

Report to Planning applications committee

Item

8 September 2016

Report of Head of planning services

Subject Application no 16/00765/F - 31 St Clements Hill,
Norwich, NR3 4DE

5(K)

**Reason
for referral** Objection

Ward:	Catton Grove
Case officer	Stephen Polley - stephenpolley@norwich.gov.uk

Development proposal		
Retention of annexe; rear extension, raising of roof and installation of 4 no. obscure glazed windows to annexe.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Design and landscaping	Impact on character of surrounding area Choice of materials Proximity to boundaries
2 Amenity	Loss of privacy Loss of light Noise Overbearing
Expiry date	8 September 2016
Recommendation	Approve



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Planning Application No 16/00765/F

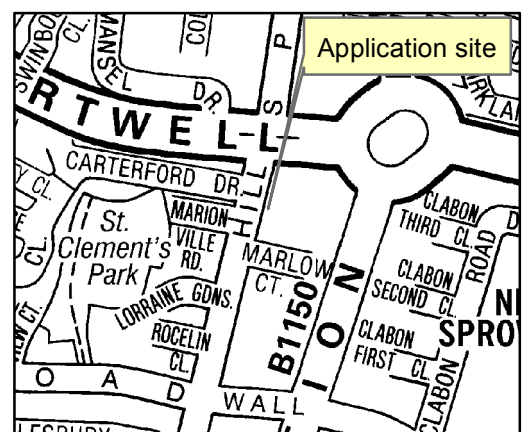
Site Address 31 St Clements Hill

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. 31 St Clements Hill is a 2 storey semi-detached dwelling constructed circa 1930 which has been added to and extended over the years, most notably to the side meaning that the only access to the rear garden is possible via the main house. The rear garden has been extensively landscaped to include a series of outdoor rooms and small structures. The existing outbuilding has been constructed at the very bottom of the garden.
2. The outbuilding was constructed approximately 20 years without planning consent to be lived in by the father of the current applicant. Following notification to the council, an application for full planning consent was submitted and subsequently refused. It is understood that the outbuilding has primarily been used as an outbuilding for storage purposes for most of its life. However works to extend and convert this building to a residential annexe were undertaken without planning permission within the last 6 months.
3. The site is bordered by the adjoining semi-detached property to the north no. 33 St Clements Hill and a similar semi-detached property to the south no. 29 St Clements Hill. It should be noted that both neighbouring properties have extensively landscaped their rear gardens to include several structures including a large pool house at the bottom of no.29. To the rear of the site is mature planting providing screening from the bottom of the rear gardens located on Constitution Hill.

Constraints

4. Critical Drainage Catchment – Catton Grove and Sewell

Relevant planning history

- 5.

Ref	Proposal	Decision	Date
4/1996/0178	Erection of annexe in rear garden.	REF	25/04/1996

The proposal

6. The Council's enforcement team were notified that the above works had taken place and required the applicants to regularise the situation either through submission of a retrospective application for planning permission or by undoing the unauthorised works.
7. This current application seeks to regularise the situation by applying for full planning consent for the retention of the annexe located at the bottom of the rear garden of no. 31 St Clements Hill. The application also seeks planning consent for a rear extension to the annexe, the raising of the roof and the installation of 4 no. roof lights.

8. The existing outbuilding is of a simple design with a square footprint and a pitched roof. The proposals have largely already been carried out by the applicant with the 1.8m rear extension and replacement roof already in place. The new roof appears to be slightly taller than the original with a larger overhanging eaves measuring 4.63m to ridge and 2.4m to eaves.
9. The annexe is arranged over 2 floors with a kitchen area, living room, utility room and shower room located on the ground floor and 4 no. storage rooms located on the first floor. The rooms upstairs do not appear to be usable for much more than storage given the lack of headroom available with only the central space being tall enough for an adult to stand in.
10. The proposal also includes the installation of 4 no. windows with 2 windows on the rear of the ground floor, a roof light to the north elevation and a single window serving the upper floor on the front elevation.
11. It is proposed that the applicant will temporarily live in the annex with his family. The annexe cannot be accessed independently from the main house with the only route being possible by using one of the two front entrance doors of the main house.

Summary information

Proposal	Key facts
Scale	
Total floorspace	63m ² (ground floor)
No. of storeys	1.5
Max. dimensions	See attached plans.
Appearance	
Materials	Timber boarding Metal roof
Transport matters	
Vehicular access	Same as existing dwelling on site

Representations

12. Adjacent and neighbouring properties have been notified in writing. 2 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
New structure clearly visible, not in keeping with character of area	See main issue 1
Roof too large / inappropriate materials	

Issues raised	Response
Constructed too close to neighbouring boundary (no. 33)	
Windows result in a loss of privacy (nos. 33 & 35) Reduction in light reaching garden (no. 33) Overbearing presence (no.33)	See main issue 2
Access for emergency vehicles What happens to annexe in future? Will a precedent now be set? Building regulations / water run off	See other matters

Consultation responses

13. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

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Assessment of planning considerations

Relevant development plan policies

15. **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
16. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM5 Planning effectively for flood resilience
 - DM7 Trees and development

Other material considerations

17. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment

Case Assessment

18. 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: Design

19. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
20. The alterations to form an annexe have resulted in a larger structure being created than has existed for the previous 20 years. Particular concern has been raised that the annexe is now too large and is out of character with the surrounding area with the annexe appearing a more prominent feature. It is accepted that the annexe is now larger than previously. However it is not considered that its appearance is particularly out of keeping with its surroundings. Nos. 29 – 33 St Clements Hill have all constructed outbuildings and other landscaping features within their rear gardens, some of which are of considerable size. No. 29 in particular has constructed a pool house at the end of their garden which is comparable in both style and scale with the annexe forming the basis of the application.
21. Similar concern was raised that the roof in particular is now too large and has been constructed using inappropriate materials. Without the aid of accurate plans or measurements of the original annexe it is difficult to know the exact change in height. Anecdotal evidence exists in the form of photographs showing the annexe during the construction of the alterations which give some indication of the original form and scale. As such, it is not considered that the new roof is significantly larger than the original. The new roof has been finished with grey coloured steel box sections which are typical of larger sheds and small industrial units. The material although not necessarily typical of a residential garden is not entirely incongruous as examples of similar roof finishes can be found in gardens across the city.
22. Concern was also raised that the roof of the annexe has been constructed too close to the neighbouring boundary shared with no. 33. The new roof design includes a large overhanging eaves which are closer to the shared boundary the previously. The eaves do not overhang the neighbouring fence or boundary line with a gap of a

minimum of 200mm remaining. As such, the distance between the annexe and neighbouring the neighbouring boundary is considered to be acceptable.

Main issue 2: Amenity

23. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

Overlooking / Privacy

24. The proposal involves the installation of 4 no. windows, 2 of which have been installed on the rear elevation serving a utility room and stairwell. The significant distance between the annexe and the property to the rear will ensure that no loss of privacy occurs.
25. Particular concern has been raised that a proposed roof light to be installed on the north (side) elevation and a small window already installed on the west (front) elevation will result in a loss of privacy for the occupiers of nos. 33 and 35 St Clements Hill.
26. The roof light is to serve one of the storage areas located within the roof space and is to be installed within the middle of the roof slope. As such the window will allow for views across the very end of the rear garden of no. 33 where a summer house is located. The method of opening and type of glazing selected for the window will have a significant impact the harm caused. In order to mitigate the harm caused and reduce the amount of overlooking possible, it is reasonable to require that further details of the window are submitted as a planning condition.
27. The front facing window is approximately 4m above ground level and will serve a further storage room which it has been indicated may be used as a children's playroom. Having inspected the room it is clear that despite the small size of the window and the presence of various sections of screening along the shared boundary with no. 33, some overlooking of the rear garden is possible. It is not considered that the window allows for views into no. 35 as a result of the screening. As such, it is reasonable to require by way of a planning condition that the window is obscure glazed to reduce the harm caused.
28. Concern was raised that the scale of the annexe would result in a loss in the amount of light reaching the rear garden of no. 33. It is accepted that during certain parts of the day some light may be lost at the very bottom of the garden, however the vast majority of the garden and house will not be affected. The bottom section of the garden contains a summer house and an area of lawn, being used only occasionally and is not a primary living space. As such, it is not considered that the annexe will cause significant harm to the residential amenities of no. 33.
29. Concern has also been raised that the annexe is now an overbearing presence on the shared boundary with no.33. It is accepted that the annexe now appears as a larger presence than previously, however it is not significantly larger than before. The large rear gardens within this part of the street ensure that the outlook from the rear of the neighbouring property is largely unaffected. There is also a good amount of screening along the shared boundary meaning that from many parts of the rear of no. 33 the annexe is partially visible. As such, the annexe is not considered to be significantly overbearing for the occupiers of no. 33 St Clements Hill.

Other matters

30. The existing outbuilding was not granted consent under the previous application but may have been constructed under permitted development rights for outbuildings which were in force at the time. Even if planning permission was required planning law does however grant a de facto planning consent for structures which have been in place for a period of more than 4 years. In this instance anecdotal evidence and various testimonials confirm that the outbuilding has been in place for approximately 20 years.
31. Concern has been raised regarding the ability of emergency services to reach the annexe. If the proposal were for a new dwelling then close consideration would be required to find a safe route through the site. The annexe however is an existing structure which is being modified and is not classed as a separate unit of accommodation. As such, the existing arrangements will remain in place where access the annexe is via the main house.
32. Objectors have questioned what will happen to the annexe in the future when it is no longer occupied by the current owners. To ensure that the annexe remains as such and is not converted into a separate unit of accommodation a planning condition is to be added ensuring that the annexe must remain as ancillary accommodation to the main house. Future occupiers can also use to the annexe as a typical outbuilding for storage and occasional use.
33. Objectors also questioned whether the granting of consent will set a precedent allowing for similar proposals to be constructed. Each application is judged on its individual merits and as such the granting of a planning consent in this instance does not prejudice future decision making.
34. Concern has been raised that elements of the scheme may not satisfy building regulations, including the water runoff from the new roof. Such considerations cannot be considered as part of this planning application as they will be dealt with as a separate matter by a buildings inspector.

Equalities and diversity issues

35. There are no significant equality or diversity issues.

Local finance considerations

36. 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.
37. 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.
38. 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.

Conclusion

39. The alterations to the form the annexe have resulted in the creation of a larger structure which is still considered to be of an acceptable scale and design, not of character with neighbouring properties.
40. The proposal will have a very limited impact upon the amount of daylight and sunlight reaching the rooms and gardens of the neighbouring properties.
41. The proposal will has the potential to cause a loss of privacy to neighbouring properties, however harm can be mitigated by planning conditions.
42. The development is therefore 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

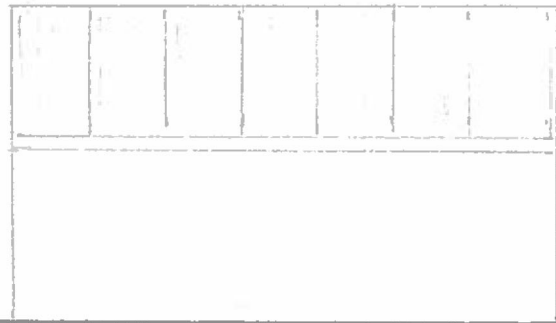
To approve application no. 16/00788/F – 21 Hellesdon Road, Norwich, NR6 5EB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of windows to north and west elevations (glazing and method of opening)
4. To remain ancillary accommodation to main house

Article 35(2) statement

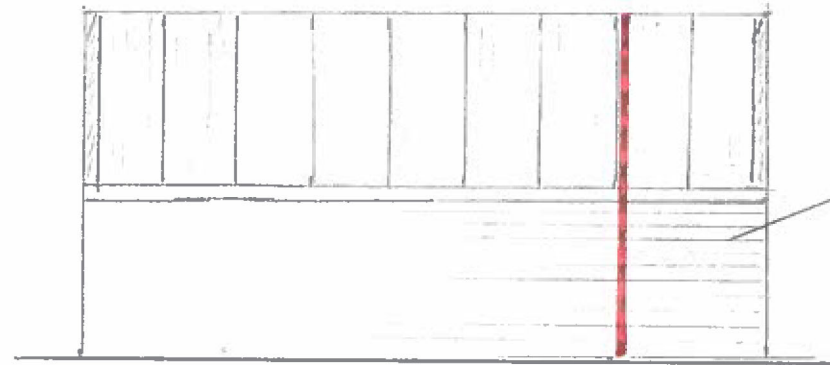
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined above.

EXISTING WEST ELEVATION



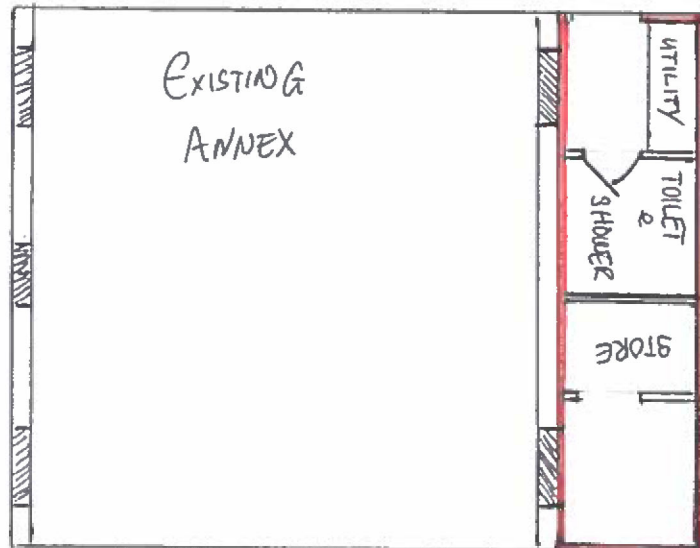
Scale 1:100

PROPOSED WEST ELEVATION



New
Edition

Scale 1:100



Plan view of existing and new

Scale 1:100

Norwich City Council

16 MAY 2016

Planning Services

MR. S. BLYTH
PROPOSED EXTENSION TO ANNEX
31, ST. CLEMENTS HILL,
NORWICH, NR3-4DE

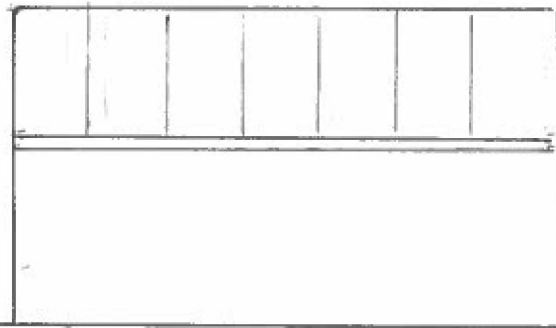
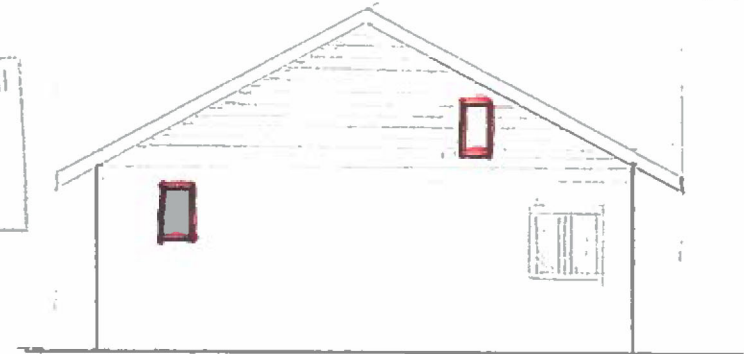
SCALE : 1:100

EXISTING REAR ELEVATION
Scale 1:100



Norwich City Council
16 MAY 2016
Planning Services

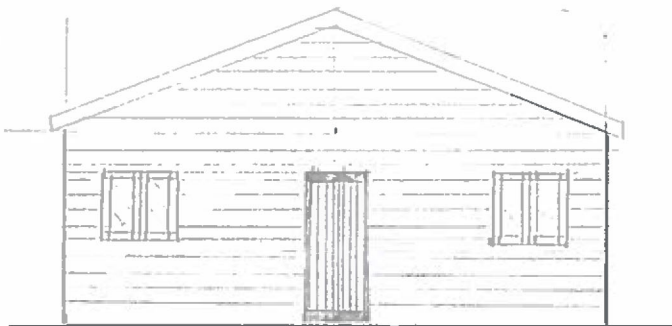
NEW REAR ELEVATION WITH PROPOSED WINDOWS
Scale 1:100



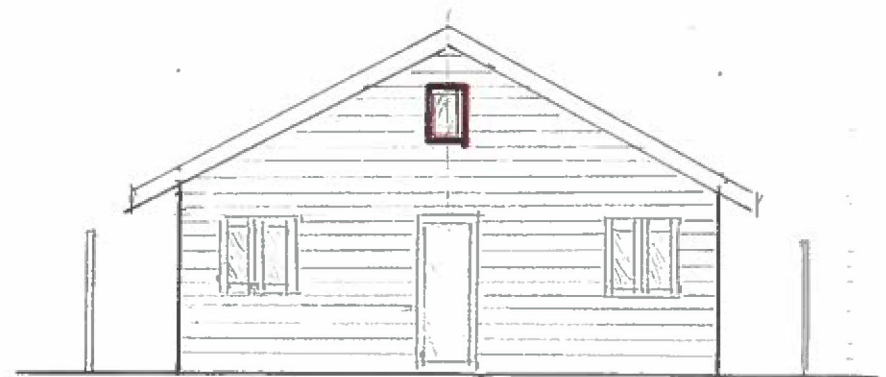
EXISTING EAST ELEVATION
1:100



PROPOSED NEW ELEVATION & ROOF LIGHT.
1:100



NORTH FRONT ELEVATION
EXISTING ANNEX 1:100 Scale



FRONT ELEVATION
(NEW GABLE WINDOW)
AND RE-ROOF.

1:100 Scale