

**Report to** Planning applications committee

**Item**

8 December 2016

**Report of** Head of planning services

**Subject** Application no 16/01182/F - Garden land adjacent to 82 Eaton Road, Norwich

**Reason for referral** Objections

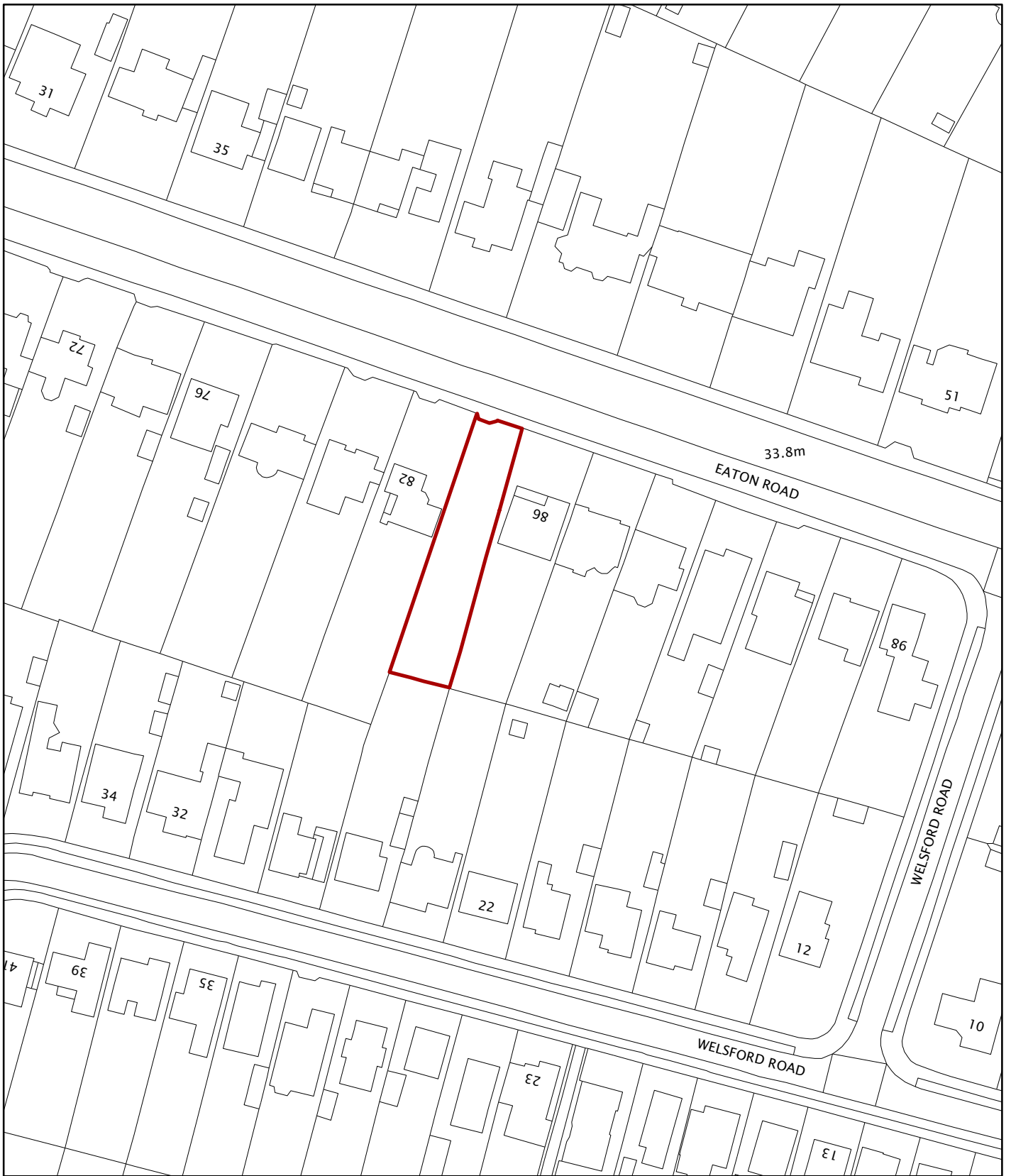
**4(f)**

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<b>Ward:</b>	Eaton
<b>Case officer</b>	Stephen Polley - <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

Development proposal		
Erection of a dwelling.		
Representations		
Object	Comment	Support
15 (11 households)	0	1

Main issues	Key considerations
1	Principle of development
2	Design, impact upon the character of the surrounding area
3	Amenity
4	Trees and landscaping
<b>Expiry date</b>	9 December 2016
<b>Recommendation</b>	Approve



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Planning Application No 16/01182/F

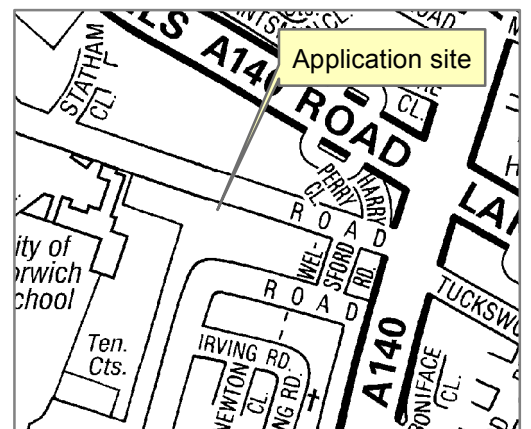
Site Address                      Garden Land adjacent to  
82 Eaton Road

Scale                                  1:1,000



**NORWICH**  
**City Council**

**PLANNING SERVICES**



## **The site and surroundings**

1. The site is located on the south side of Eaton Road to the south of the city. The site currently forms part of the garden of no. 82 Eaton Road under although it does not form part of the land attached to the property. The site is currently owned by NPS and has been leased to the owners of no. 82 for a long period of time.
2. It is widely believed that the site was originally intended to be the location of a new road through to the slightly newer housing developments on Welsford Road to the south. During the 1950's Welsford Road was begun 100m to the east and the site remained vacant with the intention that it would be developed, as evidenced by there being a gap in the house numbering, which jumps from 82 to 86.
3. The site has largely been laid to lawn and includes an area where mature shrubs have grown, in line with the front of no. 82. The eastern boundary of the site is marked by a mature hedgerow and close boarded fence beyond. The front section forms part of a horseshoe driveway used by no. 82, which as a result has to entrances from Eaton Road.
4. The site is bordered by no. 82 Eaton Road, its front driveway and rear garden to the west. Further to the west is no. 80 Eaton Road, a large detached 2 storey dwelling constructed circa 1950. To the south (rear) the boundary is marked by a number of tall mature trees and hedgerows with no. 26 Welsford Road 30m beyond. Located to the east is no. 86. Eaton Road a large detached 2 storey dwelling constructed circa 1950 and extended by way of a single storey rear extension. To the north are large detached dwellings constructed in a variety of styles. To the north are large detached dwellings constructed at a similar time.
5. The prevailing character of the surrounding area is predominantly residential with most properties having been constructed around the middle of the twentieth century. Nearly all are large detached dwellings featuring good size front gardens with car parking and large, mature rear gardens. It should be noted that despite most properties having been constructed at a similar time and to similar building lines, there is no defining uniform style with some very individual designs being evident.

## **Constraints**

6. There are no particular constraints, although the proposal involves the loss of some planting.

## **Relevant planning history**

7. There is no relevant planning history.

## **The proposal**

8. The application seeks full planning consent for the construction of a two storey detached dwelling. The proposed dwelling comprises of two main sections, a pitched roof main section and a single storey section to the rear. The accommodation includes 4 no. bedrooms an integral garage and an open plan

living / kitchen area to the rear. Outdoor space includes a parking area to the front utilising the existing access, a covered area to the rear and garden beyond.

9. It should be noted that the proposal being considered is now a revised scheme which has been reduced in scale in terms of overall height and the size of the main first floor section. Several windows have also been altered, most notably the removal of a first floor window on the east elevation and a double height rear window to the north elevation.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total no. of dwellings	1
Total floorspace	205m <sup>2</sup>
No. of storeys	2
Max. dimensions	See plans
<b>Appearance</b>	
Materials	See plans

### Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 16 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
Proposals will create a tunnelling effect and be overbearing.	See main issue 3.
Proposals will result in overlooking.	See main issue 3.
Proposals are out of character with the street scene.	See main issue 2.
Building is too tall and for the site and is an overdevelopment.	See main issue 2.
Proposals will result in loss of daylight / sunlight and overshadowing of gardens.	See main issue 3.

Issues raised	Response
The style of the development is out of keeping with the surrounding area.	See main issue 2.
The proposals project beyond the established front and rear building lines of the street.	See main issue 2.
The design is pleasing and will fit in with the area.	See main issue 2.

## Consultation responses

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

### Highways (local)

12. No objection.

### Tree protection officer

13. I have no objections to the two Lawson Cypress trees (T7 & T6) and the Lawson Cypress hedge (G1) at the front of the property being removed given the proposed replacement trees, the 2 replacement trees however should be planted at the front or roadside of the property to mitigate the loss of these two trees. If the tree protection plan and method statement contained within the arb impact assessment is implemented, I would be satisfied from a tree perspective.

### Norwich Society

14. Original scheme: We object to the over development of this site. It is out of scale and proportion with neighbouring properties. The materials are inappropriate and unsympathetic.
15. Revised Scheme: The revised scheme seems to be an improvement and now has our approval.

## Assessment of planning considerations

### Relevant development plan policies

16. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS3 Energy and water
  - JCS4 Housing delivery
  - JCS6 Access and transportation

- JCS12 The remainder of the Norwich urban area including the fringe parishes

**17. 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
- DM4 Providing for renewable and low carbon energy
- DM5 Planning effectively for flood resilience
- DM6 Protecting and enhancing the natural environment
- DM7 Trees and development
- DM11 Protecting against environmental hazards
- DM12 Ensuring well-planned housing development
- DM28 Encouraging sustainable travel
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

**Other material considerations**

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

- NPPF0 Achieving sustainable development
- NPPF4 Promoting sustainable transport
- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF10 Meeting the challenge of climate change, flooding and coastal change

**Case Assessment**

19. 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**

20. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
21. The application in terms of legal ownership is a separate parcel of land when considered in conjunction with no. 82 Eaton Road. The site however has for a long period of time been used as an extension to the garden land utilised by the owners of no. 82. As such, the following is considered to be relevant;

22. In 2010 the government made amendments to PPS3 (now revoked) to exclude residential gardens from the definition of previously developed land. Paragraph 53 of the NPPF states that local authorities should consider the case for setting out policies to resist inappropriate development in residential gardens, for example where development would cause harm to the local area. The council considered this matter as part of the development of policies in the local plan and concluded that the criteria based policies in DM3 and DM12 are satisfactory to determine applications for dwellings in gardens. Therefore there are no specific policies restricting new dwellings in the gardens of existing properties.
23. Paragraph 50 of the NPPF states that local authorities should deliver a wider choice of quality homes. Policies JCS 4 and DM12 are all supportive of new dwellings which help to meet housing need in the city. A dwelling of this scale is considered to form part of the mix of residential accommodation, contributing to the City housing stock. The principle of a dwelling in an established residential area with easy access to public transport to the city centre is therefore acceptable in principle in accordance with the above policies subject to other material planning considerations below.
24. Policy DM12 of the Norwich Development Management Policies Plan supports new residential development within the city boundary except in specific circumstances, none of the exceptions apply to this application site. The site is in a sustainable location for new housing, within walking distance of a number of public transport routes and is within easy cycling distance to the City Centre. The proposal is therefore considered to be acceptable in principle, subject to assessment against any other relevant policies or material considerations as outlined in the NPPF and the Development Plan.

## **Main issue 2: Design**

25. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.

### **Character / Scale / Materials**

26. The design shown is that of a traditional family home in terms of form with a pitched roof on the main two storey section and is of a scale typical for the area with 4 no. bedrooms. The front elevation features a projecting gable which contains the integral garage with the main entrance door located centrally covered by an overhanging roof section. The side elevations have been left relatively blank in a similar fashion to many neighbouring properties apart from a projecting box which provides light by way of front and rear facing vertical windows to a centrally located snug room. The rear section of the property is predominantly a single storey flat roof which is set slightly further in from the boundary than the main section to create a covered outside space to the east. This continues to the rear where the open plan living space opens directly onto the rear garden by way of patio doors. At first floor level the proposal now features more traditionally sized windows at the front and rear than the original submission. The roof slope contains a 5 no. roof lights to provide light to the first rooms and avoid the need for first floor windows on the side elevations.
27. Particular concern has been raised by the majority of neighbours responding that the proposed dwelling is out of character with neighbouring properties as it is

considered to be an overdevelopment of the site, being too large by way of height and depth. The application site measures 12m x 50m in plan form which is very similar to the majority of properties located within the area. The site differs from some in that it is narrower, however at 12m wide there is considered to be sufficient space to construct a family dwelling and provide outdoor amenity space. The overall use of the site is very much similar to neighbouring properties with a garden / parking area to the front and a large rear garden and as such the proposal is considered to be of an appropriate scale, in keeping with the surrounding area.

28. The relatively close proximity to the neighbouring properties to the east and west of the site can be perceived as representing a cramped form of development. However when comparing the proposal with other properties sharing the same street scene it can be quickly noted that the spread of development is typical. Aerial photographs also demonstrate that the urban grain comprises properties built along a relatively well defined building line with little space in-between properties. As such, the layout and spacing of the proposed dwelling within the street scene is considered to be acceptable.
29. Particular concern has been raised by a number of the occupants of neighbouring properties that the proposed dwelling is too tall as it appears taller than its neighbours. It is accepted that the originally submitted scheme was overly tall. However the revised scheme has since reduced the overall height of the proposed dwelling so that it closely matches the roof lines and / or chimneys of its immediate neighbours on the south side of Eaton Road.
30. Concern was also raised that the proposed dwelling sits forward of the prevailing building line where the front elevations of the south side of Eaton Road are all inline. It is accepted that the proposed dwelling includes a front elevation which will project slightly forward of no. 86 to the east and will also be further forward than the front of no. 82 to the west. The properties located on the both sides of Eaton Road have been built to a roughly matching forward building line however as a result of the variation in styles and design the building line is not precise and varies along the road. The proposed dwelling when viewed from the front will not look significantly out of place when compared with others along the street and as such the forward building line is considered to be acceptable.
31. Similar concern was also raised that the rear building line does not closely match that of neighbouring properties. The two storey section of the proposed dwelling does noticeably project beyond the rear wall of no. 86 however such a variation is commonplace within the street. The variety of house designs has resulted in a rear building line which is highly varied either for both properties in their original form or as the result of significant rear extensions. As such, the positioning of the rear building line is considered to be acceptable.
32. Particular concern has been raised that the materials to be used on the proposed dwelling to not match those on neighbouring properties. It should be noted that the varying range of house designs on Eaton Road feature properties finished using a range of materials including red brick, white render, timber beams, clay hanging tiles and a range of differing roof finishes.
33. The proposed dwelling is to be constructed using a range of materials and finishes to create a more contemporary appearance which references its neighbours without attempting to replicate exactly. The elevations are primarily to be finished with a



combination of timber weather boarding and a grey coloured render finish. A distinctive metal edging will frame the different sections of the property so that the projecting front gable and main section are clearly distinguishable, to be finished in powder coated grey metal. It is therefore considered that the proposal represents a high standard of design which represents the time from which it came and is also respectful of its surroundings.

### **Main issue 3: Amenity**

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

#### **Loss of Light / Overbearing Impact**

35. Particular concern was raised that the proposed dwelling will result in a loss of light to no. 86 to the east as the new dwelling will project beyond the rear wall of the neighbouring property. It is accepted that the proposed dwelling will project beyond the rear wall of no. 86 as there is a difference in the shape of the footprint of the properties, with the proposed dwelling being narrower and longer as a result of the shape of the plot. The proposed dwelling has been designed so that the main two storey section of the property is in line with the side elevation of no. 86. As such, the majority of the rear section is single storey only. The two storey section is to project approximately 3.6m beyond the original rear wall and 1.6m beyond the single storey extension to the rear of no. 86. The east elevation of the proposed dwelling is to be constructed approximately 3m from the side wall of no. 86 with the side wall up to the eaves at 4.7m and the 8.5m high ridge being visible.
36. The siting of the proposed dwelling within the plot will ensure that the two storey section will not intersect a 45 degree line from the western side of no. 86. The rear of no. 86 is also south facing and will benefit from significant amounts of daylight each day. As such, it is not considered that the proposed dwelling will cause significant loss of light or cause significant overshadowing to no. 86.
37. Concern was similarly raised by the occupants of no. 86 that the proposal will result in an overbearing development which creates a tunnelling effect. It is accepted that the proposal will result in a noticeable change on the shared boundary, however it is not considered that the proposed dwelling will cause significant harm nor is it significantly different to nearby properties. The rear garden of no. 86 is sufficiently large enough to ensure that the outlook is still very good with views to the west, south and east still possible. It is therefore not accepted that the proposed dwelling will result in a tunnelling effect. The urban grain of the area shows that there are a number of neighbouring properties which have varying rear building lines resulting in some flank elevations being clearly visible on shared boundaries. As such, it is considered that the proximity and arrangement between the proposed dwelling and its neighbouring properties are not unusual for the area and the impacts are acceptable.
38. Three further properties to the east nos. 88, 90 and 92 Eaton Road were also concerned that the proposal would result in a loss of light to their properties. Owing to the large distance between the site and the other neighbouring properties it is not considered that any significant loss of light or overshadowing will occur.
39. The neighbouring property to the west no. 82 although close to the proposed dwelling will not suffer from a significant loss of light or overshadowing. The main

two storey bulk of the proposed dwelling is in line with the side wall of no. 82 and the rear views will not intersect a 45 degree line. As such, although noticeable, the impacts on the residential amenities of no. 82 are considered to be acceptable.

40. No. 43 Eaton Road expressed concern that the proposal would result in a loss of morning sunlight at their property. Given the relatively narrow design of the proposed dwelling and the distance of approximately 50m between the two, it is not considered that significant loss of light will occur in this instance.

### **Loss of Privacy**

41. Particular concern has been raised by the occupants of no. 86 that the proposed dwelling will result in a loss of privacy. The original plans included a first floor window which would have had views across the neighbouring rear garden. The revised scheme has removed the window but does have a larger single storey section to the rear and a small side bay. Only 2 windows and a door on the proposed east elevation will face directly towards the neighbouring property at ground floor level. The small bay has front and rear facing windows only. Given the existing close boarded fence located on the shared boundary it is not considered that the proposal will result in a loss of privacy for the occupants of no. 86.
42. Nos. 90 and 92 Eaton Road to the east also expressed concern that the proposal would result in a loss of privacy. As is the case with no. 82 to the west, the inclusion of first floor windows will allow for some views across neighbouring gardens, however such views are considered typical for the area.
43. The occupiers of nos. 30, 28 and 26 Welsford Road to the south all expressed concern that the proposed dwelling will result in a loss of privacy. Much of this concern stemmed from the original plans which included a large rear facing first floor window which has now been replaced by two simpler, smaller windows. The distance between the rear of the proposed dwelling and neighbouring properties of a minimum of 60m and the presence of very large mature trees along the boundaries will ensure that no loss of privacy occurs.
44. The proposed dwelling would provide a high standard of amenity for future occupiers both in terms of internal and external space.

### **Main issue 4: Landscaping, open space & Trees**

45. Key policies and NPPF paragraphs – DM3, DM7, DM8, NPPF paragraphs 9, 17, 56, 109 and 118
46. The site currently features a number of mature hedges and shrubs which will be removed as part of the construction of the proposed dwelling. Particular concern has been raised by a number of neighbours about the loss of green space and green features present on the site. Most notably, the occupants of no. 86 to the east are concerned about the loss of a mature hedgerow marking the shared boundary and large shrubs close to the boundary.
47. The council tree officer has confirmed that the recommendations contained within the submitted tree report are acceptable. The recommendations of the tree officer regarding the siting or replacement trees should be carried out to mitigate harm.

48. The current proposal does not include a detailed landscaping plan and as such it is considered necessary to require by way of condition that the detailed hard and soft landscaping scheme is approved by the council prior to any construction commencing. The scheme should seek to enhance the landscaping of the site, in particular by reinstating some form of green screening along the shared boundaries with no. 86.

### **Compliance with other relevant development plan policies**

49. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Cycle storage	DM31	<b>Yes subject to condition</b>
Car parking provision	DM31	<b>Yes subject to condition</b>
Refuse Storage/servicing	DM31	<b>Yes subject to condition</b>
Energy efficiency	JCS 1 & 3 DM3	<b>Yes subject to condition</b>
Water efficiency	JCS 1 & 3	<b>Yes subject to condition</b>
Sustainable urban drainage	DM3/5	<b>Yes subject to condition</b>

### **Equalities and diversity issues**

50. There are no significant equality or diversity issues.

### **Local finance considerations**

51. 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.
52. 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.
53. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

54. The proposal will result in the construction of a new dwelling within a sustainable location without causing significant harm to the residential amenities of the occupiers of neighbouring properties.
55. The design and layout of the dwelling and site is considered to be of an appropriate scale and design which will not cause harm to the character and appearance of the surrounding area.
56. 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. 16/01182/F - Garden Land Adjacent To 82 Eaton Road Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials
4. Details of hard and soft landscaping and planting
5. Cycle and bin storage
6. Water efficiency

## **Article 35(2) Statement**

The local planning authority in making its recommendation 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 is recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

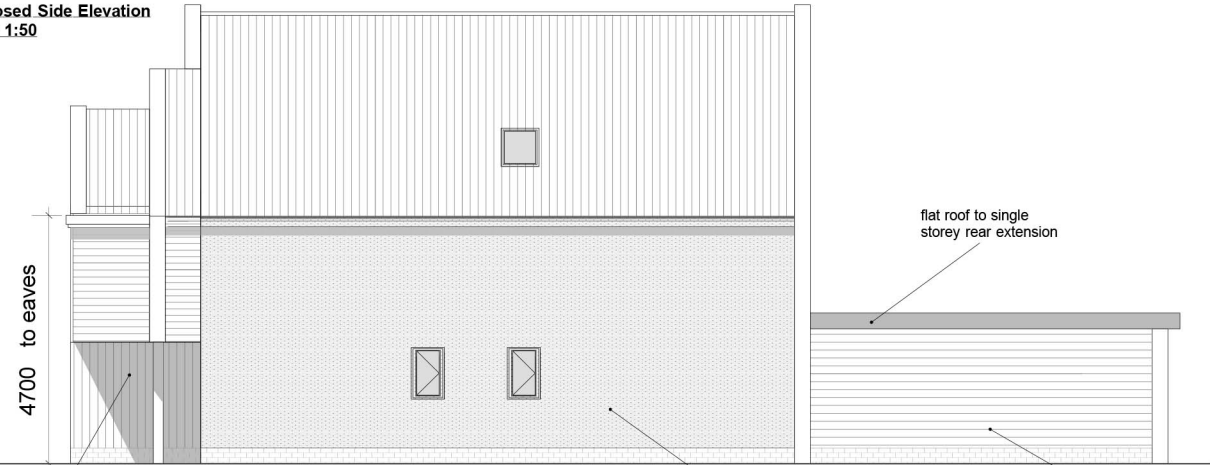
**Proposed Front Elevation**  
Scale 1:50



blank mid/side bay with small glazed apertures to front/rear only to allow nat. light within

integral garage doors within vertical timber clad front facade

**Proposed Side Elevation**  
Scale 1:50



4700 to eaves

overhang to front entrance to form porch/cover

windows to GF only within central render wall/s finish

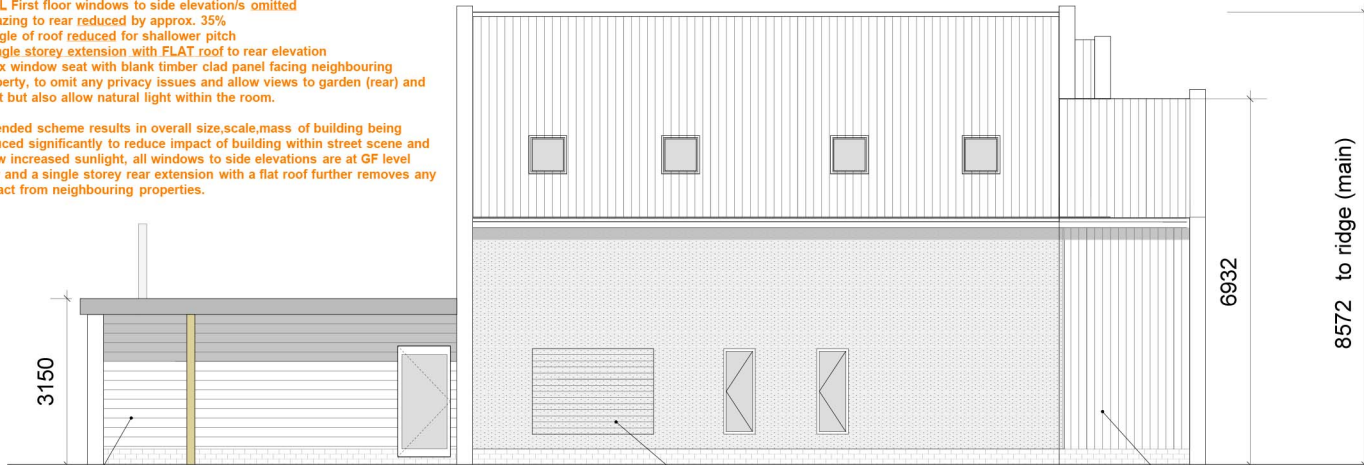
flat roof to single storey rear extension

horizontal timber cladding single storey rear extension

**REDUCED SCHEME PROPOSAL:**

- Reduced Ridge Height ~ lowered by approx. 500mm
- Rear 2 Storey section omitted
- ALL First floor windows to side elevation/s omitted
- Glazing to rear reduced by approx. 35%
- Angle of roof reduced for shallower pitch
- Single storey extension with FLAT roof to rear elevation
- Box window seat with blank timber clad panel facing neighbouring property, to omit any privacy issues and allow views to garden (rear) and front but also allow natural light within the room.

Amended scheme results in overall size, scale, mass of building being reduced significantly to reduce impact of building within street scene and allow increased sunlight, all windows to side elevations are at GF level only and a single storey rear extension with a flat roof further removes any impact from neighbouring properties.



3150

horizontal timber cladding to single storey rear extension within protected overhang

blank side bay with small glazed apertures to front/rear only to allow nat. light within

vertical timber backdrop to front reduced gable facade

6932

8572 to ridge (main)

**Proposed Side Elevation**  
Scale 1:50

**EXTERNAL MATERIALS PALLETTE:**

- Dark/Black bricks with light/grey mortar to form base (below timber boarding/render finish)
- Timber weather boarding ~ Vertical + Horizontal to be 'Western Red Cedar'
- Render Finish ~ To be K-Rend (or similar) applied render ~ Grey finish
- Projected edge/frame to Gable end ~ Dark anthracite grey (powder coated)
- Windows ~ Dark anthracite grey (powder coated finish)
- Post to (Front Elevation/Entrance) Timber 'Oak' post on metal shoe/base
- Doors ~ Dark Anthracite grey (frames) with HW timber vertical panelled door to i) Main Entrance Door, ii) Garage Door & painted finish (to match frames ~ anthracite grey) to 'Crittall' style doors to rear
- Roof tiles ~ Slate tiles (or similar)
- This drawing is for the purposes of Planning ONLY ~ all details to form a proposed scheme for planning should be carried out in strict accordance with BCO approval prior to any construction or fabrication of any works ~ DO NOT SCALE FROM DRAWINGS

**Proposed Rear Elevation**  
Scale 1:50



rear facing glazing reduced at FF level

window to allow nat. light to stair/landing to rear facing (glazing reduced at FF level)

overhang to allow private/protected area within building footprint

Ref. B	Date 31/10/16	Revision - General amendments to rear elevation; cladding/render/glazing & added notation
Ref. A	Date 23/10/16	Revision - General amendments to provide overall scheme reduction

<b>atelier 27</b> 226 plumstead road east thorpe st andrew norwich, norfolk NR7 9JH Email: kristian@atelier27.co.uk		atelier 27 Tel: 01603 446034 Email: kristian@atelier27.co.uk	
DETAIL: Proposed Elevations Concept		PROJECT: Land Adj. 62 Easton Road ~ New Proposed Dwelling	
Scale: 1:50 @A1	Date: July - 2016	JOB No. 2732	DWG No. PL03 - Rev B





Proposed Street Elevation  
Scale 1:100

EXTENT OF NEW DWELLING BOUNDARY



Site Plan  
Scale 1:200



Block Plan  
Scale 1:200

- Ref. C Date 31/10/16 Revision - Footprint to also include any overhang incl. side bay window  
Ref. B Date 27/10/16 Revision - Simplified site plan & additional block plan based on revised footprint  
Ref. A Date 24/10/16 Revision - Reduced proposed front elevation added to street scene - parking provision and adj. boundary hedge shown on site plan

<b>atelier 27</b> 226 plumstead road east thorpe st. andrew norwich, norfolk NR7 9NH E-mail: krisian@atelier27.co.uk		atelier 27 Tel: 01603 440634 E-mail: krisian@atelier27.co.uk	
DETAIL: Proposed Street Elevation (with Site Plan for Ref.)	PROJECT: Land Adj. 82 Easton Road - New Proposed Dwelling	JOB No. 2732	DRG No. PL05 - Rev C
Scale: 1:100/200 @A1	Date: July - 2016		