

Planning applications committee

Date: Thursday, 11 August 2016

Time: 10:30

Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

Committee members:

Councillors:

Herries (chair)
Driver (vice chair)
Bradford
Button
Carlo
Henderson
Jackson
Lubbock
Malik
Peek
Sands (M)
Woollard

For further information please contact:

Committee officer: Jackie Rodger
t: (01603) 212033
e: jackierodger@norwich.gov.uk

Democratic services
City Hall
Norwich
NR2 1NH

www.norwich.gov.uk

Site visit – 134 Unthank Road, Norwich, NR2 2RS

Members attending the site visit are asked to meet at 134 Unthank Road at 9:00.
For further details please contact the committee officer.

Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

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 - 12
To approve the accuracy of the minutes of the meeting held on 14 July 2016	
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 on planning applications can be obtained from the council's website: http://planning.norwich.gov.uk/online-applications/	
Please note:	
<ul style="list-style-type: none">• The formal business of the committee will commence at 10:30.• The committee may have a comfort break after two hours of the meeting commencing.• Please note that refreshments will not be provided. Water is available• The committee will adjourn for lunch at a convenient point between 13:00 and 14:00 if there is any remaining business.	
Standing duties	13 - 14
4(a) Application no 15/01928/F - St Peters Methodist Church, Park Lane,	15 - 50

4(b)	Application no 16/00712/VC - 35 Vulcan Road South Norwich NR6 6AG	51 - 62
4(c)	Application no 16/00479/F - 134 Unthank Road Norwich NR2 2RS	63 - 82
4(d)	Application no 15/01527/F – Beckham Place, Edward Street	83 - 102
4(e)	Application no 16/00904/F - 125 Cecil Road Norwich NR1 2PJ	103 - 112
4(f)	Application no 16/00392/U - St Augustines Gate Waterloo Road Norwich	113 - 124
4(g)	Tree Preservation Order [TPO], 2014. City of Norwich Number 510; 6, 12 & 14 Lollards Road, Norwich NR1 1SX	125 - 136

Date of publication: **Wednesday, 03 August 2016**



Planning applications committee

09:30 to 12:15

14 July 2016

Present: Councillors Herries (chair), Driver, Bradford (from item 3), Button, Carlo, Henderson, Jackson, Malik, Peek, Sands (M) and Woollard

Apologies: Councillor Lubbock

1. Declarations of interest

There were no declarations of interest.

2. Minutes

RESOLVED to agree the accuracy of the minutes of the meeting held on 12 May 2016.

3. Application no 16/00227/F – Flordon House, 195 Unthank Road, Norwich

(Councillor Bradford was admitted to the meeting during this item and therefore was not permitted to vote.)

The planning team leader (development) (outer area) presented the report with the aid of plans and slides.

During discussion the planning team leader referred to the report and answered members' questions. This included confirmation that the parking provision for the proposed development met the parking standard for an accessible location. The building had previously been a care home and offices. He also confirmed that there was a large front garden with sufficient space for the bin storage to be placed so that it was not visible from the road. A member suggested that as the application site was within a conservation area there should be a soft landscaping condition to ensure that the bins storage was screened. The planning team leader confirmed that the shrub would be retained and that the block plan indicated a private garden at the front of the property. A landscaping condition could specify the replacement of the shrubs which then protect planting for a period of around five years. The committee concurred with the proposal to add an additional landscaping condition.

A member regretted the loss of another care home in the city.

RESOLVED, with 10 members voting in favour (Councillors Herries, Driver, Button, Carlo, Henderson, Jackson, Malik, Peek, Sands and Woollard) and 1 member abstaining (Councillor Bradford, not having been present for consideration of the whole item), to approve application no. 16/00227/F – Flordon House, 195 Unthank

Road, Norwich, NR2 2PQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. All new windows proposed in the third floor of the North Eastern side elevation shall be obscure glazed;
4. Details of refuse, cycle storage and boundary treatments shall be provided and installed prior to occupation and retained as such.
5. Water efficiency
6. Car parking to be provided prior to occupation of the development
7. Landscaping scheme.

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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

4. Application no 16/00410/F – 18 Lindford Drive, Norwich, NR4 6LT

The planning team leader (development) (outer area) presented the report with the aid of plans and slides.

At the chair's discretion the resident of 16 Lindford Drive addressed the committee and outlined his objections to the proposal. This included concern that the extension would be too close to the boundary of his property (25 cm in places) and that would result to loss of amenity and open access. He considered that the extension would block light to the landing window of no 16, which lit the stairwell and open plan kitchen on the ground floor, particularly in the morning. He also referred to the applicants having a large outbuilding on the other side of their property which was not shown on the plans.

The applicant addressed the committee and said that the case officer had been very helpful in advising him on the application. He referred to the space between the properties and explained that with there would still be a space of 1 metre between his property and no 16. He referred to the neighbour's landing window and said that because Lindford Drive was on a slope and no 16 was 40 cm higher than no 18 the effect on the light to the window would not be significant. The applicant also explained that the shed had been erected under permitted development rights and would replace the storage lost from the garage.

During discussion the planning team leader referred to the report and answered members' questions. Members noted that the extension would not be unduly prominent given the staggered building line of houses in the area. The extension would not exceed the current footprint of the garage. The extension would be 0.5 to 1 metre from the boundary of no 16 which was the same as the existing boundaries. Members were advised that access to construct the extension from the neighbouring property was not a planning consideration. Members were asked to note that the

properties in Lindford Drive were set back and that this proposal for an extension to the rear of the property was not harmful to the character of the area.

Councillor Sands moved and Councillor Carlo seconded that the committee conducted a site visit because the plans and diagrams did not provide sufficient clarity on which to base a decision, and with 3 members voting in favour (Councillors Carlo, Henderson and Sands) and 8 members voting against (Councillors Herries, Driver, Button, Jackson, Malik, Peek, Woollard and Bradford) the motion was lost.

Discussion ensued on the loss of amenity to no 16. The planning team leader said that the landing window was a side window which was in close proximity to the boundary of the neighbouring house. The purpose of the window was to let light into the stairwell which was not a habitable room. He pointed out that although light from the window reached the kitchen of no 16 there were other light sources for this room and loss of amenity would not be sufficient reason to refuse this application.

Councillor Jackson said that he was concerned about that the proximity of the extension to the neighbouring property but that he was satisfied that the impact on the neighbouring property had been reduced as much as possible and therefore could vote in favour.

RESOLVED, with 10 members voting in favour (Councillors Herries, Driver, Button, Carlo, Henderson, Jackson, Malik, Peek, Woollard and Bradford) and 1 member abstaining (Councillor Sands) to approve application no. 16/00410/F – 18 Lindford Drive, Norwich, NR4 6LT and grant planning permission subject to the following conditions:

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

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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

5. Application nos 16/00276/F and 16/00277/L- 5 Magdalen Street, Norwich – deferred item (see also item 11 below)

The planning team leader (development) (inner area) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and summarised a further representation received from the nearest resident to the rear of the site reiterating objections to the proposals and concern about the detrimental impact that the change of use to a restaurant and takeaway would have on this quiet residential area.

During discussion the planning team leader referred to the report and answered members' questions. In reply to a question about access to the first floor when the

front stairs were removed, the planning team leader asked for the item to be adjourned to seek clarification on this issue.

RESOLVED to defer consideration of this item to later in the meeting for clarification on the issues raised by members in relation to access to the upper storeys.

6. Application no 16/00479/F - 134 Unthank Road, Norwich NR2 2RS

The planning team leader (development) (inner area) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and summarised the response from CNC Building Control and recommending changes to condition 5, and summarising a further representation received from a resident to the north of Unthank Road and concerns about loss of light to the semi-basement flat and rear facing bedroom and kitchen/diner and the officer response. He explained that the council's tree officer considered that the tree's roots would not survive the removal of the retaining wall and was considered a "c" category tree.

The committee was then addressed by three local residents who outlined their concerns about the proposal and the impact that it would have on Gloucester Street and the dwellings at 132 Unthank Road, which included the concerns about parking and access; bin storage; that the proposal was overbearing and would overshadow and block light to the neighbouring properties and gardens; damage to trees and biodiversity; and that the sunpath analysis was inaccurate.

The agent, on behalf of the applicant, said that principle of the development had been discussed with planning officers at the pre-application stage and had been revised in response to the consultation responses wherever possible. He explained that the distance from the boundaries and the design were acceptable in this location. Although the council's tree officer recommended the removal of the tree the applicant had commissioned a method statement to retain that allowed the tree to remain.

Discussion ensued in which the planning team leader referred to the report and answered members' questions. He said that the windows of 132 were lower than shown on the plans but the sunpath analysis was sufficiently accurate to make an assessment. Officers considered that the tree would need to be replaced as part of the development. The applicant considered that it could be retained. Building regulations would ensure that there was adequate surface water drainage.

Councillor Bradford moved and Councillor Malik seconded that members of the committee undertook a site visit before the committee could determine this application. Councillor Malik said that given the concerns about the sunpath analysis it was important that members had an opportunity to view the site.

RESOLVED, with 7 members voting in favour (Councillors Carlo, Henderson, Malik, Peek, Sands, Bradford and Woollard) and 4 members voting against (Councillors Herries, Driver, Button and Jackson) to defer consideration of Application no 16/00479/F - 134 Unthank Road, Norwich NR2 2RS, to enable members of the committee to undertake a site visit to 134 Unthank Road to be held at 9:00 before the committee meeting on 11 August 2016.

7. Application no 16/00404/MA - Land north side of Windmill Road, Norwich

The planning team leader (development) (outer area) presented the report with the aid of plans and slides.

During discussion the planning team leader referred to the report and answered member's questions. He explained that the use of obscure glazing in a habitable room was not ideal but it was considered acceptable in a bedroom, with a secondary side window where there would be no significant loss of outlook.

A member commented that he considered that the proposed changes to the development were an improvement on the approved scheme.

RESOLVED, unanimously, to approve application no. 14/00847/F - Land North Side of Windmill Road, Norwich and grant planning permission subject to the following conditions:

1. Commencement of development within 3 years from the date of approval;
2. Development to be in accord with drawings and details;
3. Details of facing and roofing materials and external joinery; plot 3 rear windows on upper floors obscure glazing to a specification of not less than the equivalent of classification 5 of Pilkington Glass and details of the parts of the windows and extent to which they can be opened; external lighting;
4. Details of access road surface, car parking, cycle storage, bin stores provision;
5. Details of landscaping, planting, tree pits, biodiversity enhancements, site treatment works, boundary treatments, gates, walls and fences and landscape implementation and maintenance;
6. Archaeology Written Scheme of Investigation in accord with application 16/00308/D;
7. Compliance with AIA, AMS and Tree Protection Scheme implemented prior to commencement;
8. Retention of tree protection;
9. Details of provision and maintenance of LZC technologies and renewable energy sources;
10. Details of water efficiency measures;
11. Details of water drainage strategy and drainage management;
12. Cessation of works if unknown contaminants found; and
13. Control on any imported materials.

Informatives:

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

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, following negotiations with the applicant and subsequent amendments at the pre-application stage the

application has been approved subject to suitable land management, appropriate conditions and for the reasons outlined within the committee report for the application.

**8. Tree Preservation Order [TPO], 2016 City of Norwich Number 496 ;
3 Albemarle Road, Norwich NR2 2DF**

The lead arboricultural officer presented the report with the aid of plans and slides.

A resident of Mount Pleasant explained that she had applied to the council to reduce the crown of the Scots Pine tree as it was in a conservation area and required permission. The roots of the tree were lifting the paving stones and she was concerned about falling branches. Maintenance of the tree would improve its appearance. The tree was not under threat. There was no need for a tree preservation order and the plans, including the modified plans, and showed the inaccurate location of the tree. She would be happy to work with the council's arboricultural officers to agree the best solution of its preservation and maintenance.

The committee noted that there were still inaccuracies in the plans showing the location of the Scots Pine, the subject of the tree preservation order.

The lead arboricultural officer said that he would be happy to work with the applicant and therefore there was no need to confirm or modify the tree preservation order.

RESOLVED, unanimously, not to confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 496 ;3 Albemarle Road, Norwich NR2 2DF, and to ask the lead arboricultural officer to liaise with the applicant.

**9. Tree Preservation Order [TPO], 2016. City of Norwich Number 498; 5
Edenhurst Close, Norwich, NR4 7QT**

The lead arboricultural officer presented the report with the aid of plans and slides.

During discussion the lead arboricultural officer explained that falling debris from the Sycamore tree could be managed without its removal. The tree was valued for its contribution as a habitat for wildlife.

RESOLVED, unanimously, to confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 498; 5 Edenhurst Close, Norwich, NR4 7QT without modifications

10. Application nos 16/00276/F and 16/00277/L- 5 Magdalen Street, Norwich

(The committee had deferred consideration of this item earlier in the meeting. The minute is reproduced below for ease of reference:

The planning team leader (development) (inner area) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and summarised a further representation received from the nearest resident to the rear of the site reiterating objections to the proposals and concern about the detrimental

impact that the change of use to a restaurant and takeaway would have on this quiet residential area.

During discussion the planning team leader referred to the report and answered members' questions. In reply to a question about access to the first floor when the front stairs were removed, the planning team leader asked for the item to be adjourned to seek clarification on this issue.

RESOLVED to defer consideration of this item to later in the meeting for clarification on the points raised in relation to access to the upper storeys.)

The planning team leader (development) (inner area) reported that he had spoken to the conservation officer and could confirm that the upper storey could be accessed from the rear staircase.

During discussion, the planning team leader then referred to the report and answered members' questions. The committee considered the amenity of the residential dwelling to the rear of the property and noted that the rear car park would be reserved for staff use only. Access to the premises for deliveries would be through Bishopgate and restricted to no later than 19:00. A member pointed out that the takeaway trade would be more than 5% of the business and that this could impact on the residential amenity. The committee noted that the restaurant was in a sustainable location and that its patrons could use nearby car parks or public transport.

The planning team leader confirmed that the ornate ceiling would be retained as part of the listed building planning permission.

As part of the discussion members considered that this application brought a vacant premises into use but did not include any proposals for the use of the first floor. It was hoped that a productive use would come forward at a later stage.

RESOLVED, unanimously, to;

- (1) approve application no. 16/00276/F - 5 Magdalen Street, Norwich and grant planning permission subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans;
 3. Details of flue/extraction system and maintenance system (including details of fresh air vents to reduce sound leakage);
 4. Details of management of restaurant specifics such as smoking area for public and staff; servicing etc;
 5. No amplified music (including in kitchen) before agreeing a detailed scheme;
 6. Details of parking, cycle parking and refuse storage;
 7. Travel Information Plan;
 8. No customer car parking within site, only staff;
 9. Pedestrian entrance and exit (except in the case of emergency) via Magdalen Street only;

10. Opening restriction between midnight and 0730 on any day (including kitchen and takeaway aspect);
11. Restriction on servicing delivery times between 1900 and 0700 hours on any day.

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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

Informative:

Business not entitled to parking permits

- (2) approve application no. 16/00277/L - 5 Magdalen Street Norwich and grant listed building consent subject to the following conditions:
1. Standard time limit;
 2. In accordance with plans;
 3. Internal detail on air conditioning system;
 4. Internal detail on new lighting and other fixtures within ceiling;
 5. Detail of internal decoration;
 6. Details of any repairs to existing windows and/or secondary glazing;
 7. Details of noise proofing between floors;
 8. Any damage to be made good within 3 months

Reason for approval:

While the extract system will cause some less than substantial harm to the heritage asset, it affects the less sensitive area at the back. The level of harm, although relatively low, is considered to be outweighed by the public benefits of bringing the heritage back into use. This accords with section 12 the NPPF and NPPF and policy DM9 of the Development Management Policies Local Plan 2014.

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

11 August 2016

Report of Head of planning services

Subject 15/01928/F - St Peters Methodist Church, Park Lane,
Norwich NR2 3EQ

**Reason
for referral** Objection

4(a)

Ward:	Nelson
Case officer	Mr Kian Saedi - kiansaedi@norwich.gov.uk

Development proposal		
Demolition of modern extensions and conversion to provide 20 residential units (class C3).		
Representations		
Object	Comment	Support
120	0	0

Main issues	Key considerations
1 Principle of development	Principle of residential conversion, loss of community facility.
2 Design/heritage	Impact on character of the conservation area, impact on the locally listed heritage asset, scale, form, massing and appearance.
3 Transport	Accessibility of site (suitability of low car development), impact on car parking, traffic, highway safety, cycle parking, servicing.
4 Amenity	Daylighting/overshadowing, overlooking/loss of privacy, outlook, noise/smell/activity disturbances, overbearing, internal space standards, provision of external amenity space.
5 Affordable Housing	Delivery of affordable housing/commuted sum in lieu in accordance with JCS4.
Expiry date	24 March 2016 extended to 18 August 2016
Recommendation	Approve subject to conditions and a legal agreement securing affordable housing



© Crown Copyright and database right 2016. Ordnance Survey 100019747.

Planning Application No 15/01928/F

Site Address St Peters Methodist Church
Park Lane

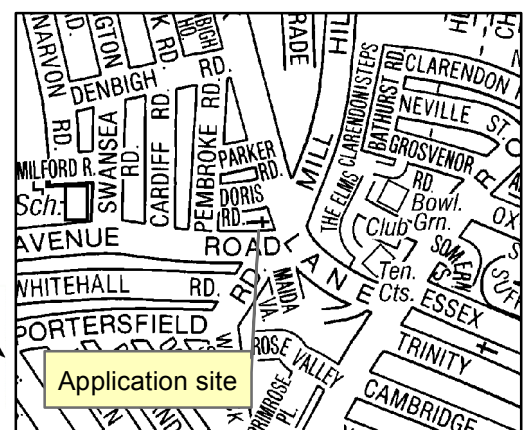
Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES

Page 16 of 136



The site and surroundings

1. Park Lane Methodist Church is a significant undesignated (locally listed) heritage asset within the Heigham Grove conservation area. Originally there was an older Wesleyan chapel on the site which now forms the Methodist church hall. Part of the site also features the boy's brigade building which was built around or just after the first Methodist church.
2. The main Methodist church building is typical of the interwar 1930's style. Brown brick features heavily along with strong horizontal and vertical lines. Geometric shapes heavily influence the design. The windows are leaded with brick mullions and reveals. Some of the stained glass is of high quality also features which is reputedly by either Webb or Skeat. The rest of the materials which feature within the church are largely of a high quality including the organ cover screen which feature fine fretwork cut into the timber.
3. The adjacent church hall was formerly a Wesleyan Chapel and was built by Edward Boardman in 1894. It was completely refaced with modern buff brick in the 1960's however the exact reasoning for this is not entirely clear. It was probably most likely because of structural issues or problems with the existing brickwork. Some of the original brickwork can still be seen at lower levels along with elements of the rear façade. The Boys Brigade building shares some features with similar detailing to the original chapel.
4. Several later additions have been added to the building including a mid to late 20th century flat roof extension to the rear of the hall and also to the front. A linking extension and new entrance was built during the 1990's which linked the Methodist Church to the Church hall.
5. The surrounding area is characterised by late 19th century terraced properties along with later early 20th century development to the south and south west. There is some street planting on the surrounding streets and significant views. It is located within sub area 'H' as identified within the conservation area appraisal which is largely made up of medium size buildings. The main Methodist church is identified as a significant local landmark and there are positive views to be had down Park Lane from Unthank Road in which the chapel building features prominently in.
6. Pedestrian access to the site is currently provided at the main entrance on the eastern boundary, of Park Lane, and also at the southwest corner of the site, from Avenue Road, near the entrance with the Boys Brigade building. Pedestrian access is also provided from the rear yard at the north-west corner of the site.
7. The buildings are separated from the street frontage by landscaping along the Avenue Road frontage of the site and by car parking between the public footpath on the Park Lane frontage.
8. There is a significant change in levels across the site with the external ground levels dropping a full-storey height from east to west.
9. The site is located within a critical drainage area of the city where an increased risk of surface water flooding is identified.

Constraints

10. Conservation area, locally listed building, critical drainage area.

Relevant planning history

11.

Ref	Proposal	Decision	Date
4/1989/0886	Infill of yard area at front of church.	Approved	30/11/1989

The proposal

12. The application seeks permission to demolish the modern extensions to the building, erect a two-storey extension to the existing two-storey flat-roofed extension at the rear of the church hall building and associated external alterations to facilitate the conversion to create 20 units of accommodation.

13. The proposed conversion would lead to the creation of the following size of units:

One-bed flats x 6

Two-bed flats/maisonettes x 6

Three-bed flats/maisonettes x 6

Three-bed house (Boys Brigade) x 1

Four-bed maisonette x 1

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	20
No. of affordable dwellings	3 or commuted sum of £84,107 payable in lieu.
Total floorspace	1,853 square metres
No. of storeys	Church Hall and Methodist Church (four-storeys), Boys Brigade (1.5-storey)
Density	132 dwellings per ha.
Appearance	

Materials	Re-use of existing from demolition where possible, zinc standing seam cladding to new extensions, existing slate tiles to be re-used during re-roofing of all three buildings.
Energy and resource efficiency measures	PV panels on south facing roof of church hall building, heat recovery ventilation, upgrade of fabric of building to improve thermal efficiency.
Transport matters	
Vehicular access	As existing
No of car parking spaces	11
No of cycle parking spaces	34
Servicing arrangements	Mixture of communal and private refuse storage points. Management company to be responsible for putting and bringing in community bins for collection.

Representations

14. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 117 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 premises have only been marketed for a short period of time	Main issue 1
Loss of community use	Main issue 1
High density development is out of character with the surrounding area	Main issue 2
The use of zinc cladding is out of character with the conservation area	Main issue 2
Poor design/out of character with the conservation area	Main issue 2
Out of scale development	Main issue 2
The extension at the rear will give rise to a large, tall and bulky mass, which will increase the bulk and massing of the building to an	Main issue 2

unacceptable degree and will appear as a bulky and incongruous mass from the surrounding area	
Poor surveillance of the amenity space between the church hall and church building	Main issue 2
Absence of lifts within the buildings	Main issue 2
Inadequate car parking (contrary to national parking guidelines), which will increase parking pressures in the surrounding area	Main issue 3
Increased traffic	Main issue 3
Parking spaces are too small/cars will overhang the pavement	Main issue 3
Inadequate refuse storage	Main issue 3
Inadequate cycle storage	Main issue 3
If the proposal is approved the council should consider 24hr parking for residents in the area	Main issue 3
Describing the development as car free is misleading. There are plenty of neighbouring streets where residents would be able to park without restriction	Noted
The existing CPZ restrictions will do little to deter parking	Main issue 3
Loss of privacy/overlooking	Main issue 4
Noise disturbance (especially from terraces, communal refuse storage, cycle stores and access paths adjacent to neighbouring properties)	Main issue 4
Sense of intrusion resulting from activity of people using shared accesses adjacent to neighbouring property	Main issue 4
Poor outlook from several of the flats	Main issue 4
Loss of light/overshadowing to neighbouring properties	Main issue 3
The engineering consultant responsible for the daylight study did not visit neighbouring properties to take measurements nor did they	Please refer to response 14 outlined in the engineer's 'Responses to queries raised by daylight/sunlight report'

conduct a daylight distribution test.	supporting statement
Lack of outdoor amenity space for future residents	Main issue 4
Disturbance and disruption from construction	Main issue 4
Over dominant/overbearing development	Main issue 4
Poor daylighting to new flats	Main issue 4
Smell disturbance (especially from communal refuse storage)	Main issue 4
Overcrowded form of development	Main issue 4
Lack of green space	Please refer to 'Compliance with other relevant development plan policies' section of report
Impact on surface water flooding/more green space should be provided to mitigate surface water flooding	Please refer to 'Compliance with other relevant development plan policies' section of report
Lack of affordable housing	Main issue 5
Increased pressure on local resources/services	Main issue 1. Surrounding resources/services are plentiful and adequate to support 20 additional dwellings
Questionable as to whether there would be a demand for the units once constructed	There is an identified shortage in housing supply in the city area and the proposal would contribute to housing stock in accordance with JCS4
Concern over who will purchase the flats once constructed (could become buy to let)/concern about the development becoming unsupervised student accommodation	The application states that the dwellings are not intended for buy to let, but rather 'buy to live'. There is of course no control that the council can exert over who purchases the properties, nor who an owner may rent to in the future.
Uncertainty over how units will be managed	The application sets out a management strategy for servicing refuse collection which is considered satisfactory. A management company will be employed with responsibility for a number of duties outlined in Section 12 of the Design and Access Statement
The developers have not been able to provide assurance that they will adequately	The Party Wall Act will apply and any damage caused during the construction

provide for repair or compensation for damage to surrounding buildings caused by the construction process	process would amount to a civil matter and cannot be considered materially in the planning assessment of the proposal
Harm to surrounding property values	Not a material planning consideration
The applicant has not demonstrated whether existing infrastructure is adequate to handle increased pressure on sewage/waste disposal	Please refer to 'Compliance with other relevant development plan policies' section of report
The applicant (Interesting Building Company) is new and inexperienced with no track record for designing, building or managing such a complex project	Not a material planning consideration
Errors/inaccuracies in the daylighting study	Main issue 4 and please refer to the engineer's 'Responses to queries raised by daylight/sunlight report' supporting statement

Consultation responses

15. 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

16. "The modifications to the front of the church hall will be an improvement and will enhance what is an otherwise blank façade clad with modern brickwork and a modern extension that does little to respond to the street scene or the surrounding conservation area. The modifications will also take note from the previous historic planform and features. Therefore these modifications will be in line in terms of the NPPF paragraph 131;

"In determining planning applications, local planning authorities should take account of: the desirability of new development making a positive contribution to local character and distinctiveness".

And also paragraph 137;

"Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."

17. There will be an element of less than substantial harm to the undesignated heritage asset as a result of the works and the subdivision of the internal spaces. However converting the building and providing it with a long term viable use will ensure that

the assets are retained along with the contribution they make to the surrounding conservation area. Retaining the contribution that the assets make to the conservation area along with enhancement through improved design will provide benefits to the surrounding area and therefore benefit the general public. As demonstrated by the NPPF paragraphs 134 and 135;

“Sometimes harm is necessary to enable change of use of the asset to its optimum viable use. The optimum viable use is either the sole viable use of the asset or, if there is more than one viable use, the use most consistent with its ongoing conservation. Enabling such a change of use can be a public benefit that outweighs the harm done.”

18. While its optimum use would be one that the building was originally intended for this has shown not to be viable and after a lengthy marketing exercise no alternate community use for the buildings could be found.
19. Sufficient recording should be undertaken of the buildings before the development commences due to the extent of the works and the way the works will impact on the internal space of the church buildings.”

Environmental protection

20. “There is no history of contaminative uses on the site – informatics recommended in the event that any contaminants are discovered during construction.
21. It is likely that the facades of the residential units will be subject to high levels of road traffic noise. There are many reflective surfaces on this relatively busy junction, and combined with the gradient, will exacerbate the impact of traffic noise – condition is recommended for sound insulation to take place to habitable rooms fronting Park Lane and Avenue Road in accordance with a scheme to be agreed by the council.”
22. Informative suggested to minimise nuisance from the demolition/construction phase.

Highways (local)

23. “The proposed development makes effective use of the buildings and site, the location is in close proximity to the Unthank Road local centre which has excellent bus accessibility to the UEA and city centre.
24. As new residential development in the controlled parking zone, none of the properties would be entitled to on street parking permits. Therefore this development will be a low-car scheme, with a fixed number of parking spaces for residents.
25. The surrounding CPZ operates Mon to Sat 8am to 6.30pm, parking is unrestricted outside of these hours. There is the risk that some residents with vehicles but without a parking space will wish to park locally. It is considered that the operational hours of the CPZ make this practice inconvenient, and the risk of off-site parking is relatively low compared to the number of parking spaces overall available in the locality. Should a resident wish to park a vehicle, garages are available to rent from the city council nearby at Suffolk Square.

26. A new vehicle access is proposed in the former Boys Brigade building facing Avenue Road, this is acceptable in principle. The guard railing may be removed (if it has not already been removed) and a dropped kerb installed and footway strengthened to our specification.
27. The provision for cycle parking meets Local Plan requirements. The provision for refuse and recycling storage is being assessed by City wide services. A presentation area near to Avenue Road would be advisable, rather than leaving bins on the footway which can be a hazard and obstruction.
28. No objection on highway / transportation grounds subject to agreement of detailed matters by condition."

Landscape

29. Landscape comments are supportive of the proposals but a landscaping condition is recommended.

Norfolk historic environment service

30. No objection. A photographic survey of the site is required prior to development taking place and a full set of relevant plans should be submitted to the HES. Planning permission to be conditioned accordingly.

Norfolk police (architectural liaison)

31. Several design recommendations are made on the interests of improving security of the site.

Natural areas officer

32. "As survey work has revealed that parts of this building complex are being used by roosting bats, it is essential that the comprehensive mitigation measures outlined in Section 9 of the ecology report are implemented. I would also support the provision of bat boxes to further enhance the value of the complex for roosting. Although the survey evidence points to this roost being used by a relatively small number of individual bats, if the neighbourhood's bat population density is low then this roost may be of local importance"
33. It is also recommended that any lights being installed externally should be 'bat friendly' with minimal spillage, that bird nesting boxes could be installed on the building and that any landscaping scheme should include for plants of wildlife value. The landscaping condition shall encapsulate these recommendations.

Private sector housing

34. Two comments made with respect to fire escape and ventilation.
35. Recommendations are made for unit C5 in terms of improving fire escape although the current arrangements are considered to be acceptable.
36. The lack of opening windows in several of the south facing units on the church building is highlighted as a potential hazard – The applicant has confirmed that where ventilation is not possible through an open window then there will be a

requirement for mechanical ventilation. A condition will be added to any consent requiring a scheme to be submitted for the windows to habitable rooms fronting Avenue Road and Park Lane to ensure adequate noise protection from the road and also the requirement (where necessary) for acoustic vents (passive or forced) to enable ventilation without having to open windows.

Tree protection officer

37. No objections to the proposed development. "I am happy to see the application approved with a condition ensuring compliance with the submitted, revised, AIA".

Assessment of planning considerations

Relevant development plan policies

38. **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
 - JCS7 Supporting communities
 - JCS11 Norwich city centre
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
 - JCS20 Implementation
39. **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
 - DM4 Providing for renewable and low carbon energy
 - DM5 Planning effectively for flood resilience
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM9 Safeguarding Norwich's heritage
 - DM11 Protecting against environmental hazards
 - DM12 Ensuring well-planned housing development
 - DM13 Communal development and multiple occupation
 - 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

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

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

41. Supplementary Planning Documents (SPD)

- Affordable housing SPD adopted March 2015
- Trees, development and landscape SPD adopted June 2016

Case Assessment

42. 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

Residential:

43. Key policies and NPPF paragraphs – DM12 and DM13, JCS4 and NPPF paragraphs 49 and 14.
44. The proposal involves the partial demolition, extension and conversion of the application buildings to provide 20 units of residential accommodation.
45. Paragraph 50 of the NPPF supports delivery of a wide choice of quality homes, and policies JCS4 and DM12 support new housing which will help to meet housing needs in the city. The site is located within an established residential area, with regular bus services located nearby, and is adjacent to the Unthank Road local retail centre and within walking distance from the city centre. Future residents would be well supported by a wide range of local services and facilities available in the adjacent Unthank Road local centre and in the city centre which is within walking distance of the site. Additionally, the proposal delivers a good mix of units ranging between one to four bed properties, including three units which are accessible for disabled users. The principle of residential development at the site is therefore

acceptable in principle subject to other material planning considerations discussed later in this report.

46. Policy DM12 sets out the principles applying to all new residential development, including having no detrimental impact on the character and amenity of the surrounding area, contribution to achieving a diverse mix of uses in the locality and achieving the housing delivery targets set out in the JCS, provision of a mix of dwellings in terms of size, type and tenure including a proportion of family housing, achieving a density in keeping with the character and function of the area and building 10% of dwellings to lifetime homes standard on schemes of 10 or more dwellings. These and other material planning considerations are addressed in the issues specific sections below.

Principle of loss of community use:

47. Key policies and NPPF paragraphs – DM22 and NPPF paragraph 70.
48. The Methodist Church ceased services in December 2013. The application states that congregation numbers had fallen to the 30s and a regular congregation of around 200 was required to make the use viable. It is also understood that a substantial amount of money would be required to bring the building into a suitable condition for public use as a community facility.
49. As such the continued operation of St Peter's as a Methodist Church was considered to be non-viable. The congregation of St Peters was merged with the congregation at the nearby United Reform Church at Jessop Road and the application identifies that other Methodist churches exist in the nearby area, which ensure adequate alternative provision.
50. The property was extensively marketed as a former church premises/community hall with potential for a range of alternative uses for the minimum period of nine months before the offer from the applicant was accepted. The marketing period is adequate and satisfies the 'meaningful period' cited in the supporting text of policy DM22 of the *local plan*.
51. The application includes a statement provided by the chartered surveyor responsible for marketing the property and whilst interest was received over the marketing period, only two other offers were received, one of which was substantially below the valuation price and the other (business-based) bid was accepted, but subsequently fell through due to finance not being secured. The lack of interest is attributed to the high associated costs of bringing the building into a state which would have been insurable and fit for public use, along with the annual maintenance funds. The high costs would also most likely be unaffordable for any community use.
52. The marketing evidence submitted with the application is comprehensive and sufficiently justifies the loss of the community use with regards to the policy requirements of DM22.

Main issue 2: Design and heritage

53. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66, 128-141.

54. The site is located within the Heigham Grove conservation area and features the church and church hall building. The church is locally listed and prominently located at the junction with Avenue Road, Portersfield Road and Park Lane. In all new development there is a need to ensure a high quality design and where locally identified heritage assets are affected by development there is a need to retain their significance wherever reasonably possible. The site is also located within a conservation area where it is important for new development to preserve, enhance or better reveal the significance of the heritage asset and character/appearance of the area.
55. The two main buildings on the site include the church hall and church building. The church hall was formerly a Wesleyan Chapel and built by Edward Boardman in 1894. It is actually the older of the two buildings but was completely refaced with modern buff brick in the 1960s. The larger church was constructed in 1939 when the remaining congregation decided to move here. Several additional modern extensions have taken place to the Boardman building, including a mid to late 20th century flat roofed extension to the rear of the hall and to the front. A linking extension and new entrance to the Methodist Church was also built during the 1990s. It is therefore apparent that much of the original character of the Boardman building has been lost in the later works that have taken place. The site also includes the Boy's Brigade building, which is understood to have been built shortly after the first Methodist Church.
56. The main Methodist church is identified as a local landmark within the Heigham Grove conservation area appraisal with positive vistas to be had towards the site from Unthank Road. It is therefore important for any development to retain the significance of the heritage assets on the site in preserving the character of the surrounding conservation area.
57. The application justifies the loss of the community use and adequately demonstrates that the original use is no longer viable. The principle of converting the buildings is considered to be acceptable and conversion to residential likely to be one that secures the optimum viable use of the buildings. The conversion of the buildings involves the subdivision of key spaces, but this is unavoidable given the nature of the layout and the size and scale of the buildings.
58. The main external works involve the demolition of the later front extension to the church hall and link building between the church hall and Methodist Church. It is proposed to construct a zinc-clad porch at the front and a two-storey extension at the rear above the existing two-storey flat roofed structure, which is also to be clad in zinc. The application states that the scheme has been designed to maintain the essential character and appearance of the buildings and their setting.
59. The works carry the potential to greatly improve the appearance of the church hall building on the Park Lane frontage by revealing the brickwork of the original Boardman building if found to be in good condition. The porch itself takes reference from the original porch of the Boardman building and will replace what is largely a blank and unattractive gable frontage which does nothing to contribute to the character and appearance of the site and surrounding area. The new windows to be installed on the front of the church hall reflect a historic laced arch and have been configured to create symmetry and a formal façade that properly addresses the street frontage. The use of zinc as a contemporary facing material is considered acceptable and details will be conditioned to ensure an appropriate specification.

The works to the front of the church hall are therefore considered to be acceptable and will enhance the character of the surrounding conservation area.

60. The extension at the rear of the church hall largely continues the profile of the existing church hall roof which is welcomed in terms of enabling the new development to better assimilate with the church hall building. The ridge of the extension is set at a lower height than the main church hall building, enabling it to sit subserviently to the main building. The extension will be clad in zinc and the buff brick used for the existing extension will also be clad in zinc to provide coherence in the elevation. The use of a high quality modern material in this context is considered to be acceptable and will provide legibility between the old and new. The scale, form and massing of the rear extension is therefore considered acceptable in design terms. The amenity impacts of the extension are considered later in this report.
61. Externally, the Methodist Church building remains largely untouched with the exception of the parapet walls/balustrading associated with the external terraces and the window alteration/installation works. The glazing of the existing windows is a key element of the facades of the building and their replacement, whilst necessary to facilitate the conversion, is regrettable in terms of the impact upon the appearance of the building. The relocation of part of the existing stained glass from the south elevation to a new window serving the west facing stairwell is however welcomed in preserving the character of the church. Details of new windows and a method statement for the relocation of the existing stained glass window would be conditioned as part of any planning permission.
62. Brick parapets have been added to the external terraces to reduce the amount of glazing in key elevations and to retain the sense of the building as ecclesiastical. The current design strikes an acceptable balance between functionality and preserving the historic character of the church.
63. It is understood that much of the front porch will need to be rebuilt due to structural instability. The detail of how this will be achieved along with a structural report confirming that the porch needs to be taken down will be secured by condition.
64. The Boys Brigade building will be converted to a single dwelling and will involve the removal of part of the rear bay, installation of roof lights and the addition of a first floor terrace at the rear of the building facing onto Doris Road. Otherwise, externally, the building retains its existing character and appearance. The existing section of timber fencing leading to the rear service lane between Avenue Road and Doris Road is to be landscaped to continue the original brick pillar/railings of the site on the Avenue Road frontage.
65. The application proposes several measures for ensuring historical interpretation at the site which will contribute positively toward preserving the historical significance of the site. In addition to better revealing the original façade of the Boardman building, the application also proposes to integrate and display several artefacts within the new development. These include WW1 and WW2 memorial plaques formerly displayed within the main church, foundations and decorative stonework and decorative wooden fretwork panels forming part of the pipe chamber for the organ. It is recommended to secure a scheme for heritage interpretation by condition.

66. The scheme also provides an opportunity to respond more positively to the street scene along Park Lane through appropriate landscaping. This area currently provides car parking for staff and visitors to the site. The continued use of the area for parking is proposed, with soft and hard landscape works to better demarcate parking spaces and improve the appearance of the site. A detailed landscaping scheme will be secured by condition to ensure the works are completed to an acceptable standard.
67. The residential scheme is of high density, but as described above this is not considered to come at significant detriment to the historic character of the surrounding area. The site is also highly accessible and located adjacent to a local retail centre and within walking distance to the city centre and such locations are considered more appropriate for higher density development under policy DM12 of the local plan. The amenity impacts of the scheme and whether the proposal would result in a cramped form of development are discussed later in the report.
68. In summary it is considered that there will be an element of less than substantial harm to the undesignated heritage asset as a result of the external works and subdivision of the internal spaces. However, converting the building and providing it with a long term viable use will ensure that the assets are retained along with the contribution they make to the surrounding conservation area. Retaining the contribution that the assets make to the conservation area, the enhancement through improved design and the addition of 20 units of accommodation to the city's housing stock will provide benefits to the surrounding area as well as public benefits which are considered to outweigh any harm to the heritage assets.
69. There is limited opportunity to provide disabled access to many of the units, given the nature of the levels on site and location of many of the flats on upper floors. The application nevertheless sets out for three of the units to be specifically designed to be wheelchair accessible or adaptable. Given the limited space available and the nature of the application involving the conversion of a historic building, it is not considered reasonable to expect lifts to be incorporated into the scheme, nor is it necessary under the Building Regulations.
70. The application states that secured by design principles will be followed in the implementation of the scheme and private areas are to be gated to define the boundary between public/private. The communal amenity spaces within the development benefit from a good level of natural surveillance afforded by the windows to the flats.

Main issue 3: Transport

71. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
72. It is clear from objections received that parking capacity at the site and the potential impact of the proposal on parking availability, traffic and highway safety in the surrounding area, represents a significant concern amongst a very high number of local residents.
73. The application states that the site currently provides for seven car parking spaces although it is understood there is opportunity for more to park informally along the Park Lane frontage. The application proposes 11 car parking spaces with the

additional capacity gained from the demolition of the modern extension to the church hall building which has provided greater depth behind the footpath along the Park Lane frontage, but otherwise essentially retains the existing car parking arrangement at the site.

74. The parking spaces fall just below the recommended minimum space standards outlined in the *local plan* but do provide sufficient space to prevent cars from projecting into the footway. Given the lack of scope for any suitable alternative and the fact that the proposal effectively retains the existing car parking area, this slight shortfall is considered to be acceptable.
75. The site is highly accessible, located adjacent to a local retail centre, within walking distance of the city centre and ~220 metres from high frequency bus stops serving the wider area. The site is also located within a controlled parking zone (CPZ), benefits from proximity to several car club spaces in the surrounding area as well being on the Pink Pedalway for cyclists. The availability of car club spaces in the surrounding area could be promoted to prospective residents by the developer as part of the travel plan and parking management strategy to be agreed by condition. Further guidance on this matter is provided by informative later in the report. Residents will therefore be fully aware of car parking availability and be well placed to decide whether the accommodation is suitable to accommodate their means and lifestyle.
76. The accessibility of the site and proximity to local services and facilities make it appropriate for car free housing in accordance with policy DM32 of the *local plan*. The level of car parking proposed accords with the minimum and maximum parking standards as set out in Appendix 3 of the *local plan*. Several contributors have cited what are said to be national parking standards, bringing attention to the proposals' shortcoming in meeting the standards. It is understood that the standards pertain to those issued by the Northern Ireland Government. No such standards are stipulated by the National Planning Framework relevant to English authorities and the Norwich *local plan* has primacy for the purposes of assessment in this instance.
77. The surrounding CPZ operates Monday to Saturday (8am – 6:30pm), with parking unrestricted outside of these hours. There is a risk that some residents may own a car without the benefit of on-site parking, but to fit around the parking restrictions would lead to an inconvenient scenario for any user. The new residential units will not be eligible to receive on-street parking permits.
78. This issue of whether the council should consider issuing 24 hour parking permits in the event that planning permission is granted has been raised but this matter is not in the control of the Planning Applications Committee. However it is understood that highways officers have stated that the existing parking restrictions are considered to be adequate to protect parking in the surrounding area.
79. Given the highly sustainable location of the site, existing parking restrictions and suitability for car-free development it is not envisaged that the proposal will lead to significantly adverse impacts upon car parking availability in the surrounding area.
80. In terms of impact upon traffic flows to and from the site, it is important to note that under the current lawful use, both properties could be used by another faith or community based group, which would carry much higher traffic levels (and parking demand at peak times) than the proposed use. The associated traffic impacts of the

proposed use will be low and will not result in significant highway impacts to the surrounding area.

81. In terms of highway safety, the junction of Park Lane and Avenue Road adjacent to the site does not have any inherent accident problem and given that the proposed use will only negligibly increase on-site parking provision from that existing, the proposal is very unlikely to present any significant harm to highway safety. The junction is already protected by a speed table and 20mph speed limit.
82. The application proposes 34 cycle parking spaces which is satisfactory. Final specifications will be secured by condition to ensure that cycle parking facilities are secure and covered and fit for purpose.
83. The application sets out various locations around the site where communal refuse stores will be located. The stores provide adequate storage space to satisfy council standards for this size of development and where bin stores are not located within five metres of the highway, arrangements will be made with a management company for bins to be presented for collection and returned to their normal locations. It is noted that the storage location on the Park Lane frontage offers tight passage to the street. Details of the refuse storage will be conditioned to ensure that the store is specified appropriately to ensure ease of collection.
84. The application indicates that bins will be brought to the entrance to the site with Avenue Road but will not be stored on the highway where they might otherwise present an obstacle for pedestrians. Planning permission will be conditioned for compliance with management strategy highlighted under section 7.13 and 12 of the Design and Access Statement.

Main issue 4: Amenity

85. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
86. The area surrounding the site can be said to be one characteristic of a tight urban-knit, with several properties located in close proximity, especially adjacent to the north and west boundaries of the site. The proposal therefore needs to be considered carefully with respect both to its impact upon the amenity of neighbouring properties and also with regard to the amenity of future occupiers of the proposed dwellings.

Impact on neighbouring amenity

Overlooking/loss of privacy

87. Although the buildings already exist on site, the proposal introduces additional floors and new rooms behind the windows. Several new windows are also proposed to facilitate the conversion as well as those pertaining to the additional two-storey extension at the rear. Consequently, the opportunity for overlooking is greater than it is at present.
88. The clearest opportunity for overlooking to neighbouring properties occurs from the upper floors of the church hall looking north onto 79 Park Lane and from the side and rear windows of the two-storey extension looking onto the rear gardens of properties along Doris Road and Avenue Road.

89. The application includes a plan of the north elevation of the church hall/extension which shows how overlooking from this aspect will be mitigated. Any upper floor windows which carry the potential for overlooking to neighbouring properties are to be fitted with obscure glazing. The lower set of roof lights at second floor level relate to a void over the floor beneath where there will be no opportunity for outward views. The upper set of roof lights are high level and are pitched away and further in from the boundary with the neighbouring property and any opportunity for overlooking is minimal.
90. Understanding the impact of overlooking from the west facing windows of the church hall extension is a little more complex, but the application proposes several measures to ensure that any impact is minimised.
91. All windows on the west elevation of the extension are to be recessed and the method of construction is illustrated on page 14 of the Design and Access Statement. Recessing the windows in the proposed manner will have the effect of reducing the field of view to surrounding properties. The bottom strip of the first and second floor windows of those windows on the extension not sitting directly behind the boys brigade are to be installed with obscure glazing, further reducing the opportunity for overlooking. Windows at first floor level of the extension are not full height and a single central window is proposed to serve the top floor bedroom.
92. Members will be shown a 3D satellite image of the existing west elevation of the building to give a better idea of the impact of overlooking from the proposed development. Whilst the proposal will result in an increased impact of overlooking from the west elevation, it is considered that the severity of overlooking has been adequately mitigated through a combination of factors including the following:
- The presence of the external wall of the boys brigade building which partly impedes views from three of the first floor windows over the rear garden of 1 Avenue Road;
 - The orientation of the development where views to the rear gardens of Doris Road are oblique;
 - The recessed design of all windows on the west elevation which reduces the field of view to surrounding properties;
 - The use of obscure glazing to bottom strips of several upper ground floor windows and first floor windows not being full height.

The opportunity for overlooking is greatest from the upper two floors of the extension looking over the rear gardens of properties located along Avenue Road. Whilst this will result in some degree of harm to the amenity of neighbouring properties, the level of harm is not considered to be significant, especially when considered against the existing context which is a tight-knit urban environment where overlooking to rear gardens already occurs from upper floor windows of properties onto opposing or neighbouring rear gardens. The distance between the windows of the west elevation of the extension onto the rear gardens of Avenue Road is not dissimilar to the distances relevant to the existing incidence of overlooking between neighbouring properties.

93. Planning permission will be conditioned to require a scheme for all windows to include details of the type of glazing to be used, depth of window recesses on west facing windows on the two-storey extension as well as opening configurations. This will allow the local planning authority to further control any opportunity for overlooking as well as ensuring the satisfactory appearance of fenestration.
94. The proposal also incorporates external terraces to the rear of the boys' brigade and on the upper floor of the church building. The floor level of the boys' brigade terrace has been set at 1.7 metres below the level of the top of the obscure glazed balustrade to prevent overlooking to adjacent windows in the proposed development as well as to neighbouring properties to the rear. Terraces on the Avenue Road frontage are also fitted with obscure glazed balustrading above a brick parapet and are separated from the nearest residential property on Avenue Road by ~20 metres. This combination of distance and use of obscure glazing are sufficient in avoiding any harm from overlooking to the surrounding area.

Loss of light/overshadowing

95. A daylight/sunlight assessment was requested to establish the extent to which neighbouring properties would be affected by the two-storey extension and extension of the roof at the rear of the church hall. The report has been produced by a consultant engineer and has been based upon guidance and methodologies detailed in the 2011 Building Research Establishment's (BRE) Publication 'Site Layout Planning for Daylight and Sunlight' ("the BRE Guide"), and whilst reference to them isn't mandatory, the standards are widely relied upon by local authorities as a useful instrument for assessing daylight and sunlight impacts.
96. The daylight/sunlight report is very detailed and members are strongly advised to read the document prior to the committee meeting to gain an understanding of the scope of the study, the methodologies used and the associated impacts of the development and how they correspond to the BRE standards. The daylighting engineer has also compiled a response to some of the objections received with respect of the daylighting/sunlight results which may also be referred to.
97. The study models two 'options'; option one being that of the original submission involving a larger rear extension and a vertical wall extension to house the communal stairwell and option two where the rear extension has been reduced in scale with part of the church hall roof extended over the communal stairwell. Members are referred to pages 5 and 6 of the daylighting/sunlight report where 3D images are provided illustrating the differences between the existing built form, the first submission and the current scheme (referred to as option 2 in the report).
98. Part of the study uses the Vertical Sky Component (VSC) calculation to measure the amount of skylight reaching affected windows. The calculation represents the percentage of an unobstructed view that is available from a window, with the view always taken from the centre of a window. In practice this means that if a window were to have a totally unobstructed view of the sky looking in a single direction (taking account only of the built environment), then the maximum (best) possible value would be just under 40%. The BRE guide says that 27% represents a value signifying adequate levels of natural daylight and that where levels are below 27%, any reduction caused by development should be kept to a minimum and should not be less than 0.8 times its former value.

99. Appendix A shows the results of the VSC calculations and highlights those windows where the existing VSC is lower than the 27% baseline BRE figure. The study shows that the proposed development (option 2) will not result in any windows falling below 0.8 times their former VSC value. All assessed windows therefore meet the BRE standards in terms of the VSC.
100. The second part of the study looks at direct light from the sun and uses Annual Probable Sunlight Hours (APSH) to examine whether a window will receive enough sunlight to satisfy BRE standards. The BRE guide recommends that main habitable rooms should receive at least 25% of the APSH and at least 5% of the APSH should be received during the period between 21st September and 21st March.
101. The BRE guide explains that sunlight availability may be adversely affected if the centre of the affected window:
- receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21st September and 21st March and;
 - receives less than 0.8 times its former sunlight hours during either period and;
 - the overall annual loss is greater than 4% of APSH
102. The results of the APSH study are presented in Appendix B of the study. The results show that although the development will result in a loss of direct sunlight to windows in neighbouring properties, none of the windows included in the study fail all three BRE criteria. By BRE standards therefore, the proposed development would not have a significantly harmful impact upon the direct sunlight reaching neighbouring properties.
103. Of the individual criteria that are breached it is also relevant to consider what rooms the breaches relate to. Windows 2 and 4 of 79 Park Lane experience a total 4.15% and 6.45% overall loss of APSH respectively. Window 8 receives a reduction factor of 32.06% in winter months. The site was visited to determine what rooms the windows relate to. Window 2 relates to a wet room, window 4 relates to a hallway and window 8 relates to a study/office. Whilst the 32.06% reduction in APSH in winter months may appear a large impact, the reduction is from an existing 2.09% of APSH to 1.42%, so the difference will not be noticed to a significant degree and the impact does not relate to a main habitable window.
104. The same can be said for window 21 at 6 Doris Road which experiences a 41.12% winter reduction in APSH but this is from an existing 1.07% to 0.63%. Windows 22 and 23 will experience an annual reduction in APSH of 4.30% and 5.15% respectively. All three windows relate to a narrow kitchen room.
105. Access was not gained to visit 10 Doris Road where window 41 receives an annual reduction in APSH of 4.12%. As with all other windows in the study however, the window does not fail all three BRE criteria and by BRE standards will therefore receive adequate sunlight post development.
106. An overshadowing study is also included within Appendix C of the report and will be shown to members during the committee presentation. The study shows that the proposed development will result in a minor increase in overshadowing to the rear gardens of 6 and 8 Doris Road and 79 Park Lane, but not to any degree which will significantly harm living conditions.

107. Several contributors reference inaccuracies and errors within the daylight/sunlight study. The engineer who produced the report has provided a response to these queries and this document is included in the application. The response is accepted and the study results are considered satisfactory for enabling an accurate assessment of the daylight/sunlight impacts of the proposal to be properly understood. The response is attached to the case as a supporting planning statement and members are advised to read the document in conjunction with the main report and with regard to the issues raised in representation to the case.

Noise/smell/activity disturbances

108. Whilst the proposed residential development is of high density, this is not considered likely to result in significant noise disturbances to the surrounding area. Indeed, the numbers of people with the potential to be on site at any one time are far greater with the existing use than that proposed. However, the use and layout of the site will be different to that existing.
109. External terraces are proposed for the church building on the upper floors. The north facing terraces are buffered by the church hall building and will not therefore carry any implications for neighbouring properties in this direction. The south facing terraces are separated from opposing dwellings by landscaping, Avenue Road and a distance of ~20 metres. These factors are considered adequate to ensure that neighbouring properties will not be adversely affected by activity taking place on external terraces. Any impact of activity on the boys' brigade terrace is considered no more harmful than the many existing rear gardens of surrounding properties.
110. The proposal had included an external terrace at the boundary with 79 Park Lane. This has now been removed from the scheme following amenity concerns raised during the assessment of the application.
111. One of the communal access points to the church hall is provided beside the boundary to 79 Park Lane and concern has been raised that the use of the passage by residents as well as use of the adjacent cycle store and refuse will be detrimental to the amenities of the surrounding area. Whilst the use of the passage will lead to increased activity adjacent to 79 Park Lane, the level of potential activity is not considered to be significantly harmful and there is also an ability to access the building centrally between the church hall and church building. There is also scope for landscape improvements at the boundary with 79 Park Lane which would assist in strengthening the separation between the two sites. This detail will be included within the landscape condition to be added to any planning permission.
112. The refuse bins and cycle stores are located in positions that avoid any adverse impact on neighbouring properties.
113. Conditions will be added to any permission restricting construction times and requiring a construction method statement to minimise any disturbances resulting from the construction process. The applicant will also be advised to sign up to a Considerate Constructors Scheme.

Overbearing/over-dominant building

114. The two-storey rear extension will sit above the existing two-storey flat roofed extension at the rear of the building and fits within the roof profile of the church hall.

The roof pitch of part the church hall is also being extended in order to house the communal stairwell.

115. Plans show that the two-storey extension is set in by three metres with its roof pitching away from neighbouring properties. This is considered sufficient to avoid any loss of outlook to neighbouring properties or significant harm from a sense of overbearing. The extended church hall roof is pitched away from the boundary and does not increase the height of the development immediately on the boundary with 79 Park Lane. Such is the height and pitch of the roof that its impact upon 79 Park Lane is not considered to be significant.

Amenity of future occupants

116. The new units will provide a unique living environment for future occupants in a highly accessible part of city with good access to local facilities and services. All of the living units are generously sized and satisfy national internal space standards and it is not therefore considered that the proposal will result in an overcrowded form of development.
117. The site offers very limited external areas to provide outdoor amenity space for future occupants and it is considered that every reasonable opportunity has been taken to maximise the availability of external amenity space whilst respecting the amenity of neighbouring properties and the heritage value of the site.
118. External terraces are delivered on six of the upper floor units of the church building and one on the boys' brigade building. The units where external terraces are provided are generally the larger units that are more likely to be occupied by a family. Communal amenity spaces are provided within the site although these are of limited size and outlook. Landscaping details will be secured to maximise the quality of these spaces. The site is also located within walking distance to Heigham Park and Chapelfield Gardens, which provide high quality public outdoor spaces available for use by future residents.
119. The nature of the layout of the site means that several of the units will have a poor standard of outlook, such is the presence of surrounding buildings. Whilst less than ideal, future occupants would be aware of the outlook before moving in. Furthermore, the limited outlook from certain units must be balanced with the benefits provided from living in a development of character where living conditions are otherwise of a high standard.
120. The main habitable rooms in the development are well served by windows to ensure an adequate standard of daylighting.

Lifetime Homes

121. The requirement to provide lifetime homes in policy DM12 applies to sites of 10 plus dwellings. Given the constraints of the building and limited parking opportunities, satisfying the standard would be very difficult if not impossible. The application does however provide three units with level access, which are to be DDA compliant. Given the restrictions on the building and value in bringing it back into viable use, this level of provision is considered to be acceptable without the requirement to provide 10% of the units as lifetime homes.

Main issue 5: Affordable housing viability

122. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraph 50.
123. The proposal is for the creation of 20 residential units and Joint Core Strategy policy 4 (affordable housing) is therefore applicable, as is the revised Affordable Housing SPD (August 2015). The policy seeks to achieve a 33% proportion of affordable housing on schemes involving the creation of 16 dwellings or more, unless it can be demonstrated that the delivery of affordable housing is unviable in prevailing market conditions.
124. A viability assessment has been undertaken for the development and assessed independently by the DVS who offer property consultancy services for the public sector. The assessment shows that based upon a developer's profit of 20%, CIL contributions and land value calculations, a scheme delivering 33% affordable housing would be unviable. It has been calculated that a viable scheme could deliver three units of affordable housing on site or a commuted sum of £84,107 contributing to off-site provision in lieu.
125. The applicant is currently exploring whether any Registered Provider's would be interested in taking up three units on site. In the event that no interest is expressed then the council would expect a commuted sum to be paid towards off-site provision of affordable housing in accordance with the council's affordable housing SPD.
126. A S106 agreement is recommended to secure either on-site affordable housing provision or a commuted sum for off-site provision.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition. The application proposes to secure 10% low carbon/renewable energy sources through a combination of heat recovery and PV panels. It is also proposed to upgrade the existing fabric of the buildings to improve thermal efficiency and reduce the overall energy consumption. Planning permission will be conditioned requiring a scheme to be set out demonstrating how the 10% requirement will be satisfied. The scheme will also require a plan for the PV panels to understand how they relate to the building in the interests of good design and preserving the character of the surrounding conservation area.
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban	DM3/5	Yes subject to condition. The site is situated within a critical drainage catchment and therefore it is

drainage/flooding	NPPF paragraphs 100 and 103.	<p>important that consideration is given to ways of mitigating surface water flood risk. The majority of the site is currently occupied by buildings or hard-surfacing and the scheme will not increase the risk of surface water flooding. There is scope to improve the existing situation through the use of permeable paving for communal spaces as well as soft landscaping where possible. Landscaping details will be agreed by condition where surface water infiltration will be considered.</p> <p>Anglian Water have been consulted and have identified that they own assets within or close to the development boundary that may affect the site layout. If it is not possible for the development to accommodate these assets then sewers may need to be redirected at the developers cost under Section 185 of the Water Industry Act. An informative is recommended to this effect.</p> <p>The surface water/flood risk assessment submitted with the application states that infiltration can be achieved on the site which may be the case but this has not been demonstrated. Anglian Water have requested a condition be imposed requiring a surface water management strategy to be agreed with the local planning authority prior to any drainage works or hard-standing areas being constructed, to demonstrate that infiltration can be achieved on site. This will be necessary before consent would be granted to connect to the public sewerage system. Anglian Water raise no objections to the development.</p>
Trees	DM7	<p>Yes subject to condition. The scheme involves the loss of two trees on the Avenue Road frontage. The trees have high growth potential and would most likely need to be removed irrespective of development. Nevertheless, replacement planting is necessary to maintain an attractive landscaped frontage to Avenue Road and enhance the biodiversity value of the site. Planning permission will be conditioned for compliance with the AIA and requiring appropriate species to be agreed with the local planning authority prior to planting.</p>
Landscaping	DM2/3/8	<p>Yes subject to condition. Several recommendations have been made by the council's landscape officer to ensure a successful landscape scheme to ensure the satisfactory appearance of the site. The landscaping scheme will also require details of lighting (to minimise amenity impacts and harm to bats) and details of ecological enhancements including bird/bat</p>

		<p>boxes and 'wildlife value' planting.</p> <p>The landscaping condition will also enable soft landscaping opportunities at the site to be fully explored although these may be limited such is the coverage of development on the site.</p>
Biodiversity	JCS1, DM6, NPPF paragraph 118.	<p>Extensive survey work has been carried out at the site and reveals that parts of the building complex are being used by roosting bats. It is essential that the comprehensive mitigation measures outlined in Section 9 of the Bat Survey and Assessment document are fully implemented. Planning permission shall be conditioned accordingly.</p> <p>The landscaping condition will require details of any external lighting to minimise spillage and to ensure it is 'bat friendly'. The landscaping condition will also require details of ecological enhancements at the site including bat boxes and plants of wildlife value.</p>
Contamination	DM11 NPPF paragraphs 120-122.	<p>Yes subject to condition. There is no history of contaminated uses on the site. Informatives are recommended in the event that any contaminants are discovered during construction.</p>

Equalities and diversity issues

128. There are no significant equality or diversity issues. Three of the units have been designed to be DDA compliant.

Local finance considerations

129. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
130. 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.
131. The properties created will generate New Homes Bonus. The proposed development would be CIL liable for the new floor space created by the two-storey extension and conversion.

Conclusion

132. The proposed scheme will provide an appropriate form and quality of residential development which will enable the continued preservation, protection and active

use of a landmark and locally listed building which contributes significantly to the character of the surrounding area.

133. The scheme involves the conversion of a long established community facility, the loss of which is justified through the submission of evidence showing how the buildings were marketed over a nine month period as well explanation behind the lack of interest expressed during this period. The application identifies that other Methodist churches exist in the nearby area, which ensure adequate alternative provision.
134. Whilst the proposal is of high density, this does not amount to an overdevelopment of the site and future occupants will benefit from satisfactory living conditions within a development of unique character. The application exploits every reasonable opportunity to provide external amenity space for prospective residents and the lack of greater quality external space is off-set by the proximity to two high-quality public parks and a host of services and facilities are available in the adjacent local retail centre and nearby city centre.
135. The site is in an established residential area and surrounded by existing dwellings to the north and west. This report identifies the amenity impacts associated with the proposed development and discusses the extent to which they impinge upon the residential amenities of neighbouring properties. Whilst some level of harm is recognised, the degree of harm is not considered to be significant and the application is well supported by evidence to substantiate this conclusion.
136. The proposal has received a high number of objections citing concerns with the parking and traffic impacts of the development. The proposal satisfies local plan parking standards and is appropriate for low car development in accordance with policy DM32 of the local plan. The transport impacts of the development are therefore considered to be acceptable and would have a much lower impact than the existing authorised use or many other potential community or commercial uses. A travel information plan and parking management strategy will be conditioned which will ensure that residents are aware of sustainable travel options and parking limitations of the surrounding area before they move into the units.
137. The proposal will contribute 20 new units to an identified need for new housing in the city and subject to the completion of a satisfactory legal agreement, will deliver affordable housing in accordance with JCS4 and the council's affordable housing SPD.
138. Subject to conditions, 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. 15/01928/F - St Peters Methodist Church Park Lane Norwich NR2 3EQ and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to include: materials to be used in external construction of development (including samples and specifications where necessary), scheme for repairing and reinstating the original façade of the Wesleyan Chapel, method statement detailing how the front porch of the Methodist Church will be rebuilt including a structural survey confirming that the front porch needs to be taken down and rebuilt, details of the re-set stained glass window within stairwell, details of the fretwork/grill within the church hall, external railings, all external joinery, rooflights, external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air, brick bond and mortar, rainwater good, balustrading etc;
4. Landscaping scheme including all soft and hard landscape details as well as details of lighting (to avoid spillage onto neighbouring properties and to be 'bat friendly'), tree replanting, boundary treatments (ensuring adequate separation between number 79 Park Lane), biodiversity enhancements (to include plants of wildlife value and bird/bat boxes), pit details for new replacement trees etc;
5. Undertake historic building assessment and photographic record prior to commencement, and record building in Historic Building Record;
6. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority;
7. No development shall take place, including any works of demolition, in pursuance of this permission until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority;
8. Scheme for renewable energy to include details of how the scheme will generate a minimum of 10% of the predicted energy requirement of the development from decentralised renewable and/or low carbon sources. The scheme shall also include details of the PV panels including plans of the panels and sectional drawings to show how they relate to the building;
9. Submission parking/ cycle/ bin storage details;
10. Submission of a scheme for the windows across the development to include details of opening configuration, area and specification for obscure glazing, and accurately scaled sections showing window recesses to minimise overlooking;
11. No occupation of the dwellings fronting Avenue Road and Park Lane shall take place until the habitable rooms fronting this road have been provided with proprietary sound-insulating ventilators (for use when windows are closed);
12. Full details of heritage interpretation to be erected at the site;

13. No occupation of the site until a travel information plan and parking management strategy has permanently established and been approved by the planning authority;
14. Compliance with the AIA;
15. Operations on site shall take place in complete accordance with the mitigation measures outlined in Section 9 of the Bat Survey and Assessment document [ref.2015-44 R1];
16. Water efficiency;
17. Refuse collection and servicing shall be managed in accordance with section 7.13 and Section 12 of the D&A;
18. Restricted construction hours
19. Removal of p.d rights relating to any extensions for the boys brigade unit

Informatives:

- 1) The applicant is referred to the recommendations of the landscape officer (submitted 29.01.2016) to inform the design of the landscaping scheme.
- 2) The applicant is advised to consult with the council in deciding upon a suitable species for the tree replacements to be planted at the site. The proposed species included in the AIA are not considered to be appropriate. New trees should be a suitable fastigate tree which should be agreed with the council's arboricultural officer.
- 3) The applicant is advised to consider how the availability of car club spaces in the surrounding area could be promoted to prospective residents as part of the travel plan/parking management strategy. It is advised that parking is leased to occupants rather than sold, and that it is allocated by a management body. This would help to ensure that the on-site parking spaces are managed to best match actual demand. Parking spaces could then be numbered and controlled by use of a droppable post or a private company employed for such purposes. This would ensure that in the event that all parking spaces have been allocated, a prospective or current occupier would be fully aware that no parking spaces were available.
- 4) Considerate construction.
- 5) Unknown contamination.
- 6) Asbestos.
- 7) The development will not be eligible for parking permits.
- 8) Vehicle crossovers.
- 9) Refuse and recycling bins and storage areas to accord with the council's requirements.
- 10) Street naming and numbering.

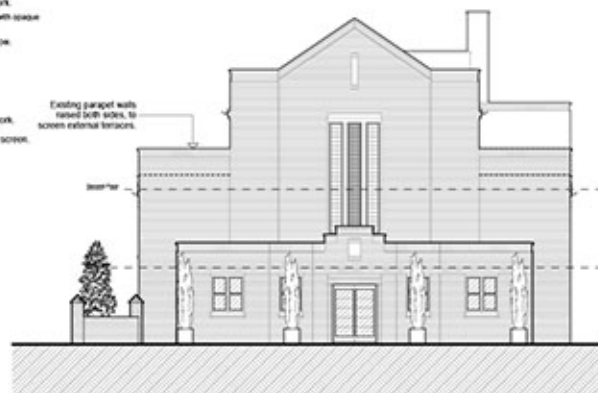
11) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

MATERIALS KEY:

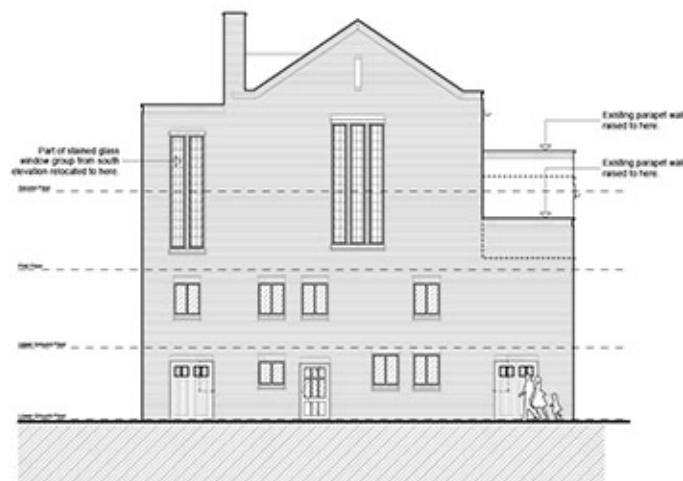
- New clear glazing
- New obscured glazing
- New 'look-a-like' opaque glazing panels
- Restored glazing with leadwork
- Restored glazing with leadwork with opaque backing screen
- Restored stained glass window
- Facing brickwork
- Zinc cladding
- Slate roof tiles
- Dark grey / black metal network
- Obscured glass balustrade / screen



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION

NOTES:
Do not use this drawing for construction purposes.
All dimensions are to be checked on site prior to work commencing.
Any discrepancies or variations are to be reported to the architect immediately.
This drawing is to be used in conjunction with the architect's and structural engineer's
drawings and specifications, and all other relevant information.
If printing is required, please refer to the architect.
© Catriona Longwill RIBA ARCHITECT. The copyright in this design belongs to Catriona Longwill RIBA ARCHITECT and
may not be reproduced without their prior written consent.

No.	Date	Description
A	28.04.16	General elevations in relation to planning consultation
B	04.05.16	

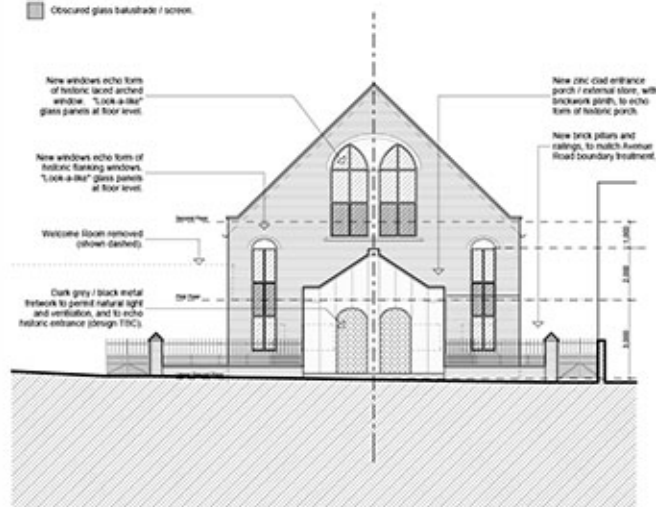
Catriona Longwill RIBA ARCHITECT
3 Southgate Court, Fakenham,
Norfolk, NR21 3AQ
01328 855 308 or 01328 855 309 e: cat@catrionalongwill.co.uk

The Interesting Building Company Ltd.
St. Peter's, Park Lane

ISSUED FOR PLANNING - 14.05.2016	
ISSUED FOR PLANNING - 22.12.2016	
Drawing No.	Proposed Elevations - Church
Scale	1:100 @ A1
Date	15.10.15
Drawn by	CL
Checked by	6079 / 130

MATERIALS KEY:

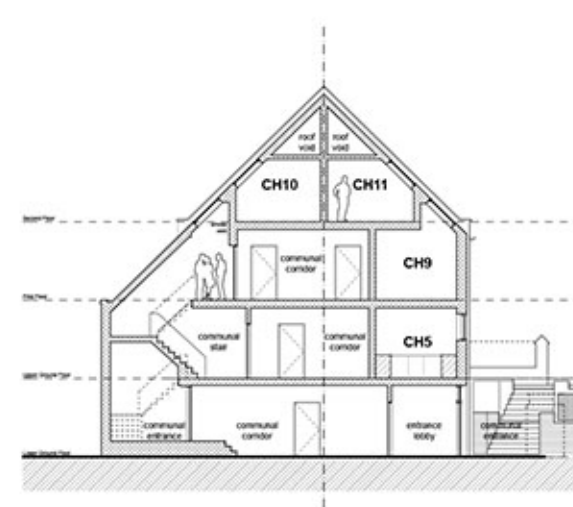
- New clear glazing
- New obscured glazing
- New 'look-a-like' opaque glazing panels
- Restored glazing with leadwork
- Restored glazing with leadwork with opaque backing system
- Restored stained glass window
- Facing brickwork
- Zinc cladding
- State roof tiles
- Dark grey / black metal network
- Obscured glass balustrade / screen



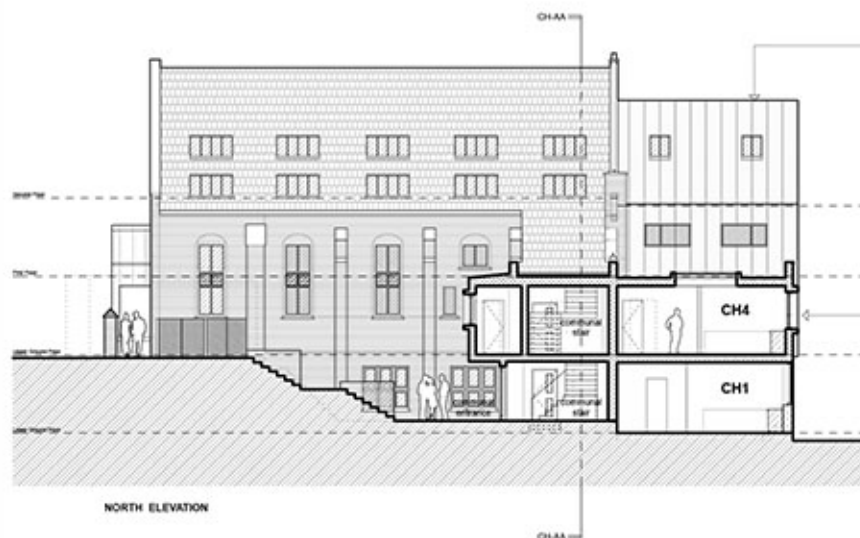
EAST ELEVATION



WEST ELEVATION



SECTION CH-AA



NORTH ELEVATION



SOUTH ELEVATION

ISSUED FOR PLANNING - 14.05.2016

ISSUED FOR PLANNING - 22.12.2016

NOTES:
Do not use this drawing for construction purposes.
All dimensions are to be checked on site prior to construction.
Any discrepancies or variations are to be reported to the architect immediately.
This drawing is to be used in conjunction with the architect's and structural engineer's drawings and specifications, and all other relevant information.
If a conflict arises between this drawing and the architect's drawings, the architect's drawings shall prevail.
The copyright in this drawing remains with Catriona Longwill RIBA Architect, and may not be reproduced without their prior written consent.

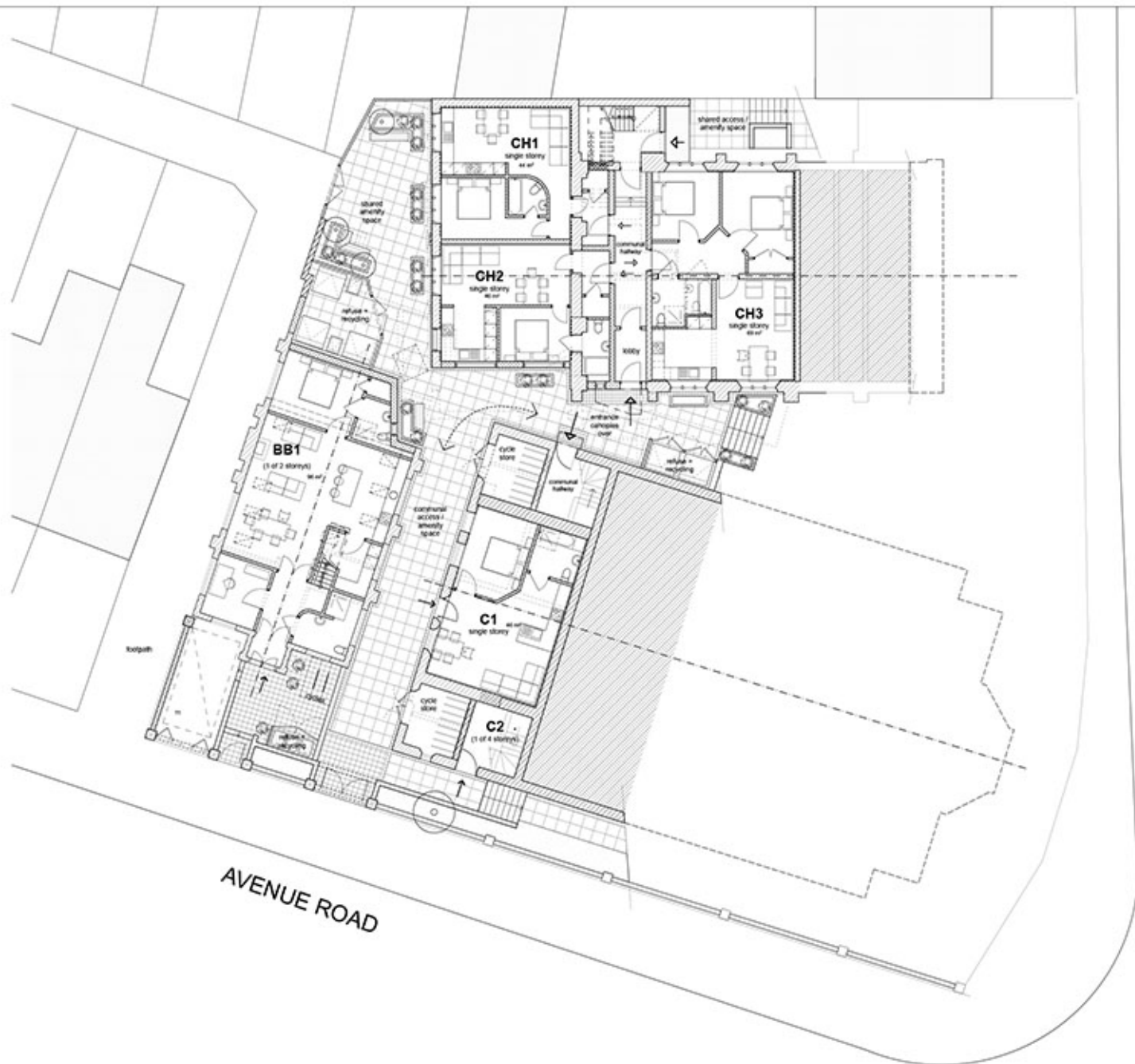
No.	Date	Description
A	19.04.16	General elevations responding to planning consultation
B	23.04.16	Revised elevations responding to planning consultation
C	24.05.16	Revised elevations responding to planning consultation
D	18.07.16	Final elevations responding to planning consultation

No.	Date	Description
1	19.04.16	General elevations responding to planning consultation
2	23.04.16	Revised elevations responding to planning consultation
3	24.05.16	Revised elevations responding to planning consultation
4	18.07.16	Final elevations responding to planning consultation

Catriona Longwill RIBA ARCHITECT
3 Southgate Court, Farnham,
Surrey, GU10 1AQ
01252 855 308 or 07567 004 000 e: cat@catrionariba.co.uk

The Interesting Building Company Ltd.
St. Peter's, Park Lane

Proposed Elevations - Church Hall
Scale: 1:100 @ A1
Date: 15.10.15
Drawing No: 6079 / 131
Client: CL
Designer: D



AVENUE ROAD

60.79 / 120	A
-------------	---

Do not scale from the drawing for construction purposes.
All dimensions are to be checked at site prior to each commencing.
Any discrepancies or variations are to be reported to the nearest immediately.
This drawing is to be used in conjunction with the architect's and structural engineer's
drawings and specifications, and all other issued information.
If anything is unclear, please notify the architect.
© 2010/2011/2012. The copyright of the design remains with Catherine Langford Architect, and
may not be reproduced without their prior written consent.

No.	Date	Description
A	29-04-16	General revisions in relation to planning consultation

Page 47 of 47

Page 47 of 136



Catriona Longwill RIBA
ARCHITECT
3 Southgate, (Xm), Fakenham,
Norfolk, NP23 5AQ
t: 01262 850 508 m: 07907 664 660 e: cat@catrionalongwill.co.uk
www.catrionalongwill.co.uk

Client	The Interesting Building Company Ltd
Project	St. Peter's, Park Lane



PARK LANE

AVENUE ROAD

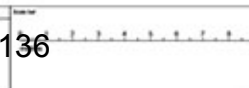
ISSUED FOR PLANNING - 14.05.2016

ISSUED FOR PLANNING - 22.12.2016

Do not use this drawing for construction purposes.
All dimensions are to be checked on site prior to construction.
Any discrepancies or variations are to be reported to the architect immediately.
This drawing is to be used in conjunction with the architect's and structural engineer's
drawings and specifications, and all other relevant information.
If printing is required, please refer to the architect.
© Catriona Longwill RIBA ARCHITECT. The copyright in this drawing remains with Catriona Longwill RIBA ARCHITECT and
may not be reproduced without their prior written consent.

Rev	Date	Description
A	28.04.16	General revisions in relation to planning consultation

Page 48 of 136



Catriona Longwill RIBA ARCHITECT
3 Southgate Court, Farnham,
Surrey, GU10 1AQ
01252 855 300 or 07507 006 000 e: cat@catrionalongwill.co.uk

The Interesting Building Company Ltd.
St. Peter's, Park Lane

Drawing No.	Proposed Upper Ground Floor Plan + Site Plan
Scale	1:100 @ A1
Date	15.10.15
Drawn By	CL
Checked By	A
Drawing No.	6079 / 121



PARK LANE

AVENUE ROAD

ISSUED FOR PLANNING - 14.05.2016

ISSUED FOR PLANNING - 22.12.2015

NOTES:
Do not use this drawing for construction purposes.
All dimensions are to be checked on site prior to construction.
Any discrepancies or variations are to be reported to the architect immediately.
This drawing is to be used in conjunction with the architect's and structural engineer's
drawings and specifications, and all other relevant information.
If printing is required, please refer to the architect.
© Catriona Longwill RIBA ARCHITECT. The copyright in this design belongs to Catriona Longwill RIBA ARCHITECT, and
may not be reproduced without their prior written consent.

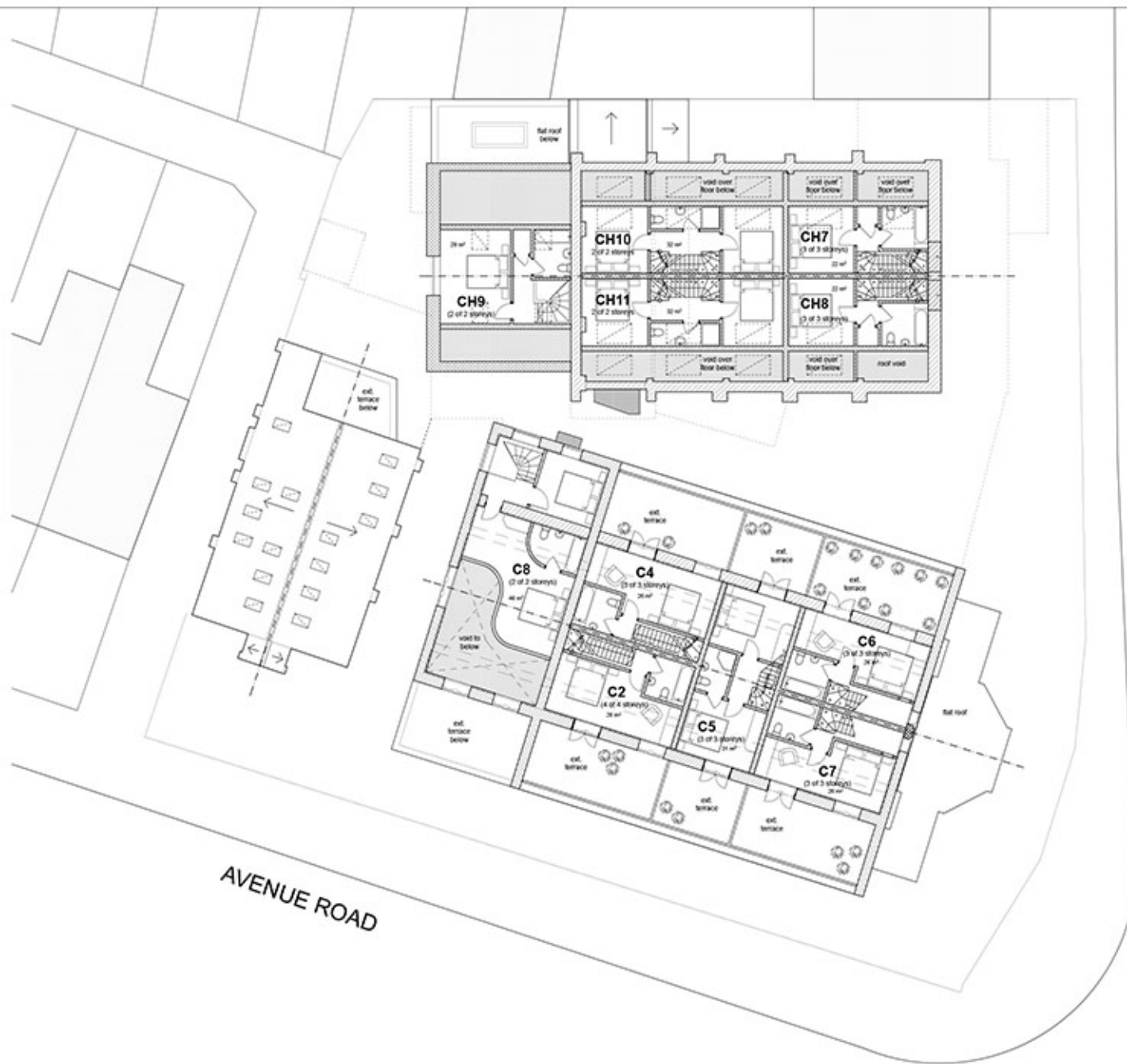
No.	Date	Description
A.	28.04.15	General revisions in relation to planning consultation

No.	Date	Description

Catriona Longwill RIBA ARCHITECT
3 Southgate, Essex, Peterborough,
Northants, NN1 1AD
01533 855 308 or 0787 686 000 e: cat@catrionalongwill.co.uk

The Interesting Building Company Ltd.
St. Peter's, Park Lane

Drawing No.	Proposed First Floor Plan
Scale	1:100 @ A1
Date	15.10.15
Drawing No.	6079 / 122
Author	A.



PARK LANE

AVENUE ROAD

ISSUED FOR PLANNING - 14.05.2016

ISSUED FOR PLANNING - 22.12.2015

Do not use this drawing for construction purposes.
All dimensions are to be checked on site prior to construction.
Any discrepancies or variations are to be reported to the architect immediately.
This drawing is to be used in conjunction with the architect's and structural engineer's
drawings and specifications, and all other relevant information.
If printing is required, please refer to the architect.
© Catriona Longwill RIBA Architect. The copyright in this design belongs to Catriona Longwill RIBA Architect, and
may not be reproduced without their prior written consent.

Rev	Date	Description	Rev
A	28.04.16	General revisions in relation to planning consultation	

Page 50 of 136

Catriona Longwill RIBA
ARCHITECT
3 Southgate Court, Fakenham,
Norfolk, NP23 5AQ
01263 855 308 or 01263 855 309 e: cat@catrionalongwill.co.uk

The Interesting Building Company Ltd.
St. Peter's, Park Lane

Proposed Second Floor Plan
Scale: 1:100 @ A1
Drawing No: 6079 / 123
Sheet No: A

Report to Planning applications committee

Item

11 August 2016

Report of Head of planning services

Subject 16/00712/VC - 35 Vulcan Road South Norwich NR6 6AG

Reason

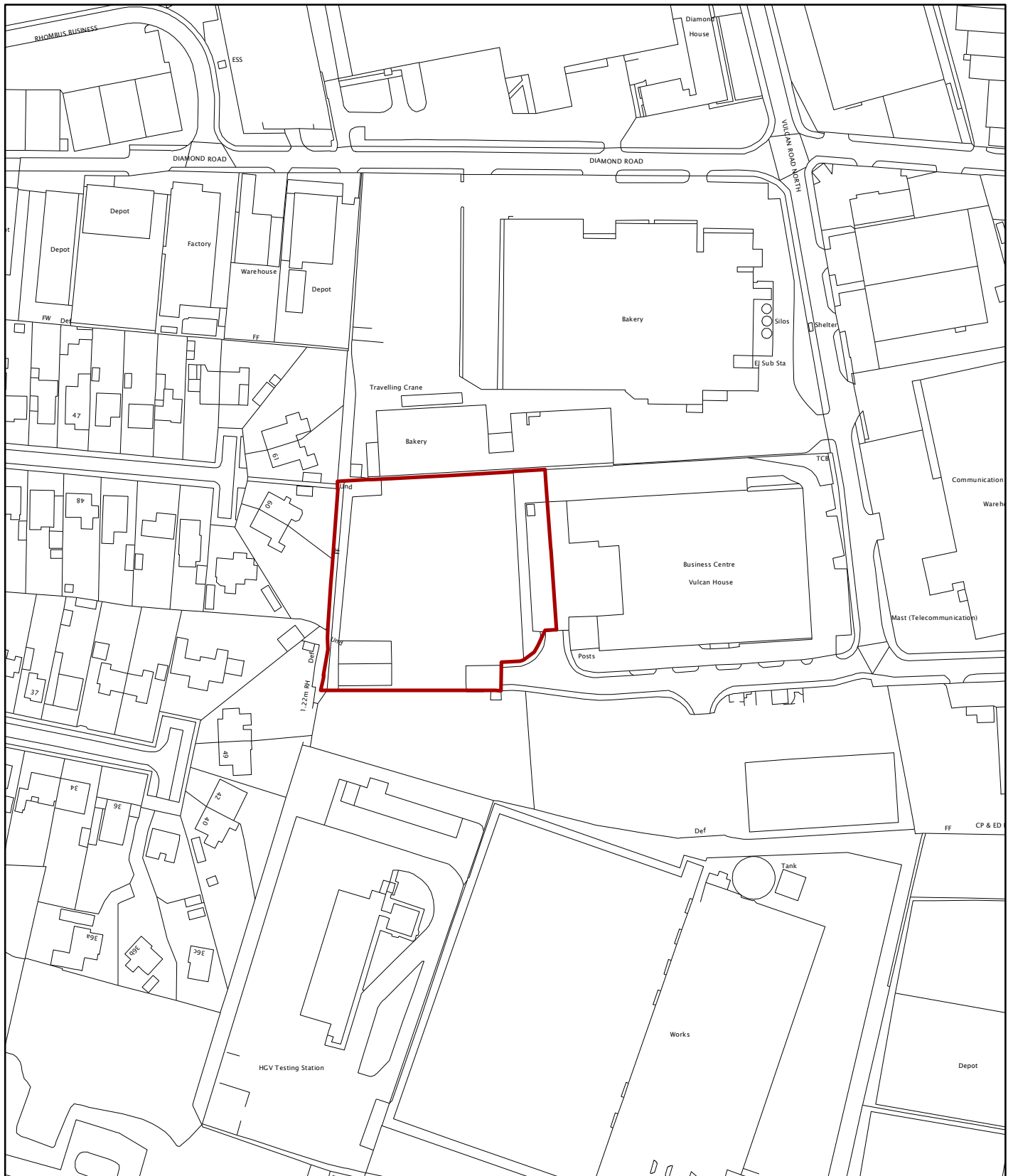
for referral Objection

4(b)

Ward:	Catton Grove
Case officer	Mr Kian Saedi - kiansaedi@norwich.gov.uk

Development proposal		
Variation of conditions 7 and 9 of planning permission 15/01568/VC to allow a combined total of 20 minutes opening per hour for the 3 MoT bay doors and discharge of conditions 4 (cycle storage) and 11 (extract ventilation) of previous planning permission 15/01568/VC		
Representations		
Object	Comment	Support
5	0	0

Main issues	Key considerations
1 Amenity	Noise disturbances to the surrounding area resulting from the proposed amendments to the scheme
Expiry date	8 August 2016 extended to 21 August 2016
Recommendation	Approve subject to re-imposition of conditions attached to original consent and rewording of conditions 4 and 11 to accord with the details included as part of the current application



© Crown Copyright and database right 2016. Ordnance Survey 100019747.

Planning Application No 16/00712/VC

Site Address 35 Vulcan Road south

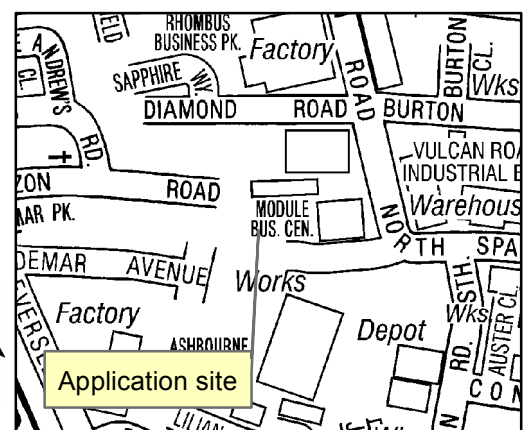
Scale 1:2,000



NORWICH
City Council

PLANNING SERVICES

Page 52 of 136



The site and surroundings

1. The site is situated on Vulcan Road North to the west of Vulcan House Business Centre. It is located on the edge of the airport industrial estate and adjacent to residential properties to the west. The site lies on the edge of Norwich City Council's jurisdiction adjacent to Broadland District Council's area.
2. The south west corner of the site is currently used as a car valet centre for in house vehicle valeting and the remainder of the site is currently used for the storing of vehicles. A service vehicle workshop has recently been constructed on the east side of the site, which received planning consent under planning permission 15/00565/F.

Constraints

3. The site is situated within a defined employment area and is situated within a critical drainage area.

Relevant planning history

4.

Ref	Proposal	Decision	Date
4/2002/0379	Erection of Warehouse unit with associated open storage areas, access, parking and servicing.	Approved	16/07/2002
07/00251/U	Installation of acoustic screen adjacent to residential properties and retrospective application for use of land for bus parking (40 vehicles); bus driver car parking; and erection of 2 No. temporary mobile lighting units.	Refused	06/07/2007
09/00320/F	Proposed bus parking (60) spaces for First Eastern Counties, plus site resurfacing, site lighting and the creation of a landscaped mound with acoustic fence.	Approved	03/11/2009
09/01566/D	Details of Condition 1 A - bunding, acoustic fencing, lighting and hard surfacing; Condition 2 - palisade fencing, bird and bat boxes, CCTV, cycle storage, secure cabinet (for supervisor), electricity sub station and on-site speed restriction signage; Condition 3 - Submission of Arboricultural Method Statement and Partial Details of Condition 4 - Implementation, maintenance and	Refused	21/07/2010

	specification for landscaping scheme of previous planning permission 09/00320/F 'Proposed bus parking (60) spaces for First Eastern Counties, plus site resurfacing, site lighting and the creation of a landscaped mound with acoustic fence'.		
14/00164/F	Erection of a single storey valeting centre for in house vehicle valeting.	Approved	04/04/2014
15/00565/F	Erection of a vehicle service workshop.	Approved	21/07/2015
15/01327/NM A	Non-Material amendment to previous permission 15/00565/F comprising of revision to roof skylight plan.	Approve	02/10/2015
15/01568/VC	Variation of Condition 7: to allow door to remain open for five minutes whilst testing front wheel braking; Condition 9: to accept that back of vehicle is outside briefly whilst brake tester is inside building and Condition 2 to allow the provision of additional photovoltaic panels, of planning permission 15/00565/F.	Approved	24/12/2015

The proposal

5. See previous report for details of the original consent (15/00565/F), which permitted the construction of a vehicle service workshop at the site.
6. Planning permission was subsequently granted under 15/01568/VC to vary conditions 2, 7 and 9 of 15/00565/F for the following:
 - (condition 2): To vary plans to allow the provision of photovoltaic panels
 - (condition 7): The doors on the western elevation of the building hereby permitted shall be kept closed except for means of access and egress and to allow for brake testing for up to 5 minutes twice within any one hour period.
 - (condition 9): No MOT or servicing activity shall take place outside the building hereby permitted, other than to allow the back of the vehicle to be outside for up to 5 minutes twice within any one hour period whilst brake testing takes place, unless specifically approved in writing by the local planning authority.
7. The current application seeks consent to further vary conditions 7 and 9 of 15/01568/VC for the following:
 - To vary condition 7 from "The doors on the western elevation of the building hereby permitted shall be kept closed except for means of access and egress

and to allow for brake testing for up to 5 minutes twice within any one hour period” **to** “The door on the western elevation of the building as indicated on the workshop floor plan [ref.DWG DES VR 004D, received 12 June 2016], shall be kept closed except for means of access and egress and to allow brake testing for up to 20 minutes within any one hour period. All other doors on the western elevation of the building shall be kept closed except for means of access and egress”.

- To vary condition 9 from “No MOT or servicing activity shall take place outside the building hereby permitted, other than to allow the back of the vehicle to be outside for up to 5 minutes twice within any one hour period whilst brake testing takes place, unless specifically approved in writing by the local planning authority” **to** “No MOT or servicing activity shall take place outside the building hereby permitted, other than to allow the back of the vehicle to be outside for up to 20 minutes within any one hour period whilst brake testing takes place, unless specifically approved in writing by the local planning authority”.

8. The application also seeks to discharge details of the following conditions:

- Condition 4 (Bicycle storage)
- Condition 11 (ventilation or fume extraction system:

Of previous planning permission 15/01568/VC.

Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Five 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
Noise disturbance	Main issue 1
Harm from pollution	The application includes certificates for the extract ventilation and fume extraction which are in accordance with the Control of Substances Hazardous to Health (COSHH), which is the law that requires employers to control substances that are hazardous to health. The council’s environmental health officer has verified the extract details and is satisfied that the details are acceptable.
Insufficient information has been submitted with the application	Additional noise impact information has been submitted during the assessment of the application and is adequate to enable a proper assessment of the

	impacts of the proposal.
Very little has been done to screen noise (and the view) from our property since the removal of trees from the industrial estate boundary	<p>Planning permission 09/00320/F (use of site for bus parking) required the installation of a landscaped mound with acoustic fence. The fence has been installed in accordance with the approved scheme.</p> <p>The noise impacts of the current proposal are discussed under Main Issue 1.</p>
Large branches have been removed from our tree in our garden (without our knowledge) thus creating major loss of privacy to our property with no screening for sound and vision unlike surrounding panels which have a panel fence sited on earth mound.	<p>Not an issue material to the assessment of the current application.</p> <p>The cutting back of a tree on adjacent land would amount to a civil matter. It is understood that in situations where a branch overhangs someone else's land, the owner of the adjacent land has a legal right to cut back any parts of the tree which overhang (provided the tree is not protected)</p>

Consultation responses

10. 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

11. As long as only one bay door is open at any one time then I am satisfied that the sound levels will be reasonable such that the sound will be sufficiently below the background noise levels as to cause residents in the area a noise nuisance.

Assessment of planning considerations

Relevant development plan policies

12. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
 - JCS5 The economy
 - JCS6 Access and transportation
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
13. **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
- DM6 Protecting and enhancing the natural environment
- DM16 Supporting the needs of business
- DM28 Encouraging sustainable travel
- DM31 Car parking and servicing

Other material considerations

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

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF11 Conserving and enhancing the natural environment

Case Assessment

15. 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.

Principle of the development

16. The amendments are minor and would not result in a substantially different development from that which was originally approved.

Main issue 1: Amenity

17. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
18. The noise impact assessment submitted with the application has been carried over from previous application 15/01568/VC. Within this report, the impact of MOT doors being kept open was tested and produced a 35db LAr noise rating level over a six minute period. This is 8 dBA below the background noise levels measured at two points on the western boundary of the site between the nearest residential properties on Brabazon Road. Planning permission 15/01568/VS was consequently conditioned to allow doors to be open for a period of up to 5 minutes twice within any one hour period, which was regarded as necessary to protect the amenities of neighbouring residents based upon the information that had been submitted at that time.
19. The current application seeks to amend condition 7 to allow a single door on the western elevation of the building to be kept open for a period of 20 minutes within any one hour period for the purposes of brake testing. The application states that this is to allow compliance with MOT testing requirements. The application also seeks to amend condition 9 which requires no MOT or servicing activity to take

place outside the building other than to allow the back of the vehicle to be outside in line with the restrictions imposed by condition 7. This is in the understanding that Class 7 MOT vehicles (heavy goods) and larger vehicles such as campervans are larger and therefore do not fit entirely within the servicing bay when the doors are closed.

20. The results of the noise impact assessment indicate that the noises produced by brake testing are not significant and do not increase output levels above the existing background noise levels at the site. However, the test was only run for a period of six minutes and not for the 20 minutes proposed by the application.
21. To ensure proper consideration of the impacts of the proposal, an additional test was requested to model the impacts of keeping a door open for the purposes of brake testing over a continuous period of 20 minutes. The additional noise report indicates that keeping the door open to allow for 20 minutes of brake testing in any one hour, results in a noise rating level increase of 1dBA. This noise rating level based upon the 20 minute period is still considerably lower than background noise levels at the boundary with residential properties and will not therefore result in any significant harm to the amenity of neighbouring properties.
22. The proposed amendments to condition 7 and 9 as outlined under 'The Proposal' section of this report are therefore considered to be acceptable and in accordance with policy DM2 of the local plan.

Discharge of conditions 4 and 11 of panning permission 15/01568/VC

Condition 4 (bicycle parking):

23. The location for cycle storage was indicated in previous application 15/01568/VC on plan ref.DES VR 006 rev A. This location is considered to be acceptable and is securely positioned within the site which itself is a locked secure compound. Details of the cycle storage unit have been provided and are considered satisfactory. Cycle storage will be secure and covered and will provide capacity for up to eight bicycles.

Condition11 (extract ventilation):

24. Condition 11 requires that no extract ventilation or fume extraction be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority.
25. The application includes details showing that two extraction flues are to be installed on the east elevation of the building and two air movement vents on the south elevation. All extraction and ventilation have been positioned facing away from the nearest residential properties on Brabazon Road.
26. Specification of the extract ventilation and fume extraction has been submitted along with maintenance details. The specification includes certification that the fume extraction passes the COSHH standards. The council's environmental protection officer has assessed the information and has stated that the details look fine in terms of ensuring that the residential amenities of the surrounding area are safeguarded.

27. Sufficient detail has therefore been submitted to discharge conditions 4 and 11 and any planning consent will be worded for compliance with the details hereby approved under the current application.

Equalities and diversity issues

28. There are no significant equality or diversity issues.

Local finance considerations

29. 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.
30. 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.
31. In this case local finance considerations are not considered to be material to the case.

Conclusion

32. Subject to conditions 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. 16/00712/VC - 35 Vulcan Road South Norwich NR6 6AG and grant planning permission subject to the re-imposition of all conditions from the former consent with the following amendments:

Condition 4: Within 3 months of the date of this decision secure and covered cycle parking shall be provided and made available for use in accordance with the approved details, including those indicated on drawing [ref.DES VR 011] and shall be retained as such thereafter.

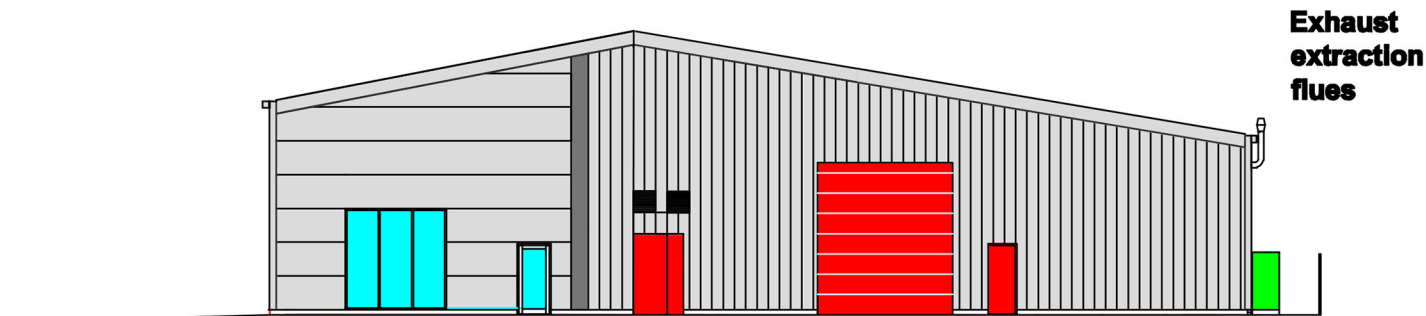
Condition 7: The door on the western elevation of the building as indicated on the approved workshop floor plan [ref.DWG DES VR 004D, received 12 June 2016], shall be kept closed except for means of access and egress and to allow brake testing for up to 20 minutes within any one hour period. All other doors on the western elevation of the building shall be kept closed except for means of access and egress.

Condition 9: No MOT or servicing activity shall take place outside the building hereby permitted, other than to allow the back of the vehicle to be outside for up to 20 minutes within any one hour period whilst brake testing takes place, unless specifically approved in writing by the local planning authority.

Condition 11: No extract ventilation or fume extraction system shall be installed or erected on the site unless in accordance with the approved scheme for extract ventilation or fume extraction as indicated on drawing [ref.DES VR 003D] and the approved extract ventilation and fume extraction system shall be retained and maintained in full accordance with the approved details.

Article 35(2) statement

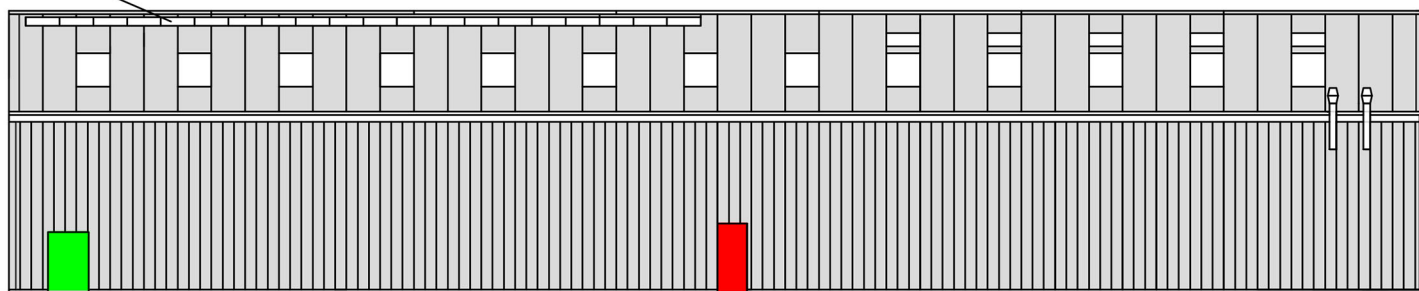
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application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



South elevation



20 PV panels North elevation



East elevation

20 PV panels



West elevation

**AP Property Services
Ridge House, Bungay Rd
Scole, IP21 4DX
07836 544855**

**Vulcan Rd South
20 Bay Service
workshop. Revised
proposed elevation dwgs
Revised PV panels .
Exhaust extraction flues
on East elevation 2 Nr
Air movement vents
south elevation and
Ambirad flue outlets
north elevation**

PDF Print A3

Scale 1:200 DWG DES VR 003D

Drawn by Andy Phillip

Date 2nd May 2016

**AP Property Services
Ridge House, Bungay
Rd
Scole, IP21 4DX
07836 544855**

**Applicant:
Desira Holdings
Plc**

**Proposed Service
workshop ground
floor and first floor
plans.**

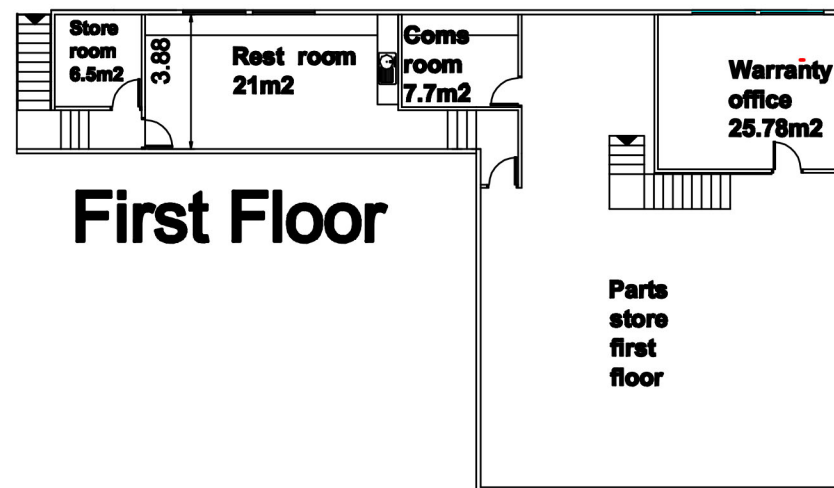
**MOT bay door open
for up to 20 minutes
per hour during
working hours**

DWG DES VR 004D

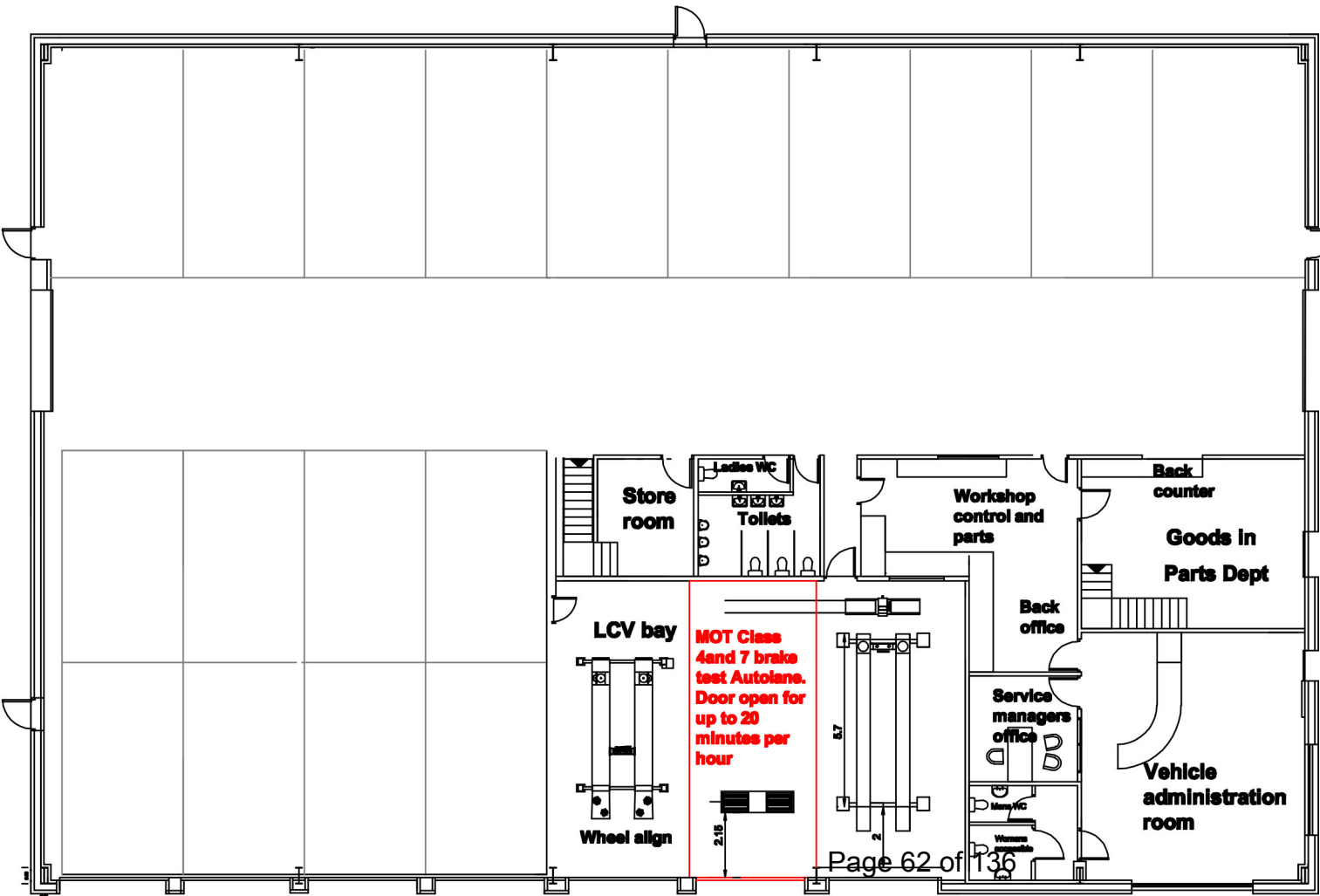
Scale 1:200 10th June 2016

Drawn by Andy Phillip

PDF Print A3



Ground Floor



Report to Planning applications committee

Item

11 August 2016

Report of Head of planning services

Subject 16/00479/F - 134 Unthank Road Norwich NR2 2RS

Applicant Bracken Developments

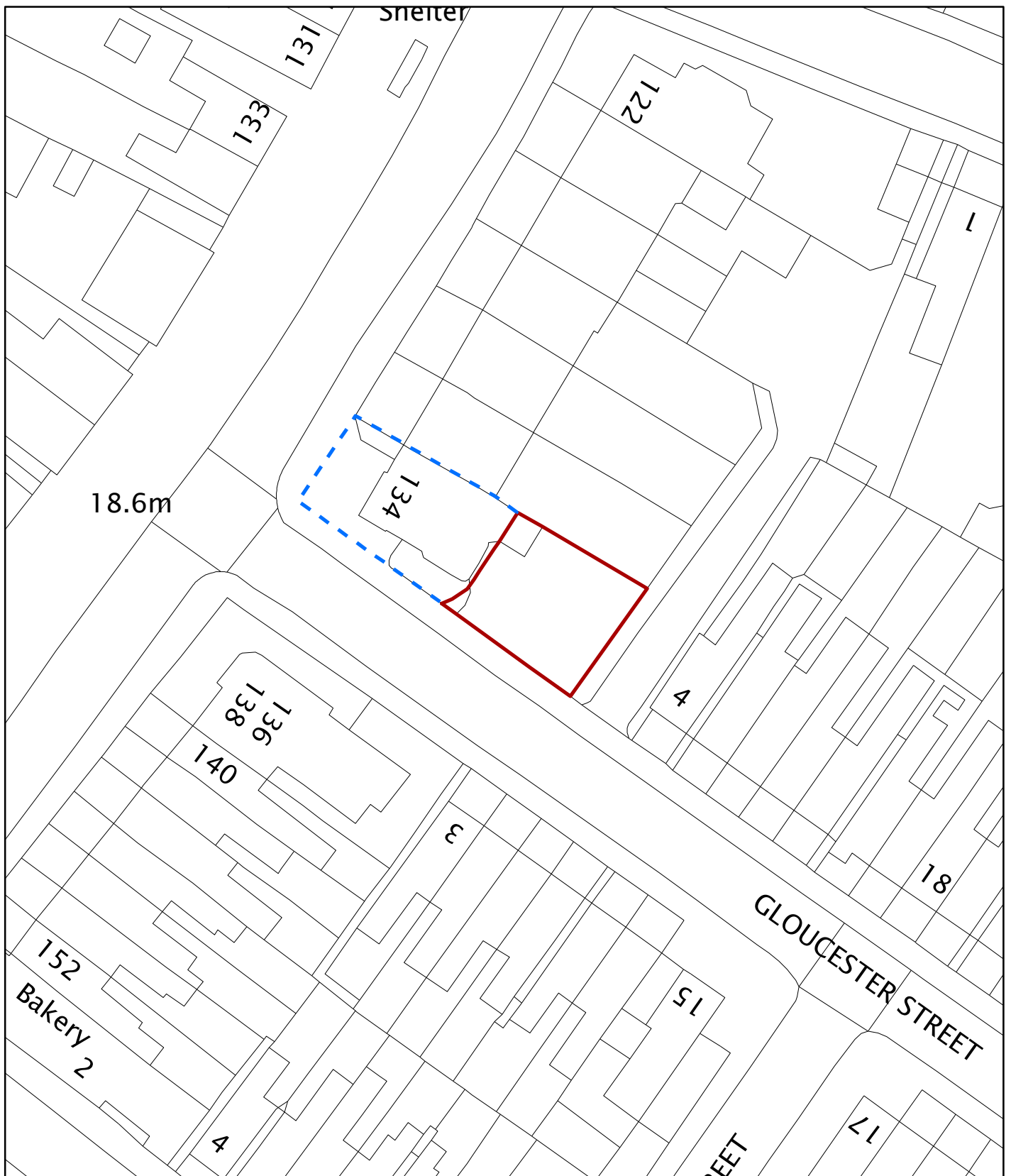
Reason for referral Objection

4(c)

Ward:	Town Close
Case officer	Mr James Bonner - jamesbonner@norwich.gov.uk

Development proposal		
Erection of 1 No. two bed dwelling.		
Representations		
Object	Comment	Support
3		

Main issues	Key considerations
1 Principle of development	Principle of new dwelling
2 Amenity	Overshadowing; loss of light; impact on neighbouring external space; occupier living conditions
3 Design and heritage	Impact on street scene and locally listed buildings
4 Trees	Impact on adjacent trees
5 Flooding	Impact on critical drainage area and associated implications for subsidence
6 Transportation	Parking; highway hazard
7 Biodiversity	Impact on biodiversity (via tree impact)
Expiry date	14 June 2016
Recommendation	Approve



© Crown Copyright and database right 2016. Ordnance Survey 100019747.

Planning Application No 16/00479/F

Site Address 134 Unthank Road

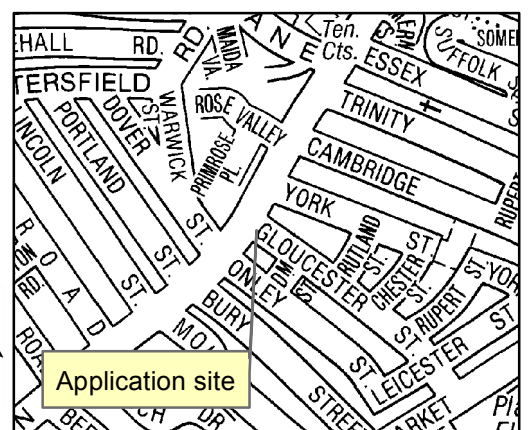
Scale 1:500



NORWICH
City Council

PLANNING SERVICES

Page 64 of 136



The site and surroundings

1. The application site is directly to the east of 134 Unthank Road, a two storey (plus third storey in roof space) building on the corner with Gloucester Street. 134 has a commercial unit on the ground floor (with permission for an A1/A2 use – 16/00408/U) and two flats above on the first and second floors. The application site, currently covered with gravel, has most recently been used as a car park in association with No.134. It is bounded on all four sides by brick/rendered walls except for the access from Gloucester Street. In recent weeks a new boundary has been built to separate the site from No.134.

Constraints

2. The two flats have east facing windows looking onto the site and there are a number of flats and houses further north of this on the adjoined Unthank Road terrace. There are a number of trees directly north of the site within the garden of 132 Unthank Road. At the east end of this garden is a substation which is separated by a boundary wall to the north of the application site.
3. The site is adjacent to a local retail centre and within a critical drainage area. There is a row of four locally listed buildings to the north west of the site (124-130 Unthank Road).

Relevant planning history

4.

Ref	Proposal	Decision	Date
4/1994/0015	Demolish and re-build single storey rear extension	Approved	10/02/1994
16/00408/U	Change of use from Sui Generis to retail (Class A1)/financial and professional services (Class A2).	Approved	18/05/2016

The proposal

5. The erection of a two storey, two bedroom dwelling. The scheme has been revised to change a section of timber cladding to render and to change the fenestration on the front elevation and remove a window on the west elevation.

Summary information

Proposal	Key facts
----------	-----------

Scale	
Total no. of dwellings	1
No. of affordable dwellings	0
Total floorspace	88sqm
No. of storeys	2
Max. dimensions	8m high, 8m long, 7.8m wide
Appearance	
Materials	Brick, render, clay pantiles
Energy and resource efficiency measures	Solar panels
Transport matters	
Vehicular access	As existing – from Gloucester Street
No of car parking spaces	1
No of cycle parking spaces	Not specified – store shown in rear garden
Servicing arrangements	Bin store in front garden

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Four letters of representation from three occupiers have been received (plus an objection from the Norwich Society) 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
Poor design; out of keeping	See main issue 2.
Will overshadow and block light to neighbouring properties (including gardens); overbearing impact	See main issue 3.

Direct overlooking	See main issue 3.
Will block view	See main issue 3.
Vehicle access will create highway hazard	See main issue 6.
Increased pressure on surface drainage; soakaway will create instability and sinkholes	See main issue 5.
Pressure of sewerage system	There is no evidence to suggest there is insufficient capacity to accommodate one additional dwelling.
Damage to trees and biodiversity	See main issues 4 and 7.
No provision for bins for 134 Unthank Road	See main issue 6.
Following resubmission: <p>[<i>Follow-up objection</i>] Contrary to architect's statement the new building will extend 1.85m beyond the boundary between 132 Unthank Road garden and substation – it will block view and light.</p> <p>Issues with accuracy of sunpath analysis</p> <p>Layout plan does not show context of other properties, underplaying impact</p> <p>While trees have caused some damage to wall this has worsened since construction works began on 134.</p>	
<p>Block plan and sunpath analysis have been clarified and raise no concerns regarding accuracy. The issues they raise are covered in main issue 3.</p> <p>From visiting the site it is clear this damage is caused by the trees, a view supported by the applicant's and council's tree consultants/officers.</p>	

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.

Highways (local)

8. No objection on highway grounds. No parking permits, pavement may have to be widened and cycle store needs detail. Consideration needed on hardstanding to avoid runoff.

Lead local flood authority

9. No comment as it is a minor application.

Norwich Society

10. This is a very restricted site and in terms of scale, the proposals are out of character with the area.

Tree protection officer

11. The proposed dwelling will require the reduction of the crowns of two trees, overhanging the site from adjacent land back to the boundary line. Whilst this is possible without undermining the structural integrity of the trees it will affect visual amenity. With regards the potential damage to the roots of these trees, irrespective of the potential for the use of bespoke raised foundations such as the Van Elle 'Smartfoot', it is already evident that there is damage to the boundary wall caused by the trees. It is clear that the wall will have to be repaired/rebuilt in order to ensure its future safety. This will require the removal of the wall and, I would suggest the consequent removal of the trees. Whilst I do not have a major concern about the loss of the trees in terms of their public visual amenity, they are on adjacent land and the proposed development will lead to their loss, if no immediate then following construction. The trees will be a constant cause of concern to future owners of retained and lead to application to remove them in future years.
12. Given all of the above, I would suggest that either the adjacent landowner is approached to discuss the removal and replacement of the trees or the proposed dwelling is redesigned to pull it further away from the trees.
13. I would like to see some assessment of the necessary remedial works required to the wall and the potential effect on the trees submitted prior to making a decision.
14. [*Following revised AIA*]: As the tree is within separate ownership it will be the decision of the adjacent owner, but should the trees be cut back to the boundary they may survive however their amenity contribution would be significantly reduced. Of more concern would be the health of the trees in the long-term with the proximity of the new dwelling to the trees (overhanging crown, daylight issues, leaf litter etc). If the trees are removed there would be no constraints but space for replanting within site is limited. Repairs to wall would need to take place regardless.

Assessment of planning considerations

Relevant development plan policies

15. **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
- JCS20 Implementation

16. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

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

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

Case Assessment

18. 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

19. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.

20. The principle of residential development is acceptable on this site under policy DM12 subject to the criteria in the second part of DM12 and subject to the other policy and material considerations detailed in the table below 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 [although agent this is inconsequential].

Main issue 2: Design and heritage

21. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66. Heritage key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-141.

22. Currently there is a clear gap in the street scene – historic maps do not indicate that there was ever development here in the past (although there was a further terrace no. 2 Gloucester Street just to the east in the location of the rear access to properties on Unthank Road, this appears to have been demolished/cleared in the 1970's) but regardless this is a logical position for a new house, particularly as the established building line is maintained. The building on the corner (134 Unthank Road) and the terrace to the east along Gloucester Street are different in scale and design and given a gap will be maintained either side of the new development, this can be seen a transition point between the two. Its scale is in keeping with the surrounding area – the eaves level is below that of 134 Unthank Road and will largely echo the scale of the terrace. Its form is also appropriate and the setback rendered section allows for the breakup of some of the building's mass. The design of the front elevation has been revised to ensure the fenestration is more balanced and takes its reference from the terrace in its proportions but again with a contemporary approach to the materials (aluminium composite). The rest of the materials are sympathetic to the surrounding street scene and the house will not stand out as an alien feature but an appropriate infill of a gap.

Main issue 3: Amenity

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

Neighbouring amenity

24. Given the orientation of the development in relation to its neighbours there is the potential for some direct overshadowing to 130 and 132 Unthank Road to the north west during the first hours of the day. This is exacerbated during winter months when the sun is at a lower position in the sky but the impact is otherwise apparent between in the early morning around September also (after 0900 but before 1030).

Objections from a flat within 132 Unthank Road have also highlighted the impact of overshadowing to the garden. Both this and the impact on habitable windows is unlikely to be apparent after midmorning (around 10:30 or 11am) and some of the impact already exists from the trees (although it is granted the impact obviously varies and will be different depending on replanting – see main issue 4). Between this time and midday the impact is largely concentrated on the area currently covered by the trees and the substation. In the late autumn and winter months there will be some expected overshadowing to the west-facing windows of the single storey extension of 4 Gloucester Street, limited towards the end of the day. While there is some impact, the extent of the overshadowing is not considered severe.

25. In terms of loss of daylight, the physical presence of the new house will inevitably block some visible sky and therefore daylight. However there is a generous gap of 7.3m retained between the house and 134 Unthank Road and its rear section has a relatively shallow roof pitch with lower eaves (5m). As such the impact is suitably reduced and some unobstructed views through to clear sky will be retained. While there is no right enshrined in planning law to a view such as the one identified in the objection, there would justifiably be an amenity impact if this concern coincided with the development being overbearing. For the reasons above and the distance of the development from the neighbours (~9m from rear corner of development; 15m from front corner) the impact is not considered to have an unacceptable impact on living conditions in this urban context. Similarly despite the distance between the scheme and the existing flats at 134 Unthank Road the impact is relatively low due to its design. Additionally with only kitchen windows on both flats affected, the impact is acceptable.
26. There is an effect on the amenity of 134 Unthank Road by means of reduction in potential external amenity space. It would have been preferred to have the boundary between the two include some garden space for the flats, but the applicant has shown the boundary maximising space for the new dwelling. Some space is shown to the south of the property which provides some semi-private and defensible space, but it is admittedly small for two 2 bed flats. While regrettable this is not considered a reason for refusal given DM2 does allow for a relaxation of the requirement for external space if involving the upper floors or commercial premises within a defined centre, which this is.
27. The window facing No.134 has been removed and so there is not considered to be any considerable loss of privacy providing the stairwell and bathroom window on the eastern elevation are obscure glazed and have restricted opening. The overlooking from the front is typical for this street and views to the rear are limited given the only opportunity is from rooflights.

Occupier amenity

28. In terms of occupier amenity the scheme complies with the national space standards and has adequate levels of daylight, outlook and external space. A landscaping condition will ensure the garden area is appropriate.

Main issue 4: Trees

29. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
30. The existing trees overhang the boundary and not being located within a conservation area this means that they can be cut back to the boundary without consent from the planning authority. A revised AIA has provided a strategy for properly dealing with this to ensure the dwelling can be built without losing the trees. It is debatable whether the trees can genuinely be retained with the development in place. This is due to the physical extent of the necessary cutting back alongside the fact that the future occupiers will probably request that they are further cut back or felled due to nuisance from the leaf litter and general proximity to the crowns.
31. For this reason this assessment is assuming that in order for this house to be built the trees will have to be felled. This in itself is not unacceptable as the trees are category C and are not entirely unrestricted themselves due to their position next to the boundary wall and substation. Replacement planting with more appropriately sized and located species is considered essential to mitigate their contribution to amenity and this will be secured via condition. This will require an agreement between the different landowners. Repairs will need to be done to the wall regardless of development going ahead or not.

Main issue 5: Flood risk

32. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
33. The only flood risk is the impact of the development on increased surface water flooding. A soakaway was originally proposed but is only 3m from the development – Building Regulations requires a distance of 5m. Moving it any further away would make it too close to 134 Unthank Road or the substation, both equally unacceptable after discussing it with CNC Building Control. Given the site's constraints dictate sustainable drainage to be not technically feasible, using the surface water sewer is deemed appropriate in line with DM5. A condition to include waterbutt(s) is considered the next best option along a landscaping scheme to avoid causing runoff to the highway.

Main issue 6: Transport

34. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
35. The level of car parking and access raises no concerns for highway safety as confirmed by the transport planner. The scheme will not be eligible for parking permits and cannot be reasonably considered to cause an adverse impact on on-street parking provision, as even if the existing occupiers of 134 Unthank Road have permits. Bin and cycle storage are feasible and can be agreed via condition.

36. The layout plan also shows an enclosed bin and cycle store for the flats of 134 Unthank Road – the can be agreed via Grampian condition and is considered necessary and deliverable as it is within the same ownership.

Main issue 7: Biodiversity

37. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
38. While the works to the trees may lead to some loss of biodiversity, this can be offset by the inclusion of landscaping within the new dwelling's garden as required by condition.

Compliance with other relevant development plan policies

39. 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
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable – solar panels shown which are welcome but likely to be Permitted Development anyway
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	No – see main issue 5

Equalities and diversity issues

40. There are no significant equality or diversity issues.

Local finance considerations

41. 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.

42. 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.
43. In this case local finance considerations are not considered to be material to the case.

Conclusion

44. While revisions have addressed overlooking issues, there are outstanding concerns from neighbours regarding overshadowing and loss of daylight and outlook. Given the position of the dwelling and its design some of these impacts will be limited, although exacerbated during later autumn and winter months. While this will have some impact, including on the enjoyment of the garden during the first part of the day, the harm is not considered to be severe in isolation or together with the loss of daylight and outlook. Despite the implications for amenity this harm is considered to be outweighed by the benefits of delivering an additional family home in a very sustainable location. Also weighing in favour of the proposal is the design benefits of infilling an otherwise detrimental gap within the street scene with a dwelling of appropriate scale, design and materials.
45. Despite some concerns regarding trees, surface water flooding and parking, none of these are considered to substantiate reasons for refusal. 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. 16/00479/F - 134 Unthank Road Norwich NR2 2RS and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Prior to commencement, Grampian condition for details of tree felling and replacement;
4. External materials;
5. Drainage scheme;
6. Parking, cycle and refuse stores;
7. Landscaping scheme;
8. Water butts to be agreed and retained;
9. Grampian condition to bring forward bin and cycle storage and amenity area for 134 Unthank Road;
10. Water efficiency
11. First floor windows on eastern elevation to the obscure glazed and restricted opening.

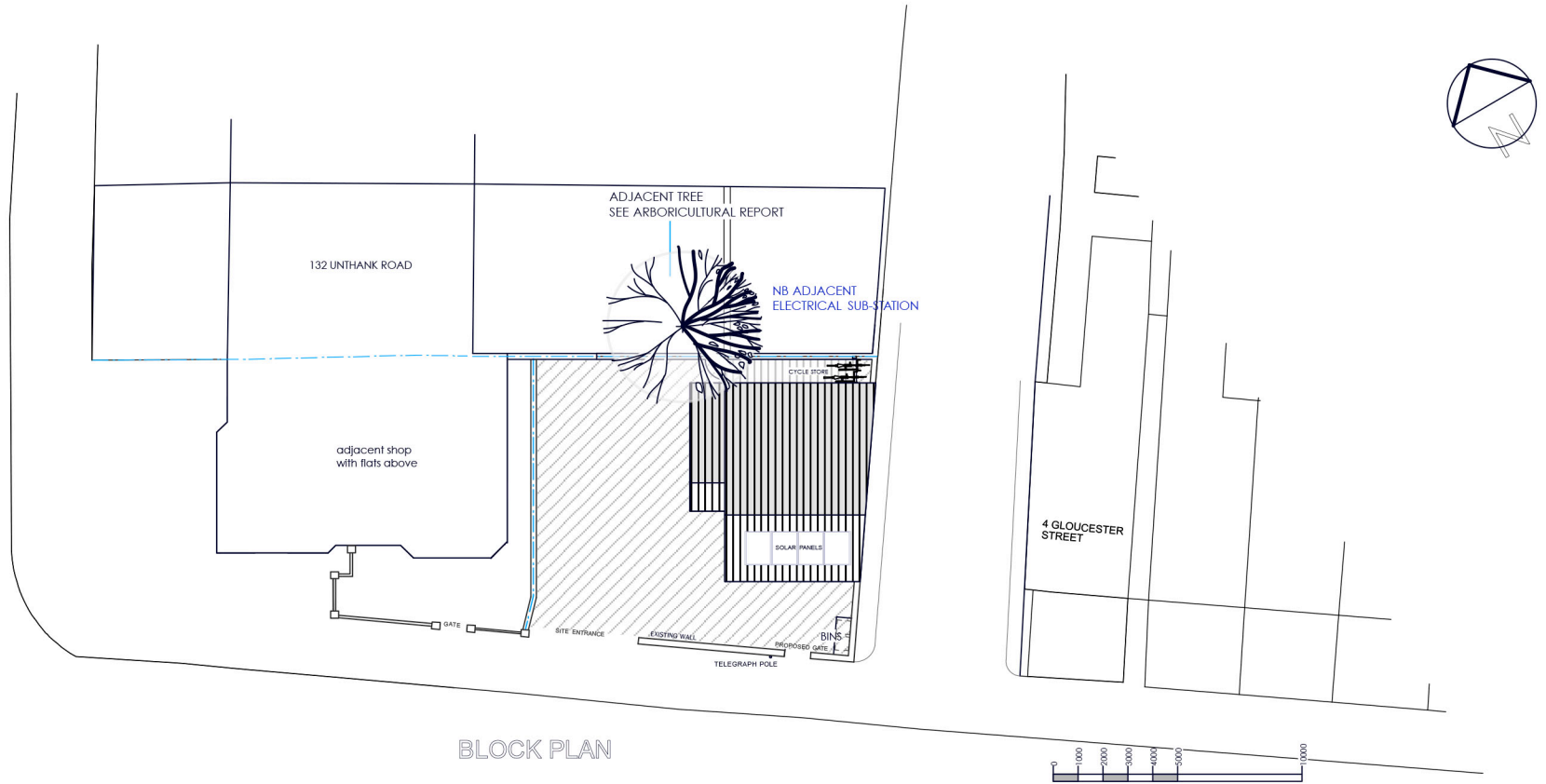
Article 35(2) statement

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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

Informative

- Property will not be eligible for parking permits.

STREET ELEVATION



BLOCK PLAN

REV B : FIRST FLOOR WINDOW OMITTED, FENESTRATION AMENDED, EXT FINISH AMENDED : MAY 16
Revisions. REV A: BOUNDARY WALL SHOWN FOR CLARIFICATION: MAY 16

Project: 134 UNTHANK ROAD, NORWICH NR2 2RS	Drawing: BLOCK PLAN & STREET ELEVATION			<p>mcArthur tring architects llp</p> <p>121 BER STREET . NORWICH . NR1 3EY telephone 01603 766 750</p> <p>http://www.mcarthurtring.co.uk mail@mcarthurtring.co.uk</p>
Client: Bracken Developments	Scale : 1:200@A3	Date: 15/268 : P03B	Date: FEB 16	

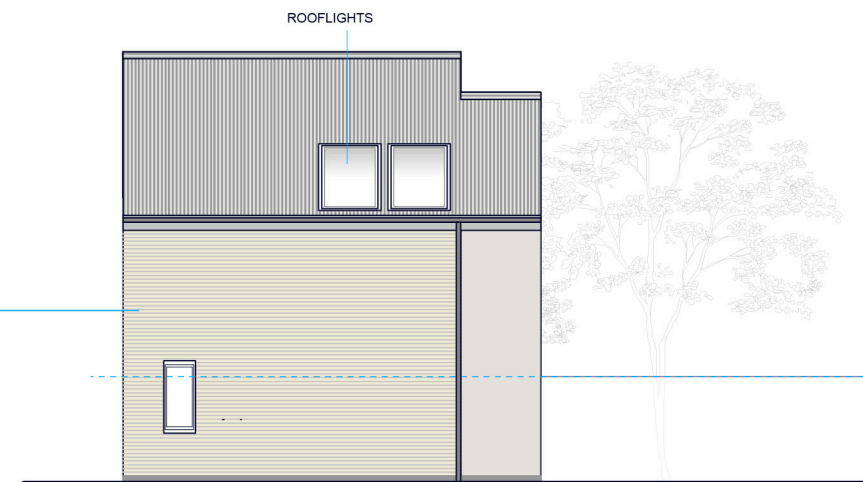
Page 77 of 136



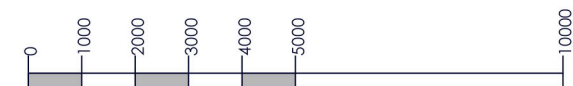
NO. 134 UNTHANK ROAD

FRONT ELEVATION

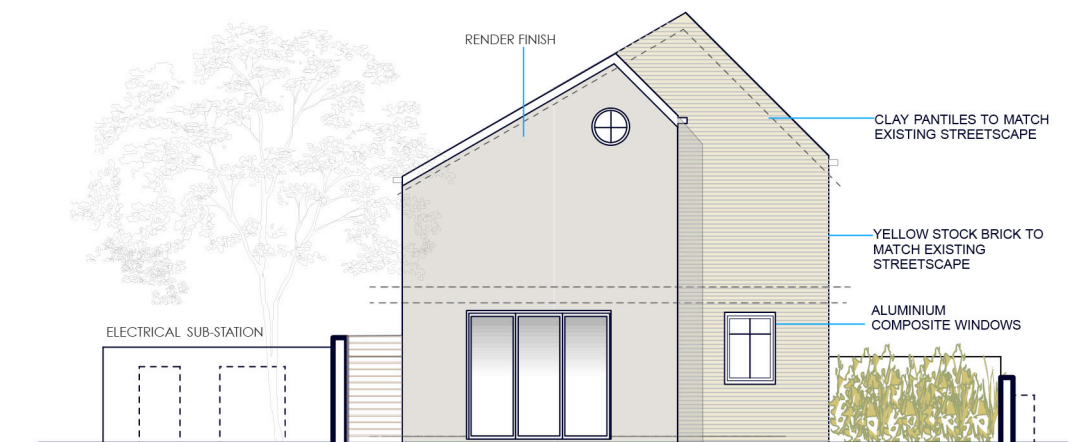
EXISTING BOUNDARY WALL



REAR ELEVATION



SIDE ELEVATION

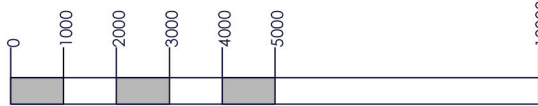


SIDE ELEVATION

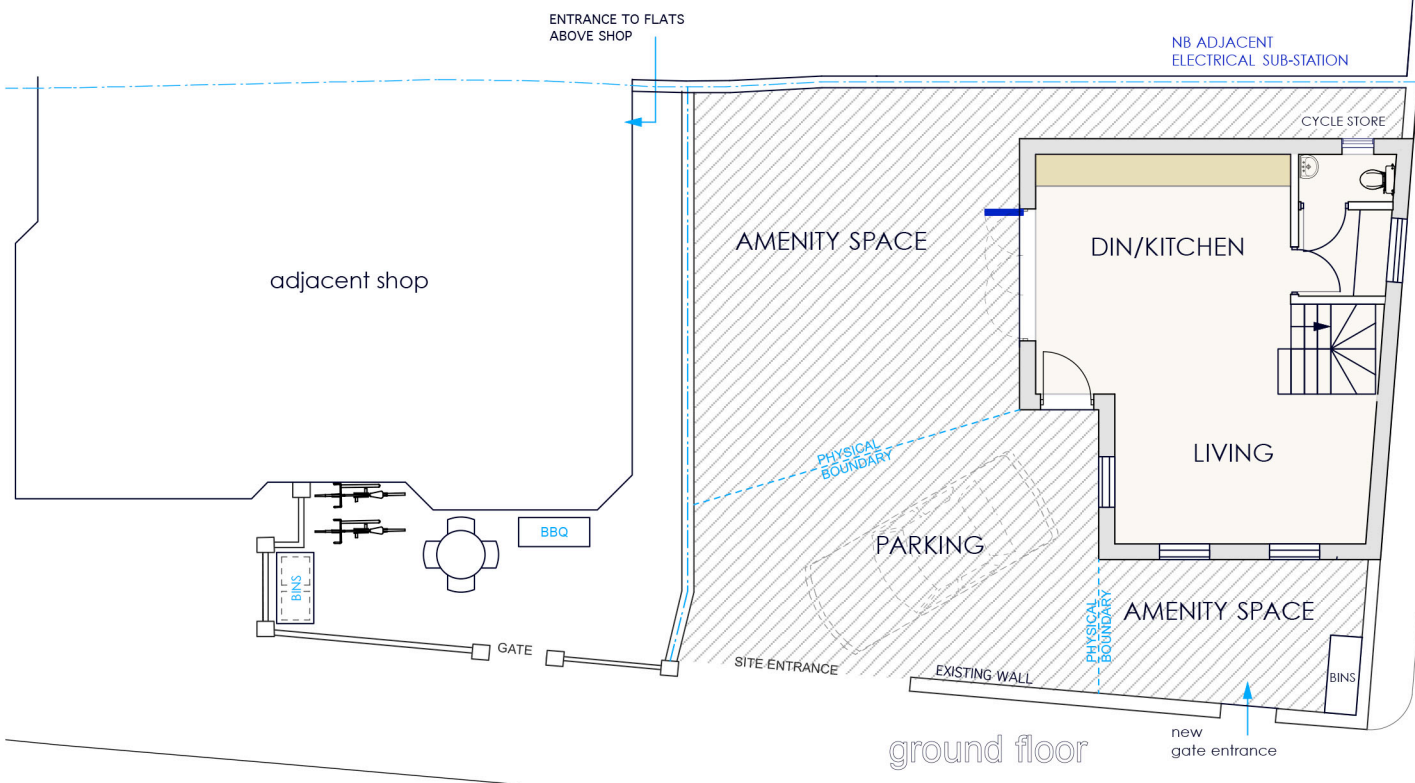
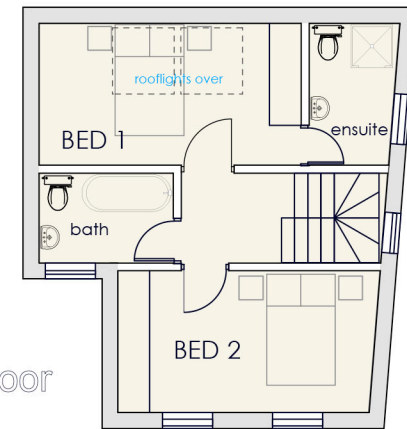
Revisions. REV B : FIRST FLOOR WINDOW OMITTED, FENESTRATION AMENDED, EXT FINISH AMENDED : MAY 16
REV A : BOUNDARY WALL SHOWN FOR CLARIFICATION: MAY 16

Project: 134 UNTHANK ROAD, NORWICH NR2 2RS	Drawing: PROPOSED ELEVATIONS	mcarthur tring architects llp 121 BER STREET . NORWICH . NR1 3EY telephone 01603 766 750 http://www.mcarthurtring.co.uk mail@mcarthurtring.co.uk	
Client: Bracken Developments	Scale: 1:100@A3	Page 78 of 136 15/268 : P02B	Date: FEB 16

DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE.
REFER ANY DISCREPANCIES TO ARCHITECT. THIS DRAWING IS SUBJECT TO COPYRIGHT.



first floor

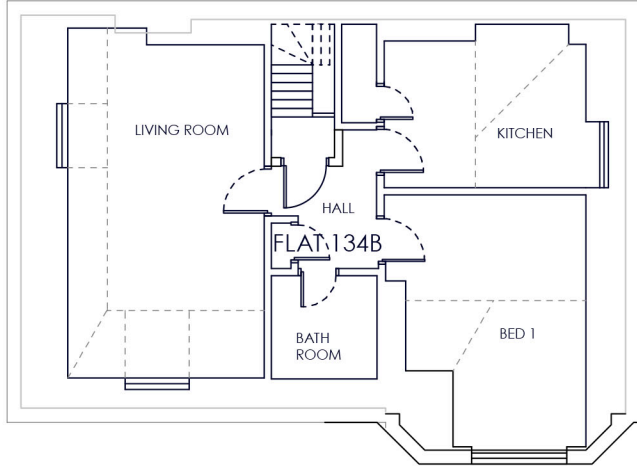


ground floor

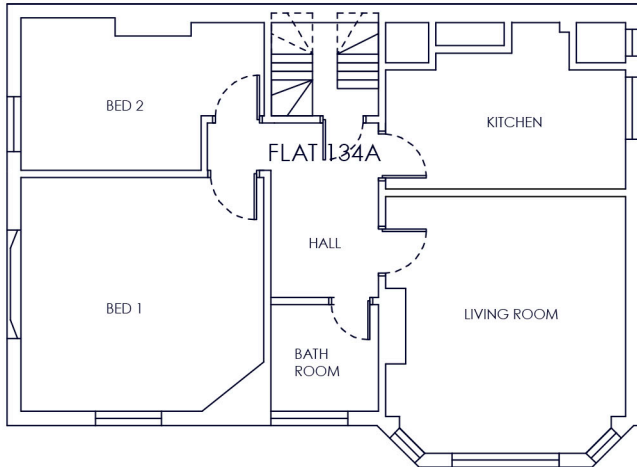
Revisions. REV C : DELINEATION BETWEEN THE PARKING AREA AND AMENITY AREA SHOWN : MAY 16
REV B : FIRST FLOOR WINDOW OMITTED, FENESTRATION AMENDED, EXT FINISH AMENDED : MAY 16
REV A : BOUNDARY WALL SHOWN FOR CLARIFICATION: MAY 16

Project: 134 UNTHANK ROAD, NORWICH NR2 2RS	Drawing: PROPOSED PLANS	mcarthur tring architects llp 121 BER STREET . NORWICH . NR1 3EY telephone 01603 766 750 http://www.mcarthurtring.co.uk mail@mcarthurtring.co.uk	
Client: Bracken Developments	Scale: 1:100@A3	Page 79 of 136 157268 : P01C	Date: MAR 16

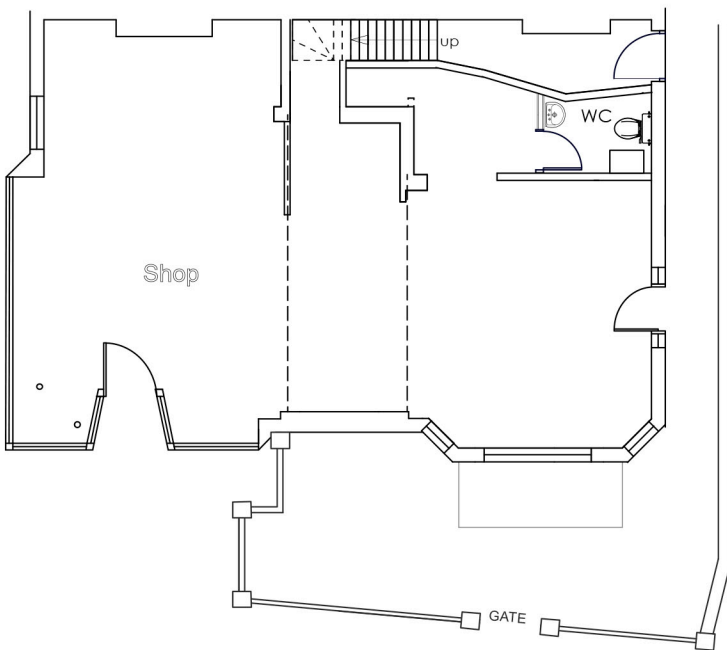
DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE.
REFER ANY DISCREPANCIES TO ARCHITECT. THIS DRAWING IS SUBJECT TO COPYRIGHT.



second



first



ground floor

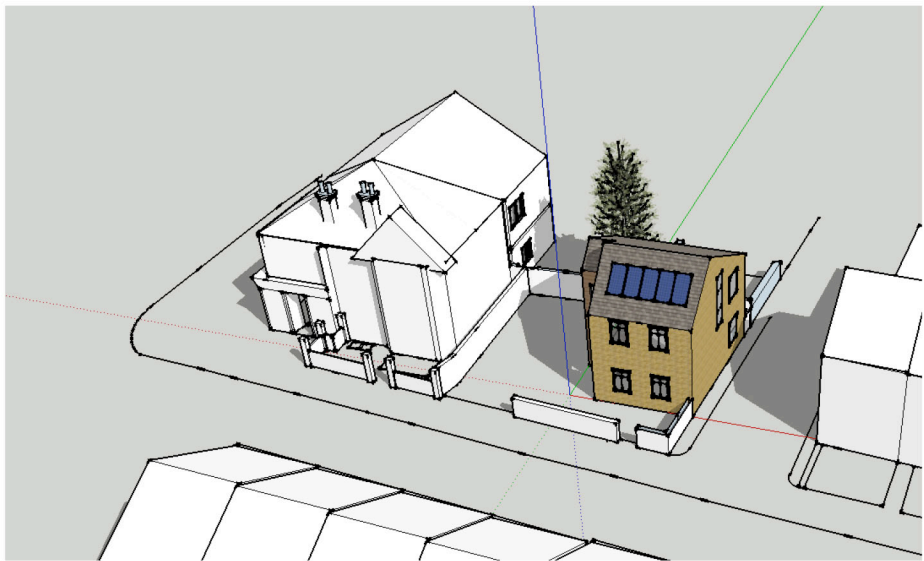
Revisions.

Project: 134 UNTHANK ROAD, NORWICH NR2 2RS	Drawing: 134 UNTHANK ROAD EXISTING PLANS <div>Page 80 of 136</div>			mcarthur tring architects llp 121 BER STREET . NORWICH . NR1 3EY telephone 01603 766 750 http://www.mcarthurtring.co.uk mail@mcarthurtring.co.uk
Client: Bracken Developments	Scale: 1:100 @ A3	Draw no.: 15/268 : EX01	Date: MAY 16	

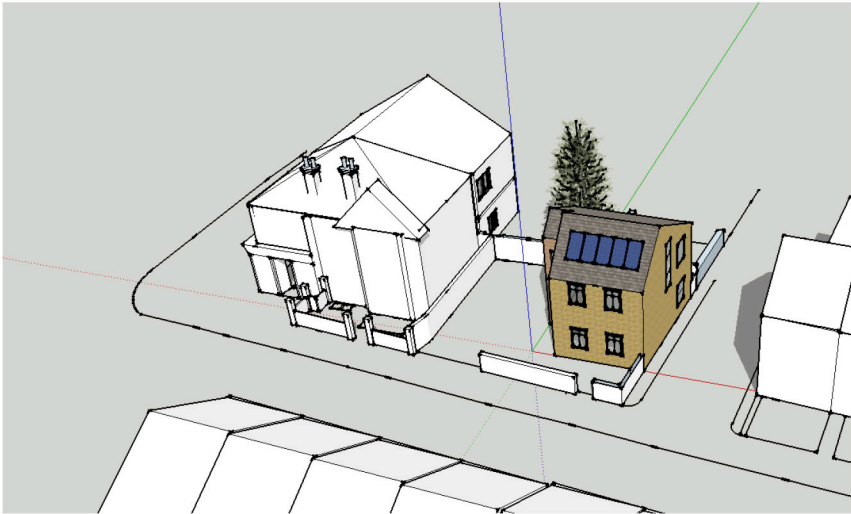
DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE.
REFER ANY DISCREPANCIES TO ARCHITECT. THIS DRAWING IS SUBJECT TO COPYRIGHT.



TIME - 09:00



TIME - 10:30



TIME - 12:00

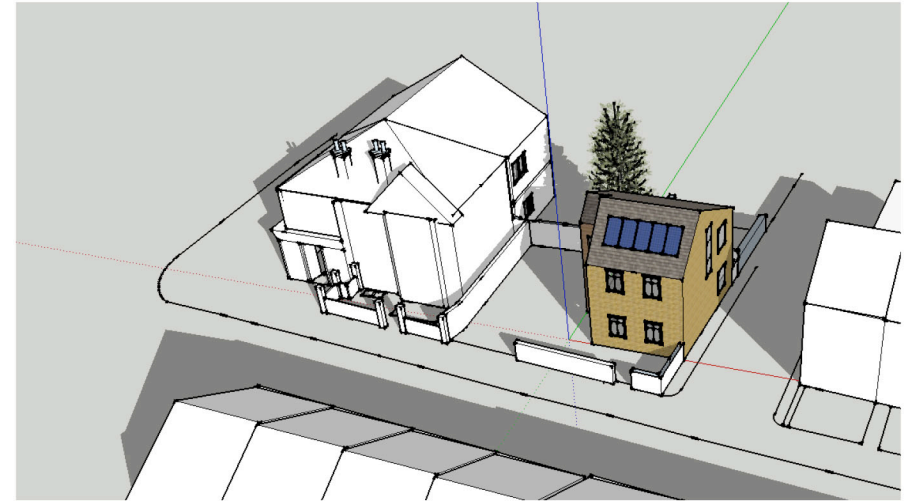


TIME - 14:00

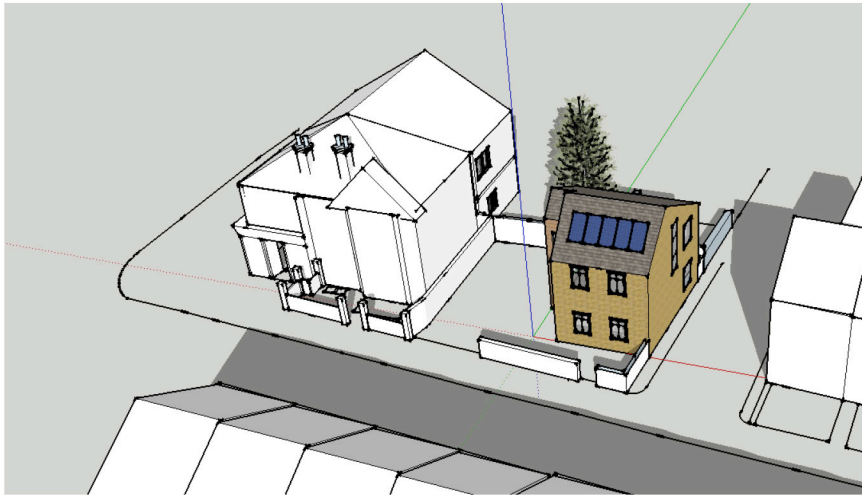
Project: 134 UNTHANK ROAD, NORWICH NR2 2RS	Drawing: SUN PATH STUDY - MARCH			<div>Revisions.</div> <div> mcarthur tring architects llp 121 BER STREET . NORWICH . NR1 3EY telephone 01603 766 750 http://www.mcarthurtring.co.uk mail@mcarthurtring.co.uk </div>
Client: Bracken Developments	Scale : NTS	Drawn by: 15/268 : P04	Date: MAY 16	



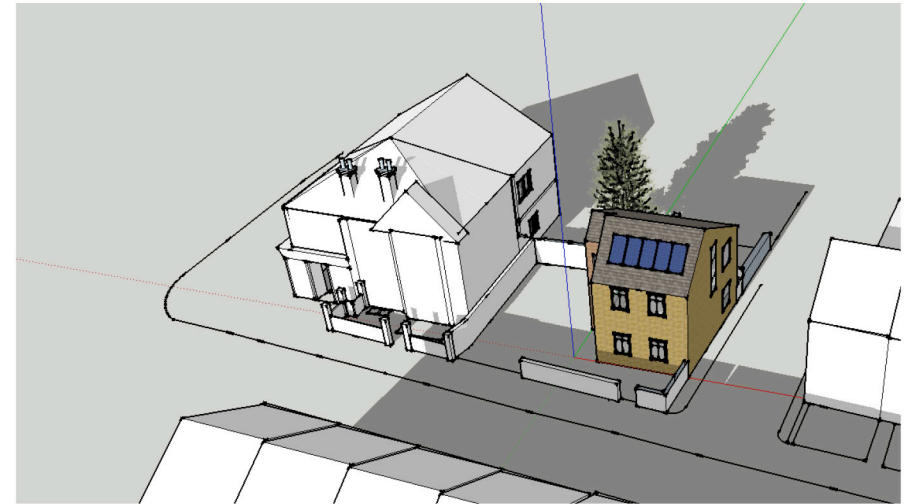
TIME - 09:00



TIME - 10:30



TIME - 12:00



TIME - 14:00

Revisions.

Project: 134 UNTHANK ROAD, NORWICH
NR2 2RS

Drawing: SUN PATH STUDY - DECEMBER

Client: Bracken Developments

Scale :
NTS

Page 82 of 136
15/268 : P07

Date:
MAY 16

mcarthur tring architects llp

121 BER STREET . NORWICH . NR1 3EY telephone 01603 766 750

<http://www.mcarthurtring.co.uk>
mail@mcarthurtring.co.uk

DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE.
REFER ANY DISCREPANCIES TO ARCHITECT. THIS DRAWING IS SUBJECT TO COPYRIGHT.

Report to Planning applications committee

Item

Report of Head of planning services

Subject 15/01527/F – Beckham Place, Edward Street

Reason for referral Objection

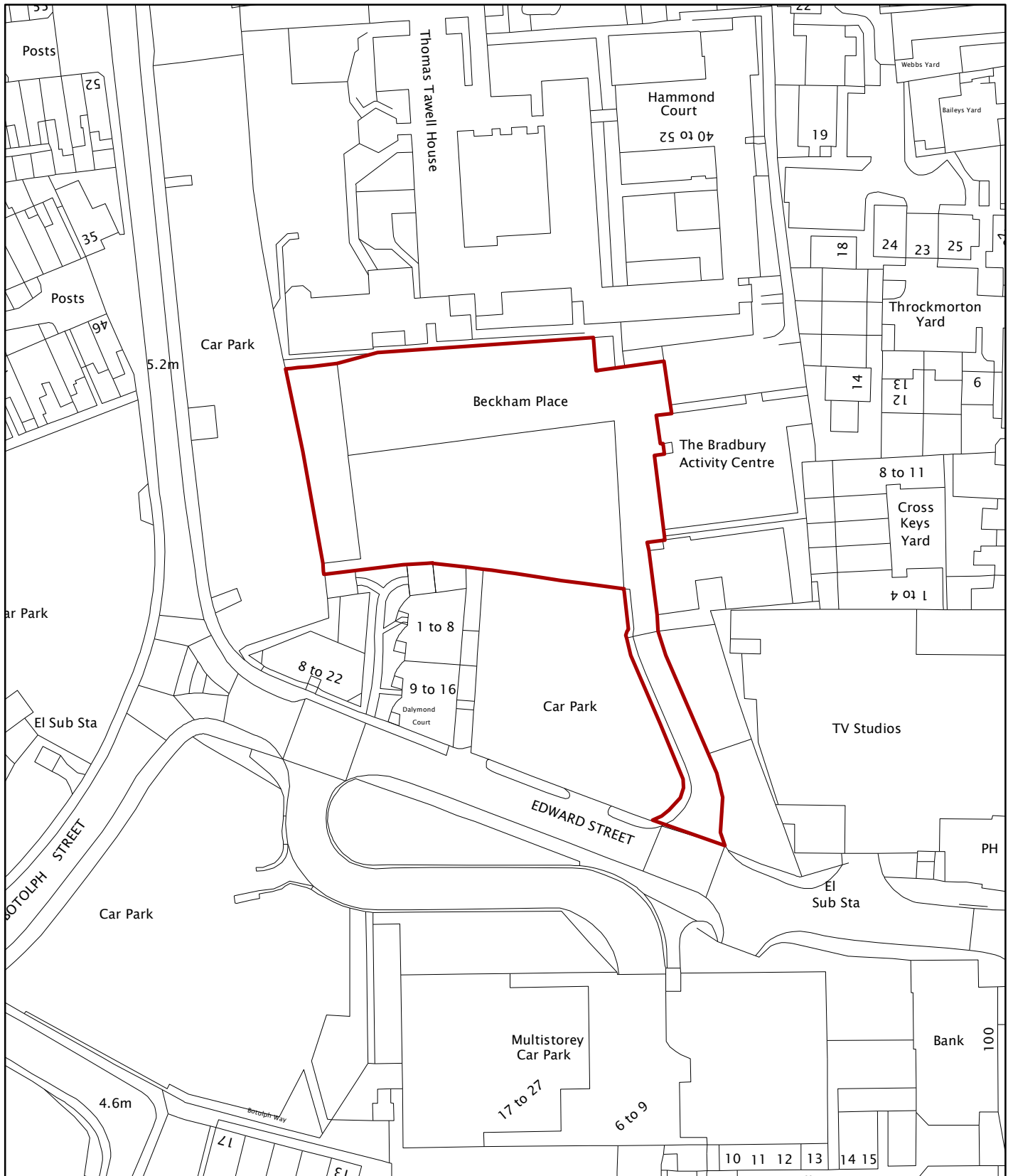
Applicant Norwich Estates

4(d)

Ward:	Mancroft
Case officer	Caroline Dodden – carolinedodden@norwich.gov.uk

Development proposal		
Demolition of remaining industrial unit and erection of a terrace of 7 no. dwellings to the south, a block of 12 no. flats to the west and either a terrace of 8 no. dwellings or 18 no. flats associated with the Norfolk & Norwich Association for the Blind.		
Representations		
Object	Comment	Support
1		

Main issues	Key considerations
1.Principle of development	Use of site for residential development
2.Design	Visual impact in city centre conservation area
3.Access and transport matters	Access road and parking and servicing
4.Landscaping and trees	Replacement trees
5.Amenity	Relationship to neighbours and adjacent development sites. Quality of accommodation for future residents.
6.Affordable housing	Viability of scheme, affordable housing provision and commuted sum
Expiry date	29 July 2016
Recommendation	Approve subject to conditions and completion of a S106 agreement.



© Crown Copyright and database right 2016. Ordnance Survey 100019747.

Planning Application No 15/01527/F

Site Address Beckham Place

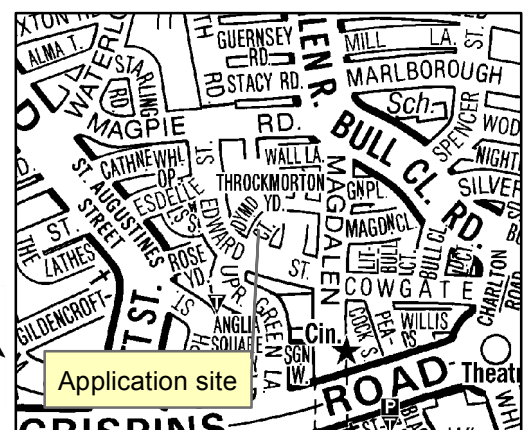
Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES

Page 84 of 136



The site and surroundings

1. The site is located off Beckham Place, to the north of Edward Street and Anglia Square. The site was formerly occupied by workshops, now demolished (with the exception of the range against the western boundary) and is currently used as a surface car park. It is located to the rear of another surface car park accessed off Edwards Street to the south of the site. The site does not have a street frontage, but is currently visible from Edward Street.
2. Immediately to the southwest of the site are two blocks of four storey flats. Access to the site is via Beckham Place a private road accessed from Edward Street. It should be noted that this residential scheme was developed by the Applicant.
3. To the east of the Beckham Place access is the Anglia Bowls Centre Limited (ABCL) and the Bradbury Activity Centre, which is a centre for blind and partially blind people.
4. To the north of the site is a 2 and 3 storey red brick development occupied by the Norfolk & Norwich Association for the Blind (NNAB), which provides residential care and supported housing. Further surface parking is located off Edward Street to the west of the development site.

Constraints

- City Centre Conservation Area – Anglia Square characterisation area
- Critical drainage catchment area
- Area of archaeological interest
- Area of reduced public car parking

Relevant planning history

5.

Ref	Proposal	Decision	Date
4/1989/0830	Erection of three storey office block.	APCON	07/06/1990
10/01156/F	Demolition of existing industrial units and the erection of 9 No. three bed houses and 5 No. four bed houses, together with 248sqm of office space (Class B1).	APPROVED	23/03/2011
10/01157/C	Demolition of existing industrial units	APPROVED	23/03/2011
13/00923/NMA	Minor revision to line of footpath - non-material amendment to previous	APPROVED	25/11/2013

	planning permission 10/01156/F 'Demolition of existing industrial units and the erection of 9 No. three bed houses and 5 No. four bed houses, together with 248sqm of office space (Class B1)'.		
--	--	--	--

The proposal

- The proposed development is for the demolition of a terrace of remaining industrial units on the west side of the site to allow for the erection of a terrace of 7 no. dwellings to the south, a block of 12 no. flats to the west and either a terrace of 18 no. flats associated with the Norfolk & Norwich Association for the Blind (NNAB scheme) or 8 no. dwellings (private scheme) on the north side of the site with associated access and servicing.
- The reason for the two schemes for the northern block is due to the outcome of negotiations on affordable housing, whilst the application was originally submitted as an all private scheme it has been identified that there is scope to transfer the northern block to the NNAB as a registered provider of affordable housing as a preference to the all private scheme. This matter is discussed further under main issue 6.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	NNAB Scheme – 37 North Terrace – 18 x 1 bed flats South Terrace – 7 x 3 bed townhouses West Terrace – 4 x 2 bed, 8 x 1 bed flats All Private Scheme – 27 North terrace – 8 x 3 bed townhouses South and west terraces as above.
No. of affordable dwellings	NNAB Scheme – 18 no. flats for the NNAB Private Scheme – none, commuted sum payment
No of storeys	3 storeys

Appearance	
Materials	Red facing bricks to ground and first floor, slate to roofs and walls of second floor, zinc sheet cladding to projecting dormers and bays
Transport matters	
Vehicular access	Access from Beckham Place, a private road, on the north side of Edward Street
No of car parking spaces	NNAM Scheme – 7 spaces for southern terrace of townhouses Private scheme – 15 spaces for the north and south terraces of townhouses
No of cycle parking spaces	NNAM scheme – 15 spaces for townhouses Private scheme – 27 spaces for townhouses and flats
Servicing arrangements	Separate bin storage for townhouses, communal bin store for flats.

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. One letter of representation was received in relation to the original citing the issues as summarised in the table below. It should be noted that the objection has come from the owner of Anglia Bowls Centre Limited (ABCL) who also owns part of the Beckham Place access road. The representation is available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
The development would require the unlawful use of land belonging to ABCL, by creating an access that would be a danger for pedestrians and its employees and visitors.	See main issue 3

Consultation responses

9. 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.

Norfolk Historic Environment Service

10. There is potential for significant medieval remains on site. Therefore, if planning permission is granted, we request that it be subject to conditions, in accordance with Paragraph 141 of the NPPF, requiring a written scheme of investigation and that no demolition/development takes place other than in accordance with the Written Scheme of Investigation approved. In addition, the development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
11. The Historic Environment Service will provide a brief for the programme of archaeological works on request

Anglian Water

12. There are no assets owned by Anglian Water within the site boundary. There is available capacity for wastewater treatment and foul sewage. The preferred method of surface water disposal would be to a Sustainable Urban Drainage system (SUDs).
13. The surface water strategy/Flood Risk Assessment submitted with the application relevant to Anglian Water is unacceptable. Therefore, a condition with regards to surface water disposal is recommended to cover this issue.

Environment Agency

14. The site is underlain by a Secondary A aquifer (Alluvium) followed by a principal aquifer (chalk). A source protection zone 2 also underlies the site and is also in an EU Water Framework Directive Drinking Water Protected Area. The site is therefore considered to be in an environmentally sensitive location.
15. We have reviewed the application documents and consider that planning permission could be granted for the proposed development as submitted if a contamination condition requiring investigation, evaluation, mitigation and verification. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Highways (local)

16. The layout of the development in a cul-de-sac enables a high degree of surveillance over the street that is welcome. The provision of bin and bike storage to the front of

the townhouses is innovative. It is not clear from the application where bins and bikes will be stored for the flatted parts of the scheme. The proposed development is suitable in transportation terms.

17. Beckham Place will remain a private road, as such, the highway authority will not adopt the road, trees, drainage or lighting and therefore the residents would be responsible for their maintenance. The reason being that we do not adopt highway that is not contiguous with extant adopted highway.
18. The road must be built to adoptable standards to ensure it is fit for purpose, as such the city council does require that the design of the road is subject to condition and will offer advice on its construction on an informal basis without requiring S38 fees.
19. If approved, conditions will also be required with regards to refuse and recycling details, as well as informatives regarding parking permits, street naming and numbering and considerate construction.

Housing strategy

20. The Joint Core Strategy (JCS) requires 33% of dwellings to be affordable storage.

Environmental Protection

21. Broadly agree with the conclusions, subject to the agreement of the EA. The report includes some preliminary suggestions for remediation of the garden areas, and these may be acceptable from a human health perspective, but will need to be confirmed and verified once completed. Therefore, to ensure these measures are implemented and to minimise nuisance during construction, I recommend the imposition of conditions regarding contamination and imported material and informatives relating to construction working hours and asbestos.

Landscaping and trees

22. Details of mitigation tree planting should be submitted. The information should include a tree pit detail to deal with planting into hard landscape, along with details of the tree species and specification. Information should also be provided about the three trees shown in soft landscaped areas. Information should be submitted under condition to include boundary treatments, a specification for any soft edges between hard paving and building lines, details of materials, colour and lay pattern of hard surfaced areas. As well as a maintenance and management plan.
23. The scheme will require the cutting back/removal of a large semi-mature sycamore tree overhanging the site on the southern boundary. This tree is already compromised by existing flats and would not survive the proposed development. There is scope for new tree planting within the development, given this it is considered that suitable replacement trees are sought.

Lead Local Flood Authority

24. The Lead Local Flood Authority confirms that it has no comments to make.

Norfolk Constabulary

25. Advisory comments regarding Secured By Design, access control to flats, mail delivery, communal cycle storage and access to rear and cycle storage area.

Norfolk County Council

26. The County have requested the following:

- a) Education contributions to be funded through CIL
- b) 1 Fire Hydrant to be secured via condition
- c) Library infrastructure to be funded by CIL

Strategic Housing

27. The proposal for 18 one and two bed flats to be owned and managed by The Norfolk & Norwich Association for the Blind (NNAB) is welcomed and supported and ensures that the affordable housing requirements for this site are exceeded.

28. They go on to offer advice over the form of transfer and requirements for the NNAB.

Assessment of planning considerations

Relevant development plan policies

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
- JCS7 Supporting Communities
- JCS11 Norwich city centre

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
- DM4 Renewable energy
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development

- DM9 Safeguarding Norwich's heritage
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM22 Planning for and safeguarding community facilities
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing
- DM33 Planning obligations and development viability

Other material considerations

- Relevant sections of the National Planning Policy Framework March 2012 (NPPF):
 - NPPF0 Achieving sustainable development
 - NPPF4 Promoting sustainable transport
 - NPPF6 Delivering a wide choice of high quality homes
 - NPPF7 Requiring good design
 - NPPF10 Meeting the challenge of climate change, flooding and coastal change
 - NPPF11 Conserving and enhancing the natural environment
 - NPPF12 Conserving and enhancing the historic environment
- Supplementary Planning Documents (SPD)
 - Affordable housing SPD adopted - March 2015

Case Assessment

29. 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

30. The principle of development has been established by the approval of the 2010 scheme and that the development will provide housing in accordance with the aims and principles as set out in Policy 6 of the NPPF and Development Plan policies JCS4 and DM12. Subject to this, further compliance with all other relevant policies is required. This is further set out below.

Main issue 1: Principle of development

31. Residential - Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.

32. The site is not allocated for a specific type of development in the current Local Plan. However, the site was identified as part of a larger site allocated for mixed and/or residential use within the Northern Area Action Plan (NAAP) March 2010 (policy

BP1), which has since expired. There is considered to be little material relevance of the Action Area Plan's policies in relation the assessment of this planning application.

33. A mixed office/ housing scheme was approved in February 2011 in line with the site allocation of the NAAP, for 14 dwellings and a two storey office building. Many of the industrial units that occupied the site were demolished after approval, apart from the remaining range of units on the west side of the site.
34. This is a former industrial site within the city centre conservation area. The remaining industrial buildings are of no architectural merit and contribute very little to the conservation area. As such, there is no objection to their demolition.
35. Given the 2011 planning consent, the criteria for residential development sites within Policy DM12 and the nature of the surrounding uses, it is considered that the principle of residential development is acceptable.

Main issue 2: Design

36. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
37. The proposal is made up of 3, three storey terraces one each to the north, south and west sides of the site, positioned around a central shared surface access road and turning head. The terraced form of the housing reflects that found immediately to the north, although it is a contemporary take on the 19th century dwellings in the local area.
38. The dwellings would be red brick on the ground floor, with brick diagonal jetties at first floor (over-sailing the ground floor) supported by exposed steel columns and beams. The upper storeys and roof would be finished in slate. The roof would have uneven pitches with valleys, to reflect Norwich dormers.
39. The NNAB scheme would be slightly different in that the upper floors would not overhang the ground floor and there would be projecting steel balconies on both the north and south sides of the block. In addition, each end of the block would have a hipped roof.
40. Overall, the contemporary design and use of traditional materials would provide an interesting and important visual link between the site and the nearby historic terraces.
41. As the existing flatted development to the southwest is within the same ownership, it is proposed to create a pedestrian link between the sites. This would provide an alternative and more attractive pedestrian route to the site, where both steps and a ramp would be provided to the application site.
42. In sum whilst the scheme is relatively high density the design will provide for a site which once redevelopment would enhance the character of this part of the conservation area.

Main issue 3: Access and transport matters

43. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
44. The scheme would incorporate a shared surface access road, where the colour of materials would be used to differentiate between the road/ turning head and footpaths. The layout allows for a large vehicle (refuse or removal lorry) to turn within the site.
45. Whilst the road will be constructed to adoptable standards it will remain privately owned. Although Beckham Place is narrow, it is considered to be sufficient for the relatively limited amount of traffic that is likely to use it, particularly when compared to the number of former commercial vehicles previously accessing the site. There is a pinch point in the road, but this is only for a limited distance (approximately 8.5 metres) and as such, is considered to be acceptable.
46. The NNAB has a pedestrian right of way along Beckham Place to an access point on its southern boundary, which also provides convenient access to the Bradbury Activity Centre from the NNAB site. The proposal incorporates a footpath along the southern edge of the proposed scheme to aid access to this pedestrian gate.
47. Each townhouse would be provided with one parking space and the flats would not have any allocated spaces. As such, the preferred scheme (incorporating 18 NNAB flats) would provide 7 parking spaces, while the other option would provide 15 spaces for the 15 townhouses. A condition would also be attached to require the provision of some electric car charging points.
48. A store for both refuse/ recycling bins and a bicycle would be located adjacent to the parking space for each townhouse. The flats would be provided with a communal bin store, situated close to the northern end of the turning head. In addition, the bin store and cycle store associated with the existing flatted development to the south west (in the Applicant's ownership) would be reconfigured as part of this residential development, to allowing collection from within this scheme.
49. Overall, the layout of the development in the form of a cul de sac would enable a high degree of natural surveillance over the street. Provided details are conditioned, particularly with regard to the shared surface access, it is considered that the scheme would provide suitable access and storage facilities in accordance with policies DM28, DM30 and DM31.

Main issue 4: Landscaping and trees

50. Key policies and NPPF paragraphs – DM6, NPPF paragraphs 109 and 111.
51. The scheme will require the cutting back/removal of a large semi-mature sycamore tree overhanging the site on the southern boundary. This tree is already compromised by the existing flats and would not survive the proposed development.

52. Replacement trees are proposed within both schemes within the front external space to the townhouses and soft landscaped areas adjacent to the turning head. The details of the size, species and planting pits would be conditioned as part of a landscaping scheme for the site.
53. Each townhouse would have a rear garden and the ground floor flats in the western block would also have a courtyard garden. The NNAB scheme would remove the boundary treatment between the existing NNAB buildings to allow the proposed flats to take advantage of the existing garden area. The top of the proposed combination store to the front of the townhouses would also be used as planters.
54. Subject to conditions relating to the details of the replacement trees and landscaping and boundary treatments it is considered that both proposed options would provide visual interest and break up the built form of the development.

Main issue 5: Amenity

55. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraph 9 and 17.
56. The relationship to neighbouring residents and sites has been a key consideration in negotiating proposals on the site. During the course of pre-application negotiations the proposals have been pulled away from the boundaries to provide both larger rear gardens and greater separation to neighbouring sites. The proposals are still considered to be on the limit of acceptability in terms of separation from boundaries however on balance the size of rear gardens and distance to boundaries is considered sufficient to offer acceptable amenity standards to both existing neighbouring residents and future residents of this site and future residents of potential neighbouring development sites.
57. The proposals will lead to some overshadowing and overlooking to the existing NNAB site to the north. In the NNAB scheme this is perhaps less problematic however even in the private scheme the proposals are considered to be acceptable and not unusual for a city centre location.
58. Internally the proposed flats are generally in line and on the cusp of internal space standards, however are considered to offer a satisfactory level of amenity to future residents.

Main issue 6: Affordable housing

59. Key policies and NPPF paragraphs - JCS4, NPPF paragraph 50, Norwich Affordable Housing SPD.
60. The scheme was originally submitted as an all private scheme with a viability appraisal outlining how provision of affordable housing could not be viably achieved on the site. Following a review of the applicants viability appraisal it has been accepted that affordable housing would not normally be viable on the site and that in accordance with JCS policy 4 and the affordable housing SPD a commuted sum of £57,657 would be payable via a S106 agreement along with a mechanism to review

this figure if development has not commenced within 12 months and occupation has not taken place within a reasonable period from commencement.

61. However, the application has subsequently been amended to include a scheme which provides affordable housing for the adjacent NNAB site. The NNAB operate an existing supported housing facility and centre for blind and partially blind people immediately to the north of the site and are in great need of further accommodation and this site provides an excellent opportunity to expand. The NNAB are in the process of becoming a registered provider and the Council is supporting them in this process and is also investigating providing financial support to the NNAB to deliver further accommodation. The NNAB scheme would provide 18 one bed flats for the which would achieve 46% affordable housing in excess of targets.

62. It is accepted that the relationship to the NNAB is unusual specific to the site. If the NNAB scheme were to fall away it is considered unlikely that another registered provider would be interested in taking on affordable housing on the site given the small number which could viably be achieved. As such the recommendation is that any S106 agreement requires transfer to the NNAB and delivery of the NNAB scheme unless such agreement is not in place within a certain timeframe. Should the NNAB scheme not progress the developers have the fall-back position of the private scheme and commuted sum, however this option would only be available once the ability to move the NNAB scheme forward had been exhausted.

Compliance with other relevant development plan policies

63. 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
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition.
Energy efficiency	JCS 1 & 3 DM3	Yes subject to condition The buildings are to be timber framed which will achieve a EPC B rating, with increased insulation; low energy lighting; maximising natural ventilation use of energy efficient boilers. The townhouses will have solar panels to meet the 10% renewable target.
Water efficiency	JCS 1 & 3	Yes subject to condition.

		The development is required to meet part G2 of the 2015 Building Regulations for water efficiency. This is to be achieved by minimising bath sizes; low flow taps and showers; double flush toilets; water butts for houses.
Sustainable urban drainage	DM3/5	Yes subject to condition mainly achieved through using permeable pavements for the shared surface.

Other matters

64. The site has historically been used for industrial purposes. The proposed development is for housing and gardens, which is the most sensitive use with regards to contamination. As such, a planning consent would be subject to conditions to ensure the implementation of suitable mitigation works and details of imported topsoil.
65. Part of Policy DM12 requires that 10% of all homes on sites of 10 or more dwellings be built to the Lifetime Homes standard (2011). The proposed NNAB scheme would provide 18 specialist built flats that would be accessed by lifts and would be wheelchair compliant. A condition would be attached to ensure that if the private scheme is implemented 10% of the dwellings provided would be built to the lifetime homes standard.

Community Infrastructure Levy (CIL)

66. Both proposed residential schemes would be CIL liable. As the 18 NNAB flats would be considered as affordable housing this part of the scheme would be CIL exempt subject to an application for exemption.

Local finance considerations

67. 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.
68. 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.
69. In this case local finance considerations are not considered to be material to the case.

Conclusion

70. Both housing schemes put forward would provide much needed housing within this part of the city centre. In particular, it is understood that the NNAB are in great need of additional residential accommodation and as such, the provision of 18 supported flats would be hugely beneficial.
71. The interesting contemporary design and traditional layout would provide a significant enhancement to the wider character of the area.
72. The proposals are considered to be in accordance with the development plan and the recommendation is to approve subject to the conditions and legal agreement details below.

Recommendation

To approve application no. 15/01527/F – Beckham Place, Edward Street and grant planning permission subject to the completion of a satisfactory legal agreement to secure those items listed at paragraph 55 and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of all materials for townhouses and flats
4. Standard contamination condition - investigation/remediation and monitoring
5. Standard contamination condition – imported topsoil
6. Standard archaeological conditions
7. Full details of SUDs and long term management arrangements
8. Contamination condition by EA requiring investigation, evaluation, mitigation and verification
9. Detailed landscape scheme for all hard and soft landscaping including biodiversity enhancements
10. Details of replacement trees and planting pits
11. Details of shared surface access road and turning head
12. Details of refuse storage, cycle storage, electric car charging points
13. Provision of parking spaces
14. Provision of one fire hydrant
15. At least 10% of dwellings built to be lifetime homes
16. Designed and built to meet water efficiency set out in part G2 of the 2015 Building Regulations for water usage.
17. Submission of renewable energy scheme.

Informative Notes

- Construction working hours
- asbestos
- no parking permits
- details of street naming and numbering

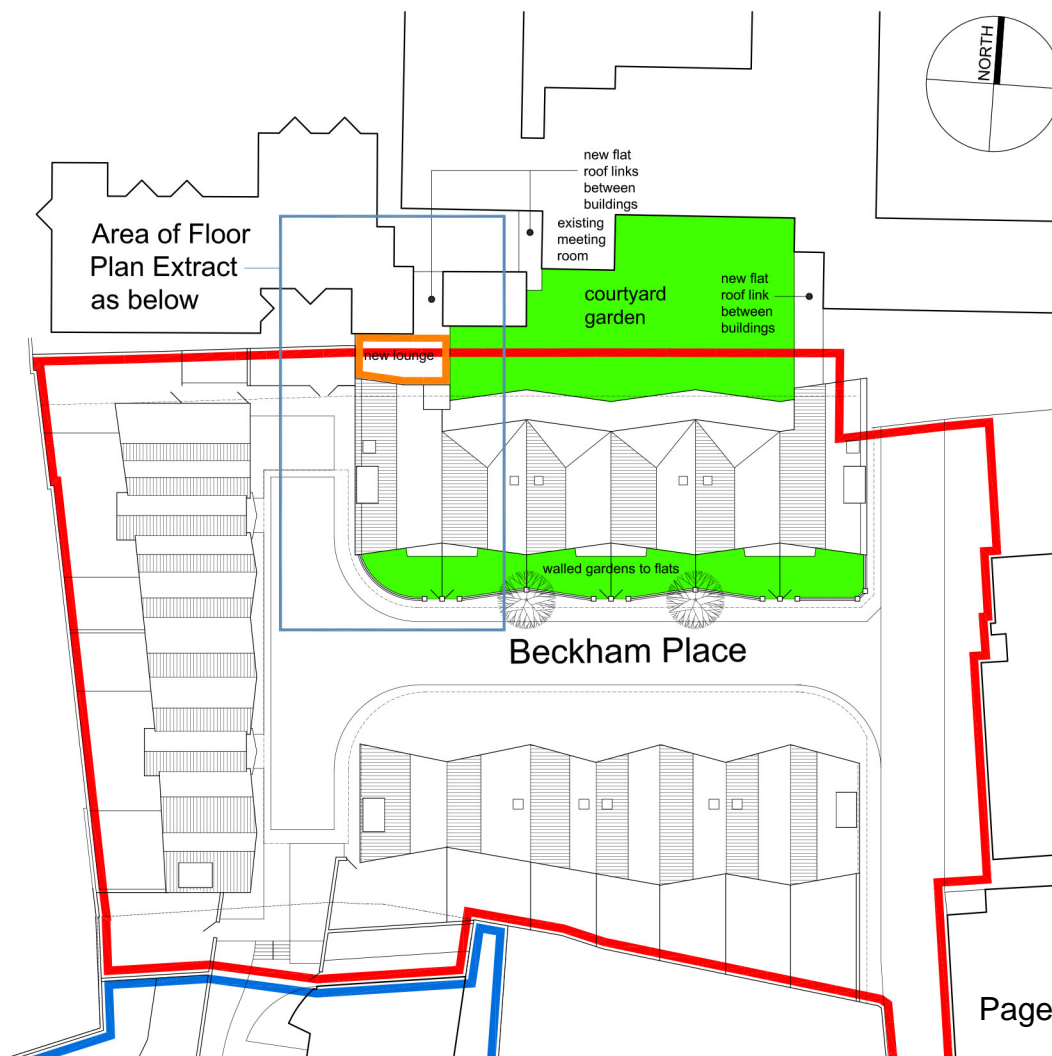
Article 35(2) Statement:

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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

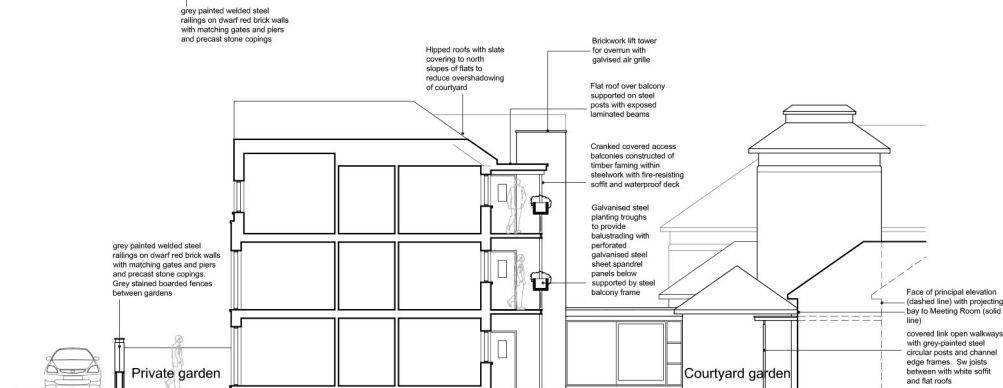




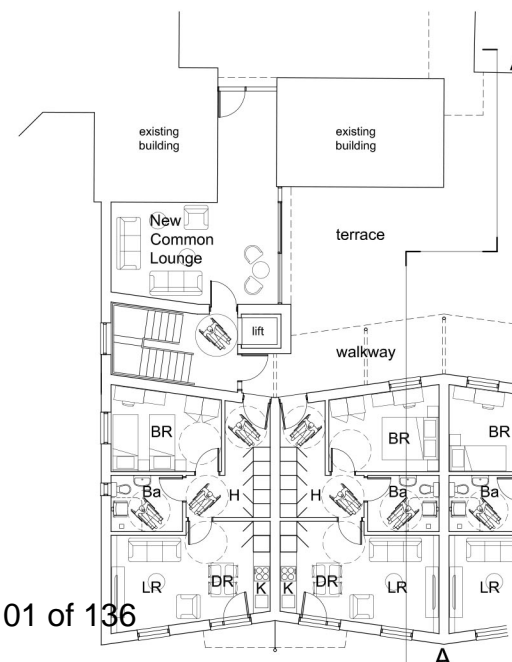
Section through Flats and south elevation of North Terrace for NNAB 1:100



Site & Location Plan 1:200



Section AA through new NNAB Flats and east elevation of new Lounge 1:100



Ground Floor Plan Extract 1:100

REVISION	DATE	BY	DESCRIPTION
B	27 June 16	MR	Hips replace gables to north slope of flats with flat roof over access balcony. Hatches added
A	24 June 16	MR	Sheet redrawn to A1 scale to show alternative site plan with elevations and details of links added
CLIENT	Norwich Estates Ltd		
PROJECT NAME	Beckham Place Norwich		
DRAWING TITLE	Proposed 1bno Flats to North Terrace for NNAB		
	Site Plan, street elevation, details of links		
DRG. SCALE	1:100 @ A1	DRAWN BY	MR
CHECKED	ph	DATE	4 June 2016

Planning

Report to Planning applications committee

Item

11 August 2016

Report of Head of planning services

Subject 16/00904/F - 125 Cecil Road Norwich NR1 2PJ

Reason for referral Objection

Applicant Mr David Dingle

4(e)

Ward:	Town Close
Case officer	Mr Samuel Walker - Samuelwalker@norwich.gov.uk

Development proposal		
Two storey side extension and single storey front extension.		
Representations		
Object	Comment	Support
2		

Main issues	Key considerations
1	Principle of development
2	Design/ Materials
3	Amenity (Overlooking, loss of light)
Expiry date	10 August 2016
Recommendation	Approve



© Crown Copyright and database right 2016. Ordnance Survey 100019747.

Planning Application No 16/00904/F

Site Address 125 Cecil Road

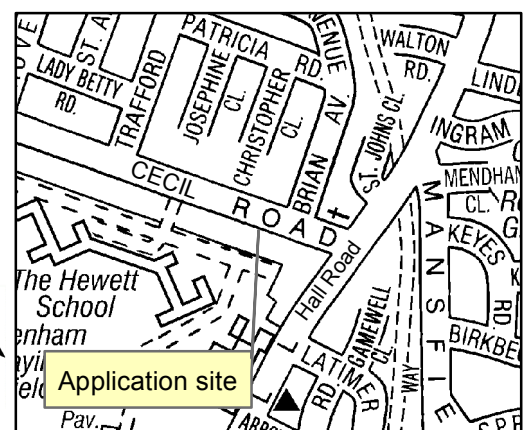
Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES

Page 104 of 136



The site and surroundings

1. The subject property is a mid-twentieth Century (approx.) semi-detached residential dwelling on the South side of Cecil road, it is close to the junction with Brian Avenue.
2. It is a two storey property with white render finish to the walls; a pantile roof to main house, plain tile roof to porch.
3. The area is primarily residential consisting of twentieth century semi-detached properties of varying styles. The site backs on to the Hewett Academy site.

Constraints

4. There are no constraints relevant to this application.

Relevant planning history

5.

Ref	Proposal	Decision	Date
10/01497/F	Replacement of porch with conservatory.	APPR	05/10/2010
16/00055/F	Two storey side and single storey front extensions.	APPR	07/03/2016
16/00923/NM A	Amendment to planning permission 16/00055/F from white painted render to red bricks as external wall finishes.	REF	13/07/2016

The proposal

6. The proposal is for a single storey lean-to extension to the front elevation, leading into a two storey side extension, subservient to the main dwelling. With red brick finish to external walls.

Summary information

Proposal	Key facts
Appearance	
Materials	Red brick Walls Clay pantile roof Joinery – white uPVC

	Rainwater goods – Black uPVC
Transport matters	
Vehicular access	Driveway and Garage facility retained

Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two 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
Materials	15-17
Amenity	19-23
Drainage/Services location	24

Consultation responses

8. No consultations have been carried out as part of this application.

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)**
- JCS2 Promoting good design
 - JCS7 Supporting communities
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
 - JCS20 Implementation
10. **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

Other material considerations

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

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF7 Requiring good design

Case Assessment

12. 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

13. The principle of residential extensions is acceptable, the main policy and material considerations are considered in the sections below.

Main issue 2: Design

14. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
15. This application is a subsequent application following previously approved 16/00055/F. The previously approved scheme was a negotiated solution which reduced the overall height of the side extension from the original proposal to be clearly subservient to the primary dwelling. The material finish to the approved scheme was white painted render. This application maintains the same external form and scale as the approved scheme, but seeks red facing brick as the external wall finish. The internal layout has been changed at first floor level to provide bedroom accommodation to the rear (in place of bath room with obscure glazed window).
16. It is considered that white painted render is the most appropriate external finish in the context of the subject property, however, the character of the surrounding area is one of a variety of finishes; the proposed red facing brick is not considered to be out of character for a property on Cecil Road and is therefore considered acceptable.
17. The design of the proposed extension is considered to be in keeping with the design of the subject property.

Main issue 3: Amenity

18. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
19. The proposed extension is to the West of the subject property and subservient to the primary dwelling. The subject site is at a slightly lower level to the neighbouring dwelling; as such it is not considered to cause significant loss of light to the neighbouring property.
20. The side wall of the neighbouring property has a small landing window at first floor level and side access door at ground floor level; the proposed extension is not considered to impact outlook from the neighbouring dwelling.
21. The proposed dormer window to first floor level is a bedroom window. The slight increase to the level of overlooking to the neighbouring property is not considered to be of significant amount, improved by the presence of the garage within the curtilage of the neighbouring property.
22. There are no windows proposed to the side elevation of the extension.
23. The proposed brickwork in this location to this scale is not considered to constitute a significant level of overshadowing. It is felt that the use of fair faced brickwork in this location would be suitable as once built it is maintenance free, not requiring decoration, this provides long-term benefits with regards to outlook in this location.
24. The agent has confirmed that the services will be run internally and discharged through the new roof of the proposed extension in accordance with Building Regulations requirements and Full Plans approval (CNC Building Control reference 2016/003216/NCC).

Other matters

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

Equalities and diversity issues

26. There are no significant equality or diversity issues.

Local finance considerations

27. 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.
28. 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.

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

Conclusion

30. 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. 16/00904/F - 125 Cecil Road Norwich NR1 2PJ and grant planning permission subject to the following conditions:

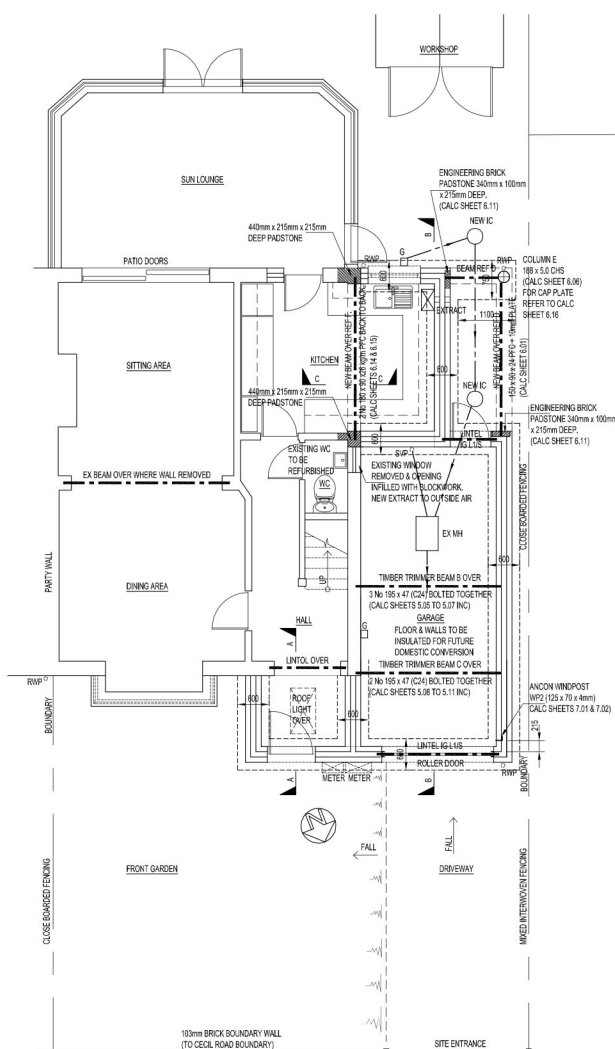
1. Standard time limit;
2. In accordance with plans;

Article 35(2) Statement

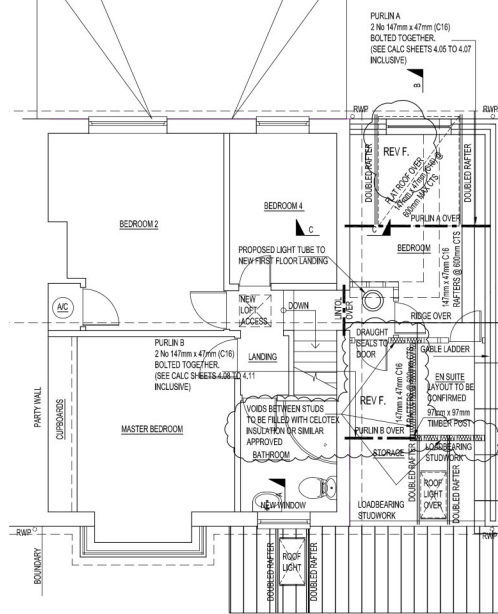
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the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

FOR PROPOSED CROSS SECTIONS
A - A, B - B & C - C.
REFER TO DRAWING DINGLE 4.

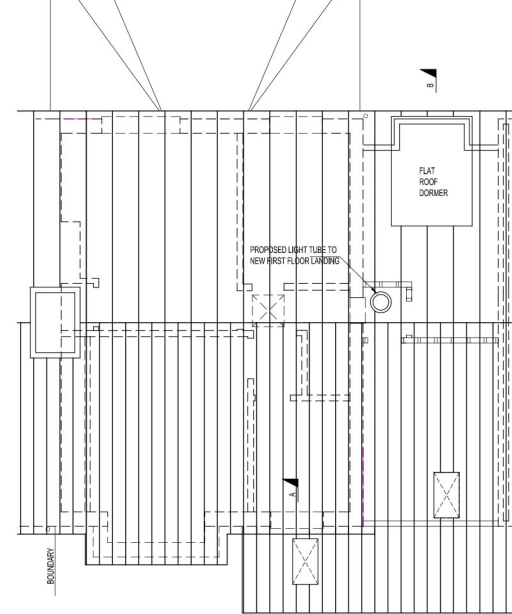
THIS DRAWING IS TO BE READ IN
CONJUNCTION WITH BARTER HILL
LTD STRUCTURAL CALCULATIONS
REF 5429 SHEETS 1 TO 65 INCLUSIVE.



PROPOSED GROUND FLOOR PLAN.
SCALE 1:50



PROPOSED FIRST FLOOR PLAN.
SCALE 1:50

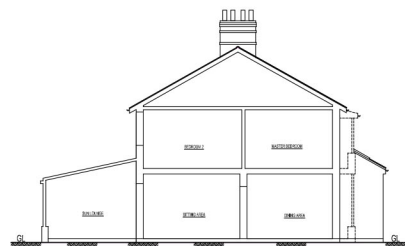


PROPOSED ROOF PLAN.
SCALE 1:50

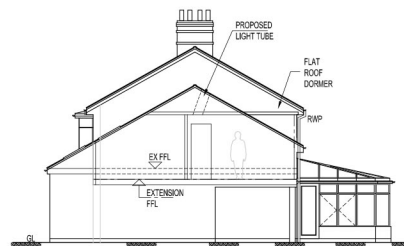
PROPOSED MATERIALS:
ROOF - RED / ORANGE GLAY TILES. PLAIN TILE ROOF FOR THE EXTENSION.
WALLS - RED FACING BRICKS.
DOORS & WINDOWS - WHITE UPVC DOUBLE GLAZED.
RAINFALL GOODS - BLACK UPVC.
FASCIAS, BARGBOARDS ETC - WHITE UPVC.



PROPOSED FRONT (NORTH) ELEVATION
SCALE 1:50



PROPOSED SIDE (EAST) SECTIONAL ELEVATION
SCALE 1:50



PROPOSED SIDE (WEST) ELEVATION
SCALE 1:50



PROPOSED REAR (SOUTH) ELEVATION
SCALE 1:50

REVISION F: 14/2016: ESCAPE ROUTE STEPS REMOVED FROM REAR FIRST FLOOR WINDOW. DORMER WINDOW LOWERED TO FACILITATE ESCAPE ROUTE TO ACHIEVE COMPLIANCE WITH APPROVED DOCUMENT B - FIRE SAFETY. OTHER REVISIONS AS INDICATED IN ACCORDANCE WITH CNC BUILDING CONTROL LETTER DATED 12/7/2016.
REVISION E: 13/2016: PROPOSED EXTERNAL WALL FINISHES AMENDED FROM WHITE PAINTED RENDER TO RED FACING BRICK.
REVISION D: 7/6/2016: FURTHER INFORMATION ADDED FOR BUILDING REGULATION APPLICATION SUBMISSION.
REVISION C: 11/4/2016: UPDATED FOR BUILDING REGULATION APPLICATION.
REVISION B: 11/2/2016: PROPOSED REAR ELEVATION AMENDED TO REFLECT CORRECT ROOF PROFILE.
REVISION A: 3/22/2016: UPDATED FOLLOWING DISCUSSIONS NORWICH CITY COUNCIL PLANNING DEPARTMENT.

PLANNING APPLICATION REF: 16/00055/F.

GP DRAUGHTING SERVICES
PLANNING & BUILDING REGULATIONS
Glen Pieson
CAD Technician
19 Long Lane, Stoke Holy Cross, Norwich, NR14 8LY.
Tel: 01508 482518. M: 07881902445.

PROPOSED ALTERATIONS & EXTENSIONS AT
125 CECIL ROAD, NORWICH, NR1 2PJ.
FOR Mr & Mrs D. W. DINGLE.

Drawing Title:
PROPOSED FLOOR PLANS.
PROPOSED ELEVATIONS.
PROPOSED ROOF PLAN.

Scale at A1	Drawn By	Date	Checked By	Date	Approved By	Date
AS NOTED	GDP	DECEMBER 2015				
Project No.	Office	Type	Drawing No.	Revision		
			DINGLE 2	F		

APPROVAL ■ INFORMATION □ TENDER □ CONTRACT □ CONSTRUCTION □

Report to Planning applications committee

Item

11 August 2016

Report of Head of planning services

Subject 16/00392/U - St Augustines Gate Waterloo Road Norwich
NR3 3BE

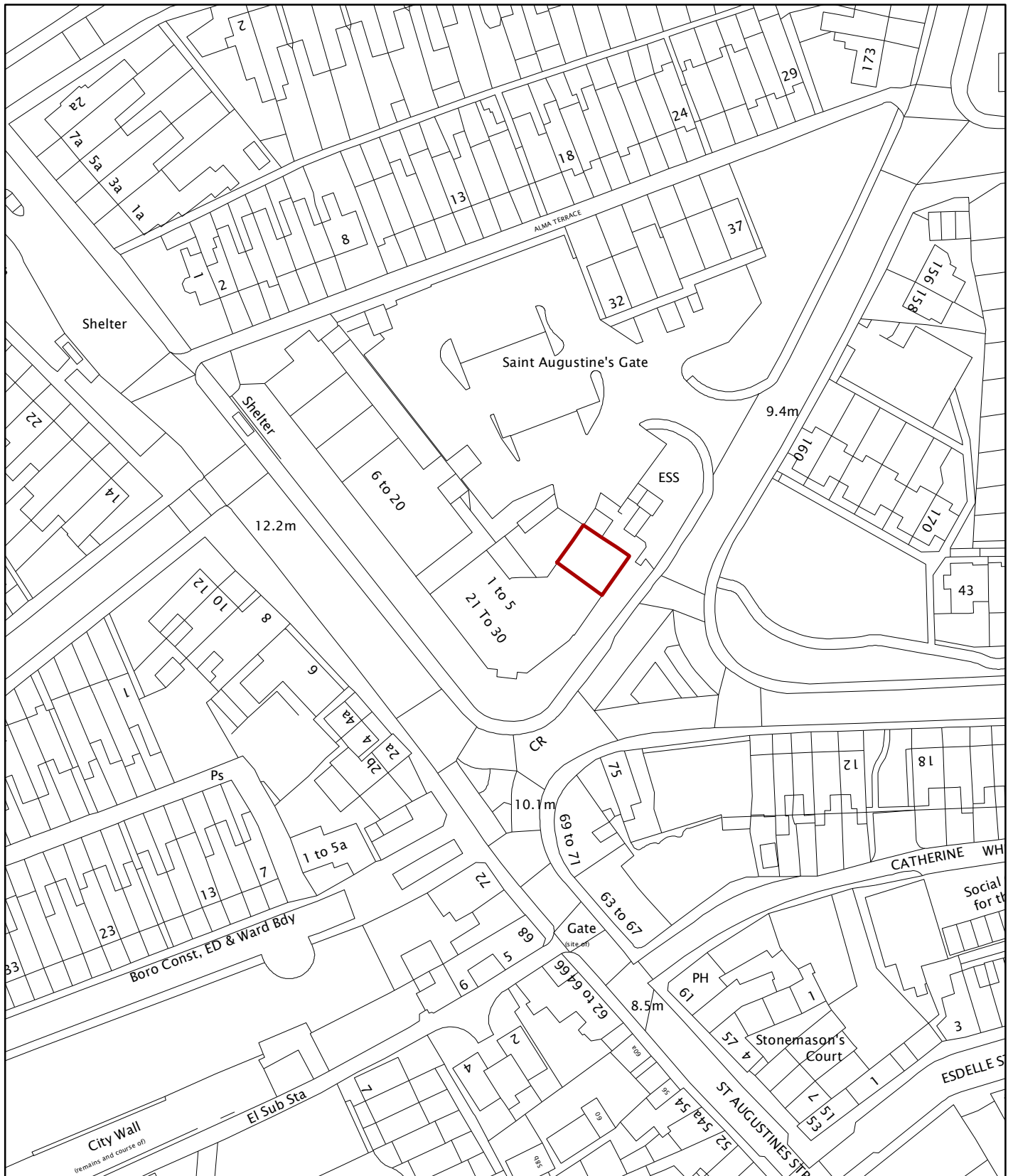
4(f)

**Reason
for referral** Objection

Ward:	Mile Cross
Case officer	Ms Charlotte Hounsell - charlottehounsell@norwich.gov.uk

Development proposal		
Change of use to hot food takeaway (Class A5).		
Representations		
Object	Comment	Support
2		

Main issues	Key considerations
1	Over provision of takeaways
2	Detrimental impact on neighbouring amenity: noise/vehicle movements
Expiry date	29 June 2016
Recommendation	Approve



© Crown Copyright and database right 2016. Ordnance Survey 100019747.

Planning Application No 16/00392/U

Site Address St Augustines Gate

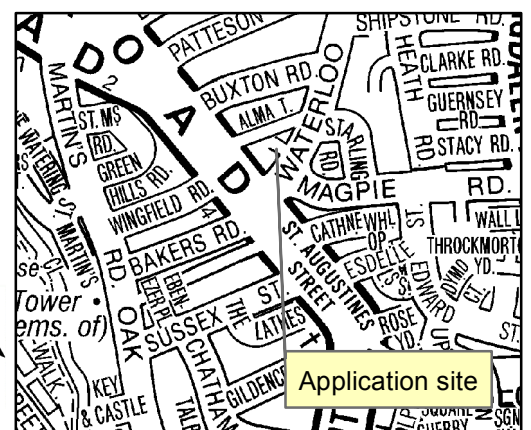
Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES

Page 114 of 136



The site and surroundings

1. The subject site is located on the North West side of Waterloo Road, North of the City Centre. The unit is one of eight units in the centre and is located on the North-Easternmost corner of the site. At present there are 4 x A5 uses, 2 x A1 uses, 1 x A2 use and the currently vacant site relating to this application. The application relates to the ground floor unit which has previously been used as a Care UK Ltd office/recruitment centre with residential units above. A large car park is present at the rear of the site that is for use by customers of St Augustines Gate and there is cycle stand provision at the front of the site. There are residential properties opposite on Waterloo Road and Magpie Road and the Anglia Square/St Augustines Street District Retail centre to the South of the site.

Constraints

2. The site is located within a TPO site
3. The site is located within a local retail centre.

Relevant planning history

- 4.

Ref	Proposal	Decision	Date
4/2003/0498	Two internally illuminated projecting box signs. Unit 6, Former St. Augustines Swimming Pool Site	ADVCON	06/06/2003
03/00121/F	Installation of ATM.	APPR	23/09/2003
14/00012/TPO	Crown lift 2x Hornbeam to 2.4m and prune back from road; Fell various Robinia suckers to ground level.	APPR	02/04/2014

The proposal

5. The proposal is for the change of use of the unit to A5 hot food takeaway with associated extract ventilation installation.

Summary information

Proposal	Key facts
----------	-----------

Scale	
Total floorspace	105m ²
No. of storeys	Ground floor only
Appearance of Flue	
Materials	No proposed alterations to frontage Flue – concealed with cement-based back boarding rendered to match the adjacent building.
Operation	
Opening hours	11:30 - 23:00
Ancillary plant and equipment	Extract ventilation flue
Transport matters	
Vehicular access	Existing access at side/rear of site
No of car parking spaces	Existing car park to rear of site
No of cycle parking spaces	Existing cycle parking to the front of site
Servicing arrangements	Existing service area to rear of site

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two 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
Over provision of hot food takeaways in the immediate area	See main issue 1
Additional noise from extract ventilation and vehicle movements/deliveries	See main issue 2

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. As discussed I have looked at the local residential uses and how they will be affected by noise from the extract system. There appears to be openable residential windows very close to the efflux point of the flue the Laeq of the fan would equate to approximately 52dB at 4m. This appears to be very approximately the distance to the windows. I would suggest that either a noise impact assessment is carried out to show that these residential uses will not be affected or alternatively that a silencer is incorporated into the scheme so that the Laeq at 4m is reduced by at least 7dB, if the use is intended to continue after 23:00 then further reduction would be required. The system should be conditioned to not operate 23:00-07:00.

Highways (local)

9. No objection on highway/transportation grounds. There is an adequate car park and on street waiting restrictions to accommodate this use, also there are cycle stands adjacent to the premises.

Assessment of planning considerations

Relevant development plan policies

10. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
 - JCS6 Access and transportation
 - JCS12 The remainder of the Norwich urban area including the fringe parishes
 - JCS19 The hierarchy of centres
11. **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
 - DM18 Promoting and supporting centres
 - DM21 Protecting and supporting district and local centres
 - DM24 Managing the impacts of hot food takeaways
 - DM31 Car parking and servicing

Other material considerations

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

- NPPF0 Achieving sustainable development
- NPPF2 Ensuring the vitality of town centres
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF11 Conserving and enhancing the natural environment

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 paragraphs – DM18, DM21, DM24, JCS12, NPPF sections 1 and 2.
15. In accordance with Policy DM21, the proportion of A1 units within a local retail centre should not fall below 50%. This unit, from its original consent, was designated to be an A1 unit and no consent can be found to show that this should be otherwise. However, the last use of the unit was as a Care UK Ltd office/recruitment centre, likely an A2 use, which has been operating for a period of approximately 9 years shown from an application for a business parking permit and is therefore likely a non-enforceable use. Considering this, it may be unreasonable to consider the proposal as being contrary to this part of DM21 as it has already been operating for this period of time. However, the consideration of the application should also focus on the remainder of DM21 below.
16. Part a) of the policy states that changes from A1 use will be encouraged and permitted where their scale and function is consistent with the position of the centre in the hierarchy of centres set out in JCS policy 19. In this instance the proposed small A5 use is considered to be of an appropriate scale to the centre for a locally based facility.
17. Part b) of the policy states that changes would be permitted where they would not have a harmful impact on the vitality, viability and diversity of services in the centre, in particular increasing the number of units which would not be available to the public during the normal working day. The approval of this scheme would result in the majority of units being Class A5 (5 units in total) with predominantly night time trade. Objectors have also raised concerns regarding this point. With this number of units being A5 use, there is a clear reduction in the diversity of the centre. As there

are already 4 A5 units within the centre, a large proportion of business takes place into the evening hours. This proposal would also seek to do this and therefore does not demonstrate variety in the type and availability of businesses. However, the subject unit is located at the opposite end of the centre, around the corner on Waterloo Road. It could be argued that this location is separated from the other A5 units and therefore the cumulative impacts are considered to be reduced. In addition, the unit is located opposite the St Augustines/Anglia Square large district centre which offers a greater variety of services. Therefore whilst the diversity of this particular centre is reduced, there are other alternative businesses/services provided in close proximity.

18. Part c) of the policy states changes should not have a harmful impact on residential amenity, traffic or the environment which could not be overcome by the imposition of conditions. Please see main issue 2 for the assessment of this part.
19. Part d) of the policy states changes would be permitted where they would provide a community benefit or address an identified deficiency in provision in the area which can be shown to outweigh the loss of a retail use. The previous use, whilst not retail use, arguably provided community benefit through recruitment/office for Care UK Ltd. However, this proposal does not demonstrate any community benefit that might outweigh the change to A5.

Main issue 2: Amenity

20. Key policies and NPPF paragraphs – DM2, DM11, DM21, DM24 NPPF paragraphs 9 and 17.
21. Concerns were raised regarding increased noise from vehicle movements/deliveries. This site has existing service arrangements to the rear and an existing car park for customers. Whilst it is noted that there may be an increase in movements due to the nature of A5 use, this area is not purely residential and therefore vehicle movements of this type are expected in the area. In addition, an approval will contain a condition that deliveries should not be made between the hours of 22:00 and 06:00 on any day, to be consistent with the conditions imposed on the other A5 units in the centre as part of the original consent for St Augustines Gate.
22. Concerns were also raised by objectors and environmental protection that the associated extract ventilation could be detrimental to residential amenity in terms of noise generation. Comments from environmental protection show that the current ventilation system would exceed noise levels appropriate for the residential premises, however this could be remediated. An approval will be conditioned that a noise impact assessment or details of silencers/anti-vibration mounting/insulation must be submitted to show that the noise levels are acceptable or that sufficient measures can be undertaken to reduce the impacts so they are acceptable.
23. Therefore this proposal is not considered to have a harmful impact on residential amenity, traffic or the environment that cannot be overcome by the imposition of conditions, in accordance with Part c) of DM21.

Main issue 3: Design

24. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
25. The extract flue has the potential to be prominent in the streetscene. However, adequate cladding has been agreed to minimise this impact.

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes – existing cycle storage is provided at the front of the site for use by customers/staff.
Car parking provision	DM31	Yes – existing car parking provision is provided at the rear of the site for use of customers of any St Augustines Gate unit.
Refuse Storage/servicing	DM31	Yes – existing service area is present at the rear of the site for bin storage etc.

Other material considerations

27. The unit has been vacant since January 2014 despite attempts to re-let the unit. Evidence has been provided to show that the unit has been actively marketed, however this information was not received with sufficient time to ascertain whether this was marketed at a reasonable price. However, it could be argued that having a vacant unit for a prolonged period of time also detrimentally affects the vitality and diversity of the centre and that the approval of this scheme may improve upon the current situation by encouraging customers to the area.

Equalities and diversity issues

28. There are no significant equality or diversity issues.

Local finance considerations

29. 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.

30. 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.
31. In this case local finance considerations are not considered to be material to the case.

Conclusion

32. The acceptability of this proposal is very finely balanced. The approval of this scheme would result in the proportion of A1 units being below the 50% threshold for the retail centre and 5 out of 8 units as A5 uses. The proposal would also operate largely later on in the day and into the evening, reducing the variety of businesses available during the day and potentially resulting in cumulative impacts on amenity and diversity. In addition, this proposal does not demonstrate any community benefit that would outweigh the change of use.
33. However, the location of the unit results in a degree of separation to the other A5 units which contributes towards reducing any cumulative impacts from this intensity of use. Arguably the A5 unit would be situated in a suitable location, as this is not purely residential and there are existing servicing and parking/cycle arrangements for use by staff and customers. The unit has been vacant for a number of years, which in itself could be detrimental to the vitality of the centre and therefore the A5 use class may improve upon the current situation. In addition, the location of the unit is beneficial as it is opposite the St Augustines/Anglia Square large district centre where a greater variety of businesses is already present.
34. Based on this balance of arguments the recommendation is for approval, however this balance is for the decision maker and if members reach the view that the benefits of an additional A5 unit do not outweigh the impacts then this may justify an alternative decision.

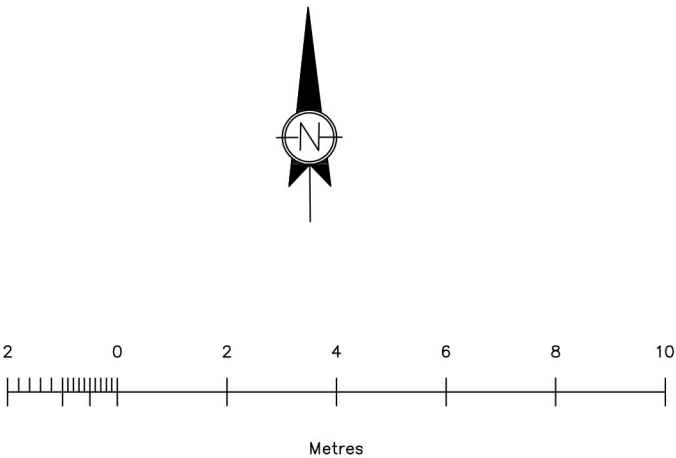
Recommendation

To approve application no. 16/00392/U - St Augustines Gate Waterloo Road Norwich NR3 3BE and grant planning permission subject to the following conditions:

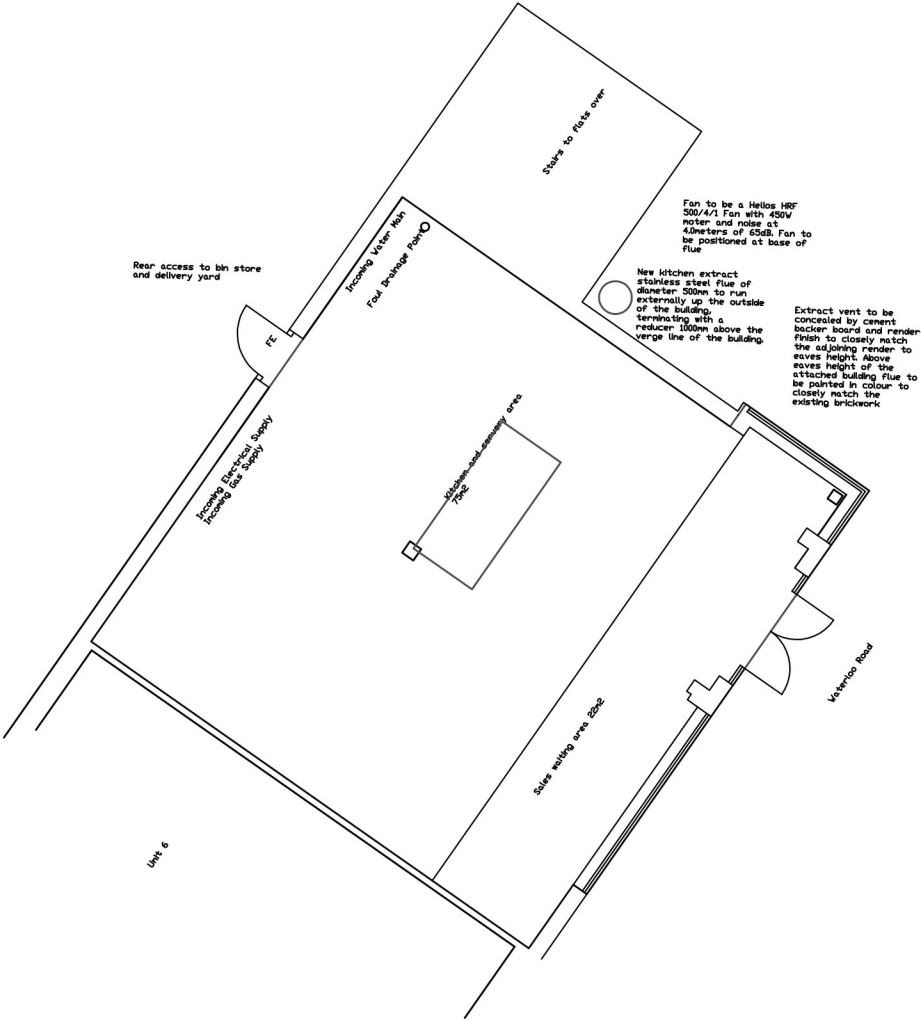
1. Standard time limit;
2. In accordance with plans;
3. The unit shall not be open between the hours of 11:30pm and 7:00am on any day
4. There will be no deliveries to the unit between the hours of 10:00pm and 6:00am on any day.
5. Prior to any occupation as an A5 use a noise impact assessment or details of silencers/anti-vibration mounting/insulation that can demonstrate operation at acceptable noise levels must be submitted.

Article 32(5) 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, following negotiations with the applicant and subsequent amendments [at the pre-application stage insert if necessary] the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.



Scale: for the plan to be scaled this scale bar must measure correctly, e.g 10 centimeters when printed.
2:200cm



C	26.06.2016	Notes added
R	03.06.2016	Fan and extract details amended
A	21.04.2016	Indicative kitchen and extract shown
	Date	Revisions

© Copyright

**DANIEL
CONNAL
PARTNERSHIP**
Chartered Surveyors

The Glasshouse,
Kings Lane
Norwich, NR1 3PS

Tel: 01603 629421
Fax: 01603 620181
Email: norwich@danielconnal.co.uk

Client The Englander Group

Job Title

Unit 7
St Agustines Gate,
Waterloo Road,
Norwich

Drawing Title

Ground Floor Only

Scale 1:100 @ A3

Date March 2016 Drawn By AL

Dwg. No. 00720.02.01	Rev. C
-------------------------	-----------

Report to Planning applications committee

Item

11 August 2016

Report of Head of planning services

Subject Tree Preservation Order [TPO], 2014. City of Norwich
Number 510; 6, 12 & 14 Lollards Road, Norwich NR1
1SX

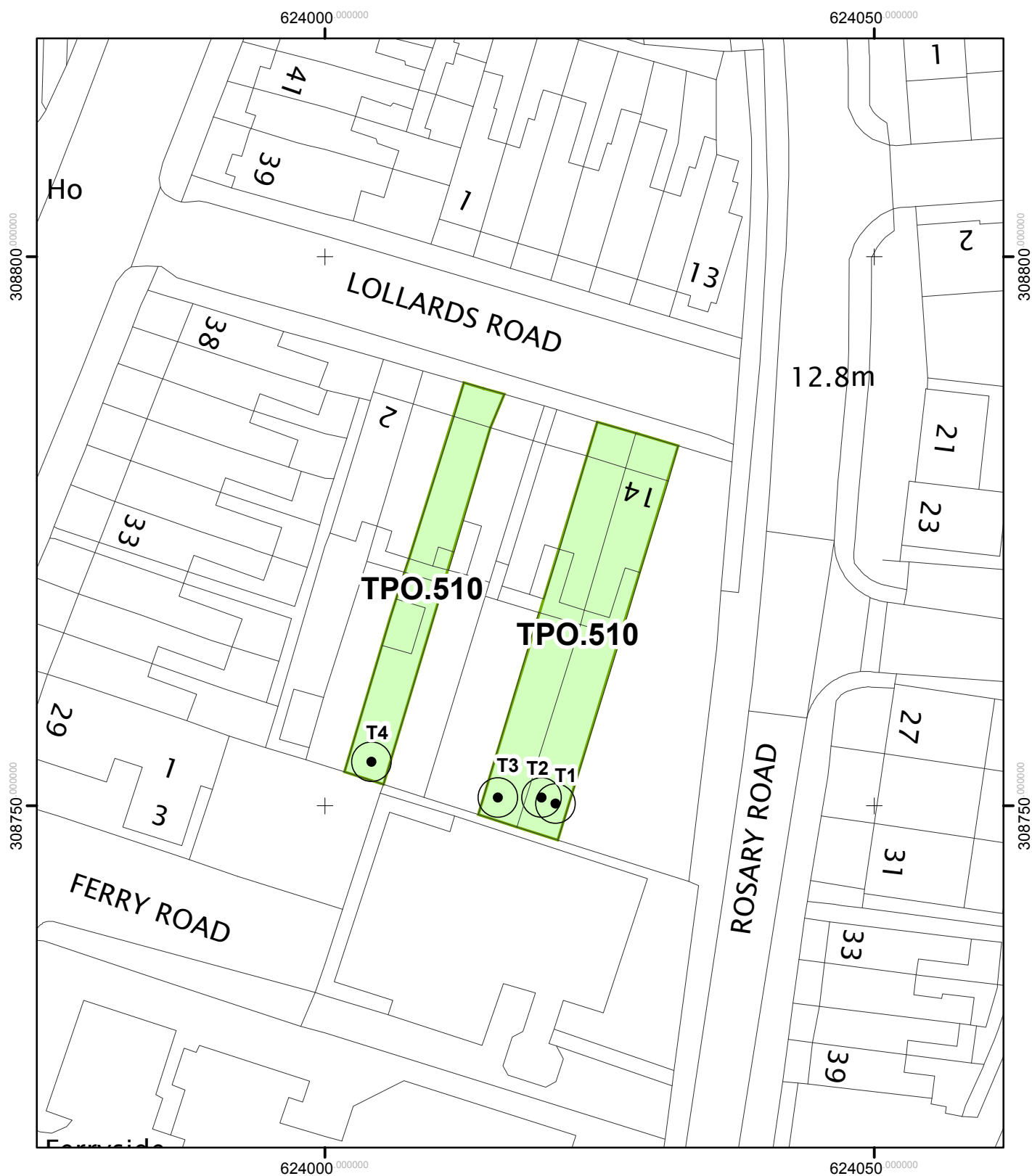
4(g)

Reason for referral Objections to confirmation of tree preservation order 510

Ward:	University
Case officer	Mark Dunthorne – tel: 01603 212426

Proposal		
To confirm Tree Preservation Order [TPO], 2014. City of Norwich Number 510; 6, 12 & 14 Lollards Road, Norwich NR1 1SX without modifications		
Representations		
Object	Comment	Support
1	- -	- -

Main issues:	Key considerations:
1 Amenity	Impact on local residents Level of amenity for future occupiers
2 Climate change	Trees increase resilience to climate change
3 Air quality	Trees improve air quality
3 Biodiversity & wildlife	The loss of mature trees with no recourse for securing replacement planting Trees aid biodiversity and wildlife
Expiry date	05 January 2017
Recommendation	Confirm TPO 510 without modifications



PLANNING SERVICES

Norwich City Council, City Hall,
Norwich, NR2 1NH
Telephone 0344 980 3333

Date : 28/06/2016

Scale : 1:500

Drawn by : SRB



The site, surroundings and history

1. The semi -mature Sycamores are situated in the rear garden of No's. 6, 12 & 14 Lollards Road, Norwich NR1 1SX. All trees are visible from Rosary Road, Riverside Rd and Lollards Road.
2. The location of the trees is shown on the attached plan
3. The TPO was instigated as a result of an application to reduce the two Sycamores at the rear of No14 Lollards Road.
4. The Council's Tree Consultant visited the site and undertook an assessment of the trees subject to the application. The Tree Evaluation Method for Preservation Orders (TEMPO) assessment was used and resulted in a score of 16 for T1 and T2 which indicated that a Tree Preservation order was defensible. Given that the trees subject to the application formed an integral part of a larger group of trees it was considered appropriate to protect the adjacent trees forming the remainder of the group, These trees were also evaluated using the Tree Evaluation Method for Preservation Orders (TEMPO) assessment which resulted in a score of 16 for T3 and 13 for T4 which indicated that a Tree Preservation order was defensible
5. Tree Preservation Order [TPO], 2014. City of Norwich Number 510; 6, 12 & 14 Lollards Road, Norwich NR1 1SX was served on the 5 July 2016.
6. The Order needs to be confirmed within six months of being served for it to continue to be in effect.

Representations

7. Notice of the Order was served on the owners of the properties and neighbouring properties. In response 1 letter of representation has been received objecting to the Order from the owner of 2 Lollards Road. Full details of these letters are available on request. The issues raised and the Tree Consultants response are summarised below:

	Representation	Response
6.1	The trees are not likely to be maintained and are growing in a less than ideal position	The trees are semi mature specimens that will require maintenance. This is already undertaken and the Council has recently received an application and given consent for the reduction of the trees away from the adjacent office building.

6.2	The trees are growing a less than ideal position very close to the adjacent office block- cutting out significant amounts of light and alongside the foundations	The trees are at the rear of the gardens of the properties on Lollards Road, tight up against, and screening the office building on the southern aspect of the dwelling. The removal of the trees will not reduce shading to any significant degree, as this will still be provided by the building. The trees provide important screening of the office block both from Rosary Road and the rear of the dwellings on Lollards Road.
6.3	The trees shed debris - "many, many thousands of seeds scatter over the owners and adjacent gardens"	The shedding of leaves and seeds is not considered an acceptable reason for the removal of mature trees. It is part of living with trees within urban environments and considered to be a reasonable burden upon landowners given the overriding benefit trees afford to the public and city in general.
6.4	Allowing the trees to be felled and requiring alternative species to be planted in their place that are smaller would be more suited to dense city centre housing.	It is agreed that the trees are close to the adjacent office building and their growth habit is affected by the building. However, the trees have adapted to their situation and are all healthy specimens. They will need to be, and are managed. They form an important linear feature screening the large office building from the dwellings on Lollards Road and from Rosary Road. Their removal and replacement with smaller trees would have a detrimental affect on the visual amenity of the site and surrounding area. The tree preservation order is not intended to prevent reasonable management of the tree; it is there to prevent any unnecessary and potentially damaging works. To this end officers will work with the owners to ensure the most appropriate management of the tree(s).

Main issues

Issue 1

8. The loss of these trees which are both in good condition and visible from the properties on Lollards Road and Rosary Road would have a detrimental impact on the amenity of the area for local residents and for future occupiers.

Issue 2

9. The loss of these trees would also contribute to the impacts of climate change. Through photosynthesis trees naturally absorb CO₂ a key greenhouse gas and act as a carbon sink by sequestering it. Also, by a combination of reflecting sunlight, providing shade and evaporating water through transpiration trees moderate the local microclimate and temperature.

Issue 3

10. The trees have a positive effect on air quality by cutting levels of airborne particulates and removing air pollutants.

Issue 4

11. The trees enhance biodiversity by providing habitats for a variety of species and thereby contribute to providing a healthy food chain that is of benefit to birds and mammals.

Conclusion

12. The Objection to the Order have been taken note of and whilst officers appreciate the concerns raised it is their opinion that the trees in question make a positive environmental contribution and have sufficient amenity value to validate their continued protection by the confirming of the Tree Preservation Order. However officers do appreciate the potential nuisance the trees may cause and are willing to work with the owner of the trees to secure appropriate tree works to reduce any potential nuisance through good management.

Recommendation

13. To confirm Tree Preservation Order [TPO], 2014. City of Norwich Number 510; 6, 12 & 14 Lollards Road, Norwich NR1 1SX without modifications.

THE CITY COUNCIL OF NORWICH

FORM OF TREE PRESERVATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

THE CITY OF NORWICH TREE PRESERVATION ORDER NUMBER 510 2016

The City Council of Norwich, in exercise of the powers conferred on them by Section 198 of the Town and Country Planning Act 1990 hereby make the following Order –

Citation

1. This Order may be cited as Tree Preservation Order, 2016
City of Norwich Number 510, No's 6, 12 & 14 Lollards Road, Norwich, NR1 1SX

Interpretation

2. 1. In this Order "the authority" means the City Council of Norwich
2. In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3. 1. Subject to article 4, this Order takes effect provisionally on the date on which it is made.
2. Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

DATED this 5th day of July
two thousand and sixteen.

THE CORPORATE SEAL of THE)
CITY COUNCIL of NORWICH)
Was hereunto affixed in the)
Presence of)



Ar. B. M.
.....

Authorised by the Council

SCHEDULE

Article 3

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on Maps	Description	Situation
T1.	Sycamore tree	In the rear garden of 14 Lollards Road, Norwich, NR1 1SX Grid ref – TG - 624025 : 308751
T2.	Sycamore tree	In the rear garden of 14 Lollards Road, Norwich, NR1 1SX Grid ref – TG - 624021 : 308753
T3.	Sycamore tree	In the rear garden of 12 Lollards Road, Norwich, NR1 1SX Grid ref – TG - 624018 : 308753
T4.	Sycamore tree	In the rear garden of 6 Lollards Road, Norwich, NR1 1SX Grid ref – TG - 624005 : 308756

Groups of Trees
(within a broken black line on the map)

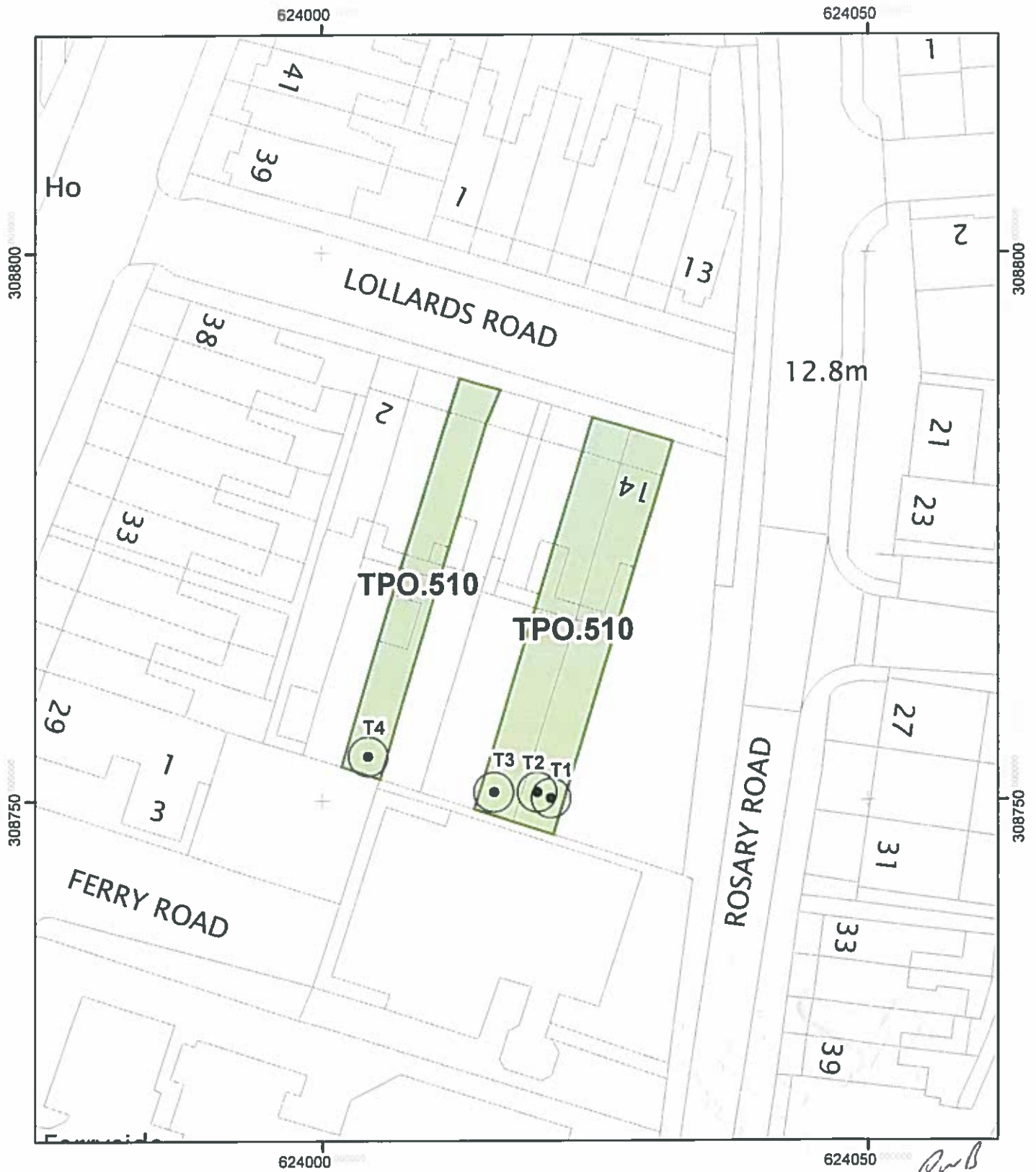
Reference on Map	Description	Situation
None.		

Trees specified by reference to an area
(within a black dotted line on the map)

Reference on Map	Description	Situation
None.		

Woodlands
(within a continuous black line on the map)

Reference on Map	Description	Situation
None		



PLANNING SERVICES

Norwich City Council, City Hall,
Norwich, NR2 1NH
Telephone 0344 980 3333

Date : 28/06/2016

Scale : 1:500

Drawn by : SRB



IMPORTANT – THIS COMMUNICATION MAY AFFECT YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990 (as amended).

TOWN & COUNTRY PLANNING (Tree Preservation) (England) REGULATIONS 2012

TREE PRESERVATION ORDER 2016

THE CITY COUNCIL OF NORWICH NUMBER 510

ADDRESS: No's 6, 12 & 14 Lollards Road, Norwich, NR1 1SX

THIS IS A FORMAL NOTICE to let you know that on **05th July 2016**, the Council made the above Tree Preservation Order.

A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the Schedule and shown on the map without the Council's consent. Some explanatory guidance on tree preservation orders is given in the enclosed leaflet, **Protected Trees: A Guide to Tree Preservation Orders**, produced by the Department of Communities & Local Government.

The Council has made the Order *to protect the amenity of the area and in response to notification of intention to fell two of the trees.*

[The Order took effect, on a provisional basis, on **05th July 2016**. It will continue in force on this basis for a further 6 months until the Order is confirmed by the Council, or if the Council decide not to confirm the order, the date on which the Council decide not to confirm the order, whichever occurs first.] The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments, we must receive them in writing by **03th August, 2016**. Your comments must comply with Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is provided overleaf. Send your comments to the **Tree Protection Officer, Norwich City Council, City Hall, St Peter's Street, Norwich NR2 1NH**. All valid objections or representations are carefully considered before a decision on whether to confirm the Order is made. The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this letter, please contact: **The Tree Protection Officer, Norwich City Council, St Peter's Street, Norwich, NR2 1NH (Tel: 01603 212546)**.

DATED this **05th July 2016**.

Signed



Mark Dunthorne
Arboricultural Officer
City Hall, Norwich NR2 1NH
Tel: 01603 212426
Email: Markdunthorne@norwich.gov.uk

COPY OF REGULATION 6 OF The Town and Country Planning (Tree Preservation)(England) Regulations 2012

Objections and representations

6.—(1) Subject to paragraph (2), objections and representations—

(a) shall be made in writing and—

(i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or

(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 22/12	Surveyor: Stephen Hudson
Tree details	
TPO Ref (if applicable):	Tree/Group No: T1, T2
Owner (if known):	Species: Sycamore
	Location: T3

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

Part 1: Amenity assessment

a) Condition & suitability for TPO

- | | |
|--------------------------|-------------------------|
| 5) Good | Highly suitable |
| 3) Fair/satisfactory | Suitable |
| 1) Poor | Unlikely to be suitable |
| 0) Dead/dying/dangerous* | Unsuitable |

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes

3.

b) Retention span (in years) & suitability for TPO

- | | |
|-----------|-----------------|
| 5) 100+ | Highly suitable |
| 4) 40-100 | Very suitable |
| 2) 20-40 | Suitable |
| 1) 10-20 | Just suitable |
| 0) <10* | Unsuitable |

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes

2/4

will require management

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- | | |
|---|---------------------|
| 5) Very large trees with some visibility, or prominent large trees | Highly suitable |
| 4) Large trees, or medium trees clearly visible to the public | Suitable |
| 3) Medium trees, or large trees with limited view only | Suitable |
| 2) Young, small, or medium/large trees visible only with difficulty | Barely suitable |
| 1) Trees not visible to the public, regardless of size | Probably unsuitable |

Score & Notes

4.

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- | | |
|--|-----------------------------------|
| 5) Principal components of formal arboricultural features, or veteran trees | <p>Score & Notes</p> <p>4</p> |
| 4) Tree groups, or principal members of groups important for their cohesion | |
| 3) Trees with identifiable historic, commemorative or habitat importance | |
| 2) Trees of particularly good form, especially if rare or unusual | |
| 1) Trees with none of the above additional redeeming features (inc. those of indifferent form) | |
| -1) Trees with poor form or which are generally unsuitable for their location | |

Part 2: Expediency assessment

Trees must have accrued 10 or more points to qualify

- | | |
|---|---|
| 5) Immediate threat to tree inc. s.211 Notice | <p>Score & Notes</p> <p>3. TLA BAPP</p> |
| 3) Foreseeable threat to tree | |
| 2) Perceived threat to tree | |
| 1) Precautionary only | |

Part 3: Decision guide

- | | |
|-------|-----------------------|
| Any 0 | Do not apply TPO |
| 1-6 | TPO indefensible |
| 7-11 | Does not merit TPO |
| 12-15 | TPO defensible |
| 16+ | Definitely merits TPO |

Add Scores for Total:

16

Decision:

TAU