

**Report to** Planning applications committee  
**Date** 5 June 2014  
**Report of** Head of planning services  
**Subject** 14/00269/F 240 Hall Road Norwich NR1 2PW

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

## SUMMARY

<b>Description:</b>	Erection of 3 bedroom dwelling.
<b>Reason for consideration at Committee:</b>	Objection
<b>Recommendation:</b>	Approve subject to conditions
<b>Ward:</b>	Town Close
<b>Contact Officer:</b>	Mrs Joy Brown Planner 01603 212543
<b>Valid Date:</b>	28 April 2014
<b>Applicant:</b>	Mr S Ives-Keeler
<b>Agent:</b>	Mr S Ives-Keeler

## INTRODUCTION

### The Site

#### Location and Context

1. The site is situated on the west side of Hall Road near the junction with Cecil Road. It is a vacant plot to the north of the end terrace property (240 Hall Road). It is in the same ownership as 240 Hall Road, although there is a 1.8m fence separating 240 Hall Road and the site.
2. The surrounding area is mainly residential although the site is in close proximity to the Hewett School. A row of terrace properties (199-213 Cecil Road) back onto the site. The type of properties is mixed in the area with there being terrace properties, semi detached and detached dwellings.
3. The site is not within a conservation area and there are no listed buildings in close proximity.

#### Topography

4. The site is on two levels within there being a retaining wall separating the car parking area and the rest of the site. The change of level is around 0.8m.

## Planning History

**4/1999/0732** - Single storey side extension for garage and living room. (Approved - 25/10/1999)

## Equality and Diversity Issues

There are no significant equality or diversity issues.

## The Proposal

5. The application seeks full planning permission for the erection of a three bedroom dwellinghouse. The proposed dwelling is two storey with accommodation in the roofspace. The property will be attached to 240 Hall Road which will make it an end of terrace dwellinghouse.
6. The height, width, scale and design of the proposal will match the adjoining dwelling although the ground floor of the new dwelling will be 1.2m deeper than the neighbouring dwelling. No windows are proposed within the side elevation. Rooflights are proposed within the rear.

## Representations Received

7. Adjacent and neighbouring properties were notified in writing of the proposal as submitted. Two letters of representation were received one of which commented solely on the quality of the plans rather than the proposal itself. The proposal was made invalid due to the poor quality of the plans. Revised plans were submitted which revalidated the application and an additional consultation period took place. Two further letters of representation were received. The issues raised are summarised in the table below.

Issues Raised	Response
The proposal would result in loss of light and overshadowing to the terraces on Cecil Road.	See paragraph 12
The view from the gardens of Cecil Road will be of a solid wall as opposed to the space and gable of the existing property.	See paragraph 15
The proposal will result in overlooking	See paragraphs 12 and 13
The development is out of scale and over dominant.	See paragraph 15
The development is too close to the boundary. The building is of substantial size on a narrow plot and there should be a passage way between the properties on Cecil Road and the proposed building.	See paragraph 15
The proposal will result in a traffic hazard on a road that is full of school children and heavy traffic.	The local highway officer has confirmed that the proposal is acceptable.

## Consultation Responses

8. Local Highway Officer – The proposed development is suitable in transportation

terms for its location.

9. Private Sector Housing – No comment received.

## **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 10 – Meeting the challenge of climate change, flooding and coastal change

#### **Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014:**

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

Policy 20 – Implementation

#### **Relevant Saved Policies of the adopted City of Norwich Replacement Local Plan 2004:**

NE9 – Comprehensive landscaping scheme and tree planting

HBE12 – High quality of design

EP22 – High standard of amenity for residential occupiers

HOU13 – Proposals for new housing development on other sites

TRA7 – Cycle parking standard

TRA8 – Servicing provision

#### **Other Material Considerations including:**

Written Ministerial Statement: Planning for Growth March 2011

#### **Procedural Matters Relating to the Development Plan and the NPPF**

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2014 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

### **Emerging DM Policies**

**DM1** - Achieving and delivering sustainable development

**DM2** - Ensuring satisfactory living and working conditions  
**DM3** - Delivering high quality design  
**DM12** - Ensuring well-planned housing development  
**DM28** - Encouraging sustainable travel  
**DM30** - Access and highway safety  
**DM31** - Car parking and servicing  
**DM32** - Encouraging car free and low car housing

A recent appeal decision has identified that the council does not have a five-year housing land supply for the greater Norwich 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 HOU13 of the local plan can be given no weight in determining this planning application.

The NPPF states that where a 5 year land supply cannot be demonstrated, applications for housing should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date.

Since the Norwich Policy Area does not currently have a 5 year land supply, Local Plan policies for housing supply are not up-to-date. As a result 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".

## **Principle of Development**

### **Policy Considerations**

10. The principle of a single dwelling on this site is acceptable and will help meet the housing needs within Norwich. The site is situated within a mainly residential area. As set out above as Norwich does not have a 5 year land supply, policies relating to housing within the local plan have no weight. As such the main issues in assessing any future application on the site are the impact upon living conditions of future and existing residents, design and highway safety. These are addressed below.

## **Impact on living conditions of neighbouring residents**

11. With regards to the impact upon neighbouring residents, the main issues for consideration are the impact upon the neighbouring property to the south (240 Hall Road) and the neighbouring properties to the north (199-213 Cecil Road). It is not considered that the proposal will impact upon the properties on the opposite side of Hall Road.
12. With regards to the neighbouring property to the south (240 Hall Road) it is considered that the proposal may result in a slight loss of light and overshadowing to the ground floor due to the ground floor of the new dwelling projecting 1.2m further than the rear wall of the neighbouring property. However due to the existing

boundary treatment, the orientation and the height and depth of the new building, any loss of light and overshadowing will be minimal and at an acceptable level. It is not considered that the proposal will increase levels of overlooking significantly as there are no windows at first floor level with the side elevation of the projection of 240 Hall Road.

13. With regards to the impact upon the properties on Cecil Road, it is considered that the proposal may lead to minimal overlooking to the rear gardens from both the front and rear elevation of the new property; however it is not considered that it will have a significant detrimental impact upon the living conditions of neighbouring residents particularly taking into consideration the urban setting. No windows are proposed within the side elevation of the new dwelling.
14. With regards to loss of light and overshadowing it is considered that there could be a slight loss of light and overshadowing to the gardens of the properties on Cecil Road; however due to the distances involved any loss of light and overshadowing will be minimal and at an acceptable level, particular bearing in mind the existing presence of the existing row of terraces on Hall Road (240-246 Hall Road).
15. Concern has also been raised by neighbouring residents that the proposal will be over dominant, the views from the rear garden of the properties on Cecil Road will be of a solid wall rather than the space and gable of the existing properties, the development is too close to the boundary and the proposed dwelling is of a substantial size on a very narrow plot. However, having considered the above, the proposed dwelling is of the same height and mass as the existing properties on Hall Road, and the design detail is to replicate the neighbouring property. As such although the dwelling will be around 5.3m close to the neighbouring residents on Cecil Road, the gable end of the new property will still be around 7m from the rear elevation of the projection element of the properties on Cecil Road. As such it is not considered that the proposal will be over dominant or of significant detriment to the outlook from properties on Cecil Road.

## **Living conditions for future residents**

16. It is considered that the proposed dwelling will provide sufficient internal space for future residents with the proposed openings providing satisfactory light into the property. The property will benefit from a large rear garden which is of sufficient size for the type of property. In order to ensure that the outdoor space it is of good quality a condition should be attached to any permission requiring details of the external amenity areas.

## **Transport and Access**

### **Car Parking**

17. Two car parking spaces will be provided within the front curtilage. This is considered acceptable for a three bedroom property in this location and is in accordance with policy TRA6 of the City of Norwich Replacement Local Plan.

### **Cycle and bin storage**

18. The application includes the provision of a cycle store and bin store within the rear curtilage. A condition will need to be attached to any permission ensuring that this is provided prior to occupation and further details will be required to ensure that a

suitable tether is provided to secure the cycles and to ensure they are of good design. Furthermore, given that the bin and cycle store are to be located to the rear of the garden it will be necessary for a pathway to be provided to facilitate ease of use for residents to take bins to the kerbside. The cycle and bin store arrangements are considered acceptable to meet the current local plan requirements.

## **Trees and Landscaping**

19. No trees will be affected by the proposal. No information has been provided on proposed landscaping. A condition should therefore be attached to any permission requiring details to ensure that the proposal is of good design and the space is suitable for the enjoyment of residents.

## **Design**

20. The proposed dwelling is of a form, scale and design that is in keeping with and sympathetic to the character of the street scene. The proposed new dwelling will be attached to the existing end of terrace property and will be situated within a plot which is of similar width and depth to the other terrace properties on this part of Hall Road. The existing empty plot does appear rather incongruous within the existing street scene and it is considered that the provision of a new dwelling will enhance the appearance of this section of Hall Road. To ensure that the proposal is of good design, conditions should be attached to any future permission requiring details of materials.

## **Water efficiency**

21. No water efficiency calculations have been provided as part of the application. A condition should be attached to any permission to ensure that the proposal satisfies the requirements of Joint Core Strategy policy 3.

## **Local Finance Considerations**

22. Under Section 143 of the Localism Act the council is required to consider the impact on local finances. It is a material consideration when assessing this application. 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.

<b>Financial Liability</b>	<b>Liable?</b>	<b>Amount</b>
New Homes Bonus	Yes	Based on council tax band. Payment of one monthly council tax amount per year for six years
Council Tax	Yes	Band not yet known
Community Infrastructure Levy	Yes	£75 per square metre (£10,420.59 unless any relief for self-build is successful)

## Conclusions

23. As the Council does not have a five-year housing land supply, policy HOU13 of the City of Norwich Replacement Local Plan can be given no weight. As such there is a presumption in favour of sustainable development, unless any adverse impacts would significantly outweigh the benefits.
24. In this instance it is considered that the proposal is of good design and will enhance the appearance of the street scene. It is not considered that the proposed dwelling will have any significant detrimental impacts upon neighbouring residents and the proposal will provide satisfactory internal and external living conditions for future residents of the site. The proposed layout is satisfactory in terms of car parking, cycle storage and bin storage. As such it is considered that the proposed dwelling is acceptable and accords with the objectives of the National Planning Policy Framework, policies 1, 2, 3, 4, 6, 9, 12 and 20 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), saved policies NE9, HBE12, EP22, TRA7 and TRA8 of the City of Norwich Replacement Local Plan (2004) and all other material consideration.

## RECOMMENDATIONS

To approve Application No 14/00269/F (240 Hall Road) and grant planning permission, subject to the following conditions:-

- 1) Standard time limit (3 years)
- 2) In accordance with plans
- 3) Details of external facing materials
- 4) Details of:
  - a) Car parking
  - b) Bin store
  - c) Cycle store
  - d) External amenity areasProvision prior to occupation
- 5) Water conservation

### Informatives

- 1) CIL
- 2) Refuse and recycling bins
- 3) Vehicle crossover
- 4) Permeable hardstanding to parking forecourt
- 5) Street naming and numbering

### Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



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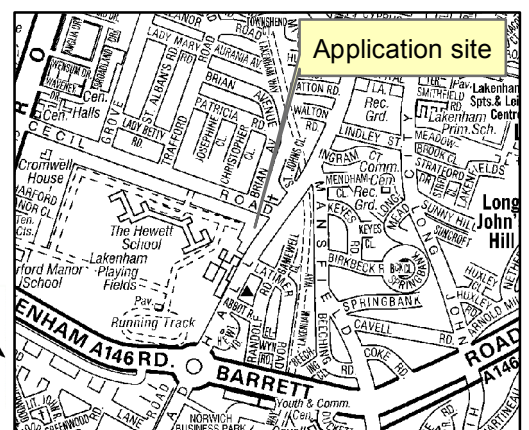
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Site Address 240 Hall Road

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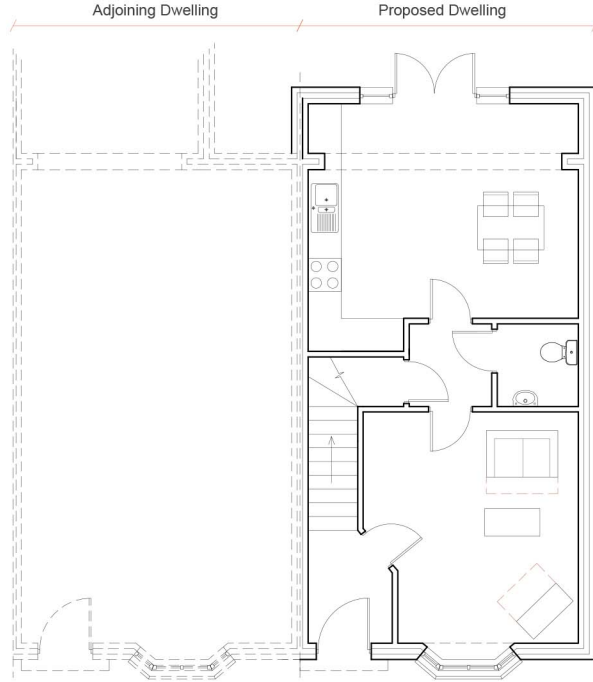


**NORWICH**  
City Council

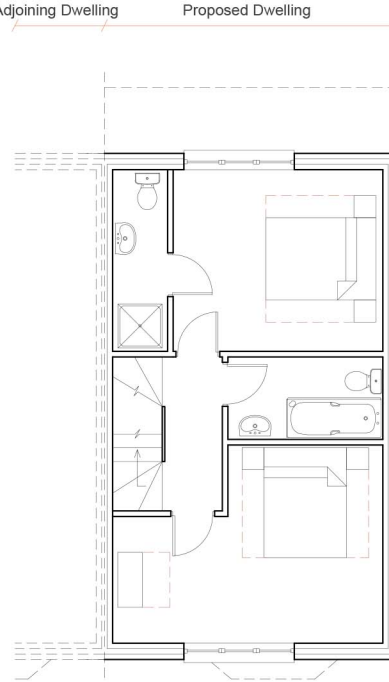
PLANNING SERVICES



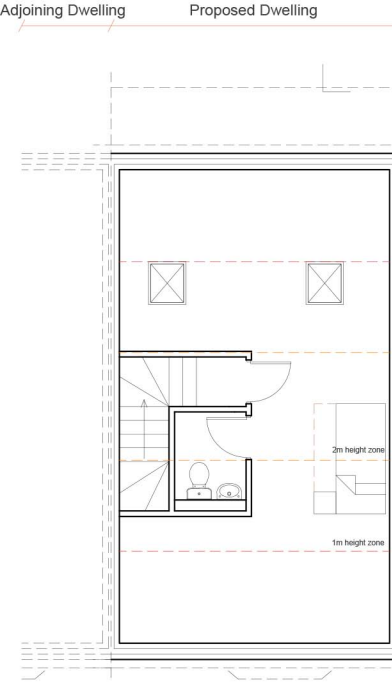




Ground Floor



First Floor



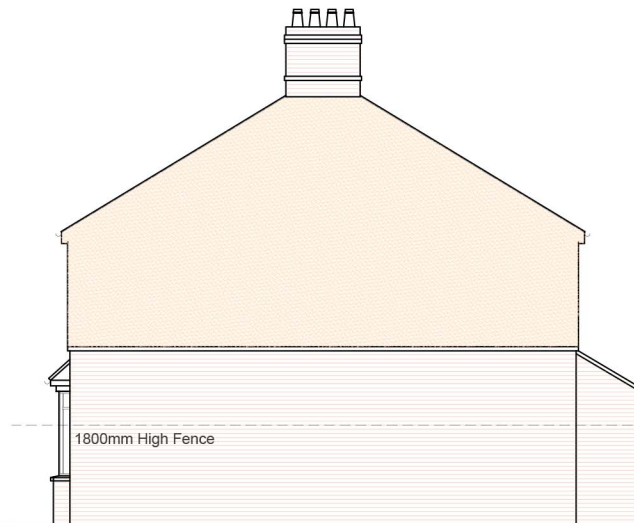
Second Floor

## PROPOSED PLANS AND ELEVATIONS

Note: Do not scale from drawings.  
All dimensions to be confirmed on site.



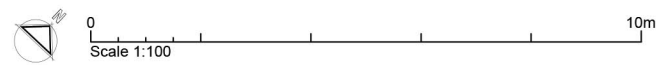
East Elevation



North Elevation



West Elevation



Mr S Ives-Keeler

Land off 240 Hall Road,  
Norwich

April 2014