

Report to Planning applications committee

Item

11 May 2017

Report of Head of planning services

Subject Application no 17/00360/F - Land east of play area Rose Valley, Norwich

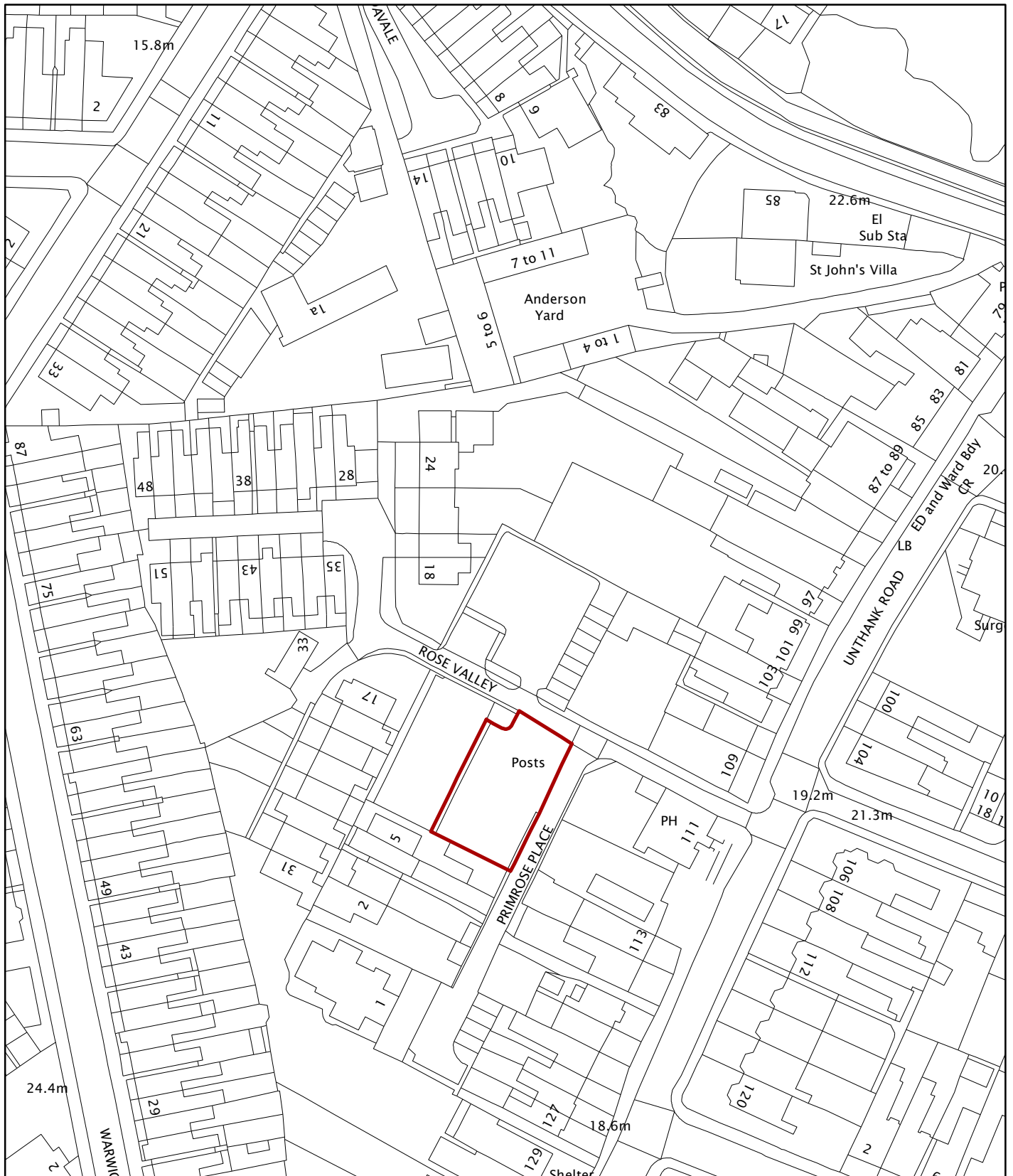
**Reason
for referral** Objections

4(g)

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

Development proposal		
Construction of 2 No. dwellings.		
Representations		
Object	Comment	Support
3	1	0

Main issues	Key considerations
1 Principle of development	Five year housing land supply, contribution towards housing stock, suitability of site for residential
2 Design	Impact on character of surrounding area, appearance, form and massing
3 Transport	Access, highway safety, parking, rights of access
4 Amenity	Overlooking/loss of privacy, overshadowing, overbearing
5 Flood risk and drainage	Impact on drainage, mitigation against flood risk
Expiry date	18 May 2017
Recommendation	Approve



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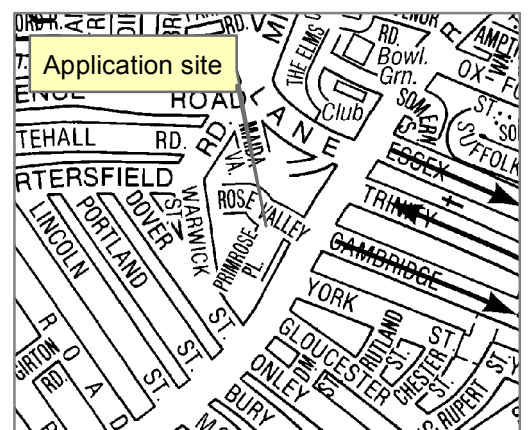
Planning Application No 17/00360/F
 Site Address Land East of play area
 Rose Valley

Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES



The site and surroundings

1. The site is located on the corner of Primrose Place and Rose Valley and currently serves as a private surface car park.
2. The surrounding area is characterised by a mixture of uses including commercial in the local retail centre on Unthank Road, residential of Primrose Place and Rose Valley and areas of both private and public car parking.

Constraints

3. Trees – A Red Oak is located just outside of the north-east corner of the site, which is protected by a Tree Preservation Order (TPO).
4. Flooding/drainage – The site is located within a Critical Drainage Area and is identified as being at risk of surface water flooding in both the 1 in 30 and 1 in 100 events under flood maps produced by both the Environment Agency and Norfolk County Council as Lead Local Flood Authority (LLFA).

Relevant planning history

5.

Ref	Proposal	Decision	Date
15/01410/F	Erection of three dwellings.	WITHDN	11/11/2015
15/01411/TPO	Red Oak T1: Fell	REF	08/10/2015
16/01293/F	Erection of three dwellings.	WITHDN	18/10/2016

The proposal

6. The proposal is for the construction of two 3-bed dwellings.
7. The current scheme follows two previous submissions for the erection of three dwellings at the site. The previous submission was withdrawn principally due to concerns raised relating to the potential impact of the development upon the Red Oak.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	2
No. of affordable	0

Proposal	Key facts
dwelling	
Total floorspace	214 sq.metres
No. of storeys	2
Max. dimensions	Maximum height of 6.3 metres (flat roofed), total width of 17 metres, maximum depth of ~11 metres
Appearance	
Materials	Red brick (including both perforated and projecting detail), aluminium windows and doors
Transport matters	
Vehicular access	Vehicle access taken from Primrose Place
No of car parking spaces	2
No of cycle parking spaces	4

Representations

8. Advertised on site. Adjacent and neighbouring properties have been notified in writing. Four letters of representation have been received, including three letters of objection and one letter of comment on behalf of the Rose Valley Residents' Association 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
Objections	
Over-dominant building	Main issue 2
Poor design/out of character with surrounding area	Main issue 2
Loss of light/overshadowing. Overshadowing to community garden	Main issue 4
Loss of privacy/overlooking	Main issue 4
Poor access	Main issue 3

Issues raised	Response
Impact on highway safety	Main issue 3
Primrose Place is in council ownership and is un-adopted. The road is narrow, has no pavement and is used by young children and wheelchair users. The plans for the development should have set out the need for an agreement with Norwich City Council on any required access, impact and use.	Main issue 3
Comment	
The residents wish to be assured that the local authority will satisfy itself that the protected Red Oak Tree will not suffer any adverse consequences either below or above ground, by reason of the construction works and subsequent occupancy of the new development, and that appropriate supervision will be in place during the course of the development works to ensure proper compliance. In the event of permission for the proposed development being approved, the residents expect that consent will include the usual provisions as to Best Practice in the construction work, including noise, times of work, light etc.	<p>The applicant has provided revised arboricultural information that adequately demonstrates that the proposed development will avoid any harm to the protected Red Oak Tree. The council's tree officer has reviewed this information and expressed their satisfaction with the detail.</p> <p>The applicant is expected to adopt measures to minimise disturbances to the surrounding area during the construction phase and an informative will be added to this effect.</p> <p>The applicant is also advised to sign up to the Considerate Constructors Scheme.</p>

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.

Environmental protection (provided verbally)

10. Whilst the application includes a risk assessment, this doesn't go far enough in setting out an assessment of risk to all risk receptors, including an options appraisal and remediation strategy. Planning permission to be conditioned accordingly.

Citywide services

11. No issues from a collection point of view.

Highways (local)

12. No objection on transport grounds in principle. The proposed use will have a lesser traffic impact than its previous use as a car park.

Norwich Society

13. We note that this application is now for 2 dwellings rather than 3 as in the original application and the design is good. However, the same issues remain, mainly the loss of the existing car parking facilities.

Tree protection officer

14. Happy with the updated arboricultural protections areas and recommendations.

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
 - 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
 - DM8 Planning effectively for open space and recreation
 - DM11 Protecting against environmental hazards
 - DM12 Ensuring well-planned housing development
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety
 - DM31 Car parking and servicing
 - DM32 Encouraging car free and low car housing

Other material considerations

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

18. Supplementary Planning Documents (SPD)

- Landscape and Trees SPD adopted June 2016

Case Assessment

19. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

20. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
21. Housing applications should be considered in the context of the presumption of sustainable development.
22. The NPPF states that where a 5 year land supply cannot be demonstrated, applications for housing should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date. The Norwich Policy Area does not currently have a 5 year land supply and therefore Local Plan policies for housing supply cannot be considered up-to-date. As a result the NPPF requires planning permission to be granted for sustainable development unless:
- (a) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or
- (b) Specific policies in the NPPF indicate development should be restricted.
23. The site is brownfield land and located in an established residential area adjacent to the Unthank Road local retail centre and within walking distance of the city centre. Future residents would benefit from excellent access to an abundance of local facilities and services as well as frequent bus routes serving the wider area. The location of the site is therefore considered to be sustainable and appropriate for residential development and the two proposed dwellings will contribute positively towards the city housing stock.

Main issue 2: Design

24. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
25. The proposal has been carefully designed to account for what is a highly constrained site, both in terms of available space and proximity to neighbouring residential properties and a protected tree. The design of the current scheme positively responds to pre-application advice and this is reflected in the footprint of the development which has been designed to avoid any significant harm to neighbouring amenity and the protected tree adjacent to the north-west corner of the site.
26. The proposed dwellings are semi-detached and reflect a contemporary design and appearance that echoes the scheme approved under 15/01546/F on the adjacent site to the rear of the Adnams retail unit. The houses would be constructed of a red brick (specification to be agreed) and this provides coherence with the predominant material used in the surrounding residential area. Elevational interest is added in the geometric form of the development and the incorporation of regular, perforated and projecting brick detailing.
27. The scale and massing of the development is appropriate in the context of the surrounding built environment and is not therefore considered to be over-dominant.
28. The contemporary design is considered to be acceptable and will enhance the appearance of the site.

Main issue 3: Transport

29. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
30. The site is highly accessible being as it is adjacent to the Unthank Road local retail centre, within walking distance of the city centre and close to regular bus services to the surrounding area. Two car parking spaces are to be provided on site and this satisfies the maximum *local plan* standard for a site in this location. Furthermore, four secure and covered cycle parking spaces are to be provided which will encourage sustainable travel to and from the site.
31. In terms of the highway impacts of the scheme, the proposal will generate far less traffic than the existing car park use of the site. Whilst it's recognised that the access from Unthank Road is poor, given that the proposal will not increase traffic flows into the site, this is not considered to be a significant issue. For the same reason the proposal will not result in any additional harm to highway safety.
32. The existing car park is private and the proposal will not therefore impact upon the parking spaces that are rightfully available to neighbouring residents. Should additional car parking be desired then there are garages in the surrounding area that are available to rent. Primrose Place and Rose Valley are already subject to parking restrictions that are adequate for ensuring that roads will not become obstructed and that fly parking does not occur. Visitors could take advantage of limited waiting bays on Unthank Road or surrounding streets.
33. The applicant has confirmed that the application site benefits from rights to "at all times with or without vehicles to pass and repass over along and upon" the road at Primrose Place.

Main issue 4: Amenity

Impact on neighbouring amenity:

34. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
35. In terms of the impact upon neighbouring properties, the amenity impacts of the proposal are considered to be acceptable. The nearest distance between facing windows relating to habitable rooms on the proposed development in relation to existing neighbouring properties is 20 metres and this falls only marginally below the BRE recommended separating distance of 21 metres for ensuring adequate privacy between properties. It is not therefore considered that the proposal will result in any significant overlooking to neighbouring properties.
36. Such is the orientation of the site, scale and massing of the development and distance between neighbouring properties, that overshadowing will occur on the area of open space to the north of the site only. This land is designated as protected open space and is used as a community garden by Rose Valley residents. The proposal will not result in the loss of any of the open space but will result in some overshadowing during morning and early afternoon hours. Whilst this will reduce the quality of this space to some extent, the space is public land and does not serve as the sole external amenity space available for neighbouring residents, many of which will also benefit from private gardens. The overshadowing to the open space is not therefore considered significantly detrimental to the amenities of neighbouring residents.
37. The application site sits beyond the principal elevation of the neighbouring property to the south-west, number 5 Primrose Place. This property has its main garden space at the front running parallel to the application site and there is therefore some potential for impact from the proposed development.
38. The application site is separated from Number 5 Primrose Place by a ~1.7 metre high boundary fence. A canopy structure has been constructed in the neighbouring garden running along part of the boundary with the application site which reaches ~2.1 metres in height at the eaves before pitching away from the boundary to a height of 2.5 metres. The presence of this structure mitigates for some of the impact of overbearing but it is accepted that some impact would still be felt in the area of front garden immediately in front of the neighbouring property. However, unit 1 has been stepped in from the boundary with 5 Primrose Place by 2.5 metres and it is considered that whilst the proposal will result in some degree of overbearing, the impact will not be significantly detrimental to the residential amenities of the neighbouring property.

Amenity of future occupiers:

39. Occupiers of both dwellings would be provided with ample internal living space compliant with space standards set by national government and applied by the Council. Satisfactory external amenity space is also provided which accommodates adequate servicing and cycle parking facilities.
40. The site is also located adjacent to the Unthank Road local retail centre would provide various services and facilities available to prospective residents.

Main issue 5: Flood risk and drainage

41. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
42. The site is located within both a Critical Drainage Area and also an area of land identified at being at risk from surface water flooding within both the 1 in 100 and 1 in 1000 storm events or ‘medium’ to ‘low’ risk respectively.
43. Given the limited available space on site it has not been possible to position the dwellings away from the areas most at risk, but the application includes a Flood Risk Assessment and Drainage Strategy demonstrating how the drainage and flooding issues will be dealt with.
44. At present the site is entirely hard surfaced in a non-permeable material and therefore contributes negatively to the drainage in the surrounding area. The proposal sets out a sustainable approach to drainage which will be improved by maximising the use of permeable surfacing, soft landscaping and the incorporation of a sedum ‘green’ roof to two areas of flat roof. It is also proposed to install water butts which will improve this situation further in addition to a below ground storage tank, which will control and attenuate the discharge of surface water to the public sewer. These measures will result in a reduction to the overall impermeable surface area from 100% to 56%. The drainage credentials of the scheme are therefore positive and in accordance with policy DM5 of the *local plan*.
45. The Flood Risk Assessment identifies the risk from surface water flooding and recommends that the dwellings include flood resilient construction up to a level of 18 metres AOD with a minimum ground floor level of 17.3 metres AOD, which is stated as being adequate for protecting the development from flooding. Bedrooms are provided at first floor level as an additional precaution Planning permission will be conditioned to ensure that the recommendations set out in the flood assessment are secured.

Compliance with other relevant development plan policies

46. 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
Refuse Storage/servicing	DM31	Yes subject to condition
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition

Requirement	Relevant policy	Compliance
Sustainable urban drainage and flooding	DM3/5	Yes subject to condition
Trees	DM7	Yes subject to condition Need method statement to reflect recommendations set out in approved AIA
Landscape and biodiversity	DM6	Yes subject to condition. The landscaping scheme shall maximise the use of permeable surfacing at the site and introduce appropriate planting. The scheme shall also include details of the sedum roofs.
Contamination	DM11	Yes subject to condition

Equalities and diversity issues

47. There are no significant equality or diversity issues.

Local finance considerations

48. 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.
49. 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.
50. In this case local finance considerations are not considered to be material to the case.

Conclusion

51. The proposal will make use of a brownfield site to create two residential dwellings in a highly accessible and sustainable city location. 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.

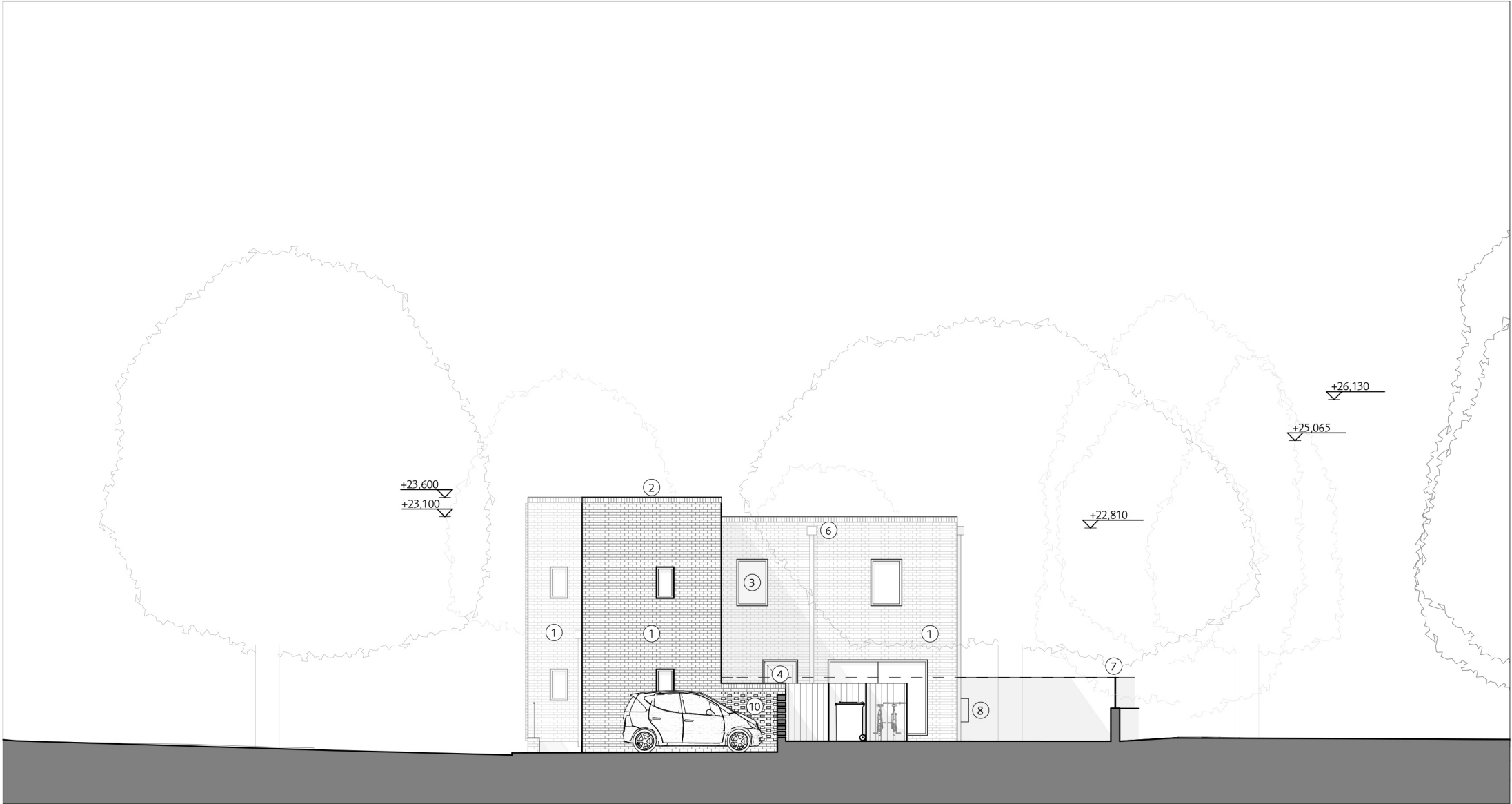
Recommendation

To approve application no. 17/00360/F - Land east of play area Rose Valley Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of external materials to be used in the construction of the development;
4. Landscape scheme to include soft landscape details, permeable hard surfacing , green roof, servicing and cycle parking details;
5. Detailed arboricultural method statement in accordance with the recommendations set out in the approved AIA;
6. Contamination – Risk Assessment;
7. Contamination – Any unknown contamination to be dealt with accordingly;
8. Imported material to be certified or adequate for use;
9. Development to be carried out in accordance with the recommendations set out under section 9 of the Flood Risk Assessment and Drainage Strategy;
10. Water efficiency;
11. Removal of P.D rights for enlargements and extensions.

Article 35(2) Statement

The local planning authority in making its recommendation 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.



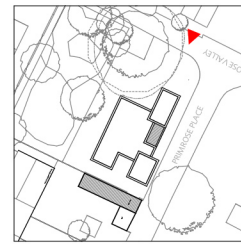
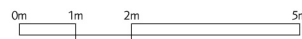
Primrose Place

The Site

Community Garden

KEY

- 1 Red brick, stretcher bond
- 2 Red brick on edge capping
- 3 Double glazed, aluminium powder coated windows
- 4 Double glazed, aluminium powder coated sliding doors
- 5 Solid aluminium powder coated doors with glazed sidelight
- 6 Powder coated steel rainwater goods
- 7 New 1.8m high close boarded timber fencing
- 8 Air Source Heat Pump
- 9 Red brick, flemish bond with projecting brick headers
- 10 Red brick, flemish bond perforated



PLANNING			HUDSONArchitects			job PRIMROSE PLACE		
status			NORWICH			address NR2 2PU		
revisions			37 St Andrews Street NR2 4TP			title AS PROPOSED		
P1	27/02/17	Issued for planning	tel: 01603 766220			scale 1:100@A3		date JAN 2017
			HOLT			ADR P-200 P1		
			Unit 1 High Silver 35 High Street NR25 6BN			job reference drawing number revision		
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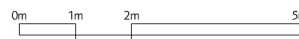
2-5 Primrose Place

The Site

Rose Valley

KEY

- 1 Red brick, stretcher bond
- 2 Red brick on edge capping
- 3 Double glazed, aluminium powder coated windows
- 4 Double glazed, aluminium powder coated sliding doors
- 5 Solid aluminium powder coated doors with glazed sidelight
- 6 Powder coated steel rainwater goods
- 7 New 1.8m high close boarded timber fencing
- 8 Air Source Heat Pump
- 9 Red brick, flemish bond with projecting brick headers
- 10 Red brick, flemish bond perforated
- 11 Metal gate / railings



status		PLANNING
revisions		
P1	27/02/17	Issued for planning
P2	07/04/17	Two additional windows added, window size increased.

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job	PRIMROSE PLACE	
address	NORWICH NR2 2PU	
	AS PROPOSED	
title	EAST ELEVATION	
scale	1:100@A3	date JAN 2017
ADR	P-210	P2
job reference	drawing number	revision
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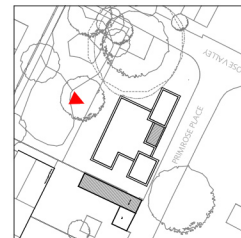
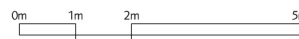
Rose Valley

The Site

2-5 Primrose Place

KEY

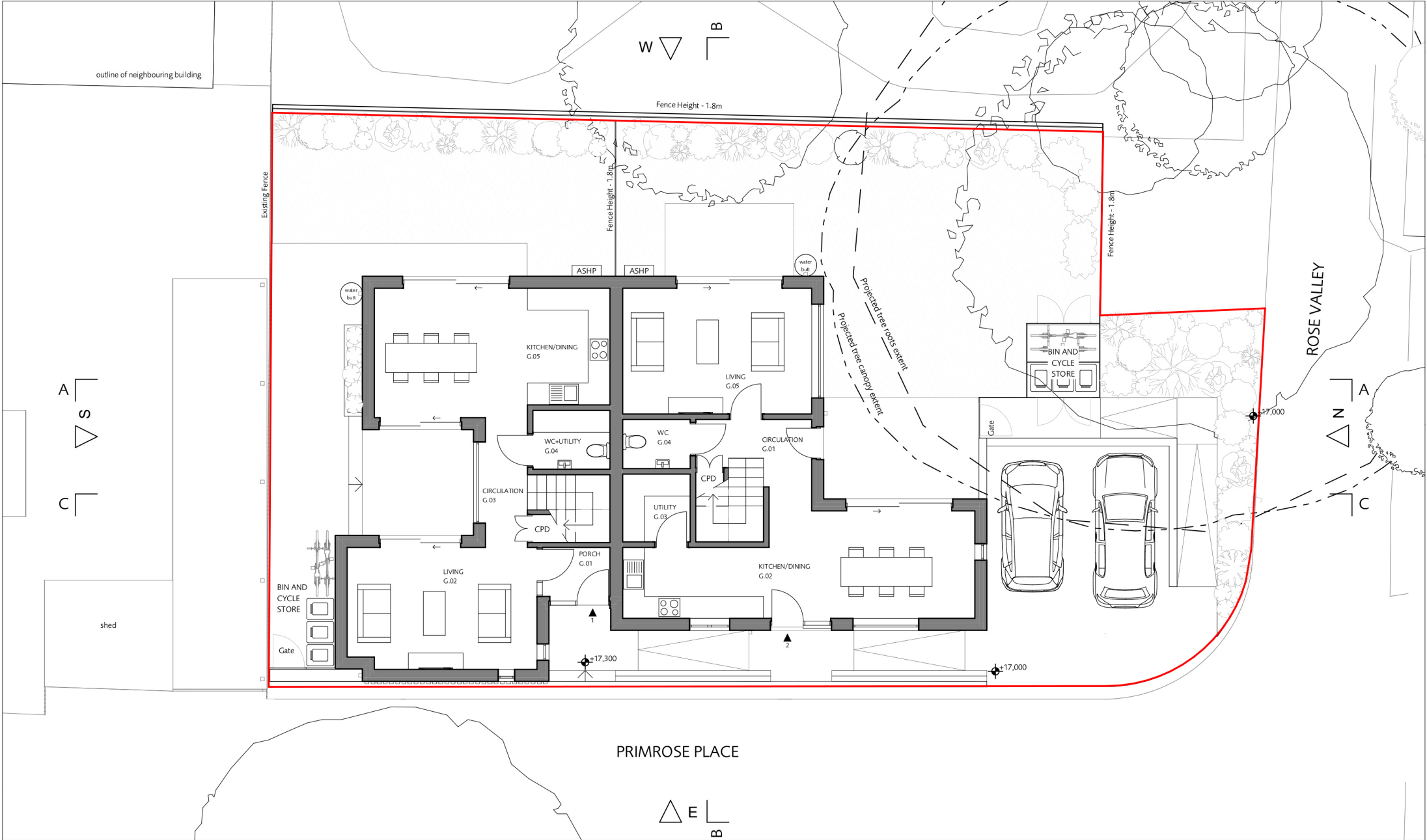
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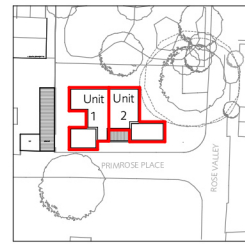
PLANNING		
status		
revisions		
P1	27/02/17	Issued for planning

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job	PRIMROSE PLACE	
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	AS PROPOSED	
title	WEST ELEVATION	
scale	1:100@A3	date JAN 2017
ADR	P-230	P1
job reference	drawing number	revision
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House 1			House 2		
G.01	PORCH	2.7	G.01	CIRCULATION	11.6
G.02	LIVING	17.8	G.02	KITCHEN/DINING	25.2
G.03	CIRCULATION	9.3	G.03	UTILITY	3.4
G.04	WC+UTILITY	3.4	G.04	WC	2.5
G.05	KITCHEN/DINING	21.7	G.05	LIVING	18.8
F.01	CIRCULATION	10.2	F.01	CIRCULATION	5.4
F.02	BATHROOM	3.5	F.02	BATHROOM	6.3
F.03	BEDROOM 3	8.2	F.03	BEDROOM 3	10.4
F.04	BEDROOM 2	11.7	F.04	BEDROOM 2	7.1
F.05	BEDROOM 1	14.9	F.05	BEDROOM 1	13.5
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107.0m ²			107.0m ²		

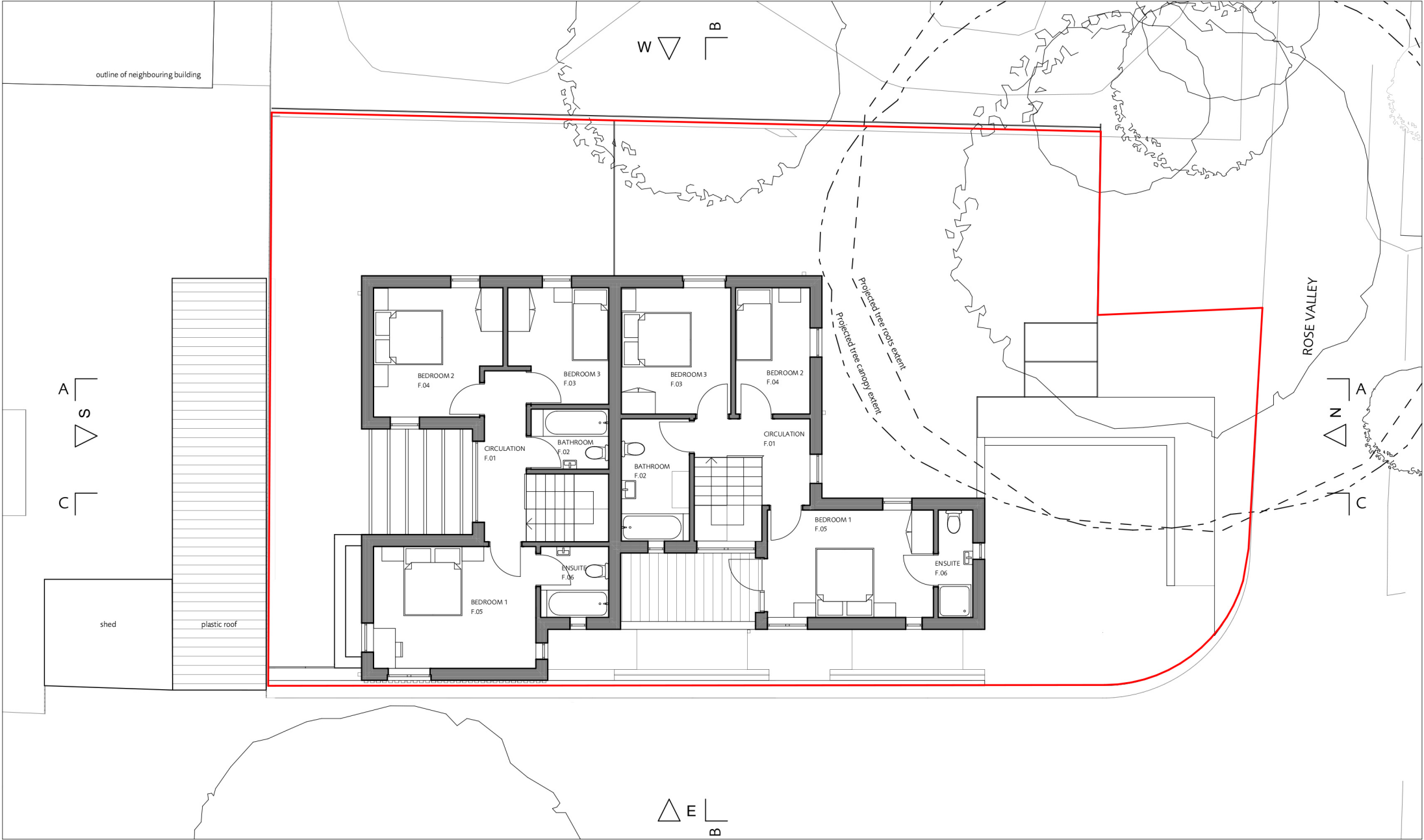


status		PLANNING
revisions		
P1	27/02/17	Issued for planning Additional window added, window size increased, increased planting and water butts indicated.
P2	07/04/17	

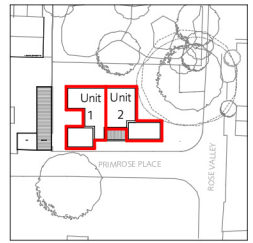
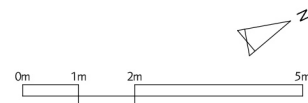
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job	PRIMROSE PLACE
address	NORWICH NR2 2PU
title	AS PROPOSED GROUND FLOOR
scale	1:100@A3
date	JAN 2017
ADR	P-100 P2
job reference	drawing number
revision	revision

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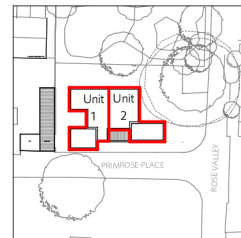
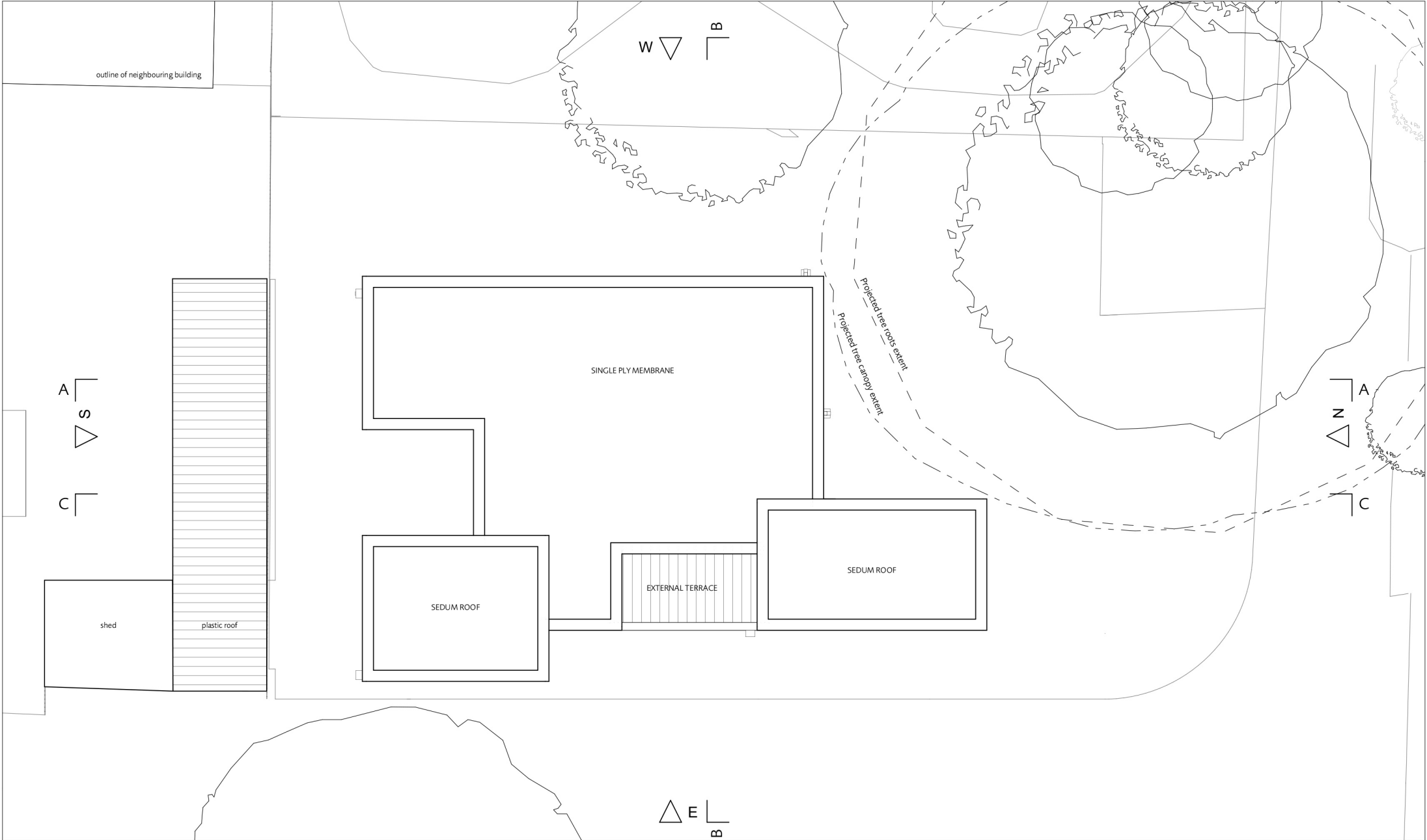
House 1			House 2		
G.01	PORCH	2.7	G.01	CIRCULATION	11.6
G.02	LIVING	17.8	G.02	KITCHEN/DINING	25.2
G.03	CIRCULATION	9.3	G.03	UTILITY	3.4
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G.05	KITCHEN/DINING	21.7	G.05	LIVING	18.8
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F.06	ENSUITE	3.6	F.06	ENSUITE	2.8
		107.0m ²			107.0m ²



PLANNING		
status	P1 27/02/17 Issued for planning	
revisions	P2 07/04/17 Additional window added.	

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job	PRIMROSE PLACE	
address	NORWICH NR2 2PU	
title	AS PROPOSED	
scale	1:100@A3	date JAN 2017
ADR	P-110 P2	
job reference	drawing number	revision
Do not scale off dimension. Check all dimensions on site and report any apparent discrepancy to Architect immediately. This drawing is copyright.		



status		PLANNING
revisions		
P1	27/02/17	Issued for planning
P2	07/04/17	Revised build-up of two areas of roof to be sedum roofs.

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job	PRIMROSE PLACE	
address	NORWICH NR2 2PU	
	AS PROPOSED	
title	ROOF	
scale	1:100@A3	date JAN 2017
ADR P-120 P2		
job reference	drawing number	revision
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