

Report to Planning applications committee

Item

16 April 2015

Report of Head of planning services

Subject Application no 15/00325/F - 67 The Avenues,
Norwich, NR2 3QR

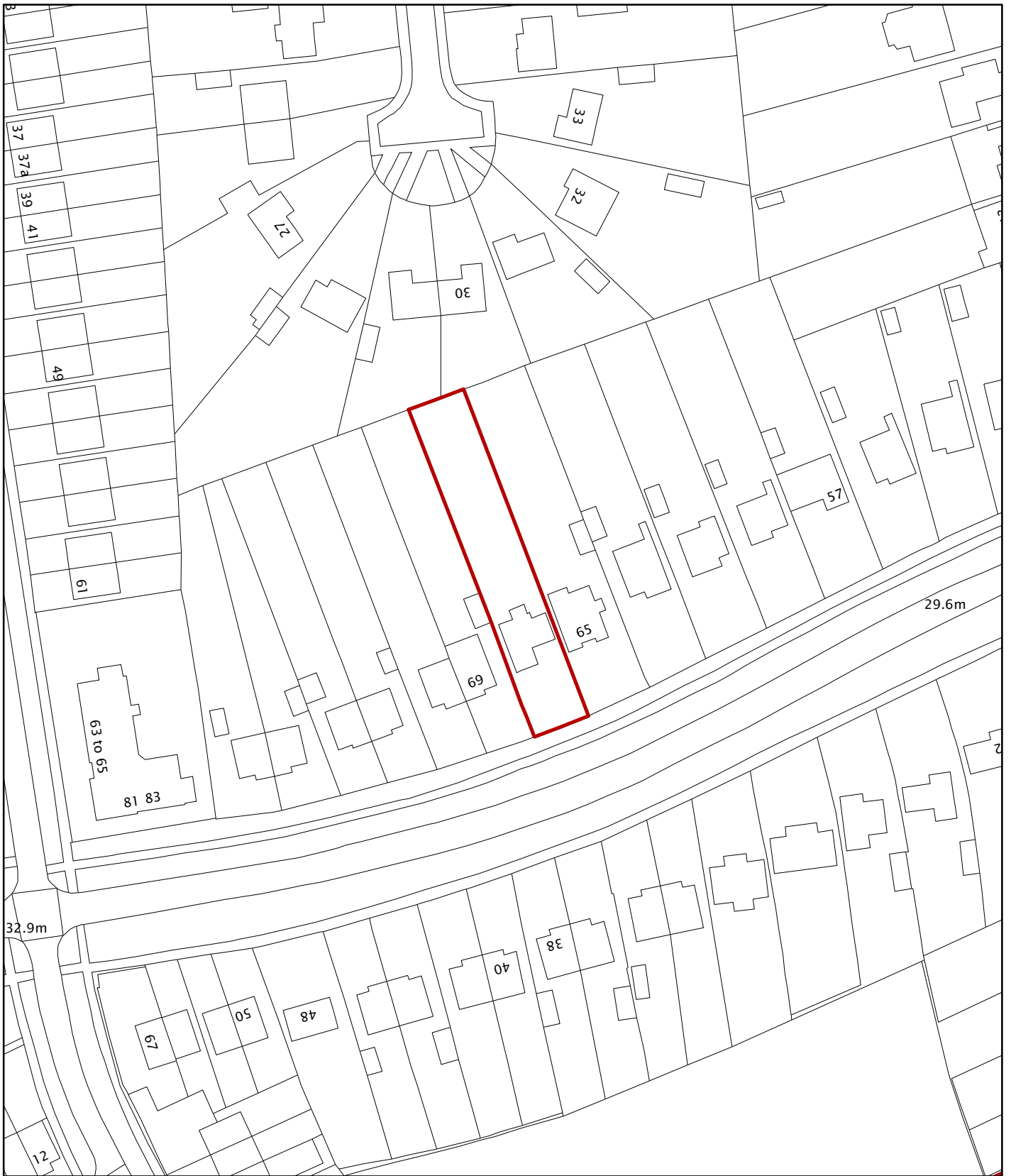
**Reason for
referral** Objection

4(E)

Ward:	University
Case officer	Stephen Polley - stephenpolley@norwich.gov.uk

Development proposal		
Demolition of garage and erection of two storey side and rear extension.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Residential amenity	The impact of the development on adjoining properties to the east (no.65) and west (no.69) – overlooking / privacy, and daylight.
2 Scale and Design	The impact of the development within the context of the street scene.
Expiry date	28 April 2015
Recommendation	Approve



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Planning Application No 15/00325/F

Site Address 67 The Avenues

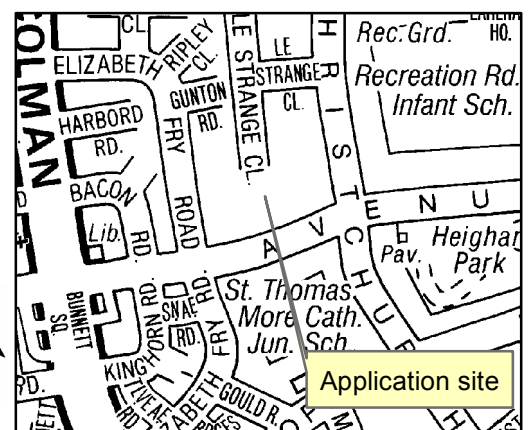
Scale

1:1,000



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The site is located on the northern side of The Avenues to the west of the city. The predominant character of the area is residential, comprising large 2-storey detached and semi-detached dwellings built in a variety of styles during the first half of the twentieth century. Properties in the area have been built on large plots featuring driveways to the front and large mature gardens to the rear.
2. The subject property is a 2-storey detached red brick dwelling built circa 1930, originally with an 'L' shaped footprint. An original attached single garage is located to the east of the main house and a single storey flat roof extension has been added to the rear of the property.
3. It is noted that the subject property differs in style from the neighbouring properties to the east and west. No. 69 to the west is a 2-storey semi-detached dwelling with a detached single garage located to the rear and no. 65 to the east is a bungalow with a steeply pitching roof slope featuring rooms in the roof space.

Constraints

4. There are no particular constraints.

Relevant planning history

5. None.

The proposal

6. The proposal is for the demolition of the original garage located to the side of the main house and the erection of a 2 storey side and rear extension. It should be noted that this application follows pre-application guidance resulting in the scale and design of the scheme being altered. A dormer window was originally proposed to be installed on the front elevation and the side element of the extension has been reduced in scale by way of a reduction in width of 0.6m. The changes were made in order to respect the character of the street scene and to reduce the impact on the amenities of no. 65. During the course of the application the proposed plans have been revised in response to the objections raised by removing the windows located on the east and west elevations at first floor level and replacement with rooflights.

Summary information

Proposal	Key facts
Scale	
No. of storeys	2 storey
Max. dimensions	See attached composite plans
Appearance	
Materials	Red brick

	Red clay pan-tiles White UPVC windows Painted hardwood doors
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Representations

7. Adjacent and neighbouring properties have been notified in writing. 2 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>Loss of light and overshadowing to our ground floor kitchen and outside area to rear of property (no.69).</p> <p>The extension will reduce the light in the ground floor windows on my west wall (no.65).</p> <p>The proposals would be contrary to the Right to Light Prescription Act 1832.</p>	<p>Rights to light are a non-material planning consideration. However impacts of the proposals on the neighbour's amenities have been assessed in main issue 1.</p>
<p>Loss of privacy / increase in overlooking of area to rear of property caused by proposed window on east elevation of first floor (no.65).</p> <p>Loss of privacy and overlooking of kitchen and area to rear of property caused by window on west elevation of first floor (no.69).</p>	<p>See main issue 1.</p>
<p>The projection and height of the proposal is overbearing and would impact upon the character of the street scape.</p>	<p>See main issue 2.</p>

Consultation responses

8. 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.

Assessment of planning considerations

Relevant development plan policies

9. **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
10. **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
 - DM5 Planning effectively for flood resilience
 - DM7 Trees and development

Other material considerations

11. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
 - NPPF0 Achieving sustainable development
 - NPPF6 Delivering a wide choice of high quality homes
 - NPPF7 Requiring good design
 - NPPF10 Meeting the challenge of climate change, flooding and coastal change
 - NPPF11 Conserving and enhancing the natural environment
 - NPPF12 Conserving and enhancing the historic environment

Case Assessment

12. 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.

Main issue 1: Amenity

13. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
14. The key areas for consideration in this application are the potential impacts in terms of overlooking and loss of privacy, overshadowing of gardens and loss of daylight, to windows of adjoining properties. The nearest potentially affected properties in relation to these issues are no.65 to the east and no.69 to the west.

Overlooking and Privacy:

15. The proposed extension includes the creation of 2 bedrooms located above the existing single storey rear extension. Both bedrooms feature a window located on the north elevation facing directly into the rear garden, and a roof light located on the roof slopes of the side elevations. Originally the proposal featured 2 high level horizontal slot windows located on the east and west elevations. Concern was raised that these windows would allow for views across the rear gardens of the immediate neighbours and into the kitchen of no. 69. The amendment to the design of the proposal by replacing the slot windows with roof lights will help to reduce the potential for overlooking as they will be installed within the roof, well above the floor level of the bedrooms.

Loss of Daylight / Sunlight / Overshadowing:

16. Particular concern was raised regarding the impact that the proposal would have on the ground floor windows located on the west elevation of no. 65. Both windows are obscure glazed and serve a family bathroom. This type of room is considered to be a secondary room within the property as it is not a primary living space and does therefore not require a plentiful source of daylight. The objection letter also notes that the proposal would be contrary to the '45 degree line' standards derived from BRE guidance. The guidance states that extensions which interject a 45degree line taken in both plan and elevation from the affected windows could result in loss daylight. It is accepted that the proposals would not meet this BRE guideline. However the BRE guidance also states that windows serving a secondary room cannot be afforded the same level of protection as windows serving primary living spaces.
17. The new east elevation of the 2-storey side extension will be located 2.1m from the windows serving the bathroom of no. 65. The width of the side part of the extension has been reduced following a pre application submission by a distance of 1.3m. By increasing the proposed distance between the 2 properties, the impact of the proposal on the amount of daylight reaching the bathroom has been reduced.
18. Particular concern was raised that the proposed extension would reduce the amount of sunlight and natural light reaching the kitchen and rear garden of no. 69, and would not comply with BRE guidelines.
19. The proposed extension will have an eaves height of 5m, and a ridge height of 7.7m matching the original dwelling. The east wall of no. 69 is 5m from the proposed extension, with a detached single garage and mature planting marking the boundary. The kitchen of no. 69 is located on the north-east corner of the ground floor and is currently served by 2 windows located on the east elevation and a door comprising 2 large glass panes. It is therefore considered that the kitchen is dual-aspect, benefiting from 2 sources of daylight.
20. BRE guidelines consider extensions which interject a 45degree line taken in both plan and elevation from the affected windows could result in loss daylight. In this instance it is considered that the proposals would comply with BRE guidelines as the fully glazed door located on the north elevation providing light to the kitchen is beyond a 45 degree angle from the proposed extension.
21. In terms of sunlight, the rear windows and rear gardens of nos. 65 and 69 are both north facing and receive little sunlight in the existing situation. As such BRE guidelines state that where windows face within 90degrees of north, potential loss

of sunlight to windows need not be assessed. The proposed extensions would not therefore result in any significant reduction in sunlight to habitable rooms, or overshadowing of neighbouring gardens.

Main issue 2: Design

22. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
23. Concern was raised that the proposal would result in an overbearing development, causing harm to the spatial setting or the existing townscape, contrary to policy HBE17. Policy HBE17 has now been replaced by Norwich Development Management Policies Local Plan Policy DM3, against which the proposal has been assessed.
24. The proposed extension will only slightly increase the footprint of the existing dwelling by building on the north east corner of the rear patio area. The bulk of the enlargement of the property will occur at first floor level. The extension is to match exactly the form of the original dwelling by having an eaves and ridge height matching the original, at heights of 5m and 7.7m respectively. When viewed from the front, the property will appear to have an enlarged sloping roof space which is to feature 3 new roof lights. An enlarged distance of 1.1m will be created between the east wall of the extension and the boundary shared with no. 65.
25. As the proposal maintains the form of the original dwelling, without drastically increasing the overall scale, it is considered to be appropriate form of development for the area. Many neighbouring properties along The Avenues were either originally relatively large, or have been extended in recent years to a larger scale. The new footprint of the subject property will only be slightly deeper than the neighbouring properties, helping to ensure that the bulk of the proposal is in line with side walls of the neighbouring properties, without appearing to be too overbearing along shared boundaries.

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.
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. The proposal will result in an extended dwelling which is of an appropriate scale and design, both reflecting the character of the original dwelling and that of the surrounding area.
31. The extension will have some impact upon the amount of daylight and sunlight reaching the side windows of neighbouring properties, however such impact will be minimal as they are secondary rooms or benefit from dual aspects.
32. The potential for an increase in overlooking is minimal as the insertion of roof lights to the east and west elevations will greatly reduce the ability of the occupiers of the subject property to view across neighbouring rooms or gardens.
33. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

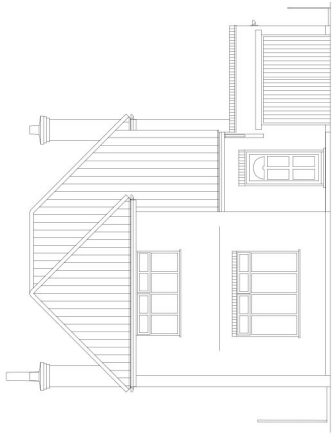
Recommendation

To approve application no. 15/00325/F - 67 The Avenues Norwich NR2 3QR and grant planning permission subject to the following conditions:

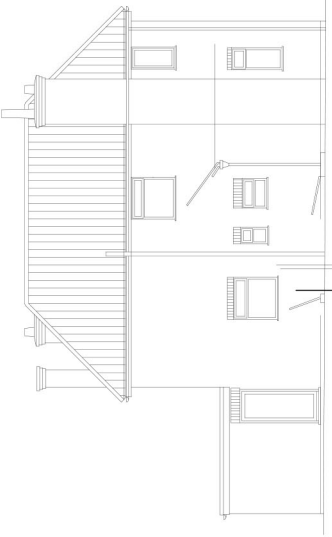
1. Standard time limit;
2. In accordance with plans;

Article 35(2) 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 above.



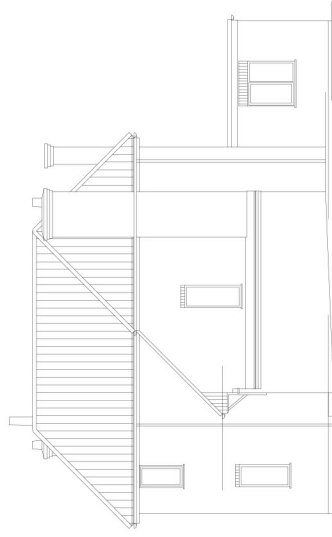
South elevation



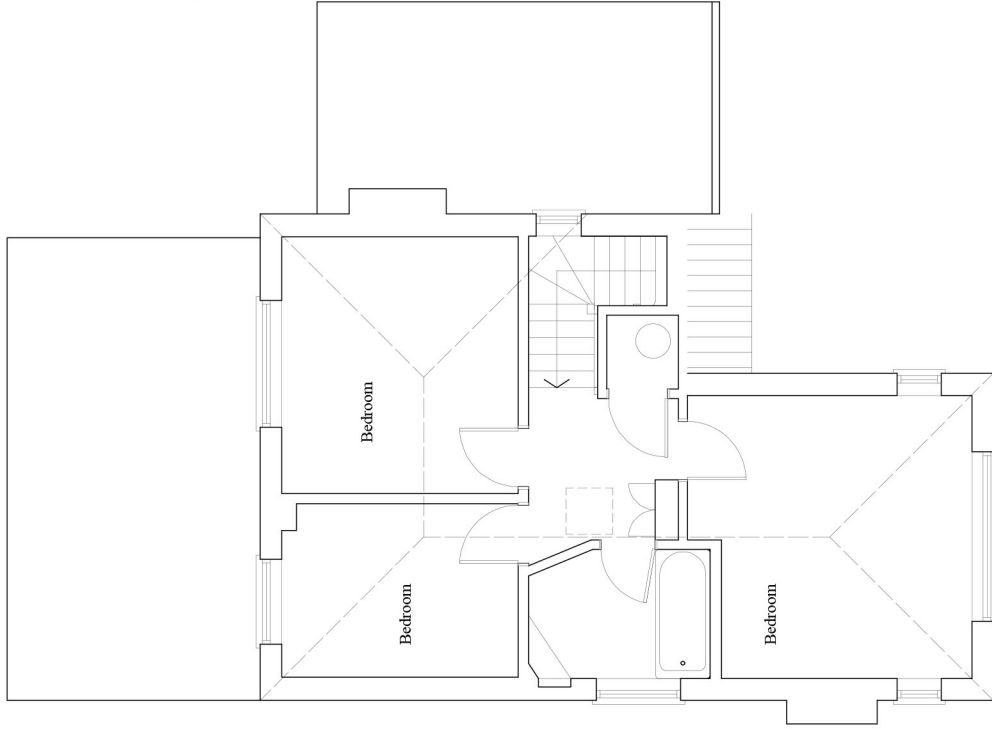
West elevation



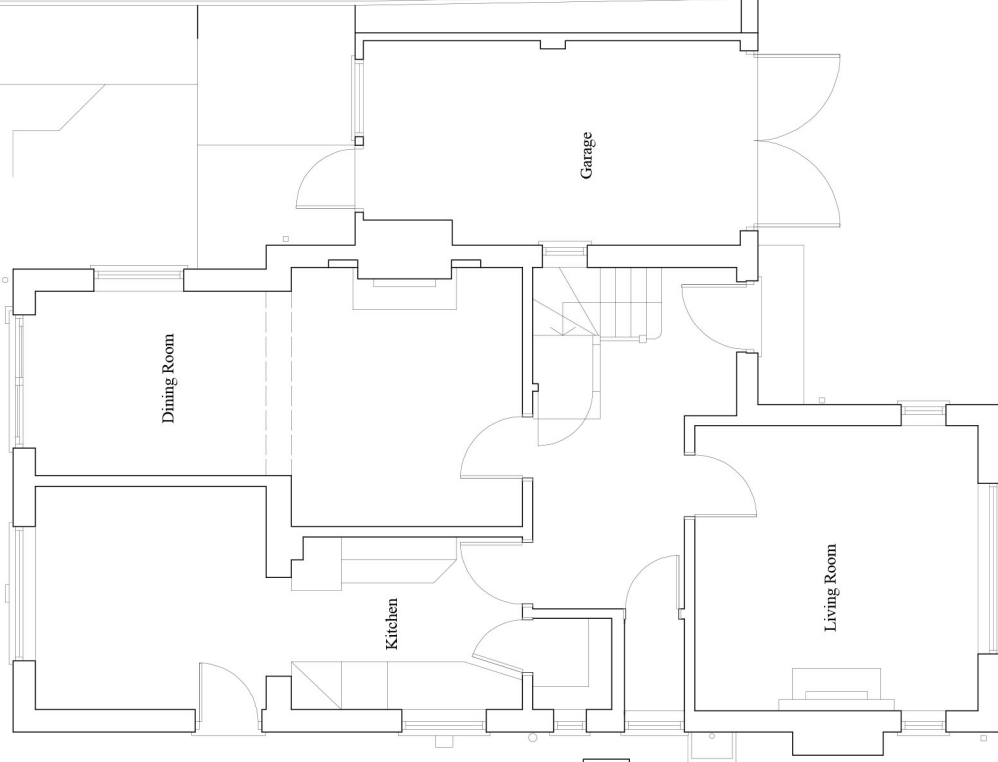
North elevation



East elevation



Existing First Floor Plan 1:50



Existing Ground Floor Plan 1:50



Site Location Plan 1:1250

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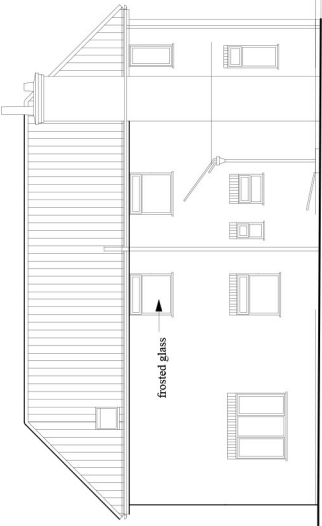
Drawing Title
67 The Avenues
Norwich

Survey

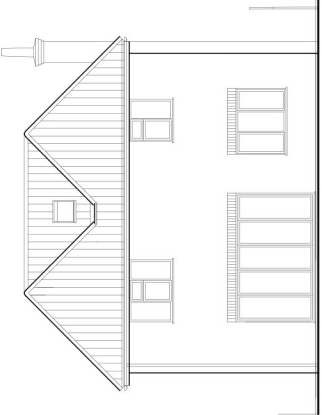
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15/394	PL01	



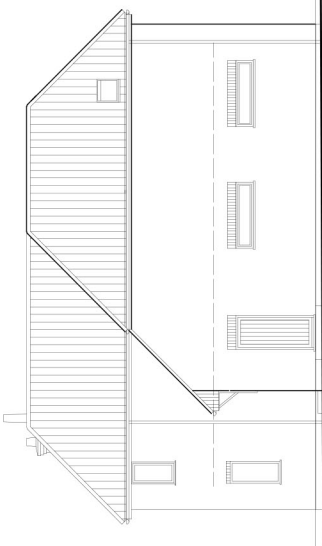
South elevation



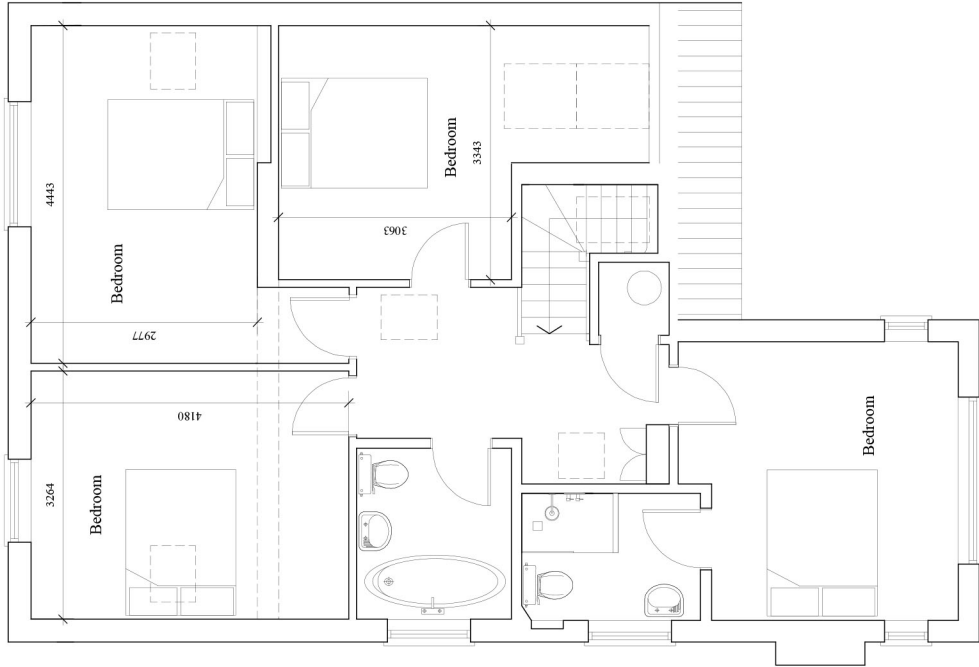
West elevation



North elevation



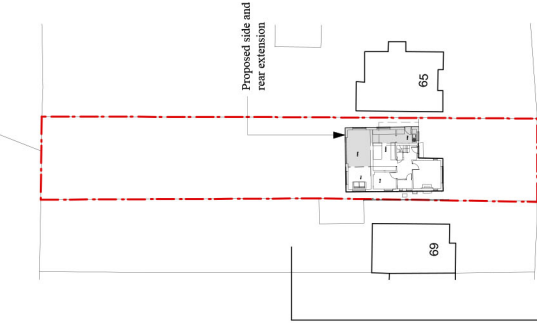
East elevation



Proposed First Floor Plan 1:50



Proposed Ground Floor Plan 1:50



Block Plan 1:500

D 31 03 15 - High level bedroom windows omitted to west and east elevation - roof lights added

C 27 02 15 - minor revisions to windows
B 24 02 15 - extension reduced to move extension further from boundary

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Sketch Proposal

Date	Scale	Ref
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Job No.	Drawing No.	Rev
15/394	PI.02	D