

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

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

5(O)

Ward:	Town Close
Case officer	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)
Expiry date	19 August 2016
Recommendation	Refuse



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Planning Application No 16/00924/F

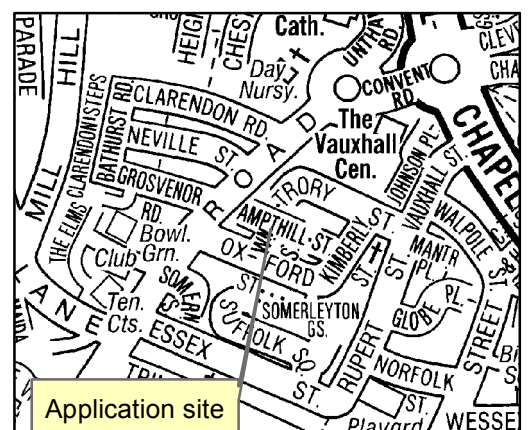
Site Address 3 Ampt Hill Street

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



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 19th 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
Scale	
Total no. of dwellings	N/A (Proposed Car parking space within the curtilage of existing dwelling)
Max. dimensions	3.50x6.0m car parking space
Appearance	
Materials	Existing: Boundary Treatments – Paling fence. ‘Vehicle Access’ – lawn and shrubs (including TPO 505 crab apple tree)

Proposal	Key facts
	Proposed: Boundary Treatments – Paling fence to match existing including inward opening gates. 'Vehicle Access' – porous membrane with a gravel topping
Transport matters	
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:

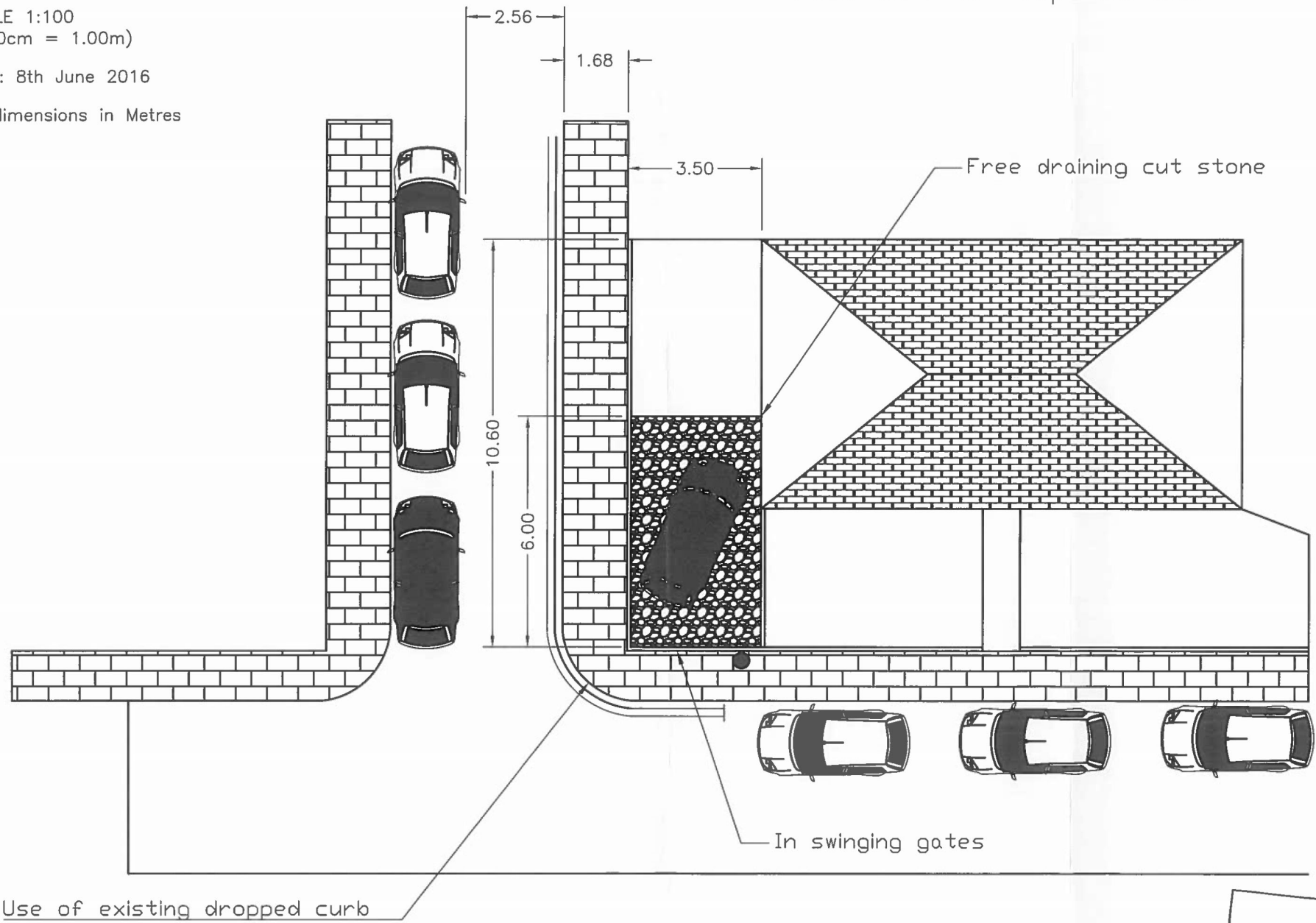
The scheme would require the removal a crab apple tree TPO 505 which currently contributes to the visual amenity of the immediate area. The scheme is therefore contrary to policy DM7 of the Norwich Development Management Policies Local Plan (adopted 2014) and the objectives of the National Planning Policy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

Plan View of Proposed Site

SCALE 1:100
(1.00cm = 1.00m)

Date: 8th June 2016

All dimensions in Metres



16 JUN 2016
Planning Services