

Report to Planning applications committee

Item

10 September 2020

Report of Area development manager

Subject Application no 20/00688/F - 105 Gipsy Lane Norwich
NR5 8AX

**Reason
for referral** Member or Staff application

5(b)

Ward:	University
Case officer	Stephen Polley - 07771 934596 - stephenpolley@norwich.gov.uk

Development proposal		
Front porch, single side and rear extensions with single storey extension to annexe in rear garden.		
Representations		
Object	Comment	Support
0	0	0

Main issues	Key considerations
1 Principle of development	The formation and use of an enlarged annexe
2 Design	The impact of the proposed extensions on the appearance of the subject properties and the character of the wider area
3 Amenity	The impact of the proposed development on the amenity of neighbouring residential occupiers, and on the residential amenity of the occupiers of the site
Expiry date	17 August 2020 (extension agreed to 11 September 2020)
Recommendation	Approve



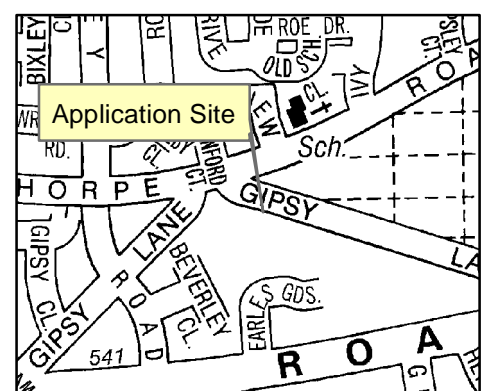
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Planning Application No 20/00688/F
 Site Address 105 Gipsy Lane

Scale 1:1,000



NORWICH
 City Council
 PLANNING SERVICES



The site and surroundings

1. The site is located to the south side of the eastern spur of Gipsy Lane, to the west of the city. The subject property is a single-storey detached bungalow style dwelling constructed circa 1920 using a rough painted render, timber detailing and dark coloured pantiles. The design of the property includes a canopy providing a covered area to the rear and side. The site features a garden area to the front, driveway to the side which leads to a former detached garage – now converted to habitable accommodation in the form of an annexe – and a large rear garden. The property has previously been extended by way of a small single-storey rear extension and bedrooms have been added to the roof space.
2. The site is bordered by no. 107 to the west, a similar bungalow style dwelling, and no. 95 to the east, a chalet-bungalow currently under construction having replaced a previous smaller dwelling on the site. To the rear are properties located on Earles Gardens and opposite the site to the front is part of the Earlham Cemetery site. The site boundaries are marked by sections of brick wall, fencing and mature planting. The prevailing character of the surrounding area is predominantly residential with a mixture of property types present.
3. It is noted that the existing annexe was created following the approval of planning permission in 2007 to extend and convert an existing detached garage. Since 2007 the applicants have lived in the main dwelling whilst their parents have occupied the annexe. The annexe currently provides a bedroom, shower room / WC, open plan kitchen / dining space and a lounge.

Constraints

4. There are no particular constraints.

Relevant planning history

5.

Ref	Proposal	Decision	Date
06/00693/F	Extension and change of use of double garage to annex.	WITHDN	23/08/2006
07/00307/F	Conversion and extension of double garage to annexe and modernisation of existing dwelling.	APPR	19/06/2007

The proposal

6. The proposal is for extensions to be added to the main dwelling and annexe accommodation at 105 Gipsy Lane. The proposal includes the construction of;
 - A 4.6m x 2.4m flat roof canopy to the rear of the main dwelling;

- A 1.5m x 3.7m extension to the side of the main dwelling, designed to fit within the existing roof structure;
- A 2.4m x 1.1m, 3.6m tall covered porch to the front of the main dwelling; and
- A 5.1m x 4m extension to the rear of the existing annexe. The extension has been designed with a dual-pitched roof measuring 2.3m to the eaves and 5.5m to the ridge. The extension is to provide additional living space to the annexe, allowing the creation of a separate dining area within the existing annexe accommodation.

Representations

7. Adjacent and neighbouring properties have been notified in writing. No letters of representation have been received.

Consultation responses

8. No consultations have been undertaken.

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
 - 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
 - DM12 Ensuring well-planned housing development
 - DM30 Access and highway safety
 - DM31 Car parking and servicing
 - DM32 Encouraging car free and low car housing
 - DM33 Planning obligations and development viability

Other material considerations

11. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**
 - NPPF2 Achieving sustainable development
 - NPPF8 Promoting healthy communities
 - NPPF12 Achieving well-designed places

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 – JCS4, DM12, NPPF section 5.
14. The site has been arranged as a main dwellinghouse and detached annexe since 2007, when through the grant of planning permission the original detached garage was enlarged and converted to habitable accommodation with all of the necessary facilities to allow independent living. From then until the current situation, the applicant's and their family have lived within the main house and their parents within the annexe. The planning permission in 2007 included a condition requiring that the annexe remains ancillary to the main dwelling and "shall be occupied for purposes incidental to the occupation and enjoyment of 105 Gipsy Lane as a dwelling and shall not be used as a separate unit of accommodation".
15. For annexe accommodation to be considered ancillary, it has to be a subsidiary or secondary use closely associated with the main use of the dwellinghouse. The annexe can provide the main functions for the occupants to live independently, however the use of the annexe by its occupants is key to whether the annexe continues to have sufficient relationship with the main dwelling to be considered to fulfil the ancillary use requirement. Therefore, a degree of interdependency and shared usage of the main dwelling and wider site has to occur, for an annexe to be considered ancillary.
16. Case law on what constitutes an annexe is complex and varied and requires planning judgement based on fact and degree. Through the submission of a detailed supporting statement, the applicants have explained the way in which the site operates and is used by its current occupants and the functional linkages which exist. The occupants of the annexe who are close relatives to the occupants of the main dwelling, make use of the space as their primary living space for sleeping and general day to day use. Laundry and household storage facilities are provided within the main house. Meals are often shared as a wider family within the main house and the shared garden space and on occasion in the annexe. The garden space, including its shed, green house and vegetable beds are tended and used communally and this area provides the focal area for both the main dwelling and annexe.
17. It is noted that the proposed extension of the annexe will create an enlarged living space, to include a new lounge room, facilitating the creation of a larger dining space within the existing part of the annexe. The enlargement of the annexe will allow the wider family to share meals within the annexe as well as the main house. The extension would result in the approximate overall footprint of the original garage doubling in size by way of the cumulative increases and creating a sizeable annexe as a result. The physical relationship between the main dwelling and its annexe remains close (approximately 1.5 metres) but not physically attached and this will not alter as a result of the proposal.

18. However, in terms of the arrangement of the site, the use of the annexe is not considered to change significantly as result of the proposed extension. The annexe will not alter in terms of its appearance from the highway, with a blank wall only being visible. Access to the main dwelling and the annexe is from a single shared point of access from the public highway, with a shared parking area. Pedestrian access to the annexe will remain via the shared rear garden area. The windows and doors of the annexe all face directly onto the shared rear garden, which is used equally by the whole family. The annexe has not and is not to be registered as a separate address for the purposes of receiving post or voting. It is understood that all utilities such as water, gas, electricity, telephone and broadband are shared and are not separately metered.
19. It can therefore be concluded that although the extension of the annexe will create further living space within the annexe, the wider arrangement, layout and use of the site by the occupants will remain unchanged. The annexe will maintain a level of interdependency and functional linkages with the main dwellinghouse such that the main dwellinghouse and annexe on the site continue to function as a single planning unit. The future use of the annexe by the current occupants would therefore be considered to remain ancillary to 105 Gipsy Lane. It is reasonable to add a condition requiring that this arrangement remains in the future, and that the annexe should not be used in any way as a separate unit of accommodation.

Main issue 2: Design

20. Key policies and NPPF paragraphs – JCS2, DM3, NPPF section 12.
21. The proposed extensions to the main dwelling are all of a relatively modest scale. The only change noticeable from the public realm would be the front porch, which is of a style and form closely matching that of the original design.
22. The only enlargement of the internal living space is to be made by the side extension which is to replace an original covered entrance to the side. The extension is to therefore largely infill the existing space under the existing roof structure.
23. The extension of the canopy to the rear enlarges the covered area adjacent to the kitchen. It follows the form of the existing and includes a large roof light.
24. Overall the extensions to the main house will have a limited impact on the appearance of the property and character of the wider area.
25. The extension to the rear of the annexe represents a more significant change in terms of the overall built form of the original garage building, which was previously enlarged at the time of its conversion.
26. The extension has been designed to appear subservient to the existing building, with a slightly lower ridge line and will largely not be visible from the public realm.
27. The annexe building is not insignificant in scale already and the proposed rear extension will create a building of the scale and form of a very large outbuilding, with a footprint not dissimilar to a single detached dwellinghouse. However, the character of the area is varied, with detached dwellings of varying sizes on plots of differing sizes. The application site is noticeably one of the larger plots in the area and as a result is able to accommodate the enlarged annexe in this location without

significant detriment to the character and local distinctiveness of the surrounding area and is acceptable in design terms.

Main issue 6: Amenity

28. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 127 and 180.
29. The proposed extensions to the main house are of a small scale and as such will not cause any harm to the amenities of neighbouring residential occupiers by way of overshadowing, overlooking, outlook or by being overbearing.
30. The extension to the annexe will be noticeable from the rear living space of the soon to be completed dwelling at 95 Gipsy Lane to the east. The orientation of the site and the distance between the two developments will however ensure that significant harm is not caused to the amenity of the neighbouring residential occupiers by way of overshadowing, overlooking, outlook or by being overbearing.
31. The extensions to the main dwelling and its annexe will assist in enhancing the residential amenity of its occupiers as the internal living spaces are enlarged without significant loss of external amenity space.

Other matters

32. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation: List relevant matters.

Equalities and diversity issues

33. There are no significant equality or diversity issues.

Local finance considerations

34. 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.
35. 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.
36. In this case local finance considerations are not considered to be material to the case.

Conclusion

37. The enlarged annexe accommodation is considered to remain of an ancillary use to the main dwellinghouse by virtue of the level of interdependence demonstrated by the applicants.

38. The proposed extensions are considered to be of an acceptable scale and design that do not cause significant harm to the character and appearance of the subject dwelling or annexe or the surrounding area.
39. The proposed development will have a limited impact upon the residential amenities of neighbouring properties, with no significant harm being caused by way of overshadowing, overlooking or loss of outlook.
40. 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. 20/00688/F - 105 Gipsy Lane Norwich NR5 8AX and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Annexe accommodation to remain ancillary.

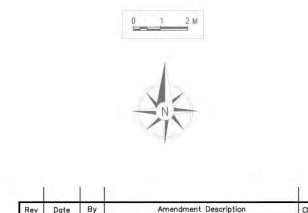
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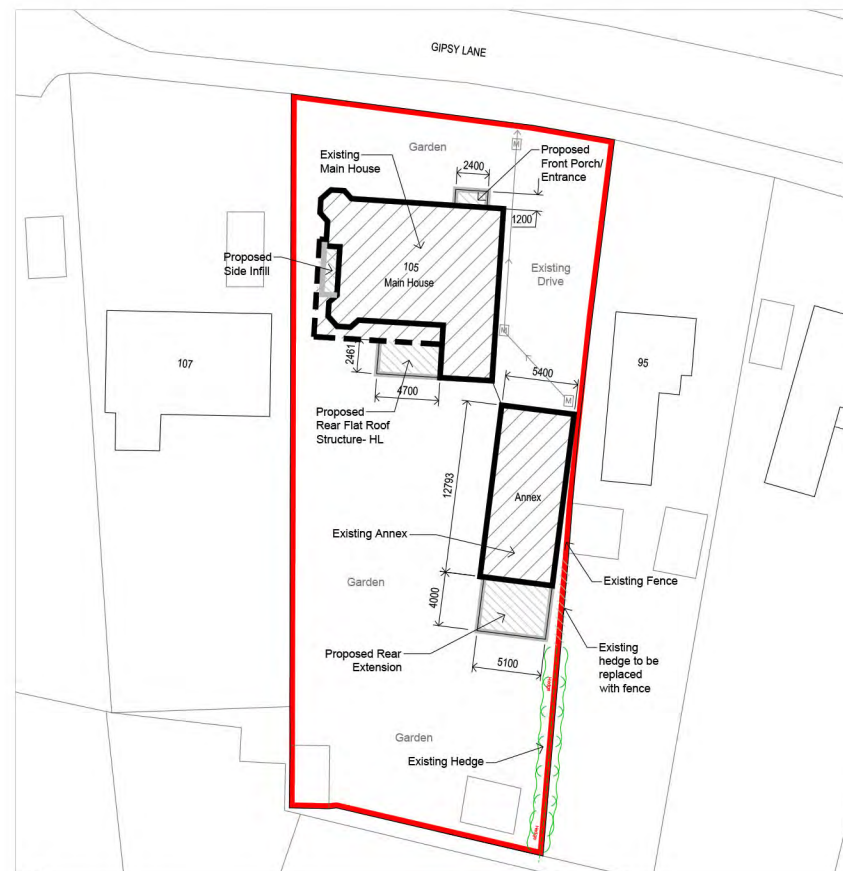


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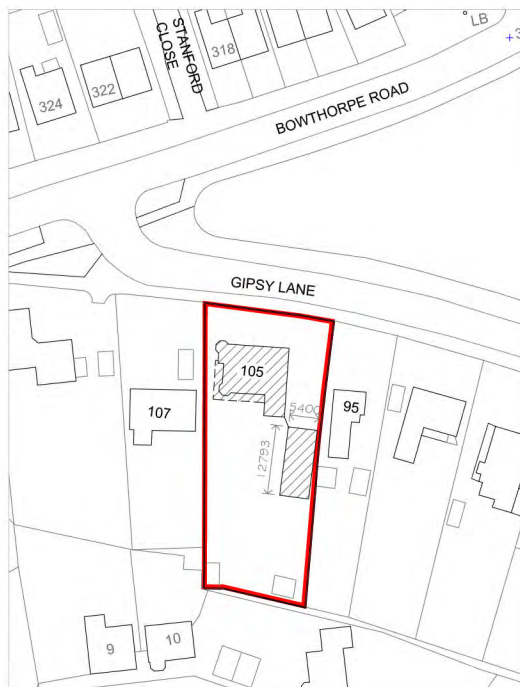


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Project Title			
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Drawing Title			
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J010- 100			



SITE PLAN
1:200



BLOCK PLAN
1:500



LOCATION PLAN
1:1250



LOCATION PLAN
Google



MAIN HOUSE- SOUTH ELEVATION- LOOKING NORTH-
PROPOSED REAR FLAT ROOF STRUCTURE TO
EXTEND THE EXISTING FLAT ROOF



MAIN HOUSE- NORTH-EAST ELEVATION - LOOKING
SOUTH-WEST- PROPOSED FRONT PORCH



MAIN HOUSE- NORTH& WEST ELEVATIONS- LOOKING
SOUTH-EAST- PROPOSED SIDE INFILL



ANNEX- SOUTH & WEST ELEVATIONS-
LOOKING NORTH-EAST



ANNEX- WEST ELEVATION- LOOKING EAST

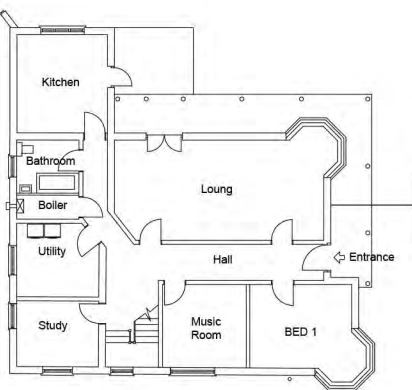


ANNEX- SOUTH ELEVATION- LOOKING NORTH
REAR EXTENSION

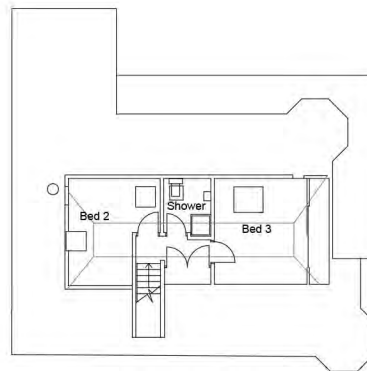
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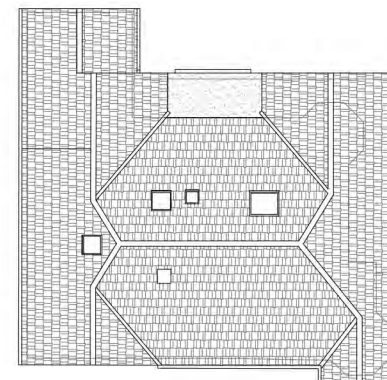
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EXISTING GROUND FLOOR PLAN
MAIN HOUSE SC: 1/100



EXISTING FIRST FLOOR PLAN
MAIN HOUSE SC: 1/100



EXISTING ROOF PLAN
MAIN HOUSE
SC: 1/100



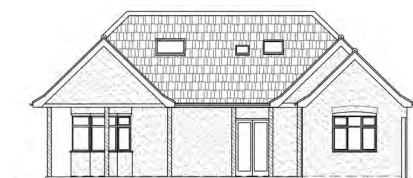
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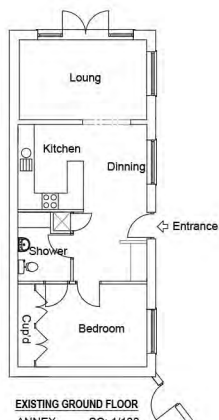
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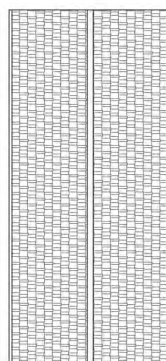
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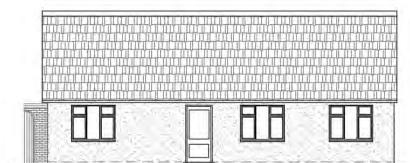
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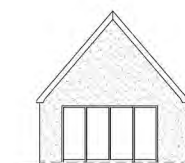
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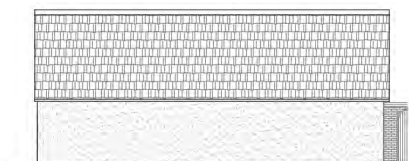
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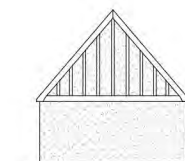
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EXISTING SOUTH ELEVATION
ANNEX SC: 1/100



EXISTING EAST ELEVATION
ANNEX SC: 1/100



EXISTING NORTH ELEVATION
ANNEX SC: 1/100

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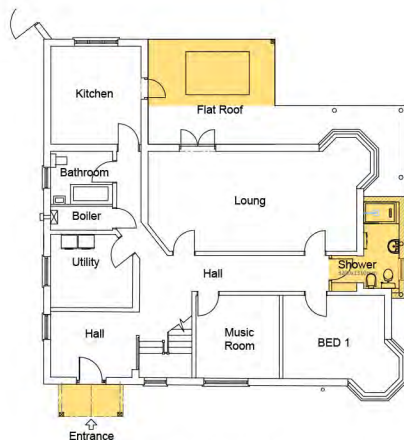
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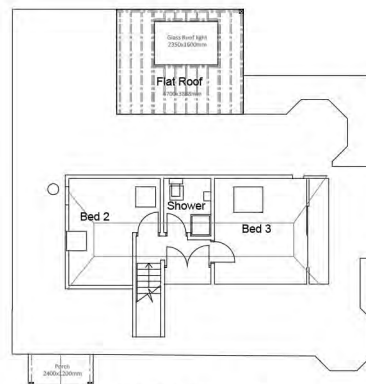
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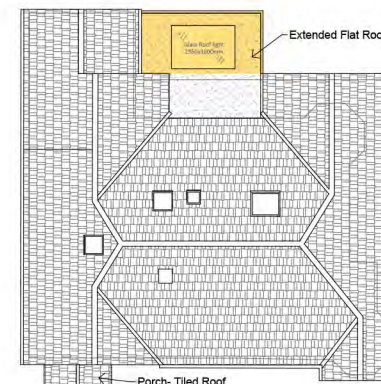
● PROPOSED EXTENSION



PROPOSED GROUND FLOOR PLAN
MAIN HOUSE SC: 1/100



PROPOSED FIRST FLOOR PLAN
MAIN HOUSE SC: 1/100



PROPOSED ROOF PLAN
MAIN HOUSE SC: 1/100



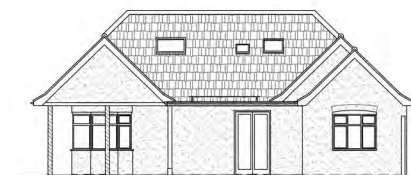
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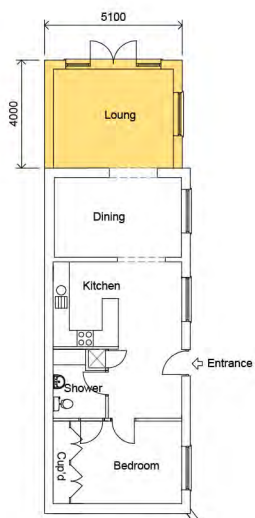
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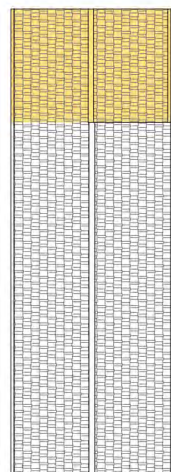
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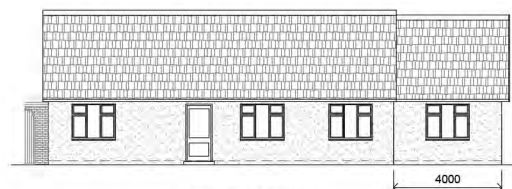
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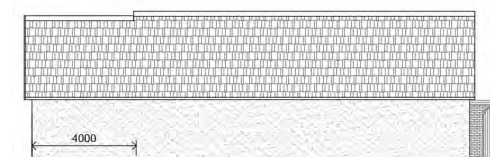
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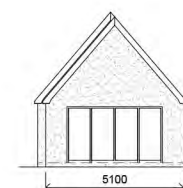
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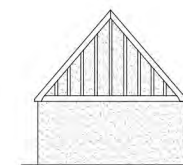
PROPOSED WEST ELEVATION
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PROPOSED EAST ELEVATION
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PROPOSED SOUTH ELEVATION
ANNEX SC: 1/100



PROPOSED NORTH ELEVATION
ANNEX SC: 1/100

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3D VIEW 1- ANNEX- PROPOSED REAR EXTENSION- SOUTH & WEST ELEVATIONS -
LOOKING NORTH-EAST



3D VIEW- ANNEX 2- PROPOSED REAR EXTENSION- SOUTH & WEST ELEVATIONS -
LOOKING NORTH-EAST



ANNEX- SITE PLAN- PROPOSED REAR EXTENSION

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