

Report to Planning applications committee
Date 18 April 2013
Report of Head of planning services
Subject 12/01245/F 126 Cambridge Street Norwich NR2 2BE

Item
5(8)

SUMMARY

Description:	Demolition of existing single storey extension and erection of single and two storey extension to rear of dwelling.
Reason for consideration at Committee:	Re-submission of application reference 12/01245/F, previously refused the grant of planning permission at the committee meeting of 23 rd August 2013.
Recommendation:	Approve
Ward:	Town Close
Contact Officer:	Mr Kian Saedi Planner 01603 212524
Valid Date:	12th January 2013
Applicant:	Ms R Masccarhenus
Agent:	Kevin Cole

INTRODUCTION

The Site

Location and Context

1. The site is located on the north side of Cambridge Street near to the Junction of Trinity Street. The application property is a mid-Victorian end terrace house in a residential area just south-east of the City Centre.
2. The property is two-storey and set upon a relatively narrow plot. Directly to the east of the property are the rear gardens belonging to the terraced properties located along Trinity St.

Constraints

3. No constraints.

Planning History

12/01245/F - Demolition of existing single storey extension and erection of single and two storey extension to rear of dwelling – refused by Committee – officer recommendation for approval (Appeal currently in progress)

12/00802/F - Demolition of existing single storey extension and erection of single and two storey extension to rear of dwelling. (WITHDRAWN - 13/06/2012)

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

4. The applicant proposes to demolish the existing single storey rear extension and erect a single and two-storey extension to the rear of the property.
5. The single storey extension will form an infill to the existing gap between the kitchen and western boundary of the site and will extend 4.3 metres to fit flush with the current rear face of the kitchen. The single storey extension will have a flat roof and reach a height of 2.8 metres. It is identical in design and appearance to the recently refused (and appealed) application and only differs in that a full sunlight daylight and sunlight study has been submitted in the current application (see paras 12-18).
6. The bathroom is currently located at ground floor level and accessed through the kitchen. The two storey extension will be located above the kitchen and will provide a bathroom at 1st floor level of the property to replace the existing ground floor bathroom. The two storey extension will feature a pitched roof leading from the existing roof of the dwelling house, but at a slightly shallower angle. The highest section of roof on the two storey extension will reach a height of 5.5 metres from ground level, measures 3.2 metres in depth, 2.5 metres in width and the height of the eave will be 4.5 metres from ground level.

Representations Received

7. Adjacent and neighbouring properties have been notified in writing. Three letters of objection were received with the original submission of the application (12/01245/F) and one letter with the current submission. The current application proposes identical development to that of the previous submission and it is considered appropriate to consider the material planning matters raised by neighbours for both the current and previous applications. The issues raised are summarised in the table below.
- 8.

Issues Raised	Response
Reduction in value of property/potential letting income of 67 Trinity Street	See paragraph 14
Loss of light to the garden and internal space of 67 Trinity Street	See paragraphs 12-14
Disruption to the neighbouring garden	See paragraph 10
Creation of an enclosed space and sense of overbearing development at 67 Trinity Street	See paragraphs 15-16
The Norwich Society had originally raised an objection to the proposal on grounds of overshadowing and loss of light. It has	Paragraph 12-14

since been clarified that it was not meant as an objection to the development but rather as a note of caution. Since inspecting the sun path analysis submitted by the applicant, the caution has been withdrawn with mention made to the applicant making every effort to ensure that the neighbours do not suffer light deprivation.	
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ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 7 – Requiring good design

Section 11 – Conserving and enhancing the natural environment

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

Policy 2 – Promoting good design

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

HBE12 - High quality of design in new developments

EP22 - High standard of amenity for residential occupiers

Other Material considerations

Written Ministerial Statement: Planning for Growth March 2011

The Localism Act 2011 – s143 Local Finance Considerations

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 2011 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. Weight must be given to the emerging Local Plan and relevant policies are listed below for context although none change the thrust of the current Local Plan policies discussed in the main body of this report:

DM2 Ensuring satisfactory living and working conditions

DM3 Delivering high quality design

Principle of Development

Policy Considerations

9. The principle of the single and two-storey extension is acceptable provided that the development is satisfactory both in design terms (saved policy HBE12 of the Local Plan) and with regards to the impact upon the residential amenity of existing and potential residents in the vicinity (saved policy EP22 of the Local Plan).

Impact on Living Conditions

Noise and Disturbance

10. One letter of objection submitted with application ref.12/01245/F raised concern with the likely disruption to the garden of 67 Trinity Street to allow the works to commence. The applicant would be expected to enter a Party Wall Agreement with any neighbouring properties directly affected by the development, which would constitute a civil matter, not material in the assessment of this planning application.

Overlooking

11. The proposed window and door at ground floor level will not result in any overlooking to neighbouring properties. One window is proposed on the north-west elevation bathroom window. Any planning consent would be conditioned to ensure that this window is obscure glazed to a minimum level 5 Pilkington standard of obscurity in order to protect the amenity and living conditions of neighbouring properties.

Overshadowing

12. Objections to the proposal have been received citing the loss of light to the garden and living space of 67 Trinity Street that will arise as a result of the development. In particular, attention has been drawn to the increased overshadowing that will affect the rear lower floor window at 67 Trinity Street at 4pm in the month of March and the increased overshadowing to the rear garden of 67 Trinity Street throughout the year.
13. The sun path analysis illustrates the increase in overshadowing that will result from the proposed development shown in red on the submitted plans. Members will be shown these plans during the committee presentation. The sun path-analysis illustrates that whilst overshadowing will increase as a result of the development, any overshadowing to the rear garden and habitable rooms at 67 Trinity Street occurs predominantly late afternoon and is only increased in the months of July-Sept. For the remainder of the year, this room is in shadow at 4pm anyway. Whilst the development will result in a marginal increase in overshadowing, the increase is not considered significant enough to warrant a refusal of the application.
14. The applicant has submitted a Daylight and Sunlight Study produced by 'Right of Light Consulting' chartered surveyors. The study is based upon guidelines set by the Building Research Establishment (BRE), which sets non-mandatory, recommended standards for building designers, consultants and planning officials.
15. With regard to daylight to windows, the study concludes that all windows will lose no more than 2% daylight as a result of the development, which satisfies the BRE target of no more than 20%.

16. With regard to overshadowing, the results of the study show that sunlight availability to the garden of 67 Trinity Street will be no less than 0.93 of its former value, which satisfies the BRE minimum requirement permitting sunlight to open spaces to be reduced by up to 0.8 times.
17. The Daylighting Study concludes that 'the proposed development will have a low impact on the light receivable by its neighbouring properties and that 'the development design satisfies all of the requirements set out in the BRE guide 'Site Layout Planning for Daylight and Sunlight''.
18. Objections to the proposal also cite the reduction in property value and potential letting income that will result from the increased overshadowing. It is important to mention that loss of property value does not form a material planning consideration.

Overbearing Nature of Development and Creating an Enclosed Space

19. Objection has been raised regarding the potential feeling of enclosure and sense of overbearing development that will result from the two storey extension. The L-shaped rear garden of 67 Trinity Street will mean that at its closest proximity, the two storey extension will be 4.5 metres from the rear single-storey extension of number 67 Trinity Street and 10 metres at its furthest point.
20. The two-storey extension features a pitched roof, which would be stepped back from the proposed ground floor rear extension. It is considered that the applicant has designed the two-storey extension to limit any sense of enclosure as far as possible, whilst creating the required space to provide the 1st floor bathroom, and that any sense of enclosure is not significant enough to merit refusal of the application.

Design

21. The two storey extension features a pitched roof extending from the main roof of the main dwelling, but at a slightly shallower angle. This is synonymous with the design of several surrounding two-storey rear extensions at adjacent properties along Cambridge Street and Trinity Street.
22. The two storey element of the development has also been stepped back from the rear ground floor elevation in order to reduce overshadowing/sense of enclosure to neighbouring properties, but also to enable the development to appear subservient to the main dwelling.
23. The applicant has selected materials and external finishes to match the existing dwellinghouse as far as possible. The main difference in material selection relates to the flat roof of the single-storey extension, which will feature a zinc seamed or fibreglass finish rather than the existing felt. This will provide the same colour finish and provides a higher standard of quality than the existing felt roof, which is in some state of disrepair.
24. The single-storey infill extension reaches a height of 2.8 metres from ground level, which is approximately 1 metre higher than the existing boundary wall but is not considered to result in an unacceptable degree of enclosure or tunnelling effect to number 124 Cambridge Street.

Conclusions

25. It is considered that the single and two-storey extension is acceptable in design terms and will not harm the residential amenity of neighbouring properties to an unacceptable degree. The applicant has made every effort to reduce the extent of overshadowing to neighbouring properties and this is demonstrated both in the design of the scheme and in the sun-path analysis and daylighting study submitted with the application, which both illustrate a marginal increase in overshadowing to neighbouring properties as a consequence of the proposed development. The proposal is therefore recommended for approval on the basis that it accords with the objectives of Sections 7 and 11 of the National Planning Policy Framework (March 2012), Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), saved policies HBE12 and EP22 of the City of Norwich Replacement Local Plan (2004) and all other material considerations.

RECOMMENDATIONS

To approve application ref (12/01245/F) and grant planning permission subject to the following conditions:

1. Standard time limit
2. Development to be carried out in accordance with submitted plans
3. The first floor bathroom window on the north-west elevation must be obscure glazed to a minimum level 5 Pilkington standard of obscurity and non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.



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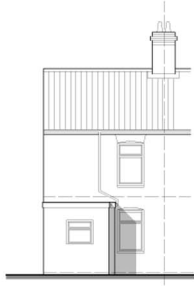
Planning Application No 12/02408/F
Site Address 126 Cambridge Street
Scale 1:500



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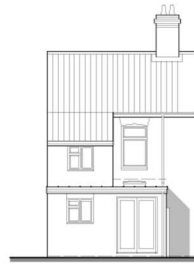




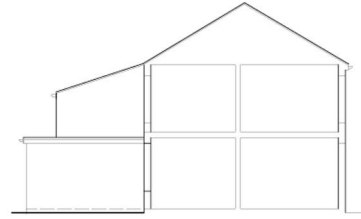
Existing West Elevation



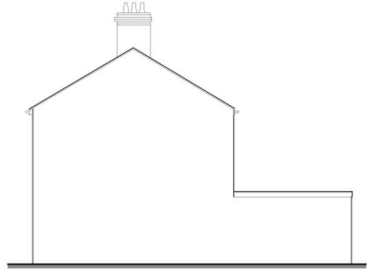
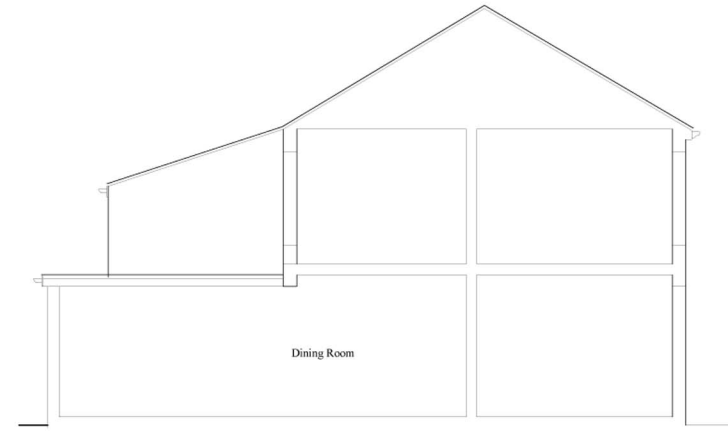
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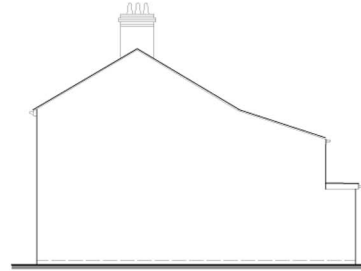
Proposed West Elevation



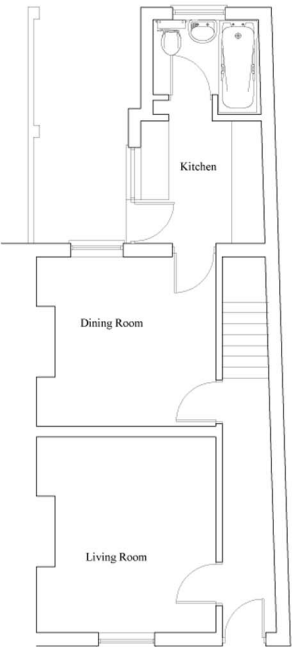
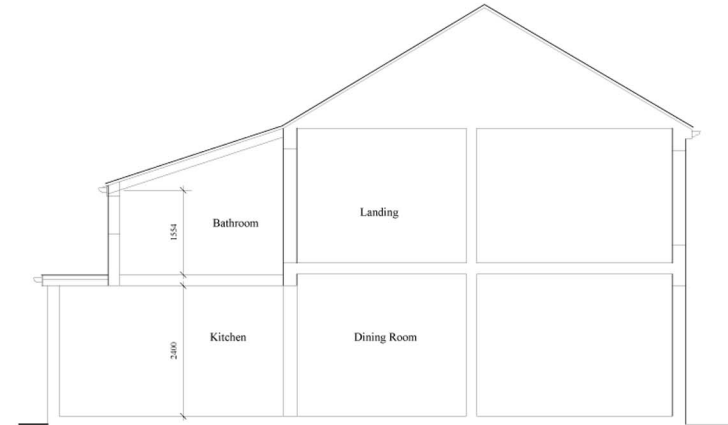
Proposed South Elevation



Existing North Elevation



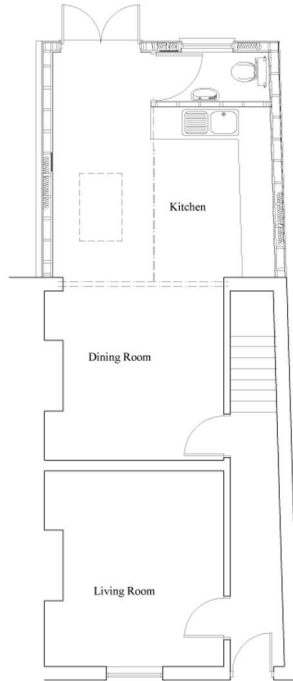
Proposed North Elevation



Existing Ground Floor Plan 1:50



Existing First Floor Plan 1:50



Proposed Ground Floor Plan 1:50



Proposed First Floor Plan 1:50

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Client: R Mascarenhas		
Drawing Title 126 Cambridge Street Norwich		
Proposed extension		
Date 24.05.12	Scale 1:50	Ref 1:100
Job No. 10/241	Drawing No. PL01	Rev F