



## **Planning applications committee**

**Date:** Thursday, 08 September 2016

**Time:** 09:30

**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

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## 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 11 August 2016.

- 4 Extraordinary meeting of the planning applications committee - 22 September 2016 at 12noon**  
  
To agree to hold an extraordinary meeting of the planning applications committee on Thursday, 22 September 2016 at 12 noon in the council chamber to consider Application no 15/01928/F - St Peters Methodist Church, Park Lane, Norwich, following a site visit at 10:30 to the application site.

- 5 Planning applications (including tree preservation orders)**  
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 5 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:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- 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.

<b>Summary of planning applications for consideration</b>	<b>13 - 16</b>
<b>Standing duties</b>	<b>17 - 18</b>
<b>5(A) Application no 1600790F - 30 All Saints Green, Norwich, NR1 3NA</b>	<b>19 - 50</b>
<b>5(B) Application no 1600699F - 36 - 42 Duke Street, Norwich, NR3 3AR</b>	<b>51 - 72</b>
<b>5(C) Application no 1600536F - 5 - 9 Haymarket, Norwich, NR2 1QD</b>	<b>73 - 86</b>
<b>5(D) Application nos 1600782F and 1600783L - Sainsbury Centre for Visual Arts, University of East Anglia, Earlham Road, Norwich.</b>	<b>87 - 108</b>
<b>5(E) Application 16/01118/F Garages opposite 2 Oxford Street, Norwich</b>	<b>109 - 122</b>
<b>5(F) Application no 1600928U - 145 &amp; 147 Earlham Road, Norwich, NR2 3RG</b>	<b>123 - 136</b>
<b>5(G) Application no 1600835F - 120 - 130 Northumberland Street, Norwich, NR2 4EH</b>	<b>137 - 158</b>
<b>5(H) Application no 1600808F – 1 Branksome Close, Norwich NR4 6SP</b>	<b>159 - 170</b>
<b>5(I) Application no 1600788F - 21 Hellesdon Road, Norwich, NR6 5BE</b>	<b>171 - 184</b>
<b>5(J) Application no 1601033F - 23 Orchard Close Norwich, NR7 9NY</b>	<b>185 - 196</b>

<b>5(K)</b>	<b>Application no 1600765F - 31 St Clements Hill, Norwich, NR3 4DE</b>	<b>197 - 208</b>
<b>5(L)</b>	<b>Application no 1600290F - Eaton Hand Car Wash, Ipswich Road, Norwich, NR4 6QS</b>	<b>209 - 218</b>
<b>5(M)</b>	<b>Application no 1600425F - 2 Fairmile Close, Norwich NR2 2NG</b>	<b>219 - 228</b>
<b>5(N)</b>	<b>Application no 1501540F - Land to the South of Merchants Court, St Georges Street, Norwich</b>	<b>229 - 240</b>
<b>5(O)</b>	<b>Application no 16/00924/F - 3 Ampthill Street, Norwich, NR2 2RG</b>	<b>241 - 250</b>
<b>5(P)</b>	<b>Tree Preservation Order [TPO], 2016. City of Norwich Number 505; 3 Ampthill Street, Norwich, NR2 2RG</b>	<b>251 - 262</b>
<b>5(Q)</b>	<b>Tree Preservation Order [TPO], 2016. City of Norwich Number 506; 166a St Clements Hill, Norwich, NR3 4DG</b>	<b>263 - 274</b>

Date of publication: **Wednesday, 31 August 2016**

**Planning applications committee****10:30 to 12:35****11 August 2016**

Present: Councillors Herries (chair), Driver, Bogelein (substitute for Henderson) Bradford, Button, Carlo, Jackson, Lubbock, Maxwell (substitute for Malik), and Peek

Apologies: Councillors Henderson, Malik, Sands (M) and Woollard

**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 14 July 2016.

**3. Application no 16/00479/F – 134 Unthank Road, Norwich**

(The chair took this item first as members had undertaken a site visit prior to the meeting.)

The planning team leader (inner) (development) 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 of a condition that no development would take place until removal of an adjacent silver birch tree had been agreed upon. Members noted that condition six and seven required details of landscaping and parking and that further detail would be sought around this. However, on residential streets, it was unusual to insist that cars had to exit parking spaces in forward gear.

Councillor Jackson was concerned about the amenity impact on neighbouring properties and that the height of the building was higher than neighbouring terrace properties and thought this would be inappropriate.

Councillor Jackson moved and Councillor Carlo seconded that the application be refused and with 2 members voting in favour (Councillors Carlo and Jackson) 7 members voting against (Councillors Herries, Driver, Button, Lubbock, Maxwell, Peek and Bradford) and 1 member abstaining (Councillor Bogelein) the motion was lost.

**RESOLVED**, with 7 members voting in favour (Councillors Herries, Driver, Button, Lubbock, Maxwell, Peek and Bradford), 2 members voting against (Councillors Carlo and Jackson) and 1 member abstaining (Councillor Bogelein) to approve application no. 16/00479/F – F134 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, cycling 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 be obscure glazed and restricted opening

Informatives:

1. Property will not be eligible for parking permits

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 15/01928/F – St Peters Methodist Church, Norwich, NR2 3EQ**

(The supplementary report of updates to the report was circulated at the meeting and summarised further representations and the officer response.)

The chair said that due to the complicated nature of the layout of this site and window placement, members may want to undertake a site visit prior to determining the application.

In response to a question from Councillor Jackson, the senior planner (development) confirmed that any additional information relevant to the application would be included in the report to a future committee if the application was deferred.

Councillor Button moved and Councillor Lubbock seconded the motion that members undertake a site visit prior to determining the application.

**RESOLVED**, unanimously, to defer consideration of application no 15/01928/F –St Peters Methodist Church, Norwich, NR2 3EQ, to enable members of the committee to undertake a site visit prior to the application being determined.

**5. Application no 16/00712/VC – 35 Vulcan Road South, Norwich, NR6 6AG**

The senior planner (development) presented the report with the aid of plans and slides. He said that a noise impact assessment had been submitted with a previous application (15/01568/VC) which showed that with the MOT bay doors being open for a period of 6 minutes, the resultant noise levels registered at 8 decibels below background level which was deemed acceptable. The current proposal wanted the option of keeping one MOT door open for a period of twenty minutes in any one hour period for purposes of brake testing. An addendum to the previous noise impact assessment had been submitted which showed that keeping the doors open for a period of twenty minutes resulted in a noise rating level increase of only 1dBa, which was still considerably lower than background noise levels measured at two sensitive noise receptor locations on the boundary with Brabazon Road. The noise impacts of the proposal were therefore considered to be acceptable.

A resident addressed the committee and outlined his concerns around the proposal which included that his property had no fencing erected to screen the noise from the site. His neighbours had such screening to offer visual and audible protection and asked that such fencing be extended to his property.

Discussion ensued in which the senior planner (development) referred to the report and answered members' questions. He said that if fencing had not been installed correctly as per the previous planning application, enforcement action could be taken but with regards to additional tree planting to absorb noise and emissions, this would be up to the developer to propose and arrange and could not be required as part of the current proposal.

Councillor Bradford expressed concerns about the lack of fencing to one property adjacent to the site, along with the need for a good ventilation system for those working in the building on the site.

A member asked if a check could be made against previous plans to see if any enforcement action was needed regarding fencing; and if not that the developer be approached to discuss extending the fencing.

**RESOLVED** with 9 members voting in favour (Councillors Herries, Driver, Bogelein, Button, Carlo, Jackson, Lubbock, Maxwell, and Peek) and 1 member abstaining (Councillor Bradford) to approve application 16/00712/VC – 35 Vulcan Road South, Norwich, NR6 6AG subject to re-imposition of all conditions from the former consent (application no 15/01568/VC) 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 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.

## **6. Application no 15/01527/F – Beckham place, Edward Street**

The planning team leader (inner) (development) presented the report with the aid of plans and slides. He explained that two proposals were being put forward; one option included a block of flats to be associated with the Norfolk and Norwich Association for the Blind (NNAB) and one to include a block of private terraces. The NNAB were keen to expand their facilities and have more accommodation in close proximity to their existing site. In terms of the delivery of affordable housing, the NNAB were looking at becoming a registered provider and the flats would, therefore, form the affordable housing element of the application. If this was not achievable, the purely residential scheme would go ahead. The section 106 agreement would stipulate under which circumstances the NNAB scheme would not be used and the private scheme would go ahead.

The objection submitted was not a planning permission matter and would need to be addressed outside of the planning process.

Discussion ensued in which the planning team leader referred to the report and answered members' questions. He said that officers were satisfied with the parking arrangements for both schemes. The NNAB scheme would see carers and visitors using the existing car parking facilities on the current NNAB site and the private scheme would be acceptable as a car free development; however some parking would be provided.

**RESOLVED**, unanimously, to approve application no. 15/01527/F – Beckham Place, Edward Street and to grant planning permission 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 wet out in part G2 of the 2015 building Regulations for water use;
17. Submission of renewable energy scheme.

Informatives:

1. Construction working hours
2. Asbestos
3. No parking permits
4. 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 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.

## **7. Application no 16/00904/F – 125 Cecil Road, Norwich, NR1 2PJ**

The planning assistant presented the report with the aid of plans and slides. He said this application was a previously approved scheme with a different layout.

Members noted that the objections were that the use of red brick was not in keeping with the surrounding properties with two storey extensions; that white render would give a lighter outlook for neighbouring properties; details of the fencing relating to the development and that mechanical extraction was needed for the internal layout. The planning assistant confirmed that existing drainage would be used and that ventilation would be through the roof.

**RESOLVED**, unanimously, to approve application no. 16/00904/F – 125 Cecil Road, Norwich, NR1 2PJ and to 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 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. Application no 16/00392/U – St Augustine’s Gate, Waterloo Road, Norwich, NR3 3BE**

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

During discussion the planning assistant referred to the report and answered member’s questions. She explained that this change of use to A5 would mean that A1 units in the development would make up less than 50% of units; however, this particular unit had not been used as a retail space for nine years and that the proportion of A1 units in the centre was already below this threshold. She confirmed that there was currently no proposed user for the unit.

It was added that a further objection from the Norwich Society was also received that was not included in the report, which detailed concerns around late night opening causing a disturbance for residents.

The planning team leader said that if necessary, the unit could revert to A1 usage without the need for planning permission.

Members commented that they would be glad to see the unit brought back into use.

**RESOLVED**, unanimously, to approve application no. 16/00392/U, St Augustine’s Gate, 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.
6. Details of materials to be submitted

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.

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

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

During discussion he referred to the report and answered member's questions. He said that a consultant had been asked for evidence of any damage to nearby buildings from the trees and none had been provided. He said that he was willing to work with the owner of the trees to manage them appropriately.

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

**10. Mark Brown**

**RESOLVED** to express the thanks of the planning applications committee to Mark Brown, planning team leader, for all his help and support and to wish him well for the future in his new role.

Chair



# Summary of planning applications for consideration

ITEM 5

8 September 2016

Item No.	Case Number	Location	Case Officer	Proposal	Reason for consideration at Committee	Recommendation
5(A)	16/00790/F	30 All Saints Green	Judith Davison	Construction of a 245 student bedroom development with management facilities and amenities; flexible office/business space with independent access, and associated landscaped courtyard	Objections	Approve
5(B)	16/00699/F	36-52 Duke Street	Becky Collins	Demolition of existing showroom and construction of 37 No. apartments.	Objections	Approve
5(C)	16/00536/F	7-9 Haymarket (Primark)	Becky Collins	Demolition of existing buildings and erection of new retail store (Class A1) (revised design).	Objections	Approve
5(D)	16/00782/F and 16/00783/L	Sainsbury Centre for Visual Arts (SCVA), University of East Anglia,	Lee Cook	Extension of car park P7 (Biological Sciences Car Park) and provision of on street parking off Norfolk Road adjacent to SCVA).	Objection	Approve Planning Permission. Grant listed building consent
5(E)	16/01118/F	Garages Opposite 2 Oxford Street	Robert Webb	Demolition of existing garages and erection of 5 No. two-bed dwelling houses.	Council owned land	Approve
5(F)	16/00928/U	145 & 147 Earlham Road	Kian Saedi	Change of use to two large Houses in Multiple Occupation (HMO, class Sui Generis).	Objection	Approve

<b>Item No.</b>	<b>Case Number</b>	<b>Location</b>	<b>Case Officer</b>	<b>Proposal</b>	<b>Reason for consideration at Committee</b>	<b>Recommendation</b>
5(G)	16/00835/F	120 - 130 Northumberland Street	Kian Saedi	Demolition of existing dwelling and outbuildings. Erection of 37 residential dwellings with associated works.	Objection	Approve subject to legal agreement securing affordable housing
5(H)	16/00808/F	1 Branksome Close	Steve Polley	Two storey side extension and new detached timber garage	Objections	Approve
5(I)	16/00788/F	21 Hellesdon Road	Steve Polley	Construction of two semi-detached dwellings.	Objections	Approve
5(J)	16/01033/F	23 Orchard Close	Steve Polley	Single storey rear extension.	Objections	Approve
5(K)	16/00765/F	31 St Clements Hill	Steve Polley	Retention of annexe; rear extension, raising of roof and installation of 4 no. obscure glazed windows to annexe.	Objections	Approve
5(L)	16/00290/F	Ipswich Road Eaton Hand Car Wash	Charlotte Hounsell	Retains use of land as vehicle hand washing facility and retain portable buildings.	Objections	Approve
5(M)	16/00425/F	2 Fairmile Close	Sam Walker	Alterations and extensions and erection of new garage.	Objections	Approve
5(N)	15/01540/F	Land to the south of Merchants Court - St Georges Street	Sam Walker	New vehicle access route to Merchants Court Car Park from St. Georges Street	Objections	Approve

<b>Item No.</b>	<b>Case Number</b>	<b>Location</b>	<b>Case Officer</b>	<b>Proposal</b>	<b>Reason for consideration at Committee</b>	<b>Recommendation</b>
5(O)	16/00924/F (in association with TPO 505)	3 Ampthill Street	Sam Walker	Provision of car parking space to the side and front of property	Objections + TPO 505	Refuse
5(P)	TPO 505	3 Ampthill Street	Mark Dunthorne	Confirm TPO	Objection	Confirm
5(Q)	TPO 506	166a St Clements Hill	Mark Dunthorne	Confirm TPO	Objection	Confirm



## **STANDING DUTIES**

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

### **Equality Act 2010**

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

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

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

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

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

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

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

### **Crime and Disorder Act, 1998 (S17)**

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

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

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

### **Natural Environment & Rural Communities Act 2006 (S40)**

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

### **Planning Act 2008 (S183)**

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

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

#### ***Article 8 – Right to Respect for Private and Family Life***

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



**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00790/F - 30 All Saints Green,  
Norwich, NR1 3NA

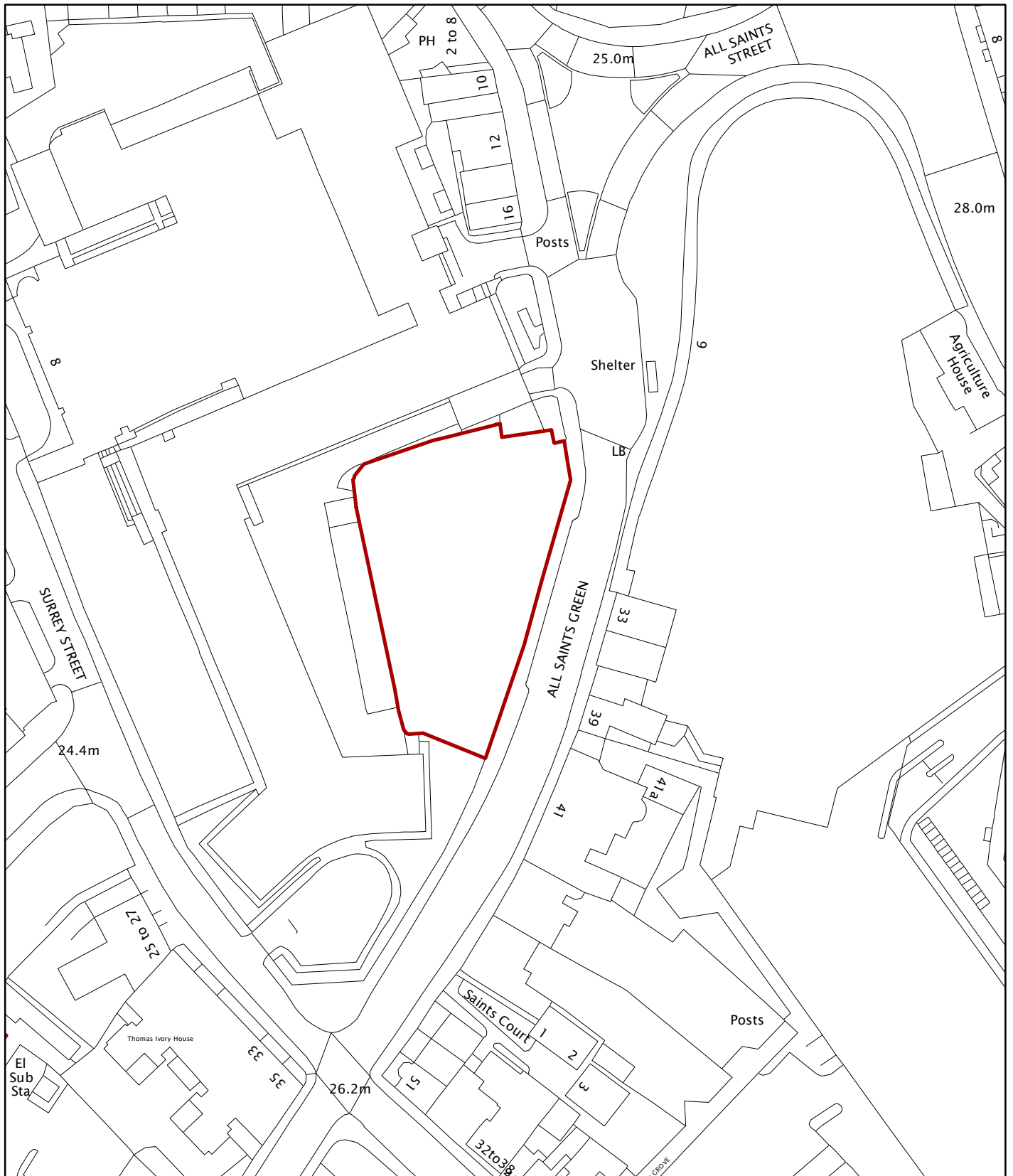
**Reason  
for referral** Objection / Significant departure from development  
plan

5(A)

<b>Ward:</b>	Mancroft
<b>Case officer</b>	Judith Davison - judithdavison@norwich.gov.uk

Development proposal		
Construction of a 244 student bedroom development with management facilities and amenities; flexible office/business space with independent access, and associated landscaped courtyard.		
Representations		
Object	Comment	Support
1	-	3

Main issues	Key considerations
1 Principle of development	Loss of office allocation Need for student accommodation Acceptability of proposed use in this location
2 Ground floor uses	Impact on vitality at street level; flexibility of proposed uses
3 Design	Layout form and massing; impact of design in the street scene; materials
4 Heritage impact	Impact on conservation area, and on setting of listed buildings
5 Landscaping and open space	Open space to rear; linkage to All Saints Green open space
6 Transport	Access strategy; management of student drop-off and pick-up; cycle provision; disabled parking provision; car club
7 Amenity	Impact of proposals on office occupiers: loss of light and noise impact; construction impacts
<b>Expiry date</b>	31 October 2016
<b>Recommendation</b>	Approve



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Planning Application No 16/00790/F

Site Address 30 All Saints Green

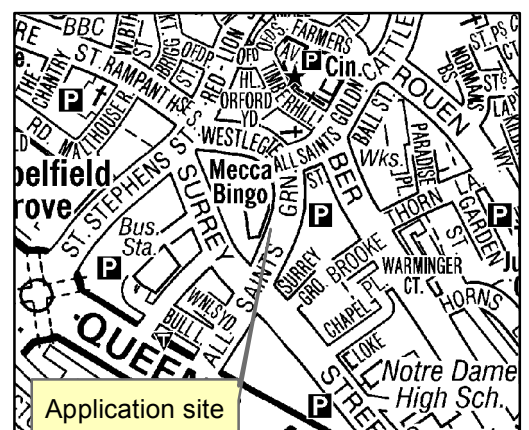
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

Page 20 of 274



## The site and surroundings, and constraints

1. The application site is 0.18 ha in size and situated in a prominent position on the western side of All Saints Green, opposite the John Lewis store and close to a number of listed buildings. The site is currently vacant but was previously occupied by a cinema (the Gaumont) from the 1930s, later converted into a concert hall and subsequently a bingo hall. The Mecca Bingo hall building was demolished in 2014.
2. The site is surrounded to its south, west and north by an 'island' of late twentieth century office development of considerable scale occupied largely by Aviva, rising up to 11 storeys in height. To the north, at the junction of Westlegate and All Saints Green is Westlegate Tower, recently redeveloped and raised by 2 storeys to 13 storeys in height. The application site is largely flat although levels fall away towards the west; levels outside the site on its western side in particular are significantly lower than for the application site. Directly to the west of the site is the 'well' parking area for Aviva's offices which is accessed from All Saints Green to the north of the site.
3. The site lies within the City Centre Conservation Area (All Saints Green character area). This part of the conservation area is characterised by groups of good quality listed 18th and 19th century houses including 33- 45 (odd) All Saints Green, the Grade 1 listed All Saints Church, and the grade 1 listed Edwardian headquarters of Norwich Union, now Aviva. It is also situated in the Area of Main Archaeological Interest: a photographic record of the building was carried out prior to demolition as well a desk-based archaeological assessment.
4. The site is allocated in the adopted Site Allocations and Site Specific Policies Local Plan ('Site Allocations Plan') under policy CC26 for high quality office space and is located within the Office Development Priority Area (policy DM19) in the Development Management Policies Plan. It is also identified as a key office redevelopment opportunity in the St Stephens Street Area Outline Masterplan; that document has no formal status but has informed a number of allocations in the Site Allocations Plan.
5. Planning consent has recently been granted for the creation of covered cycle storage for 196 cycles to serve the Aviva site, in the 'well' car park to the west of the application site. The proposed entrance point for cycles is directly to the south of the former Mecca Bingo site.
6. The applicant, Alumno Developments Ltd, recently developed a student accommodation block approximately 160 metres to the south-west of the site, fronting Queen's Road. This provides 228 units of accommodation for Norwich University of the Arts students and opened in September 2015.

## Relevant planning history

7.

Ref	Proposal	Decision	Date
11/01942/C	Demolition of non-listed building (Revised to include removal of foundations slab).	APPR	24/05/2012
14/00860/D	Details of Condition 2: Photographic survey; Condition 3: On-site historic interpretation; Condition 4: Scheme to hoard site; Condition 5: Monitoring arrangement and Condition 6: Demolition Management Plan of previous permission 11/01942/C 'Demolition of non listed building (Revised to include removal of foundations slab).'	APPR	12/08/2014

## The proposal

8. The proposal is for 244 units of student accommodation with a range of uses at ground floor level, potentially including offices and shops. The proposed development takes the form of 5 connected blocks, ranging from 8 storeys to 14 in height. The proposals were revised in July 2016 and re-consulted upon from 10 to 31 August. The revisions comprise a revised south-facing elevation incorporating more window openings, associated revisions to floor plans, landscaping details to the front of the building, and additional supporting information.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>244 units of student accommodation plus office and associated uses</b>
No. of affordable dwellings	<b>n/a</b>
Total floorspace	<b>8210m<sup>2</sup></b>
No. of storeys	<b>14 (office uses on the ground floor, 11 storeys of student accommodation, and a 2 storey common room)</b>

<b>Appearance</b>	
Materials	<b>Pale coloured brick, glazing dark coloured metal infill panels</b>
Energy and resource efficiency measures	<b>Fabric insulation, air tightness construction, natural ventilation where possible, heat recovery on all major ventilation systems, energy efficient light, combined heat and power, sedum roofs</b>
<b>Transport matters</b>	
Vehicular access	<b>Access for servicing and emergency purposes</b>
No of car parking spaces	<b>Car free development with a small number of disabled parking spaces provided.</b>
No of cycle parking spaces	<b>54 cycle spaces initially with potential for additional parking to be provided dependent on the end user</b>
Servicing arrangements	<b>Access for servicing, cycling, and refuse collection will be taken from the south.</b>

## Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 4 letters of representation have been received (1 support and 3 objections) 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.

<b>Issues raised</b>	<b>Response</b>
Application does not comply with development plan therefore presumption in favour of sustainable development should not apply.	See main issue 1
Scale form and massing: overbearing height and bulk in relation to Aviva offices and street scene; height unacceptable and should be stepped back to reduce impact on Aviva offices.	See main issues 3 and 4
Amenity: adverse impact on light to lower floor windows. Need for BRE assessment.	See main issue 7
Objection to inclusion of A3 use class on ground floor:—suggest need for separate application and/or robust set of conditions including removal of PD rights	See main issue 2
Highways and parking: impact on the operation of the highway and highway safety and on Aviva's main access.	See main issue 6
Construction and noise impacts: may cause harm and disturbance for Aviva business and it is important to	See main issue 7

Issues raised	Response
avoid potential for future conflicts arising from student use. Need for suitable planning condition.	
John Lewis supports the proposal: it will add significant vitality to the area by attracting more visitors and residents to the city centre, help support local businesses, complement the pedestrianisation of Westlegate/All Saints Green, and support initiatives such as driving the early evening economy.	Noted – see main issue 1
The proposals will relieve the HMO issue in the Golden Triangle, thus increasing the chance of more affordable rent for working people.	Noted – see main issue 1
UEA expresses support for the application. The application site is easily accessible to UEA and the distinguished design will make the building a focal point in the city among the changing street scene. The development will have social and economic benefits and address a need that will alleviate pressure on the housing market and generate real options for students.	Noted – see main issue 1

## 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.
11. It should be noted that the applicant consulted a range of stakeholders including local residents and businesses at pre-application stage, a summary of which is set out in the **Statement of Community Engagement**. This consultation included a pre-application presentation to Planning Committee on 10 March 2016 where the design specifications and details of the proposed development were outlined for committee members. Members responded positively to the presentation and generally welcomed the principle of student accommodation on this city centre site, the fact that it will be car free, and sustainability aspects of the development.

## Historic England

12. The application proposes the erection of new development on a prominent site in the city centre conservation area, in the immediate setting of several listed buildings.
13. The proposed new building would be out of scale with the pattern of historic building in this part of the conservation area and would result in harm to the significance of the group of listed buildings in the vicinity of the application site and conservation area, in terms of paras 132 and 134 of the NPPF and would not preserve their setting in terms of para 137. A reduction in height of the proposed development by 3 storeys could reduce the harm while still delivering public benefit, and bring into line with the NPPF.

## **Environmental Protection**

14. The environmental protection officer has proposed that the following conditions and informatives are proposed to be attached to any consent:
- CO1 Contamination
  - CO2 Unknown contamination
  - CO3 Imported material
  - IN7 Construction working hours
  - IN8 Asbestos

## **Environment Agency**

15. The Environment Agency has no objection to the proposals, and provides advice on the water environment and sustainability matters.

## **Highways (local)**

16. The applicant has liaised closely with the City Council's Highways and Transportation officers who consider the submitted application to be of a very high standard, and transportation / highways matters are judged to be satisfactory.
17. The footway works will require a S278 / S38 agreement, which will also cover the future maintenance of street trees. A Traffic Regulation Order fee of £1695 will be required.

## **Highways (strategic)**

18. There is no material impact on the strategic road network; other local highways issues should be dealt with under the agency agreement with Norwich City Council.

## **Landscape**

19. The proposed rear courtyard is welcomed and the visual link through from the streetscene to the planted courtyard will be a welcome addition. The documentation suggests a range of planting material but there is insufficient detail at present and we will need to see fully detailed landscaping plans. Tree selection and details of tree pits will need to be agreed with the council's Trees officer, and a commuted sum will be required for long term maintenance.

## **Norfolk Historic Environment Service**

20. Archaeological evaluation has been done, some medieval deposits have been found. A mitigation strategy is required. Also a concern that the proposals will interfere with the prominence of the castle and cathedral as on high point of ridge. If consent is granted the standard condition AH1 should apply.

## **Norfolk Constabulary**

21. No objection. Comments are provided on a number of issues including
- Main entrance / access control / security issues
  - Mail delivery
  - Student cycle parking – limited natural surveillance

- Visitor cycle parking – obscured by planting
- Cluster flats - no more than 8 bedrooms? Suggestions to make access more secure
- External lighting suggestions

### **Norfolk Fire and Rescue**

22. No objection.

### **Norfolk County Council Lead Local Flood Authority**

23. No comments.

### **Norwich Society**

24. Welcomes this bold development but would like the brickwork to have the quality of Caen stone. The water feature is appreciated. There are some reservations about height – it should be no higher than the Aviva offices.

## **Assessment of planning considerations**

### **Relevant development plan policies**

#### **25. 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
- JCS8 Culture, leisure and entertainment
- JCS9 Strategy for growth in the Norwich policy area
- JCS11 Norwich city centre
- JCS20 Implementation

#### **26. 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
- DM7 Trees and development
- DM8 Planning effectively for open space and recreation
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM18 Promoting and supporting centres
- DM19 Encouraging and promoting major office growth
- DM23 Supporting and managing the evening and late night economy



- 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

**27. Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)**

- CC26: Former Mecca Bingo site, All Saints Green

**Other material considerations**

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

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- 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
- NPPF12 Conserving and enhancing the historic environment

**29. Supplementary Planning Documents (SPD)**

- Open space & play space SPD, adopted October 2015
- Heritage Interpretation SPD, adopted December 2015
- Landscape and Trees SPD, adopted June 2016

**Case Assessment**

30. 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**

31. Key policies and NPPF paragraphs – DM12, SA Plan CC26, NPPF paragraphs 49 and 14.
32. The site is allocated in the Site Allocations Plan, under policy CC26, for high quality office space and is located within the Office Development Priority Area (policy DM19). As one of a very small number of city centre sites which are earmarked solely for offices or office led development it is one of the few available sites that could, in the right market conditions, deliver high quality commercial office space in a highly accessible and central location. As such it is capable in theory of making a

significant contribution to the JCS requirement for 100,000 sqm of new office floorspace in the city centre.

33. The starting point for the assessment of the proposed development is therefore the site allocation policy, and in this respect the proposal is a departure from the local plan. In such cases there would need to be material considerations sufficient to outweigh the presumption of determining the application in accordance with the adopted development plan. In this case the material considerations are lack of demand for offices in this location, the need for student accommodation, and the positive impacts of the proposed development on the local economy and vibrancy of the city centre, which are discussed below.
34. Recent evidence in the form of commercial market intelligence suggests a lack of market demand for offices and a substantial pool of unlettable, poor quality office floorspace in the city centre. Furthermore there is no obvious end-user for an office-led development on this site at present.
35. This lack of demand is supported by information provided by the applicant which demonstrates that the office allocation would not be viable / deliverable. The **Suitability and Viability report** (January 2016) provided by the applicant provides evidence to support a lack of market demand, including relatively low rental values for Grade A premises in Norwich (the highest being around £16.00 to £16.50 per sqft), and slow take-up of even the most recent and high quality office development. The residual viability assessment which shows a significant developer's loss even at rents higher than has been achieved in Norwich to date: developers profit would be **minus £1.5 million** at an assumed rental value of £18.00 per sq ft and would be **minus £2.42 million** at the current market rent of £16.50 per sq ft. Even assuming a pre-let for the building, the report concludes that a rent of £24.50 per sq ft would be required to make the scheme viable. This supporting evidence is considered to be robust; it effectively supports the applicant's contention that current rental levels are not sufficiently high to render the office allocation economically viable and that it will be some time until the market can support such rental values.
36. On the basis that it has been demonstrated that a viable office development cannot be delivered on this site in accordance with the site allocation, the proposed use of the site for student accommodation is supported, as it is likely to deliver substantial economic benefits for the city centre from the expanding student population. This is supported by the applicant's economic impact assessment (**The Impact of Higher Education on the Economy of Norwich**, April 2016) which estimates the value of construction of the Quad at between £11 and £14 million, employing a workforce of 150 at the peak of construction, and estimates the spending in the local area by the 230 students at the Quad at approximately £1.25 million per year.
37. The need for this form of development is supported by the **Study of Need** prepared by the applicant (April 2016). This shows that student numbers in Norwich have grown significantly in recent years. The total student population in Norwich universities - University of East Anglia (UEA) and Norwich University of the Arts (NUA) was over 16,000 in 2013/14 which is 86% greater than in 2000/01. The total is predicted to rise to around 20,000 by 2018. The application site is well placed to meet the accommodation needs of students at both UEA and NUA. The journey to UEA is 2.5 miles and easily accessible in about 20 mins by bus or bicycle, and the journey to NUA takes about 10 minutes on foot or by bicycle.

38. The proposed development would also help reinforce the vibrancy of the city centre in accordance with the Joint Core Strategy (JCS policy 11 promotes the city centre as the main focus in the sub-region for retail, leisure and office development, with housing and educational development also appropriate). In addition JCS objective 5 seeks to allow people to develop to their full potential by providing educational facilities to support the needs of a growing population. Provision of purpose built student accommodation is also likely to help alleviate pressure on the general housing stock from student HMOs (Houses in Multiple Occupation) and shared houses.
39. As a city centre location there is relatively limited vehicular access and in any case All Saints Green is due to be pedestrianised in the near future. Therefore uses which have less significant needs in these terms should be seen as more appropriate; student accommodation has relatively low servicing requirements from vehicles, and students would generally not own cars and would either be walking or cycling within the city centre. This site is in a highly sustainable location and represents a good location for this use. Car free development is acceptable in principle in this location.
40. Policy DM13 relates to communal development and multiple occupation. Part of the policy relates specifically to residential institutions and student accommodation and sets out a number of criteria that such proposals need to satisfy in addition to satisfying the overall objectives for sustainable development in DM1 and criteria for residential development in DM12. The requirements of DM13 are that (a) the site must not be designated or allocated for an alternative non-residential use; (b) if allocated for housing, it can be demonstrated that the proposal would not compromise the delivery of a 5 year housing supply for the city; (c) the location provides convenient and direct access to local facilities and bus routes; (d) the provision of shared amenity space is satisfactory; and (e) applicants can demonstrate provision of satisfactory servicing and warden/ staff accommodation.
41. In relation to (a), the site is allocated for a non-residential use, but it has been demonstrated above that this office use is not viable and that the site's use for student accommodation is both appropriate and desirable. In relation to (b) the site is not allocated for housing development but nevertheless delivery of student accommodation will help alleviate pressures on the local housing market as referenced above. The proposals satisfy criteria (c) as the site is very well located in relation to local facilities and is close to the bus station on Surrey Street. Criterion (d) relating to amenity is addressed under Main Issue 7 below, and criterion (e) relating to servicing is addressed under Main Issue 6.
42. DM12 sets out principles for all residential development, not all of which are relevant to student accommodation. Relevant criteria include (a): proposals should not compromise delivery of wider regeneration proposals and should be consistent with the objectives for sustainable development set out in the JCS and in DM1; (b) proposals should have no detrimental impacts upon the character and amenity of the surrounding area (including open space) which cannot be resolved by the imposition of conditions; and (c) proposals should contribute to a diverse mix of uses within the locality. In relation to criterion (a), the proposals are considered highly sustainable in relation to the JCS and DM1: the development will support expansion of educational opportunities and sustainable economic growth and will safeguard the special visual and environmental qualities of Norwich, and in addition will contribute to and enhance the planned public realm improvements to All Saints

Green. Criterion (b) is addressed under Main Issues 3, 4 and 5 below, and (c) is addressed under Main Issue 2.

43. In summary, it is considered that the material considerations set out above outweigh the fact that the proposal is a departure from the local plan, and should be afforded significant weight in the determination process.
44. Aviva has objected on the basis that, as the application is not in compliance with the local plan, then the presumption in the NPPF in favour of sustainable development should not apply. The presumption in favour of sustainable development is indeed at the heart of the NPPF. However the fact that an application is a departure from the local plan does not mean that it is not sustainable development. The benefits and impacts of the development in relation to sustainability and other matters are set out within this report, and consideration of the balancing of relevant matters is set out in the conclusion.

## **Main issue 2: Ground floor uses**

45. At present there is not a particular end-user/client in place, so in order to give the development the best possible chance of being used (rather than boarded-up or empty) it is important that the ground floor construction is as flexible as possible. The impending removal of traffic from the north end of All Saints Green and Westlegate will secure major public realm enhancements and facilitate servicing from the street. This might support a range of uses for the ground floor space, for example retail and/or display space for the John Lewis store or café space either associated with John Lewis or independently operated. An inclusion of office development at ground floor level would accord with policy DM19 and would be particularly desirable to add interest and vitality and to help address the loss of offices, given the site's location in the office priority area. Provision of flexible managed workspace that could be used by solo or start-up businesses could benefit from synergy with the student community within the building. The particular constraints of the site, especially its lack of parking and vehicular access mean that provision of conventional office units on the ground floor are unlikely to be attractive to the commercial market.
46. Aviva has objected to the proposed development on a number of grounds including on the basis that proposed A3 use (restaurants and cafes) on the ground floor, as part of a flexible range of uses, is unlikely to be acceptable as it could generate unacceptable levels of noise, disturbance and other environmental impacts. The applicant has responded to this concern by revising the range of potential uses to restrict A3 to cafes only, which will retain the potential for some food related uses which would be appropriate in this location.
47. The development is proposed to have a mix of uses at ground floor level, which comprise the following:
  - Use classes A1 (shops), A2 (financial and professional services) and A3 (restricted to cafes);
  - Use class B1 (business);
  - Use class D1 (non-residential institutions) restricted to day nursery, health centre, clinic or exhibition hall.

48. It is considered that the proposed uses, as revised, are acceptable in principle in this location. They are considered to be workable in the available space, fit in with the proposed design and servicing arrangements, will create an active frontage in order to introduce vitality and interest at street level, and will complement both the upper floor uses and the proposed pedestrianisation plans for All Saints Green.

### **Main issue 3: Design**

49. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
50. The delivery of high quality and inclusive design is an objective of the NPPF which is considered essential for the delivery of sustainable development. Policy DM3 in the Development Management Policies Plan is concerned with design principles for new development; it provides further detail to help implement national policy and to supplement the strategic design principles set out in JCS policy 2. The design principles in DM3 seek to ensure that development - in terms of layout, siting, density, massing and materials - is locally distinctive, and respects, enhances and responds to the local distinctiveness of the area. The site's location in the city centre conservation area introduces further significant design considerations.
51. There is a close relationship between the design and heritage aspects of the development. This section of the report, relating to design, will deal primarily with the layout, siting, massing and materials aspects of policy DM3, and main issue 4 (Heritage) with the heritage impacts including long views, although there will inevitably be some overlap between the two sections. The following text relating to the site's townscape and historic development serves as a general context to both sections.
52. The site lies within the medieval city but for much of its history was a less developed part of it. Prior to erection of very large structures in the 20<sup>th</sup> century the street saw a gradual process of development including infill development of the application site in the 19<sup>th</sup> century which generally followed the established pattern of development on All Saints Green. The site was previously occupied by a 1930s rendered, steel-framed cinema building of approximately 5 storeys, which had few redeeming features and could not be considered to enhance the historic environment on All Saint Green. The building was most recently in use as the Mecca Bingo hall which was demolished in 2014.
53. This part of the city centre conservation area is characterised by groups of good quality 18th and 19th century houses and the Edwardian headquarters of Norwich Union, now mostly in office uses. The All Saints Green character area is classified as significant in the City Centre Conservation Area Appraisal (CCCAP - All Saint's Green sector). This significance derives mainly from groups of detached Georgian townhouses which combine to form a strong townscape presence in places. All Saint's Green contains one of the best concentrations of Georgian townhouses in the city (along with some on Surrey Street) including numbers 33 to 43 (odd) on the east side of All Saints Green. These are all grade II listed buildings and identified as a positive frontage in the CCCAP. However their settings are dominated by late 20th century office developments of considerable scale (some of the tallest in the city) leading to a fragmented townscape. The complex of Aviva buildings wrapped round the application site are identified as negative buildings in the CCCAP. The appraisal does not specify the reason for the negative rating for these buildings,

however it does state that the fragmented townscape in this sector of the conservation area is due to “the juxtaposition of buildings of varying scale, overly assertive newer buildings on odd building lines, and areas of open land / surface car parking”.

54. The Aviva buildings are highly visible within their immediate context but views of them generally diminish further away from the site. This is partly due to the curving street pattern of the city and to the undulating topography in this location.
55. The John Lewis department store is on the east side of All Saints Green, partly opposite the site. This is a mid-twentieth century red brick building varying from 3 to 4 storeys in height; as a purpose built shop, it has generous floor to ceiling heights.
56. There are few views of landmark buildings due to the scale of the office development but All Saint’s Church can be seen from All Saint’s Green. All Saint’s Green is broadly crescent-shaped from Surrey Street towards the junction with Westlegate; the application site lies on the inside of the bend, which limits views of the site from both the north and south.
57. All Saint’s Green was originally the pig market, the vestiges of which can be seen today in the widening of All Saint’s Street close to the church. The CCCAP notes that post-war rebuilding in the vicinity of this urban space and the demands of the car have significantly undermined the quality of the space. This is being addressed by the planned pedestrianisation of All Saints Green which is due for completion in 2017. This will allow for servicing and emergency access only to the proposed development, and will link to a pedestrianised Westlegate which should lead to a greatly improved public realm for the benefit of residents and businesses in this part of the city centre.
58. The proposed building comprises 5 elements of differing heights, with the highest, 13-14 storey element, housing a common room for students. The height and massing of the building exceeds that of adjoining buildings, particularly the listed properties on the opposite side of All Saints Green which are largely 3 storeys in height. The stepping down of the building towards the southern end is an appropriate response to the neighbouring buildings. The building does not step down to a similar extent towards the Aviva building on the northern end, however given the topography in this area, when viewed from Westlegate the northern aspect does not appear too obtrusive. The common room on the 13th and 14th storey of the building provides an interesting high point to the building and will allow views across the city from this point.
59. An objection has been made by Aviva relating to the height and scale of the proposed development, and several comments made by other consultees (Historic England and the Norwich Society) proposing a reduction in height to approximately the level of the Aviva office buildings (11 storeys). The proposed height of the development is much greater than was envisaged in the St Stephens Street Area Masterplan (2009), which identified the application site for office development of 5 storeys in height and which informed policy CC26. The policy itself does not refer to a specific number of storeys but does state that development should be consistent with the approach as set out in the masterplan. The masterplan’s purpose was to deliver a strategic vision for the transformation of the wider St Stephens Street area and it has informed a number of local plan allocations and public realm and transportation enhancements currently underway or planned in the area. However

although the masterplan was subject to consultation it was not adopted and therefore can be afforded limited weight.

60. The redevelopment of the application site in a sensitive location in the city centre conservation area will inevitably result in some impact on the surrounding environment, particularly given the scale of the proposed development. It is important that the development design is of very high standard given its scale and prominence. The following assessment addresses its impacts on a range of design criteria as set out in the relevant policies including DM3.
61. The layout and siting of the proposed development will maximise use of this small site, and reflect its topography. The connected blocks of development are positioned at the building frontage providing space to the rear for amenity purposes. This is a high density development suitable for this highly accessible city centre location and is considered to be an efficient use of land.
62. Despite its the overall scale and massing, the building is considered to respond well to surrounding development and the character and local distinctiveness of the area, as required by policy DM3. Whilst the scale of the development responds to the site's immediate context with the adjacent large-scale Aviva office complex, its form and details reference the traditional buildings on the opposite side of All Saints Green. The 5 building blocks are stepped up and down in height and also stepped in from the street edge; the articulation of these elements helps the building to integrate with the existing street pattern of All Saints Green. The proposed scale is not only a response to the immediate environment but also reflects the need to have a viable form of development that will ensure the long-term sustainability of the use for this site.
63. The design of the fenestration to the front elevation provides plenty of visual interest. The scale of openings emulates the larger openings in the John Lewis store opposite, whilst smaller windows pick up on the scale of the Georgian buildings to the south. In turn the front elevation is interesting and inviting. Although the rear elevation is fairly repetitive in design, with a regimented pattern of fenestration, this does reflect the design of the adjacent Aviva building, and the repetition is in part mitigated by the creation of the rear courtyard garden space which adds great interest to the rear of the development.
64. The double height glazing and increased transparency at the entrance point clearly defines where the building should be entered. It also provides a strong visual connection from the courtyard through the entrance lobby to the street beyond which will help to ensure that the courtyard space is visible from outside the development, providing a glimpse of green space in a densely developed urban area.
65. The surrounding built context indicates a predominance of brick elevations. As a choice of elevational material for the proposed building brick is appropriate. However the tone and colour of brickwork shown in the 3D imagery is in contrast to surrounding buildings. Should planning permission be given for the scheme, conditions should be set for approval of the tone of this brickwork to ensure that the building does not appear in too stark a contrast to its setting.
66. The aluminium glazing system and recessed metal panels give interest to the front elevation and will create a sense of precision within the masonry walls. The dark

colour indicated for the window frames and panels appears brutal next to the pale brickwork. Conditions should also be set for approval of the colour and finish of these elements to ensure that the building has some tonal subtlety.

67. Other aspects of the design include the public realm and servicing. The public realm to the front of the building has a widened pavement, planting and a line of trees defining the street edge which potentially creates a pleasant environment for pedestrians. The transparency of the elevation to the flexible office space, entrance and reception to the building allows views of activity within the building and should help enliven the streetscape. The placing of servicing to the southern end of the building will ensure that this activity does not interfere with the public frontage of the building and its associated public realm. Both these issues are dealt with in more detail under main issues 5 and 6 respectively.
68. The building is designed to be energy efficient and aims to meet a BREAAAM target of Very Good as a minimum. The design incorporates a number of measures including energy efficiency lighting, high performance insulation, maximising use of natural ventilation, heat recovery for ventilation systems, and use of sedum roofs. A combined heat and power unit will contribute to the energy reduction of the development and generate a minimum of 10% of site energy demands in accordance with JCS policy 3 (Energy and water).
69. The scheme has been revised by the applicant over recent months in response to comments received during extensive pre-application consultation and in response to comments made on the planning application. At pre-application stage, the proposals were the subject of a pre-application presentation to Planning Committee in March 2016 as noted under Consultation Responses above. In addition, the scheme was reviewed by Design South East in March 2016, at the request of the applicant. The panel was supportive of the principle of regenerating this site, generally positive and encouraging about the overall proposals, and considered the proposed student use to be appropriate in this location. The panel report stressed the importance of achieving the highest design quality given that this is going to be a tall building in a prominent position in the cityscape. Several comments were made which have led to revisions to the scheme including loss of the colonnade feature which was not considered to be a familiar motif in Norwich; and reduction in size of the rear courtyard, which will meet resident's needs for external amenity space and allow glimpsed views through to the green space.
70. Further revisions have been made more recently to the south facing elevation which was considered to have some impact on the historic environment, in particular the listed buildings opposite the site. This is discussed in more detail under Main Issue 4 (heritage impacts).
71. In summary, it is considered that the above assessment of design matters demonstrates that the development proposals have responded effectively to the local character and distinctiveness of this area and the design of the building is satisfactory in terms of layout and siting, density, scale and massing, materials, and energy efficiency in accordance with policy DM3.

#### **Main issue 4: Heritage**

72. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-141.



73. Policy DM9 requires that new development pays regard to the historic environment, and that the significance of any relevant heritage assets have been adequately assessed. The NPPF identifies protection and enhancement of the historic environment as an important element of sustainable development, and establishes a presumption in favour of sustainable development in the planning system (paragraphs 6, 7 and 14). It also states that the significance of listed buildings and conservation areas can be harmed or lost by alteration to them or development in their setting (paragraphs 132 and 134), and that the conservation of heritage assets is a core principle of the planning system (paragraph 17).
74. Members are reminded of their duties under the listed buildings and conservation areas act as detailed below:
75. S66(1) Planning (Listed Buildings and Conservation Areas) Act 1990 provides: “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.
76. The Court of Appeal in *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014] has held that this means that considerable importance and weight must be given to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise. Furthermore, less than substantial harm having been identified does not amount to a less than substantial objection to the grant of planning permission.
77. S72 Listed Buildings Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of [the Planning Acts] special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”. It should be noted that The *Barnwell Manor* case principles (see above) are of similar application in the context of s72 duties, also, - i.e considerable importance and weight is to be given.
78. The key issues considered likely to determine the degree of harm (in terms of the NPPF) to the heritage assets of the area are:
- a) The impact on the setting of listed buildings in the vicinity of the site and on the most immediate section of the All Saints Green character area, and
  - b) The impact on key views across the city and the wider conservation area.

#### **Impact on nearby listed buildings and character area**

79. This section of the report assesses the proposed development’s impact on the specific listed buildings in the vicinity of the site and on the most immediate part of the All Saints Green character area. The proposed development combines elements ranging in height from 9 to 14 storeys which, although relating more closely to the scale of the Aviva development to the rear, greatly exceeds the height of the grade II listed buildings which front onto All Saints Green (specifically 33-35 and 37-39 All Saints Green, Surrey Cottage, 41, 43, and 45 All Saints Green). The impact on both the listed buildings and the historic setting of this part of the conservation area will be significant given that the scale and massing of the

proposed development is far greater than the building previously existing on the site.

80. The applicant has produced a **Heritage Statement** which assesses impacts of the development, including its scale and height, on the historic environment. In respect of impacts on nearby listed buildings, the assessment concludes that the new development will not impact directly on the fabric of these buildings (which include for example All Saints Church, Westlegate, St John the Baptist Timberhill, St Catherine's Close, and Surrey House) as there is no demolition extension or proposed changes to these buildings. There will however be some impact on their setting arising from the proposals, given the introduction of a substantial new building in this location, however this is varied and is judged to be minimal or low for many of these buildings, due largely to the topography of the area and the fact that the existing Aviva buildings largely shield any views. For example the impacts on the setting of the churches of All Saints and St John the Baptist are considered to be negligible or low; the impact on the setting of Surrey House is considered negligible; and the impacts on the setting of St Catherine's Close and 29-35 Surrey Street are deemed to be low. However there is judged to be a greater impact on the setting of the listed buildings at 33-45 All Saints Green, given their close relationship to the site.
81. It should be noted that there have been considerable changes to the wider setting and context of these buildings since their construction, particularly by the introduction of substantial office buildings on All Saints Green in the twentieth century, which have changed the character of their setting so that the current situation is not a largely retained historic streetscape.
82. The proposed development has been designed to respond to its historic setting, including the setting of nearby listed buildings, and to enhance the existing townscape in this part of the conservation area. The east (front) elevation in particular references many details of the adjacent listed and other buildings. The scale of openings emulates the larger openings in the John Lewis store, and also reflects the vertical fenestration of many of the nearby listed buildings. Other echoes in the proposed design of the listed buildings opposite include some of the smaller windows which pick on the scale of the Georgian buildings, and use of the same light and dark colour palette and expanses of wall contrasting with columns of windows of different sizes and shapes.
83. The Heritage Statement identifies the view looking north along All Saint's Green from the junction of Surrey Street as having a potentially 'high adverse' impact on the conservation area, due to the proposed building forming a noticeable addition to the streetscape and creating an unbalanced effect in relation to the listed buildings opposite. Since the Heritage Statement was carried out the applicants have revised the south-facing elevation by the introduction of more window openings, which helps to reduce the dominance of this elevation and to relate better to the neighbouring listed buildings.
84. In terms of its scale, the development has been designed in a series of connected blocks which step up and down along All Saints Green. This varied roofline helps to break up its massing and integrate it more effectively with the surrounding townscape. The siting of the development, on the inside of the curve of All Saint's Green also reduces views of the buildings and helps to lessen its impact on the historic environment, as will the choice of materials. It is considered that a

reduction in the building's height of up to 3 storeys, as proposed by several consultees including Historic England and one objector (Aviva), is unlikely to significantly reduce its impact on the local streetscene and historic environment of this part of All Saints Green. It is considered that the development's impact on this part of the historic environment will depend more on its relationship with its surroundings at street level, including architectural detailing, historic features, landscaping and paving, rather than on a relatively marginal reduction in height which is hard to perceive at street level. Overall the development responds well to its surrounding historic context and to the local character and distinctiveness, as referred to above, and will contribute greatly to the enhanced public realm on All Saints Green discussed under Main issues 5 and 6 below.

### **Impact on Key views**

85. A set of viewpoints was identified by the city council and assessed by the applicant in the **Heritage Statement** in order to determine the level of potential harm that the proposed development might have. The views have been selected to give a fair representation of key views toward the site from short, medium and long distance and they reflect the key views identified in Appendix 8 of the Development Management Policies Plan. Some of these views illustrate where the proposed building cannot be seen, where potential views are blocked by other buildings for example.
86. The report considers that the proposed building will not affect views from some key points in the city such as St Peter's Street and will have a negligible impact on the key long distance views identified in the local plan. There will be some impact on views from the Castle Mound as the roofline of All Saints Church will no longer read against the sky, from Brazen Gate, and on some short and medium range views on All Saints Green (the impact of the view north from the junction of Surrey Street and All Saints Green is discussed above). This includes impact on the view looking up All Saints Green from outside All Saints Church, given the scale of the development in comparison to the adjacent Aviva building. It is considered however that the impact of the new development on these views is mitigated in part by the varied topography of the area and also by the design of the new building as a series of blocks which helps break up its massing and vary its roofline. Careful selection of materials (to be conditioned) will also help to minimise the building's impact in views.

### **Assessment of harm**

87. In summary, the proposed building will be among the tallest in the city and visible from a number of points around the city. However the medieval street pattern in the centre and varied topography helps to limit views of the proposed building. In addition the considerable scale of the conservation area means that the proposed development does not substantially affect its understanding or significance. Therefore the level of harm to the City Centre Conservation Area is judged to be less than substantial in terms of the NPPF.
88. The proposed building will have a detrimental impact on the setting of listed buildings in the vicinity of the site (including 33-35 and 37-39 All Saints Green, Surrey Cottage, 41, 43, and 45 All Saints Green) and on the character of the All Saints Green character area, albeit this is mitigated by the topography of the area and the nature of the development, including its layout scale and massing and its

revised south-facing elevation. The level of harm on both the setting of listed buildings in the vicinity of the site and on the All Saints Green character area is judged to be less than substantial.

89. The NPPF states in paragraph 134 that where harm is judged to be 'less than substantial' this should be balanced against the public benefits that will come from the development. It is clear that these benefits would need to be highly significant to substantially outweigh harm to these designated assets.
90. The public benefits arising from the proposed development include the following. The proposal addresses a need for student accommodation in the city which will relieve pressure on rented housing stock. It will develop a vacant brownfield 'gap' site in this prominent part of the city centre. The proposal is for car free development which has many benefits including relieving pressure for parking, and also means that the street frontage will not be broken up for access, enabling the recreation of a solid historic building line in this part of All Saints Green. The proposed new building is of high design quality, unlike the Mecca Bingo building which previously occupied the site, and it responds sensitively to the historic environment in this part of the conservation area. This scheme has the potential to deliver an exemplary development that will contribute greatly to the regeneration of All Saint's Green and its public realm. The introduction of alternative uses (potentially office or retail) at ground floor level will contribute to an active street frontage and help increase the vitality of this part of the city centre. The development also offers the opportunity to maximise the benefits of its location through the proposed Belfry (the 13/14 storey common room); this will provide a sensitively designed addition to the Norwich skyline, whilst offering views across the city and linking visually with the applicant's other student accommodation block on Queen's Road.
91. There are many potential benefits arising from the proposed development which when taken together are judged to be substantial, and therefore in these exceptional circumstances it is considered that these public benefits do outweigh the 'less than substantial harm' that the proposal will have on the historic environment.

### **Heritage interpretation**

92. The opportunity exists to provide some heritage interpretation of the previous use of the site, to give a better understanding of its history and development for both the building's residents and for the wider community. The proposed landscaped courtyard will include a small canal water feature, referencing the Great Cockey river which flowed through this area. In addition the applicant intends to commission public art for the building referencing the history of the site and related local history.

### **Main issue 5: Landscaping and open space**

93. Key policies and NPPF paragraphs – DM3, DM8, NPPF paragraphs 9, 17 and 56.
94. The inclusion in the design of a rear courtyard is welcomed as the visual link through from the streetscene to the planted courtyard will be a positive addition. The information supplied for the courtyard suggests a style and feel for the space that should create a rich, green environment. There are suggested materials

including composite decking, stainless steel panels and seating, as with all the landscape information supplied there is a lack of detailed information.

95. The documentation suggests a range of planting material which suitable for the physical location and constraints of the site. The council will need to see fully detailed landscape plans in due course, with information on site preparation, levels, surface materials, drainage detail, detailed planting layout, hard works detailing, detailed planting plans, water feature details, and site furniture, design and fixing. Further details have been provided by the applicant for landscaping to the front of the site and the area to the southern boundary: further detailed information will also be required for these, and some further refinement may be necessary.
96. All these details will be required by condition. It is important that the quality of the landscaping and seating, particularly on the public facing parts of the site, reflects the Westlegate works to provide design consistency.
97. There is mention of lighting within the courtyard which is welcomed however details of proposals should also be provided. The concept of the space becoming a self-contained area not competing with the surrounding buildings is sound however there is insufficient detail supplied at present to fully realise this ambition.
98. There is a proposal to plant pyrus calleranna to the front of the building which provides a human scale to the massing of the proposed building. Details of the tree pits, and agreement of species selection will also be required by condition. The tree planting will need to be supported by a commuted sum for long-term maintenance (through the S278 agreement).

## **Main issue 6: Transport**

99. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
100. Due to its highly accessible city centre location and proximity to the bus station, the site has ready access to a range of services and facilities, and it is therefore acceptable that this development is car free. However provision has to be made for operational vehicular access, including access for refuse to be collected, deliveries to be made, and students to be picked up and dropped off, all of which are addressed below.
101. Because of the nature of the proposed development the main forms of transport are likely to be walking, or travel by bus or cycle. The proposed development allows for the minimum level of cycle provision (54 covered cycle spaces) with the provision of additional parking triggered by the Framework Travel plan and confirmation of tenant (acknowledging that UEA's needs will be different to NUA's for example), as agreed with the city council. This cycle parking is located to the rear of the accommodation and will be accessed via the gated services entrance at the southern end of the site. In addition 5 stands for visitor cycle parking are also provided to the front of the site, which is considered acceptable.
102. Refuse collection will again be accessed from the south of the site and will be undertaken by Norse who currently carry out this service for the All Saints Green 1 student accommodation. In order to reduce disturbance to neighbouring uses,

collections will be carried out before 6am twice a week, and refuse parking will be located so as to avoid the adjacent Aviva cycle parking access.

103. Deliveries are proposed to be made via the main entrance to the northern end of the site. Servicing and maintenance will be accessed via the gated services entrance at the southern end of the site. Associated service vehicle parking is proposed in proximity to the services entrance and intended to avoid obstructing access to the adjacent Aviva access point. Fire services will be able access the building from all access points: the main entrance, services entrance to the south, and via the office entrance.
104. The scheme has been designed to take account of the highways improvement scheme planned for All Saints Green. Westlegate is currently being pedestrianised and this will be extended on All Saints Green to the north of the site. The proposals for disabled parking have been discussed and agreed with the city council highways officers: existing Blue Badge parking spaces are proposed to be relocated to the east of All Saint's Green, outside John Lewis, and an additional blue badge space provided to the south of the site. The relocated parking spaces are still within 50 metres of the site access to ensure adequate accessibility for users.
105. In addition the proposed development supports the car club, which has significantly increased in size recently. A car club bay for four vehicles has already been granted approval to the south of the development site near the junction with Surrey Street. It is proposed that the specific provision of a car club vehicle will be established through the Travel Plan once the final tenant of the scheme is known.
106. The progressing work on Westlegate / All Saints Green will result in the road becoming a no through road, and traffic manoeuvring could become problematic. It is therefore important for the council to be satisfied that student drop-off and pick-up will be managed effectively at the start and end of the academic year. The applicant has produced a **Student Accommodation Management Plan** which clarifies all the management arrangements. The accommodation will be managed by Derwent Living who already manage the Alumno development on Queen's Road. Student drop-off will be arranged on a timed basis and will be closely managed to ensure that disruption is minimised.
107. All highways works proposed as part of this planning application will be subject to a single S278 / S38 agreement which will include a Traffic Regulation Order for the parking changes and also cover the future maintenance of street trees.
108. The scheme's relationship to the planned transportation improvements for All Saints Green offers potential for significant enhancement of the public realm. The pedestrianisation of Westlegate is virtually complete, with the linking stretch between Westlegate and Golden Ball Street due to be pedestrianised in Spring 2017. All the works are due for completion by summer 2017. All Saints Green is last section to be programmed so traffic and layout there will be as now until summer 2017. The development should add to the amenity of this space with seating, tree planting, quality paving etc as appropriate.
109. Aviva has objected to the proposed development on highways grounds on the basis that it is not clear how works to the highways, blue badge spaces, car club bays and loading / parking restrictions, will impact on Aviva's servicing and delivery arrangements. However these details are clearly set out in the supporting

documentation and clearly do not compromise any access into Aviva's premises. The access will not be obstructed and the planned pedestrianisation scheme allows for the access to be retained.

## **Main issue 7: Amenity**

110. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
111. The NPPF is clear that the planning system should seek to secure high quality design and a good standard of amenity for all existing and future occupiers of land and buildings. Policy DM2 states that development will be permitted where it would not result in an unacceptable impact on the amenity of the area or living / working conditions of neighbouring occupants in terms of: prevention of overlooking and loss of privacy; prevention of overshadowing and loss of light and outlook; and prevention of disturbance from noise, odour, vibration, air or artificial light pollution.
112. The explanatory text to DM2 provides further clarification: new development should provide for adequate day to day living and working conditions for those who will be occupying it, and development should not have undesirable amenity impacts on living conditions of neighbouring residents or compromise the continued operation of uses and activities already established in the locality.

### **Existing occupiers**

113. Given the height of the proposed development there will inevitably be an element of overlooking of adjacent properties, but as the majority of these properties are non-residential this is not judged to be a significant issue. However the loss of light, both daylight and sunlight, and overshadowing are relevant issues and have been addressed by the applicant in its supporting documentation. The applicant has produced a **Daylight and Sunlight Report** (May 2016) to support the planning application, updated by a letter of 5 August 2016. The report assesses the application against the policy requirements and the BRE report ('Site layout planning for daylight and sunlight: a guide to good practice, 2011). The report concludes that the proposed development would have little or no effect on the daylight and sunlight amenity of neighbouring properties (residential and non-residential) when assessed against policy DM2 and the BRE guidelines.
114. The letter of 5 August was produced by the applicant in response to an objection by Aviva, the occupiers of the adjacent office development, objecting primarily to the impact of the development on the amenity of occupiers of its adjacent offices. The letter concludes that the proposed alterations to daylight and sunlight levels received to the windows on the eastern and southern elevations of the Aviva island site would not adversely impact on the working conditions of the occupants such as to inhibit them from undertaking their work in the usual manner.
115. In assessing the amenity impacts of the proposed development, it is important to note that the BRE report is a good practice document and therefore not mandatory, although it is valuable in setting out principles and approaches for the achievement of daylight and sunlight in development. Although the BRE report is primarily focused on protecting the daylight and sunlight amenity to habitable rooms within residential properties it also makes provision for some non-residential buildings where occupants are considered to have a 'reasonable expectation' for daylight, including offices. It can be argued, in accordance with DM2, that the 'reasonable

expectation' of daylight and sunlight within an office environment relates to its operational purposes and whether the loss or reduction of levels of light would detrimentally affect the ability of the organisation to function effectively. For some office workers, such as architects for example, good natural light is invaluable, however for the majority of workers based in offices, such as those in the adjacent Aviva office blocks, high levels of natural light are unlikely to penetrate beyond the immediate vicinity of windows and there is a reliance on electric lighting to maintain constant levels of illumination. Indeed high levels of sunlight can often cause glare and overheating of equipment.

116. The fact that a distinction can be made between the amenity requirements of residential occupiers and workers therefore supports the conclusions of the applicant's Daylight and Sunlight Report, namely that any change in daylight and sunlight amenity upon non-residential properties will not prevent or interfere with the functioning of these buildings and the working conditions of Aviva occupiers, to the extent that it would inhibit them from undertaking their work in the usual manner. In conclusion it is considered that the proposed development will not cause undue harm to amenity in terms of the BRE report and policy DM2.
117. Concern has been raised at potential noise impacts arising from the proposed development. A noise assessment was not required to be produced for the application given that the proposed use is for student accommodation and will be car free, and given that the majority of surrounding development is either office or retail so is not sensitive to noise in the same way as residential development. It is considered that the proposed student accommodation is a suitable and benign use for this site and is unlikely to lead to significant noise and disturbance once it is operational. The proposed development is located in the city centre where some noise generation can be expected however it has been designed to reduce the likelihood of noise generation; for example the building has no balconies and is fully glazed and enclosed, and the external amenity area is situated to the rear of the building.
118. In addition the development will be managed 24 hours a day so if any potential noise and disturbance is identified it will be addressed. The proposed student accommodation will be managed by the same management company as the applicant's other student accommodation block on Queen's Road, which has not given rise to any particular concerns in respect of noise and disturbance. The management company will also actively seek a working relationship with local tenants, residents associations and community organisations, with regular (at least annual) meetings to address issues. Agreement of detailed management arrangements will be required by condition.
119. There will inevitably be some noise generated as a result of construction however it is recommended that an informative is attached to any grant of consent to limit construction working hours.

### **Future occupiers**

120. DM2 specifies that future occupiers require a high standard of amenity, satisfactory living and working conditions, and adequate protection from noise and pollution, and adequate levels of light and outlook. Adequate space must also be provided in accordance with minimum space standards.



121. The applicant's Daylight and Sunlight Report (May 2016) concludes that the proposed development would achieve good levels of daylight and sunlight, both within the habitable rooms and the main living rooms of the student accommodation, in accordance with BRE guidelines and policy DM2. As stated above, it is considered that this standard can be achieved without compromising the operation of other uses and activities on adjacent sites.
122. The internal space standards within policy DM2 do not apply to purpose built student accommodation.
123. Policy DM2 also requires external amenity space within residential developments. The proposed development includes an external landscaped rear courtyard for the use of occupants, which is addressed above in more detail under Main Issue 5 Landscaping and Open space. This external space forms an integral part of the design of the overall development and will be landscaped to a high standard. There will also be a visual link from the street through to the courtyard, thus enhancing the soon to be improved public realm on All Saints Green. It is considered that the proposed amenity space fulfils the policy requirement.
124. In conclusion, although there will be inevitably be some amenity impacts arising from this development these are to be expected for substantial new development in a city centre location and are considered to be acceptable in terms of the cumulative impacts on existing occupiers as well as for future residents of the development.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes subject to condition</b>
Car parking provision	DM31	<b>Yes, disabled parking provision subject to condition</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>
Energy efficiency	JCS 1 & 3 DM3	<b>Yes subject to condition</b>
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>

### **Other matters**

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

127. Flood risk: the site is within flood zone 1, is not at risk of fluvial flooding, and does not fall within a Critical Drainage Area. The SFRA and site specific flood risk assessment has not identified any potential flood risks that cannot be managed. The proposal is for a Sustainable Urban Drainage system (SuDS) to be implemented for surface water drainage, comprising sub-surface attenuation and a swale / raingarden in the rear courtyard, ultimately discharging to the existing sewer. This will be secured by condition. Foul water will discharge to foul water sewer.
128. Contamination: the applicant's Geo-environmental report identifies some potential contaminants related to the previous use of the site as a cinema and some off-site sources of contamination. The report's recommendations, which include undertaking a limited environmental ground investigation to confirm current soil and groundwater quality and carrying out a watching brief during groundworks, have been assessed and are supported; appropriate conditions and informatives will be attached to any planning consent.
129. Archaeology: following an archaeological field evaluation requested by Norfolk County Council's Historic Environment Service and carried out in summer 2016, some medieval deposits have been found. A mitigation strategy will be required by condition.

### **Equalities and diversity issues**

130. There are no significant equality or diversity issues.

### **Local finance considerations**

131. 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.
132. 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.
133. Although the development will result in the payment of CIL, in this case local finance considerations are not considered to be a significant material consideration.

### **Conclusion**

134. The application is a departure from the local plan (policy CC26) and the proposals are also judged to have 'less than substantial harm' to the conservation area and listed buildings in terms of the NPPF. Consideration of the application therefore requires a balancing of these factors against the range of potential public benefits of the development as part of the decision-making process.
135. The public benefits arising from the proposed development include the following. The proposal addresses a need for student accommodation in the city which will relieve pressure on rented housing stock. It will develop a vacant brownfield 'gap' site in this prominent part of the city centre. The proposal is for car free

development which has many benefits including relieving pressure for parking, and also means that the street frontage will not be broken up for access, enabling the recreation of a solid historic building line in this part of All Saints Green. The previous building on the site, the Mecca Bingo hall, formed a poor quality and unattractive feature in the street scene. The proposed new building, on the other hand, is of high design quality which includes references to the listed buildings in the vicinity of the site, and will contribute greatly to the regeneration of All Saint's Green through its treatment of the building's frontage, paving and landscaping, including street tree planting. The creation of a new rear landscaped courtyard, visible through the double-height glazed entrance, will provide additional green space visible from the street to enhance this densely built-up area. The introduction of alternative uses (potentially office or retail) at ground floor level will contribute to an active street frontage and help increase the vitality of this part of the city centre. The development also offers the opportunity to maximise the benefits of its location through the proposed Belfry (the 13/14 storey common room); this will provide a sensitively designed addition to the Norwich skyline, whilst offering views across the city and linking visually with the applicant's other student accommodation block on Queen's Road.

136. The consideration of this application is considered to be relatively finely balanced. In relation to the departure from the local plan, it is considered that the economic, social and environmental benefits delivered by the proposal outweigh the shortfalls and that the material considerations identified in Main Issue 1 (namely the lack of market demand for offices, the need for student accommodation in the city, and the social and economic contribution of the proposal to the local economy and city centre) are sufficient to outweigh the presumption of determining the application in accordance with the provisions of the Development Plan. In relation to the 'less than substantial' harm to heritage assets, this is also considered to be outweighed in terms of paragraphs 132 and 134 of the NPPF by the substantial public benefits of the proposed scheme as outlined above.
137. In conclusion, the benefits of the proposed development are considered to be substantial and to outweigh the departure from the local plan, harm to the historic environment, and other impacts as noted in the main body of the report. The delivery of student accommodation will deliver high quality development on a vacant site in a prominent city centre location, and will contribute greatly to the regeneration of All Saints Green with positive benefits for the city centre.

## **Recommendation**

To approve application no. 16/00790/F - 30 All Saints Green Norwich NR1 3NA and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Contamination
4. Unknown contamination
5. Imported material
6. Archaeological written scheme of investigation
7. Materials
8. Details to be agreed of materials including doors, windows, shopfronts, rainwater goods.
9. Lighting

10. Fire hydrants
11. Disabled access
12. Boundary treatment
13. Obscure glazing
14. Heritage interpretation / public art
15. Energy efficiency
16. Water efficiency
17. SuDS details submission and implementation
18. Landscaping details
19. Landscape provision
20. Street trees
21. Parking / servicing
22. Provision of cycle parking and bin storage
23. TRO required
24. Removal of permitted development rights – ground floor uses
25. Removal of permitted development rights – details of plant and machinery
26. Restricted delivery hours
27. Construction method statement
28. Provision of litter bins and waste collection facilities
29. Travel plan
30. Arboricultural works to facilitate development
31. Details of management arrangements to be agreed
32. S278 agreement

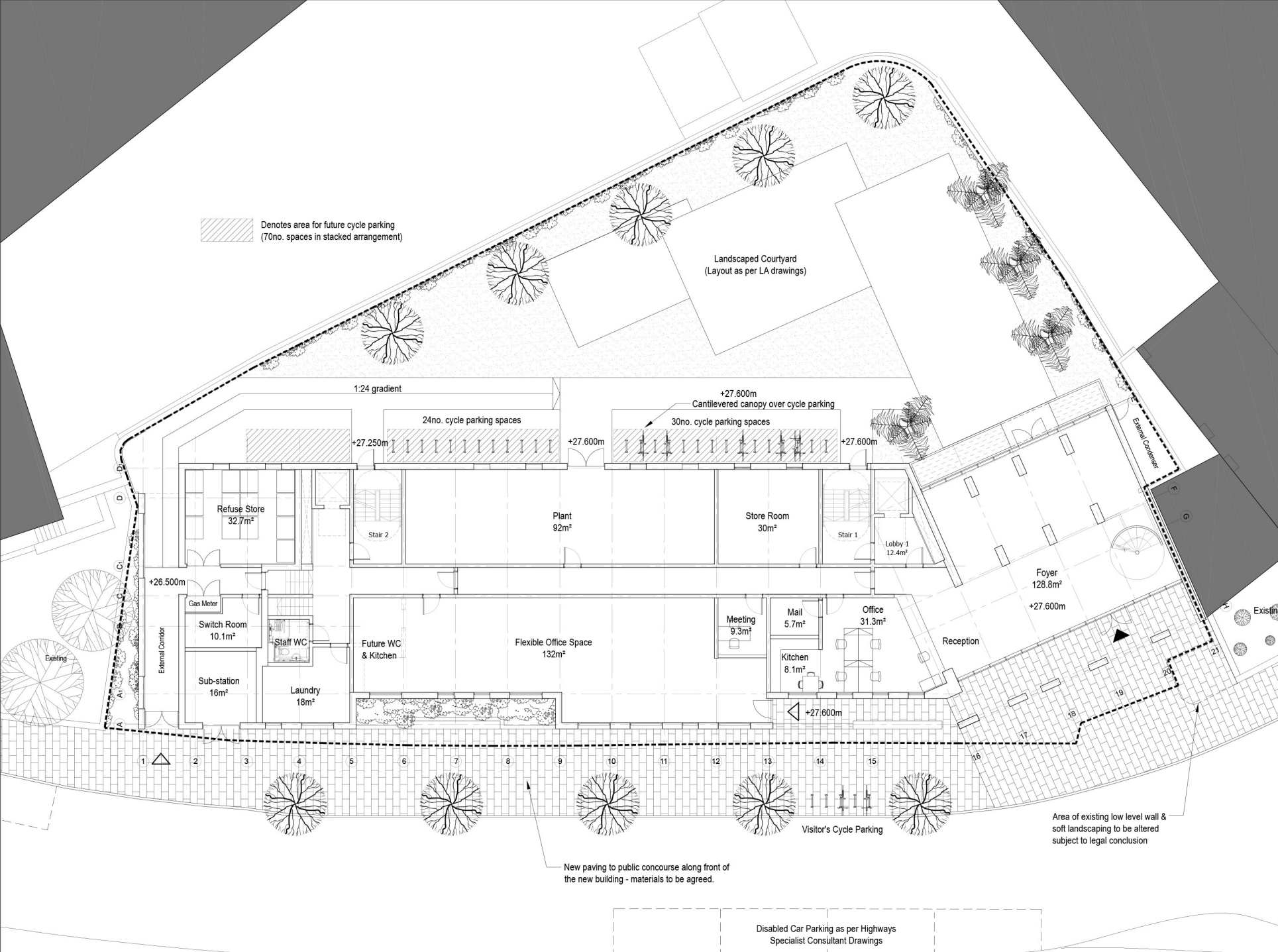
#### Informatives

1. Construction working hours
2. Asbestos
3. Landscape management plan

#### **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.

...



Denotes area for future cycle parking  
(70no. spaces in stacked arrangement)

Landscaped Courtyard  
(Layout as per LA drawings)

1:24 gradient

24no. cycle parking spaces

+27.600m  
Cantilevered canopy over cycle parking  
30no. cycle parking spaces

Refuse Store  
32.7m²

Stair 2

Plant  
92m²

Store Room  
30m²

Stair 1

Lobby 1  
12.4m²

Foyer  
128.8m²

+26.500m

Gas Meter

Switch Room  
10.1m²

Staff WC

Future WC  
& Kitchen

Flexible Office Space  
132m²

Meeting  
9.3m²

Mail  
5.7m²

Kitchen  
8.1m²

Reception

External Corridor

Sub-station  
16m²

Laundry  
18m²

+27.600m

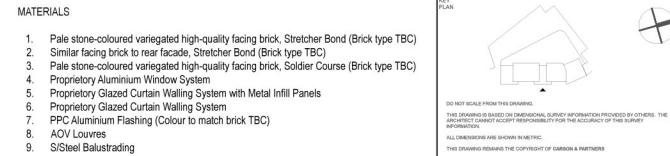
Visitor's Cycle Parking

Area of existing low level wall &  
soft landscaping to be altered  
subject to legal conclusion

New paving to public concourse along front of  
the new building - materials to be agreed.

Disabled Car Parking as per Highways  
Specialist Consultant Drawings

REV PLAN	
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CLIENT	
ALUMNO DEVELOPMENTS	
NOTES	
B South elevation openings altered 03.08.2016	
A Gas Meter, Ext. Condenser, Bench 01.07.2016	
Rev Reason for issue Date	
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PROJECT	
THE QUAD STUDENT ACCOMMODATION ALL SAINTS GREEN NORWICH	
TITLE	
GROUND FLOOR PLAN	
DRAWING NUMBER	
AL(20)010	
REVISION	
B	
PLANNING	
DATE	
22.04.2016	
DRAWN BY	
PM	
SCALE	
1:100 @ A1	
PLOT DATE	
CHECKED BY	
PROJECT NUMBER	
0169	



NOTES		
A	Bench & steps at Office entrance	01.07.16
Rev	Reason for issue	Date

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THE QUAD  
STUDENT ACCOMMODATION  
ALL SAINTS GREEN NORWICH

TITLE			
EAST ELEVATION			
DRAWING NUMBER			REVISION
AL(22)010			A
PLANNING			
DATE	DRAWN BY	SCALE	
22.04.2016	PM	1:100 @ A1	
PLOT DATE	CHECKED BY	PROJECT NUMBER	
		0169	

- MATERIALS
- 1. Pale stone-coloured variegated high-quality facing brick, Stretcher Bond (Brick type TBC)
  - 2. Similar facing brick to rear facade, Stretcher Bond (Brick type TBC)
  - 3. Pale stone-coloured variegated high-quality facing brick, Soldier Course (Brick type TBC)
  - 4. Proprietary Aluminium Window System
  - 5. Proprietary Glazed Curtain Walling System with Metal Infill Panels
  - 6. Proprietary Glazed Curtain Walling System
  - 7. PPC Aluminium Flashing (Colour to match brick TBC)
  - 8. A/V Louvers
  - 9. S/Steel Balustrading



NOT  
PLAN

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CLIENT

ALUMNO DEVELOPMENTS

NOTES

A	Updated to match plan @ LVL1	01.07.16
Rev	Reason for issue	Date

**Carson & Partners**

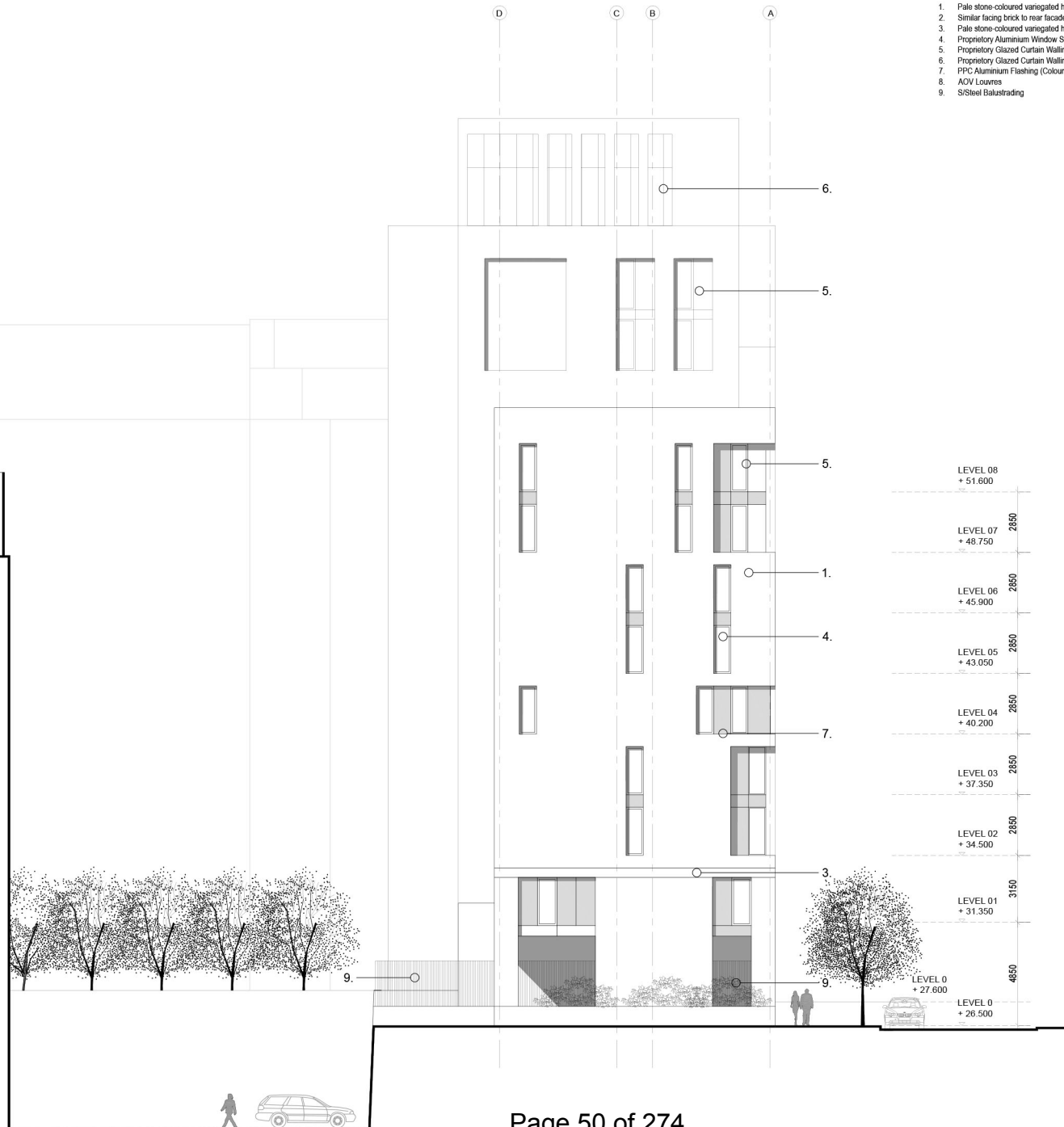
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**THE QUAD**  
STUDENT ACCOMMODATION  
ALL SAINTS GREEN NORWICH

TITLE

WEST ELEVATION

DRAWING NUMBER		REVISION
AL(22)012		A
PLANNING		
DATE	DRAWN BY	SCALE
22.04.2016	PM	1:100 @ a1
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9. S/Steel Balustrading



CLIENT  
**ALUMNO DEVELOPMENTS**

Rev	Reason for issue	Date
A	South elevation openings altered	03.08.2016

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**THE QUAD**  
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TITLE  
**SOUTH ELEVATION**

DRAWING NUMBER  
**AL(22)011**

PLANNING

DATE  
22.04.2016

PROJECT NUMBER  
0169



**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00699/F - 36 - 42 Duke Street  
Norwich, NR3 3AR

**5(B)**

**Reason  
for referral** Objection

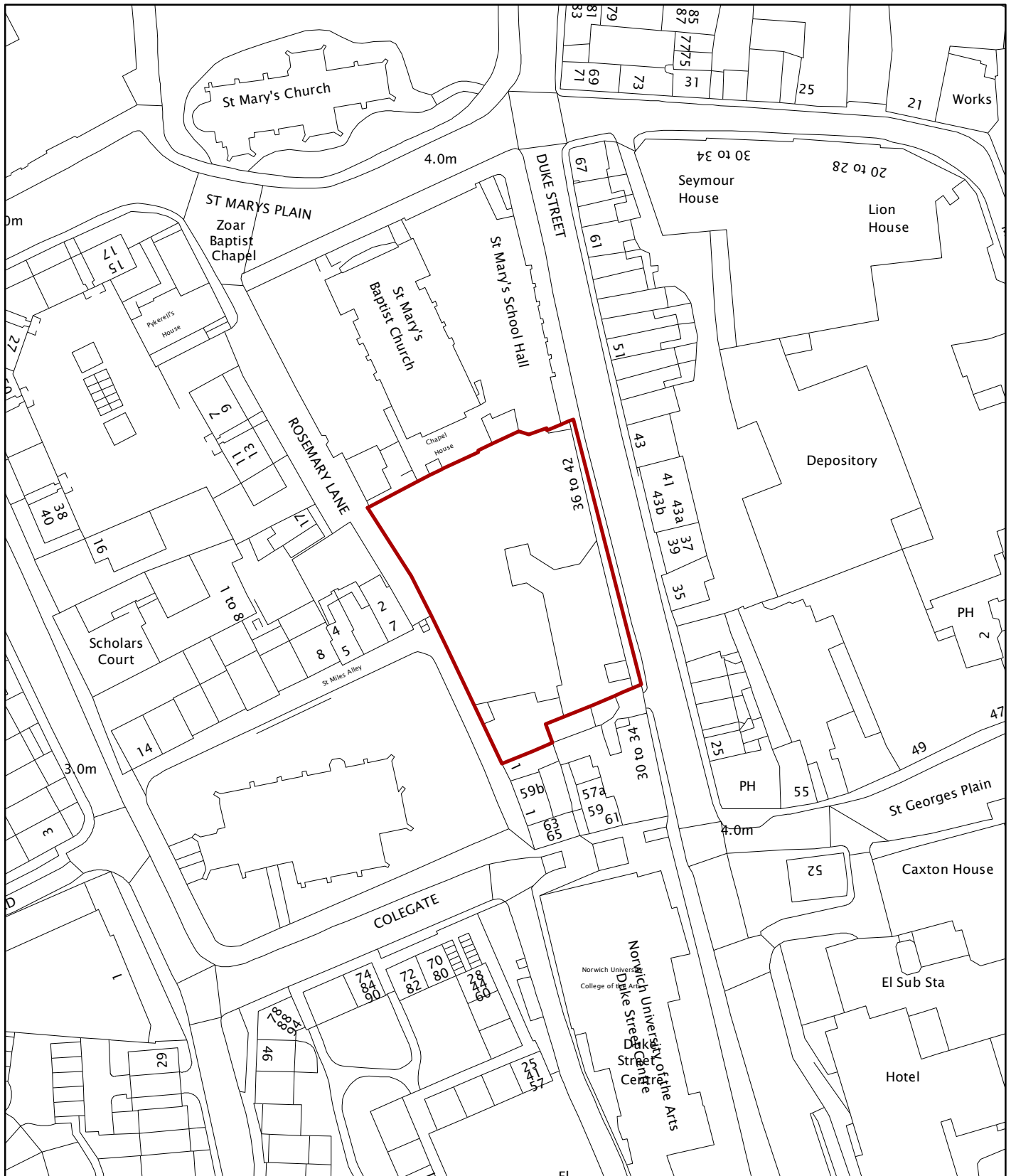
**Applicant** Wensum Homes Ltd

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<b>Ward:</b>	Mancroft
<b>Case officer</b>	Becky Collins - beccycollins@norwich.gov.uk

Development proposal		
Demolition of existing showroom and construction of 37 No. apartments.		
Representations		
Object	Comment	Support
9	0	0

Main issues	Key considerations
1 Principle of development	The principle of residential development in this location.
2 Design and Heritage	Impact on character of the conservation area, impact on the significance of local heritage assets, scale, form, massing and appearance.
3 Transport	Accessibility of site, impact of car parking and provision, traffic, highway safety, cycle parking, servicing.
4 Amenity	Daylighting/overshadowing, overlooking/loss of privacy, outlook, noise/smell/activity disturbances, overbearing, amenity of future occupants.
5 Affordable Housing	The question of the viability of the site and its ability to deliver affordable housing.
<b>Expiry date</b>	Extended to 2 September 2016
<b>Recommendation</b>	Approve subject to conditions and a legal Agreement.



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Planning Application No 16/00699/F  
Site Address 36-42 Duke Street

Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

Page 52 of 274



## The site and surroundings

1. The now boarded up car show room located on Duke Street, to the east of the site, which is bounded by properties off Rosemary Street to the North, St Miles Alley to the west and Colegate to the south. The site also backs on to and includes the historic curtilage wall to the west off St Miles Alley and lies within the setting of St. Michaels Coslany Church on Oak Street.
2. To the west lies the churchyard of St. Michaels Coslany Church, a Grade I Listed Building. There are a number of other Grade II Listed Buildings surrounding the site including numbers 4-7 St Miles Alley to the west, numbers 1 and 57-61 St Miles Alley/Queen Anne Yard and 30-34 Duke Street to the south. A row of newer, good quality, modest properties that frame the view to the church and churchyard have been constructed adjacent to 4/5 St Miles Alley.
3. There are a number of mature trees located within the church yard, primarily Turkish Hazel trees. The three trees closest to the western boundary of the site overhang the application site.
4. Properties off Duke Street are largely modest terrace properties, which abut the public highway, with front doors and regular patterns of fenestration. There has been some unsympathetic modern infilling of flats opposite the site, set slightly back from the prominent building line. Number 30-34 Duke Street is a Grade II Listed building located adjacent to the south of the application site. There are windows in the side elevations of this property facing the application site.
5. Queen Anne's Yard is located to the south of the application site and is a small cramped shared yard with many properties with their windows and doors facing into this space. Eaves and ridge lines surrounding this area are modest in height and have a traditional form.

## Constraints

6. The site is located within the Colegate Conservation area, adjacent to Listed Buildings and locally listed buildings, within an area of main archaeological interest, a critical drainage area and Flood Zone 2.

## Relevant planning history

7.

Ref	Proposal	Decision	Date
4/1990/0681	Change of use from garage to storage/retail/workshop for computer programming.	Approved	12/09/1990
4/1994/0228	Construction of brick planter on garage forecourt.	Approved	08/04/1994
4/1994/0229	Two internally illuminated fascia logo signs and one internally illuminated totem	Approved	08/04/1994

Ref	Proposal	Decision	Date
	sign on forecourt.		

## The proposal

8. The proposal is to demolish the existing boarded up car sales room and redevelop the site to provide 37 one and two bed apartments forming a U shape around a central courtyard located to the west of the site adjacent to St Miles Alley and the St. Michaels Coslany churchyard and boundary wall. The development will provide pedestrian and vehicle access off Duke Street, as well as a pedestrian access onto St Miles Alley.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>37</b>
No. of affordable dwellings	<b>0 (see Main Issue 7 outlined in this report)</b>
Total floorspace	<b>1,260 sqm.</b>
No. of storeys	<b>3-3.5 storeys onto Duke Street</b> <b>2.5 storeys onto St Miles Alley/Rosemary Lane</b>
Density	<b>203 dwellings per hectare</b>
<b>Appearance</b>	
Materials	<b>The proposed materials include brick, reconstituted slate and pantiles and metal windows.</b>
Energy and resource efficiency measures	<b>Fabric reduction measures and 19 Solar Panels on the roof.</b>
<b>Transport matters</b>	
Vehicular access	<b>Off Duke Street.</b>
No of car parking spaces	<b>21</b>
No of cycle parking spaces	<b>39</b>

Servicing arrangements	<b>One large bin store to the north-east of the site serviced off Duke Street.</b>
------------------------	--

## Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 13 letters of representation have been received from 9 separate parties 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 height of the development and impact on residential properties to the east, south and in Queen Anne Yard, as well as properties along Rosemary Lane resulting in overlooking and loss of light. The amendments to the plans to change to windows to high level to prevent overlooking will result in a towering wall overpowering Queen Anne Yard.	Main Issue 5
No street scene has been provided to show what the development will look like from Queen Anne Yard. Neighbours are also concerned about the quality and accuracy of the plans submitted.	To scale plans of all elevations have been submitted with the application.
The presence of the cycle store adjacent to St Miles Alley will result in increased cycling in this location, on the pedestrian walkway to the detriment of pedestrians.	Main Issue 3
The development is too high in relation to adjacent Listed Buildings and the Conservation Area.	Main Issue 2
Concerns about the proposed openings from the car park adjacent to Rosemary Lane and the potential for noise and fumes from the car parking area.	Main Issue 4
How are ground floor levels being dealt with within the site?	A condition requiring finished floor levels has been proposed.
How high will the wall be adjacent to Rosemary Lane? This is essential to understand any potential amenity impacts from windows and terraces behind the wall	Main Issue 4

<b>Issues raised</b>	<b>Response</b>
adjacent to Rosemary Lane.	
There is an excessive provision of car parking for the development, contrary to the Councils Policy.	Main Issue 3
Inadequate car parking – there should be at least one space per unit.	Main Issue 3
The entering and exiting of vehicles from the Duke Street access point will endanger pedestrians due to the width of the pavement and as vehicles speed down this street.	Main Issue 3
The proposal will result in overlooking, overshadowing and an overbearing impact on the neighbouring Listed 7 St Miles Alley, with windows facing the application site.	Main Issue 4
Overlooking of the courtyard off Rosemary Lane from the proposed first floor balcony (which is not visible on all the plans submitted).	Main Issue 4
Overdevelopment of the application site.	Main Issue 1
The development would benefit from additional landscaping and the consideration of a living wall to prevent dark and oppressive brick walls.	A landscaping condition has been added to ensure appropriate landscaping is used in the future development of the site.
The addition of Juliette balconies and French doors is contrary to the character of the street scene and would affect the privacy of future occupiers at ground floor level.	Main Issue 2 and 4
The narrowness of the pavement off Duke Street is a safety concern for future residents.	Main Issue 3
The proposed flats are cramped and uninspiring with poor access to light and ventilation.	Main Issue 4
Disruption and noise during construction works.	Main Issue 4

## 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.

### Design and conservation

11. Concerns about the Duke Street frontage and the use of Juliette balconies, which are not appropriate and the door appears to resemble a hotel lobby rather than an entrance to domestic properties. The roof directly adjacent to 30-34 looks odd in comparison to its neighbouring unit.

### Historic England

12. Recommend the hipped roof at the northern end of the row is reinstated and the central block on Duke Street is set forward to accentuate this feature. The proposed vehicle access off Duke Street is an unpleasant feature at ground floor level for pedestrians and an unsightly 'gap' in the architecture, especially when combined with the adjacent bin store. The success of this development lies with high quality materials to be secured through appropriate conditions.

### Norwich Society

13. The plans show too intensive, over-development of the site. It is too tall on Duke Street side. The historical context of the area should be taken into account.

### Archaeology

14. Early medieval city defences in the area and possible earlier swamp. Desk based assessment appears adequate, standard conditions are required.

### Environmental protection

15. The submitted noise and contamination reports are considered acceptable subject to conditions to ensure appropriate measures are implemented. Additional conditions/informatives for work times, dust prevention, asbestos and lighting are required.

### The Lead Local Flood Authority

16. The Local Planning Authority should satisfy themselves that the proposed development complies with the NPPF and the Ministerial Statement for Sustainable Drainage Systems. The applicants should demonstrate how the proposal accords with relevant standards. The proposal should also accord with Standing Advice.

### Highways (local)

17. No objection in principle. However, local Highways advises the submission of tracking information and the provision of a curved access point to provide visibility and allow a vehicle to wait off the highway to address the potential conflicts with vehicles entering and exiting the site at the same time. The car and cycle parking proposed conforms to the Local Plan requirements. All of the domestic parking bays should have EV vehicle charging. Footways on both sides of Duke Street

require reconstruction. The applicant could contribute to the autumn 2016 traffic calming works to be carried out. A considerate construction condition is required.

18. The proposal is considered acceptable from a bin collection point of view.

#### **Tree protection officer**

19. Has confirmed that the proposed works to trees adjacent to the site would be acceptable.

#### **Landscape**

20. The absence of landscaping on the Duke Street frontage is acceptable as it is in character with other frontages along this section of the street. The two small areas of landscaping shown to the south of the development are too small to be viable and will be difficult to maintain, they would be better hard surfaced.
21. The layout of the Courtyard garden is acceptable but should be conditioned and details of the soft landscaping and its management submitted.

### **Assessment of planning considerations**

#### **Relevant development plan policies**

22. **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
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS11 Norwich city centre
  - JCS20 Implementation
23. **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
  - 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
  - DM32 Encouraging car free and low car housing
  - DM33 Planning obligations and development viability



## **Other material considerations**

### **24. 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
- NPPF12 Conserving and enhancing the historic environment

### **25. Supplementary Planning Documents (SPD)**

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

## **Case Assessment**

26. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning 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**

27. Key policies and NPPF paragraphs – DM12 and DM13, JCS4 and NPPF paragraphs 49 and 14.
28. The proposal involves the demolition of the existing boarded up car salesroom and the construction of 37 residential units on the site, surrounding a central courtyard, adjacent to St. Michaels Coslany churchyard with the retention of the existing historic boundary wall, which runs along the western boundary of the site.
29. 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. It is located off a main route into and within walking distance of the city centre, close to existing shops and facilities. The proposal is for a high density development and given the sites proximity to the city centre, subject to other matters of design and amenity, further discussed below, the overall principle of residential development at this site is considered acceptable.
30. 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 specific issues sections of the report below.

## **Main issue 2: Design and Heritage**

31. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
32. The site is located within the Colegate Conservation Area. The area comprises small lanes criss-crossing the larger streets which run North and South, essentially continuing the medieval street pattern of the older City centre streets, but with large factories dominating the western streets. This pattern is clearly prevalent as one travels along Duke Street and onto St Mary's Plain. The Conservation Area Appraisal goes on to explain that 'the tight grain of the buildings . . . encloses the streets well, and creates an intimate feel. This character breaks down once Duke Street is reached'. This is a key explanation of this site which abuts Duke Street and Rosemary Lane/Colegate, which is a true representation of the historic street form, as set out in the appraisal.
33. The Colgate Conservation Area appraisal sights the churchyards as providing welcome greenery throughout the area; and the presence of Georgian town houses and rows of terraces. It also identifies the need to reinstate building lines; introduce traffic calming in Duke Street; and states that large scale development should take its design cue from traditional factory forms.
34. The application site also falls within the setting of a number of statutorily and locally listed Buildings including St. Michaels Coslany Church to the west, which is considered to be a landmark building within the local area. Policy 12 of the NPPF requires applicants 'to describe the significance of any heritage assets affected, including any contribution made by their setting'. The submitted design and access statement makes reference to the area's history and looks at local building type, materials and form, although no description of significance has been included with the submitted application.
35. The proposed design along Duke Street is a maximum of four stories with a large central mock Georgian building abutted by three storey adjoining buildings with varying eaves and ridge heights. The proposal is a great improvement on an earlier submitted scheme which failed to recognise the regular street pattern, continuous building lines and wider character of the area as outlined in the Conservation Area Appraisal. The proposal is set back from the principle building line which is prevalent in the street scene. The restating of building lines is an objective in the Colegate Conservation Area appraisal. The applicants do however proposed a combination of a brick wall and railings to run along the back of the pavement/building line to help to provide some enclosure in the street scene.
36. The scheme along Duke Street could be greatly improved through the inclusion of front doors, which is a common feature when combined with regular fenestration in the rows of terrace opposite the application site. This would create activity in the street as well as helping the development blend with the existing character of the area. The applicant has however raised concerns, as this is at odds with the design objectives of the development to provide high scale apartments accessed off a central entrance lobby and maximise development potential. The set back is also to accommodate services for the flats.

37. The proposal includes a number of Juliett balconies with double doors overlooking Duke Street, although this is not characteristic of the surrounding area the applicant states they are key way of accessing light into the rooms behind. A more common fenestration pattern for Georgian properties of this size would to have regular decreasing window sizes as one rises up the building.
38. Conditions with regards to materials, windows detailing and detailing around the doors and windows will be important to ensure this development makes a positive contribution to the street scene and the character of the Conservation Area.
39. The Conservation Area Appraisal outlines the street pattern in this area as having small lanes criss-crossing the larger streets. Some consideration has been given to applying this approach to this development. The applicants have therefore added pedestrian access points to the site from the east and west. However, to maximise the development potential of the site, unfortunately a public access route through the site is not proposed.
40. The development will largely be hidden from view from the south by existing built form with clear views to the site from Duke Street and Colegate. To the rear large trees within the churchyard and the proposed set back of the built form away from the historic boundary wall will help to retain this green space and avoid any over dominance of the proposal on the Listed church. A landscaping condition will be applied to any subsequent approval to ensure appropriate landscaping is implemented alongside the proposed development.
41. Other built development to the rear of the site will have higher eaves and ridge heights than its historic neighbouring properties; however, the stepped ridge line will help with the negative impacts of this, as will the retention of the western wall, which protects the setting of neighbouring Listed Buildings also. Although this should not be treated as a 'rear' elevation, the limited detailing on the rear elevation is largely to reduce amenity impacts on neighbouring properties, further discussed below. This elevation however, is considered to suitably frame the churchyard and not compete with neighbouring buildings. As such it would not detract from the appearance of the scheme to such an extent that it would warrant refusal of planning permission in this instance. Overall it is considered that the proposal would serve to enhance the character of the Conservation Area given that it includes the removal of the existing boarded and closed car showroom. Also, the proposal includes car parking and other services largely hidden within the footprint of the existing development which is preferable than being sited adjacent to the public highway.
42. The proposal will block views to neighbouring locally listed buildings to the north of the site. However, given these buildings current setting, the redevelopment of this site would actually improve the quality of this area to the benefit of their setting.
43. The proposal is likely to lead to less than substantial harm to the significance of locally designated heritage assets, due to the design of the proposal and the presence of existing unsightly built form in close proximity to existing heritage assets. The setting of the St. Michaels Coslany Church will remain largely unaltered due to the retention of the historic boundary wall. The benefits of the proposal through the provision of 37 residential units is likely to have sufficient public benefits to outweigh some of the design concerns of the site, a key consideration as set out in paragraph 133 of the NPPF. The proposal with its

variance in ridge lines and building forms and the insertion of some historic features, is likely to preserve the setting of the Conservation Area. As such any less than substantial harm caused to statutorily and locally listed buildings are considered to be outweighed by the benefits of the proposals in terms of providing new housing and improving the appearance of the conservation area when viewed from Duke Street. On this basis the proposal is considered in accordance with Policy 12 of the NPPF and policies 2 of the Joint Core Strategy, and DM3 and DM9 of the Norwich Local Plan.

#### **Main issue 4: Transport**

44. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
45. Local Highways have raised concerns with regards to the vehicle access point off Duke Street, asking for it to have a splayed corner to provide better visibility and allow multiple access and egress to and from the site. It is considered that this would have a detrimental impact on the design of the scheme and the street scene and given the speed restrictions on Duke Street then this is not considered necessary at this time.
46. Local Highways have also requested that the footways on both sides of Duke Street are reconstructed and widened and the applicant contribute to local traffic calming works. Paragraph 204 of the NPPF states 'Planning obligations should only be sought where they are . . . necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development'. This development therefore cannot be expected to improve an existing poor situation or contribute to works already committed or necessary to address an existing situation. It is considered that it would only be reasonable to require works to the pavement on the side of the street where the development is proposed. Although, concerns have been raised about the width of the pavement on this side of the street, the proposal is set back from the highway and therefore the movement of people in and out of this building is unlikely to hinder the passing of pedestrians, apart from on bin collection day when a number of bins could be present. Despite this, as bin collection will be for a limited time period only then the proposal is considered acceptable and no further obligations sought on this basis.
47. The site is located within an area where a car free development would be encouraged. The application proposes car parking less than the maximum 1 space per unit, as set out in Policy DM31 and therefore the proposed car parking provision is considered acceptable. Vehicle charging facilities for all vehicles will also be required by condition. The application also proposes 39 cycle spaces, the exact details of their siting and storage is to be conditioned to ensure adequate cycle provision in accordance with policy DM31.
48. A proposed cycle store is located adjacent to St Miles Alley. Some concerns have been raised that this location would encourage further use of cycles on the pedestrian walkway. The location of the cycle store would not affect the pedestrian right of way in this location, nor would it encourage use of cycles in this location. To avoid conflict with vehicles, this is considered a logical location for cycle storage. The proposal is considered acceptable on this basis.

## **Main issue 5: Amenity**

49. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
50. A number of alterations have been made to the originally submitted scheme to try to address some of the amenity concerns raised during the initial consultation. These amendments have been publically consulted upon and the comments received have been summarised earlier in this report.
51. The previously proposed three storey development plus windows on its northern side elevation would have overlooked the rear courtyard of the small property off Rosemary Lane, adjacent to the north of the site. The original proposal would have had a detrimental impact on the amenity of this property from generating overlooking from windows and have an overbearing nature due to its height and positioning adjacent to the boundary of this property. The plans have been amended to remove windows, apart from one, from the northern elevation overlooking the courtyard and reduce the eaves height to mimic that of the existing property. The remaining window is offset to avoid any negative impacts and the reduction in eaves height to match that of this existing property would address any negative impacts of being overbearing.
52. The neighbouring properties opposite this part of the site have raised some concerns with regards to overlooking from windows and a terrace as proposed on this western elevation. Given that these neighbouring properties windows and courtyards face a public right of way with no boundary treatment and the distances between them and the proposal, with the existence of a proposed boundary wall (shown at a height of 3.5 metres) then it is not considered that the impact on amenity for these properties could justify refusal of planning permission on this basis. One terrace behind the wall, was however removed on the advice of officers, to ensure any impacts from overlooking to windows in the side elevation of numbers 2 and 7 St Miles Alley was prevented. A condition will be added to approve boundary treatments to ensure neighbouring amenity is protected.
53. Concerns have also been raised with regards to openings proposed from the car park out on to St Miles Alley/Rosemary Lane and the potential to increase noise and fumes. No concerns have been raised by Environmental Health. There is sufficient ventilation around the car park so as not to give rise to excessive amounts of fumes or noise being directed towards the three openings off Rosemary Lane. Also, there is sufficient distance between these openings and neighbouring windows and the use of the car park is for gated residential purposes so it is unlikely to generate a significant number of vehicle movements or vehicles would be hanging around in the car park with their engines running. The use of this car park is likely to be similar to the adjacent car park off Rosemary Lane. The applicants propose to install decorative metal railings within these openings, picking up the historic use as a former “Forge”. A condition will be added to any subsequent proposal to control the infilling of these openings. It has been suggested that the openings are reduced in size with brick below railings to assist with preventing any negative impacts.
54. Further amendments have been made to the southern elevation of proposal with the removal of windows, changing windows to high level and obscure glazing some windows to protect neighbouring properties to the south from overlooking whilst retaining light for future occupants. The application does propose new built form

adjacent to Queen Anne Yard and properties off Duke Street, however, given the existence of built form in this location and the distances between properties then the proposal is considered acceptable, subject to conditions with regards to obscure glazing.

55. Concerns have been raised with regards to noise and disturbance caused during construction works. A condition requiring details of construction management will be required to ensure these works do not have a significantly detrimental impact on the amenity of neighbouring properties.
56. The majority of the proposed units are single aspect units, often with long large spaces served by one window. Although, preference would be to achieve better levels of light for future occupants through the addition of windows, all rooms are served by a window, with reasonable outlook. As such the proposal is considered acceptable on this basis.
57. The requirement to provide lifetime homes in policy DM12 applies to sites of 10 plus dwellings, a condition will therefore be added to the proposal requiring the development to meet this standard.
58. Policy DM12 requires new housing developments to provide for a mix of dwellings, in terms of size, type and tenure including (where the size and configuration of the site makes this practicable and feasible) a proportion of family housing and flats to meet the needs of the community'. The proposal makes provision for 37 one and two bed units. As such the development provides a mix of dwellings with two bed units to serve the family requirement.
59. Based on the amendments to the plans it is considered that the development would provide an acceptable standard of amenity for existing and future occupants in accordance with policies DM2 and DM11 of the Norwich Local plan.

#### **Main issue 7: Affordable housing viability**

60. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraph 50.
61. The applicant has submitted a viability assessment to demonstrate that there is insufficient viability within the development to provide affordable dwellings or further s.106 contributions. This has been independently assessed by the District Valuer Service (DVS). Following this advice officers agree that this scheme is marginally viable without any affordable housing and with the CIL contribution proposed. The report from the DVS goes on to recommend 'if you are prepared to proceed with this scheme we would suggest that you include a time scale for delivery in any section 106 agreement which if not met, triggers an automatic viability review. This will provide a means of taking account of any increase in values over time and helps to ensure delivery of the scheme within a reasonable time scale'.
62. A draft section 106 has been submitted which would require the developers to review the viability report, if not commenced development, at either 12 months from the permission or 12 months from the last discharge of condition application. This requires payment to the Council in the event the market values mean that there is sufficient value within the site to contribute to the local provision of affordable housing. It is recommended that if planning permission is granted it is subject to the signing of this agreement.

63. Appropriate CIL contributions will be paid.

#### **Other matters**

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

#### **65. Trees**

The Colegate Conservation Area Appraisal sights trees within the churchyard as important and given their location within the Conservation Area any works to these trees would require consent. The application proposes within the submitted Arboricultural report, an east side reduction of 2 metres to three Hazel trees closest to the site. The Council's tree officer has looked at these trees and believes that the works proposed would not affect the long term health or stability of these trees. No further works to trees are proposed. A condition to ensure all works in this location are undertaken in accordance with the protection measures as outlined in the submitted Arboricultural report should be applied in the event planning permission is required. The proposal is therefore considered in accordance with Policy DM7 of the Norwich Local Plan.

#### **66. Energy**

Conditions had been proposed to ensure the development contributes to the achievement of lifetime homes as well as makes contributing to decentralised energy supply as set out in the submitted Energy Statement through the enhancement of fabric within the building and the installation of solar panels in accordance with policies 10 of the NPPF and JCS3 of the Joint Core Strategy.

## **67. Water**

The Lead Local Flood Authority has referred the LPA to standing advice with regards to flooding. The applicants have submitted a Flood Risk Assessment (FRA), which highlights the sites location within Flood Zone 2, therefore the site has a medium risk of flooding. The site is also located within the critical drainage catchment area. Anglian Water and Environment Agency, despite being consulted, have not responded to previous consultations with regards to this application.

68. Policy 10 of the NPPF states, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment (FRA). The submitted FRA sequential test supports residential development in flood zone 2. Also, given the existing extent of built form, surface water drainage will mirror that of the existing situation with a slight improvement with the addition of permeable paving within the courtyard. This can be secured through the proposed landscape condition. The proposal is therefore considered acceptable on this basis.

## **69. Contamination**

Conditions have been proposed to ensure that the development, if permitted, contains suitable remediation measures to address any onsite contamination in accordance with policy 11 of the NPPF and Policy DM11 of the Norwich Local Plan.

## **Equalities and diversity issues**

70. There are no significant equality or diversity issues.

## **S106 Obligations**

71. A draft s.106 agreement has been submitted. If this application is approved then the section 106 agreement will need to be entered in to, to review the affordable housing viability in the event the development has not commenced after a period of 12 months.

## **Local finance considerations**

72. 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.
73. 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.
74. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

75. The proposed scheme will provide an appropriate form of residential development, which serves to preserve the character and appearance of the Conservation Area



and the setting of local heritage assets, through an appropriate design and the loss of the existing boarded up and unsightly car showroom.

76. Whilst the proposal is of high density, it will make a generous contribution to the provision of mixed use housing in a highly accessible site close to the city centre. The site is in an established residential area and surrounded by existing dwellings on its east, west and south sides. It is not considered that the proposals would unduly impact the amenity of neighbouring residents and future occupants will benefit from satisfactory living conditions.
77. Subject to conditions and a suitable section 106 agreement, the development is considered 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. 16/00699/F - 36 - 42 Duke Street Norwich NR3 3AR and grant planning permission, subject to the completion of a satisfactory legal agreement 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), external walls and railings, all external joinery and fenestration including rooflights, rainwater goods, infilling of openings on western side of the site;
4. Landscaping scheme including all soft and hard landscape, boundary treatments, finished site levels and management measures;
5. Works to be undertaken in accordance with the protection measures as outlined in the submitted arboricultural report;
6. Construction Method Statement;
7. Solar panels;
8. Parking, EV charging and cycle/ bin storage details;
9. Obscure glazing of windows in the south elevation as shown on plan reference 4876 C received on 05/08/2016 to be permanently retained in that form;
10. Noise mitigation measures in accordance with the submitted noise report;
11. Contamination measures;
12. Travel Plan;
13. Water efficiency;
14. Lifetime homes; and
15. Archaeology.

Informatives:

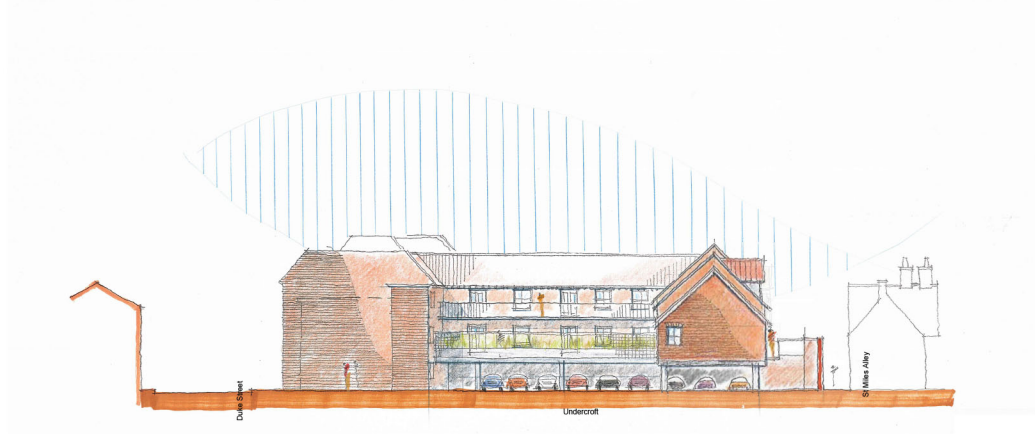
1. Protection of noise from balconies.
2. Note to remind the use of permeable paving in courtyard to assist with surface water drainage.

## **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.



DUKE STREET ELEVATION



NORTH ELEVATION - VIEW FROM CHURCH & CHAPEL HOUSE



SOUTH ELEVATION



ST MILES ALLEY ELEVATION

REV	DATE	DESCRIPTION	DRAWN	CHECKED BY
C	04/08/16	North Elevation amended	DB	MN
B	14/07/16	minor update to NCC comments	low	
A	11/07/16	updated in response to planners comments	low	

CF

Architects Engineers Quantity Surveyors

**PLANNING**

**Wensum Homes Ltd**  
Client  
 36-42 Duke Street  
 Norwich

**Proposed 1:200 Elevations**  
(sheet 1)

**4876**  
PROJECT REF

**065**  
DATE **C**  
SCALE

**May 2016**  
DATE **1:200 @ A1**  
SCALE

**PB**  
DATE **CHECKED BY**

**Chaplin Farrant Limited**  
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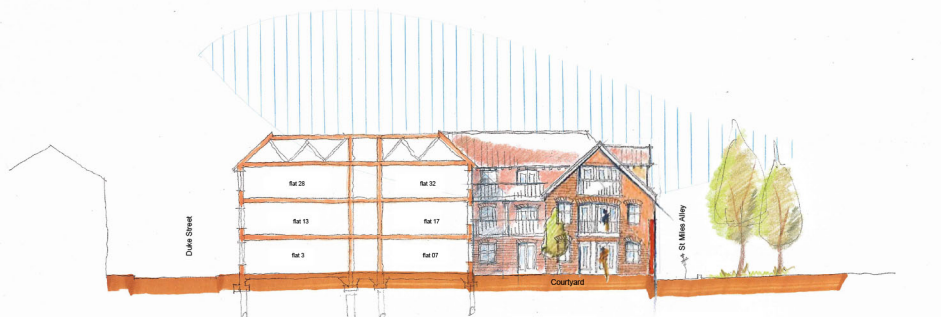
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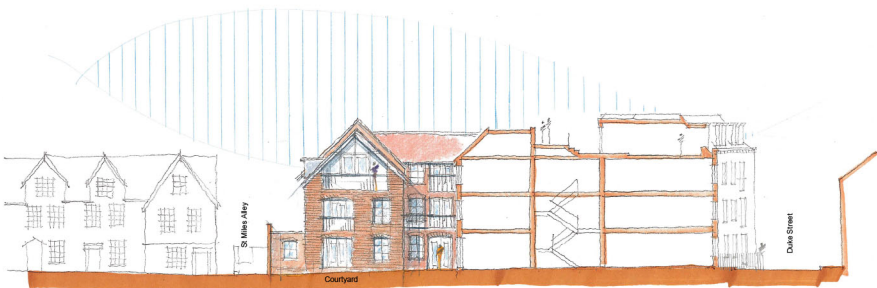
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Do not scale from this drawing.

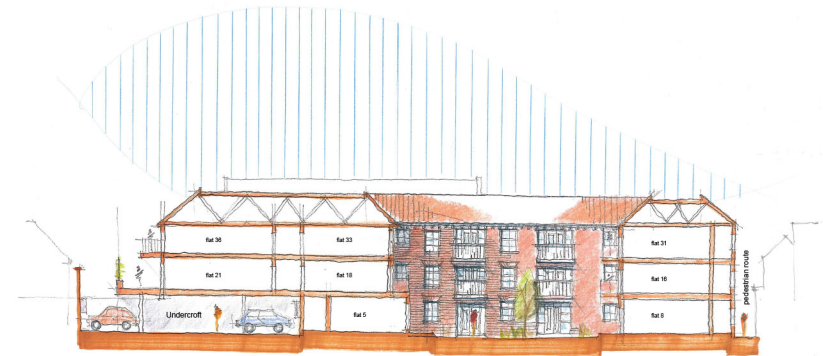




NORTH ELEVATION / SECTION - THROUGH COURTYARD



SOUTH ELEVATION / SECTION - THROUGH COURTYARD



WEST ELEVATION / SECTION - THROUGH COURTYARD

C	04/08/16	North elevation/section Amended	DB	MN
B	14/07/16	minor update to NCC comments	bw	
A	11/07/16	updated in response to planners comments	bw	
REV	DATE	DESCRIPTION	DRAWN	CHECKED BY

Revisions



PLANNING

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Wensum Homes Ltd  
36-42 Duke Street  
Norwich

Proposed 1:200 Elevations  
(sheet 2)

4876

066

May 2016

PB

C

1:200 @ A1

SCALE

CHECKED BY





**Schedule of Accommodation:**

GROUND FLOOR		
01 - 2 Bed -	69.9m <sup>2</sup>	
02 - 1 Bed -	53.4m <sup>2</sup>	
03 - 2 Bed -	69.3m <sup>2</sup>	
04 - 2 Bed -	69.9m <sup>2</sup>	
05 - 2 Bed -	68.2m <sup>2</sup>	
06 - 2 Bed -	71.9m <sup>2</sup>	
07 - 1 Bed -	47.6m <sup>2</sup>	
08 - 2 Bed -	74.9m <sup>2</sup>	
09 - 2 Bed -	71.9m <sup>2</sup>	
	597.0m <sup>2</sup>	597.0m <sup>2</sup>

FIRST FLOOR		
10 - 2 Bed -	70.9m <sup>2</sup>	
11 - 2 Bed -	69.9m <sup>2</sup>	
12 - 2 Bed -	81.5m <sup>2</sup>	
13 - 2 Bed -	69.3m <sup>2</sup>	
14 - 2 Bed -	69.9m <sup>2</sup>	
15 - 2 Bed -	71.3m <sup>2</sup>	
16 - 2 Bed -	74.9m <sup>2</sup>	
17 - 2 Bed -	66.2m <sup>2</sup>	
18 - 2 Bed -	77.8m <sup>2</sup>	
19 - 2 Bed -	71.7m <sup>2</sup>	
20 - 2 Bed -	79.4m <sup>2</sup>	
21 - 2 Bed -	63.9m <sup>2</sup>	
22 - 1 Bed -	48.0m <sup>2</sup>	
	914.7m <sup>2</sup>	914.7m <sup>2</sup>

SECOND FLOOR		
23 - 2 Bed -	70.9m <sup>2</sup>	
24 - 2 Bed Duplex	77.2m <sup>2</sup>	(both floors)
25 - 2 Bed Duplex	77.9m <sup>2</sup>	(both floors)
26 - 2 Bed Duplex	77.9m <sup>2</sup>	(both floors)
27 - 2 Bed Duplex	77.2m <sup>2</sup>	(both floors)
28 - 2 Bed -	69.3m <sup>2</sup>	
29 - 1 Bed -	50.5m <sup>2</sup>	
30 - 1 Bed -	53.6m <sup>2</sup>	
31 - 2 Bed -	74.9m <sup>2</sup>	
32 - 2 Bed -	66.2m <sup>2</sup>	
33 - 2 Bed -	77.8m <sup>2</sup>	
34 - 1 Bed -	54.9m <sup>2</sup>	
35 - 2 Bed -	68.2m <sup>2</sup>	
36 - 1 Bed -	48.0m <sup>2</sup>	
37 - 1 Bed -	48.0m <sup>2</sup>	
	990.4m <sup>2</sup>	990.4m <sup>2</sup>

**TOTAL GIA** 2502.1m<sup>2</sup>

Total 8 1 Bed, 25 2 Bed & 4 2 Bed duplex  
= 37 apartments  
21 cp spaces  
39 cycle spaces



REV	DATE	DESCRIPTION	DRAWN	CHECKED BY
C	04.08.16	Minor revision to schedule	pb	
B	14.07.16	Minor update to NCC comments	baw	
A	08.07.16	Minor variations as meeting NCC planning	pb	

Revisions

CF

Architect Engineers Quantity Surveyors

**Planning**

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**Wensum Homes Ltd**  
36-42 Duke Street  
Norwich  
Norwich  
Ground Floor Plan  
4876  
060  
May 2016  
1:200 (A3) 100 (A1)  
pb



**Report to** Planning applications committee

**Item**

08 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00536/F - 5 - 9 Haymarket,  
Norwich, NR2 1QD

**Reason  
for referral** Objection

5(C)

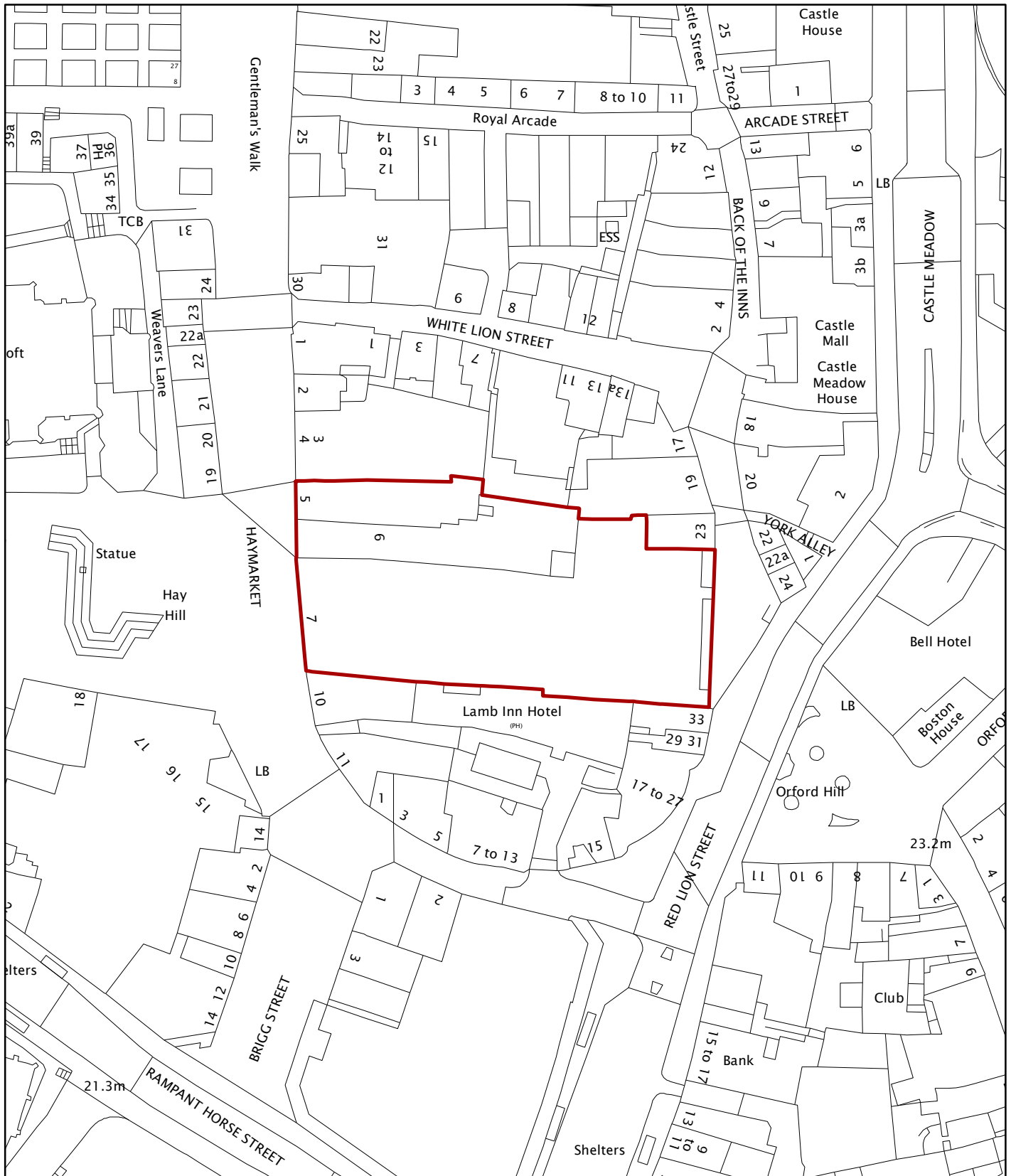
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<b>Ward:</b>	Mancroft
<b>Case officer</b>	Becky Collins - beckycollins@norwich.gov.uk

Development proposal		
Demolition of existing buildings and erection of new retail store (Class A1) (revised design).		
Representations		
Object	Comment	Support
1	0	0

Main issues	Key considerations
1 Principle of development	The principle of residential development in this location.
2 Design and heritage	Impact on character of the conservation area, the significance of local heritage assets, scale, form, massing and appearance.
3 Transport	Accessibility of site, car parking and cycle parking provision and servicing.
4 Energy	The provision of sustainable development.
<b>Expiry date</b>	29 July 2016 extend to <b>14/09/2016</b> .
<b>Recommendation</b>	Approve subject to conditions





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Planning Application No 16/00536/F

Site Address 7-9 Haymarket  
(Primark)

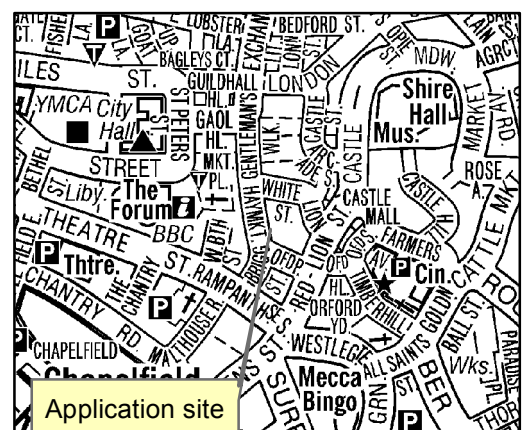
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**NORWICH**  
City Council

PLANNING SERVICES

Page 74 of 274





## The site and surroundings

1. The application site consists of the existing three storey 'Primark' store with frontages onto Haymarket and White Lion Street. It also includes the neighbouring two shops (previously Dorothy Perkins and Wallis now vacant), which are to be demolished and replaced with a three storey extension to the existing Primark Store. The existing units are 3 storey buildings, with the third floors set back from stark frontages consisting of bland/dark bricks, not characteristic of the neighbouring historic shop frontages. There are a limited number of openings within the first floor frontage of the previous Dorothy Perkins and Wallis shops.
2. The Primark Store is white painted, although tired and in need of refurbishment. The shops positioning holds a prominent position along Haymarket and White Lion Street, opposite the open area in front of Next/Macdonalds. This area acts as a communal space with some greenery and seating and off Haymarket. On White Lion Street a similar wide perception of the building can be gained via wide pavements, acting as a key pedestrian movement zone. The current buildings, other than following the historic building line, make a limited contribution to these street scenes.
3. There is an existing large roller shutter door onto White Lion Street acting as servicing for Primark (the proposal will include the retention of this roller shutter and its use as servicing for the new store).
4. The site lies within the St Stephens Conservation Area and is adjacent to the Grade II\* Curat House (The White Company shop), a Schedule Ancient Monument. There are a number of other heritage assets surrounding the application site.

### Constraints

5. St Stephens Conservation Area; Heritage designations (including the setting of Listed and locally Listed Buildings and adjacent to a Schedule Ancient Monument and area of archaeological interest); City Centre Leisure Area; Primary Retail Area, Primary Shopping frontage and frontage to core zone (Haymarket) and other zone (White Lion Street); and City Centre car parking area and increase area.

## Relevant planning history

6.

Ref	Proposal	Decision	Date
4/2001/0651	Installation of replacement shop front.	APPR	23/08/2001
4/1997/0882	Installation of new lift shaft and motor room, plant and machinery, replacement roof, alterations to existing shopfronts and replacement roller shutter to loading bay	APCON	03/03/1998
11/00059/F	Demolition of existing second floor corridor link and ancillary rooms at east end of building and erection of an	CANCLD	08/07/2011

Ref	Proposal	Decision	Date
	extension at second floor level towards White Lion Street and installation of new external shop frontages to both Haymarket and White Lion Street elevations.		
11/00063/C	Demolition of redundant plant rooms and existing storage.	APPR	04/04/2011
16/00536/F	Demolition of existing buildings and erection of new retail store (Class A1) (revised design).	PCO	
16/00536/F	Demolition of existing buildings and erection of new retail store (Class A1) (revised design).	PCO	
16/00536/F	Demolition of existing buildings and erection of new retail store (Class A1) (revised design).	PCO	

## The proposal

7. The proposal is for the demolition of existing buildings and the erection of a new retail store (Class A1).
8. This will be a phased development whereby the neighbouring two A1 retail units are demolished and rebuilt. The existing Primark store is to be refurbished providing additional third floor retail space as well as staff accommodation. The units will then be linked with shared lift and other customer conveniences and will trade as one store. New shop frontages will be installed onto the fronts of buildings onto Haymarket and White Lion Street. The existing servicing arrangements onto White Lion Street are also to be improved. Mechanical plant and air source heat pumps are to be located in a central point on the roof of the building.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total floorspace	<b>1805 sqm</b>
No. of storeys	<b>3</b>
<b>Appearance</b>	
Materials	<b>High performance felt roof covering; metal framed windows and doors and roller-shutter doors for goods</b>

	<b>area</b>
Energy and resource efficiency measures	<b>Air source heat pumps to be installed in the four air handling plant units located on the roof.</b>
<b>Operation</b>	
Opening hours	<b>Monday to Saturday 8am till 7pm; Sunday 10am till 4.30pm</b>
Ancillary plant and equipment	<b>To be located in the centre of the roof on its northern side, the least intrusive position on the building.</b>
<b>Transport matters</b>	
No of cycle parking spaces	<b>30 external customer bicycle spaces on Orford Hill (to be secured via Grampian condition). 15 internal staff bicycle spaces.</b>
Servicing arrangements	<b>The site will be serviced off White Lion Street, as per the existing arrangement.</b>

## Representations

9. This application was advertised on site with site notices at Haymarket and White Lion Street and in the press. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

One letter of objection was received from the Norwich Society strongly objecting to the proposal on the grounds this is an ugly, insensitive proposal, harmful to the character of two streets. Haymarket is an historic area and needs quality architecture. Since receipt of amended plans, a further consultation to Norwich Society has been sent. The Norwich Society retain their objection on the grounds that whilst they have taken English Heritage comments into consideration, done away with the mansard roof and used a set-back vertical wall instead, giving a less monotonous building line, the proposal still does little to acknowledge any of its surroundings or the historic and conservation character of the frontages within which it sits. Its appearance remains bland and out of keeping with the character of Gentleman's Walk. The materials palette has been improved, using dark stone instead of vinyl cladding, however these still represent a standard commercial specification rather than referencing specific context.

## Consultation responses

10. Statutory consultation responses received are summarised below, the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

## **Historic England**

11. Historic England has provided advice and comments throughout the application process and the design of the proposals have evolved on this basis. The latest comments from Historic England note the following:
12. The revised plans show the new designs have responded to our previous advice, particularly in the way they attempt to show the floor levels stepping down on Haymarket and some vertical differentiation to distinguish the historic plot boundaries contained in the site. The simplification of the top storey is also welcome. The detailing of fenestration, the formation of relief detail in the facades and quality of cladding materials (especially the brickwork) will be very important but we are content to defer to the Council's discharge of conditions to cover those aspects and would not object to the granting of consent. The Council should also confirm that the County archaeological services are satisfied that suitable monitoring and mitigation strategy is in place before permission is granted.

## **Archaeology**

13. Standard conditions should be applied to include monitoring works adjacent to the undercroft.

## **Lead Local Flood Authority**

14. No comments to make.

## **Highways (local)**

15. No objection subject to necessary cycle parking conditions being applied.

## **Assessment of planning considerations**

### **Relevant development plan policies**

16. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS2 Promoting good design
  - JCS11 Norwich city centre
17. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM3 Delivering high quality design
  - DM9 Safeguarding Norwich's heritage
  - DM18 Promoting and supporting centres
  - DM20 Protecting and supporting city centre shopping
  - DM21 Protecting and supporting district and local centres
  - DM28 Encouraging sustainable travel
  - DM31 Car parking and servicing

## **Other material considerations**

### **18. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF12 Conserving and enhancing the historic environment

### **19. Supplementary Planning Documents (SPD)**

- Main town centre uses and retail frontages SPD adopted December 2014

## **Case Assessment**

20. 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**

21. Key policies and NPPF paragraphs – DM18, DM20, DM21, NPPF paragraph 23.
22. Paragraph 23 of the NPPF supports positive and competitive town centre environments. Policy DM18 promotes the provision of retail within primary retail frontages, such as this, in accordance with the retail hierarchy as set out in Policy 19 of the Joint Core Strategy, which directs retail and other town centre uses primarily to Norwich City Centre. Policies DM20 and DM21 seek to protect retailing uses within the Primary Shopping Frontages and promote the use of first floors. On this basis the proposal will retain A1 retail in this location, it is considered in acceptable in principle and in accordance with the NPPF and the Development Plan, subject to consideration of other relevant material planning consideration as set out below.

### **Main issue 2: Design and heritage**

23. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
24. The site is located within the St Stephen character area of the Conservation Area and within the setting of a number of heritage assets. This part of the Conservation Area is characterised by large buildings and blocks of buildings and has a modern feel, despite having a number of historic buildings. The routes are wide with large open spaces at junctions representing previous market areas, as set out in the St Stephens Conservation Area appraisal. St Peter Mancroft church dominates views along Haymarket. The predominant materials in this location are red brick with pantile roof and sash windows, although slate is also a common roofing material which became popular in C19.

25. The aims for this area, as set out in the St Stephens Conservation Area Appraisal, are to improve shopfronts; control advertising; and create a high quality street scape. The proposal is to reconfigure the shop fronts, add additional glazing at first floor levels, as well as articulate shop fronts with glazing bars to improve the outlook of the frontage. The third floor mansard roof has been set back from the front elevation and therefore will have a limited aspect from the street scene, which on Haymarket will be partially blocked by existing trees as you descend to the street outside the building. A separate advertisement consent application will be required to consider any proposed advertisements. It is considered that subject to the use of good quality materials (to be secured by condition) the proposals will actually enhance these three shop fronts and improve the character of the street scape and Conservation Area in this location.
26. The site is surrounded by Listed and locally Listed Buildings, including Norwich castle, to the North of the site, although as set out in the Conservation Area Appraisal, views in this area are generally dominated by St Peter Mancroft Church.
27. To the east side of the site is Norwich Castle (Grade I Listed), with views possible from the roof. Numbers 20, 22, 22a and 24 White Lion Street and 2 (formerly the Bell Hotel), 6, 7, and 8 Orford Hill, (all Grade II Listed) and 2 and 10-11 Haymarket are locally Listed. To the south, The Lamb Inn, 2 Orford Place (The Burlington Buildings) and numbers 14 and 18 Hay Hill (all Grade II) and numbers 11 Orford Hill, 1, 29-31 and 33 Orford Place are locally listed. To the west is St Peter Mancroft Church (Grade I Listed) numbers 19-20, 21, 22, 22a, 23 and 24 Haymarket (all Grade II). On the north side of the site is the site of Curat's House (Grade II\*) which is a Scheduled Ancient Monument and Nos 3-4 Haymarket (Grade II).
28. Paragraph 131 of policy 12 of the NPPF, requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities; and the desirability of new development making a positive contribution to local character and distinctiveness.
29. The proposal has been the subject of a number of revisions and alterations, which have been examined and revised on the advice of Heritage England and officers. The resultant design is considered acceptable, subject to the use of good quality materials. The proposal, given its use of the existing footprint and that is likely to be an improvement to the existing situation, is unlikely to significantly impact the setting of surrounding heritage assets. The proposed new foundations and lift pits for the new development will be located away from the party wall on the north side so as not to have any structural impact on the adjacent Curat's House and a monitoring condition, as recommended, will be applied to ensure these works do not affect the undercroft of this Scheduled Ancient Monument. The proposals are considered to make less than substantial harm to the significance of locally designated heritage assets and will actually provide public benefits through improving the street scene in this location.
30. The resultant design includes sufficient set back of the third floor onto both Haymarket and White Lion Street so as not to be significantly visible in the street scene. The shop fronts and materials have been altered to relate better to the Haymarket Street Scene and to provide greater breakage in this conjoined frontage

so as not to over dominate the street scene. Materials will need to be checked and approved and a further advertisement consent submitted to approve signage to ensure it is appropriate on such a large shop front in this location. On this basis and subject to the conditions proposed, the proposal is considered appropriate in terms of design and heritage and in accordance with policies JCS2, DM3, DM9 and policies 6 and 12 of the NPPF.

### **Main issue 5: Transport**

31. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
32. The Local Highways raise no objection to the proposal, subject to the provision cycle parking. A Grampian condition has been proposed securing 30 off site cycle parking spaces on Orford Hill and 15 internal staff bicycle spaces to be split between a storage area in the ground floor goods in area and the second floor stock room alongside the staff lifts, as shown on the plans. This is considered an acceptable level of provision.
33. No car parking is proposed as part of this development, this is acceptable based on the existing provision within local car parks.

### **Main issue 7: Energy**

34. Key policies and NPPF paragraphs – JCS3, DM1, NPPF paragraphs 94 and 96.
35. Policy JCS3 requires developments, such as this, which are over 1000 sqm to provide 10% of the schemes total energy requirements by renewable means. A supporting Energy Statement has been submitted with the application and proposes the provision of air source heat pumps to be installed in the four handling plant units located on the roof. These will exceed the target of 10% and will be discreetly located. On this basis the proposal is considered in accordance with Policy JCS3.

### **Other matters**

#### **Flood Risk**

36. The application has been submitted with supporting information with regards to flood risk. The submitted Flood Risk Assessment (FRA) concludes that this use is acceptable in Flood Zone 1 as it is 'less vulnerable' development and the site is considered to be at low risk of flooding from all other sources. The submitted FRA proposes to discharge surface water to the same outfall rates at present and for the consideration of the use of green roofs. A condition is therefore proposed for the development to comply with the details as outlined in the submitted FRA. This is considered to be in accordance policy 10 of the NPPF, which requires new development to ensure flood risk is not increased elsewhere and Policy DM5 which supports the use of mitigation measures to deal with surface water arising from development proposals, to minimise the risk of flooding and where possible reduce the risk, within the surrounding area.
37. Also, a noise assessment was submitted looking specifically at the proposed heating, ventilation and air conditioning plant. The report concludes that the plant proposed would not adversely impact the local area and would not result in a perceptible increase in background noise. Given the location of the development, it

is not considered any further works or conditions are necessary and that the proposal accords with policy 11 of the NPPF.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes subject to condition</b>
Car parking provision	DM31	<b>Not applicable</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition (however the arrangements are to be an extension to the existing arrangements)</b>
Energy efficiency	JCS 1 & 3 DM3	<b>Yes subject to condition</b>

### **Equalities and diversity issues**

39. There are no significant equality or diversity issues.

### **S106 Obligations**

40. None.

### **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. The proposal is considered acceptable in principle and through alterations and revisions would have an acceptable impact on the character and appearance of the street scene, as well as the Conservation Area. The proposal is unlikely to impact the setting of local heritage assets. On this basis the development is considered 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.

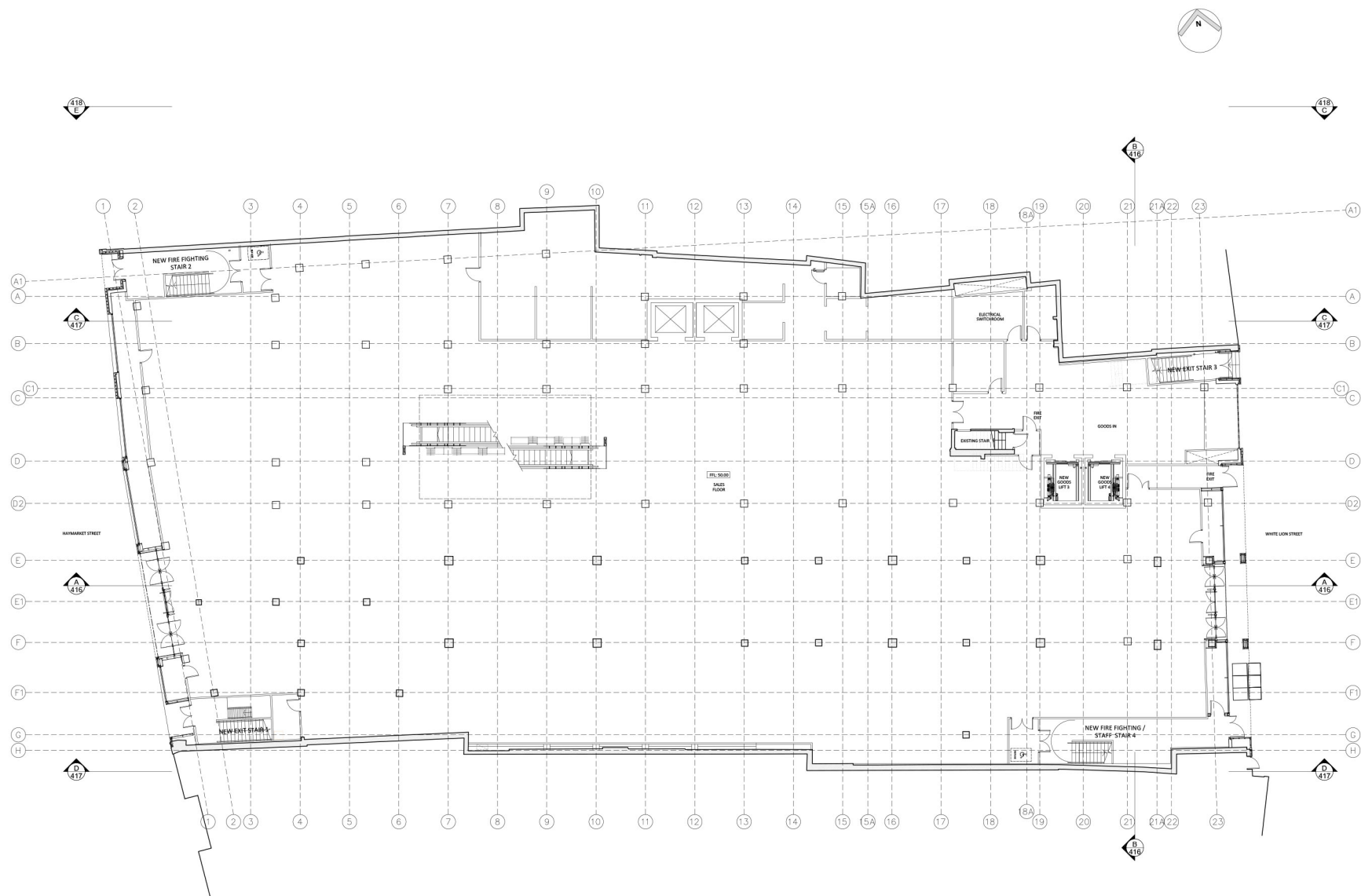
## **Recommendation**

To approve application no. 16/00536/F - 5 - 9 Haymarket Norwich NR2 1QD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials;
4. Cycle storage;
5. Energy/Air source heat pumps;
6. Refuse and servicing arrangements;
7. The flood risk measures as outlined in the submitted FRA;
8. Archaeology condition – Written Scheme of Investigation with monitoring of works.

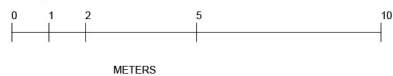
## **Article 35(2) statement**

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.

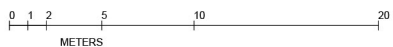




**PROPOSED UNIT ELEVATION HAYMARKET STREET**  
SCALE 1:50 @ A0

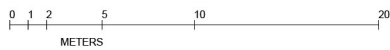


**PROPOSED STREET ELEVATION HAYMARKET STREET**  
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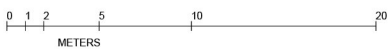




**PROPOSED UNIT ELEVATION WHITE LION STREET**  
SCALE 1:50 @ A0



**PROPOSED STREET ELEVATION WHITE LION STREET**  
SCALE 1:100@A0

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**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application nos 16/00782/F and 16/00783/L -  
Sainsbury Centre for Visual Arts, University of East  
Anglia, Earlham Road, Norwich.

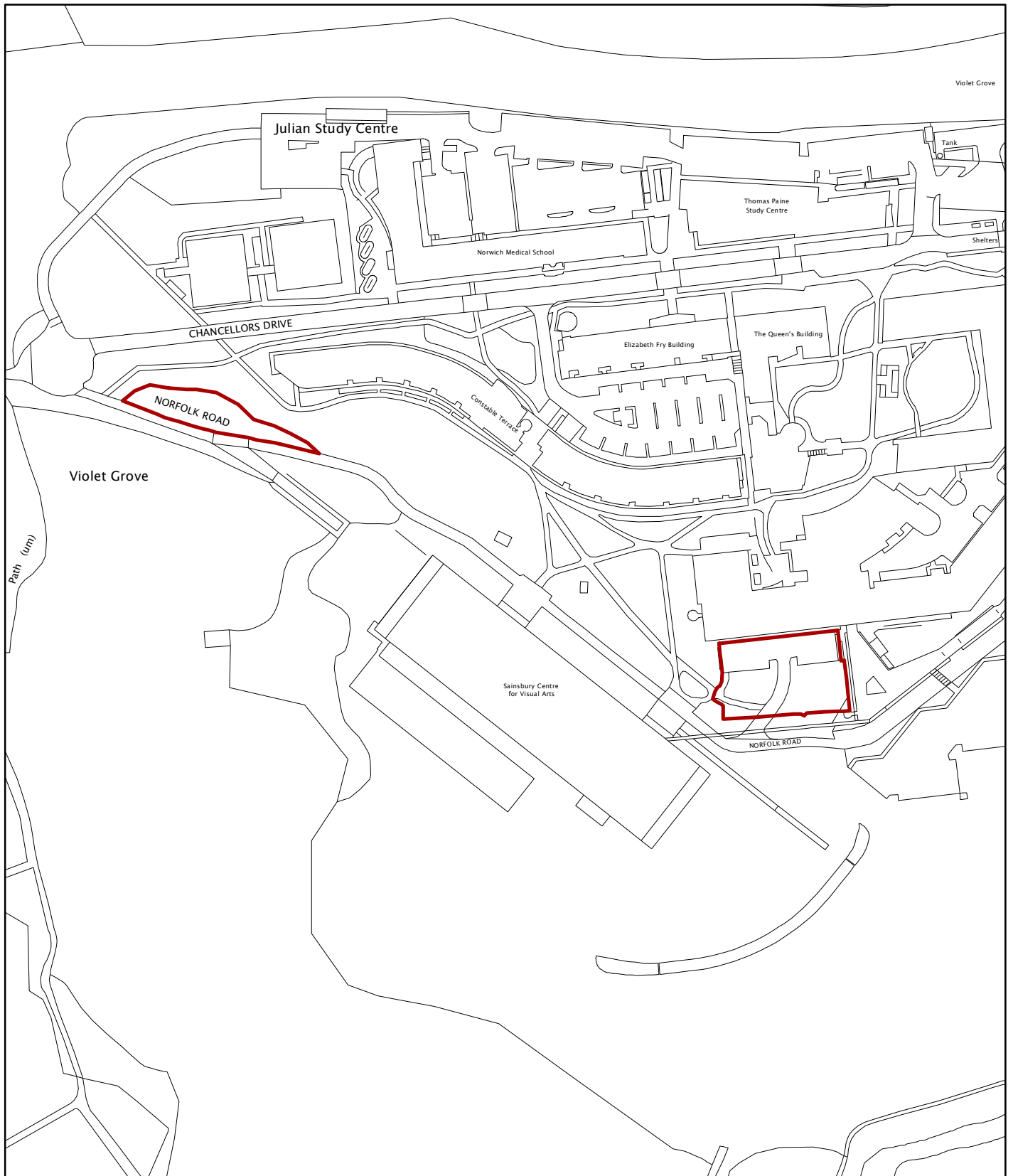
**5(D)**

**Reason  
for referral** Objection

<b>Ward:</b>	University
<b>Case officer</b>	Lee Cook - leecook@norwich.gov.uk

Development proposal		
Extension of car park P7 (Biological Sciences Car Park) and provision of on street parking off Norfolk Road adjacent to the Sainsbury Centre for Visual Arts (SCVA).		
Representations		
Object	Comment	Support
1 (C20th Society)		2 (plus original architects for the SCVA)

Main issues	Key considerations
1 Principle	Close ties of SCVA to the University; Failure of parking operationally and for reputation; Trip analysis.
2 Transportation	Reasoned justification for increased car parking; Wider actions by the University to reduce car parking or encouraging modal shift; Management of the car parking and SCVA travel demand.
3 Heritage and design	Building setting; Group value; Natural landscape' setting; Hard and soft landscaping; Norfolk Road bay; Public benefit of access and viable operation.
4 Landscaping and river valley	Green edge/setting and Yare Valley setting; Screening; ecological benefits; Replacement tree planting
5 Trees	Arboricultural method statement works within root protection areas; TPO root levels; Grading within this space
<b>Expiry date</b>	14 September 2016
<b>Recommendation</b>	Approve Planning Permission subject to conditions. Grant listed building consent subject to conditions.



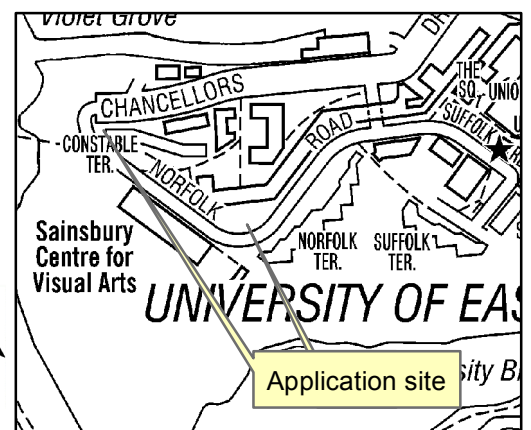
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Planning Application No 16/00782/F & 16/00783/L  
 Site Address Sainsbury Centre for Visual Arts  
 University of East Anglia

Scale 1:2,000



**NORWICH**  
 City Council  
 PLANNING SERVICES



## The site and surroundings

1. The Sainsbury Centre for Visual Arts (SCVA), designed by Foster Associates, was constructed through 1977 and opened in 1978 in order to house the art collection of Lord and Lady Sainsbury and to provide academic study and research space. The Crescent Wing, a semi-sunken extension containing gallery and work spaces, stores, and offices, is located at the south-east end of the Sainsbury Centre building. The building stands on the south-west side of the University of East Anglia (UEA) campus, first developed to the master plan and designs of Denys Lasdun in the 1960s.
2. The Biological Sciences Car Park is located to the side of the Biological Sciences building. The existing facility currently provides 12 formal parking spaces and is accessed via Norfolk Road which is a one-way, single track road which links the lower (western) end of Chancellors Drive with the entrance to the SCVA building.

## Constraints

3. The SCVA building is now listed at Grade II\*. Historic England have advised that the Crescent Wing addition to the original building is too young to be assessed for listing and is not included in the main building listing.
4. A number of other buildings at the UEA were listed in 2003: Suffolk and Norfolk Terrace (the ziggurats), both at Grade II\*, and the Teaching Wall and the Library, both at Grade II. These form a core group to the central campus with the Sainsbury Centre linked to these at high level via a connection to the grade II listed walkway running between the ziggurats and Teaching Wall at its west end.
5. The Conservation and Development Strategy for the University is adopted and agreed between UEA, Historic England and Norwich City Council. The UEA Landscape Strategy was also adopted in 2010. These act as a philosophy and guide for development and maintenance works on the campus buildings and landscape.
6. The site is immediately adjacent to the designated river valley area under policy DM6 of the development management policies plan, which leads down to University Broad and river Yare. Land to the north of Norfolk Road contains a tree protection order and the adjoining woodland to the south is part of a designated wildlife site.

## Relevant planning history

7.

Ref	Proposal	Decision	Date
4/1988/1260	Extension to Sainsbury Centre basement to provide ancillary accommodation including storage, workshop facilities, and small gallery/multi purpose space (Amended	Approved	24/11/1988

Ref	Proposal	Decision	Date
	Scheme)		
4/1989/0433	Construction of temporary site service roads.	Temporary	25/05/1989
03/00307/F	Alterations and erection of glass canopies to School and Gallery entrances, installation of rooflight to crescent wing, and new external floor/ surface finishes and bollards	Approved	29/12/2003
13/00747/L	Removal and partial replacement of glazed balustrades, removal of existing visitor reception desk and relocation of visitor shop and new reception to the main gallery conservatory area.	Approved	30/05/2013
13/01145/F	External works to glazing and doors for the main building and glazing, balustrade and louvres for the Crescent Wing.	Approved	24/10/2013
13/01146/L	Internal and external works and repairs to the Main Building	Approved	05/02/2014
15/00125/F	Temporary car park on south-west side of building up to 26th July 2015.	Approved	17/03/2015
15/00126/L	Temporary car park on south-west side of building and associated works.	Approved	17/03/2015
15/00136/F	Permanent car park on south-west side of building and associated works.	Withdrawn	18/03/2015
15/00137/L	Permanent car park on south-west side of building and associated works.	Withdrawn	17/03/2015
15/00490/NMA	Non-material amendment to permission 15/00125/F comprising a change of surface materials from Euromat and porta-path matting to Supa-Trac panels.	Approved	15/04/2015
15/01413/D	Details of condition 4 - submission of car park statistics within two months of cessation, of planning permission 15/00125/F.	Approved	13/11/2015



## The proposal

8. This application proposes the construction of visitor car parking for use in connection with the SCVA accessed via the existing surfaced entrance from Norfolk Road. It will serve the building at all times including major exhibitions, normal day-to-day activities and special events.
9. The proposals are to create an extension to existing car park P7 (Biological Sciences Car Park) to provide additional visitor car parking spaces accessed by the existing service track to the car park from Norfolk Road. The car park extension will be located immediately to the south of the existing facility. The proposals also include the provision for 10 new parallel parking bays adjacent to the Norfolk Road on its northern edge. This is designed to replicate the existing bays currently adjacent to the SCVA building servicing the needs of disabled people.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total floorspace	Site area of 1,200m <sup>2</sup>
Max. dimensions	Norfolk Road bay 60m long, 3.2m wide. Area P7 car park - 45.8m wide, 28.5m deep including 16m extension (plus path and landscaping 2.7m)
<b>Appearance</b>	
Materials	Resin bond aggregate or block paviour surface systems to match those within adjoining areas. Concrete kerbs and surface mounted parking bay markers also match those provided on site.
Construction	Cellweb tree protection system, aggregate and semi-permeable membrane within area P7. Standard construction base and paviour along Norfolk Road hand excavated within root protection areas.
<b>Operation</b>	
Opening hours	None indicated but it is proposed that the car park will be for SCVA use
Ancillary plant and equipment	None indicated. Ticketing is currently controlled via the SCVA main reception.

Proposal	Key facts
<b>Transport matters</b>	
Vehicular access	Via the existing service route accessing from the one-way route along Norfolk Road
No of car parking spaces	12 existing, 26 additional to P7 (38 in total) and 10 proposed along Norfolk Road.
No of cycle parking spaces	6 spaces – 3 hoops on reinforced surface adjacent to P7
Servicing arrangements	Via the existing service route accessing from the one-way route along Norfolk Road

## Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received in support of the proposal 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.
11. Letter of support also received from Foster Architects (Sir Norman Foster and practice are the original architects).

Issues raised	Response
The building and gallery are an asset for Norwich. The SCVA is an important institution and cultural experience for the locality and in recent years has drawn larger numbers of visitors.	Noted
Present parking is a problem for the University and the public. Travel by car for some is essential. From personal knowledge many people are deterred from visiting because of inadequate parking.	Noted
There are only 3 disabled spaces and P7 is almost always full. Some temporary parking has been provided in the past which improves visitor experience and highlights how important improved dedicated facilities are needed and improve access for all.	Noted
Pleased to hear that parking on the river valley side is not being pursued. This is one of the few undeveloped areas of campus and an important part of setting to buildings. Modest expansion of existing parking area that are screened is a better solution. These will be landscaped to further reduce impacts.	Noted

## Consultation responses

12. 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

13. Discussed at pre-application stage. No objections raised to principle.

### English Heritage

14. Discussed at pre-application stage. No objections raised to principle. The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

### Highways (local)

15. No objection in principle to this proposal, the need for operational car parking appears justified. What is not clear is how the parking spaces would be managed. To ensure that these are short stay parking it may be advisable to have some kind of permit or Pay & Display system in place to allow parking for up to 4 hours only. Otherwise there is a risk that these parking spaces will be used for staff commuting associated with the Sainsbury Centre or wider campus.
16. It is disappointing that this application has not considered improving all other travel modes. For example cycle parking associated with the Sainsbury Centre is exposed to the elements opposite the entrance. As the Sainsbury Centre is a destination for a wide variety of events and has a school located within it, there is scope for enhanced cycling travel. It would be desirable if the car parking adjacent to Biological Sciences had some provision for covered secure cycle parking.

### Landscape

17. Initial concerns mainly relating to visual impact and lack of replacement tree planting but considers that the proposals would be acceptable subject to minor revisions.
18. The existing parking area doubled in size together with the parking proposals alongside Norfolk Road and the loss of existing trees would have a negative visual impact on UEA campus/parkland and on the setting of listed buildings. However it is accepted that the main location for parking is probably the optimum available. The detailed hard landscaping proposals have been carefully considered and use appropriate materials.
19. In order to replace biomass and visual amenity we require replanting on a 3 new for 1 loss basis. Given the loss of existing trees and the impacts of the proposals, the application should include replacement tree planting in mitigation for losses.
20. Comments on surface water pipe routed through the Root Protection Area of the existing Oak and easternmost parking space alongside Norfolk Road impact on the adjacent Atlas cedar. Would like to see pipe re-aligning or hand-digging the trenching within the RPA and the row of parking spaces reduced to avoid the impact on the Atlas cedar.

21. Screening the car park with hedging which is deciduous may not provide screening during the winter months. Suggested evergreen hedging such as Yew which currently screens part of the existing car park to provide better year-round screening, and may grow more successfully under the canopies of existing trees would also create a visual unity and simplify maintenance. Suggested including some different plant species with both ornamental and wildlife-friendly characteristics to enhance biodiversity benefits.
22. Subsequent amendments made to scheme following recommendations. No further comment.

### **Natural areas officer**

23. It is noted that a number of trees will be lost as part of this proposal. Although these trees may not be, in themselves, of any great wildlife or landscape value there should be arrangements for compensatory planting on the UEA campus.

### **Twentieth Century Society**

24. Wish to object to the application in its current form. The SCVA is a Grade II\* building by Sir Norman Foster, which designates it as being amongst the 5.5% most exceptional listed buildings nationally. It lies in the grounds of the University of East Anglia (UEA), and adjacent to the Grade II\* listed Norfolk Terrace and walkways designed by Sir Denys Lasdun.
25. We recognise that there is a need for accessibility which will ensure that the building is able to remain in viable use and cater to a growing number of visitors. However, we consider that increasing car parking space within the immediate setting of the SCVA is an inappropriate solution to this problem.
26. We consider the landscaped setting of the SCVA, and the UEA more generally to be of the utmost importance. The landscape was part of the original masterplan by Lasdun, which was carefully planned to flow around the buildings and integrate them seamlessly into their surroundings. Similarly the SCVA was designed to emerge from the grassy plateau on which it stands. We consider that additional car parks would impinge on the setting in a harmful way.
27. We are concerned that as the profile of the SCVA grows, there will be a continued need for further car-parking space and that if this application is permitted it will set an unsustainable and harmful precedent. We also consider that there are a number of measures which could work to reduce demand and facilitate accessibility which have not been put into practice, and as such as we cannot consider the justification to be convincing at this stage.
28. The Planning, Design and Access Statement (p.10) states that parking provision in the central car park is 'not popular to visitors and does not provide a clear pedestrian route to the centre... many visitors who are not familiar with the campus have experienced difficulty in finding the centre.' We urge that as an initial measure, signage is introduced in order to make walking routes to the SCVA clearer.
29. We also understand that there is no current 'timed ticketing' system in place that would control arrival times, nor that any other initiatives have been introduced to alleviate demand at peak times.

30. Whilst there will be a continual need for on-site car parking, it seems apparent that a long-term solution which would serve to lessen on-site demand for space is urgently required. Given the SCVA's location and the lack of sufficient public transport in the area, dedicated SCVA transport running throughout the year would make the centre significantly more accessible to larger groups of people. As only 2.2 people visit on average per car, focusing efforts on providing dedicated transport would be a practical and sustainable way of both catering for and increasing visitor numbers. We urge that this is seriously considered.
31. The Twentieth Century Society considers that an extension of the current car park P7 would be an acceptable way to provide an immediate solution to the problem. However given the lack of less intrusive and more sustainable measures in place to increase accessibility and satisfy demand, we recommend that the designation of a new car-parking space to the north of the SCVA is refused. Instead, we urge that the University looks in to undertaking more sustainable long-term alternatives.

## **Assessment of planning considerations**

### **Relevant development plan policies**

32. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS5 The economy
  - JCS6 Access and transportation
  - JCS7 Supporting communities
  - JCS8 Culture, leisure and entertainment
  - JCS9 Strategy for growth in the Norwich policy area
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
33. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM3 Delivering high quality design
  - DM6 Protecting and enhancing the natural environment
  - DM7 Trees and development
  - DM9 Safeguarding Norwich's heritage
  - DM22 Planning for and safeguarding community facilities
  - DM26 Supporting development at the University of East Anglia (UEA)
  - DM28 Encouraging sustainable travel
  - DM30 Access and highway safety
  - DM31 Car parking and servicing

### **Other material considerations**

34. **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
- NPPF12 Conserving and enhancing the historic environment

### 35. **Supplementary Planning Documents (SPD)**

- Landscape and trees SPD adopted June 2016

## **Case Assessment**

36. 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**

37. Key policies and NPPF paragraphs – DM1, DM6, DM7, DM9, DM22, DM26, DM28, JCS1, JCS2, JCS5, JCS6, JCS7, JCS8, NPPF paragraphs 7 - 10, 19, 20, 30, 36, 59, 109, 116, 129, 131 - 134.
38. The SCVA is an important cultural asset for the area and should be encouraged to operate successfully. The building is purposefully designed in both adaptability and location to serve its function as an exhibition and learning space and to reinforce the close ties it has to the University. Included in this is the design ethos of a building (such as with the ziggurats) set within a landscape context – this predominantly being the river valley but includes areas of woodland and planting linking through the area.
39. During the Masterpieces exhibition held at the SCVA (September 2013 to March 2014) the Centre saw daily visitor averages of around 350 persons, which increased in the last few weeks to in excess of 600 visitors. This exhibition was heavily oversubscribed resulting in extreme traffic conditions on campus, including pressure on the main campus roadways, and use of unapproved parking areas. The effect of this failure of parking was both operational, with impact upon the business and fire & safety of the University, and reputational with many complaints being received by both the Sainsbury Centre and the University generally.
40. In 2015 planning and listed building applications were approved for a temporary car park situated to the south-west of the SCVA building (reference 15/00125/F and 126/L). The purpose of this facility was to serve the unplanned needs of the Francis Bacon and the Masters exhibition which ran from 20 April – 26 July 2015 inclusive but also to afford the SCVA some opportunity to assess local parking need for the facility. This dedicated, controlled parking facility was for a 20 space car park and additional 40 spaces as overflow for parking at peak times for main exhibition visitors. A condition of the approval was to submit details of survey results, visitor trip analysis and travel information arising from this exhibition. The results from this exhibition period form the basis of justification for this proposal.

41. It should be recognised that the SCVA is strongly linked to campus activities and operational needs. If the justification for parking next to the SCVA is not robust, then any permission here could lead to more requests to take the easy option of parking on other landscape areas around buildings and in the valley. With regards to the principle of the proposal the main issues for consideration are the reasoned justification for increased car parking; impact on listed buildings; and impact on landscape quality and biodiversity.

## **Main issue 2: Transport**

42. Key policies and NPPF paragraphs – JCS5, JCS6, DM28, DM30, DM31, NPPF paragraphs 17, 30, 36, 37 and 39.
43. The data presented, following assessment mentioned above, was from the Sainsbury Centre south car park only and was taken for the duration of the exhibition. Summaries of the calculation of visitor peak; length of stay; responses to travel demand/management; and to alternative modes being available such as the shuttle service to the City centre etc. to help manage arrival times/types and visitor peak timings/impacts are provided. There are some gaps in the dataset but it gives an opening understanding of the demand for car parking required by the SCVA when large exhibitions are held at the Centre.
44. The key statistics are shown as - Average Stay of Visitors: 2 hours 18 minutes; Average number of passengers per car: 2.2; Average number of cars per day: 40; Average number of cars per week: 277; Busiest arrival period: 10:00 – 10:59 am; and Total number of cars recorded over the period of the exhibition: 3,876.
45. As an interim measure during current temporary exhibitions, an area of the Central Car Park has been given over for use by Sainsbury Centre visitors only. This has resulted in a reduction of parking for the University. This parking is reasonably related in physical terms to the SCVA building but it is reported that many visitors who are not familiar with the Campus have experienced difficulty in finding it or the SCVA.
46. The SCVA have advised that it became increasingly apparent during the Francis Bacon and Masterpieces exhibitions, that the existing availability of dedicated parking harmed the reputation of the SCVA as a gallery fit for such exhibitions, and has impacted upon returning visitor numbers. Both the University and the Sainsbury Centre received numerous complaints relating to the availability and location of parking during the most recent major exhibitions.
47. Although in an edge location of Norwich the UEA travel plan and other initiatives have actively helped to secure modal shift including regular bus connection to the site from the City centre and train station and from other locations. Wider actions by the University have effectively reduced car parking spaces on campus (such as those being removed from the boiler house and from Blackdale). The other actions they are taking to encourage and secure access to the campus by alternative means of transport other than by car are effectively limiting the scope for the SCVA to operate effectively and integrally to the wider campus due to increasing pressure on remaining parking.
48. The UEA advise that they are continuing to have access to the Park and Ride service from Costessey but following the recent change from County Council

operation to Konect Bus, the frequency of this service is now every 30 minutes and in term time only. The £1.00 parking and fare has been retained but the reduction to term time operation only impacts greatly on the ability of SCVA visitors to use it. In addition, the set-down points are the furthest point from the SCVA building which may also limit its potential use.

49. In addition to the above, the UEA are currently developing a 15-year parking strategy as part of the wider 2030 Vision Plan which will seek to determine a preferred way forward in terms of meeting future parking demand. This is currently a work in progress but it is being produced in conjunction with the UEA Travel Plan. A recent change to the Campus parking has been the introduction of a priority pricing band on the Main Car Park which affects visitors. Between 06:00 and 10:00 there is a charge of £5.00 per hour for visitor parking. In addition, the University has been promoting holding meetings in the afternoons where parking is more readily available. Current demand from permit holders for parking remains static with around 44% of staff commuting by car. Students can only gain a permit if they make a successful appeal and around 100 students who have welfare needs have achieved permits in the current academic year.
50. As part of the SCVA's planning for visitors, the use of public transport, shared cars and other means of travel to the Centre were and continue to be positively encouraged. This has been noted by some visitors and there is some evidence that people do use other forms of public transport to access the Centre. The SCVA have; however, advised that the main current demographic of the SCVA means that it is difficult to promote other alternatives such as cycling or walking and even bus travel for many of their visitors as this is claimed to be a daunting prospect.
51. With regards to other public transport options, the agent advises that talks have taken place with all of the East Anglian rail service providers to investigate where there might be mutual benefits or opportunities. None have been identified so far. The SCVA therefore would wish to encourage reduced car use, while catering for a reasonable level of demand for car parking.
52. In the past the SCVA have also explained actions towards travel planning for their operations including the offer of a free phone taxi service and suggestion for timed tickets being issued when booking to visit, to control arrival times and peak impacts. A number of initiatives could be further investigated such as differential pricing strategy, ticket and barrier control of the car park, education on travel planning etc. to encourage individuals to travel by means other than by car in line with other travel plan initiatives for the UEA.
53. The earlier application submissions demonstrated significant weaknesses in the justification for the parking scheme on either a temporary or permanent basis. However; experience with earlier major exhibitions suggests that the SCVA will have difficulties in meeting parking demand and they have expressed that they would not wish to repeat the experience of creating or using unauthorised car parking areas as they have done previously. This leaves the SCVA in some difficulty with ongoing major exhibitions coming up for which some degree of forward planning is required.
54. The side of the building where parking is proposed forms a limited part of the Yare Valley character area and a significant part of the setting of the SCVA Grade II\* listed building. The SCVA also has group value as part of the Lasdun designed



campus within a natural landscape setting. Any additions to that scene have the potential to detract from it. Car parking as well as the introduction of ground and boundary markings along with other features could easily detract from the simplicity and purity of the appearance of buildings within the area.

55. There is an underlying issue of car parking generally at the UEA which requires ongoing management. Whilst the campus is operating under its maximum car parking cap and running an efficient travel plan to reduce travel by car, the UEA do still have the option to build out the permission they have for the multi-storey car park. It is recognised that some car parking is required for the SCVA and whereas there has been an opportunity to capture peak demand within the nearby central car park, the University are unlikely to be able to cater for this, as they have been able to do in the past.
56. Misgivings have been expressed in writing by the C20th Society in their responses to the application. Historic England in discussions with the applicant have indicated their in principle support to parking on this side of the building which has a reduced impact on the buildings setting and river valley character. In recognising the difficulties in promoting car parking on any basis for use by the SCVA, on balance, and in order to promote the cultural and business potential of this international exhibition space permission on the basis of that now requested is considered acceptable subject to conditions and is proportionate to the expected SCVA parking demand. Conditions are suggested to limit use by visitors to the SCVA only and to require details of how the SCVA will achieve this and manage parking spaces. Key to taking this issue forward is some degree of demand management to help avoid further problems and additional parking requirement in the future and a condition is also suggested requiring methods of travel planning initiatives to be implemented by the SCVA to encourage modal shift in line with the overall campus strategy.
57. The transport officer has also commented about the lack of cycle parking within the scheme. There is already some cycle parking near the SCVA entrance and the application has been revised to indicate additional provision for at least 6 bikes which would increase the accessibility of the SCVA and help reduce demand for car parking.

## **Main issue 2: Heritage and Design**

58. Key policies and NPPF paragraphs – DM9, JCS1, JCS2, NPPF paragraphs 128-141; DM3, JCS2, NPPF paragraphs 9, 17, 56 and 59-66.
59. The Sainsbury Centre is a recently listed grade II\* structure. It was listed for a number of reasons, but the list description makes clear that part of the significance of the building is its group value with other university buildings and the position of the building ‘in a natural landscape’ setting. Standing on the Crescent Wing extension south of the building or to the south west, the Centre appears to rise from the grass unencumbered by hard surfacing or street furniture and without other buildings or even the movement of cars and pedestrians to detract from an appreciation of it.
60. The setting on this side makes a particular contribution to the Sainsbury Centre's significance and any additions to that scene have the potential to detract from it. The newly proposed area of parking is adjacent to a number of other listed buildings at the UEA including Norfolk Terrace (the ziggurats) at Grade II\*, and the

Teaching Wall and walkway, at Grade II. The Sainsbury Centre is linked to these at high level via a connection to the listed walkway running between the ziggyrats and Teaching Wall at its west end.

61. Even a small number of cars being parked next to the building have the potential for a harmful impact on its appearance and architectural significance, but it is not only vehicles that can change the quality of the building's immediate setting. Features designed to create a more independent, unstaffed and permanent facility, such as marked parking bays, lighting, paved paths, etc. can also affect the setting.
62. In terms of conservation and design policy DM9, any proposed development should 'take account of the contribution heritage assets make to the character of an area and its sense of place' and 'maximise opportunities to preserve, enhance or better reveal the significance of designated heritage assets'. Discussion has taken place on whether any other space across campus would be available for this development but given the various constraints of the campus, layout, setting of buildings and surrounding land designations it is considered that the areas proposed are the most appropriate to serve as a suitable location for such dedicated parking.
63. Design of the new spaces will be very important and improved details of hard and soft landscaping have been submitted showing suitable surfacing to the areas given the proximity to nearby listed buildings and following the design precedents for surface materials around these buildings. This creates a sense of incorporated space with use of recessive surface material to assist with the design of this. The extended area of P7 will have a hedge screen as existing to reduce the visual impact of cars parked within the space. Retention of some mature tree specimens which assist in screening and landscape setting and additional tree planting are proposed.
64. The area alongside Norfolk Road is sensitive being on the edge of the river valley, and in open space which forms part of the UEA parkland campus setting. On the north side of the road there is open grassland with a variety of mature trees (TPO site). To the south side of the road there is a woodland area which is designated as a County Wildlife site. The main objection to the scheme from the C20th Society appears to be in relation to proposed parking in this area.
65. Norfolk Road is a relatively narrow roadway leading up from Chancellors Drive. The proposed bay would be at the lower end and would not immediately be read in relation to the SCVA or other listed buildings given the change in ground levels and existing tree cover. Design impact would therefore be in relation to the adjacent green spaces. Existing parking exists on the east side of the road closer to the SCVA entrance.
66. The earlier wall enclosure of the roadside parking has been revised and the adjoining land is graded to avoid such built features in the area. The use of line painting to the layby was also discouraged as this creates potential under-use of the space for parking and further visual intrusion into the area. Again a repeat in use of existing hard surface materials is suggested to maintain the character of the roadway albeit now widened in part. No other physical elements are proposed e.g. post and chain barriers and overall the design should be relatively simple and discrete. Physical change within the location is appropriately designed and adequately screened for the larger element of the works, which maintains the

uncluttered design of listed buildings positioned purposefully within a natural landscape setting and is considered to result in less than substantial harm to heritage assets or setting.

67. The public benefit of public access and continued viable operation of the cultural attraction arising from the proposal is weighed against the harm as required in policy 134 of the NPPF and given the nature of this application and circumstances the applicant finds themselves in it may be considered that on this basis the harm is acceptable. However, given the justification it should be recognised that any approval does not set a precedent for parking in this area in the future. It will also be necessary for the Sainsbury Centre to manage customer expectations as regards to parking so that it is clear that the car park is purely for this building.

#### **Main issue 4: Landscaping and river valley**

68. Key policies and NPPF paragraphs – DM3, DM6, JCS1, JCS2, NPPF paragraphs 9, 17, 109, 116 and 118.
69. Within the buildings listing description of “group value” this specifically states that SCVA – “continues the concepts of site expansion and integrated use, along the zig-zag spine of the campus, in a natural landscape, established by the original masterplan”. As well as building setting also of importance is the green edge and Yare Valley setting, this being additionally protected by local planning policy DM6, and the green infrastructure running throughout the campus.
70. Screening the car park with hedging as existing helps to reduce visual impact and it has been agreed that there should also be a hedge screen reinstated around any extended P7 car park. That originally proposed along the south side of car park extension was shown as a deciduous species which would not provide as much screening during the winter months. The revision now includes evergreen hedging as *Taxus baccata* (Yew) which currently screens part of the existing car park and would provide better year-round screening, and grow more successfully under the canopies of existing trees. Making the hedge all Yew also creates a visual unity in the area. Other proposed planting within P7 has been revised to include some different species with both ornamental and wildlife-friendly characteristics to have regard to the biodiversity value of the site and planting to be removed and seeks to provide ecological benefits for the area.
71. One of the main issues is the removal of a large group of trees which sits as a landscape break to the front of the teaching wall and raised walkway. Given the considerable loss of existing trees and the impacts of the proposals it is important that replacement for losses is achieved to enhance the amenity of the area. In order to replace biomass and visual amenity replanting on a 3 new for 1 lost basis has been agreed. Originally only 2 new trees were proposed and these were both Birch. This is a short-lived tree with a light canopy which would do little to screen the car park from the SCVA entrance. There are also a number of existing Birch trees nearby.
72. Additional replacement trees close to parking areas have been shown and include different species of native tree which provide more visual benefit and help increase the variety and the biodiversity benefits of the replanting. A condition is suggested to provide details of remaining tree planting locations to ensure maximum benefit for tree planting mitigation in the area. This should be informed by the wider

landscape strategy and setting of surrounding listed buildings. Overall the scheme represents a discrete alteration with no significant adverse impacts upon the designated river valley area or adjacent green links within the campus.

### **Main issue 5: Trees**

73. Key policies and NPPF paragraphs – DM6, DM7, JCS1, NPPF paragraphs 109 and 118.
74. In terms of retained trees the existing Oak adjacent to P7 car park shows a proposed surface water pipe routed through the root protection area (RPA) of the tree. Trenching for such a pipe could cause damage to tree roots and it is suggested that any such works are undertaken by hand rather than mechanically dug.
75. Works along Norfolk Road include the re-grading of the grass bank to allow a level connection to the edge of the parking bay. Regrading to the easternmost parking space could have an impact on the adjacent Atlas Cedar which is classed as a category 'A' specimen tree. In response to the sensitivity of this location a condition is suggested requiring a meeting on-site to assess root levels and any final potential grading within this space. Details of an arboricultural method statement would also be required for any hand excavation within root protection areas. Conditions are also suggested to ensure compliance with the arboricultural implications assessment, arboricultural method statement and Tree Protection Plan.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Specific UEA parking numbers form part of a calculation for the campus as a whole. Increase near the SCVA is offset by other reductions on campus
Refuse Storage/servicing	DM31	Not applicable
Sustainable urban drainage	DM3/5	Not directly applicable. Existing surface water drain connections would be expected to be used with suitable interceptor/trap gullies to prevent oil etc. entering the water run-off.

## **Other matters**

77. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
78. Biodiversity. The scheme does not include any additional lighting or any physical impact on the adjoining woodland adjacent to Norfolk Road. As such the scheme should have only limited impact on the woodland and adjoining County Wildlife site. Tree protection works are suggested for those trees to be retained on site and a scheme of replacement tree planting on a 3 new for 1 lost to be planted within this area and adjacent parts of the campus has been suggested subject to further planting details.
79. Suggested planting now includes different plant species with both ornamental and wildlife-friendly characteristics. The planting scheme has also been revised to provide species of native tree which provide more visual benefit; a variety of life expectancy and again should help increase the biodiversity benefits of the proposals.
80. Amenity. The existing car park at P7 is adjacent to the lower floor of the teaching wall. Given that the use exists and there is only a slight increase in activity expected through parking and activity in the area the proposal should not have a significantly detrimental impact upon site operations or neighbouring building users.

## **Equalities and diversity issues**

81. There are no significant equality or diversity issues. Main access can be retained to the building and should not be interrupted by the proposed works.
82. The SCVA have indicated that the parking areas can be managed to assist with access for individuals visiting the exhibition areas. On balance the proposal is acceptable and provides benefits for people with disabilities and for various age groups wishing to visit the site.

## **Local finance considerations**

83. 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.
84. 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.
85. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

86. Car parking in the proposed location could result in a degree of harm to the significance of the grade II\* listed Sainsbury Centre and ziggyratts and grade II

listed teaching wall and walkway in terms of the NPPF. Misgivings have previously been expressed as part of earlier applications about the prospect of allowing parking either as a temporary car park or within close proximity to the Sainsbury Centre. Earlier assessment has helped inform the larger debate about locations for smaller, permanent additional car parking designated for the Sainsbury Centre elsewhere on campus and for providing managed solutions which are aimed at avoiding causing substantial harm to the setting of the listed buildings or river valley character area.

87. Although the change in the design of the landscape setting could be considered to result in a degree of harm when it is altered, the possibility that the works present an opportunity to allow better access and beneficial continued use of the building does help to outweigh the harm that will be caused. Subject to appropriate replacement landscaping the alterations will relate satisfactorily to the area and will respect the special architectural character of the Sainsbury Centre and other listed buildings. Subject to suitable operation of the parking area the alterations on balance result in less than substantial harm to the significance of the heritage asset and will help to secure the optimum viable use of the building.
88. It is recognised that the SCVA has difficulties in managing expectations in providing car parking which has subsequent impacts on reputation for the venue and safe operation of the campus. Further ad-hoc or unauthorised parking would not be acceptable and in order to promote the cultural and business potential of this international exhibition space dedicated parking should be considered on a proportionate level based on assessment of need for the venue. On the basis of supporting information for that parking now requested the extent of the proposal is considered acceptable subject to conditions and is proportionate to the expected SCVA parking demand. To support this conditions are suggested to limit parking use to visitors to the SCVA only. Also key is a degree of demand management to help avoid further problems and additional parking requirement in the future. Methods of travel planning to be implemented by the SCVA to encourage modal shift in line with the overall campus strategy are also suggested as being required.
89. The scheme improves the operation of the building and overall should not have an adverse impact on design or amenities in the area. As such the development and works to the listed building, subject to conditions, are considered to be appropriate.
90. 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**

- (1) To approve application no. 16/00782/F - Sainsbury Centre for Visual Arts, University Of East Anglia, Earlham Road, Norwich and grant planning permission subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. Submission of landscape details for tree planting and landscape implementation. Subsequent maintenance;
  4. Submission of cycle parking details;
  5. Tree officer meeting

6. Submission of AMS for hand dig specification and any alternative land grading
7. Tree works in accord with AIA/AMS;
8. Retention of tree protection measures during works;
9. Parking for use by visitors to the SCVA only;
10. Submission of car park management and travel planning details/information

### **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 application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the officer's committee report with the application.

- (2) To approve application no. 16/00783/L - Sainsbury Centre for Visual Arts, University of East Anglia, Earlham Road, Norwich and grant listed building consent subject to the following conditions:

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

### **Reason for Approval**

Car parking in the proposed location could result in a degree of harm to the significance of the grade II\* listed Sainsbury Centre and ziggurats and grade II listed teaching wall and walkway in terms of the NPPF. Misgivings have previously been expressed about the prospect of allowing parking either as a temporary car park or within close proximity to the Sainsbury Centre. Earlier assessment has helped inform the larger debate about locations for smaller, permanent additional car parking designated for the Sainsbury Centre elsewhere on campus and for providing managed solutions which are aimed at avoiding causing substantial harm to the setting of the listed buildings or river valley character area.

Although the change in the design of the landscape setting could be considered to result in a degree of harm when it is altered, the possibility that the works present an opportunity to allow better access and beneficial continued use of the building does help to outweigh the harm that will be caused. Subject to appropriate replacement landscaping the alterations will relate satisfactorily to the area and will respect the special architectural character of the Sainsbury Centre and other listed buildings. Subject to suitable operation of the parking area the alterations on balance result in less than substantial harm to the significance of the heritage asset and will help to secure the optimum viable use of the building.

The scheme improves the operation of the building and overall should not have an adverse impact on design or amenities in the area. As such the development and works to the listed building, subject to conditions, are considered to be appropriate and in accordance with the objectives of the NPPF, policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) and policies DM3 and DM9 of the adopted Development Management Policies Plan (December 2014).



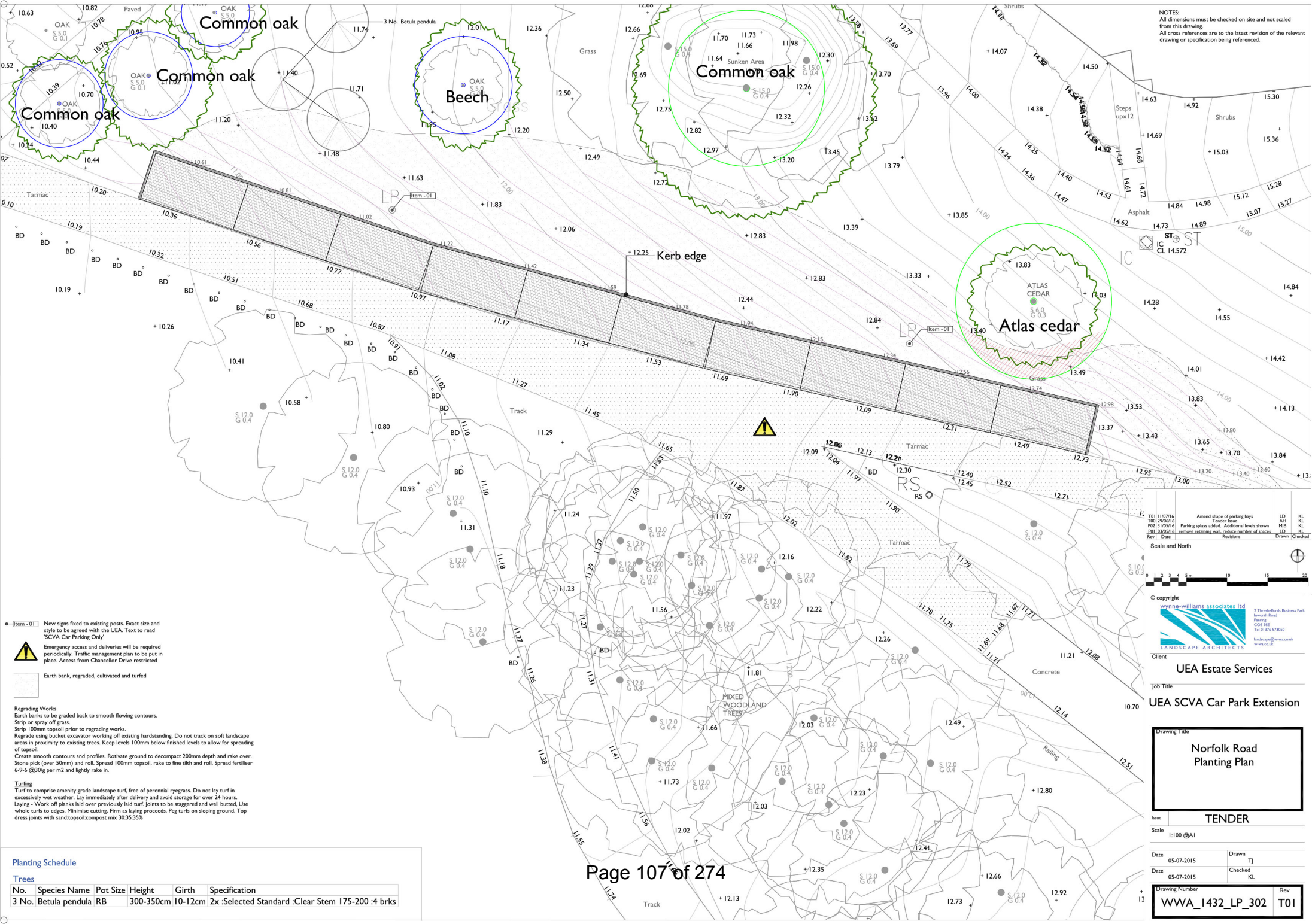
**Tree Pit Accessories**  
All tree pits to receive a Metro Root Rain - perforated plastics irrigation pipe, 50mm diameter, in a circle above and round the sides of rootball, with a plastic cap.  
All trees to receive an angled short single stake. Staking position to be close to the tree on the windward side and driven in to a depth of 300mm into the bottom of the pit before planting occurs. Stakes to be cut approximately 600mm above ground level. Trees fixed to stakes with one expanding tie, 25mm from top of stake. Tree to be secured firmly but not rigidly.

**Tree Spats/Mulch Mats** to be provided to each tree.  
**Material:** jute/polyethylene  
**Size:** 600x600mm  
**Laying:** In close contact with the soil surface.  
**Fitting:** Nestly and closely around tree stem, where necessary cutting a slit or flap.

**Failures of Planting**  
Defects due to materials or workmanship not in accordance with the Contract: Plants/trees/ shrubs that have failed to thrive.  
**Exclusions:** Theft or malicious damage after completion.  
**Rectification:** Replace with equivalent plants/ trees/ shrubs.  
**Replacements:** To match size of adjacent or nearby plants of same species or match original specification, whichever is the greater.  
**Timing of making good:** In accordance with an agreed defects rectification programme.

**Defects/Maintenance**  
Defects and soft landscape maintenance to run for a 12 month period.





NOTES:  
All dimensions must be checked on site and not scaled from this drawing.  
All cross references are to the latest revision of the relevant drawing or specification being referenced.

Amend shape of parking bays  
20/09/16  
31/05/16  
01/09/16  
Date  
Remove existing wall, reduce number of spaces  
Revisions  
LD  
JAH  
MJB  
LD  
KL  
KL  
KL  
Drawn  
Checked

Scale and North

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Client  
**UEA Estate Services**

Job Title  
**UEA SCVA Car Park Extension**

Drawing Title  
**Norfolk Road Planting Plan**

Issue  
**TENDER**

Scale  
1:100 @A1

Date  
05-07-2015

Date  
05-07-2015

Drawn  
TJ

Checked  
KL

Rev

Drawing Number  
**WWA\_I432\_LP\_302**

Rev  
**T01**

- Item - 01 New signs fixed to existing posts. Exact size and style to be agreed with the UEA. Text to read 'SCVA Car Parking Only'
- Emergency access and deliveries will be required periodically. Traffic management plan to be put in place. Access from Chancellor Drive restricted
- Earth bank, regraded, cultivated and turfed

**Regrading Works**  
Earth banks to be graded back to smooth flowing contours.  
Strip or spray off grass.  
Strip 100mm topsoil prior to regrading works.  
Regrade using bucket excavator working off existing hardstanding. Do not track on soft landscape areas in proximity to existing trees. Keep levels 100mm below finished levels to allow for spreading of topsoil.  
Create smooth contours and profiles. Rotivate ground to decompact 200mm depth and rake over.  
Stone pick (over 50mm) and roll. Spread 100mm topsoil, rake to fine tilth and roll. Spread fertiliser 6-9-6 @30g per m2 and lightly rake in.

**Turfing**  
Turf to comprise amenity grade landscape turf, free of perennial ryegrass. Do not lay turf in excessively wet weather. Lay immediately after delivery and avoid storage for over 24 hours.  
Laying - Work off planks laid over previously laid turf. joints to be staggered and well butted. Use whole turfs to edges. Minimise cutting. Firm as laying proceeds. Peg turfs on sloping ground. Top dress joints with sand/topsoil/compost mix 30:35:35%

Planting Schedule

Trees

No.	Species Name	Pot Size	Height	Girth	Specification
3 No.	Betula pendula	RB	300-350cm	10-12cm	2x :Selected Standard :Clear Stem 175-200 :4 brks



**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/01118/F - Garages Opposite 2  
Oxford Street, Norwich

**5(E)**

**Reason  
for referral** City council site

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<b>Ward:</b>	Town Close
<b>Case officer</b>	Robert Webb

<b>Development proposal</b>		
Demolition of existing garages and erection of 5 No. two-bed dwelling houses.		
<b>Representations</b>		
Object	Comment	Support
0	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Principle of development	Principle of redevelopment for housing
2 Design/ Heritage	Impact on character of the conservation area, impact on the locally listed heritage asset, scale, form, massing and appearance.
3 Landscaping, trees and open space	Consideration of landscaping, impact on trees and residential garden space
4 Transport	Accessibility of site, impact on car parking, traffic, highway safety, cycle parking, servicing.
5 Amenity	Impact on neighbouring occupiers
6 Energy and water	Energy and water efficiency of the proposal
7 Flood risk	Flood risk to the development and impact of the proposal on flood risk
8 Biodiversity	Impact of the proposal on ecological features
9 Contamination	Assessment of land contamination on the site
<b>Recommendation</b>	Approval



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Planning Application No 16/01118/F

Site Address Garages opposite 2 Oxford Street

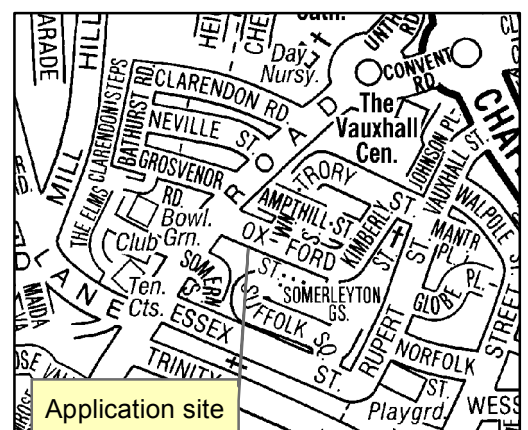
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

Page 110 of 274



## The site and surroundings

1. The site is owned by Norwich City Council and currently comprises two garage blocks with a total of 24 garages which are available for public rent. On the opposite side of the road to the north is a conservation area which includes a number of locally listed period houses which face the site. Immediately to the west the land is also within a conservation area there are further residential properties which are locally listed. To the south and east are a residential care home and several blocks of more modern flats known as Somerleyton Gardens. The application site itself is not within the conservation area.

## Constraints

2. The site is adjacent to a conservation area and a number of locally listed buildings. It is also within a critical drainage area.

## Relevant planning history

3. No relevant planning history.

## The proposal

4. The proposal is the development of one of a series of sites identified by Norwich City Council to provide new affordable housing and which would be developed by a registered provider, Orwell Housing.
5. In this case permission is sought for the demolition of the existing garage blocks and the erection of a terraced row of 5 no. 2 bedroom houses with associated gardens and parking. Four of the proposed houses would have 1 parking space each, whilst the fifth property would not have a space.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	5
No. of affordable dwellings	5
Total floorspace	5 x 72.4 square metres (gross internal area)
No. of storeys	2
Max. dimensions	Overall width of 23.5 metres, depth of 9.5 metres, eaves height 5 metres, ridge height of 8.5 metres.
Density	68 dwellings per hectare



<b>Appearance</b>	
Materials	Walls - Buff stock brickwork; roof - dark grey interlocking slate tiles, white Upvc windows and GPR/timber front entrance doors.
Energy and resource efficiency measures	Solar pv panels, locally sourced materials, thermal bridging detailing, low energy light bulbs.
<b>Transport matters</b>	
Vehicular access	Parking accessed directly from Oxford Street
No of car parking spaces	4
No of cycle parking spaces	1 shed per dwelling
Servicing arrangements	Bin storage to rear of properties, bins to be presented for on-street collection.

## Representations

6. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

## 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. The Environmental Protection Officer agrees with the recommendation within the application that further intrusive works are required. If approval is given, it is suggested that conditions are applied. The unexploded ordnance risk may also require further consideration by a specialist due to the close proximity of known WWII bomb drops.

## Highways (local)

9. No objection on highway/transportation grounds. The development and site layout is acceptable, parking, refuse and cycle storage is acceptable. According to our policy, these new build residential properties would not be entitled to on-street parking permits.
10. There are only 4 parking spaces for 5 properties, to avoid disappointment it is advisable that some form of parking allocation and control is undertaken, for example properties are only let based on available parking, and droppable bollards installed in the spaces.

11. With regard to the displaced garage parking, other garages are available to let nearby at Suffolk Square.

#### **Tree protection officer**

12. To be reported.

## **Assessment of planning considerations**

### **Relevant development plan policies**

13. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
  - JCS7 Supporting communities
  - JCS9 Strategy for growth in the Norwich policy area
14. **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
  - 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
  - DM32 Encouraging car free and low car housing

### **Other material considerations**

15. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- 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**

16. 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**

17. The principle policies relating to new housing development are Joint Core Strategy (JCS) Policy 4, which supports housing delivery within the plan area, which this site falls and policy DM12 of the Norwich Local Plan Development Management Policies which deals with new housing development in the city. National policy, as set out in the Core Principles of the NPPF supports the active management of patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.
18. The NPPF encourages 'the effective use of land by reusing land that has been previously developed (brownfield land)'. This site constitutes previously developed land and is in a sustainable location for new housing within walking distance to the City Centre. The proposals are therefore considered to be acceptable in principle subject to assessment against other relevant policies in the development plan, within the NPPF and any other material considerations. These matters are assessed in the following paragraphs.

### **Main issue 2: Design and Heritage**

19. Key policies and NPPF paragraphs – JCS2, DM1, DM3, DM12 and NPPF paragraphs 9, 17, 56, 57, 60-66, 128 and 131.
20. The site is somewhat sensitive given its proximity to the conservation area and a number of locally listed buildings. Its location therefore requires a higher quality scheme than might normally be expected. In this regard the proposal includes the use of traditional materials and details such as stone cills and lintels, timber entrance doors, and black guttering which would assist in making a high quality contribution to the street scene.
21. Concern has been raised by a respondent that the building line of the row would be too prominent. It is true that it would be further forward than the flats to the east. It would be set back approximately 5 metres from the highway, which is a similar distance to the houses opposite. Given that the proposed development would share some of its characteristics with the dwellings opposite it is considered that being on a similar building line to those properties is acceptable and it would not be reasonable or necessary to require the developer to follow the building line of the flats. The proposal is for a simple row of terraces which is characteristic of the area and complies with the relevant policies in relation to design.
22. The site does not carry any formal heritage designations itself but as mentioned above is in close proximity to the conservation area and a number of locally listed buildings. It is considered that the design proposed would enhance the visual appearance of the site compared to the current use and would conserve and enhance the character of the surrounding area generally, causing no material harm to the surrounding heritage assets. There is therefore no conflict with policies in relation to the heritage of the area.



### **Main issue 3: Landscaping, Trees and open space**

23. Key policies and NPPF paragraphs – DM3, DM7, DM8, NPPF paragraphs 9, 17, 56, 109 and 118.
24. The frontage of the houses would be landscaped with small lawned areas, hedges and iron railings which would provide a high quality setting for the buildings which respects the character of the street. In terms of private amenity space the houses each have a minimum of 40 square metres of private garden, with the two end properties having significantly larger gardens. The development would also retain all of the trees surrounding the site which contribute to the landscape value of the area. The proposal provides for a high standard of landscaping and private space and complies with relevant development plan and NPPF policies.

### **Main issue 4: Transport**

25. Policy 4 of the National Planning Policy Framework (NPPF) states ‘Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health’. Policy 4 encourages Local Authorities to set their own car parking standards, taking into consideration the following:
  - the accessibility of the development;
  - the type, mix and use of development;
  - the availability of and opportunities for public transport;
  - local car ownership levels; and
  - an overall need to reduce the use of high-emission vehicles.
26. Policy 6 of the Joint Core Strategy (JCS) and Policy DM28 of the Norwich Local Plan (LP) encourage the concentration of development close to essential services and facilities to encouraging walking and cycling as the primary means of travel with public transport for wider access. Policy DM31 and Appendix 3 of the Local Plan sets out appropriate parking standards across the plan area.
27. The local policy requires a maximum of 1.33 parking spaces per dwelling and covered and secure cycle parking. The scheme would provide 4 parking spaces for 5 dwellings and each house would have a shed to store cycles. The proposal is therefore policy compliant. No objection is raised by the Highway Officer.

### **Main issue 5: Amenity**

28. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
29. The proposed dwellings would be a sufficient distance away from the neighbouring properties to ensure that there would be no materially harmful impacts in terms of overlooking, overshadowing or from an overbearing form of development.
30. There would be some loss of amenity in terms of the loss of the garage spaces which are currently available for surrounding residents. Information included with the application states that in June 2016, 20 of the 24 garages were occupied. However a further 18 garages were available for rent within 800m walk of the existing block. In planning terms the harm caused by the loss of the parking facilities must be weighed against the significant benefit of providing five new dwellings to address an identified housing need. In this instance the benefits are

considered to outweigh the loss of amenity, particularly given the alternative parking provision available and the proximity of the site to the city centre.

### **Main issue 6: Energy and water**

31. Key policies and NPPF paragraphs – JCS3, DM1, NPPF paragraphs 94 and 96.
32. Policy 3 of the Joint Core Strategy requires new dwellings to achieve higher standards than mandatory building regulations with regard to water efficiency. The application is accompanied by an Energy and Sustainability Statement which states that internal water use would not exceed 105 litres per person per day. In addition at least 10% of the energy needs would come from renewable sources, in this case Solar pv panels which would be sited on the rear elevation of the roof facing south. Other measures include the use of 100% low energy lighting and high thermal bridging values. The proposal accords with relevant policies.

### **Main issue 7: Flood risk**

33. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
34. The site is in a Critical Drainage Catchment as defined by the Norwich Surface Water Management Plan. Developers are required to show that the proposed development would not increase the vulnerability of the site, or the wider catchment, to flooding from surface water run-off from existing or predicted water flows. In addition, where practicable, the proposal should have a positive impact on the risk of surface water flooding in the area.
35. The site is within flood zone 1, and therefore at a low probability of flooding from rivers. In addition the flood report submitted with the application concludes that the site is at a low risk of flooding from all sources. A sustainable approach to water management is proposed that complies with Policy DM5 of the Norwich Local Plan.
36. The development would maximise the use of soft landscaping and incorporate permeable paving for hard services whilst using a main sewer connection for water run-off. It is stated that the proposal would result in a significant reduction of surface water run-off to the sewer, given that the site is currently covered in impermeable buildings and hard-standing. Foul drainage would also connect to the main sewer. The proposal complies with the relevant policies in relation to flood risk.

### **Main issue 8: Biodiversity**

37. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
38. The application is supported by an Ecology Statement from a suitably qualified consultant which concludes that the site has minimal potential to support any valued ecological receptors. It is stated that harmful impacts to nesting birds could be adequately addressed by adopting standard avoidance and mitigation measures during clearance and construction works. Subject to such measures the proposal should not cause harm to protected species and it is stated that no further ecological surveys should be necessary. The proposal complies with the relevant policies in relation to biodiversity and ecology.

## **Main issue 9: Contamination**

39. Key policies and NPPF paragraphs – DM11, NPPF paragraphs 120-122.
40. A desk study summary investigation report was submitted with the application which concludes that further investigation works should take place to establish whether any contaminants exist. The Environmental Health Officer has considered the report and recommends that conditions be added to ensure satisfactory investigation and management of any contamination issues, and also to investigate whether any unexploded ordinance is present given that the area is known to have experienced bomb drops during World War II.

## **Equalities and diversity issues**

41. There are no significant equality or diversity issues.

## **Local finance considerations**

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

## **Conclusion**

45. The proposal would provide five new affordable dwellings in a highly sustainable location without causing material harm to the character of the area or neighbouring occupiers. The slight harm caused to local residents in terms of the loss of the parking is considered to be outweighed by the benefit of delivering new affordable housing on the site.
46. The development is in accordance with the requirements of the National Planning Policy Framework and the policies of the Development Plan, and there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application 16/01118/F and grant planning permission subject to the following conditions:

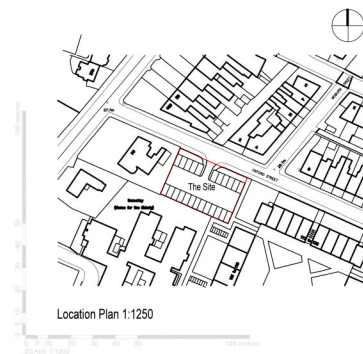
1. Standard time limit;
2. In accordance with plans;
3. Details of facing and roofing materials; windows; joinery; boundary treatments, walls and fences; external lighting;
4. Details of hard and soft landscaping, planting, biodiversity enhancements.

5. Implementation of sustainability measures/energy efficiency measures as outlined in application
6. Contamination risk assessment and report to be submitted
7. Unknown contamination to be addressed
8. Control on imported materials

**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.

...







Roof Pitch 35.0 deg.  
Concrete interlocking roof slate tile, dark grey  
Fascia's, soffits & bargeboards uPVC colour: white  
Windows uPVC colour: white  
Entrance Doors, grp/timber  
uPVC gutters & downpipes colour: black  
London Buff Stock facing Brickwork  
Stone cills and lintels  
2no. 1173 x 2898mm PV30/500 Veridian Clearline PV panel per unit  
prefabricated chimneys to match brick of main walls



proposed northeast elevation 1:100

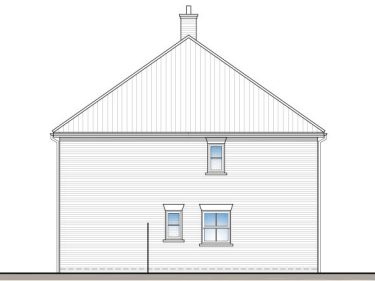
☐ Obscured Glazing



proposed southeast elevation 1:100



proposed southwest elevation 1:100



proposed northwest elevation 1:100

01.07.16	C	Amended to clients comments	ash	PW
01.08.16	B	Amended to scheme for 3 dwellings	ash	PW
10.05.16	A	Amended to date	smg	PW
Date	Revision	Description	Drawn	Checked

**peterwellsarchitects**

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Project:	NCC Garage Site, Oxford Street		
Drg. Title:	Proposed Elevations		
Client:	Orwell Housing	Drg. Status:	Planning
Date:	May 2016	Scale:	1:50, 1:100 @ A1
Drg. No.:	PW773_PL04	Revision:	C

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**Report to** Planning applications committee

**Item**

08 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00928/U - 145 & 147 Earlham Road, Norwich, NR2 3RG

**Reason for referral** Objection

5(F)

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<b>Ward:</b>	Nelson
<b>Case officer</b>	Kian Saedi - kiansaedi@norwich.gov.uk

Development proposal		
Change of use to two large Houses in Multiple Occupation (HMO, class Sui Generis)		
Representations		
Object	Comment	Support
22	0	0

Main issues	Key considerations
1 Principle of the development	Loss of housing, satisfying criteria of DM12 and DM13
2 Landscaping, design and open space	Loss of trees/gardens
3 Transport	Car parking, suitability of car free development, highway safety, cycle parking
4 Amenity	Internal living conditions for future occupiers, noise and disturbance, overlooking
<b>Expiry date</b>	15 August extended to 15 September 2016
<b>Recommendation</b>	Approval subject to conditions



## The site and surroundings

1. The site is located on the north side of Earlham Road opposite the junction with College Road. The surrounding area is predominantly residential, characterised by two-storey terraced properties. Several locally listed buildings are located opposite the site on the south side of the road.
2. The site is ~70 metres beyond the nearest district centre, which is located at the corner of Earlham Road and Recreation Road.
3. The site is also located within a Critical Drainage Area as identified on the local plan policies map.

## Constraints

4. Critical Drainage Area (DM5).

## Relevant planning history

5.

Ref	Proposal	Decision	Date
07/00692/U	Change of Use from guesthouse to private residence.	APPR	18/07/2007
14/01400/U	Change of use from residential (Class C3) to use as a bed and breakfast (Class C1).	REF	03/12/2014
15/00003/F	Change of use of main part of existing building to Bed and Breakfast accommodation and conversion of rear of building to 1 no. flat.	APPR	15/06/2015
15/01867/U	Change of use to two large Houses in Multiple Occupation (HMO, class Sui Generis), including a side conservatory extension and associated alterations.	REF – Reasons explained below under the proposal section of the report	18.05.2016

## The proposal

6. The application seeks the conversion of 145 Earlham Road which is currently a C3 dwelling house and 147 Earlham Road which is currently a C1 Bed and Breakfast, to two 7-bed HMOs (Sui Generis).

7. The planning history for the site is outlined above. A planning application for similar development was refused in May 2016. The application was refused on the following grounds:
- The removal of the front gardens and creation of an area of hardstanding for car parking will be out of keeping with the residential character of the surrounding area and harmful to the appearance of the site. As such the proposal is contrary to paragraphs 58 and 64 of the NPPF, policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014, and policies DM3, DM12 and DM13 of the Development Management Policies Local Plan 2014.
  - Inadequate provision has been made for the storage and collection of refuse and as such the proposal will increase the potential for waste receptacles to be left out on the street or adjacent to the site entrance. Such a scenario would be harmful to the appearance of the site, be detrimental to the character of the surrounding area and potentially create obstacles in the highway. The proposal is therefore considered contrary to paragraphs 58 and 64 of the NPPF, policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policies DM3, DM12, DM13 and DM31 of the Development Management Policies Local Plan 2014.
8. The current application seeks to address the reasons for refusal by removing car parking from the scheme, reinstating landscaping to the front gardens and making provision for suitable refuse storage.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	2
No. of affordable dwellings	N/A
Total floorspace	469 sq.m
No. of storeys	2.5
<b>Transport matters</b>	
Vehicular access	As existing
No of car parking spaces	0
No of cycle parking spaces	To be agreed by condition. Will be seeking 1:1 provision.
Servicing arrangements	The scheme incorporates a management strategy for the collection of refuse. A communal refuse store is provided adjacent to the highway and a private contractor will be responsible for collecting from this location. The management

	strategy will ensure that bins are not left on the highway at any time.
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## Representations

9. Adjacent and neighbouring properties have been notified in writing. 22 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
Harm to the character of the area resulting from the conversion to two large HMOs..	Main issue 2
Harm to the character of the area resulting from the waste storage area. New vegetation will not adequately screen the bins.	Main issue 2
Inadequate parking in surrounding area. The proposal will further add to existing parking pressures.	Main issue 3
Harm to highway safety from additional vehicle movements	Main issue 3
Bins will be left on the highway and will create an obstruction/hazard	Main issue 3
Odour nuisance and potential vermin attraction from the refuse store	Main issue 4
Overlooking	Main issue 4
Overdevelopment/cramped living conditions	Main issue 4
How will the use of the building and number of residents be managed and policed? How can an occupation condition be enforced?	Main issue 4
Loss of trees/front garden	Main issue 2
The number of recent applications at the site indicates that the applicant is trying to circumvent the constraints of planning law to obtain their objective. Should the application be approved then this will indicate that the council have not taken into account the views of and concerns of the local residents.	Other matters

Issues raised	Response
Likelihood of end users being itinerant which will be detrimental to the wider community.	Noted
Why is the applicant allowed to keep applying for planning permission?	The local planning authority can refuse to determine a planning application where it has refused more than one similar application within the previous two years. Whilst two applications have been refused within the last two years, they have been of different character. The current scheme is also different in character to the most recent refusal in terms of removing the car parking from the front of the site. The council therefore has a duty to assess the application currently being considered.
Inaccurately filled in application form	Noted.
Why have works to facilitate the proposed development been allowed to continue in the absence of planning consent being granted?	The internal and external works that have taken place have not required planning permission. Should planning permission be refused the two properties would not be permitted to operate as large houses in multiple occupation.

## 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.

### Citywide services

11. Capacity and collection arrangements are good.

### Highways (local)

12. "No objection on highway/transportation grounds.

I am aware of the local opinions against this development previously, but I must concur with the applicant that the proposed occupancy of the site will be less than extant occupancy.

Regrettably the property is not within a Controlled Parking Zone, and that parking is unrestricted on this part of Earlham Road.

Therefore, as it is the case now, some occupants with a car may park in the local area.

The council does not have plans to introduce a CPZ in this area for the foreseeable future, but if there was local demand would consider it.

The provision of refuse storage appears acceptable in principle; city wide services will advise you separately.

The provision of cycle storage appears cramped; we need to ensure that the cycle parking is of a high standard; i.e. covered, secure and enough space to easily lock a bike. Ideally the bike stores would be in secure gated area.

It is important to consider the likely occupants of such accommodation will be students or those on lower incomes; car ownership is likely to be very low. Especially since the property is located on a frequent bus service and a local centre is within walking and cycling distance.”

## **Assessment of planning considerations**

### **Relevant development plan policies**

#### **13. 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
- JCS12 The remainder of the Norwich urban area including the fringe parishes
- JCS20 Implementation

#### **14. 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
- DM11 Protecting against environmental hazards
- DM13 Communal development and multiple occupation
- DM15 Safeguarding the city's housing stock
- 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

### 15. 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

## Case Assessment

16. 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

17. Key policies and NPPF paragraphs – DM12, DM13 and DM15, JCS4, NPPF paragraphs 49 and 14.
18. While the proposal will result in the loss of one C3 dwelling house, it will result in the creation of two 7-bed houses in multiple occupation. The NPPF states that planning authorities should deliver a wide choice of quality homes and plan for a mix of housing based on current and future demographic and market trends. While the loss of the C3 dwelling is noted, the proposal would result in a net gain of one unit of accommodation and the two large HMOs would contribute towards providing a wider choice of accommodation in the area.
19. The site is located within close proximity to a district centre where future residents would benefit from easy access to a wide variety of shops and services. The site is also located within walking distance of the city centre and close to public transport providing frequent services to the city centre and wider area.
20. The principle of the proposed development is considered acceptable subject to satisfying policies DM12 and DM13 of the *local plan*, the associated criteria of which are discussed in the following sections below.

### Main issue 2: Landscaping and design

21. Key policies and NPPF paragraphs – DM3, DM8, DM12 and DM13, NPPF paragraphs 9, 17 and 56.
22. It is apparent that works to convert the two properties are well advanced and the former front gardens of 145 and 147 Earham Road have largely been removed of



the vegetation that previously characterised the two plots. The front gardens contributed positively to the appearance of the site and character of the street, and the loss of the planting is therefore regrettable. There were however no planning restrictions preventing the removal of the vegetation and there are no trees on site protected by Tree Preservation Order (TPO).

23. The current proposal sets out to reinstate the front gardens by replacing previously removed planting with appropriate plants and shrubs. A detailed landscaping scheme will be secured by condition and it will be necessary for a high quality planting schedule to come forward which is capable of improving the appearance of the site and mitigating for the harm already caused by the works that have taken place in the front gardens. The landscaping scheme should also be low maintenance and attractive to ensure its value is maintained leading into the future.
24. It is proposed to provide a communal refuse storage area at the front of the site within a partially submerged area behind the retaining wall. Drawings and visualisations have been submitted illustrating the design of this area and how it will appear when viewed from the street. It is considered that subject to details being agreed by condition, it will be possible to adequately screen the refuse storage area and preserve the character of the wider area.
25. With the exception of the landscaping works at the front of the property and removal of the brick conservatory at 147 Earlham Road, no other physical alterations are proposed for either building that are in need of assessment. The external appearance of the buildings will otherwise remain as existing.
26. A large number of contributors have objected to the proposal on grounds of the potential harm to the character of the surrounding area and this is also an important consideration when assessing against policy DM12 of the *local plan*. The removal of the majority of planting from the front gardens has undoubtedly harmed the landscape value of the site and a high quality scheme of replacement planting will be sought as part of the landscaping scheme in mitigation.
27. The proposal will create two 7-bed HMOs in place of a 9-bed B&B and 5-bed dwelling house. The occupancy levels of the two dwellings will be restricted by condition to a maximum of seven per dwelling which will prevent an over-intensification of the site, particularly in comparison to the current use, which might otherwise result in disturbances to the locality and a change in the residential character of the site.
28. Subject to conditions requiring landscaping works to screen the refuse storage area and restricting occupancy levels to no more than seven per dwelling, it is not considered that the proposal will adversely affect the character of the surrounding area.

### **Main issue 3: Transport and highway safety**

29. Key policies and NPPF paragraphs – JCS6, DM13, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
30. Parking in the surrounding area is not controlled and is instead available to all on a first come first served basis. It is clear from the weight of public sentiment that parking availability in the surrounding area is currently stretched and there is

considerable anxiety that the proposal will further reduce the parking space available to local residents. The scheme is however considered to be acceptable on transport grounds for the following reasons.

31. The site benefits from a high level of accessibility located as it is within close walking distance of a bus stop providing regular services to the city centre and wider area. The city centre is also within walking distance of the site and the Earlham House district centre is ~50 metres from the site where many services and facilities are available for residents. Given the high accessibility and connectedness of the site, the extent to which future residents will be dependent upon car ownership is much reduced and this is considered in conjunction with the lower levels of car ownership expected with occupiers of larger HMOs.
32. The position of the site adjacent to bus stops and immediately adjacent to the district centre also qualify it as suitable for car free/low car housing in accordance with policy DM32 of the *local plan*, which identifies the benefits of reducing the use of high emission vehicles in sustainable locations. DM32 also enables consideration of access to car club spaces when determining the suitability of car free/low car housing. A total of five additional car club spaces are planned to be deployed within the next 12 months in the vicinity of the site, two on Recreation Road, one on Caernarvon Road, one on Edinburgh Road and one on Havelock Road. The site is therefore considered to be suitable for car free/low car housing in accordance with policy DM32 of the *local plan*.
33. 145 Earlham Road is currently in lawful use as a five bed dwelling house (C3) and 147 Earlham Road as a B&B (Class C1), which provides nine bedrooms for guests. One parking space is currently provided on site for the residents of 145 Earlham Road. The proposal is for conversion to two 7-bed HMOs and a condition is to be imposed upon any planning permission restricting occupancy levels to no more than seven people for each property. Notwithstanding the issues discussed above, the potential increase in car use at the site is not considered to be significantly greater than the potential for car use associated with the existing uses or indeed the use of the site permitted under application 15/00003/F. In turn, it is not therefore considered that the proposal will present any significant issues in terms of highway safety.
34. The need to provide secure and covered cycle parking for future residents will be conditioned which will further encourage sustainable use of transport to and from the site.
35. The application includes a management strategy which states that someone will be employed to clean the properties and transfer waste from the properties to the communal storage facilities. Collection will be arranged with a contracted company who will collect and return the receptacles to the store. Bins will not be stored on the highway at any time. The management strategy is considered to be acceptable and will be conditioned for compliance against any planning consent. This will ensure that bins do not create any obstacles on the highway and are stored properly to avoid any harm to the appearance of the site and character of the wider area.

#### **Main issue 4: Amenity**

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

37. The current scheme provides adequate living space for future occupiers in accordance with national space standards set by Central Government and the concerns previously raised by the council's housing officer have successfully been addressed.
38. Both properties benefit from very large rear gardens which provide high quality external amenity space for future residents. Secure and covered cycle parking and servicing facilities will be secured by condition and residents will otherwise benefit from ready access to local services and facilities at the nearby district centre.
39. Several contributors have raised concern with the potential for noise and disturbance resulting from an over-intensification of the site. The proposal is for two seven bed HMOs and planning permission will be conditioned to restrict occupancy levels to no more than seven people in each property. This is to ensure that the two properties provide adequate facilities to serve the number of occupants in each dwelling. The condition will also prevent uncontrolled occupancy levels at the site which may otherwise result in levels of activity with the potential to disturb the amenities of the surrounding area.
40. With the restrictive occupancy condition, the numbers of people living in the two properties will not intensify much above the numbers associated with the existing B&B and dwelling house. This will limit the opportunity for disturbances to the amenities of the surrounding area resulting from noise, smells and fumes. Should the occupancy levels increase above those permitted by the condition then the matter could be investigated as a matter of planning enforcement.
41. Refuse will be stored within robust waste receptacles and managed for regular collection. The potential for attracting vermin is not considered to be significant.
42. The application proposes obscure glazing in various windows in order to prevent overlooking and loss of privacy between neighbouring properties.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Refuse Storage/servicing	DM31	Yes subject to condition.
Sustainable urban drainage	DM3/5	Yes subject to condition. The site is located within a critical drainage area where a higher risk of surface water flooding is identified. The scheme results in a very minor increase to the coverage of hard-standing at the site. Planning permission will be conditioned to require any hardstanding to be constructed of a porous material and this is considered acceptable for mitigating any significant risk from an increase of surface water flooding at

		the site.
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## **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 recent planning history of the site has been set out in paragraph 5 of this report. Each application has been assessed based upon its own merits and against national and local planning policy. The comments of the public have been considered and taken into account in the assessment of each application.

## **Equalities and diversity issues**

46. There are no significant equality or diversity issues.

## **Local finance considerations**

47. 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.
48. 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.
49. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

50. 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. 15/01867/F - 145 & 147 Earlham Road Norwich NR2 3RG and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Detailed landscaping scheme to ensure adequate screening of refuse storage area and planting to mitigate for that lost in the front gardens which is easy to maintain and attractive;

4. No occupation of development until details of cycle storage have been agreed and implemented.
5. Any hardstanding to be constructed of porous material;
6. Compliance with the Management Strategy;
7. Installation of obscure glazing;
8. Each property shall be occupied by no more than 7 tenants, on a 1 tenant per lettable room basis, at any one time;

#### **Article 35(2) statement**

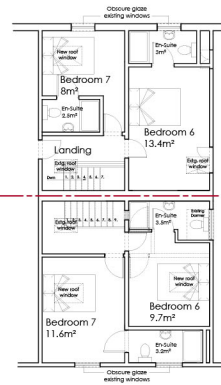
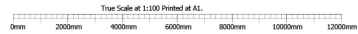
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application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

## PROPOSED Loft Area - 145

Scale 1:100

## PROPOSED Loft Area - 147

Scale 1:100

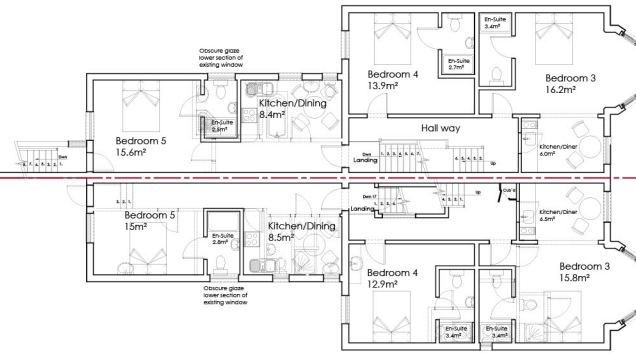
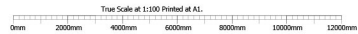


## PROPOSED First Floor - 145

Scale 1:100

## PROPOSED First Floor - 147

Scale 1:100

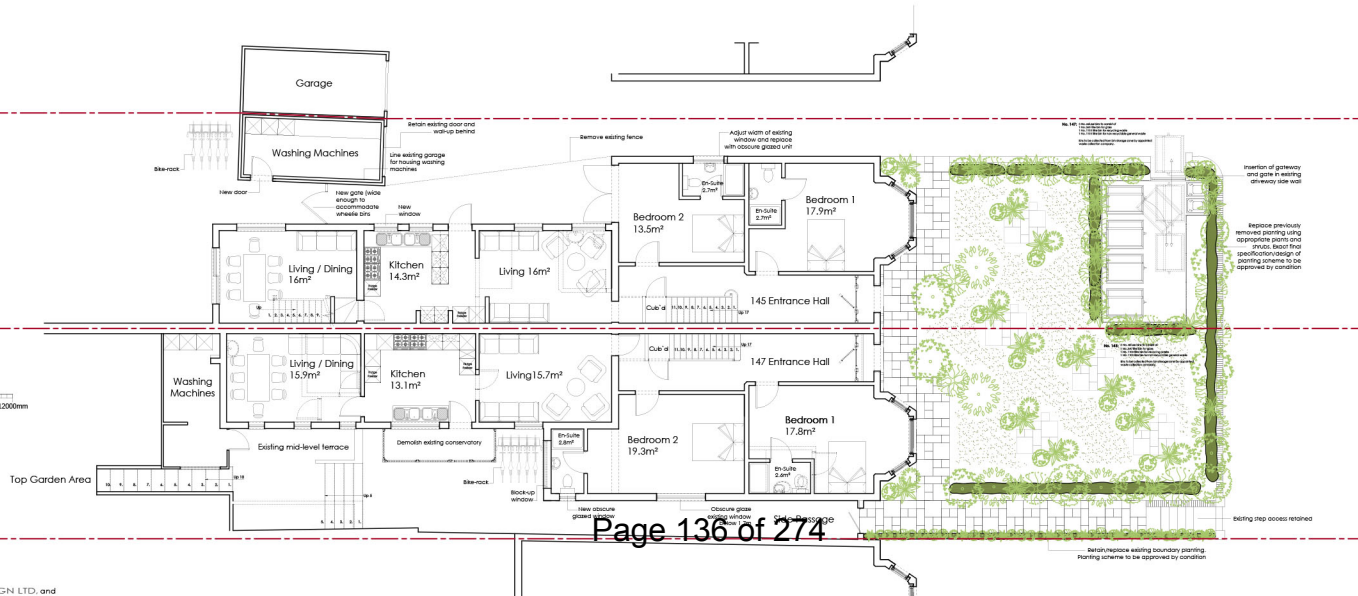


## PROPOSED Ground Floor - 145

Scale 1:100

## PROPOSED Ground Floor - 147

Scale 1:100



Page 136 of 274

### NOTES :

DO NOT SCALE. Scale this drawing.  
Contractors must verify all dimensions on site before setting out. Commencing work, ordering materials or making any shop drawings.

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The information contained in this drawing is representative and has been compiled, from a dimensional survey only and does not warrant nor certify the structure of the buildings or neighbouring structures at the time of construction.

The contractor is to visit the site to make himself acquainted with the building's and surroundings and undertake any investigation work or make all allowances to ensure that a full and final quotation for the works will be submitted, taking into account all eventualities.

Failure to do so will be at the contractor's own risk and no additional payments shall be countenanced for any amendments to the work.

The contractor is to carry out all works in full compliance with the Health and Safety Commission's Approved Code of Practice: 'Managing Construction for Health and Safety' and Construction (Design and Management) Regulations 1994. All work and working practices on the site shall be carried out in accordance with the above and to ensure that there is no risk to the site operatives, visitors or public.

The contractor is to include all preliminary allowances to cover the prevention of accidents and injury.  
All works are to be carried out to comply with manufacturers, suppliers and industry guidelines, local authority regulations, good standards, fire safety recommendations, specialist subcontract recommendations and services supply and installation regulations. All manufacturers literature is to be kept on site. Provide all relevant guarantees in duplicate for presentation to the client.

Allow all necessary attendance and liaison with CA's (and CA personnel) specialist subcontractor trades. Ensure all notifications are submitted to the Local Authority, Building Control and submit materials as required to the local Authority Planning Department.  
Carefully examine the drawings and notify any discrepancies to the CA for instruction prior to proceeding.  
Check all dimensions on the site prior to ordering materials and notify any discrepancies to the CA for instruction prior to proceeding.

This drawing and design is for use solely in connection with the project described below.

No Responsibility for Any Error or Omission in This Specification Will Be Recognised Unless Brought to The Attention Of The Client Or His Agent Prior To Signing The Contracts.

Rev:	Date:	Int:	Amendment:
A	Nov 2015	JEB	Draft proposed floor plans
B	Nov 2015	JEB	Final proposed floor plans
C	Dec 2015	JEB	Planning Submission
D	Feb 2016	JEB	Planning Amendments
E	March '16	JEB	Planning amendments to reduce the number of HMO bedrooms to 7/10, per property, removal of proposed conservatories + parking provision reconfiguration
F	March '16	JEB	Bin storage added + 1st floor WC windows to be obscured glazed
G	May 2016	JEB	Resubmitted amended application following refusal
H	Aug 2016	AJB	Alterations to the bin storage area.

**Norfolk Attleborough Office:**  
2 Exchange Street, Attleborough, Norfolk.  
NR17 2AB  
Tel: 01953 456722

Also offices in Suffolk and London



www.pdarchitectural.co.uk

Project Address:

**145 + 147 Earlham Road**

**Norwich**

**NORFOLK**

**NR2 3RG**

Client Name:

**for Mr Jianping Liu**

Project:

**Proposed change of use planning application to HMO use class**

Drawing Title:

**Proposed floor plans**

Drawn By:

JEB Project Ref Number:

PD-14-243

Date:

Scale:

Drawing Number:

April 2015 1:100 005

RIBA

ABBE

RIBA

All dimensions are in millimeters

Units:

All dimensions to be checked on site

Units: A B C D E F G H

**Report to** Planning applications committee

**Item**

08 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00835/F - 120 - 130  
Northumberland Street, Norwich, NR2 4EH

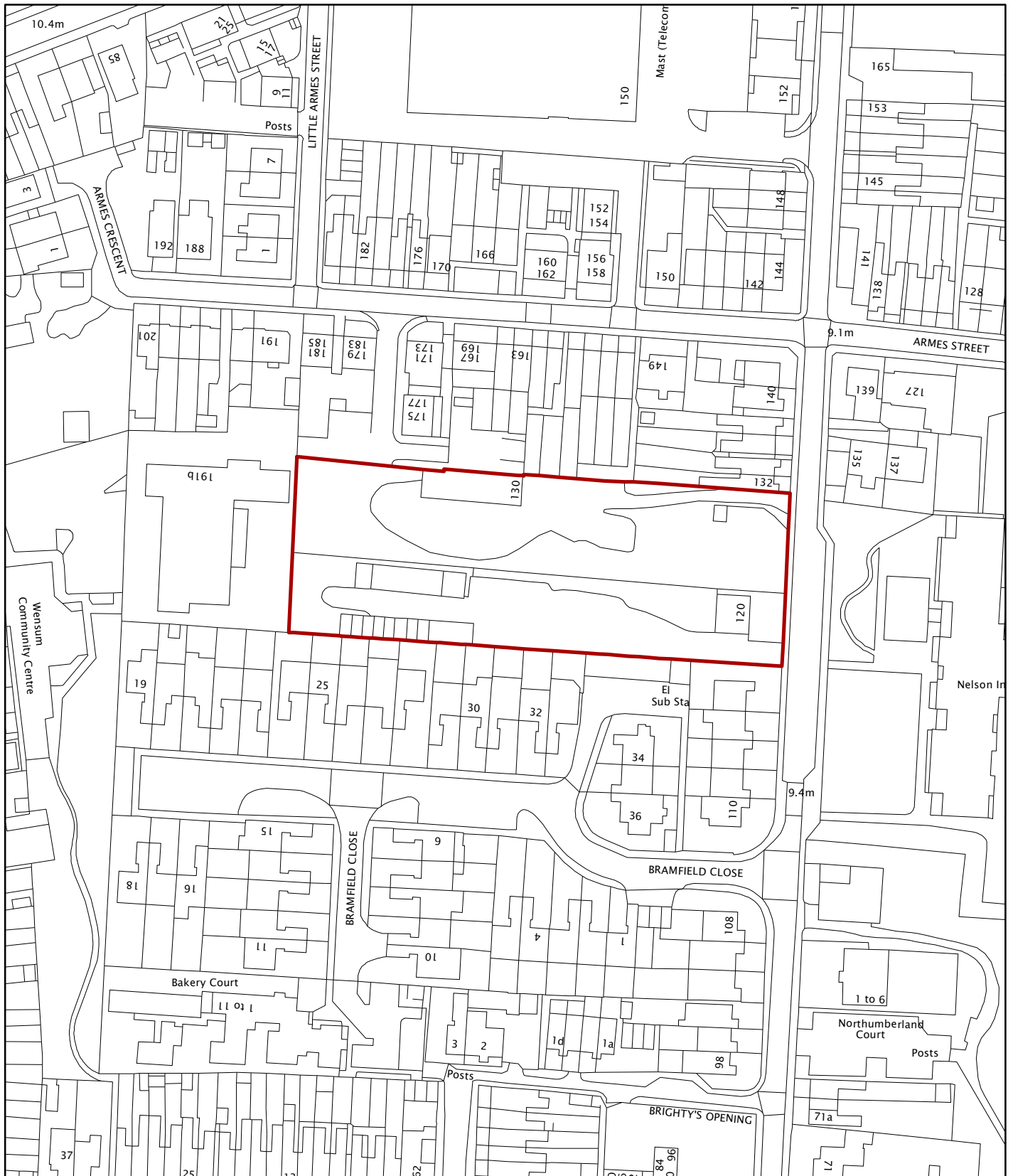
**5(G)**

**Reason  
for referral** Objection

<b>Ward:</b>	Wensum
<b>Case officer</b>	Kian Saedi - kiansaedi@norwich.gov.uk

<b>Development proposal</b>		
Demolition of existing dwelling and outbuildings. Erection of 36 residential dwellings with associated works.		
<b>Representations</b>		
Object	Comment	Support
14	1	0

<b>Main issues</b>	<b>Key considerations</b>
1 Principle of the development	Compliance with site allocation R32, suitability of site for residential development
2 Design	Impact on character of area, scale, form, massing, layout, appearance
3 Trees/ecology	Impact on trees, impact on ecology
4 Transport and access	Access, car parking, traffic, highway safety, homezone design, servicing
5 Amenity	Overlooking, overbearing, overshadowing/loss of light, noise/odour disturbances, amenity of future occupants
6 Affordable Housing	Delivery of affordable housing with reference to requirements of JCS4
<b>Expiry date</b>	7 September 2016 extended to 8 <sup>th</sup> October
<b>Recommendation</b>	Approve subject to conditions and legal agreement securing on-site provision of affordable housing



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Planning Application No 16/00835/F

Site Address 120-130 Northumberland Street

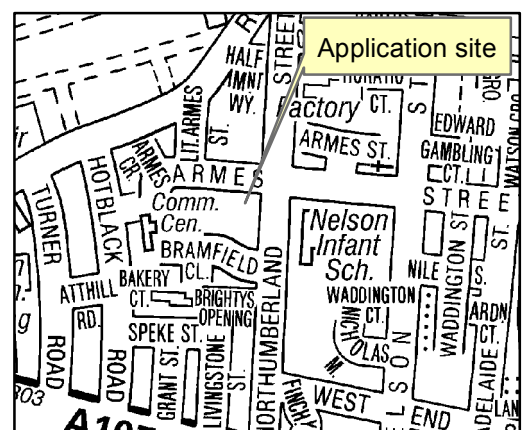
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**NORWICH**  
City Council

PLANNING SERVICES

Page 138 of 274





## The site and surroundings

1. The site is located in the west part of the city and is 0.46 hectares in size. The site currently comprises a disused house and its front curtilage fronting Northumberland Street, with a motor scrap yard and builder's yard to the rear. There are several mature trees on site. There is a residential institution to the west of the site. Nelson Infant School is to the east on the opposite side the road. There is an electricity substation to the south of the site.
2. This part of Northumberland Street is predominantly a residential area with two storey terraced houses, whilst the north part of the street towards Waterworks Road also contains employment uses.
3. The site is allocated under policy R32 of the *local plan* for housing development of approximately 37 dwellings.

## Constraints

4. R32 of the *local plan* identifies the need for a contamination assessment to be undertaken with any application. The application includes a ground investigation report which includes a risk assessment of potential contaminants on site. The assessment reveals that there is a degree of contamination on site which will require remediation. The Environment Agency have reviewed the assessment and raise no objections to the scheme subject to conditions to deal with the remediation of the site.

## The proposal

5. Demolition of existing dwelling and outbuildings. Erection of 36 residential dwellings with associated works.
6. The proposal will create the following break-down of units:
  - 17 x 1B flats
  - 10 x 2B flats
  - 9 x 3B houses

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	<b>36</b>
No. of affordable dwellings	<b>11</b>
Total floorspace	<b>~2500 sq.metres</b>

No. of storeys	<b>Two storey, 2.5 storey and three storey</b>
Density	<b>78 d/ha</b>
<b>Appearance</b>	
Materials	<b>Mixture of heritage red, buff and grey bricks, grey roof tiles, grey windows (material tba).</b>
Energy and resource efficiency measures	<b>PV panels are to provide at least 10% of the scheme's energy. A detailed scheme will be required by condition to demonstrate how this will be achieved.</b>
<b>Transport matters</b>	
Vehicular access	<b>From Northumberland Street and Armes Street.</b>
No of car parking spaces	<b>46</b>
No of cycle parking spaces	<b>To be agreed by condition</b>
Servicing arrangements	<b>Communal bin store to be provided adjacent to entrance with Northumberland Street. Further details to be agreed by condition.</b>

## Representations

7. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 15 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.

<b>Issues raised</b>	<b>Response</b>
Loss of employment site. A mixed development would be preferred.	Noted. The principle of residential development at the site is acceptable in accordance with policy R32 of the <i>local plan</i> . See also main issue 1.
Out of character development, especially with regard to the 2.5-storey block of flats	Main issue 2
Security of the site	Main issues 2 and 5
Security in terms of overlooking to the playground of the adjacent school	Main issue 5
Visual harm caused by the bin store	Main issue 5

Issues raised	Response
Increased traffic and reduction in available parking, especially parking space used by parents to pick up kids from school	Main issue 4
Parents are likely to use the parking spaces in the new development which will cause distress and arguments with the new residents	The parking spaces are private and available only for the residents of the new development
Insufficient car parking	Main issue 4
Inadequate access onto Armes Street	Main issue 4
Parents will use the site as a rat run	Main issues 1, 2 and 4
Harm to highway safety from the increased traffic	Main issue 4
Objection to any link to Bramfield Close either now or in the future	Main issue 4
Overlooking	Main issue 5
Loss of light/overshadowing	Main issue 5
Odour and noise from the bin store to the neighbouring property	Main issue 5
Noise disturbances from increased traffic	Main issue 5
Disturbances from construction	Main issue 5
Proposed development is too close to my property. Overbearing impact/sense of enclosure	Main issue 5
The large communal bin area will attract vermin and flies	Main issue 5
Harm to trees/wildlife from clearing the site	Main issue 3
The development will put the users of the adjacent safe house at risk	The adjacent site is already surrounded by residential properties and the proposed development is not considered to pose a risk to the occupants of the residential institution.
The existing boundary wall is paramount to protect the residential qualities of all, both currently and into the future. The liability for its retention and maintenance should fall with the developer by a legal agreement and be	Main issue 5

Issues raised	Response
conditioned to any consent	

In addition to the 15 letters of representation objecting to the proposal, one letter has been submitted on behalf of the Norwich Society which states the following:

“This seems a logical plan to which we have no objections”

## Consultation responses

8. 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

9. “I have viewed the site investigation report provided by Richard Jackson (ref 44937) and broadly agree with the recommendations made within it. It is clear that there is a degree of contamination on this site that will require remediation for this development to go ahead.”
10. Conditions are recommended and will be added to the planning consent.

### Environment Agency

11. No objection subject to the imposition of conditions to ensure the protection of the water environment.

### Highways (local)

12. No objection on highway / transportation grounds subject to agreement of detailed matters by condition.

### Housing strategy

13. “This site is ref R32 within the Norwich adopted local plan and we welcome this proposal which brings forward the full site allocation.”
14. A number of recommendations are made relating to the tenure mix and design of the scheme, which have been addressed to some extent in subsequent amendments to the scheme. Subject to conditions it is considered that the remaining recommendations will be satisfied with respect of lifetime homes, renewable energy, landscaping, cycle storage and servicing.

### Landscape

15. The need for a detailed landscaping scheme is highlighted and will be important for securing adequate tree replacement planting, high quality amenity spaces and a ‘homezone’ across the vehicular route through the site.

## **Anglian Water**

16.

## **Norfolk County (Lead Flood Authority)**

17. Falls below current threshold for providing detailed comment.

## **Norfolk historic environment service**

18. No comment.

## **Norfolk police (architectural liaison)**

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

# **Assessment of planning considerations**

## **Relevant development plan policies**

### **20. 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

### **21. 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
- 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
- DM33 Planning obligations and development viability

### **22. Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014 (SA Plan)**

- R32: 120-130 Northumberland Street

## Other material considerations

### 23. 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
- NPPF8 Promoting healthy communities
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment

### 24. Supplementary Planning Documents (SPD)

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

## Case Assessment

25. 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

26. Key policies and NPPF paragraphs – DM12, JCS4, NPPF paragraphs 49 and 14.
27. The proposal involves the demolition of the existing dwelling and outbuildings and the redevelopment of the site to create 36 residential dwellings.
28. The site is allocated for housing under policy R32 of the *local plan* for approximately 30 dwellings. The allocation states that the site is in an accessible location for housing close to local services and public transport and that development of the site will assist in enhancing the residential character of Northumberland Street, reinstating a housing frontage.
29. The erection of 36 dwellings will satisfy the allocation and contribute towards housing need identified under JCS4. The proposal delivers a good mix of dwelling types and sizes and 11 of the units are allocated for affordable housing. A residential frontage is to be created with Northumberland Street and the site will be linked to Armes Street via an access road which is to be designed around home-zone principles to slow traffic and prevent rat running. The principle of the development is therefore considered to be acceptable.
30. The allocation also states that the development will:
- provide a cycle and pedestrian link between Armes Street and Bramfield Close;

- assess and protect on site trees;
- provide an appropriate landscaping scheme; and
- assess amenity impacts and provide high quality design in keeping with heights of buildings adjacent to the site.

The extent to which the application satisfies these requirements is discussed later in the report.

31. 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.

## **Main issue 2: Design**

32. Key policies and NPPF paragraphs – JCS2, DM3, DM12 NPPF paragraphs 9, 17, 56 and 60-66.
33. The site currently consists of a single, unoccupied dwelling on the Northumberland frontage and several buildings within the site associated with the motor scrap yards and builder's yard, which are generally in a state of disrepair and of no particular design merit that could otherwise justify retention. The boarded up house and overgrown vegetation at the front of the site are detrimental to the street scene and do not contribute in any way to the character of the wider area. Policy R32 sets out that development at the site should be successful in reinstating a street frontage to Northumberland Street and provide a high quality design in keeping with the heights of buildings adjacent to the site.
34. The scheme maintains access to the site from Northumberland Street where a main access road runs through the site and connects to Armes Street. The largest front-facing elevation is created onto Northumberland Street in the form of the 'Block A', which consists of 16 1B and 2B flats. Positioning the largest block of flats in this location creates a strong and active frontage with Northumberland Street which then continues into the site alongside the access road in the north-east corner of the site.
35. The surrounding area is predominantly residential but the architecture is mixed in style. The row of terraces to the south of the site along Northumberland Street were developed through the 1960s-1980s and constructed of brown/buff brick with grey pantiles. Neighbouring the site to the north are 1930s Victorian semi-detached and terraced properties constructed of red brick and red pantiles. Directly opposite the site is the single-storey Nelson Infant School and three-storey buildings exist further north and south along Northumberland Street.
36. Block A is 2.5-storey in height with the top floor set within a mansard style roof. This is intended to soften the mass of the building and is considered to be effective in providing the impression of two-storey development and avoiding any sense of

over-dominance when viewed from Northumberland Street. The eaves and ridge of Block A will be set at a slightly greater height than neighbouring properties, but the block will read as its own entity and be physically separated by sufficient distance from the neighbouring properties that the greater scale will not be clearly apparent and not to any degree that will harm the character of the surrounding area.

37. A heritage red brick is to be used in the construction of Block A which echoes the predominant material seen in the surrounding area and fenestration has been positioned to largely continue the rhythm of neighbouring development. The front building line steps forward of the row of terraces to the south, but sits level with the neighbouring development to the north. Private accesses are provided to the ground floor flats fronting Northumberland Street, which will also be defined by landscaped front gardens and tree planting. It is considered that Block A achieves a high quality contemporary design, while responding respectfully to the existing built environment and creating a strong frontage with Northumberland Street, in accordance with the objectives of R32 and policy DM3 of the *local plan*.
38. Within the site, the layout of the scheme has been designed with properties looking inwards towards the main through road, with private amenity spaces tending to be located at the rear of the dwellings. In doing so, the proposed dwellings have been positioned with sufficient separating distance to avoid any significant harm to the amenity of neighbouring properties whilst providing space at the front to define a 'homezone' area. A detailed landscaping scheme will be conditioned but the application includes a provisional landscape plan which adequately demonstrates that the through link to Armes Street will be landscaped to slow traffic, discourage rat running and ensure safe movement of pedestrians and cyclists through the site.
39. The dwellings are two-storey in scale and a mixture of terraced housing and 'walk-up' and ground floor flats. The design is contemporary and clean with visual interest added through the use of a mixture of brick specifications, brick detailing/recessing around windows and the arrangement of fenestration to provide vertical emphasis in the elevations. A detailed condition will ensure that the site is landscaped to a high standard to provide the development with a satisfactory appearance and high quality amenity spaces.
40. A good level of natural surveillance is provided to the parking areas in the interests of minimising any opportunity for criminal activities. Gates/fences are to be installed to prevent public access to rear service lanes and amenity spaces and these will be agreed as part of the final landscaping scheme.
41. The application states that 10% of the dwellings will be constructed to Lifetime Homes Standard, which will ensure that houses are readily adaptable or built to a standard to meet people's needs and prevent them needing to move to more specialist housing in the future. The scheme has also been checked against the 12 'Building for Life' principles and appears to score strongly against the associated criteria.

### **Main issue 3: Trees/ecology**

42. Key policies and NPPF paragraphs – JCS1, DM6, DM7, NPPF paragraphs 109 and 118.



43. Several trees are located on the site and policy R32 requires an arboricultural assessment to be made prior to development and trees protected and incorporated into the development where possible.
44. The arboricultural assessment submitted with the application shows it necessary to remove several trees in order to facilitate the proposed development. None of the trees to be removed are indicated as being of high quality and all are C category. The assessment sets out for the retention of the group of sycamore at the western end of the site and Cherry tree located in the neighbouring property to the west. Protective fencing will be installed during the works to ensure that the trees to be retained are not harmed.
45. The AIA recommends that any planning permission be subject to a condition requiring a detailed method statement including details of fencing types, ground protection measures, project phasing and an auditable monitoring system.
46. None of the trees to be removed are classified as being of high quality and adequate replacement will be secured within a scheme of replanting to be included as part of the wider landscaping of the site.
47. The trees to be retained at the western end of the site will contribute towards screening between the adjacent site.
48. An ecological assessment has been undertaken for the site and found no evidence of bat roosting within the commercial buildings with a possibility for bat roosting within the existing dwelling, although the dense urban surroundings is said likely to discourage bat roosting. There is potential for the bird nesting on site within the bramble scrub and buildings. The site holds no 'Habitats of Principle Importance' and hedgehog passage through the site is stated as conceivably happening on only rare occasions.
49. The assessment sets out mitigation and compensatory measures for the protection of birds and bats, and compliance with these measures will be conditioned. The final landscaping scheme will ensure biodiversity enhancements through planting and tree replacement and the opportunity for the installation of bird/bat boxes and 'hedgehog friendly' fencing will be explored where appropriate.

## Main issue 4: Transport and access

50. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
51. The site is suitable in transportation terms for its location and access, close to local services and public transport. Sufficient car parking is provided to satisfy the local standards for this location as set out in Appendix 3 of the *local plan*. This is considered sufficient to avoid parking overspill to the surrounding area. The parking will be private and available to the residents of the development only. A vehicle charging point will be required by condition in accordance with policy DM31.
52. The site is located within close distance of public transport and secure on-site cycle parking will be secure by condition. This will ensure that residents are provided with opportunities to utilise sustainable forms of transport and will reduce car-dependency. The properties have been well designed to provide natural surveillance over the parking areas, which will reduce the opportunity for crime.
53. The site road does not dominate the site but will instead be designed around homezone principles and feature shared surfaces. This will deter the use of the road as a 'rat run' and make the road safe for pedestrians and cyclists in line with policy R32 of the *local plan*. The landscape scheme indicates a footway 'carry over' at the entrance from Northumberland Street. It will be important to ensure that this constructed to an appropriate standard to relate effectively with the highway. A Grampian condition will be added to any planning consent requiring no occupation of the dwellings until a scheme for the footway 'carry over' has been agreed and then constructed in accordance with the approved scheme. No objection has been raised by the council's transport officer with regard to the access onto Armes Street.
54. A detailed landscaping scheme will be conditioned and will ensure that suitable materials, layout and planting are incorporated into the final build out of the scheme. It is not anticipated that the through road will be adopted, but it is expected to be constructed to an adoptable standard.
55. The design of the parking area is such that cars will be forced to drive slowly. This will prevent cars entering and leaving the site at high speeds. The footway carry over will give pedestrians priority over the access to Northumberland Street in the interests of highway safety. Suitable materials will be required as part of the conditions to be imposed upon the planning consent and will ensure that the footway is clearly defined from the road. The increase in traffic resulting from the development is otherwise not considered to pose any significant harm to highway safety nor the safety of children entering and leaving the adjacent school.
56. R32 sets out that development at the site should provide a pedestrian/cycle link between Armes Street and Bramfield Close. Section 3.4 of the Design and Access statement sets out a justification for why such a link has not been provided and this position is accepted. The potential to create such a link would require acquiring the garages on Bramfield Close, which are privately owned and in use by residents. The ownership of the boundary wall at this section of the site is unclear and even if the garages could be acquired, there is no guarantee that consent could be gained from the landowner to undertake works to the wall. Furthermore, notwithstanding the boundary wall and private garages, it is not considered that any great value is to be gained by creating a pedestrian/cycle link through Bramfield Close given it is a

cul-de-sac and not connecting to any other street. The scheme will provide a link between the site and Armes Street and this is considered adequate for providing permeability with the surrounding area.

### **Main issue 5: Amenity**

- 57. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
- 58. 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:**

- 59. Block A will be 2.5-storey at the Northumberland Street frontage with three-storey elements at the sides and rear, and features windows to habitable rooms on these elevations. The block has been stepped down to the rear, which limits the opportunity for side facing upper floor windows which might otherwise result in greater overlooking to neighbouring properties.
- 60. Both neighbouring properties (number 118 and 132 Northumberland Street) feature blank flank walls and there is therefore no opportunity for direct overlooking to habitable rooms on these two properties. There would however be opportunity for some degree of overlooking to the rear gardens of numbers 118 and 132.
- 61. The balcony and upper floor windows on Block A are separated from the boundary of 132 Northumberland Street by a distance of ~16 metres. This distance is considered sufficient to ensure no significant degree of overshadowing and is no worse than overlooking that you would typically expect to see from upper floors to rear gardens within a tight-knot urban context. The existing south boundary wall is to be retained and reaches a height of ~4 metres which prevent any significant overlooking from the first floor windows located on the south facing elevation of Block A.
- 62. It is not considered that there is any harm from overlooking from the upper floors and balcony of Block A to the playground of the adjacent school. Overlooking is already possible from the upper floor of the existing dwelling on the site and from neighbouring properties on Northumberland Street. There is also no planning reason as to why overlooking to a playground should be resisted. In fact, overlooking to play areas is often encouraged as a way of enhancing security through means of natural surveillance.
- 63. The central row of terraces (Block B) echo the garden distances of the opposing properties at Bramfield Close and at produce a separating distance of at least 18 metres. This distance is sufficient to ensure no loss of privacy to opposing habitable rooms. The high boundary wall affords screening to rear gardens.
- 64. The flats at the western end of site (Block C) have been redesigned to drop the scale of development to single-storey at the boundary closest to Bramfield Close

and no windows are to be inserted on the flank wall where the development steps up to two-storey and overlooking to those properties on Bramfield Close is not therefore an issue.

65. The distance between the rear upper floor windows of Block C and the residential institution to the west is ~21 metres and there any overlooking in this direction will not therefore be significant. Furthermore, the group of Sycamore trees on the western boundary of the site are to be retained and will provide additional screening between the two sites. Boundary treatments will be agreed by condition.
66. The existing high wall running along the south boundary of the site is to be retained. The wall provides character to the site and provides a good level of screening between the site and neighbouring plots and its retention is therefore welcomed. Planning permission will be conditioned to require the retention of all boundary treatments to be agreed at a later date and the occupants of the new dwellings would need planning permission to knock any part of the wall down due to the height exceeding two metres. The responsibility of the future maintenance of the wall would fall to the respective owner(s). It is not considered necessary and neither is it possible to condition planning permission requiring any individual to maintain the wall.

#### **Overshadowing/loss of light:**

67. Such is the orientation of the site and layout of the proposed development that the only significant opportunity for overshadowing and/or loss of light results from the proposed development onto the neighbouring properties to the north.
68. As already discussed the flank wall of number 132 Northumberland Street is blank and the issue of loss of light to a habitable room is not therefore in need of assessment, since any windows will be facing away from the development and separated by sufficient distance.
69. The application includes a sun path analysis for the Winter and Summer Solstice and Spring equinox. The Autumn equinox can be expected to have very similar results to the Spring and the absence of any associated assessment is therefore considered acceptable. The results show that the only significant incidence for overshadowing appears to be caused to the rear gardens of properties neighbouring the site to the north during Winter months. The rear gardens will however receive no loss of sunlight on the 21<sup>st</sup> March and the impact of overshadowing on neighbouring properties is therefore acceptable with reference to BRE standards.
70. Furthermore, the application also includes an existing sun path study for the Winter Solstice. This shows that overshadowing is already caused to the properties to the north from existing boundary treatments and the buildings on the application site which are to be demolished. Comparing the studies shows that the proposal will result in only very minor increase in overshadowing to neighbouring properties and not to any significant degree.

#### **Overbearing:**

71. The original submission included a two-storey gable end property adjacent to the boundary with Bramfield Close in Block C. This would have led to a sense of enclosure and overbearing when experienced from neighbouring properties as well as resulting in a loss of outlook from upper floor rooms.
72. The application has subsequently been amended and Block C has been reduced to single-storey closest to the boundary with Bramfield Close. Members will be shown a sectional plan illustrating the relationship of Block C with Bramfield Road. It is considered that the impact of overbearing and loss of outlook has now been adequately addressed.
73. Block A has been stepped down in height and in from the boundary with 118 Northumberland Street at the rear. Furthermore, the roof of the element of the block is flat and will only extend one metre above the boundary wall. It is not considered therefore that there will be any significant impact of overbearing to the rear garden of 118 Northumberland Street.
74. There is no further potential for overbearing elsewhere on the site than discussed above.

**Disturbances from development (esp. noise and odour):**

75. Several contributors have raised concern with the potential for noise and disturbance from the communal bin store. Since the original submission, the store has been relocated from alongside the rear garden of number 132 to alongside the blank flank wall of number 132. The location of the store is considered suitable in terms of providing good access to the highway from collection purposes and the new location will avoid any significant impacts of smell/noise spillage to the neighbour.
76. The bin store is stated as being enclosed and this will further reduce the opportunity for smell spillage. Planting is proposed around the store which will provide screening and ensure that the visual amenities of the surrounding area are protected. Planning permission is to be conditioned requiring further details of bin storage and this will ensure the final specification is fit for purpose and of adequate capacity.
77. It is likely that the refuse will be contained within large 'Euro' style bins which are secure in themselves, and further containment will be provided within the structure of the store itself. This will prevent exposure and access from vermin.
78. The proposal will increase traffic at the site but the associated activity is not considered to be significantly harmful to the amenities of neighbouring properties. The scheme will be designed around 'homezone' principles and this will ensure that vehicles are forced to slow down to travel through the site. Furthermore, the proposed residential use of the site will carry less potential for noise disturbing activities during working hours than the industrial uses which could currently take place on site.
79. Conditions will be added to planning consent 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.

### Amenity of future occupants:

80. All proposed dwellings have been designed to satisfy national space standards set by Central Government and generally provide good levels of outlook.
81. The majority of ground floor units are provided with private external amenity space and four of the upper floor flats in Block A are provided with balcony space. The site is to be designed around homezone principles and it is envisaged that attractive external spaces will be created which could be used recreationally by residents of the development. Parks and areas of woodland are within walking distance of the site which residents would also have easy access to.
82. It is considered that overall the scheme provides a high standard of amenity for future occupants.

### **Main issue 6: Affordable housing**

83. Key policies and NPPF paragraphs – JCS4, DM33, NPPF paragraph 50.
84. The application allocates 11 of the 36 dwellings as affordable, which works out as 31% affordable housing provision. This level of provision is considered sufficient to satisfy the policy requirement of 33% stipulated under JCS4.
85. All of the affordable units have been designed to satisfy the national spaces standards, which will ensure that Registered Providers (RPs) are able to add them to the units to their property portfolios. The affordable units are also predominantly 1-bed units, which are understood to be favoured by RPs, which should make them easier to let.
86. The affordable units all have separate entrances which will give greater privacy to tenants, will lead to fewer management issues and will mean that no service charge will be required.
87. Planning permission will be subject to a legal agreement requiring on-site provision of 11 affordable units at an agreed tenure mix.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes subject to condition</b>
Car parking provision	DM31	<b>Yes</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>
Energy efficiency	JCS 1 & 3	<b>Yes subject to condition</b>

Requirement	Relevant policy	Compliance
	DM3	
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>
Sustainable urban drainage	DM3/5	<b>Yes subject to condition. Anglian Water have reviewed the application and raise no objection subject to planning consent being conditioned for compliance with the approved surface water strategy in the interests of preventing any problems arising from flooding.</b>

### Other matters

89. 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

90. There are no significant equality or diversity issues.

### Local finance considerations

91. 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.
92. 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.
93. 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

94. 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. 16/00835/F - 120 - 130 Northumberland Street Norwich NR2 4EH 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), external joinery, rainwater goods;
4. Detailed landscaping scheme to reflect homezone design and include details of permeable paving, demarcation of parking spaces, biodiversity enhancements (hedgehog fencing, bird/bat boxes), lighting, planting (including replacement tree planting), boundary treatments;
5. Contamination – Risk assessment;
6. Contamination – Verification plan;
7. Contamination – Long term monitoring;
8. Contamination – Unknown contamination;
9. Contamination – Imported material;
10. Contamination – Piling methodology;
11. Details of secure and covered cycle storage, refuse storage across the site and EV charging;
12. Compliance with AIA and submission of TPP and method statement as recommended in AIA;
13. Operations on site to take place in accordance with the mitigation/compensation measures outlined in section 7 of the ecological report.
14. 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;
15. Scheme for renewable energy;
16. Construction Method Statement;
17. Grampian condition. No occupation of the dwellings until vehicle access incorporating pedestrian priority has been provided from Northumberland Street in accordance with a scheme to first be agreed in writing with the local planning authority;
18. 10% Lifetime homes;
19. Water efficiency;
20. Restricted construction times



Informatives:

- 1) Considerate construction
- 2) Details of refuse storage are conditioned. The applicant is advised that disabled access should be provided to the communal stores.
- 3) EA advice;
- 4) Asbestos;

**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.

ARMES STREET

0m 2 4 6 12m  
1:200

ORIGINAL  
SHEET 001 A1

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KEY PLAN



### NOTES

Development all 2 storey except for flats fronting Northumberland Street which are 3 storey (shown blue)

### Legend

- Affordable Rent
- Shared Ownership
- Open Market Sale

P5	Block C, parking and homezone layouts revised	REVISION BY: JS	DATE: 28.07.16	CHECKED BY: E.J.	DATE: 28.07.16
P4	Block C layout adjusted, Block B Lifetime Homes endorsed, Block A areas re-calculated	REVISION BY: JS	DATE: 12.07.16	CHECKED BY: E.J.	DATE: 12.07.16
P3	Parking strategy and landscaping layout revised	REVISION BY: E.J.	DATE: 23.05.16	CHECKED BY: AC	DATE: 23.05.16
P2	Block B layout revised	REVISION BY: JS	DATE: 12.05.16	CHECKED BY: E.J.	DATE: 12.05.16
P1	Updated for pre-planning advice	REVISION BY: JS	DATE: 22.04.16	CHECKED BY: E.J.	DATE: 25.04.16

PURPOSE OF ISSUE  
**FOR INFORMATION**  
FILE STATUS CODE  
**PLANNING DRAWING**

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CLIENT  
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**7 BOLENESS RD, WISBECH, CAMBS, PE13 2RB**

PROJECT  
**120-130 NORTHUMBERLAND STREET**  
**NORWICH**

TITLE  
**SITE PLAN**

SCALES	DATE	DRAWN	CHECKED
1:200	22/04/2016	JS	EJ
PROJECT NO	DRAWING FIELD	UNIQUE NO	REV CODE
16-1-1054	BAS-DR-A005		P5



01 | EXTENDED SITE SECTION  
1:500



02 | TRUE ELEVATION  
1:200



03 | STREET SCENE  
1:200

0m 2 4 6 12m  
1:200

ORIGINAL SHEET SIZE  
**A1**

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KEY PLAN

KEY

P2	Adjusted house types		
REVISED BY: JS	DATE: 26-07-15	CHECKED BY: EJ	DATE: 26-07-15

PURPOSE OF ISSUE

FOR INFORMATION

FILE STATUS CODE

PLANNING DRAWING

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PROJECT

**120-130 NORTHUMBERLAND STREET**  
**NORWICH**

TITLE

**STREET ELEVATION 2**  
**THROUGH THE SITE (NORTH FACING)**

SCALES	DATE	DRAWN	CHECKED
1:200	16/05/2016	JS	EJ

PROJECT NR	DRAWING FIELD	UNIQUE NR	REV CODE
<b>16-1-1054</b>	<b>BAS-DR-A151</b>		<b>P2</b>



01 | EXTENDED CONTEXT  
1:500



02 | TRUE ELEVATION  
1:200



03 | STREET SCENE  
1:200

Do not scale from the drawing, use written dimensions only.

0m 2 4 6 12m  
1:200

ORIGINAL  
SHEET 015 A1

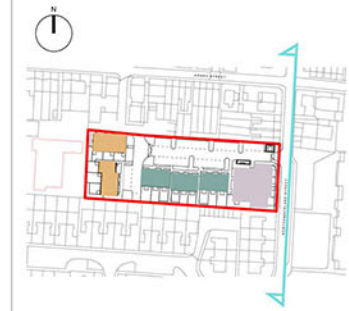
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#### KEY PLAN



#### KEY

P2 Revised house type C/3  
REVISED BY: JS DATE: 26-07-15 CHECKED BY: EJ DATE: 26-07-15

PURPOSE OF ISSUE  
FOR INFORMATION

FILE STATUS CODE  
PLANNING DRAWING

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PROJECT  
120-130 NORTHUMBERLAND STREET  
NORWICH

TITLE  
STREET ELEVATION 1  
NORTHUMBERLAND STREET (EAST FACING)

SCALES DATE DRAWN CHECKED  
1:200 05/04/2016 JS EJ

PROJECT NR DRAWING FIELD UNIQUE NR REV CODE  
16-1-1054 BAS-DR-A150 P2

Drawn: 26/07/15

**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00808/F – 1 Branksome Close,  
Norwich NR4 6SP

**5(H)**

**Reason  
for referral** Objection

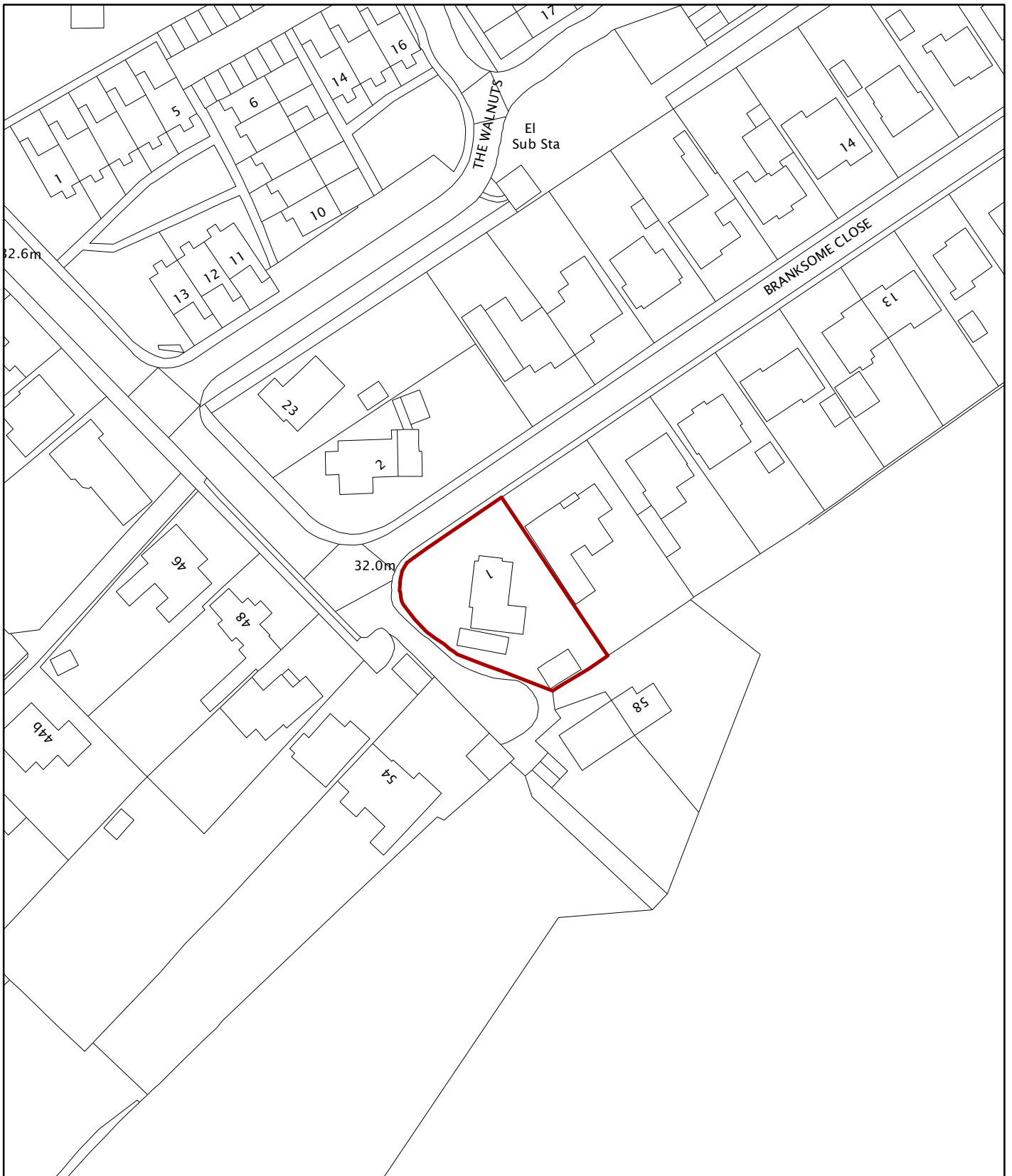
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<b>Ward:</b>	Eaton
<b>Case officer</b>	Mr Stephen Polley - stephenpolley@norwich.gov.uk

<b>Development proposal</b>		
Two storey side extension and new detached timber garage.		
<b>Representations</b>		
Object	Comment	Support
9 (Original scheme)	0	0
5 (Revised scheme)		

<b>Main issues</b>	<b>Key considerations</b>
1 Residential amenity	The impact of the development on neighbouring properties (no.52 Branksome Road and no.3 Branksome Close) daylight, visual amenity, overlooking / privacy
2 Scale and Design	The impact of the development within the context of the original design / surrounding area / scale of design / standard of design.
<b>Expiry date</b>	8 September 2016
<b>Recommendation</b>	Approve





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Planning Application No 16/00808/F

Site Address 1 Branksome Close

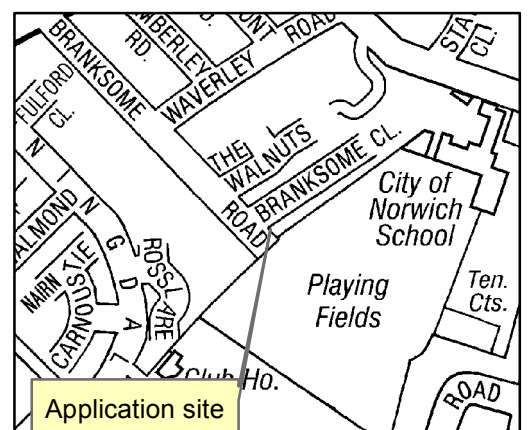
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

Page 160 of 274



## The site and surroundings

1. The site is located on the east side of Branksome Close, a residential cul-de-sac located to the south of the city. The prevailing character of the area is residential with most properties being a mixture of 2 storey semi-detached and detached dwellings constructed circa 1930. The site is situated at the junction of Branksome Road and Branksome Close on a corner plot.
2. The subject property is a detached single 2 storey dwelling featuring a distinctive central projecting gable to the front with a hipped main roof behind. The property has been extended by way of a 2 storey flat roof side extension and single attached garage constructed along the southern boundary and an orangery to the rear. The property has been finished with a white render, white UPVC windows and doors and clay pantiles.
3. The site includes a front brick driveway with small sections of lawn and an enclosed rear garden. The boundary is marked a mature hedgerow to the front and a 2m high close boarded fence with mature planting to the sides and rear. The site is bordered by no.3 Branksome Close to the east, nos. 58 and 56 Branksome Road to the south and nos. 50, 52 and 54 Branksome Road to the west. Immediately to the west of the site is an access road which links to the City of Norwich School site which is located further to the south-east.
4. It should be noted that many of the properties located on Branksome Road and Branksome Close have been altered and added to over the years in variety of ways.

## Constraints

5. There are no particular constraints.

## Relevant planning history

6.

Ref	Proposal	Decision	Date
15/00220/F	Erection of single storey side and rear extension (Revised).	APPR	12/01606/F

## The proposal

7. The application seeks full planning consent for the construction of a 2 storey side extension at 1 Branksome Close. The proposal also includes the construction of a detached timber garage within the north corner of the site.
8. It should also be noted that planning following discussions with the agent for the application that the proposed plans have been revised to now be of a reduced scale.

## Summary information

9.

Proposal	Key facts
<b>Scale</b>	
No. of storeys	Two storeys.
Max. dimensions	See attached composite plans
<b>Appearance</b>	
Materials	Red brick;  White render;  Clay pantiles;  White UPVC windows and doors;  All to match existing.  Timber garage.

## Representations

10. Adjacent and neighbouring properties have been notified in writing. 2 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
Loss of privacy / overlooking at no. 52 Branksome Road  Loss of light / loss of privacy / overlooking at no. 1 Branksome Close	See main issue 1
Out of scale development  Poor Design  Over dominant development	See main issue 2



Issues raised	Response
Garage is forward of building line	
Proposal will result in increased traffic	See other matters

## Consultation responses

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

## 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)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
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
  - DM5 Planning effectively for flood resilience
  - DM7 Trees and development

### Other material considerations

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

## **Main issue 1: Amenity**

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

### **Overlooking and Privacy:**

17. The proposed extension is to be constructed on the southern end of the original dwelling incorporating the existing flat roof extension and replacing the single garage. The main section of the extension features a dual pitched roof with an eaves height of 5.1m and ridge height of 7.4m, matching the original. The design includes 3 no. windows on the first floor front elevation and 1 no. window to the first floor of the rear elevation.
18. Concern was raised that the extension would result in a loss of privacy from an increase in overlooking of no. 52 Branksome Road to the south-west of the site. The originally submitted plans included a predominantly glazed projecting gable at first floor level which has now been removed. No windows are now included on the first floor side elevation, removing the possibility of any overlooking of properties to the south of the site.
19. Particular concern was also raised regarding a loss of privacy at the neighbouring property no.3 Branksome Close to the east of the site. Similarly no windows are proposed to be added on the original side elevation, however a window is proposed to be installed on the rear elevation of the first floor of the extension. The window is to serve an en-suite bathroom of a new master bedroom. The street layout, with the subject property being constructed at an angle to the rest of the properties on Branksome Close will ensure that the proposed window faces directly onto the rear garden of the subject property and the very bottom section of no. 3 Branksome Close only. No. 3 Branksome Close has added a single storey extension along the shared boundary and mature trees mark the boundary in the furthest corner, ensuring the no significant loss of privacy can occur as a result of the proposed window.

### **Loss of Daylight / Sunlight / Overshadowing:**

20. Concern was also raised that the proposal would cause overshadowing of the rear garden of no. 3 Branksome Close during the winter months of the year. The proposed extension is a minimum of 11m, increasing to over 15m from the shared boundary with no.3 which as discussed above features a number of structures and mature planting. As such, it is not considered that significant amounts of overshadowing will occur.
21. The large distances between neighbouring properties and layout of this particular corner of the street will ensure that no other significant harm is caused to the residential amenities of neighbouring properties by way of loss of light, privacy or outlook.

## **Main issue 2: Design**

22. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
23. The proposed extension is to incorporate the existing flat roof extension and built in place of the attached garage. A new linking roof is to be added to the existing

extension with a ridge height slightly lower than the original. A 5m wide 2 storey extension is then to be added to the side with a further single storey element is also being built along the southern boundary with a maximum width of 2.8 at the rear. The extension is to project forward of the original front elevation by 2.5m, closely matching the footprint of the existing garage. The first floor of the extension only slightly projects forward to match the projection of the gable on the original dwelling.

24. The replacement of the flat roof garage with a roof matching the style of the original is welcomed as it enhances the appearance of the middle section of the proposed elevation. The use of matching materials will help to blend the extension with the original dwelling.
25. A single detached garage is proposed to be constructed in the northern most corner of the site, replacing the attached garage to be demolished as part of the construction of the extensions. The garage measures 6m x 3m in plan form and has a dual pitched roof with an eaves height of 2m and ridge height of 3m. Concern was raised that the position of the garage is inappropriate as it is built forward of the original building line still legible along Branksome Road. It is accepted that the location of the proposed garage is forward of the building line, it is not considered that it will cause significant harm to the character of the street. As the site is located on a corner, it does not obviously conform to the building line as do the other houses further along the road. The garage is of a modest scale and design, being big enough for one car only. The garage is to be constructed from predominately natural materials and when considered in conjunction with the mature hedgerow marking the boundary, will not be visible from outside of the site. As such, it is considered that the garage will have no real impact on the character of the area.
26. The extension is to feature a new entrance door on the front elevation which given the scale of the proposal can be considered to appear as a second dwelling, effectively resembling a pair of semi-detached dwellings. Accordingly, particular concern was raised regarding the appearance of the front elevation. It is accepted that the additional entrance door creates a confusing front elevation that would be better positioned on another elevation, the door on its own is not reason enough to refuse the application as it would does not require planning consent and could be added at a later date.

**Scale:**

27. Particular concern was raised by a number of neighbours that the overall scale of the proposal is too large and is out of keeping with the area, representing a form of overdevelopment of the site. It is accepted that the proposal is large in scale, it is not considered that the proposal is overly large for the site and the specific location.
28. As the site is located on a corner plot, it was not constructed with the same degree of uniformity of neighbouring properties. The urban grain of the area shows properties built on longer and narrower plots than the subject property. It should also be noted that the subject property has been constructed with a different orientation, which is at an angle facing due west compared to others on Branksome Close and Branksome Road which face north-west and north-east respectively. Properties along Branksome Road and other nearby streets have added significant extensions already, however they are primarily to the rear and as such are less prominent. As a result, it is considered appropriate to extend to the side as significant amounts of rear garden would be lost otherwise. Such extensions would

not work elsewhere in the area, however in this instance, overall scale is considered to be appropriate.

29. It should also be noted that the proposal has been revised in order to reduce the scale and massing of the scheme. This includes the removal of a projecting bay at first floor level which would have appeared incongruous and a reduction in the height of the roof so that it matches the original.
30. The overall appearance of the property within the street will appear to be larger than the existing, however as discussed above, the relatively unique layout of the site will assist in ensuring that the proposal does not appear to be too over-dominant within the street scene.

#### **Other Matters:**

31. Concern was raised that an increase in the number of bedrooms from 4 to 5 would result in an increase in vehicle movements which would cause traffic problems within the area. Such a change is minor and is not expected to have any significant impact and the number of bedrooms does not directly correlate to the number of vehicles which visit a site.

#### **Equalities and diversity issues**

32. There are no significant equality or diversity issues.

#### **Local finance considerations**

33. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
34. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
35. In this case local finance considerations are not considered to be material to the case.

#### **Conclusion**

36. The potential for an increase in overlooking is minimal as the proposed windows will not significantly alter the current situation.
37. The proposal will have a very limited impact upon the amount of daylight and sunlight reaching the rooms and gardens of the neighbouring properties.
38. The proposal will result in an extended dwelling which is of an appropriate scale and design, both reflecting the character of the original dwelling and that of the surrounding area.
39. The proposal will have no impact on the volume of traffic within the area.

40. 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.

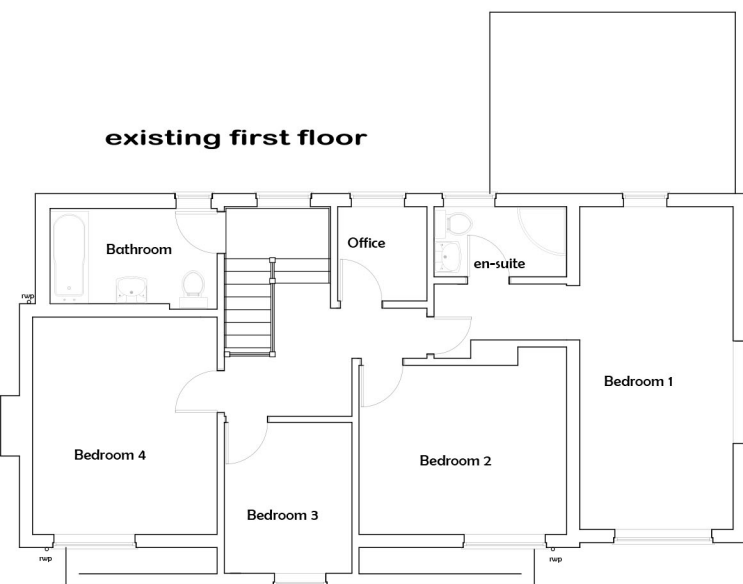
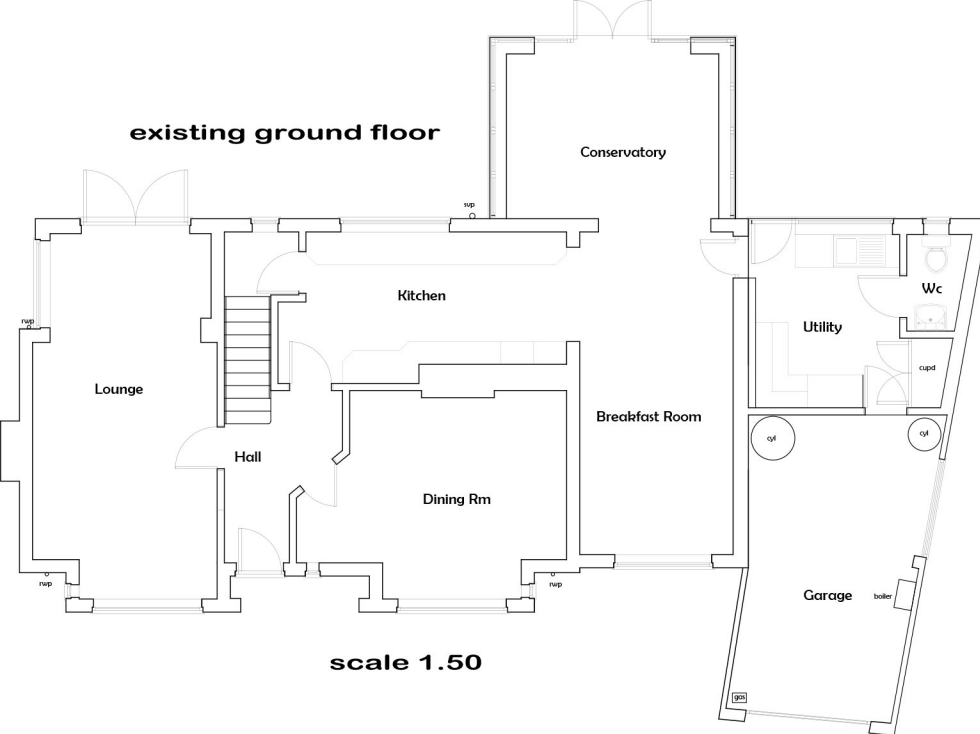
## **Recommendation**

To approve application no. 16/00808/F – 1 Branksome Close, Norwich, NR4 6SP and grant planning permission subject to the following conditions:

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

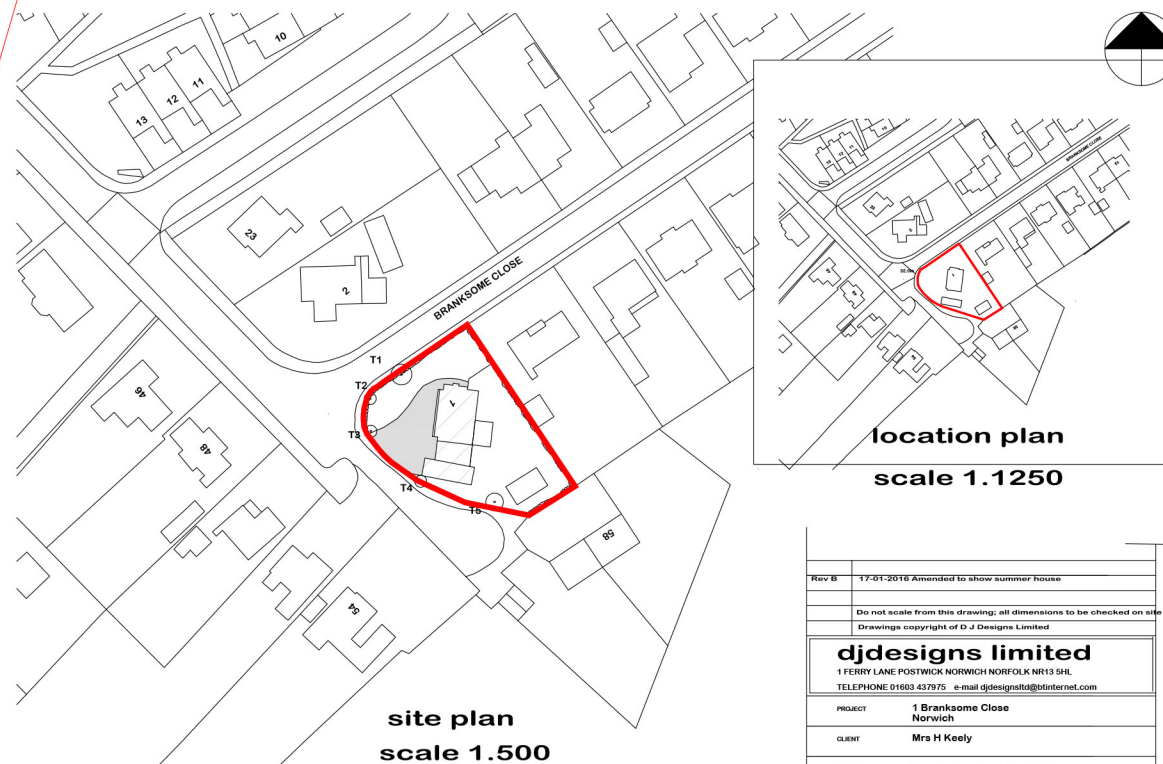
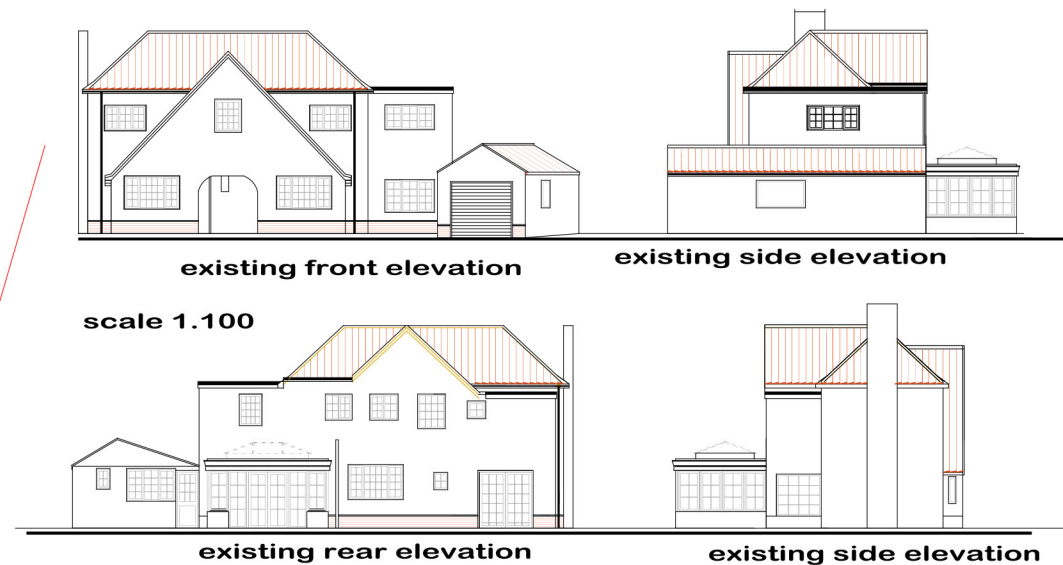
## **Article 35(2) statement**

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 above.



front

**planning drawing**



Rev B	17-01-2016 Amended to show summer house
Do not scale from this drawing; all dimensions to be checked on site	
Drawings copyright of D J Designs Limited	
<b>djdesigns limited</b> 1 FERRY LANE POSTWICK NORWICH NORFOLK NR13 5HL TELEPHONE 01603 437975 e-mail djdesigns@btinternet.com	
PROJECT	1 Branksome Close Norwich
CLIENT	Mrs H Keely
DRAWING	Existing elevations / layouts
SCALE 1:50, 1:100	DRG No. MJDM1212915 DRW B
DATE	12th December 2015
<small>The builder is to check all details on site before commencement.          All materials are to be used in strict accordance with manufacturers instructions.          All building work is to be carried out in accordance with and incorporating good building practices and in strict accordance with the relevant British Standards, Codes of Practice, and current Building Regulations, plus any recommendations made by the Local Authority Building Inspector.          This drawing has been prepared from information collected by a visual survey of the existing site - no exploratory work has been undertaken.</small>	
<small>Under the provisions of the Party Wall etc Act 1996 (and successors)          The employer must satisfy themselves that they have complied with the terms and conditions of the Party Wall Act.</small>	
<small>Under the provisions of the current Health &amp; Safety CDM regulations          The employer must satisfy themselves that they have complied with the terms and conditions of the Health &amp; Safety CDM regulations.</small>	

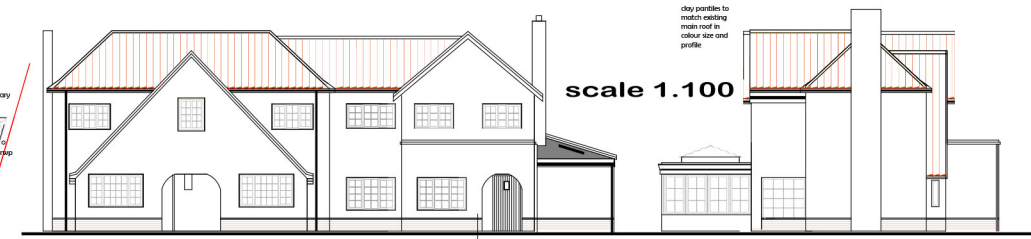


proposed new garage  
scale 1.100



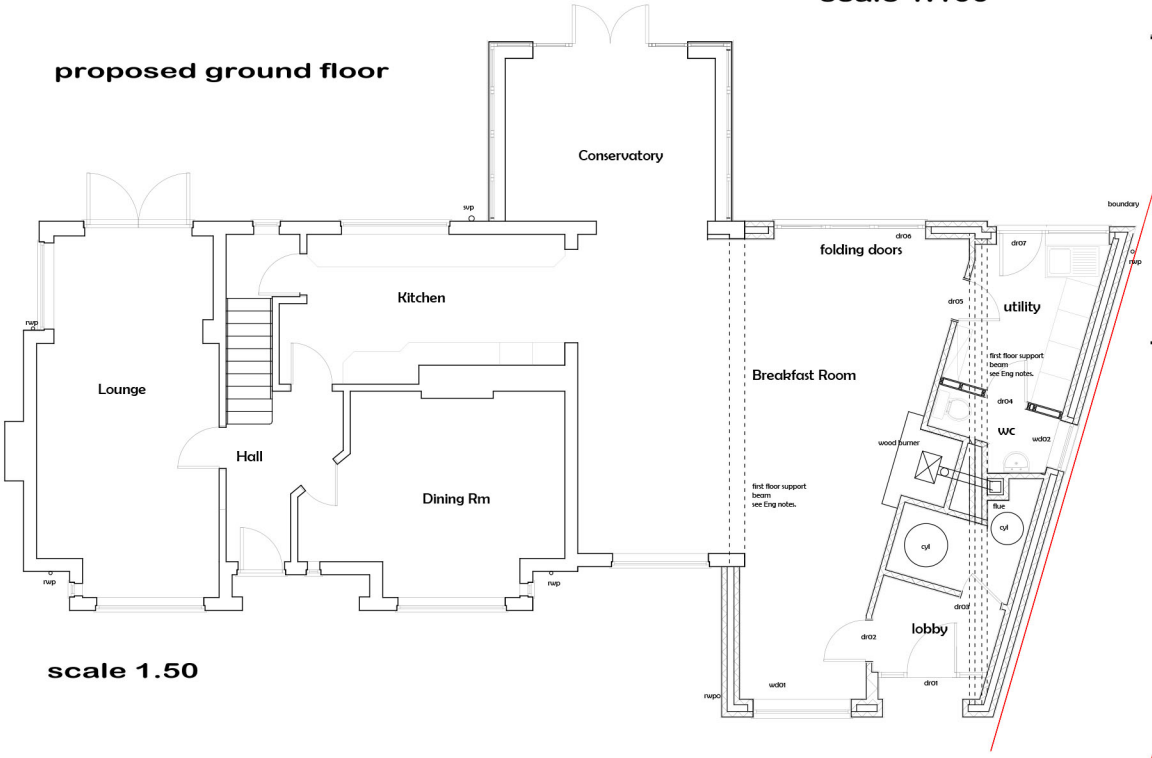
proposed rear elevation

proposed side elevation



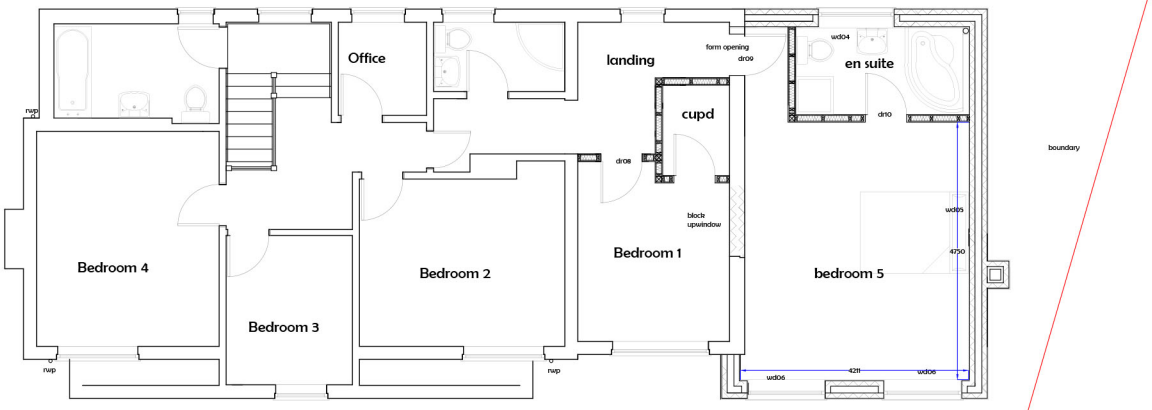
proposed front elevation

proposed side elevation



proposed ground floor

scale 1.50



front  
proposed first floor



site plan  
scale 1.500

Rev D	24th July 2016 - Amended planning drawing adjusted window
Rev C	23rd July 2016 - Amended planning drawing retained front door
Rev B	23rd July 2016 - Amended planning drawing
Do not scale from this drawing; all dimensions to be checked on site	
Drawings copyright of D J Designs Limited	
<b>djdesigns limited</b>	
1 FERRY LANE POSTWICK NORWICH NORFOLK NR13 5HL	
TELEPHONE 01603 437975 e-mail <a href="mailto:djdesigns@btinternet.com">djdesigns@btinternet.com</a>	
PROJECT	1 Branksome Close Norwich
CLIENT	Mrs H Keely
DRAWING	Proposed elevations / layouts
SCALE	1:50, 1:100
DRG No	MJSM24052016
DATE	26th May 2016
The builder is to check all details on site before commencement. All quotations are to be used in strict accordance with manufacturer's instructions. All building work is to be carried out in accordance with the relevant British Standards. Building materials are to be stored in strict accordance with the relevant British Standards. Codes of Practice and current Building Regulations - please refer to the relevant documents. This drawing has been prepared from information collected by a visual survey of the existing site and any necessary amendments have been made.	
Under the provisions of the Party Wall etc Act 1996 (and successors) The employer must satisfy themselves that they have complied with the terms and conditions of the Party Wall Act	
Under the provisions of the current Health & Safety CDM regulations The employer must satisfy themselves that they have complied with the terms and conditions of the Health & Safety CDM regulations	





**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00788/F - 21 Hellesdon Road,  
Norwich, NR6 5BE

**Reason  
for referral** Objection

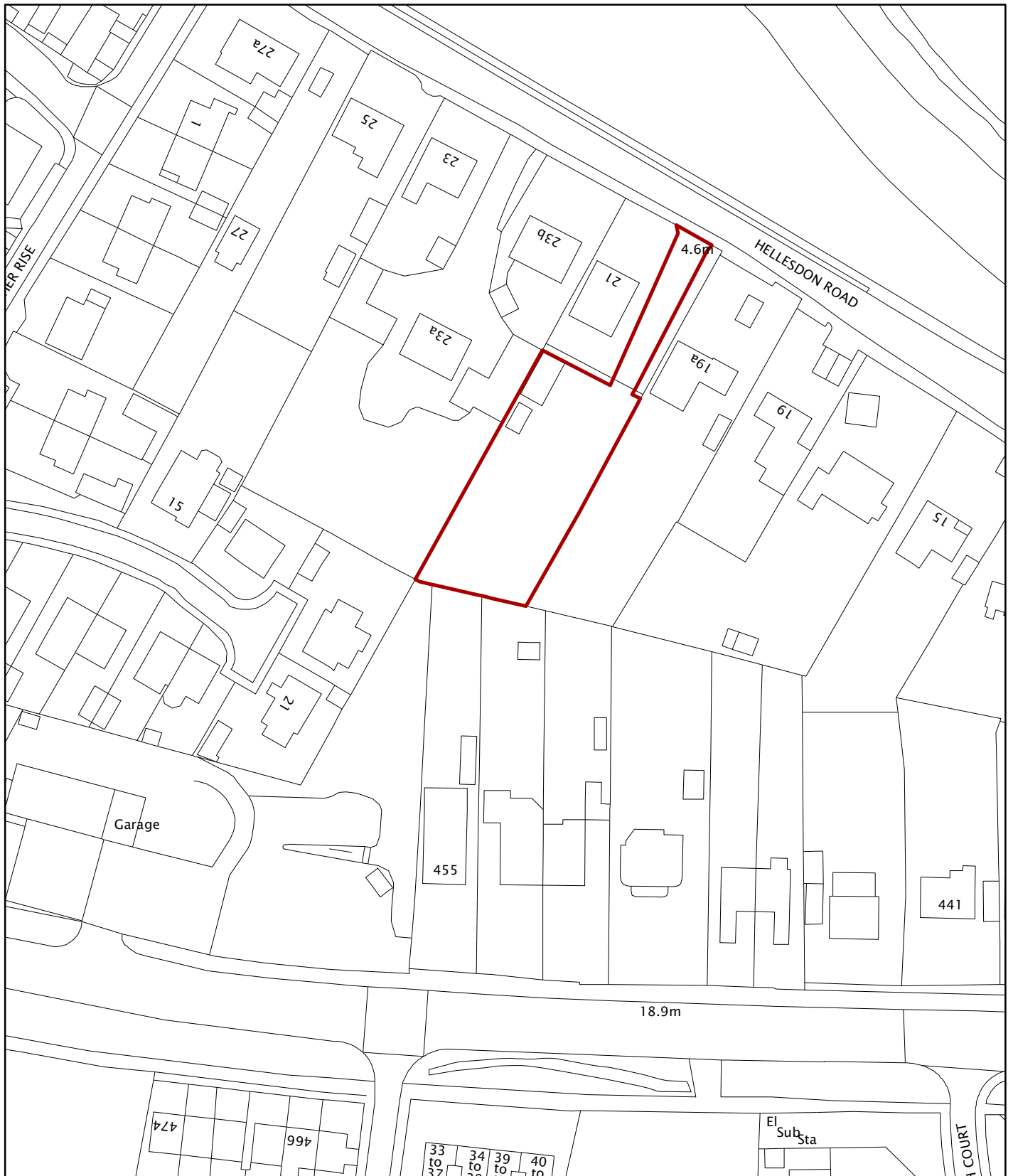
5(I)

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<b>Ward:</b>	Wensum
<b>Case officer</b>	Stephen Polley - stephenpolley@norwich.gov.uk

Development proposal		
Construction of two semi-detached dwellings.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Principle of development	Key policy considerations
2 Design and landscaping	Impact on character of surrounding area and site
3 Amenity	Internal and external amenity space, the impact of development on properties to sides and rear of the site
4 Transport	Access and egress to the site / cycle / bin storage
5 Flood risk	The site is located within flood zone 1
<b>Expiry date</b>	8 September 2016
<b>Recommendation</b>	Approve



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Planning Application No 16/00788/F

Site Address 21 Hellesdon Road

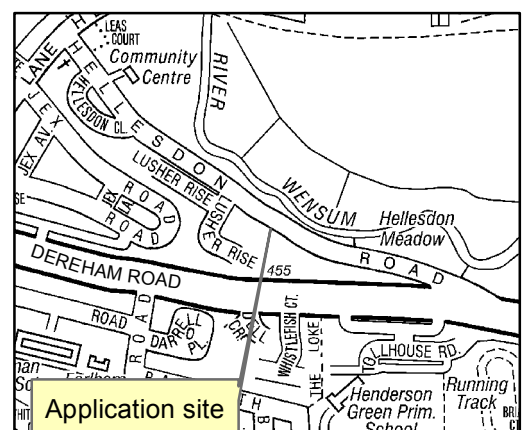
Scale 1:1,000



**NORWICH**  
City Council

PLANNING SERVICES

Page 172 of 274



## The site and surroundings

1. The application seeks full planning consent for the subdivision of the curtilage of 21 Hellesdon Road and the erection of two semi-detached dwellings with detached double garage.
2. The proposed dwelling is situated towards to south of the plot with an area of amenity space to be provided to the rear. The new dwelling would use the same vehicular access as the current property on the site. The existing dwelling on site will have an amenity area to the front of the original property and an area of car parking to the rear.
3. It should be noted that planning consent has recently been granted for the construction of a single dwelling on the site under permission 15/00294/F. The current proposals are similar to this previously approved scheme, with the main difference being two dwellings are now proposed within the footprint of the previously approved large single dwelling.

## Constraints

4. The site is adjacent to the river Wensum, although the site itself is elevated from the level of the river. Flood zone 2 runs along the boundary of the site with Hellesdon Road. The majority of the site is not situated with flood zone 2 with the exception of a very small part of the driveway. Furthermore Hellesdon Road itself is situated with flood zone 3a and this is the sole access route to the property.

## Relevant planning history

5.

Ref	Proposal	Decision	Date
15/00220/F	Relocation of front porch to side, raise roof height and erection of rear garage.	APPR	13/04/2015
15/00294/F	Four bed house with detached garage.	APPR	17/06/2015

## The proposal

6. The application seeks full planning consent for the subdivision of the curtilage of 21 Hellesdon Road and the construction of 2 no. 4 bedroom semi-detached dwellings with detached double garage.
7. The proposed dwellings are to be situated towards the south of the plot with amenity space for both dwellings to be provided to the rear. Both dwellings would utilise the existing vehicular access on the site. The existing dwelling on the site has recently been refurbished to include a parking area to the rear and amenity area to the front.

8. It should be noted that the overall scale and design of the scheme is carried over from the previously approved single dwelling. The main difference being that the projecting front gable is now located on the west side of the front elevation, an additional window is included on the first floor front elevation and an additional dormer window is located on the rear elevation.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	2 (the existing property on the site is to be retained).
No. of affordable dwellings	0
Total floorspace	278 sqm
No. of storeys	1.5
Max. dimensions	16m wide x 11.7m deep, height to ridge 8m, height to eaves 3.9m
<b>Appearance</b>	
Materials	Rendered with brick plinth and pantile – joinery to be painted timber
<b>Transport matters</b>	
Vehicular access	Same as existing dwelling on site
No of car parking spaces	Garage which can accommodate two cars and car parking space for two cars. The existing property will also have a car port.
No of cycle parking spaces	4 (within separate bike stores)
Servicing arrangements	Bin store provided details of which will need to be conditioned.

### Representations

9. Adjacent and neighbouring properties have been notified in writing. 2 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
<p>The proposal will result in overlooking / loss of privacy to no. 455 Dereham Road as a result of 4 no. dormer windows.</p> <p>The proposal will result in overlooking to 19A Hellesdon Road particularly due to the changes in levels.</p>	See main issue 4

Issues raised	Response
The proposal results in an overdevelopment of the site particularly in conjunction with the development of the neighbouring site to the west.	See main issue 2
Vehicular access and parking, inclusion	See main issue 5

## 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.

### Environment Agency

11. No comment. The site lies in flood zone 1 and there are no records of contamination.

### Highways (local)

12. No objection in principle subject to the resolution of a number of issues.

### Tree protection officer

13. The proposed development will not have an adverse effect on the trees proposed for retention and therefore no objection to the proposal subject to a condition requiring compliance with the AIA and AMS.

## Assessment of planning considerations

### Relevant development plan policies

14. **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
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
  - JCS20 Implementation
15. **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
- DM12 Ensuring well-planned housing development
- DM31 Car parking and servicing
- DM33 Planning obligations and viability

### **Other material considerations**

#### **16. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment

### **Case Assessment**

17. 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**

18. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
19. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 53 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate development in residential gardens, for example where development would cause harm to the local area. The council considered this matter as part of the development of policies in the local plan and concluded that the criteria based policies in DM3 and DM12 are satisfactory to determine applications for dwellings in gardens. Therefore there are no specific policies restricting new dwellings in the gardens of existing properties.
20. The principle of residential development is acceptable on this site, by virtue of the current extant planning permission for a new dwelling (see planning history section). In addition policy DM12 supports new housing development subject to the following criteria below which would all be met in this case:
- The site is not designated for other purposes;
  - No objection has been received from the Health and Safety Executive;
  - 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.

## **Main issue 2: Design and landscaping**

21. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
22. The layout and form of development in the surrounding area is varied, with development at various levels on Hellesdon Road, Lusher Rise and Dereham Road. It is also noted that the neighbouring plot to the west has been subdivided to now feature 4 no. dwellings and 2 no. outbuildings with one of the dwellings being at a higher level than the majority of properties which front onto Hellesdon Road. Given the lack of uniformity in the area and the precedent set by the subdivision of the adjacent curtilage it is considered that the principle of 2 no. dwellings is acceptable in design terms and that the proposed layout will not be of sufficient detriment to the street scene or the character of the area to justify a refusal. Furthermore it is not considered that the proposal will lead to a significant visual impact that would adversely affect the character of the River Wensum river valley or result in an overdevelopment of the site.
23. The design of the proposal is different from neighbouring properties but again due to the lack of uniformity and due to the proposed dwelling being situated over 40m from the highway its overall style, scale, form, mass and detailing is considered acceptable. Notwithstanding the above a condition should be attached to any future consent requiring details of the external facing material to ensure that the proposal is of good design quality.
24. As discussed above, the overall form, appearance and design of the proposal only slightly differs from the previously approved application for a single dwelling.
25. A condition should also be attached for hard and soft landscaping details to be agreed to ensure that the proposal blends in with its setting and promotes biodiversity.

## **Main issue 3: Amenity**

26. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
27. In terms of the internal space, the proposal provides four good sized bedrooms and a large area of living space in each of the properties. The openings will provide good light and natural ventilation. The proposal also provides a large rear garden for the enjoyment of residents of both properties.
28. With regards to the impact upon neighbouring residents the main issues for consideration are the impact upon the property to the east (19a Hellesdon Road) and the properties to the west.
29. Firstly with regards to the properties to the west due to the distances involved it is not considered that the proposal will result in any significant loss of light or overshadowing. There may be minimal overlooking; however this is not considered to be of significant detriment particular given that there are no windows within the side elevation of the proposed dwelling or the newly construction dwellings on the rear of the neighbouring site.

30. With regards to the property to the east it is considered that the proposal will have a greater impact. Again due to the distances involved it is not considered that the proposal will result in any significant loss of light or overshadowing but it is acknowledged that the proposal will result in some additional overlooking and particularly due to the changes in levels will affect the outlook from the rear of the neighbouring property. There is also a high boundary between the two properties which even given the changes in levels should prevent overlooking from the ground floor windows. In addition it is proposed to plant trees forward of the proposed dwelling to provide screening. The projecting gable has been repositioned to the opposite side of the front elevation, helping to reduce the potential for overlooking when compared with the previously approved scheme. Therefore on balance it is not considered that the level of additional overlooking is of sufficient detriment to justify a refusal.
31. Particular concern was also raised from the property to the rear that the increase in dormer windows would result in a loss of privacy. It is not considered that any loss of privacy will occur to properties located on Dereham Road given the change in land levels, considerable amount of mature screening and large distance between properties. Any overlooking from the proposals would also not result in significantly greater overlooking than in comparison with the approved scheme. As such it is not considered that there is sufficient justification to refuse the application on the impact upon neighbouring residents.

#### **Main issue 4: Transport**

32. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
33. The proposal will use the existing access for 21 Hellesdon Road and any changes to the access were shown on the consent for the renovation of 21 Hellesdon Road. The access is adequate to serve an additional dwelling. Some concern was raised by the local highway officer with regards to issues such as the gradient and drainage but these issues have now been resolved. The neighbouring resident to the east also has some concerns about the use of this access due to the proximity to the boundary; however it is not considered that the use of this route by one additional property will cause excessive noise or disturbance particularly given the height of the boundary between the two properties. The use of this access during construction will inevitable cause some disturbance; however this is not considered to be justified reason not to allow development to take place. Any issues during the construction stage are a civil matter.
34. The proposal includes the provision of a detached double garage to be used by one of the proposed dwellings as well as sufficient space for off street parking for the other. This level of car parking does exceed the maximum standards set out in the local plan; however it is not considered to be of detriment to the overall scheme. Cycle storage can also be accommodated within the garage, although to ensure this is secure some form of tether would need to be provided, details of which should be conditioned.
35. The layout plan indicates areas for both bin and cycle stores within the immediate vicinity of each property. The site is located far from the kerb on Hellesdon Road for collections and as such the storage and movement of bins on the site could be



difficult in adverse weather. Details of the bin and cycle stores will be required to ensure that it is of appropriate size and design.

36. Concern was raised that the increase in the number of dwellings on the site would result in excessive levels of noise and pollution. It is accepted that the increase in the number of properties within the site from 1 to 3 will likely result in an increase in vehicle movements, it is not considered that significant harm will be caused. The proximity of neighbouring properties is considered to be typical for the area and as is in line with existing wider situation.

### **Main issue 5: Flood risk**

37. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.
38. The majority of the site is situated within flood zone 1 although part of the access and Hellesdon Road itself is situated within a higher flood risk zone. A flood risk assessment was submitted within the application and this sets out flood risk mitigation and evacuation measures and subject to compliance with the recommendations it is not considered that any future occupants will be at risk. A condition should be attached requiring compliance with the flood risk assessment recommendations.

### **Other Matters**

39. Particular concern was raised that during the course of works on the site in recent years that the soil levels had been altered, which would result in the proposed dwellings being constructed higher than stated. Upon investigating the site it is clear that significant works have taken place to refurbish the parent property and to clear the site of overgrown planting. The steeply sloping nature of the site means that some earth has been moved in order to maintain safe access. With the aid of photographs taken during previous site visits it does appear that there is evidence in the changing of soil levels of some areas of the site. It is not however considered that these changes will have a significant impact on the construction of the proposed dwellings as they will be built in accordance with the submitted plans which include a topographical study, detailing the ground level precisely.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes subject to condition

Requirement	Relevant policy	Compliance
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Not applicable
Trees	DM7	There are a number of trees on site which are to be retained. The tree officer has confirmed that he has no objection to the proposal subject to compliance with the AIA and AMS. Three additional trees are to be planted to provide additional screening to the property to the east.

### **Equalities and diversity issues**

41. There are no significant equality or diversity issues.

### **Local finance considerations**

42. 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.
43. 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.
44. In this case the development is CIL liable and the contribution will be £23641.12 (index linked). The local finance considerations are however not considered to be material to the case.

### **Conclusion**

45. The principle of the subdivision of the curtilage and the construction of 2 no. new dwellings is acceptable and it is not considered that it will harm the overall character and appearance of the area. The design is acceptable and it will not have a detrimental impact upon highway safety or trees. The proposal will have some impact upon the living conditions of neighbouring residents; however there is not considered to be sufficient harm to justify a refusing the application.
46. The development is therefore in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 16/00788/F – 21 Hellesdon Road, Norwich, NR6 5EB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials
4. Landscaping
5. Details of bin and cycle stores
6. Water efficiency
7. In accordance with AIA, AMS and TPP
8. In accordance with floor risk assessment
9. Details of ground levels

### **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 above.



FRONT STREET/ NORTH EAST ELEVATION



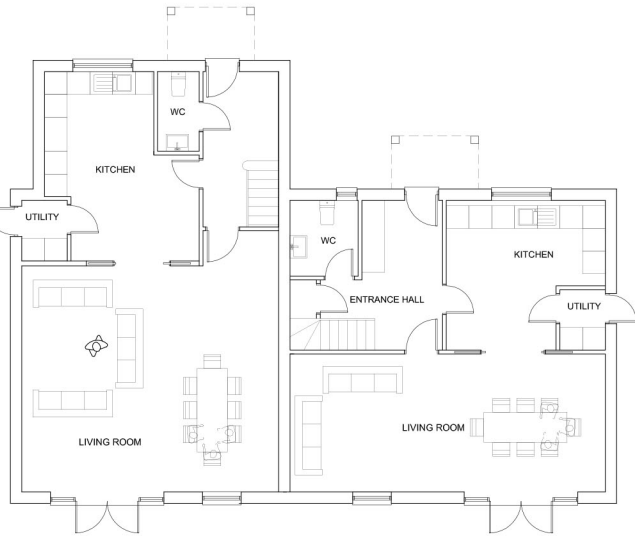
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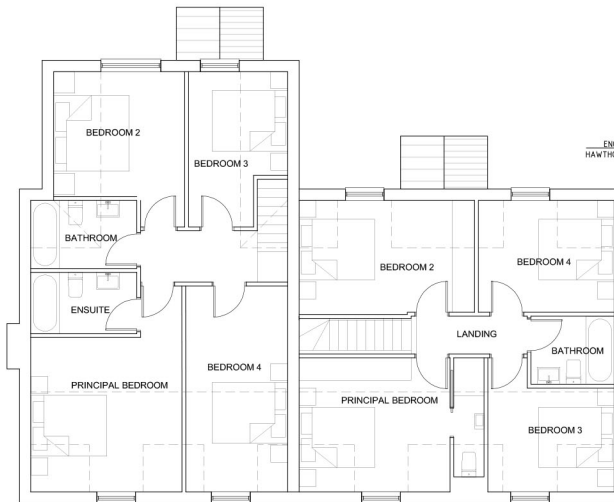
SIDE/ NORTH WEST ELEVATION



REAR/ SOUTH WEST ELEVATION



GROUND PLAN  
PROPOSED PLANS



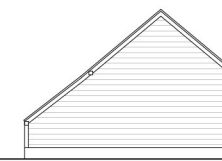
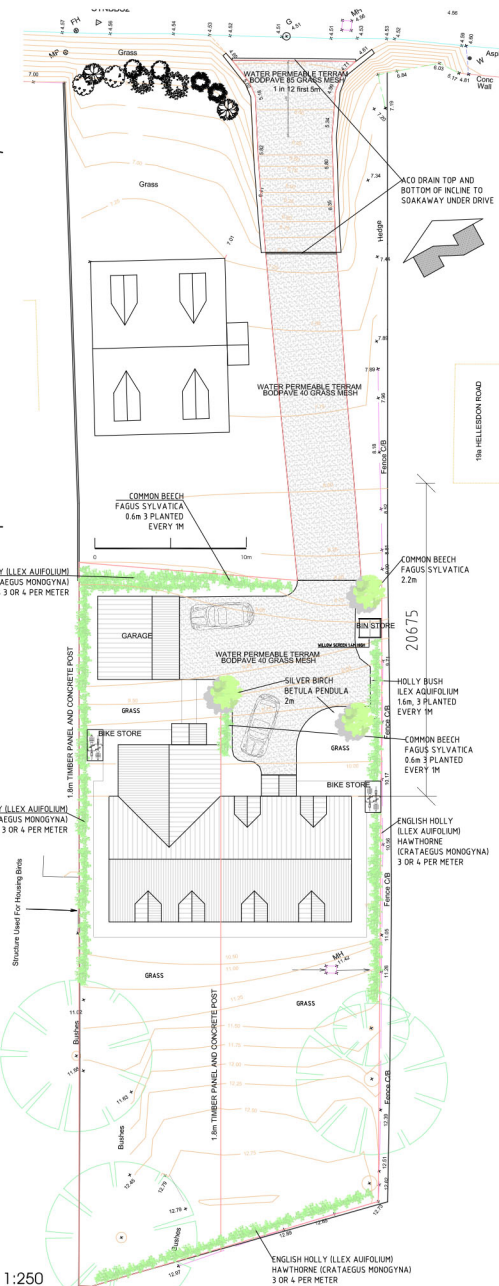
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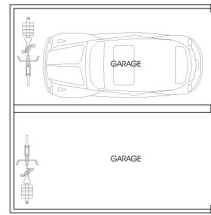
FRONT / SOUTH EAST ELEVATION

REAR / NORTH WEST ELEVATION

GARAGE ELEVATIONS



SIDE / SOUTH WEST ELEVATION  
OTHER SIDE (NORTH EAST ELEVATION) HANDED



GARAGE PLAN



EXISTING SITE LOCATION PLAN 1:1250

REV DATE DESCRIPTION

**Anglia Design**

architects . surveyors

30 Robin House Newcourt Street London NW8 7AD  
tel: 020 77292558 fax: 0870 1313804

JOB TITLE  
21A&B HELLESDON ROAD NR6 5BE

CLIENT  
BELMONT INDUSTRIES LTD

DWG STAGE  
PLANNING

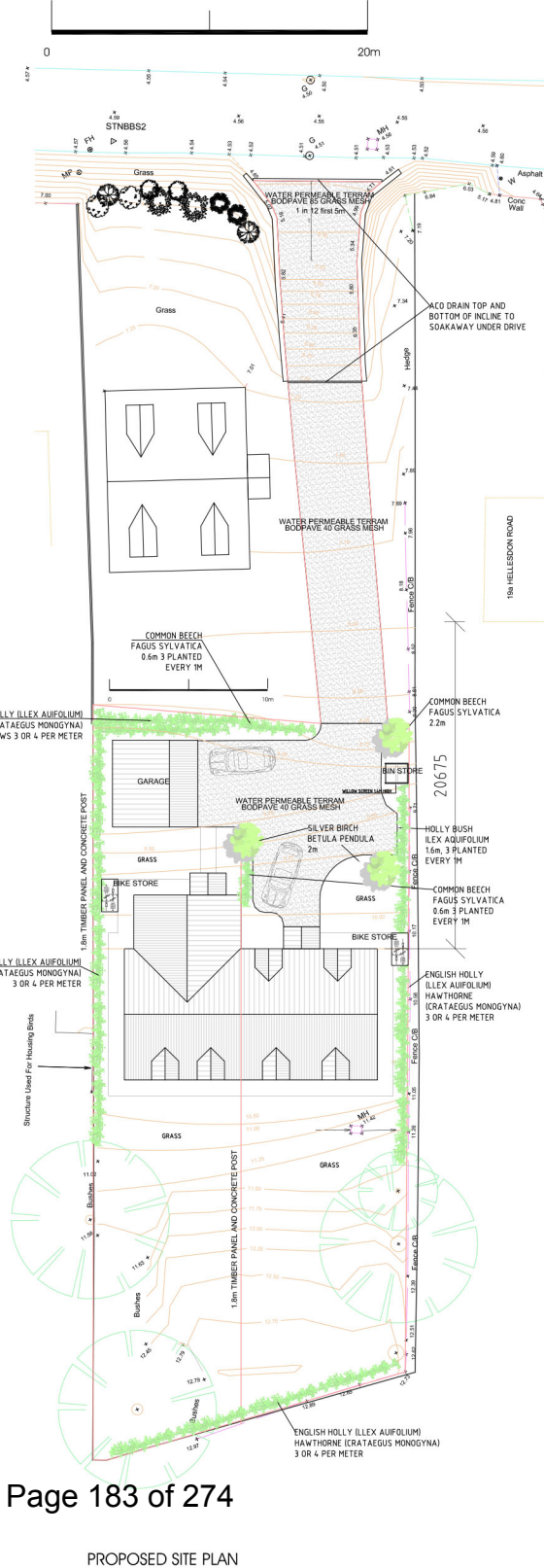
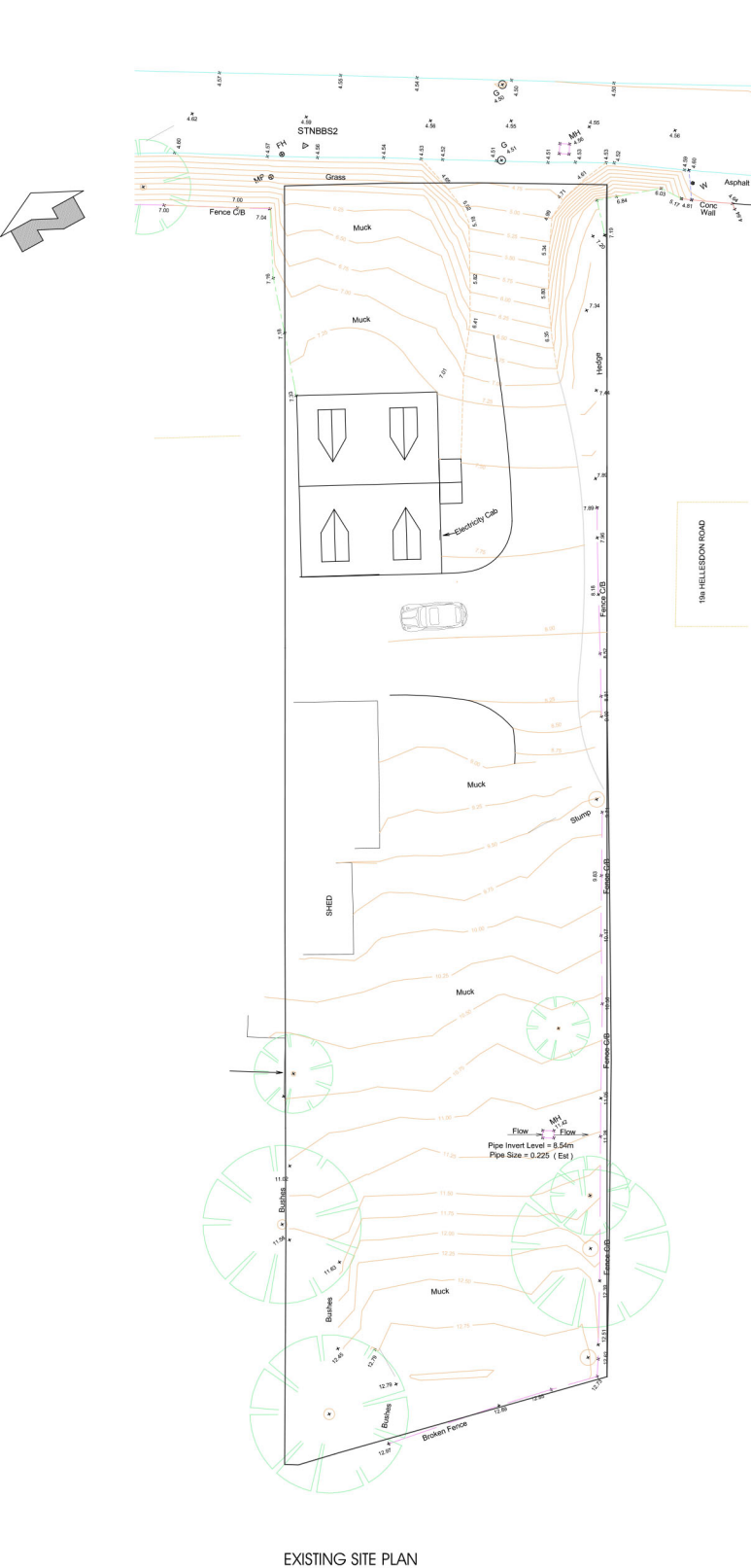
DWG TITLE  
PROPOSED PLANS AND ELEVATIONS

SCALE  
1:100@ A2

DATE  
APR 16

DRAWING NO  
NS-3712-200

REV



REV	DATE	DESCRIPTION
<h1>Anglia Design</h1>		
<i>architects . surveyors</i>		
30 Robin House Newcourt Street London NW8 7AD		
tel: 020 77229558		fax: 0870 1313800
JOB TITLE		
21A&B HELLEDON ROAD NR6 5BE		
CLIENT		
BELMONT INDUSTRIES LTD		
DWG. STAGE		
PLANNING		
DWG. TITLE		
EXISTING AND PROPOSED SITE PLANS		
SCALE		DATE
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DRAWING NO		REV
NS-3712-250		-



**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/01033/F - 23 Orchard Close  
Norwich, NR7 9NY

**5(J)**

**Reason  
for referral** Objection

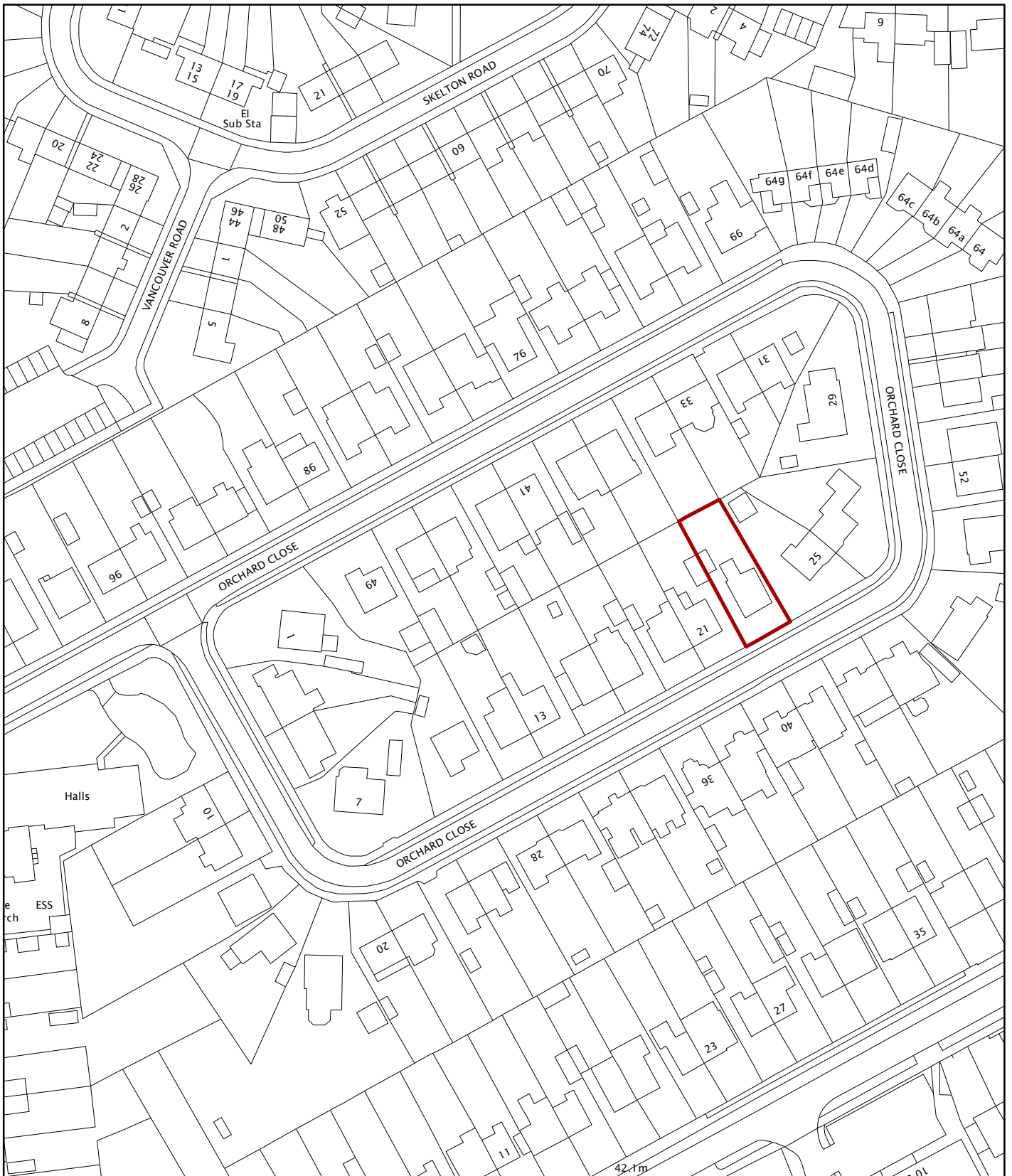
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<b>Ward:</b>	Crome
<b>Case officer</b>	Stephen Polley - stephenpolley@norwich.gov.uk

Development proposal		
Single storey rear extension.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Residential amenity	The impact of the development on neighbouring property to side (no.25) and the neighbouring property to rear (no.35) – daylight, visual amenity, overlooking / privacy
2 Scale and Design	The impact of the development within the context of the original design / surrounding area
<b>Expiry date</b>	8 September 2016
<b>Recommendation</b>	Approve





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Planning Application No 16/01033/F  
Site Address 23 Orchard Close

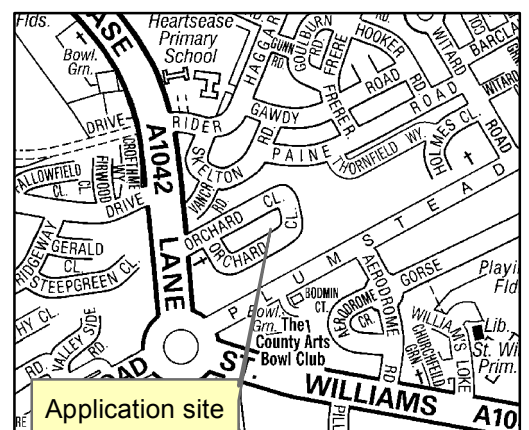
Scale 1:1,250



**NORWICH**  
City Council

PLANNING SERVICES

Page 186 of 274





## The site and surroundings

1. The site is located on the north side of Orchard Close, a residential cul-de-sac located to the north-east of the city. The prevailing character of the area is residential with most properties being a mixture of semi-detached bungalows and detached bungalows constructed circa 1930.
2. The subject property is a detached single storey bungalow style dwelling constructed using red bricks, clay coloured roof tiles and white windows. The design features 2 no. projecting bays to the front, a hipped roof and a flat roof single storey extension to the rear. The rear extension has created a side return where a patio area has been created. A single detached garage is located in the rear garden.
3. The site boundary to the rear is marked by 2m high close bordered fence on all sides along with sections of mature planting. The site is bordered by no. 25 to the east, a similar semi-detached property constructed on a bend in the road, no. 21 to the west and no. 35 to the rear / north.
4. It should be noted that the levels of the land slope gently downwards from south to north east, so that dwellings to the north and east of the application site are at a slightly lower level.

## Constraints

5. There are no particular constraints.

## Relevant planning history

- 6.

Ref	Proposal	Decision	Date
15/00220/F	Erection of single storey side and rear extension (Revised).	APPR	12/01606/F

## The proposal

7. The application seeks full planning consent for the construction of a single storey rear extension at 23 Orchard Close. The proposal also includes a raised patio area to the rear which including steps, projects 2.3m into the rear garden.
8. It should also be noted that planning consent has previously been granted for the construction of a similar extension under permission 12/01606/F.

## Summary information

9.

Proposal	Key facts
<b>Scale</b>	
No. of storeys	Single storey
Max. dimensions	See attached composite plans
<b>Appearance</b>	
Materials	Red brick;  Clay pan-tiles;  Timber windows and doors;  All to match existing.

## Representations

10. Adjacent and neighbouring properties have been notified in writing. 2 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
<u>Los of privacy</u>  Raised patio will allow for views of no. 35 to rear; raised patio will allow for views of no. 25 to side  Proposed side windows will cause loss of privacy at no. 25 to side  <u>Overshadowing / Outlook</u>  Scale of proposal / gable end will result in loss of outlook, loss of light into garden of no. 25	See main issue 1

Issues raised	Response
<u>Overdevelopment</u> Massing, too large, overdevelopment, property doubling in size <u>Roof design</u> Gable end instead of hip, out of character, intrusive design	See main issue 2
Boundary incorrectly indicated on site plan	See other matters

## Consultation responses

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

## 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)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
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
  - DM7 Trees and development

### Other material considerations

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

### Main issue 1: Amenity

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

The key areas for consideration in this application are the potential impacts in terms of overlooking and loss of privacy, overshadowing of gardens and loss of daylight, to windows of adjoining properties. The nearest potentially affected properties in relation to these issues are no.25 to the east and no.35 to the north.

Overlooking and Privacy:

17. The proposed extension is to project 6m into the rear garden from the original rear wall of the subject property. In order to provide access to the rear garden, a raised landing has to be installed, projecting a further (including steps) 2.3m to the rear. The applicant has confirmed that the landing is a building regulations requirement needed to cater for the drop in the ground level.
18. Whilst it is accepted that some views across the gardens of both the property to the rear and to the side may be possible, it is not considered that the proposal greatly alters the current situation. The properties of Orchard Close by virtue of the original layout were constructed within relatively close proximity of one another. As a result a 2m high close bordered fence marks the boundary, preventing significant losses of privacy.
19. The proposal includes the replacement of 2 no. small stained glass windows with large clear windows and 2 no. new windows on the east elevation to serve a bedroom and lounge. The replacement windows are of a regular shape and size and will allow for views across the side car parking area of no. 25. The 2 no. new windows are smaller in size and are to be installed a minimum of 1.8m above ground level. They will allow for partial views across the rear garden of no.25 which is located approximately 8m from the proposal.
20. All of the proposed windows on the east elevation will alter the current situation where only partial views are possible. The distance between properties, orientation of properties which alters between nos. 23 and 25 and the 2m high close bordered fence marking the boundary will all assist in ensuring that the impact of the overlooking is minimised. Whilst a comparative increase, the proposed windows are primarily designed to provide light and as such only allow for partial views.
21. It is therefore considered that the proposal will not have significantly detrimental impacts on residential amenity by way of overlooking or loss of privacy.

### Loss of Daylight / Sunlight / Overshadowing:

22. Particular concern has been raised that the proposal will result in a loss of light and also a loss of outlook at no. 25 to the east as a result of the scale and design of the extension. The proposal is to extend by 6m to the rear and will feature a dual-pitched roof with a gable end a maximum ridge height of 5.5m
23. It is accepted that the extension will be visible from the rear windows of the neighbouring property and garden, it is not considered that significant harm to residential amenities will be caused. The neighbouring property is set at an angle so that the rear of no. 25 faces towards the rear garden of the subject property. A large summer house is located at the end of the garden of no. 25 which partially obscures some of their view, however beyond that as a result of the slope in the land largely unobscured views are possible. The orientation of the 2 neighbouring properties, scale of the extension and the distance between properties will ensure that the rear outlook from no. 25 is largely preserved.
24. Similarly, the orientation of the 2 neighbouring properties, scale of the extension and the distance between properties of approximately 10m will ensure that significant amounts of overshadowing does not occur. Taking account of the orientation of the where the extensions would be positioned on the bungalow in relation to the neighbouring properties, the distances between them and the position of existing and proposed windows, it is considered that the proposed side and rear extensions would not have a significant detrimental impact on the residential amenities of the neighbouring properties by way of loss of daylight or overshadowing.

### **Main issue 2: Design**

25. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
26. Particular concern has been raised that the scale of the proposal is too large and represents an overdevelopment of the site, out of character with the surrounding area. The extension represents a significant change to the existing dwelling, however it partially replaces an existing extension and raised patio area. As such, amount of rear garden to be built on for the first time is much smaller, with approximately only half of the proposal building on undeveloped ground.
27. As such, the proposal ensures that a significant amount of outdoor amenity space is preserved both to the rear and front, ensuring that the site still functions well as a family dwelling.
28. Particular concern was also raised that the proposed gable end is out of character with the prevailing character of the area where properties primarily feature hipped roofs.
29. The proposal will largely not be visible from the front and as such it is considered that the proposal is of an appropriate scale and design, having only a limited impact on the character of the surrounding area.

## **Other Matters:**

30. Concern was raised that the site location and layout plans provided with the application had marked the shared boundary with no. 25 incorrectly. As a result of this, the impacts of the proposed extension would not be fully understood. It is common for alternative types of plans to appear with differences within them. As part of the consideration of the application the accuracy of the plans was considered closely. It is not considered that the plans were in anyway misleading or containing significantly misleading information.

## **Equalities and diversity issues**

31. There are no significant equality or diversity issues.

## **Local finance considerations**

32. 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.
33. 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.
34. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

35. The potential for an increase in overlooking is minimal as the proposed windows will not significantly alter the current situation.
36. The proposal will have a very limited impact upon the amount of daylight and sunlight reaching the rooms and gardens of the neighbouring properties.
37. The proposal will result in an extended dwelling which is of an appropriate scale and design, both reflecting the character of the original dwelling and that of the surrounding area.
38. 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.

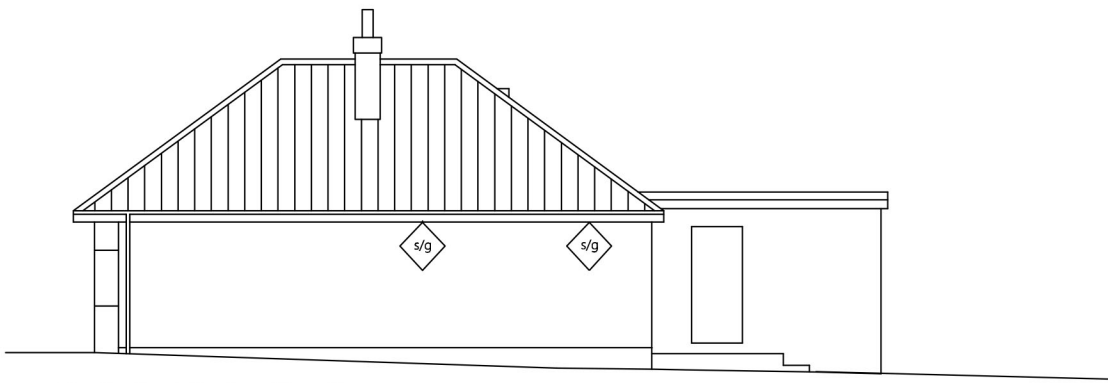
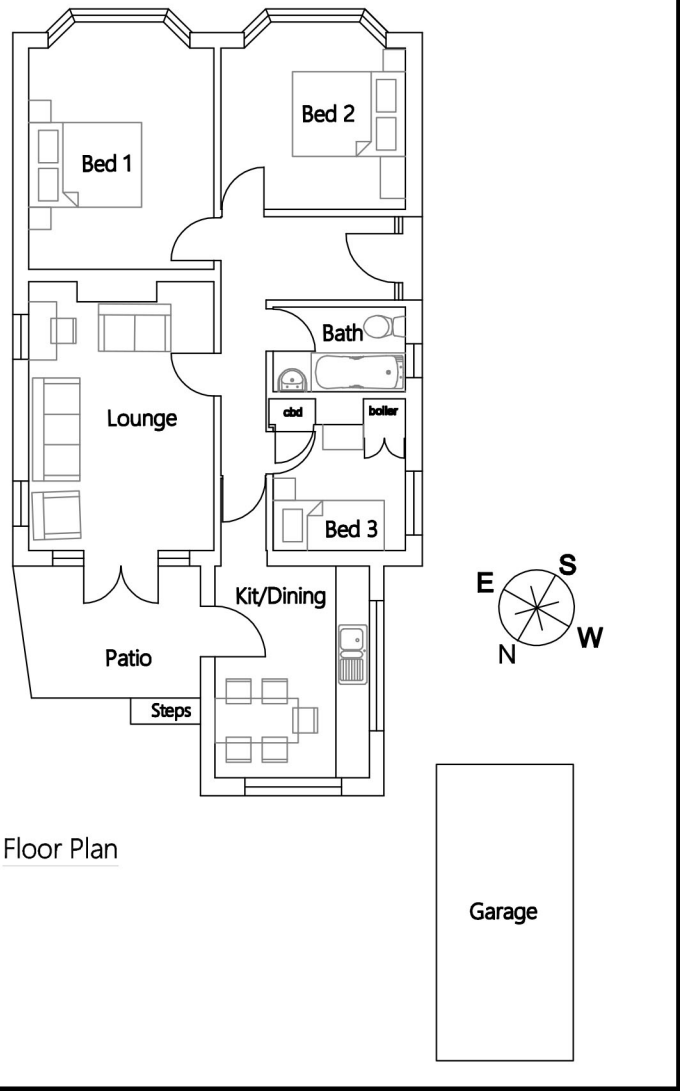
## **Recommendation**

To approve application no. 16/01033/F – 23 Orchard Close, Norwich, NR7 9NY and grant planning permission subject to the following conditions:

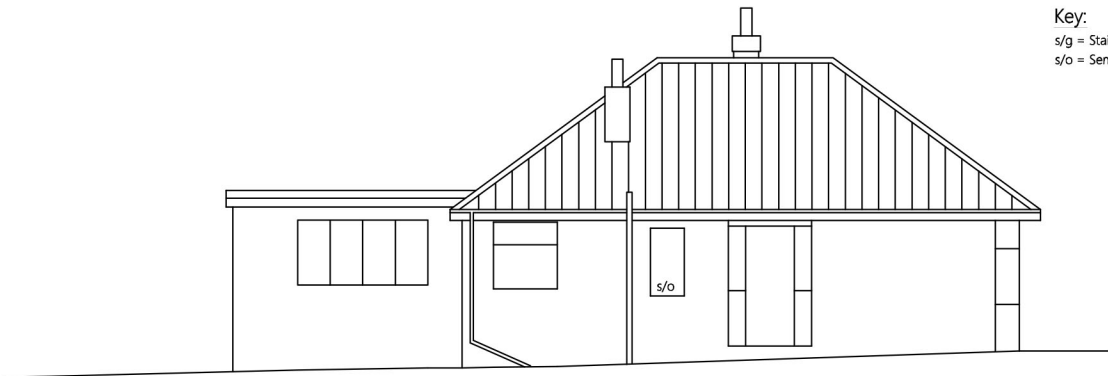
1. Standard time limit;
2. In accordance with plans;

**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 above.

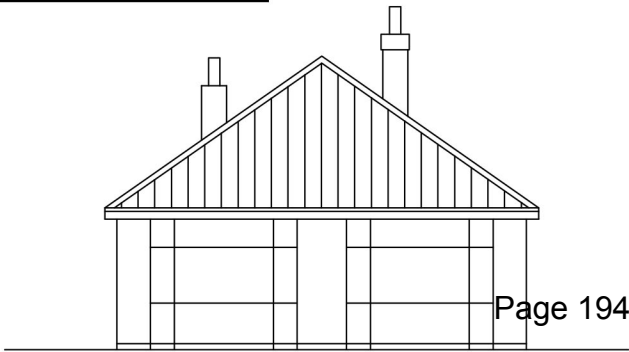


North-East Facing Elevation

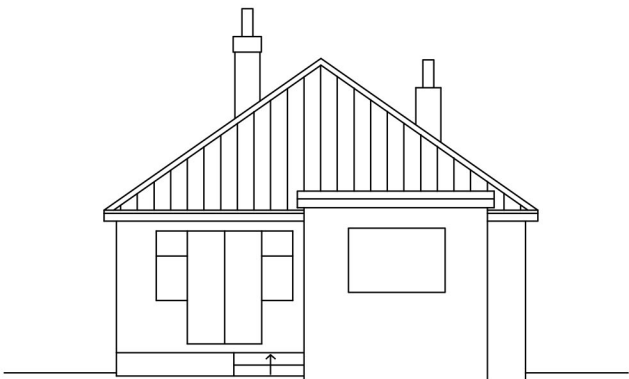


South-West Facing Elevation

Key:  
s/g = Stained Glass  
s/o = Semi - opaque glazing



Front Elevation



Rear Elevation

This drawing is part of the Planning Application submission. Should any external element differ from these drawings during construction, the Planning Department must be contacted to ascertain whether further Planning approval is required.

This drawing is to be read as part of the Planning information and Building Regulation drawings.

All dimensions to be verified on site by the 'Builder' before the start of works. Report any discrepancies to the client immediately.

Rev.	Date	Reason for issue / amendments
-	12.07.16	Submitted into Planning
-	07.07.16	Submission to Client

Design Planning Building Regulations

**JMR architectural designs**

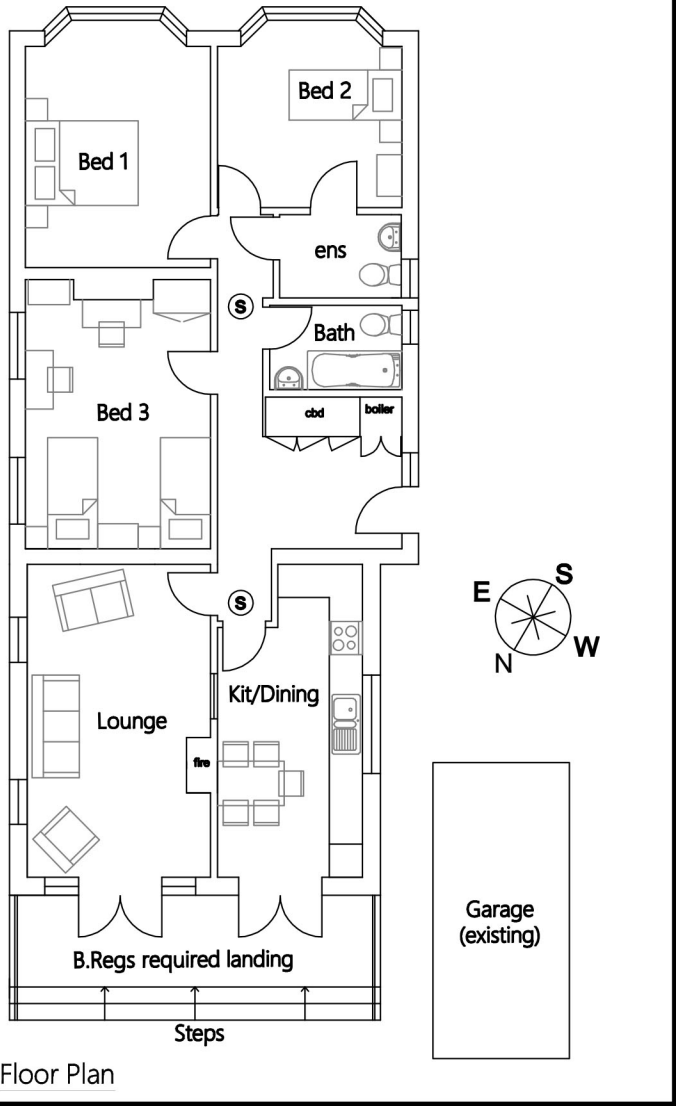
2 Holly Lane, Biofield, Norwich NR13 4BX  
www.jmrarchitecturaldesigns.co.uk  
email: julie@jmrdesigns.co.uk  
01603 717541 / 07906 927037

Client: Miss Bush	Address: 23 Orchard Close Norwich NR7 9NY
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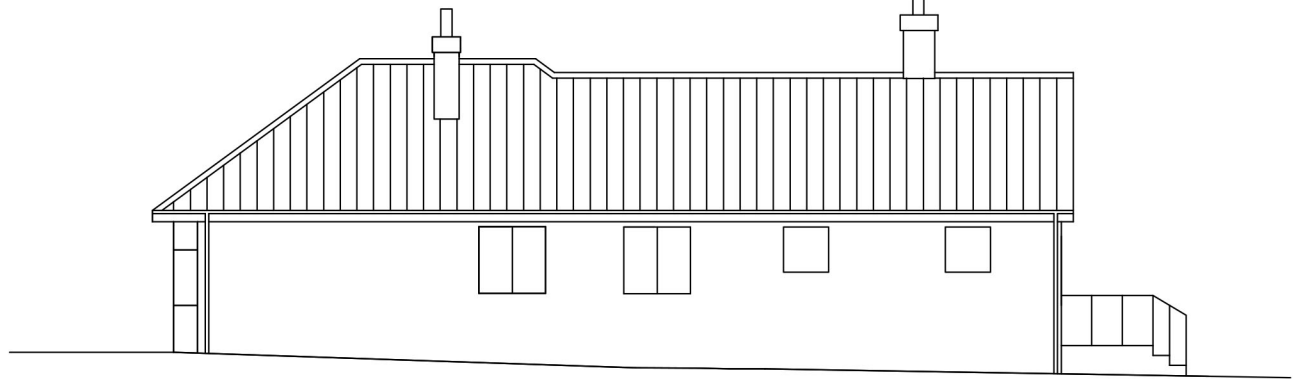
Drawing Title: As Existing Floor Plan & Elevations
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Date: 01.09.15	Scale: 1/100	A3	Dwg: 4	Rev: -
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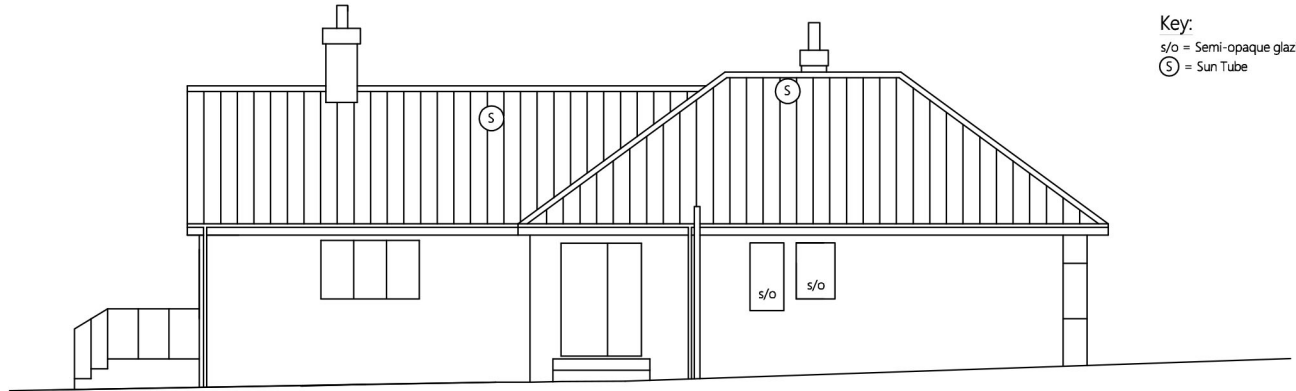




Floor Plan

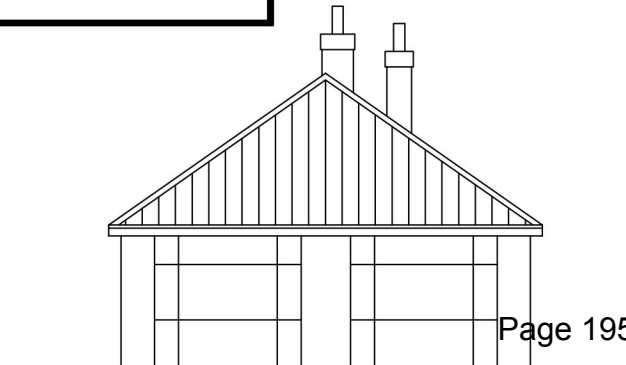


North-East Facing Elevation

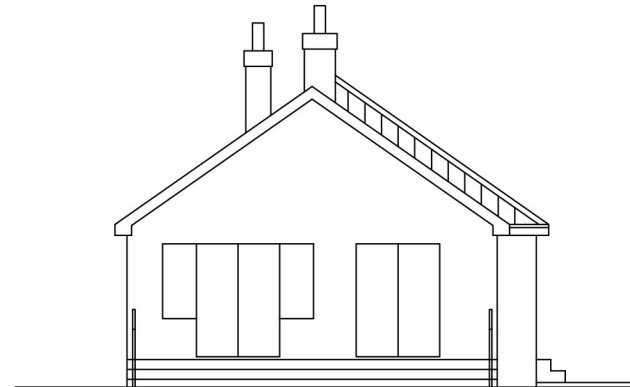


South-West Facing Elevation

Key:  
s/o = Semi-opaque glazing  
S = Sun Tube



Front Elevation



Rear Elevation

This drawing is part of the Planning Application submission. Should any external element differ from these drawings during construction, the Planning Department must be contacted to ascertain whether further Planning approval is required.

This drawing is to be read as part of the Planning information and Building Regulation drawings.

All dimensions to be verified on site by the 'Builder' before the start of works. Report any discrepancies to the client immediately.

Rev.	Date	Reason for issue / amendments
A	12.07.16	Submitted into Planning
-	07.07.16	Submission to Client

Design Planning Building Regulations

**JMR architectural designs**

2 Holly Lane, Blofield, Norwich NR13 4BX  
www.jmrarchitecturaldesigns.co.uk  
email: julie@jmrdesigns.co.uk  
01603 717541 / 01906 927037

Client:	Address:
<b>Miss Bush</b>	23 Orchard Close Norwich NR7 9NY

Drawing Title:	As Proposed Floor Plan & Elevations
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Date: 25.06.16	Scale: 1/100	A3	Dwg 5	Rev: A
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**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00765/F - 31 St Clements Hill,  
Norwich, NR3 4DE

5(K)

**Reason  
for referral** Objection

---

<b>Ward:</b>	Catton Grove
<b>Case officer</b>	Stephen Polley - stephenpolley@norwich.gov.uk

Development proposal		
Retention of annexe; rear extension, raising of roof and installation of 4 no. obscure glazed windows to annexe.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Design and landscaping	Impact on character of surrounding area Choice of materials Proximity to boundaries
2 Amenity	Loss of privacy Loss of light Noise Overbearing
<b>Expiry date</b>	8 September 2016
<b>Recommendation</b>	Approve



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Planning Application No 16/00765/F

Site Address 31 St Clements Hill

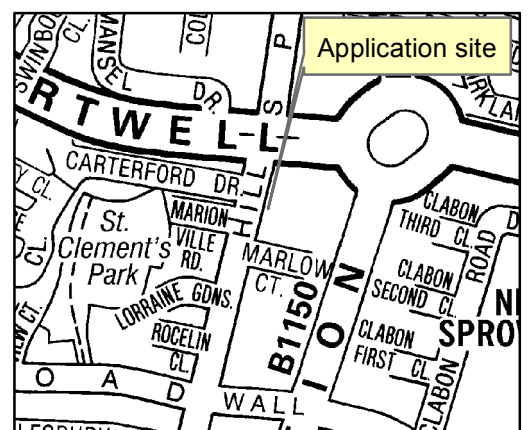
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**NORWICH**  
City Council

PLANNING SERVICES

Page 198 of 274



## The site and surroundings

1. 31 St Clements Hill is a 2 storey semi-detached dwelling constructed circa 1930 which has been added to and extended over the years, most notably to the side meaning that the only access to the rear garden is possible via the main house. The rear garden has been extensively landscaped to include a series of outdoor rooms and small structures. The existing outbuilding has been constructed at the very bottom of the garden.
2. The outbuilding was constructed approximately 20 years without planning consent to be lived in by the father of the current applicant. Following notification to the council, an application for full planning consent was submitted and subsequently refused. It is understood that the outbuilding has primarily been used as an outbuilding for storage purposes for most of its life. However works to extend and convert this building to a residential annexe were undertaken without planning permission within the last 6 months.
3. The site is bordered by the adjoining semi-detached property to the north no. 33 St Clements Hill and a similar semi-detached property to the south no. 29 St Clements Hill. It should be noted that both neighbouring properties have extensively landscaped their rear gardens to include several structures including a large pool house at the bottom of no.29. To the rear of the site is mature planting providing screening from the bottom of the rear gardens located on Constitution Hill.

## Constraints

4. Critical Drainage Catchment – Catton Grove and Sewell

## Relevant planning history

- 5.

Ref	Proposal	Decision	Date
4/1996/0178	Erection of annexe in rear garden.	REF	25/04/1996

## The proposal

6. The Council's enforcement team were notified that the above works had taken place and required the applicants to regularise the situation either through submission of a retrospective application for planning permission or by undoing the unauthorised works.
7. This current application seeks to regularise the situation by applying for full planning consent for the retention of the annexe located at the bottom of the rear garden of no. 31 St Clements Hill. The application also seeks planning consent for a rear extension to the annexe, the raising of the roof and the installation of 4 no. roof lights.

8. The existing outbuilding is of a simple design with a square footprint and a pitched roof. The proposals have largely already been carried out by the applicant with the 1.8m rear extension and replacement roof already in place. The new roof appears to be slightly taller than the original with a larger overhanging eaves measuring 4.63m to ridge and 2.4m to eaves.
9. The annexe is arranged over 2 floors with a kitchen area, living room, utility room and shower room located on the ground floor and 4 no. storage rooms located on the first floor. The rooms upstairs do not appear to be usable for much more than storage given the lack of headroom available with only the central space being tall enough for an adult to stand in.
10. The proposal also includes the installation of 4 no. windows with 2 windows on the rear of the ground floor, a roof light to the north elevation and a single window serving the upper floor on the front elevation.
11. It is proposed that the applicant will temporarily live in the annex with his family. The annexe cannot be accessed independently from the main house with the only route being possible by using one of the two front entrance doors of the main house.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total floorspace	63m <sup>2</sup> (ground floor)
No. of storeys	1.5
Max. dimensions	See attached plans.
<b>Appearance</b>	
Materials	Timber boarding Metal roof
<b>Transport matters</b>	
Vehicular access	Same as existing dwelling on site

### Representations

12. Adjacent and neighbouring properties have been notified in writing. 2 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
New structure clearly visible, not in keeping with character of area	See main issue 1
Roof too large / inappropriate materials	

Issues raised	Response
Constructed too close to neighbouring boundary (no. 33)	
Windows result in a loss of privacy (nos. 33 & 35)  Reduction in light reaching garden (no. 33)  Overbearing presence (no.33)	See main issue 2
Access for emergency vehicles  What happens to annexe in future?  Will a precedent now be set?  Building regulations / water run off	See other matters

## Consultation responses

13. 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.

## Consultation responses

14. 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.

## 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
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
  - DM7 Trees and development

## **Other material considerations**

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

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural 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: Design**

19. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
20. The alterations to form an annexe have resulted in a larger structure being created than has existed for the previous 20 years. Particular concern has been raised that the annexe is now too large and is out of character with the surrounding area with the annexe appearing a more prominent feature. It is accepted that the annexe is now larger than previously. However it is not considered that its appearance is particularly out of keeping with its surroundings. Nos. 29 – 33 St Clements Hill have all constructed outbuildings and other landscaping features within their rear gardens, some of which are of considerable size. No. 29 in particular has constructed a pool house at the end of their garden which is comparable in both style and scale with the annexe forming the basis of the application.
21. Similar concern was raised that the roof in particular is now too large and has been constructed using inappropriate materials. Without the aid of accurate plans or measurements of the original annexe it is difficult to know the exact change in height. Anecdotal evidence exists in the form of photographs showing the annexe during the construction of the alterations which give some indication of the original form and scale. As such, it is not considered that the new roof is significantly larger than the original. The new roof has been finished with grey coloured steel box sections which are typical of larger sheds and small industrial units. The material although not necessarily typical of a residential garden is not entirely incongruous as examples of similar roof finishes can be found in gardens across the city.
22. Concern was also raised that the roof of the annexe has been constructed too close to the neighbouring boundary shared with no. 33. The new roof design includes a large overhanging eaves which are closer to the shared boundary the previously. The eaves do not overhang the neighbouring fence or boundary line with a gap of a



minimum of 200mm remaining. As such, the distance between the annexe and neighbouring the neighbouring boundary is considered to be acceptable.

## **Main issue 2: Amenity**

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

### **Overlooking / Privacy**

24. The proposal involves the installation of 4 no. windows, 2 of which have been installed on the rear elevation serving a utility room and stairwell. The significant distance between the annexe and the property to the rear will ensure that no loss of privacy occurs.
25. Particular concern has been raised that a proposed roof light to be installed on the north (side) elevation and a small window already installed on the west (front) elevation will result in a loss of privacy for the occupiers of nos. 33 and 35 St Clements Hill.
26. The roof light is to serve one of the storage areas located within the roof space and is to be installed within the middle of the roof slope. As such the window will allow for views across the very end of the rear garden of no. 33 where a summer house is located. The method of opening and type of glazing selected for the window will have a significant impact the harm caused. In order to mitigate the harm caused and reduce the amount of overlooking possible, it is reasonable to require that further details of the window are submitted as a planning condition.
27. The front facing window is approximately 4m above ground level and will serve a further storage room which it has been indicated may be used as a children's playroom. Having inspected the room it is clear that despite the small size of the window and the presence of various sections of screening along the shared boundary with no. 33, some overlooking of the rear garden is possible. It is not considered that the window allows for views into no. 35 as a result of the screening. As such, it is reasonable to require by way of a planning condition that the window is obscure glazed to reduce the harm caused.
28. Concern was raised that the scale of the annexe would result in a loss in the amount of light reaching the rear garden of no. 33. It is accepted that during certain parts of the day some light may be lost at the very bottom of the garden, however the vast majority of the garden and house will not be affected. The bottom section of the garden contains a summer house and an area of lawn, being used only occasionally and is not a primary living space. As such, it is not considered that the annexe will cause significant harm to the residential amenities of no. 33.
29. Concern has also been raised that the annexe is now an overbearing presence on the shared boundary with no.33. It is accepted that the annexe now appears as a larger presence than previously, however it is not significantly larger than before. The large rear gardens within this part of the street ensure that the outlook from the rear of the neighbouring property is largely unaffected. There is also a good amount of screening along the shared boundary meaning that from many parts of the rear of no. 33 the annexe is partially visible. As such, the annexe is not considered to be significantly overbearing for the occupiers of no. 33 St Clements Hill.

## **Other matters**

30. The existing outbuilding was not granted consent under the previous application but may have been constructed under permitted development rights for outbuildings which were in force at the time. Even if planning permission was required planning law does however grant a de facto planning consent for structures which have been in place for a period of more than 4 years. In this instance anecdotal evidence and various testimonials confirm that the outbuilding has been in place for approximately 20 years.
31. Concern has been raised regarding the ability of emergency services to reach the annexe. If the proposal were for a new dwelling then close consideration would be required to find a safe route through the site. The annexe however is an existing structure which is being modified and is not classed as a separate unit of accommodation. As such, the existing arrangements will remain in place where access the annexe is via the main house.
32. Objectors have questioned what will happen to the annexe in the future when it is no longer occupied by the current owners. To ensure that the annexe remains as such and is not converted into a separate unit of accommodation a planning condition is to be added ensuring that the annexe must remain as ancillary accommodation to the main house. Future occupiers can also use to the annexe as a typical outbuilding for storage and occasional use.
33. Objectors also questioned whether the granting of consent will set a precedent allowing for similar proposals to be constructed. Each application is judged on its individual merits and as such the granting of a planning consent in this instance does not prejudice future decision making.
34. Concern has been raised that elements of the scheme may not satisfy building regulations, including the water runoff from the new roof. Such considerations cannot be considered as part of this planning application as they will be dealt with as a separate matter by a buildings inspector.

## **Equalities and diversity issues**

35. There are no significant equality or diversity issues.

## **Local finance considerations**

36. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy.
37. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
38. 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.

## **Conclusion**

39. The alterations to the form the annexe have resulted in the creation of a larger structure which is still considered to be of an acceptable scale and design, not of character with neighbouring properties.
40. The proposal will have a very limited impact upon the amount of daylight and sunlight reaching the rooms and gardens of the neighbouring properties.
41. The proposal will has the potential to cause a loss of privacy to neighbouring properties, however harm can be mitigated by planning conditions.
42. The development is therefore in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

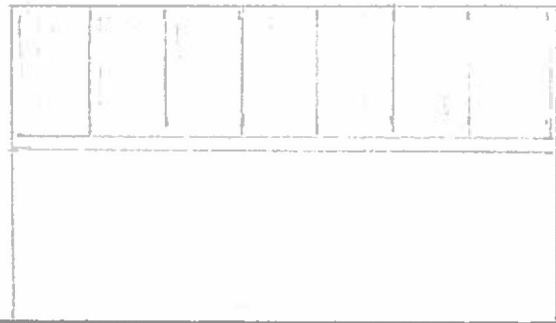
To approve application no. 16/00788/F – 21 Hellesdon Road, Norwich, NR6 5EB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of windows to north and west elevations (glazing and method of opening)
4. To remain ancillary accommodation to main house

## **Article 35(2) statement**

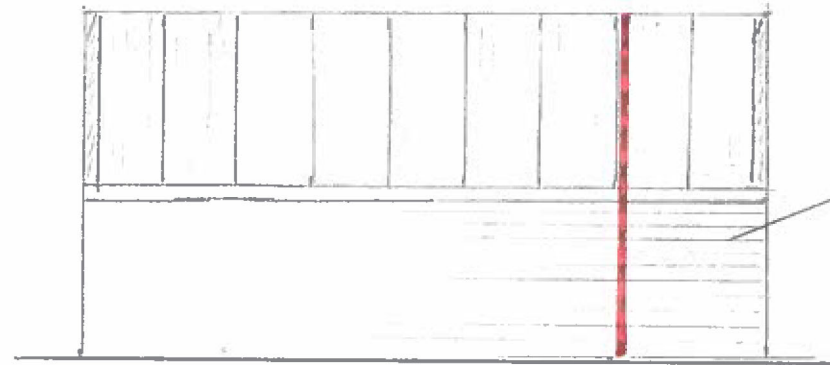
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application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

# EXISTING WEST ELEVATION



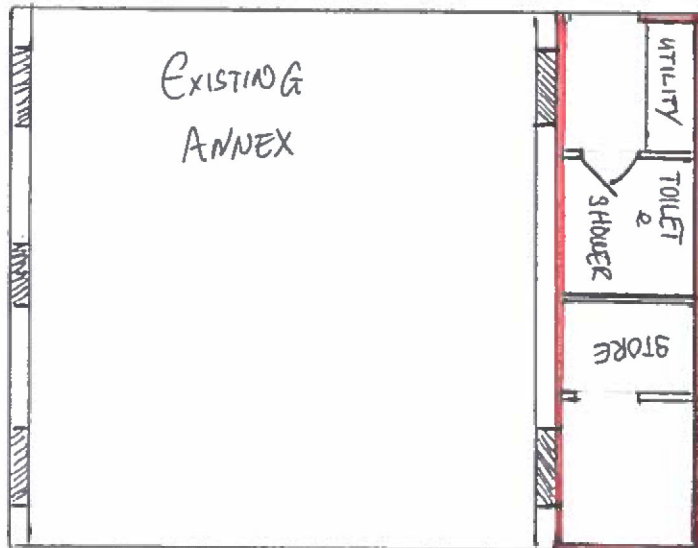
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# PROPOSED WEST ELEVATION



New  
Edition

Scale 1:100



Plan view of existing and new

Scale 1:100

Norwich City Council

16 MAY 2016

Planning Services

MR. S. BLYTH  
PROPOSED EXTENSION TO ANNEX  
31, ST. CLEMENTS HILL,  
NORWICH, NR3-4DE

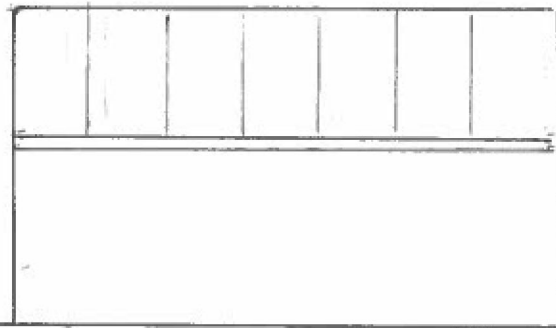
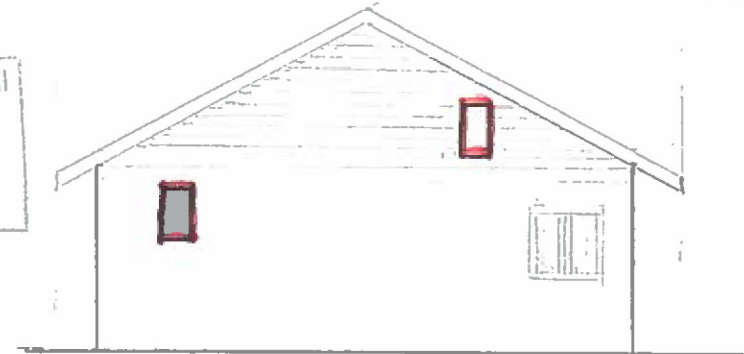
SCALE : 1:100

EXISTING REAR ELEVATION  
Scale 1:100



Norwich City Council  
16 MAY 2016  
Planning Services

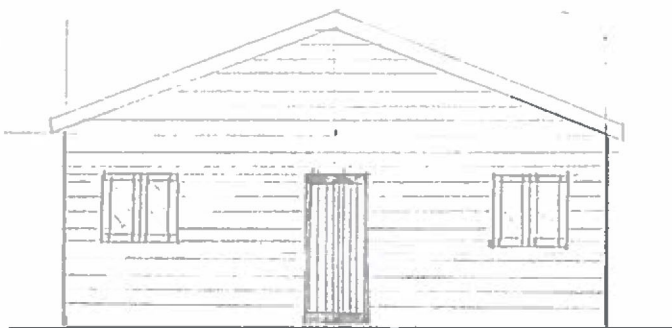
NEW REAR ELEVATION WITH PROPOSED WINDOWS  
Scale 1:100



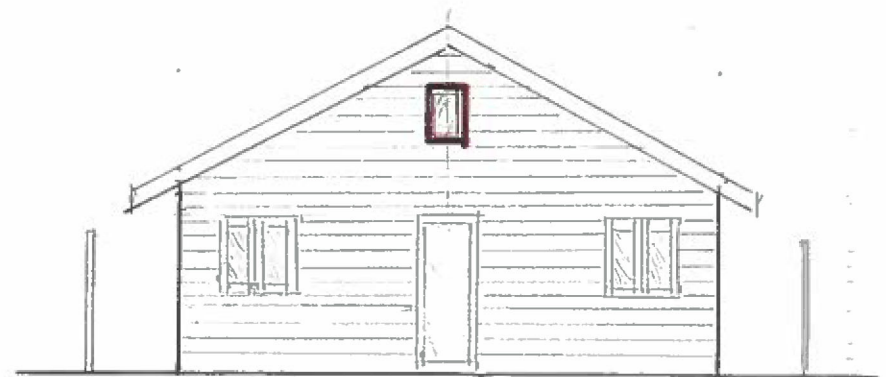
EXISTING EAST ELEVATION  
1:100



PROPOSED NEW ELEVATION & ROOF LIGHT.  
1:100



NORTH FRONT ELEVATION  
EXISTING ANNEX  
1:100 Scale



FRONT ELEVATION  
(NEW GABLE WINDOW)  
AND RE-ROOF.

1:100 Scale



**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00290/F - Eaton Hand Car Wash, Ipswich Road, Norwich, NR4 6QS

**Reason for referral** Objection

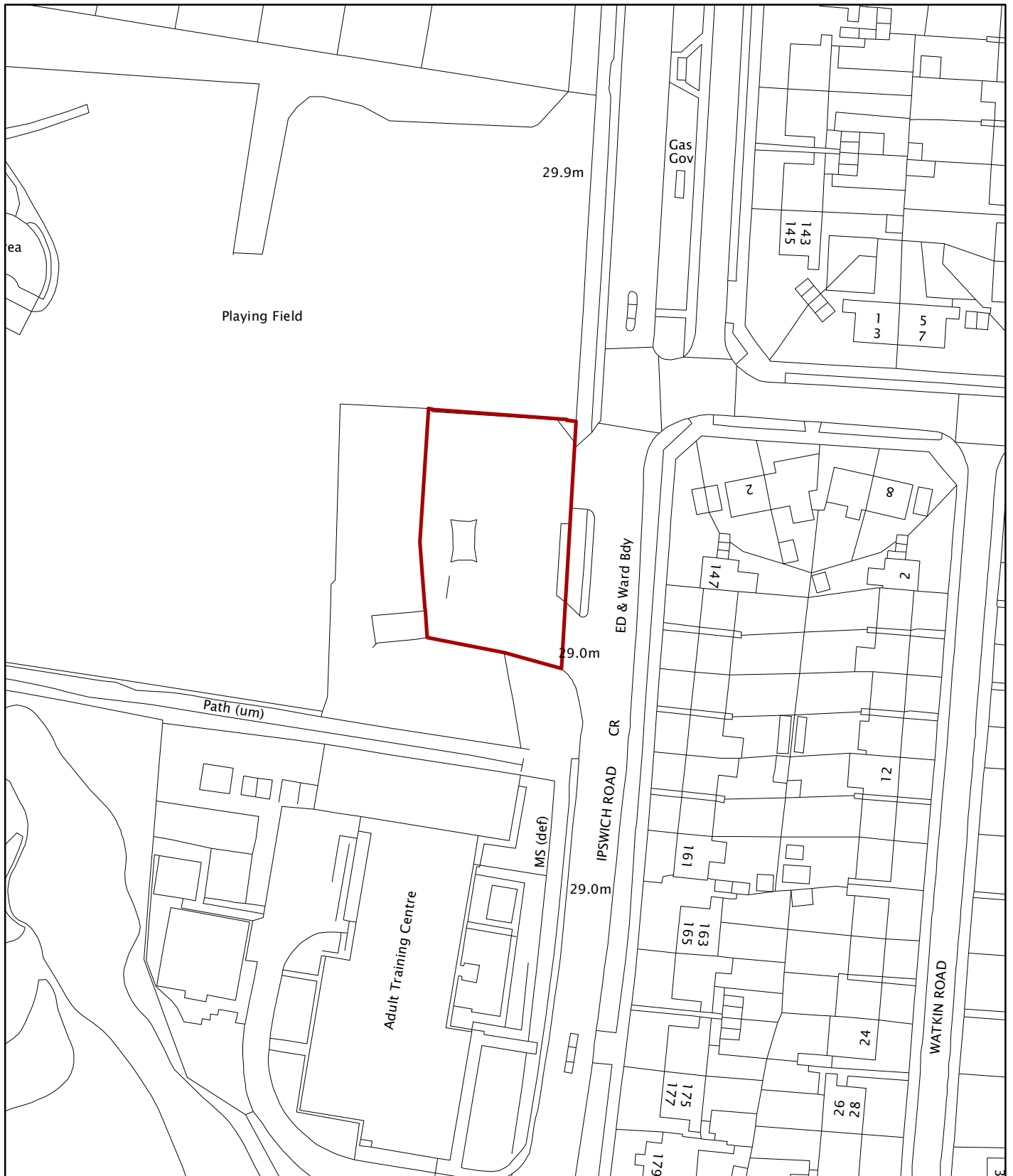
5(L)

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<b>Ward:</b>	Eaton
<b>Case officer</b>	Charlotte Hounsell - charlottehounsell@norwich.gov.uk

Development proposal		
Retain use of land as vehicle hand washing facility and retain portable buildings.		
Representations		
Object	Comment	Support
2		

Main issues	Key considerations
1	Principle of retention of use
2	Landscaping/boundary treatments
<b>Expiry date</b>	18 April 2016
<b>Recommendation</b>	Approve



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Planning Application No 16/00290/F

Site Address Ipswich Road  
Eaton Hand Car Wash

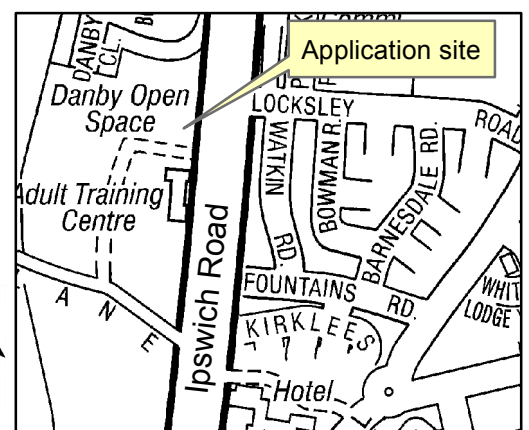
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**NORWICH**  
City Council

PLANNING SERVICES

Page 210 of 274





## The site and surroundings

1. The subject site is located on the site of a former petrol filling station on the West side of Ipswich Road, South West of the City Centre. The site is open to Ipswich Road with separate entrance and exit accesses to the highway. The site is currently used as a hand car wash which was granted temporary consent in March 2011. The area is hard-surfaced with existing portable buildings on site for equipment and staff. The car wash site is currently surrounded by fencing and walls, although some of these boundaries are in poor condition or have been removed. An area of land to the rear of the site is within the same ownership, however it does not form part of this car wash application. Opposite Ipswich Road to the south of the site is a residential estate and to the rear / north of the site is open space.

## Constraints

2. To the rear of the blue site outline is a designated open space and local nature reserve.
3. The car wash site is located at a higher level to the land owned behind it and the open space.

## Relevant planning history

4.

Ref	Proposal	Decision	Date
4/1994/0857	Illuminated forecourt signage, manolith and fascia.	INSFEE	01/11/1994
4/1995/0797	Construction of jet wash, vacuum unit and air/water Units.	REF	30/10/1995
4/1995/0798	Internally illuminated signs for jet wash, vacuum and air/water units.	REF	26/10/1995
4/1996/0418	Installation of 25,000 litre diesel tank.	APCON	08/07/1996
4/1996/0556	Condition 2: details of full structural details of tank, its surround, associated pipework and monitoring system for previous permission 4960418/F "Installation of 25,000 litre diesel tank".	APPR	18/10/1996
4/1997/0007	Internally illuminated price/facility sign to be incorporated on existing identification sign.	TEMP	16/01/1997
4/1997/0326	Installation of 16 no. collection boxes.	APCON	06/06/1997
06/00935/F	Construction of conveyor car wash facility and vacuum bays and alteration to	APPR	17/11/2006

Ref	Proposal	Decision	Date
	access.		
06/01238/A	Internally Illuminated fascia signs.	APPR	02/02/2007
10/02187/F	Change of use to vehicle washing facility and site portable building.	APPR	16/03/2011
11/00685/D	Details of Condition 4: foul and surface water drainage of previous permission 10/02187/F 'Change of use to vehicle washing facility and site portable building.'	APPR	08/09/2011

## The proposal

- The proposal is for the retention of the existing car washing facility which was previously granted temporary permission in 2011 (see history section) Following the expiration of this temporary use, the continued unauthorised use of the site, alongside removal of vegetation adjacent to the application site was brought to the attention of the Council's enforcement team who have investigated the issue.
- The application seeks to regularise the situation by retaining the use of site as existing with no additional equipment etc.
- The rear of the site (outlined in blue) is within the same ownership but does not form part of the application site.

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total floorspace	<b>0.10 hectares</b>
<b>Appearance</b>	
Materials	<b>Asphalt paving Painted shipping containers as offices/waiting areas Vinyl washing canopy</b>
<b>Operation</b>	
Opening hours	<b>Monday – Saturday: 08:00 – 19:00 Sunday and bank holidays: 10:00 – 16:00</b>
Ancillary plant and equipment	<b>Retention of existing canopy and storage containers Use of car washing equipment as existing on site</b>
<b>Transport matters</b>	

<b>Proposal</b>	<b>Key facts</b>
Vehicular access	<b>Existing access onto/from Ipswich Road</b>
No of car parking spaces	<b>7 informal spaces shown on site plan for waiting/washing areas. There is additional space available on the forecourt as a waiting/parking area.</b>
No of cycle parking spaces	<b>N/A</b>

## Representations

8. 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.

<b>Issues raised</b>	<b>Response</b>
Boundary treatments have either been removed or are not adequate	See Main Issue 2
Removal of vegetation at the rear of the site	See Main Issue 2
Incorrect plans submitted	Revised plans submitted to address this.

## 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.

### Highways (local)

10. No objection in transportation terms to the use of this site for a car wash facility. The site was a former petrol station, so the traffic generation from a car wash is going to be less. Also the entrance/exit arrangements are satisfactory.

### Natural areas officer

11. The application site adjoins Danby Wood Local Nature Reserve (LNR) on part of the wood's eastern boundary. The wood is an important wildlife site and is a valued and well-used amenity for local people. While there is no objection in principle to this application, we need to ensure that:
- i) The applicants maintain a well-defined boundary with the LNR and that there is no encroachment into the woodland area

- ii) There is no run-off or waste water from car washing into the adjacent woodland
- iii) If external lighting is provided on the site, care should be taken to avoid light spillage into the adjacent woodland.

### **Tree protection officer**

12. The proposed development will have a negligible effect on the trees, all of which are small and in relatively poor condition. Given this there is no objection to the proposed works.

### **Environmental Protection**

13. No comments received.

## **Assessment of planning considerations**

### **Relevant development plan policies**

14. **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
  - JCS6 Access and transportation
15. **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
  - DM28 Encouraging sustainable travel
  - DM30 Access and highway safety
  - DM31 Car parking and servicing

### **Other material considerations**

16. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
  - NPPF7 Requiring good design
  - NPPF8 Promoting healthy communities
  - NPPF11 Conserving and enhancing the natural environment

### **Case Assessment**

17. 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**

18. Key policies and NPPF paragraphs – DM1, NPPF Section 1.
19. The application is to retain the use of the site as existing which was granted temporary consent in 2011. The site was previously used as a petrol filling station and therefore has existed as a section of hard standing for some time. The site is not part of any site allocation and due to its previous use as a petrol station, its proposed viable uses are limited without likely significant remedial action. In addition given the previous use of the site as a petrol filling station, trip generation and access arrangements would not be significantly different to the previous use. Therefore the current use as a car wash facility is considered to be acceptable in principle. Details of this are discussed in the following sections.

### **Main issue 2: Trees, Landscaping and open space**

20. Key policies and NPPF paragraphs – JCS1, DM3, DM7, DM8, NPPF paragraphs 9, 17, 56, 109 and 118.
21. Concerns have been raised that, despite the general support for the car wash, the site is now an eyesore. Landscaping to the rear of the site, which is owned by the applicant but is not directly within the application site, was removed. These works did not require consent and works have since ceased on site. It should be noted that any works to be carried out to the rear of the site which require consent must be applied for in a separate application.
22. The car wash itself cannot easily be seen from the open space due to the existing boundary wall/fence. It could be argued that the removal of vegetation does not directly impact on the suitability of the site for use as a car wash, which is the consideration of this application. Therefore it may be considered unreasonable to request alterations to this rear part of the site as it does not fall within the remit of this application.
23. However, considering the concerns raised in relation to this application, it is considered reasonable that the site itself should be improved in appearance if it is going to be used as such on a permanent basis. Part of the existing boundary fencing is damaged and part of the rear boundary wall has been removed. The applicant has agreed to a condition requiring replacement/re-instatement of boundary treatments shown on the site plan within a specified timeframe that must be retained thereafter. As part of the consideration of these details, green landscaping/boundary treatments could be negotiated to improve the appearance of the site from both the highway and the rear to ensure the site responds appropriately to its surroundings.

24. One tree is located within the blue line of the site at the South Western corner of the site which is subject to a Tree Protection Order. Whilst this application does not propose any changes that may affect the tree, the replacement of nearby boundary treatments could impact upon the tree and therefore an AIA/AMS for the replacement boundary treatments will also be required by condition.

#### **Other matters: Contamination**

25. Concerns were raised that waste/contaminants could be released into the open space to the rear. However, existing surface water and interceptor drainage systems to the mains sewer network are present which were approved as part of 11/00685/D. Discussions with the Environment Agency highlighted that the above measures were likely to be adequate, the site was not within 20m of a watercourse and at this point in time they would not likely need to provide any further comments. Therefore the measures to protect against contamination are likely to be adequate.
26. As part of 10/02187/F Environmental Protection requested that a full site investigation be undertaken should the use change or become longer term. Although this proposal is for a long term use, a site investigation has not been required as the proposal does not include 'breaking ground' development and the site has already been 'capped off' with hard surfacing. As such there will be no increased risks to human health in comparison to the existing situation, in accordance with policy DM11. .

#### **Equalities and diversity issues**

27. There are no significant equality or diversity issues.

#### **Local finance considerations**

28. 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.
29. 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.
30. In this case local finance considerations are not considered to be material to the case.

#### **Conclusion**

31. The principle of the retention of the car wash is acceptable as the current use (under the temporary consent) is to be continued and there are no planning considerations to deem this to be unacceptable . Whilst concerns have been raised regarding the loss of landscaping at the rear portion of the site, this does not directly form part of the application. As the car wash cannot easily be seen from the open space at the rear due to existing boundary treatments, the retention/replacement of these boundaries, secured by condition, including

negotiations for new “green” boundaries is considered an acceptable solution to improve the appearance of the site within the remit of this application.

32. 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. 16/00290/F - Eaton Hand Car Wash Ipswich Road Norwich NR4 6QS and grant planning permission subject to the following conditions:

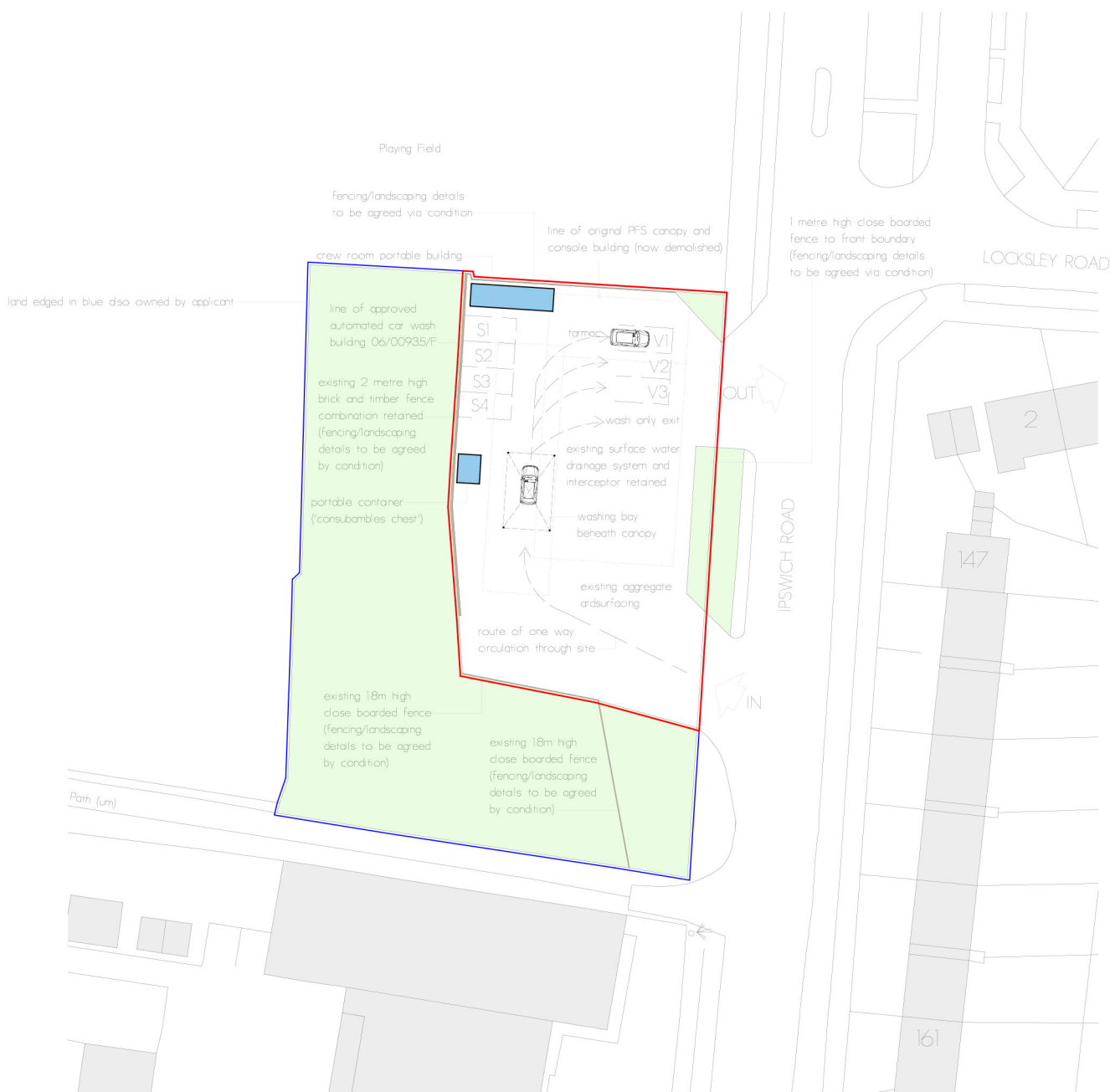
1. Standard time limit;
2. In accordance with plans
3. Details of the boundary treatments specified on PDB/16/07/02A must be submitted within 8 weeks and a supplementary AIA/AMS for the installation of these.
4. Opening hours restricted to 08:00 – 19:00 Monday to Saturday and 10:00 – 16:00 Sunday and Bank Holidays.

### **Informative**

It should be noted that a separate application would be required should any development (which requires consent) be undertaken on the land within the same ownership that is outlined in blue on the site location plan.

### **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.



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## The Planning & Design Bureau Ltd

Plan Title: Block Plan and Site Layout  
Site Address: Former Eaton Rise Service Station, Ipswich Road, Norwich, NR4 6QS  
Proposed: Retain Handover Buildings  
Plan No: PDB/16/07/02A  
Scale: 1:500 @ A3

Amendment A: June 16' - boundary annotations amended



**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00425/F - 2 Fairmile Close, Norwich  
NR2 2NG

**5(M)**

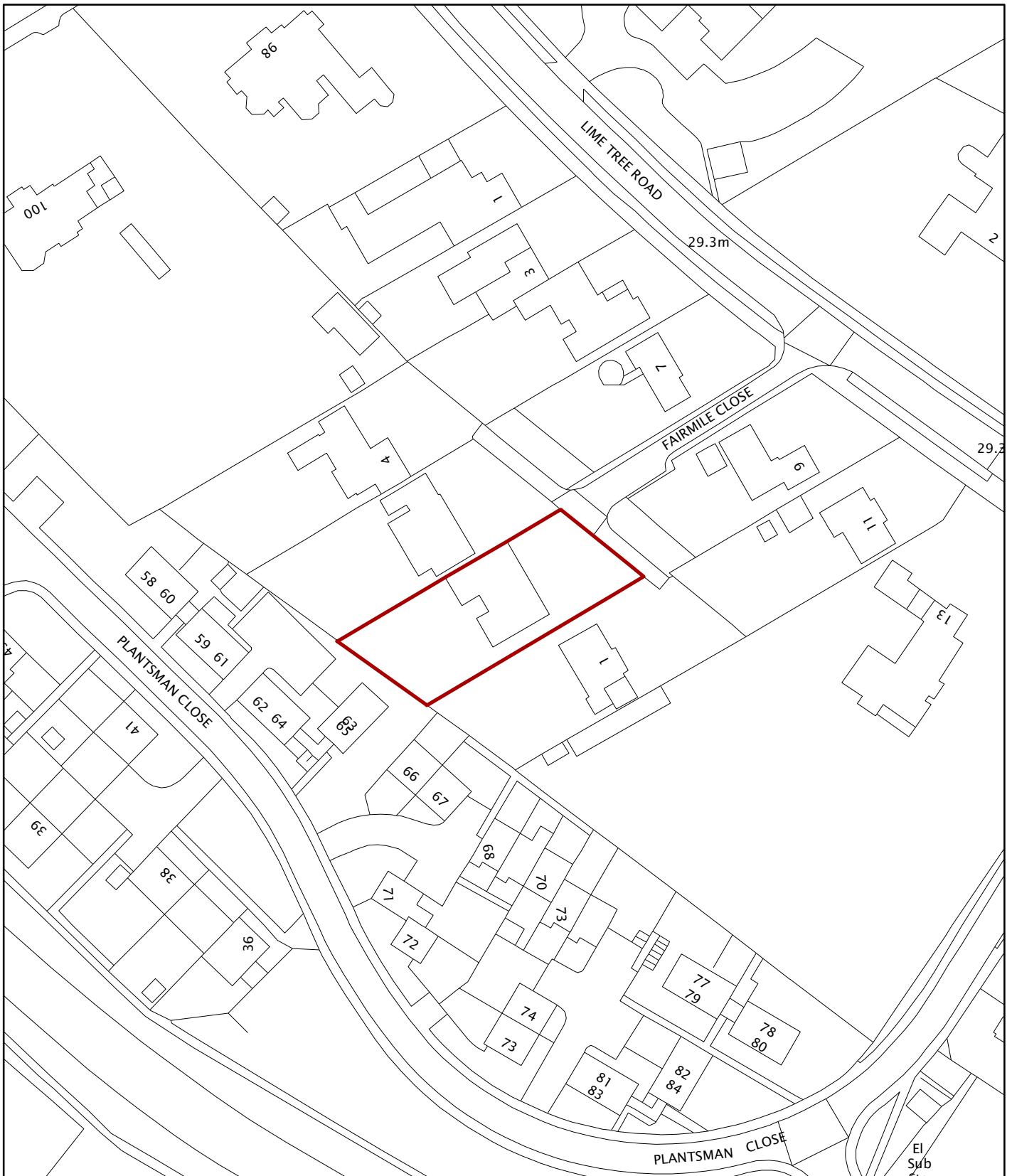
**Reason  
for referral** Objections

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<b>Ward:</b>	Town Close
<b>Case officer</b>	Samuel Walker - Samuelwalker@norwich.gov.uk

<b>Development proposal</b>		
Alterations and extensions and erection of new garage.		
<b>Representations</b>		
Object	Comment	Support
7 Objections (From 5 addresses)		6

<b>Main issues</b>	<b>Key considerations</b>
1	Design (in the context of the local character and distinctiveness of the area)
2	Impact on Amenity, potential loss of light, impact on outlook and increased overlooking issues, and impact of construction works
<b>Expiry date</b>	13 May 2016
<b>Recommendation</b>	Approve



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Planning Application No 16/00425/F

Site Address 2 Fairmile Close

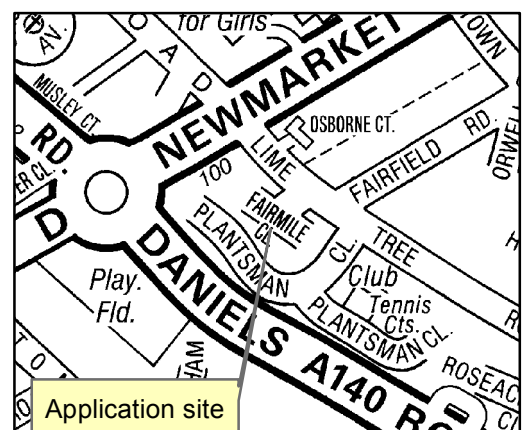
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**NORWICH**  
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PLANNING SERVICES

Page 220 of 274



## **The site and surroundings**

1. Fairmile close is a cul de sac off the south of Lime Tree road between the junctions with Newmarket Road and Plantsman Close. The application site is on the south west side of Fairmile close, it is one of four detached properties of twentieth century design and construction.
2. The subject property is constructed from a fawn coloured brick with a dark pantile roof, there are areas of vertical tile hanging to the first floor on the front elevation. The rear elevation has areas of vertical timber cladding beneath the fenestration.
3. The eaves start at ground floor level on the front elevation with a long stretch of roof through first floor level and up to ridge height of the gabled roof, there is a recessed area of the roof facilitating first floor windows to an existing bedroom. There is a flat roofed single storey element built up to the boundary with number 3 Fairmile close, providing approximately 2.3m separation at first floor level. The existing dwelling is approximately 3.0m from the boundary with 1 Fairmile Close. There are two single storey flat roofed projections (with felt finish) to the rear of the property.
4. The application site has a generous rear garden and large front drive way, it also comprises an area of landscaping on the opposite side of the close adjacent to the boundary with 9 Lime Tree Road.
5. Neighbouring properties are of similar era, but are all of differing designs and similar, but not matching materials.

## **Constraints**

6. Critical Drainage catchment area

## **Relevant planning history**

7. There is no recent planning history relevant to this application

## **The proposal**

8. Extension and alterations to the existing residential dwelling including construction of a new free standing garage.

## Summary information

<b>Proposal</b>	<b>Key facts</b>
<b>Scale</b>	
Total no. of dwellings	<b>1 (Extension of existing)</b>
Total floorspace	<b>250.1 m<sup>2</sup> (existing)</b> <b>341.8m<sup>2</sup> (proposed)</b> <b>91.7m<sup>2</sup> (net additional gross internal floorspace following development)</b>
No. of storeys	<b>Two</b>
<b>Appearance</b>	
Materials	<b>Existing:</b> Walls – brick, vertical timber cladding & tile hanging Roofs – Clay pantile pitched & felt finished flat roofs Windows – White uPVC  <b>Proposed:</b> Walls – white render and marley eternity tectiva/te20 pebble Roofs – Flat roof Windows – Dark Grey Aluminium

## Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 13 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.

<b>Objections</b>	
<b>Issues raised</b>	<b>Response</b>
Design: Over development of site including breaching existing building line, Incongruous design (scale, aesthetic, materials)	19-27
Impact on Amenity (Loss of outlook, loss of light, overlooking)	28-33
Loss of trees	34

<b>Support</b>	
Innovative contemporary design	19-27
Use of materials	19-27
Improved energy efficiency property	27

## 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.

### Norwich Society

11. This proposal is a totally new property as opposed to an extension and alteration to an existing one. The existing house is located in a very well established and mature location. This proposal is a new house which entirely "cloaks" the existing house, extending it in all directions. It bears no relationship to its context and produces a distinct non domestic feel and character. The strong element of the existing house is its large area of sloping roof. This is completely opposite to the new proposal with is angular boxlike elevations and flat roof. In addition it is located very near to the adjoining house, No 3 Fairmile Close. Due to the overlap on plan the development will impinge on the visual amenity of the adjacent house. We would support a more modest proposal more in keeping with the sensitive nature of the surrounding area and retaining its domestic character.

**(Comment 19.04.2016 – relating to original submission)**

12. We applaud the modern, contemporary design of this house but the changes to the original plan do not change our opinion, in that it is over-development of the site and detrimental to the neighbouring properties.

**(Comment 20.07.2016 – relating to revised submission)**

## Assessment of planning considerations

### Relevant development plan policies

13. **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
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
  - JCS20 Implementation
14. **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
- DM30 Access and highway safety

### **Other material considerations**

#### **15. 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
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment

### **Case Assessment**

16. 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 2: Design**

17. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
18. The current proposal is a Modernist style design consisting of various flat roofed elements of single and two storey construction, the existing large expanse of pitched roof has been replaced with a series of flat roofed elements. The façades make use of large areas of glazing, with shading provided by canopies and over hanging first floor to the rear. The finish is proposed to be a mixture of white painted render and Marley Eternit Cladding (Colour: Tectiva/TE20 Pebble) a sample had been requested, but not supplied, this should be reserved by condition.
19. The properties on Fairmile close use a variety of materials in their construction, all of the properties have slight differences, the four existing properties are constructed from similar fawn coloured bricks, each with additional feature materials such including painted render, timber cladding and tile hanging. Whilst there is a degree of continuity in the area, there is also diversity. The close is a twentieth century development which is of interesting style, but is not considered to have strong architectural merit warranting protection. The proposed design is a departure from the aesthetic of the close, however the property is not located in a conservation

area, nor is it statutorily or locally listed, there is no statutory duty to 'preserve and enhance' the buildings character or its wider setting. As stated in paragraph 60 of NPPG "*planning decisions should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.*" It is considered that a design of this style could work well in this setting. 2 Fairmile Close is visible from Lime Tree Road, the view is currently mainly comprised of a large area of garage door. A well-executed innovative design could provide a positive vista in this point. It can be viewed from the periphery of the conservation area, it cannot be viewed in the setting of the conservation area.

20. The proposed canopy to the front elevation has been the subject of consideration, it had been requested for this to be removed in the early stages of negotiations to reduce the impact of the development coming forward from the existing foot print, concern has also been raised by objectors with regards to this as referenced in letters of objection. As part of the current proposal it has not been removed, but been stepped in from the boundary, following informal discussions with consultees it has been suggested that the presence of a canopy could be considered as fundamental to the design and provides a practical function as well as an aesthetic separation of the glazing to ground and first floors.
21. The two storey element of the proposal to the south east – adjacent to the boundary steps forward from the existing footprint. However this could be considered to be within the building line of the group of houses in the close; the garage in front of this element steps clearly beyond the building line. However the introduction of a garage in the front curtilage of a property is not without precedent in Norwich, it is positioned behind existing trees which provide natural screening on the approach into Fairmile Close.

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

22. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
23. The proposed extensions to 2 Fairmile close are not considered to impact the amenity of 1 Fairmile Close. 1 Fairmile is stepped forward on the plot, at ground floor there is a side access door, a window serving a garage and a window at first floor level, which will not be significantly impacted. with regards to overlooking, loss of light or outlook.
24. Objection has been raised regarding overlooking issues from the proposed development from the residents of 9 Lime Tree Road. There is a separation from the line of the proposed extension at two Fairmile close to the rear boundary of 9 Lime Tree road of approximately 23m, this is separated by the front curtilage of 2 Fairmile close, the road, a landscaped bank with existing natural screening, and the boundary wall to 9 Lime tree road which is approximately 1.8m tall. There is a separation of approximately 43m from the line of the proposed extension to the rear elevation of the property at 9 Lime Tree Road. As such there are considered to be no significant overlooking or outlook issues caused to 9 Lime Tree Road by the proposed extensions and alterations.
25. Following objections to the initial proposals and requested revisions, the applicant has proposed a single storey element to the boundary with 3 Fairmile close, this provides necessary separation between the properties at first floor level and serves to reduce the impact of overshadowing. Whilst the proposed extension will have

some impact compared to the existing property, daylight to the first floor windows will be retained, these are secondary windows to bedrooms which look directly out into the private curtilage of 2 Fairmile close.

26. There is not considered to be significant loss of outlook at ground floor level by the proposed extension as there is a single storey element on the existing footprint in this location, the canopy has been stepped in to reduce impact of this. There will be loss of outlook of views to the east from the first floor bedroom window at 3 Fairmile Close. There will be a reduction in light to the windows and front garden of Fairmile close at certain periods of the year as can be seen on the submitted shadow analysis. However on balance this is not considered to so significant that it would justify refusal of the application.
27. The line of building to the rear is proposed to form a continuous line with the line of 3 Fairmile Close in this location – as such the proposed development is not considered to have significant impact in terms of overshadowing to the rear garden of no.3.
28. Concern has been raised regarding impacts of the construction period. These will be controlled under separate legislation such as Building Regulations and Party Wall Act. It is not possible for this to be controlled by condition under planning permission, an informative can be attached to the decision notice, subject to approval, relating to construction hours and 'considerate constructors scheme'
29. 2 Fairmile close is an existing residential property, the proposed extensions and alterations are considered to have a positive impact on the amenity of the occupiers of the subject property.

#### **Other matters**

30. 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**

31. There are no significant equality or diversity issues.

#### **Local finance considerations**

32. 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.
33. 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.
34. In this case local finance considerations are not considered to be material to the case.



## **Conclusion**

35. The principle of a contemporary re-modelling of the existing house is accepted. However the proposals would result in some impacts upon the amenity of the surrounding area, but on balance this is not considered to be so significant as to justify refusal of the application.
36. The development is therefore in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

## **Recommendation**

To approve application no. 16/00425/F - 2 Fairmile Close Norwich NR2 2NG and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. External Materials

Informative:

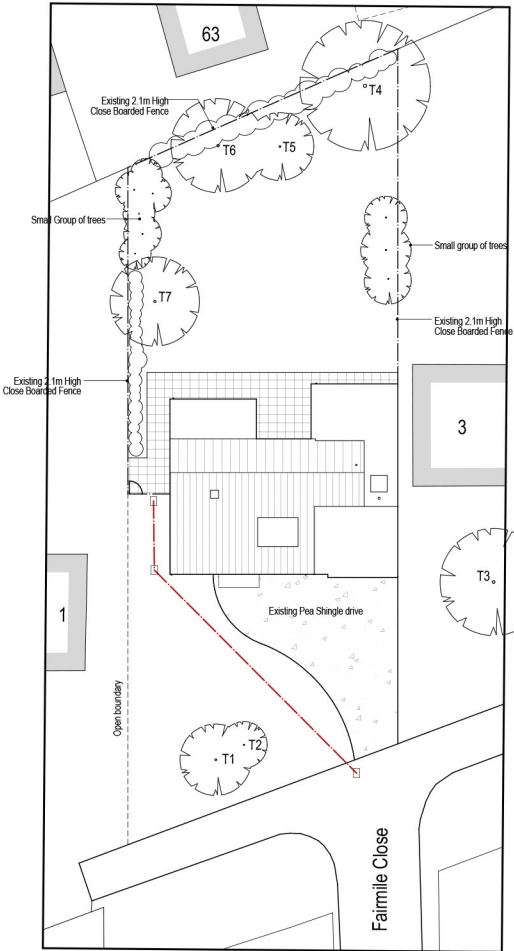
1. Construction working hours.



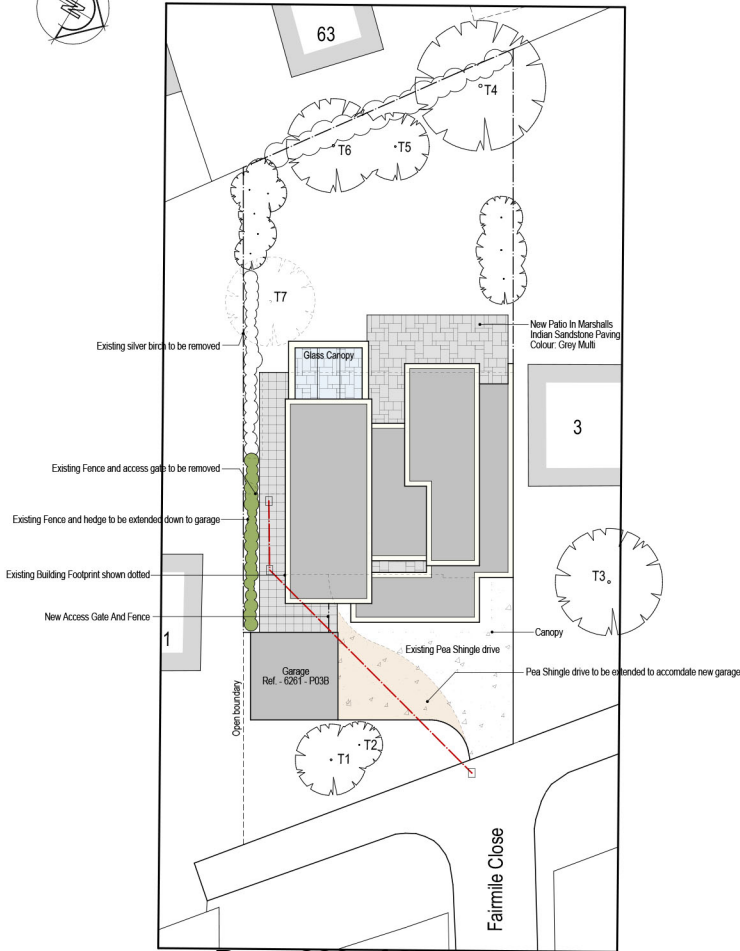
Concept Image of front from Fairmile Close



Concept Image of Rear



Existing Site Layout, 1:200



Proposed Site Layout, 1:200

## NOTES

This drawing is the copyright of the Architects and can only be reproduced with their express permission.

Written dimensions must be used in preference to scaled.

Contractors must check all dimensions on site.

Discrepancies are to be reported to the Architects before proceeding.

Tenders - This document is produced only for the benefit of the employer and cannot be relied upon by any third parties.

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All works to be carried out to the satisfaction of the Appointed Approved Building Control Inspectorate and in accordance with the Building Regulations (as to and including the April 2013 amendments), CDM Regulations, British Standards, Codes of Practice, I.E.E Regulations, and all current Byelaws and Manufacturers details and instructions together with the NBS Building Guarantee Standard.

The materials and products specified in the construction notes or on drawing form an integral part of the design and performance of the buildings. These MUST NOT be substituted with other materials or products without reference to the Architect.

### CDM REGULATIONS 2015

**Client Role: Health & Safety is your responsibility!**

Construction works to be carried out in accordance with the Construction Design Management Regulations 2015 (CDM 2015).

The Main Contractor is to prepare a Construction Phase Plan before commencing work on site. The Contractor is to initiate a Health & Safety Plan during the work on site. Furthermore, the Contractor is to create a Health & Safety Plan during the works, ensuring it is kept up to date until the works are complete. Alternatively the Health & Safety Plan may be carried out by the Principal Designer.

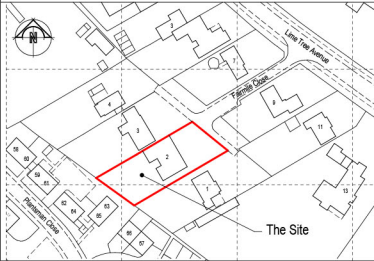
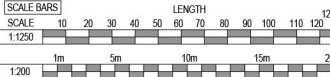
Please contact DFAL to assist.

The Main Contractor is to carry out the construction work in reference to a Design Risk Assessment prepared by DFAL, COMMUNITY INFRASTRUCTURE LEVY (CIL).

Any necessary assumption of Liability and Claims for Exemption for Self-Build Development Application Forms are to be completed and submitted to the Local Planning Authority before construction works commence on site.

DFAL take no responsibility for any financial liability in this respect as this lies with the client.

Please contact DFAL should you require further assistance.



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Site Location Plan, 1:1250

D	Layout changed to new scheme	21/06/16 HJA
C	Layout changed to new scheme	20/05/16 HJA
B	Layout changed to new scheme	15/03/16 HJA
A	Scheme altered at clients request	24/03/15 HJA
rev.		date

architects and consulting engineers



**dfal**

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Ankleigh House, 35 Whittier Road  
Norwich, Norfolk, NR3 2HW  
t 01603 787778 f 01603 787496  
e info@dfal.tv w www.dfal.tv

Project:

Alterations & Extensions,  
No.2 Fairmile Close,  
Norwich, Norfolk.

Client:

Ms Catherine Shaw

Drawing:

Existing/Proposed Site Layouts,  
Location Plan and concept Images

Drawn By:

Checked By:

HJA

DF

Scales:

1:200, 1:1250 @ A1

Date:

February 2015

Ref. No.

6261

Orig. No.

SL01

D

**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 15/01540/F - Land to the South of  
Merchants Court, St Georges Street, Norwich

**5(N)**

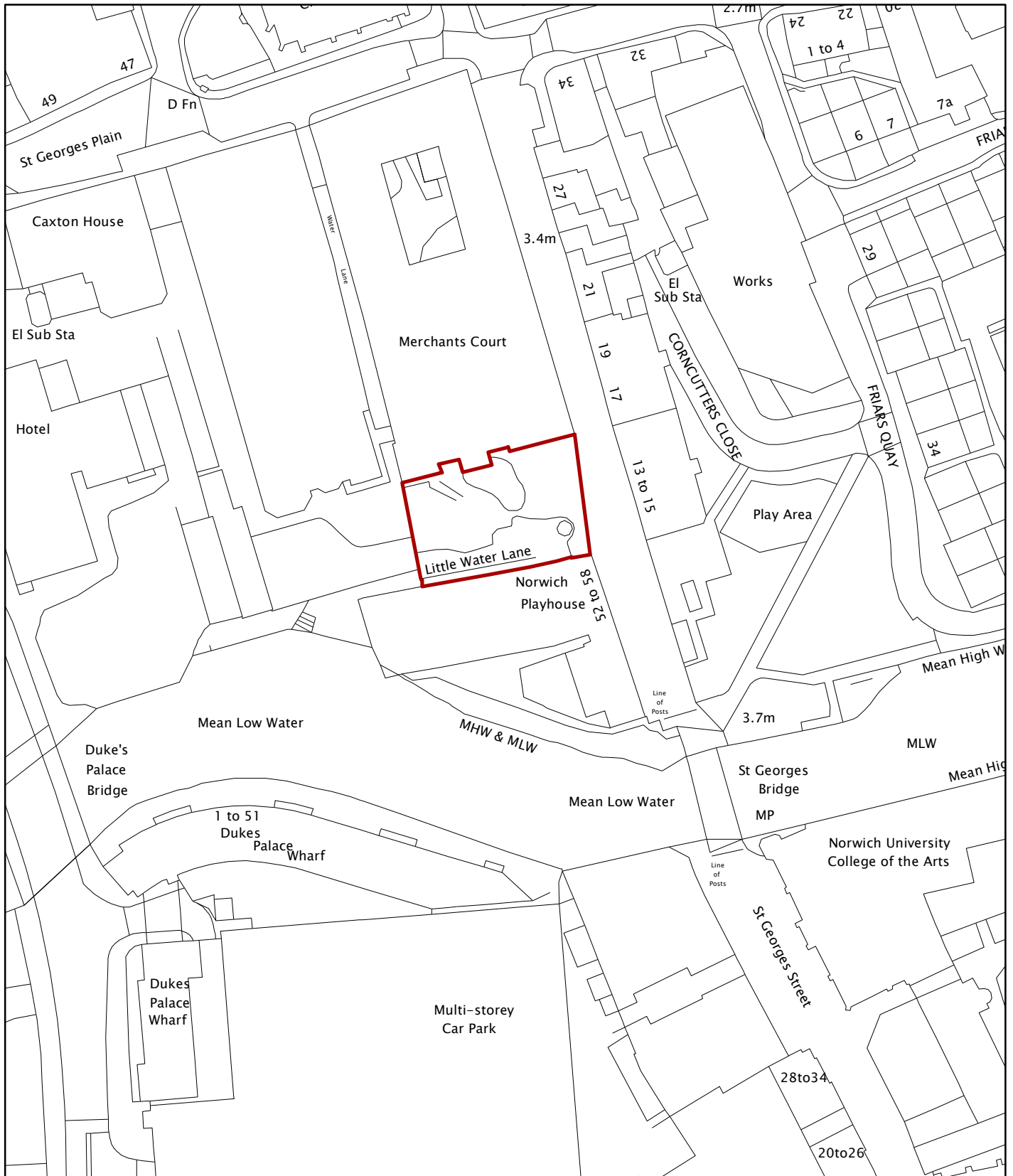
**Reason  
for referral** Objections

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<b>Ward:</b>	Mancroft
<b>Case officer</b>	Samuel Walker - Samuelwalker@norwich.gov.uk

<b>Development proposal</b>		
New vehicle access route to Merchants Court Car Park from St Georges Street.		
<b>Representations</b>		
Object	Comment	Support
5	1	

<b>Main issues</b>	<b>Key considerations</b>
1	Impact upon the appearance of the area and heritage assets.
2	Impact upon trees
3	Transport impacts
<b>Expiry date</b>	15 February 2016
<b>Recommendation</b>	Approve



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Planning Application No 15/01540/F

Site Address Land south of Merchants Court  
St Georges Street

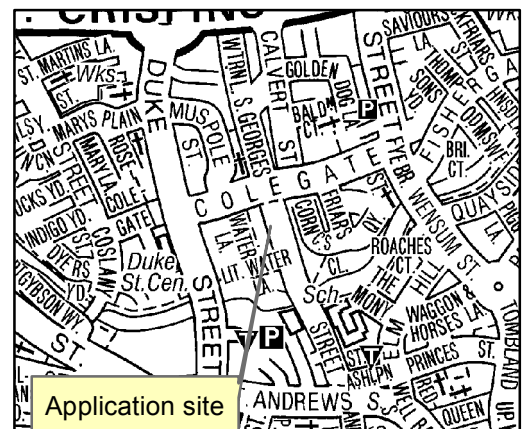
Scale 1:1,000



**NORWICH**  
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PLANNING SERVICES

Page 230 of 274



## **The site & surroundings and Constraints**

1. The site is located on St Georges Street to the north of the river Wensum in the city centre. Merchants Court forms a three storey office building which is a locally listed building, and is in the city centre conservation area.
2. There are a variety of other uses surrounding the site. The Playhouse bar and theatre are to the south of the site. Jane Austen College – Inspiration Trust school building and 'playground' is directly adjacent to the west of Water Lane dividing the two sites. To the east of the site is a row of two storey buildings forming commercial uses at ground floor with storage and ancillary uses at first floor.
3. Merchants court is directly to the north, this currently consists of commercial at ground floor, some existing residential and proposed redevelopment of offices to residential on upper floors.
4. The surrounding area contains a mix of buildings, including a number of older buildings including listed buildings forming 25 to 29 St Georges Street which are closest to the application site. The Playhouse bar and theatre is a locally listed building. The streets also retain the medieval street patterns through the area.
5. The site contains some trees and shrubs within the public amenity space/ parking area (to the south of the Merchants Court building). The site is also within flood zone 2, in the area of main archaeological interest, the city centre leisure area and visitor attraction area. The site is also within the Northern City Centre Area Action Plan boundary. Within this plan St Georges Street is defined as a key cycle and pedestrian route through the area, the car park of the application site an existing public square and the nearby open space a proposed public square, and the view south along St Georges Street a strategic view. The site is also visible from the river Wensum which forms part of the Broads Authority area, which has national park status.
6. This application effects trees in a Conservation Area

## Relevant planning history

7.

Ref	Proposal	Decision	Date
13/01037/PDD	Change of use of first and second floors from commercial to residential to provide 17 No. apartments.	Prior Approval Approved	August 2013
13/01034/F	Reconfiguration of existing roof structure to erect 3 No. penthouse apartments. Reconfiguration of the external car park area to create refuse stores, car parking and cycle provision. Erection of new external canopy to residential entrance and addition of rooflights.	APPR	August 2013

## The proposal

8. The proposal is for the construction of vehicular access to Merchants Court Car Park from Saint Georges Street – over the Land to the South of Merchants Court. This application has been made as a result of the car park becoming ‘land locked’ as a result of the previous access being removed by Jane Austen College.

### Summary information

Transport matters	
Vehicular access	<b>Currently inaccessible – proposals are to provide vehicular access to existing car parking</b>
No of car parking spaces	<b>6+1 disabled</b>
No of cycle parking spaces	<b>25 (previously approved)</b>

## Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 6 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
Increased Traffic/Road Safety, impact on 'pedestrianised' street, access to Little Walter Lane.	See main issue 3.
Noise including traffic noise and impacts of construction noise on the Playhouse Theatre	The noise levels during the construction phase could have a negative impact on performances at Norwich Playhouse. Working hours should be agreed with Norwich Playhouse to prevent disruption.
Loss of Public Amenity space	See main issue 1, 3
Access	See main issue 3.
Loss of Tree/Shrubs in a conservation area	See main issue 2.

## 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.

### Design and conservation

11. No Comments submitted

### Highways (local)

12. St Georges Street is not a Pedestrianised street, it is a shared use street. No Objection – subject to resolution of the following matters: the re-configured car park should take into account details of extant planning consents associated with conversion of offices to residential; the Merchants Court forecourt is appropriately landscaped, with attention to the tree root protection area; no impact to existing disabled parking bay on St Georges street; minimal quantity & High standard of signage; loading bay created for use by Playhouse; flyparking discouraged by use of bollards.

### Landscape

13. With regards to the previous scheme(s) the Landscape officer consultee had strong objections to proposals with regards to impact on the landscape fabric, loss of mature tree and shrub vegetation, potential negative impact on retained London Plane Tree. Level changes, increased traffic altering perception of pedestrian access to area. Awkward design. Following the revised details the current submission is considered to be *'a much better solution all round'*. This would require a condition requiring a full Arboricultural method statement as indicated by the Tree Protection Officer. Also as existing planters are proposed to be modified, details of the proposed planting to replace that which is lost is required by conditions as well.

## **Tree protection officer**

14. Previous proposals had specified the access route to be constructed at a raised level forming a 'ridge or causeway' across the site, disrupting the usable nature of the area. A site meeting was carried out between the consulting tree protection officer and the applicants arboriculturalist and engineer, it was agreed that trial pits must be dug in agreed locations to establish the presence and extent of roots related to the London Plane tree, to enable a more informed design.
15. The applicant's arboriculturalist has carried out the trial pits, a report detailing the findings has been submitted. The findings enable the proposal of a 'no dig' type construction which enables the proposed new access route to finish at the existing level of the paved area in this location. The report has been viewed by the Council's tree protection officer and an informal response was provided, the findings of the investigations do not appear to raise cause for concern, however, the suitability of the proposals will require a full Arboricultural Method Statement to be reserved by condition.
16. The current proposals continue to include the loss of the Robinia tree and shrub planting from the application site but this is considered acceptable.

## **Assessment of planning considerations**

### **Relevant development plan policies**

17. **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
  - JCS11 Norwich city centre
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
18. **Northern City Centre Area Action Plan adopted March 2010 (NCCAAP)**
19. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - 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
  - DM9 Safeguarding Norwich's heritage
  - DM30 Access and highway safety
  - DM31 Car parking and servicing



## **Other material considerations**

### **20. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF2 Ensuring the vitality of town centres
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic 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 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: Design and heritage**

22. Key policies and NPPF paragraphs – JCS2, DM3, DM7, NPPF paragraphs 9, 17, 56 and 60-66, 109-118.
23. The proposed design is a significant improvement over the originally submitted design; the number of bollards has been significantly reduced. The fixed bollards are now specified as the Norwich Short Bollard, the drop bollards at the loading bay have been revised to 'Rhino removable Bollard' – this is in keeping with the remainder of the bollards in the area. The proposed surfacing to the access is appropriate that the hard surfacing in the surrounding area.
24. The yellow hatching to the loading bay has been omitted.
25. The existing Disabled parking bays to St Georges Street are not affected.
26. The relocation of the street lamp is proposed to be away from the Playhouse – in the area between the disabled parking bay and the new access; this reduces the impact on the Playhouse and also forms continuation of the proposed bollard to the proposed access.
27. The previously approved cycle storage and bin storage associated with the conversion of the offices to flats has been accounted for on the proposals.
28. The proposed development requires the loss of the existing kiosk, this has been closed for some time. The existing café opposite and the adjacent playhouse bar adequately provide the facility lost from the kiosk.

29. Given the above considerations the proposals would not detract unduly from the character and appearance of the conservation area or the setting of nearby locally listed buildings such as Merchants Court.

### **Main issue 2: Trees**

30. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
31. The concerns expressed by the Tree Protection officer regarding impact of the ‘no dig’ construction on the London Plane Tree have been investigated, through exploratory trial pits. It is considered that the findings of the investigation allow for a workable solution to allow retention of the London Plane tree which is a significant feature in the streetscene. The detail of this should be supplied in a detailed Arboricultural Method Statement reserved by condition.
32. The proposed development will result in the loss of one mature tree (Robinia) and mature shrubs in the conservation area. However this is accepted as the tree is not a significant feature within the streetscene. Potential for replacement tree planting on the site has been considered but is not feasible due to the constrained nature of the site and the need for access to the playhouse.

### **Main issue 3: Transport**

33. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
34. The proposed access provides vehicular access to currently land locked car parking spaces belonging to Merchants Court; it also provides facility for refuse storage and collection away from the highway. The application site is private land which is currently used as public amenity space. The public amenity space shall be retained.
35. In accordance with the Transportation Officers consultation response, Saint Georges Street is not a pedestrianised street, it is a shared use street with equal priority given to pedestrians, cyclists and vehicular traffic.
36. The access to Little Walter lane is an existing arrangement, the proposed development does not impact the existing access arrangement. The issue raised with regards to existing fencing in this location is not the subject of the proposals in this application.
37. The proposed development provides a loading bay on site adjacent to the Playhouse Theatre, this has been provided for use by the Playhouse Theatre as it is essential that clear access is maintained to the only existing entrance to the back stage area for stage set up and dismantling for the multiple shows throughout the year.
38. A position suitable for collection of refuse bins has been included; it is necessary for the bins to have up to approximately 5.0m drag distance for collection, this has been kept off the highway. The storage location within the existing car park is too far from the street to be suitable. The bins must only be put in the location for collection on collection day only and at no other time. This must be managed by the property Managers of Merchants Court.

39. As a result of the above considerations the proposals are considered to be acceptable in terms of transport impacts.

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

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

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes</b>
Car parking provision	DM31	<b>Yes</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>

### **Equalities and diversity issues**

41. There are no significant equality or diversity issues.

### **Local finance considerations**

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

## **Conclusion**

45. The proposed new vehicle access route to Merchants Court Car Park would provide access to parking provision, bin storage & collection point, as well as cycle storage for the residential units at Merchants court; this access was removed by the Jane Austen Academy under Prior Approval. The proposals would not harm the character and appearance of the conservation area.. The proposal will not result in significant loss of trees or landscaping in this location. As such 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. 15/01540/F - Land to the South of Merchants Court St Georges Street Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans
3. Implementation of this scheme prevents implementation of previously approved car park extension;
4. In accordance with the submitted Arboricultural Impact assessment.
5. Subject to submission and subsequent approval of an Arboricultural Method Statement.
6. Specification of replacement planting

**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.



NOTE:

- 1) ALL DIMENSIONS ARE IN METRES AND LEVELS IN METRES UNLESS OTHERWISE STATED.
- 2) TOPOGRAPHICAL SURVEY INFORMATION FROM GREENHATCH DRAWING No. 21630\_OGL\_REV1 RECEIVED ON THE 31/03/2015.
- 3) TO BE READ IN CONJUNCTION WITH DRAWINGS 9174-C-1001 TO 1004 AND 9174-C-1006 TO 1009.

## LEGEND

- PERMEABLE TEGULA PRIORA CONCRETE BLOCK PAVING (PENNAANT GREY COLOUR TO MATCH EXISTING COLOUR ON DISABLED BAY)
- BUFF CONCRETE FLAG PAVING TO MATCH EXISTING
- MARSHALLS TEGULA COBBLES SETT PAVING TO MATCH EXISTING ON DISABLED PARKING BAY
- CHARCOAL CONCRETE TEXTURED EDGING TO MATCH EXISTING ON PARKING BAYS
- 100mm YELLOW LINING FOR DISABLED BAY AND HATCH
- EXISTING HIGHWAY BOUNDARY
- PROPOSED PLANTER BRICK WALL TO MATCH EXISTING
- REMOVAL BOLLARDS
- FIXED BOLLARDS
- RELOCATED STREET LIGHTING COLUMN



P5	21/01/2016	SRG	DATE OFFICER'S COMMENTS DATED 15/01/2016 INCORPORATED		
P4	15/01/2016	SRG	YELLOW CROSS HATCHING IN PARKING AREA ISSUED		
P3	08/01/2016	SRG	BIN STORE AND CYCLE STANDS SHOWN IN CAR PARK	PTC	
P2	11/11/2015	SRG	AMENDED TO SUIT NO SIG CONSTRUCTION IN ACCESS ROAD	PTC	
P1	07/02/2015	GRJ	PLANNING ISSUE	SRG	
REV	DATE	BY	DESCRIPTION	CHK	APP

DRAWING STATUS: PLANNING APPLICATION

**WSP** | **PARSONS BRINCKERHOFF**

66-68 Hills Road, Cambridge CB2 1LA  
Tel: +44 (0)1223 558 050 Fax: +44 (0)1223 558 051  
www.wspgroup.com www.pbworld.com

CLIENT: WILLMOTT DIXON

ARCHITECT:

PROJECT:

CAR PARK ACCESS SAINT GEORGES STREET

TITLE:

PROPOSED GENERAL ARRANGEMENT

SCALE @ A1: 1:100

CADD FILE: 70009174-C-1005

PROJECT NO: 70009174

DRAWING NO: 70009174-C-1005

REV: P5

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**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Application no 16/00924/F - 3 Ampthill Street  
Norwich NR2 2RG

5(O)

**Reason for referral** Objection / Affects TPO tree (see following agenda item)

---

<b>Ward:</b>	Town Close
<b>Case officer</b>	Samuel Walker - samuelwalker@norwich.gov.uk

Development proposal		
Provision of car parking space to the side and front of property.		
Representations		
Object	Comment	Support
4		

Main issues	Key considerations
1	Design & Heritage (Affecting an Article 4 area.)
2	Transportation (Access and Impact on existing parking)
3	Loss of Tree (TPO 505)
<b>Expiry date</b>	19 August 2016
<b>Recommendation</b>	Refuse



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Planning Application No 16/00924/F

Site Address 3 Amphil Street

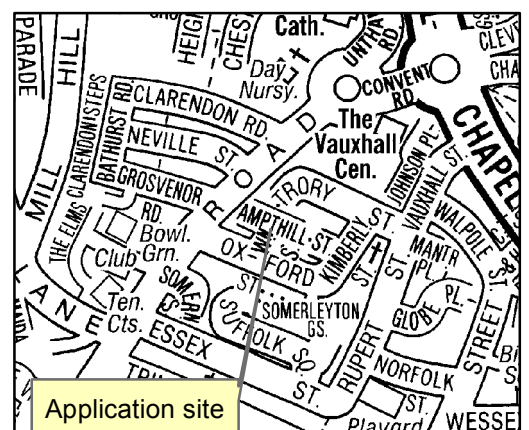
Scale 1:500



**NORWICH**  
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PLANNING SERVICES

Page 242 of 274





## The site and surroundings

1. 3 Ampthill Street is a locally listed building which falls under article 4 direction thus removing permitted development rights hence the requirement for this application. The building is located within the Heigham Grove conservation area and it is characterised by mid to late 19<sup>th</sup> century properties. It is locally listed as follows;  
*C19. 2 storeys white brick. Hipped concrete tiled roof. Double-fronted. Central entrance with rectangular fanlight and timber surround. 4 windows to Woburn Street. 12 pane sashes throughout.*

## Constraints

2. Locally listed building,  
Heigham Grove conservation area /article 4 direction frontage.  
TPO 505 – crab apple tree.

## Relevant planning history

- 3.

Ref	Proposal	Decision	Date
16/00628/TCA	Crab apple tree on corner of property: remove.	TPOS	10/05/2016

## The proposal

4. Provision of an ‘off-street’ car parking place within the curtilage of 3 Ampthill street to the eastern elevation (facing Woburn Street) accessed from the north-east corner of the site at the (Cul-de-sac) junction between Ampthill Street and Woburn Street, installation of new access gates

## Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	N/A (Proposed Car parking space within the curtilage of existing dwelling)
Max. dimensions	3.50x6.0m car parking space
<b>Appearance</b>	
Materials	<b>Existing:</b> Boundary Treatments – Paling fence. ‘Vehicle Access’ – lawn and shrubs (including TPO 505 crab apple tree)

Proposal	Key facts
	<b>Proposed:</b> Boundary Treatments – Paling fence to match existing including inward opening gates. 'Vehicle Access' – porous membrane with a gravel topping
<b>Transport matters</b>	
Vehicular access	None existing; one proposed to east elevation of site (accessed from north east of site)
No of car parking spaces	Existing – 0 Proposed – 1

## Representations

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 4 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
Impact on existing public parking and access	10, 22-24
Loss of Tree	25-28

## Consultation responses

6. 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

7. No consultation response was provided to the planning application, however, a conservation officer responded to 16/00569/PREAPP query:
8. The proposals are to create a parking space within the front garden area. There are other examples of car parking within front garden areas. There is a balance to be had between creating the parking space and also retaining the historic character of the area. The orientation of the space has been indicated to the frontage on Woburn Street however it would be preferable to have the space fronting onto Ampthill Street.

The picket fencing should be repaired, retain or replaced with a similar suitable boundary treatment. Gates should also be provided. The surfacing should be gravel with membrane or similar 'soft' surfacing.

### **Highways (local)**

9. No objection on highway/transportation grounds. The proposed vehicle crossover is adjacent to a very quiet junction with very little traffic, it is an unclassified road. The gates must not open out onto the highway, and the surface materials must be permeable.

### **Tree protection officer**

10. Tree protection officer presenting TPO parallel to this application – to be decided in conjunction with this application.

## **Assessment of planning considerations**

### **Relevant development plan policies**

11. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS6 Access and transportation
  - JCS7 Supporting communities
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
12. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
  - DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM3 Delivering high quality design
  - DM5 Planning effectively for flood resilience
  - DM6 Protecting and enhancing the natural environment
  - DM7 Trees and development
  - DM9 Safeguarding Norwich's heritage
  - DM30 Access and highway safety
  - DM32 Encouraging car free and low car housing
  - DM33 Planning obligations and development viability

### **Other material considerations**

13. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF0 Achieving sustainable development
  - NPPF1 Building a strong, competitive economy
  - NPPF2 Ensuring the vitality of town centres
  - NPPF4 Promoting sustainable transport
  - NPPF7 Requiring good design
  - NPPF11 Conserving and enhancing the natural environment

- NPPF12 Conserving and enhancing the historic environment
- NPPF13 Facilitating the sustainable use of minerals

## **Case Assessment**

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

15.

### **Main issue 1: Design and Heritage**

16. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
17. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 128-141.
18. The proposal is to provide a car parking space within the curtilage of the subject property to the east of the site facing Woburn Street, accessed from the North eastern corner of the site. This would involve the removal of soft landscaping to be replaced with porous gravel surface, the access would require amendment to the existing fence at this location to provide inward opening gates in a style in keeping with the existing boundary treatment. Detail of these has not been supplied and would be required to be reserved by condition. The proposed boundary fence would be retained and amended as required to match existing.
19. The conservation officer provided comments at pre application stage, the advised materials and design approach has been acknowledged by the applicant. The public benefit, in terms of provision of improved car parking could be considered to outweigh the less than substantial harm to the locally listed building and the conservation area. The primary concern of this application is whether the loss of the TPO Crab Apple tree is considered to be of less than substantial harm which is not outweighed by the public benefit.

### **Main issue 2: Transport**

20. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
21. There proposed development is considered acceptable in terms of Highways as can be seen from the consultation response from the Transportation officer's consultation response. A permeable surface has been specified. Inward opening gates have been specified.
22. Concerns have been raised regarding loss of public parking spaces and impact on the access alley to the West of the site; the proposed development does not impact the provision of existing on street parking provision. The proposed development does not impact the access alley to the West of the site.

### **Main issue 3: Trees**

23. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
24. This application requires the loss of an existing mature crab apple tree which is subject of TPO 505 (presented alongside this application). The proposals laid out in this application are not possible if TPO 505 is upheld.
25. The loss of the crab apple tree has been raised as an issue in a letter of objection received, it is considered to be an important contributing factor to the street scene and the biodiversity/natural environment of the location. Removal of the tree would therefore be contrary to policy DM7 and would represent a reason for refusal of the application.
26. If this application were to be considered for approval a condition requiring mitigatory replacement tree planting could be considered.

### **Other matters**

27. 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**

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**

For the reason outlined above and in the reason for refusal below the development is not considered to be acceptable.

### **Recommendation**

To refuse application no. 16/00924/F - 3 Ampthill Street Norwich NR2 2RG ; for the following reasons:

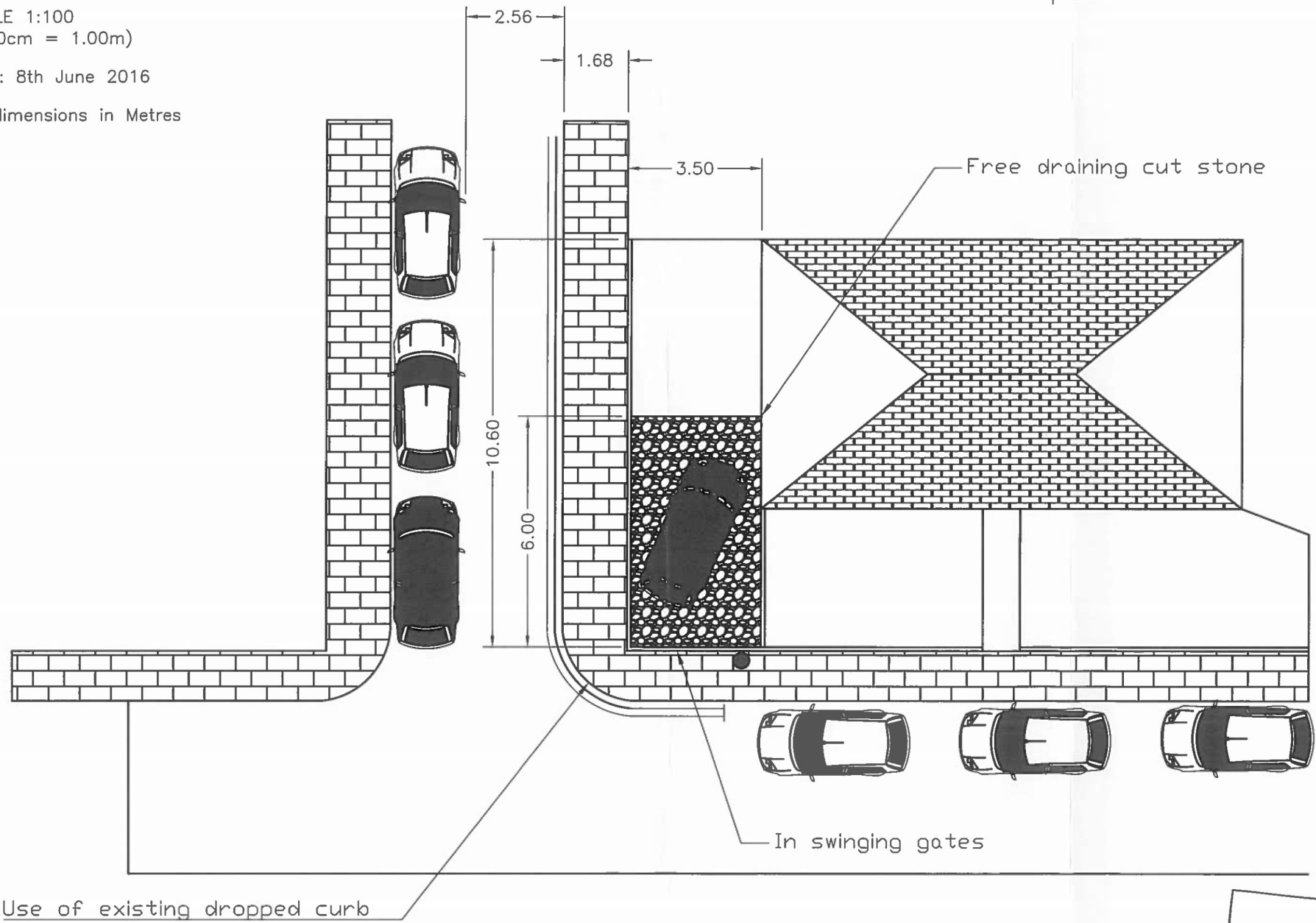
The scheme would require the removal a crab apple tree TPO 505 which currently contributes to the visual amenity of the immediate area. The scheme is therefore contrary to policy DM7 of the Norwich Development Management Policies Local Plan (adopted 2014) and the objectives of the National Planning Policy Framework.

# Plan View of Proposed Site

SCALE 1:100  
(1.00cm = 1.00m)

Date: 8th June 2016

All dimensions in Metres







**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Tree Preservation Order [TPO], 2016. City of Norwich Number 505; 3 Ampthill Street, Norwich, NR2 2RG

5(P)

**Reason for referral** Representations for and objections to confirmation of tree preservation order 505

<b>Ward:</b>	Town Close
<b>Case officer</b>	Stephen Hayden – tree consultant for Norwich City Council tel: 07850 167400

Proposal		
To confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 505; 3 Ampthill St, Norwich, NR2 2RG without modifications		
Representations		
Object	Comment	Support
1		0

Main issues:	Key considerations:
1 Amenity	Impact on visual amenity of site and surrounding area
2 Climate change	Trees increase resilience to climate change and contribute to mitigate against flash flooding.
3 Air quality	Trees improve air quality
4 Biodiversity & wildlife	Trees aid biodiversity and wildlife
TPO Expiry date	31 November 2016
<b>Recommendation</b>	Confirm TPO 505 without modifications



**PLANNING SERVICES**

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

Date : 23/05/2016

Scale : 1:500

Drawn by : SRB



## Introduction

1. The mature crab apple tree is situated in the garden of 3 Ampthill St, at the junction of Woburn Street. A healthy specimen with high amenity value, a key landscape feature in the immediate area.
2. The location of the tree is shown on the attached plan.
3. The tree is owned by 3 Ampthill St.
4. Tree Preservation Order No 505 was served on the tree on the 31<sup>st</sup> May 2016.

## The site, surroundings and content

5. The tree is a medium sized, mature specimen. Located at the junction of Ampthill St and Woburn St, its visual presence contributing to the attractive nature of the immediate vicinity. Its retention, particularly in the absence of much larger trees, is seen as highly desirable in order to preserve the character of the area.
6. A conservation area notification was received on 22 April 2016, informing Norwich City Council of the intention to remove the tree. The tree was then inspected by the acting Tree Protection Officer.
7. The Council's tree consultant assessed the tree using the Tree Evaluation Method for Preservation Orders (TEMPO). The assessment has the following classifications:

<b>TEMPO score:</b>	<b>TEMPO Decision guide</b>
0 - 11	Does not merit a TPO
12 -15	TPO defensible
16 - 25	Merits a TPO

The assessment resulted in a score of 15 for T1, crab apple tree, which indicated that a Tree Preservation Order was defensible.

8. Tree Preservation Order [TPO], 2016. City of Norwich Number 505; 3 Ampthill St, Norwich, NR2 2RG. The Order was provisionally in effect for 6 months from the date on which it was served, 31<sup>st</sup> May 2016.

## Representations

9. Notice of the Order was served on the owners of the property and neighbouring properties. In response 1 letter of representation has been received objecting to the Order. Full details of this letter are available on request. The issues raised and the Tree Consultants response are summarised below:

Representation	Response
The owner wishes to remove the tree, and use the space for off street parking.	Although parking may be problematic in this area, the tree is a well-established, healthy specimen, and it is the view of the officer that this is an unacceptable reason to remove the tree.
The tree is a nuisance, its proximity to the house means that it requires constant pruning.	The tree is a mature specimen, with limited growth potential. Pruning to achieve and maintain an acceptable size and shape would only be required on an occasional basis, eg. every 2-3 years. A TPO would not prevent this pruning.
Fruit fall is unsightly and poses a threat to users of the public footpath.	<p>The dropping of fruit 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.</p> <p>Pruning the tree, as detailed in paragraph 6.2, would reduce the amount of fruit fall, in addition, Norwich City Council would be willing to work with the owner of the tree in this respect, and look into the possibility of providing extra street cleaning services, at the appropriate time, if the fruit fall is deemed a hazard.</p>

## Main issues

### Issue 1

10. The loss of a mature tree in good condition with high visual amenity would have a detrimental impact on the visual amenity of the site and surrounding area.

## **Issue 2**

11. The loss of this tree would also contribute to the impacts of climate change. Through photosynthesis trees naturally absorb CO<sub>2</sub> 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.

Amphill Street is located adjacent to the Nelson and Town Close Critical Drainage Area. Tree canopies are proven to slow rates of precipitation and increase infiltration. Every tree within the critical drainage area contributes to slow flash flooding.

## **Issue 3**

12. The tree has a positive effect on air quality by cutting levels of airborne particulates and removing air pollutants.

## **Issue 4**

13. The tree enhances biodiversity by providing habitats for a variety of species and thereby contributing to providing a healthy food chain that is of benefit to birds and mammals.

## **Conclusion**

The tree is a mature specimen, in good condition. It is a key landscape feature, in-keeping with the surrounding area. The Objection to the Order has been taken note of, and whilst officers appreciate the issues raised, it is their opinion that the tree in question not only makes a positive environmental contribution, but its significant amenity value, and remaining life expectancy, validates its continued protection by the confirming of the Tree Preservation Order.

## **Recommendation**

To confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 505; 3 Amphill Street, Norwich, NR2 2RG 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 505, 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 505, 3 Amptill Street Norwich NR2 2RG

**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 31<sup>st</sup> day of May  
two thousand and sixteen.

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



                    A. B. V.                    

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.	Crab Apple tree	3 Ampthill Street, in the North-eastern corner of the garden Grid ref – 622200 : 308267

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		



**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 505****ADDRESS: 3 Amphill Street Norwich NR2 2RG**

**THIS IS A FORMAL NOTICE** to let you know that on **31 May 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 *in response to a notification of intention of proposed works which will undermine the visual amenity of the area and future viability of the tree*

[The Order took effect, on a provisional basis, on **31 May 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 **30 June 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** or you can email: **planning@norwich.gov.uk** 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) email: planning@norwich.gov.uk**

DATED this **31 May 2016**.

Signed



Stephen Hayden  
Acting Tree Protection Officer  
On behalf of Norwich City Council, City Hall, Norwich, NR2 1NH

**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: 26/4/14	Surveyor: SH
<b>Tree details</b> TPO Ref (if applicable): Owner (if known):	
Tree/Group No: T1	Species: Crab Apple
Location:	

### 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

Good condition - No P.D.

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

Mature tree

2

##### 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 some visibility 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                    | Score & Notes<br>1 |
| 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 | Score & Notes<br>5 |
| 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:

15

SH 26/4

#### Decision:

No TPO -



**Report to** Planning applications committee

**Item**

8 September 2016

**Report of** Head of planning services

**Subject** Tree Preservation Order [TPO], 2016. City of Norwich Number 506; 166a St Clements Hill, Norwich, NR3 4DG

5(Q)

**Reason for referral** Representations for and objections to confirmation of tree preservation order 506

<b>Ward:</b>	Catton Grove
<b>Case officer</b>	Stephen Hayden – tree consultant for Norwich City Council tel: 07850 167400

Proposal		
To confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 506; 166a St. Clements Hill, Norwich, NR3 4DG without modifications		
Representations		
Object	Comment	Support
1		0

Main issues:	Key considerations:
1 Amenity	Impact on visual amenity of site and surrounding area
2 Climate change	Trees increase resilience to climate change
3 Air quality	Trees improve air quality
4 Biodiversity & wildlife	Trees aid biodiversity and wildlife
TPO Expiry date	20 <sup>th</sup> November 2016
<b>Recommendation</b>	Confirm TPO 506 without modifications



Location : 166a St Clements Hill, Norwich NR3 4DG



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

Drawn by : NLD



## Introduction

1. The mature Copper beech tree is situated in the north east corner of the garden of 166a St. Clements Hill, adjacent to the entrance of the driveway into 168 St. Clements Hill. It forms part of a well-established wider group of large trees, and is a significant landscape feature, along this section of St Clements Hill.
2. The location of the tree is shown on the attached plan.
3. The tree is owned by 166a St. Clements Hill.
4. Tree Preservation Order No 506 was served on the tree on the 20<sup>th</sup> May 2016.

## The site, surroundings and content

5. The tree is one of several mature beech trees in the immediate area, contributing to the attractive nature of this section of St Clements Hill. Its retention is seen as highly desirable in order to preserve the character of the area.
6. A request to place a TPO on the tree was received by NCC, highlighting the possibility of an intention to remove the tree, by the owners of 168 St Clements Hill, due to encroaching roots. The tree was then inspected by the acting Tree Protection Officer.
7. The Council's tree consultant assessed the tree using the Tree Evaluation Method for Preservation Orders (TEMPO). The assessment has the following classifications:

TEMPO score:	TEMPO Decision guide
0 - 11	Does not merit a TPO
12 -15	TPO defensible
16 - 25	Merits a TPO

The assessment resulted in a score of 23 for T1, copper beech tree, which indicated that tree definitely merited a Tree Preservation Order.

8. Tree Preservation Order [TPO], 2016. City of Norwich Number 506; 166a St Clemets Hill, Norwich, NR3 4DG. The Order was provisionally in effect for 6 months from the date on which it was served, 20<sup>th</sup> May 2016.

## Representations

9. Notice of the Order was served on the owners of the property and neighbouring properties. In response 1 letter of representation has been received objecting to the Order. Full details of this letter are available on request. The issues raised and the Tree Consultants response are summarised below:

Representation	Response
<p>The tree restricts access to 168 St Clements Hill, leading to safety issues for users of the highway.</p>	<p>Access to 168, although not 'generous', is adequate (approximately 2 feet clearance for cars, less for vans).</p> <p>The tree is a mature specimen, which has been in-situ for many years, highly visible to users of the driveway, and should not present any unforeseen difficulties for drivers using due care.</p> <p>St. Clements Hill has a speed limit of 20mph, and is considered a quiet road in terms of traffic volume. Therefore, even if a vehicle fails to negotiate turning into the driveway at the first attempt, it is not considered a hazard.</p>
<p>Damage to boundary wall of 166a St. Clements Hill</p>	<p>This is the responsibility of the owners of the wall, 166a St. Clements Hill. Repairs to (or replacement of) the wall can be achieved without removing the tree.</p>
<p>The removal of the tree will not affect the immediate landscape, as there are 8 other substantial copper beech trees in the vicinity.</p>	<p>This is a prominent tree, with high amenity value. A principal component of the landscape in this vicinity, its removal would be to the detriment of the area.</p>

## Main issues

### Issue 1

10. The loss of a mature copper beech tree in good condition with high visual amenity would have a detrimental impact on the visual amenity of the site and surrounding area.

### Issue 2

11. The loss of this tree would also contribute to the impacts of climate change. Through photosynthesis trees naturally absorb CO<sub>2</sub> 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**

12. The tree has a positive effect on air quality by cutting levels of airborne particulates and removing air pollutants.

### **Issue 4**

13. The tree enhances biodiversity by providing habitats for a variety of species and thereby contributing to providing a healthy food chain that is of benefit to birds and mammals.

The tree is located on a “green link”, as identified in the Greater Norwich Development Partnership Green Infrastructure Delivery Plan; Chris Blandford Associates, 2009. Green links integrate and link green spaces and are critical to wider habitat management.

Green links can be described as “The multi-functional network of ‘greenspaces’ and inter-connecting green corridors in urban areas, the countryside in and around towns and rural settlements, and in the wider countryside”

## **Conclusion**

The tree is a mature specimen, in good condition. The root system is encroaching into the driveway of 168 St. Clements Hill, but not to the degree that is preventing access. Due to the tree’s age, any future root growth, and increase in size, will be minimal, therefore it is the officers opinion that any further encroachment will be negligible. The Objection to the Order has been taken note of and whilst officers appreciate the concerns raised, it is their opinion that the tree in question not only makes a positive environmental contribution, but it’s significant amenity value, and remaining life expectancy, validates its continued protection by the confirming of the Tree Preservation Order.

## **Recommendation**

To confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 506;166a St. Clements Hill, NR3 4DG without modifications

THE CITY COUNCIL OF NORWICH

FORM OF TREE PRESERVATION ORDER

TOWN AND COUNTRY PLANNING ACT 1990

THE CITY OF NORWICH TREE PRESERVATION ORDER NUMBER 506, 2015

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, 2015  
City of Norwich Number 506 , 166A St Clements Hill, Norwich, NR3 4DG

**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 twentieth day of May  
two thousand and sixteen.

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



*AN BH*

.....  
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.	Copper beech	In the front garden of 166a St Clements Hill, Norwich, NR3 4DG

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		

**IMPORTANT – THIS COMMUNICATION MAY AFFECT YOUR PROPERTY  
TOWN AND COUNTRY PLANNING ACT 1990**

**The Town and Country Planning (Tree Preservation)(England) Regulations 2012**

**TREE PRESERVATION ORDER 2015**

**THE CITY COUNCIL OF NORWICH NUMBER 506**

**ADDRESS:** 166a St Clements Hill, Norwich, NR3 4DG

**THIS IS A FORMAL NOTICE** to let you know that on **20<sup>th</sup> May 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 prevent the removal of the tree which contributes to the local landscape amenity of the area*

[The Order took effect, on a provisional basis, on **20<sup>th</sup> May 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 **17<sup>th</sup> June 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 **20th May 2016**.

Signed



Stephen Hayden  
Acting Tree Protection Officer  
On behalf of Norwich City Council, City Hall, Norwich, NR2 1NH

**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: 19/5/16	Surveyor: SH
Tree details	
TPO Ref (if applicable):	Tree/Group No: T1
Owner (if known):	Species: Copper Beech
	Location:

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

### Part 1: Amenity assessment

#### a) Condition & suitability for TPO

<p><u>5/5 Good</u></p> <p>3) Fair/satisfactory</p> <p>1) Poor</p> <p>0) Dead/dying/dangerous*</p> <p>* Relates to existing context and is intended to apply to severe irremediable defects only</p>	<p>Highly suitable</p> <p>Suitable</p> <p>Unlikely to be suitable</p> <p>Unsuitable</p>	<p>Score &amp; Notes</p> <p>Mature Beech good condition 4</p>
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#### b) Retention span (in years) & suitability for TPO

<p>5) 100+ Highly suitable</p> <p><u>4) 40-100 Very suitable</u></p> <p>2) 20-40 Suitable</p> <p>1) 10-20 Just suitable</p> <p>0) &lt;10* Unsuitable</p> <p>*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</p>	<p>Score &amp; Notes</p> <p>Mature tree good size 4</p>
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#### c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

<p><u>5) Very large trees with some visibility or prominent large trees</u></p> <p>4) Large trees, or medium trees clearly visible to the public</p> <p>3) Medium trees, or large trees with limited view only</p> <p>2) Young, small, or medium/large trees visible only with difficulty</p> <p>1) Trees not visible to the public, regardless of size</p>	<p>Highly suitable</p> <p>Suitable</p> <p>Suitable</p> <p>Barely suitable</p> <p>Probably unsuitable</p>	<p>Score &amp; Notes</p> <p>Key landscape 5</p> <p>Back on road</p> <p>Between</p>
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#### d) Other factors

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

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

Trees must have accrued 10 or more points to qualify

<p>5) Immediate threat to tree inc. s.211 Notice</p> <p>3) Foreseeable threat to tree</p> <p>2) Perceived threat to tree</p> <p>1) Precautionary only</p>	<p>Score &amp; Notes</p> <p>Elm considered? 5</p>
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### Part 3: Decision guide

<p>Any 0 Do not apply TPO</p> <p>1-6 TPO indefensible</p> <p>7-11 Does not merit TPO</p> <p>12-15 TPO defensible</p> <p>16+ Definitely merits TPO</p>	<p>Add Scores for Total:</p> <p>23</p>	<p>Decision:</p> <p>TPO</p> <p>AMAP</p>
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