

Report for Resolution

Report to Planning applications committee
Date 29 March 2012
Report of Head of planning services
Subject 12/00113/F – Chiswick House, 3 Christchurch Road

Item
5(4)

SUMMARY

Description:	Erection of extension and internal alterations.
Reason for consideration at Committee:	Objections
Recommendation:	Approve
Ward:	Eaton
Contact Officer:	Mr John Dougan Planner (development) 01603 212504
Valid Date:	15 th February 2012
Applicant:	Black Swan International Ltd
Agent:	Robinson Hall LLP

INTRODUCTION

The Site

Location and Context

1. The general area is an established residential community, with the High School grounds being located opposite the site. Properties vary in scale from large houses set within their own grounds to semi detached houses and some apartment development. The area is within the Unthank and Christchurch Conservation Area, many of its properties having large protected trees within their grounds and along the streetscene.
2. The site is located to the south west side of Christchurch Road, close to the junction of Newmarket Road. It is a large double fronted house that is currently used as a care home, accessed by a sweeping driveway and screened from the road by very mature hedges.
3. The building is locally listed and is operated as a care home for the elderly, currently having 21 registered residents with 19 single rooms and one double room. Eight of the bedrooms are on the first floor while only 3 rooms in total have en-suite facilities. The second floor is used for offices and administrative purposes by Black Swan International.
4. The site has car parking for 12 vehicles upon the frontage and has 3 off site parking permits allocated.
5. There are several trees on the site which have importance, particularly a large

beech tree on the north side, half way along the boundary with the house to the north. Trees on the site are: a TPO group, a TPO site, and there are specific TPO trees.

6. There is also a thick conifer hedge running along the boundary with no.1A Christchurch Road and hedging / 2 metre close boarded fence to no.3A Christchurch Road.

Constraints

7. The site lies within a Conservation Area and is a Locally Listed Building.

Planning History

- 11/00698/F – Erection of extension and alterations - refused
 - 09/01452/F - Extensions and alteration to existing premises to form new elderly care facilities - dismissed at appeal.
 - 08/00753/F - Extensions and alteration to existing premises to form new elderly care facilities - refused
 - 08/00177/F - Extensions and alterations to existing property to form new elderly care facilities -refused
 - 2002/1067 - Extension to provide 3 additional bedrooms;
8. The previous application (11/00698/F) for a similar scale extension was refused on 1st June 2011 was refused for the following reasons:
 - The bulk and scale of the proposed extension is excessive and together with the existing extension would be dominant in the form of the building
 - The original house and cumulative extensions would not pay due regard to the spacious form of the existing properties in the Unthank and Christchurch Conservation Area and, as such, would detract from the character and appearance of the area
 9. Prior to that, application (09/01452/F) was also refused and a subsequent appeal dismissed. Although each case needs to be assessed on its merits, it is therefore relevant to consider the previous reasons for refusal and the inspector's decision in determining if the current submission overcomes the issues raised.
 10. As stated in the city council's proof of evidence for the appeal, this part of the conservation area is characterised by substantial mid to late C19 detached dwellings set within a developed landscape with mature tree specimens. Existing landscaping makes a very important contribution to the conservation area and it is the balance between the built form and the landscaping that is a key characteristic of the conservation area.
 11. With regard to the existing form of building and its extension, the inspector stated that it was a modern, rather bland, single storey extension added at the back but it has a compact floor plan, simple low pitched roof, and is of modest scale. Consequently it sits in the background and the principal building remains dominant within a landscaped setting.

12. It is important to note that the inspector also referred to the principal building remaining dominant with the landscaped setting, stating that the resultant single storey form, proportioned to have a low horizontal emphasis and incorporating a series of pitched roof elements, would not be sympathetic to the characteristic features of the principal building. The appearance of the period building would be harmed.
13. The inspector also commented that the extension would have a poor visual relationship to the original principle building and that 'the proposal would harm the character and appearance of Chiswick House and the Conservation Area. It fails to comply with Policy HBE8. The harm to the historic environment outweighs the benefits.'
14. The most recently previously submitted proposals in 2011 also failed to address the issues identified by the inspector in relation to HBE8 and the Council's conservation officer commented at the time that the most open view of the building and extension will be from within the landscaped garden area to the SE. The south east corner of the building being an important element in the design of the building with the ground floor bays key features, aimed at maximising views of the landscaped garden from within the house and, vice versa, the bays being prominent features of the building when viewed within the context of the landscaped garden.
15. The final conclusion of the council's Conservation officer was that the 2011 proposal would be harmful to views of the building as it sits/is viewed within the surrounding mature landscaping, even if the roof protection areas are not built over. Whilst it addressed the issue of not damaging the tree roots, it did not address the other remaining issue that that a proposed large scale single storey extension with a strong horizontal emphasis does not relate well to the architectural and historic character of the original building. It was therefore concluded that the 2011 proposal would therefore harm the historic environment and will not meet the objectives of HBE8.

Equality and Diversity Issues

The proposal would result in an improved care facility for the community and its residents. Any external effects will be assessed within the report.

The Proposal

16. The proposal will include alterations to the existing extension to provide a new food store/freezer area, two new bathrooms and three bathrooms, resulting in the loss of three of the existing 20 bedrooms. The application form indicates that, in total, there will be a loss of five rooms, with the 9 bedroom proposed extension therefore resulting in a net additional increase in 4 rooms.
17. The applicant has stated that in order for the company to operate a viable business, the building must have provision for at least 25 residents.

Representations Received

18. Surrounding neighbouring properties have been notified together with the erection of a site notice and a press notice, expiring on 21st March 2012.

19. Two letters of representation have been received from no.1A and 3A Christchurch Road. Concerns and responses summarised as follows:

Issues Raised	Response
Overdevelopment of a sensitive site and business in a conservation area / residential area	See paragraphs 16-33
The extension's scale and bulk adversely impacts on the character of the dwelling and the area as a whole	See paragraphs 16-33
Traffic movements of additional residents, staff, visitors and emergency vehicles have not been fully considered as Christchurch Road is heavily congested at certain times of the day being dangerous and hazardous to children arriving at the High School	See paragraphs 34-41
Impact on residential amenity and value of our property	See paragraphs 42-47 (property value is not normally a material planning consideration)

Consultation Responses

Transportation – no objection subject to condition

Tree officer – no objection subject to condition

Natural Areas Officer – no objection subject to condition

Design and Conservation – no objection subject to condition

Natural England – Standing advice to local authorities 20 February 2011

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

- PPS1 – Sustainable development
- PPS4 – Planning for sustainable economic growth
- PPS5 – Planning for the historic environment
- PPS9 – Biodiversity and geological conservation

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

- Policy SS1 – Achieving sustainable development

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 5 – The economy
- Policy 7 – Supporting communities

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

- HBE12 – Design
- HBE8 - Development in conservation areas
- EMP2 – Expansion of existing businesses
- HOU19 - Residential institutions – criteria
- EP22 – Residential amenity
- NE8 – Management of features of wildlife importance and biodiversity
- TRA3 – Modal shift measures in support of NATS
- TRA6 – Parking standards
- TRA7 – Cycle parking provision
- TRA8 – Servicing provision

Other material considerations

Draft National Planning Policy Framework July 2011

Written Ministerial Statement: March 2011: Planning for Growth: support for enterprise and sustainable development

Principle of Development

Policy Considerations

20. The provision of the extended care home will provide an improved care service for the community in accordance with policy 7 of the Joint Core Strategy. The provision of additional facilities will help the operation of the business and also provide a better living space for its residents.
21. Similarly, the principle of extending an existing residential institution (HOU19) is considered to be acceptable subject to an assessment on the effect on the character of the area, retention of sufficient amenity space, access/parking and public transport facilities.
22. In addition, the expansion of existing businesses (EMP2) is encouraged subject to assessment of any environmental/visual impact on the character of the area and intensity of operation including provision of satisfactory of access, parking and servicing.

Design and impact on Conservation Area

23. Although the size of footprint remains very similar to the 2011 proposal, it is case of establishing if harm will be caused in terms of the character of the building and the area. The increase in footprint will be largely unseen from the public perspective,

equating to minor effect on the character of the area.

24. The new design now has an elongated 'H' shaped footprint and form with feature splayed ends and small gable projection breaking up the horizontal emphasis of the form.
25. This is quite effective in breaking up the massing and creating a more distinctive building. The small scale projecting gables and splayed bays almost mimic the gabled and bay elements of the main house, but at a smaller scale, creating an architectural relationship with the principal building. The windows have also now been designed with stone surrounds that also relate to the window detail of the main house.
26. The current proposal significantly overcomes these objections with far more attention given to the overall design form of the extension and its relationship to the existing building and open space to the extent that the Conservation officer now considers that it would be viewed as a positive addition that will enhance the relationship between the built forms and the garden.
27. However, it is recommend that a condition be imposed to ensure good detailing in respect of the eaves and verges, window detail (within the curtilage/setting of high quality locally listed building such as this the windows should be timber and sashes) including a section drawing to show the depth of the window opening, good quality materials to include brick and slates, and mortar mix (primarily for colour i.e. avoiding grey cement.)

Intensity of the operation

28. The increase in size of the institution would increase the number of residents from 20 to 25 together with an increase in staff (25 to 30), visitors and servicing.
29. The area is predominately residential but local to the site there is also Norwich High School, which in itself generates traffic and increased car parking in the area.
30. The Council's transportation team were consulted. They confirmed that a travel plan is only required if 50 bed spaces are proposed. Therefore, the current proposal is less than the threshold. They also pointed out that the Council would not issue anymore business permits; therefore this in effect places a cap on any off site parking demands. However, it is recommended that the applicant has a voluntary Travel Information Plan (TIP) in place informing staff and visitors of the travel options for accessing the site using means of transport alternative to the private car.
31. On the subject of parking for staff, the transportation team stated that parking would have to be found on site i.e. there are in built safeguards to limit the amount of parking associated with this development (12 on site + 3 on street)
32. Given that the existing allocation of 12 would remain unchanged, provision of new covered cycle parking would be a good solution. This coupled with the site being in close proximity to good bus services on Newmarket Road and Unthank Road, would ensure that the use will not cause undue harm to the area.

33. The Council's Transportation team state that, in their experience of care homes, traffic movements are low, most visits being in the evenings and weekends. The controlled parking zone operates Mon - Sat 8am - 6.30pm, so when most visits occur, parking can normally be accommodated on street. The modest growth in bedspaces should not result in an unacceptable level of traffic and parking demand. Mitigation measures (cycle parking and a voluntary TIP) should be adequate to encourage travel by bus/walk/cycle.
34. The applicant submitted a refuse and servicing statement, highlighting that existing arrangements will remain in place to dispose of the commercial waste and receipt of food and vegetable supplies.
35. No concerns were raised by the Council's Transportation team in respect of these proposed arrangements. They state that refuse collection is by commercial collection and the council does not have any specifications relating to this matter. Collection frequencies could be increased if refuse storage capacity was exceeded.

Residential amenity

36. Linked to the increase in intensity of the development is the relationship of the altered building / use in relation to the amenity of adjoining properties.
37. The existing boundary treatment comprises a high/dense conifer hedge to the rear boundary of 1A Christchurch Road, a combination of hedging and a 2m close boarded fence to no. 3A Christchurch Road and a combination of hedging/trees to no. 1B Christchurch Road. This existing arrangement represents significant boundary treatment which ensures protection of the amenity of adjoining properties and sufficient garden space for the residents of the care home.
38. The proposed extension is low profile and whilst relatively close to the boundary of The Coach House, 1A and 3A, the boundary treatment will not result in any overshadowing of private amenity space of those properties. This is primarily due to the low profile extension and the existing boundary treatment.
39. The applicant has also confirmed that the existing dense hedgerow to no. 1A Christchurch Road will remain, therefore ensuring that no overlooking from the new single storey rear elevation will occur.
40. The increase in building footprint will not have an adverse effect on the amenity of the residents as the property will still have considerable garden space and trees for their continued enjoyment.
41. In terms of visual impact, the closest dwelling is located within 1A Christchurch Road, being approximately 11 metres away. Given that the extension is single storey and the dense boundary treatment, it is expected the adjoining property would only see the eaves/roof of the new extension. This is not considered to be harmful to the outlook of that property.

Trees

42. The site has a significant number of protected and un-protected trees, with the applicant submitting an Arboricultural Implications Assessment (AIA) to ensure adequate protection or justification for their removal.

43. The Council's Tree Officer is of the view that the proposal is achievable in terms of tree loss and mitigation, subject to amendments to the AIA and Tree Protection Plan. These matters can be conditioned on any approval.

Biodiversity

44. The development will involve the partial demolition of an existing building set amongst a site and area which has considerable vegetation and large trees which may host protected species such as bats or birds.

45. A Protected Species report accompanied the application stating that no evidence of protected species were found.

46. The Council's Natural Areas Officer recommended the following:

- Any tree or shrub work, including felling, should be undertaken outside the bird breeding season, i.e. March - August inclusive. If work during this period is unavoidable, a qualified ecologist should first inspect the trees/shrubs concerned to ensure that no breeding birds are present.
- A qualified bat specialist should first inspect trees T4 and T11, if these are to be removed, to ascertain whether or not there is a likelihood of roosting bats being present.
- A choice of species, location and aftercare arrangements for the replacement trees be specified.

47. Although the submitted AIA does refer to the removal of two trees on the site, these are located some distance from the proposed extension and their removal is not required to facilitate the development concerned. Therefore, in this instance, although bats are a protected species under the Conservation of Habitats and Species Regulations 2010, it is not considered necessary to require further survey work to take place to establish their presence or absence in the trees to be removed prior to determining the application. However, it is suggested that an informative is added to the permission to advise the applicant of the need to obtain a licence from Natural England prior to undertaking any works to the trees if this work is likely to affect a protected species.

Equality and Diversity Issues

48. The proposal would result in an improved care facility for the community and its residents.

Conclusions

49. The expansion of an existing business and provision of a service to the community is considered to be acceptable.

50. The amended design and its position relative to public views is considered to represent a design improvement which complements the architectural form of the locally listed building and the character of the conservation area.

51. There is sufficient on/off site parking, access to public transport and servicing arrangements to serve the development. Provision of cycle storage and development of a Travel Information Plan will further assist the reduction in use of the car by staff and visitors.
52. The design and location of the single storey extension relative adjoining properties and existing boundary treatment will not lead to undue loss of outlook for adjoining properties or result in overshadowing or reduction in daylight to the amenity space of adjoining properties.
53. Although further work is required on the AIA and Tree Protection Plan, given that the Council's Tree Officer considers that the works are achievable, further details can be sought by imposition of an appropriate condition.
54. The Council's Natural Areas Officer's has no objection to the principle of the proposal subject to the conditions which will protect any sensitive species within the site. It is suggested that an informative is attached to the permission to advise the applicant of the potential likelihood of bats being present on the site and of potential the need to obtain a licence from Natural England for the removal of the trees.

RECOMMENDATION

To approve application no. 12/00113/F at Chiswick House, 3 Christchurch Road and grant planning permission, subject to the following conditions:-

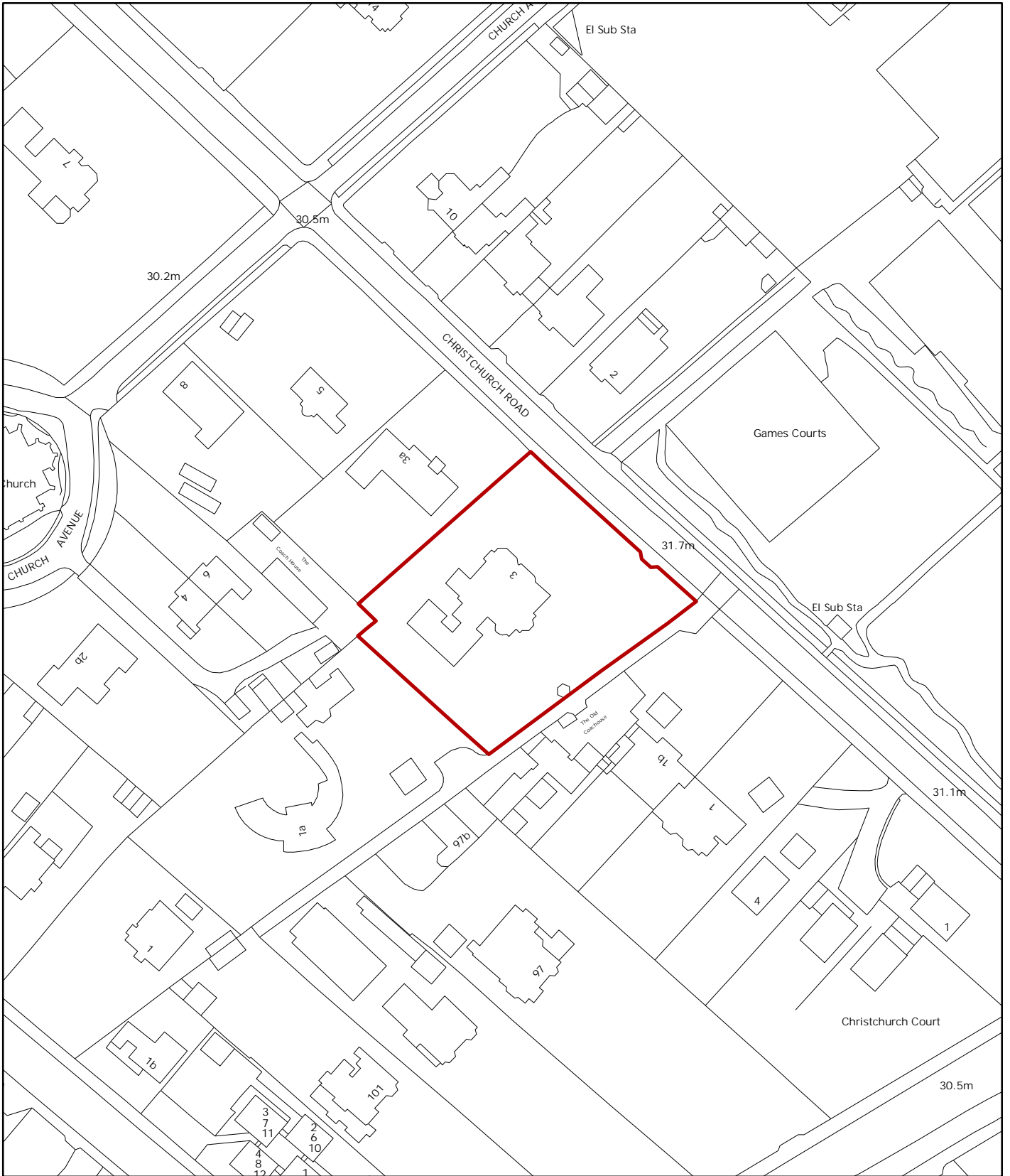
1. Standard time limit (3 years).
2. The development to be carried out in accordance with the submitted plans and details.
3. The internal alterations shall be completed prior occupation of the extended bedroom accommodation
4. Conservation design detailing
5. Submission of a revised AIA and tree protection plan
6. Provision of cycle storage
7. Provision of a Travel Information Plan
8. Tree felling and shrub work outside bird breeding season
9. Submission of details regarding choice of species, location and aftercare arrangements for the replacement of trees T4 and T11.

Informative:

The applicant is advised of the need to ensure that the trees specified in the AIA which are proposed to be removed on site for arboricultural and health and safety reasons are subject to an inspection by a qualified bat specialist to establish whether or not bats are roosting in the trees prior to any work to the trees taking place. Bats are a protected species under the Conservation of Habitats and Species Regulations 2010 and, if present, further advice should be sought from Natural England and licence requirements established.

(Reasons for approval:

1. The principle of the expansion of an existing business and provision of a residential care service to the community is considered to be compliant with policies 5 and 7 of the Joint Core Strategy 2011 and saved policies EMP2 and HOU19 of the City of Norwich Replacement Local Plan 2004.
2. The amended design and its position relative to public views is considered to represent a design improvement which complements the architectural form of the locally listed building and the character of the conservation area in compliance with policy 2 of the Joint Core Strategy 2011 and saved policies HBE8 and HBE12 of the City of Norwich Replacement Local Plan 2004.
3. The design and location of the single storey extension relative adjoining properties and existing boundary treatment will not lead to undue loss of outlook for adjoining properties or result in overshadowing or reduction in daylight to the amenity space of those adjoining properties in compliance with saved policy EP22 of the City of the Norwich Replacement Local Plan 2004.
4. The existing on/off site parking, access to public transport and servicing arrangements together with the imposition of conditions will ensure efficient operation of the site and reduce the reliance on the car in compliance with policy 1 of the of the Joint Core Strategy 2011 and saved policies TRA3, TRA6, TRA7 and TRA8 of the Norwich Replacement Local Plan 2004.
5. The tree protection works are considered to be achievable subject to conditioning an amended Arboricultural Implications Assessment and Tree Protection Plan in compliance with saved policy NE3 of the City of Norwich Replacement Local Plan 2004.
6. Conditioning tree felling outwith the bird breeding season and requiring further details relating to species of the replacement trees will ensure that the development is compliant with policy NE8 of the City of Norwich Replacement Local Plan 2004.



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Planning Application No 12/00113/F
 Site Address Chiswick House, 3 Christchurch Road
 Scale 1:1,250



NORWICH
 City Council

PLANNING SERVICES

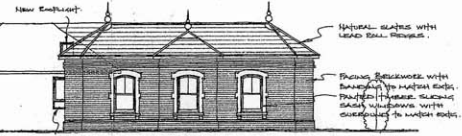




FRONT ELEVATION



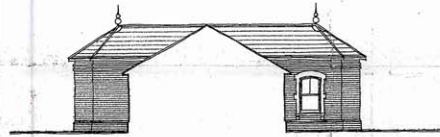
SIDE ELEVATION



New Elevation
 NATURAL SLATES WITH LEAD ROOF-THROUGHS
 Porches, Resealed with BRICKS, the original stone, painted to match. Slates to match original with guttering to match roof.



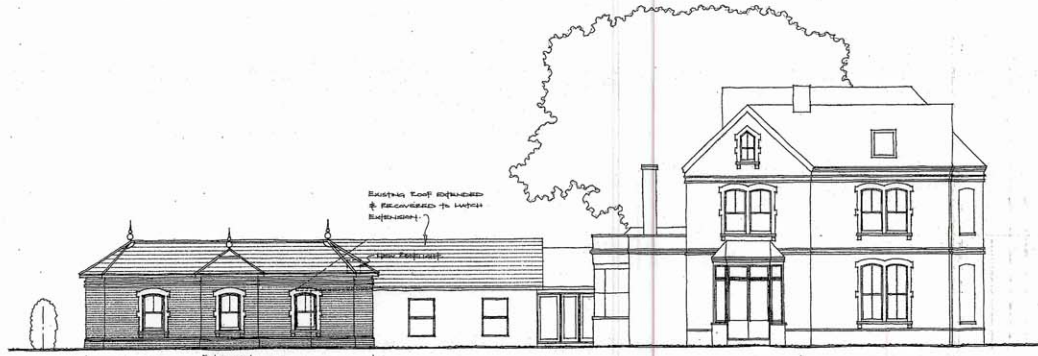
REAR ELEVATION



SECTIONAL SIDE ELEVATION



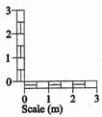
SECTIONAL FRONT ELEVATION



SIDE ELEVATION

Roofline to be replaced & re-roofed to match original

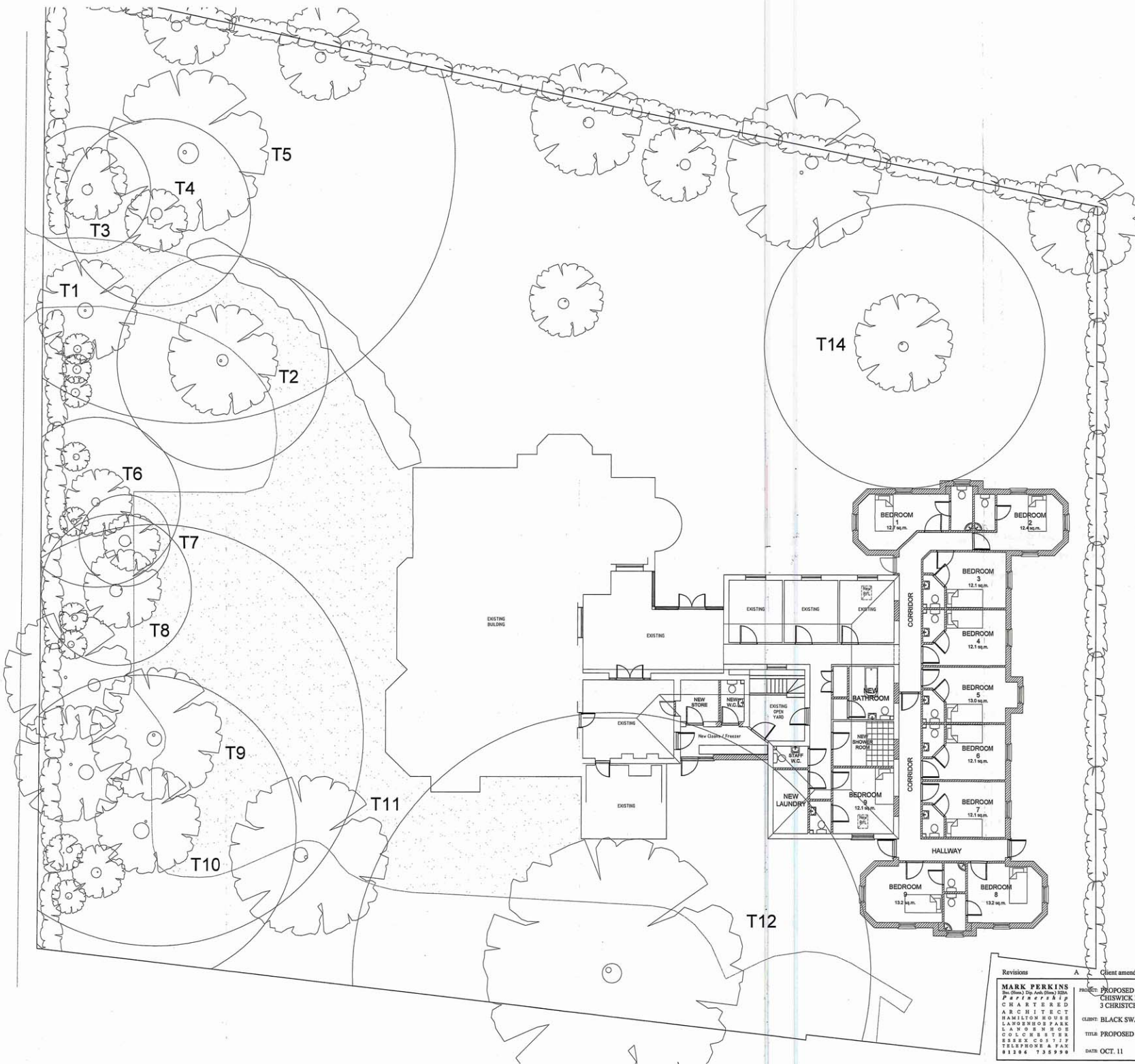
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Revisions	Client Amendments	25-10-11
MARK PERKINS ARCHITECT 3 CHURCH ROAD, NORWICH NR1 1JH 01603 251111 01603 251112 01603 251113 01603 251114 01603 251115 01603 251116 01603 251117 01603 251118 01603 251119 01603 251120	PROJECT: PROPOSED EXTENSIONS & ALTERATIONS CLIENT: BLACK SWAN INTERNATIONAL LTD WITH PROPOSED ELEVATIONS DATE: OCT. 11 SCALE: 1:100 @ A1 DRAW: 893/02	© Copyright of Mark Perkins All rights reserved No part of this document may be reproduced without the written permission of the author.

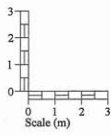
DATE: 13 JAN 2012

Christchurch Road



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<p>Revisions</p> <p>A Client amendments</p> <p>25.10.11</p>	<p>MARK PERKINS Registered Architect 3 CHRISTCHURCH ROAD, NORWICH TEL: 01603 251111 FAX: 01603 251112 WWW.MARKPERKINS.CO.UK</p>	<p>PROJECT: PROPOSED EXTENSIONS & ALTERATIONS CHISHWICK HOUSE 3 CHRISTCHURCH ROAD, NORWICH CLIENT: BLACK SWAN INTERNATIONAL LTD TITLE: PROPOSED GROUND FLOOR PLAN DATE: OCT. 11 SCALE: 1:100 @ A1 DRAWN: 893/01 A</p>
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