

Report to Planning applications committee

Item

12 September 2019

Report of Head of planning services

Subject Application no 19/00427/F - Garages Between 80 - 92
Lincoln Street, Norwich

4(b)

Reason for referral Objection / Called in by an elected member

Ward:	Nelson
Case officer	Charlotte Hounsell - charlottehounsell@norwich.gov.uk

Development proposal		
Demolition of existing garages and construction of 4 no. 5 bedroom dwellings (Class C4).		
Representations		
Object	Comment	Support
3	2	0

Main issues	Key considerations
1	Principle of development
2	Design
3	Amenity
4	Transport
5	Landscape
Expiry date	13 May 2019
Recommendation	Approve

The site and surroundings

1. The subject site is located on the West side of Lincoln Street, West of the City Centre. The site currently comprises 17 garages with a forecourt/area of hardstanding. The site appeared to be disused at the time of the officer's site visit and fencing had been erected at the front. To the front of the site is a verge area, with a planting bed behind a retaining wall. This area includes a number of small trees. The site is bordered by two existing properties. The dwelling to the South has a blank elevation to the site whilst the property to the North has a side elevation window at first floor. To the rear of the site is an access alley which runs between the backs of properties along Lincoln Street and College Road. Most properties have a gated access onto this alley. Lincoln Street slopes away towards Jessopp Road and Unthank Road. The surrounding area is principally residential in nature.

Constraints

2. The site is located within a critical drainage area

Relevant planning history

- 3.

Ref	Proposal	Decision	Date
18/00167/O	Outline permission for demolition of existing garages and erection of 4 No. dwellings.	APPR	16/04/2018

The proposal

4. The originally submitted proposal was for the construction of 4 No. 3 bedroom dwellings.
5. The proposal has been amended to the demolition of the existing garages and the construction of 4 No. 5 bedroom dwellings with associated garden spaces.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	4
Total floorspace	376m2
No. of storeys	2 storey
Max. dimensions	Approx. 18m x 17.5m, 5.8m at eaves and 8.8m maximum height.
Appearance	
Materials	Red brick, concrete pantiles, aluminium windows Details of materials to be secured by condition
Energy and resource efficiency measures	Each property to include installation of Air Source Heat Pump
Transport matters	
Vehicular access	Existing vehicular access to be stopped up to allow for construction of dwellings
No of car parking spaces	Car free housing.
No of cycle parking spaces	Cycle store within rear gardens
Servicing arrangements	Bin storage within front garden

Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Five letters of representation have been received, including comments from an elected member, 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
Original consultation	
Supportive of redevelopment	See Main Issue 1
The design should be brought more in line with other properties in the street in terms of brick, roof tile and window choice	See Main Issue 2
Concerns over damp issues and construction of dwellings adjacent to existing properties	See Other Matters
Re-consultation	
More family housing is needed not transient student housing	See Main Issue 1
Number of bedrooms and residents would be over intense use and overdevelopment out of character with the other terraced dwellings in the street	See Main Issue 2
Not enough living space provided. There could be up to 40 residents living in cramped conditions	See Main Issue 3
20 possible occupants on one small site directly adjacent to neighbouring residential dwellings has the potential for creating noise and disturbance to neighbours	See Main Issue 3
Loss of light and privacy to neighbouring dwellings	See Main Issue 3
Design and Access statement refers to on-street parking but the dwellings should be car free	See Main Issue 4
No parking permit entitlement will put additional pressure on surrounding streets	See Main Issue 4
Inappropriate waste storage for number of proposed occupants	See Main Issue 4
More landscaping and biodiversity enhancements should be included	See Main Issue 5 and Other Matters
Increased risk of surface water flooding	See Other Matters

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.

Original Consultation

Environmental protection

8. The site proposed for development is an area of former garages with what appears to be potentially asbestos containing roof materials which could have caused the site to become contaminated. The proposed end use is for a vulnerable receptor although this has not been indicated on the planning application. Therefore there is considered to be a potential risk to the health of the receptor to be introduced to the site and as such I would recommend several conditions and informatives. No development shall take place within the site in pursuance of this permission until the components of a scheme to deal with the risks associated with contamination of the site have each been submitted to and approved, in writing, by the local planning authority as necessary.

Highways (local)

9. No objection to development on highway grounds subject to consideration of following matters: construction traffic may be problematic so construction management plan to be submitted, streetworks permit will be required for works to the highway, dropped kerb should be removed and footway reconstructed, double yellow lines removed, bin stores to hide unsightly bins.

Tree protection officer

10. The sycamores located at the front of this site are poor quality, self-set specimens. They should not be considered a constraint on the proposed development. I have no objections.

Citywide Services

11. No comments received

Ecology officer

12. No comments received.

Re-consultation

Environmental Protection

13. The revised plans do not provide any additional information with relation to the potential presence of contamination. Therefore my previous comments remain valid.

Highways (local)

14. No objection on highway grounds. The proposed provision of bike and bin storage appears satisfactory. Footway reconstruction to full kerb height required along the

frontage of the site. Informatives: 1) Construction management plan required; may require traffic management and use of highway for storage of materials or hoardings/footway diversion - will require early involvement of our Streetworks team. 2) These properties will not be entitled to on-street parking permits

Tree protection officer

15. No comments received.

Citywide Services

16. With reference to the above revised application I can see no issues with regards to the refuse and recycling provision. Residents would still need to present bins on collection day at the edge of the property boundary from the bin stores.

Ecology officer

17. The report is brief and does not meet the standards set out under the BS for such reports. However the report's author is sufficiently qualified and concludes that the development would have; "no likely potential to impact any valued ecological receptors." Given the level of vegetation and type of building on the site this is considered acceptable in this instance. The proposal includes the removal of self-set sycamore trees, which although are not considered to be of good quality still provide some ecological benefit. However mitigation/enhancements can easily be achieved at this site as part of the proposed development. I would suggest the following conditions and informatives are added; B14 Small mammal access, B16 Mitigation Details (or requested within a Landscape Condition) (at least 2 bat and 2 bird boxes), IN9 Site Clearance and Wildlife.

Assessment of planning considerations

Relevant development plan policies

18. 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

19. 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
- 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

Other material considerations

20. Relevant sections of the National Planning Policy Framework 2019 (NPPF):

- NPPF1 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making effective use of land
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment

Case Assessment

21. 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 council's standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

22. Key policies and NPPF paragraphs – DM12, NPPF 5 and 11.
23. The site currently comprises garages which appeared to be disused at the time of the officers site visit. There is currently no policy which seeks to protect the existing garage use and therefore the loss of this use is acceptable.
24. The principle of residential development is subject to assessment against a number of criteria within policy DM12. In this case the site is not covered by any of the exceptions in the first part of the policy and with regard to criteria a) of the policy, the proposal would not prejudice wider regeneration proposals on the site.
25. Policy DM12 criterion b) requires that the proposal has no detrimental impacts on the character and amenity of the surrounding area. In addition, Policy DM3 requires that new development respects, enhances and responds to the character and local distinctiveness of the area and has regard to the character of the surrounding neighbourhood and the elements contributing to its overall sense of place. In addition criterion e) of DM12 requires a density in keeping with the existing character and function of the area. Both policies are consistent with paragraph 70 of the NPPF as outlined above.

26. The character of the area is defined by residential terraces with private rear garden spaces. The sections below outline further assessment in relation to intensity of use, design and amenity. Therefore, the principle of residential development is acceptable on this site, subject to further detailed design and amenity assessment. Members should also note that the principle of providing four new dwellings on this site has previously been accepted under application 18/00167/O.
27. Officers also note that Section 5 of the NPPF places emphasis on the critical importance of planning effectively for housing delivery and (in particular) boosting the housing supply. As outlined in Policy DM12, windfall sites are expected to come forward to aid in delivering the Council's five year housing land supply. The proposal will assist housing delivery albeit modestly given the proposal is for four dwellings.

Main issue 2: Design

28. Key policies and NPPF paragraphs – JCS2, DM3, NPPF 8 and 12.
29. At present, the garages are disused and are unsightly. The site represents an interruption in the terraced streetscene with the garages arranged perpendicular to the surrounding properties.
30. The proposal would bring the site back into use. In addition, the proposed dwellings would be of two storey height and of a form in keeping with the character of the surrounding dwellings. It is acknowledged that the properties are of a differing design to the surrounding terraces. However, the dwellings would continue the building line along Lincoln Street, include small front garden areas and utilise similar fenestration patterns to the existing terraces. This is considered to result in four properties of a more contemporary design but which have had consideration for their context. Details of all materials should be secured by condition to ensure a high quality appearance of the properties.
31. During the course of the application, the proposal was amended from 4 x 3 bedroom properties to 4 x 5 bedroom properties. Concerns were raised that this would result in an over-intense use of the site that would be out of keeping with the character of the surrounding area.
32. It is acknowledged that the provision of 4 x 5 bedroom properties is a use likely of a greater intensity than a 3 bedroom dwelling. However, were permission granted for 3 bedroom dwellings, these could be changed into 5 bedroom properties without requiring planning permission. In addition, any of the properties along Lincoln Street could also become 4 or 5 bedroom dwellings without requiring permission. Concerns were also raised that these properties would be utilised as transient student accommodation as opposed to family dwellings. The applicant has not specified the end-users of the properties and the granting of planning permission could provide accommodation to other groups, such as young professionals, as well as students.

Main issue 3: Amenity

33. Key policies and NPPF paragraphs – DM2, DM11, DM13 NPPF 8 and 12.
34. The proposed dwellings would provide slightly less floorspace than is required for a property of this size according to national space standards. However, each of the

bedrooms is appropriately sized and communal kitchen, living and garden spaces are all provided. Therefore future occupiers would benefit from an appropriate standard of amenity overall. A condition is recommended to ensure that the communal spaces are retained for use by all of the residents.

35. Concerns were raised that the proposed number of occupants would result in noise and disturbance to surrounding properties. Letters of representation made reference to up to 40 residents utilising the proposed dwellings. It is acknowledged that 4 x 5 bedroom dwellings would represent an increase in the intensity of the use of the site compared with the existing garage use. A property cannot be occupied by more than six unrelated residents without requiring planning permission for a change of use to a large HMO. Officers have therefore considered that any other property along Lincoln Street (or in the surrounding area) could also be occupied by up to six residents without the need for consent. Therefore in the absence of a policy or restriction on small HMO's officers consider that a refusal on these grounds would be difficult to justify. The activities at the application site would be of a residential nature and would therefore be in keeping with the character of the surrounding residential development. The proposed dwellings are not considered to give rise to amenity impacts that would differ significantly from the surrounding properties, in particular those surrounding properties that are already small HMOs or could become small HMOs without consent. The Council would consider the impacts of a large HMO should a planning application be submitted for this use in the future.

Main issue 4: Transport

36. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF 12.
37. A number of concerns have been raised regarding the parking provision for the new dwellings.
38. The transportation officer did not raise any objection to the proposal. In accordance with Appendix 3 of the Local Plan, new dwellings located within existing controlled parking zones are not entitled to on street parking permits. Therefore the proposed dwellings will be car free. Given that the site is located close to the city centre, and in good proximity to bus and cycle routes, the provision of car free housing is considered acceptable.
39. Concerns that the non-provision of parking spaces within this development would result in pressure to non-permit roads in the area are noted, however the control over unrestricted on street parking areas is outside the remit of this application.
40. The site can provide for appropriate bin and cycle storage, the details of which should be secured by condition.

Main issue 5: Trees and Landscaping

41. Key policies and NPPF paragraphs – DM3, DM7, DM8, NPPF 15.
42. The existing site has little landscape value with only two small unkempt raised beds to the front of the site. One of these raised beds does include two small self-seeded trees. The tree officer does not consider these to be good specimens and does not object to their removal, however it is acknowledged that the trees to contribute positively to the street scene.

43. The proposal is considered to provide opportunity to improve the landscape value of the site. Whilst the existing garages and hard standing would be replaced with new dwellings, this would include provision of garden spaces as well as small planting areas to the front of each property. A full landscape scheme would need to be provided, to be secured by condition, which would ensure the provision of appropriate and good quality planting which would mitigate for the loss of the two trees.

Other matters

44. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
45. The site is located within a critical drainage area. In accordance with policy DM5, proposals within critical drainage areas are required to ensure that they do not increase the surface water flood risk of the site or the surrounding area. In this instance, the proposal would result in some improvement to the drainage of the site through the provision of garden space. However, it is considered necessary to include a condition requiring the details of sustainable drainage systems to be provided prior to commencement of development.
46. The Ecology Officer is content with the information submitted as part of this application and raises no objection subject to securing biodiversity enhancement measures by condition.
47. Some concern was raised that the construction of new dwellings immediately adjacent to the external walls of existing dwellings could result in damp problems. Technical details of the construction will be covered by Building Regulations and therefore this matter has not been considered further.

Equalities and diversity issues

48. There are no significant equality or diversity issues.

Local finance considerations

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

Conclusion

52. 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. 19/00427/F - Garages Between 80 - 92 Lincoln Street Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials;
4. SUDS;
5. Landscaping scheme to include small mammal access fencing and biodiversity enhancements;
6. Details of Air Source Heat Pump prior to installation;
7. Details of bin and bike stores;
8. Construction management plan to be submitted;
9. Contamination report;
10. Contamination verification/monitoring;
11. Obscure glazing of first floor en-suite windows;
12. Rooms to be laid out as shown;
13. Removal of PD rights;
14. Water efficiency.

Informatives

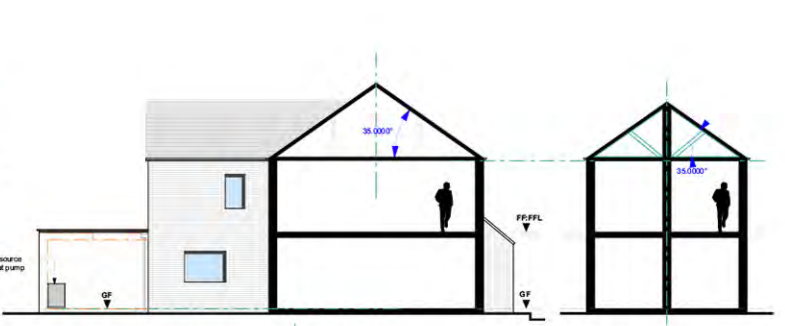
1. Asbestos;
2. The applicant is reminded that, in accordance with local plan policy, new dwellings in existing controlled parking zones are not entitled to parking permits and therefore the dwellings hereby permitted will be car free houses;
3. Any works to the highway will require a streetworks permit;
4. Street naming;
5. Bin purchases;
6. Site clearance and wildlife.



STREET ELEVATION
Scale: 1/100



REAR ELEVATION
Scale: 1/100

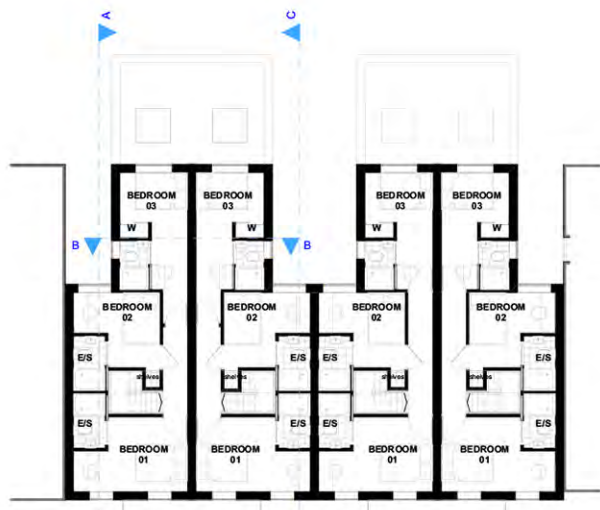


SECTION AA
Scale: 1/100

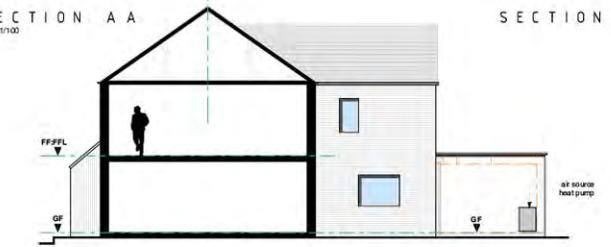
SECTION BB



GROUND FLOOR PLAN
Scale: 1/100



FIRST FLOOR PLAN
Scale: 1/100



SECTION CC

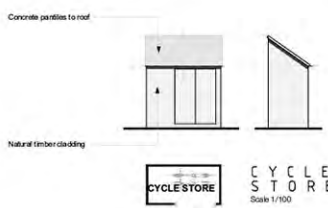


LOCATION PLAN
Scale: 1/1250
Mapping courtesy of Crown copyright and database rights 2018
Ordnance Survey 100035207



SITE PLAN
Scale: 1:500
Mapping courtesy of Crown copyright and database rights 2018
Ordnance Survey 100035207

ROOF PLAN
Scale: 1/100



All dimensions are to be checked on site and the Architect to be notified of any discrepancy. Where dimensions are to be followed in particular to scaled dimensions, this drawing is copyright and may not be reproduced without the written consent of SMG.
 Amendment: Amendments as per planning officer's comments
 Date: 30/09/2019
 Rev: D
 Amendment: Amendments further to client meeting
 Date: 11/05/2019
 Rev: C
 Amendment: Design adjustments - further to discussions with client and planning department
 Date: 11/05/2019
 Rev: B
 Amendment: Amendments as per Planning Officer's comments
 Date: 10/05/2019
 Rev: A

Client: 4 no. New Dwelling proposed at Lincoln Road, Norwich, Norfolk, NR2 3LB

Client: Mr. FARRANT

Drawn: 18.4311.261
 Date: 07/02/19
 Scale: as mentioned on drawings at A1

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 Drawn: No: PL 0001
 Rev: D