

**Report to** Planning applications committee  
**Date** 6 November 2014  
**Report of** Head of Planning Services  
**Subject** 14/01228/F 220 Unthank Road, Norwich, NR2 2AH

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**Item**  
**4D**

### SUMMARY

<b>Description:</b>	Erection of a single storey residential annexe attached to the existing house.
<b>Reason for consideration at Committee:</b>	Objections
<b>Recommendation:</b>	Approve
<b>Ward:</b>	Town Close
<b>Contact Officer:</b>	Mr John Dougan                      Planner (Development) 01603 212504
<b>Valid Date:</b>	21 August 2014
<b>Applicant:</b>	T J Browne Limited
<b>Agent:</b>	T J Browne Limited

### INTRODUCTION

#### Location and Context

1. The area is predominantly residential in character comprising large single and two-storey detached dwellings of varying style and varied plot sizes with many trees and hedges within each of the sites and to the un-adopted street frontage along Beech Drive.
2. A key characteristic which makes the area distinctive is the many mature trees and hedges both within the properties but also to the Beech Drive frontage, creating a leafy character.
3. The existing two-storey dwelling is of red brick dating from the mid-20<sup>th</sup> century (circa 1940's) and retains much of its original character and form. It lies within the Newmarket Road conservation area. However it has little architectural merit and is well screened from the main highway and the rest of the conservation area. It is set in generous grounds as with many properties in this area. The site appears to have been part of the now locally listed 222 Unthank Road, formerly known as Beech Lodge.
4. The site has two points of access. One being to the north-west corner of the site and the other access on the north-east corner of the site serving a driveway and garage.
5. The site has a range of relatively mature trees / shrubs and a hedge along the Beech Drive frontage indicated as T1 – T5 on the submitted block plan. There is also a hedge and a tree (T6) along the existing driveway to the south east side of the site which provides a significant level of screening.
6. There are no other constraints associated with the site.

## Planning History

No recent relevant planning history

## Equality and Diversity Issues

There are no significant equality or diversity issues.

## The Proposal

7. The application is for the erection of a single storey residential annexe building attached to an existing house matching the materials used on the existing dwelling.
8. The applicant has confirmed that the extension is an annexe to the main dwelling and will be for family use, having shared use of the curtilage of the wider site.
9. The revised plans also include the extension of an existing access road within the site in the form of a turning area and the addition of 1.6 metre high gates to the driveway serving the garage.

## Representations Received

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

Issues Raised	Response
It is unclear whether or not this is a separate dwelling or annex.	See section – ‘The proposal’
Another dwelling in addition to the recently approved one is putting burden on the drive and drainage / sewerage system and having	See section – ‘Environmental issues’
Overdevelopment of the plot	See sections – ‘scale, design and layout’
Over dominant building	See section – ‘Character’ and ‘scale, design and layout’
The development extends beyond the building line	See section – ‘character’
Adverse impact on an attractive tree lined street scene giving the sense of over crowding	See section – ‘character’
Increase in traffic flow on Beech Drive onto Unthank Road – having an adverse impact on highway safety	See section – ‘transport and access’
Overlooking and loss of privacy	See section – ‘Overlooking’
The development will be visible from our property resulting in loss of view	See section – ‘Overbearing nature of development’
The annexe should be placed at the other end of the dwelling	See section – ‘Impact on living conditions’
Adverse impact on the health of the	See section – ‘Trees and

trees and hedge to the Beech Drive frontage	landscaping'
This is a long established conservation area. One of the commitments of Norwich City Council being that development not adversely impact on the amenity of existing residents. This proposal fails to do that.	See section – 'Character' and 'Impact on living conditions'

## Consultation Responses

11. Natural Areas Officer – main concern is that adequate measures are in place to protect the existing trees on the site. Care should be taken during building operations about safeguarding species of conservation concern such as the common toad e.g. falling into excavations or moving stacked materials. I would agree that the extent of the proposed shrub clearance and hedgerow removal would not warrant any serious concern, provided that the work is undertaken outside the main bird breeding season, March – August inclusive. If the works cannot be undertaken during this period, for whatever reason, a qualified ecologist should first establish that no bird breeding activity is taking place before removal goes ahead. The additional planting suggested may help to compensate for the loss of small amount of shrubs and hedgerow from wildlife as well as an amenity viewpoint.

12. Transportation – Comment awaited.

13. Anglian Water – no response received

## ASSESSMENT OF PLANNING CONSIDERATIONS

### Relevant Planning Policies

#### National Planning Policy Framework:

- Statement 7 – Requiring good design
- Statement 11 – Conserving and enhancing the natural environment
- Statement 12 – Conserving and enhancing the historic 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

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

- NE3 – Tree protection
- NE8 – Management of features of wildlife importance
- NE9 – landscaping and tree planting
- HB8 – Development in conservation areas
- HBE12 - High quality of design, with special attention to height, scale,

- massing and form of development
- EP22 – High standard of amenity for residential occupiers

### **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
- DM5 - Critical drainage area
- DM7 - Trees and development
- DM9 – Safeguarding Norwich's heritage
- DM30 – Access and highway safety
- 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. Both the JCS and RLP policies above are considered to be compliant with the NPPF.

The Council submitted the Development Plan Policies local plan and Site Allocations and Site Specific Policies local plan for examination in April 2013. The examination process is now complete with the publication of the Inspector's report for each plan, dated 13<sup>th</sup> October, 2014 (available at <http://www.norwich.gov.uk/Planning/Pages/DMAAndSAPoliciesPlans.aspx>). Significant weight must now be given to all the above policies, as proposed to be modified by the Inspector's reports, pending formal adoption

### **Principle of development**

14. The application as originally submitted was unclear as to whether a self-contained dwelling or residential annexe was proposed. The applicants have since confirmed that the proposed development is for occupation as a residential annexe in connection with the main dwellinghouse as accommodation for an elderly relative. The application has therefore been assessed on this basis. If the application were to be used as a self-contained dwelling independently from the main dwelling, this would require a separate application for planning permission, and a planning condition is also proposed to ensure that the proposal remains as an annexe.
15. The principle of extending an existing residential property and the creation of a residential annexe for a family member is acceptable subject to it being of a scale and design which is appropriate for the character of the conservation area, the appearance of the existing dwelling, the amenities of neighbouring properties and the health of nearby trees, hedges and any

protected species.

## **Character**

16. A residential extension replicates the residential character of the area.
17. In addition to relevant adopted and emerging policies, S72 of the Listed Buildings and Conservation Areas Act 1990 provides that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of (the Planning Acts) special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.
18. The area displays a varied character as a result of development along Unthank Road and in the former grounds of Beech Lodge to the west now Beech Drive. No 216 (on the opposite side of Beech Drive) has recently gained permission (Sept 2014) for the erection of a four bed dwelling.
19. However a distinctive characteristic of Beech Drive is that dwellings are of substantial scale, varying architectural style and located in large plots, set well back from the street. Building heights vary with some being single or multiple storeys, with the plots on the south-west side of Beech Drive being small than the other examples in the Drive. It is also noted that the existing dwelling occupies a smaller building footprint compared to the single storey dwelling in the adjoining property to the north-west (no.222a);
20. Another key feature of the area is that many of the sites (and to the frontage of Beech Drive) contain mature trees and shrubs which all contribute to the leafy character and distinctiveness of this part of the conservation area.
21. Paragraph 58 of the NPPF does state that proposals should also respond to local character and reflect the identity of local surroundings.
22. The extension will be located on the footprint of the existing 3.4 metre wide flat roof garage, with a length of 7.1m metres, being single storey and having a hipped roof design using similar materials to the existing dwelling.
23. It is acknowledged that the extension will project forward of no. 222a towards Beech Drive by approximately 2.1 metres. However, in the context that the extension is subordinate in height to the existing dwelling and there not being any distinct building line on this side of Beech Drive, the impact on the street scene is not considered to be significant. In fact, further mitigation in the form of the existing trees identified as T1 – T5 will partially screen the extended area from the street scene, ensuring that the leafy character of the area is maintained.
24. The applicant's willingness to reduce the length of the extension to 7.1 metres and provide supplementary shrub planting along the boundary to Beech Drive will help further protect the visual amenities of the street scene and the leafy character of the area. The removal of the hedge along part of the south-east boundary will mean that the new built form will be visible. Whilst the impact will not result in a significant impact on the

character of the area, new planting could be secured by condition having the effect of enhancing the existing leafy character.

25. The proposed extension would not therefore detract from the character and appearance of the conservation area, in accordance with aforementioned heritage policies.

### **Scale, design and layout**

26. As previously mentioned the scale and design of the extension is subordinate to the original dwelling, replicating its materials and roof profile.
27. Its position to the frontage will have an insignificant impact on the visual amenities of the street scene, due to it being subordinate to the main dwelling and set behind existing trees.
28. That being said, it will be important that the existing trees be retained to soften the extensions appearance in the street scene. The applicant's willingness to reduce the length of the extension will mean that the protection of the trees is feasible. The retention of the trees and details of supplementary planting can be secured by condition.
29. The application site is larger than the adjoining site to the north-west (no.222a) which has a dwelling with a much larger building footprint. Therefore, the extension will result in a dwelling still has adequate space for private amenity space, servicing, parking and turning.
30. It is noted that the driveway to the south-east of the site will be increased in size to accommodate a turning / parking area. As the area in question is not in the front garden it would normally be classed as permitted development.

### **Overlooking**

31. Whilst policy EP22 does not specifically refer to protection of privacy in private amenity space areas, it is still a material planning consideration. Emerging policy DM2 specifically refers to protection of overlooking and loss of privacy of other areas such as amenity areas.
32. Given the position of the extension, the key receptor is the adjoining property to the north-west (no.222a), which has a series of habitable windows along its south-east elevation and sits on a slightly lower ground level than that of the application site.
33. It is acknowledged that the two new windows serving the lounge dining room will be visible when viewing the extension from the neighbour's amenity space and dining area. This is due to the ground level on the application site being slightly higher, the boundary fence only being approximately 1.7 metres in height and the sporadic nature of the shrubs.
34. The occupant of no. 222a has cited BRE guidance which suggests that there should be a minimum separation of 22 metres between habitable windows, the resulting distance in the proposal being 14.6 metres

indicated on the site plan. The neighbour also stated that they would be able to look into the living area of the annex.

35. Whilst planning policy does not prescribe a distance of 22 metres, the privacy of neighbouring properties is an important material planning consideration. That being said, one has to acknowledge that the extension is only single storey meaning overlooking will be reduced by boundary treatments. In addition given a distance of 14.6 metres, the amount of overlooking between both areas is not likely to be significant.
36. Nevertheless, it is considered that the neighbour's privacy could be enhanced by improving the boundary treatment by increasing the height of the fence at that point from 1.7 metres to 2.0 metres.
37. The applicant responded to the concerns raised by the neighbour by changing the internal layout of the annex shifting the two windows serving the lounge / dining area to the south-east side meaning that the north-west elevation would only have a single window serving the less frequently used bedroom area.
38. The revised layout in conjunction with a condition requiring that the fence along the north-west boundary to be increased to 2 metres and details of additional planting along that boundary can be secured by condition.
39. It is noted that the driveway to the south-east of the site will be increased in size to accommodate a turning / parking area, requiring that the existing boundary hedge be removed. Whilst such works are likely to be permitted development, the removal of the hedge might mean that there would be overlooking to the property to the south-east (no.220). However, as the area in question is a driveway and there is other boundary screening on the adjoining property no significant loss of privacy will result.
40. No adverse impact on the privacy of the occupant and neighbour properties will result.

### **Overbearing nature of development**

41. It is acknowledged that the extension will be visible from the street scene and the adjoining properties from the north-west and south-east.
42. However, in light of its single storey profile in the context of the existing dwelling / other properties and surrounding landscaping it will not appear significantly overbearing. The extension's minimal impact on surrounding properties can be improved by the provision of additional landscaping along the north-west boundary. Similarly, in light of the loss of the hedge (next to the existing driveway), the new built form can be softened by the addition of new shrub landscaping, helping sit more sensitively in surrounding leafy character of Beech Drive. These matters can be secured by condition.

### **Overshadowing**

43. The key receptor is the adjoining property to the north-west (no.222a).

44. Whilst the site is slightly higher than the above property, the fact that the extension is single storey and 5.8 metres from the boundary will mean that it is unlikely that any significant overshadowing of no.222a's external amenity space habitable rooms will result.
45. The occupant of no.222a has expressed concern that proposed mitigatory planting along the boundary will block some natural light filtering into their property.
46. It is acknowledged that certain species of shrubs or trees (if unattended) could grow quite tall, potentially overshadowing or reducing daylight accessing their habitable rooms or external amenity space. However, in the context of what can be undertaken under permitted development rights e.g. 2 metre high fence and landscaping, such an impact is not considered to be significant and that any subsequent poor maintenance of boundary hedging can be addressed via separation legislation, namely the High Hedges Act.

### **Transport and Access**

47. It is acknowledged that one of the neighbouring properties has recently gained approval for a new dwelling within its curtilage, the local highway authority concluding that the development would have a negligible impact on traffic in the area.
48. The provision of an extension which is incidental to the enjoyment of the existing dwelling house is not of a scale or intensity of use which would result in any significant harm in terms of traffic generation or users of the unadopted road (Beech Drive) or the junction with Unthank Road. The occupants would continue to use the two existing accesses to the property.
49. Furthermore, in light of the small scale nature of the development, the cumulative nature of any impact on highway safety of the area is likely to be insignificant.
50. The provision of 1.6 metre high gates is acceptable as they are located in a position which will not have any significant impacts on highway safety. Although, it is recommended that they be of an appropriate design to ensure that they are appropriate in the conservation area. This matter can be conditioned in any approval.

### **Trees and Landscaping**

51. Increasing the distance between the north-east elevation of the extension and the trees along the Beech Drive boundary means that the protection of the trees identified as T1 – T5 is achievable subject to a condition requiring the submission of an arboricultural method statement and tree protection plan.
52. The additional shrub planting to the north-west and Beech Drive boundaries can be secured by condition, ensuring that they deliver the desired screening to contribute to the leafy character of the area and the



amenity of neighbouring properties.

53. In light of the site being within a conservation area, it is recommended that the applicant be advised that the removal of any trees (not needed to facilitate the development) be subject to a separate s 211 application. It would appear that this would apply to the applicant's proposal to remove T6 (Magnolia). This can be added as an informative.
54. Given the loss of biomass, it is recommended that the tree be replaced with a suitable alternative, which replaces the biomass and screening the extension from when viewed from the south-east.

## **Biodiversity**

55. The protection of the trees T1 to T5 is achievable and can be secured by condition. This will mean that no significant loss of biomass along the Beech Drive boundary. Nevertheless, there are some existing shrubs which will need to be removed to enable the construction of the extension.
56. As the amount of shrubs is relatively small, the impact is likely to be small. That being said, it is recommended that any removal of vegetation needed to facilitate the extension be undertaken outside the bird nesting season, reducing the risk of any harmful impact on protected species. The applicant's willingness to replant shrubs, to replace the lost biomass is considered to be an acceptable compromise, the details of which can be secured by condition.
57. It is acknowledged that the construction of the extended driveway to the south-east of the site alongside the removal of the hedge (not indicated on the site plan) would be permitted development. However, as it is indicated in the planning application, it needs consideration.
58. The hedge in question provides a significant level of screening value and will no doubt provide a habitat for wildlife. To reduce the risk, it is recommended an informative be added reminding the applicant that it is an offence to disturb protected species using the hedge and that they should employ the services of a suitably qualified person to determine if it is safe to remove the hedge.
59. As the hedge in question provided an important visual screen, it is recommended that a new hedge be planted to help soften the appearance of the extension and replace any lost biomass.
60. The Natural Area Officer comment that species of conservation concern, such as hedgehog or common toad, may be present on site and good practice during building operations. It is therefore recommended that this advice be added as informative.

## **Environmental issues**

61. Concern has been raised that the development would overburden this existing drainage and sewer infrastructure on Beech Drive.

62. The site is located in a critical drainage area, requiring that sustainable drainage measures appropriate to the scale and nature of the development shall be incorporated in all appropriate development proposals involving the erection of new buildings or the extension of existing buildings (other than householder extensions). This will ensure that mitigation measures deal with surface water arising from development proposals be incorporated to minimise the risk of flooding on the development site and surrounding area.
63. As the development is akin to a small scale householder extension and not a separate planning unit (e.g. a new dwelling), the imposition of a condition requiring the submission of a sustainable urban drainage system is not deemed to be necessary or reasonable. However, in light of the fact that the existing driveway is to be extended, it is recommended that a condition be imposed requiring details of surface treatment to maximise the use of soft landscaping and permeable surfacing.
64. Several objections have been received referencing the current strain on the drainage system in the area and associated blockages and issues with the raw sewerage.
65. As the proposal is akin to a householder extension and therefore relatively small scale, it is unlikely (even in the context of recent approval for the dwelling at no.216) to result in significant additional burden on existing infrastructure.
66. The site is located in an urban area where several points will be available to the main sewerage system. If access to the sewerage system is protected by covenants then it will be necessary to gain the consent of the relevant landowner. However, this would constitute a civil matter and is therefore not a material planning consideration.

### **Local Finance Considerations**

67. None

### **Equality and Diversity Issues**

68. The site is relatively flat and the annex is of single storey construction. Therefore suitable access for wheel chair users is considered to be achievable.

### **Conclusions**

69. The principle of an extension to an existing residential property to be used as a self-contained annex to be used by a family member is acceptable.
70. The extension, in the context of existing landscaping, is of scale and siting which is sympathetic to the character and local distinctiveness of the conservation area and the visual amenities of the street scene. The protection of existing trees and further mitigatory planting can be secured by condition.
71. It is of a scale and design which is sympathetic to the appearance of

existing dwelling and proportionate to the size of the plot.

72. The extension is not of a scale and siting which would result in any significant loss of amenity of neighbouring properties. Further screening can be secured by condition.
73. The development, even in the context of the recent approval for the dwelling at no.216, is considered small scale and will not have a significant impact on highway safety.
74. The existing trees and landscaping play an important role in contributing to the leafy character of the area and screening the extension in the street scene. The protection of the trees is achievable and can be secured by condition. The provision of additional and replacement landscaping can be secured by condition.
75. The relatively mature trees along Beech Drive are to be retained, ensuring that no significant loss of habitat will occur. Any loss of hedging, is regrettable, but mitigated by the fact that there will be new planting and any clearance be undertaken outside the bird nesting season.
76. As the development is relatively small scale no significant impact on drainage or sewerage infrastructure is expected. Although condition 8 will ensure that there will not be any significant run off from the extended driveway.

## **RECOMMENDATIONS**

To approve Application No (14/01228/F at 220A Unthank Road) and grant planning permission, subject to the following conditions:-

1. Standard time limit
2. In accordance with the approved plans
3. The annexe hereby permitted shall only be occupied by a family member and incidental to the enjoyment of the main dwelling. The single storey one bedroom annex shall not be converted independently other than for purposes ancillary to the residential use of 220a Unthank Road. At no time shall the single storey one bedroom annex be leased or occupied independently from the main dwelling.
4. Details of the new entrance gate to be approved
5. Submission of an arboricultural implications assessment, method statement and tree protection plan
6. Details of supplementary planting or screening to the NW, NW and SE boundaries
7. Any hedge or shrub clearance needed to implement the permission should be undertaken outside the bird nesting season.

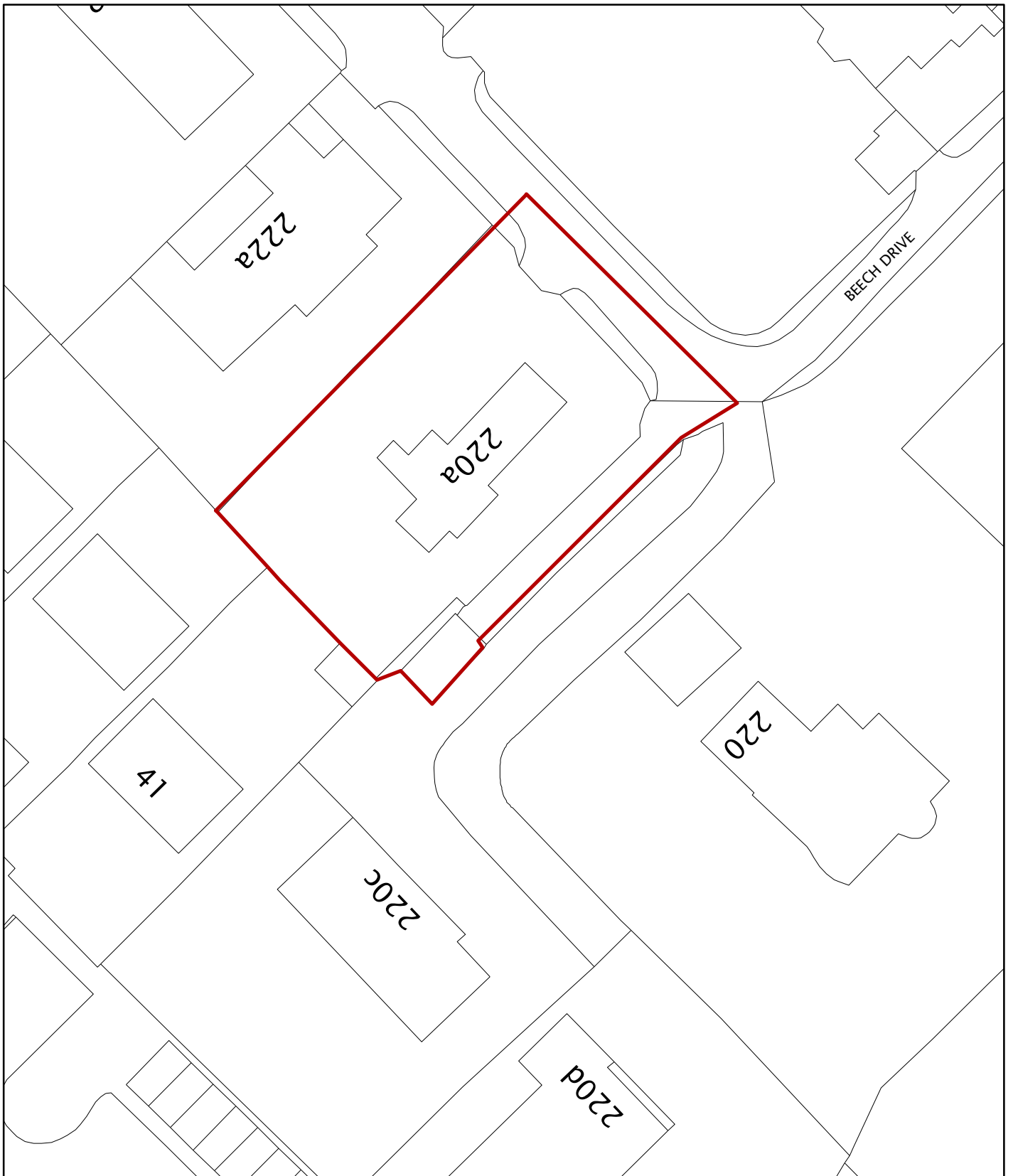
8. Details of surface treatment for the extended driveway to maximise the use of soft landscaping and permeable surfacing.

Informatives:

- The removal of the Magnolia (T6) will require a s211 notice to be submitted
- Site clearance and wildlife

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, following negotiations with the applicant and subsequent the application has been approved subject to appropriate conditions and for the reasons outlined above.



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Planning Application No 14/01228/F

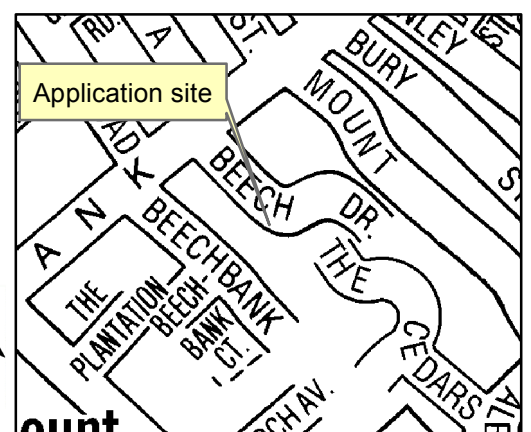
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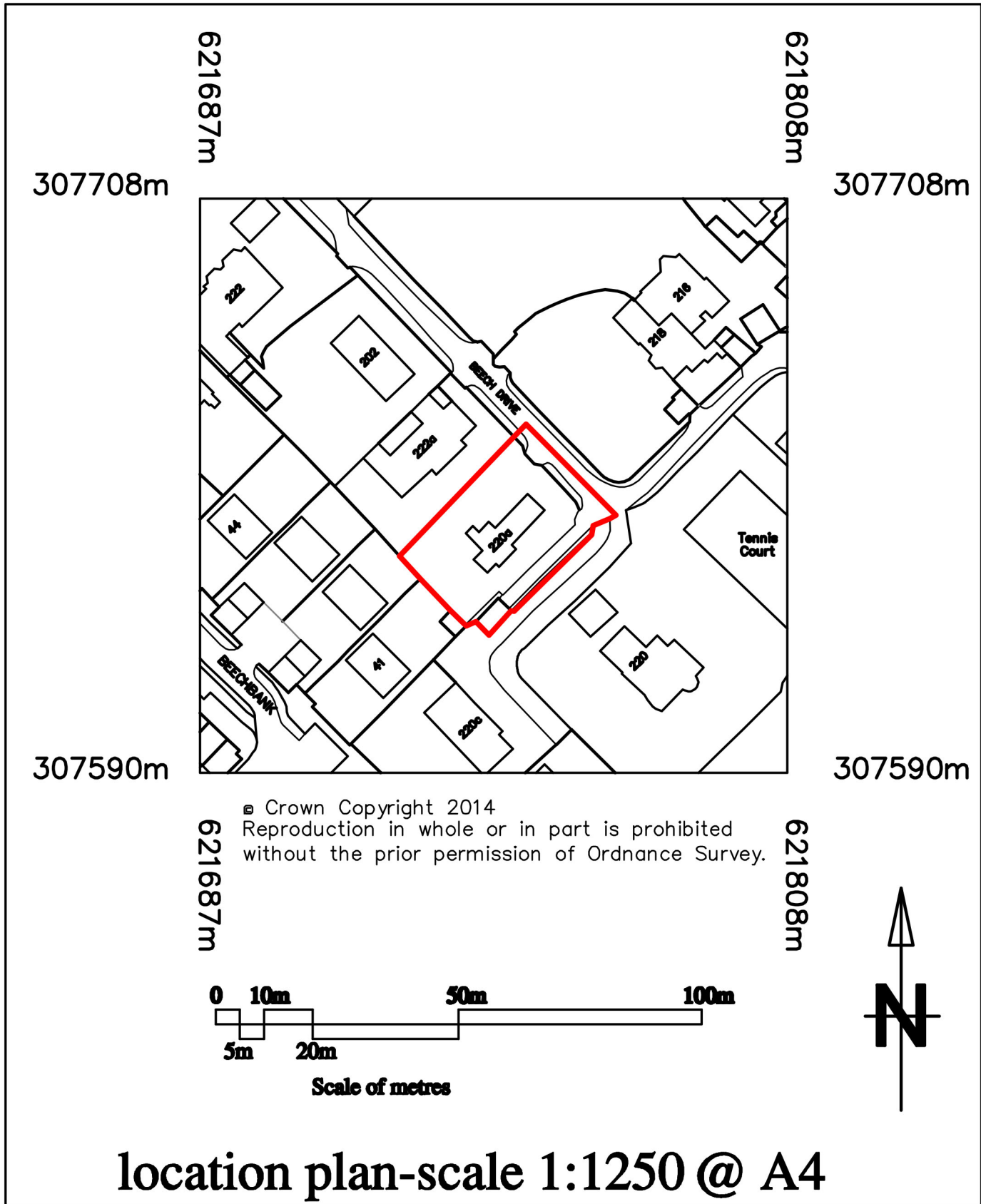
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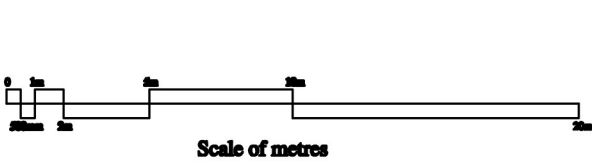
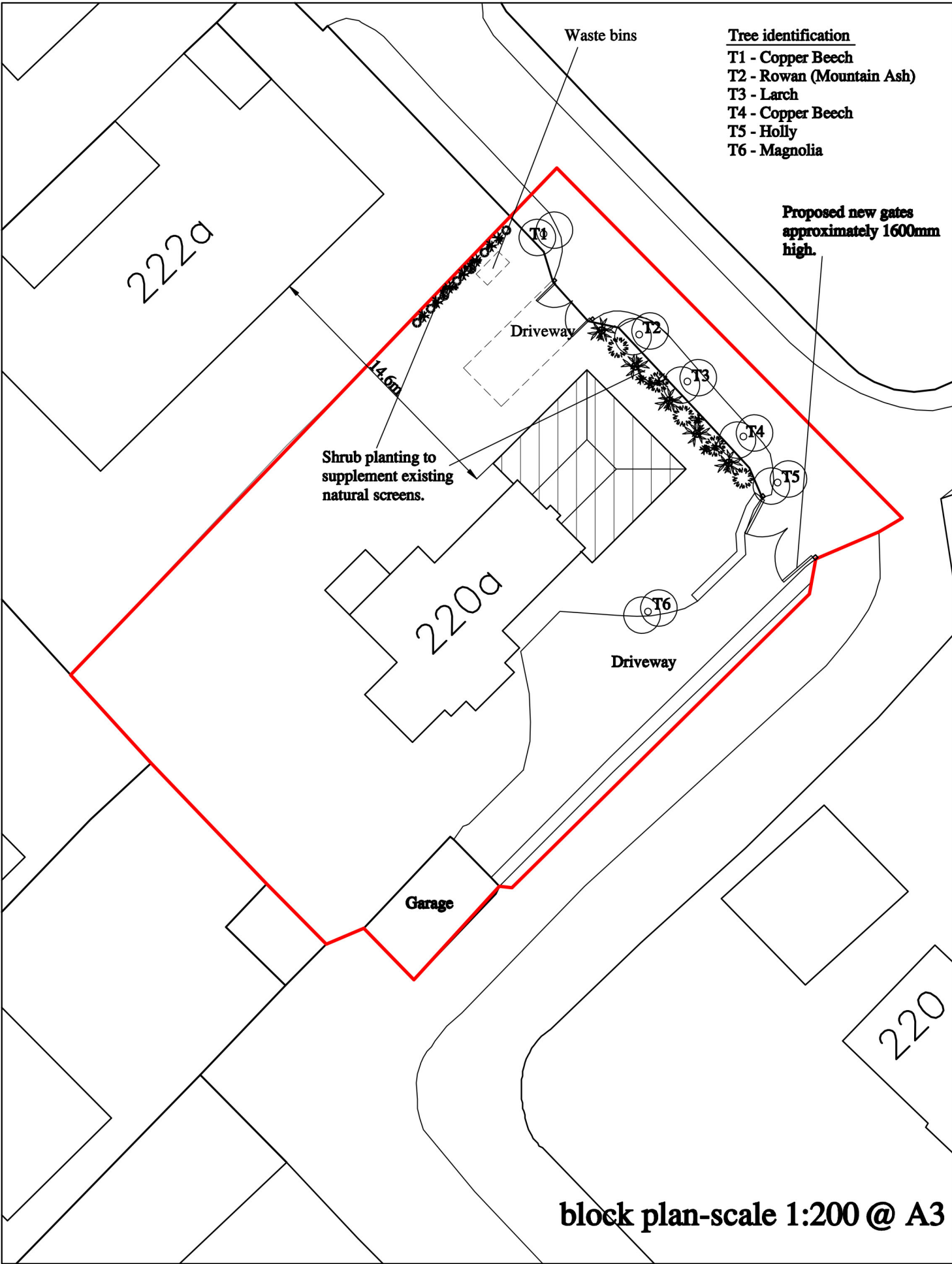
**NORWICH**  
City Council

PLANNING SERVICES

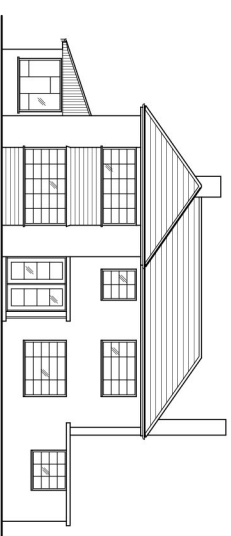
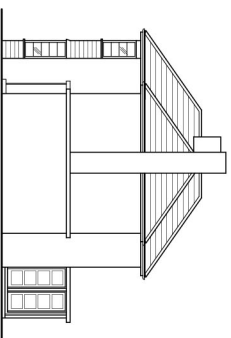
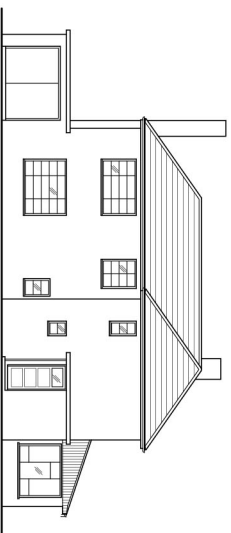




**220A Unthank Road, Norwich**  
**Norfolk, NR2 2AH.**  
**Doc ref: N/14/366-LP**



## Existing

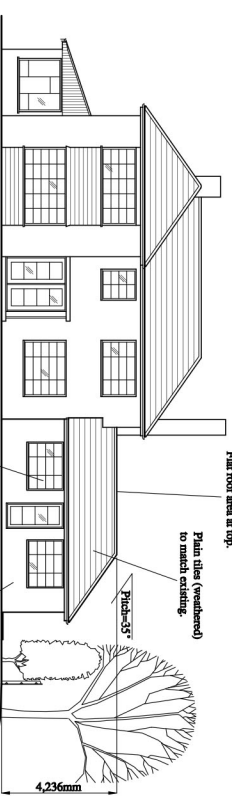
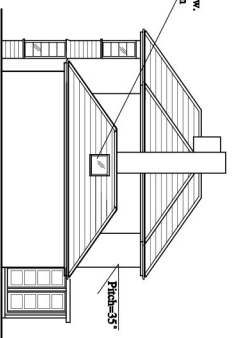
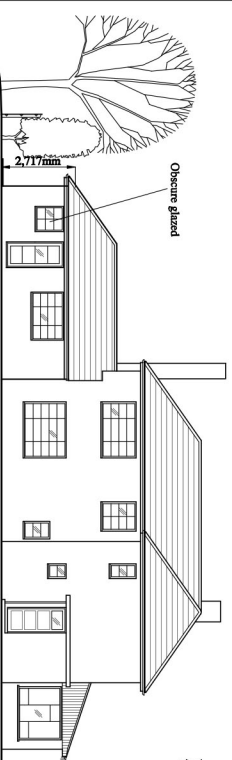


rear elevation N-W

## side elevation N-E

## front elevation S-E

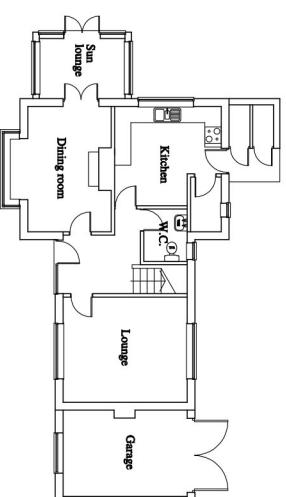
# Proposed



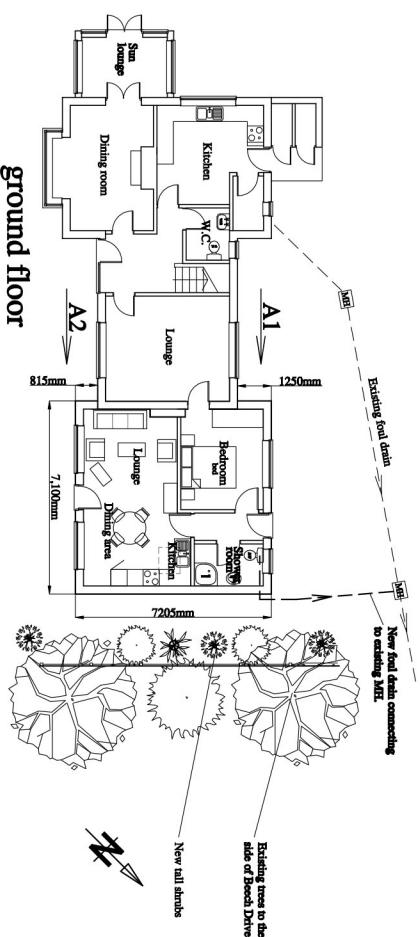
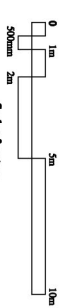
rear elevation N-W

**side elevation N-E**

## front elevation S-E



ground floor



**ground floor**