

Report to Planning applications committee

Item

11 July 2019

Report of Head of planning services

Subject Application no 19/00651/F- 120 Earlham Green
Lane, Norwich, NR5 8HF

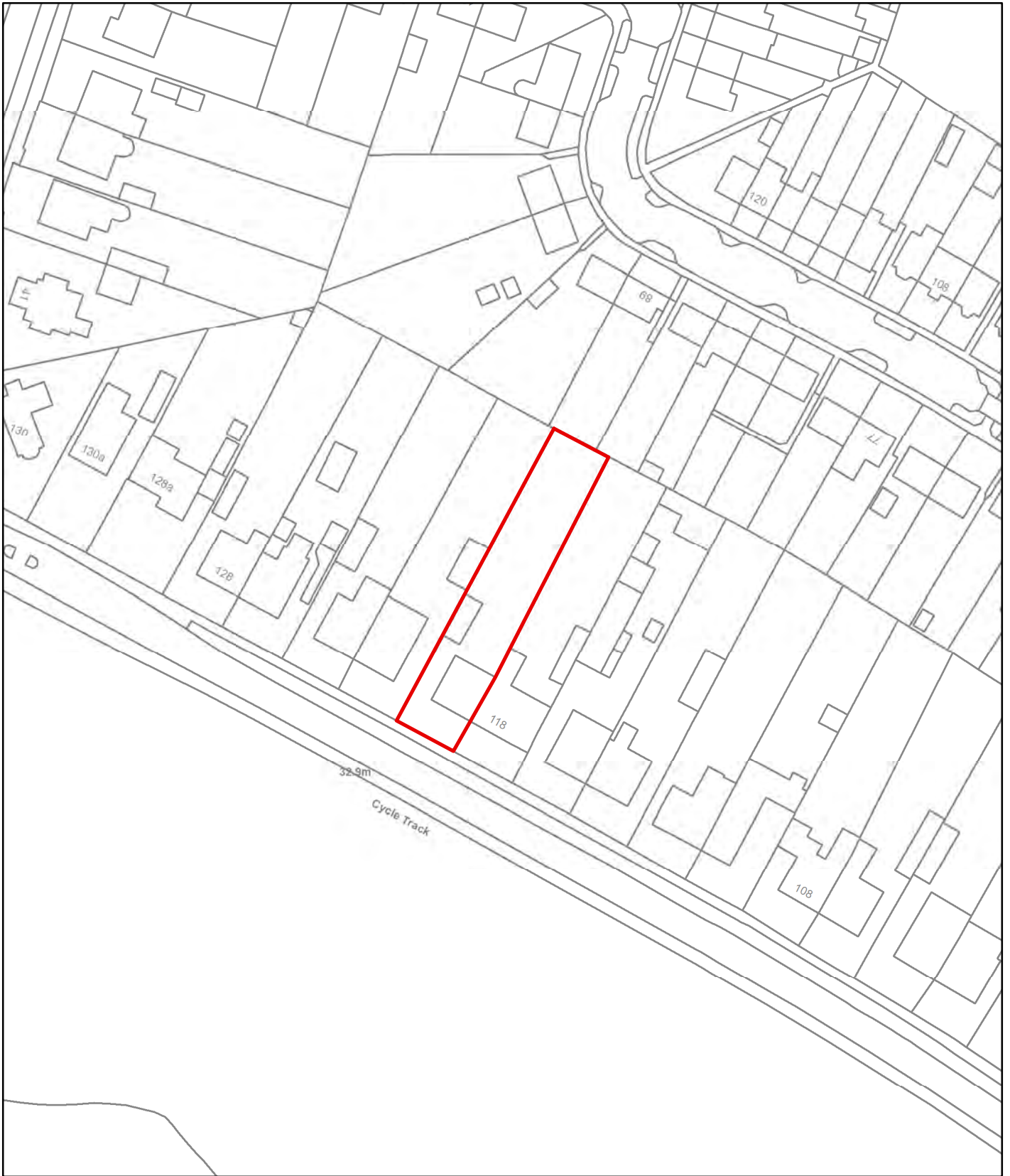
4(e)

**Reason
for referral** Objections

Ward:	Wensum
Case officer	Stephen Little - stephenlittle@norwich.gov.uk

Development proposal		
Loft conversion with front and rear dormers to create four bedrooms		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Design, scale and form	The visual impact on character of the area
2 Residential Amenity	Overlooking and/or overshadowing to neighbouring properties
Expiry date	25 July 2019
Recommendation	Approve subject to conditions



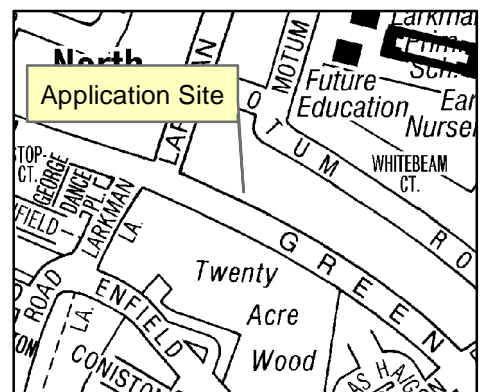
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Planning Application No 19/00651/F
Site Address 120 Earlham Green Lane
Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. The subject property is situated on the northeast side of Earlham Green Lane, 100m southeast of its junction with Larkman Lane.
2. This section of Earlham Green Lane, incorporating nos. 74-128, is characterised by distinctive semi-detached 1930s bungalows (excepting six houses which are of different design). The bungalows in their original form, of which the subject property is currently typical, are of relatively uniform design and share many features, including front/rear facing clay-tiled gable roofs, round-arched centrally-placed front doors with brick surrounds, gables over the front doors, bricked corners and rendered walls.
3. However, three of the properties immediately to the southeast of the subject property, together with no.126, have had front and rear dormers added to create a first floor. In all but one of these the front gable over the door has been removed. No.118, which adjoins the property to its southeast, also has a side extension over which the first floor dormers are extended. All but one of these altered properties have had planning consent for their front dormers, with no.118 being the most recent, granted in 2012. No.118 also has a rear extension/conservatory, with an opaque roof, on the boundary with no.120.
4. The subject property is used as a House of Multiple Occupation (HMO). It has rough white rendered walls with uPVC windows and doors. It has a relatively long (45m) rear garden, with a garage to the rear/side of the property on its northwest boundary, and the front garden sets the bungalow back from the road by 6m. (The orangery, gaining prior approval in 2017, has not been implemented).
5. No.122 is to the northwest, with 7m between the dwellings themselves and the border approx half way in between. No.122 has a downstairs window looking toward the property and a rear conservatory.
6. On the opposite side to these houses is woodland, known as 20-Acre Wood.

Relevant planning history

Ref	Proposal	Decision	Date
17/00957/PDE	Orangery to rear of property. The extension extends 6000mm beyond the rear wall of the original dwelling. The height at the highest point of the extension is 3000mm. The height at the eaves is 3000mm.	AEGPD	18/07/2017

The proposal

7. The proposal is to construct front and rear flat-roofed dormers to create a first floor incorporating four bedrooms and a bathroom. Each would have two standard-sized windows with the rear dormer and the side also including small

bathroom windows. Other alterations, under permitted development, include the moving of the rear door and changes to rear-facing fenestration arrangements.

8. NOTE: the plans have been amended since the consultation, with the originally proposed side extension being removed from the plans.

Proposal	Key facts
Scale	
Total floorspace	58.6sq.m (total first floor area)
No. of storeys	One new storey created
Max. dimensions	First floor area: 7.4m front to back, 8.25m wide. Each dormer is 8m wide, projecting outward from the roof by 3.5m and upward by 2.2m.
Appearance	
Materials	White uPVC windows to match existing [other materials to be confirmed].

Representations Received

9. Adjacent and neighbouring properties have been notified in writing. One letter of representation has been received responding to the original plans (which also proposed a side extension) citing the following issues:

10.

Issues Raised	Response
Extension less than 4m from neighbouring dwelling will impact on neighbours and value of their property.	Extension has been removed from the proposals. Value of property is not a material consideration.
Light will be blocked to downstairs neighbouring window.	See main issue 2
Fifth bedroom could be incorporated in a downstairs room.	See other issues
Three downstairs rooms could at some point be changed back to bedrooms, thereby increasing the number of tenants and subsequent parking-related issues, including verge parking and safety concerns.	See other issues

Consultation responses

11. The following objection, in response to the original proposals which included a side extension, has been received from the Norwich Society:
12. *“This application should be read in the wider context of the whole row of these pre-1945 bungalows - nos. 74-128 - which in their unaltered state have a charming symmetry. Their particular character is defined by the front elevation with a central brick arched inset porch with gable over and a square window either side, and with a simple duo-pitched clay tile roof apart from the gable. In accordance with DM9, the council should give consideration ""to the protection of heritage assets which have not been previously identified or designated but which are subsequently identified through the process of decision making, or during development"". Although 120 retains its original condition, its twin 118 is heavily altered; on the other side, however, numbers 122-124 are a particularly well-preserved pair. Degrading the neighbouring 120 too much would therefore diminish the group value of the row as a whole.”*
13. Reference is also made in the objection to the (now removed) side extension as representing over-development of the property. The objection argues that the side extension, along with the removal of the gable, *“would diminish the character of the row of houses, and in particular the setting of numbers 122-124.”* Though the objection considered the originally proposed longer dormer as *“too large and out of keeping”*, the representation suggests that *“a front dormer could be acceptable”*.

Assessment of planning considerations

Relevant development plan policies

14. **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
15. **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

Other material considerations

16. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
 - NPPF2 Achieving sustainable development
 - NPPF12 Achieving well-designed places

Case Assessment

17. 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, scale and form

18. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 8, 127-131.
19. Key to this decision is: how much value is placed on this group of bungalows as a visual, architectural and/or heritage asset which contributes to the quality of the area; if or by how much this development diminishes that value; and to what extent former permissions are to be taken as precedent.
20. While the representation from the Norwich Society suggests bringing Local Plan policy DM9 into play by referring to these bungalows as an “unidentified heritage asset”, the bungalows are not locally listed and there is no previously or newly identified aspect of them which would qualify them as having particular heritage interest, above them being an attractive representation of their period. Rather, of key materiality here is Local Plan DM3, which asks that proposals should “respect, enhance and respond to the character and local distinctiveness of the area”.
21. The bungalows no doubt add visual quality to the area and the original features provide distinctive period reference. The subject property, being relatively unaltered, at present contributes to that. While the group value of the bungalows has been diminished by the previous alterations to the neighbouring properties, there are still enough of the bungalows in close to their original form for them to be considered a key component of the area’s character. More widespread loss of their distinctive architectural features would notably harm the visual quality of the immediate area and it should be hoped that planning policy could be applied to avoid such an outcome.
22. However, given the similar alterations to neighbouring properties, the proposals are not breaking new ground and are arguably extending the living space of the property in a way which responds to precedent, in particular by incorporating design similarities with its partner property at no.118. That there is this precedent is an unfortunate part of the context. In particular, the substantial extension and alteration to no.118, previously approved in 2012, could be said to have devalued the architectural merit of the subject property itself, it no longer benefiting from symmetry with its neighbour. In that sense, altering this property is arguably of less harm than if similar proposals were applied to one of a pair of bungalows in their original form. This point suggests that, given the marginal nature of this decision, allowing this proposal may not necessarily set a precedent for further such alterations to other properties in the row.
23. The Norwich Society raise the loss of the gable over the front door as a particular concern. It could potentially be possible to retain this in combination with the dormer, as is the case with no.114, three doors down. However, given that the neighbouring property at no.118 no longer has a dormer, that previous permissions have allowed their removal and that, arguably, the gable on no.114 sits a little awkwardly with the dormer, there is not sufficient planning reason to insist on its retention.

24. It is the case that a refusal on the grounds of design may be difficult to defend at appeal given the precedent of previous decisions. Yet to avoid this decision becoming the basis for further erosion of the distinctive qualities of this row of properties, it is important to acknowledge both the questionable nature of earlier approvals and the finely balanced nature of this decision.

Main issue 2: Residential Amenity

25. An objection referred to light being blocked to the neighbouring downstairs window. This objection, however, was in response to the original proposals which included the side extension. With the side extension removed, there would be little additional overshadowing resulting from the alterations.
26. In respect of overlooking, this would be notably restricted toward the rear garden of no.122 by both the distance of 7m between the properties and the pitch roof garage in the garden of no.120. The only proposed side window for the first floor is a small bathroom window and unlikely to present an overlooking issue. Though no.118 is closer, the rear conservatory would restrict views to the immediate rear of that property.
27. It is also the case that the upstairs windows would present no more of an overlooking issue to neighbouring gardens than would usually be the case with a two-storey dwelling. Given that rear dormers have previously been approved in neighbouring properties and, indeed, could be built (with some restrictions) under permitted development, this wouldn't be considered a valid reason for objection.

Other issues

28. Regarding the suggestion that a fifth bedroom could be incorporated in one of the downstairs rooms, this has been mentioned as a possibility by the applicant. Indeed, the specified usage of the downstairs rooms as lounge, study and dining room could be considered questionable as regards future intentions for the property. In light of that, a condition will be added restricting the property to C3 or C4 usage, thus helping to ensure that it is not occupied by more than six unrelated tenants.
29. As there is no change of use, impacts from any increase in the number of tenants, such as parking-related issues, aren't material to the consideration of this proposal.

Equalities and diversity issues

30. There are no significant equality or diversity issues.

Local finance considerations

31. 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.
32. 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.

33. In this case local finance considerations are not considered to be material to the case.

Conclusion

34. While this is a finely balanced decision, and while the proposals represent some loss of original character and visual quality to the property and immediate area, this application is considered approvable on the basis of the precedence provided by former approvals for similar proposals in neighbouring properties.
35. The development is sufficiently 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.

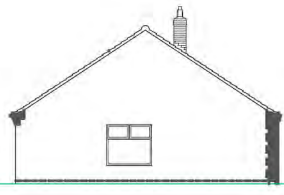
Recommendation

To approve application no. 19/00651/F – 120 Earlham Green Lane, Norwich, NR5 8HF and grant planning permission subject to the following conditions:

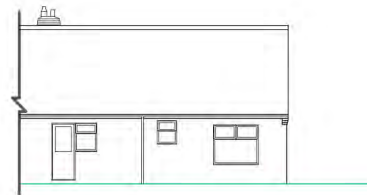
1. Standard time limit;
2. In accordance with plans;
3. Use to be C3 dwelling or C4 small HMO only.



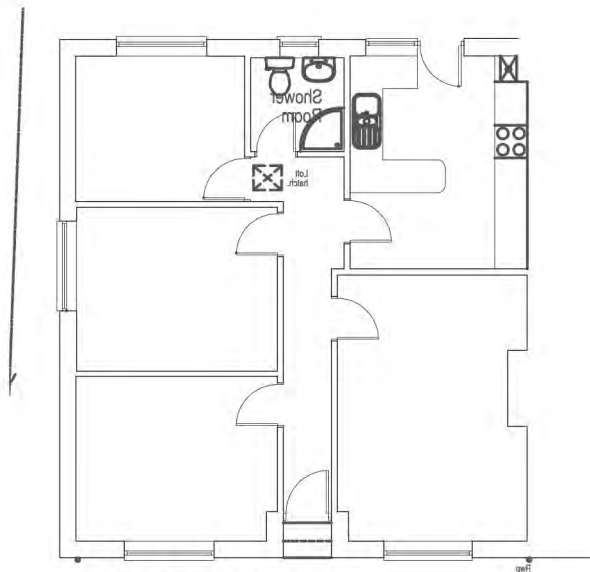
Existing Front Elevation
Scale - 1:100



Existing Side Elevation
Scale - 1:100



Existing Rear Elevation
Scale - 1:100



Existing Ground Floor Plan
Scale - 1:50



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Commencing work, ordering materials or making any shop drawings.

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Rev: Date: Int: Amendment:



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Project - Client:
Proposed Extension at:
120 Earham Green Lane
Norwich
Norfolk
NR5 8HF
for Urban Day LTD.

Drawing Title:
Planning Application
Existing Plans & Elevations

Drawn By: Job Number:
Coleffe Coding **432**

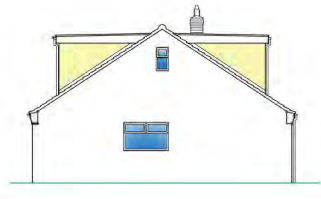
Date: Scale: Drawing No:
April 2019 **As noted at A1** **001**

All dimensions are in millimetres.

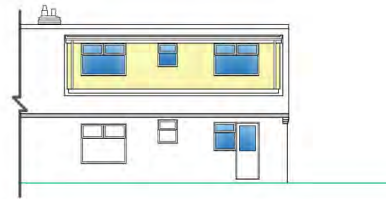
All dimensions to be checked on site.



Proposed Front Elevation
Scale - 1:100



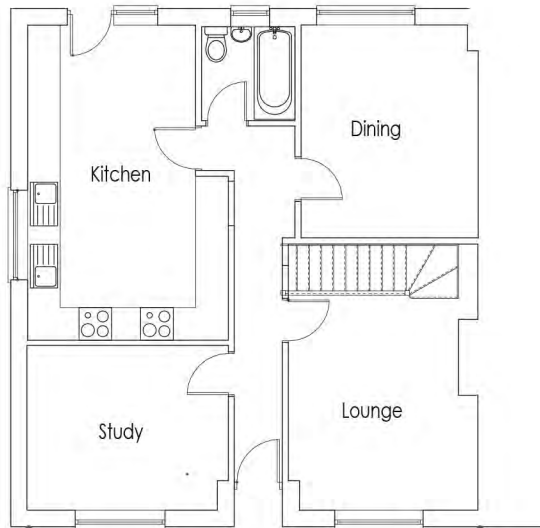
Proposed Side Elevation
Scale - 1:100



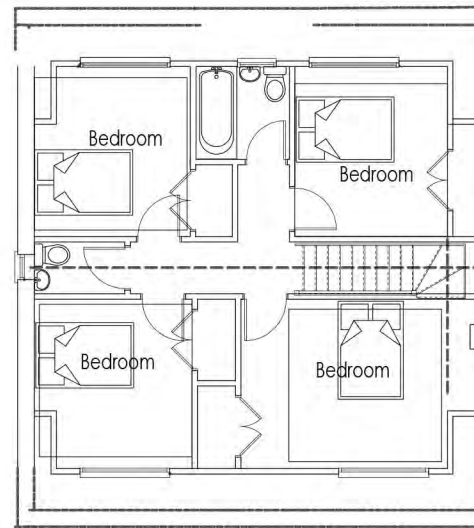
Proposed Rear Elevation
Scale - 1:100



Site Location Plan
Scale - 1:1250



Proposed Ground Floor Plan
Scale - 1:50



Proposed First Floor Plan
Scale - 1:50



Proposed Block Plan
Scale - 1:500



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A	15.06.19	C.C.	Side extension removed
Rev:	Date:	Int:	Amendment:



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Project - Client:
**Proposed Extension at:
120 Earham Green Lane
Norwich
Norfolk
NR5 8HF
for Urban Day LTD.**

Drawing Title:
**Planning Application
Plans, Elevations, Site Location & Block Plan**

Drawn By: **Collette Coding** Job Number: **432**

Date: **April 2019** Scale: **As noted at A1** Drawing No: **002 A**

All dimensions are in millimetres.
All dimensions to be checked on site.