

Report to Planning applications committee

Item

26 March 2015

Report of Head of planning services

Subject Application no 15/00225/F - 1 The Moorings,
Norwich, NR3 3AX

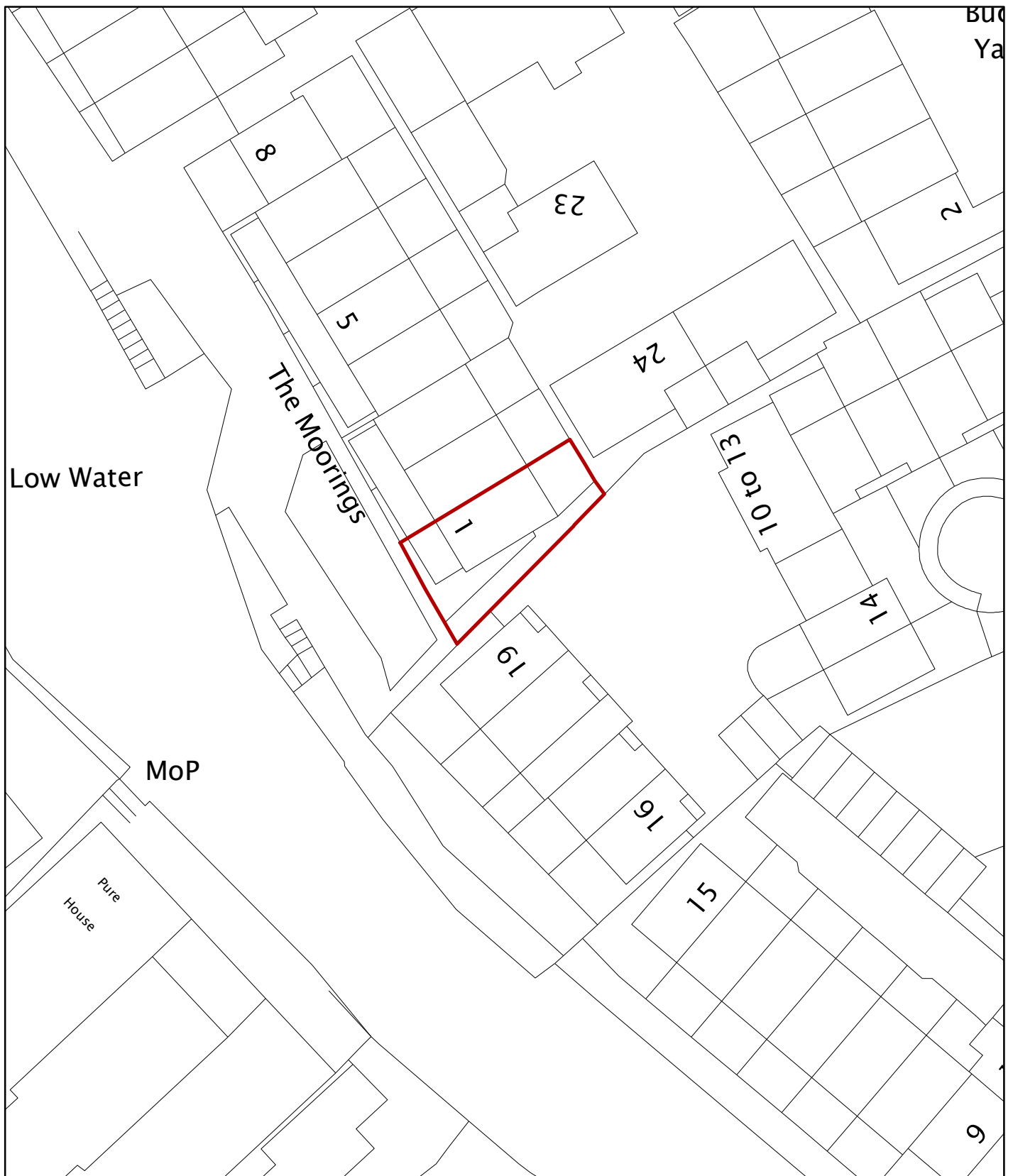
4(A)

Reason for referral Previous application at committee

Ward:	Mancroft
Case officer	James Bonner - jamesbonner@norwich.gov.uk

Development proposal		
Erection of single-storey extension at first floor level to side elevation with balconies.		
Representations		
Object	Comment	Support
5		

Main issues	Key considerations
1 Design and Heritage	The impact of revisions on previous reason for refusal
2 Amenity	Overlooking from new balcony
Expiry date	8 April 2015
Recommendation	Refuse



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Planning Application No 15/00225/F

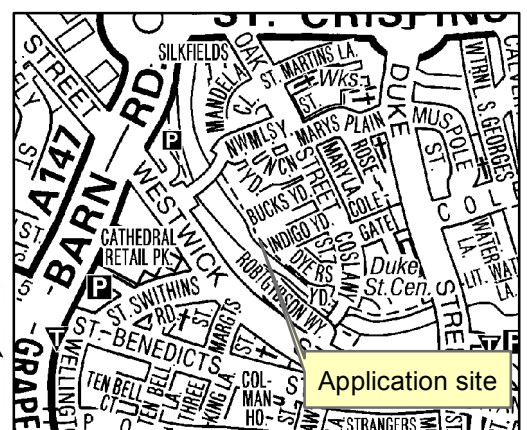
Site Address 1 The Moorings

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. See the previous committee report (14/01134/F – Appendix 1).

Constraints

2. See the previous committee report (14/01134/F – Appendix 1).

Relevant planning history

- 3.

Ref	Proposal	Decision	Date
14/01134/F	Erection of single storey extension at first floor level to side elevation with balcony [revised description and elevational treatment].	Refused by committee 6 November 2014	19/11/2014
14/01784/TCA	T1 Alder - Option 1: Fell and replant with Silver Birch or Liquidambar; Option 2: Crown lift to 25ft, reduce western side by up to 12ft, reduce height from approx 60ft to 40ft, crown thin and reduce east side to clear balcony by 6ft.	No TPO required	09/12/2014

The proposal

4. Proposed is a single storey first floor extension of the same scale and position as refused in 14/01134/F. A full description of its dimensions can be found in the appended committee report. Where it differs, is the focus of this report:
 - the addition of a side/rear balcony on its eastern corner;
 - the removal of the tall and narrow side window;
 - a more pronounced eaves detail and reconfiguration of cladding ‘panels’;
 - a change in materials, including a greater emphasis on zinc for beams and windows; and the retention of Thermowood cladding, albeit in a colour to match the brickwork;
 - the slight repositioning of the gate.

Representations

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Five letters of representation have been received citing the issues as summarised in the table below. All representations are available to view

in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
<p>Strongly objecting to extension and loss of tree at front for the impact on conservation area.</p> <p>Houses were designed to allow light and space between the buildings to create a balance in volume of housing and create pleasant community with trees and walkways – contributes to mental health of its inhabitants.</p> <p>Questions need for extension.</p>	<p>Trees – see paragraph 25.</p> <p>Design and heritage – see main issue 1.</p> <p>Health – see paragraph 25.</p> <p>The need for the extension is not a material consideration for this assessment.</p>
<p>No significant change from the previously refused application and is to all intents and purposes identical. Inconsequential changes to cladding and rear ‘glazed element’ do not change scale/mass and impact on Riverside Walk and conservation area.</p> <p>Continues to have overbearing impact.</p> <p>Computer generated drawings do not reflect the real impact, including the over-exaggerated tree cover. The potential loss of the tree as applied for through 14/01784/TCA would reduce this further.</p> <p>Design and conservation comments are noted.</p>	<p>Design and heritage – see main issue 1.</p> <p>Amenity – see main issue 2.</p> <p>The visualisations, when used alongside on-site photographs, provide an accurate enough representation of the proposal to make a reasonably informed decision.</p>
<p>Despite changes, it still detracts from different architectural styles between Indigo Yard and The Moorings and essentially closes the gap between them.</p>	<p>Design and heritage – see main issue 1.</p>
<p>Inconsistencies in proposal relating to drawings showing trees blocking extension when they are proposed to be felled.</p> <p>Infilling negates the benefits of the rows previously raised. Conservation officer’s opinion remains the same.</p>	<p>Trees – see paragraph 25</p> <p>Design and heritage – see main issue 1.</p>
<p>Still raises antisocial behaviour and safety concerns.</p>	<p>ASB – see paragraph 25</p>

Consultation responses

6. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Design and conservation

7. The proposed plans appear to be identical to those refused previously except for the additional of a further rear/side balcony. The objection remain the same as for 14/01134/F as the plans do not seem to have addressed the concerns committee had about the application.

Police architectural liaison

8. Access to rear – I am pleased to note the proposal to make the gate lockable, although the intention to only lock the gate if nuisance proves a problem is disappointing. As previously explained excessive permeability can compromise security by allowing legitimate access to the rear and side of properties and provides escape routes for offenders. Evidence proves that lower levels of crime can be achieved through the control and limitation of permeability. For this reason I recommend that this gate should be kept locked shut.
9. Repositioning of gate – The proposal to move the existing gate forward and to provide additional fencing to the side of the gate will prevent access to the covered area beneath the extension and reduce the opportunity for anti-social behaviour - but only if locked.
10. Lighting – Will additional lighting be provided beneath the side extension? The side extension is likely to reduce the effectiveness of existing street lighting. I recommend that footpaths should be lit to the relevant standards as defined in BS 5489:2013

Assessment of planning considerations

Relevant development plan policies

11. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
12. **Northern City Centre Area Action Plan adopted March 2010 (NCCAAP)**
- TU1 Design for the historic environment
13. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM9 Safeguarding Norwich's heritage

Other material considerations

14. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF7 Requiring good design
- NPPF8 Promoting healthy communities
- NPPF12 Conserving and enhancing the historic environment

Case Assessment

15. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.
16. This report should be read alongside the appended previous committee report as the majority of the assessment remains the same. The focus of this report will be on whether the design changes adequately address the previous reason for refusal (main issue 1) and what implications the new balcony has on neighbouring amenity (main issue 2).

Main issue 1: Design and Heritage

17. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
18. The applicant has made several changes which may not appear as immediately obvious when compared to the previous application. Many of these do arguably help to tie the extension in better with the host dwelling, particularly in views from Indigo Yard where the introduction of the balcony softens its impact and reduces the perception of its mass.
19. However given the council's previous decision, the focus now must be on whether these changes overcome the reason for refusal:

The proposed first floor extension would partially fill the wedge-shaped gap between the host dwelling and 19 Indigo Yard, and this would detract from one of the positive elements of the adjacent Riverside Walk and conservation area. A key element of the attractiveness of this section of the Riverside Walk is the spatial relationship between the public walkway and the residential development blocks fronting it, with gaps between buildings adding to the variety and interest of the street scape. As a result of its scale and massing the addition sits incongruously at the end of the attractively designed terrace, and in this specific location partially infilling the gap in the river frontage, it fails to respect or respond to the character and local distinctiveness of the area and accordingly the proposal would cause unacceptable harm to the character of the City Centre conservation area, contrary to the objectives of the National Planning Policy Framework (March 2012), policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014),

saved policies HBE8 and HBE12 of the City of Norwich Replacement Local Plan (2004) and emerging Norwich Development Management Policies Local Plan 2014 policies DM3 and DM9.

20. As its position and scale remain the same it is difficult to argue that this revised proposal addresses the fundamental concerns raised as the extension continues to partially infill the gap. Although the perception of mass is addressed in some views, the addition of the rear/side balcony does not adequately address it in the most important view from the west. When approaching along the Riverside Walk there is in reality very little to overcome the awareness of a first floor extension of essentially the same mass. Although there are some refinements which may go some way to address its incompatibility, they are not considered to overcome the concerns raised by members and the extension would still appear to sit incongruously against the side of the terrace. As such it still fails to respect or respond to the character and local distinctiveness of the area and accordingly continues to cause unacceptable harm to the character of the City Centre conservation area, contrary to JCS policy 2 and policies DM3 and DM9.

Main issue 2: Amenity

21. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
22. As the scale and position of the extension remains the same as the previous proposal, the assessment from the previous committee report is still relevant with the exception of overlooking due to the changes. Although the objections to this particular proposal still make reference to the dominating effect of the extension, officer opinion remains that there are no adverse implications for loss of outlook.

Overlooking

23. There is no longer a tall, narrow window on the side elevation and the front balcony continues to present no significant issues for the two north west facing (side) windows of No.19 as they serve a stairwell rather than habitable rooms. The main overlooking comes as a result of the new side/rear balcony. Its position does offer some almost direct overlooking to the windows of the properties on the east side of Indigo Yard in particular. However this is a distance of ~17m in a reasonably tight-knit urban environment where many properties are overlooking each other at similar distances, for instance between 14 and 17 Indigo Yard. Although a balcony does offer a slightly different opportunity for overlooking it does not raise severe concerns for loss of neighbouring amenity given the nature of this courtyard where almost all properties are looking inwards. In fact it may be seen to better address the courtyard than the previous proposal.

Compliance with other relevant development plan policies

24. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	Not applicable

Car parking provision	DM31	Not applicable
Refuse Storage/servicing	DM31	Not applicable
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Not applicable
Sustainable urban drainage	DM3/5	Not applicable

Other matters

25. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:

Crime and antisocial behaviour – See the appended report for a full assessment on this issue. As previously identified any approval, notwithstanding the information about gate locking on the plans, this raises no new issues for antisocial behaviour or safety as any approval would be subject to a condition on the gates, including their locking methods.

Trees – Despite what is indicated on the tree application (14/01784/TCA) and which was submitted following the previous refusal, it is worth clarifying that these trees along the front of The Moorings are council-owned. The TCA application gives no permission to actually do works to these trees and correspondence with council tree officers has suggested the felling of this tree is not proposed, nor is such heavy reduction. As the current planning proposal does not involve works to trees, this information does not raise any new issues.

Health – The same matters raised in the previous committee report about the private ownership of the alleyway apply and these matters do not affect the assessment of this application.

Equalities and diversity issues

26. There are no significant equality or diversity issues.

Local finance considerations

27. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. This particular development would not attract a CIL charge.

28. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority.
29. In this case local finance considerations are not considered to be material to the case.

Conclusion

30. While officer opinion remains that there are no outstanding amenity concerns that should lead to refusal, the revisions currently proposed do not appear to have satisfactorily addressed member concerns relating to the extension's visual impact. It is noted that the previous officer recommendation was for approval, albeit on the caveat in the conclusion that it was a:

 'finely balanced judgement, and if a differing level of weight is given to some of the negative aspects explained in the report above then a different decision could easily be justified'.
31. As noted in the minutes, members clearly found the balance to tip in the direction of refusal. Despite the applicant's attempts to address these concerns, given the spatial constraints of the site there appears to be very little that can be done to achieve a first floor extension in this position that does not conflict with the fundamental reasoning behind refusing the previous proposal. As such, due to the unacceptable harm to the character of the conservation area the same reason for refusal is recommended.

Recommendation

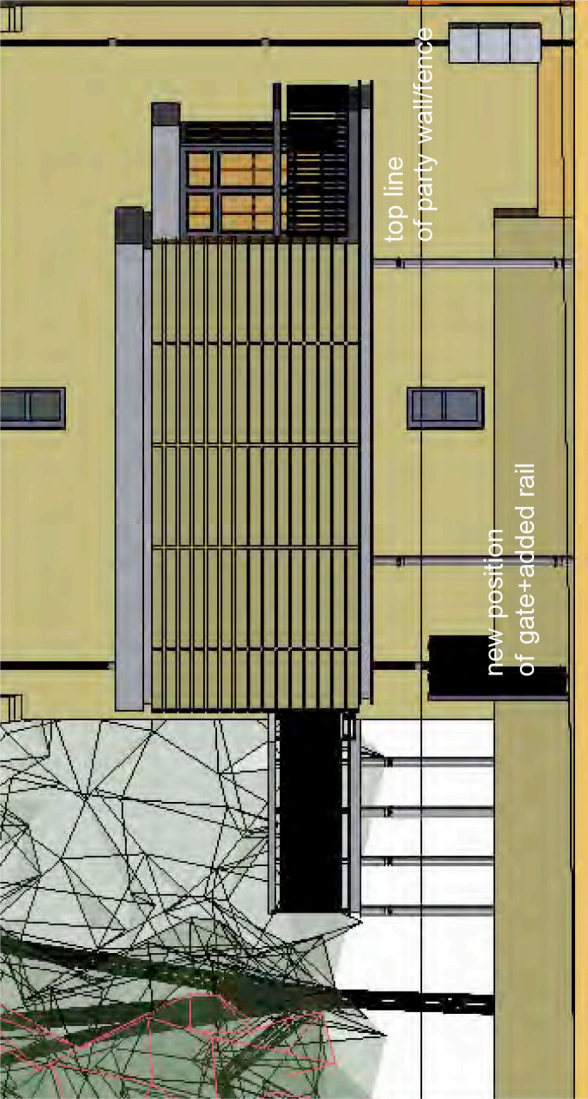
To refuse application no. 15/00225/F - 1 The Moorings Norwich NR3 3AX for the following reason:

1. The proposed first floor extension would partially fill the wedge-shaped gap between the host dwelling and 19 Indigo Yard, and this would detract from one of the positive elements of the adjacent Riverside Walk and conservation area. A key element of the attractiveness of this section of the Riverside Walk is the spatial relationship between the public walkway and the residential development blocks fronting it, with gaps between buildings adding to the variety and interest of the street scape. As a result of its scale and massing the addition sits incongruously at the end of the attractively designed terrace, and in this specific location partially infilling the gap in the river frontage, it fails to respect or respond to the character and local distinctiveness of the area and accordingly the proposal would cause unacceptable harm to the character of the City Centre conservation area, contrary to the objectives of the National Planning Policy Framework (March 2012), policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014) and Norwich Development Management Policies Local Plan 2014 policies DM3 and DM9.

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. Whilst a scheme had previously been

given a recommendation for approval by officers, elected members considered for the reasons outlined above that on balance and in light of the above policies that the application was not acceptable. The applicant has made attempts to address these concerns but officers do not feel this addresses the fundamental concerns clearly raised by members. Should the applicant be aggrieved by any decision of the local planning authority, the applicant's attention is drawn to the right of appeal.



SW elevation

SE elevation

1:100 @ A4 scale of metres



Three substantial trees dominate the planting of the bed in front of 1, The Maltings, and in times of leaf this corner is pretty well totally obscured. Planting at all levels has been omitted in the illustration on the left, and would only further unify the proposal with its parent.

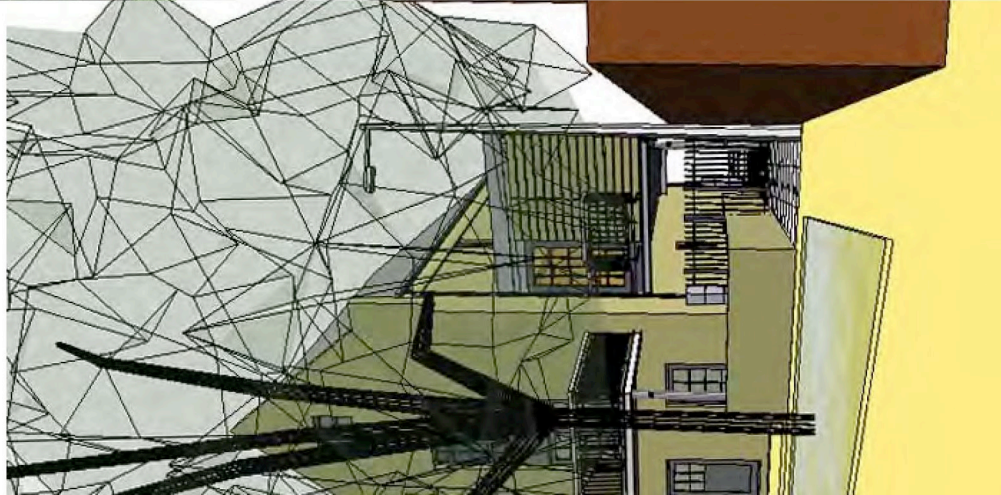
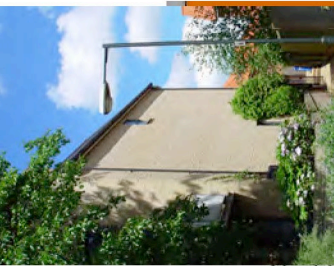
There is more a extensive use of zinc in this proposal. The zinc facings and treatment of beams, the window detailing and colour, the use of 'Thermawood', appropriately coloured to harmonise with the brickwork, should work in combination to ensure that it feels part of a whole.

The solid elements of the facade have been broken down into vertically emphasised panels, which suits the intention to have a framed construction, (reducing the time of build) and helps to express an appropriate domestic scale.

The detailing ensures a unity of treatment between the extension and the building extended.

elevations

3



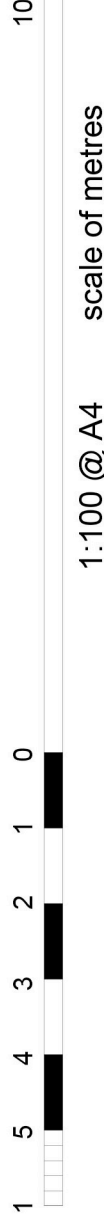
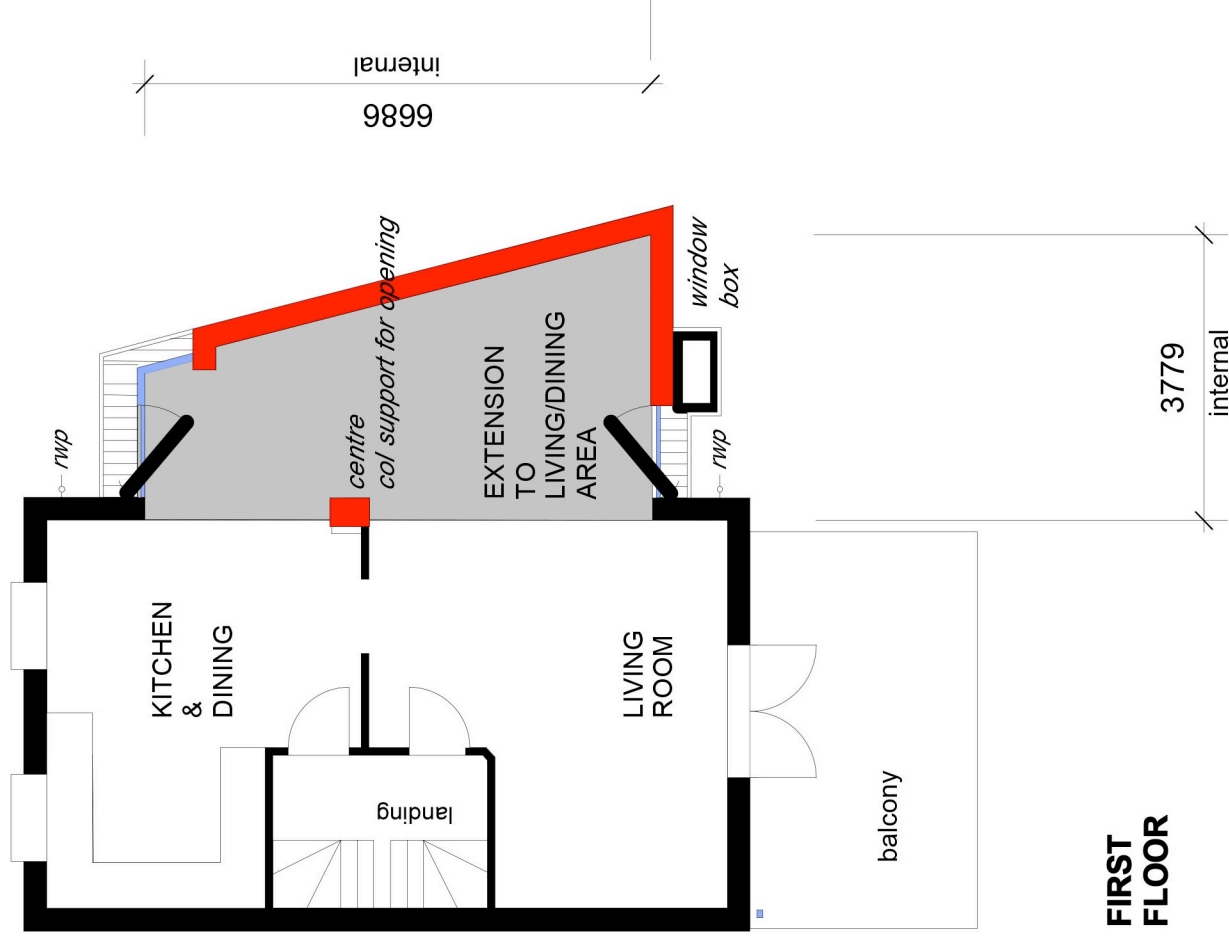
The general intention is an extension at first floor level only - this is now detailed with greater reference to the parent terrace windows and balconies.

The path, will be unobstructed by this addition and will continue its existing uses.

The gate to the path, with a side railing added, will be brought forward towards the building line of the terrace .

The gate will be made lockable and the intention will be to lock, only if nuisance proves a problem. This is the practice elsewhere in this area.

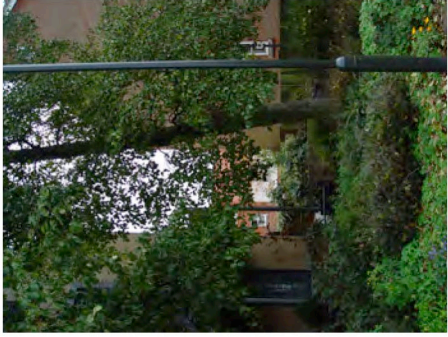
FIRST FLOOR



2

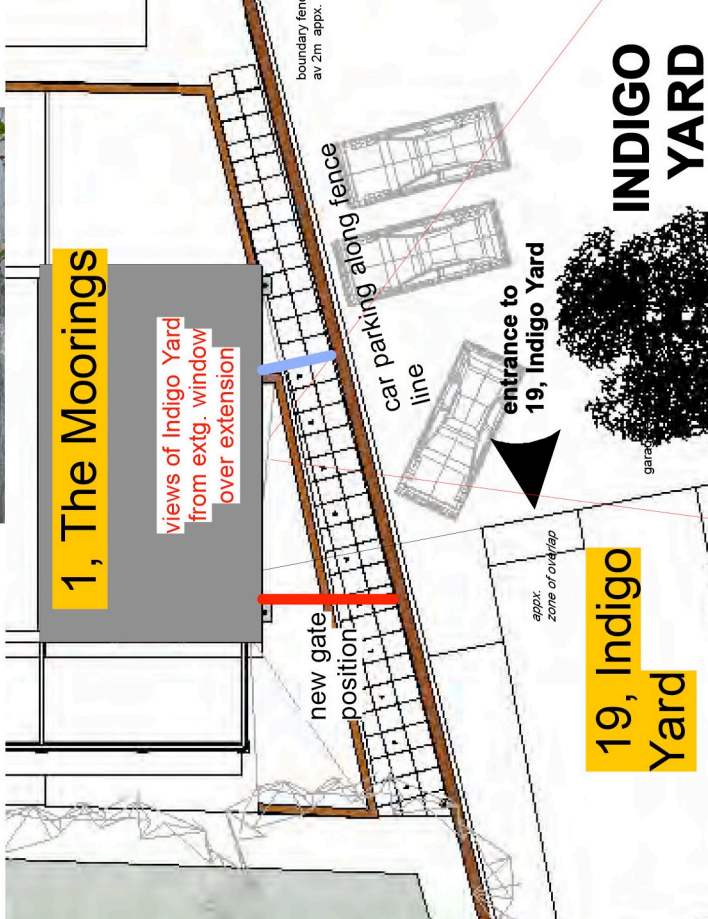
plan and view from river

29 JANUARY 2015



1, The Moorings

views of Indigo Yard from extg. window over extension

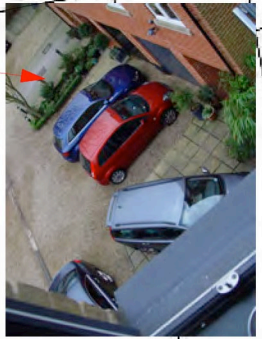


19, Indigo Yard

INDIGO YARD

frontages of alternating garages & entrance

plan showing relationships between 1, The Moorings & 19, Indigo Yard



When the trees are in leaf the gap, between The Moorings and Indigo Yard, viewed from the Riverside Walk virtually disappears. Whatever is 'in the gap' can then make very little difference to the wider scene.

In very limited view, even in winter, the detailed appearance of the gap will be ornamented by a glimpse of the new balcony and the matched window included on the extension - the balcony detail, also matched to the present larger balconies, does little more than intrude on the gap at first floor level, and is itself intended for planting, rather than for other use.

This proposal is of most significance in Indigo Yard, and on sheet 5, attention has been paid to this.



The 'gap', especially in winter, does not reveal the river but the opposite bank. The view above is on entry to Indigo Yard, and will be altered mainly by a more modelled 'surface' to the blank end of No 1, wholly revealed here in winter, on the right in Indigo Yard.



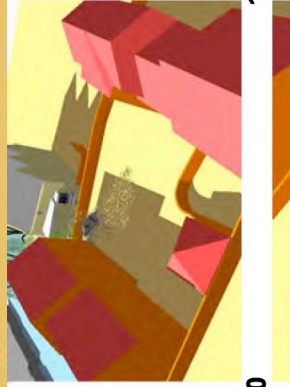


These terraces are not parallel and are staggered on plan: thus overlap at the river end is about 1.5 metres

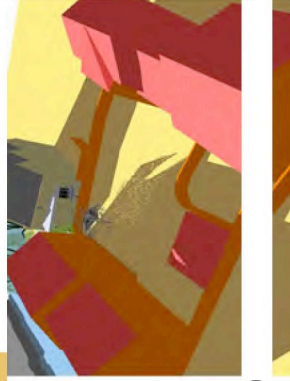
This (SE) elevation, has been drawn as *true to the face of the extension*, and is shown, **with-(left)**, and **without-(right)** the mass of the adjoining Indigo Yard Terrace. The comparison well illustrates the small extent of the overlap at the river end.



10.00



14.00



16.00

The studies above show the sun shadows in Indigo Yard in mid September.

The gap between terraces is at an apparent maximum when viewed square-on to The Moorings. The study below shows the appearance of the extension moving from max. impact square-on and diminishing impact as the view point moves SE across Indigo Yard



1



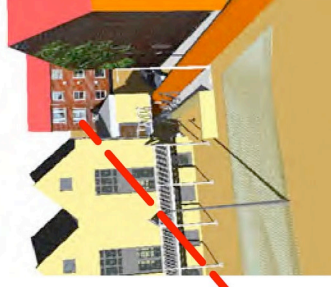
2



3



4



*From within a few neighbouring dwellings the extension will be **apparent**, from the northernmost windows of 10-13, Indigo Yard. It will appear as in views 2 - 4, shown on the left.*

From within Indigo Yard, the proposal changes the appearance of a mainly blank end, and arguably, adds an item of interest.

Description:	Erection of single storey extension at first floor level to side elevation with balcony [revised description and elevational treatment].
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Mancroft
Contact Officer:	Mr James Bonner Planner 01603 212542
Valid Date:	13 August 2014
Applicant:	Mr Michael Innes
Agent:	N/A

INTRODUCTION

1. The application was reported to the last planning applications committee where members resolved to defer the application for a site visit. Members also sought clarification as to why the conclusions of the head of planning differed from the conservation and design officer and expressed concern that conservation and design comments were not summarised within the report.
2. With regard to the procedures for reporting internal views of staff within the planning service the concerns of members have been noted and these procedures are under review, however, members will be updated separately on this matter of procedure as this is not pertinent to the determination of this application.
3. Given that the comments of the design and conservation officer were circulated at the last meeting they have been appended to this report. They were fully considered in drafting the previous report to committee however officers considered on balance that the concerns set out within them did not amount to sufficient justification to refuse the application for the following reasons:
 - (1) Character and Appearance - Paragraphs 29-31 and 38-39 assess design and impact on the conservation area. It is necessary when assessing the impact to not only outline what that impact is (as has been undertaken at bullet 1 of the conservation and design officer comments) but also to assess the level of harm and the weight that should be attached to that

harm in the context of the heritage assets and buildings in question. The officer report discusses the extent to which the extension would be viewed from the public realm and outlines that less weight should be given to private views particularly in the absence of any reference to such views in the conservation area appraisal. Given the limited opportunity for public views of the structure the conclusion is that there is no harm to the character of the conservation area. However should members consider that there is a degree of harm it will be necessary to ascertain the level of harm and the weight this should be given in the decision making process. In this regard it is relevant to highlight that the building itself is not a heritage asset (it is neither listed nor locally listed) but is a recently (within the last ten years) constructed dwelling albeit one that could be said to contribute positively to the conservation area.

- (2) Indigo Yard - This matter is considered further at paragraphs 29-32 of the report. It is relevant to note in considering any harm to the conservation area that this yard is predominantly a semi-private yard rather than a public open space which would be regularly visited or appreciated by the wider public.
- (3) Private Views - This matter is discussed at paragraph 23 and is of limited to no weight given that private views are typically not material planning considerations.
- (4) Walkway access - This is discussed at paragraphs 24-28 and of particular relevance is that the path was originally intended to be a private route for residents with a locked gate as indicated in the original landscaping proposals, albeit such a locked gate does not appear to have been installed. This matter was confused by the applicant's original plans including the annotation 'public path under extension' and as such the true status of the path may not have been clear to the design and conservation officer.

Updates and further representations

- 4. To assist in members understanding of the spatial relationship officers requested a layout plan showing the extension in the context of the boundary fence and 19 Indigo Yard. This has been supplied and is at the end of the report.
- 5. The application has not been re-advertised as no changes have been made to the scheme, however the further representations included in the updates report at last committee and any further representations have been included in an updated representations section below.

The Site

Location and Context

6. 1 The Moorings is the end terrace in a modern row of eight properties along the east side of the river. Including No.1, seven of the eight properties are almost identical in design: three storeys with steeply pitched gables facing the river, intended to reflect the character of the warehouse development that previously overlooked the river. No.8 – the other end terrace – is set back from this building line and is finished in render rather than the white brick of the others. It also has a slate roof but with a shallower pitch orientated at 90 degrees to the main row.

Constraints

7. The site is within the City Centre conservation area, within the Northern Riverside area, described in the CA appraisal as of 'significant' significance. The nearest building of interest is the grade II listed New Mills Yard Pumping Station, which at 100m away is not affected by the proposals.
8. Adjacent to the site, running underneath the proposed extension, is a footway which provides access to bin and bike stores as well as to Unicorn Yard, which includes flats above garages. It is not adopted and is within the ownership of 1 The Moorings with shared access to be provided to certain residents.
9. The site is within Flood Zone 2 but flooding is not considered an issue at this height.
10. There are mature trees nearby but they are not a direct constraint on this development.

Planning History

04/2000/0732/F - Redevelopment of car park site with 62 residential units with associated garages and parking spaces – Approved.

04/01367/D – Condition 2: Materials; Condition 3: Details; and Condition 4: Elevations for previous permission 4/2000/0732/F "Redevelopment of car park site with 62 residential units" – Approved

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

11. A first floor extension to the south side of the property, overhanging a footpath. It will be supported by two columns and will feature a balcony facing out onto the river. The design has been amended to change the external cladding from metal to Thermowood (heat treated softwood cladding) and to introduce a side window.
12. The flat roofed extension is 7.9m long and wider at the front (3.9m) than the rear

(1.9m), following the line of the adjacent path it overhangs. From the ground it is 6m to its roof and 2.9m to its underside. Two columns support the structure and are placed to the south of the path next to the boundary fence.

Representations Received

13. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Eleven letters of representation have been received citing the issues as summarised in the table below.

14.

Issues Raised	Response
<p>Amenity</p> <ul style="list-style-type: none"> • Affects sensitively designed gap, creating feeling of being shut-in. • Closing in of light and space between buildings • Outlook negatively impacted from side windows of 19 Indigo Yard and further so by balcony • The so-called 'bland gable' is infinitely preferable to the extension and therefore dispute that it will 'add some interest'. • Unsightly extension will block the open view through the gap to mature trees and the river. • This ill-conceived proposal will reduce light for 10, 11, 12 and 13 Indigo Yard. The river view from south east facing windows will be either considerably reduced or completely obstructed. • Blocked view/restricted sunlight will impact on gardens and residents (more so in winter). • Will overshadow and reduce light to properties along The Moorings (balconies and living rooms). • Will reduce light to side path. • Intrudes into IY in a significant fashion, affecting quiet enjoyment of yard. • Overbearing effect on front 	<ul style="list-style-type: none"> • Assessment takes account of two windows (paragraph 17). Amenity impact assessed from the perspective of this being a full balcony (paragraphs 17-18). For the avoidance of doubt the word Juliette has been removed from the description. • Amenity – see paragraphs 17-23. • Loss of light to side path not a significant amenity concern

<p>Design</p> <ul style="list-style-type: none"> • Hideous and completely out of context with the rest of the (sensitively and sympathetically designed) riverside development. • Will compromise well-proportioned row. • Box on stilts will detract from unified frontage. • Will negatively impact riverside, street scene and conservation area. <p>Other</p> <ul style="list-style-type: none"> • Affected path has history of antisocial behaviour, drug and noise issues – the extension will exacerbate these issues. • Support column will impede members of public using path. • Extension comes up to boundary fence of Indigo Yard – construction/maintenance needs co-operation of neighbours who are all vehemently opposed to proposal. • Questioning need for extension. • Will set a precedent for similar developments. • Glazing on NE elevation needs clarifying • Stressed that area of Indigo Yard affected is front gardens 	<ul style="list-style-type: none"> • Design – see paragraphs 29-39. <ul style="list-style-type: none"> • Crime and antisocial behaviour issues addressed in paragraphs 24-28. • They do not appear to impede access any more than the streetlamp. • Not a material planning consideration <ul style="list-style-type: none"> • Not a material planning consideration – the application is assessed on its merits rather than whether it is necessary • Precedent – see paragraph 33. • No glazing is proposed on NE elevation (the smaller end of the wedge). • Orientation noted throughout assessment e.g. paragraph 21.
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Consultation Responses

15. Norfolk Constabulary – There have been seven incidences of ASB reported to police within the last twelve months in relation to The Moorings and Indigo Yard. This does not take into account incidents not reported to the police. The proposal would create a covered area that would exacerbate ASB - the existing gate would not adequately protect against this. Two gates should be provided [*annotated plan provided within comments*] alongside lighting.

Norwich Society – This extension may tend to unbalance the visual aspect of the front façade but we have no other comment on the design proposal. We note the objections and agree that the underside of the extension must be well lit for security. We note that the route is in the ownership of No 1 and acts only as access to cycle stores for numbers 1-4 The Moorings. This route will be gated and kept

locked.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 7 – Requiring good design

Statement 12 – Conserving and enhancing the historic environment

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

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

HBE8 – Development affecting conservation areas

HBE12 – High standard of design in new development

EP22 – High standard of amenity for residential occupiers

Supplementary Planning Documents and Guidance

Northern Area Action Plan (March 2010)

Other Material Considerations

Development Management Policies Development Plan Document – Pre-submission policies (April 2013) (As modified by the Inspector's Main Modifications):

DM1 – Achieving and delivering sustainable development

DM2 – Ensuring satisfactory living and working conditions

DM3 – Delivering high quality design

DM9 – Safeguarding Norwich's heritage

Emerging DM Policies:

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 JCS and RLP policies above are considered to be compliant with the NPPF.

The Council submitted the Development Plan Policies local plan and Site Allocations and Site Specific Policies local plan for examination in April 2013. The examination process is now complete with the publication of the Inspector's report for each plan, dated 13th October, 2014 (available at <http://www.norwich.gov.uk/Planning/Pages/DMAAndSAPoliciesPlans.aspx>). Significant weight must now be given to all the following policies, as proposed to be modified by the Inspector's reports, pending formal adoption.

Principle of Development

Policy Considerations

16. The principle of a residential extension is acceptable. With the identified constraints the main concerns relate to design and amenity (including the material consideration of crime and antisocial behaviour which is intrinsic to both design and amenity in this case).

Impact on Living Conditions

Overlooking

17. The proposed side window does not offer any serious opportunities for overlooking into the north east facing habitable (front) windows of 19 Indigo Yard given the oblique view. The side window and the balcony do not present significant issues for the two north west facing (side) windows of No.19 as they serve a stairwell rather than habitable rooms. Accordingly there is no appreciable loss of privacy.

Noise

18. Given its size, the balcony does not give rise to any serious issues for increase in noise compared to the existing balcony on the property.

Overshadowing / Loss of light

19. Because of the way the properties are orientated, there is no significant overshadowing (including those along The Moorings). During winter when shadows are longer it would only affect 24 Indigo Yard to the north east towards the end of the day when the sun is almost set. The neighbour(s) are more likely to be affected by 18 and 19 Indigo Yard than the proposed development.
20. Despite the extension being closer to the property, the loss of light to 19 Indigo Yard will not be substantial as the amount of visible sky (see paragraph 17) lost compared to the effect of the host dwelling is relatively low. The loss of light to the 10, 11, 12 and 13 Indigo Yard cannot be considered to be a significant issue given the distance (over 17m), the scale of the proposal and the open nature of the yard.

Overbearing Nature of Development

21. The first floor extension brings the property closer to the boundary and the impact on the outlook for the occupiers of 19 Indigo Yard is an important factor in assessing the acceptability of the proposal. The north west elevation facing out onto Indigo Yard is the property's front elevation. In views out of the first floor window the structure will be around 4 to 6.5m away, but affecting only oblique views. Its presence would have an effect on the occupier's outlook, but the extent of this is not considered to be significantly detrimental as there would remain a good 135° of relatively uninterrupted field of vision.
22. The addition of the 3.1m tall first floor structure closer to their boundary has the potential to be an imposing mass in views from the ground floor windows and front door of 19 Indigo Yard. As above, while there is an impact, given the scale of the extension and the otherwise fairly open nature of the space, it is not considered to cause an unacceptable impact on the quality of life the neighbour could expect to have. Aside from the rest of the yard there will still be an element of openness in views over to the north west (between 10 Indigo Yard and 24/25 Unicorn Yard)

which also helps in reaching a conclusion that the extension will not be an overly dominant feature. While in some oblique views the outlook will be worse it is considered that the difference is marginal given the scale and mass of the large blank elevation, albeit further away than the proposed structure.

23. The development will result in some loss of view through to the river from 10 Indigo Yard being blocked. Limited weight can be attached to this due to the private view not being identified through policy as of public interest. Additionally the current view in itself is somewhat blocked (except in winter) by the dense mass of existing trees both inside Indigo Yard and on the Riverside Walk. As such fairly limited weight is attached to this particular amenity concern.

Crime and antisocial behaviour

24. Numerous letters have raised an existing issue in the area relating to crime and antisocial behaviour including drug use/dealing and urination in the footpath. The police have been consulted who have confirmed there is an issue in the immediate area. It is accepted that introducing an overhanging structure (effectively a shelter) into an alleyway that is not well overlooked would exacerbate the issue.
25. The applicant is looking to live in the property and it is within his interests to reduce the opportunities for crime and antisocial behaviour. A solution is to move the existing (but unlocked) gate to the back of the edge of ownership by the bin store and to introduce a new gate in line with the front wall of No.1 as suggested by the police. This will effectively reduce the opportunities for behaviour that would cause amenity concerns for neighbours and alongside appropriate lighting, will lead to an improvement in this particular location.
26. The property faces onto the Riverside Walk, which although not adopted, is accessible by the public on foot and by bicycle. It is considered that it would be possible to put a gate here (up to 2m) without planning permission given the set back from the highway. It should also be noted that the originally approved landscape scheme for the housing development shows a 1.8m high railing and lockable gate along the front elevation in the proposed position.
27. Given the potential negative impacts on crime, permission should not be granted without a condition requiring details of gates and lighting prior to commencement. However given that a gate could be installed without permission, no significant weight should be attached to the security benefits the extension will bring to the area.
28. For the purposes of understanding the ownership of the adjacent alleyway the applicant has provided a conveyance plan [*included at end of report*], and a letter from the management agent which shows support for the gates which fall within the boundary of 1 The Moorings. The status of the path is understood to be a 'private drive and pedestrian access with right of access (shared access)', with right of access likely to be provided (as a civil matter) to other residents listed on the deeds. It will be necessary to provide key or code access for those that need it. The details of this as well as any lighting is recommended to be included within the list of conditions.

Design

29. This is an unusual design that has drawn some criticism, particularly from those within Indigo Yard to the east. 1 to 8 The Moorings makes a positive contribution to the street scene and character of the wider conservation area and the most important design question is whether the introduction of this extension causes harm to this.
30. A point is made that the proposed extension spoils the architectural composition of the row. Actual public views are somewhat limited, but if the row could be appreciated in its entirety in a wider context, such as from across the river, the presence of the contrasted design and step back of No.8 would be more significant. While the buildings are well designed and provide for an attractive streetscape, it would be disingenuous to suggest the immediate area has a dominant architectural character or style that should be protected. This and the impact on the conservation area is discussed further in paragraphs 33 and 34. Various architectural features (e.g. balconies) and building line irregularities have been purposefully included within the design of the original development and an argument could be had that this proposal is an appropriate feature as the built environment evolves and changes.
31. When walking along the Riverside Walk, views of the proposed extension are blocked by the trees (when the trees are in leaf) when approaching from the north and by 16 to 19 Indigo Yard from the south. It only really becomes visible when approaching the last tree or the rear gate of 16 Indigo Yard. When pedestrians reach this point (~10m window of visibility, which is partially obscured by trees in parts), they would have to purposefully look to the east to see the extension. In this sense the addition would be visible, but its size and mass is not considered excessive for the host dwelling. The choice of Thermowood cladding should soften its impact somewhat from the side and the balcony to the front will not look dissimilar to the adjacent balconies. As such the impact is fairly limited in its harm to the street scene.
32. The extension will be very noticeable from Indigo Yard to the east and although less weight is attached to this private view, it could be argued that the extension brings some 'interest' to this otherwise predominantly blank elevation. This is a highly subjective judgement as to whether the bland and largely blank wall is an unattractive and dull feature to the view from Indigo Yard and whether the proposal will provide variety and interest that would improve the appearance in this view. While it could be seen as an innovative means of extending a property within a tight-knit urban environment, it would also be possible to conclude that the unfamiliar addition is unacceptable in design terms for its lack of successful integration into the existing locale. As set out in saved policy HBE12, consideration must be given to the setting and spatial quality of new development in relation to both public and private spaces, which members may feel this extension falls short of. 3-D visualisations have been produced to help in this judgement, which should be made with both local and national policy in mind, for instance paragraph 58 of the NPPF:

[development should] respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;

33. The potential for the approval in setting a precedent carries fairly limited weight given the unique nature of the development. If other similar extensions were applied for they would be assessed on their own merits and the impact on their entirely different context. An example could be on the south side of 9 The Moorings – the elevation is much more prominent and therefore it does not hold that a similar extension would be approved in a different location.
34. In terms of materials, the columns and balconies are to match those of the adjacent balconies along The Moorings and Thermowood will be used to clad the exterior. Including the windows, a condition is recommended so that details (and samples where necessary) are provided to ensure the visual impact is minimised.
35. The design of the gates would be dealt with by condition. Given the objections however it is worth assessing its effect on the closing off of the path. The alleyway has fairly limited prominence from the Riverside Walk, is not inviting to use and gives the appearance of a private alley way leading to bins. In comparison the other pedestrian access to Unicorn Yard (between 8 and 9 The Moorings) is wider and gated but undoubtedly more inviting. This particular gate is identified on the conveyance plan by the developer as 'public access point'.
36. The endpoint of the view down the alleyway is a gate and for the casual visitor on the Riverside Walk there is little to indicate that this is any more than access for residents to the rear of gardens, bins and the rear of the properties. The path does not offer a legible route and one can be better provided through alternatives (e.g. between 8 and 9 The Moorings, New Mills Yard or Coslany Street).
37. It is important to note that this is private land that currently could be gated at any time. Access for the residents is a civil matter.

Conservation Area – Impact on Setting

38. As with all development affecting a conservation area, "special attention shall be made to the desirability of preserving or enhancing the character or appearance of that area". In assessing this impact reference is made to the character area (Northern Riverside) in the City Centre conservation area appraisal. This document was completed before much of the development in the immediate area was, and reference is made to its rapidly changing character. It is acknowledged that the modern housing developments tend to respond better to their context and exhibit traditional detailing. Reference is made to New Mills Yard using white brick. From visits to the site it can be seen that The Moorings exhibit a traditional form that reflects the site's industrial past but with a number of modern details such as balconies and windows. As made clear in the appraisal and in assessment of the site, a key element of the character area is the Riverside Walk.
39. Given the relative lack of prominence from many views it is not clear that the development would cause harm to the Riverside Walk nor have a significant effect

on the character of the conservation area. However it will be visible to pedestrians (albeit for a short period of time) and because of the relative infancy of the development site on this side of the river, there have been little if any inappropriate developments that have eroded its character since the houses were built. In this respect the introduction of an extension could be argued to not preserve the character, but on balance it is considered that the opportunity for public views of the structure would be so limited that it would be unreasonable to suggest it causes harm to the character of the wider area, particularly as you do not view the east side of the river in isolation from some of the more inappropriate developments opposite it.

Local Finance Considerations

40. Although technically liable for Community Infrastructure Levy (CIL), the extension is below the threshold of minor development (100sq.m) and is exempt from payment.

Conclusions

41. The proposed extension is certainly an atypical and contentious design that has raised a number of comments relating to design and amenity. There are also significant crime and antisocial behaviour concerns that overlap with both of these issues. Whilst on its own the extension would exacerbate antisocial behaviour in the area, a condition requiring details of gates and lighting prior to commencement is considered to adequately mitigate against this. As the gates may well be erected without permission it is inadvisable to frame the improvements to security as a benefit that can be weighed against the potential design and amenity shortcomings.
42. The proposal brings the extension closer to the boundary with the neighbours at Indigo Yard and while there are some amenity concerns for loss of outlook, the tangible harm is fairly limited due to scale of the structure, the otherwise open nature of the courtyard and the comparison being made to a largely blank existing elevation. Less of a concern is overlooking and overshadowing/loss of light due to the positioning of windows and the orientation and scale of the surrounding buildings.
43. Its visual prominence is most apparent from the private Indigo Yard and there will be limited views of the extension from the public Riverside Walk. The scale of the structure is not excessive for the host dwelling and the use of materials, subject to condition, should adequately soften its impact on the street scene and character of the wider conservation area. That being said, this is a finely balanced judgement, and if a differing level of weight is given to some of the negative aspects explained in the report above then a different decision could easily be justified.
44. On balance, given the surrounding development, the scale of the proposal and its relative inconspicuousness from public views, the recommendation is for approval as it is considered to accord with the policy objectives of the National Planning Policy Framework (March 2012), policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), saved policies HBE8, HBE12 and EP22 of the City of Norwich Replacement Local Plan (2004) and all other material

considerations.

RECOMMENDATIONS

To approve application no 14/01134/F and grant planning permission, subject to the following conditions:-

1. Standard time limit (3 years);
2. In accordance with the plans;
3. Details of materials (to include columns, windows and doors, external cladding, balcony, eaves);
4. Detail of gates and locking/access scheme;
5. Detail of lighting.

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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

Informative:

1. Considerate construction.

Application Number: 14/01134/F

Location: 1The Moorings, Norwich

Proposal: Erection of single storey extension at first floor level to side elevation with balcony.

Conservation and Design Comments

The Context

The Moorings are situated within the Northern Riverside Character Area of the Norwich City Centre Conservation Area. This part of the Conservation area is characterised by elegant terraces of residential townhouse development along the riverside. They have symmetrical and repetitious form. The riverside frontages are punctuated intermittently by breaks in the houses and public walkways running between (perpendicular to the riverside walk) allowing public access through the housing to and from the river and the city centre. This makes this a pleasant and permeable area for a pedestrian to navigate.



The proposal

The proposed first floor extension would have the following Conservation & Design impacts:

1. The elegant, symmetrical and repeating form of the buildings within this Northern Riverside character area of the Conservation Area would be detracted from. The proposed first floor end-of-terrace extension would project from the side of the building on stilts, harming the character of this key part of the Conservation Area by the listed New Mills Yard Pump House and

the character and appearance of both The Moorings terrace and Indigo Yard (the terrace adjacent) would also be harmed. It would sit only slightly back from the front building line of the terrace and will be particularly visible for the half of the year when the frontage trees are bare.



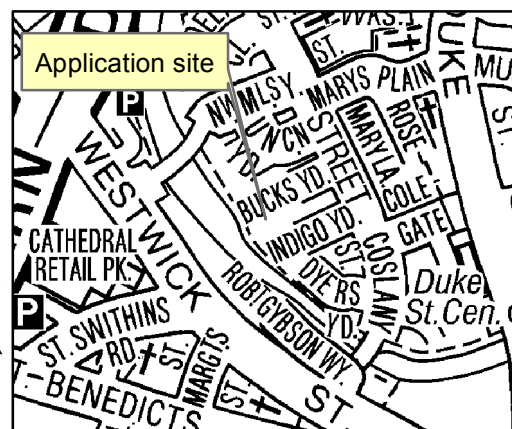
2. The proposed first floor projecting wedge extension would be exceptionally close to 19 Indigo Yard's frontage. It would be an alien timber structure floating on stilts above the boundary fence. It would detract from Indigo Yard's terraced townhouses and attractively landscaped frontage courtyard.
3. The mass of the extension would fill the existing gap between The Moorings and Indigo yard, blocking residents existing views of the river from 10-13 Indigo Yard properties and those beyond.
4. It would negatively affect the shared access walkway by: appearing to 'privatise' it; reducing the existing natural surveillance of the walkway from the three side facing windows of 19 Indigo Yard (which currently directly overlook it) and from the quayside by obscuring a section of the walkway from view by overflying it and by overshadowing it; and worsening the current antisocial behaviour issues within the walkways.

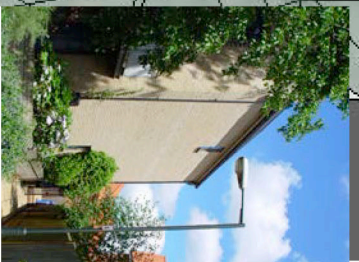
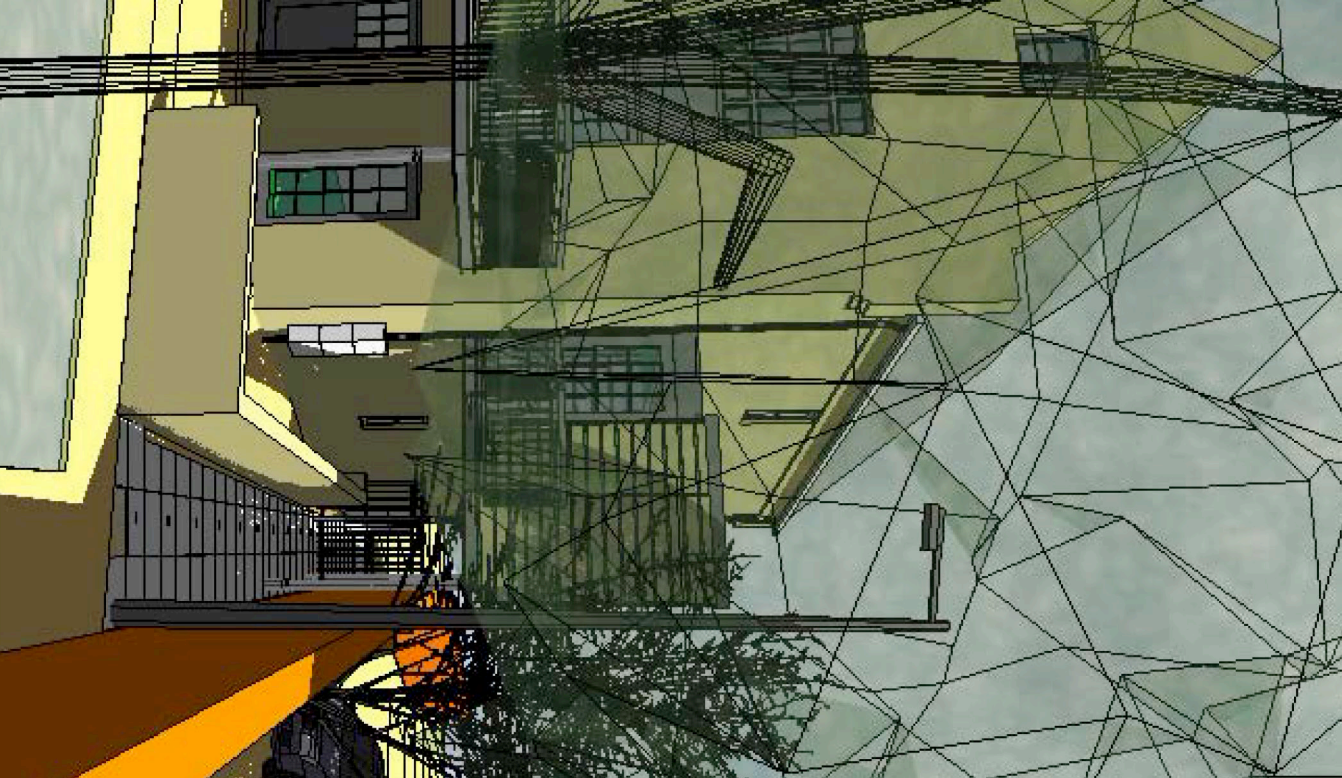
The only way the antisocial behaviour issue could be resolved below such an extension would be to add a further gate below the front of the extension and lock both gates, to prevent access to the space below the extension from the front and the rear (full public access can be gained from either direction at the moment when the gate is left open). Such an arrangement would presumably have to be agreed in advance with the residents behind, who presumably have shared access rights through to the river.



In Conservation and Design terms, this proposal is inappropriate for the reasons outlined above. It is contrary to National Planning Policy framework statements 7 and 12, and it conflicts with the relevant development plan policies, including policy 2 of the Joint Core Strategy² and 'saved' policies HBE8 and HBE12 of the Local Plan. These policies require development to be designed to the highest possible standards and to respect local distinctiveness; such proposals should also be sympathetic to the form and character of a conservation area's development.

Chloe Canning-Trigg 22.8.14
(Conservation and design officer)



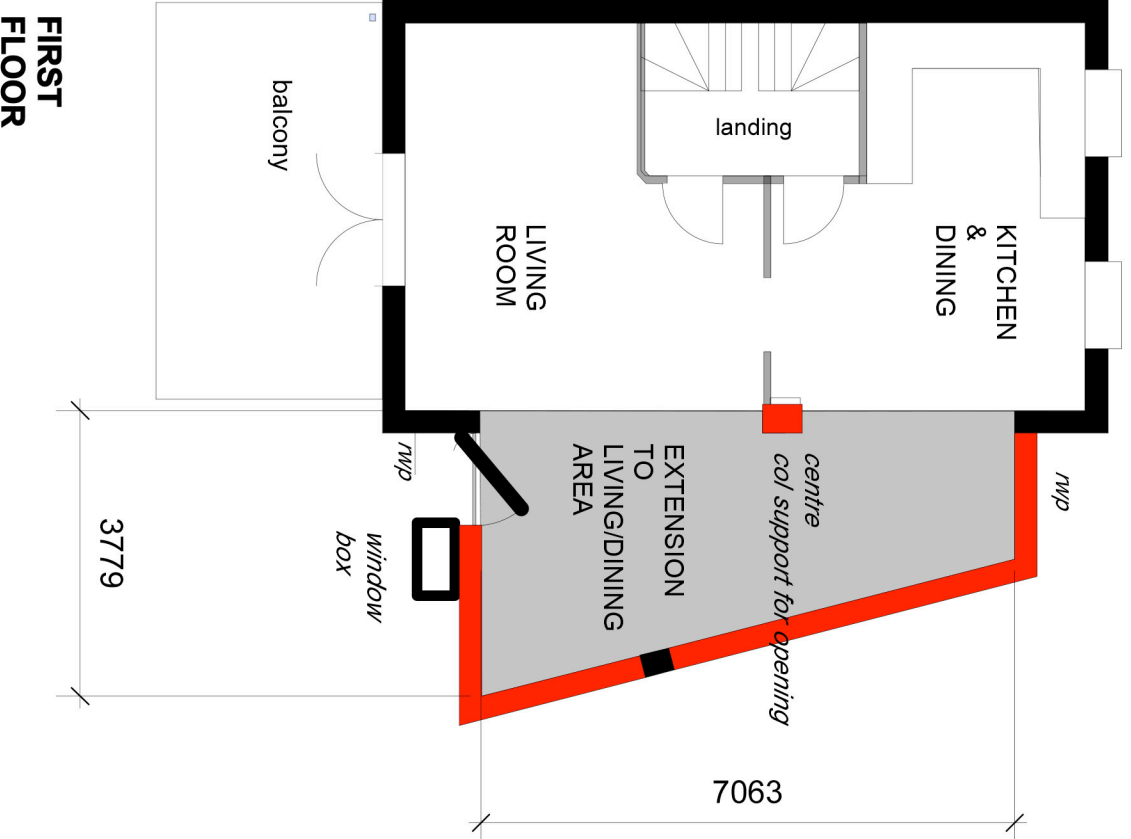


The general intention is an extension of No 1 The Moorings at first floor level only - externally expressed as a supported blind bay.

The path, albeit for public use, will be unobstructed by this addition and the land that it spans is within the conveyed boundary of No 1

The path, already narrowed at the gate and further still at the rear, will not in any practical way be reduced by the support columns, chosen to continue the theme set by the front balcony.

The extension will be mainly prefabricated, to reduce the difficulties of construction.



**FIRST
FLOOR**

1:100 @ A4

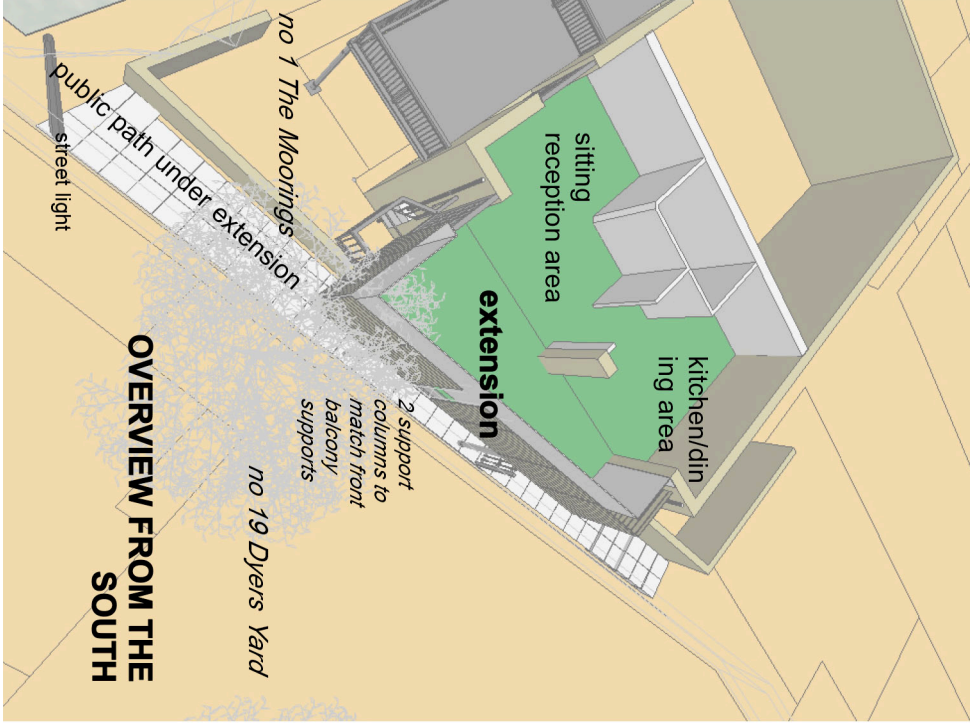
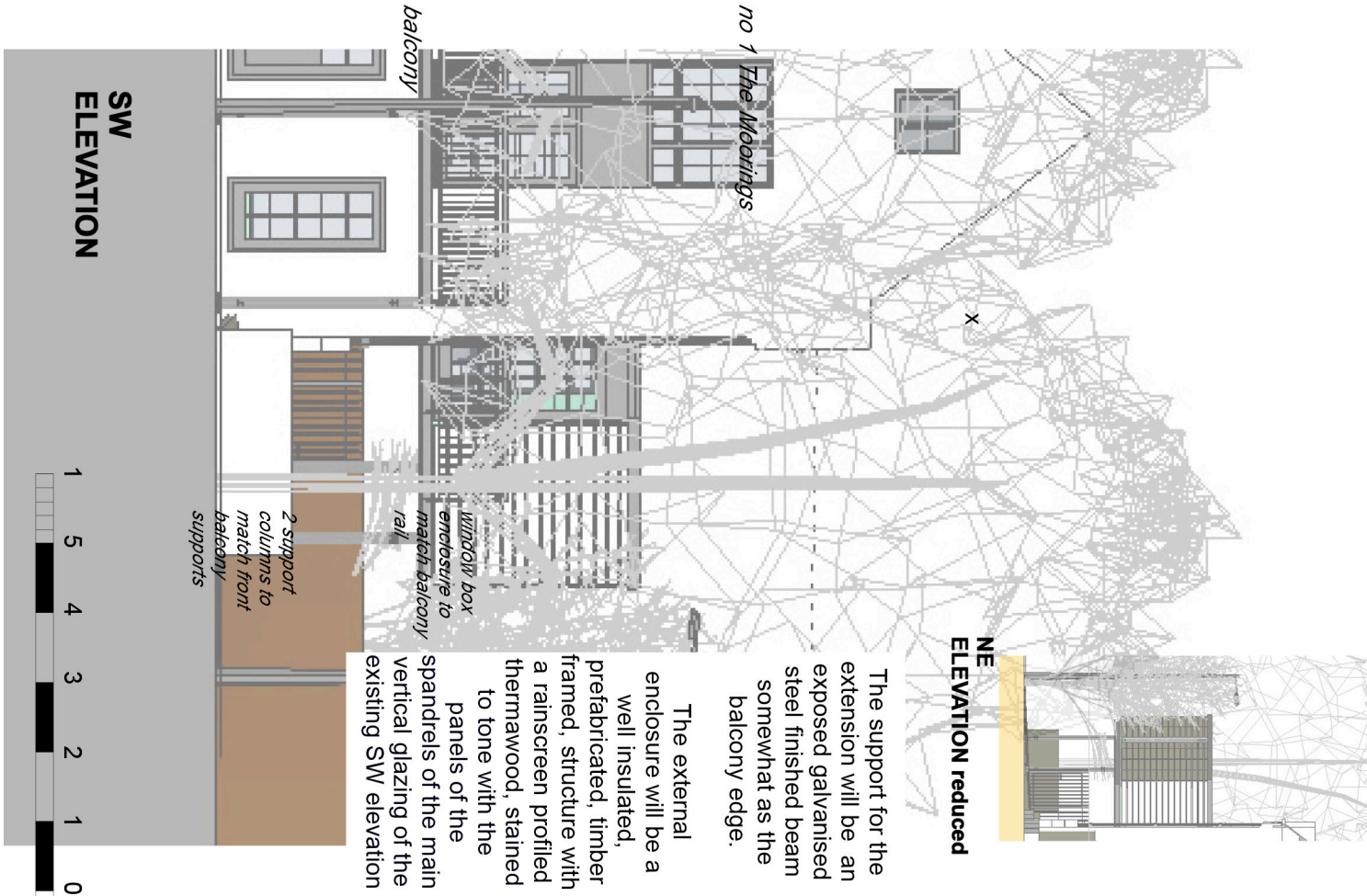
scale of metres

10

2

plan and general view

20 August 2014



1:100 @ A4 scale of metres

CONSTRUCTION NOTES FOR EXTENSION

1 ROOF

flexcoat membrane or similar
ply base, thermal board, firrings to falls
timber joists
gypsum board ceiling
skim coat plaster

2 EXTERNAL WALL

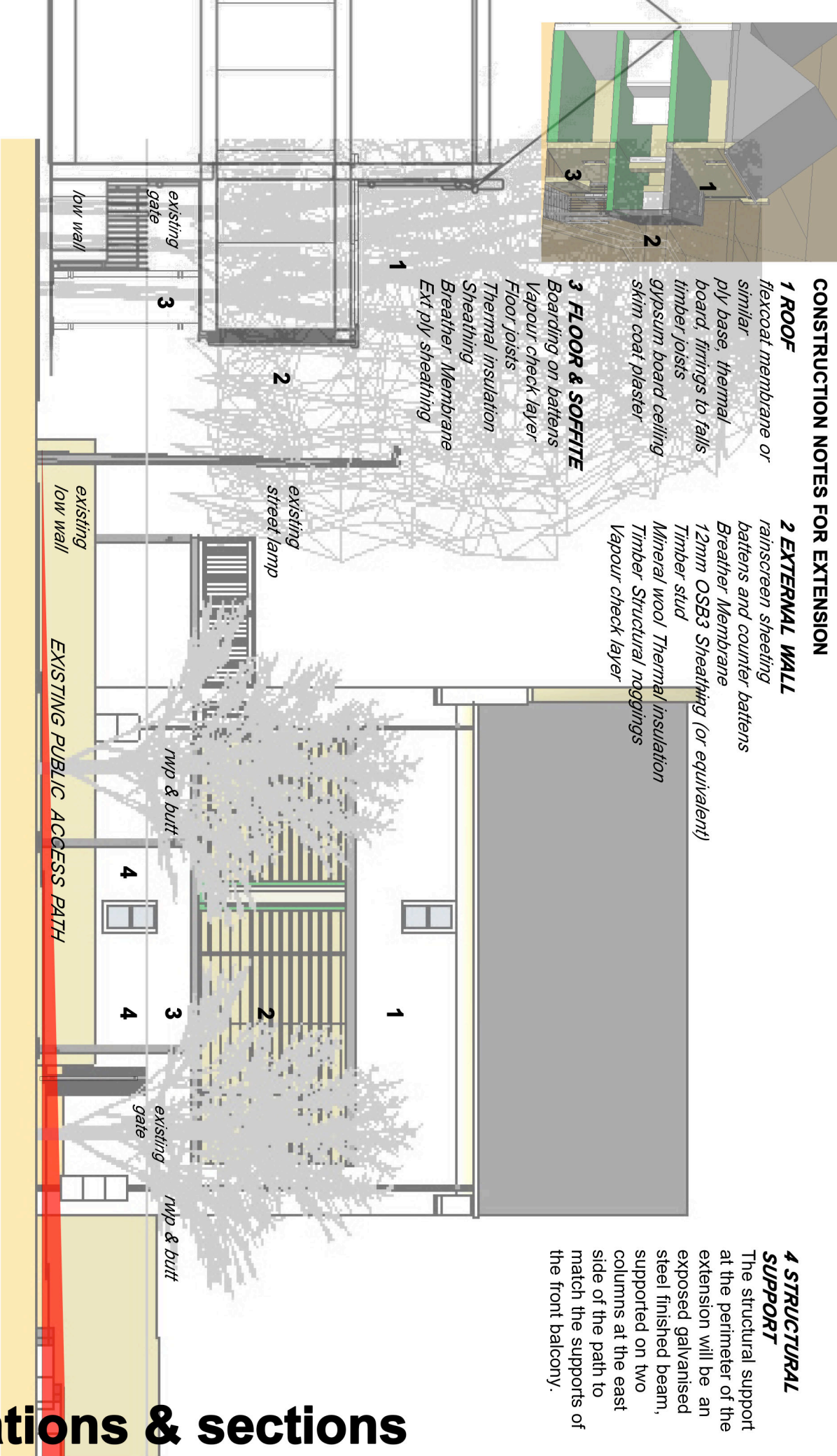
rainscreen sheeting
battens and counter battens
Breather Membrane
12mm OSB3 Sheathing (or equivalent)
Timber stud
Mineral wool Thermal insulation
Timber Structural noggings
Vapour check layer

3 FLOOR & SOFFITE

Boarding on battens
Vapour check layer
Floor joists
Thermal insulation
Sheathing
Breather Membrane
Ext ply sheathing

4 STRUCTURAL SUPPORT

The structural support at the perimeter of the extension will be an exposed galvanised steel finished beam, supported on two columns at the east side of the path to match the supports of the front balcony.



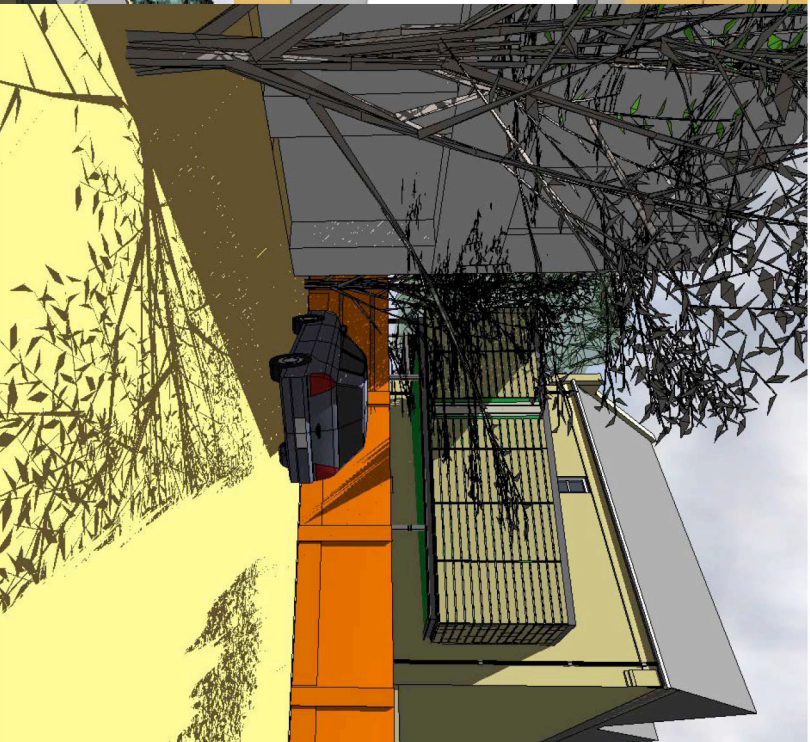
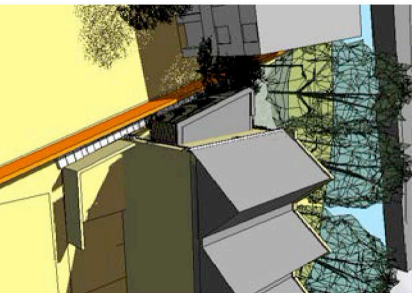
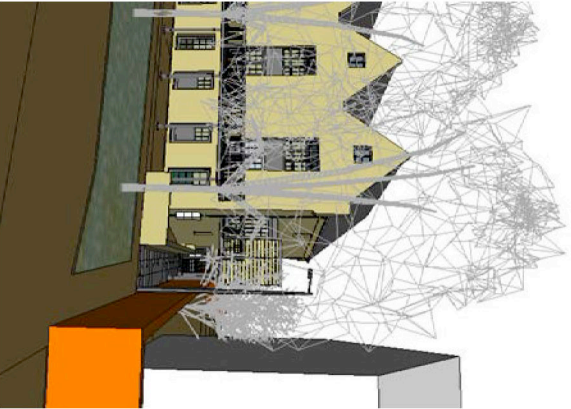
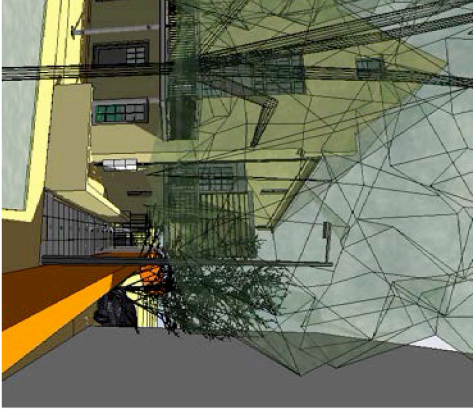
CROSS SECTION

SE ELEVATION



1:100 @ A4 scale of metres

4 elevations & sections



The addition does not really impact on any view of public significance - certainly not from the Riverside Walk nor the opposite bank.

From approach to houses on the adjoining Indigo Yard, the impact is small and will add some interest to a bland gable.

To soften the aspect at close range, the cladding material has been changed from metal to timber/thermawood and profiled to give greater texture than the previous metal proposed.

The trees shown exist and are approximately correct as to placing and size.

6

additional studies

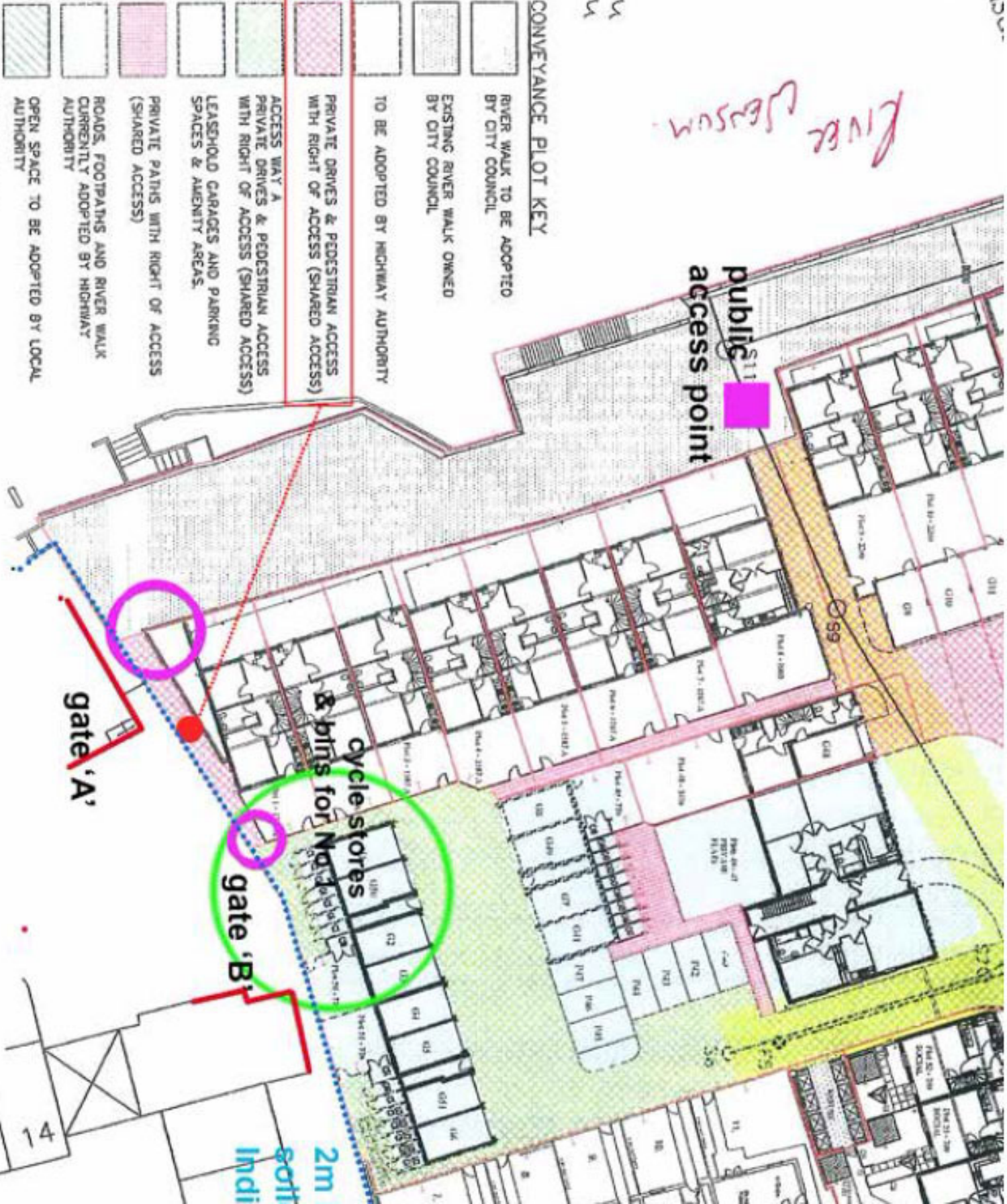
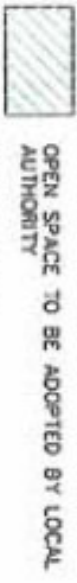
20 August 2014

Live Mason

public
access point

CONVEYANCE PLOT KEY

- OPEN SPACE TO BE ADOPTED BY LOCAL AUTHORITY
- ROADS, FOOTPATHS AND RIVER WALK CURRENTLY ADOPTED BY HIGHWAY AUTHORITY
- PRIVATE PATHS WITH RIGHT OF ACCESS (SHARED ACCESS)
- LEASEHOLD GARAGES AND PARKING SPACES & AMENITY AREAS.
- ACCESS WAY A PRIVATE DRIVES & PEDESTRIAN ACCESS WITH RIGHT OF ACCESS (SHARED ACCESS)
- PRIVATE DRIVES & PEDESTRIAN ACCESS WITH RIGHT OF ACCESS (SHARED ACCESS)
- TO BE ADOPTED BY HIGHWAY AUTHORITY
- EXISTING RIVER WALK OWNED BY CITY COUNCIL
- RIVER WALK TO BE ADOPTED BY CITY COUNCIL



gate 'A'

gate 'B'

cycle stores
& bins for No. 3

2m
soft
land

14

