

Report to Planning applications committee
Date 4 September 2014
Report of Head of planning services
Subject Application no 4/01120/F Land adjacent 240 Hall Road,
Norwich NR1 2PW

Item
4.8

SUMMARY

| | |
|---|---|
| Description: | Erection of 1 No. three bedroom dwelling. |
| Reason for consideration at Committee: | Objection |
| Recommendation: | Approve subject to conditions |
| Ward: | Town Close |
| Contact Officer: | Mrs Joy Brown Planner 01603 212543 |
| Valid Date: | 1st August 2014 |
| Applicant: | Mr S Ives-Keeler |
| Agent: | |

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)

14/00269/F - Erection of 3 bedroom dwelling. (Approved - 10/06/2014)

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. An application was approved at planning committee in June 2014 for a similar proposal (application ref 14/00269/F). Following approval, it became apparent that there were discrepancies within the plans and it would not be possible to implement the consent. The main issue is that the floor plans and elevations indicate that the dwelling will be 5.4m wide; however with the plot being only 4.7m wide the proposed dwelling will not fit within the site. The approved proposal also included a gap between the end gable of the proposed dwellinghouse and the boundary with the properties on Cecil Road which would allow access to the rear curtilage where bins and bikes would be stored.
7. In terms of this current application the proposed width of the dwellinghouse is 4.6m which will mean there will no longer be an access to the rear garden. The proposed dwelling will be wider than the adjoining dwelling; however the height, scale and design of the proposal will match the rest of the terrace (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 and rooflights are proposed within the rear elevation. The previously approved scheme included render on the upper section of the side gable. This has now been changed to brickwork.
8. The number of car parking spaces has reduced from two to one to allow space for bins and bikes to be stored within the front curtilage.

Representations Received

9. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received as of 22nd August 2014. The consultation period does not expire until 29th August and given four letters of objection were received to the previous application where the impact upon the neighbouring properties would have been less than this current proposal, it is anticipated that letter of representation will be received. Therefore it is considered appropriate for this application to be considered at planning committee to ensure that the application can be determined within time. A verbal update will be given of any representation received.

Consultation Responses

10. Local Highway Officer – No objection.

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

11. The principle of a single dwelling on this site has already been established 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

12. 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 site of Hall Road.
13. With regards to the neighbouring property to the south (240 Hall Road) it is considered that the impact of the revised proposal will be the same as the previously approved proposal. The proposed dwelling will 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.
14. 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.
15. With regards to loss of light and overshadowing it is considered that the revised proposal will have more of an impact upon the neighbouring residents than the previous proposal as the proposed dwelling will be situated closer to the neighbouring properties. It is however still considered that the loss of light and overshadowing is only likely to affect the gardens and that 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).
16. 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 (although it is now proposed that the gable end will be brick rather than rendered). As such although the dwelling will be around 4.6m closer to the neighbouring residents on Cecil Road, the gable end of the new property will still be around 10m from the rear elevation of the projection element of the properties on Cecil Road and around 15m from the main rear elevation of the properties. 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

17. 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

18. One 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

19. The application includes the provision of a cycle store and bin store within the front 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. The cycle and bin store arrangements are considered acceptable to meet the current local plan requirements.

Trees and Landscaping

20. 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

21. The proposed dwelling is slightly wider than the other properties within the terrace; however given that several of these properties have already been altered and a sense of uniformity has been lost, it is considered that this is acceptable, particularly bearing in mind that the form and design is in keeping with and sympathetic to the character of the street scene.

22. 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

23. 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

24. 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.

| Financial Liability | Liable? | Amount |
|-------------------------------|----------------|--|
| 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 (£7,559.25 index linked unless any relief for self-build is successful) |

Conclusions

25. The principle of a proposal dwellinghouse has already been established through the previous application and therefore the main issues for consideration are the impact that the proposed changes will have. The gable end of the proposed dwelling will be closer to neighbouring properties on Cecil Road and will therefore have more of an impact than the previously approved scheme taking into consideration loss of light, overshadowing and outlook. Notwithstanding the above, it is still not considered that the impact upon neighbouring residents is of significant detriment to justify a refusal. Furthermore the proposal is still of good design, will enhance the streetscene and it is considered that the layout is satisfactory in terms of car parking, cycle storage and bin storage. The absence of a 5 year housing land supply is also of importance as it cannot be demonstrated that adverse impacts of the proposal would significantly and demonstrably outweigh the benefits of the additional dwelling.

26. 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.