

Report to Planning Applications Committee
Date 17 January, 2013
Report of Head of Planning Services
Subject 12/02041/O 76 St Clements Hill Norwich NR3 4BW

Item
5(4)

SUMMARY

Description:	Outline planning application for the development of land at rear of 76 St Clements Hill with access from Chamberlin Road for 2 No. semi detached single storey dwellings with detached single garages.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Sewell
Contact Officer:	Jo Hobbs Planner 01603 212526
Valid Date:	9 November 2012
Applicant:	Mr John Rose
Agent:	Mr Richard Anderson-Dungar

INTRODUCTION

The Site

Location and Context

1. The site is located on St Clements Hill in the ward of Sewell to the north of the city. The area is predominantly residential in character, although Sewell Park College is located on the east side of St Clements Hill, along with Sewell Park open space to the south of the school.
2. The site itself is located to the rear of 76 St Clements Hill. This application seeks to subdivide the garden, with access from an existing track from Chamberlin Road along the rear boundaries of 78, 80 and 82 St Clements Hill.
3. It is within the Sewell Conservation Area and the buildings at 76, 78, 80 and 82 St Clements Hill are all locally listed buildings. The site forms the rear garden of 76 St Clements Hill at present, with some evidence of vegetable gardens and some ornamental and fruit trees on the site.
4. The site is located to the rear of properties along St Clements Hill, but as the land slopes down from east to west there are views to the site from Angel Road

Planning History

5. An application for outline permission for residential development of two dwellings was withdrawn in May 2012 (12/00133/O).

Equality and Diversity Issues

6. There are no significant equality or diversity issues.

The Proposal

7. The application is an outline application for the development of the rear garden of 76 St Clements Hill with two semi-detached dwellings. Access to these dwellings would be from Chamberlin Road.
8. The application has provided details of access, appearance, layout and scale, with landscaping as a reserved matter.

Representations Received

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 9 letters of representation have been received citing the issues as summarised in the table below.

10.

Issues Raised	Response
Highway safety in particular to children, parking on road	See paragraphs 31-33
Creation of highway on access road, increase in car insurance costs	The access road off Chamberlain Road is not proposed to be adopted and will remain private road.
Structural damage to 6 Chamberlain Road from vehicles and plant machinery using access road to site.	This would be a civil matter outside of planning law to be resolved.
Increased noise from future residents on site, vehicles accessing site and construction noise	See paragraph 18
Loss of views	See paragraph 21
Loss of daylight and overshadowing	See paragraph 22
Overlooking and loss of privacy	See paragraphs 18-19
Opens up site to potential intruders and vandals	See paragraph 28
Surface treatment, drainage and maintenance of access track inadequate and problematic	See paragraphs 29-30
Loss of property value	This is not a material planning consideration under planning law.
Impact on character and appearance of conservation area and wider surrounding area. Anna Sewell connection to area should be considered.	See paragraphs 24-26
Additional bins on highway leading to visual obstruction	See paragraph 34
Loss of greenfield land	See paragraph 14
Air pollution from increased traffic and cars	See paragraph 38

Unacceptable density	See paragraphs 18-23, 26
Traffic congestion	See paragraphs 31-33
Impact on listed buildings	See paragraph 25
Scale of development	See paragraph 26
Loss of off-road parking	See paragraph 31
Change in level between access road and existing garages to the rear of 78 and 80 St Clements Hill	See paragraphs 29-30
Boundary fences not provided all the way around the site	See paragraph 30
Adverse impact on natural environment and biodiversity in current garden land	See paragraph 15
No solar panels are provided on the south facing roof slopes	See paragraph 37

Consultation Responses

11. Local Highway Authority – no significant impact from two additional dwellings.

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

Statement 11 – Conserving and enhancing the natural environment

Statement 12 - Conserving and enhancing the historic environment

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 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

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

NE8 – Management of features of wildlife importance and biodiversity

NE9 – Comprehensive landscaping scheme and tree planting

HBE8 – Development in conservation areas

HBE12 – High standard of design

EP16 – Water resource conservation

EP17 – Water quality re. treatment of runoff from car parks

EP18 – Energy efficiency in development

EP19 – Renewable energy in development

EP22 – Protection of residential amenity
HOU13 – Criteria for all other housing sites
TRA5 – Sustainable design to reduce car use to a minimum
TRA6 – Parking standards
TRA7 – Cycle parking provision
TRA8 – Provision in development for servicing

Supplementary Planning Documents and Guidance

Trees and development SPD (2007)

Other Material Considerations

The Localism Act 2011 – s143 Local Finance Considerations

Written Ministerial Statement: Planning for Growth March 2011

Principle of Development

Policy Considerations

12. The application is in outline, but as the site is in a conservation area and surrounding by existing residential development matters relating to access, appearance, layout and scale have been submitted. The only matter that has been left as a reserved matter is landscaping. Therefore the concerns relating to the quality of the landscaping scheme and the provision of fencing for privacy to neighbours would be dealt with as a reserved matter.
13. The key considerations are the principle of residential development, design and impact on conservation area, impact on residential amenity (existing neighbours and occupants of proposed dwellings), impact on trees on site, provision of refuse storage, car parking and cycle parking and energy and water.
14. The new dwellings would be on land currently used as garden land for 76 St Clements Hill. The National Planning Policy Framework identifies such land to be greenfield land, which should preferably not be developed over brownfield land. In paragraph 55 of the NPPF however it is clearly stated that local planning authorities should set policies to protect garden land as they see fit. The council does not have such a policy and so an assessment must be made on the suitability of the site for housing through other principles set out in the NPPF and local policy.
15. The site however is in a fairly accessible location in an area of existing housing and so the principle of the development on the site is considered to be acceptable subject to meeting the requirements of other development plan policy.
16. The considerations relating to design and amenity require due consideration however, as outlined below. The density of the scheme proposed is considered further under amenity.

Impact on Living Conditions

17. There are two key areas relating to amenity – the amenity of existing residential occupants surrounding the site and the amenity of future occupiers of the proposed dwellings.

Existing neighbours

18. The proposed dwellings would lead to a certain level of disturbance from noise and

overlooking of people living in the dwellings and accessing the dwellings along the existing track. However given the fact that only two dwellings are proposed and the close proximity of a number of other residential uses in the surrounding area, the addition of two further households is not considered to lead to an unacceptable level of noise or loss of amenity. An informative note is recommended relating to construction traffic to reduce the impact to the neighbours during the construction phase.

19. The access to the dwelling would be along an existing vehicle access to the rear of dwellings at 78 and 80 St Clements Hill and the rear garden that forms the application site. This track was being used at the time of the site visit for these properties to access garages to the rear of their dwellings. The access track is adjacent to the side and rear facing windows of 6 Chamberlain Road. These windows are to more private rooms of the dwelling than the front room for example, by virtue of their location to the rear of the dwelling. Therefore consideration must be given to the additional overlooking these residents would receive.
20. However, given the existing access for 78 and 80 St Clements Hill there is already an existing level of overlooking received by the residents. On balance the additional overlooking from pedestrians and car users accessing the proposed dwellings would not be a significant increase in overlooking to merit refusal of the application. The benefit the scheme would bring of two additional dwellings must be weighed against the harm caused, but in this instance the harm is not considered to be sufficient to merit refusal of the whole application. The matter of landscaping has been reserved. It is recommended that this reserved matter include details of appropriate screening along the west boundary of this access path to mitigate this impact.
21. The proposal would lead to some built form which would be visible to surrounding residents. However the distance to this development in conjunction with the single storey height would not lead to a significant loss of outlook.
22. The orientation of the proposed buildings in conjunction with the distance to the nearest dwelling and single storey height of the proposed development would lead to no significant loss of daylight or direct sunlight to the neighbouring dwellings.

Future occupants

23. The proposed dwellings provide outdoor amenity space to a standard that would be acceptable. Matters relating to refuse, car parking and cycle storage are considered below, but the outdoor amenity space provided is considered to be of sufficient size and has an adequate level of privacy to be acceptable.

Design

Layout, scale and form

24. The design of the dwellings contrasts the architectural style of the existing buildings in the surrounding area. There are a mixture of design styles from the 1930s locally listed building fronting onto St Clements Hill to the mid 20th century terraced housing along Chamberlain Road and 21st century block of flats to the south west of the site.
25. As the site is not that visible from St Clements Hill and other parts of the conservation area a more contemporary architectural style is considered to be

acceptable on the site. There are some viewpoints through to this development however and the existing surrounding residents would have clear views to the site. The proposed dwellings would not be that close to locally listed buildings along St Clements Hill, and there are no statutory listed buildings in the vicinity of the site.

26. The development is considered to be a sympathetic addition to the existing site, with an architectural style, scale and form that complements the existing surrounding development, historic locally listed building and surrounding conservation area through using a more contemporary style of development that maximises the use of materials that have a more natural appearance.
27. The overall design, scale, mass, form and choice of materials are therefore considered to be acceptable.
28. The security of the site has been raised as an issue as the access road would not be gated. The addition of two dwellings has raised concerns that it would lead to increased intruders and crime on the site. The access road is already open enabling access. The addition of dwellings would increase surveillance compared to the current use as a rear garden. The potential for crime increasing from the current situation is therefore not considered likely.

Materials and landscaping

29. The acceptability of the appearance of the proposed dwelling would rely on the choice of the final materials, landscaping details both planting and hard surfaces. All hard surfaces should be permeable to reduce surface water runoff.
30. Conditions are recommended for the external facing materials and boundary treatments to be agreed. Landscaping is to be agreed as a reserved matter.

Transport and Access

Highway safety

31. The impact of two additional dwellings and cars accessing the site onto Chamberlain Road would not lead to a significant amount of traffic on Chamberlain Road. The access is already kept clear for the existing garages that use the access and parking for the new dwellings is provided on site.
32. There would be no significant additional parking pressures on Chamberlain Road from this new development. Future residents are unlikely to park their cars on Chamberlain Road out of site from their dwelling when they have a space outside their dwelling.
33. Therefore there is not considered to be a significant adverse impact on highway safety to Chamberlain Road.

Vehicular Access and Servicing

34. Refuse bins have been provided to the required number and have ample space for storage within the site. The bins would need to be collected from the highway on Chamberlain Road which would involve residents moving the bins to this location. This could block the access road and lead to noise that would disturb adjacent residents but due to the low frequency of this once a week this would lead to a significant enough issue to merit refusal of the application.

35. There is space for car parking on the site and garages are provided that would enable secure and covered cycle storage. These requirements are therefore considered to be met. A condition is recommended to ensure these are provided on site prior to first occupation.

Environmental Issues

Water and energy

36. Under local policy the only requirement would be for the new dwellings to meet Code for Sustainable Homes Level 4 for water, which is water usage of only 105 litres per person per day. This could be conditioned to any approval.
37. As the proposal is only for two dwellings there is no policy requirement for renewable energy to be provided on site. A letter of representation identified that no solar panels were proposed on the south facing elevations of the roof slope. Whilst this would be welcomed and encouraged this cannot be a reason for refusing the scheme as it is not in policy for a scheme of this size.

Air quality

38. The emissions from cars accessing the new dwellings have been raised in letters of representation. The number of cars resulting from two new dwellings would not be significant enough to lead to air quality concerns. There are also existing garages along the access road into the site where current residents could run engines. The number of dwellings and space in between the dwellings however would not lead to a significant adverse impact that would merit refusal of the application.

Biodiversity

39. The site is currently garden land which has been used for vegetable growing with the remaining area mown grass. It is unlikely that protected species would be found in this habitat. For this reason a protected species survey would not be required with the application. Should any protected species be found any developer would be required under the Wildlife and Countryside Act 1981 to obtain appropriate licences from Natural England before proceeding with further work or relocating any protected species. An informative note could be applied to any approval to indicate this duty to developers.

Trees and Landscaping

Loss of Trees or Impact on Trees

40. An Arboricultural Implications Assessment has been submitted with the application to show the impact on the proposed trees. Two trees are identified to be affected by the proposed development. Tree T2 is proposed to be removed and replaced after completion of the development. This is a category C tree and so is not of sufficient value to merit its retention. A replacement tree is however recommended to be conditioned to replace this tree that is to be removed.
41. Conditions are also recommended for works to be in accordance with the AIA, siting of new services and protection of root protection areas during construction.

Local Finance Considerations

42. Under Section 143 of the Localism Act the council is required to consider the

impact on local finances, through the potential generation of grant money from the New Homes Bonus system from central government. The completion of new dwellings would lead to grant income for the council. This is a material consideration but in the instance of this application the matters of design, impact on neighbouring residents and impact on the conservation area must be fully considered.

Conclusions

43. It is considered that the design is in keeping with the surrounding built form, locally listed buildings and Sewell Conservation Area through use of appropriate scale and materials with a more natural appearance, and that the proposal is unlikely to have an adverse impact on the amenities of the immediate neighbours by virtue of the single storey height of the proposed dwellings and garages and distance in between these and neighbouring properties on Chamberlain Road. The addition of two dwellings with off-road parking would not lead to a significant increase in traffic movements or loss of privacy to residents on Chamberlain Road given the likely low frequency of use of the access road and the existing use of the access road to residents at 78 and 80 St Clements Hill.
44. As such the proposal accords with the criteria set out within policies NE8, NE9, HBE8, HBE12, EP16, EP17, EP22, HOU13, TRA5, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan and policies 1, 2, 3, 4, 6, 9 and 12 of the Joint Core Strategy.

RECOMMENDATIONS

To approve Application No 12/02041/O at land to the rear of 76 St Clements Hill and grant planning permission, subject to the following conditions:-

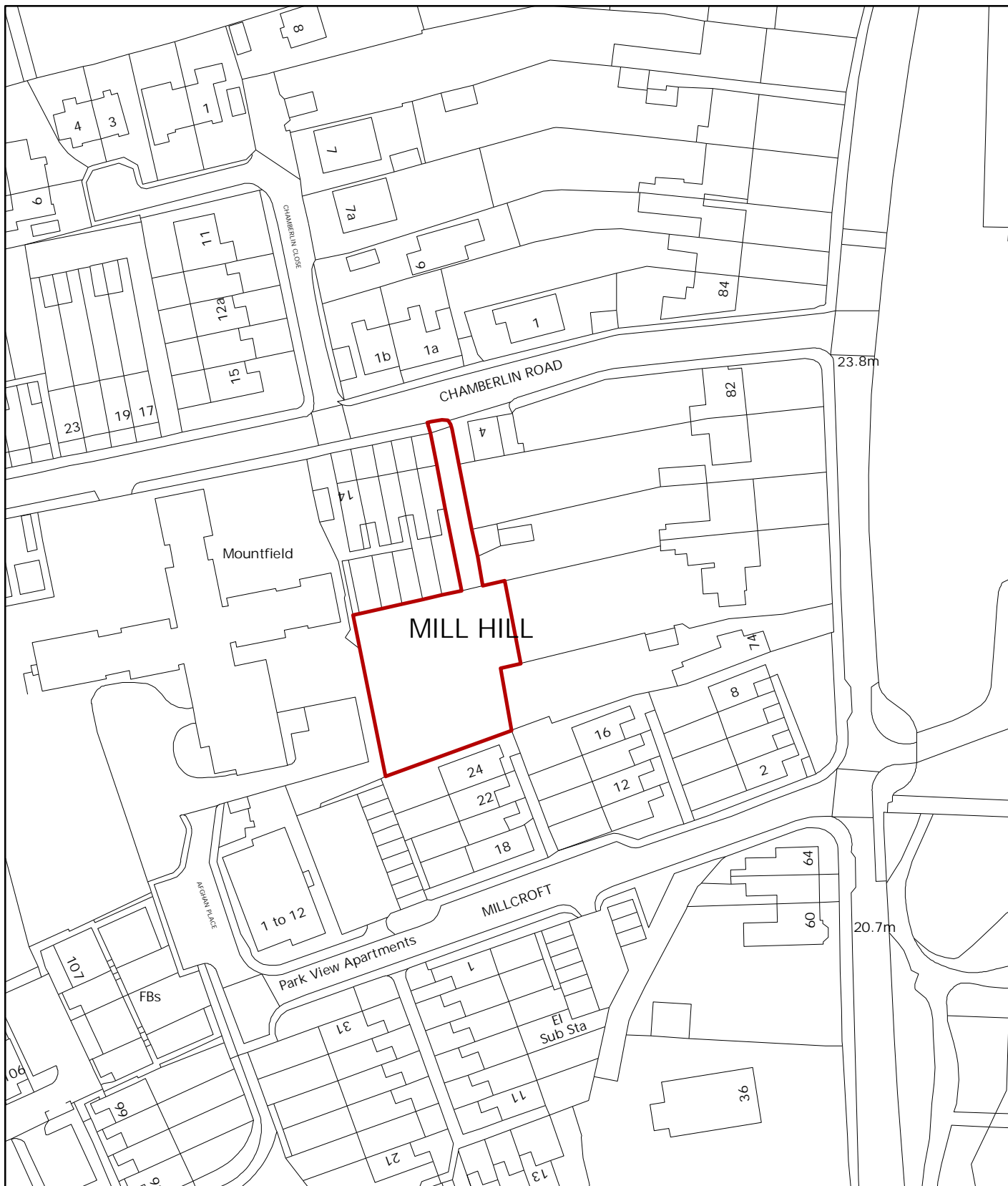
1. Application for the approval of reserved matter to be made not later than 3 years from date of permission;
2. Commencement of development 2 years from the date of approval of the reserved matter to be approved;
3. Matters to relate to landscaping;
4. Details of
 - external facing materials
 - boundary treatment
5. Car parking, cycle storage and bin stores provided prior to first occupation;
6. Compliance with AIA, AMS and Tree Protection Scheme implemented prior to commencement;
7. Siting of new services
8. Protection of root protection areas
9. Water efficiency

(Reasons for approval: The decision is made with regard to policies NE8, NE9, HBE8, HBE12, EP16, EP17, EP22, HOU13, TRA5, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan Adopted Version November 2004, policies 1, 2, 3, 4, 6, 9 and 12 of the adopted Joint Core Strategy March 2011 and all material considerations. The design is in keeping with the surrounding built form, locally listed buildings and Sewell Conservation Area through use of appropriate scale and materials with a more natural appearance, and that the proposal is unlikely to have an adverse impact on the amenities of the immediate neighbours by virtue of the single

storey height of the proposed dwellings and garages and distance in between these and neighbouring properties on Chamberlain Road. The addition of two dwellings with off-road parking would not lead to a significant increase in traffic movements or loss of privacy to residents on Chamberlain Road given the likely low frequency of use of the access road and the existing use of the access road to residents at 78 and 80 St Clements Hill.)

Informative notes:

- 1) Considerate construction
- 2) Tree protection barriers
- 3) Nesting bird species protection



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Planning Application No 12/02041/O

Site Address Land to rear of 76 St Clements Hill

Scale 1:1,000

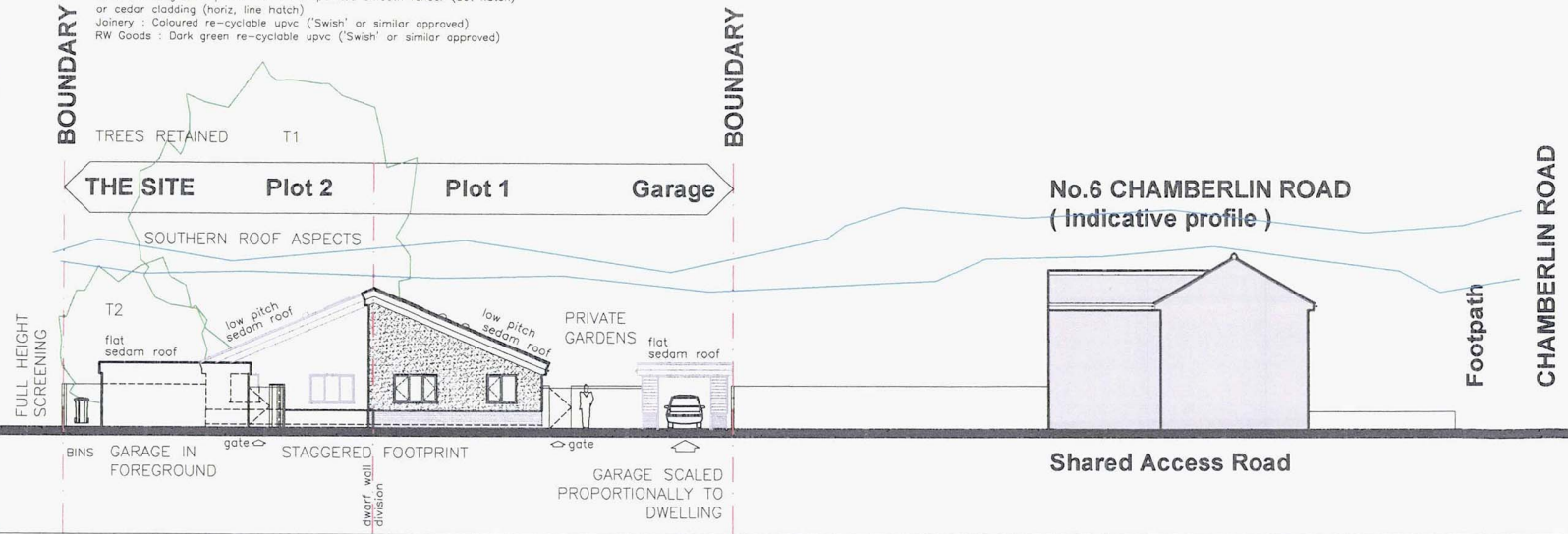


NORWICH
City Council

PLANNING SERVICES



MATERIALS :-
 Roofs : Flat or Low Pitch (23 degrees) Sedum
 Walls : Facing brick plinth with either painted smooth render (dot hatch)
 or cedar cladding (horiz. line hatch)
 Joinery : Coloured re-cyclable upvc ('Swish' or similar approved)
 RW Goods : Dark green re-cyclable upvc ('Swish' or similar approved)



LONGITUDINAL SITE SECTION A-A TO CHAMBERLIN ROAD FOR COMPARATIVE SCALE & MASSING

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DRAWING STATUS

T - Tender C - Construction
 P - Preliminary R - Record

Proposals subject to the following:-

Contract Local Authority approval
 Survey Statutory Authority approval
 Detailed Design Public Utility requirements

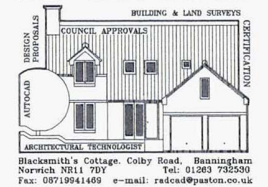


B 082012 Design adjusted to suit P.O. advice on 040912
 Dwellings moved 1 metre
 T1 spread centred on trunk
 Landscape walls adjusted
 Materials agreed for walls

A 072012 Design reduced in impact
 T1 given further protection

Rev | Date | Description | Drawn | Check

RICHARD C. ANDERSON-DUNGER MCAT



Project Title:
 76 St. Clements Hill, Norwich, Norfolk
 for Mr & Mrs J. Rose

Drawing Title:
 Proposed Land Segregation for Development
 Semi-Detached Units - Site Elevation

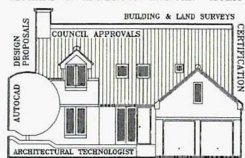
Scale: 1:200 Drawn: RA-D

Date: February 2012 Checked:

Drawing Number:

P/2061/04 B

CIAT



Blacksmith's Cottage, Colby Road, Banningham
Norwich NR11 7DY Tel: 01603 730530
Fax: 08719941469 e-mail: rcdad@paston.co.uk

Project Title:
76 St Clements Hill, Norwich, Norfolk
for Mr & Mrs J. Rose

Drawing Title:
Proposed Land Segregation for Development
Site Layout Plan including Access Points

Scale: 1:250 Drawn: RA-D

Date: December 2011 Checked:

Drawing Number:
P/2061/02 F

CIAT

CHAMBERLIN ROAD

No.6

Acces from Chamberlin Road



SITE LOCATION PLAN 1:1250

SYMBOL LEGEND		TREE LOCATIONS & REF'S			
(dot)	TREE LOCATION GENERAL	ref :	DBH	CS	Species
(circle)	TRUNK DIA	T1	400	6000	Sycamore
(circle)	CROWN SPREAD	T2	New	-	Field Maple
(circle)	HEDGE	T3	200	3000	Silver Birch
(line)	T/FENCE OR GATE				
(circle)	TREE REMOVED				
(line)	GARDEN WALL				
(line)	BOUNDARY				
(line)	BUILDING				
(line)	OS GRID				
(line)	PROTECTIVE FENCING				
(circle)	CAT. B TREE				
(circle)	CAT. R TREE				
(line)	DOOR OR ENTRANCE				

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Contract Local Authority approval

Survey Statutory Authority approval

Detailed Design Public Utility requirements

SITE DEVELOPMENT
IN RED LINE

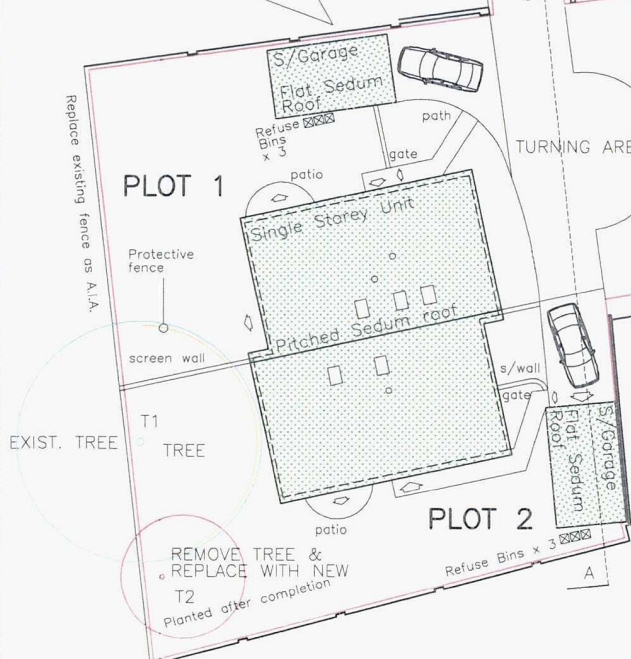
Boundary to No.76

Reduced Rear Garden

No. 76

ACCESS DRIVE
FROM ST. C. HILL

ST. CLEMENTS HILL



SITE LAYOUT MASTER PLAN

Organisational Development
17 OCT 2012
Planning Reception

F 092012 Design adjusted to suit
P.O. advice on 040912
Dwellings moved 1 metre
T1 spread centred on trunk
Landscape walls adjusted

E 072012 Design reduced in impact
T1 given further protection

D 032012 Additional Info. for P.O. added
3 x Elevations & R.P. Zone to T1

C 022012 Additional Info. for P.O. added

B 012012 76 Rear boundary squared off

A 122011 76 Rear Garden increased RA-D
Development Area reduced
as advised by Owners Estate Agent
causing Re-Design

Rev. Date Description Drawn/Chd.