

Report to Planning applications committee

Item

10 August 2017

Report of Head of planning services

Subject Application no 17/00850/F - 54 Gertrude Road,
Norwich, NR3 4SF

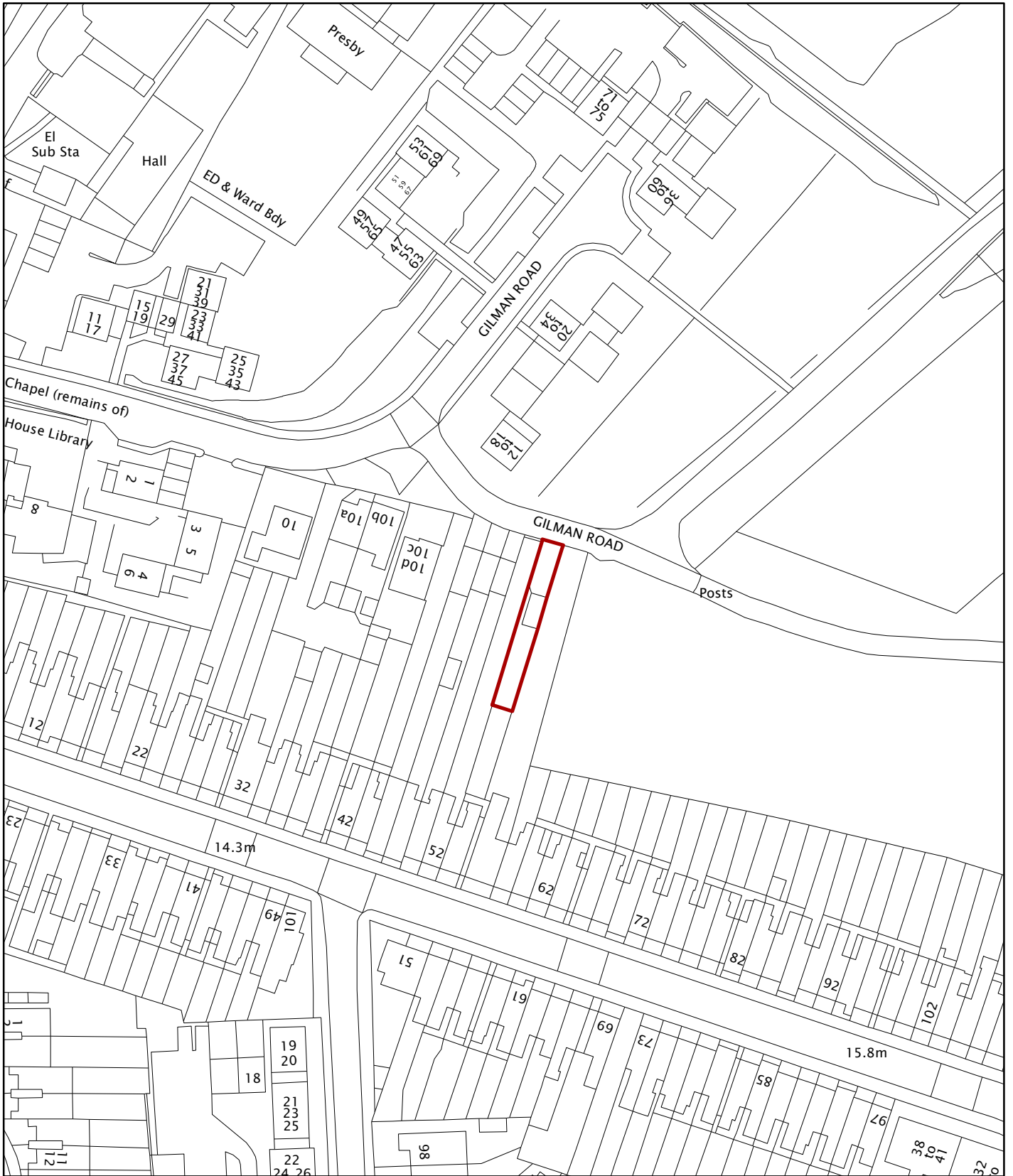
4(d)

**Reason
for referral** Objections

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

| Development proposal | | |
|---|---------|---------|
| Demolition of existing garage. Subdivision of garden and erection of 1 No. two bed detached dwelling. | | |
| Representations | | |
| Object | Comment | Support |
| 2 | 0 | 1 |

| Main issues | Key considerations |
|-----------------------|--|
| 1 | Principle of a new dwelling in rear garden |
| 2 | Scale, layout and design of new dwelling |
| 3 | Impact upon overlooking and loss of light |
| 4 | Biodiversity impacts from garage removal |
| Expiry date | 19 July 2017 |
| Recommendation | Approve |



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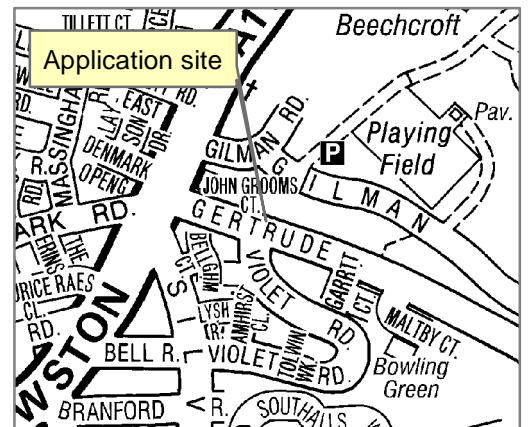
Planning Application No 17/00850/F
 Site Address 54 Gertrude Road

Scale 1:1,000



NORWICH
 City Council

PLANNING SERVICES



The site and surroundings

1. The subject property is located on the North side of Gertrude Road, North of the City Centre. The mid-terrace dwelling, built circa 1900, is constructed of red brick and pantiles. The property has a long narrow garden which slopes and steps upwards towards Gilman Road. Several properties along this road have access to the gardens/garages via Gilman Road. The property has minimal existing boundary treatments. There is an existing dwelling that has been constructed within the rear garden of No. 48 Gertrude Road of a very similar design to this proposal. The property is located near to Mousehold Heath which can be accessed via a footway from Gilman Road. The properties along Gertrude Road are of the same age and design. The properties along Gilman Road are of varied designs, and comprise both two storey dwellings and blocks of flats.

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 construction of a new dwelling within the rear garden of number 54 Gertrude Road, with access to be provided from Gilman Road.

Summary information

| Proposal | Key facts |
|-----------------------------|--|
| Scale | |
| Total no. of dwellings | 1 |
| No. of affordable dwellings | None – affordable housing contribution not required |
| Total floorspace | Approx. 72m ² |
| No. of storeys | Part two storey, part single storey |
| Max. dimensions | 13.80m x 3.00m 5.10m at the eaves and 5.90m at maximum height |
| Appearance | |
| Materials | White render Grey timber and aluminium doors and windows |

| Proposal | Key facts |
|----------------------------|--|
| | Grey fibreglass or membrane roof |
| Transport matters | |
| Vehicular access | New access proposed from Gilman Road |
| No of car parking spaces | 1 space provided with Gilman Road access |
| No of cycle parking spaces | 1-2 spaces |
| Servicing arrangements | Wheelie bin collection from Gilman Road |

Representations

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Three letters of representation have been received, one in support and two objections, 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 |
|---|------------------------|
| Provision of low cost housing | See Main Issue 1 |
| Over-dominant, out of scale building too close to existing properties | See Main Issue 2 and 3 |
| Building would contribute positively to the façade | See Main Issue 2 |
| Loss of light to adjacent gardens | See Main Issue 3 |
| Living roof would contribute positively to biodiversity | See Main Issue 4 |
| Financial impact on surrounding housing | See Other Matters |
| Limits options for future development | 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/transportation grounds. This appears to be a successful infill development that provides for an off street parking space, refuse and cycle parking. Please ensure that a car can fit within the plot and not overhang the highway.

Tree protection officer

8. The trees in the surrounding area are of no pa

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
 - JCS3 Energy and water
 - JCS4 Housing delivery
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
 - DM6 Protecting and enhancing the natural environment
 - DM7 Trees and development
 - DM12 Ensuring well-planned housing development
 - DM29 Managing car parking demand in the city centre
 - DM30 Access and highway safety
 - DM31 Car parking and servicing
 - DM32 Encouraging car free and low car housing

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
 - NPPF8 Promoting healthy communities
 - NPPF10 Meeting the challenge of climate change, flooding and coastal change
 - NPPF11 Conserving and enhancing the natural 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: Principle of development

13. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
14. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 53 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.
15. 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 which are discussed in the following sections.
16. Therefore, the proposal is considered to constitute sustainable development in the context of paragraph 14 of the National Planning Policy Framework.
17. Members should be aware of the dwelling that has already been constructed within the rear garden of No. 48 Gertrude Road which was granted consent under 14/00142/F. This is a very similar development which is a material consideration in the determination of this application.

Main issue 2: Design

18. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
19. The proposed dwelling would be located within the rear garden of 54 Gertrude Road. The properties along this part of Gertrude Road have long and narrow gardens which slope up towards Gilman Road. Many of the properties do not appear to use the upper parts of the garden. The construction of a new dwelling would result in a loss of garden space to the main property. However, the properties further along Gertrude Road to the East generally have shorter gardens where they back onto Mousehold Heath. The size of garden that would result is therefore not considered to be out of character with the surrounding area.
20. The proposed dwelling is considered to be of an appropriate size and scale when compared to the character of the surrounding area. Whilst the dwelling is of an unusual design, the property has a relatively low maximum height in comparison to an average dwelling and steps down to single storey to the rear to minimise the impact on the existing residential gardens.
21. In addition, the top ends of the gardens do not appear to be frequently used and some can be seen to store rubbish and garden waste. As highlighted within a letter

of representation the proposal could be argued to improve the façade along Gilman Road.

22. The dwelling is proposed to be constructed of materials that are considered to be contemporary and appropriate to the surrounding area, and the design is very similar to the dwelling that was approved under application reference 14/00142/F Overall, whilst the design is somewhat unconventional, it provides a small dwelling which would not cause harm to the character of the surrounding area.

Main issue 6: Amenity

23. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
24. The proposed dwelling is considered to comply with the nationally prescribed space standards and would provide sufficient internal and external amenity space.
25. The proposal has the potential to result in a loss of privacy for both current and future occupiers. However, the first floor windows within the proposed dwelling would be approximately 32.00m from the rear of the dwellings along Gertrude Road. This is considered to be a sufficient distance to minimise the risk of overlooking.
26. Concerns were raised that the proposal would result in a loss of light to neighbouring gardens. It is acknowledged that the proposal would result in a noticeable change in light received to the rear of the gardens. In addition the proposal would result in a new structure along the boundaries which could appear overbearing. However, given the length of the gardens, there will remain a significant proportion of these gardens that would be unaffected by the proposal in terms of loss of light and outlook.
27. Therefore whilst there will be a change in light and outlook to the far ends of the gardens, on balance, this is not considered to be significantly detrimental to neighbouring amenity to warrant refusal of the application

Main issue 9: Biodiversity

28. Key policies and NPPF paragraphs – JCS1, DM6, NPPF paragraph 118.
29. Officers were aware that the garage, which is proposed for demolition, may house or have the potential to house bats given the proximity of the site to Mousehold Heath. A bat survey was completed by a qualified ecologist and identified that there were no bats currently using the building and that it had negligible potential for these species. The report has identified biodiversity enhancing measures for the site which should be secured by condition.
30. A letter of representation identified that a living roof would positively contribute to biodiversity in the area. This has currently not been included as part of the proposal and although such a feature would be welcomed, the lack of this element would not justify refusal of the application.

Main issue 4: Trees

31. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.

32. During the site visit, the Officer noted that there were several small trees along the boundary with No. 52. The Tree Officer concluded that these are not high value trees. These trees are not considered to be of significant amenity value within the street scene and therefore their management is considered a civil matter.

Main issue 5: Transport

33. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
34. No objection has been raised by the Council’s Transportation Officer. The proposal can provide for one parking space to the front of the dwelling which would be compliant with current policy. Access can easily be obtained from Gilman Road. The driveway and parking space would be constructed using permeable Gridforce gravel grids.
35. The plans show that adequate bin and cycle storage can be accommodated within the site and details should be secured by condition.

Compliance with other relevant development plan policies

36. 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 |
|----------------------------|------------------------|--------------------------|
| Energy efficiency | JCS 1 & 3 DM3 | Yes subject to condition |
| Water efficiency | JCS 1 & 3 | Yes subject to condition |
| Sustainable urban drainage | DM3/5 | Yes subject to condition |

Other matters

37. Concerns were raised that the proposal would impact upon house prices in the surrounding area, however this is not a planning consideration.
38. Concerns were also raised that the proposal would limit opportunities for future development in neighbouring gardens. There is no reason to believe that this application would preclude other developments coming forward in the future, and in any event this application must be considered on its own merits.

Equalities and diversity issues

39. There are no significant equality or diversity issues.

S106 Obligations and Community Infrastructure Levy

40. The proposal will be liable for a Community Infrastructure Levy charge.

Local finance considerations

41. 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.
42. 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.
43. In this case local finance considerations are not considered to be material to the case.

Conclusion

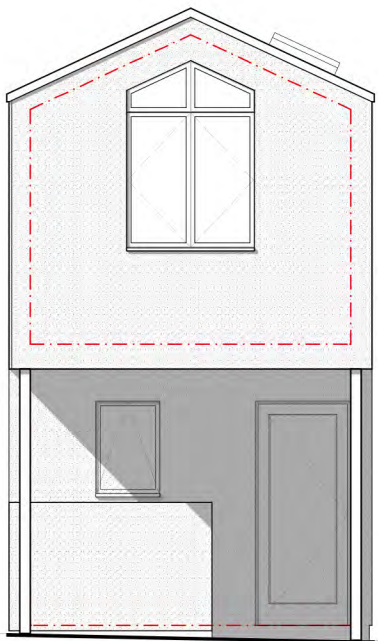
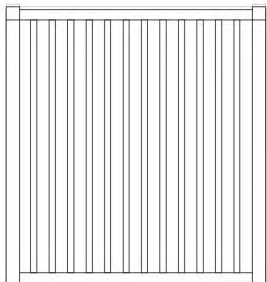
44. Whilst the proposal is somewhat unconventional in terms of its design and appearance, it is not considered to materially conflict with the character of the surrounding area given the residential layout further along Gertrude Road and the existing new dwelling at the rear of No.48 which is of very similar design. The proposal would be constructed to an appropriate scale and of appropriate materials to this dwelling. The property would be located a sufficient distance from existing properties along Gertrude Road so as not to result in a significant loss of privacy and adequate external amenity space would remain unaffected by the proposal.
45. Therefore 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. 17/00850/F - 54 Gertrude Road Norwich NR3 4SF and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Water efficiency;
4. Energy efficiency;
5. Sustainable drainage;
6. Bin/bike stores;
7. Landscaping scheme;
8. Biodiversity enhancing measures.

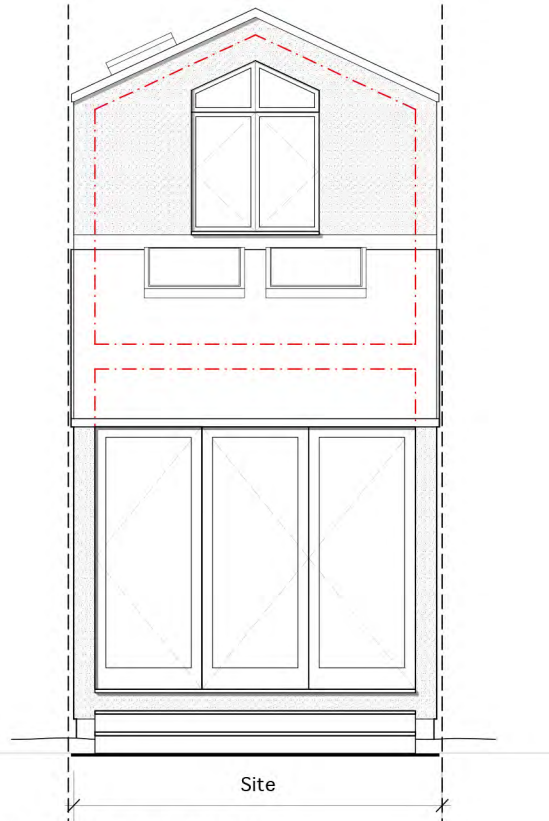
Neighbours
'Shed'



NORTH ELEVATION
As Proposed
AT 1:50

Boundary

Boundary



SOUTH ELEVATION
As Proposed
AT 1:50

0 1 2 M

Scale Bar 1:50

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Planning

A 26/07/17: External finish changed to render.

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Client:
Henry Baker

Project Address
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Norwich
NR3 4SF

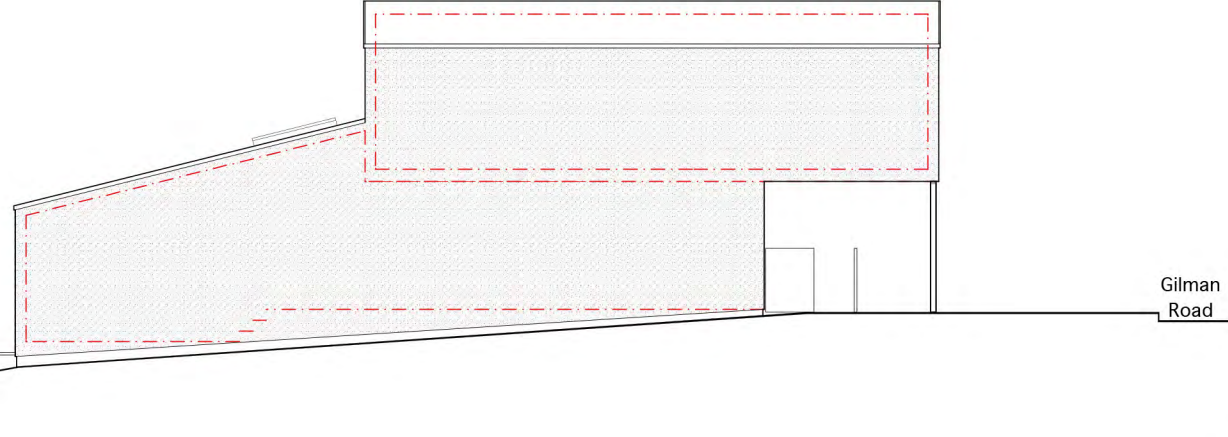
Drawing Title
Planning

North & South Elevations as Proposed

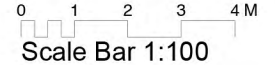
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| Date 18.05.17 | Scale 1:50 @ A3 | Drawing Ref. RKL |
| Job No. 033 | Drawing Number PLO3 | Revision A |

Boundary

EAST ELEVATION
As Proposed
AT 1:100



Gilman Road



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| | | |
|----------|---|--|
| Planning | A | 26/07/17: External finish changed to render. |
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Drawing Title
Planning

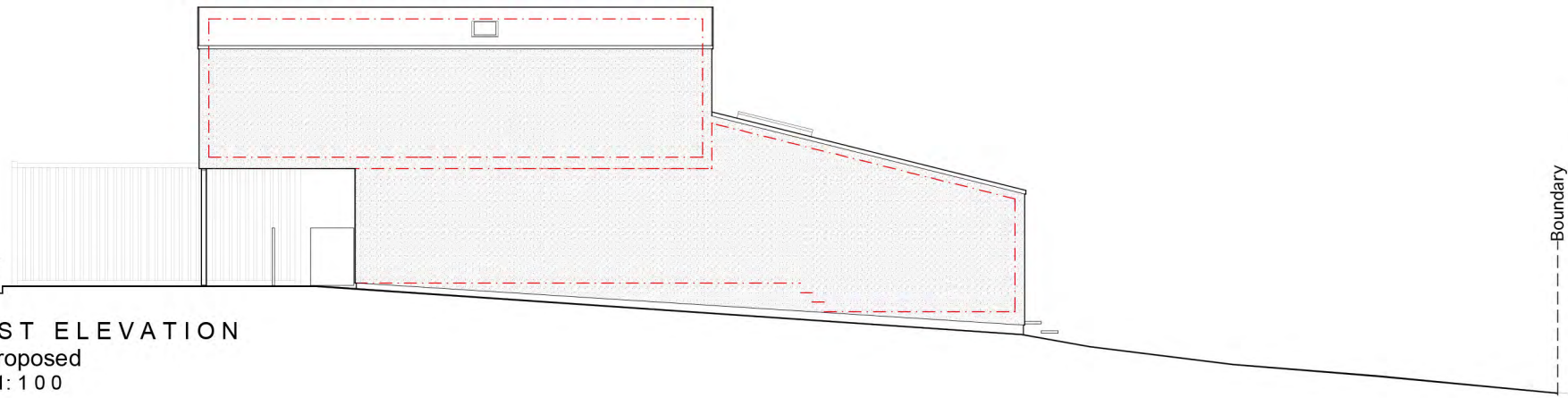
West & East Elevations as Proposed

| | | |
|------------------|------------------------|---------------------|
| Date 18.05.17 | Scale 1:100 @ A3 | Drawing Ref. RKL |
| Job No. 033 | Drawing Number PL04 | Revision A |

Boundary

Gilman Road

WEST ELEVATION
As Proposed
AT 1:100





GILMAN ROAD

Bradstone Stonemaster Paving
Light, Mid & Dark Grey

For Materials images
see 033 - PL06



0 5 10 M

Scale Bar 1:200

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Planning

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Client
Henry Baker

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NR3 4SF

Drawing Title
Planning

Site Layout / Block Plan as Proposed

| | | |
|------------------|------------------------|---------------------|
| Date 18.05.17 | Scale 1:200 @ A3 | Drawing Ref. RKL |
| Job No. 033 | Drawing Number PL05 | Revision - |

SITE LAYOUT / BLOCK PLAN

As Proposed
AT 1:200

GERTRUDE ROAD

52

54

52

100
100