



NORWICH City Council

Committee name: Planning applications

Committee date: 21/03/2024

Report title: Application no 22/01417/F – End House, Church Avenue East

Report from: Head of planning and regulatory services

OPEN PUBLIC ITEM

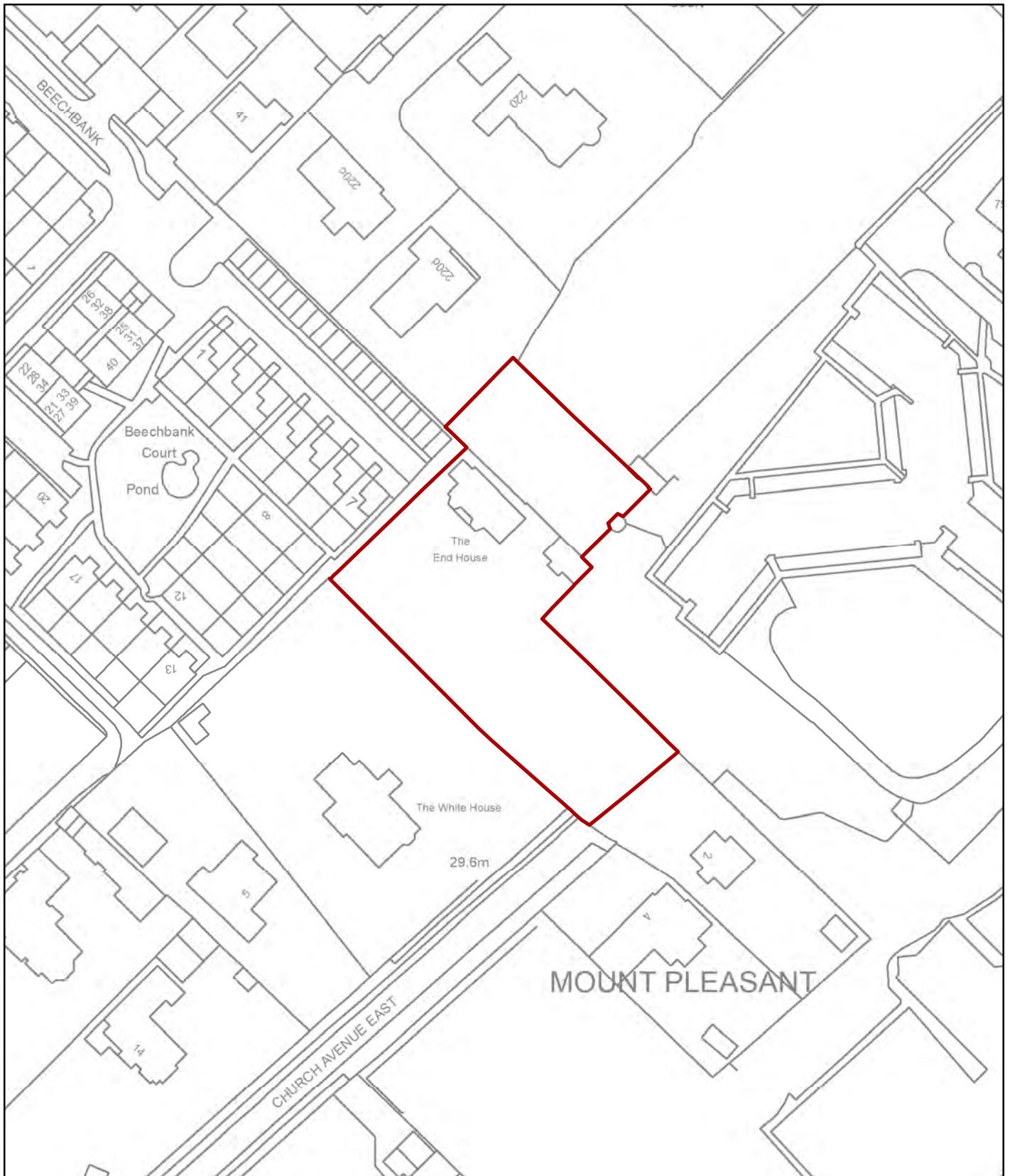
Purpose:

To determine:

Application no:	22/01417/F
Site Address:	End House, Church Avenue East, Norwich
Decision due by:	29/03/2024
Proposal:	Demolition of existing house and construction of replacement house and stand-alone garage (revised proposal).
Key considerations:	Principle of replacement dwelling; Design; Heritage; Amenity; Trees; Transportation; Flood risk; Biodiversity
Ward:	Eaton
Case Officer:	Maria Hammond
Applicant/agent:	Mr Mike Page/Crispin Lambert, LBR Architecture Ltd.
Reason at Committee:	Objections

Recommendation:

It is recommended to approve the application for the reasons given in the report and subject to the planning conditions set out in paragraph 126 of this report, and grant planning permission.



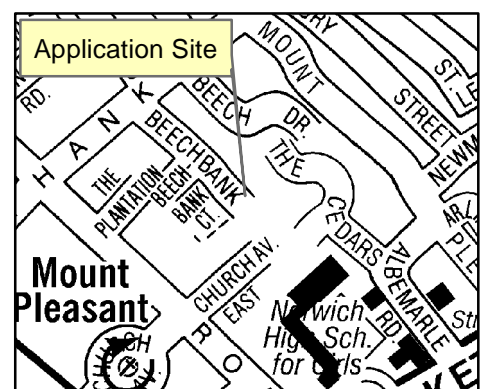
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Planning Application No 22/01417/F
 Site Address End House, Church Avenue East

Scale 1:1,000



NORWICH
 City Council
 PLANNING SERVICES



The site and surroundings

1. End House is a detached two storey dwelling in a generous plot. It is located at the northeastern end of Church Avenue East, a private road off Christchurch Road.
2. The dwelling dates from the early nineteenth century and originally formed a pair of semi-detached cottages for workers employed in horticulture at a nearby estate. The cottages were amalgamated into a single dwelling and extended at each side in the twentieth century. The original part of the building has painted brick under a pantile roof with two bay windows to the front. The twentieth century extensions at each end are in buff brick with some waney edge timber boarding.
3. The plot is 'L' shaped with access at the southeastern corner following a driveway around the eastern side to the front of the dwelling which sits at the centre. A red brick former forcing house now used as a garage sits to the southeastern side and to the north there is a large, open garden area enclosed on two sides with brick walls and to the southeastern side by a Victorian flint folly (outside the applicant's ownership). This space was originally a kitchen garden to The Cedars to the northeast and was not in the same ownership or occupation as the cottages until 1978. The area to the front and southeast of the dwelling is largely laid to lawn with areas of garden planting. Within the site there are some trees concentrated to the northwest and southwest and these combine with substantial and mature trees and woodland immediately beyond these boundaries to contribute to a sense of enclosure and seclusion that is characteristic along Church Avenue East.
4. Northeast the garden borders an area of open space that forms part of the Norwich High School for Girls site. Southeast, a small area of woodland borders the site, beyond which is The Cedars sheltered housing complex. Southwest is a substantial detached nineteenth century locally listed white painted dwelling in a large plot and beyond this is a more recent dwelling of similar scale. The opposite side of the road is more mixed, with two dwellings at the northeastern end and a further area of the Norwich High School for Girls site bordering the road.
5. To the northwest the site borders the end of Beechbank. This is a private residential road which, closest to the application site, has a terrace of three storey townhouses facing northeast along the southern side and a row of garages on the opposite side of the road. A substantial ash tree stands within a hedge across the end of the road immediately against a fence boundary to the application site. Beyond the row of garages there are detached dwellings accessed off Unthank Road and the closest one which borders the site also has mature trees close to the boundary.

Constraints

6. The site is within the Newmarket Road Conservation Area, close to the boundary with the Unthank and Christchurch Conservation Area.
7. The application site, by virtue of the evidential and historic value of the original workers cottages, their curtilage and the once separate kitchen garden, is considered to be a non-designated heritage asset. The folly is also.

8. A group of trees outside the site along the northwest boundary are protected by a TPO as is a woodland area to the immediate east.
9. The neighbouring dwelling to the south is locally listed as are the row of dwellings along Christchurch Road either side of the junction with Church Avenue East. There are numerous locally listed and some statutorily listed buildings in the wider area, including Christ Church.
10. The site is in a critical drainage catchment and there are areas of low, medium and high surface water flood risk within the site.

Relevant Planning History

11. The records held by the city council show the following planning history for the site.

Case no	Proposal	Decision	Date
4/1991/0268	Demolition of double garage and erection of new double garage.	APCON	27/06/1991
4/1999/0484	Demolition of garage and erection of new double garage (renewal of 4960435/F).	APPR	29/07/1999
04/00252/O	Erection of one detached dwelling.	APPR	19/04/2004
19/01209/TCA	Oak (T1): Crown lift to 4 metres and reduce one branch where over the garden of End House; Norway Maple (T2): Remove 3 low branches from the trunk to a height of 3 metres; Holly (T3): Fell; Eucalyptus (T4): Fell; Elm (T5): Fell; Oak (T6): Lift to 4m where over the garden of End House; Douglas Fir (T7): Remove dead and hanging branches; Douglas Fir (T8): Fell; Douglas Fir (T9): Fell; Douglas Fir (T10): Fell	NTPOS	12/09/2019
20/00908/F	Demolition of existing dwelling and construction of 2No. dwellings.	WITHDN	27/10/2020
21/01829/F	Demolition of existing dwelling and garage. Construction of 2No. dwellings with 2No. garages.	WITHDN	11/02/2022

The Proposal

12. The application proposes demolishing the existing dwelling and building a replacement in the same area of the site. A detached garage is also proposed.
13. The replacement dwelling would sit on the same axis as the existing. The main body of the two storey dwelling would sit under a gabled roof and to the front two gables would project out an angle facing due south to maximise solar gain. The rear and side walls and roof would be wrapped in a grey metal cladding with white render to the gable ends and red brick and flint to a single storey section that would connect to the existing forcing house which is to be retained and altered for ancillary storage. The upper sections of the two south facing gables would have louvres above large areas of glazing and the cladding would wrap around the edges of these gables.
14. Internally it would provide one ground floor bedroom and four on the first floor. To mitigate flood risk, the finished ground floor level would be 635mm above ground level and there would be some external regrading of levels.
15. The double garage would sit against the southwestern boundary. This would have red brick walls under a metal roof with PV panels across the rear elevation and EV charging inside.
16. The application originally also proposed an additional dwelling within the site. This aspect of the proposal created a net increase in dwellings with additional nutrient pollution. In the absence of any available mitigation to make the development nutrient neutral, the applicant chose to omit that part of the scheme and only propose the replacement dwelling to avoid any further delay in receiving a decision on this. They are aware that any future application for a new dwelling would be considered on its own merits. Members are advised that the potential for such an application in future is not a material consideration in the determination of this application.

Summary of Proposal – Key facts:

17. The key facts of the proposal are summarised in the tables below:

Scale	Key Facts
Total floorspace	314 square metres
No. of storeys	Two storeys
Max. dimensions	24.3 metres in length, 11.8 metres at the deepest point and the highest ridge is 9.44 metres above the average proposed ground level

Appearance	Key Facts
Materials	Grey standing seam metal, white render, red brick, flint and aluminum windows
Energy and resource efficiency measures	Air source heat pump and solar PV panels

Transport Matters	Key Facts
Vehicular access	As existing, altered to allow fire appliance access
No of car parking	Two spaces in proposed garage

spaces	
No of cycle parking spaces	Cycle storage in proposed garage to each dwelling
Servicing arrangements	Bin storage area identified, collection from road as existing

Consultation responses

18. 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.

Representations

19. Adjacent and neighbouring properties have been notified in writing. Representations from six neighbours have been received citing the issues as summarised in the table below:

Issues raised	Response
New building line (height) will be overbearing, dominant and oppressive, strongly object to greatly increased height	See main issue 4
Loss of light	See main issue 4
Obscure views of trees and sky. Drastically change environment. Massive, largely unbroken wall in view from Beechbank.	See main issue 4 concerning outlook
Roof is steeper and higher than it needs to be.	See main issue 2
2.3m higher than existing, a storey height taller. Attic roof space could be converted. Steep pitch.	See main issue 2
Suggestions to reduce roof pitch and height and site elsewhere in plot	The application must be determined as submitted. See main issue 2
Looks like blocky, massive industrial unit. Commercial appearance. Out of keeping in Conservation Area. Inappropriate commercial materials.	See main issues 2 and 3
Submitted image from Beechbank reinforces concerns about dominating and detrimental impact. Image is not a reliable representation, misleading and not acceptable.	See main issues 2 and 3
Absence of detail on choice and distribution of materials, metal cladding could increase dominating effect of house	See main issue 2
Suggest moving house further from Beechbank boundary and reducing height.	The application must be determined as submitted.
Is raised floor level excessively cautious? No flooding previously.	There is an identified risk of surface water flooding within the site. See main issue 7.

Issues raised	Response
Air source heat pump faces neighbouring dwelling's bedrooms	See main issue 4
Concern about noise, vibrations and dust from demolition and construction – appropriate measures should be taken to minimise, monitor and record	See main issue 4
Concerned construction work may damage mature ash tree on Beechbank side of boundary and light to it would be reduced, tree is of significant benefit to Beechbank	See main issue 5
Neighbouring trees missing from plan	The Tree Protection Officer has visited the neighbouring site and is satisfied the protection measures are adequate for all neighbouring trees.
Concreting over larger footprint must have environmental significance on rare wildlife corridor and water supply to protected trees	See main issue 8. This comment was received in response to the original proposal, the revised proposal reduces the footprint of the development.
No assessment of visual impact on Beechbank and absence of heights, contextual elevations, 3D studies, etc.	The application met all the validation requirements and includes all the information required for determination.
Impact on property value	Not a material planning consideration

Statutory and non-statutory consultees

Design and Conservation (Norwich City Council)

20. The issues in this case are the proposals effect upon the character and appearance of the Newmarket Road Conservation Area.
21. The proposed construction of a new family dwelling will see the demolition of the existing family dwelling. Originally constructed in c.1838 as a pair of semi-detached properties that were converted into a single property in c.1931 with later additions in c.1965 and c.1971. The original part of the Building is rendered with the later additions made of yellow brick and timber cladding on the upper section of the gable end.
22. The Building has an interesting history, beginning its life as a pair of cottages for local horticultural workers. To the rear of the Building is a kitchen garden and the remains of a flint folly. Strictly speaking, the folly is not within the boundary of the application, however, the impact of the proposal towards the folly should be assessed. The earliest recorded reference of the Building is the 1884 Town Plan Map, which details the folly and has been assessed as being a non-designated heritage asset. It considered that the proposal does not negatively affect the folly and with the introduction of flint within the materiality of the proposed Building will harmonise the two structures together. It could be interpreted that the two protruding gable ends on the south elevation resemble the appearance of two dwellings which respects the original pair of cottages.

23. It is understood that the existing property is not suitable for the occupants and not viable to refurbish to their required needs. The principle of the development is acceptable; however, the new dwelling needs to be sympathetic to the Conservation Area. The proposal seeks to construct a two-storey dwelling with a single storey element which links the new dwelling to the existing former warming house, which will allow a clear link to past use of the site. The scale and positioning of the new dwelling is relatively similar to the existing dwelling and retains the same axis and orientation.
24. Compared to the previous design (21/01829/F) the current proposal is much more traditional design that is in keeping within the Conservation Area. The proposal exhibits a traditional form, with two prominent extruding gable ends to the south elevation. This feature gives the building a modern feel whilst retaining traditional elements. The result will be an attractive and characterful addition that is of architectural merit which will be an enhancement to the Conservation Area with a modern addition that reflects the surrounding in a sympathetic way.
25. The use of red brick and flint to complement the warming house, garden walls and flint 'folly' is a welcome feature for the proposal. Provided that the materials selected are of the highest quality and contextual, the proposal has the potential to enhance the setting of the Conservation Area. Conditions to include:
- Samples to be viewed on site of the proposed external materials
 - Sample panels of flint work and brick work (including bond, mortar, colour and profile)
 - Details of the soffits, verges and gables
 - RAL colour of all metal work including the windows, doors and rainwater goods
26. Conclusion: It is considered that the proposals presented in this planning application, offer a level of harm to the overall significance of the Conservation Area. The level of harm offered is assessed as being less than substantial, the level of harm is considered to be mitigated by constructing a well-designed dwelling that is appropriate and considerate to the Conservation Area.
27. It is therefore considered that the proposal, with these suggested conditions, would satisfies the requirements of Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended; Chapter 16 of the National Planning Policy Framework (NPPF); and Policies DM1, DM3 and DM9 of the Norwich Local Plan (Development Management Policies 2014).

Citywide Services

28. I have no concerns from Citywide Services, as long as the refuse bins are stored on the properties outside of collection and presented on the edge of the property boundary beside the highway on collections days.

Ecology (Norwich City Council)

29. The report discusses a Preliminary Bat Roost Assessment (PRA) which they undertook in March 2023, together with a dusk emergence survey on 4 May 2023. Externally, a number of potential roosting features were identified again, but no bat evidence was found in association with these features. The dwelling

remains as "low potential" for roosting bats. The garage remains as "negligible".

30. Within the site pipistrelle bats and a long-eared bat were identified as foraging. The report advises that no further survey work in relation to bats is considered necessary prior to works commencing.

31. Neither report discusses BNG. In order to achieve this a good landscaping scheme benefiting wildlife is required. Please note that the PEA includes several recommendations relating to landscape. These recommendations should form the basis of the detailed development in order to achieve BNG. Retention of T19 would be supported. Any trees to be removed should be replaced.

32. Please can the following conditions be added:

- Bird Nesting Season
- Mitigation Details
- Recommendations in section 4 of the PEA and section 5 of the bat survey: 1 Integral Swift box, 3 integral bat boxes and a hedgehog house
- Small mammal access
- Landscaping Details - Minor Scheme
- Informative: Protected Species

Environmental Protection (Norwich City Council)

33. I have reviewed the Survey. Can a condition be added, I suggest the following:

34. All asbestos containing materials documented within the survey report dated 20/1/22 are removed in accordance with standard procedure and supported by appropriate risk assessments, these shall be documented within the construction, demolition management plan.

Highways (local highways authority) (Norfolk County Council)

35. Thank you for consulting with the highway authority and facilitating dialogue with previous applications for this site that have secured suitable improvements to layout.

36. The proposal is acceptable in principle.

37. Church Avenue East is a privately owned and maintained road, so the highway concern would be the need for vehicles associated with this site to be able to enter the highway at its junction with Christchurch Road in a forward gear, which is now achievable given the provision of a suitable turning space within the site.

38. In terms of the site layout as proposed this now demonstrates a satisfactory layout for vehicular access for cars and larger vehicles, including fire trucks. Whilst parking spaces are not shown, there is garage provision and there should be sufficient space for cars to park within the site, your authority may wish to verify that is the case (2.5m x 5m for each space with 6m to reverse and turn around).

39. The applicant has not specified materials for the site access road or the parking/turning spaces, your authority may wish to query this to ensure there is suitable landscaping.
40. There is no vehicle crossover or drainage specified in the submitted plans, it is standard practice that the first 5m back from the carriageway edge is hard surfaced with suitable drainage to a soakaway at the site boundary or equivalent provision.
41. The site access route should be sufficiently strong for larger vehicles such as fire trucks which normally use gravel in a geogrid on a suitable sub base for drainage.
42. Should your Authority be minded to approve the application I would be grateful for the inclusion of the following conditions on any consent notice issued;-
- Garage minimum internal dimensions measuring 3 metres x 7 metres
 - EV charging and site layout completed prior to the first occupation

Lead Local Flood Authority

43. The Local Planning Authority would be responsible for assessing the suitability for any surface water drainage proposal for minor development in line with National Planning Policy Framework (NPPF).

Tree Protection Officer (Norwich City Council)

44. No objections from an arboricultural perspective. Condition TR7 - works on site in accordance with AIA/AMS/TPP, is recommended.

Assessment of Planning Considerations

Relevant Development Plan Policies

45. Greater Norwich Local Plan (GNLP) March 2024

- GNLP2 Sustainable Communities
- GNLP3 Environmental Protection and Enhancement
- GNLP5 Homes

46. 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
- DM6 Protecting and enhancing the natural environment
- 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

Other material considerations

47. Relevant sections of the National Planning Policy Framework December 2023 (NPPF):

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF5 Delivering a sufficient supply of homes
- NPPF9 Promoting sustainable transport
- NPPF12 Achieving well-designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF15 Conserving and enhancing the natural environment
- NPPF16 Conserving and enhancing the historic environment

48. Supplementary Planning Documents (SPD)

- Landscape and trees SPD adopted June 2016

49. Advice Notes and Guidance

- Water efficiency advice note October 2015
- Internal space standards information note March 2015

Case Assessment

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

Main Issue 1. Principle of development

51. Key policies and NPPF paragraphs – GNLP5, DM12, NPPF paragraphs 11, 60, 72
52. It is proposed to demolish and replace the existing dwelling. Subject to the considerations below, this is acceptable in principle and does not raise any policy conflicts.

Main Issue 2. Design

53. Key policies and NPPF paragraphs – GNLP 2.5, DM3, NPPF paragraphs 131-140
54. The siting and orientation of the dwelling within the large site follows that of the existing for reasons explained in the Heritage section below.

55. In scale, the dwelling would be larger, replacing the original pair of modest workers cottages with a more substantial dwelling to meet modern standards. The footprint is approximately 90 square metres larger and the highest ridge of the roof would be 2.3 metres above the existing. Within the extensive site, the larger dwelling would still occupy a relatively small proportion and it is considered to be proportionate in scale to its immediate setting. It would be approximately 0.7 metres lower than the low pitched roof over the three storey townhouses at Beechbank, so no higher than this closest neighbouring building (albeit with one less storey).
56. Representations have raised concern about the total height, steep pitch of the roof and potential use of attic space. The increase in height is partly due to raising the floor level 0.65 metres to mitigate the risk of surface water flooding entering the dwelling and the ground floor ceiling height would be increased to modern standards. This accounts for approximately 1 metre of the increase and the insulated roof construction itself is approximately 0.5 metre deep.
57. At 45 degrees, the roof pitch is reasonably steep and more so than the existing 32 degree pitch. A previous submission proposed a lower, curved roof form which was incongruous to the character of the Conservation Area. The pitch of the roof forms and strong gable features now proposed are considered to be a positive response to the historic building forms which characterise the area. Lessening the pitch as suggested in some representations would not significantly reduce the overall height and could compromise the design quality.
58. Space over the stairwell would extend up to the roof, but other than this the roof space has no proposed use or accommodation within it and no windows or rooflights are proposed to it. It is a large volume by virtue of the pitch and any future proposals for external alterations to facilitate additional accommodation can be managed by removing permitted development rights.
59. Subject to the amenity impacts considered below, the height of the dwelling is not considered to be excessively or unnecessarily high and a reasonably steep pitched roof over a two storey building is appropriate to the area.
60. As well as responding well to the character of the area, the gabled roof forms create a traditional building envelope with an otherwise more contemporary treatment with the wraparound cladding and large areas of glazing. The two front gables projecting out at an angle maximise solar gain, whilst also adding visual interest, addressing the entrance into the site and creating some reference to the original pair of cottages. The palette of materials would complement the mix of old and new by integrating flint and red brick with the sleeker cladding and render. The altered forcing house and new garage would appear as subservient ancillary buildings complementing the host dwelling.
61. The existing hardsurfaced driveway extends across the front of the forcing house and dwelling. This route would be altered and extended to provide the necessary space for fire appliances to enter and turn within the site in compliance with Building Regulations. Increasing the hardsurfaced area is regrettable but the existing asphalt surface is inappropriate to the verdant and domestic character so there is an opportunity to replace this with a higher quality finish that is permeable to enhance the appearance and performance of this essential infrastructure. Full details of this and any other hardsurfacing, as well as additional soft landscaping to integrate the dwelling into the retained mature garden, can be agreed by condition.

62. It has been suggested that the design has an industrial or commercial character and is not in keeping with the Conservation Area. It is acknowledged that the scale would be large but the design ensures this maintains a residential character, as does the retention of large garden spaces around the buildings which it would not over-dominate. The gabled roof forms and inclusion of red brick and flint within the material palette are considered to sympathetically reflect the character of the Conservation Area within a high quality design approach that would represent a contemporary new addition to the area. The impact of this development on the Conservation Area is considered further below, but in design terms it is considered to be an acceptable design response to the site and its setting.

Main Issue 3. Heritage

63. Key policies and NPPF paragraphs – GNLP3, DM9, NPPF paragraphs 195-214

64. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *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 and conservation areas when carrying out the balancing exercise.

65. A Heritage Impact Assessment sets out the known history of the site. The nineteenth century cottages are understood to have been occupied by horticultural workers employed at a neighbouring estate. The forcing house is the only surviving building associated with the cultivation of the land, but there were once also greenhouses and cold frames. It was the land immediately to the front of the cottages which was associated with this use, and the walled kitchen garden to the rear was separate and associated with The Cedars. This area retains much of its character as a walled kitchen garden although the mid-nineteenth century wall has been subject to some unsympathetic repairs. The folly along the northeast boundary of this part of the site is of a similar date and remains associated with The Cedars. Its presence on the boundary contributes to the heritage value of the site.

66. Although neither the application site itself nor the folly feature on the local list, they are considered to have sufficient heritage value to be considered non-designated heritage assets and the application must be assessed accordingly in relation to Policy DM9 and section 16 of the NPPF.

67. The existing dwelling has been subject to unsympathetic alterations and extensions over its lifetime, has a low floor level at risk of surface water flooding and it is not in a condition to support a high standard of modern living. On balance it is not of such significance that its loss should be resisted and the proposal offers an opportunity to replace it with a better performing dwelling that respects the heritage of the site and can make a positive contribution in the longer term.

68. The retention of the forcing house as an ancillary building and the removal of an unsympathetic extension from it is welcomed to help conserve this historic building which provides clear evidence of the original use of the land.
69. Unlike an earlier proposal, the footprint and orientation would reflect those of the existing dwelling and the historic kitchen garden space at the rear would remain open. This is considered to respect the history of the site by retaining the legibility of the previously separate parcels of land and not encroaching into the historically open kitchen garden space or the setting of the folly. Representations have suggested the dwelling could be sited elsewhere within the larger plot, however there are heritage benefits to retaining the approximate position and orientation of the existing.
70. Although the original pair of cottages would be lost as part of the development, it is considered that the proposed development conserves the historic interest of the site in its layout, materiality and retention of forcing house. It would also not result in direct or indirect harm to the folly. The impact on the significance of these non-designated heritage assets is considered to be outweighed by the benefits of redeveloping a new dwelling fit for the future with a high design quality.
71. The loss of the original cottages and replacement with a larger dwelling would have some impact on the Newmarket Road Conservation Area it is within and the Unthank and Christchurch Conservation Area from which it would be seen in some limited views. This harm is considered to be less than substantial in scale and outweighed by the high quality new dwelling. The proposal is therefore acceptable in heritage terms.

Main Issue 4. Amenity

72. Key policies and NPPF paragraphs – GNLP5, DM2, DM11, NPPF paragraphs 8 and 135.

Future occupiers

73. The new dwelling would generously exceed minimum space standards. All the habitable rooms would receive adequate natural light and enjoy a pleasant outlook. The garden spaces are also generous and in keeping with those in the wider area.
74. Level access is integral to the design with a ramp to the raised floor level and a ground floor bedroom with en suite sized for accessibility.

Neighbouring occupiers

75. The representations received include concerns about the siting, scale and particularly height of the dwelling resulting in oppressing and overbearing impacts on neighbours.
76. As acknowledged above, there is an increase in scale that will have a greater impact than the existing dwelling. The closest neighbouring dwellings at Beechbank are those most likely to be affected by this change and representations have raised concern that there is insufficient information upon which to assess these impacts and determine the application.

77. A daylight and sunlight assessment considers the impact on the closest neighbouring dwelling at Beechbank. In accordance with Building Research Establishment guidance, this assesses the 'vertical sky component' (general amount of light available on the outside plane of the window as a proportion of the amount of total unobstructed sky viewable). It concludes that all potentially affected windows would retain at least 95.66% of their existing values. This is well above the 80% which would indicate a noticeable adverse impact.
78. It is not therefore considered the closest neighbouring dwellings along Beechbank would suffer any unacceptable loss of light or overshadowing to their windows. Nor is it considered that the carport and external space to the front would lose light to any unacceptable extent and the private garden to the rear that would be unaffected. As this assessment demonstrates that the closest dwelling would not be unacceptable affected, it can be concluded there would be no unacceptable loss of light or overshadowing to any other neighbouring dwellings.
79. In terms of oppressing and overbearing impacts, it is appreciated that the greater scale would increase the presence of the dwelling perceived from Beechbank both within and outside the dwellings. One representation includes a sketch of where neighbours believe the height of the dwelling would be in the view from Beechbank. In response, the architect has produced an image based on a 3D model of the proposal which shows the view down Beechbank towards the site. This demonstrates that it would be clearly visible from the roadway on Beechbank and thus also from the windows of dwellings along it. When the trees along the boundary are in leaf, there would be some screening and softening of the view and it is appreciated the impact would be greater in winter.
80. Consultation on this image has generated further representations. These raise concern about the accuracy of the image and how the proposed materials are presented. As it has been based on the architect's model of the proposal it is considered to be more accurate than the sketch submitted by a neighbour but importantly it does not significantly differ from the scale estimated in that sketch. As an additional image to supplement the elevation and drawings, it is considered that all together there is sufficient, accurate information on which to assess and determine the application. The image shows the mix of metal cladding and light coloured render consistent with the proposed materials indicated on the elevation drawings, so there is no inconsistency.
81. The representations also reinforce the previous comments that these neighbours consider the dwelling would create a dominating and detrimental impact in views from Beechbank, including from within the dwellings.
82. Having reviewed the representative image, elevations and plans, the distance of over 11 metres between the dwellings at the nearest point, as well as the oblique angles from windows, is considered sufficient to mitigate any overbearing presence within the dwellings and the views on and around Beechbank are not considered to be oppressive, significantly detrimental or unacceptably harmful.
83. One representation has raised concern about a loss of evening light to the east. In response, shadow studies at the spring equinox, summer solstice

and winter solstice have been submitted. These show existing mature trees within the neighbouring site to the west cause shadowing on and around the site. The impact of the proposal has been assessed with and without these trees. With the trees remaining as proposed, there would be no additional overshadowing. Even if these were removed, the additional overshadowing shown is very modest and unlikely to have any unacceptable loss of light. The trees are within the control of the neighbouring property and subject to Conservation Area and TPO protection. It is not therefore considered the proposal would result in any unacceptable overshadowing or loss of light to the east.

84. Representations have mentioned the visual impact from neighbouring dwellings and loss of existing views. There is no right to a private view and whilst it is acknowledged views would change, it is not considered that the proposal would unacceptably harm the amenity gained from outlook for neighbouring occupiers.
85. In terms of overlooking, the west facing side of the projecting front gables, would have first floor windows facing towards Beechbank. On the closest of these two projections, there would be one bathroom and two narrow bedroom windows and on the farthest there would be one to a landing and another to a bedroom. By virtue of the distance, angles, size of openings and use of rooms, it is not considered these would result in any direct or unacceptable overlooking or loss of privacy. The ash tree at the end of Beechbank also filters views. All bathroom and en suite windows would be obscure glazed and this can be secured by condition.
86. The distance, angles and existing tree screening are considered sufficient to mitigate any unacceptable impact on the neighbouring dwellings to the southwest on Church Avenue East, north off Unthank Road and east at The Cedars.
87. The site plan includes an indicative position for an air source heat pump at the northwestern end of the rear elevation. It is proposed to agree the exact location and specification by condition, and this shall be necessary to ensure there would be no adverse noise or other impacts on neighbouring occupiers.
88. A construction method statement should be agreed by condition to ensure the timing and methods of demolition and construction protect the amenity of neighbouring occupiers.
89. It is acknowledged that the larger dwelling would have a greater impact than the existing. Officers are satisfied the submitted plans, drawings and assessments provide sufficient information to make an accurate and robust appraisal of the proposal and its impacts upon neighbouring occupiers and the surrounding area. Whilst having a more prominent presence from Beechbank, it is not considered the replacement dwelling would result in any overshadowing, loss of light, oppressing, overbearing, overlooking or loss of privacy that would individually or cumulatively result in harm to the amenity of neighbouring occupiers that is unacceptable or contrary to Policy DM2.

Main Issue 5. Transport

90. Key policies and NPPF paragraphs – GNLP2, DM28, DM30, DM31, NPPF paragraphs 8, 114-117

91. The existing driveway would be altered to provide sufficient space for fire engines and larger vehicles to turn within the site. A new permeable resin spray shingle finish is proposed for the driveway and the construction and finish of this should be agreed by condition to ensure it can withstand larger vehicles, does not contribute to surface water flood risk and is visually appropriate to the site.
92. The garage would provide parking for at least one car and cycles. EV charging would be powered by the solar panels proposed to the roof and the building would also house plant.
93. The Highway Authority are satisfied with the proposal and have recommended conditions.
94. A dedicated refuse storage area is proposed. Collection would be from Church Avenue East as existing.

Main Issue 6. Flood risk

95. Key policies and NPPF paragraphs – GNLP2.8, DM5, NPPF paragraphs 165-175.
96. There is a risk of surface water flooding around the footprint of the existing dwelling and western part of the site.
97. The NPPF and Local Lead Flood Authority (LLFA) standing advice direct new development to areas at the lowest risk of flooding. Within this site, the dwelling could be located in a lower risk area. However, there are considered to be over-riding heritage, design and amenity reasons for retaining the dwelling in the area of the existing. The siting is therefore not unacceptable in this respect, providing the on and off site risks can be satisfactorily mitigated.
98. To mitigate the risk of internal flooding, the ground floor level is proposed to be raised 375mm above the predicted 0.1% event flood level which accords with Local Lead Flood Authority standing advice. As the footprint of this dwelling would be larger than the existing, it would occupy areas which would currently flood and could displace this water, increasing flood risk off-site. In order to mitigate this, ground levels north of the dwelling are proposed to be reduced approximately 120mm to retain a permeable area for water to dissipate through.
99. Within the forcing house and garage, any electrics would be a minimum of 600mm above the floor level. These measures are appropriate to make these ancillary buildings resilient to flooding.
100. As the access and external space around the dwelling could be covered in flood water, it is considered necessary for a flood response plan to be agreed by condition so all future occupiers are prepared for this risk.
101. To ensure that the additional run-off from the roof and any impermeable external surfaces does not contribute to the risk of surface water flooding, it shall be necessary to agree a surface water drainage scheme by condition. Rainwater butts are proposed to the garage for use in the garden and this will help attenuate some run-off.

102. Subject to conditions, the proposal is acceptable with regards flood risk.

Main Issue 7. Trees

103. Key policies and NPPF paragraphs – GNLP3, DM7, NPPF paragraphs 180 and 186.

104. Within the site, one dead fruit tree and one mixed group of shrubs are proposed to be removed to facilitate development. A holly tree on the southwestern boundary may also be removed, subject to investigating how an adjacent decommissioned septic tank affects it. The applicants intend to retain it if the new garage construction would not affect it to any greater extent than the existing tank.

105. The proposal could also potentially affect trees outside the site, particularly the ash tree on the boundary with Beechbank and a sycamore within the garden of a dwelling off Unthank Road. Representations have highlighted the importance of the ash tree which provides a pleasant outlook to dwellings along Beechbank and in views along the road, it also provides some visual screening and filters views between the application site and Beechbank to protect amenity. There is concern that this tree could be affected by construction activities, loss of light and a reduction in water.

106. Tree protection fencing and ground protection are proposed within the site to protect these and others throughout construction.

107. The Tree Protection Officer has been closely involved in the considerations of proposals here, including by visiting neighbours. They are satisfied that the proposed protection measures are appropriate to protect the trees retained within and around the site and that the proposal is acceptable in arboricultural terms subject to conditions securing the proposed protection measures.

Main Issue 8. Biodiversity

108. Key policies and NPPF paragraphs – GNLP3, DM6, NPPF paragraph 8, 180, 186-188.

109. A Preliminary Ecological Appraisal Survey dated September 2021 did not find any evidence of protected species but identified some suitable bat roosting features in the existing dwelling.

110. A new survey was undertaken in March 2023 followed by a dusk emergence survey in May. These confirmed there were no bats roosting and the nocturnal survey recorded two bats foraging in the garden and one flew past the site. No nesting birds were encountered.

111. The report recommends that the dwelling has bat boxes built into each gable with a swift box under the eaves on the south elevation to enhance opportunities for bats and birds.

112. These measures are welcome to mitigate the loss of existing bat roosting features, however it is considered necessary to incorporate additional measures to offer enhancement and there is ample opportunity within the site to do so. Additional enhancement measures and also a soft landscaping

scheme to enhance biodiversity interest and replace trees to be removed shall therefore need to be agreed by condition.

113. The timing of works outside the bird nesting season, compliance with recommended mitigation measures and provision of small mammal access in new boundary treatments should also be secured by condition.

Main Issue 9. Nutrient Neutrality

Site Affected: (a) Broads SAC/Broadland Ramsar
 (b) River Wensum SAC

Potential effect: (a) Increased nitrogen and phosphorus loading
 (b) Increased phosphorous loading

The application represents a 'proposal or project' under the above regulations. Before deciding whether approval can be granted, the Council as a competent authority must undertake an appropriate assessment to determine whether or not the proposal is likely, either on its own or in combination with other projects, to have any likely significant effects upon the Broads SAC, and if so, whether or not those effects can be mitigated against.

The Council's assessment is set out below and is based on advice contained in the letter from Natural England to LPA Chief Executives and Heads of Planning dated 16th March 2022.

- (a) Broads SAC/Broadland Ramsar
- i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
 - ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer: NO

The proposal is to replace an existing dwelling and will not impact upon the average occupancy figures for dwellings across the catchment and will therefore not impact upon water quality in the SAC.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

- (b) River Wensum SAC

- i. Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND
- ii. Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer: NO

The proposal is to replace an existing dwelling and will not impact upon the average occupancy figures for dwellings across the catchment and will therefore

not impact upon water quality in the SAC. In addition, the discharge for WwTW is downstream of the SAC.

114. Conclusion: It is not necessary to carry out an assessment

Compliance with other relevant development plan policies

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

Requirement	Relevant policy	Compliance
Refuse storage/servicing	DM31	Yes subject to condition
Energy efficiency	DM3, GNLP 2.10	The drawings indicate solar panels and air source heat pumps. The precise details, including noise impacts, should be agreed by condition.
Water efficiency	GNLP 2.9	Yes subject to condition
Sustainable urban drainage	DM3 & DM5, GNLP 2.8	Yes subject to condition. The new areas of driveway are proposed to have a permeable surface.
Contamination	DM11, GNLP 2.7	A survey identifies asbestos containing materials in the existing dwelling. The appropriate removal of these during demolition can be secured by condition.
Technology based services	GNLP2.2	Provision of high speed internet and EV charging prior to first occupation can be secured by condition.

Equalities and diversity issues

116. There are no equality or diversity issues.

Local finance considerations

117. 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. 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.

118. In this case local finance considerations are/are not considered to be material to the case.

Human Rights Act 1998

119. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and

freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998.

120. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

Planning Balance and Conclusion

121. The application proposes replacing an historic dwelling within a site which has features of heritage interest with a contemporary style new dwelling on a larger footprint and with greater height.
122. There is no objection to the principle. Whilst the original building would be lost, it is considered that the siting, orientation, site layout and incorporation of the refurbished forcing house retains sufficiently legibility of the historic significance of the site. The design, form and materials of the dwelling blend a contemporary approach with references to characteristic features of historic dwellings considered appropriate to the Conservation Area.
123. It is acknowledged that there is significant local concern about the scale of the replacement and impact this would have on the surrounding character and amenity of neighbouring occupiers. The scale of the dwelling is considered proportionate to the site and not out of character for the Newmarket Road Conservation Area. It would be more visible in views down Beechbank and from windows in the dwellings along it than the existing dwelling and therefore have a greater impact. However, it is not considered any visual or amenity impacts would be so significant as to unacceptably harm local character, public views, the Unthank and Christchurch Conservation Area and amenity of neighbouring occupiers.
124. It is not considered there would be any other impacts that cannot be satisfactorily resolved by the conditions listed below.
125. 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

126. To approve application 22/01417/F – End House, Church Avenue East and grant planning permission subject to the following conditions:
1. Standard time limit;
 2. In accordance with plans;
 3. Construction management plan;
 4. Bird Nesting Season;
 5. Compliance with ecological mitigation measures;

6. Works on site in accordance with arboricultural impact assessment, method statement and tree protection plan;
7. External material details, including samples, flint and brickwork panels, soffit, verge and gable details and all metalwork colours to be agreed;
8. Landscape scheme to be agreed;
9. Surface water drainage scheme to be agreed;
10. Details of solar PV and air source heat pump, including noise, to be agreed;
11. Biodiversity enhancements to be agreed;
12. Parking, access, turning space, cycle storage, bin storage and EV charging completed prior to first occupation;
13. Flood resilience measures;
14. Flood response plan prior to first occupation;
15. Small mammal access in new boundary treatments;
16. Minimum floor level of 29.51m AOD;
17. Bathroom and en suite windows to be obscure glazed;
18. Water efficiency;
19. High speed internet;
20. Garage provided and retained for car parking;
21. Removed permitted development rights for roof extensions and alterations.

Informative notes:

Protected Species
Asbestos

Appendices: None

Contact officer: Planner

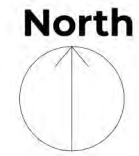
Name: Maria Hammond

Telephone number: 01603 989396

Email address: mariahammond@norwich.gov.uk

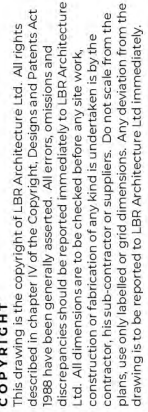


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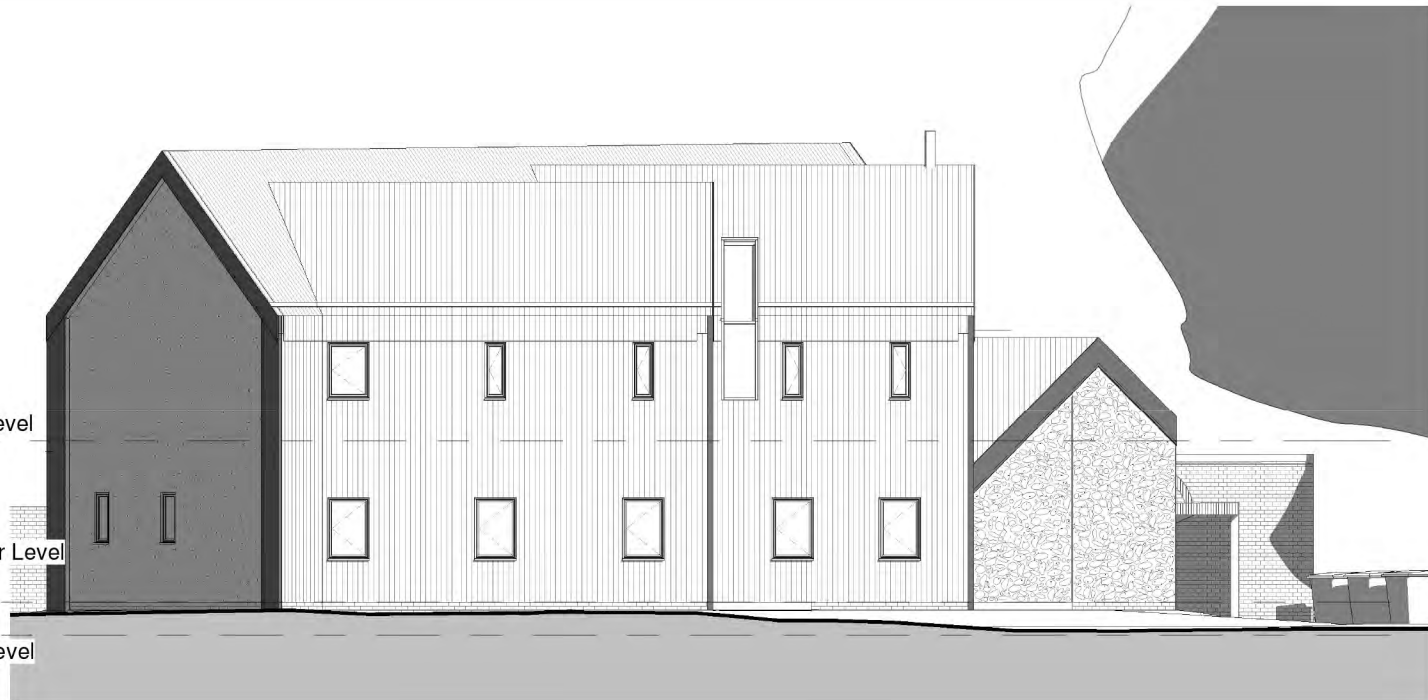


Drawing name: Proposed First Floor Plan PLANNING DRAWING	Date: 11/10/2022	Scale: 1 : 100 @ A3	Drawing no.: 7.365 (D) 103	Rev: 	Initial: KM
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Revisions:	No.:	Date:	Item:
			Job no: 7365
			Job name: End House
<div>  <p>WITH COMPLIMENTS IMAGINATIVE ECONOMIC SUSTAINABLE</p> <p>arb Architectural Research Bureau ibc International Building Company</p> <p>a multi-award winning practice</p> </div>			
<div> <p>Drawing name: Proposed First Floor Plan PLANNING DRAWING</p> </div>			
		Date: 11/10/2022	Scale: 1:100@A3
		Drawing no: 7.365 (D) 103	Rev: Initial:
			KM



West Elevation Clear



Revisions:	No.:	Date:	Item:
			
<p>WITH COMPLIMENTS</p> <p>IMAGINATIVE SUSTAINABLE</p> <p>Laurel Birdseye Beene 4048 132 St. • Burnaby, BC V5C 2X6 Tel: 604.291.8821 • Fax: 604.291.8822 • Email: info@lbb.ca</p> <p>Address: 4048 132 St. • Burnaby, BC V5C 2X6 Tel: 604.291.8821 • Fax: 604.291.8822 • Email: info@lbb.ca</p> <p>A multi-award winning practice</p>			
Job no:	7365	Job name:	End House
Drawing name:		Proposed South-west Elevation	
		PLANNING DRAWING	
Date:	11/10/2022	Scale:	1 : 100 @ A3
		Drawing no:	7365 (D) 108
		Rev:	
		Initial:	KM



Garage



Garage North-East Elevation



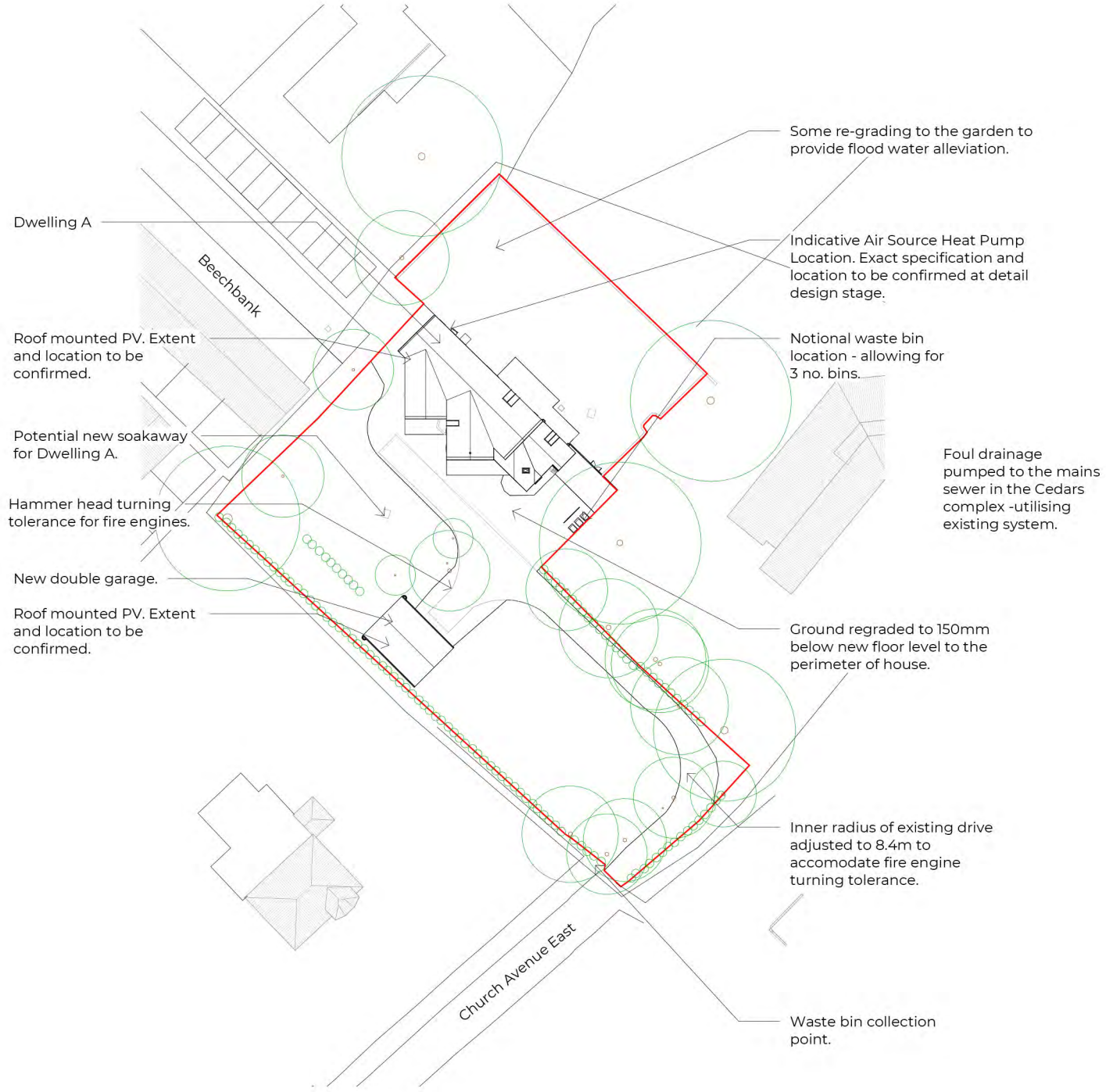
Garage South East Elevation



Garage South West Elevation

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Revisions: B 13/11/2023 Existing dwelling position removed for clarity, site boundary corrected.

No.	Date:	Item:	Job no:	Job name:
			7365	End House
Drawing name: Proposed Block Site plan PLANNING DRAWING				
Date:		Scale:	Drawing no:	Initial:
13/11/2023		1:500@A3	7365 (D) 101	Rev: B KM

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