 (Amenity)
Overlooking and loss of privacy	Main Issue 3 (Amenity)
Loss of light to garden and house	Main Issue 3 (Amenity)
Disruption from construction	Main Issue 3 (Amenity)
Impact on operation of adjacent building	Main Issue 3 (Amenity) and Main Issue 4 (Transport)
Effect on wildlife, loss of open space	Main Issue 8 (Landscaping and open space)
More buildings add to road flooding	Main Issue 6 (Flood Risk) and Main Issue 4 (Transport)
Amenity space is poor	Main Issue 3 (Amenity)
Children will use low level walls for seating and play in area where fork lifts operate	Main Issue 4 (Transport)
Noise impacts from existing commercial uses on future residents of proposed dwellings (Agent of change)	Main Issue 3 (Amenity)
Walls should be raised for further noise mitigation	Main Issue 3 (Amenity)
Queries on accuracy of noise assessment	Resolved with revised assessment

### **Consultation responses**

23. 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.

### **Statutory and non-statutory consultees**

Anglian Water

24. The Planning & Capacity Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, 500sqm or greater.

Citywide Services (Norwich City Council)

25. We have fully assessed the refuse details for this application and have no concerns.

## Environmental Protection (Norwich City Council)

26. There now has been a Preliminary (Contamination) Risk Assessment which has found an intrusive investigation is required, therefore I will add the following conditions:

- Contamination investigation and remediation;
- Unknown contamination;
- Imported material;
- Asbestos informative not; and,
  - *Note that this comment was received prior to the demolition of the property. As the Demolition has now been dealt with under application 23/00393/DEM and the demolition has been carried out, this suggested informative is no longer relevant to the proposal under consideration.*
- Construction management plan.

27. I have reviewed the noise revised report. Chapter 6 gives the following recommendations:

- Implementation of the proposed mitigation scheme illustrated Figure 1 and Figure C2 in Appendix C.
- Adherence to suitable window and ventilation specifications, as outlined in Table 11, within Section 5 of this report.
- Adoption of a suitable ventilation strategy (MEV or MVHR) to preclude the requirement of opening windows in an overheating condition, particularly within first floor habitable rooms during the night.

28. Where will the MVHR be located?

## Highways (local highways authority) (Norfolk County Council)

29. The principle of residential use for this site is accepted in highway terms given levels of traffic generation are comparable to the former use of the site, however there are internal site layout issues that your authority may wish to give further attention concerning Plot 7.

30. The site is located within a mixed use residential/commercial locality, it is close to a range of community facilities and services and has adequate means of access to the local highway network via the outer ring road. Curtis Road is a 20mph street, with footways and street lighting. Curtis Road splits in two around the site, towards the west towards the residential cul de sac end, and towards the south towards the commercial units, that part of Curtis Road is not adopted, both extents of road bear the same road name.

31. Given the amount of highway works entailed I recommend that a s278 (Small Highway Works Agreement) is undertaken to facilitate the reconstruction of footways for the entire site frontage on both sides of the site, vehicle

crossovers, a pair of footway crossing points and associated reinstatement of waiting restrictions, and replacement/retention of the street nameplate. For the construction phase a temporary vehicle access will be required to industrial specification.

32. Your authority may wish to give further attention to:

- i) the constrained access to Plot 7; pinch point adjacent to Plot 6
- ii) use of shingle for two turning areas within the site is not best practice given risk of shingle spreading onto the highway, difficult for cyclists and mobility impaired.

33. Access: there is adequate vehicular access to the western arm of Curtis Road and the southern arm in terms of crossover provision, however the access on the southern arm has constrained visibility in the critical direction of approaching traffic. This is of slight concern but cannot be overcome given the presence of an extant building to the south.

34. The only mitigating factors are that Curtis Road is a 20mph road, is a no through road and a relatively low trafficked route and there was a crossover established by the former use.

35. Given the most vehicles will be able to turn around within the site and exit in a forward gear sustaining an objection on highway safety grounds would be difficult.

36. The proposal will create new vehicle accesses to Curtis Road for frontage development of four dwellings (plots 1 to 4). These will need to be constructed to a TRAD 1 standard. The southern part of the site comprises of a shared vehicle access to the Curtis Road spur to the industrial estate area, this will create a parking court (for plots 5 and 6.) and a connection to a long private drive (to plot 7). Again the vehicle access will need to be constructed to a TRAD 1 standard it is recommended it is constructed to double depth specification due to traffic loads.

37. Layout: the revised layout now shows a Type 5 turning head adjacent to Plots 5&6 and Plot 7 which is welcome.

38. I note that there is an extant streetlight on Curtis Road that may be adjacent to Plots 2 or 3, this will need protection during construction, but can be retained as part of the proposed scheme without the need for relocation.

39. As a point of detail, all vehicle crossovers will require drainage to intercept water run off from the site to prevent it entering the highway. Please can this be queried with the applicant.

40. The provision of EV charging for each parking space and cycle store in rear gardens is welcome.

41. Construction: A temporary site access to industrial crossover specification will be required.

42. As an informative during construction, it may be necessary for hoardings to be used over the adjacent footways, and pedestrian diversions with traffic management which will require a permit, early involvement with our Streetworks team is recommended.

## Landscape

43. Noting the amendments to include additional soft landscape, I consider most of the previous landscape concerns have been addressed, and it would be acceptable to resolve any other minor landscape issues by condition of any approval. It is still not clear if shingle or a bound gravel would be used for the surfacing, again this could be conditioned. I'd suggest that if gravel is to be used then it is in conjunction with a gravel containment system to avoid it migrating onto the highway (as per my colleagues previous concerns).

## Lead Local Flood Authority

44. I can confirm that the County Council as Lead Local Flood Authority (LLFA) has no comments to make at this time.

45. In providing this substantive response, the LLFA is not currently able to carry out any review of the submitted documents or give any formal advice to the LPA for this consultation. As such, it should not be assumed that there is no impact associated with the proposed development in relation to surface water flood risk and drainage.

## Tree Protection Officer (Norwich City Council)

46. No objections from an arboricultural perspective. Condition TR7 - works on site in accordance with AIA/AMS/TPP would be appropriate.

## Natural England

### **47. SUMMARY OF NATURAL ENGLAND'S ADVICE: FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES**

48. As submitted, the application could have potential significant effects on:

- The Broads Special Area of Conservation (SAC)
- Broadland Ramsar

49. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

50. The following supporting information documents are required:

- A dated Nutrient Credit Certificate, which includes a unique identification number and the earliest date on which occupation can take place with reliance on the credits.
- The shadow Habitat Regulation Assessment, and a Technical Mitigation Report for the scheme from which the nutrient credits have been purchased.
- Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained.

51. Natural England consider that without appropriate mitigation the application would have an adverse effect on the integrity of European designated sites scoped into the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS'). We advise that the following proposed mitigation measures should be secured:

- A suitable contribution per new dwelling towards the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS).

## **Assessment of Planning Considerations**

### **Relevant Development Plan Policies**

#### **52. Greater Norwich Local Plan for Broadland, Norwich and South Norfolk adopted March 2024 (GNLP)**

- GNLP1 Growth Strategy
- GNLP2 Sustainable Communities
- GNLP3 Environmental Protection and Enhancement
- GNLP5 Homes
- GNLP7.1 Growth in the Norwich Urban Area and fringes

#### **53. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM11 Protecting against environmental hazards
- 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

#### **54. Relevant sections of the National Planning Policy Framework 2024 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of homes
- NPPF6 Building a strong, competitive economy
- NPPF7 Ensuring the vitality of town centres
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places

- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

## 55. Supplementary Planning Documents (SPD)

- Landscape and trees SPD adopted June 2016

## 56. Advice Notes and Guidance

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

## Case Assessment

57. 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

58. Key policies and NPPF paragraphs – GNLP5, DM12, NPPF Paragraph 11 and Section 5.

59. The redevelopment of the site with seven dwellings has previously been accepted with the approval of outline permission 21/00893/O.

60. This permission expired in March 2025, the application under consideration here represents a revised proposal and seeks full permission, rather than outline. There remains no policy conflict with the principle, so this is acceptable subject to the considerations below.

61. All seven dwellings would have three bedrooms for four to six people. Criterion d) of Policy DM12 requires new developments to provide a mix of dwellings in terms of size and type. Semi-detached and detached dwellings are characteristic of the area and the surrounding dwellings are family houses, so the types of dwellings are acceptable. There could be greater diversity in the sizes, but smaller or larger dwellings would be less characteristic than the family size units proposed so there is no objection to this.

62. Criterion (e) advises proposals should achieve a density in keeping with existing character. At approximately 47 dwellings per hectare, the density is slightly higher than the neighbouring dwellings on Curtis Road which have generous gardens and is more similar to the later dwellings on Baxter Court to the southwest. Furthermore, the mixed use of the area surrounding the site means the residential character is not so strong or distinctive that the proposed density would cause any harm to local character and seven dwellings across this site is considered to efficiently use the available space within the

constrained shape of the site. A previous application for nine dwellings and an initial proposal in this application for eight were both resisted on grounds of overdeveloping the site.

63. The proposal as initially submitted was for eight dwellings. This was considered to be overdevelopment of the site and following negotiation a revised proposal for seven dwellings have been submitted for consideration, this is in line with the quantity of development established in approved application 21/00893/O.
64. Norwich City Council is currently unable to demonstrate a five-year housing land supply as required by the National Planning Policy Framework (NPPF). This engages the presumption in favour of sustainable development, as outlined in paragraph 11(d) of the NPPF. In such circumstances, planning permission should be granted without delay unless the application of policies in the NPPF provides a clear reason for refusal. In the assessment of this case, there are no overriding constraints or significant adverse impacts that would demonstrably outweigh the benefits of providing additional housing in this location.

## **Main Issue 2.        Design**

65. Key policies and NPPF Sections– GNLP2, DM3, NPPF Section 12.
66. The overall site layout proposed is very similar to the approved layout and access arrangements from the extant outline permission. The main difference is that the position of the vehicular access from the east has been pushed further north to position it entirely within the applicant's ownership and avoid any overlap with the unadopted part of the road which would complicate maintenance responsibilities for the crossover.
67. Moving this access point has the effect of reducing the rear garden space to the north facing dwellings. The garden space to the dwelling on the corner plot is further constrained by a garage occupying part of the available area. However, this is considered necessary to provide noise mitigation. This requirement and the amenity implications for future occupiers are considered in the amenity section below.
68. The footprints of the north facing pairs of semi-detached dwellings has also altered as the plan is asymmetric at the rear, with the two central dwellings not extending as far back as the two on the outside. The dwelling on the finger of land to the west has also been set further back.
69. As previously, the layout allows for off-street parking, turning and access space; private rear gardens; soft landscaping to frontages; and, space for cycle and refuse storage. This is considered to remain a broadly acceptable layout within what is recognised to be a constrained site in terms of its shape, size and relationship with neighbouring properties.
70. The two storey dwellings would be similar in scale to those existing to the west along Curtis Road and the semi-detached form under hipped roofs would reflect the character of these existing dwellings, as would the materials. It is therefore considered that the design of these dwellings would reinforce the local character.

71. The storey and a half dwelling with a steep, gabled roof would be considered to be less characteristic, however it is situated in the area of the site closest to Baxter Close where there are dwellings with elements of 1.5 storey gabled design, as such the proposal is not incongruous to the wider setting.
72. Solid brick walls and acoustic fences 2.2 metres in height are proposed along part of the southern boundary and the southern boundary to one pair of semis. This is necessary to provide noise mitigation, as discussed below. They do, however, have a visual impact by enclosing the site to a height that is unusual for a residential development. The southern boundary is between an industrial and the vehicular access so is less impactful than the boundary between the parking area and two rear gardens. Areas for planting in front of this are proposed which would soften the appearance to some extent.
73. Soft landscaping is also proposed in the available space around the parking and access areas and along the eastern boundary. This helps to break up the appearance of large expanses of hard surfacing and hard boundaries and it shall be necessary to agree a complementary planting scheme as well as high quality hard landscape materials to ensure the external areas and boundaries are well integrated into the overall design. Given the previous appearance of the buildings and hard surfaced frontage to the site, the development would be an enhancement.

### **Main Issue 3.        Amenity**

74. Key policies and NPPF Section – DM2, DM11, NPPF Section 12.
75. Each dwelling complies with minimum space standards and all habitable rooms would have adequate outlook.
76. The natural light to windows on the south elevation of the northern pairs of semis would be constrained by overshadowing from boundary features and the pair of semis to the south. The gardens to these plots would be even more affected.
77. The size and arrangement of external spaces has been compromised by the position of the vehicular access, necessity for a garage structure and extent of vehicular access, turning and parking areas. The corner plot with the garage is the most affected as the garden space would be split between two spaces; one to the rear and one at the side, separated by the garage. In addition, both spaces would be overshadowed by the garage and 1.8 to 2.2 metre high boundaries. This overshadowing would affect the two spaces at different times of the day, so there would be a choice of spaces to use.
78. The middle dwellings of the two pairs would have deeper gardens which sets them further from the pair to the south which would overshadow these gardens and rear elevations during the afternoon when the sun is to the south. Diagrams showing the extent of overshadowing at 9am, 12pm and 3pm in September have been submitted which show no gardens of the proposed dwellings would be entirely shaded at any of these times. The impact would be greater through the winter when the sun is lower and days are shorter, but the gardens may be used less.
79. The proposed development is at the meeting point between employment uses and residential uses. It is important that the new residential uses in this location

do not have a detrimental impact upon the continued functioning of neighbouring commercial uses. A noise impact assessment has been submitted to support the application which indicates that mitigation is required in order to ensure that there is not a detrimental impact upon the residents of the new development. This has been reviewed by consulting environmental protection officers; and it is considered possible for sound mitigation to be installed to a sufficient standard to overcome this issue. These are set out in Section 6 of the Acoustic Design Statement – Technical Report reference 39342-1 R4 dated 29/01/2024. The noise impact mitigation scheme illustrated in Figures C1 and C2 in Appendix C of the report; window and ventilation specifications to be in accordance with Table 11 in section 5 of the report; and the adoption of a suitable ventilation strategy to preclude the requirement of opening windows in an overheating condition, particularly within the first floor habitable rooms during the night.

80. The location of the required Mechanical Ventilation and Heat Recovery (MVHR) has been queried by the consulting environmental protection officer; details of this should be reserved by condition.
81. An objection has raised concern about overshadowing and loss of light to neighbouring dwellings.
82. In the submitted Design and Access statement revision a dated November 2023 diagrams indicate where a 25 degree line from ground floor windows of the closest neighbouring dwellings would intersect with the development. In accordance with Building Research Establishment guidance, daylight and sunlight levels would not be adversely affected if the development would not disrupt this line as it would allow light to continue to reach these windows.
83. The diagrams illustrate that the layout of the proposed dwellings would not result in significant or unacceptable loss of daylight to the windows of neighbouring dwellings.
84. Diagrams indicating the extent of shadows from the indicative scale and form of the proposed dwellings at 9am 12 noon and 3pm in September have been submitted. These identify that there would be a very small amount of overshadowing from the dwelling on plot 7 to the very southern extent of the (approximately) 15 metre long rear gardens to 5 and 7 Curtis Road.
85. The autumn equinox is in September (equal hours of day and night), the impact would be greater in Winter when the sun is lower in the sky but these are generous gardens and it is not considered likely that there would be shadows across the whole gardens or reaching the dwellings at any time of day or year. It is considered that the proposed layout would not result in any unacceptable overshadowing to neighbouring gardens.
86. Objections have also raised concern about overlooking. As would be expected from residential development, additional population will have some impacts relating to overlooking. The site layout, size and position of window openings is considered to have been carefully thought through in this instance and it the resulting overlooking and loss of privacy has been kept to a minimum. There is some overlooking between properties within the new development from the rear of plot one into the rear garden of plot 5. There would also be a small degree of overlooking from the rear of plot 5 to the rear garden of 1 Curtis Road, however the extent of this overlooking is not considered to be out of

character for the density of the area; and no greater an extent than would be experienced for example between 1 and 3 Curtis Road.

87. Potential harm from noise, traffic movements, parking and pollution during construction can be satisfactorily managed by agreeing a construction management plan / method statement by condition. Also an Informative relating to considerate construction during working hours can be included.

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

88. Key policies and NPPF Sections – GNLP2, GNLP4, DM28, DM30, DM31, NPPF Section 9.
89. The principle of residential use has been accepted under the consent for previous application for outline consent for 7 residential dwellings (reference 21/00893/O) whereby the site layout and vehicular access points were largely similar to those proposed under this application.
90. The proposal provides access to off-street parking to plots 1-4 off the western Curtis Road spur (two spaces per dwelling for plots 1-3, and a single space for plot 4 in this location). A garage serving plot 4 and off street parking spaces for plots 5-6 are accessed via a shared driveway and turning area to the south. This then leads to a private drive off this area to plot 7.
91. It is noted that representations have raised concern about the potential for conflict between residents and the size and frequency of vehicles serving the adjacent employment uses. The Highway Authority have no objection and the layout makes adequate provision for turning to plots 4-7 so vehicles can enter and exit the site in a forward gear on this busier section of the 20 mph road. Following a request from consulting Highways officers all vehicle crossovers have been revised to include the required drainage to intercept water run-off from the site to prevent it entering the highway.
92. Each dwelling would be served with two parking spaces in accordance with standards, all spaces are to be provided with EV charging points. The garage proposed to plot 4 would make use of the space available and necessity of a substantial boundary structure for noise mitigation.
93. Parking elsewhere along Curtis Road is managed with double and single yellow lines and one hour parking bays which provide space for visitors to the area so it is not considered any overspill parking would create a hazard on the road.
94. The proposed layout includes sufficient space for bin and cycle storage. Bins would need to be moved to the highway edge for collection.
95. There would be suitable access for emergency vehicles to all plots. Initial concern had been raised regarding the ability to provide suitable access to plot 7 as this has limited space available; however the architect has supplied a vehicle tracking plan which demonstrates that sufficient space can be provided for a fire engine to access the site and turn within the site. This is subject to a removable bollard being installed which would typically provide defined space between plot 6 and the access to plot 7 – but can be removed in the instance of access being required by a fire engine. Details of this will need to be secured within the landscaping condition. Building Regulations stipulate minimum

requirements for private driveways. Providing a dwelling on plot 7 is an efficient and effective use of this brownfield land in accordance with paragraphs 119 and 120(c) of the National Planning Policy Framework. The Fire Service have advised that Building Regulations would need to be complied with. If the final details relating to the Regulations concerning fire appliance access are unachievable, alternative fire safety measures, such as sprinklers, would need to be employed and approved by Building Control.

96. Issues with the condition of the road and drainage have been raised through representations to this application. It is considered that a number of these issues relate to the current circumstances and use of the road and existing vehicular movements. The issues of concern are current rather than potential. As mentioned by the consulting Highways engineer, it is considered that the vehicular movements associated with 7 residential dwellings will not add significant additional movements or impacts upon the condition of the highway compared to a commercial use on this site. Regarding the drainage concerns, this application includes new drainage to prevent surface water entering the highway from vehicle crossovers, increased areas of soft landscaping to accommodate surface water and a condition requiring sustainable drainage methods to be used on site where practical.
97. Concern has been raised in representation that the proposal will result in the loss of pavement space. The proposed development shall only take place on privately owned land. No publicly owned highway is to be taken by the proposed development.
98. Necessary highway works identified by the Highway Authority have been incorporated in the proposed plan and the detailed design should be agreed by condition. Subject to this and additional conditions securing parking and turning space, cycle and bin storage, construction parking (within the construction method statement) and informative notes concerning works required in the highway, the proposed access and layout are acceptable with regards transport requirements.
99. The consulting Highways officer advises that given the amount of highway works entailed I recommend that a s278 (Small Highway Works Agreement) is undertaken to facilitate the reconstruction of footways for the entire site frontage on both sides of the site, vehicle crossovers, a pair of footway crossing points and associated reinstatement of waiting restrictions, and replacement/retention of the street nameplate. This advice can be added as an informative.

#### **Main Issue 5. Energy and water efficiency**

100. Key policies and NPPF Sections –DM1, GNLP2, NPPF Section 14.
101. As the proposed development is captured by Nutrient Neutrality mitigation requirements a Norfolk Budget Calculator has been submitted to accompany this application. This calculator was based upon the water consumption rate of 110 litres per person per day; as such it is necessary for a condition requiring the development to be designed to this level of efficiency to be attached to a consent.
102. The application does not propose any renewable energy provision as part of the scheme. Policy DM4 “*Providing for renewable and low cost carbon*”

*energy*” strongly promotes and encourages renewable energy as part of development proposals where reasonably practicable. It is considered that there is potential for the development to provide renewable energy as part of the scheme, this should be reserved by condition.

#### **Main Issue 6. Flood risk**

103. Key policies and NPPF Sections – GNLP2, DM5, NPPF Section 14.
104. The application site is in flood zone one. It is not in an area at risk of surface water flooding.
105. In accordance with policy DM5 '*Planning effectively for flood resilience*' sustainable drainage measures appropriate to the scale and nature of the development should be incorporated in all development proposals involving the erection of new buildings. Such measures are required except where this is not technically feasible or where it can be demonstrated that other factors preclude their use. A condition requiring sustainable drainage design should be applied to a consent.
106. Policy DM5 also covers surface treatment where proposals will be required to maximise the use of soft landscaping and permeable surfacing materials. Since the original submission, revisions have been made to the scheme under consideration to increase areas of soft landscaping which is considered to be beneficial to surface water drainage, but as the additional benefit of design aesthetic, amenity space and improved biodiversity. A landscaping condition for minor developments should be attached to a consent, this can deal with the surface treatment details.

#### **Main Issue 7. Trees**

107. Key policies and NPPF Sections – GNLP2, GNLP3, DM7, NPPF Section 15.
108. An arboricultural impact assessment has been submitted which confirms there are no existing trees on the site (although it is understood there have been in the past) but there is one individual and four groups adjacent to the site which are all classified as low quality category C.
109. These could all be retained and an arboricultural method statement proposes constructing parking spaces adjacent to one with a no dig method and cellular confinement system to protect it. A condition securing compliance with this is necessary to ensure these off-site trees are not harmed by the development.

#### **Main Issue 8. Landscaping and open space**

110. Key policies and NPPF Sections – GNLP2, GNLP3, DM3, DM8, NPPF Section 15.
111. The application has been substantially revised since the original submission. Concerns were raised with regard to the layout, provision of soft landscaping, materials, parking layouts, undefined expansive areas laid to gravel, insufficient provision of quality private amenity space and an overly harsh external appearance to the street scene of the initial proposals. The

initial consultation response from Landscape Officers concluded “*Overall the proposals are not supported due to layout/design issues, adverse visual effect on streetscape, and lack of amenity space for residents.*”

112. Subsequently the proposal has been reduced down from 8 as initially proposed to 7, which is more in line with a previous outline consent granted for this site. The revised proposed scheme provides sufficient private external amenity space for each of the proposed dwellings. Areas of landscaping are now much more clearly defined and apportioned to the respective properties.
113. Improvements have been made to the vehicular accesses to reduce the potential impacts on neighbouring commercial uses, whilst providing access for emergency and refuse vehicles. The street scene now benefits from enhanced areas of soft landscaping and boundary treatments conducive to a residential environment whilst providing the necessary sound mitigating benefits required to screen noise from commercial uses and road traffic.
114. Some concern has been raised regarding the loss of a section of open space at the south of the site. The principle of residential development on this piece of land has previously been accepted under the consented outline application. It is recommended in the biodiversity section below that small mammal access points are included in boundary treatments and that bat and bird boxes are reserved by condition as part of this application to assist in enhancing the wildlife friendly nature of this site.
115. Some concern has been raised regarding the potential for people, including children, to sit on the low level boundary wall at the south east of the site. This is to be planted behind to provide a visually softer boundary treatment in this location as it is considered that a 2.2m tall section of wall in this location is visually severe frontage. The planting will provide screening and reduce the likelihood of people using this wall as informal seating.
116. Indicative materials have been included in the plans for surface and boundary treatments. Some material specifications have been subject to negotiations and revisions. The turning circle outside plots 5 and 6 was initially specified as gravel which can be difficult for accessibility purposes and cycles to use, it can also spread onto the highway if containment is not used. This has been revised to resin bound gravel. Boundary wall treatments are a range of solid brick wall and fencing specifications. The wall to the south of the site is necessary for noise attenuation purposes in relation to the commercial premises to the south. The specified materials are considered to be acceptable in principle, but final detail should be reserved by condition.

#### **Main Issue 9. Biodiversity**

117. Key policies and NPPF Sections – GNLP3, DM6, NPPF Section 15.
118. A survey of the site was undertaken before the site was cleared and the report concluded that removal of the buildings and vegetation would result in minimal ecological impact. Now that it has been cleared, there are not considered to be any features of interest to protected species or any other habitat opportunities.

119. It is noted that representations have commented on a range of species that are present in the area and concern that the development would be detrimental in this respect.
120. The submitted Ecology Assessment does not consider mitigation and enhancement measures. Although it is accepted that the site had/has minimal ecological value, the proposals should provide some biodiversity enhancements. Consulting officers suggest that bird and bat boxes could be installed into the fabric of proposed buildings, planting could focus on biodiversity, and boundary treatments could include for small mammal access. These measures can be secured by Condition.
121. It is appropriate for the development to enhance biodiversity interest and this can be secured by condition.
122. This application predates the national requirements for Biodiversity Net Gain as it was submitted in July 2023. In accordance with Government guidance if a planning application for a development was made before day one of mandatory BNG on 12 February 2024, the development is exempt from BNG.

#### **Main Issue 10. Contamination**

123. Key policies and NPPF Sections – DM11, NPPF Section 15.
124. An intrusive contamination investigation of the site has been carried out and recommended that additional soil samples are taken following clearance of all hard standings. The contamination report has been reviewed by Environmental Protection officers and it is considered that this additional investigation and any required remediation can be secured by condition.

#### **Main Issue 11. Nutrient Neutrality and GIRAMS**

125. The consultation provided by Natural England outlines concern that the application cannot demonstrate that it is nutrient neutral as mitigation credits have not been secured at the point of the consultation. However, as the competent authority, Norwich City Council have determined the quotation provided by Norfolk Environmental Credits aligns with the number of credits required for the site, as illustrated in Stage 4 of the Norfolk Budget Calculator. This is deemed suitable at this stage to refer the application to Planning Applications Committee for consideration and a resolution to determine. However, a decision will not be issued until the applicant demonstrates that mitigation credits have been purchased in full, thus demonstrating that the application is nutrient neutral at the point of granting consent. This is therefore compliant with the requirements of Natural England.
126. GIRAMS is a county-wide strategy designed to mitigate the recreational impacts of new residential development on protected habitats across Norfolk. It ensures compliance with the Conservation of Habitats and Species Regulations 2017 by funding measures that manage visitor pressure on sensitive sites. All qualifying developments are required to contribute a set tariff per dwelling, which supports the delivery of green infrastructure and visitor management initiatives. The Council is applying this tariff in line with adopted policy GNLP3.

## **Other matters**

127. The Greater Norwich Local Plan (GNLP) Policy 2, paragraph 2 requires new residential developments to make provision for accommodating technology-based services such as broadband, fibre optic networks, telecommunications and electric vehicle charging. As such the requirement for broadband infrastructure to provide fibre to the premises should be reserved by condition.

## **Equalities and diversity issues**

128. There are no equality or diversity issues.

## **Local finance considerations**

129. 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.

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

## **Human Rights Act 1998**

131. 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.**

132. 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**

133. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan. Norwich City Council is currently unable to demonstrate a five-year housing land supply as required by the National Planning Policy Framework (NPPF). This engages the presumption in favour of sustainable development, as outlined in paragraph 11(d) of the NPPF. In such circumstances, planning permission should be granted without delay unless the application of policies in the NPPF provides a

clear reason for refusal. It has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application 23/00791/F Curtis House, Curtis Road, Norwich, NR6 6RB and grant planning permission subject to the following conditions AND to receipt proof of purchase of nutrient credits:

1. Standard time limit;
2. In accordance with plans;
3. Contaminated Land;
4. Unknown contamination
5. Imported material
6. Construction method statement;
7. Provision of sound insulation to habitable rooms;
8. Noise – proprietary sound-insulating ventilators
9. Noise – Sound screening to Garage and boundary walls
10. Details of mechanical ventilation to be agreed
11. Compliance with Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS)
12. Landscaping
13. Small mammal access
14. Biodiversity enhancements to be agreed
15. Detailed drawings for highway works, to be implemented prior to occupation
16. Parking and turning layout provided prior to first occupation
17. Cycle and bin storage to be agreed and provided prior to first occupation
18. Renewable energy provision to be agreed
19. Sustainable urban drainage system to be agreed
20. Water efficiency
21. Broadband provision

## **Informatives:**

1. Considerate construction
2. CIL Liable Development
3. Works to public highway
4. Highways: a s278 (Small Highway Works Agreement)
5. Biodiversity Net Gain (Gain Plan not required)

**Appendices:** None

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