

**Report to** Planning applications committee  
**Date** 6 February 2014  
**Report of** Head of planning services  
**Subject** 13/02028/F 154, Gipsy Lane, Norwich NR5 8AZ

**Item**  
**4(5)**

## SUMMARY

|   |   |
|---|---|
| <b>Description:</b>                           | Demolition of existing rear extension and erection of two storey extension and conversion to 2 No. flats. |
| <b>Reason for consideration at Committee:</b> | Objections  |
| <b>Recommendation:</b>                        | Approve   |
| <b>Ward:</b>                                  | Wensum  |
| <b>Contact Officer:</b>                       | Lara Emerson Planner 01603 212257   |
| <b>Valid Date:</b>                            | 14th December 2013  |
| <b>Applicant:</b>                             | Mr M Modesti  |
| <b>Agent:</b>                                 | Kevin Cole  |

## INTRODUCTION

### The Site

#### Location and Context

1. The site is located on the north-west side of Gipsy Lane.
2. It is close to the Fiveways roundabout and separated from the site of the Fiveways public house by a driveway. The surrounding area is largely residential in nature comprising 2 storey terraced dwellings similar in size and appearance to the application property.

#### Constraints

3. At the rear of the site there are 3 large trees (but these are not subject to TPOs). There are no other constraints on the site.

#### Planning History

No recent planning history.

### Equality and Diversity Issues

There are no significant equality or diversity issues.

### The Proposal

4. The proposal is for the erection of a single and two storey rear extension and for the conversion of this single 4-bedroom dwelling into two flats. It is indicated on the plans that these flats are each to have 3 bedrooms.

5. The two storey rear extension stands 6.2m high, 0.1m below the ridge height of the existing dwelling. The eaves are 4.6m high, 0.2m below the existing eaves height. The single storey extension is flat roofed. There are windows on both floors on all elevations except facing towards the neighbouring property at 152 Gipsy Lane. Materials are all to match existing.

## Representations Received

6. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below.

7.

| Issues Raised  | Response     |
|--|--------------|
| The existing occupants disturb neighbours by playing football at night time  | Paragraph 15 |
| The trees at the rear of the garden already block light from 1 Gipsy Close and the proposed extension will further block the light | Paragraph 17 |
| Poor maintenance of property, especially trees at rear of garden   | Paragraph 30 |

## Consultation Responses

8. Consultee: Transportation (Local Highway Authority)

Comments: The new parking space would necessitate the removal of a hedge and the creation of hardstanding which may be considered detrimental to local amenity. Sheds or freestanding cycle stands should provide space for the parking of at least 2 cycles per dwelling. Space for 6 no. 240 litre refuse bins should be provided and these should be located in a place which provides easy access to Gipsy Lane. Hardstanding should be porous.

9. Consultee: NCC Environmental Health (Pollution Enforcement)

Comments: The site is located close to two sources of noise (the road and the public house). The intensification of the living space reduces the opportunity for residents to retreat to less noisy areas. A Noise Impact Assessment (NIA) is considered excessive in this case. Instead, a condition should be included which requests that details of sound-insulating ventilators are submitted to and approved by the local authority.

10. NCC Private Sector Housing was also consulted but no response was received.

# **ASSESSMENT OF PLANNING CONSIDERATIONS**

## **Relevant Planning Policies**

### **National Planning Policy Framework:**

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

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

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 4 – Housing delivery

Policy 6 – Access and transportation

Policy 12 – Remainder of Norwich area

Policy 20 – Implementation

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

HBE12 – High quality of design

EP18 – Energy efficiency in development

EP22 – Protection of residential amenity

HOU13 – Criteria for housing developments

HOU17 – Conversion of two-storey terraced houses to flats

TRA6 – Parking standards

TRA7 – Cycle parking provision

TRA8 – Provision in development for servicing

## **Emerging DM Policies**

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

DM9 – Safeguarding Norwich's heritage

DM31 – Car parking and servicing

DM33 – Planning obligations and development viability

## **Principle of Development**

### **Policy Considerations**

11. The most relevant policies to this application are those relating to design, residential amenity and transport (Replacement Local Plan policies HBE12, EP22, TRA6 & TRA7).

### **Other Material Considerations**

12. The residential use of this site is established but the conversion to two flats creates a more intensive use which must be considered.

13. A recent appeal decision has identified that the council does not have a five-year housing land supply for the Norwich Policy Area. Under paragraph 49 of the NPPF, housing policies within a local plan should be considered not up-to-date if there is no demonstrable five year housing land supply. In this instance this means that policy HOU17 (which states that conversions of this type should not be permitted) of the local plan can be given no weight in determining this planning application. As such, the NPPF requires planning permission to be granted unless "Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits... or ... specific policies in the NPPF indicate development should be restricted".

14. As such the principle of this conversion is acceptable and the considerations that should be taken into account are design, vehicular access, car parking provision, refuse and cycle storage and the amenity of existing and future residents.

## **Impact on Living Conditions**

### **Disturbance**

15. One letter of representation has been received citing issues of noise disturbance from existing residents. The behaviour of existing residents is not an issue which can be considered within planning, and thus the complainant has been directed to the council's Environmental Health team. Whilst this disturbance in itself is not a material planning consideration, it is prudent to consider the impact of additional residents through the intensification of the site. This is an established residential area and given the location of size of units it is considered unlikely that each flat would have more than 3 occupants. This would potentially lead to a total of 6 occupants, which would be a conceivable number to see housed in the existing 4 bedroom dwelling. As such, the works proposed here are unlikely to cause a significant increase to the overall use of the site.

**Loss of Privacy**

16. Windows have been considerably placed away from sensitive areas. No loss of privacy can be expected as a result of these proposals.

**Loss of Light**

17. The proposals are of modest single storey height near to boundaries with neighbouring residential properties. One letter of representation mentions concerns about loss of light to the rear garden of 1 Gipsy Close which is to the rear of the site. However, the proposed extensions are at a distance of at least 18m from the rear boundary. As such, no significant loss of light will result from these works.

**Loss of Outlook**

18. The siting and height of the proposals means that no loss of outlook.

**Residential Amenity for Future Occupants**

19. In terms of residential amenity for the future occupants, policy EP22 of the Replacement Local Plan seeks to create acceptable living conditions. Policy DM2 of the Emerging Local Plan (which has been submitted but is not yet adopted) states that new dwellings should exceed the city council's indicative minimum space standards.
20. The submitted plans indicate that it is intended for the 2 flats to provide 3 bedrooms each. According to the council's space standards a single storey 3-bedroom dwelling should have a minimum of 74 sq.m. to 86 sq.m. gross internal area (GIA) depending on the number of occupants. However in reality it is considered that if occupied by a family one of the indicated bedrooms could easily be used as a further reception room and (given the location and existing occupation) if occupied by students there would be three occupants of each flat with a communal area. The GIA within this proposal is approximately 66m<sup>2</sup> and 54m<sup>2</sup> for the ground floor and first floor flat respectively which is well below this requirement. Both flats are limited in space and in particular the first floor flat has combined kitchen, dining and living space of 15m<sup>2</sup> which is considered meagre for a 3-bedroom dwelling.
21. However, it is noted that this application is simply for an extension and conversion to flats with an unspecified number of bedrooms and that, in any case, internal layout and use of rooms can be changed without planning permission. In practice the applicant could simply label one of the rooms as a "store" or omit an internal wall which is to be built out. Therefore it is not considered to be appropriate to request an amendment to the submitted plans, particularly as other than size there are no specific amenity concerns or identified areas of harm. The benefits of gaining an additional dwelling (and potentially six bedspaces for students), the financial implications of receiving New Homes Bonus together with the lack of a 5 year land supply means that there are no adverse impacts which would significantly and demonstrably outweigh the benefits... or ... specific policies in the NPPF that indicate development should be restricted.
22. As highlighted by the comments from Environmental Health, the property is in close proximity to a road and a large public house. Due to the intensification of the site and the limited communal living space provided, residents may be forced to spend more time in the noisier parts of the flats. As such, a condition is recommended which aims to reduce the noise within the property's habitable rooms.
23. The large rear garden, which is proposed to be shared between the two flats, is considered to be of sufficient size to offer adequate outdoor amenity space for the future residents of the two flats.

## **Design**

24. The site is in a prominent location as it is on the end of a terrace and adjacent to a large pub car park. As such, the proposals will be visible from much of the surrounding area.

## **Scale**

25. The scale of the extension is considered acceptable since it will appear subservient due to having a ridge and eaves height lower than that of the existing building and due to being set back from the side of the existing building.

## **Materials**

26. It is important in such a visible location for the materials to match those of the existing building and so a condition to this effect is recommended.

## **Transport and Access**

### **Car Parking**

27. The proposal will create a more intensive use of the site and as such additional car parking may be necessary to prevent undue pressure on the on-street parking in the vicinity. There are currently 2 car parking spaces at the front of the property and it is proposed that a hedge is removed to create an extra space. Policy TRA6 of the Replacement Local Plan states that a maximum of 2 parking spaces should be provided per 3-bedroom dwelling in this location.
28. The creation of a new vehicle crossover will need consent from Norwich City Council Highways department (informative 2).

### **Cycling Parking**

29. Storage for 4 cycles in a locked shed is to be provided in the communal rear garden which has direct access to the road via a side passage. This is in accordance with the relevant policies (condition 3).

## **Trees and Landscaping**

### **Loss of Trees or Impact on Trees**

30. An informal conversation with Norwich City Council's Tree Protection Officer confirms that the three trees at the rear of the site are of low value and are at a sufficient distance away from the proposals so as not to be of concern.

## **Other Matters Raised**

31. The alleged poor maintenance of the property, as commented upon within one letter of representation, is not a material planning consideration and should not influence the decision.

## Local Finance Considerations

32. Under Section 143 of the Localism Act the council is required to consider the impact on local finances as a material consideration. The benefits from the finance contributions for the council however must be weighed against the above planning issues. In this case the financial considerations are relatively limited and therefore limited weight should be given to them.

| Financial Liability           | Liable? | Amount  |
|-------------------------------|---------|---|
| Council Tax                   | Yes     | Band not yet known  |
| New Homes Bonus               | Yes     | Based on council tax band.<br>Annual payment for six years                            |
| Community Infrastructure Levy | Yes     | £75/m <sup>2</sup> for all additional floorspace (46m <sup>2</sup> )<br>= £3450 total |
| Business Rates                | No      | -   |

## Equality and Diversity Issues

33. There are no significant equality or diversity issues.

## Conclusions

34. There proposals are considered acceptable in terms of design and in terms of impact upon the amenity of neighbours. Future residents are to be provided with small but sufficient living space. As such the proposal accords with the criteria set out within policies HBE12 and EP22 of the City of Norwich Replacement Local Plan and policy 2 of the Joint Core Strategy.

## RECOMMENDATIONS

To **Approve** application 13/2028/F, 154 Gipsy Lane subject to the following conditions:

- 1) Time limit
- 2) In accordance with plans
- 3) Provision of cycle and refuse storage as shown on plans
- 4) Details of water conservation
- 5) Sound-insulating ventilators to front and side elevation to be approved by LPA
- 6) Materials to match existing

Informatives:

- 1) Refuse and recycling bins for residential development.
- 2) Vehicle crossovers/dropped kerbs.
- 3) Permeable hardstanding.
- 4) Underground utilities.
- 5) Street naming and numbering.



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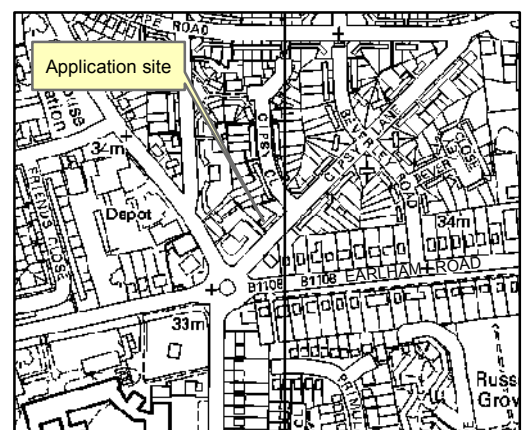
Planning Application No 13/02028/F  
 Site Address 154 Gipsy Lane

Scale 1:500



**NORWICH**  
 City Council

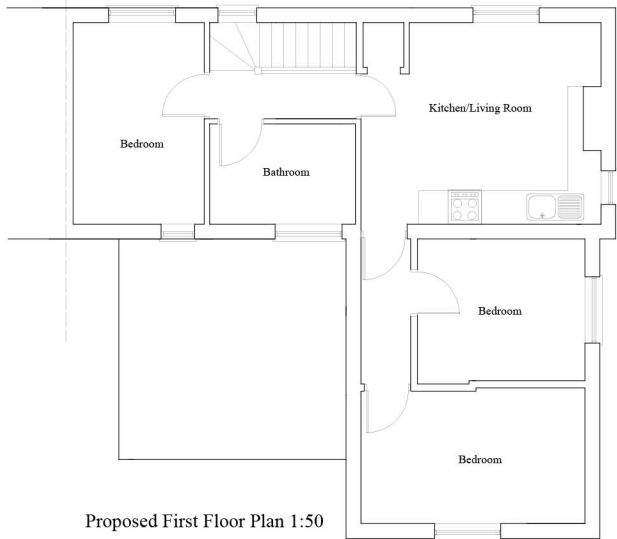
PLANNING SERVICES







Existing First Floor Plan 1:50



Proposed First Floor Plan 1:50



Block Plan 1:500



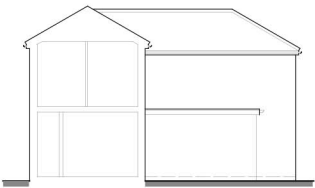
Site Location Plan 1:1250



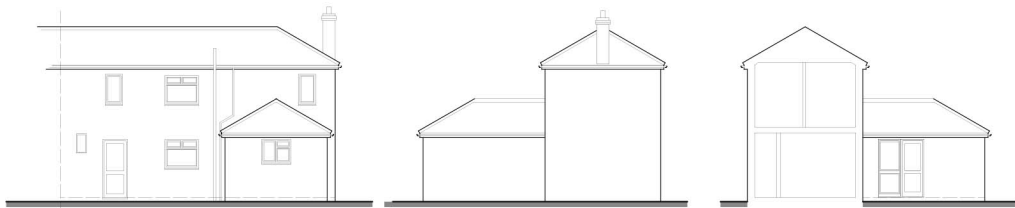
Existing Ground Floor Plan 1:50



Proposed Ground Floor Plan 1:50



North East Elevation

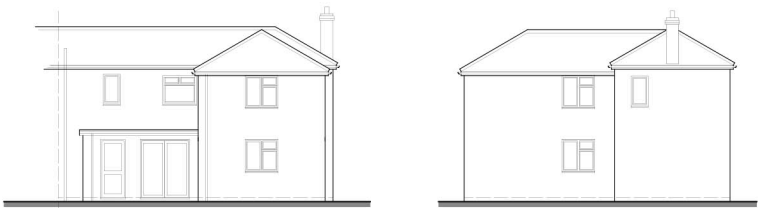


North West Elevation

South West Elevation

North East Elevation

Existing Elevations 1:100



North West Elevation

South West Elevation

Proposed Elevations 1:100

|   |             |     |
|---|-------------|-----|
| <b>R.J. COLE BA (hons) ARCH DIP: TP MRTPI</b><br>43 Park Lane<br>Norwich<br>NR2 1EF<br>Tel 01603 491415<br>Fax 01603 491416<br>rjc@rjcole.co.uk |             |     |
| <b>Client</b><br><b>Matteo Modesti</b><br>Drawing Title<br><b>154 Gypsy Lane</b><br><b>Norwich</b><br><b>Conversion of house to flats</b>       |             |     |
| Date  | Scale       | Ref |
| 11.09.13  | 1:50        |     |
| Job No.   | Drawing No. | Rev |
| 12/300  | PL02        |     |