

**Report to** Planning applications committee  
11 October 2018

**Item**

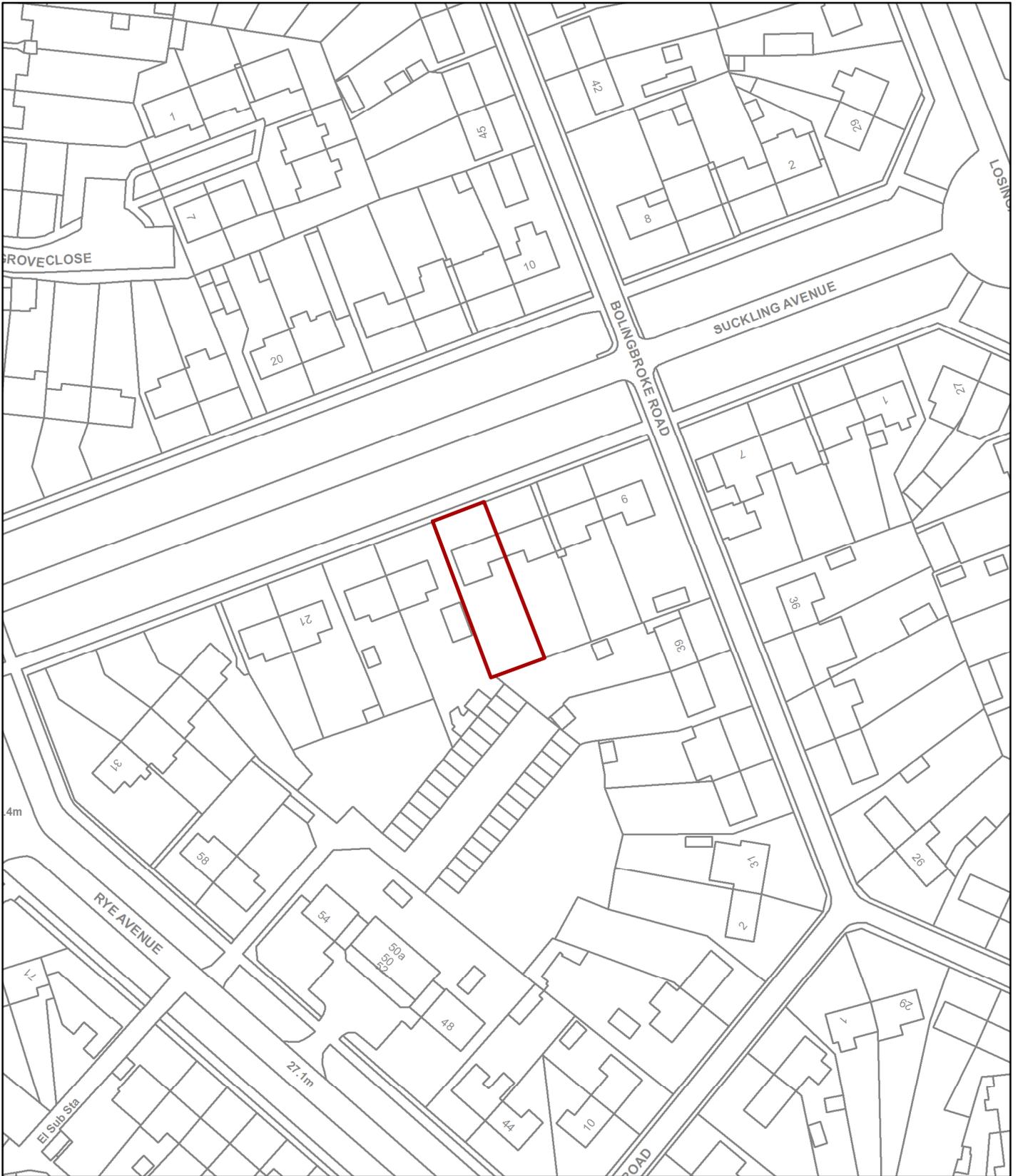
**Report of** Head of planning services

**4(g)**

**Subject** Enforcement Case 18/00080/ENF – 15 Suckling Avenue,  
Norwich, NR3 2SY

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<b>Summary</b>	
<b>Description of breach</b>	Construction of bike shed/shed in front garden.
<b>Recommendation</b>	Authorise enforcement action up to and including prosecution in order to secure: Removal of bike shed/shed.
<b>Ward</b>	Mile Cross
<b>Contact Officer</b>	Stephen Little <a href="mailto:stephenlittle@norwich.gov.uk">stephenlittle@norwich.gov.uk</a>

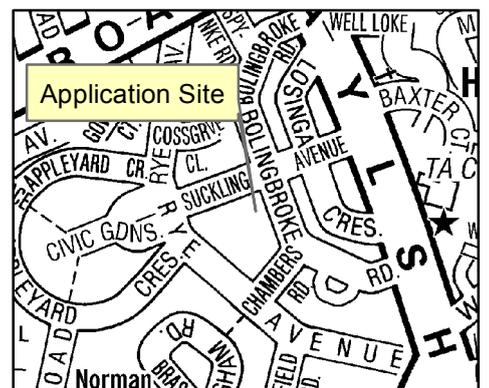


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Planning Application No 18/00080/ENF  
 Site Address 15 Suckling Avenue  
 Scale 1:1,000



**NORWICH**  
 City Council  
 PLANNING SERVICES



## **Report**

### **The site**

1. The site is located on the south side of Suckling Avenue, a suburban street 2.5km north of the city centre which is characterised by two-storey local authority/ex-local authority dwellings of which the subject property is typical.
2. The street is situated within sub area A of the Mile Cross Conservation Area which, as described in the Conservation Area Appraisal, forms “the first phase of development [of the Mile Cross estate] characterised by generous spaces and classically styled houses, based on Georgian designs”.
3. The subject property is locally-listed and is an attractive red-brick/grey-tiled two-storey 1920s dwelling at the west end of a terrace of four. 4m to the west is no.17 with the boundary fence 1m distant from the subject dwelling itself. The overall width of the garden is 10.25m, with the rear garden approximately 17.5m in length and the front garden 6.25m from the dwelling to the front fence.
4. The front of the gardens is set back approximately 12m from the road itself behind a pavement and substantial grass verge. Mature trees are irregularly positioned along this verge, though there are none directly in front of the subject property itself.

### **Relevant planning history**

5. No recent history

### **The breach**

6. Without planning permission carrying out the following operations:
  - a) Construction of bike shed/shed in front garden

### **Relevant policies**

National Planning Policy Framework:

- NPPF12 Achieving well-designed places
- NPPF16 Conserving and enhancing the historic environment

Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS):

- JCS2 Promoting good design

Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan):

- DM3 Delivering high quality design
- DM9 Safeguarding Norwich’s heritage

## Justification for enforcement

7. A large bike shed has recently been constructed in the front garden of the above property. As outlined in Article 3, Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), this does not fall under Permitted Development due to being forward of the wall forming the principal elevation of the dwelling house.
8. The home owner has been advised that, if the structure was to become the subject of a planning application, it would be unlikely to be approved for the reasons outlined below.
9. The shed is of poor design, being windowless and constructed of corrugated metal sheets, black on its sides and roof, red to the front and open to the rear (facing the house). It is relatively large, covering an area approximately 4.5m across x 2m in depth. It is approximately 1.8m high at its highest point nearest the dwelling, sloping down to approximately 1.5m at the front. It is approximately 0.5m from both the front of the garden and the boundary of the adjoining property at no.13.
10. Mile Cross is significant in being one of the first schemes in the country to be based on garden suburb principles. That properties should have open and verdant frontages, with the front elevations of dwellings neatly aligned, is key to the design of the estate. Suckling Avenue is of particular value forming the axis of the first phase of development and being, as described in the Conservation Area Appraisal, “by far the grandest and widest avenue within the estate with wide verges and a vista of mature trees”.
11. The subject property is locally-listed and is one of the earlier architect-designed properties, completed by 1928 and of neo-Georgian design. It provides a good example of houses in the area which, as described in the Conservation Area, have “a clear coherence in the way that they have been designed” with “good proportioning and simple but effective architectural detailing”. This all adds weight to the importance of preserving the quality of the street scene.
12. As outlined in the Conservation Area Appraisal, the “quality of the housing within the estate overall can be harmed by introducing alien features”. While, in giving examples, it specifically refers to “front extensions using inappropriate materials”, the impact of a structure of this size and nature to the front of the house has to be considered in similar terms.
13. The structure completely dominates the front view of the property and is an immediately noticeable feature when viewing from elsewhere on the street, having a noticeably negative impact on the street scene.
14. While the occupant of the property may have understandable concerns in terms of preventing cycle theft, it should be noted that there is substantial garden to the rear of the property and adequate space at the side of the house to provide access for cycle users.

15. In summary, the bike shed is a dominant and unattractive feature, any benefit of which is not considered to outweigh the notable harm it represents to the character of the Conservation Area. As such, the bike shed is not considered acceptable in either design or heritage terms.

### **Equality and diversity Issues**

16. The Human Rights Act 1998 came into effect on 2 October 2000. In so far as its provisions are relevant:
  - (a) Article 1 of the First Protocol (the peaceful enjoyment of ones possessions), is relevant in this case. Parliament has delegated to the Council the responsibility to take enforcement action when it is seen to be expedient and in the public interest. The requirement to secure the removal of the unauthorised structure is proportionate to the breach in question.
  - (b) Article 6: the right to a fair hearing is relevant to the extent that the home owner or any other affected party is allowed to address the Committee as necessary. This could be in person, through a representative or in writing. There is also a right of appeal against any formal enforcement action that may be taken.

### **Conclusion**

17. For the reasons outlined above the works are considered to result in harm to the character and appearance of the conservation area. As such it is recommended that authorisation is given to serve an enforcement notice seeking removal of the bike shed.

### **Recommendation**

18. Authorise enforcement action up to and including prosecution in order to secure removal of bike shed/shed.