Report to	Planning applications committee	**Item**
Date	2 October 2014	4E
Report of	Head of planning services	
Subject	14/00683/O 36 Broadhurst Road Norwich NR4 6RD	

SUMMARY

Description:	Erection of 1 No. one bed dwelling.	
Reason for consideration at Committee:	Objection and member referral (item deferred at the August committee)	
Recommendation:	Approve	
Ward:	Eaton	
Contact Officer:	Mr John Dougan	Planner (Development) 01603 212504
Valid Date:	6th June 2014	
Applicant:	Mr Mike Watts	
Agent:	Frith Associates	

INTRODUCTION

Background

1. This application was referred to the 7th August 2014 planning applications committee, officers recommending that it be approved subject to conditions. At that meeting members concluded that the determination of the application be deferred and requested that officers undertake discussions with the applicant to explore revising the extents of the site and the indicative layout of the dwelling.

2. The applicant agreed to undertake such revisions, submitting revised plans which include the following key changes:

- Moving the southern boundary further to the south increasing the width of the site (when viewed from Welsford Road) from 12.090 metres to 12.650.

- Reducing the indicative footprint of the dwelling in effect moving it a further 0.5 metres from the northern boundary

3. For the sake of clarity, members are reminded that the application in front of them is for outline planning permission with all matters reserved and that the issue under consideration is whether or not a dwelling in feasible in this location. Details of siting, layout, scale, appearance and landscaping are reserved and will be considered again at a later date as

part of a reserved matters submission.

4. This means that if members where to approve the current application, that all matters relating to access, appearance, landscaping, layout and scale would be subject to a further application (reserved matters) enabling the public to submit further comments and if applicable be presented to members for their consideration.

5. The merits of the revised plans and additional comments submitted by members of the public have been incorporated within the body of the report.

The Site

Location and Context

6. The area can be characterised as residential comprising single and two-storey detached / semi-detached properties each predominantly have good sized gardens to the front and to the rear many having mature trees, hedging and shrubs within them.

7. The majority of the dwellings in this area are in red brick, but the style and roof structure is quite varied. Some are gable fronted whilst others having hipped frontages. However, there are examples of dwellings which have used white render to their frontages.

8. The existing site is known as 36 Broadhurst Road, a two-storey detached dwelling. The former flat roof double garage has recently been altered to become a single garage with hipped roof.

9. The existing dwelling had been recently refurbished using timber cladding to part of its external walls, with a 1.8 metre high fence being erected to the Welford Road / Broadhurst Road frontages together with shrub planting.

10. The site is not representative of the area in that the main garden areas are to the sides with limited amenity space to the rear (adjoining no.34 Broadhurst Road). This close proximity means that there is a certain amount of indirect overlooking from the east elevation of the existing two-storey property to the rear garden of no. 34 Broadhurst Road. The same layout arrangement is evident on the site on the opposite side of the Welsford Road.

11. Boundary treatment to the frontage (Welsford Road) includes a low level brick wall. Boundary treatment to the north with (no.87 Welsford Road) comprises a 1.8 metre close boarded fence and the boundary to the east (no.34 Broadhurst Road) comprising a 1.8 metre high fence. There is a line of trees on the other side of the east boundary fence in the neighbour's garden indicated on the site plan submitted.

12. It is noted that the subject site had a low level retaining wall running west to east through the centre of the site. The application site is slightly lower

than the adjoining property to north (no.87 Welsford Road.), meaning that the garden area is overlooked from the dining room window of 87 Welsford Road. Although, the site has recently been levelled to leave a fairly flat site. The site levels are shown on revised plan 0069 003 A04.

13. There are no other constraints associated with this site except that there are street trees and small trees within the rear garden of no.34 Broadhurst Road) within falling distance of the development area.

14. A new 1.8 metre high close boarded fence has been erected between the existing dwelling and the application site. This new arrangement is illustrated on the revised plans submitted.

Planning History

13/00832/F - Conversion of loft to habitable space including the construction of a dormer and associated minor demolitions. (REF - 03/09/2013)
13/00839/O - Subdivision of curtilage and erection of 1 No. three bedroom house. (REF - 09/08/2013)

15. The above previously refused application was outline and indicated as being a two-storey flat roof dwelling. It was refused for the following reasons:

- The scale and layout by virtue of the size of the proposed dwelling within the current size of the plot is considered to be a significant deviation to the existing character and local distinctiveness of the area which is predominantly of houses with large plots with high levels of amenity space. Similarly, the footprint and height will also result in a cramped form of development which would be detrimental to the visual amenities and character of the street scene. There are also considered to be insufficient levels of on-site amenity space provided to serve the needs of a house of this scale, and to provide a satisfactory level of amenity to future residents. As a result of the above, it is considered that the harm caused to the character and local distinctiveness of the area would outweigh benefits and on balance is considered to be unacceptable.

- It has not been demonstrated that the proposal would not have a detrimental impact on the residential amenity of the adjoining property to the north (no.87 Welsford Road), specifically in relation to additional loss of outlook and overshadowing to a primary window serving a main habitable room.

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

16. Erection of a dwelling indicated as being one bedroom and single storey. The application is submitted in outline form with all matters reserved.

17. There are a couple of anomalies in the plans and details submitted. Whilst this may be the case, these are in the indicative details and therefore are adequate for the purposes of assessing an application for outline planning approval.

18. It is acknowledged that the design and access statement has referred to access, appearance, landscaping, layout and scale, with the plans submitted providing details of layout including parking, also indicting that the building is to be single storey with a pitched roof.

19. However, the application form has indicated that matters including access, appearance, landscaping, layout and scale are reserved.

20. As a result of a request by members of the planning committee, the applicant submitted revised plans moved the southern boundary approximately 0.5 metres to the south and reducing the indicative footprint of the dwelling.

Representations Received

21. Adjacent and neighbouring properties have been notified in writing. 8 letters of representation have been received citing the issues as summarised in the table below.

Issues Raised	Response
Not in keeping with the character and local distinctiveness of the area	See 'principle of development' and 'character' sections of the report.
The open environment is distinctive promoting a healthy environment and crime reducing asset and should be preserved as such.	See 'principle of development' and 'character' sections of the report.
Overdevelopment of a small site	See 'principle of development' and 'character' sections of the report.
The dwelling will appear cramped being at odds with the open feel evident in the area	See 'principle of development' and 'character' sections of the report.
A one bedroom property is not typical of other properties in the area	See 'principle of development' and 'character' sections of the report.
The design e.g. folding glass doors to the frontage is not appropriate and inconsistent	See 'scale design and layout' section of the report.
Inadequate amenity space for the occupants	See 'provision of amenity space' sections of the report.
Lack of amenity space for the remaining	See 'provision of amenity space'

site	sections of the report.
Any planning permission would set a precedent for other infill development. A similar application at 2 Lyhart Road was refused in 1990	See 'principle of development' section of the report.
Loss of amenity for adjoining property 87 Welsford Road (outlook, overshadowing, noise disturbance, loss of light)	See 'impact on living conditions' section of the report.
Any garden building would impact on neighbour properties	See 'impact on living conditions' section of the report.
The open garden and raised beds was enjoyed by the previous owners and neighbouring properties	See 'impact on living conditions' section of the report.
The plans are not accurate (access) and floor space	See para 17.
The remaining garage is being used as a workshop not a car, with the applicant parking their car on the main road.	See 'impact on living conditions' section of the report.
The development is too close to a busy cross roads and private access	See 'impact on living conditions' section of the report.
The new access would have an adverse impact on the Silver birch tree	See 'trees and landscape' section of the report.
The design brief says that the use is for the family of the owner and close to a bus stop. The latter is a considerable distance away i.e. on Ipswich Road and that a granny annexe would be more appropriate than a new dwelling.	See 'principle of development' section of the report.

22. Norwich Society – The site is on a corner with Welsford Road and therefore prominent. Several schemes have been proposed for this land and we continue to feel that this new one is still a "garden grab" and is not appropriate in this area.

23. Cllr Lubbock has objected to the application on the grounds of loss of amenity, over-intensification of the site and the proposal is too close to the adjoining property and has requested the application be considered by the planning applications committee.

24. At the time of writing this report, 13 additional letters have been received, 3 of which are classed as additional representations. In a total, the application has received 11 representations, all of which objecting to the proposal.

25. Any additional issues raised have been incorporated into the following table points raised are contained in the following table.

Additional issues Raised	Response
The revised plans clearly show that the piece of land is not viable and is completely at odds with DM12	See 'principle of development' and 'character' sections of the report.
The style of dwelling is not appropriate for the area and street scene.	See 'principle of development' and 'character' sections of the report.
To allow the development due to the lack of a five year housing supply is extremely regrettable.	See 'principle of development' section of the report.
The new elevated boundary treatments proposed and close proximity of the proposed main entrance directly facing a neighbour's large dining room window, will result in loss of light.	See 'impact on living conditions' section of the report.
Removal of topsoil during the levelling of the site may result in subsidence	See 'scale design and layout section of the report'.
The Head of planning's point that a flat roof and a single parking space has not been addressed.	See 'scale design and layout', 'character' and 'transport and access section of the report.
The green roof is no substitute for green space	See 'provision of amenity space' and 'trees and landscape' sections of the report.
Having two parking spaces 2 metres from the habitable windows of the adjoining property is not appropriate.	See 'impact on living conditions' section of the report.
Breach of deeds of conveyance – no buildings save a detached or semi-detached dwelling house or bungalow with the usual outbuildings shall be erected'.	See 'principle of development' section of the report.
Adverse impact on property prices	See 'principle of development' section of the report.
If building land is short, why not build on Dandy Park or the old Esso garage	See 'principle of development' section of the report.
The development would lead to an increase in number of vehicles having a detrimental impact on other users including learner drivers	See 'transport and access' section of the report.
The committee need to visit the site	See paras 27-31.
The new cladding on the existing property is not appropriate and should be removed	See 'scale design and layout' section of the report.
The recent construction of the garage extension was not on the plan shown to members	To be addressed as part of officers presentation to committee.

26. Cllr James Wright expressed concern asking that he would like to request that the committee visit the site before determining the application. He stated he could see no justification against this as it would help the

committee fully understand the specifics of this particular application.

27. The applicant has responded to the members request to increase the size of the site and reduce the indicative footprint of the dwelling. They have also provided indicative elevation plans which show ground levels and the relationship of dwelling relative to the adjoining property.

28. Additional photographs of the site taken from the adjoining properties to the north and east are appended to this report to help understand the proposals.

29. All of the above information is considered to be more than adequate to enable members to gain an appreciation of the feasibility of the proposal and gain a better appreciation of the possible impact on the neighbouring properties.

30. Officers are of the view that deferring the application for a second time would be unreasonable as members considered the application during 7 August committee and did not consider that a site visit was necessary. Deferring the application now to undertake a site visit would cause further delay in determining the application, given that the statutory period for determining the application expired on 1 August 2014. Further delays could result in the applicant submitting a formal appeal to the planning inspectorate against the council's failure to determine the application.

Consultation Responses

31. Transportation – no objection

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

- Statement 6 - Delivering a wide choice of quality homes
- Statement 7 – Requiring good design
- Statement 12 – Conserving and enhancing the natural environment

Relevant policies of the adopted Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk 2011

- Policy 1 – Addressing climate change & protecting environmental assets
- Policy 2 - Promoting good design
- Policy 3 – Energy and water
- Policy 4 - Housing delivery

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

- HOU13 – Proposals for housing development in other sites
- NE3 – Tree protection
- HBE12 - High quality of design, with special attention to height, scale,

massing and form of development
- EP22 – High standard of amenity for residential occupiers
- TRA6 – Parking standards (maxima)
- TRA7 – Cycle parking standards
- TRA8 – Servicing provision

Other Material Considerations

- Written Ministerial Statement: Planning for Growth March 2011
- Emerging policies for the forthcoming new Local Plan (submission document for examination April 2013):

Development Management Policies Development Plan Document – Pre-submission policies (April 2013).

- DM2 - Ensuring satisfactory living and working conditions
- DM3 – Delivering high quality design
- DM7 - Trees and development
- DM12 - Ensuring well-planned housing development
- DM31 - Car parking and servicing

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. The 2011 JCS policies are considered compliant, but some of the 2004 RLP policies are considered to be only partially compliant with the NPPF, and as such those particular policies are given lesser weight in the assessment of this application. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

Policy DM2 is subject to a single objection raising concern over the protection ofnoise generating uses from new noise sensitive uses, this is not relevant here and
therefore significant weight can be given to policy DM2

Policy DM3 has several objections so only limited weight can be applied. However,
paragraph 216 of the NPPF does state that where there are unresolved objections,
the less significant the unresolved objections, the greater the weight that may be given. With this in mind, no objection has made to local distinctiveness. Therefore
significant weight can be applied to this element of the policy.

Policy DM12 has several objections so only limited weight can be applied. However,
paragraph 216 of the NPPF does state that where there are unresolved

objections,
the less significant the unresolved objections, the greater the weight that may be given. With this in mind, no objection has made to matters relating to character and
amenity of the area so significant weight can be applied to these elements.

Policy DM31 is also subject to objections relating to car parking provision and existing baseline provision of car parking in considering applications it is considered
that limited weight should be given the car parking standards of this policy at the present time with substantive weight to the other matters.

Housing supply
The NPPF states that where a 5 year land supply cannot be demonstrated, applications for housing should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date. In the light of the recent appeal decision on part of the former Lakenham Cricket Club it has been established that the Norwich Policy Area (NPA) is the relevant area over which the housing land supply should be judged. Since the NPA does not currently have a 5 year land supply, Local Plan policies for housing supply are not up-to-date. As a result the NPPF requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate development should be restricted".

The lack of an adequate housing land supply is potentially a significant material consideration in the determination of the proposals for housing. This is likely to considerably reduce the level of weight that can be attributed to existing and emerging Local Plan policies which restrict housing land supply, unless these are clearly in accordance with specific restrictive policies in the NPPF. In this case there are no such policies that restrict housing land supply.

Principle of development

32. The applicant has stated within their design and access statement that the proposed house is within the grounds of their own plot, designed specifically for use by the family. Whilst a family member may choose to use the dwelling, it is not considered to be living quarters which are incidental to the enjoyment to the existing dwelling house. The proposed dwelling is considered to be a new dwelling with its own separate access, parking and amenity space.

33. Every application is assessed on a case by case basis. The principle of a one bedroom house in an established residential area with relatively easy access to public transport is acceptable under policy HOU13, subject to a number of criteria as listed below:

- Provision of a range of types and sizes of housing

- Good accessibility to shops and services

- No detrimental impact on the character and amenity of the area

- Provision of private garden space around the dwelling

34. Given that the application is submitted in outline form with all matters reserved the main issue for consideration is if the site can provide for a residential dwelling broadly in line with the parameters indicated (i.e. a one bedroom single storey dwelling broadly in line with the height and footprint indicated in the indicative plans). It is necessary to consider if an acceptable and feasible scheme can be achieved at the reserved matters stage.

35. Paragraph 50 of the NPPF states that local authorities should deliver a wider choice of quality homes. A dwelling of this scale is considered to form part of the mix of residential accommodation, contributing to the City housing stock.

36. The site is considered to be an accessible residential location, there being bus stops on Ipswich Road providing access to the city centre and other services in the area.

37. 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 DM 3 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.

38. Consideration also has to be given to emerging policy DM3 which also makes reference to the fact that proposals should achieve a density in keeping with the existing character and function of the area including local distinctiveness. In light of the fact that no objections have been made to these criteria within the policy, it should be given some weight in the determination of this application.

39. Emerging policy DM12 states that proposals should have no detrimental impacts upon the character of the area. Another criterion of this policy states that proposals should achieve a density in keeping with the existing character of the area. Some weight can be given to the first criteria, but none on the issue of density as an objection has been received.

40. Matters relating to restrictions cited in the deeds of a property or the perceived devaluation of properties are not material planning considerations. The impact of the proposals upon property prices is also not a material planning consideration.

Character

41. A residential use replicates the residential character of the area.

42. A key characteristic or feature that makes this area distinctive is the fact that the dwellings in this established residential area sit on generous plots with good sized gardens to the front and to the rear, providing ample usable levels of amenity space normally considered appropriate for a family house. It is also acknowledged that many of the garden frontages in the area contain small trees and hedges, all of which contribute to the relatively 'leafy' character. Paragraph 58 of the NPPF does state that proposals should also respond to local character and reflect the identity of local surroundings.

43. The applicant has replicated similar spatial characteristics evident in some of the other plots in the area and that the indicative roof height (single storey) will have the effect of reducing its impact on the street scene.

44. However, on inspection of the plans submitted it is clearly evident that the proposal is a deviation from the density and well-proportioned plots evident in the area. Although it is acknowledged that the indicative scale and footprint has been reduced in size compared to the previously refused application (13/00839/O).

45. Concern has been raised that the open nature of the area promotes a healthy environment and crime reduction asset. Good design can help reduce crime in an area. That being said, it is also unlikely that the scale and type of development would result in a demonstrable erosion of the amenity of the area or increase in crime levels.

46. Whilst the plans submitted are only indicative, the scale of the proposal has been reduced from a 3 bedroom to a single storey 1 bedroom dwelling. Whilst a one bedroom dwelling does not reflect the predominant size in the area, being family homes, the proposed smaller dwelling would help to provide greater housing choice. Its low profile single storey will reduce its visual impact within the street scene. As such the above factors will have a significant positive effect on how the proposal will respond to the character and local distinctiveness of the area.

47. Whilst some neighbouring properties may view the existing garden contributing to the character of the area, any works such as the recent clearance of the site is not subject to any planning control. Regarding the current application, further mitigation can be delivered by the addition of appropriate landscaping and boundary treatment, helping reduce the presence of the dwelling further and also delivering added value in terms of contributing to the other leafy frontages evident in the area.

48. It should also be acknowledged that the applicant's theoretical fall-back position could be to construct a 9 x 9 metre outbuilding with a ridge height of 4 metres with no restriction on materials under householder permitted development rights. Such a development could arguably have a greater visual impact on the

visual amenities of the street scene and character of the area.

49. Concerns that the development would set a precedent for further inappropriate development are noted. However not all dwellings in the surrounding area would have the potential for infil development. Only corner properties with two street frontages could accommodate the type of development proposed, and these properties often feature large rear garages in these locations, as noted above, which would reduce the visual impact of development in these locations. In any case each proposal would be considered on its own merits taking into account the space available between dwellings and associated impacts upon the character and appearance of the surrounding area.

50. Taking all these factors into consideration, the erection of a dwelling in this location is not considered to cause significant harm to the character and local distinctiveness of the area.

51. The revised plans requested by the planning committee increase the size of the site and reduce the buildings footprint, increasing the level of separation between the proposed dwelling and the adjoining house to the north. This will have the effect of lessening its visual impact on the street scene. This is illustrated on the indicative partial street scene submitted in the revised submission. Although, in the event of the submission of a reserved matters application, the developments impact on the character of the area could be further improved by only having a single storey flat roof and appropriate landscaping.

Scale, design and layout

52. The previous refusal was deemed to appear overdeveloped when viewed from the street. This is due to the profile of the two-storey proposal being in close proximity to the dwelling to the north, resulting in a rather cramped arrangement when viewed from the street. The reduction in size to a single storey and shifting the footprint further south, is considered to be an improvement, delivering a development which is likely to be subordinate to the adjoining properties helping retain the spatial characteristics between 87 Welsford Road and 36 Broadhurst Road. As a guide a single storey flat roof structure is considered to be the most appropriate form of development, although further details of existing and proposed ground levels and finished floor levels would be needed at the reserved matters stage, ensuring that the dwelling sits sensitively in the street scene.

53. The sensitive use of materials for both the dwelling and landscaping can deliver a development which is appropriate and responds to its surroundings, all of which can be secured at the reserved matters stage. The reduction in scale of the development from three to one bedroom will also result in a more proportionate occupant to amenity space ratio, parking and servicing.

54. Whilst the proposal would reduce the size of the existing plot, the resulting plot size for the existing dwelling is still considered to provide adequate amenity space and parking for the existing dwelling. It is noted that this would mean that the majority of the space would be shifted to the Broadhurst Road frontage, in

effect deleting any level of private amenity space for the occupants. However, an improved arrangement is considered achievable and could be sought at the reserved matters stage.

55. It should be noted that the scale and footprint of the dwelling on the plans submitted are for illustrative purposes only, providing the local planning authority with an indication that the principle of a dwelling is feasible. All matters including scale, design, layout, access and landscaping would be subject to a further planning application (reserved matters).

56. In regards to the revised plan - the position of officer's remains on this issue unchanged. It is considered that the proposals would represent well planned residential development in accordance with emerging policy DM12, despite deviating from the density and well-proportioned plots evident in the area.

57. The applicant's willingness to increase the size of the site and reduce the buildings footprint will have the effect of lessening its visual impact on the street scene. The reduction in footprint of the dwelling will also increase the amount of external amenity space for the occupants. However, two parking spaces is still considered excessive for such a small dwelling, eroding amenity and servicing space for its occupants. Issues relating to the acceptability of the style and design of the proposal are matters that would be addressed as part of a reserved matters application.

58. The revised plans and site visit have indicated that a certain level of excavation has occurred within the site. Such works may not have been associated with the proposed development, but general landscaping works associated with the existing garden.

59. If the development is to be approved, a certain level of site clearance works may be necessary to deliver the required finished floor levels. Given that the site is relatively level and the proposal is relatively small scale, a suitable arrangement is considered achievable at the reserved matters stage. Any technical matters relating to structural stability and subsidence can be investigated as part of the Building Regulations application.

60. Concerns with regard to the installation of timber cladding upon the existing building are noted. As the cladding is of different appearance to other materials used on the dwellinghouse, they would not fall within permitted development allowances. An informative has been included to advise the applicants to regularise the situation by submitting an application for planning permission for these works.

Impact on Living Conditions

61. Policy EP22 requires that development have a suitable level of private amenity space adjoining the dwelling. Emerging policy DM2 also states that the amenity space should be of a high standard and given that no objections have been made to this policy some weight can be given to the

fact that amenity space should be of a high standard.

62. Whilst the footprint is indicative, it provides an indication of the scale of the building and the resulting external amenity space. The key issue is the quality and quantity of space to be provided.

Provision of amenity space

63. The primary private amenity spaces within the indicative layout are to the northern side of the proposed dwelling, and a narrow section to the east. The proposed arrangement is considered adequate to serve a one bedroom dwelling, the level of privacy being improved in the form of appropriate boundary treatment. Given the small amount of private amenity space, it is important that this space not be eroded further by other structures such as secured covered cycle storage, garden sheds and bin storage. Such matters can be secured at the reserved matters stage, particularly ensuring that the development deliver usable levels of private amenity space for the occupants.

64. The creation of a new dwelling within the plot would obviously reduce the amount of amenity space available to the existing property. That being said, this dwelling could still be adequately served with amenity space to each side, with the main amenity area likely to be to the south.

65. Whilst such an arrangement is not representative of the wider area it does broadly reflect the existing arrangement at 36 Broadhurst Road. This main amenity area could be made more private by supplementing the frontages to Broadhurst Road and Welsford Road with more landscaping. The applicant has recently undertaken these works i.e. a 1.8 metre high fence and associated soft planting. Whilst the fence has not been subject to any formal approval, it can be formalised at the reserved matters stage.

66. The revised site plan and reduction in the indicative footprint of the dwelling demonstrates that there is sufficient amenity space for a dwelling of this size. Whilst these changes are small, they are an improvement over what was originally viewed as being an acceptable proposal by officers.

Overlooking

67. Whilst policy EP22 does not specifically refer to protection of privacy in private amenity space areas, it is still a material planning consideration. Although, emerging policy DM2 specifically refers to protection of overlooking and loss of privacy of an area and given that no objections have been made some weight can be given to this emerging policy.

68. A single storey dwelling would mean that it is likely that amenity of the neighbouring property to the east (no.34) is achievable and can be fully assessed at the reserved matters stage.

69. A key consideration is whether or not securing the privacy of no.87 Welsford Road's dining room area served by the large window on the

south elevation is achievable. Presently, this window overlooks part of the applicant's existing garden area due their dwelling being slightly higher than the application site and the boundary fence being slightly lower.

70. It is considered that with appropriate levels of boundary treatment, no significant overlooking of each party should result. In fact, any new boundary treatment is likely to improve the levels of privacy for both properties.

71. The revised plans, in particularly the indicative west elevation indicates that the ground level of the site is much lower than the ground level of no.87, meaning that it is highly unlikely that there would be significant overlooking to the habitable windows of no.87. In fact, the sense of privacy could be further improved by increasing the height of the boundary fence to 2 metres (normally permitted development) and providing additional soft boundary screening in the form level trees. Such a solution would also help protect the privacy of the new occupants. These matters are achievable at the reserved matters stage.

Overbearing nature of development

72. The key receptor is the adjoining property to the north (87 Welsford Rd). One of the reasons for refusing the previous application was because it was not demonstrated that the two storey dwelling would not have a detrimental impact on the amenity of that property, principally due to the close proximity of the two-storey elevation relative to their main dining room window of that property.

73. The key difference since the previous refusal, is that the dwelling has been shifted further to the south of the site and indicated as being only single storey. These changes in the context of lower site levels will mean that the development is unlikely to appear significantly overbearing to result in significant loss of amenity of that property.

74. It will be important that the reserved matters stage clarify finished levels of the building and the height of any new boundary treatment.

75. The recent submission of the revised plans, particularly the partial street scene is helpful, as it gives the indication of the profile of the dwelling next to sensitive receptors. The highest point of the roof is set back approximately 6 - 7 metres from no.87's habitable window. Such a set-back coupled with the fact that the ridge height will be relatively low profile will mean that it will not appear significantly overbearing. That being said, the sense of overbearingness could be further reduced by only having a flat roof structure.

76. The protection of the amenity of the neighbouring property is considered to be achievable.

Overshadowing

77. The key receptor is the adjoining property to the north (87 Welsford Rd). The previous application concluded that due to the size constraints of the site, there would be limited scope to move the dwelling further to the south to ensure that no.87 Welsford Road would not be significantly overshadowed.

78. The site has now been levelled highlighting that the site is set at a lower level than the adjoining site to the north. This means that through a combination of a low profile roof, moving the dwelling further to the south and it only being single storey will mean that no significant overshadowing of the neighbours internal habitable living space should result. Therefore, this matter is considered achievable at the reserved matters stage.

79. Concern has been raised the revised plans indicate an increase in height of the northern boundary and new entrance to the property would result in loss of light to the neighbours dining room window. This impact is not accepted.

80. The revised site plan indicates that the area in question is excavated and not an increase in height of ground levels. Furthermore, the proposed indicative elevation indicates that the closest elevation of the house is set back from the northern boundary by approximately 4 metres and the higher roof ridge height is some 6 - 7 metres from the boundary. This demonstrates that the design of a dwelling of this scale is achievable at the reserved matters stage ensuring that the neighbouring property will not result in significant loss of light or overshadowing.

Noise and disturbance

81. Concern has been raised that the position of parked cars are too close to habitable windows of no.87.

82. The position of the on-site parking is only indicative and there acceptability would be determined at the reserved matters stage. That being, said such an arrangement is considered typical in an urban location and it would be unreasonable suggest that it would result in significant disturbance to the adjoining property.

Transport and Access

83. The applicant has not sought approval of access to the site at this stage. However, it is important to determine if it is feasible.

84. Regarding the existing use of the site, the owner is not choosing to use the garage to park a car and parking on the road is considered to be quite typical in most modern homes. Indeed, there are no parking restrictions.

85. The key issue is whether or not the existing and proposed sites can accommodate safe access and adequate levels of parking which would

not compromise highway safety or other nearby accesses.

86. The application site is in relatively close proximity with the intersection with Broadhurst Road with the likely point of access to the site, together with the accesses of other properties. Whilst this may be the case, the local highway authority do not view this section of road to be particularly busy or congested and that the development is not of a scale that would result in significant levels of additional on street parking or highway safety issues.

87. The applicant has indicated that the site can accommodate 2 parking spaces on the application site, with the remaining site having the capacity to accommodate at least two cars

88. Providing two cars for the application site is considered to be in excess of what would be required for a 1 bedroom property. Given the constraints of the site, the over-subscription of parking could have a negative effect on the sites ability to provide adequate levels of private amenity space and servicing.

89. Nevertheless, adequate access and parking is considered to be achievable and could be addressed at the reserved matters stage subject to further details to ensure protection of the nearby street tree and adequate site layout.

90. Details of secure and covered cycle storage and considered to be achievable within the confines of the site so can be secured at the reserved matters stage.

Building sustainability

91. This matter will be considered in detail at reserved matters stage including issues of water conservation. It is noted that the revised plans indicate inclusion of a number of photovoltaic (PV) panels upon a south facing pitched roof and an area of sedum flat roof. The proposed sedum roof will help to reduce rainwater runoff and support biodiversity, as well as softening the appearance of the building when viewed from higher level windows of adjoining properties. The proposed PV panels will help to generate a proportion of energy demand from the development on site from renewable sources.

92. These measures are supported by JCS, Local Plan and Development Management Local Plan policies and a condition is proposed requiring details of these measures to be submitted and agreed.

Trees and Landscaping

93. The protection of the street tree and trees and hedges in the adjoining property to the east are an important consideration. Discussions with the

Council's tree officer indicate that the protection of these features are achievable subject to further details at the reserved matters stage.

94. The provision of appropriate levels of hard and soft landscaping is an important factor in softening the appearance of the dwelling when viewed from the street scene and adjoining properties. Such measures will also ensure adequate amenity of the existing occupant and new occupants and neighbouring properties.

95. Some of above has already been undertaken in the form of a 1.8 metre high fence to part of the Welsford Road frontage and the Broadhurst Road frontage. Whilst no formal approval has been given, they can be formalised at the reserved matters stage.

Local Finance Considerations

96. It is noted that the development would be liable for Community Infrastructure Levy payments.

97. 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 the new dwelling would lead to grant income for the council.

98. This too is a material consideration but in the instance of this application the development plan and other material planning considerations.

Equality and Diversity Issues

99. The site is relatively flat. Therefore, a dwelling of this scale with appropriate access for wheel chair users is achievable

Conclusions

100. The principle of a dwelling reflects the residential character of the area. It will also contribute to the city's housing stock.

101. The development is not reflective of the layout and density of the majority of other plots in the area. However the revised plans submitted further demonstrate that the principle of a dwelling in this location is achievable, without detracting unduly from the character of the surrounding area or the amenity of existing and future occupiers.

102. The slightly increased site extents, reduction in the indicative footprint and street scene also demonstrate that a dwelling of an

appropriate scale and layout is achievable ensuring that the new built form will appear sympathetic to the character and local distinctiveness of the area and the visual amenities of the street scene.

103. The site can provide for adequate levels of amenity for a dwelling of this size, without comprising the layout of the existing dwelling. Details of appropriate layout including access, parking, landscaping, tree protection and water conservation measures are also achievable at the reserved matters stage.

104. The acceptability of the proposal is finely balanced, given the reservations about impact on the character of the area and the size of the site. Taking this impact into consideration alongside the positive aspects of the development, including the lack of five year housing land supply within the NPA, providing an alternative housing choice not prevalent in the area and that a low profile / impact dwelling is feasible in the street scene, the proposal is on balance considered to be acceptable.

RECOMMENDATIONS

To approve Application No (14/00683/O at 36 Broadhurst Road) and grant planning permission, subject to the following conditions:-

1. Application for the approval of all reserved matters shall be made to the local planning authority not later than the expiration of three years beginning from the decision date. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

2. No development shall take place in pursuance of this permission until approval of the reserved matters has been obtained from the local planning authority. The reserved matters shall relate to the access, layout, scale, external appearance, landscaping. Any site plan and elevations shall include details of existing and proposed ground levels.

3. No development shall take place in pursuance of this permission until details for the provision of the photovoltaic panels and sedum shown on approved drawing number 0069/002/A04 shall be submitted and approved by the local planning authority. The development shall thereafter be completed in accordance with these approved details.

4. Details of secure cycling storage, refuse storage and vehicle crossover.

5. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order, with or without modification), no

part of the dwelling houses hereby permitted shall be enlarged, no garage, porch or garden building erected and no gates, fences, walls or other means of enclosure erected without express grant of permission by the Council as Local Planning Authority.

Informatives:

1) Refuse and recycling bins to be purchased by applicant with agreement from the Council's city wide services department.
2) Any hard standing to be constructed with a permeable material.
3) The development will not be eligible for on street parking permits.
4) Street name and numbering enquiries.
5) Vehicle crossover (dropped kerb and pavement strengthening is required for this development. Contact Ken Willis at Norwich City Council in relation to construction of a new vehicle crossover. Contact : Ken.Willis@norwich.gov.uk Tel 01603 21 2052 . (Tuesdays to Friday)
   Technical specification:
   http://www.norwich.gov.uk/TransportAndStreets/RoadsAndPavements/Pages/DroppedKerbs.aspxUnderground utilities
6) Construction working hours.
7) Development that affects the highway will require underground utilities searches and road opening and closure noticing (fees payable).
8) This development involves work to the public highway that will require the approval of the Highway Authority. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. Please note that it is the applicants' responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the Highway Authority. (Contact Glen Cracknall, Senior Technical Officer glen.cracknell@norwich.gov.uk, tel 01603 21 2203).
9) The applicant is invited to submit a planning application to enable the Local Planning Authority to determine the acceptability of the unauthorised cladding works on the existing dwelling.

Article 31(1)(cc) 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 and has approved the application subject to appropriate conditions and for the reasons outlined above.