

**Report to** Planning applications committee

**Item**

9 November 2017

**Report of** Head of planning services

**Subject** Application no 17/01259/MA - 19 Leopold Road,  
Norwich, NR4 7AD

**Reason  
for referral** Objections

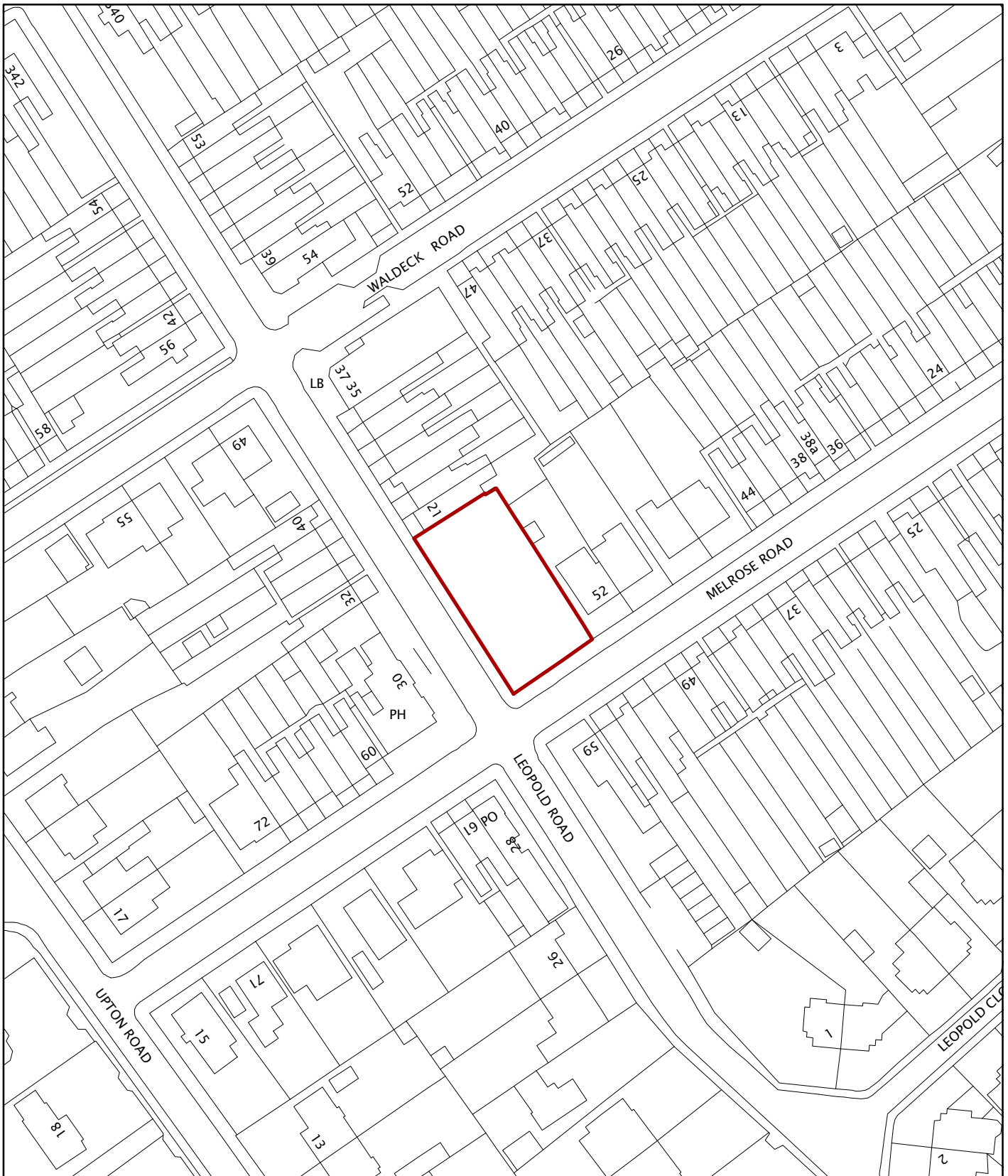
4(b)

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<b>Ward:</b>	Eaton
<b>Case officer</b>	Joy Brown - <a href="mailto:joybrown@norwich.gov.uk">joybrown@norwich.gov.uk</a>

Development proposal		
Material amendment of permission 14/00224/MA for variation of condition 2 to allow the removal of solar panels and reconfiguration of window profiles to all plots and installation of porch, enlargement of dwelling and changes to internal layout of plot no. 1.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1 Principle of Development	This has already been established
2 Design	Impact on streetscene
3 Amenity	Impact upon neighbouring residents
4 Energy	Policy requirements
<b>Expiry date</b>	19 October 2017 (extension of time until 16 November).
<b>Recommendation</b>	Approval



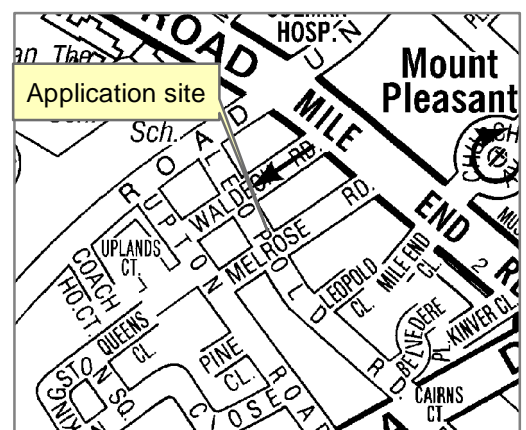
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Planning Application No 17/01259/MA  
 Site Address 19 Leopold Road

Scale 1:1,000



**NORWICH**  
 City Council  
 PLANNING SERVICES



## The site and surroundings

1. The site is located on the north-eastern corner at the junction of Leopold Road and Melrose Road. The site was previously used as a motor garage but construction is currently underway for the development of the site for 3 no. terrace properties and 1 no. detached property.
2. The site is set within a predominantly residential area. Leopold Road and Melrose Road are characterised by a mix of Victorian terraced and later semi-detached housing. The Beehive public house is located directly opposite the site on Leopold Road.

## Constraints

3. The Environment Agency have previously identified that the site is situated within Groundwater Source Protection Zone 2.

## Relevant planning history

Ref	Proposal	Decision	Date
06/00090/F	Proposed residential development consisting of 5 no. three-bedroom townhouses and 2 no. two-bedroom apartments.	Withdrawn	20/03/2006
06/00414/F	Redevelopment of site for 6 flats with associated parking (revised drawings and revised description).	Approved	21/07/2006
06/01063/F	Proposed residential development consisting of 8 no. 2 bedroom apartments.	Refused	22/12/2006
07/01159/F	Erection of a small local centre comprising 5 no convenience units within use classes A1, A2, A3, D1, D2 and B1 and 5 no. flatted dwelling units with associated parking.	Refused	11/12/2007
08/00325/F	Erection of small local centre comprising five convenience units within use classes A1, A2, A3, D1, D2 and B1 and five flatted dwelling units with associated car parking.	Refused	29/05/2008
11/00108/F	Development of 5 No. 3 bedroom town houses, 1 No. 1 bedroom flat and 1 No. 2 bedroom flat.	Refused	21/04/2011



5. From the officer's site visit it was also noted that the ridge height of units 2-4 would appear to be around 0.5m higher than the neighbouring property (52 Melrose Road) whereas the previously approved plans showed a ridge height that was the same as 52 Melrose Road. The applicant has confirmed that the built ridge height is in accordance with the approved plans (8.6m) however on the previously approved plans the ridge height of the neighbouring property is in fact 7.8m from ground level to ridge not 8.6 as shown on the previously approved drawings.

## Representations

6. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
The roof height of plots 2-4 is higher than the neighbouring property. This results in loss of light. The rear dormers are also larger leading to more overlooking.	See main issues 2 and 3.
Was it agreed that plots 2-4 would be 3 storey? If not then this results in a more intense form of development which could have more parking issues.	The previously approved plans were for three storey properties.
Why are the solar panels being removed when these houses were originally billed as eco friendly? The omission of the panels waters down what is already a poor quality development that may have not been approved without them.	See main issue 4
The enlargement of plot 1 means that it is 0.5m closer to the garden of 52 Melrose Road and leads to further loss of green space.	See main issue 3
Changes in the layout of plot 1 have now meant the study has become a third bedroom which intensifies the use of the site.	The study could have previously have been used as a third bedroom.
The windows are very large and very invasive.	The size of the openings is in accordance with the previously approved plans. The profile of the windows has changed to satisfy building regulations approval.

## Consultation responses

7. 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.

### Environmental protection

8. No comments

### Highways (local)

9. No comment received

### Norfolk historic environment service

10. We do not wish to make any recommendations for archaeological work.

## Assessment of planning considerations

### Relevant development plan policies

11. **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
  - JCS4 Housing delivery
  - JCS6 Access and transportation
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
12. **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
  - DM12 Ensuring well-planned housing development
  - DM30 Access and highway safety
  - DM31 Car parking and servicing

### Other material considerations

13. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
  - NPPF6 Delivering a wide choice of high quality homes
  - NPPF7 Requiring good design
  - NPPF10 Meeting the challenge of climate change, flooding and coastal change

## **Case Assessment**

14. 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**

15. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
16. The principle of residential development on the site has already been established through the previous consents as has the loss of the commercial premises.

### **17. Main issue 2: Design**

18. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
19. The removal of the solar panels and the changes to windows are not considered to materially impact upon the overall design or the appearance of the dwelling houses.
20. The addition of a porch and the changes to the design of the front elevation of plot 1 are considered acceptable and will tie in with the design of other properties in the vicinity. The porch will protrude no further than the porch of the property to the north (21 Leopold Road) and the ground and first floors will be in line with the rest of the terrace.
21. In terms of the height of plots 2-4, there was uncertainty as to whether the properties had been built in accordance with the previously approved plans as the previously approved plans showed a ridge height that was the same as the ridge height of the property to the east (52 Melrose Road) whereas the officer's site visit confirms that the ridge height was at least 0.5m higher than the neighbouring property. The applicant has since confirmed that the height of plots 2-4 is in accordance with the previously approved plans; however the ridge height of the neighbouring property was incorrectly shown as being too high at 8.6m whereas in reality it is actually 7.8m. Checking the height of the proposed dwellings on the approved plans confirms that their height is as approved.
22. The difference in ridge height between plots 2-4 and the neighbouring property does have a small impact upon the street scene; however given that the site is on the corner, is separated from 52 Melrose Road by around 3m and has a different roof form (52 Melrose Road has a hipped roof), the relationship between the new terrace and the neighbouring semi-detached properties is acceptable. In addition, the development has actually been completed in accordance with the approved plans.

### **Main issue 3: Amenity**

23. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

## **Impact upon neighbouring residents**

24. With the exception of the changes to the dormer windows to plots 2-4, it is not considered that the changes to the profiles of the windows will impact upon any neighbouring residents as there is no change to the size of the openings or the positioning of the windows. The increased size of the rear dormer may slightly increase the feeling of being overlooked; however it is not considered that the actual increase in overlooking will be significant.
25. As part of the previous consent a condition was attached requiring details of the upper floor windows of plot 1. The reason for this condition was to prevent overlooking. An application was submitted to discharge this condition. This showed a small top hung opening window with fixed lights to the bottom panes. The entire window was to be obscure glazed. The proposed windows do not satisfy building regulations as the opening sections are of insufficient size for a means of escape from a bedroom. Therefore it is necessary for a casement window with side hinges to the bedroom. Both the bathroom and bedroom windows will still be obscure glazed which can be secured by condition in order to prevent overlooking.
26. The slight increase in the size of plot 1, the addition of the porch and the changes to the layout will have minimal impact upon neighbouring residents. The property will be slightly closer to the boundary of 52 Melrose Road; however any increase in overshadowing to the neighbours garden as a result is likely to be minimal compared to the approved scheme. The property will be no deeper than 21 Leopold Road so the impact upon the property to the east will also be minimal.
27. With regards to the ridge height of plots 2-4, as set out above this is no higher than the previously approved plan; however it is over 0.5m higher than the neighbouring property as this was incorrectly shown on the plans. Neighbouring residents feel that the increased height from what they expected (same height as 52 Melrose Road) will further impact upon levels of light and result in additional overshadowing. Although the property may appear larger, it is in fact as approved. Notwithstanding this, due to the distances involved it is not considered that the perceived additional height will reduce light to any of the neighbours to any material degree.

## **Amenity for future residents of the site**

28. The increase size of unit 1 will improve the internal living space for future residents; however it will reduce the size of the rear garden. The garden is small; however it is considered sufficient to provide a useable space for a family dwelling. None of the other proposed changes will impact upon the living conditions of residents of the proposed dwellings.

## **Main issue 4: Energy**

29. Key policies and NPPF paragraphs – JCS3, DM1, NPPF paragraphs 94 and 96.
30. The application includes the removal of the solar panels from all four units. Although this is regrettable, there is no policy basis to require any form of renewable energy on sites below 10 units. As such it is considered that the change is acceptable.



## **Compliance with other relevant development plan policies**

31. 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.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Not applicable

## **Equalities and diversity issues**

32. There are no significant equality or diversity issues.

## **Local finance considerations**

33. 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.
34. 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.
35. In this case local finance considerations are not considered to be material to the case.
36. The proposal increases the total floorspace by 15 sqm. This would result in an additional payment of £1436.38.

## **Conclusion**

37. The proposed changes are considered to be a minor alteration to the previously approved consent and it is not considered that they will have a significant impact upon the overall design of the scheme or have a significantly detrimental impact

upon the living conditions of neighbouring or future residents. The removal of the solar panels is regrettable; however there is no policy requirement to provide renewable energy on residential development of less than 10 units.

38. The development is therefore in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

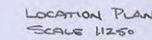
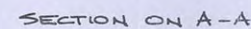
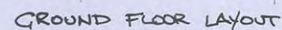
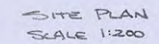
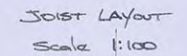
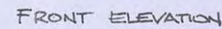
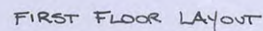
## **Recommendation**

To approve application no. 17/01259/MA - 19 Leopold Road, Norwich, NR4 7AD and grant planning permission subject to the following conditions:

1. In accordance with plans;
2. Materials, boundary treatments and external lighting in accordance with application 14/00770/D
3. Obscure glazing to rear of plot 1 (upper floor).
4. Bin and bike stores in accordance with 14/00770/D
5. No occupation until vehicular access shown on drawing 5800A-P01 rev L have been extinguished and adjacent footway reinstated with full height kerbs in accordance with 14/00770/D.
6. Landscaping of plots 2-4 in accordance with details approved under 14/00770/D
7. Details of landscaping to plot 1 to be agreed prior to occupation.
8. Water efficiency
9. No occupation until verification report submitted
10. Monitoring, maintenance and contingency action in relation to condition 9.

## **Article 35(2) Statement**

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



Original application No 14/00770/C  
dated 2/6/14  
also 140224/MA, 12/00106/F  
— new internal layout.

REVERSED LAYOUT 03.

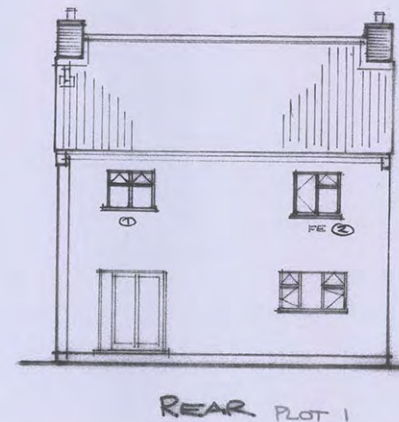
Art 19  
LEOPOLD ROAD  
NORWICH NR4 7AD

DATE 25 July 2017

DRAWN

$$R_{EF} = R + S \geq 0$$





Windows 1+2 to have obscured glazing equivalent of classification 3 of Pilkington Glass

### SPECIFICATION CHANGE

Solar panels :- Removed from all 4 No units

Windows :- Front windows to plots 2-4 opening lights (casements) added to comply with Building Regulations for means of escape min size 750 x 450 0.33m<sup>2</sup>

Rear windows plots 2-4 profile change to comply with means of escape 1st floor

Revised profile to rear of plot 1 bedroom window means of escape

PLOT 1 Revised layout and porch added to mirror the adjoining existing terrace house. Increased floor area to 1st floor and porch represent an increase of 15.66m<sup>2</sup>

DORMERS Dormer height as planning drawing but length increased by 300mm to obtain 850 above floor to sill as requested by Building Control. Extending dormer further down roof.

### NOTES

Original application No 14/00770/D dated 23/6/14  
140224/MA, 12/00106/F

### REVISIONS

A. Planning amendments agreed on 12-10-17.

### AMENDMENTS TO EXISTING PLANNING.

AT  
19 LEOPOLD ROAD  
NORWICH NR4 7AD

FOR  
RACKHAM + SALES LTD  
MONK FARM  
GREENWAYS  
NORWICH

DATED 1 AUGUST 2017

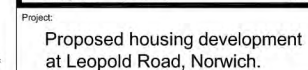
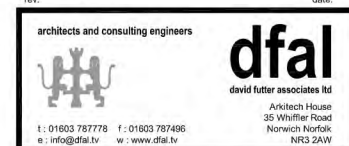
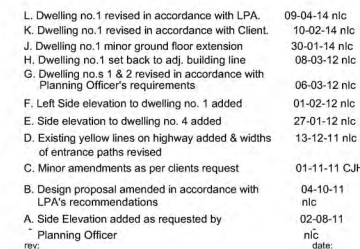
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RE R+S 04/A

Revised

170 1259 MA





Approved plans for application  
14/00224/MA

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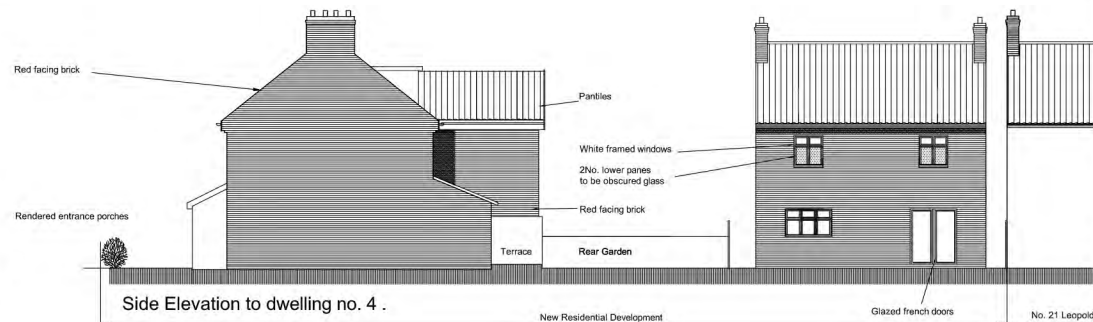
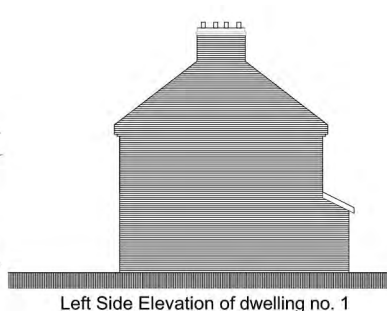
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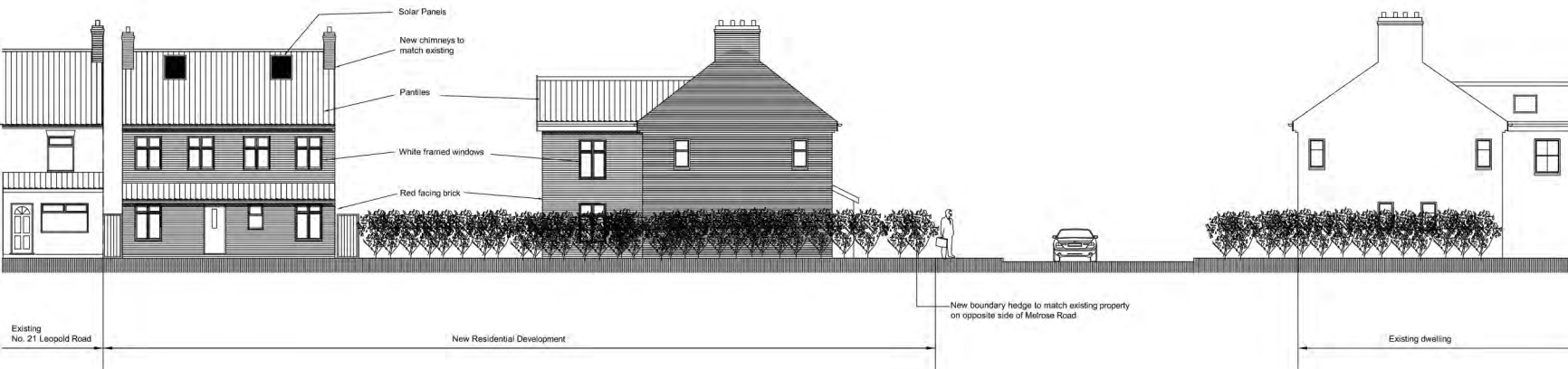
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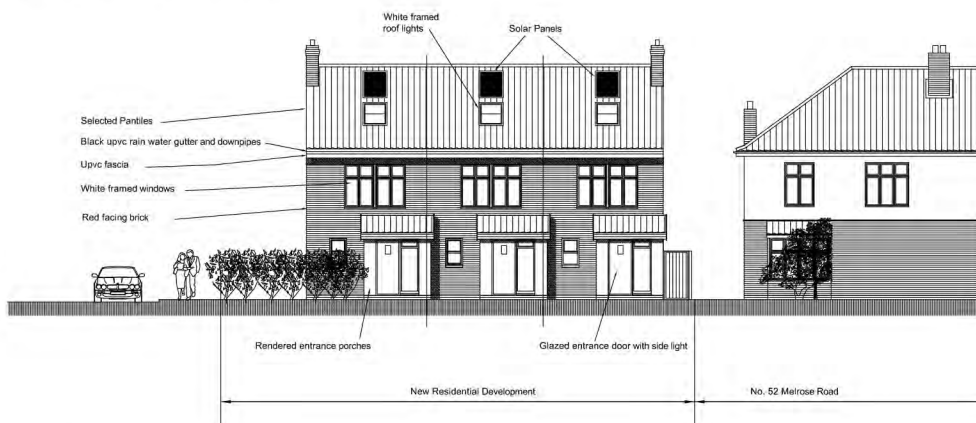
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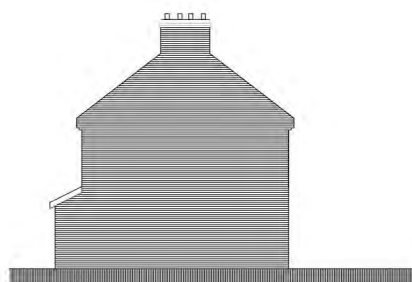
Leopold Road Elevation



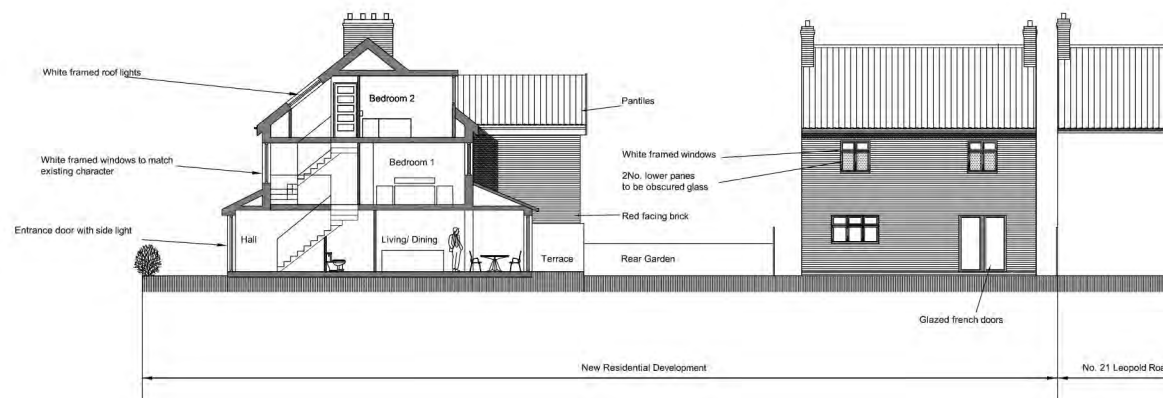
Melrose Road Elevation



Section A-A  
(Rear Elevation)



Right Side Elevation of dwelling no. 1



Section B-B



Key Plan

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Approved plans for application  
14/00224/MA

K. Ground floor of Dwelling 1 extended	29.01.14 nlc
J. Dwelling 1 set back to adq building line	08.03.12 nlc
H. Dwelling 1 & 2 amended in accordance with Planning Officer's requirements	02.03.12 nlc
G. Right Side Elevation to dwelling no.1 title amended	01.02.12 nlc
F. Side Elevation to dwelling no.1 added	27.01.12 nlc
E. Solar panels added for renewable energy requirements	14.12.11 nlc
D. Minor amendments made as per Clients request	01.11.11 CJH
C. New design scheme incorporating LPA's recommendations	03.10.11 nlc
B. Rear extension added to Leopold Road elevation	05.08.11 nlc
A. Section B-B revised	02.08.11 nlc

rev: date:

architects and consulting engineers

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Project:  
**Proposed housing development  
at Leopold Road, Norwich.**

Client:  
**Ben Kemp Ltd**

Drawing:  
**Elevations and Sections**

Drawn by: nlc	Checked by: DF	Drg. No.	Rev.
Scale: 1:100		<b>5800A_P02</b>	<b>M</b>
Date: July 2011			

M. Dwelling no.1 revised in accordance with LPA  
L. Dwelling no.1 revised in accordance with Client  
09.04.14 nlc  
11.02.14 nlc