



NORWICH
City Council

Planning applications committee

Date: Thursday, 08 April 2021

Time: 09:30

Venue: Remote access

Committee members:

Councillors:

Driver (chair)

Maxwell (vice chair)

Bogelein

Button

Huntley

Lubbock

Neale

Ryan

Peek

Sands (M)

Sarmezey

Stutely

1 vacancy

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For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

Agenda

Page nos

1 Apologies

To receive apologies for absence

2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

3 Minutes

5 - 10

To approve the accuracy of the minutes of the meeting held on 11 March 2021

4 Planning applications

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 4 above are required to notify the committee officer by 10:00 on the day before the meeting. Further information about speaking at the committee is set out in Appendix 11 of the council's constitution.

Further information on planning applications can be obtained from the council's website:

<http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.

Summary of planning applications for consideration

11 - 12

	Standing duties	13 - 14
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Date of publication: **Monday, 29 March 2021**



Planning applications committee

09:45¹ to 12:05

11 March 2021

Present: Councillors Driver (chair), Maxwell (vice chair), Bogelein, Button, Grahame (substitute for Councillor Neale), Peek, Sands (M), Ryan, Sarmezey, Stutely and Wright (substitute for Councillor Lubbock)

Apologies: Councillors Huntley, Lubbock and Neale

1. Declarations of interest

There were no declarations of interest.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 11 February 2021.

3. Application no 20/01313/F - 418 Unthank Road, Norwich, NR4 7QH

The planning team leader presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports, which had been circulated prior to the meeting, which contained a summary of a further letter of objection from an existing objector and the officers' response.

Councillor Lubbock addressed the committee as ward councillor and a local resident. She explained the reasons for calling in the application for consideration by the committee, which included: that the design of the proposed extension was detrimental to the conservation area, where for 100 years there had been regular spaces between the four Edwardian detached houses, and by infilling in the space up to the boundary would change the topography of the street scene and was contrary to policy DM9, as the proposal did not enhance the heritage assets of the conservation area; and that the extension built up to the boundary would have an overbearing impact on the residential amenity of the neighbouring property at no. 420, most significantly blocking daylight to internal rooms. The committee should refuse the application in favour of a more sympathetic development.

¹ The start of the meeting was delayed due to technical issues.

The resident of no. 420 addressed the committee with their objections to the proposed extension which they considered would have an overbearing impact, loss of light and privacy on their property. With regard to the overbearing impact, the slope of the ground was significant, making the plans that had been provided misleading and incorrect. The height next to the boundary was 2.9m (or 9.5ft) and therefore a significant increase of 3.5ft in height right next to the fence. The extension would cause loss of light to their property and the neighbours disagreed with the officer's assessment on the effect on their residential amenity, as they would have an outlook on a 10.6m by 2.9m (35ft by 9.5ft) featureless, brick wall. This would shade two-thirds of the window at the back of their house, it was acknowledged that there were other windows to that room. However, it would mean that the room at the front would have no natural light and would require the use of electric lights when in use. With regard to privacy, because of the significant slope of the land, and as shown on the plans, the eye line from the French windows would be over the height of the fence into no. 420. He suggested that a better solution would be to push the extension back by 870mm, moving it back from the boundary by 1m, which would transform the impact on no. 420, whilst reducing the extension from 17.5ft to an acceptable 15ft.

The planning team leader commented that in relation to design, the applicant proposed to use traditional materials (Flemish brick and red pantiles) in keeping with the building. He referred members to the assessment of the proposed extension on the neighbouring property as set out in the report. The property at no. 418 already overshadowed no. 420 as it was to north-east but there was not sufficient loss of residential amenity to justify refusal of the application.

During discussion the planning team leader referred to the report and presentation and answered members' questions on the proximity of the proposed extension to the boundary of the property; confirming that the north-west and south-west elevations shown in the plans were labelled correctly; confirming that there would be some loss of light to the neighbour's side window; that assessment of the height of the rear of the extension was measured as 2.65m in the plans and that he did not recognise the neighbour's assessment of 2.9m; and that there would be no barrier to the wildlife corridor as there was a 2.5m gap in the boundary fence and gates at the side and front of the property.

The chair moved and the vice chair seconded the recommendations as set out in the report.

RESOLVED with 10 members voting in favour (Councillors Driver, Maxwell, Bogelein, Button, Grahame, Ryan, Peek, Sands (M), Sarmezey and Stutely) and 1 member abstaining from voting (Councillor Wright) to approve application no. 20/01313/F - 418 Unthank Road Norwich NR4 7QH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.

4. Application no 20/01095/F 6 Judges Drive, Norwich, NR4 7QQ

The planning team leader presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports, which had been circulated prior to the meeting, which contained summaries of a letter of support, one letter from an existing objector and a further letter of objection, and the officer response.

A resident addressed the committee with his objections to the proposed summer house/shed which included: concern for the preservation of the wooded area and wildlife habitat (including muntjac, bats); that the applicant did not intend to preserve the natural woodland having applied to fell 7 trees and replace with fruit trees; that a summer house was unsuitable for storage of tools and concern that the structure would impact on the mature oak tree.

The next speaker said that she was a teacher, specialising in ecology, and spoke about the importance of the 150 year old natural woodland to mitigate air pollution in the city; that there was an intricate biodiversity supporting wildlife (squirrels and hedgehogs) and that fruit trees would not provide the same biodiversity to support wild birds.

The applicant addressed the committee in support of the application, during which images provided by the applicant of a summer house in the garden 70 years ago were displayed and other pictures depicting the clearance in the woodland on site of the proposed garden shed which would be “no bigger than a double bed”. He had health issues and a shed would mean that tools could be stored half way down the garden without having to carry them far to maintain the woodland. The applicant explained that he was putting in fruit trees because there were none in the garden at present. The design of the shed had been selected because it would be attractive and despite having windows would be as secure as a shed with a padlock.

During discussion, the planning team leader then answered questions from members of the committee and referred to the report and the presentation. The application was before the committee because there had been three objections, in accordance with its scheme of delegations. The committee was advised that tree works had been authorised by the tree officer as part of woodland management. This application did not require the removal of any further trees, and the shed would be surrounded by trees. A member suggested that there should be further information on the location of the trees that had been removed and the replacement planting. The area development manager confirmed that the woodland management had been subject to a tree preservation order application. The application before the committee was a separate from this and did not require the removal of any trees.

In reply to a question, the planning team leader confirmed that members could consider the natural areas officer’s suggestion that enhancements to the biodiversity of the natural habitat in mitigation to the proposed shed could be conditioned. Members were also advised that a condition could be added to ensure that the shed was used for storage purposes only to alleviate members’ concerns about the applicant’s intended use.

(The committee had a short break at this point and reconvened with all members listed above as present.)

Discussion ensued in which members asked further questions regarding the size of the woodland and its preservation from being turned over to lawn, noting that the woodland had been breached when houses had been built on it. Members also noted that there was a garage within the curtilage of the premises which could be used for tool storage.

The chair moved and the vice chair seconded the recommendations as set out in the report.

A member spoke in support of the application. The proposed shed was situated in a long garden and was a small attractive structure, in woodland. The porch area could provide shelter in rain. It was unlikely to be harmful to the mature oak tree. It was a condition that there would be no electricity supplied to the shed and therefore it would not be harmful to wildlife or create light pollution.

During discussion members considered additional conditions to mitigate concerns about the intended use of the shed and a member suggested that its use should be restricted so that no leisure use was allowed. The area development manager said that this would be over restrictive of an individual's use on their privately owned land and was not a land use as such. He also pointed out that it was not necessary to replicate the tree planting set out in the tree preservation order works, as these would be required and were subject to enforcement proceedings if not.

Councillor Bogelein moved and Councillor Wright seconded that the following additional conditions be applied: that the structure was only used for storage; and that biodiversity enhancements as suggested by the natural areas officers should be conditioned. (In response to the proposal of a third condition to add a time limit, the area development manager pointed out that it was already proposed as a standard condition for approval of the application.) On being put to the vote with 10 members voting in favour (Councillors Driver, Maxwell, Bogelein, Button, Grahame, Ryan, Peek, Sarmezey, Stutely and Wright) and 1 member abstaining from voting (Councillor Sands) the two conditions were approved.

Discussion ensued in which members commented on the application.

Members in support of the application took into account the size and layout of the garden, the size of the shed and that its location was practical for tool storage. The shed would be located on open ground within the woodland. The applicant wanted to restore the garden to how it was before.

Councillors Bogelein, Wright and Grahame explained that they would vote against the applications. Councillor Bogelein pointed out that the ownership of a natural woodland was a privilege and expressed concern about the use of the shed by the applicant. Councillor Wright concurred with this and also said that the woodland was the "lungs of the city" and should be left as it is whether in public or private ownership. Councillor Grahame said that the discussion on this item was worth it and that the preservation of woodland should not be trivialised.

On being moved to the vote, it was:

RESOLVED, with 8 members voting in favour (Councillors Driver, Maxwell, Button, Ryan, Peek, Sands, Sarmezey and Stutely) and 3 members voting against (Councillors Bogelein, Grahame and Wright) to approve application 20/01095/F at 6

Judges Drive, Norwich, NR4 7QQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No installation of external lighting without permission.
4. The shed to be used for storage only.
5. Biodiversity enhancements as agreed with the natural areas officer.

(Councillor Maxwell left the meeting at this point.)

5. Application no 20/01192/F – 80 Connaught Road Norwich NR2 3BS

The planning team leader presented the report with the aid of plans and slides.

The chair moved and Councillor Sands seconded the recommendations as set out in the report.

During discussion members considered that the proposal would enhance the appearance of the building and provide a café facility for local residents. Members considered that the operating hours of the café and the use of the decking, until 19:00 in the week and 22:00 on Thursdays, Fridays and Saturdays, was reasonable for a residential area.

RESOLVED, unanimously, to approve application no. 20/01192/F – 80 Connaught Road Norwich NR2 3BS, and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No amplified music to be played outside the premises.

6. Performance of the development management service; progress on appeals against planning decisions and updates on planning enforcement cases

The area development manager presented the report and answered members' questions. Members agreed that a six monthly performance report would be useful.

During discussion members appreciated the work of the officer to address the backlog of outstanding planning enforcement cases. However members expressed concern that development control was adequately resourced to undertake planning enforcement and the issue should be brought to the attention of the cabinet. The area development manager advised members that the service was being restructured under a new head of planning and regulatory services. This would create efficiencies and make better use of resources that currently lie with other

departments, and should lead to a reduction of outstanding planning enforcement cases. A member pointed out that planning enforcement should be proactive. Another member said that part of the issue could be the current restrictions of the pandemic with officers redeployed for instance. Comparisons of performance on planning enforcement with other similar councils could support the committee's case for additional resources.

In reply to a member's question, the area development manager, explained that development control was no longer working as an outer and inner team, and the career progression meant there was a range of experience within the team to deal with all planning applications.

RESOLVED to:

- (1) note the report;
- (2) ask the area development manager to provide 6 monthly performance reports to the committee.

CHAIR

Summary of planning applications for consideration

ITEM 4

08 April 2021

Item No.	Case (application) number	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	20/01621/O	12 Kimberley Street	Lara Emerson	Outline planning permission with all matters reserved for 6no. houses and 5no. flats. Retention of house at 12 Kimberley Street.	Objections	Approve subject to the satisfactory completion of a legal agreement
4(b)	21/00195/F	115 Unthank Road	Maria Hammond	Subdivision of 1 No. house to create 1 No. one bed flat and 1 No. two bed flat.	Objections	Approval
4(c)	21/000124/F and 125/L	Sainsbury Centre for Visual Arts University of East Anglia	Lee Cook	Installation of Anthony Caro's sculpture 'Goodwood Steps' in the grounds to the south east of the Sainsbury Centre.	Objections	Temporary Approval

STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

Crime and Disorder Act, 1998 (S17)

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

Natural Environment & Rural Communities Act 2006 (S40)

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Planning Act 2008 (S183)

- (1) Every Planning Authority should have regard to the desirability of achieving good design

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law

Article 8 – Right to Respect for Private and Family Life

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

Report to Planning applications committee

Item

8 April 2021

Report of Area development manager

Subject Application no 20/01621/O – 12 Kimberley Street,
Norwich, NR2 2RJ

4(a)

**Reason
for referral** Objections

Ward	Town Close
Case officer	Lara Emerson laraemerson@norwich.gov.uk
Applicant	Mr E Gooch

Development proposal		
Outline planning permission with all matters reserved for 6 no. houses and 5 no. flats. Retention of house at 12 Kimberley Street.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1. Principle of development	Loss of business use; principle of residential development.
2. Affordable housing	Provision of on-site affordable dwellings.
Expiry date	30 April 2021 (extended from 24 March 2021)
Recommendation	Approve subject to the satisfactory completion of a legal agreement



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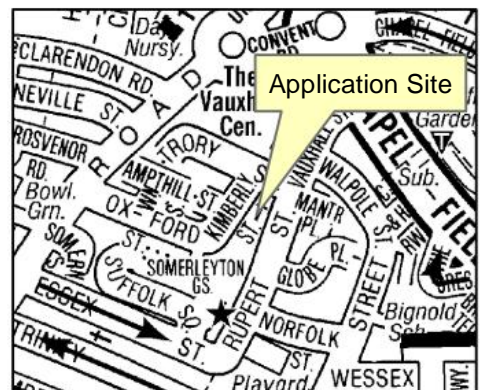
Planning Application No 20/01621/O
Site Address 12 Kimberley Street

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



The site, surroundings & constraints

1. The site is located between Kimberley Street and Vauxhall Street. Vauxhall Street is predominantly made up of 3-4 storey blocks of local authority flats, with a small parade of shops and a park. The area is visually dominated by the 16-storey Winchester Tower located at the end of Kimberley Street. Kimberley Street itself is a mixture of 2 storey Victorian terraces, a single storey church, blocks of garages and more local authority flats. The west side of Kimberley Street forms the edge of the Heigham Grove Conservation Area, and the Victorian terraces are locally listed and protected by Article 4 Directions which restrict permitted development rights.
2. The site itself is occupied by various buildings, car parking and materials storage areas forming a builders' yard along with a double-fronted Victorian red brick house (no. 12 Kimberley Street). The site can be accessed from both Kimberley Street and Vauxhall Street.

Relevant planning history

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

Ref	Proposal	Decision	Date
08/00183/O	4 no. 2 storey houses, 4 no. 2.5 storey houses and block of 3 detached garages.	Approved	02/05/2008
20/00743/O	Outline planning permission with all matters reserved for 9 no. houses and 3 no. flats.	Withdrawn	20/10/2020

The proposal

4. The proposal is for outline consent with all matters reserved for the retention of the house, demolition of the builders' yard buildings and erection of 6 houses and 5 flats. An indicative site plan has been submitted which shows the houses forming a terrace fronting Kimberley Street and the flats sitting within 2 blocks in the north-east of the site. As all matters are reserved, the site plan is just illustrative, but demonstrates how the proposed development could be arranged on the site.
5. The application which was withdrawn last year (20/00743/O) involved the demolition of all the buildings on the site (including the house) and a different mixture of dwellings – 9 houses and 3 flats. Officers expressed concern about the loss of the Victorian house, which offers a positive contribution to the street scene and the adjacent conservation area. After the application was withdrawn, the applicant prepared a structural survey which attempted to justify the demolition of the building based on its condition. However, the survey was not convincing and officers have therefore negotiated retention of the house, and subsequent change to the mix of dwellings proposed.

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation were submitted on first receipt of the application, citing the issues as summarised in the table below. Neighbours were reconsulted on receipt of revised plans showing retention of the house at no.

12, a reduction in dwelling numbers and relocation of car parking on the indicative site plan, but neither objection was withdrawn.

Issues raised	Response
No.12 Kimberley St is an attractive Victorian terrace house on the edge of the Heigham Grove Conservation Area which is the only building of significance on this side of the street.	The proposals have been amended to include retention of no.12 Kimberley Street.
Parking at the front of the houses on Kimberley Street would cause issues with reversing onto the street, cluttering the street scene and cars obstructing the pavement. The attractiveness and safety of the development would be enhanced by parking to the rear of the site.	The layout of the site is not under consideration within this application but to avoid confusion, officers have requested that the parking be moved to the rear of the site on the indicative site plan.
Further clarification is required regarding amount and type of cycle storage provided.	This would need to be agreed within subsequent applications.
Further clarification is required regarding electric vehicle charging points.	This would need to be agreed within subsequent applications.
Designs for the development should take lessons from the Goldsmiths Street development in terms of landscaping, secure play areas and communal seating/social areas for residents.	This would need to be agreed within subsequent applications.
Lack of garden space	The proposed density is 86 dwellings per hectare which is comparable to the 84 dwellings per hectare in the surrounding streets. As such, internal and external space is likely to be appropriate for the area.
The idea of lights to the front for safety triggered by movement leads to endless on/off lighting triggered by passers-by and livestock such as cats.	Residents could put up external lights at any time.
Has consideration been given to pressure on both medical and educational facilities?	The amount of development proposed is small in scale and it is anticipated that facilities in the vicinity would be able to cope with the extra demand.
I would welcome reassurance that there are no plans at present to remove the garages on the adjacent site.	The proposed development is constrained to the site itself and does not impact upon the facilities on adjacent sites.

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.

Design and conservation

8. Comments have not been received on the latest application, but the comments from 20/00743/O are relevant.
9. The proposal is for a number of new flats and houses, the demolition of a red brick Victorian house (no. 12) and a builders' yard. The whole lies immediately to the south of the Heigham Grove Conservation Area, opposite two terraces houses covered by Article 4 Directions and adjacent to Elim Church.
10. The earlier outline application 08/00183/O was made under earlier national and local planning policies, a number of changes, which mean that this application needs to be reconsidered in detail. This application retained No.12 and was solely accessed from Kimberley Street.
11. The application does not include a heritage statement in relation to the impact of the proposals on the setting of the conservation area as set out in para. 189 of the NPPF, it also fails to consider policy DM9, the Heritage Interpretation SPD, and the Heigham Grove Conservation Area Appraisal.
12. No. 12 formed part of a terrace (Denmark Place) which is shown on the 1880 town map, with front and back gardens. No. 12 had rear access with buildings in the rear. Behind this was Wellington Terrace and a timber yard, part within the site. The loss of No.12 should also be considered in the heritage statement, as a non-designated heritage asset, its loss will affect the significance of the setting of the conservation area (designated heritage asset).
13. Other buildings within the site are not considered to be of architectural merit.
14. The outline application proposes to introduce parking in front of each dwelling and to the rear of the site. This reduces a sense of enclosure to Kimberley Street and increase the dominance of the car across the site and within and adjacent to the conservation area, which should be avoided.
15. The overall impact of the outline proposal is considered to have a negative impact on the significance of the setting of the conservation area, based on layout and demolition alone. The proposal does not comply with para. 189, 193, 194, of the NPPF nor is the scheme capable of balancing the negative impact it caused as required under para 196. I therefore object to the proposal as it currently stands.
16. The site is capable of redevelopment, but this requires full consideration of the impact of the proposals on the heritage assets prior to development of proposals, and the retention and reuse of No. 12. It would be preferable for any future outline application to include at least means of access and design.

Environmental protection

17. The proposed development is for 12 dwellings on an existing builders' yard. Given the number of proposed dwellings, with car parking facilities, and the former use I request that additional information in the form of a contaminated land desk study and an air quality screening assessment.

18. Following a review of the information provided within the environmental report I have the following comments. The proposed development is a major application and as such should be accompanied by a desk study which has been compiled by a competent and experienced consultant. I would also like to point out that the history of the site includes being used as a timber yard. Timber treatment is synonymous with timber yards and as such could have caused significant contamination to be present. This and many other things have not been assessed in the report and as such I do not consider the report to be sufficient quality to be classed as a desk study.

Highways

19. In principle we have no objection to residential use on the site.
20. The applicant has chosen to submit an indicative site layout plan showing vehicular access to a rear parking court via a non-adopted cul-de-sac to Vauxhall Street and parking spaces to the front of a row of dwellings onto Kimberley Street. Given the narrow nature of Kimberley Street and the presence of on street parking on the opposite side of the road, it may make vehicular access tight and difficult, but this could be clarified with a vehicle tracking analysis. The additional consequence of frontage parking would be the alteration of the character of the street which is a more a matter for the planning authority to consider if parking should be provided solely to the rear to improve the appearance of the development. Parking to the front of the dwellings would also require the reconstruction of the entire length of the footway adjacent to the site to facilitate dropped kerbs, this would add significant additional cost for the developer. Should parking be relocated to the rear, only the extant vehicle access to Kimberley Street be required to be closed and that short section of footway reconstructed to full kerb height.
21. As a point of detail, it would be useful to consider the pedestrian walking route from the rear of the site towards Vauxhall Street, whether there is scope for a dedicated walking route and provision of dropped kerbs on the extant footway. It is believed that this cul-de-sac is Norwich City Council housing owned land and is not adopted highway.

Housing Development Team

22. The Housing Development team welcome the proposed delivery of 12 residential units in Norwich which includes 4 units of affordable housing. The 4 x 2 bedroom houses which are proposed for affordable housing should be delivered in a tenure neutral design. We would request that the affordable housing is secured under S106 agreement. We are pleased that all units appear to meet the Nationally Described Space Standards. It is noted that the proposal includes 3 x 2 bedroom flats however there is a higher demand for 1 bedroom flats we would prefer to see some units of this type.

Assessment of planning considerations

Relevant development plan policies

23. **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
- JCS5 The economy
- JCS6 Access and transportation
- JCS9 Strategy for growth in the Norwich policy area
- JCS20 Implementation

24. 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
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM16 Supporting the needs of business
- DM17 Supporting small business
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

Other material considerations

25. Supplementary Planning Documents (SPD)

- Affordable housing SPD adopted March 2015

Case Assessment

26. 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

27. Key policies and NPPF paragraphs – JCS4, DM12, DM17, NPPF paragraphs 11 and 59.
28. Since this is an application for outline planning permission with all matters reserved, it is only the principle of development under consideration. In this case the proposal involves the loss of a builders' yard and the redevelopment of the site for 11 residential dwellings.
29. Local policy DM17 seeks to protect sites which provide facilities for small or medium sized businesses, as this site does. However, since the area is

predominantly residential, the builders yard has the potential to cause disturbance to its numerous residential neighbours and it is therefore considered that the proposed use of the site is more appropriate. The site is limited in size and it is understood that the existing business intends to move to a larger site.

30. On balance, given the constrained characteristics of the site and location within what is predominantly a residential area, somewhat isolated from similar uses, it is accepted that the premises is no longer viable or practicable to retain for business purposes, which fulfils criteria (a) of policy DM17. It is also considered that in this instance, redeveloping the site with a use more in keeping with the surrounding area, and providing new housing to meet local needs are benefits which outweigh the loss of the site for business purposes.
31. The site is well located for residential development and the principle of residential development is acceptable on this site under policy DM12 given that:
 - The site is not designated for other purposes;
 - The site is not in a hazardous installation notification zone;
 - The site is not in the late-night activity zone;
 - It does not involve the conversion of high-quality office space; and
 - It is not in the primary or secondary retail area or in a district or local centre.
32. The proposed number of dwellings would lead to a density of 86 dwellings per hectare which is equivalent to the prevailing density in the area (approx. 84 dwellings per hectare). The application states that 6 houses and 5 flats are proposed, and this is considered to provide an appropriate mix, although sizes of units would need to be assessed further within a future reserved matters application, as pointed out by the Housing Development Team.
33. The principle of development is therefore considered acceptable.

Main issue 2: Affordable housing

34. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraphs 57, 63 and 64.
35. The applicant has committed to provide 4 on-site affordable dwellings, which complies with local policies. The applicant has agreed to enter into a Section 106 agreement.

Other matters

36. Since the application is for outline consent with all matters reserved, it is only the principle of development under consideration. The following matters will be

assessed fully within a future Reserved Matters application, but a quick summary of each issue is included below.

Issue	Relevant policies	Assessment
Design & Heritage	JCS2, DM3, DM9, NPPF paragraphs 124-132 & 184-202, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990	Officers have negotiated retention of the house at no. 12 Kimberley Street which is considered to be a non-designated heritage asset which contributes positively to the street scene and the adjacent conservation area. Whilst full details would be agreed within a subsequent application, the indicative site plan demonstrates that the proposed mix of dwellings can be accommodated without causing harm to the character and appearance of the area.
Contamination	DM11, NPPF paragraphs 178-179	Historic uses on the site including the current builders yard have the potential to have contaminated the land. Without the benefit of a desk-based assessment, it is not clear what remediation is necessary, but since the application is outline and known to be contaminated, it is considered appropriate to condition further survey work and an appropriate remediation strategy.
Transport	JCS6, DM28, DM30, DM31, NPPF paragraphs 8, 102-111	The site is located in a highly sustainable location close to local shops, public transport routes and the city centre. The site sits within a Controlled Parking Zone, and new dwellings are not eligible for on-street parking permits. The site is accessible from Vauxhall Street and car parking, cycle parking and refuse storage can all be accommodated. Exact details will be agreed within a future application. To avoid confusion the indicative site plan has been amended at the request of officers to show no car parking at the front of the dwellings on Kimberley Street, which would not be supported.
Amenity	DM2, DM11, NPPF paragraphs 8 and 127	There is adequate space on the site to provide reasonable levels of internal and external space for future residents and the proposed development can be accommodated without causing significant harm to the amenities of surrounding residents.
Renewable energy	DM1, JCS3, NPPF paragraphs 8, 148, 151-154	To be agreed via condition.

Issue	Relevant policies	Assessment
Water efficiency	DM1, JCS3, NPPF paragraphs 8, 148, 151-154.	To be agreed via condition.
Biodiversity	JCS1, DM6, NPPF paragraph 8, 170, 175-177	The buildings to be demolished are in constant use and not suited to wildlife habitat. There is no landscaping on site. Biodiversity enhancements to be agreed within a subsequent reserved matters application as appropriate.
Landscaping	JCS2, DM3, DM8, NPPF paragraphs 8, 91, 96-101, 127	To be agreed within a subsequent reserved matters application/condition.
Flooding & sustainable urban drainage	JCS1, DM3, DM5, NPPF paragraphs 155-165	To be agreed via condition.

Equalities and diversity issues

37. There are no equality or diversity issues.

Local finance considerations

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

Conclusion

39. The development is 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 20/01621/O and grant outline planning permission subject to the satisfactory completion of a legal agreement and subject to the following conditions:

1. Reserved matters application to be submitted within 3 years;
2. In accordance with plans;
3. Contamination - site investigation scheme, site investigation results and detailed risk assessment and verification report;
4. Unexpected contamination;

5. Water efficiency;
6. Energy efficiency;
7. Surface water drainage scheme;
8. No infiltration of surface water drainage into ground without consent from LPA;
9. Restriction on piling and penetrative foundation methods.



retained house
12 Kimberley Street

2bed terrace town houses
80-85m sq GIA

Elim Church
(pentecostal)

amenity
space
for flats

KIMBERLEY STREET

VAUXHALL STREET

3no flats
70-75m sq GIA

stores
for flats

2no flats
70-75m sq GIA

existing access

visitors parking

secure sheltered bin store

9.0m

Report to Planning applications committee

Item

8 April 2021

Report of Area development manager

Subject Application No 21/00195/F - 115 Unthank Road, Norwich,
NR2 2PE

4(b)

**Reason
for referral** Objections

Ward:	Nelson
Case officer	Maria Hammond - 07717 451417 - mariahammond@norwich.gov.uk

Development proposal		
Subdivision of 1 No. house to create 1 No. one bed flat and 1 No. two bed flat.		
Representations		
Object	Comment	Support
3	1	0

Main issues	Key considerations
1	Principle of sub-division to create new dwelling
2	Amenity
3	Design
4	Transportation
Expiry date	13 April 2021
Recommendation	Approve



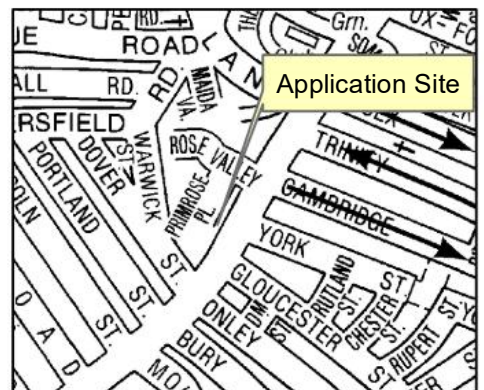
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Planning Application No 21/00195/F
 Site Address 115 Unthank Road

Scale 1:500



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The site and surroundings

1. The application dwelling is one half of a semi on a sloping site which presents two storeys to Unthank Road with an additional lower ground level to Primrose Place at the rear.
2. It is constructed of red bricks, black pantiles and UPVC imitation sash windows. To the rear there is a single storey lean-to extension under a pantile roof, with a white UPVC conservatory attached. These extensions are within a small garden area and a parking space accessed off Primrose Place is separated from the garden by a brick wall. The garden space to the front is laid to gravel within low walls.
3. The attached property has a retail use on the ground floor, with two storeys of residential above.
4. A pedestrian path to Primrose Place separates the site from a neighbouring café and development along this side of Unthank Road is predominantly commercial at ground floor and forms the local centre.
5. Across Primrose Place, which is an unadopted road, there are residential dwellings, some with off-street parking and also a block of garages and covered parking. On-street parking here is permit controlled.

Constraints

6. The site is within a local centre and critical drainage catchment.

Relevant planning history

7.

Ref	Proposal	Decision	Date
4841017/CU	Change of use from dwelling to offices	Refused	06/12/1984

The proposal

8. It is proposed to sub-divide the existing four-bedroom semi-detached dwelling to create two flats with one and two bedrooms each.
9. The only external alteration proposed to the building is the addition of one small window to a bathroom on the rear elevation. An existing section of brick wall and a garden shed would be removed to provide one additional parking space at the rear off Primrose Place and cycle and bin stores would be provided within the rear amenity space.

Representations

10. 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
Two separate parking spaces should be provided as car parking in Primrose Place is at a premium.	See main issue 4
Concerned that another parking space would take away an on-street parking spot and cause further congestion issues, including in combination with other current development. Unfair for existing users to lose on-street space as a result of providing new dwelling with an off-street space.	See main issue 4
Desperately short of parking.	See main issue 4

Consultation responses

11. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Highways (local)

12. It is understood from the submitted plans that the dwelling would be subdivided into two units of residential accommodation and that two parking spaces would be provided to the rear with cycle parking.
13. According to local policy, new dwellings in controlled parking zones are not entitled to on-street parking permits. There are extensive waiting restrictions around the site that operate Mon to Sat 8am to 6.30pm that would offer suitable control of parking most of the time, although residents or visitors could park nearby outside of those hours.
14. However overall, there are not likely to be any highway matters or any significance to justify an objection on highway grounds.
15. It is recommended that the applicant is required to drop the kerb onto Primrose Place to ensure the parking spaces are accessible.

Assessment of planning considerations

Relevant development plan policies

16. **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

17. **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
 - DM12 Ensuring well-planned housing development
 - DM13 Communal development and multiple occupation
 - DM21 Protecting and supporting district and local centres
 - DM30 Access and highway safety
 - DM31 Car parking and servicing
 - DM32 Encouraging car free and low car housing

Other material considerations

18. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**
 - NPPF2 Achieving sustainable development
 - NPPF5 Delivering a sufficient supply of homes
 - NPPF6 Building a strong, competitive economy
 - 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
 - NPPF11 Conserving and enhancing the natural environment

Case Assessment

19. 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

20. Key policies and NPPF paragraphs – DM12, DM13, DM21, NPPF section 5
21. The site is within a local centre and is one of few properties here with an existing residential use on the ground floor. As there would be no loss of non-residential floorspace and none of the other exceptions to Policy DM12 apply to the site, the principle of sub-dividing the single dwellinghouse to create two flats here is acceptable with regards DM12 and DM13.

Main issue 2: Amenity

22. Key policies and NPPF paragraphs – DM2, DM11, DM13, NPPF paragraphs 127 and 180-182.
23. The one bedroom flat proposed on the first floor would have sufficient floorspace for single occupancy and the two bedroom flat on the lower floors would be suitable for three people in accordance with space standards. Each room would have adequate natural light and outlook so the internal standard of amenity is acceptable for future occupiers.
24. The small garden space at the rear would not be directly accessible by the first floor flat and is constrained in area for two flats to use. Given that other upper floor dwellings in this area often don't have any external space and that the site has reasonable access to parks and green spaces, the provision of this constrained, shared space is not unacceptable.
25. Unthank Road is a busy route and nearby commercial premises are open late into the evening, however this property is already in residential use and it is not considered the occupiers of the proposed two flats would be affected by noise and disturbance to any greater extent than those of the existing single dwellinghouse.
26. It is not considered the proposed sub-division would create such additional activity or intensity of use that any neighbouring occupiers would be unacceptably affected and there would be no additional overlooking or loss of privacy from the proposed new bathroom window which should be obscure glazed.

Main issue 3: Design

27. Key policies and NPPF paragraphs – JCS2, DM3, DM12, NPPF section 12
28. One small additional window is proposed in the rear elevation and would match the appearance of an adjacent window so is acceptable in design terms.
29. The alterations to facilitate the provision of an additional parking space would involve the removal of a small section of modern wall and loss of a garden shed. Visually, these changes are not unacceptable in the immediate context and bin and cycle stores and provision of a permeable surface to the parking area are appropriate.

Main issue 4: Transport

30. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9

31. One existing car parking space would be retained and a second would be provided adjacent to it so each flat would have one space in accordance with standards. A dropped kerb would be provided to access the new space.
32. Representations have raised concerns about existing parking congestion along Primrose Place. Parking is managed by permits and areas of double yellow lines. It is also a very narrow road with limited space for cars to park along one side while retaining sufficient space for other vehicles to pass alongside. This space is further constrained outside the site by a kerb and bollards which protrude into the carriageway protecting a footpath entrance. This pinch point means it is not possible to park either side of the road at this point without unacceptably blocking the route of other vehicles. The concern that providing a new off-street parking place, and thus needing to retain clear access on the road outside, would remove an on-street parking space is therefore not founded.
33. As a result of the proposal, the existing dwelling would forfeit any existing permit and the additional dwelling not be eligible for a permit either. Therefore the development would not contribute to any existing on-street congestion in the controlled times (Monday to Saturday 08:00 to 18:30).
34. It is noted that this is an area, being within a local centre and on a frequent bus route, where car-free housing would be acceptable. The applicant has considered this and chosen to retain the proposal for a parking space. It is appreciated that there is local concern about the proposal exacerbating existing parking congestion in Primrose Place, however the provision of a new off-street space and existing measures to manage on-street parking are considered adequate to mitigate this.
35. The proposal can provide for sufficient bin and cycle storage which can be secured via condition.

Compliance with other relevant development plan policies

36. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Biodiversity	DM6	To provide the additional parking space, a shed and some hardsurfacing would be removed. It is not considered any existing biodiversity interest would be harmed.
Water efficiency	JCS 1 & 3	Yes subject to condition

Equalities and diversity issues

37. There are no significant equality or diversity issues.

Local finance considerations

38. 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.
39. 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.
40. In this case local finance considerations are not considered to be material to the case.

Conclusion

41. The proposal would create an additional dwelling by sub-dividing the internal accommodation of an existing single dwellinghouse. It is considered that this would provide an acceptable standard of amenity for future occupiers and not result in any detriment to the amenity of neighbouring occupiers, parking congestion, highway safety or the appearance of the area.
42. The development is 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. 21/00195/F - 115 Unthank Road, Norwich, NR2 2PE and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Obscure glazing to new bathroom window;
4. Cycle and bin storage to be provided prior to first occupation;
5. Water efficiency.

Article 31(1)(cc) statement

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has recommended approval of the application subject to appropriate conditions and for the reasons outlined above.

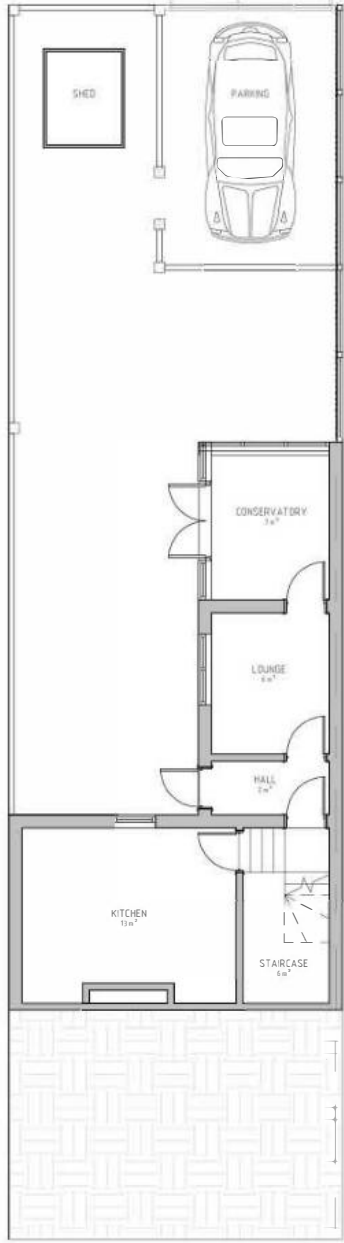
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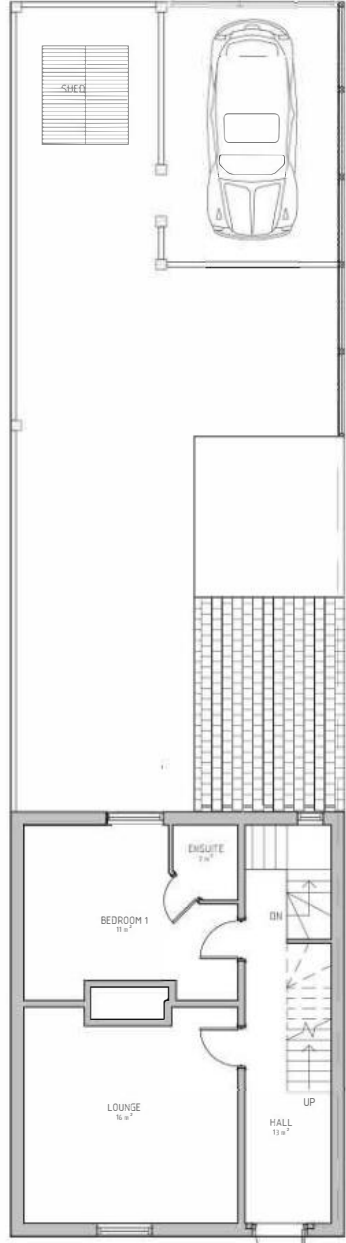
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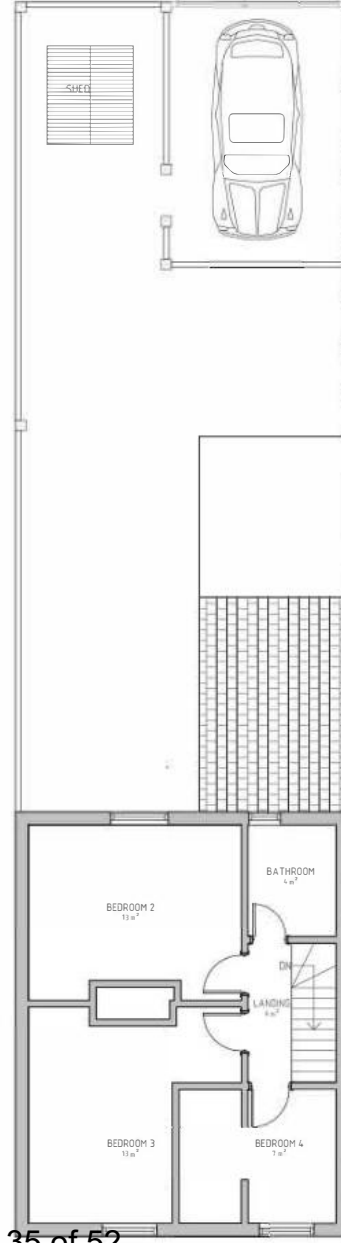
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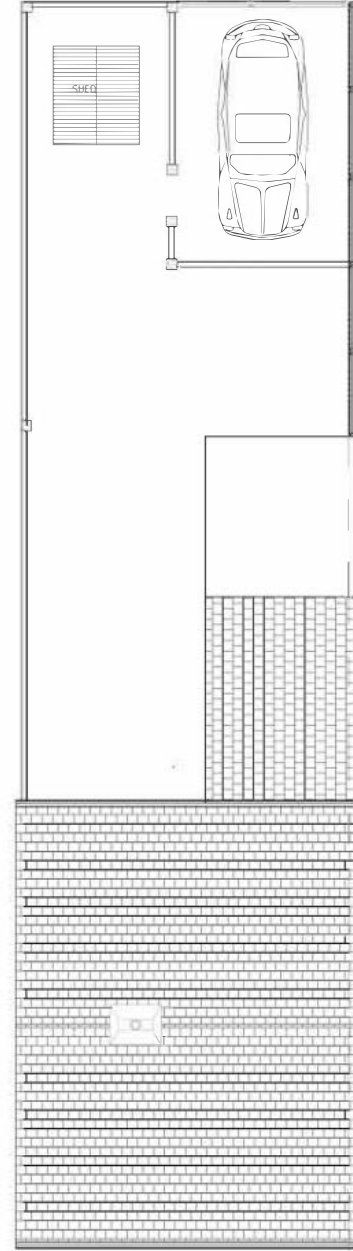
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03/102 - EXISTING GROUND FLOOR PLAN
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03/103 - EXISTING FIRST FLOOR PLAN
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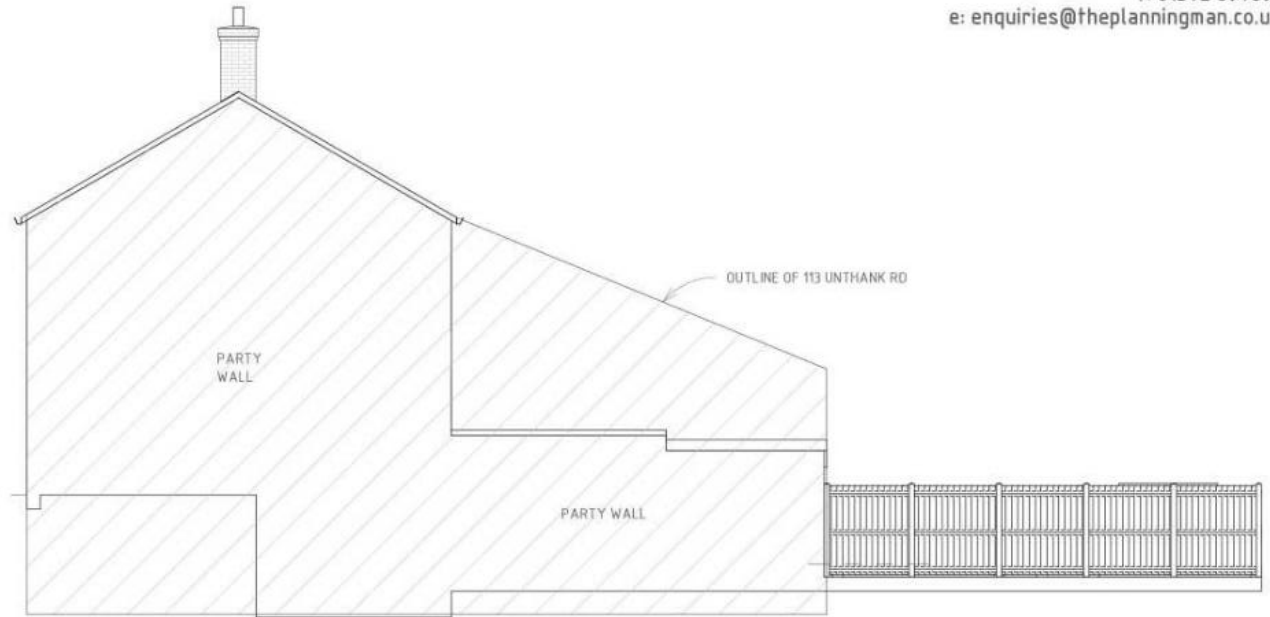
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DATE:
NOV 2020

NOTE:
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 1:100



04/204 - EXISTING RIGHT ELEVATION
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04/203 - EXISTING REAR ELEVATION
 1:100



04/202 - EXISTING LEFT ELEVATION
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VISUAL SCALE 1:100 @ A3

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 381
 PROJECT ADDRESS
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 SHEET NO. REV.
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 DATE
 NOV 2020

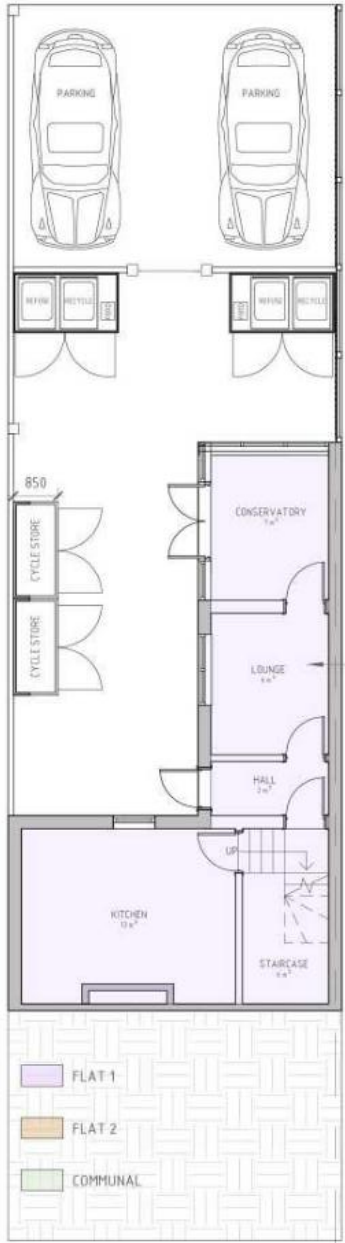
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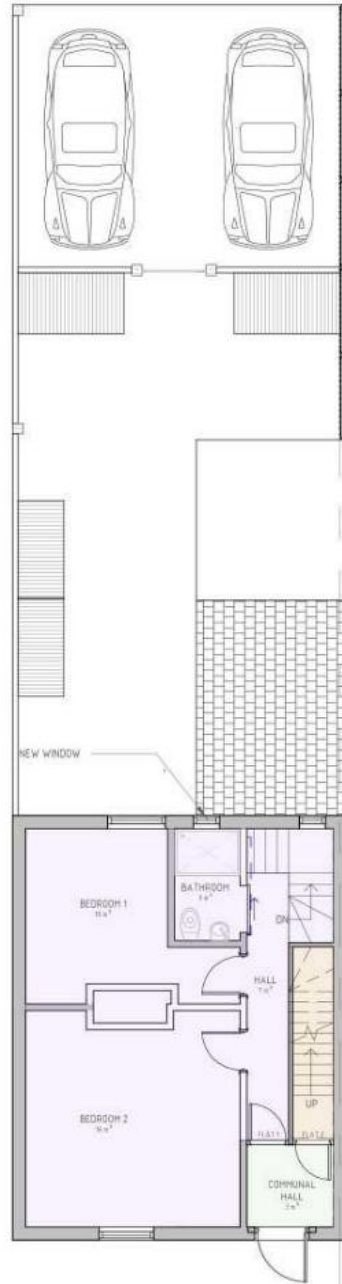
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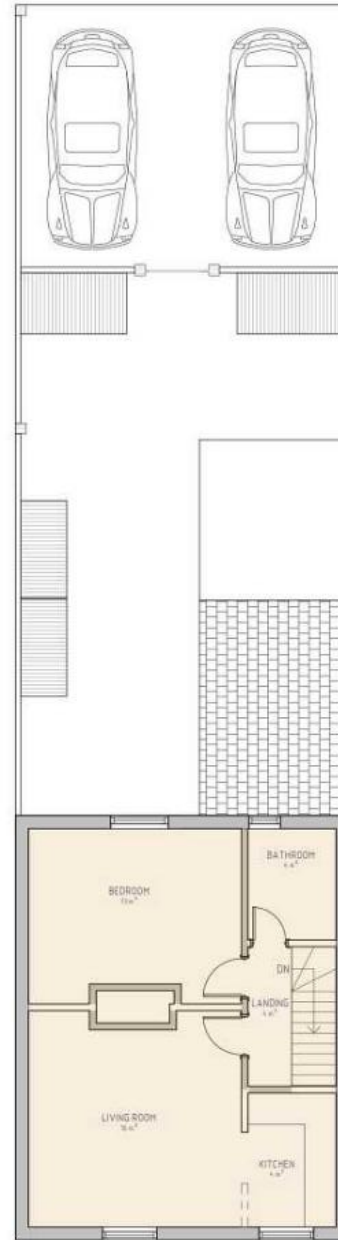
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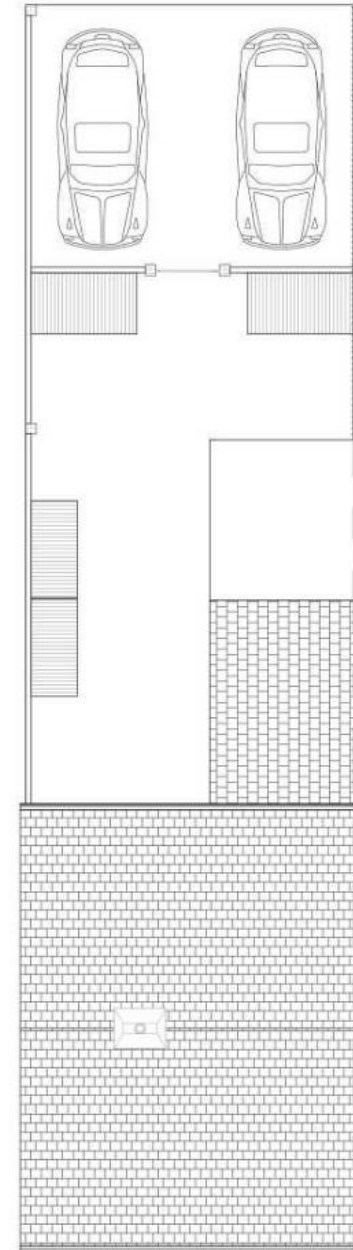
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06/303 - PROPOSED FIRST FLOOR PLAN
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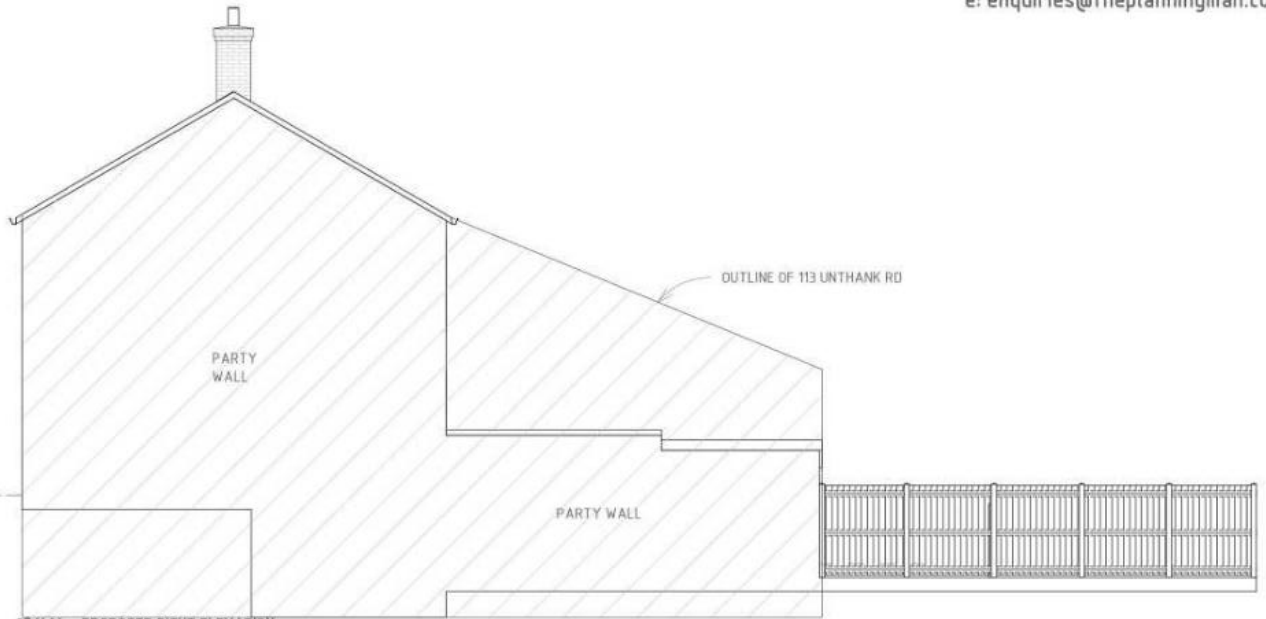
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NOV 2020

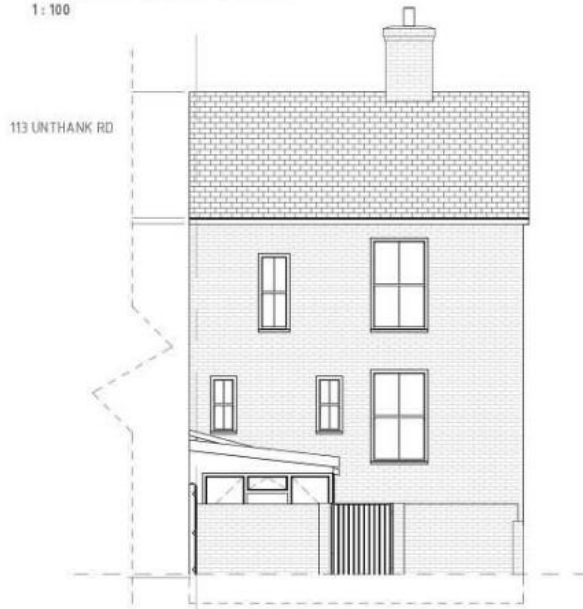
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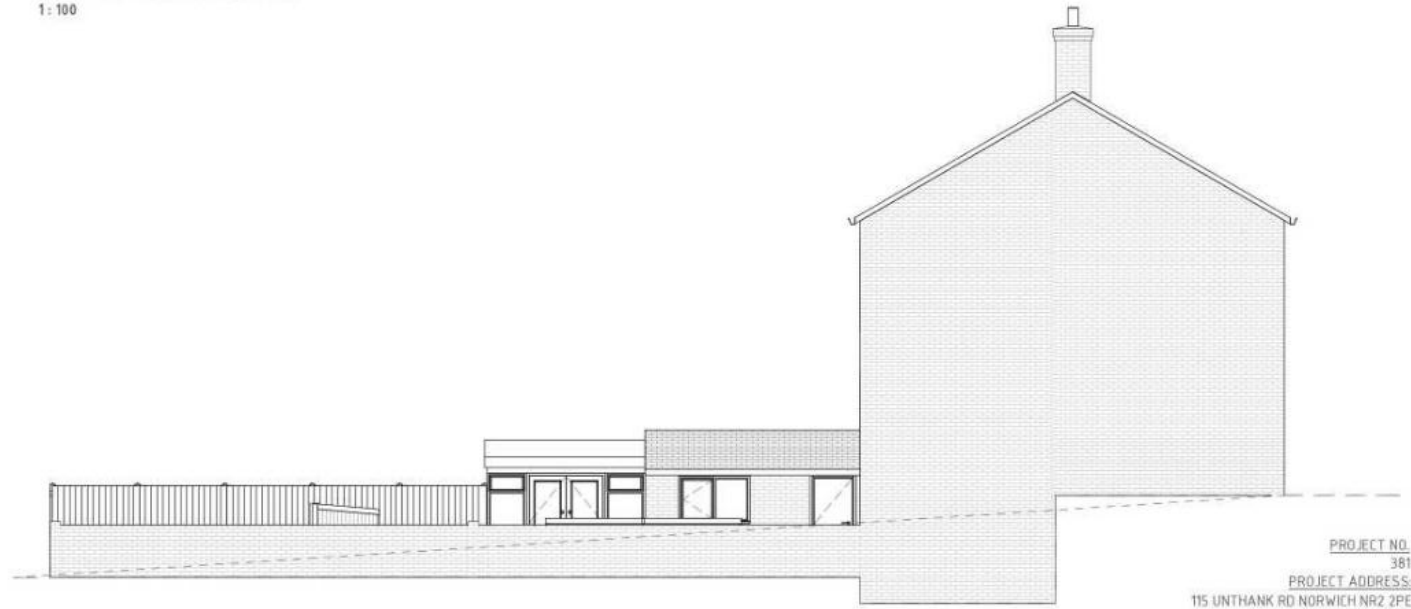
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07/404 - PROPOSED RIGHT ELEVATION
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07/403 - PROPOSED REAR ELEVATION
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07/402 - PROPOSED LEFT ELEVATION
 1:100



VISUAL SCALE 1:100 @ A3

PROJECT NO.
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 PROJECT ADDRESS:
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 PROPOSED ELEVATIONS
 DATE:
 NOV 2020

Report to Planning applications committee

Item

8 April 2021

Report of Area development manager

4(c)

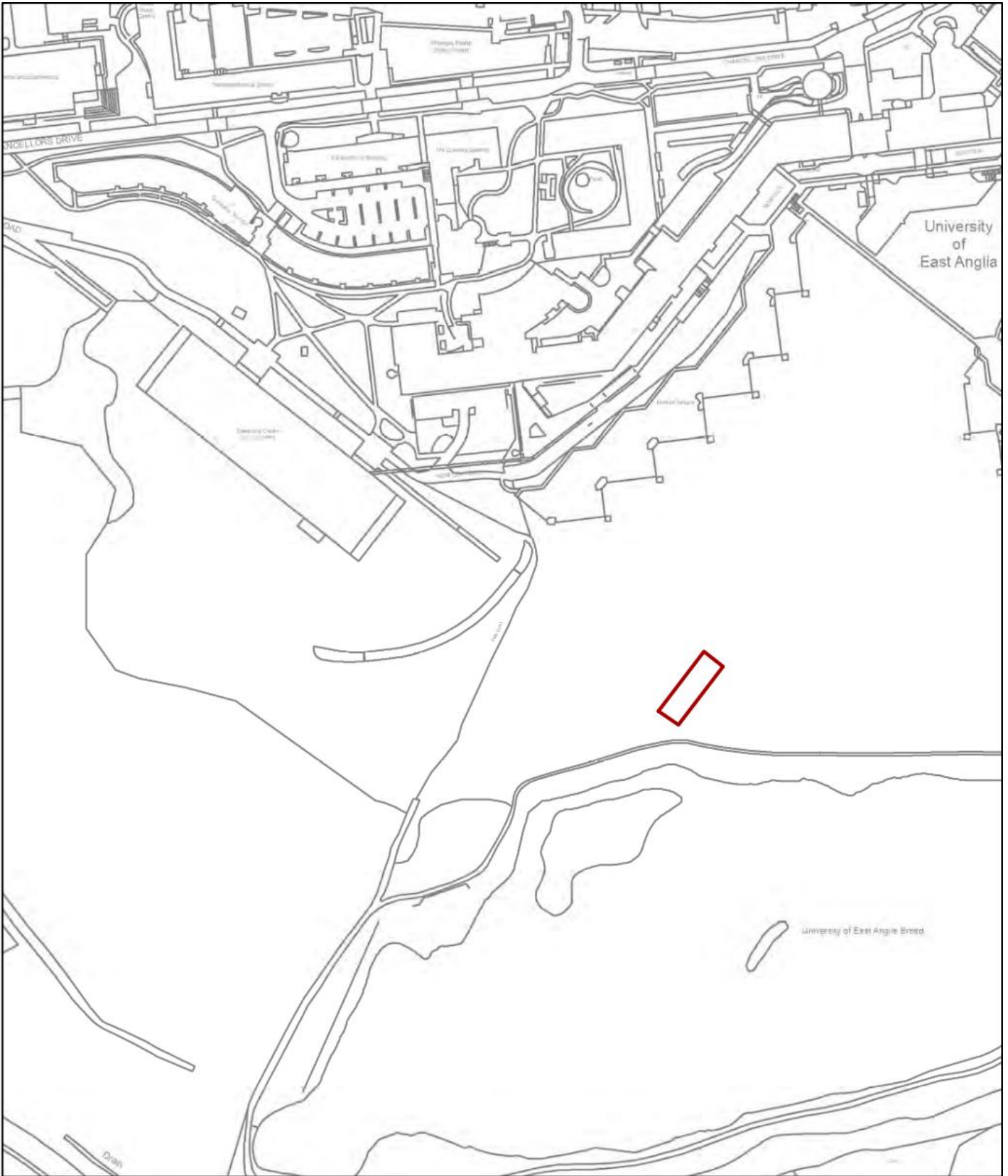
Subject Application nos 21/00124/F and 21/00125/L – Sainsbury Centre for Visual Arts, University of East Anglia, Earlham Road, Norwich, Norfolk

Reason for referral Objection

Ward:	University
Case officer	Lee Cook - 07917 175648 - leecook@norwich.gov.uk

Development proposal		
Installation of Anthony Caro's sculpture 'Goodwood Steps' in the UEA grounds to the south east of the Sainsbury Centre.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Principle of development	Policy framework, community facility, sculpture park development, allocation of site / area
2 Design	Scale, layout, materials, landscaping
3 Heritage	Listed buildings, non & designated heritage assets, architectural character, historic landscape features
4 Landscaping and river valley / open space	Existing character, landscape setting, protecting and enhancing established features, public accessibility
Expiry date	14 April 2021
Recommendation	Approve 21/00124/F and 21/00125/L subject to conditions



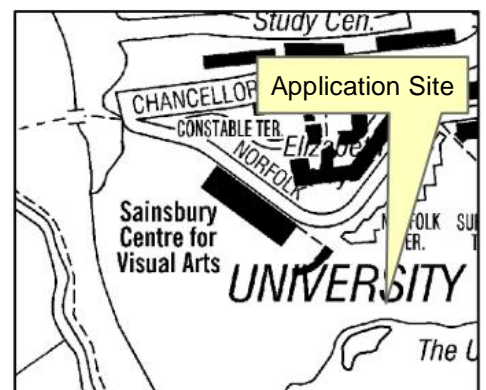
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Planning Application No 21/00124/F & 21/00125/L
 Site Address Sainsbury Centre for Visual Arts
 University of East Anglia

Scale 1:2,500



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The site and surroundings

1. The University of East Anglia (UEA) campus is located on the west edge of Norwich off Earlham Road and Bluebell Road. The application site lies in part of the river valley area on campus, adjacent and to the north of University Broad. The area over the last few years has seen the introduction of a number of sculptures as part of a trail through the area. These include Elisabeth Frink's Mirage I and Mirage II, installed in October 2018, further to the south of the site next to the University Broad.
2. The landscape space between the two/three storey ITCS building and the Grade II* listed Norfolk and Suffolk Terraces (the ziggurats) forms the landscape area known as the 'harbour' which runs down to the Broad. These buildings back onto the Grade II listed walkways attached to the Grade II Teaching Wall and form a core group to the central campus. The area can be also seen as part of views of the Grade II* Sainsbury Centre for Visual Arts (SCVA). The Crescent Wing, a semi-sunken extension containing gallery and work spaces, stores, and offices is located at the south-east end of the main SCVA building.

Constraints

3. The SCVA sits level on a slightly raised platform above the Yare valley area and the ground to the south and east slopes away. The application site falls within the specific area designation within the Local Plan as Yare Valley Character Area (DM6) and open space (DM8). The SCVA and ziggurats fall within the specific area designation of UEA Campus (DM26). Designated woodland and County Wildlife site run along the adjacent river valley to the south and west (DM6). The area has various heritage designations including statutory listed buildings and in local Conservation Development Strategy (CDS) assessments of landscape and buildings significance (DM9).

Relevant planning history

4.

Ref	Proposal	Decision	Date
15/00125/F	Temporary car park on south-west side of building up to 26 July 2015.	Approved	17/03/2015
15/00126/L	Temporary car park on south-west side of building and associated works.	Approved	17/03/2015
17/00234/F	Installation of three Antony Gormley Sculptures; two located at the library and one on the teaching wall at the UEA	Approved	30/03/2017
17/00235/L	Installation of three Antony Gormley Sculptures; two located at the library and one on the teaching wall at the UEA	Approved	30/03/2017
17/01116/F	Model of the iconic tower by Vladimir Tatlin in the sculpture park.	Approved	12/09/2017
17/01117/L	Model of the iconic tower by Vladimir Tatlin in the sculpture park.	Approved	12/09/2017

Ref	Proposal	Decision	Date
18/00194/F	3 No. sculptures to be situated in the east end garden.	Approved	28/03/2018
18/00195/L	3 No. sculptures to be situated in the east end garden.	Approved	28/03/2018
18/01120/F	Two sculptures to be displayed to the North West edge of the adjacent UEA broad.	Approved	18/09/2018
19/00607/F	Installation of Elisabeth Frink bronze sculpture.	Approved	24/06/2019
19/01104/F	Installation of single sculpture by Laurence Edwards entitled Man of Stones, 2019.	Approved	08/10/2019
20/00933/F	Installation of 2 No sculptures (Usagi Kannon II by Leiko Ikemura and Sun's Roots II by Phillip King).	Approved	07/10/2020
20/00934/L	Installation of 2 No sculptures (Usagi Kannon II by Leiko Ikemura and Sun's Roots II by Phillip King).	Approved	07/10/2020

The proposal

- Installation of Anthony Caro's sculpture 'Goodwood Steps' in the UEA grounds to the south east of the Sainsbury Centre. It is offered to the Sainsbury Centre on a 3 to 5 year long-term loan from the Anthony Caro studio.

Summary information

Proposal	Key facts
Scale	
Max. dimensions	395 x 650 x 3340 cm
Appearance	
Materials and Construction	The work is fabricated in steel and consists of seven 6 metre high stepped ziggurats, joined by five floor plates that form sweeping arcs. The surface of the sculpture has naturally oxidised to an iron oxide colour.
Operation	
Ancillary plant and equipment	The sculpture will not require lighting or other fixed cameras which otherwise might cause design concerns in terms of impacts of equipment, light and cabling within the valley area.
Transport matters	
Servicing arrangements	Access for vehicles to place and remove the sculpture is available by the service track to the west of the SCVA via Norfolk Road

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 1 letter of representation has been received in relation to application 21/00124/F 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
It is unnecessarily obtrusive, invasive of the natural environment and in the wrong place. Feel that when walking around the grounds should not have to encounter 'art' should be free to encounter nature. SCVA should have sculptures around it but not encroach into the landscape.	Main issue 1, 2 and 4
The view from the university to the lake should be cherished and spoiling it with this sculpture is unnecessary. The natural world is a sculpture of its own and does not need forced interpretation.	Main issue 1, 2 and 4
The sculpture will be a dog urinal and attract Gulls to sit atop and therefore be an eyesore.	Noted
If this goes ahead they will extend mole extermination practices to be around this sculpture so I would want a proper plan to enhance the area for wildlife along the double net gain basis for moles and the meadow area lost.	There is no planned loss of space and the surface will be left undisturbed. The sculpture should have grass at its base and not an aggregate finish. The display is for a temporary period not justifying net enhancements.

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.

Yare Valley Society

8. The Society recognises the Sculpture Park at the Sainsbury Centre provides interest and education for all who take informal recreation in the Yare Valley. Unfortunately, the proposed siting of the Anthony Caro Sculpture close to the University Broad has raised concerns about the visual impact of such a large structure. A structure of steel 30m long and 6.5m high is seen as an unwelcome intrusion into the open sweep of grassland next to the Broad. The Design and Access Statement refers to the reconsideration of the siting and orientation of the sculpture that has already taken place. The Yare Valley Society asks that further consideration should now be given to siting the sculpture more away from the

Broad and closer to the Ziggurats. Such a move should reduce the sculpture's impact on the open landscape and might better link the sculpture with the Ziggurats in people's minds.

Assessment of planning considerations

Relevant development plan policies

9. **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
 - JCS5 The economy
 - JCS7 Supporting communities
 - JCS8 Culture, leisure and entertainment
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS12 The remainder of the Norwich urban area including the fringe parishes

10. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM1 Achieving and delivering sustainable development
 - DM3 Delivering high quality design
 - DM6 Protecting and enhancing the natural environment
 - DM8 Planning effectively for open space and recreation
 - DM9 Safeguarding Norwich's heritage
 - DM22 Planning for and safeguarding community facilities
 - DM26 Supporting development at the University of East Anglia (UEA)

Other material considerations

11. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
 - NPPF 2 Achieving sustainable development
 - NPPF 4 Decision-making
 - NPPF 6 Building a strong, competitive economy
 - NPPF 8 Promoting healthy and safe communities
 - NPPF 12 Achieving well-designed places
 - NPPF 15 Conserving and enhancing the natural environment
 - NPPF 16 Conserving and enhancing the historic environment

12. **Supplementary Planning Documents (SPD) and Other Guidance -**
 - UEA Development Framework Strategy (2010)
 - UEA Development Framework Strategy Draft Evidence Base Review (2019)
 - UEA Conservation Development Strategy Draft Review (2020)
 - UEA Landscape Strategy (2010)
 - Grounds Maintenance and Conservation Plan (2011)
 - UEA Biodiversity and Landscape Management Plan to 2020

Case Assessment

13. 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

14. Key policies and NPPF sections – JCS1, JCS2, JCS5, JCS8, JCS9, DM1, DM3, DM6, DM9, DM22, DM26, NPPF sections 2, 6, 8, 12, 15 and 16.
15. The UEA Campus has evolved since the original Lasdun masterplan and development in the late 1960's. The UEA in conjunction with English Heritage and the City Council have produced the Conservation Development Strategy (CDS) (2006 and updated in 2020) and also a new landscape strategy (2010) to identify buildings of significance and inform new development and other changes to buildings and landscape. The SCVA, Crescent Wing and adjacent listed buildings are noted as of high significance within the CDS for the University. The CDS identifies the landscaping close to the building in this area (zone 1a and 1b) as of high significance.
16. The Sainsbury Centre has been working with officers since 2016 on a campus-wide strategy to identify sites and potential locations for the placement of future works in a Sculpture Park. The CDS also notes that for work in developing a sculpture park that the University should seek to continue to work with the LPA and conservation authorities to create an identified set of preferred areas and agreed strategy for the siting of sculptures as part of a rolling programme of displays.
17. The scheme is in line with encouragement to improve facilities on campus which serve both a student and community purpose and in developing a sculpture park as an integral part of the campus area. The design, heritage and landscape impacts of the overall scheme are in keeping with the campus function and would create a positive enhancement to community attractions and use of this area on the overall campus site. The scale of proposals (in position, size and number) do not crowd or significantly detract from the significance, setting or design of the nearby listed buildings and significance and setting of the Broad or "harbour" areas of landscape importance.
18. Given that the application seeks temporary consent for this very specific location on campus the proposal could be considered as a temporary test of local interest in developing further the sculpture trail as a local facility for users of the parkland on this side of the City. Also, as a temporary consent, and together with existing more permanent sculptures which have been approved, the sculpture could be used to test the suitability of sculptures placed within the landscape of the valley and against which any future additions to the sculpture trail could be assessed. The scheme would also therefore act as a spur to further discussion about the possibilities of formalising a sculpture trail across the wider campus and valley areas to further enhance the community use, interest and attractiveness of the

area. In principle the proposed temporary placement of the sculpture is therefore considered to be appropriate.

Main issue 2: Design

19. Key policies and NPPF sections – JCS1, JCS2, DM3, NPPF sections 12 and 16.
20. The position of the sculpture and related works were discussed with the applicant at pre-application stage to seek to understand the sculpture design and local landscape and building impacts. The area here is an important landscape feature in itself and also in acting as an important setting for numerous listed buildings and buildings of significance on campus. The original proposal was set further up the valley closer to the ziggurats and crescent wing of the SCVA (similar to that now suggested by the Yare Valley Society). Following 3D modelling it was considered that the sculpture appeared to be too squeezed in with Norfolk Terrace and the Crescent Wing and would compete unsympathetically with these and with Tatlin's tower and other sculpture in this area, thereby creating a negative impact. The Caro sculpture's position has therefore been revised and, after discussion on various other alternative locations, as now presented under the current proposal is positioned away from the Sainsbury Centre and now comfortably fits within the sweep of views of the campus when approaching from the north, south and east. This also works better in terms of views and connectivity in appreciating the sculpture.
21. The proposed impact of the sculpture was also not assisted by an originally proposed compacted flat aggregate plinth which appeared to detract from the sculpture itself and with the approach by Lasdun of buildings nestled cleanly within the green valley. This is seen in the soft ground connection with both the Crescent Wing and ziggurats and this detail is now repeated with the proposed sculpture installation siting direct onto the ground. The structural arrangement for the sculpture is now designed to avoid significant alteration of the open space or to impact on nearby listed buildings. Its arrangement minimises any visual dominance of the Sainsbury Centre or ziggurats and creates its own impact on the valley which should become an interesting feature within this space.
22. Sufficient information has been provided to understand the impacts of the development and further requirement for details conditions are not considered to be necessary. The external changes relate acceptably to the character of the existing buildings and area and are characteristic of this type of installation by the artist. It is shown that the materials proposed complements in some terms the concrete / brutalist architecture of key campus buildings. The changes are also for a specific temporary purpose, are relatively sympathetic in scale and do not change the character or setting of the area in the long term in a significant manner. As such the chosen siting and scale of the art work in context is considered to be acceptable.

Main issue 3: Heritage

23. Key policies and NPPF sections – JCS1, DM6, DM9, NPPF sections 2, 15 and 16.
24. The scheme is an interesting project for the SCVA and UEA which hopefully could, along with the developing sculpture trail and use of buildings and landscape settings for new displays, generate a lot of interest in the campus from the wider community and enhance knowledge of campus history, landscape and site

development and its architecture. Whilst there is some impact on the landscape character and setting of the “harbour” and Broad this proposed location is considered to result in less than substantial harm to heritage assets or setting. The decision to pull the sculpture away from listed buildings in this area should result in there being no harm on the setting of these. Any impacts arising have been discussed at pre-application stage and the position of these new works carefully considered, paying due regard to existing precedent of building lines, building detail and the strong setting of the campus within the valley area.

25. The public benefit of access to the cultural attraction and appreciation of the campus arising from the proposal is weighed against the harm as required in paragraph 196 of the NPPF, given the nature of this application and circumstances of the chosen siting and nature of the works as an art installation it may be considered that the limited harm created is acceptable.

Main issue 4: Landscaping and river valley / open space

26. Key policies and NPPF sections – JCS1, DM6, DM8, DM9, NPPF sections 2, 15 and 16.
27. The university site and adjacent area was previously 165 acres of parkland on the edge of Norwich, used by the local authority as a golf course and flanked by the River Yare. The Broad was formed beside the River Yare by gravel excavation between 1973 and 1978. The area is therefore part of a human construct and designed landscape/parkland where opportunities remain to enhance its value and use.
28. One objective of Lasdun was to preserve the landscape character, but in design of a village set up on a hill he also originally proposed a continuation where the eastern line of ziggurats were to touch the River Yare. The concept was developed in Colvin’s proposal for an artificial lake at the eastern side of the campus by the river. The conjunction of buildings and water would have provided some visual closure and building relationships, at the fringe of Norwich’s suburban development.
29. The practicalities of gravel extraction led to a Broad being in a different location from that first proposed by Colvin. Funding also curtailed the full development of ziggurats within the valley area. Instead of being at the eastern end of the Campus the Broad is now located centrally and separates the university buildings from the Yare. As a result the open landscape is focused on the central area between the Broad and the ziggurats and has been opened up with tracks and facilities for the benefit of the public and for students. Lasdun’s early UEA buildings form a compact group overlooking this open landscape and substantially achieved the Lasdun/Colvin vision – this area being defined in the CDS as designed landscape of the developed area of Campus, landscape zone 1(b) and the meadow sweeping from the SCVA along the Broad as zone 1 (a). The line of ziggurats are placed where the valley begins to rise as part of this.
30. Lasdun wished to preserve the flat, marshy and open valley landscape beyond the Broad and river. Having regard to the nature of landscape development in discussion the applicant was asked to look at areas north of the Broad, either more towards its eastern end or within the area as now proposed. Both locations for the sculpture offer a relationship with the original concept of an 18th century designed parkland. The siting of the sculpture as proposed maintains an open feel to spaces,

builds in a better building relationship and encourages use of the valley for recreational, cultural and educational purposes and again is considered to be acceptable.

Other matters

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

Biodiversity

32. Key policies and NPPF sections – JCS1, DM3, DM6, NPPF sections 2 and 15.
33. The sculpture will be set onto the valley floor with the sculpture having grass at its base and not an aggregate finish as originally proposed. The area will be maintained in line with the University's landscape management practices and should not result in any adverse impact on the landscape or ecology of the area.
34. The permission is for a temporary period and the ground will be re-instated upon removal of the sculpture. The proposal works alongside other existing sculptures and provides for improved amenities in this area. As a sculpture trail develops it is intended to continue to ask the University to look at management practices around each new sculpture to ensure a blend with the landscape.

Equalities and diversity issues

35. There are no significant equality or diversity issues.

Local finance considerations

36. 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.
37. 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. In this case local finance considerations are not considered to be material to the case.

Conclusion

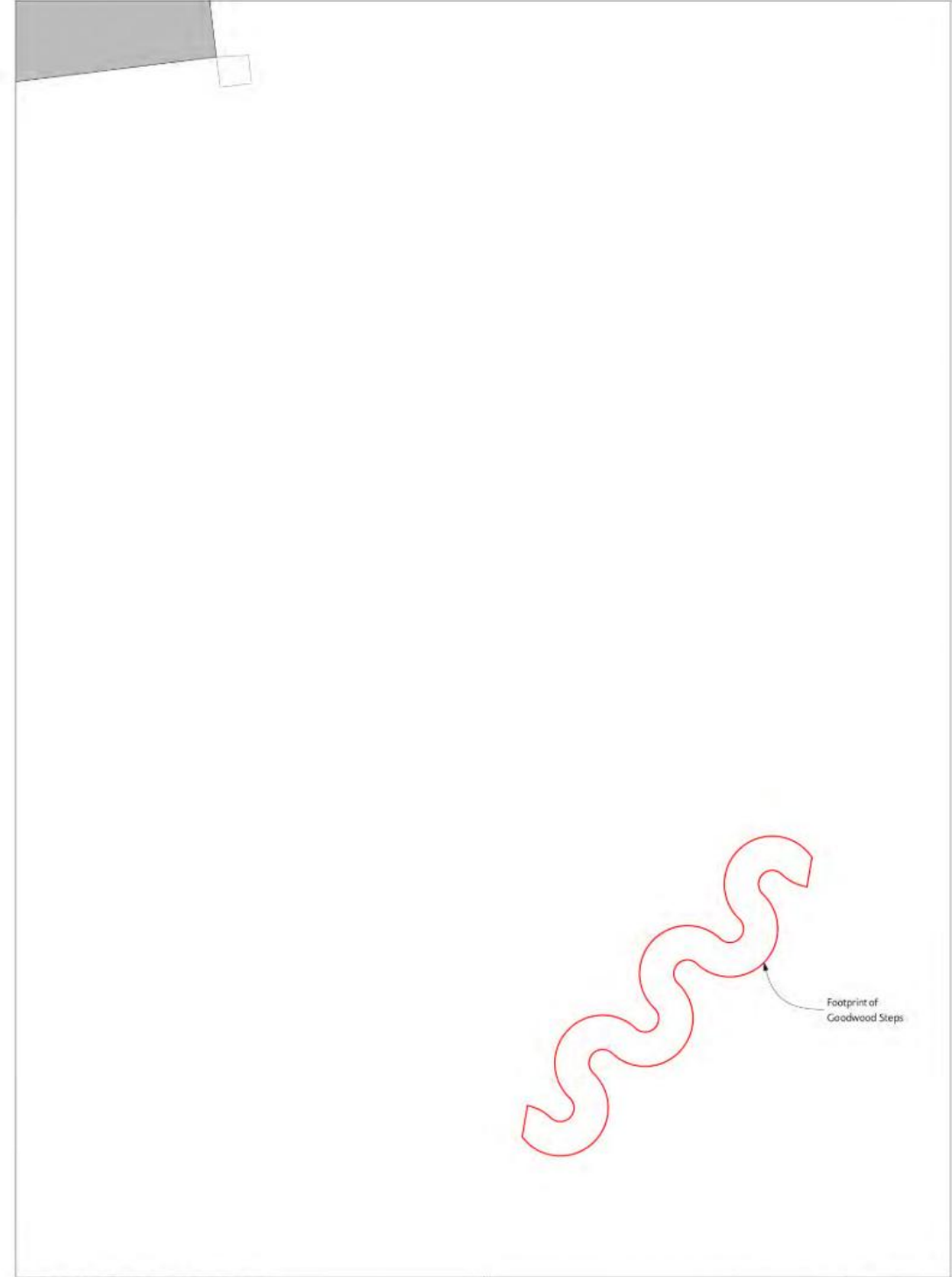
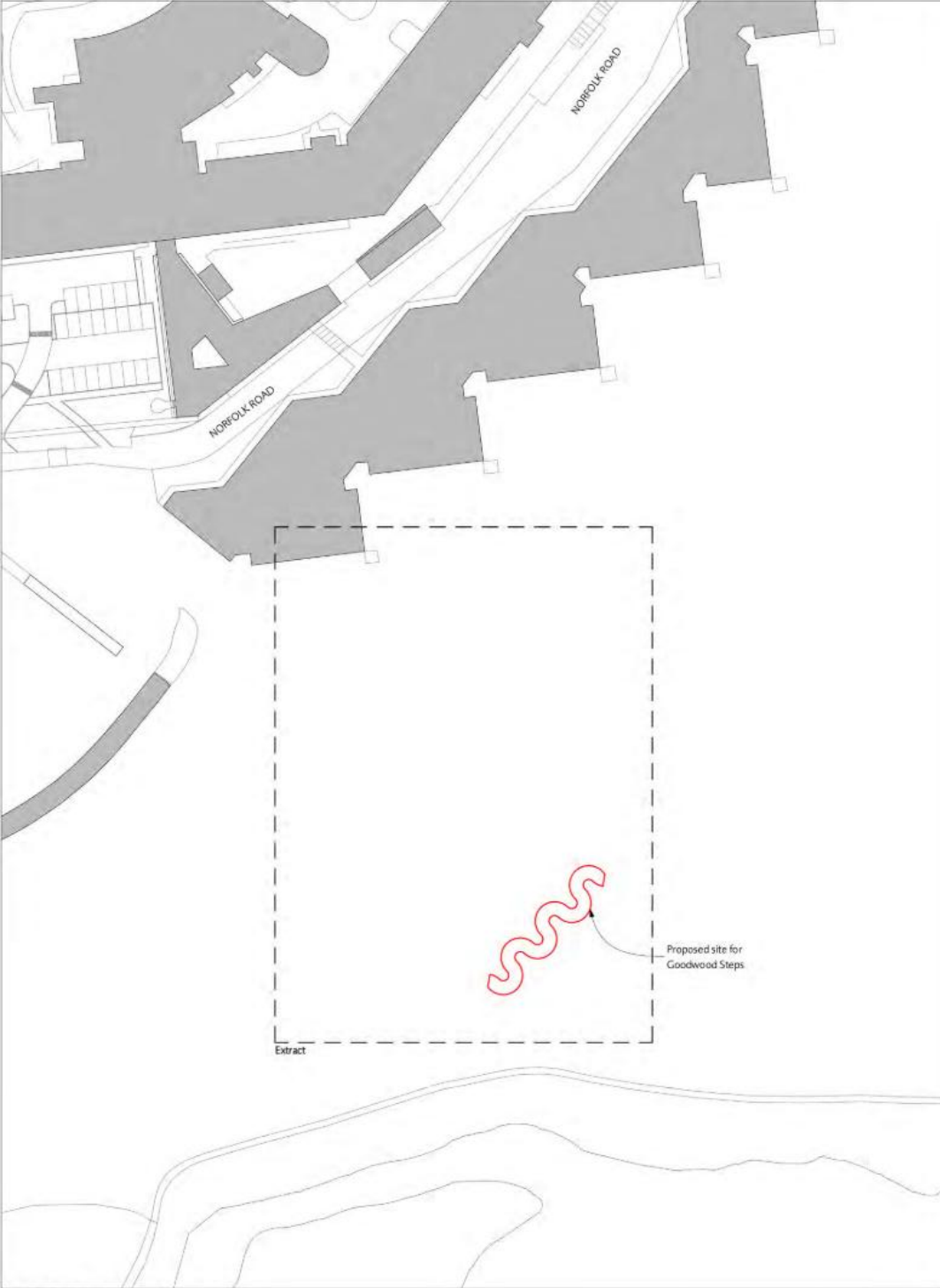
38. The scheme is an interesting project for the SCVA and UEA which hopefully could generate a lot of interest in the campus from the wider community and enhance knowledge of campus history, site development and architecture. Development in the proposed location could result in a degree of harm to the significance of the heritage assets in terms of the NPPF. Earlier assessment has helped inform the debate about locations for the works and whether any other space across campus would be available but given the various constraints of the campus, layout, setting of buildings and surrounding land designations it is considered that the area proposed is the most appropriate to serve as a suitable location for the temporary art installation.

39. The development is 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. 21/00124/F - Sainsbury Centre for Visual Arts, University of East Anglia, Earlham Road, Norwich and grant planning permission subject to the following conditions:

1. Temporary for 5 years: On cessation of the art display the works shall be removed and area made good;
2. In accordance with plans.



ANTHONY CARO

Title: *Goodwood Steps*, 1996

Materials: Steel

Dimensions: 395 x 650 x 3340 cm

Goodwood Steps is one of Caro's most important and monumental works. The work is fabricated in steel and consists of seven 6 metre high stepped ziggurats, joined by five floor plates that form sweeping arcs. The surface of the sculpture has naturally oxidised to a rich earthy iron oxide colour.

The origins of this work are particularly fascinating. The sculpture in its first form was made for Dean Clough Mill, Halifax in 1994. It was known as *Halifax Steps*. Filling a floor of a redundant textile mill, it was more a large-scale installation rather than an independent sculpture.

In 1996, Caro decided to re-imagine the ziggurat forms into a new freestanding outdoor work. The new work was first installed at the Cass Foundation in Goodwood and obtained its new title. In 1998, the work was shown at the Chicago Navy Pier in Chicago, USA, and more recently, in 2012, in the gardens at Chatsworth House in Derbyshire.

Goodwood Steps is offered to the Sainsbury Centre on long-term three-year loan from the Anthony Caro studio with a proposed installation date of April 2021. The 33 metre-long sculpture allows the spectator to walk around and between its huge columns. By relating to the sculpture in this physical way, our own human size gives a new and a more immediate reference to the piece.

Caro was fascinated with the architectural implications of this project, dictated by scale and form. He believed this created a very different relationship between spectator and sculpture, which was somewhere nearer that of architecture. The shared aesthetic concerns of space, scale and volume link the disciplines of making

sculpture and architecture, and this was reflected in his thinking. Caro's works often demand physical involvement. Just as a person experiences a building by walking in and through it as well as around it, the sculptures invite visitors to inhabit and interact with them in a physical way.

The proposed site for the sculpture is in open parkland, facing the Ziggurats between Norfolk and Suffolk Terrace. The placement of this work in proximity to the Lasdun buildings has been specifically selected to resonate and form a powerful echo or reflection of the Ziggurat architecture. This location was discussed with Anthony Caro in 2012, when he articulated the relationship between his large-scale sculpture and architecture. Caro felt this context to be ideal for the presentation of his work and the coming together of nationally and internationally important architecture and sculpture.



