

Report to Planning applications committee

Item

12 September 2019

Report of Head of planning services

Subject Application no 19/00083/F - 2 Langton Close, Norwich,
NR5 8RU

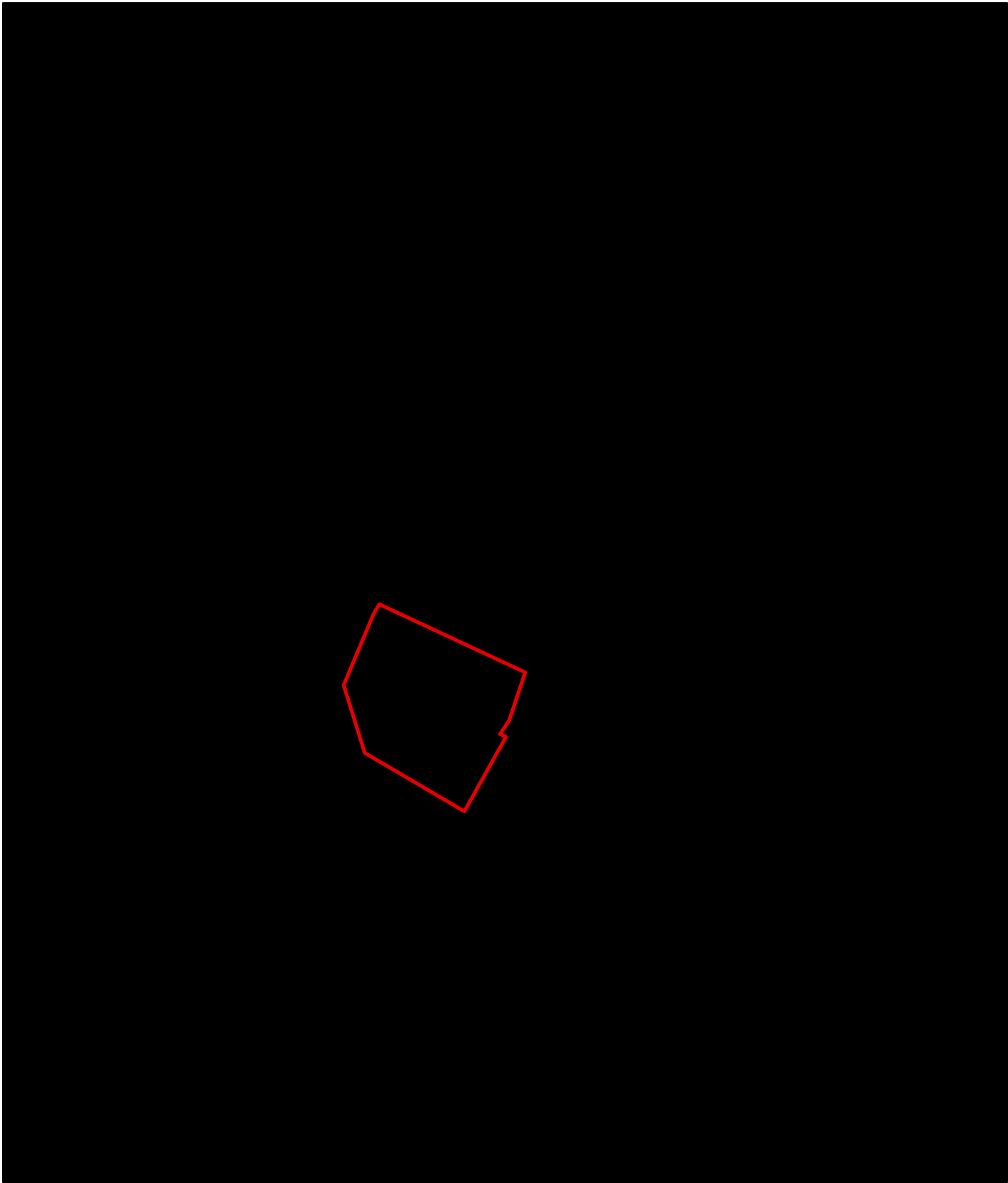
4(c)

**Reason
for referral** Objections

Ward:	Bowthorpe
Case officer	Charlotte Hounsell - charlottehounsell@norwich.gov.uk

Development proposal		
Construction of two storey dwelling.		
Representations		
Object	Comment	Support
2	0	0

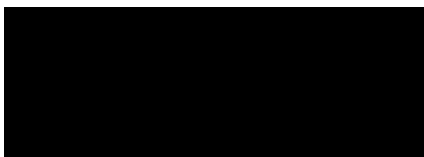
Main issues	Key considerations
1	Principle of Development
2	Design
3	Amenity
4	Parking and Access
5	Landscaping and Trees
Expiry date	3 May 2019
Recommendation	Approve



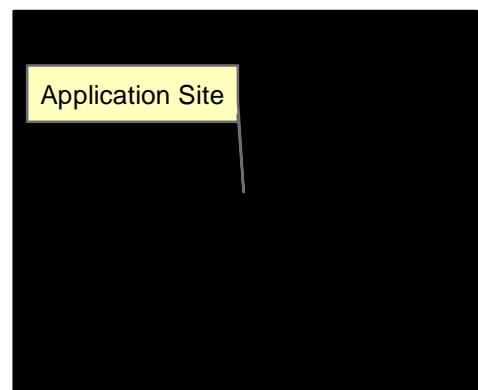
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Planning Application No 19/00083/F
Site Address 2 Langton Close

Scale 1:500



ES



The site and surroundings

1. The subject site is located on the east side of Langton Close, west of the city centre. No. 2 Langton Close is semi-detached dwelling located within a large corner plot where the Close meets Calthorpe Road. The site has an existing vehicular access from the Close and the remainder of the plot is laid to lawn. Three trees are also located on the site. The ground level slopes away towards the South so that the rest of the properties along the Close are at a higher ground level than the application site. The surrounding area is predominantly residential in character.

Constraints

2. There are no constraints on this site.

Relevant planning history

3. There is no relevant planning history

The proposal

4. The proposal is for the subdivision of the plot and construction of a new dwelling with associated access, garden and parking areas.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	1
Total floorspace	78m²
No. of storeys	2
Max. dimensions	6.80m x 9.50m, 4.80m at eaves and 6.80m maximum height
Appearance	
Materials	To be secured by condition
Transport matters	
Vehicular access	Access to Langton Close
No of car parking spaces	1-2 spaces
No of cycle parking spaces	To be secured by condition

Proposal	Key facts
Servicing arrangements	To be secured by condition

Representations

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two 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
Langton Close already at capacity	See Main Issue 2
Lots of students on the Close already	See Main Issue 2
Additional noise and disturbance	See Main Issue 3
The new dwelling will block light and be overbearing to neighbouring dwellings	See Main Issue 3
Bathroom window will overlook neighbouring gardens	See Main Issue 3
Parking is already a concern – the proposal will worsen this	See Main Issue 4
It is a shame that the trees will be lost	See Main Issue 5
Lots of residents don't know about the proposal	See Other Matters
The new dwelling will affect property values	See Other Matters

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.

Highways (local)

7. No objection on highway grounds. Please note that a vehicle crossover will need to be constructed - please ensure we use a condition to secure this. Ken Willis can advise the developer on the technical specification. Please ensure there is space for bin and bike storage. Please ensure the driveway is permeable hardstanding, but not loose gravel that spills out onto the highway.

8. Further comments: No objection on highway grounds. A new dropped kerb will need to be constructed across Langton Close. Please consider where bins and bikes will be stored

Tree protection officer

9. The trees on site are cat C, and should not be considered a constraint on development, their removal is acceptable. The replacement planting specified in the AIA to mitigate this loss is appropriate, and I recommend that condition TR12 is applied. Street tree T4, should be protected during development, and a protective barrier, as indicated on the tree protection plan, should be installed prior to works commencing. It may also be considered prudent to afford the same protection to the street tree on the opposite side of the road, outside 45 Calthorpe Rd. Currently the grass verge within this trees root protection area is undisturbed and in good condition. It is reasonable to foresee construction traffic having a negative impact on this. A brief pre-start meeting to ensure protection is in place would be appropriate.

Assessment of planning considerations

Relevant development plan policies

10. **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
 - JCS3 Energy and water
 - JCS4 Housing delivery
 - JCS6 Access and transportation
11. **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
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM12 Ensuring well-planned housing development
 - DM30 Access and highway safety
 - DM31 Car parking and servicing

Other material considerations

12. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
 - NPPF1 Achieving sustainable development
 - NPPF5 Delivering a sufficient supply of homes
 - NPPF8 Promoting healthy and safe communities
 - NPPF9 Promoting sustainable transport
 - NPPF11 Making effective use of land
 - NPPF12 Achieving well-designed places
 - NPPF14 Meeting the challenge of climate change, flooding and coastal change

- NPPF15 Conserving and enhancing the natural environment

Case Assessment

13. 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: Principle of development

14. Key policies and NPPF paragraphs – DM12, NPPF 5 and 11.
15. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 70 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate development in residential gardens, for example where development would cause harm to the local area. The council considered this matter as part of the development of policies in the local plan and concluded that the criteria based policies in DM3 and DM12 are satisfactory to determine applications for dwellings in gardens. Therefore there are no specific policies restricting new dwellings in the gardens of existing properties.
16. The principle of residential development is acceptable on this site under policy DM12 subject to the criteria in the second part of DM12 and subject to the other policy and material considerations detailed below given that:
 - The site is not designated for other purposes;
 - The site is not in a hazardous installation notification zone;
 - The site is not in the late night activity zone;
 - It does not involve the conversion of high quality office space; and
 - It is not in the primary or secondary retail area or in a district or local centre.
17. Furthermore, this proposal does not compromise the delivery of wider regeneration proposals, does not have a detrimental impact upon the character and amenity of the surrounding area which cannot be resolved by the imposition of conditions (subject to more detailed assessment below), contributes to achieving a diverse mix of uses within the locality and contributes to providing a mix of dwellings within the area. The proposal would make a small contribution to housing supply in Norwich.
18. Therefore the proposal is considered to accord with the first part of policy DM12 (subject to assessment below) and is acceptable in principle.

Main issue 2: Design

19. Key policies and NPPF paragraphs – JCS2, DM3, NPPF 8 and 12.
20. The subject site is currently an open corner plot which forms the side garden of No. 2 Langton Close. These large corner plots can be seen all round the Earham

estate. In some areas, the design of the post-war dwelling, street patterns and open corners contribute strongly to the character of the area. By contrast Langton Close is situated in part of the estate where this character is somewhat diluted. This is as a result of there being many different property styles and instances where corner plots have already been developed.

21. Notwithstanding the above, the proposal includes the retention of front and side garden areas to ensure that that the property does not appear overbearing in the streetscene and to retain buffer space between the property and the road.
22. The proposed dwelling is a detached dwelling as a result of the change in ground level. The form of the dwelling is considered to be in keeping with the dwellings along Langton Close. Notwithstanding the materials shown on the submitted plans, all details of materials will need to be secured by condition.
23. It is acknowledged that the proposed dwelling steps slightly forward of the front elevation of No.2 Langton Close. This is considered acceptable in this instance given the staggered building line of properties along Langton Close overall and the need to bring the dwelling away from the boundary with 28 Calthorpe Road.
24. Overall, the proposed dwelling is considered to be of an acceptable height, scale and form, subject to agreement of materials by condition.

Main issue 6: Amenity

25. Key policies and NPPF paragraphs – DM2, DM11, NPPF 8 and 12.
26. The proposed two bedroom dwelling is considered to meet the national space standards for a two bedroom property. In addition an appropriate amount of outdoor space would be provided. Therefore future occupants would benefit from an appropriate standard of amenity.
27. The new dwelling is proposed to be constructed as a detached property, but adjacent to No. 2 Langton Close. As a result of the change in ground levels, the new dwelling would be at a lower ground level than No. 2 which would help to reduce any overbearing impacts. There is one window within the side elevation of No.2 however this is understood to serve the stairs. Therefore the proposal is not considered to have significant detrimental impacts on occupiers at No. 2.
28. Concerns were raised that the new dwelling would be overbearing and would result in a loss of light to the property at No. 28 Calthorpe Road (adjacent to the East). It should be noted that 28 Calthorpe Road has undertaken a significant side extension (under permission 16/01652/F) which will result in the two properties being at closer proximity and has result in the additional confinement of that property's garden. In addition, an existing conifer hedge along the Eastern boundary of No.2 Langton Close has become overgrown and also results in a loss of light to the garden of 28 Calthorpe Road. The proposed dwelling has undergone amendments throughout the application process including a reduction in the size of the property overall and stepping back of the first floor of the dwelling in order to reduce the impact on neighbouring dwellings. In addition, the proposed dwelling would only cause loss of sunlight to the garden of 28 Calthorpe Road for part of the afternoon.

29. Concerns were also raised that the first floor bathroom window of the new dwelling would result in overlooking to neighbouring gardens. It is proposed to include a condition requiring this window to be obscure glazed to reduce impacts on privacy.
30. Therefore the amendments to the proposal are considered to result in acceptable impacts on neighbouring amenity.

Main issue 5: Transport

31. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF 12.
32. The proposal includes the provision of access to Langton Close and a new driveway area. The driveway would provide off-road parking space for 1-2 cars, in accordance with the parking standards in Appendix 3 of the Local Plan.
33. Concerns were raised that the provision of a new dwelling would result in increased congestion for the Close and surrounding roads. However, the proposed dwelling is small in scale and is not expected to generate higher than average car ownership. In addition, a policy compliant level of parking is provided on site, and on-street parking is unrestricted. The Transportation Officer has also raised no objection to the proposal.
34. Details of the surfacing of the driveway, and of bin and bike storage should be secured by condition.

Main issue 4: Landscape and Trees

35. Key policies and NPPF paragraphs – DM3, DM8, DM7, NPPF 15.
36. The site is currently an open corner plot laid to lawn with boundary hedging and trees. The plot therefore makes a positive contribution to the streetscene. The impacts of the proposal on the openness of the streetscene have been assessed in Main Issue 2.
37. The Tree Officer has confirmed that they have no objection to the removal of the existing trees provided that appropriate replacement planting is secured by condition. A full landscaping scheme will also be required by condition which would include either the retention or replacement of the existing boundary hedge.

Compliance with other relevant development plan policies

38. 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	Yes subject to condition
Refuse Storage/servicing	DM31	Yes subject to condition
Water efficiency	JCS 1 & 3	Yes subject to condition

Requirement	Relevant policy	Compliance
Sustainable urban drainage	DM3/5	Yes subject to condition

Other matters

39. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
40. Concerns were raised that the proposal would have an impact on property values in the surrounding area. This is not a material planning consideration and has not been considered further.
41. Concerns were also raised that there were other residents in the surrounding area that may not be aware of the application. The council have undertaken public consultation on the application in accordance with standard policy and the requirements of the Town and Country Planning (Development Management Procedure) Order 2015.

Equalities and diversity issues

42. There are no significant equality or diversity issues

Local finance considerations

43. 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.
44. 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.
45. In this case local finance considerations are not considered to be material to the case.

Conclusion

46. 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.

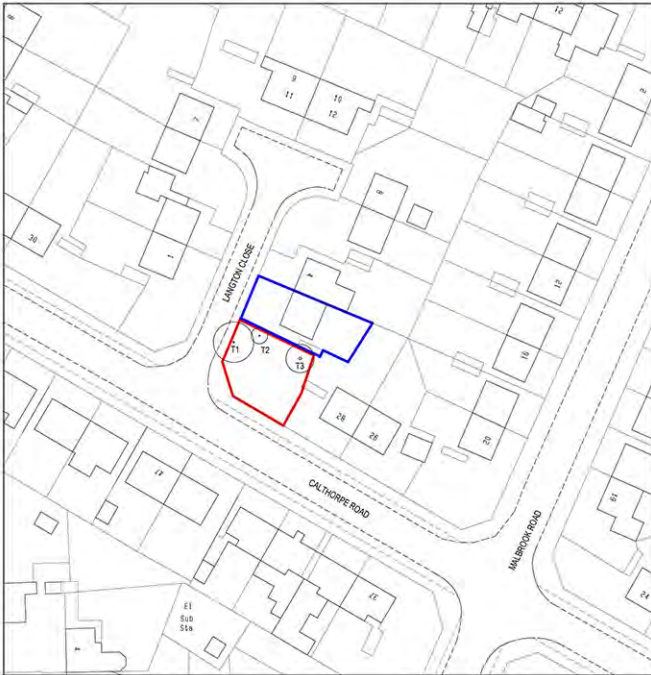
Recommendation

To approve application no. 19/00083/F - 2 Langton Close, Norwich, NR5 8RU and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials;
4. SUDS;
5. Landscaping scheme to include replacement tree planting and biodiversity enhancement measures;
6. Details of bin and bike stores;
7. Arboricultural pre-start meeting
8. Obscure glazing to first floor bathroom;
9. Removal of PD rights;
10. Water efficiency.

Informatives

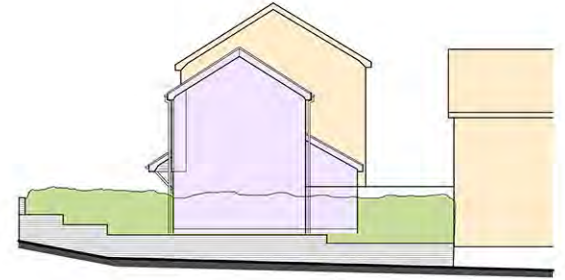
1. Any works to the highway will require a streetworks permit.
2. Street naming
3. Bin purchases
4. Site clearance and wildlife



EXISTING LOCATION PLAN - Scale 1:500



PROPOSED SITE PLAN - Scale 1:200

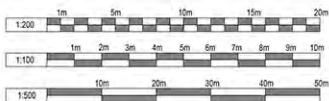


STREET SCENE A



STREET SCENE B

SCALE BARS:



DRAWINGS:-

The drawings are the copyright of Studio 35 Architecture Ltd. The drawings must not be scaled from. The contractor / builder should take and verify all dimensions on site before proceeding with any works. All dimensions shown on the drawings are for Planning purposes only.

GENERAL:-

All works are to be carried out with the relevant current British Standard Codes of Practice and Building Research Digest Papers, and to be to the approval of the local Authority and all Statutory Undertakings. All materials shall be suitable for the purpose intended and shall be used strictly in accordance with the manufacturer's recommendations. All necessary calculations are to be submitted to the Local Authority for approval prior to the commencement of work on site.

It is the owners responsibility to ensure that the property and site is free from any onerous or unusual restrictions, covenants or easements.

PARTY WALL ACT 1956:-

Attention is drawn to the Party Wall Act 1956. The client or owner must give notice in writing to neighbours of the intended building operation and excavations and receive approval of same.

CDM 2015 REGULATIONS:-

Attention is drawn to the client with regard to the CDM 2015 regulations. These drawings and specification are intended for Planning & Building Regulation purposes only, the scope of this does not go any further. It is the duty of the client under the regulations to appoint a 'Principal Contractor'. There is no obligation for the client to appoint a 'Principal Designer'. The 'Principal Contractor' will then take on the role of 'Principal Designer' for purposes of the 'pre construction and construction' phases of the project under the CDM 2015 regulations when it gets under way, in order that a Health & Safety File and construction plan, is provided for the HSE, in order to reduce risks through the design processes of construction etc.

PROJECT:

NEW DWELLING,
LAND OFF LANGTON CLOSE
NORWICH, NORFOLK

CLIENT:

PROPERTY MATTERS LTD

DRAWING TITLE:

EXISTING LOCATION PLAN
AND PROPOSED SITE LAYOUT

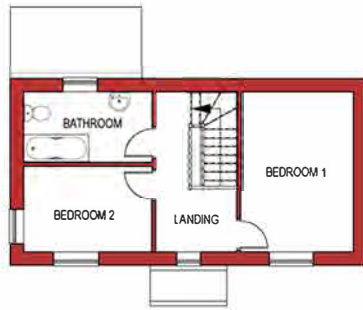
REVISION:

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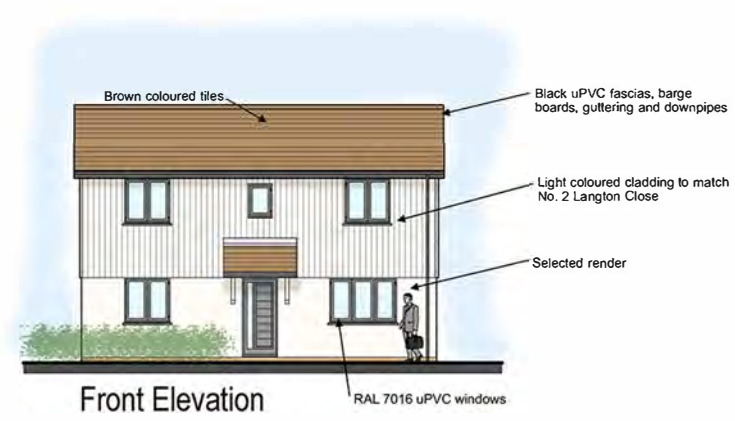
Studio|35
ARCHITECTURAL DESIGN STUDIO

PLANNING SUBMISSION

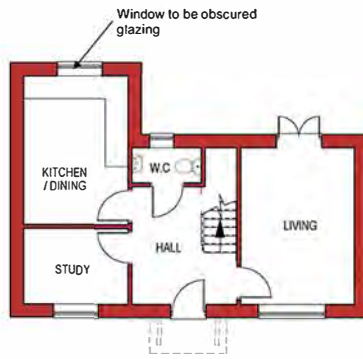
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JOB: 3586
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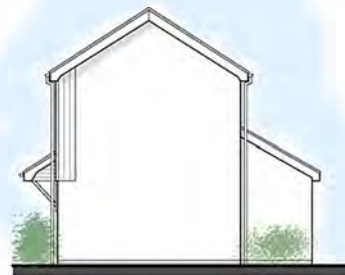
First Floor Plan



Front Elevation



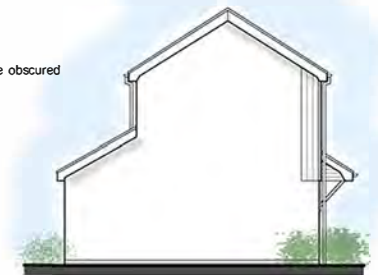
Ground Floor Plan



Side Elevation



Rear Elevation



Side Elevation

- C. Materials and roof pitch altered 11/06/19
- B. gable removed and altered to 2 bedroom 29/05/19

SCALE BARS:	PROJECT:	NEW DWELLING, LAND OFF LANGTON CLOSE NORWICH, NORFOLK	Studio 35 <small>ARCHITECTURAL DESIGN STUDIO</small>		
	CLIENT:	PROPERTY MATTERS LTD			
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			JOB: 3586	DRG NO: PL01	REV: C