

Planning applications committee

Date: Thursday, 12 September 2019

Time: 10:00

Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

Informal Pre application briefing – Council Chamber at 9:00

Please note that at 9:00 there will be an informal pre-application briefing session for members of the committee, ward councillors and interested parties on the University of East Anglia's Sky House project to provide approx. 15,600m² of academic floor space.

Committee members:

Councillors:

Driver (chair)
Maxwell (vice chair)
Bogelein
Button
Huntley
Lubbock
Neale
Peek
Ryan
Sands (M)
Sarmezey
Stutely
Utton

For further information please contact:

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Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website

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 8 August 2019	
4 Planning applications	
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 4 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:	
<ul style="list-style-type: none">• The formal business of the committee will commence at 10:00;• 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.	
Summary of planning applications for consideration	13 - 14

	Standing duties	15 - 16
4(a)	Application nos 19/00933/F and 19/01014/L - 5 Recorder Road, Norwich, NR1 1NR	17 - 42
4(b)	Application no 19/00427/F - Garages Between 80 - 92 Lincoln Street, Norwich	43 - 56
4(c)	Application no 19/00083/F - 2 Langton Close, Norwich, NR5 8RU	57 - 68
4(d)	Application no 19/01073/VC - 286 Dereham Road, Norwich, NR2 3UU	69 - 82

Date of publication: **Tuesday, 03 September 2019**



Planning applications committee

09:30 to 11:55

8 August 2019

Present: Councillors Driver (chair), Maxwell (vice chair), Bogelein, Button, Lubbock, Peek, Neale, Ryan, Sands (M), Sarmezey, Stutely and Utton

Apologies: Councillor Huntley

1. Declarations of Interest

Councillor Neale declared that he had a pre-determined view in item 3 (below), Application no 19/00514/U – 58 Sandy Lane, Norwich in that he had submitted comments as part of the planning application consultation. He would therefore speak as a member of the public and leave the room whilst the committee determined the application.

Councillors Driver and Sarmezey said that they had received leaflets and emails about item 3(below), Application no 19/00514/U – 58 Sandy Lane. as Lakenham ward councillors but had not made any response and did not have a pre-determined view. Councillor Driver said that only the committee would only take into account issues that were material to the planning application. Comments that were racist or irrelevant to the planning application would not be considered.

Councillor Bogelein declared an other interest in item 5(below), Application nos 19/00301/F & 19/00302/L - 38A St Giles Street, Norwich, NR2 1LL in that she was considering nurseries for a family member. As ward councillor for Mancroft ward, she had been in contact with a member of the public regarding this application for advice but did not have a pre-determined view.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 11 July 2019.

3. Application no 19/00514/U - 58 Sandy Lane, Norwich, NR1 2NR

(Councillor Neale had declared a pre-determined view in this item. He spoke as a member of the public and then left the room and did not take part in the determination of the application.)

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting and summarised an additional representation relating to parking and operational hours and the officer response.

Two residents addressed the committee with their concerns about the proposal. This included concern that the site was in a quiet, residential neighbourhood in the Yare Valley, and that in order to avoid ambiguity it was essential that a condition was placed to restrict the use to 08:00 to prevent disturbance in the early morning every day during the month of Ramadan and that the existing building was not extended. A second resident referred to the traffic issues and said that the location was inappropriate as people, including young children, attending the facility would need to cross the road from the bus stop; and that traffic management measures were required. A further speaker, at the chair's discretion, addressed the committee with his concerns about parking issues, pointing out that the proposed site only had two parking spaces and the impact of on-street parking on the amenity of residents, including noise from car doors; and that the bus service was inadequate. He also referred to the large number of objectors to the proposal and a petition from local residents to the scheme, and their concern that it was the intention of the applicants for the site to be a mosque rather than worship being ancillary to the change of use.

Councillor Neale then addressed the committee as a resident of the area on and off since 1955 and that he was pleased to see a change use coming forward for the vacant retail premises in the shopping parade. However he was concerned about the impact of parking on the local area and suggested that the hours of operation were reduced to 22:00 to mitigate the impact on local residents.

The agent spoke on behalf of the applicants and said that there had been misinformation circulated to residents in the form of a leaflet which had malicious intent and said that there was no proposal to turn the centre into a mosque. He referred to the size of the premises and said that the application was for a community hub for people who were already the residents' friends and neighbours. The facility would be available for use by the whole community. Muslims often felt isolated and the hub would provide somewhere for people to meet, have coffee and allow access to their community, increasing social cohesion.

The planner explained the proposed condition relating to opening hours and that the hours would be extended during the period of Ramadan. The extended operating hours would be permitted for a temporary period only and then reviewed further to assess the impact on the local community. She also pointed out that the change of use to this facility was a very small in scale and that it would be unlikely to have a significant impact on the existing traffic conditions. The applicants would be required to submit and implement a travel information plan and management plan which would be subject to planning enforcement should the applicants not comply with this information. She also referred to a wider traffic management scheme in this area.

The planner and the area development manager (outer) referred to the report and answered members' questions. This included confirmation that the operating hours were considered acceptable for a community centre. Members were advised that the adjacent fast food operator remained open until 23:00 but this was less intense as customers did not all come or leave at the same time. In response to a request from a member, the leaflet that had been circulated in the neighbourhood was displayed. Members were advised that inflammatory or offensive comments had been reviewed and the council's antisocial behaviour team had been informed. These comments did not form part of the planning assessment. In response to a member's suggestion that the applicants installed CCTV cameras, the planner said that the applicants would need to make a further application submitting the details of

cameras, external lighting, etc, for agreement so that the impact of the surrounding area could be considered.

The chair moved and the vice chair seconded the recommendations as set out in the report.

(Councillor Neale left the meeting.)

Discussion ensued in which members commented in support of the proposed community hub and their abhorrence of the racially motivated misinformation that had been circulated in the community. Members considered that the community hub would have positive benefits for Lakenham Ward and social cohesion, providing a meeting place for people who currently felt excluded. It would be unfair to burden this application with lowering traffic speeds and moving the bus stop which would be addressed elsewhere. Harford Community Centre could not provide facilities for the applicants at the times required and this vacant retail unit provided an ideal opportunity to bring it into use for a community hub. Local residents could be reassured that the extended operating hours during the period of Ramadan would be permitted for a temporary period of 3 years and would then be subject to reassessment.

RESOLVED, unanimously, to approve application no. 19/00514/U - 58 Sandy Lane Norwich NR1 2NR and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Restriction of D1 use, not including a place of worship used in conjunction with the community facility;
4. Opening hours restricted to 08:00-23:00 on any day except during the Ramadan period where the use shall cease not later than 3 hours after sunset for a temporary period only;
5. Restricted hours for deliveries and servicing;
6. Travel information plan;
7. Management plan;
8. No external lighting or security measures including CCTV shall be installed without approval
9. No amplified sound equipment to be installed outside of the building
10. No plant or machinery, or extract ventilation to be installed without first being agreed.

(The committee adjourned for a short break at this point. The committee reconvened with all members present as listed above and readmitting Councillor Neale to the meeting.)

4. Application no 19/00242/MA - Flordon House, 195 Unthank Road, Norwich, NR2 2PQ

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports, which was circulated at the meeting, and contained a correction to paragraph 38 of the committee report. The applicants had submitted a revised plan (Sheet 1 Revision G) which incorporated a 180m high planted green screen in response to a suggestion from the landscape officer.

The planner then referred to the report and answered members' questions and confirmed that the responsibility for the maintenance of the front and rear gardens would be by the occupants of the two ground floor flats, that the plans had been amended to correctly position existing windows and confirming that disabled access was not part of the planning assessment as it would be covered by building regulations.

The chair moved and the vice chair seconded the recommendations as set out in the report.

During discussion members considered the removal of the green wall from the original planning application and it was suggested that in this case the revised landscape proposal was more appropriate, as green walls needed to be properly maintained. In reply to a question, the planner confirmed that building control would ensure that the sustainable drainage measures as set out in this application were implemented.

RESOLVED, unanimously, to approve application no. 19/00242/MA - Flordon House, 195 Unthank Road, Norwich, NR2 2PQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Management and maintenance of landscaping
4. Installation and retention of bin and bike storage
5. Water efficiency
6. Parking made available prior to first occupation.

5. Application nos 19/00301/F & 19/00302/L - 38A St Giles Street Norwich NR2 1LL

(Councillor Bogelein had declared an interest in this item.)

The planner presented the report with the aid of plans and slides. She referred members to the supplementary report of updates to reports which was circulated at the meeting and contained additional information regarding the proximity of a bedroom window and front door of 48 Bethel Street and confirming that it had informed the response from environmental health and informed the planning assessment. The issue of ownership of the building was not material to the planning application.

The planner and the area development manager (inner) referred to the report and answered members' questions. Members were advised that the air condition unit had been installed and therefore this was a retrospective application. It was considered acceptable and officers had not sought to negotiate a different solution or considered recommending refusal/enforcement action. A member commented that the large flue was "hideous" and other members concurred that the wall mounted fan box was preferable. Members were advised that the noise from the unit would be minimal in the day and would not be in use at night.

The chair moved and the vice chair seconded the recommendations as set out in the report.

During discussion, Councillor Bogelein said that she would abstain from voting because of the use of modern units on the walls of a listed building. Other members considered that the units were necessary for the sustainability of the nursery and its ability to provide meals for children. Members were advised to balance the appearance of the units on the listed building against ensuring that the building would continue to be in use. Some members considered that the wall mounted fan would be an improvement on the existing flue.

RESOLVED, with 11 members voting in favour (Councillors Driver, Maxwell, Button, Lubbock, Neale, Peek, Ryan, Sands, Sarmezey, Stutely and Utton) and 1 member abstaining from voting (Councillor Bogelein) to approve:

- (1) application no 19/00301/F, 38A St Giles Street Norwich NR2 1LL, subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans;
 3. The equipment hereby approved shall not be operated between 23:00 and 07:00 on any day.
- (2) application no 19/00302/L, 38A St Giles Street Norwich NR2 1LL, subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans;
 3. Damage to be made good;
 4. Localised repair to match;
 5. Existing fabric to be retained;
 6. Any historic features encountered to be retained and reported.

Informatives:

1. Only works shown are approved.
2. Historic fabric to be retained.

6. Application no 19/00383/F - 28 Cotman Road Norwich NR1 4AF

The planner presented his report with the aid of plans and slides. During the presentation images from the applicant's independent assessment of the daylight/shading report were displayed. The planner also referred to the supplementary report of updates to reports which was circulated at the meeting and contained a summary of an additional representation contesting the findings of the daylight/shading report and the officer response.

At the chair's discretion, a representative of the resident at High Green to the rear of the application site addressed the committee, setting out their objections to the proposal and calling on an independent study and a visit from the planners to their

property. Photographs taken from the resident's house were displayed showing their estimation of the extent of the shading on a habitable room in the house.

(The area development manager (inner) advised the committee that the case officer had visited the neighbouring property and that slides in the presentation had been taken from that view point and that the distance from each property and the coniferous trees had been taken into account during the assessment.)

The agent spoke on behalf of the applicant and spoke in support of the application. Consideration had been given to the design of the extension and its material. The proposal used sustainable and natural materials and a sedum roof. The extension would be a modern building rather than a pastiche. The shading studies had been modelled by an independent specialist consultant, Energy Council. There would be some impact on the neighbouring property but it was within BRE guidelines and was in part due to the Cyprus tree and boundary fence. The applicant had considered the impact on the nature of the site and welcomed the conditions to preserve the beech tree and install nesting boxes.

The area development manager (inner) together with the planner referred to the report and responded to the issues raised by the speakers. He explained that the planner's assessment of the shadowing and overbearing of the extension was essentially the same as the applicant's independent consultants. The shading was mainly in the winter months and was not considered significant to warrant refusal of the application. Members noted that the coniferous tree caused shading. Members were advised that the distance between no 13 Highland Green and the extension was 9.5 meters, that the property was not in the vicinity of any listed buildings and that there would be some loss of shrubbery. Members also sought confirmation of the differing levels between the application site and the properties in Cotman Road and High Green (as set out in the plan showing the elevations on page 76 of the agenda papers.)

The chair moved and the vice chair seconded the recommendations as set out in the report.

During discussion a member said that he had sympathy for the concerns of the neighbours but on balance there was sufficient distance between the properties for the application to be acceptable. Councillor Utton, Thorpe Hamlet ward councillor, said that he liked the balance of the Arts and Crafts house with the contemporary extension and that he considered that the concerns about the impact of overshadowing on neighbouring properties had been overestimated. Another member agreed and said that the proposal had been well thought out and would not have the impact that the neighbours had perceived.

RESOLVED, unanimously, to approve application no. 19/00383/F - 28 Cotman Road Norwich NR1 4AF and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials, rainwater goods;
4. TR3 – Site Monitoring
5. TR4 – Arboricultural Supervision
6. TR6 – Arboricultural works to facilitate development

7. TR10 – No digging
8. TR12 – Planting
9. IN9 – Site clearance and wildlife.

7. Application no 19/00851/F; 9 Weatherby Road, Norwich NR5 9NH

The planner presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which reiterated comments received from the adjacent neighbour about the impact on her garden and the officer response.

A proxy on behalf of the adjacent neighbour addressed the committee and summarised her objections to the proposed extension. This included concern about the scale of the extension taking up half the length of their garden boundary; that the proposal would result in loss of amenity due to loss of direct sunlight; and disputing the argument that the trees at the boundary of the property already blocked sunlight because trees shed leaves and in winter light would permeate into the garden.

The planner responded to the issues made and questions from members of the committee, by referring to the report, in relation to the size of the extension and confirming that the proportion of garden space, taking out the woodland belt, was less than half of the garden space and that the extension would be allowed under prior approval if permitted development rights had not been removed from properties in this part of Bowthorpe. Members also noted that the extension would have less impact on the amenity of neighbouring property because of its south facing aspect. The applicant would need to negotiate a party wall agreement with the neighbour in order to build the extension.

The chair moved and the vice chair seconded the recommendations in the report.

Councillor Sands, Bowthorpe ward councillor, said that he could not support the application because he considered that it would impact on the sunlight from the west and therefore impact on the neighbour's amenity and enjoyment of their garden. A member said that he agreed with these concerns but that given the recommendation and taking into account that the extension would be allowed if permitted development rights had not been removed there was no reason on balance to refuse this application.

RESOLVED, with 11 members voting in favour (Councillors Driver, Maxwell, Button, Bogelein, Lubbock, Neale, Peek, Ryan, Sarmezey, Stutely and Upton) and 1 member voting against (Councillor Sands) to approve application no. 19/00851/F – 9 Weatherby Road, Norwich, NR5 9NH and grant planning permission subject to the following conditions:

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

CHAIR

Summary of planning applications for consideration

ITEM 4

12 September 2019

Item No.	Application No	Location	Case officer	Proposal	Reason for consideration at committee	Recommendation
4(a)	19/00933/F	5 Recorder Road	Katherine Brumpton	Change of use to assessment centre (resident institution - Class C2) with associated works/ Alterations to facilitate the conversion to assessment centre (residential institution - Class C2).	Objections	Approve
4(b)	19/00427/F	Garages Between 80 - 92 Lincoln Street	Charlotte Hounsell	Demolition of existing garages and construction of 4no. 5 bedroom dwellings (Class C4).	Objections/ Councillor call in	Approve
4(c)	19/00083/F	2 Langton Close	Charlotte Hounsell	Construction of two storey dwelling.	Objections	Approve
4(d)	19/01073/F	286 Dereham Road	Maria Hammond	Removal of Condition 3 of previous permission 18/01402/VC.	Councillor call in	Refuse

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

12 September 2019

Report of Head of planning services

Subject

Application nos 19/00933/F and 19/01014/L - 5

Recorder Road, Norwich, NR1 1NR

Reason

for referral

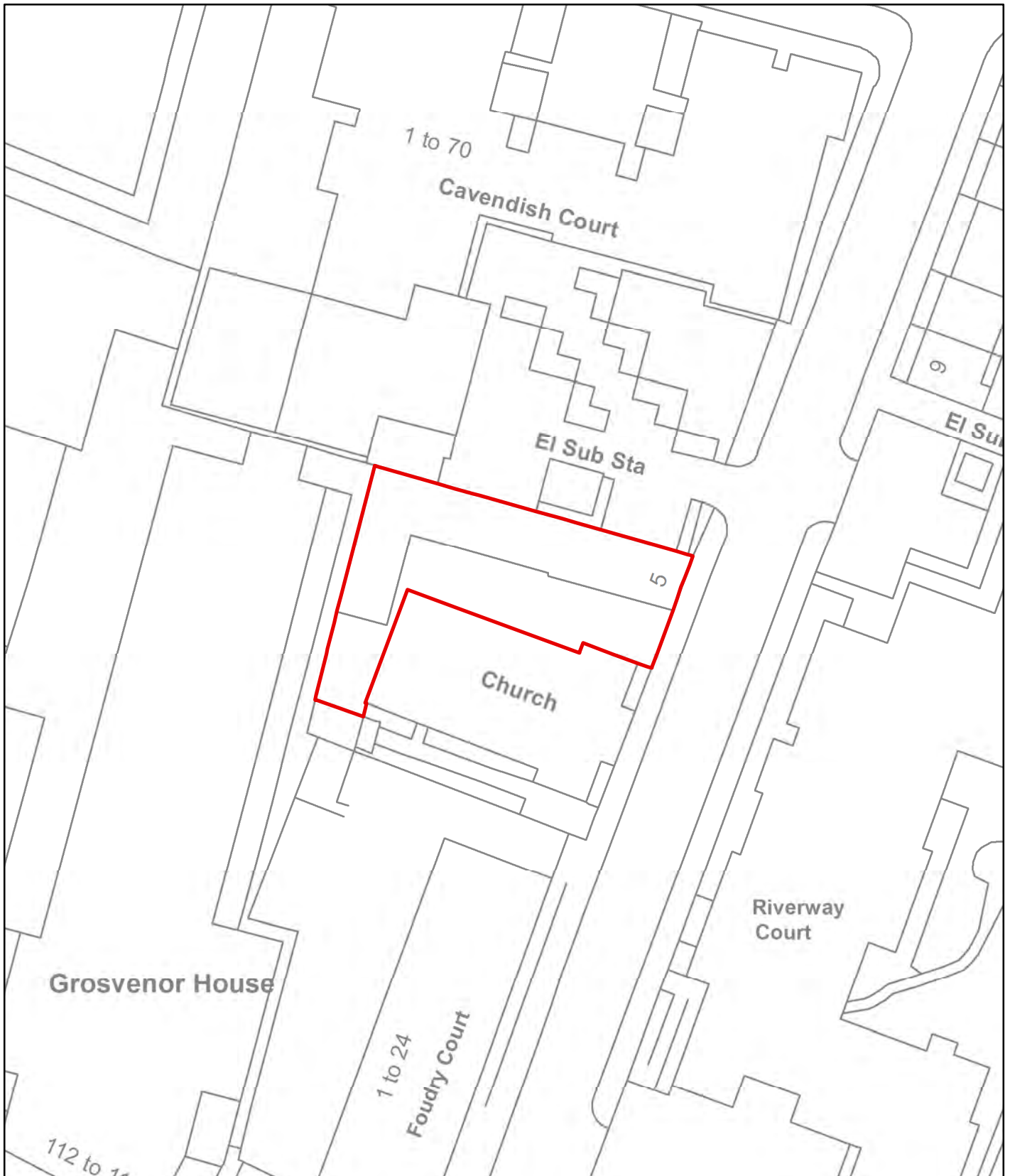
Objection

4(a)

Ward:	Thorpe Hamlet
Case officer	Katherine Brumpton - katherinebrumpton@norwich.gov.uk

Development proposal		
Change of use to assessment centre (residential institution - Class C2) with associated works.		
Representations		
Object	Comment	Support

Main issues	Key considerations
1 Principle of development	Loss of offices and location of a centre at this site
2 Design	Minor alterations to facilitate change of use
3 Heritage	Minor alterations to facilitate change of use
4 Transport	Provision of cycle and refuse storage
5 Amenity	For future occupiers and potential impact from antisocial behaviour and 27/7 nature of site
6 Flood Risk	Located within a Flood Zone 2
Expiry date	30 August 2019
Recommendation	Approve



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Planning Application No 19/00933/F & 19/01014/L
Site Address 5 Recorder Road

Scale 1:500

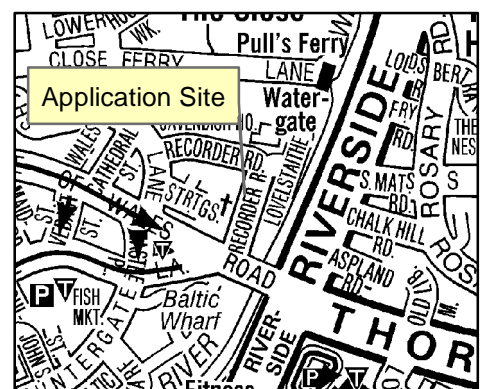


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PLANNING SERVICES



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The site and surroundings

1. Site is located adjacent to Grosvenor House to the rear (west), an electricity substation and Cavendish Court to the north (side) and the Greek Orthodox Church of the Mother of God to the south (side).
2. The wider area includes 4 blocks of flats which appear to be mainly used for sheltered accommodation, although only one block is strictly tied by planning conditions (Riverway Court). The others are Cavendish Court, Cavendish House and Stuart House. Most of these have at least partially gated entrances.
3. Another block of flats which appears to have no restriction or established type of residential use (Foundry Court) is located the other side of the church. Also along Recorder Road lies offices, dwelling houses, more flats, and The St James Stuart Garden.
4. Beyond the immediate area lies Prince of Wales Road, which is a busy transport route leading up to the train station. Most of this road is classed as a Late Night Activity Area. The Riverside walk is located to the east behind Recorder Road, and the Cathedral Close is located behind Recorder Road to the north. As such the nature of the wider area is relatively mixed.

Constraints

5. The adjacent Church is Grade II Listed and 5 Recorder Road is listed by association. The Church is now called the Greek Orthodox Church of the Mother of God to the South, but was originally called the Church of Christ Scientist. The listing includes the walls, gate piers and gates adjoining south east and north east, with the details as follows:
 - a) The following building shall be added to the list:- TG 2308 NE RECORDER ROAD (west side) Church of Christ Scientist 17/10000 including walls, gate-piers and gates adjoining SE and NE - II Christian Science church. 1934-5 by Herbert G Ibberson. English bond buff-coloured brick. Slate roofs with parapeted gable ends. Plan: Nave with narrow aisles, readers' platform in chancel at west (liturgical east) end with flanking readers' rooms and gallery at east end with stair and porch on south east corner. Arts and Crafts and Modern. Exterior: The east gable end onto the street has tall lancet with pointed ogee arch formed from cut bricks and with weathered slate sill with large stone inscription below. Small round arch windows in single storey block on right and stair wing on left which has similar lancet on its S gable and porch in the angle with round arch doorway. N and S sides of nave have narrow vertical pilaster-like strips in brick containing tall lancets each with small light above and low aisles below with flint and brick chequerwork walls. Lower chancel with low flat roof readers' rooms either side. Slender octagonal fleche over east end with louvres and copper clad spire. Interior: Exposed rendered walls. Low segmental arch arcades under large blind segmental arcades with polygonal piers rising to roof, and deeply splayed lancets with small ogee lancets in clerestory above: at springing of the arches corbels supporting lamps. Short barrel-vaulted chancel, with readers' room doorways to left and right with double ogee arches on deep splays. Cantilevered gallery at east end with boarded front.

Boarded roof on boxed-in steel trusses. Slightly sloping nave parquet floor. Original readers' desks and steps up and original electric radiators. Including: brick and flint chequered area walls flanking east front with small brick gate-piers, steel gates and overthrows.

6. Conservation Area (City Centre: Prince of Wales Character Area)
7. Area of Main Archaeological Interest
8. Flood Zone 2
9. City Centre Parking

Relevant planning history

10.

Ref	Proposal	Decision	Date
4/1990/0987	Part re-development of site to provide three storey office block.	REF	07/03/1991
06/01037/U	Proposed change of use to Chiropractic Practice.	CANCLD	23/11/2006
07/00827/U	Conversion of the building to office and external alterations including glazed roof, new doors, replacement windows and doors.	APPR	17/01/2008
07/00871/L	Internal and external alterations including glazed roof, replacement and installation of new doors and windows, removal of chimney breast and rearrangement of partitions.	APPR	30/01/2008
08/00637/D	Condition 4a) Details of doors; b) windows; for previous listed building consent (app. No. 07/00871/L) "Internal and external alterations".	APPR	11/07/2008

The proposal

11. Proposal is for a change of use from offices to an assessment centre for homeless people. The centre would be a Somewhere Safe to Stay Hub (SSTS), and provide emergency short term accommodation for homeless people. During their stay an assessment would be made of their needs and a resettlement plan developed. SSTS hubs are a national initiative by the Ministry of Housing, Communities and Local Government (MHCLG).

12. A revised Planning Statement and revised Additional Information Statement from St Martins Housing Trust were provided, which have been made publically available but were not specifically reconsulted or re-advertised as they do not alter the proposal, but serve to provide more detail and context.
13. Physical works are relatively minimal, and include works to external access ramps, replacement of a window with a door, alterations to internal stud walls and installation of a pedestrian gate, CCTV and lighting. The installation of bed pods would also occur, constructed from timber and of 2m in height they are considered temporary.
14. The ground floor would be used for accommodation and a large office upstairs used for assessments.

Summary information

Proposal	Key facts
Scale	
Total no. of beds	16 bed pods, each for occupation of up to 72 hours. To include 3 accessible pods.
No. of storeys	Most of the building is single storey, with a two storey section adjacent to the road.
Appearance	
Materials	External works limited to a new concrete ramp, 2 handrails, a pedestrian gate and a new timber door.
Operation	
Opening hours	24/7 for occupiers, however admittance of new occupiers will be limited to between 7am and 9pm, except in emergencies. Main assessment times and visits from specialists would occur between 8am and 6pm.
Transport matters	
Vehicular access	No change, direct from Recorder Road
No of car parking spaces	No change (4)
No of cycle parking spaces	Details to be conditioned

Representations

15. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. The following have been received:-

16. 19/00933/F – 107 objections; 3 comments neither objecting nor supporting; 4 support; 4 petitions objecting with 48, 53, 6 and 6 signatures respectively. NOTE: for the purpose of this report identical or near identical letters are considered to be petitions.
17. 19/01014/L – 34 objections; 3 support
18. Representations are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
A significant percentage of Recorder Road is occupied by elderly retirement homes (approx. 200/250 residents). Application does not acknowledge this. A number of these residents have severe disabilities, and due to their age most residents retire early for the night.	See main issue 5
Needs of the homeless should not be prioritised over the existing rate paying residents	See conclusion.
There are two schools nearby; would the students be at risk from the proposal? What example would it present?	See main issue 5
Area is very quiet and part of the riverside walk; it is not part of the main hub with no shops. Application incorrectly describes the location.	See main issue 5
Homeless and rough sleepers wandering outside people's homes would make the residents feel very ill at ease and nervous. Some rough sleepers have additional problems such as substance and mental health problems and are therefore unpredictable.	See main issue 5
Some rough sleepers may not wish to enter the centre and be disruptive and difficult on arrival. 3 stage warning system is inappropriate; no antisocial behaviour should be tolerated.	Some types of antisocial behaviour won't be tolerated at all, and result in eviction.
Concerns regarding what happens after 72 hours; will they sleep rough again nearby?	The provision is for an assessment centre, therefore any clients are moved to suitable accommodation following their short stay.

Issues raised	Response
<p>Building is not suitable; sleeping pods are too small (no room for stretchers etc adjacent to beds), lack of natural light for all the pods, air flow minimal, low provision of bathrooms (concerns if there is a flu outbreak or similar), no private interview rooms or medical examination rooms, no recreation area, kitchen or laundry facilities. Inadequate fire exits or emergency exits. The lack of facilities could leave to some residents leaving before they are rehoused and using public areas to urinate in (there are no local public toilets)</p>	<p>The nearest public toilets are located in Rose Lane Car Park. See also main issue 5</p>
<p>Existing antisocial behaviour in the immediate area, to include a homeless person sleeping on a flat roof in Cavendish Court, people urinating in the grounds of Cavendish Court, smoking drugs, abusive language and behaviour, items discarded on private property (food waste, condoms, clothing and drug paraphernalia). James Stuart Gardens and the riverside walk is often misused too. Proposal would exacerbate these problems. The extent of the responsibilities of the staff at the centre would probably not extend to any additional antisocial behaviour in the wider area.</p>	<p>See main issue 5.</p>
<p>No consultation of the healthcare organisations has occurred. How would residents access off site medical care?</p>	<p>See main issue 5</p>
<p>Concerns that the staff would not be able to cope with residents who might have multiple problems and would not be security trained.</p>	<p>See main issue 5. All staff will be security trained.</p>
<p>Proposal would add increased demands for the police; statistics show that typically 85 crimes are reported per month between the Railway Station and Rose Lane.</p>	<p>The level of crime is noted within the consultation response from the Police, however they have not offered an objection if their recommendations are implemented. See also main issue 5</p>
<p>Proposal would result in trespassing, and inevitably result in noise, disturbance and social problems, to include health risks from drug paraphernalia. A lot of the elderly residents are on prescription drugs and this could make them a target from theft.</p>	<p>See also main issue 5</p>
<p>Proposal would result in overlooking and light pollution from the CCTV and external lights.</p>	<p>External lighting and CCTV would be covered by a condition which would</p>

Issues raised	Response
To include cameras directed at residents homes and an areas of the adjacent church used for Sunday school and the visiting Priest's bedroom.	enable control over any impacts upon neighbours. Furthermore there is CCTV legislation which controls its use.
Concerns that residents will be accosted from beggars.	See also main issue 5
Concerns that some residents may be coming straight from prison and from outside the area. Government statistics state that 28% of adult ex-prisoners and 62% of ex-prisoners serving 12 months or less are proven to re-offend within twelve months. The unit should not be a busy centre catering for other areas.	The centre is designed to address the needs of local homelessness. See also See also main issue 5
Negatively impact property prices	This is not a material planning consideration.
Proposal would encourage drug dealers onto the road.	See also main issue 5
There are better sites within the city centre. There are no other complimentary services nearby.	See main issue 1
Location would allow easy access to pubs and drug dealers	See also main issue 1
Lack of parking and proposal would result in increase of traffic. In addition the road is currently closed (except for access) at night; the proposal would likely result in an increase of traffic during these hours particularly, to include emergency services Not convinced that 4 spaces can be provided.	See also main issue 4
Application appears very rushed. More consideration should be given to other locations.	The application is a result of a grant award, and there are strict timetables for the money to be spent. It is understood that other locations have been considered, but this type of application does not require sequential test to justify the location.
Consultation period too short and not enough people were written to.	The consultation period was the standard statutory 21 days. As site notices were erected there was no statutory requirement to send neighbour notification letters, however it is the

Issues raised	Response
	council's standard approach to send letters to neighbouring properties within 10m of the application site boundary. This approach was taken. Due to the short delay in erecting the site notices the actual period for neighbour consultation equated to just over 1 month.
Proposal not needed; a recent meeting with St Martins indicated that there were approximately 43 homeless people currently in Norwich. This centre could accommodate 1.946 people per year.	See also main issue 1
Church was unfairly quoted within the submission and hadn't been formally consulted.	The document has been superseded and replaced by a revised Additional Information Statement from St Martins Housing Trust. The church has now been formally consulted.
Introduction of hard boundaries between the church and site will undermine the smooth operation of the church; there is currently an informal arrangement where the outside space and access to 5 Recorder Road is used by the church. These arrangements are as a result of the site being split some 30 years ago.	The arrangement of any use of the site by the church is informal and does not form part of this planning application. It is understood that the church did not have any formal rights to use the site and so this is not a material planning consideration.
Proposal would impede the Church's emergency access and access to the shed.	The gates will be left unlocked when the church is in use. The church has a shed located to the south west of their main building. There is no anticipated impact upon the access to the shed; there are doors on both the east and north elevations.
If the boundary treatment is altered for the site then it would need to be altered for the church. This would also impact the character of the Grade II building.	Details of boundary treatments would be covered by conditions. Any impact upon heritage assets would be fully assessed.
Proposal would deter church goers and make undertaking Christian activities within the church difficult due to noise pollution e.g. services, prayer and Sunday School.	See also main issue 5

Issues raised	Response
Recent meeting for the residents of Recorder Road with the Chief Executive of St Martins did not address concerns.	Noted.
Concerns over confusion over use of the first floor; is this for clients as well as staff?	The submitted documents refer to the first floor as a space to be used for both staff and residents.
Concerns regarding the ability of St Martins to manage the site; there has been criticism of their other sites.	See also main issue 1 and conclusion
St Martins have publicised that the SSTS will be open in Autumn- has a decision already been made?	No decision has been made.
Facility is much needed and is in a sensible location.	See also main issue 1

Consultation responses

19. 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

20. No objection. Works to the listed building are minimal, amounting to the addition of fixings for a gate. The works to the curtilage listed building will result in some minimal impact upon the special character of the host listed building, however this is outweighed by the benefits of enhancing the accessibility of the building and securing the long term preservation. Conditions requested.

Environment Agency

21. No comments: falls under EA's National Flood Risk Standing advice and therefore falls into the remit of the council to assess the flood risk.

Highways (local)

22. No objection on highway grounds. Business uses in the city centre do not have on-street parking permit entitlement. Visitors may use the pay and display parking on street nearby or the Rose Lane multi storey car park.

Norfolk historic environment service

23. No formal comments, but would encourage the use of heritage interpretation as per the submitted Heritage Statement.

Norfolk police (architectural liaison)

24. Whilst Norfolk enjoys low crime levels the city centre, as expected, has the highest crime rates for the county. The location of Recorder Road off Prince of Wales Road (the centre of the night-time economy) sees our highest levels of crime and disorder.
25. The proposal could attract those who will seek to exploit the vulnerable residents, such as drug traffickers.
26. Reassuring that the proposal is from St Martins. Whilst they appear to have the necessary expertise to run it they seek assurance that they will be able to deal with any exploitation of the residents.
27. There are several recommendations to enable Norfolk Constabulary to support the application. These include:
 - (a) Installation of security gates/improvements to the boundary treatments
 - (b) Installation of evidential quality CCTV
 - (c) Installation of external lighting
 - (d) Adequate external door and windows meeting safety standards
 - (e) Electronic access to the sleeping areas from reception
 - (f) Staff should be security trained.

Strategic Housing

28. Development is welcomed. It fits in with Norwich City Council's (hereafter the Council) corporate plan 2019-22 which states that the council will tackle rough sleeping and homelessness. The Council will do this by;
 - (a) Address the supply of affordable housing;
 - (b) Continue to be proactive in delivering the legal responsibility to assess people who present themselves as homeless (or at risk) and develop an appropriate way forward;
 - (c) Continue the collaborative work with public and other sector partners to address the complexities of rough sleeping and homelessness;
 - (d) Implement a housing first model which seeks to stabilise people in accommodation with wrap around support addressing any wider needs; and
 - (e) Continue to address wider issues and collaborate with health colleagues where appropriate; those sleeping rough are not always homeless.
29. The council also has a tackling rough sleeping strategy 2017-22 that includes the following priorities;
 - (a) "Reduce the number of rough sleepers on our streets and where possible develop interventions to stop it from happening in the first place."
 - (b) "Make the best use of our supported housing system to help people move away from homelessness for good."
30. The council has received significant funding in both capital and revenue funding from the Ministry of Housing Communities and Local Government (MHCLG), which would support this service. This proposed development will fulfil the requirements of the funding. The funding requires the council to "make an assessment hub an integral

part of the rapid rehousing pathway to make a positive impact on rough sleeping numbers". More details can be found within the full response from Strategic Housing.

31. Between July 2018 and July 2019 243 young people were referred to the YMCA Norwich Central with only 75 being able to be accommodated. This assessment centre will provide immediate assistance to assess and help signpost and provide the appropriate type of accommodation and prevent rough sleeping.
32. Bishop Bridge House is another hostel run by St Martins Housing Trust and is consistently full. There are 25-30 people waiting for beds and living on the street at any given time.
33. St Martins have since 1972 run supported housing schemes in the city. They have a proven track record in managing these schemes with partner agencies to include the Police and Council, and have robust policies and procedures in place. They have an excellent relationship with neighbours at existing schemes and have continuously committed to engage with the local communities.
34. St Martins has considered other locations but due to the requirement that it must be centrally located with easy access for the users 5 Recorder Road is considered the most suitable location for this service.

Assessment of planning considerations

Relevant development plan policies

35. **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
 - JCS4 Housing delivery
 - JCS5 The economy
 - JCS7 Supporting communities
 - JCS9 Strategy for growth in the Norwich policy area
 - JCS11 Norwich city centre
36. **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
 - DM9 Safeguarding Norwich's heritage
 - DM11 Protecting against environmental hazards
 - DM12 Ensuring well-planned housing development
 - DM13 Communal development and multiple occupation
 - DM17 Supporting small business
 - DM22 Planning for and safeguarding community facilities
 - 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

Other material considerations

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

- NPPF2 Achieving sustainable development
- NPPF4 Decision-making
- NPPF6 Building a strong, competitive economy
- NPPF8 Promoting healthy and safe communities
- NPPF9 Promoting sustainable transport
- NPPF11 Making efficient use of land
- NPPF12 Achieving well designed places
- NPPF14 Meeting the challenge of climate change, flooding and coastal change
- NPPF16 Conserving and enhancing the historic environment

38. Supplementary Planning Documents (SPD)

- Heritage Interpretation SPD (2015)

Case Assessment

39. 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

40. Key policies and NPPF paragraphs – DM1, DM17, DM22, JSC7, NPPF paragraphs 91-95.
41. The proposal would result in a community facility, providing a residential assessment centre for homeless people. It would result in the current established use of the site as an office being lost. The principles of both of these are considered below.

Loss of offices

42. The site's current use is as offices, and as such the proposal would result in the loss of offices. DM17 states that sites and premises providing for small and medium scale businesses, such as this site, will be safeguarded for this use. However their loss is acceptable where there is no demand in this area for small and medium scale businesses and,
- (a) the site or premises is no longer viable, feasible or practicable to retain for business use; or

- (b) retaining the business in situ would be significantly detrimental to the amenities of adjoining occupiers, would prevent or delay the beneficial development of land allocated for other purposes or would compromise the regeneration of a wider area; or
 - (c) there would be an overriding community benefit from a new use which could not be achieved by locating that use in a more accessible or sustainable location
43. The submitted Planning Statement (revised) states that the site has been actively marketed for 6 months with no success, despite 11 viewings. Furthermore the statement indicates that the market for offices is saturated, with many office buildings currently empty.
44. As discussed later in the report the proposal has clear identifiable community benefits

Assessment Centre

45. DM1 states that development proposals will be expected to;
- (a) provide for a high level of safety and security, maximising opportunities for improved health and well-being and safeguarding the interests of the elderly and vulnerable groups;
 - (b) help to promote mixed, diverse, inclusive and equitable communities, by increasing opportunities for social interaction, community cohesion, cultural participation and lifelong learning.
46. The development aims to assist homeless people, a vulnerable group, by providing help to assist them in finding accommodation and addressing any other identified needs. By helping this group of vulnerable people the proposal would help to achieve a more equitable community and increase the opportunities for the individuals.
47. The proposed centre would be residential in nature, providing sleeping pods for up to 16 individuals at any one time. It would also act as an assessment centre for these residents, with the site providing short term emergency accommodation only. Whilst at the site the residents would be assessed before being moved into more suitable longer term accommodation, with each individual being given a key worker. The length of stays should be no more than 72 hours. The Somewhere Safe to Stay (SSTS) hub will aim to reduce the impact of rough sleepers within the surrounding streets and across the city centre.
48. The applicant, St Martins Housing Trust, is part of Pathways Norwich. Pathways is a service which comprises of seven partners and aims to find accommodation for homeless individuals as well as supporting those threatened with homelessness. The site is intended as an assessment centre that would support the wider work of Pathways Norwich and St Martins by providing emergency accommodation. The SSTS would be part of the Hostel Move on Agreement in Norwich, and therefore have full nomination rights into a number of other more permanent hostels.
49. The numbers of homeless people has increased in the East of England by 135% between 2010 and 2018. Recent figures for Norwich indicate a fall between 2017

and 2018 (from 30 to 21), but this has risen again recently to 43 individuals as of June 2019.

50. The proposed centre would utilise the existing support structure for homeless people in Norwich, such as community lunches at several churches, Salvation Army evening soup run, the Pottergate ARC, City Reach Health Service (Westwick Street). The location is within an area which attracts rough sleeping.
51. DM22 provides advice regarding community facilities, and states that new facilities will be permitted where they contribute positively to the well-being and social cohesion of local communities, with preference given to the city centre or within local and district centres.
52. The proposal is located within the city centre and so is considered to be an acceptable location for a community use. Given that rough sleepers are known to use the wider area and that the existing support network for homeless people is all local, focussed within the city centre, the site is well situated to serve the homeless community.
53. The proposal will contribute positively to social cohesion and well-being of the wider society by providing the homeless with opportunities to address their situation and increase their opportunities.
54. As identified above there are several elderly housing schemes in the immediate area. Elderly residents are also identified as a vulnerable group and DM1 is also therefore applicable to this group. Developments should provide a high level of safety and security for this group, maximising opportunities for improved health and wellbeing.
55. The proposal has raised a significant level of opposition, to include representations from the elderly. Concerns include fear of crime and potentially impacts upon their wellbeing. This is discussed within main issue 5.

Main issue 2: Design

56. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
57. An existing window is proposed to be replaced with a door, to enable a fire escape for one of the male sleeping areas. An additional concrete ramp is proposed, together with railings for the new ramp and existing ramp. The additional ramp would enable accessible access to the reception area, and thereafter the disabled male sleeping area. The proposed design is functional and simple.
58. A new pedestrian gate is proposed which would prevent access between the church's external space and the site. This would be attached to both the church and 5 Recorder Road.
59. Minor alterations are also proposed which include CCTV and external lighting. The details have not been submitted, but would be conditioned.

Main issue 3: Heritage

60. Key policies and NPPF paragraphs – DM9, NPPF paragraphs 189-202.

61. The building is considered to be curtilage listed, linked to the adjacent church. The building was however originally constructed as part of the 19th century vinegar works, and was then later used for worship by Christian Scientists before becoming offices.
62. The proposed new doorway is in a location where there was previously a door, and the current window dates from planning application 07/00871/L. Internal alterations are otherwise limited to 3 areas of alterations to modern partitions, and are proposed to enable disabled shower rooms to be constructed and one office to better fit 2 pods.
63. The relatively minor alterations are considered to have some impact upon the setting of the listed building. The proposal would result in less than substantial harm to the curtilage listed building. However, the concerns are outweighed by the desirability of securing the buildings long term preservation and the associated public benefits which include enhancing the accessibility of a curtilage listed building. As such the proposal, with appropriate conditions, is considered to comply with DM9 and the NPPF.
64. An A4 poster is proposed to be displayed in a ground floor window visible from the street which would explain the history of the building. This would serve to meet the requirements within the Heritage Interpretation SPD, and would be required via a condition.

Main issue 4: Transport

65. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
66. The location is considered to be accessible, with the train station just under 150m away and the adjacent Prince of Wales Road a public transport corridor which is served by a considerable number of buses. There is also a large multi-storey car park nearby, in addition to some pay and display parking on Recorder Road.
67. No changes are proposed to access the site, which is through gates which are part of the Historic England listing.
68. Provision of car parking for 4 cars will remain. The installation of the ramp is not anticipated to significantly impact this. However, in this location the DM Plan requires that only 1 car parking space is provided and therefore if the ramp does reduce the number of car parking spaces this is not a concern.
69. Provision of 1 Sheffield stand for 4 cycles is proposed, which would meet the requirements of the DM Plan in terms numbers, in addition to some informal storage inside for staff. The requirement in the plan is for 5 spaces, but if the assessment centre had 15 instead of 16 beds this would drop to 4. A covered and secure shelter is not proposed, with the application stating that this is for heritage reasons. No detail of any storage has been provided so a condition will be added, with covered and secured storage agreed if practicable. Informal internal storage is not considered ideal.
70. Concerns have been raised that the proposal will prevent the Church from using this car park. However, the use by the church has only ever been by informal arrangement as the site is not within its ownership. This informal arrangement will

cease if permission is approved but could have been withdrawn at any time. The inability of the church to use the land for car parking anymore is not, therefore, a material planning consideration.

71. The site is large enough to accommodate commercial bins easily, although no details have been provided. This can be included within a condition.

Main issue 5: Amenity

72. Key policies and NPPF paragraphs – DM2, DM11, DM12, DM13 NPPF paragraphs 9, 17 and 91.
73. The building will be staffed by at least two people at any one time. The building and pedestrian gate will be kept locked at all times, with all emergency escape routes alarmed. The gate to the street will be locked except when the church is in use as there are fire escapes across the courtyard area.
74. CCTV will cover the interior and exterior of the building. The submitted details indicate that the CCTV would also cover the street and external areas of adjacent property, however it is understood that it cannot legally be sited to be front facing or directed into neighbouring properties

Existing residents

75. The majority of the objections received have raised concerns regarding the impact of the proposal upon their amenity. This is largely focussed on concerns that the development would result in increased levels of crime and antisocial behaviour, either actual or perceived.
76. Section 17 of the Crime and Disorder Act 1998 requires all local authorities to exercise their functions with due regard to their likely effect on crime and disorder. Furthermore NPPF paragraph 91 states that planning decisions should aim to achieve places which are “safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life”. As such any anticipated increases in crime, together with any increase in the fear of crime are both capable of being material planning considerations in the determination of this application. Any fears of an increase in crime or anti-social behaviour need to be supported by evidence in order for them to weigh in the balance; in this instance the police’s comments support some of the fears of existing residents. The police acknowledge that uses such as that proposed can attract people who prey on the vulnerability of the homeless, including drug dealers, and lead to an increase in anti-social behaviour as a result of behaviour caused by addiction to either alcohol or drugs.
77. The submitted Planning Statement and Additional Information Statement from St Martins Housing Trust provide information on how the site would be managed. Both of these documents were revised following discussions with the agent regarding the amount of information initially submitted. In addition the agent has submitted an email containing additional information.
78. The applicant, St Martins, is a local homeless charity and has been operating since the 1970’s. They currently run 2 hostels, a residential care home, a sheltered housing complex, 5 flats and various group homes (housing 60 people). In addition they take the lead on the Pathways project and provide several other outreach

services too. The charity is normally supporting around 200 people and has 150 paid staff and 200 volunteers.

79. The site will not be actively promoted as a drop in centre. St Martins and partner organisations won't send people directly to the site; individuals need to be referred into the service. As such the direct visitors/users of the site will be restricted to a maximum of 16 residents, the staff based at the site and staff of the partner organisations. If people do turn up they will be seen by an advisor and directed to the appropriate service. This approach should help to alleviate concerns that groups of clients/those associated with clients will loiter around the area.
80. Where individuals are identified off-site the Pathways team will make contact and offer support, and collaborate with the police and other organisations where appropriate.
81. As part of the assessment of clients there will be active management on site by staff together with the allocation of a case worker. The centre would be staffed all the time with night workers employed. The assessment team includes a Mental Health Nurse and Nurse Practitioner. The centre would expect all residents to sign their licence agreement, which is used for their sites elsewhere. This agreement includes what behaviour would result in eviction, and what behaviour would lead to warnings. A 3 point warning system would be imposed, where on the 3rd offence the resident would be evicted. On occasions the police may be involved with evictions, and remove the individual off and away from the premises.
82. In mitigating against anti-social behaviour issues, planning case law states that substantial weight may be placed on the experience of the management organisation who is seeking permission for accommodation for the homeless. As already detailed above, St Martin's is a local charity that has been long established. This experience has been reflected within the response from the Police Architectural Liaison Officer who has stated that it is reassuring that the proposal is coming from St Martins and that they seem to have the relevant expertise. As such it is appropriate to place substantial weight on the experience of the applicants in managing accommodation for the homeless.
83. The concerns regarding the potential impact from external lighting and CCTV are noted but are not considered to be of great weight. The details of both of these would be conditioned and therefore the impacts controlled. The CCTV cannot be legally directed into neighbouring properties.

Future occupiers of the proposed development

84. Policies DM2, DM12 and DM13 are all relevant to the residential amenity of future occupiers of developments. Whilst the proposal is not for housing, the thrust of these policies are still considered relevant.
85. Clearly there are significant benefits for the future occupiers' amenity in being housed, albeit temporarily, to include the provision of bathroom facilities. The hub would act as a gateway for permanent accommodation, providing clear strong amenity benefits for the future occupiers.
86. There is no external amenity area provided as part of the proposal, and no internal communal area. A drinks machine will be installed and a kitchen area used if

necessary (e.g. food for medical reasons and medicine storage). The centre's focus is on short term respite and assessment. There will be no opportunity for longer residential stays as the ethos of the centre will be to ensure that there remains ongoing capacity for new clients.

87. Given the nature of the site and that residents will only be housed here on a very short term basis the lack of facilities, such as recreation areas, is acceptable. The site is considered to be appropriate for temporary residential use in terms of amenity and the residents should not be significantly impacted from any external factors such as noise pollution.
88. Measures to secure the safety of occupants and staff, including fencing, as suggested by the police in their response can be secured by condition. Details have not been provided at this stage.

Conclusion

89. The amenity of future residents is considered acceptable, as the site would only serve as temporary accommodation.
90. There are concerns that the proposal would result in disturbance from noise, and that the proposal would result in an increase in antisocial behaviour. The site is within a relatively high crime area, with the demands associated with the night-time economy focussed on the nearby Prince of Wales Road.
91. The advice from the Police Architectural Liaison Officer includes several physical improvements to the site which would ensure that the safety and welfare of the employees and residents are ensured. These would complement the management proposals set out within the submission, and help to ensure that the site is run in a manner to reduce the impact upon the wider neighbourhood.
92. The proposed development may result in some increases in crime and anti-social behaviour in the surrounding area. However, in mitigation, the applicants have a track record of managing accommodation for the homeless and significant weight can be attached to this. The methods used by St Martin's can be secured by condition requiring, for example, a management plan and CCTV, to ensure they are carried forward in the event that the ownership of the site changes. It is also material that the police have acknowledged St Martin's experience. However, despite the best efforts of those running the centre and their supporting partners, there is likely to be some residual impact upon the surrounding area.
93. There is also a wider benefit of the proposed development in addressing wider needs in the city to address homelessness and the impacts that it has both on the individuals who become homeless but on the character and general amenity of the city as a whole. These wider benefits may also be weighed in the planning balance.

Main issue 6: Flood risk

94. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 148-150 and 155-165.

95. The site is located completely within Flood Zone 2. The proposed change of use would change the vulnerability of the use from “less vulnerable” to “more vulnerable”. A sequential test is not required as the proposal is for a change of use.
96. Paragraph 48 Reference ID: 7-48-20140306 of the NPPF Planning Practice Guidance states that applicants for change of uses where the vulnerability increases must submit a Flood Risk Assessment (FRA), and demonstrate that the future users will not be placed in danger from flood hazards throughout its lifetime.
97. The FRA identifies that the ground floor includes a lower area (1.14m AOD) sited to the front of the site, with the rest of the area sat at 2.43mAOD. The first floor is set at 4.683mAOD.
98. Fluvial events considered include 1 in 20 years, 1 in 100 year and 1 in 1,000 years. Climate Change has also been taken into account. In all flood events the first floor would provide a safe refuge. In 4 of the 7 events the higher ground floor would remain unaffected and 3 of the 7 events the lower ground floor would remain unaffected.
99. The FRA recommends several mitigation measures, to include a Water Entry Strategy and a Warning and Evacuation Strategy. The FRA proposes mitigation measures as part of the Water Entry Strategy but these are not indicated on the plans and it is unclear if all the measures would be practical. The Warning and Evacuation Strategy is outlined in detail but lacks a Business Flood Plan.
100. With more details, to include a robust Business Flood Plan, the risk to future users is considered acceptable. The unit would be staffed 24/7 and all staff would be expected to be fully aware of the Business Flood Plan, which is likely to include details such as preparing a flood kit, being aware of safe evacuation routes and signing up to the Floodline Warnings Direct. With a suitable condition requesting these details and implementation of any measures prior to occupation, the proposal is considered to comply with DM5 and NPPF.

Compliance with other relevant development plan policies

101. 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
Cycle storage	DM31	Yes subject to condition
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes subject to condition

Other matters

102. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
103. No changes to landscaping are proposed other than the installation of the ramp and pedestrian gate. Compliance with DM3 and DM8 is achieved.

Equalities and diversity issues

104. Under the Equality Act 2010 age is a protected characteristic and therefore it is against the law to discriminate against someone based on their age. Disability is also a protected characteristic, but homelessness is not. However as detailed above, within the consultation response form the Housing Strategy team, the Council have other obligations towards homeless individuals which are capable of being material considerations.
105. As discussed above the proposal would provide clear benefits for the homeless but have some negative impacts upon the amenity of the elderly residents living nearby. The provision for disabled homeless people within the site is considered acceptable.

Local finance considerations

106. 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.
107. 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.
108. In this case local finance considerations are not considered to be material to the case.

Conclusion

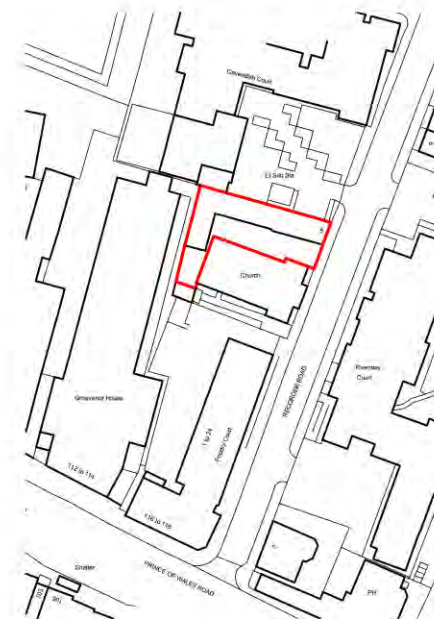
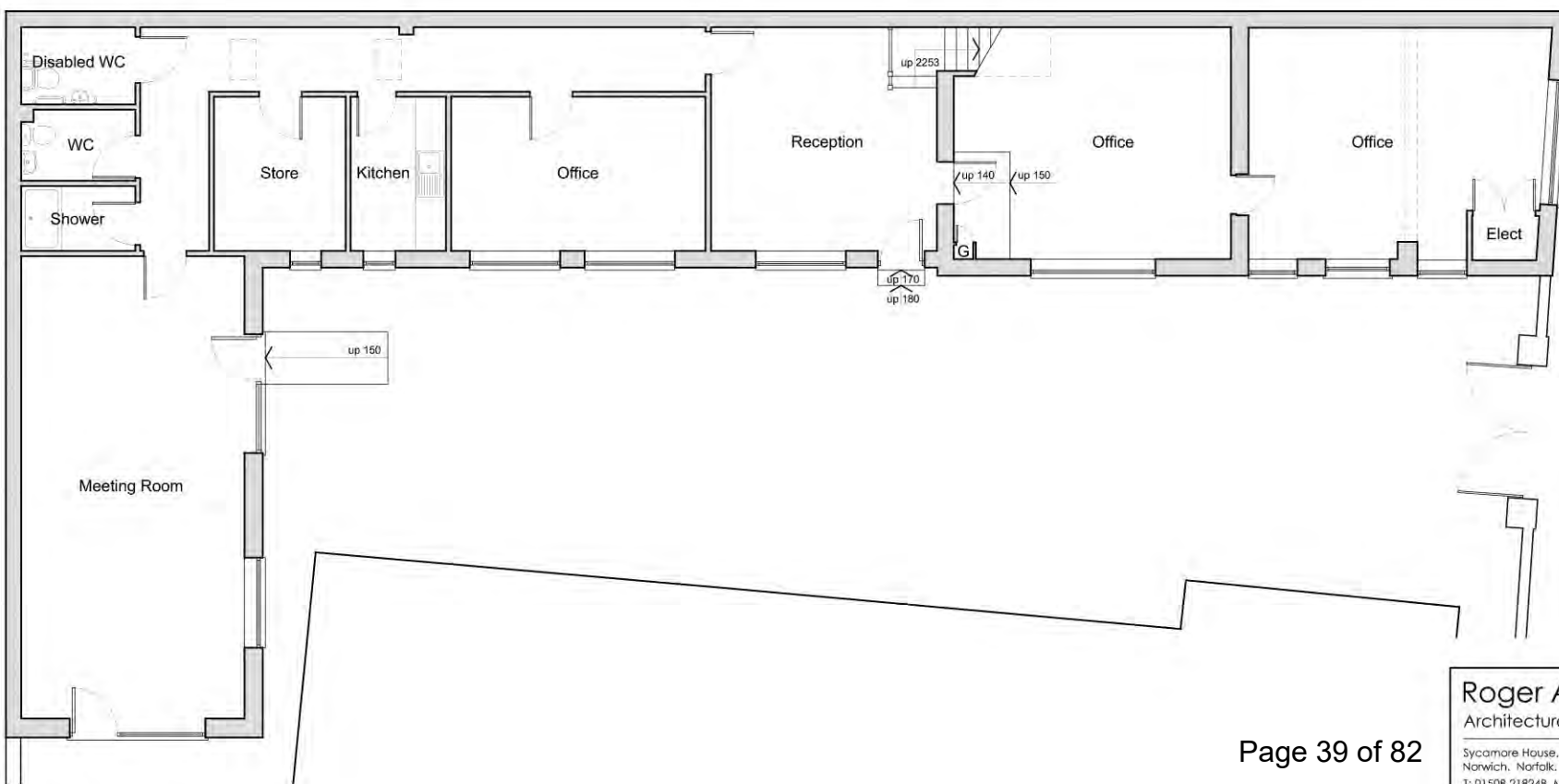
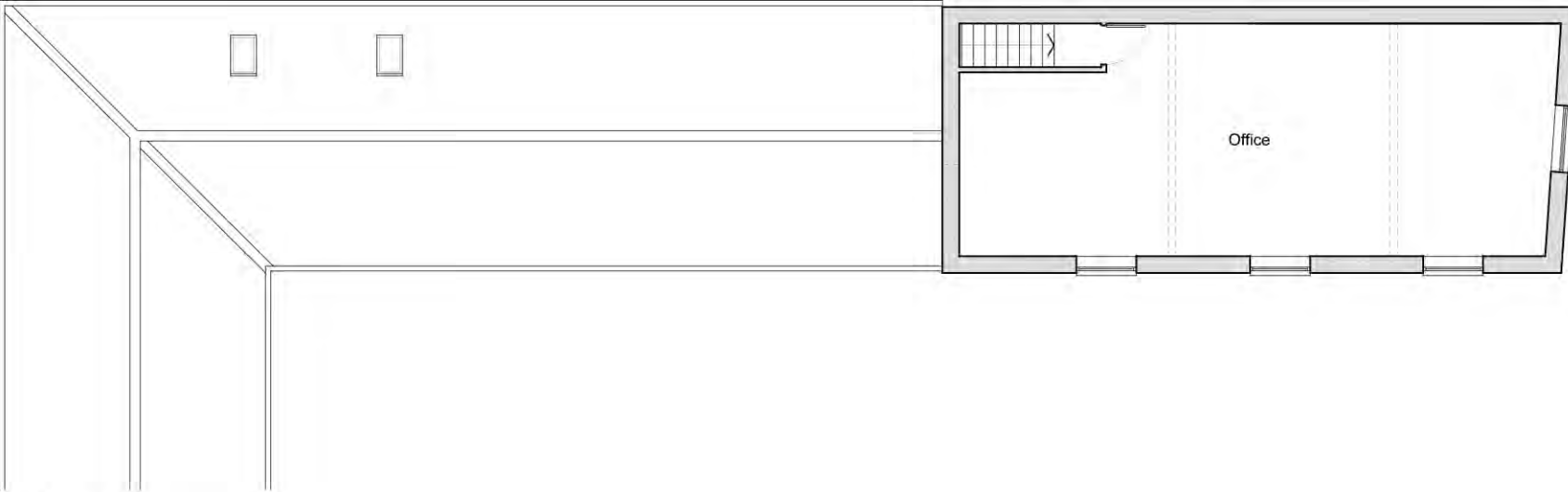
109. The proposal seeks to provide a community facility for the benefit of homeless people. The need for the Somewhere Safe to Stay centre is accepted, and the location would benefit the users as it is centrally located and well connected to the existing infrastructure supporting this vulnerable group.
110. Whilst the proposal could reduce some of the antisocial behaviour in the area if it is caused by existing rough sleepers by providing facilities such as a sleeping pod and bathroom. However, there are also concerns that the proposal would result in a rise in antisocial behaviour because the vulnerability of the future residents could become a draw for those seeking to exploit them, such as drug traffickers.

111. The concerns are mitigated by the experience of the provider, St Martins, together with the supporting information regarding how the site will be managed. The introduction of CCTV, external lighting and enhanced physical security such as electronic access would all result in enhanced security measures for the site and provide a safe environment. As proposed by the Police Architectural Liaison Officer the measures should also include alterations to the boundary fences.
112. The proposal is considered to deliver strong community benefits, which would specifically comply with DM1 and DM22, in addition to the Council's Tackling Rough Sleeping Strategy 2017-22 and Corporate Plan 2019-22. Whilst it is acknowledged that there are likely to be some negative impacts for the amenity of the existing residents, on balance this is outweighed by the social benefits of this scheme.
113. 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

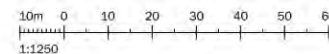
To approve:

- (1) application no. 19/00933/F - 5 Recorder Road, Norwich, NR1 1NR and grant planning permission subject to the following conditions:
1. Standard time limit;
 2. In accordance with plans;
 3. Provision of cycling parking/ bin storage
 4. Management Plan
 5. Details of fence
- (2) application no. 19/01014/L - 5 Recorder Road, Norwich, NR1 1NR and grant listed building consent subject to the following conditions:
1. Standard time limit;
 2. In accordance with plans;
 3. Heritage Interpretation;
 4. Listed building – making good;
 5. Localised repair;
 6. Listed building retain original fabric of building;
 7. Stop work if unidentified features revealed;
 8. Partitions;
 9. Details of windows to be submitted;
 10. Details of gate to be submitted;
 6. Details of fence;
 11. Dismantling of the window drop by hand.



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Location Plan



Roger Adcock
Architectural Design Ltd.

Sycamore House, The Street, Fritton,
Norwich, Norfolk, NR15 2QT.
T: 01508 218248 M: 07747 000343
E: rogeradcock@btinternet.com
Company No. 09570140 Registered in England & Wales. Registered office: King Street House, 15 Upper King Street, Norwich, NR3 1BE.

client:
One Planning Consultants.
project:
**5 Recorder Road, Norwich,
Norfolk, NR1 1NR.**

drawing:
Existing Plans.
scale @ A3:
1:100 & 1:1250.

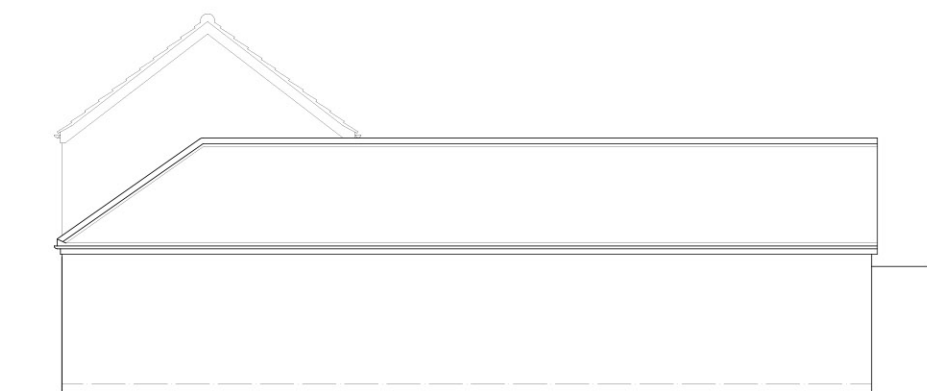
drawing number:
1881 - 01.



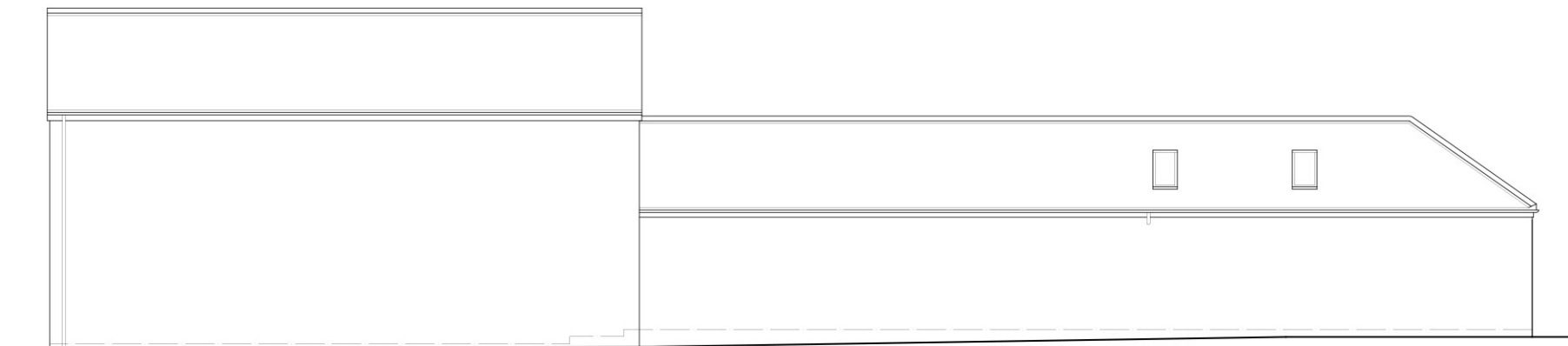
South Elevation



East Elevation to Recorder Road

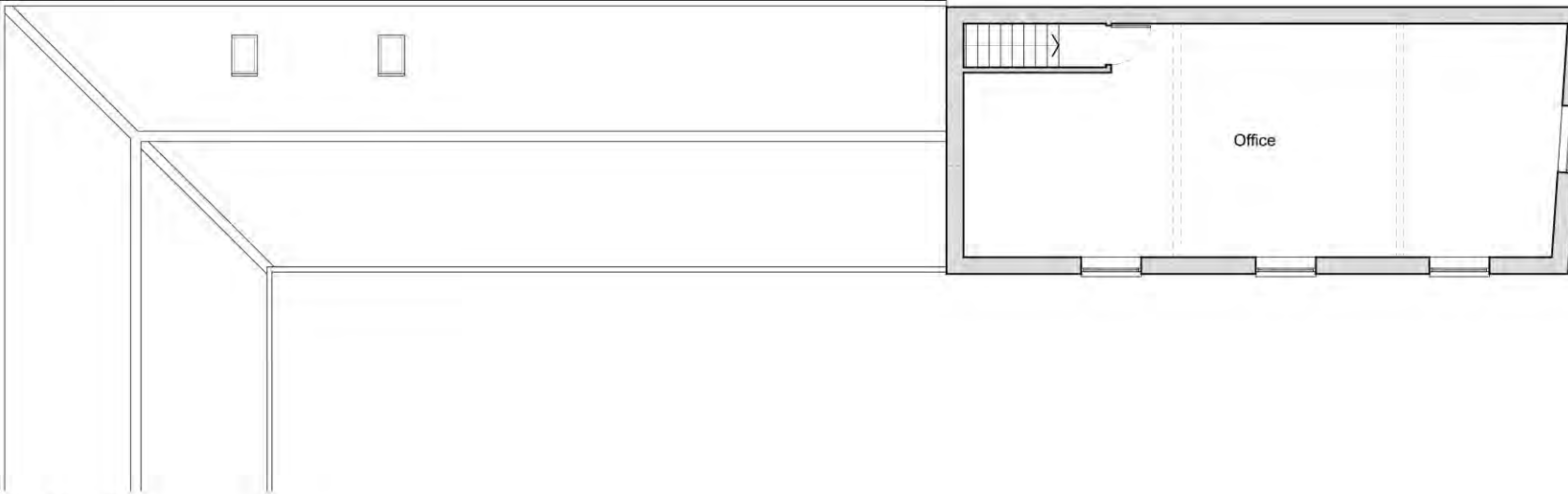


West Elevation

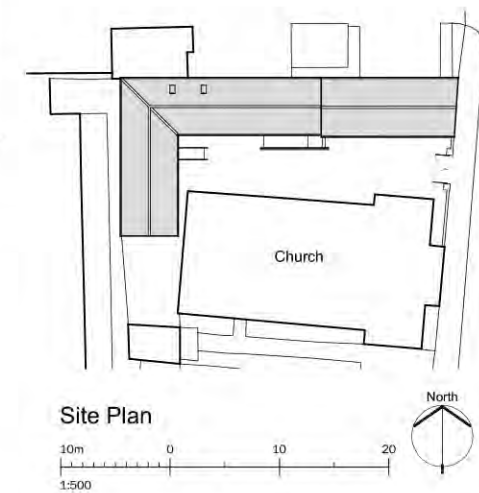
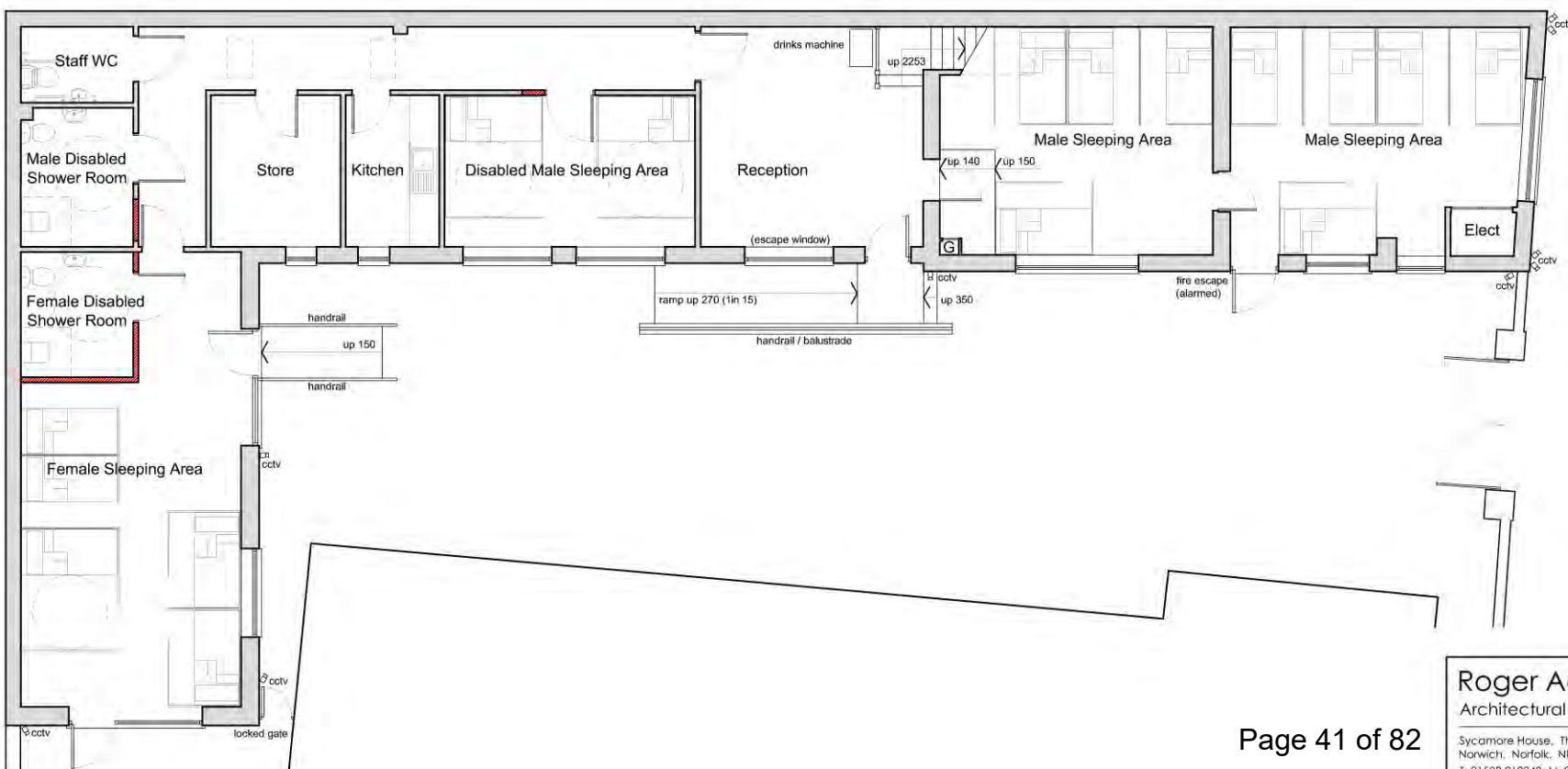


North Elevation

<p>Roger Adcock Architectural Design Ltd.</p> <p>Sycamore House, The Street, Fritton, Norwich, Norfolk, NR15 2QT. T: 01508 218248 M: 07747 000343 E: rogeradcock@btinternet.com Company No. 09570140 Registered in England & Wales. Registered office: King Street House, 15 Upper King Street, Norwich, NR3 1BB.</p>		<p>client: One Planning Consultants.</p> <p>project: 5 Recorder Road, Norwich, Norfolk, NR1 1NR.</p> <p>drawing: Existing Elevations.</p> <p>scale: 1/100.</p>	<p>revisions:</p> <p>drawing number: 1881 - 03.</p>
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First Floor Plan

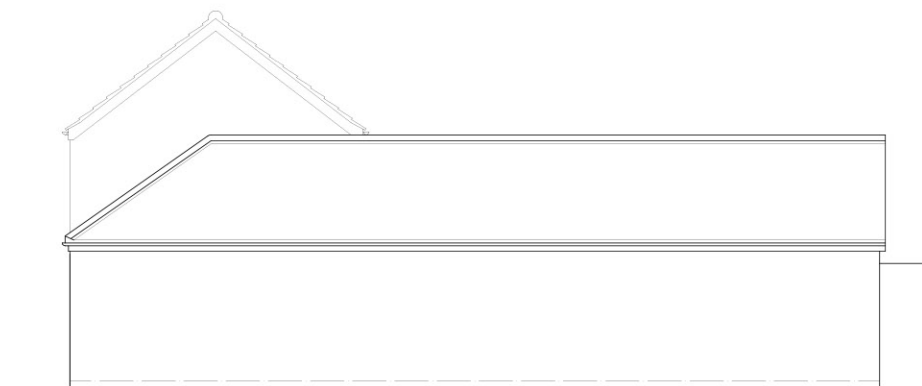




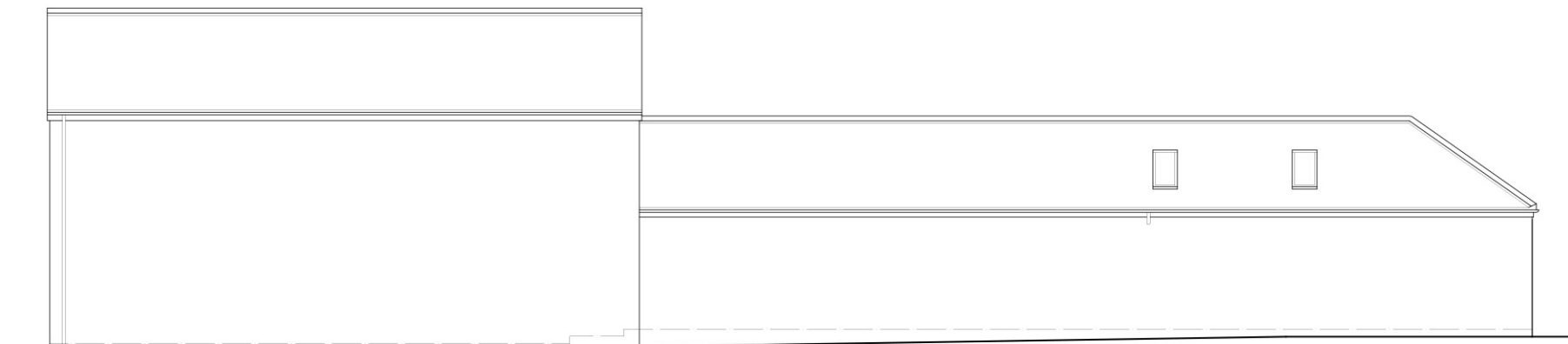
South Elevation



East Elevation to Recorder Road



West Elevation



North Elevation

Report to Planning applications committee

Item

12 September 2019

Report of Head of planning services

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

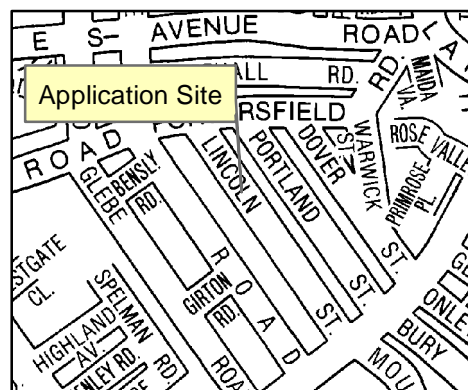
**Reason
for referral** Objection / Called in by an elected member

4(b)

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

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

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



The site and surroundings

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

Constraints

2. The site is located within a critical drainage area

Relevant planning history

- 3.

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

The proposal

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

Summary information

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

Representations

- Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Five letters of representation have been received, including comments from an elected member, citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

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

Consultation responses

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

Original Consultation

Environmental protection

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

Highways (local)

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

Tree protection officer

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

Citywide Services

11. No comments received

Ecology officer

12. No comments received.

Re-consultation

Environmental Protection

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

Highways (local)

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

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

Tree protection officer

15. No comments received.

Citywide Services

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

Ecology officer

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

Assessment of planning considerations

Relevant development plan policies

18. Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)

- JCS1 Addressing climate change and protecting environmental assets
- JCS2 Promoting good design
- JCS3 Energy and water
- JCS4 Housing delivery

19. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions
- DM3 Delivering high quality design
- DM4 Providing for renewable and low carbon energy
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM12 Ensuring well-planned housing development
- DM13 Communal development and multiple occupation
- DM28 Encouraging sustainable travel

- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

Other material considerations

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

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

Case Assessment

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

Main issue 1: Principle of development

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

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

Main issue 2: Design

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

Main issue 3: Amenity

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

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

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

Main issue 4: Transport

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

Main issue 5: Trees and Landscaping

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

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

Other matters

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

Equalities and diversity issues

48. There are no significant equality or diversity issues.

Local finance considerations

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

Conclusion

52. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

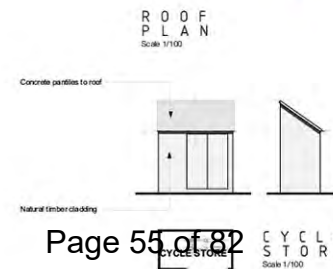
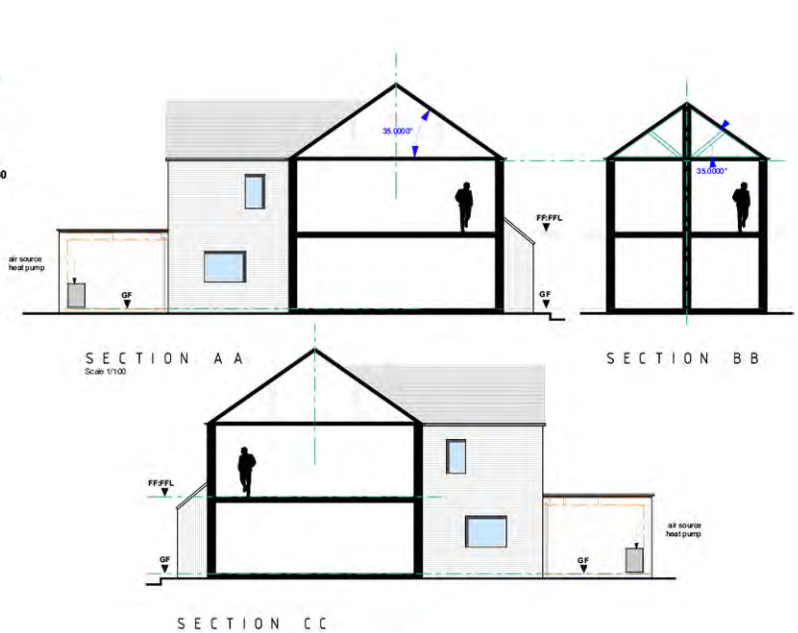
Recommendation

To approve application no. 19/00427/F - Garages Between 80 - 92 Lincoln Street Norwich and grant planning permission subject to the following conditions:

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

Informatives

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



All dimensions are to be checked on site and the Architect is to be notified of any discrepancy. Written dimensions are to be followed in preference to scaled dimensions. This drawing is copyright and may not be reproduced without the written consent of SMG.		Job Title		4 no. New Dwelling proposed at Lincoln Road, Norwich, Norfolk, NR2 3LB	
Amendment	Date	Rev	Client	Mr. FARRANT	
Amendments as per planning officer's comments	10/05/2019	A			
Amendments further to client meeting	11/05/2019	B			
Design adjustments - further to discussions with client and planning department	15/05/2019	C	Drawg. Title	PLANNING DRAWINGS	
Amendments as per Planning Officer's comments	30/05/2019	D		Scale as mentioned on drawings at A1	
			 		
			<div><div> info@smg-architects.co.uk</div><div> The Studio, St. Peter's Road, Norwich, Norfolk, NR2 3JY 01603 62 4422</div><div> www.smg-architects.co.uk</div><div> Wilbur House, 9 Wilbur Lane, Norwich, Norfolk, NR2 1UJ 01603 614 422</div></div>		
Job No.		Drawn	SD	Drawg. No	Rev
18.4311.261		Date	07/02/19	PL 0001	D

Report to Planning applications committee

Item

12 September 2019

Report of Head of planning services

Subject Application no 19/00083/F - 2 Langton Close, Norwich,
NR5 8RU

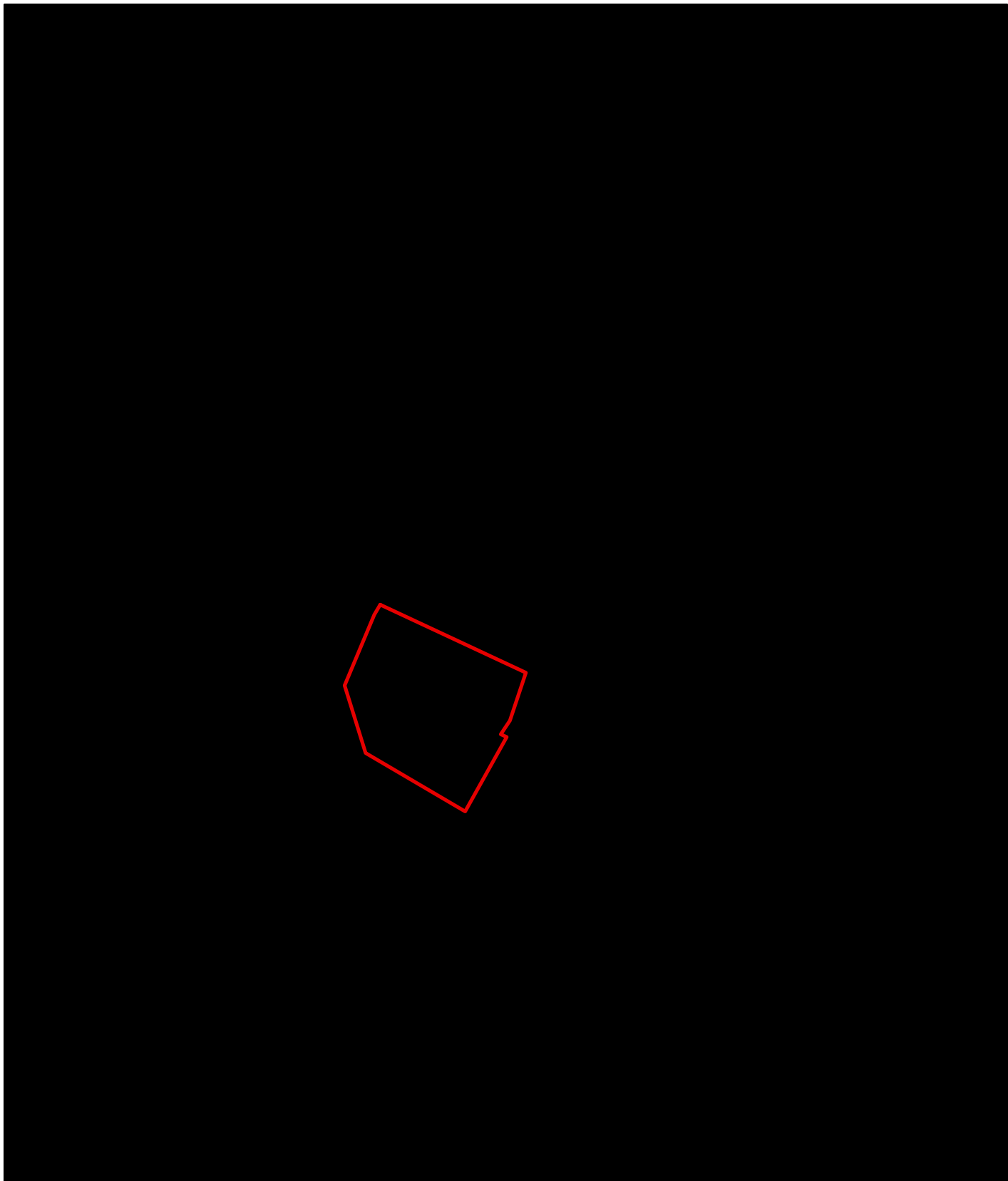
**Reason
for referral** Objections

4(c)

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

Development proposal		
Construction of two storey dwelling.		
Representations		
Object	Comment	Support
2	0	0

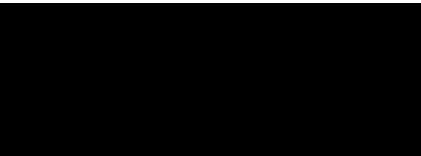
Main issues	Key considerations
1	Principle of Development
2	Design
3	Amenity
4	Parking and Access
5	Landscaping and Trees
Expiry date	3 May 2019
Recommendation	Approve



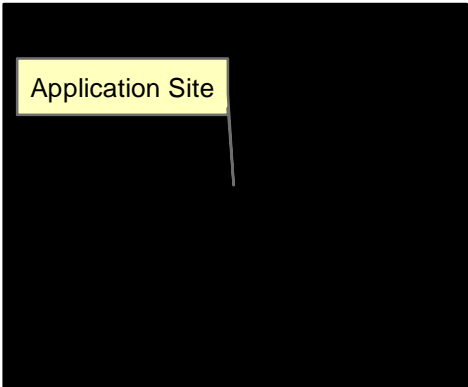
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Planning Application No 19/00083/F
Site Address 2 Langton Close

Scale 1:500



ES



The site and surroundings

1. The subject site is located on the east side of Langton Close, west of the city centre. No. 2 Langton Close is semi-detached dwelling located within a large corner plot where the Close meets Calthorpe Road. The site has an existing vehicular access from the Close and the remainder of the plot is laid to lawn. Three trees are also located on the site. The ground level slopes away towards the South so that the rest of the properties along the Close are at a higher ground level than the application site. The surrounding area is predominantly residential in character.

Constraints

2. There are no constraints on this site.

Relevant planning history

3. There is no relevant planning history

The proposal

4. The proposal is for the subdivision of the plot and construction of a new dwelling with associated access, garden and parking areas.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	1
Total floorspace	78m²
No. of storeys	2
Max. dimensions	6.80m x 9.50m, 4.80m at eaves and 6.80m maximum height
Appearance	
Materials	To be secured by condition
Transport matters	
Vehicular access	Access to Langton Close
No of car parking spaces	1-2 spaces
No of cycle parking spaces	To be secured by condition

Proposal	Key facts
Servicing arrangements	To be secured by condition

Representations

5. 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.

Issues raised	Response
Langton Close already at capacity	See Main Issue 2
Lots of students on the Close already	See Main Issue 2
Additional noise and disturbance	See Main Issue 3
The new dwelling will block light and be overbearing to neighbouring dwellings	See Main Issue 3
Bathroom window will overlook neighbouring gardens	See Main Issue 3
Parking is already a concern – the proposal will worsen this	See Main Issue 4
It is a shame that the trees will be lost	See Main Issue 5
Lots of residents don't know about the proposal	See Other Matters
The new dwelling will affect property values	See Other Matters

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.

Highways (local)

7. No objection on highway grounds. Please note that a vehicle crossover will need to be constructed - please ensure we use a condition to secure this. Ken Willis can advise the developer on the technical specification. Please ensure there is space for bin and bike storage. Please ensure the driveway is permeable hardstanding, but not loose gravel that spills out onto the highway.

8. Further comments: No objection on highway grounds. A new dropped kerb will need to be constructed across Langton Close. Please consider where bins and bikes will be stored

Tree protection officer

9. The trees on site are cat C, and should not be considered a constraint on development, their removal is acceptable. The replacement planting specified in the AIA to mitigate this loss is appropriate, and I recommend that condition TR12 is applied. Street tree T4, should be protected during development, and a protective barrier, as indicated on the tree protection plan, should be installed prior to works commencing. It may also be considered prudent to afford the same protection to the street tree on the opposite side of the road, outside 45 Calthorpe Rd. Currently the grass verge within this trees root protection area is undisturbed and in good condition. It is reasonable to foresee construction traffic having a negative impact on this. A brief pre-start meeting to ensure protection is in place would be appropriate.

Assessment of planning considerations

Relevant development plan policies

10. **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
11. **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
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

12. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF1 Achieving sustainable development
 - NPPF5 Delivering a sufficient supply of homes
 - NPPF8 Promoting healthy and safe communities
 - NPPF9 Promoting sustainable transport
 - NPPF11 Making effective use of land
 - NPPF12 Achieving well-designed places
 - NPPF14 Meeting the challenge of climate change, flooding and coastal change

- NPPF15 Conserving and enhancing the natural environment

Case Assessment

13. 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

14. Key policies and NPPF paragraphs – DM12, NPPF 5 and 11.
15. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 70 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.
16. The principle of residential development is acceptable on this site under policy DM12 subject to the criteria in the second part of DM12 and subject to the other policy and material considerations detailed below given that:
 - The site is not designated for other purposes;
 - The site is not in a hazardous installation notification zone;
 - 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.
17. Furthermore, this proposal does not compromise the delivery of wider regeneration proposals, does not have a detrimental impact upon the character and amenity of the surrounding area which cannot be resolved by the imposition of conditions (subject to more detailed assessment below), contributes to achieving a diverse mix of uses within the locality and contributes to providing a mix of dwellings within the area. The proposal would make a small contribution to housing supply in Norwich.
18. Therefore the proposal is considered to accord with the first part of policy DM12 (subject to assessment below) and is acceptable in principle.

Main issue 2: Design

19. Key policies and NPPF paragraphs – JCS2, DM3, NPPF 8 and 12.
20. The subject site is currently an open corner plot which forms the side garden of No. 2 Langton Close. These large corner plots can be seen all round the Earlham

estate. In some areas, the design of the post-war dwelling, street patterns and open corners contribute strongly to the character of the area. By contrast Langton Close is situated in part of the estate where this character is somewhat diluted. This is as a result of there being many different property styles and instances where corner plots have already been developed.

21. Notwithstanding the above, the proposal includes the retention of front and side garden areas to ensure that the property does not appear overbearing in the streetscene and to retain buffer space between the property and the road.
22. The proposed dwelling is a detached dwelling as a result of the change in ground level. The form of the dwelling is considered to be in keeping with the dwellings along Langton Close. Notwithstanding the materials shown on the submitted plans, all details of materials will need to be secured by condition.
23. It is acknowledged that the proposed dwelling steps slightly forward of the front elevation of No.2 Langton Close. This is considered acceptable in this instance given the staggered building line of properties along Langton Close overall and the need to bring the dwelling away from the boundary with 28 Calthorpe Road.
24. Overall, the proposed dwelling is considered to be of an acceptable height, scale and form, subject to agreement of materials by condition.

Main issue 6: Amenity

25. Key policies and NPPF paragraphs – DM2, DM11, NPPF 8 and 12.
26. The proposed two bedroom dwelling is considered to meet the national space standards for a two bedroom property. In addition an appropriate amount of outdoor space would be provided. Therefore future occupants would benefit from an appropriate standard of amenity.
27. The new dwelling is proposed to be constructed as a detached property, but adjacent to No. 2 Langton Close. As a result of the change in ground levels, the new dwelling would be at a lower ground level than No. 2 which would help to reduce any overbearing impacts. There is one window within the side elevation of No.2 however this is understood to serve the stairs. Therefore the proposal is not considered to have significant detrimental impacts on occupiers at No. 2.
28. Concerns were raised that the new dwelling would be overbearing and would result in a loss of light to the property at No. 28 Calthorpe Road (adjacent to the East). It should be noted that 28 Calthorpe Road has undertaken a significant side extension (under permission 16/01652/F) which will result in the two properties being at closer proximity and has resulted in the additional confinement of that property's garden. In addition, an existing conifer hedge along the Eastern boundary of No.2 Langton Close has become overgrown and also results in a loss of light to the garden of 28 Calthorpe Road. The proposed dwelling has undergone amendments throughout the application process including a reduction in the size of the property overall and stepping back of the first floor of the dwelling in order to reduce the impact on neighbouring dwellings. In addition, the proposed dwelling would only cause loss of sunlight to the garden of 28 Calthorpe Road for part of the afternoon.

29. Concerns were also raised that the first floor bathroom window of the new dwelling would result in overlooking to neighbouring gardens. It is proposed to include a condition requiring this window to be obscure glazed to reduce impacts on privacy.
30. Therefore the amendments to the proposal are considered to result in acceptable impacts on neighbouring amenity.

Main issue 5: Transport

31. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF 12.
32. The proposal includes the provision of access to Langton Close and a new driveway area. The driveway would provide off-road parking space for 1-2 cars, in accordance with the parking standards in Appendix 3 of the Local Plan.
33. Concerns were raised that the provision of a new dwelling would result in increased congestion for the Close and surrounding roads. However, the proposed dwelling is small in scale and is not expected to generate higher than average car ownership. In addition, a policy compliant level of parking is provided on site, and on-street parking is unrestricted. The Transportation Officer has also raised no objection to the proposal.
34. Details of the surfacing of the driveway, and of bin and bike storage should be secured by condition.

Main issue 4: Landscape and Trees

35. Key policies and NPPF paragraphs – DM3, DM8, DM7, NPPF 15.
36. The site is currently an open corner plot laid to lawn with boundary hedging and trees. The plot therefore makes a positive contribution to the streetscene. The impacts of the proposal on the openness of the streetscene have been assessed in Main Issue 2.
37. The Tree Officer has confirmed that they have no objection to the removal of the existing trees provided that appropriate replacement planting is secured by condition. A full landscaping scheme will also be required by condition which would include either the retention or replacement of the existing boundary hedge.

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.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition

Requirement	Relevant policy	Compliance
Sustainable urban drainage	DM3/5	Yes subject to condition

Other matters

39. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
40. Concerns were raised that the proposal would have an impact on property values in the surrounding area. This is not a material planning consideration and has not been considered further.
41. Concerns were also raised that there were other residents in the surrounding area that may not be aware of the application. The council have undertaken public consultation on the application in accordance with standard policy and the requirements of the Town and Country Planning (Development Management Procedure) Order 2015.

Equalities and diversity issues

42. There are no significant equality or diversity issues

Local finance considerations

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

Conclusion

46. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

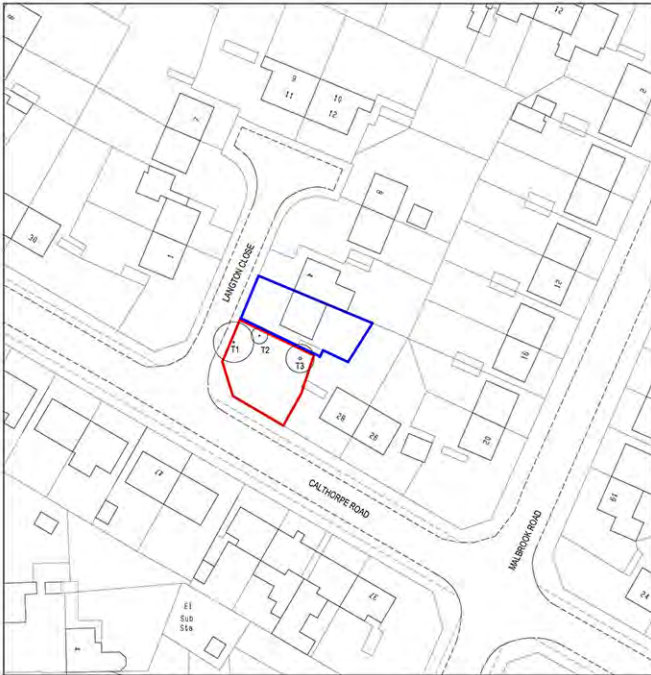
Recommendation

To approve application no. 19/00083/F - 2 Langton Close, Norwich, NR5 8RU and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials;
4. SUDS;
5. Landscaping scheme to include replacement tree planting and biodiversity enhancement measures;
6. Details of bin and bike stores;
7. Arboricultural pre-start meeting
8. Obscure glazing to first floor bathroom;
9. Removal of PD rights;
10. Water efficiency.

Informatives

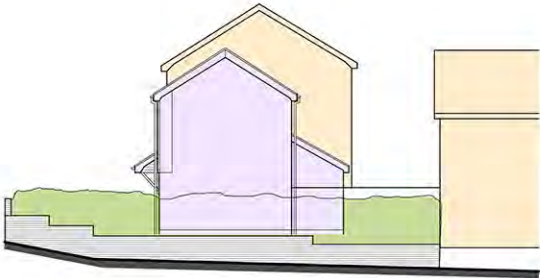
1. Any works to the highway will require a streetworks permit.
2. Street naming
3. Bin purchases
4. Site clearance and wildlife



EXISTING LOCATION PLAN - Scale 1:500



PROPOSED SITE PLAN - Scale 1:200

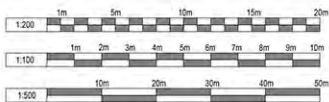


STREET SCENE A



STREET SCENE B

SCALE BARS:



DRAWINGS:-

The drawings are the copyright of Studio 35 Architecture Ltd. The drawings must not be scaled from. The contractor / builder should take and verify all dimensions on site before proceeding with any works. All dimensions shown on the drawings are for Planning purposes only.

GENERAL:-

All works are to be carried out with the relevant current British Standard Codes of Practice and Building Research Digest Papers, and to be to the approval of the local Authority and all Statutory Undertakings. All materials shall be suitable for the purpose intended and shall be used strictly in accordance with the manufacturer's recommendations. All necessary calculations are to be submitted to the Local Authority for approval prior to the commencement of work on site.

It is the owners responsibility to ensure that the property and site is free from any onerous or unusual restrictions, covenants or easements.

PARTY WALL ACT 1996:-

Attention is drawn to the Party Wall Act 1996. The client or owner must give notice in writing to neighbours of the intended building operation and excavations and require approval of same.

CDM 2015 REGULATIONS:-

Attention is drawn to the client with regard to the CDM 2015 regulations. These drawings and specification are intended for Planning & Building Regulation purposes only; the scope of this does not go any further. It is the duty of the client under the regulations to appoint a 'Principal Contractor'. There is no obligation for the client to appoint a 'Principal Designer'. The 'Principal Contractor' will then take on the role of 'Principal Designer' for purposes of the 'pre construction' and 'construction' phases of the project under the CDM 2015 regulations when it gets under way, in order that a Health & Safety File and construction plan, is provided for the HSE, in order to reduce risks through the design processes of construction etc.

PROJECT:
NEW DWELLING,
LAND OFF LANGTON CLOSE
NORWICH, NORFOLK

CLIENT:
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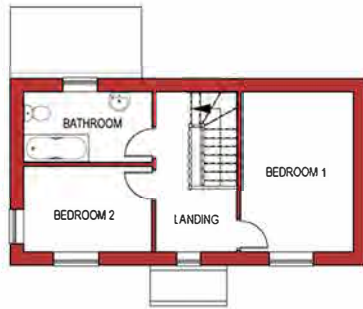
DRAWING
TITLE:
EXISTING LOCATION PLAN
AND PROPOSED SITE LAYOUT

REVISION:

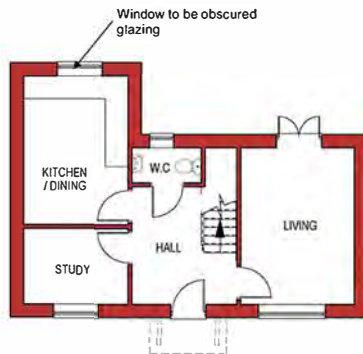
Studio|35
ARCHITECTURAL DESIGN STUDIO

PLANNING SUBMISSION

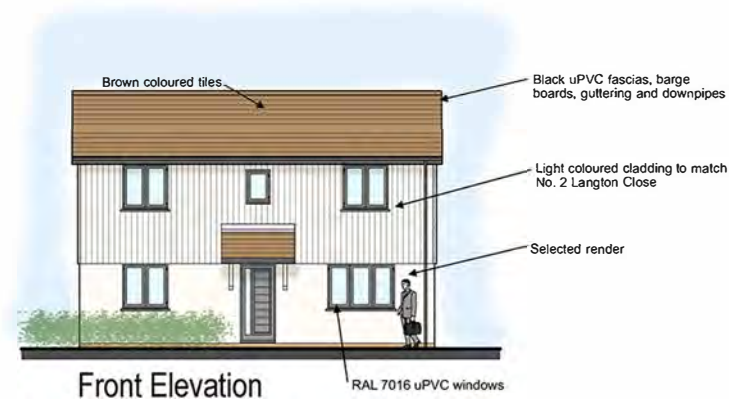
SCALE:	1:100 1:200 1:500	PAPER SIZE:	A1	DATE:	MAY 2019	DRAWN BY:	
JOB:	3586	DRG NO.:	SL01	REV:	D		



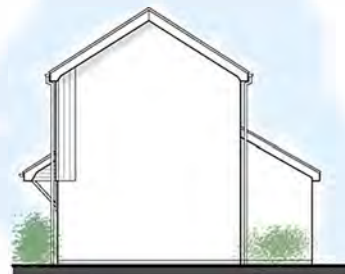
First Floor Plan



Ground Floor Plan



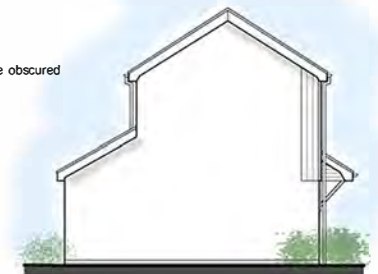
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

REVISION:
C. Materials and roof pitch altered 11/06/19
B. gable removed and altered to 2 bedroom 29/05/19

SCALE BARS:		PROJECT:	NEW DWELLING, LAND OFF LANGTON CLOSE NORWICH, NORFOLK		Studio 35 <small>ARCHITECTURAL DESIGN STUDIO</small>						
		CLIENT:	PROPERTY MATTERS LTD		PLANNING SUBMISSION						
		DRAWING TITLE:	MATTERS LTD PROPOSED FLOOR PLANS & ELEVATIONS		SCALE:	1:100	PAPER SIZE:	A2	DATE:	JAN 2019	DRAWN BY:
				JOB:	3586	DRG NO:	PL01	REV:	C		

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Report to Planning applications committee

Item

12 September 2019

Report of Head of planning services

Subject Application no 19/01073/VC - 286 Dereham Road,
Norwich, NR2 3UU

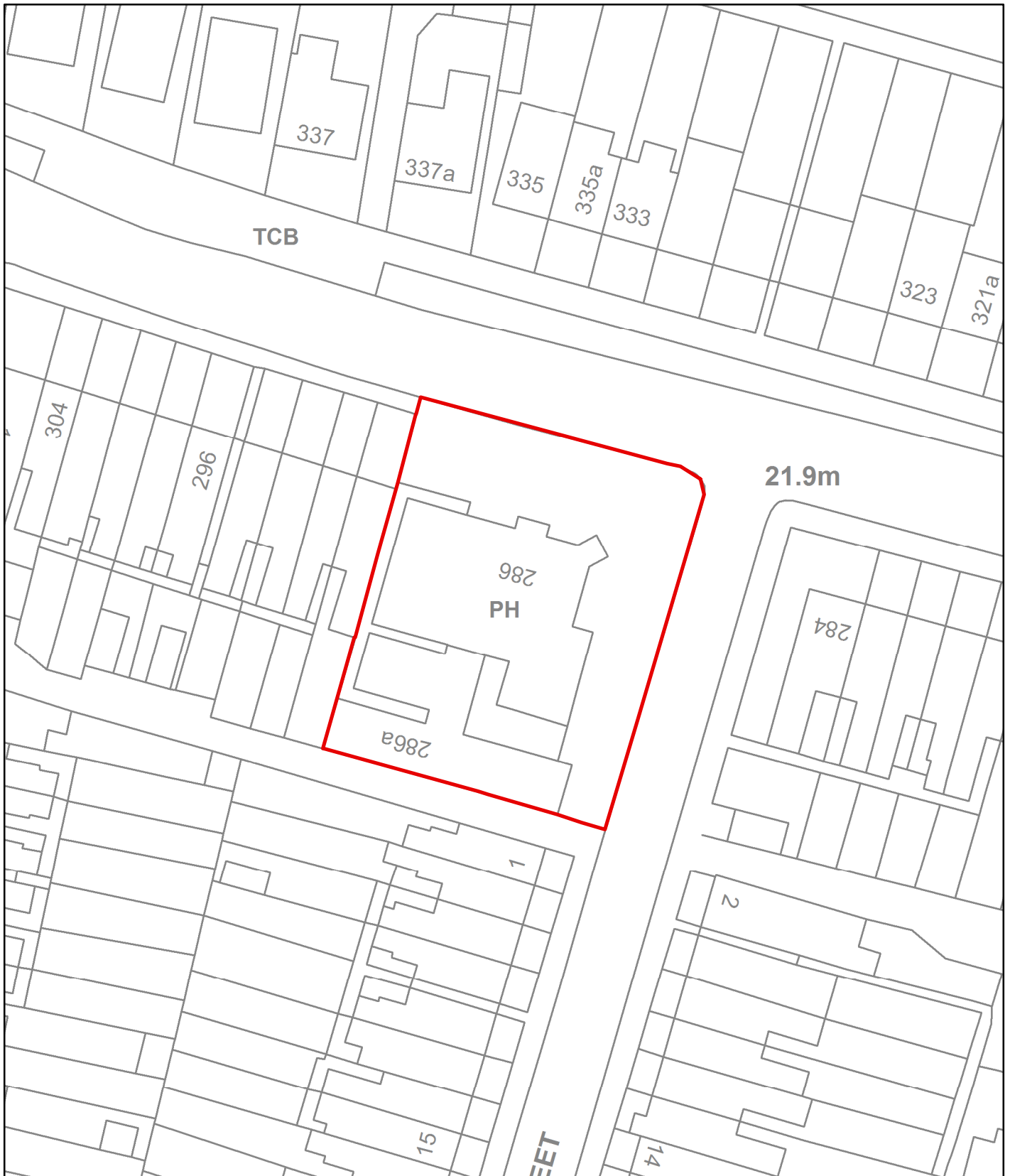
**Reason
for referral** Called in by an elected member

4(d)

Ward:	Nelson
Case officer	Maria Hammond - mariahammond@norwich.gov.uk

Development proposal		
Removal of Condition 3 of previous permission 18/01402/VC.		
Representations		
Object	Comment	Support
3	0	5

Main issues	Key considerations
1	Principle of extending hours
2	Amenity
3	Transport
Expiry date	24 September 2019
Recommendation	Refuse



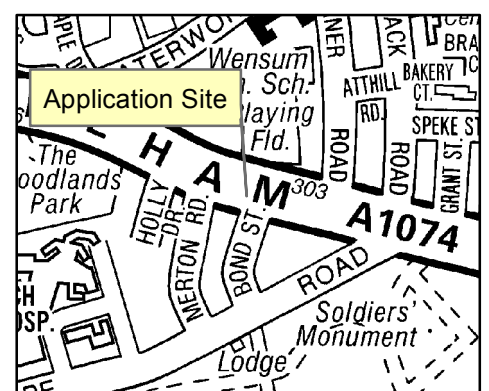
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Planning Application No 19/01073/F
Site Address 286 Dereham Road

Scale 1:500



NORWICH
City Council
PLANNING SERVICES



The site and surroundings

1. The site consists of the former Queen Charlotte pub at the corner of Dereham Road and Bond Street to the west of the city. It is a detached two storey, locally listed building with single storey extensions and outbuildings at the rear.
2. In 2011, following closure of the pub, permission was granted for use as a community centre. In January 2019, an application to vary the planning condition which allows use as a community centre to include use as a place of worship also was approved following consideration by this Committee (18/01402/VC). The premises is occupied and used by the Norwich and Norfolk Muslim Association (NNMA).
3. Approximately 20 off street parking spaces exist along the Dereham Road and Bond Street frontages with cycle stands also provided. On street parking along the surrounding streets is not permit controlled and the area is otherwise residential, characterised by Victorian and later terraces.
4. Internally the building offers two large rooms of approximately 80 square metres each; one on each floor. Other smaller rooms and outbuildings provide ancillary spaces and uses.

Constraints

5. The building is locally listed and not in a defined centre.

Relevant planning history

6.

Ref	Proposal	Decision	Date
11/00071/U	Change of use from public house (Use Class A4) to general use for community and charitable use (Use Class D1) with minor internal alterations.	APPR	14/04/2011
11/01464/F	Render replacement works.	APPR	26/10/2011
11/01471/F	Erection of single storey extension within rear courtyard to house additional toilet facilities.	APPR	12/10/2011
12/00006/F	Extensions and alteration to the building including: 1) Extension of outbuilding to create office; 2) Extension of main building to create permanent retail area;	APPR	11/04/2012

Ref	Proposal	Decision	Date
	<p>3) Retrospective application for replacement windows on rear elevation of main building with UPVc windows; and</p> <p>4) Retrospective application for reinstatement of original front window of main building with UPVc window.</p>		
12/01257/U	Change of use of part of outbuilding to provide a retail area for sales of light refreshments to existing community centre.	APPR	21/08/2012
12/02254/D	Details of condition 4 - amplified sound equipment, condition 6 - travel information and condition 9 - external lighting and security measures of planning permission 12/01257/U 'Change of use of part of outbuilding to provide a retail area for sales of light refreshments to existing community centre'.	APPR	31/01/2013
16/00426/VC	Variation of condition 4 of previous permission 11/00071/U, to increase permitted opening hours to allow later opening up to 3 hours after sunset for a temporary period each year during Ramadan up until 2022.	APPR	12/05/2016
16/00896/D	Details of Condition 9: Management Plan of previous permission 16/00426/VC.	APPR	30/06/2016
18/01402/VC	Variation of the wording of condition 3 of permission 11/00071/U to allow use of the premises as a place of worship.	APPR	15/01/2019

The proposal

7. The application proposes to remove condition 3 of permission 18/01402/VC. This permission manages the hours which the premises can be open and states:

“The use of the premises which form the subject of this permission and which are outlined in red on the location plan ref NS-3077-50 (received 14 January 2011 in respect of application 11/00071/U) shall not take place between the hours of 2300 and 0700 hours on any day, except during the Ramadan period when the use shall cease not later than 3 hours after sunset, or 23:00 whichever is the later.

Reason for condition:

To ensure the use of the premises as a community centre and place of worship does not result in detriment to local amenities and the living conditions of local residents, in accordance with Policy DM2 of the adopted Development Management Policies Local Plan 2014”.

8. A condition allowing use from 0700 hours to 2300 hours was applied to the original permission allowing use as a community centre (11/00071/U). This was then varied to allow later opening during Ramadan in 2016 (16/00426/VC). It was re-applied to the permission which allows use as a community centre and place of worship for consistency (18/01402/VC).
9. The proposed removal of this condition would remove any time restrictions on the use of the premises and effectively allow 24 hour a day use.
10. The application has been submitted to explore the possibility of removing of the condition in response to conversations with officers following complaints that the premises was being used prior to 7am for morning prayers in breach of the existing condition. A noise impact assessment, management plan and travel information plan have been submitted in support of the application.
11. It is a feature of Islam that there are five daily prayers and the time of these follows the path of the sun, from sunrise to sunset. A copy of the prayer timetable for 2019 has been submitted identifying that the earliest prayers in congregation occur at 3am and the latest at 11pm. This occurs in the summer when days are longest and in the winter all prayer times fall within the existing permitted 0700 to 2300 hours.
12. No other conditions are proposed to be varied or removed.

Representations

13. Adjacent and neighbouring properties have been notified in writing. 8 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
Some people are more sensitive to noise than others and the noise from this building has woken me and my family (in the early hours) many times already.	See main issue 2
There is no consideration when parking or when leaving and getting into cars. Doors are being slammed, people are shouting across the road to each other, time of day or night is irrelevant. Not showing respect for the neighbourhood.	See main issue 2

Issues raised	Response
The car engines running do not help asthmatics.	See main issue 2
It's a busy road already and does not need the extra noise at unsociable hours of the morning.	See main issue 2
Just because they had someone monitor their noise for a week at 3am and they were not as loud as the cars going past still proves they made noise at 3 am which is wrong to be doing.	See main issue 2
What is going to be happening about them breaking planning permission rules and being there so early before 7am?	See paragraph 55
The noise from cars of attendees to the premises has shown to be minimal and causes no disruption according to the noise detectors, hence permission should be granted for this mosque to open for all prayer timings including early morning prayers.	See main issue 2
I couldn't live much nearer and have no noise problems from the Centre and, indeed, the traffic on Dereham Road creates most of the noise disturbance in this area.	See main issue 2
The Centre's leaders work hard to maintain good relations with the community and hold regular events for local people. They have also installed a defibrillator, and have trained local people to use it, as well as installed a charity clothes bank outside the building. They are good neighbours.	See main issue 2
The proposed change will make little difference to the Centre's existing minimal impact on the local area and I fully support it.	See main issue 2
I believe that those with a religious commitment should be able to practice their belief within reason and feel the need for the premises to be in use is justified and appropriate.	See main issue 1
Disturbance levels are not beyond what is to be expected living so close to a major city, the need for the use of the premise during unsociable hours is justified and there are	See main issue 2

Issues raised	Response
other solutions to parking and noise that do not interfere with the community's need to worship.	
I object to anything concerning 286 Dereham Road until Norwich City Council solve the issue of illegal parking and rat runners through access only Merton Road along with loud voices and car doors slamming late at night during religious festivals.	See main issues 2 and 3
The current use of the building does not create any additional disturbance and I cannot see that to allow prayer to take place between the hours of 2300 and 0700 would cause any additional disturbance.	See main issue 2

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.

Environmental protection

15. The environmental protection team notes the information submitted by the applicant and after careful consideration feels it is necessary to object to the proposed removal of Condition 3 (of previous permission 18/01402/VC) on the basis of noise disturbance.
16. The removal of this condition would increase traffic movements in the area during night time hours. Sources of noise disturbance are likely include; engine noise, people entering/leaving vehicles (i.e. car doors slamming) and people talking outside the premises.
17. This area is highly residential and the removal of this condition to allow access to 286 Dereham Road at any time is likely to have a detrimental impact on the use and enjoyment of surrounding residential dwellings during night time hours.
18. There are concerns over future expansion of activities on site and/or increased use of the venue which could exacerbate the potential for noise disturbance from attendees of the site. I cannot find any reasonable or enforceable conditions which would allow control over this use to reduce noise disturbance.
19. Due to the limited number of parking spaces at 286 Dereham Road, if a more intense use of the site takes place, it is likely that during busy times, attendees of the venue will need to park directly outside residential houses, again increasing noise disturbance in the vicinity.

20. I appreciate the details submitted in the transport plan. However, buses do not service this area during the early hours of the morning (with the first starting at approximately 06:30) and therefore will be unable to alleviate the need for parking, or reduce the associated noise, at these times.

Highways (local)

21. No objection on highway grounds.
22. Prayer times throughout the day and night will mean car trips occurring around those times. There is spare on-street parking in the locality, and parking can be found on a first come first served basis.
23. The travel information plan can assist with considerate parking and use of car sharing, bus travel and walking/cycling.

Assessment of planning considerations

Relevant development plan policies

24. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS6 Access and transportation
 - JCS7 Supporting communities
25. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM22 Planning for and safeguarding community facilities
 - DM28 Encouraging sustainable travel
 - DM31 Car parking and servicing

Other material considerations

26. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**
- NPPF9 Promoting sustainable transport
 - NPPF10 Meeting the challenge of climate change, flooding and coastal change
 - NPPF15 Conserving and enhancing the natural environment

Case Assessment

27. 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

28. Key policies and NPPF paragraphs – JCS7, DM22, NPPF paragraphs 92
29. The premises has permission to be used as a community centre and place of worship. This application does not propose any change to how it is used, only the times in which it is used. The submitted management plan does, however, make it clear that it is only prayers which would take place outside the existing permitted hours of 0700 to 2300 and the community centre use would continue to operate only within those hours.
30. Permission for use as a community centre and place of worship applies to any community group, religion or faith. In this case the premises is used by the Norwich and Norfolk Muslim Association and it is recognised that it is a particular feature of Islam that prayers take place five times a day following the path of the sun. When permission was granted for use as a community centre and subsequently extended to include use as a place of worship it was considered necessary, on the advice of Environmental Protection officers, to limit this to 0700 to 2300 hours in the interests of protecting the amenity of this residential area. Therefore, whilst extending the time the premises is used for prayers is acceptable in principle, the impact on amenity is the key issue to be considered.

Main issue 2: Amenity

31. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraph 180.
32. The site, which it should be acknowledged was formerly a pub, is in a residential area. The nearest neighbouring property on Dereham Road is within approximately one metre of the building and its parking spaces. To the rear, only an access way connecting Bond Street and Merton Road separates the site from the nearest dwelling. The nearest dwellings are therefore sensitive to activity on the site but access to and from the premises, including from on street parking, can affect a wider area.
33. A noise impact assessment has been submitted to assess the noise associated with the use of the premises and the impacts this has. It identifies that there are four sources of noise: worship, community use, external activity and vehicle movements.
34. As prayers are all held internally using an approved amplification system (which the assessors did not observe any audible speech from outside the building) and as the community centre use is proposed to continue to take place only between 0700 and 2300 hours, it is the use of external areas and vehicle movements which have potential to result in additional amenity impacts as a result of the proposal.
35. Noise levels were measured in an attended survey from 0235 to 0345 one morning in June when prayer took place around 0300. During this period it was recorded that 13 cars arrived between 0245 and 0305 and 14 cars departed between 0310 and 0330, whilst 32 vehicles passed on Dereham Road. Analysis of the sound levels measured found that these were dominated by traffic on Dereham Road, as opposed to vehicle movements related to the application site. An unattended survey over a week long period was also undertaken which found variation in noise levels, including around morning and evening prayer times, were caused by variations in

traffic numbers on Dereham Road and noise from vehicle movements associated with the application site was audible, but did not affect the overall measurement.

36. The assessment concludes that the only audible noise from the site was from vehicles and their occupants and that whilst this is audible at surrounding dwellings, it is not significant compared to noise from traffic on Dereham Road and the assessment states there is no significant noise impact associated with the proposal to extend the operating hours.
37. In terms of managing noise that could have an adverse impact on neighbouring residents, the assessment notes that there are existing planning conditions requiring approval of the internal amplification system, prohibiting any external amplified sound and requiring windows and for doors to be closed during use of amplified sound inside and these are proposed to be retained. To manage noise from use of the external areas and from vehicle movements (the only audible source of noise related to early morning and late evening prayers), a management plan and travel information have been prepared.
38. The management plan sets out a code of conduct for the standard of behaviour expected at the centre to ensure minimal noise disturbance to neighbouring properties and volunteers would observe activity to ensure this is adhered to. This code of conduct includes: not congregating outside the centre, being considerate with vehicle noise including when shutting doors, ensuring windows are kept closed and only using bins in daytime hours.
39. A travel information plan has also been submitted to encourage walking, cycling, use of public transport and car sharing in the interests of sustainability, but also to manage noise associated with vehicle movements. The content of this plan is considered further below, however it identifies that the bus service closest to the centre begins at 0630 and ends at 2320. Therefore visitors to the centre outside these times are more likely to travel by private car.
40. On the basis of the noise impact assessment and the mitigation measures in the management and travel plans, it is considered that the proposal to remove any time restriction to the use of the premises is unlikely to have unacceptable impacts on the amenity of neighbouring occupiers at the existing level of use.
41. The assessment notes that the numbers of worshippers attending prayers at the times of the surveys was typical – 15 to 20 people – and that they would not expect an increase in attendees to cause a significant rise in noise levels due to the low noise levels associated with vehicle movements and the number of parking spaces on site. However, this is not considered to take full account of an increase in attendance to the full capacity of the premises.
42. As the centre has two large rooms of approximately 80 square metres each and other smaller spaces, it is considered the total capacity is likely to be 100-150 worshippers. This volume of people accessing the site, primarily by private car, is likely to have a much more significant impact than the current level of 15-20 people. As there are approximately 20 parking spaces, the existing relatively low level of use can be accommodated on the site. Once these spaces are full, worshippers accessing the site would need to make use of unrestricted parking on nearby streets. The on-street parking immediately outside dwellings along Dereham Road, Bond Street and other neighbouring streets is therefore likely to be well-used and

result in vehicles travelling along these roads searching for an available space. The noise impact assessment does not take any account of this dispersal of vehicle movements across a wider area surrounding the site and it is considered that this is likely to have a more significant impact, especially as the more dominant noise impact from traffic passing on Dereham Road will diminish with distance from it along the side streets.

43. Therefore, whilst the existing level of use is not considered to be unacceptable, it needs to be considered whether there is any means of satisfactorily managing the additional impacts from increasing attendance.
44. One option would be to limit the number of people who can attend. In accordance with paragraph 55 of the NPPF, planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. In this case, a condition restricting the number of people allowed within the premises would not be considered to pass the test of enforceability and as the existing use 0700 to 2300 is not restricted, it would also be unreasonable to impose a restriction outside these times and impractical to enforce the transition between times. Similarly, it is not considered reasonable or enforceable to restrict which parts of the building which can be used outside the existing permitted times.
45. Another option would be a temporary permission as these are often used where a trial period is necessary to assess the effect of a development. In the case of this site, it is considered that any increase in attendance is likely to take place incrementally over a long period of time. Allowing a trial period for, say, two or three years, is therefore unlikely to allow assessment of the full effects of the site operating at capacity and as it is rarely justifiable to grant a second temporary permission, this is not considered an appropriate solution.
46. It should also be considered that the proposal is to remove the existing condition altogether, rather than to vary it. This is because during Ramadan activities take place after sunset and when this falls in the summer months, there would only be a short period between one day's activities ending and the first prayer the next day. Leaving a short period, for example 0000 to 0300 hours, when the centre could not be used would be impractical to monitor and enforce. Similarly, if 24 hour use is not considered appropriate, extending the existing hours to earlier than 0700 and/or later than 2300 may mitigate the amenity impacts to some extent but would not facilitate full use of the centre for prayers all year round. Removing the condition or retaining it as it is (by refusing the application) are therefore considered to be the two viable options.
47. The assessment of this application relates to the nature of the use in relation to the Islamic faith. The extant permission for use as a community centre and place of worship could be used by any religion whose practices may differ in their times and nature. It may therefore be appropriate to restrict any permission to use by the Norwich and Norfolk Muslim Association only. This would not, however, mitigate or manage the adverse impacts, it would simply allow the impacts of use by a different group to be assessed through a permission to vary or remove that condition.
48. In assessing the proposal, regard must be had to the fact that this application has received representations both objecting to and in support of the proposal. The objections concern the amenity and traffic impacts. It is noted that as well as

objectors reporting existing noise disruption, representations in support report a minimal impact and do not consider the proposal would result in any additional impact. This demonstrates the existing level of use results in impacts which are not so significant as to be perceived as adverse by all neighbouring occupiers. It should also be noted that the complaints which led to the submission of the application were from one source.

49. The representations in support also comment on the need for the facility and the justification this provides for the proposal. The site has permission for use as a community centre and place of worship (a combined use, not one or the other) and the application to use it for worship as well as community activities was made on the basis that the extant time restriction would be retained. It was therefore considered viable to only use it for prayers between 0700 and 2300 and acknowledged that this would not cover all prayer times throughout the year. Whilst it is appreciated that the proposal would support the community to practice their faith and pray in congregation at the centre throughout the year, the centre is in a residential area and the impacts this would have on neighbouring occupiers are not justified. During the winter months, when days are shortest, the first and last prayer times fall within the existing 0700 and 2300 allowing all five prayers to take place within the existing permitted hours.
50. One representation has raised health concerns as a result of car engines running. It is not considered this site in itself or this particular proposal would result in any significant health impact, however it is noted that the proposed management plan seeks to prevent leaving engines idling.
51. As considered above, there is not considered to be any appropriate means of conditioning the use to satisfactorily mitigate the adverse amenity impacts of a more intense use. Therefore, whilst the current level of use is not considered to result in unacceptable amenity impacts, there is no means of maintaining it at this level in perpetuity and any increase in attendance is considered likely to result in noise disturbance to the surrounding residential area which would unacceptably impact on the amenity of the area and living conditions of neighbouring occupants. This is contrary to Policy DM2, the reason for applying the existing time restrictions and also paragraph 180 of the NPPF which states planning decisions should ensure new development is appropriate for its location and avoids noise which gives rise to significant adverse impacts on health and quality of life.

Main issue 3: Transport

52. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF section 9
53. There is no highways objection to the proposal. The area has capacity to accommodate the existing use within its permitted times and the proposal would only extend that period of use. The travel information plan promotes sustainable travel and is broadly appropriate for the existing daytime use.
54. However, despite the provision of the travel information plan, trips to the site outside the existing permitted times are most likely to be by private car and it is the noise associated with these movements which is unacceptable, not the volume of traffic.

Other matters

55. Should the committee support the recommendation to refuse the application and further incidents of use outside the permitted times be reported, officers would investigate these and, if evidence is found, it would be considered expedient to serve a breach of condition notice.
56. If the NNMA wish to find a base from which they could operate without time restrictions, officers can provide pre-application advice on alternatives. Locations within defined centres or non-residential areas may be more appropriate in amenity terms.

Equalities and diversity issues

57. As noted above, the existing permission allows use as a community centre and place of worship by any religion, or even a range of religions. Whilst the existing condition limiting use from 0700 to 2300 does prevent all five daily Islamic prayers being carried out here year round, this is necessary in planning terms to protect the amenity of the surrounding area and retaining this condition does not prejudice the continued use of the centre by the current occupiers or other groups.
58. The proposal has been assessed with regard to the Equality Act 2010, which identifies religion as a protected characteristic, and Article 9 of the Human Rights Act 1998 which protects the freedom of thought, conscience and religion.

Local finance considerations

59. 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.
60. 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.
61. In this case local finance considerations are not considered to be material to the case.

Conclusion

62. The application proposes removing an existing condition which limits the time the community centre and place of worship can be used. This would effectively allow 24 hour a day use and is intended to accommodate early morning and late evening prayer times.
63. This use has already occurred at a relatively low level and a noise impact assessment has demonstrated that, in relation to the noise from passing traffic on Dereham Road, it does not have a significant adverse impact on neighbouring occupiers. It would not, therefore, be unacceptable for this level of use to be allowed to continue.

64. The centre is not, however, operating at capacity and is in fact far below this. Having considered the mechanisms available to maintain and not exceed the existing level of use, it is not considered that there is any means which would comply with the provisions of the NPPF regarding the use of planning conditions that could be used to satisfactorily mitigate the adverse impacts of a greater number of worshippers attending.
65. The benefits of the centre to the community and the ability to attend all five daily prayers here throughout the year are acknowledged. It is, however, located in a residential area where any 24 hour a day non-residential use is unlikely to be appropriate and it is not considered that the benefits of the proposal or any other material consideration outweigh the harm the noise disturbance would cause to the amenity of the local area.
66. The development is in contrary to 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 refuse application no. 19/01073/VC - 286 Dereham Road, Norwich, NR2 3UU, for the following reasons:

1. The proposed removal of condition would allow 24 hour a day use of the community centre and place of worship in a residential area. The centre has capacity for approximately 100-150 people and the noise impacts resulting from movement of people and vehicles generated by this level of use at unsociable hours would have unacceptable impacts on the amenity and living conditions of occupiers of neighbouring dwellings in the area immediately surrounding the site and in the wider area where on-street parking is likely to occur. The proposal is therefore contrary to Policy DM2 of the adopted Development Management Policies Local Plan (2014) and paragraph 180 of the National Planning Policy Framework (2019).

Article 31(1)(cc) statement

The local planning authority in making its recommendation has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations. The proposal in question is not considered to be acceptable for the reasons outlined above. The local planning authority has advised the applicant of other parts of the city where such use may be acceptable.