

Report for Resolution

Report to Planning Applications Committee
Date 10 June 1010
Report of Head of Planning Services
Subject 10/00563/F and 10/00565/C 111 Newmarket Road
Norwich NR2 2HT

Item
6(7)

SUMMARY

Description:	1. Sub-division of curtilage to accommodate the erection of a four bedroom detached two storey dwelling and double garage with access from Kinver Close. (10/00563/F) 2. Demolition of part of the existing wall facing Kinver Close to provide vehicular access to the rear of the site (10/00565/C)
Reason for consideration at Committee:	Objection and County Council application
Recommendation:	Approve (full application) and forward Conservation Area Consent application to Secretary of State with support
Ward:	Eaton
Contact Officer:	Miss Louise Franklin Planner 01603 212524
Valid date:	20th March 2010
Applicant:	Norfolk County Council
Agent:	Richard Smith

INTRODUCTION

Process

The applications have been submitted by the County Council. This Council is the determining authority for the full planning application for the erection of the dwelling. However, the Secretary of State determines the application for the Conservation Area Consent, in this instance. The recommendation therefore reflects this division of responsibilities.

The Site

Location and Context

1. No. 111 Newmarket Road is a locally listed large detached dwelling with a substantial garden. It is the large rear garden to the north west of the house that would be subdivided to provide a plot for a new dwelling. The nature of the surrounding area is characterised by mainly large detached dwellings with generous gardens on Newmarket Road and terraced houses to the west of the site.

Constraints

2. The site is set within the Newmarket Road Conservation Area. No.111 Newmarket Road is a locally listed dwelling.

Planning History

08/01160/U - Change of use of former pupil referral and offices to 1 No. residential dwelling. (approved 2009)

08/01161/C - Demolish part of existing wall facing Kinver Close to provide vehicular access to rear of site. (refused 2009)

08/01162/F - Division of rear garden of 111 Newmarket Road to incorporate 1 No. four bedroom detached house plus double garage with access from Kinver Close. (refused 2009)

Application 08/01162/F was refused on design grounds, the design has been improved and the new application submitted. 08/01161/C was refused on the grounds that the removal of a section of the wall without suitable alternative was considered to be unsympathetic to the setting and amenity of the existing house. An alternative has been submitted as part of this application.

The Proposal

3. Sub-division of curtilage to accommodate the erection of a four bedroom detached two storey dwelling and double garage with access from Kinver Close. (10/00563/F)
4. Demolition of part of the existing wall facing Kinver Close to provide vehicular access to the rear of the site (10/00565/C)

Representations Received

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Eighteen letters of representation have been received citing the issues as summarised in the table below.

Issues Raised	Response
Access from unadopted Kinver Close unacceptable <ol style="list-style-type: none">1. Increased wear and tear2. Increased danger to children3. Increased use on junction with Mile End Road4. Increased chance of collisions5. Worry over construction traffic for build process6. Fire access not possible7. Access should be used via the front of 111 Newmarket Road	See paragraphs 23, 24, 25 and 26
Possibility of more dwellings in the future or 111 Newmarket Road being turned into flats	See paragraph 19

Trees should be retained and lime tree which is to be removed is healthy and not in poor condition	See paragraph 27
Would overlook 11 Mile End Close	See paragraph 17
The outlook of properties in the surrounding area will be lost	See paragraph 17
Would set a precedent for other land development in the surrounding area	See paragraph 21
A large 4 bedroom house would change the aspect and character of the area	See paragraphs 20 and 21
No guarantee that the finished building would conform to the plans and would leave the way open for a higher density dwelling later	See paragraph 20

Consultation Responses

6. **Design and Conservation:** This is a large site and the new building will be erected far enough away from the locally listed building that it will not affect its setting. As the site is relatively land-locked, its development will have little impact on the wider conservation area. No objections to this proposal following ongoing negotiations regarding the design. The proposed design is simple but quite well-proportioned, reflecting the characteristics of the historic properties in the vicinity without being an exact copy. The scale and size of the building means that it will be subservient to the main house (111 Newmarket Road).
7. The demolition of part of the wall to form an access from Kinver Close and the replacement of gates has been considered acceptable. This has overcome previous planning concerns. The demolition of this newer part of boundary wall and the provision of boundary gates would enhance the setting of the locally listed building and the character and appearance of the Conservation Area.
8. **Transportation:** No objections to this resubmitted proposal. The access, cycle store and bin store provision are adequate.
9. **Tree Protection Officer:** No objection to this proposal. The proposed replacement tree planting will result in an improved tree population. An amended Arboricultural Implications Assessment has been agreed.
10. **Policy:** The principle of sub-division of this site should be considered in the context of saved local plan policy HOU13. The character of the surrounding area is residential. The proposed development would lead to a significant increase in residential density and due to the size of the plot would be very unlikely to have a detrimental impact on the character or amenity of the surrounding area.
11. **English Heritage:** No objection. Did not wish to formally comment in detail but have offered general observations regarding the gates elaborate design and the formality of the dwelling design.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 – Delivering Sustainable Development
PPS5 – Planning and the Historic Environment
PPG13 - Transportation

Relevant Strategic Regional Planning Policies East of England Plan 2008

ENV7 – Quality in the Built Environment

Relevant Local Plan Policies City of Norwich Replacement Local Plan 2004

HOU13 – Proposals for residential development
HBE8 – Development in Conservation Areas
HBE12 – High quality of design
EP22 – Residential amenity
TRA6 – Maximum parking standards
TRA7 – Cycle standards
TRA8 – Provisions for servicing
NE3 – Tree protection
NE9 – Comprehensive landscaping scheme and tree planting

Supplementary Planning Documents and Guidance

Trees and Development – adopted October 2007

Principle of Development

Policy Considerations

12. Local Plan Policy HOU13 sets out the criteria by which proposals for new housing are assessed. These include appropriate access arrangements, a density normally of at least 40 dwellings per hectare, provision of private garden area and no detrimental impact on the character and amenity of the surrounding area.
13. National and regional policies for seeking good design support saved local plan policies HBE8 and HBE12 which seek a high standard of design, which respects and is sympathetic to the form and character of the area.
14. Saved Local Plan Policy EP22 seeks to provide a high standard of amenity to existing or future occupiers including daylighting, privacy and provision of a suitable garden area. Saved policy TRA6 seeks to achieve adequate car parking for the development, TRA7 is for adequate cycle parking and TRA8 is to ensure that a substantial provision for servicing has been proposed.
15. Saved Local Plan Policy NE3 ensures that development proposals are only permitted whereby trees protected by tree preservation orders are adequately assessed and NE9

seeks to make provision for the implementation of comprehensive new planting.

Impact on Living Conditions

Overlooking and Outlook

16. The proposed new dwelling has been positioned in order to avoid overlooking and loss of outlook to the neighbours. The proposed dwelling is set 17m away from the closest neighbour and it is therefore considered that this distance is acceptable between properties. The site is well screened by trees on the boundary which lessens the impact of overlooking on the surrounding neighbours.

Design

Approach

17. The new dwelling takes its design influence from the existing locally listed dwelling at 111 Newmarket Road. The previous application was refused on design issues and informal advice on alternative proposals was subsequently provided with design guidance from the Design and Conservation officer. The footprint of the dwelling takes account of the shape of the site and the positions of the neighbouring properties and existing trees.
18. Concerns have been raised by a neighbour about possible alternative uses. Any material changes to the design or the layout after any approval would require a new planning application in the future and so would be subject to assessment at that time.

Scale and setting

19. The houses within this area on the northern side of Newmarket Road are large in size and scale and set within generous plots. It is considered that the new two storey dwelling would be of an acceptable scale, height and massing in line with the houses in the area and would be set within a substantial garden area and would not be over dominant on the site.

Conservation Area – Impact on Character and Appearance

20. Historically there have been a number of plots sub-divided along the northern side of Newmarket Road setting precedence in this area. It is considered that both the existing and the proposed dwellings would have adequate amenity space and are similar in size and scale would be in keeping with the character and appearance of the area.
21. It is considered that the demolition of the wall and replacement of suitably designed gates would enhance the setting of the locally listed building and the character and appearance of the Conservation Area

Transport and Access

Vehicular Access and Servicing

22. The existing house at no.111 has a driveway accessed from Newmarket Road but also previously had vehicular access from Kinver Close to a rear garage, this has since been replaced by a rear wall and gate. The application specifies access for the dwelling using the unadopted road at Kinver Close which is also used for access by other properties
23. No objections to the access arrangements proposed have been raised by the Council's Transportation Section and it is considered that the use of this access is acceptable for the proposed dwelling would not result in problems of highway safety or inconvenience to

other residents.

24. Concerns have also been raised about the maintenance costs associated with the proposal. As the road is a private unadopted road, this is a civil matter and would not normally be considered material to the merits of the planning application.
25. A letter has been received from the Fire Service as part of the planning application which explains that the access for fire appliances is adequate.

Trees and Landscaping

Loss of Trees or Impact on Trees and Replacement Planting

26. The removal of eight trees on the site has been assessed by the Tree Protection Officer and is considered acceptable. The lime tree at the entrance to the site is considered to be Category C which is stated as of low quality and amenity value and to be in poor condition. It has been agreed that this can be removed and that appropriate replacement planting could compensate for this loss. A condition will be put in place for the replacement planting.

Conclusions

27. It is considered that the principle of sub-dividing the plot of 111 Newmarket Road to provide a new dwelling accords with Saved Local Plan Policies. The design and scale of the proposed dwelling is considered appropriate for the area and its position would not have a significant impact on the residential amenities of the neighbouring properties or the wider character of the Conservation Area. It is also considered that the loss of the trees is acceptable with suitable replacement as agreed by the Tree Protection Officer. The access from Kinver Close is acceptable for one dwelling. The details of the proposed gateway are considered acceptable and would enhance the setting of the locally listed building and the character and appearance of the Conservation Area
28. The Conservation Area Consent for the demolition of the wall and replacement gates is considered as acceptable in this location. It is considered to be in keeping with the character and appearance of the Newmarket Road Conservation Area.

RECOMMENDATIONS

To approve Application No (10/00563/F 111 Newmarket Road) and grant planning permission, subject to the following conditions:-

1. Commencement of development within three years
2. In accordance with drawings approved on the decision notice
3. Details of surfacing materials of driveway in accordance with submitted details
4. Provision of access and parking prior to occupation
5. Provision of bin and cycle storage prior to occupation
6. Works to be carried out in full compliance with AIA submitted
7. Submission of specification and methodology regarding tree protective barriers and fencing
8. Replacement planting in accordance with submitted details
9. Before commencement, a site meeting must take place between the site agent, the Council's Tree Protection Officer and the site's chosen arboriculturalist
10. The conservatory on the north west elevation should be of timber construction
11. The bricks and tiles should match those of existing 111 Newmarket Road

12. Access gates to be provided in accordance with details and shall only open inwards

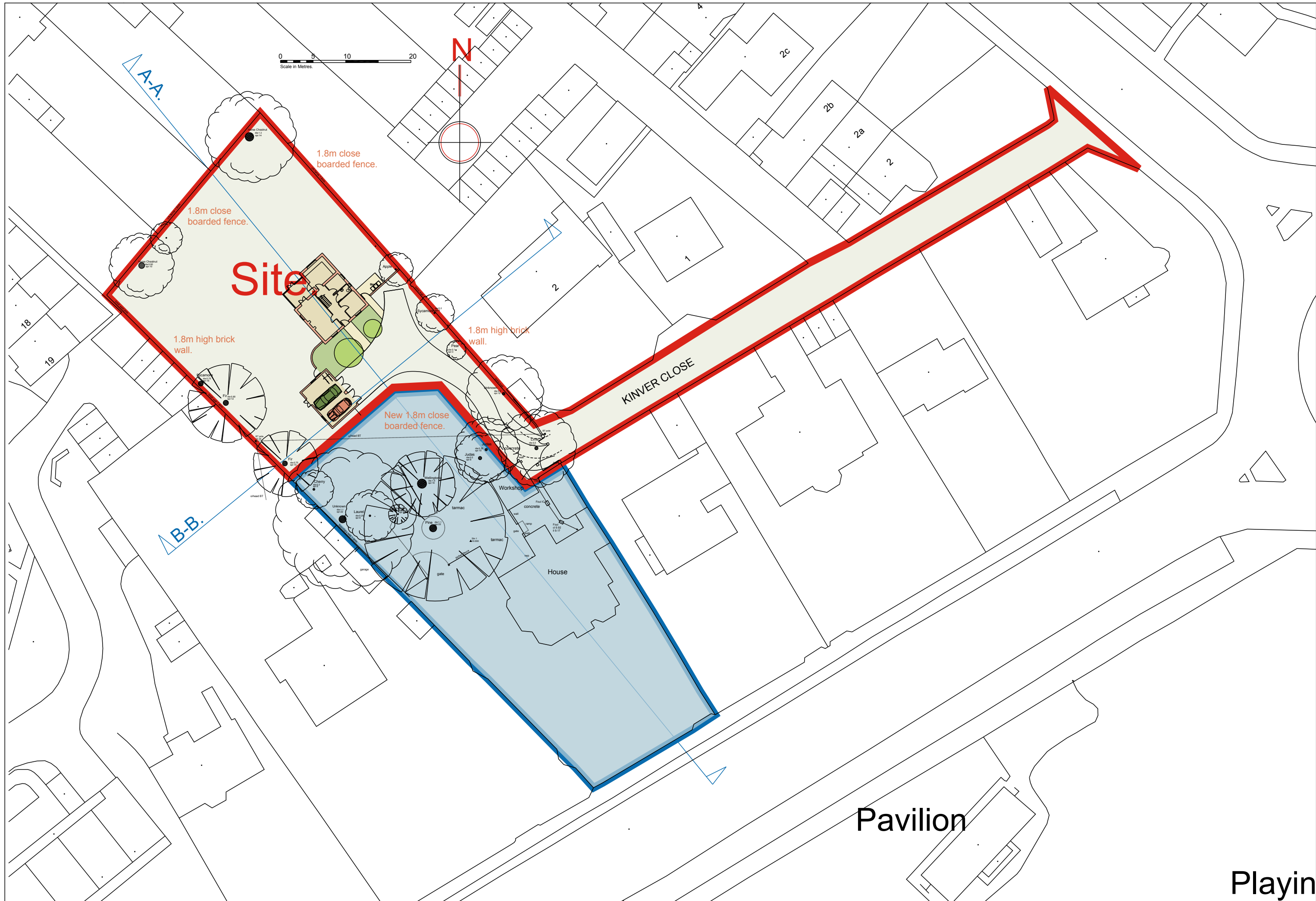
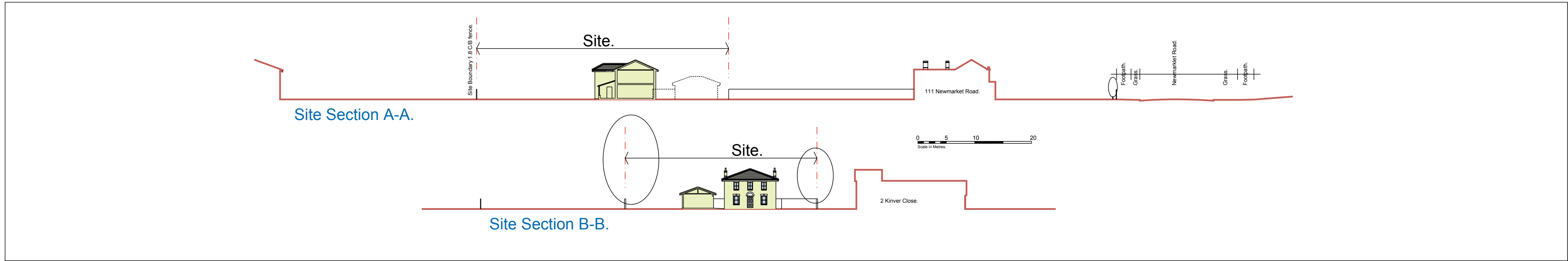
Reasons for approval: The sub division of the curtilage to provide a new detached dwelling and garage would be in accordance with Saved Local Plan Policies HOU13, HBE8, HBE12, EP22, TRA6, TRA7, TRA8, NE3 and NE9 of the City of Norwich Replacement Local Plan Adopted Version 2004 and to all material planning considerations. The scale and design of the dwelling are considered to be appropriate and its position would not be significantly detrimental to the residential amenities of the neighbouring properties or the wider character of this part of the Newmarket Road Conservation Area. The principle of this development and the demolition and creation of an additional point of access to the site are considered acceptable with the replacement of gates. In addition, it is considered that the loss of trees on site can be effectively mitigated by replacement planting.

Recommendation for Conservation Area Consent (10/00565/C 11 Newmarket Road) – Forward to Secretary of State with recommendation to approve, subject to the following conditions:-

1. Commencement of development within three years
2. In accordance with drawings approved on the decision notice
3. No demolition to take place until contract is in place for the construction of the dwelling and driveway

Recommended reasons for approval:

The decision is made with regard to saved policies EP22, HBE8 and HBE12 of the City of Norwich Replacement Local Plan Adopted Version 2004 and all material planning considerations. The demolition of part of the wall by means of its location on the north east side of the site will not have any adverse effect on the character of the Newmarket Road Conservation Area, subject to the appropriate replacement of the area of wall to be demolished. The replacement of the wall with iron gates, as proposed, is considered acceptable and will not be detrimental to the visual or residential amenities of the locality.



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☐ BUILDING REGS ☐ TENDER ☐ CONSTRUCTION ☐ AS-BUILT ☐

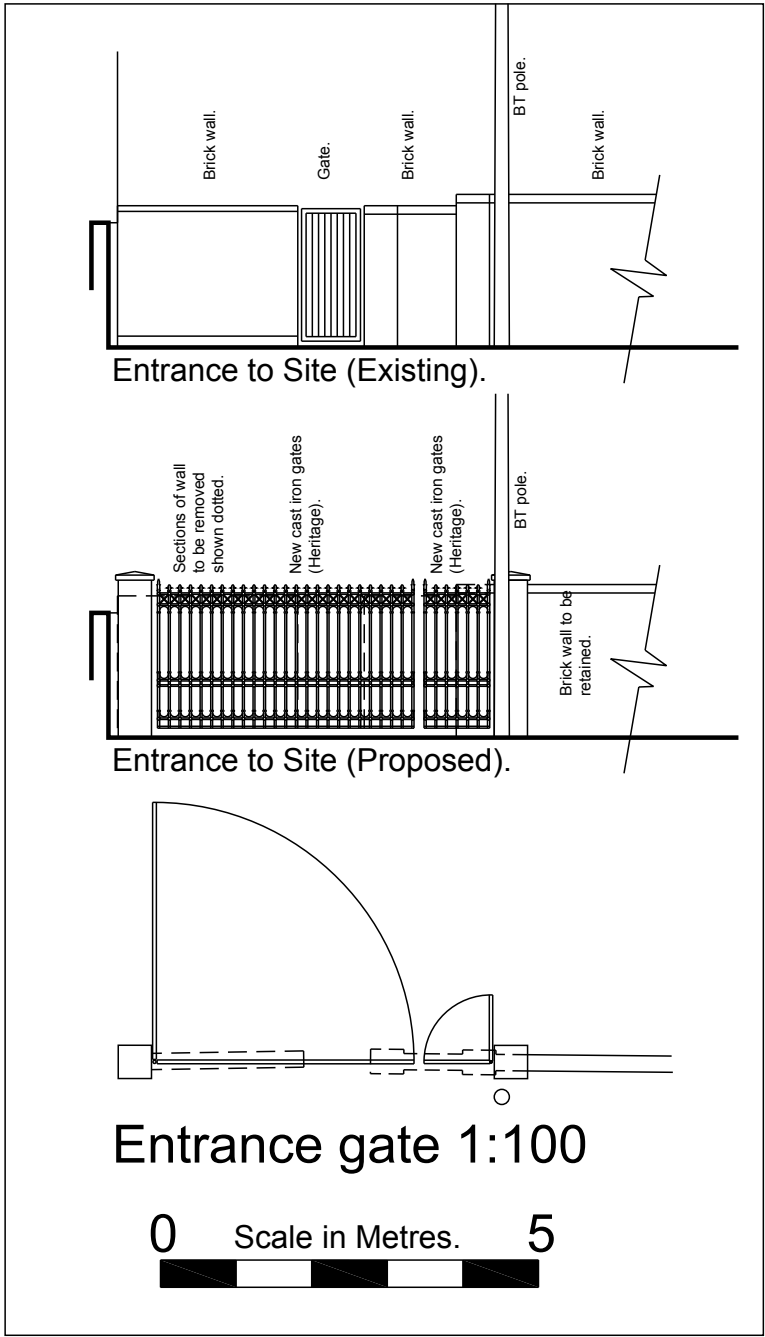
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<input type="checkbox"/> NEEDHAM MARKET OFFICE IP6 8AS TEL: 01449-727670 FAX: 01449-727696		
<input type="checkbox"/> BRIGHTON OFFICE BN2 6NT TEL: 01273 391100 FAX: 01273 391101		
<input type="checkbox"/> HAMPTON COURT OFFICE KT8 9HD TEL: 020 8481 7920 FAX: 020 8481 7921		
<input type="checkbox"/> WHITSTABLE OFFICE CT5 2QJ TEL: 01227 793480 FAX: 01227 793605		
<input type="checkbox"/> LUTON OFFICE LU1 1QZ TEL: 01582 544710 FAX: 01582 728662		
PROJECT New House & Garage 111 Newmarket Road		CLIENT Norfolk County Council
SUBJECT Sketch Scheme 5 Block Plan & Site Sections.		DATABASE DATE SCALE Mar 2010 1:500 At A2.
PROJECT NR CD10086	DRAWING NR 21	REV DRAWN CHECKED



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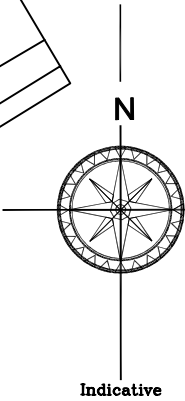
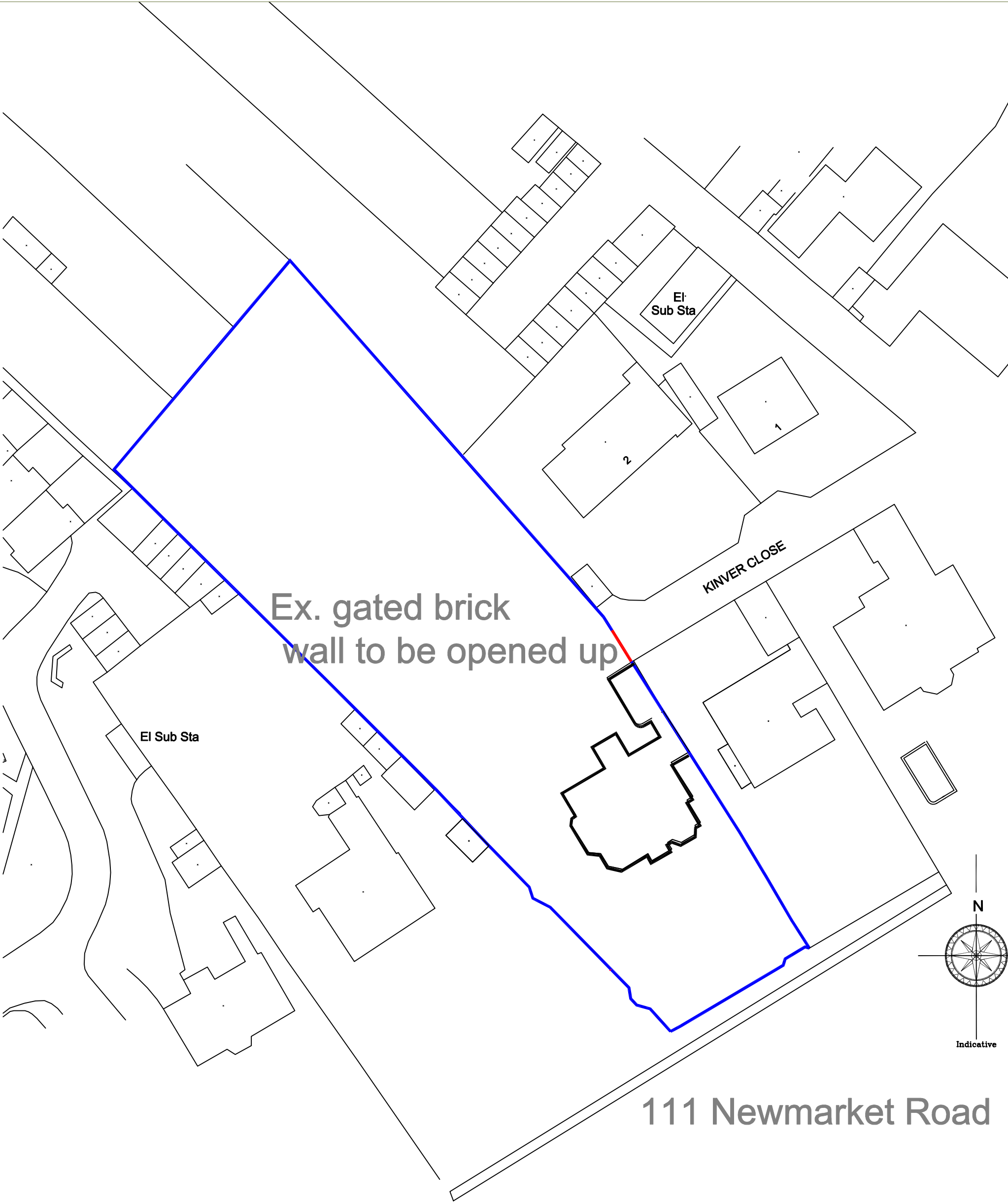


KINVER

BT pole
Demolish existing wall and install new gates and piers as shown.

B	4.02.10	Minor revisions to house.
A	21.01.10	House redesigned.
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<input type="checkbox"/> LUTON OFFICE LU1 1QZ TEL: 01582 544710 FAX: 01582 728662		
PROJECT New House 111 Newmarket Road		CLIENT Norfolk County Council
SUBJECT Sketch Scheme 5 Site Plan.		DATABASE DATE SCALE 1:200 At A2.
PROJECT NR CD10086	DRAWING NR 17	REV B



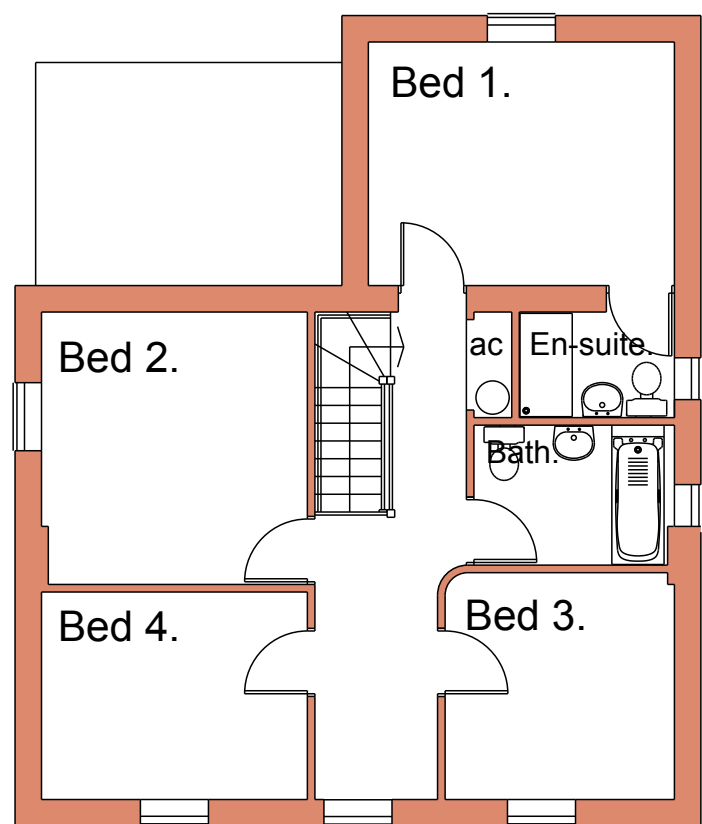


111 Newmarket Road

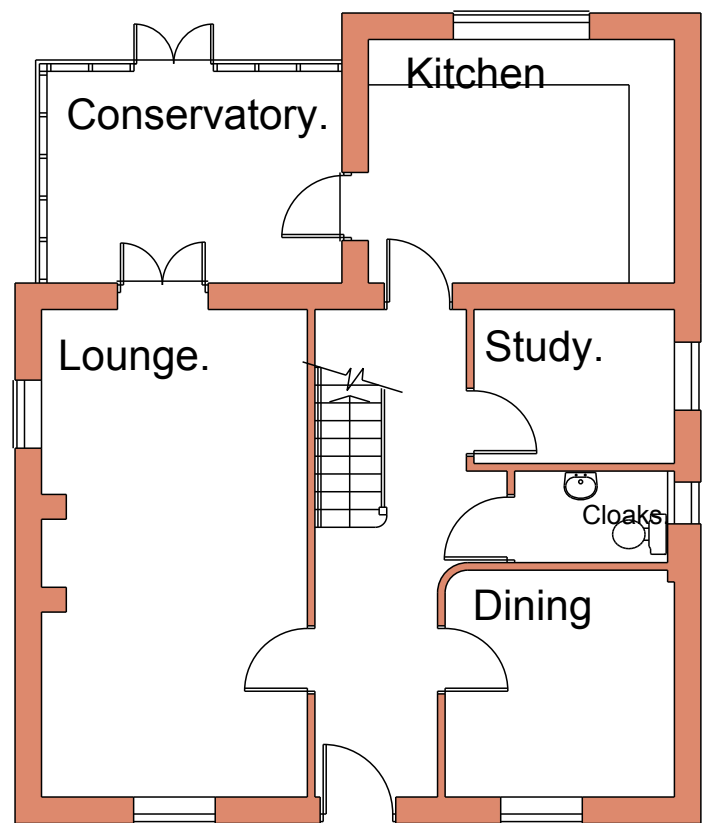
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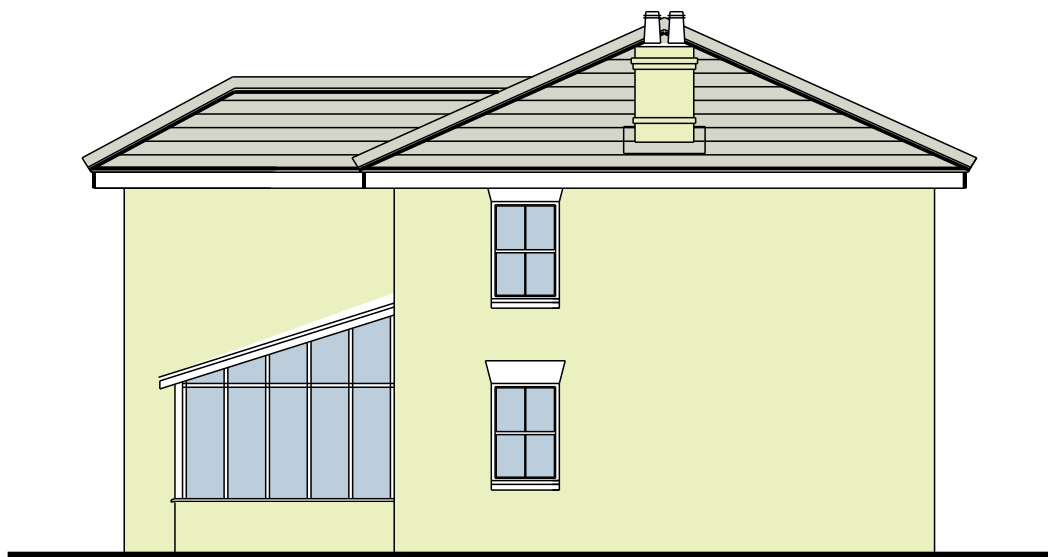
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First.



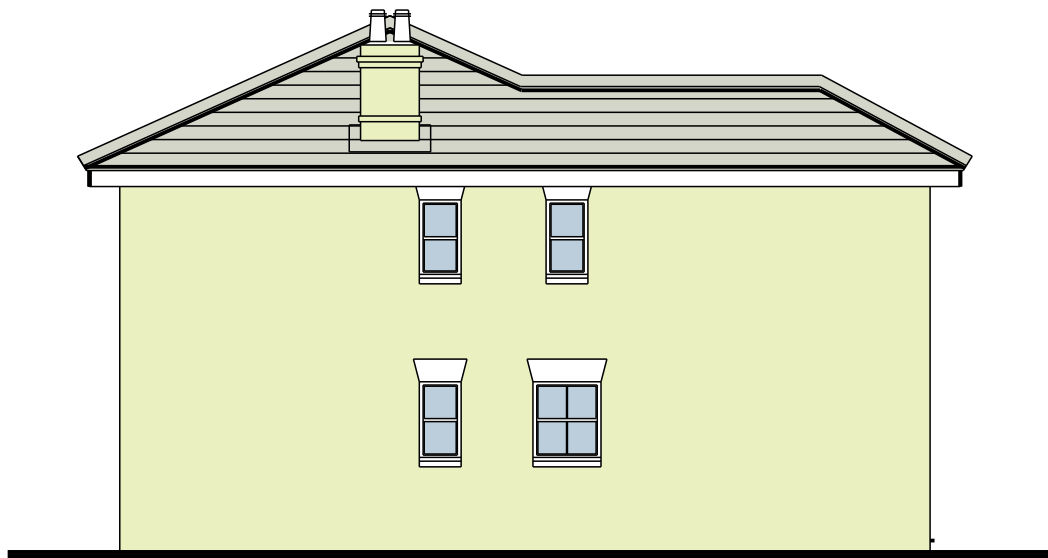
Ground Floor 1:100.



South-west.



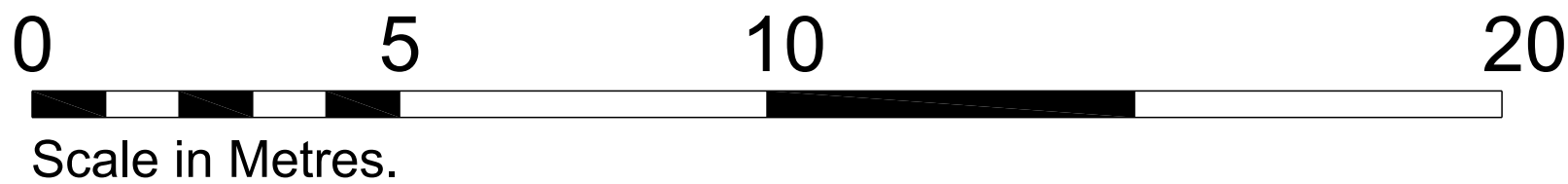
Front (South-east) 1:100.



North-east.



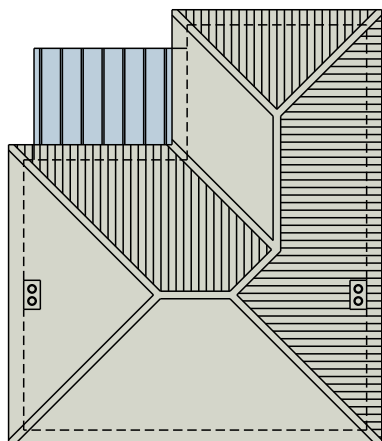
North-west



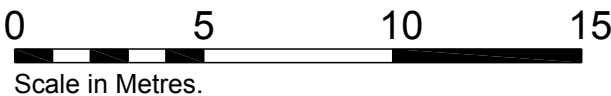
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☐ BUILDING REGS ☐ TENDER ☐ CONSTRUCTION ☐ AS-BUILT ☐



Roof Plan
1:200.

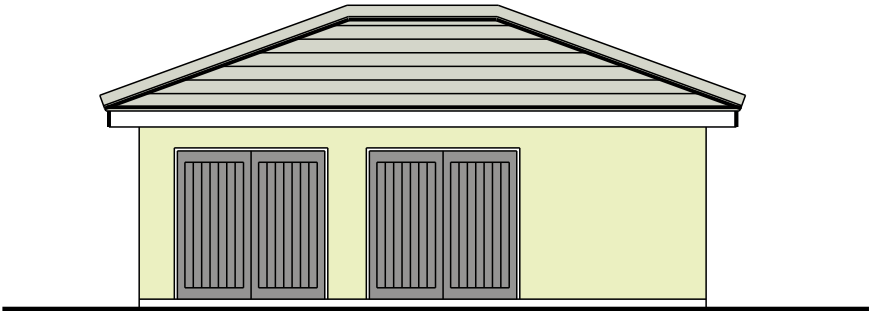


B	4.02.10	Chimneys added and windows to SW elevation.
A	21.01.10	Redesigned
REV	DATE	DESCRIPTION
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PROJECT New House & Garage 111 Newmarket Road		CLIENT Norfolk County Council
SUBJECT Sketch Scheme 5 Plans and elevations		DATABASE Nov 2009 SCALE 1:100 At A2.
PROJECT NR CD10086	DRAWING NR 18	REV B

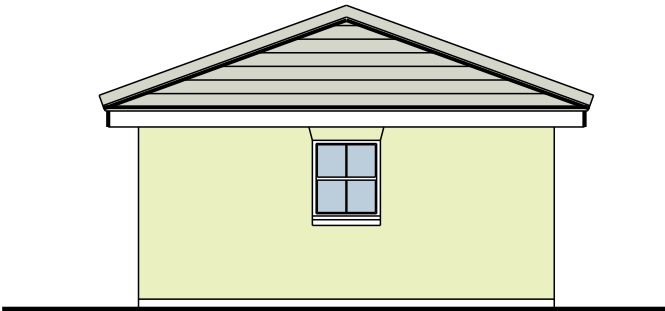
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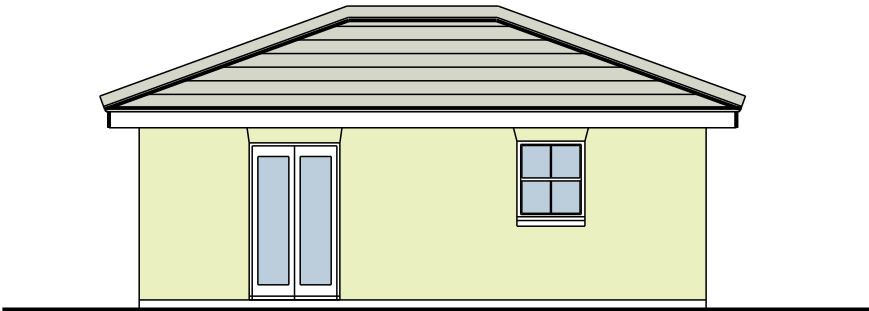
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BUILDING REGS ☐ TENDER ☐ CONSTRUCTION ☐ AS-BUILT ☐



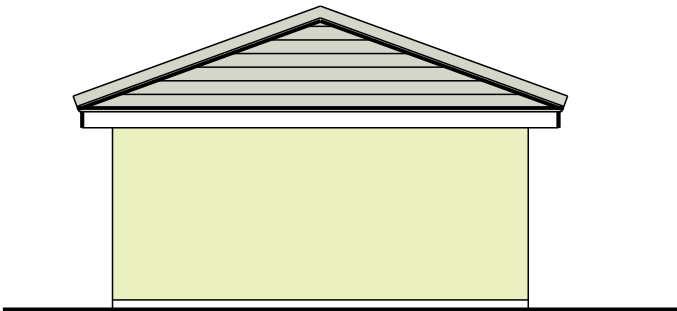
North-east.



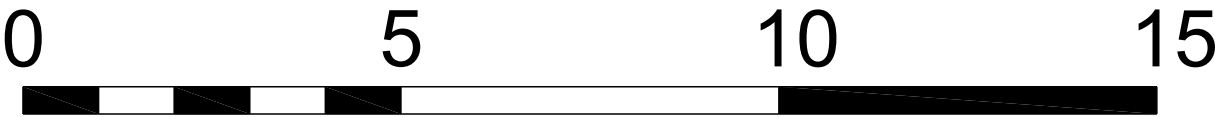
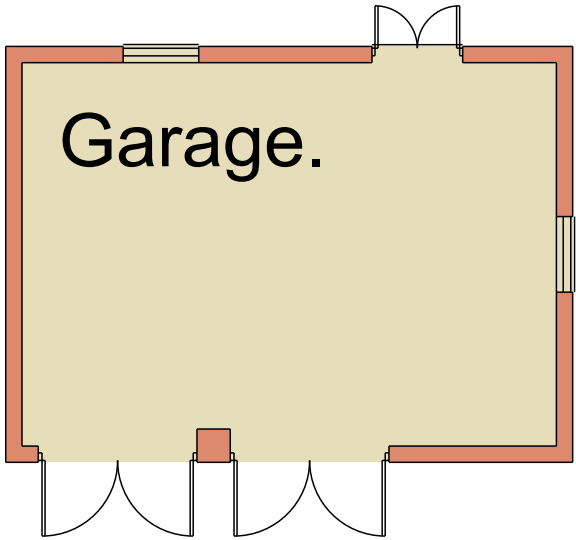
North-west.



South-west.

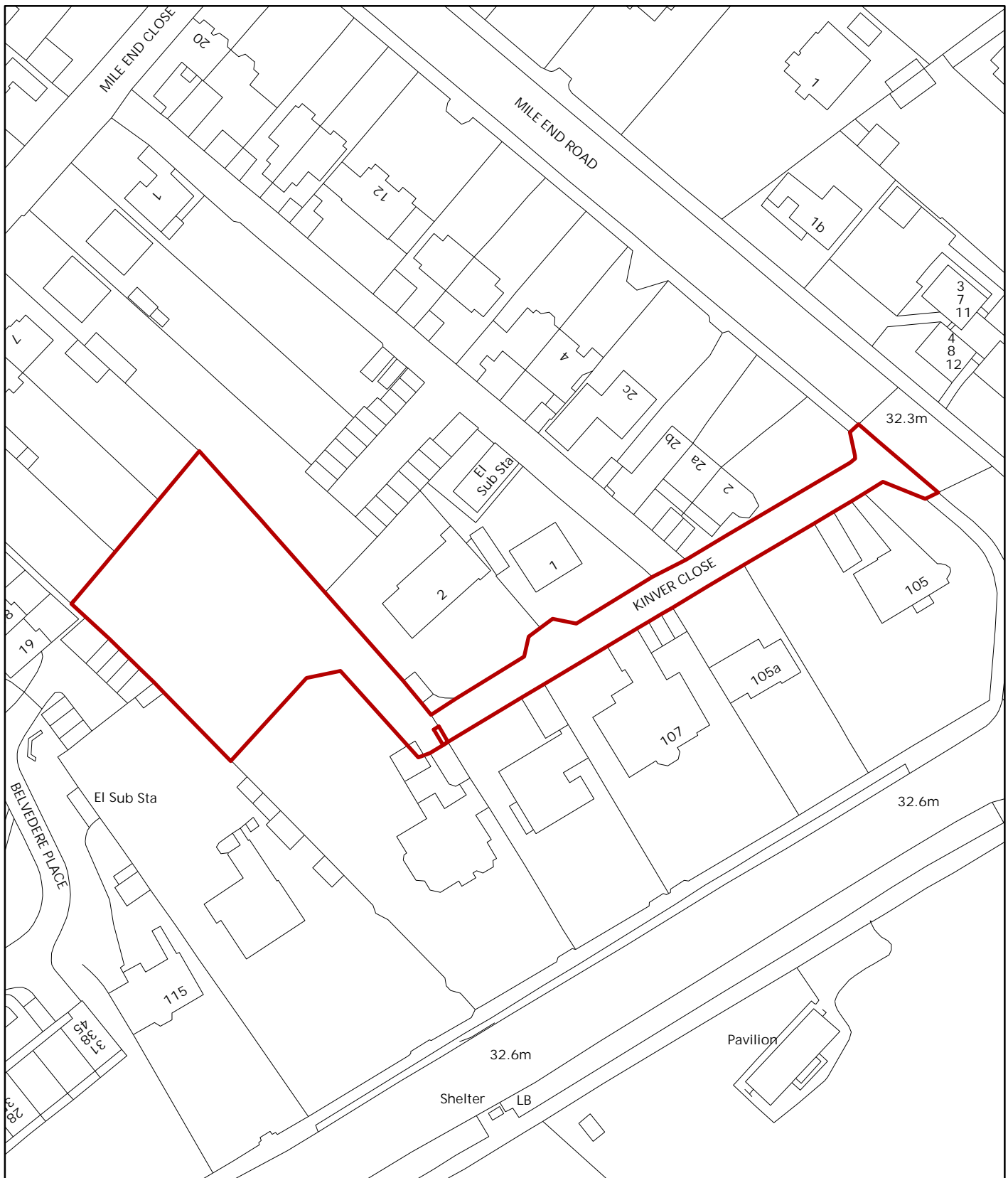


South-east.



Scale in Metres.

A	15.Mar.10	Roof and doors revised, plinth omitted.					
REV	DATE	DESCRIPTION	PROJECT New House & Garage 111 Newmarket Road		CLIENT Norfolk County Council		
NPS SOUTH EAST LTD <input type="checkbox"/> NORWICH OFFICE NAUTILUS HOUSE NR7 OHR TEL: 01603 706706 FAX: 01603 706700 <input type="checkbox"/> CHELMSFORD OFFICE CM2 0JA TEL: 01245-505400 FAX: 01245-505401 <input type="checkbox"/> NEEDHAM MARKET OFFICE IP6 8AS TEL: 01449-727670 FAX: 01449-727696 <input type="checkbox"/> BRIGHTON OFFICE BN2 6NT TEL: 01273 391100 FAX: 01273 391101 <input type="checkbox"/> HAMPTON COURT OFFICE KT8 9HD TEL: 020 8481 7920 FAX: 020 8481 7921 <input type="checkbox"/> WHITSTABLE OFFICE CT5 2QJ TEL: 01227 793480 FAX: 01227 793605 <input type="checkbox"/> LUTON OFFICE LU1 1QZ TEL: 01582 544710 FAX: 01582 728662			SUBJECT Sketch Scheme 5 Garage Plans & Elevations		DATABASE	DATE	SCALE
						Nov 2009	1:100
						At A3.	
			PROJECT NR		DRAWING NR	REV	DRAWN
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Planning Application No - 10/00563/F & 10/00565/C
 Site Address - 111 Newmarket Road
 Scale - 1:1,000



NORWICH
 City Council

PLANNING SERVICES

