

## Report for Resolution

**Report to** Planning Applications Committee  
**Date** 17 May 2012  
**Report of** Head of Planning Services  
**Subject** 12/00640/MA 2 Bond Street Norwich NR2 3TS

**Item**  
**5(8)**

### SUMMARY

<b>Description:</b>	Amendments to previously approved Reserved Matters (10/01039/RM) - siting, design and external appearance of the proposed buildings (5 dwellings with two garages), the landscaping, parking, bin storage and means of access to the site of Outline planning permission 10/00412/ET (Extension of time for Outline permission ref. 04/00111/O - Redevelopment of site for residential use with access from Bond Street).
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approve
<b>Ward:</b>	Wensum
<b>Contact Officer:</b>	Jo Hobbs <span style="float: right;">Planner 01603 212526</span>
<b>Valid Date:</b>	24th March 2012
<b>Applicant:</b>	Mr And Mrs Butterworth
<b>Agent:</b>	Mr David Futter

### INTRODUCTION

#### The Site

##### Location, context and constraints

1. The site is located to the rear of Bond Street, Dereham Road and Bowthorpe Road, forming a triangular site to the rear of the dwellings that line these three streets. It is within a primarily residential area although there are some retail and community uses within the surrounding area as well. The area is typified by two storey terraced housing.
2. The site is visible from the junction of Bowthorpe Road and Dereham Road to the east of the site at present, but there is an extant permission on the site at this junction that once constructed would obscure views of the land to the rear of 2 Bond Street
3. There are a number of trees around the edge of the application site, some smaller trees to be removed and some larger trees to be retained.

##### Planning History

4. **4/2001/0729** – Redevelopment of site for residential use with access from Bond

Street (Approved 19/11/2001)

5. **04/00111/O** – Redevelopment of site for residential use with access from Bond Street. (Renewal of previous permission 4/2001/0729/O) (Approved 23/03/2004)
6. **07/00114/O** – Redevelopment of site for residential use with access from Bond Street (renewal of previous permission 04/00111/O) (Approved 01/03/2007)
7. **10/00412/ET** – Extension of time period for commencement of development for previous planning permission 07/00114/O 'Redevelopment of site for residential use with access from Bond Street (renewal of previous permission 04/00111/O)'. (Approved – 27/04/2010)
8. **10/01039/RM** – Details of the Reserved Matters - siting, design and external appearance of the proposed buildings (5 dwellings with two garages), the landscaping, parking, bin storage and means of access to the site, of Outline planning permission 10/00412/ET (Extension of time for Outline permission ref. 04/00111/O - Redevelopment of site for residential use with access from Bond Street). Approved 1 September 2010
9. **11/01734/D** - Details of Condition 2: Landscape; Condition 3: Walls and fences; Condition 5: Bicycle and bin storage and Condition 6: Facing materials of previous permission 10/01039/RM 'Details of the Reserved Matters of outline planning permission 10/00412/ET 'Extension of time period for commencement of development for previous planning permission 07/00114/O 'Redevelopment of site for residential use with access from Bond Street (renewal of previous permission 04/00111/O)'. Approved 17 January 2012
10. **11/01735/D** - Details of Condition 2: Landscape, Condition 6: Ground Survey and Condition 13: Ecology Report of previous permission 10/00412/ET 'Extension of time period for commencement of development for previous planning permission 07/00114/O 'Redevelopment of site for residential use with access from Bond Street (renewal of previous permission 04/00111/O)'. Approved 17 January 2012
11. There was also a recent application for the existing end of terrace dwelling at 2 Bond Street:
12. **12/00265/F** - Erection of rear extension. Enlargement of front and rear dormers. Alterations to bay roof. Approved 13 April 2012

## **Equality and Diversity Issues**

13. There are no significant equality or diversity issues.

## **The Proposal**

14. The application is for amendments to the previously approved reserved matters application 10/01039/RM comprising of alteration to plots 1 and 2 including:
  - Increase in footprint of each dwelling;
  - Increase in ridge height of 2.5 storey and 1.5 storey components to each dwelling;

- Alteration to north roof elevations on each dwelling to relocate dormer windows and add one rooflight;
- Addition of one rooflight to each dwelling on first floor south of 1.5 storey component roofslopes;
- Relocation of front entrance doors, creation of bay windows and porches on north east (front) elevations of each dwelling;
- Alteration of window design at first floor level on north elevation of each dwelling;
- Alteration to design of dormer windows at first floor level on 1.5 storey component on north elevation of each dwelling; and
- Addition of one window on each dwelling at ground floor on west elevation.

## Representations Received

15. 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.

16.

Issues Raised	Response
Concern with loss of light and loss of outlook from the revised height of the buildings, and overlooking.	See paragraphs 20-22.
Concern over volume of traffic to the site if each household posses more than one car.	As this application is only a Minor Material Amendment the principle of the dwellings cannot be re-considered. This has already been permitted under outline and reserved matters (10/00412/ET and 10/01039/RM), and it is only the amendments to the approved dwellings that can be considered.
Impact of more traffic on Bond Street – parking and travelling through the street	As above.
Double yellow lines may be needed at the site exit to enable access onto Bond Street, which will reduce parking further on the street.	As above.
Disturbance during construction from noise and dust	Disturbance through noise and dust through construction are not matters that can be addressed through planning legislation. Should statutory nuisances occur there are other measures to protect residents under environmental health legislation. An informative note is recommended to identify to the developer considerations relating to the construction

	phase of the development.
Walls have been removed from back gardens without any notice. Temporary fences that have been installed are not that secure.	This is not a matter that can be addressed through the planning . The ownership of the walls would be determined by deeds and potential trespass issues are a civil matter.. The Party Wall Act 1996 is relevant.

## Consultation Responses

17. Health and Safety Executive – does not advise against development.
18. Tree Protection Officer – no comments made.

## ASSESSMENT OF PLANNING CONSIDERATIONS

### Relevant Planning Policies

#### National Planning Policy Framework:

- Statement 4 – Promoting sustainable transport
- Statement 6 – Delivering a wide choice of high quality homes
- Statement 7 – Requiring good design
- Statement 11 – Conserving and enhancing the natural environment

#### Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008

- ENV7 - Quality in the Built Environment

#### Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

- Policy 1 – Addressing climate change and protecting environmental assets
- Policy 2 – Promoting good design
- Policy 3 – Energy and water
- Policy 4 – Housing delivery
- Policy 6 – Access and transportation
- Policy 9 – Strategy for growth in the Norwich Policy Area
- Policy 12 – Remainder of Norwich area

#### Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

- NE8 – Management of features of wildlife importance and biodiversity
- NE9 – Comprehensive landscaping scheme and tree planting
- HBE12 – High quality of design
- EP15 – Water conservation
- EP18 – Energy efficiency in development
- EP19 – Renewable energy development
- EP22 – Protection of residential amenity
- HOU13 – Criteria for other housing site proposals
- TRA5 – Sustainable design to reduce car use to a minimum

- TRA6 – Parking standards
- TRA7 – Cycle parking provision
- TRA8 – Provision in development for servicing

## **Supplementary Planning Documents and Guidance**

Trees and development SPD (2006)

## **Other Material considerations**

Written Ministerial Statement: Planning for Growth March 2011

The Localism Act 2011 – s143 Local Finance Considerations

## **Principle of Development**

### **Policy Considerations**

19. The application is for a Minor Material Amendment to reserved matters reference 10/01039/RM. As such the principle of the two dwellings has already been established and this application solely seeks to consider the revisions to the approved plans. As such the key considerations are design, impact on amenity and impact on trees.

## **Design**

20. The alterations to the design of the scheme are mostly relatively minor and in-keeping with the overall scale and form of the approved dwellings. The most significant alteration is the increase in ridge height in the dwellings, but this would still lead to a scale and form of development that was in-keeping with the size of the plot of land these are to be located within. There is a reduction to the landscaping outside dwelling 2, but an increase in the area outside dwelling 1.

## **Impact on living conditions**

21. There are three key considerations relating to residential amenity including overlooking, overshadowing and loss of outlook.

22. The additional windows would be at a sufficient distance to reduce overlooking to some degree. Further to this there are already windows proposed on the elevations where additional rooflights are proposed. The majority of the rooflights would be at high level. The rooflights on the 1.5 storey component to the dwellings would be slightly lower, but these would be around 30m to the nearest existing residential dwellings. The small extent of additional overlooking from these rooflights is not considered to be sufficient to merit refusal of the application.

23. The increased ridge line could lead to a loss of outlook and overshadowing. The main two storey dwellings would only increase by 20cm in height. The 1.5 storey components to the dwellings would increase by 1.5m. Whilst this is a more significant increase in height it would still be subservient to the two storey section of the dwellings. Whilst there would be a slight loss of outlook this would not be significant considering the presence of the already approved two storey dwellings. Due to the distance to the nearest dwellings to the north there would not be significant loss of daylight or sunlight to the neighbouring properties.

## **Trees and Landscaping**

24. The only amendment that could affect the existing trees on site to be retained is the increase in the footprint of the dwellings. These are still outside of the root protection zone for the adjacent trees, in particular tree T11. Provided that previous tree protection measures are still taken as recommended in the Arboricultural Implications Assessment submitted with application 10/01039/RM there would be no adverse impacts on the trees on site.

## **Local Finance Considerations**

25. Under Section 143 of the Localism Act 2011 councils are required to consider the local financial considerations of planning decisions. The income of New Homes Bonus from the completion of dwellings would be a consideration. As this application only seeks to amend the design details of two existing approved dwellings it is not considered to lead to potential income to the council. The previous application under 10/00412/ET approved the dwellings and so the principle has already been established.

## **Conditions from previous permission**

26. There have been several conditions relating to the development from the previous outline consent (10/00412/ET) and reserved matters (10/001039/RM). Conditions have been recommended below relating to the landscaping, walls and fences, cycle and bin storage, and materials to be as submitted on the plans with this current application. All details approved under applications 11/01734/D are within the plans submitted with this application negating the need for additional conditions to agree this detail.

27. The details under outline 10/00412/ET relating to ground condition works and ecology have been considered in an additional statement submitted with this application. Given the minor change in the footprint of the dwelling the original ground conditions report is still considered to sufficiently demonstrate the ground is stable across the entire site. An addendum to the ecology report has been submitted by Aurum Ecology Wildlife Consultants stating that there would be no change to their previous recommendations. These have been taken into account in the landscaping scheme approved and so would be enacted through condition 2 recommended on landscaping below. The additional statement did identify that if the works take place between April to August on the site any nesting bird species should not be disturbed. An informative note is recommended to identify this fact to any developers.

28. Further to the conditions recommended below to ensure compliance with the agreed details there are no further conditions required.

## **Conclusions**

29. It is considered that the design of the amendments is in keeping with the overall scale and form of development approved on the site under the previous reserved matters application and that the proposal is unlikely to have an adverse impact on the existing trees on site, amenities of either the immediate neighbours or the wider area. As such the proposal accords with the criteria set out within policies NE8, NE9, HBE12, EP16, EP18, EP22, HOU13, TRA5, TRA6, TRA7 and TRA8 of the

City of Norwich Replacement Local Plan and policies 1, 2, 3, 4, 6, 9 and 12 of the Joint Core Strategy.

## RECOMMENDATIONS

To approve application no 12/00640/MA “Amendments to previously approved Reserved Matters (10/01039/RM) - siting, design and external appearance of the proposed buildings (5 dwellings with two garages), the landscaping, parking, bin storage and means of access to the site of Outline planning permission 10/00412/ET (Extension of time for Outline permission ref. 04/00111/O - Redevelopment of site for residential use with access from Bond Street)” and grant planning permission subject to the following conditions:

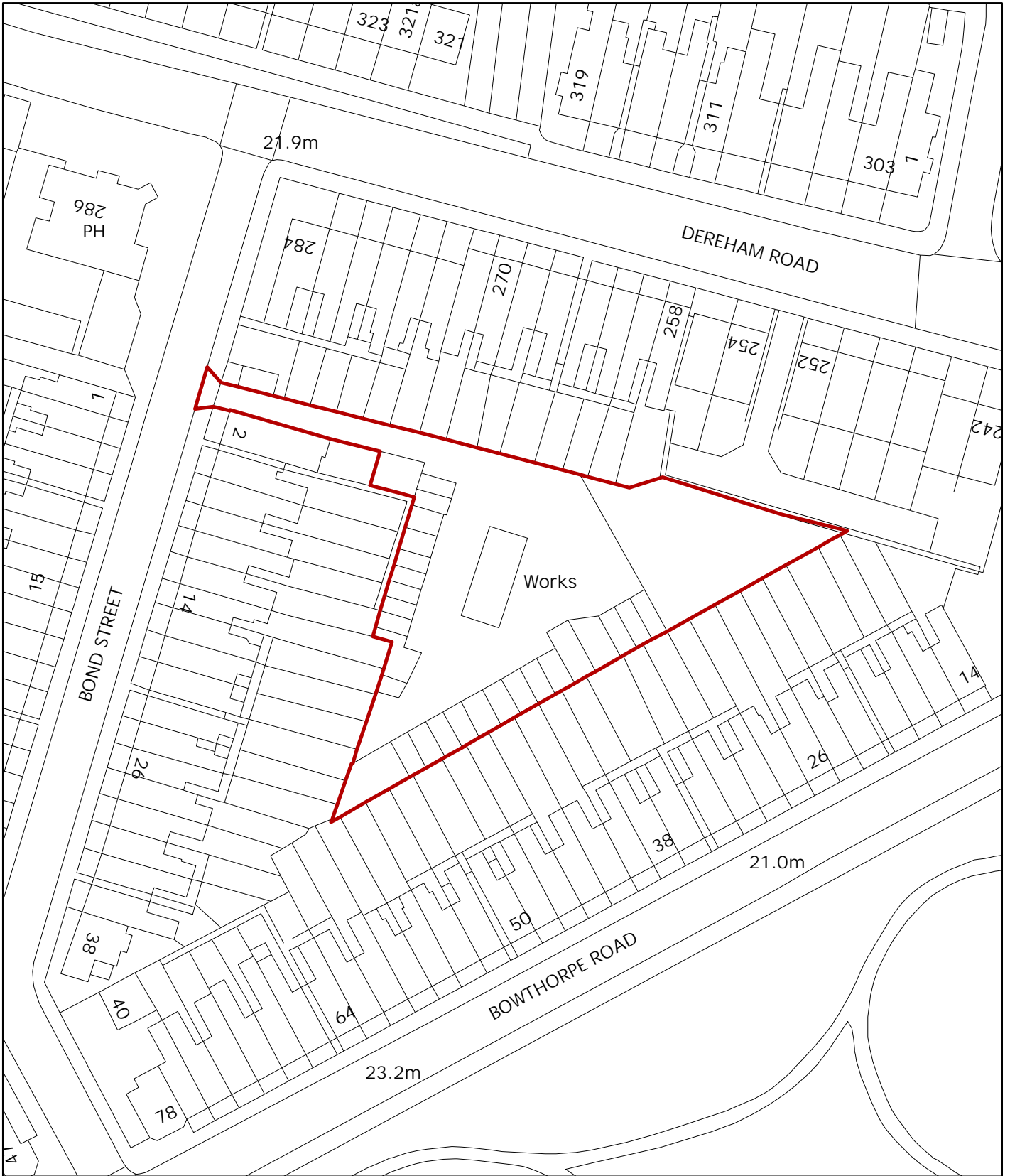
1. Development to comply with conditions attached to 10/00412/ET
2. Landscaping to be implemented as shown on site plan
3. Walls and fences to be implemented as shown on site plan
4. Works to comply with AIA
5. Cycle and bin storage to be implemented as shown on site plan
6. Materials to be implemented as shown on site plan
7. In accordance with plans

Informative Note:

1. Nesting bird species should not be disturbed under the Wildlife and Countryside Act 1981 as amended.
2. Responsibility to remediate against pollution
3. Bat licence required should any bats be found
4. Tree protection barriers
5. Construction working hours

Reason for approval:

The decision is made with regard to policies NE8, NE9, HBE12, EP16, EP18, EP22, HOU13, TRA5, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan Adopted Version November 2004, the adopted Joint Core Strategy March 2011 and all material considerations. The revised design of plots 1 and 2 is of good design and will not have an adverse impact on the amenities of residents of neighbouring properties by virtue of the distance and orientation of the nearest dwellings or existing trees on site by virtue of suitable tree protection measures being undertaken.



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Planning Application No 12/00640/MA  
 Site Address 2 Bond Street  
 Scale 1:750



**NORWICH**  
 City Council

PLANNING SERVICES

