

Report for Resolution

Report to Planning Applications Committee
Date 20 January 2011
Report of Head of Planning Services
Subject 10/01929/MA 17 Old Grove Court Norwich NR3 3NL

Item
6(7)

SUMMARY

Description:	Amendments to condition 2 involving: 1) re-grading of land, which would result in an increase in height of the building; 2) changes to the north, east and west elevations; 3) introduction of further soft landscaping areas adjacent to the east and west elevations of the building; of previous permission 10/00795/F 'Demolition of existing building to provide a development of 4 No. one bedroom flats and 6 No. two bedroom flats with associated open space, landscaping and parking'.
Reason for consideration at Committee:	Objection
Recommendation:	Approve subject to conditions
Ward:	Catton Grove
Contact Officer:	Mrs Caroline Dodden Planner 01603 212503
Valid date:	24th November 2010
Applicant:	Broadland Housing Association
Agent:	Ingleton Wood

INTRODUCTION

The Site

Location and Content

1. The application site is located in Catton Grove between Lilburne Avenue and Old Grove Court. The site is currently occupied by a detached two storey dwelling within a reasonably large curtilage. The western boundary fronts Lilburne Avenue and is marked by hedging and a large pine tree. The northern boundary borders with the curtilage of flats at 55-71 Lilburn Avenue and this boundary is also fairly densely planted with trees and hedging. To the east are properties on Old Grove Court. Properties to the south on Attoe Walk form part of a newer housing development permitted in March 2006.

Constraints

2. The site slopes sharply towards its eastern and southern boundaries with approximately a 3m height difference between the west and east of the site. The western boundary fronts Lilburne Avenue and is marked by hedging and a large pine tree. A large beach tree is located to the south of the site within the curtilage of 21 Attoe Walk. Both trees have Tree Preservation Orders. A neighbour has also reported that there is a fox resident on the site.

Planning History

3. Permission was granted under planning application 05/00840/F for the redevelopment of the adjacent site to the south for 24 new dwellings with associated access and parking.

10/00795/F - Demolition of existing building to provide a development of 4 No. one bedroom flats and 6 No. two bedroom flats with associated open space, landscaping and parking. Approved 06/08/2010.

Equality and Diversity Issues

4. There are no significant equality or diversity issues.

The Proposal

5. Amendments to condition 2 involving: 1) re-grading of land, which would result in an increase in height of the building; 2) changes to the north, east and west elevations; 3) introduction of further soft landscaping areas adjacent to the east and west elevations of the building of previous permission 10/00795/F 'Demolition of existing building to provide a development of 4 No. one bedroom flats and 6 No. two bedroom flats with associated open space, landscaping and parking'.

Representations Received

6. Advertised on site and 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.

Issues Raised	Response
Concern that increase in height will cause loss of privacy to dwelling.	Paragraph 11
Parking/ manoeuvring of service vehicles on Lilburne Avenue is a concern with existing residents.	Paragraph 8, 18
There is a resident fox on the site	Paragraph 17
Unfortunate that re-grading of land will entail an increase in height of the building.	Paragraph 11
Landscaping proposals are potentially most commendable	Paragraph 16

Consultation Responses

7. Tree Protection Officer – There are no further arboricultural implications than those applicable to the permitted plans and for which conditions apply.
8. Transportation – No objection. The amendments do not materially affect the transport implications of the project.
9. Natural Areas Officer – The presence of a fox on the site should not be much of an issue provided the developer takes a few simple precautions. Fox earths do not have legal protection, however, foxes are protected against deliberate or negligent cruelty under the Wild Mammals Protection Act 1996, which might apply to a fox killed or injured in its earth by construction activity. Often an increase in human activity on a site is enough to persuade a fox to quit.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 – Delivering Sustainable Development;
PPS3 – Housing
PPS9 – Biodiversity and Geological Conservation
PPG13 – Transport

Relevant Local Plan Policies

NE3 – Tree Protection
NE9 – Landscaping
HBE12 – High Quality of Design
HBE19 – Design for Safety and Security including Minimising Crime
EP16 – Water Conservation
EP18 – Energy Efficiency
EP22 – Amenity
HOU13 – New Housing on Other Sites
TRA5 – Approach to Design for Vehicle Movement and Special Needs
TRA6 – Car Parking Standards
TRA7 – Cycle Parking Standards
TRA8 – Servicing Provision
TRA11 – Contributions for Transport Improvements in the Wider Area

Supplementary Planning Documents and Guidance

Trees and Development
Transport Contributions
Energy Efficiency

Principle of Development

Policy Considerations

10. The principle of a residential development for 10 flats on the site under Saved Local Plan Policy HOU13 was agreed as part of the planning consent granted at the Planning Applications Committee on 29 July 2010. This application seeks to make specific material amendments to this planning consent. These amendments are listed and assessed separately below.

Re-grading of land resulting in a height increase of the building

11. As identified in paragraph 2 above regarding Constraints, the site has significant changes in levels across the site. Re-grading the levels as proposed would mean that the building would increase in height by approximately 200mm from that approved. The re-grading would negate the need for a retaining wall between the building and the amenity space and along part of the southern boundary.
12. It is considered that re-grading the land would create a more useable amenity space on the east side of the building. The resulting increase in height of the building is considered to be minimal in relation to its overall impact on the surrounding properties and, in particular, would not cause a significant increase in overlooking.

Changes to the north, east and west elevations of the building

13. Due to a discrepancy on the approved drawings between the floor plans and northern elevation, the amendments submitted would regularise the situation by having two bedroom windows on each of the ground and first floors and omits a second floor bathroom window. These alterations are considered to be acceptable in design terms and would not cause any loss of amenity to the flats to the north of the site.
14. Proposed amendments to the eastern elevation relate to the reduction in depth of the building for the northern communal circulation section of the ground and first floor levels and that both communal corridors would now lead onto external staircases on the east side of the building. These amendments are acceptable in design terms and would not have any detrimental impact on neighbouring properties.
15. Revised amendments to the west elevation of the building relate to the removal of a number of Juliet balconies, changing some windows to single glazed doors with Juliet balconies and changing other window sizes and designs. Overall, the revised elevation is considered to be acceptable in design terms and would not be detrimental to the residential amenities of the neighbouring properties by way of overlooking as a result.

Landscaping

16. In addition to the soft landscaping areas previously approved, further soft landscaping areas are proposed to the east and west elevations. In particular, the east side of the building would benefit from three planting areas, all of which had been shown as hard landscaping on the approved drawings.

Wildlife

17. Based on advice from the Council's Natural Areas Officer (see paragraph 9), it is considered that a fox being present on the site would not be grounds to refuse the planning application. If Members are minded to approve the proposal, an Informative would be placed on the planning consent, which would advise the Applicant of the necessary steps to take if a fox's earth is currently occupied on the site.

Transport Assessment

18. The proposed amendments would have no material impact on the vehicular access and parking arrangements of the scheme. As the proposal seeks to redevelop the site for 10 units a condition relating to a transport contribution would still be required.

Impact on Trees

19. There would be no arboricultural implications over and above those applicable on the approved scheme and it suggested that the conditions imposed on the previous approval would still be relevant and should be re-imposed.

Conclusions

20. The amendments to the approved scheme for 10 flats are considered to be acceptable, accord with the national guidance and local policies listed in the report and represent an acceptable alternative form of development to that recently approved on the site.

RECOMMENDATIONS

To approve Application 10/01929/MA and grant planning permission subject to the following conditions:-

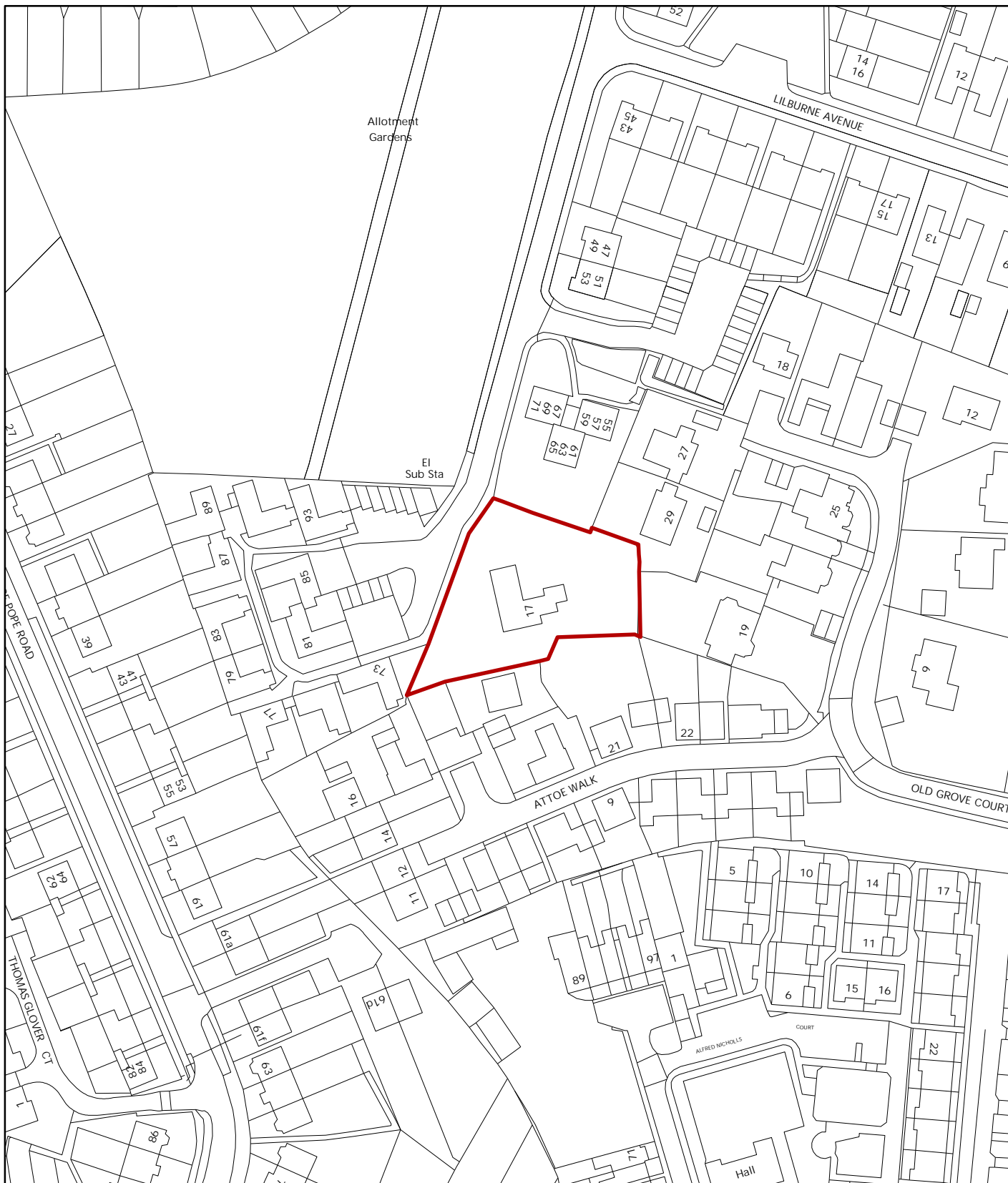
- 1) Commencement of development within 3 years;
- 2) Development to be carried out in accordance with plans and statements submitted;
- 3) Details of materials;
- 4) Windows on southern-most gable to be obscure glazing;
- 5) Soft and hard landscaping details, specifically to include detailed proposals for planting along the eastern boundary;
- 6) Bin and cycle stores to be provided prior to first occupation;
- 7) Development to be carried out in full accordance with the arboricultural implications assessment (AIA) and further details to be submitted;
- 8) A scheme for the mitigation of the transport impact of the development.

Informative:

- 1) Construction working – hours of operation
- 2) Possible presence of fox on site should be taken into account during construction and work on site should be avoided during the season for raising young (Feb-June) if female fox is present (Wild Mammals Protection Act 1996).

Reasons for Approval:

The decision has been made with particular regard to saved policies NE3, NE9, HBE12, HBE19, EP16, EP22, HOU13, TRA5, TRA6, TRA7, TRA8 and TRA11 of the City of Norwich Replacement Local Plan, Adopted Version November 2004 and the objectives of PPS1, PPS3 PPS9 and PPG13. The amendments to the proposed residential scheme are consistent with the objectives of HOU13 and will provide for the efficient use of the site for residential development. Subject to conditions, it is considered that the proposal would not have a negative impact on the general character of the area or have a significant detrimental impact on neighbour amenity.



© Crown Copyright 2011 All rights reserved. Licence No. 100019747

Planning Application No - 10/01929/MA
 Site Address - 17 Old Grove Court, Norwich
 Scale - 1:1,250

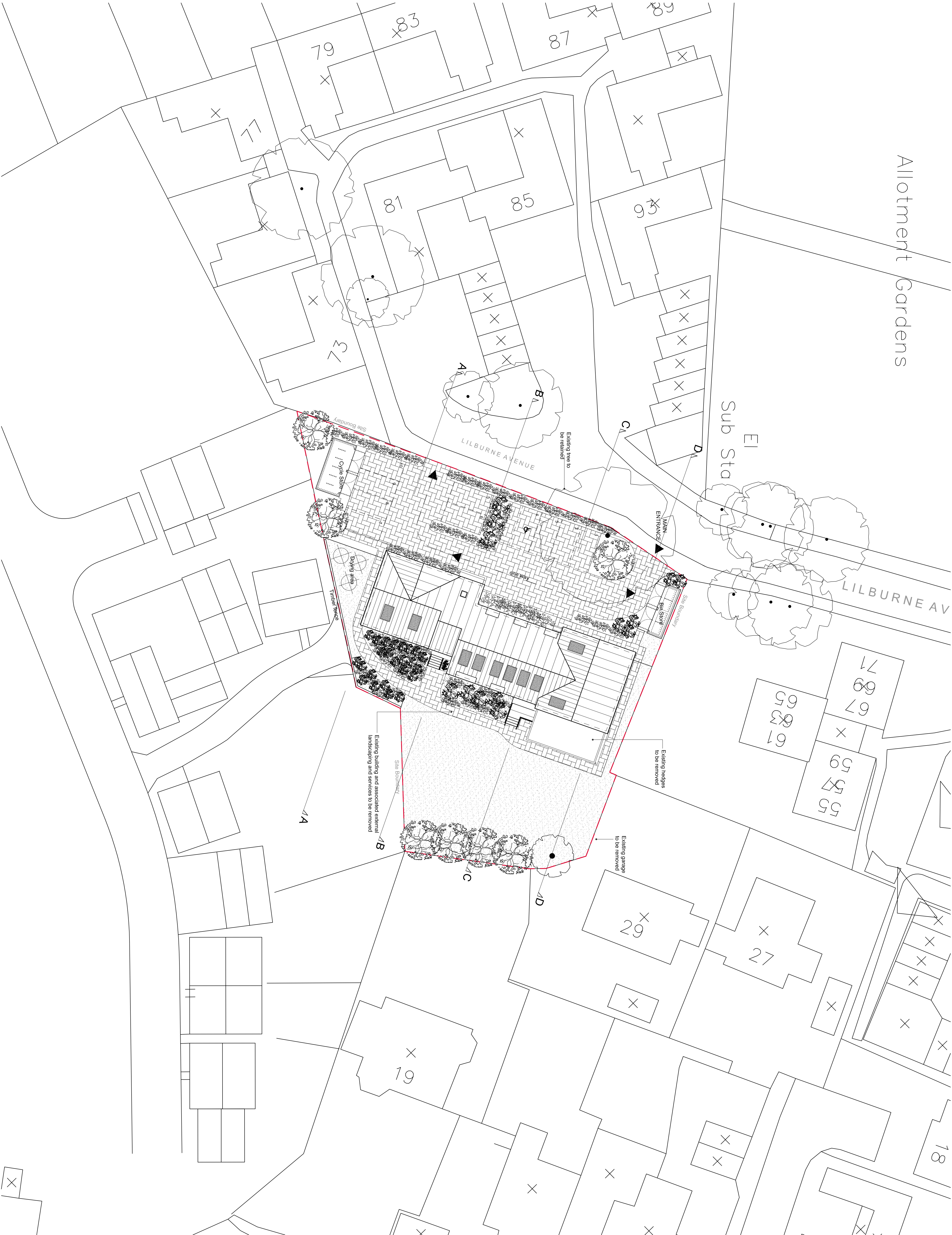


NORWICH
 City Council

PLANNING SERVICES



Allotment Gardens



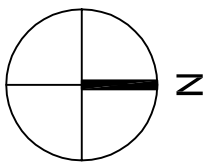
All drawings to be verified on site by Nilsa Corcoran before the start of any ground works or work to be carried out by the contractor. Report any discrepancies to the Contract Administrator at once. This drawing is to be used with all relevant Architects and Engineer's drawings and specifications. © Ingleton Wood LLP

LEGEND: DO NOT SCALE

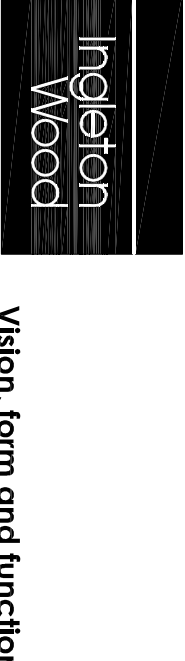
SCHEDULE OF ACCOMMODATION

4 no. 1 bed 2 person flats	48 m ²
3 no. 2bed 3 person flats	58 m ²
2 no. 2bed 3 person flats	63 m ²
1 no. 2bed 4 person flat	68 m ²
10 no. flats	

Site Area = 0.14 Ha
Dwellings/Hectare = 71 d/ha



J	26.08.10	General arrangements, section lines added	TB	JCG
H	14.04.10	Issued for pricing, A1 added to new garden	JCG	
G	22.03.04	Slipway panels added	JCG	
F	18.03.10	Issued for Client Comment	JCG	
E	02.03.10	Amended to client comments	JCG	
D	06.01.10	Road configuration amended	JM	JPD
C	06.11.09	Issued to planning for comment	JCG	
B	28.10.09	Issues for comments	JCG	
A	14.09.09	Issues for comments	AAH	JEE
-	18.09.09	Issues for comments	DAK	JEE
Revision:	Date:	Description:	Dwn:	CHK:



Vision, form and function

Billericoy
Colchester
London
Norwich
Peterborough

Norwich
43 A1 Square
Norwich NR1 3LY
T: 01603 66666
F: 01603 66668
www.ingletonwood.co.uk

Project: Lilburne Avenue
Catton
Norwich

General Arrangement

Client: Broadland Housing Association

Drawn:	Checked:	Date:	Scale:	Page:
TB	JCG	26.08.10	1:200	A1

Job No.:	Draw No.:	Stage:	Revision:
30768	102	Issued for pricing	J