

Report for Resolution

Report to Planning Applications Committee
Date 10 February 2011
Report of Head of Planning Services
Subject 10/02192/F Garages adjacent to 100 The Avenues
Norwich

Item
5(4)

SUMMARY

Description:	Redevelopment of site to provide 6 No. 2 bed dwellings.
Reason for consideration at Committee:	Objection
Recommendation:	Approve subject to conditions
Ward:	University
Contact Officer:	Mr Mark Brown Senior Planner 01603 212505
Date of receipt:	16th December 2010
Applicant:	Orwell Housing Association Ltd
Agent:	Barefoot & Gilles Ltd

INTRODUCTION

The Site

Location and Content

1. The site is located to the south side of The Avenues approximately 350m beyond the Outer Ring Road. The garages sit approximately 1.2m above the height of the road; there is a grass bank with hedge between the site and footpath. The Avenues itself is lined with mature street trees. There is a central access to the site which provides access to the 47 garages arranged in three rows. To the south are allotment gardens accessed from the Avenues and bounded by Northfields to the south.
2. Existing end terraces are located to the east and west of the site, both of these properties have vehicular access through the site to their rear gardens.

Planning History

3. There is no recent planning history on the site.

Equality and Diversity Issues

4. There are not considered to be any significant equality or diversity issues.

The Proposal

5. The proposal is for the demolition of the garages and the erection of six two-bed dwellings. The proposed dwellings are arranged in two terraces with the central access point maintained and providing access to the rear. Each property has its own private rear garden with space for bin storage and cycle storage in sheds. Vehicular access to the adjacent properties at 100 and 102 The Avenues is maintained.

Representations Received

6. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.
7. The following objection has been received from Cllr Bremner University Ward Member:

In relation to application 10/02192/F I would like to object on the basis that there are no separate gardens for each of the homes. It is my experience of the problems of the housing built by Broadland Housing Association & Orbit Housing Association in Elizabeth Fry Road and 12 Acre that areas of open space in front of houses with no defined fenced garden, and a path that goes under each window, leaves no defensible space for the residents and encourages misuse by other residents or even those with no connection to the area.

I suggest that there is a proper metre high wooden fence between the front garden of each property, with pedestrian access with gate to 3 & 4 from the side, and to 1,2,5 & 6 via a pedestrian access with gate through the hedge, or a pathway alongside the hedge with properly fenced off gardens.

See para 21 for a response to these points.

8. Pre-application consultation has been undertaken by the applicants who have advised that two responses have been received. One response was in support of the proposals and the other objected on the basis of the loss of the garaging and lack of alternative parking provision in the area.

Consultation Responses

9. **Norwich Society** – The Committee viewed the various garage sites that are to be developed for “affordable” housing. As the ratio of garages occupied is low it seems sensible to use the land for housing. As a committee, we generally approve of the designs, though they are safe without much inspiration on the whole.
10. **Conservation & Design** – This appears to now be a well thought through scheme that has overcome existing constraints in terms of the trees and the need to provide existing access to garages belonging to adjacent owners. In terms of layout, scale, form and massing the development is appropriate for the context and will result in considerable enhancement to the streetscene with the loss of the garaging.

The access through the centre of the development creates a secure and overlooked passage to the rear with side windows in the gable ends (although NB: slightly offsetting the windows in the gable ends would prevent direct views into each others houses and therefore maybe less likelihood of net curtains etc). It is pleasing to see bollards proposed to prevent car parking on the verge and also that one side has a planted shrubbery and a solid brick garden wall which will help to create interest and variety. Although having parking ‘courts’ at the rear can be insecure environments, in this case parking is broken down in terms of varying locations and additional landscaping so that parking will not appear overly dominant. Units 4, 5, 6 will also have very direct access to their spaces, which will help to ensure that the area is not misused.

There are only two general concerns which could be looked at in more detail with discharging of conditions:

- (1) I am little concerned about the width of the parking area at the rear and various unprotected verges, there are a few areas where you could envisage residents parking (for example the turning area to the in the corner), it might be worthwhile considering how this possibility could be prevented. Considering that each house has its own garden is there a need for grassed areas at the rear? Perhaps these could all be planted with low maintenance shrubberies to prevent over parking?
- (2) Generally happy with the brick and render for elevations, but would prefer smut clay pantiles instead of the brown concrete pantiles.

11. **Transport** – The layout of this site is so compromised by the constraints, that from a parking perspective it is very poor, and frankly really not acceptable. I am doubtful that any of the residents will actually use the parking spaces provided, preferring instead to park under the trees at the front on the verge.

I appreciate why this solution has been proposed, but from a transportation perspective it is dismal. If the layout must accommodate access to the adjacent properties, and there really is no way that we can achieve any other access onto the site, then I suggest that the six spaces proposed are constructed as a small parking area to the rear of plots 3 and 4, with just a narrow driveway to each of the adjacent properties. At least that way at least 4 of the properties would get a decent garden and the parking would be more conveniently located for access to the front doors, so at least it might get used sometimes.

12. **Tree Protection Officer** – The proposal is achievable but any permission should have appropriate conditions applied to ensure that:- a pre demolition site meeting between the developer’s appointed consulting arborist, demolition site agent, and the Council’s tree protection officer takes place; a detailed specification and method

statement for the surface reinstatement proposed within the root protection areas is submitted; development is carried out in full compliance with the arboricultural implications assessment and method statements; all demolition and construction works carried out within any root protection area are carried out under arboricultural supervision; and an auditable system of arboricultural site monitoring is implemented to the approval of the Council's tree protection officer. There is no mention of tree protective barriers/ground protection re the highway trees; these need not be full spec, but should be provided to ensure protection of the trees and the verge to the north of the site and mindful of highway site lines and pedestrian access.

13. **Environmental Health** – The residential end use is a sensitive one, and there is a possibility of contamination due to the current or previous uses. I have therefore recommended conditions for a site investigation to determine this. I have also suggested conditions for light nuisance, along with informatives for the demolition and construction phases.
14. **Natural Areas Officer** – From a wildlife viewpoint, the main significance of this site is that it is close to the two allotment sites (Bluebell South and North) on The Avenues, which form an important link in the ecological network in this part of Norwich.

The ecological survey, along with the recommended mitigation and enhancement measures provided for this application is fairly comprehensive and these measures should be followed or adopted where possible, although it is acknowledged that green or brown roofs might not be appropriate to the design of housing proposed. The comments on lighting and planting, including the use of native and berry producing shrubs, are especially appropriate to this development. As a further measure to promote ecological connectivity (Section 6.2.1), ground level square gaps of at least 5in/12.7cm should be made in the proposed close-boarded timber fencing, so as to allow hedgehogs and other animals to both enter the gardens from outside and to pass between adjacent gardens.

Section 4.5.12 mentions the presence of Common Frog; there is also strong anecdotal evidence of Common Toad from the nearby allotments, and the same mitigation measures for frogs would apply to this species.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 – Delivering Sustainable Development
PPS1 Supplement Planning and Climate Change
PPS3 – Housing
PPG13 – Transport
PPG24 – Noise

Relevant Strategic Regional Planning Policies

ENV7 – Quality in the Built Environment
T8 – Local Roads
T14 – Parking
WM6 – Waste Management in Development

Relevant Local Plan Policies

NE9 – Comprehensive Landscaping Scheme
HBE12 – High Quality of Design
HBE19 – Design for Safety and Security
EP1 – Contaminated Land
EP18 – High Standard of Energy Efficiency
EP20 – Sustainable use of materials
EP22 – High Standard of Amenity
HOU13 – Proposals for New Housing Development
SR3 – Urban Green Space
SR9 – Allotments
TRA5 – Approach to Design for Vehicle Movement and Special Needs
TRA6 – Parking Standards – Maxima
TRA7 – Cycle Parking Standards
TRA8 – Servicing Provision

Supplementary Planning Documents and Guidance

Trees and Development SPD – September 2007

Principle Policy Considerations

15. The principle policy considerations are the loss of the garaging and an assessment against saved local plan policy HOU13 for the provision of new housing. National policy in PPG13 has recently changed to remove the requirement for councils to limit the number of parking spaces allowed in new residential developments and placing the onus on councils and communities to adopt policies appropriate for their area. Currently saved and adopted local plan policies remain in place which set out maximum parking standards for the City. There are no planning policies which seek the retention of parking or garaging provision. However, it is appropriate on a case by case basis to consider whether the loss of the garaging provision would have other material or detrimental effects on the locality.
16. Based on the information submitted with the application, of the 47 garages on site 29 spaces are tenanted and 18 are void. Alternative provision is limited for this site, the applicant has advised that alternative parking provision would be offered to existing tenants at Northfields, South Park Avenue, Winchcomb Road, Essex Street, Cambridge Street and Norfolk Street, however only Northfields is within realistic walking distance of the area located approximately 350m from the site. Current local plan parking policies seek to minimise the reliance on the private car and whilst matters of highway safety and congestion are material planning considerations, it is not considered in this case that the proposals would have any significant detrimental impacts in these areas.
17. In terms of policy HOU13, the site is a brownfield site located to the west of Norwich within easy walking distance of the Colman Road local centre. The site is in a sustainable location for new housing with good links to the City Centre along The Avenues. The proposals are at a density of 40 dwellings per hectare which given the constraints of the site is considered to be sufficient. The proposals are therefore considered to be acceptable in principle subject to assessment against the criteria in policy HOU13, other development plan policies and material considerations.

Layout and Design

18. Contrasting comments have been received from Design and Conservation and Transport in relation to the site's layout. There are a number of constraints which hinder the site's layout. The access to the rear gardens of adjacent properties means that an access road needs to go the rear and either side of the site. Whilst it has been possible to relocate the access point to number 100 The Avenues to allow a better layout of the eastern half of the site, this has not been possible with 102 The Avenues as the access is to an existing garage on the adjacent site. The tree officer has advised that new vehicular or pedestrian accesses over the verge and through the hedge would be unacceptable as this would involve excavation in the verge/bank which could have a significant negative impact on the street trees to the front of the site and it is also desirable to retain and enhance the existing hedge.
19. As a result of the above the access is maintained in the centre of the site for both vehicular and pedestrian access. The two terraces are located in line with adjacent dwellings which will help to complete the street frontage. Parking is provided to the rear as are rear gardens. It is considered that pathways should be provided along the rear gardens to allow easy access from the parking space to the house, this could be covered by a landscaping condition.
20. Whilst the layout is not ideal, on balance given the site's constraints it is considered to be acceptable. The alternative suggested by the transport officer would not fully be achievable and not have the desired benefits due to the fixed location of access to the garage at 102 The Avenues. Landscaping details will be very important in ensuring that the layout works as well as possible and to ensure parking in appropriate locations.
21. Cllr Bremner has raised concerns over the lack of individual front gardens with pedestrian access paths and gates through the hedge. Whilst normally this would be desirable this has not been proposed in order to prevent excavation within the root protection areas of the street trees and in order to preserve the existing hedging. The pathway along the front of the properties is also located to be as far outside the root protection area of the street trees as possible. However it is recommended that detailed landscaping conditions be imposed on any approval to ensure a high quality finish to this area, enhancement of the front hedge and ongoing future maintenance and management of any communal areas.
22. The form and massing of the properties is fairly simple consisting of two storey properties with pitched roofs. Proposed materials are red brick, timber windows, render panels and pantiles. It is suggested that specific details be conditioned. Subject to such a condition the proposals are considered to be acceptable and in line with the objectives of saved policy HBE12.
23. The size of the development is below the threshold for an energy efficiency statement, however the design and access statement submitted with the application details that the applicants are committed to achieving code for sustainable homes level 4. Part of the proposals to achieve this include solar thermal panels on the south elevation, specific details of which should be conditioned to ensure their projection from the roof slope is limited.

Access Parking and Servicing

24. Provision is made for one car parking space per dwelling which is consistent with the maximum parking standards set out within saved local plan policy TRA6. Access and turning areas are located to the rear of the properties due to the need for access to the rear of adjacent properties.
25. Areas for bin storage and sheds for cycle parking are provided within the rear gardens of the houses with access to the rear consistent with the requirements of policies TRA7, TRA8 and WM6.

Trees

26. The main implications are for the category A Oak street trees and the hawthorn hedge to the front of the site. As described above the layout has been partly dictated by these and as such, subject to the conditions requested by the tree protection officer, the proposals are acceptable.

Ecology

27. An ecological appraisal has been submitted with the application; this does not identify the specific presence of any protected species although identifies records of bats, common frog, toad and invertebrates in the wider area. Based on the retention of the hedge to the front of the site the proposals are considered to have a neutral impact. A number of mitigation and enhancement measures are suggested. Enhancement of the hedge to the front of the site and native landscaping with berry bearing species is suggested within the ecological appraisal and this can be achieved via landscaping conditions. It is also suggested that informative notes are used to provide further advice on site clearance.
28. The site is adjacent to allotment gardens to the south; for the purpose of policies SR3 and SR9 these would be unaffected by the proposals, however the ecological appraisal recommends enhancements to link the site to the allotments and mature trees along The Avenues by landscaping. In particular the natural areas officer has recommended ground level square gaps of at least 13cm be made in the proposed close-boarded timber fencing to the south of the site to promote ecological connectivity. This can be secured via the landscaping conditions.

Amenity

29. The proposed dwellings are well orientated in relation to neighbouring properties. Overshadowing to adjacent properties would be very limited due to the orientation of the proposals. It is possible that some evening loss of light could occur to the front garden of 100 The Avenues however it is considered that this would not be significant enough to result in any detrimental impact on amenity.
30. In terms of overlooking, The Avenues is a wide road, as such it is not considered that there would be any material overlooking to properties opposite. To the south are allotments gardens and overlooking to the side would be negligible. There are no first floor east or west facing windows.
31. In terms of the amenity of future residents of the properties themselves, the dwellings are of a good size for two bed properties at 80m². Sufficient private external amenity space is provided via the proposed rear gardens. The Avenues is a moderately trafficked road for a residential street which could have implications for noise to future residents of the properties and as such a noise assessment has been submitted with the application. This noise assessment has taken noise readings at the site and the

site has been identified as within noise exposure category B. Within this category PPG24 advises that noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise. In this case the noise can be mitigated by double glazing systems (to a higher standard than normal) and acoustic ventilators. A condition should be imposed on any consent to ensure that satisfactory noise levels are achieved within living rooms and bedrooms.

Contamination

32. A desk based assessment has been submitted with the application which identifies potential pollutants at the site. Given the sensitive residential end use it is considered necessary to condition a site investigation and a scheme of remediation and mitigation to be carried out as appropriate.

Conclusions

33. The proposals provide for the redevelopment of an existing brownfield garage site. Alternative provision is limited for this site, however current local plan parking policies seek to minimise the reliance on the private car and whilst matters of highway safety and congestion are material planning considerations, it is not considered in this case that the proposals would have any significant detrimental impacts in these areas. The site has good connections to nearby services and is considered to be an appropriate location for new residential development. Whilst the layout is not ideal, on balance given the site's constraints it is considered to be acceptable. Landscaping details will be very important in ensuring that the layout works as well as possible and to ensure parking in appropriate locations. It is not considered that there are any significant detrimental impacts to the amenities of adjacent properties. The proposals are therefore considered to be acceptable subject to the conditions listed in the recommendation below.

RECOMMENDATIONS

To approve Application No (10/02192/F Garages adjacent to 100 The Avenues, Norwich) and grant planning permission, subject to the following conditions:-

1. Standard time limit;
2. Development in accordance with the submitted plans;
3. Tree protection conditions to ensure:
 - compliance with the arboricultural implications assessment and method statement for construction;
 - a pre demolition site meeting between the developer's appointed consulting arborist, demolition site agent, and the Council's tree protection officer takes place;
 - a detailed specification and method statement for the surface reinstatement proposed within the root protection areas is submitted;
 - all demolition and construction works carried out within any root protection area are carried out under arboricultural supervision;
 - an auditable system of arboricultural site monitoring is implemented to the approval of the Council's tree protection officer.
 - provision of tree protection to the street trees and surrounding verges.
4. Provision of the sheds, parking areas and refuse storage areas prior to first occupation;
5. Submission of a landscaping scheme including:

- hard and soft landscaping details including site frontages and communal areas including details of all boundary treatments;
 - boundary treatments to the south of the site to have 13cm gaps at ground level;
 - details of the future management and maintenance of the landscaped areas;
 - provision of landscaping prior to first occupation.
6. Details of bricks, tiles, solar panels and render colour to be used in the development;
 7. Site contamination investigation and assessment to be carried out and if contamination is found a scheme of remediation and mitigation to be agreed and carried out. Should during development, contamination not previously identified be found development is to cease pending details to deal with contamination;
 8. Insulation of bedroom and living rooms windows and the provision of acoustic ventilation where necessary;

The following informative notes should be appended to any consent:

1. Considerate construction and timing to prevent nuisance;
2. An asbestos survey should be carried out;
3. Materials removed from site should be classified and disposed of at suitable licensed facilities;
4. Site clearance to have due regard to minimising the impact on wildlife.

(Reasons for approval: The decision has been made with particular regard to PPS1, PPS3, PPG13, PPG24, policies ENV7, T8, T14 and WM6 of the adopted East of England Plan and saved policies NE9, HBE12, HBE19, EP1, EP18, EP20, EP22, HOU13, SR3, SR9, TRA5, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan.

The proposals provide for the redevelopment of an existing brownfield garage site. Alternative provision is limited for this site however current local plan parking policies seek to minimise the reliance on the private car and whilst matters of highway safety and congestion are material planning considerations, it is not considered in this case that the proposals would have any significant detrimental impacts in these areas. The site has good connections to nearby services and is considered to be an appropriate location for new residential development. Whilst the layout is not ideal, on balance given the sites constraints it is considered to be acceptable. Landscaping details will be very important in ensuring that the layout works as well as possible and to ensure parking in appropriate locations. It is not considered that there are any significant detrimental impacts to the amenities of adjacent properties. The proposals are therefore considered to be acceptable subject to the conditions imposed.)



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Planning Application No - 10/02192/F
 Site Address - Garages adjacent to 100 The Avenues
 Scale - 1:2,000



NORWICH
 City Council
 PLANNING SERVICES





153
155

BM 34.43m

THE AVENUES

Bln presentation area
with hedge extended to
act as screen from road

Marshalls Saxon patio
paving - to be agreed
with planning authority

102

100

86

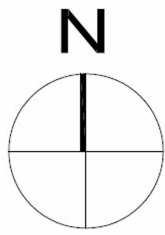
Vehicular access to
garage to be retained

Bollards to prohibit
parking

Marshalls Drivesett
Tegular paving - to be
agreed with planning
authority

Path for allotments only.
No thru route via garage
site.

Allotment gardens

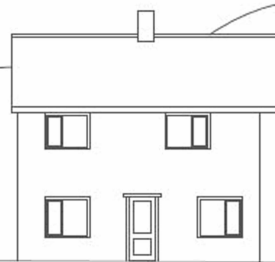




Proposed Dwellings



Proposed Dwellings



Neighbouring Properties