

**Report to** Planning applications committee

**Item**

08 March 2018

**Report of** Head of planning services

**Subject** Application no 17/02026/F - 39 Constable Road, Norwich,  
NR4 6RW

**4(k)**

**Reason  
for referral** Objections

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

<b>Development proposal</b>		
Two storey rear extension.		
<b>Representations</b>		
Object	Comment	Support
2	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Scale, form and design	The visual impact on the character of the area
2 Residential amenity	The impact on the neighbouring properties: loss of light to living room windows and garden of no.37. Loss of privacy to neighbouring properties.
<b>Expiry date</b>	15 February 2018
<b>Recommendation</b>	To approve



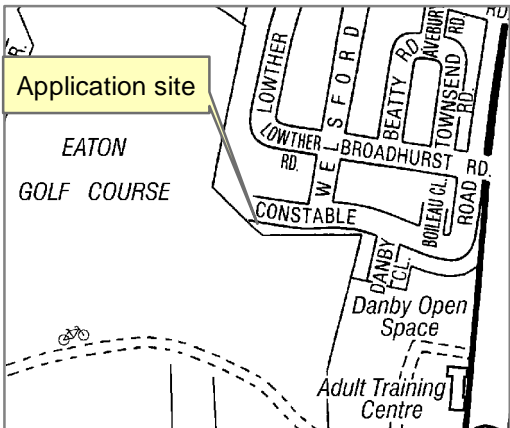
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Planning Application No 17/02026/F  
 Site Address 39 Constable Road

Scale 1:1,000



**NORWICH**  
 City Council  
 PLANNING SERVICES



## The site and surroundings

1. The site is located on the south side of Constable Road, a quiet suburban residential street 2.5km south of the city centre and on the edge of the urban area. The road consists of detached bungalows and two-storey houses typical of sixties era construction, but with a variety of form, size and styling. The properties have fairly substantial gardens, typically setting the dwellings back from the road by 8-10m and extending approx. 20m to the rear.
2. The subject property is toward the end of the road, with this section of the road forming a loop at the end of a cul-de-sac. It is a chalet-bungalow two storey property with gable ends on its east and west elevations and dormers facing north and south. On the dwelling's north side is a small single storey flat-roof section.
3. To the east is 37 Constable Road. The dwellings themselves are 9m apart and the rear of no.38 is almost aligned with the rear elevation of no.39, sitting just slightly to the south by 0.8m. The rear of both properties are south-facing but angled slightly toward the west.
4. The garage of no.39 extends off the south-east corner of the dwelling, extending 4.2m to the rear of the main section of the house with its eastern wall 3.7m from the neighbouring dwelling. To the north-west is no.41 which is about 2.5m away from the subject dwelling at its closest point.
5. To the south and east is the Eaton Golf Club course with trees along the south of the garden providing partial screening. The golf course is included within the Yare Valley character area, the boundary of which follows the southern boundary of the garden, and which receives specific protection under the Local Plan to preserve its environmental quality, biodiversity and character.

## Constraints

6. Adjacent to: Yare Valley Character Area (Policy DM6) & designated Open Space (Policy DM8)

## Relevant planning history

7. There is no relevant planning history.

## The proposal

8. The proposal is for the construction of a two-storey flat-roofed extension and first floor dormer to the rear of the subject property. The extension is relatively large, measuring 5.4m from the ground floor rear of the property and 6m further than the existing rear dormer and 1m further than the existing garage, with its roof measuring 7.8m in length. The top floor of the extension is 7.4m wide, set in from the east elevation by 0.2m, with the ground floor slightly narrower at 7.3m. The extension has a small overhang at its south end, with its first floor measuring 0.7m further than the ground floor.
9. Toward the west of the building a new dormer will be added, which will extend almost to the eaves of the house, with styling to match the extension.

10. The extension will be clad in vertical boarding. The precise materials and colour are yet to be decided on, though it has been relayed that real timber cladding or high quality fibre cement boards are both being considered. The materials will be subject to condition. It is proposed to re-clad the existing north facing dormer and ground floor front section to match the new extension.

### Summary information

Proposal	Key facts
<b>Scale</b>	
Total floorspace	<b>73m<sup>2</sup></b>
No. of storeys	<b>2</b>
Max. dimensions	<b>Length: 7.9m (at roof top) Width: 7.4m; 11.1m if dormer included</b>
<b>Appearance</b>	
Materials	<b>Vertical boarding, materials to condition</b>

### Representations

11. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two 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
Scale too large compared to current dwelling	See main issue 1
Out of proportion with size of plot	See main issue 1
Disturbance during works	See other matters
Overshadowing of garden at no.37 and overbearing design causing loss of 'openness'	See main issue 2
Overshadowing of living room and bedrooms at no.37	See main issue 2
Loss of privacy	See main issue 2
Loss of smaller property/diversity of dwellings	See other matters
A single storey extension would be preferable	See other matters

## Consultation responses

### Tree protection officer

12. No comments received. (No trees affected)

## Assessment of planning considerations

### Relevant development plan policies

13. **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
14. **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
  - DM6 Protecting and enhancing the natural environment
  - DM9 Safeguarding Norwich's heritage

### Other material considerations

15. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF0 Achieving sustainable development
  - NPPF7 Requiring good design
  - NPPF8 Promoting healthy communities
  - NPPF9 Protecting Green Belt land
  - NPPF10 Meeting the challenge of climate change, flooding and coastal change
  - NPPF11 Conserving and enhancing the natural environment
16. **Supplementary Planning Documents (SPD)**
  - Landscape and Trees SPD adopted June 2016

### 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: Scale, Form and Design**

18. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
19. At a full size of 7.4 wide and 7.8m long at its roof, the proposed extension is relatively large, and also can be said to represent a significant change in the form of the subject property. It is not what could be considered subservient to the current dwelling and Policy DM3(f) specifically refers to avoiding ‘dominant or incongruous extensions’. However, to be refusible on those grounds and for that factor to outweigh others in the proposal’s favour, we would need to demonstrate that the relative dominance of the extension would cause harm to the character of the area, with particular consideration given to views from the public realm.
20. Although the extension will be visible from a small section of Constable Road, it could not be considered visually dominant or obvious enough to represent a significantly negative impact. It is also the case that the properties on the road are of a variety of size and form and there is a lack of distinctive or consistent features which merit specific consideration.
21. The building’s position just outside the border of the Yare Valley Character Area, of which the golf course forms a part, is also a relevant factor. However, the golf course wouldn’t generally be considered public space as it is a paid-for facility and not a Public Right of Way. Even if visibility from the course was taken into account, it is the case that there is extensive screening provided by trees to the south of the property, partly on the boundary of the garden, but also at various places on the course itself. The extension would not be visible from further afield, such as from Marston Lane, and would only be seen from a small section of the golf course.
22. The new extension increases the floor area of the main dwelling by 47%. While this is a substantial increase, it isn’t excessive and being on a relatively large plot, it could not be considered over-development.
23. It is arguable whether the modern design is in keeping with the existing dwelling and, when considered in combination with its size, whether this would justify the term ‘incongruous’. The extension does to some extent reflect the current dormer arrangement, although the plans do represent a significant scaling-up of the design feature. The plans do include proposals to re-clad the north facing dormer and ground floor front section to match the new extension, which will achieve a visual tie-in with the existing property. Ultimately, opinions will differ as to whether the design of the extension is a bold and exciting contrast or brash and insensitive but, overall, it cannot be considered sufficiently devoid of merit to justify refusal on these grounds.
24. Precise details of materials and colour of the boarding are yet to be decided and will be subject to a condition. It has been indicated that real timber cladding or high quality fibre cement boards are under consideration.

## **Main issue 2: Amenity**

25. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
26. Concerns have been raised that the extension will cause an unacceptable level of overshadowing to the neighbouring property, no.37 to the east. The main factor to

consider is the extent of increased overshadowing for the south and west facing downstairs living room windows of no.37.

27. While the existing garage at no.39 already causes a fair degree of overshadowing to this living room, the extension will cause some additional loss of direct light and this is most likely toward the end of the day during the summer months when the setting sun is more directly to the west and more likely to be above the line of the garage. However, at the most, from the centre of the west facing downstairs window, the extension will only affect 25-30 degrees of horizontal vision. The extension is 9m from the dwelling at no.37 and for most of the daylight hours when the majority of direct sunlight will be experienced through the south facing window, the extension will have no effect. In respect of overshadowing of upstairs windows, this is likely to be marginal.
28. While any loss of light is regrettable, in this case it is not at a level which could be considered unacceptable. A sunlight analysis has been provided by the agent, however it has been given little weight in the determination of the application due to concerns over its accuracy. Given the distances to the neighbouring property and the orientation of site, this is not a case where a sunlight analysis would be required.
29. Overshadowing of the garden at no.37 has also been mentioned as a concern, though the extent to which we can consider this a material planning concern is very limited at best and the actual level of overshadowing is well within the bounds of acceptability.
30. While undoubtedly the relatively large mass of the extension will have some effect on the aspect of the neighbouring garden at no.37 and some loss in the feeling of 'openness', the distance of approx. 8m between the extension and the border means it will not be sufficiently overbearing for this to be considered unacceptable.
31. In respect of potential loss of privacy, the windows on the east elevation toward nos 37 & 35 are small and approx. 1.9m above floor level, so are unlikely to represent an overlooking concern. The larger windows on the south elevation are toward the west of the extension which will reduce any perception of overlooking to the east. With the south elevation further to the south than the current dormer and less of the neighbouring gardens within easy view, it is arguable whether the extension represents more of an overlooking issue than the current situation.
32. A small juliet balcony is planned for the west elevation. As there are gaps in the vegetation/screening toward no.41 this potentially could increase the perception of overlooking for residents of that property. However, at 1.75m wide, it is a fairly modest opening and doesn't represent a significant change on the current upstairs window and so, on balance, is considered acceptable.

### **Other matters**

33. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
34. There are no identified aspects of the planned construction which would cause disturbance during works to be a material planning concern.

35. The loss of a smaller property and, therefore, of the diversity of properties on offer in the area is a marginal and questionable point and not a matter for consideration in this context.
36. One neighbour objection has made a specific reference to a single storey extension being preferable. While this may have advantages in terms of amenity for the neighbours, we have to assess the plans as they are and would need a planning justification to ask them to make this change. For reasons described above, we don't feel that policy would justify such a request.
37. There were inaccuracies in the plans and site plan as originally submitted, but following discussion with the agent these have since been corrected.

### **Equalities and diversity issues**

38. There are no significant equality or diversity issues.

### **Local finance considerations**

39. 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.
40. 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.
41. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

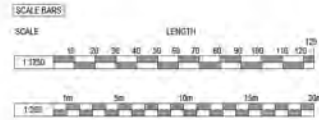
42. The proposal will result in an extended dwelling and attractive living space for the occupants. Although there may be an argument that the extension is excessive and/or out of keeping, this has to be weighed against other factors and, in particular, the difficulty of demonstrating harm to the character of the area means that, on balance, its scale and form are considered acceptable. The level of impact on the amenity of neighbouring properties is also judged to be acceptable.
43. 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. 17/02026/F - 39 Constable Road Norwich NR4 6RW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to be provided of materials and colour of vertical boarding.





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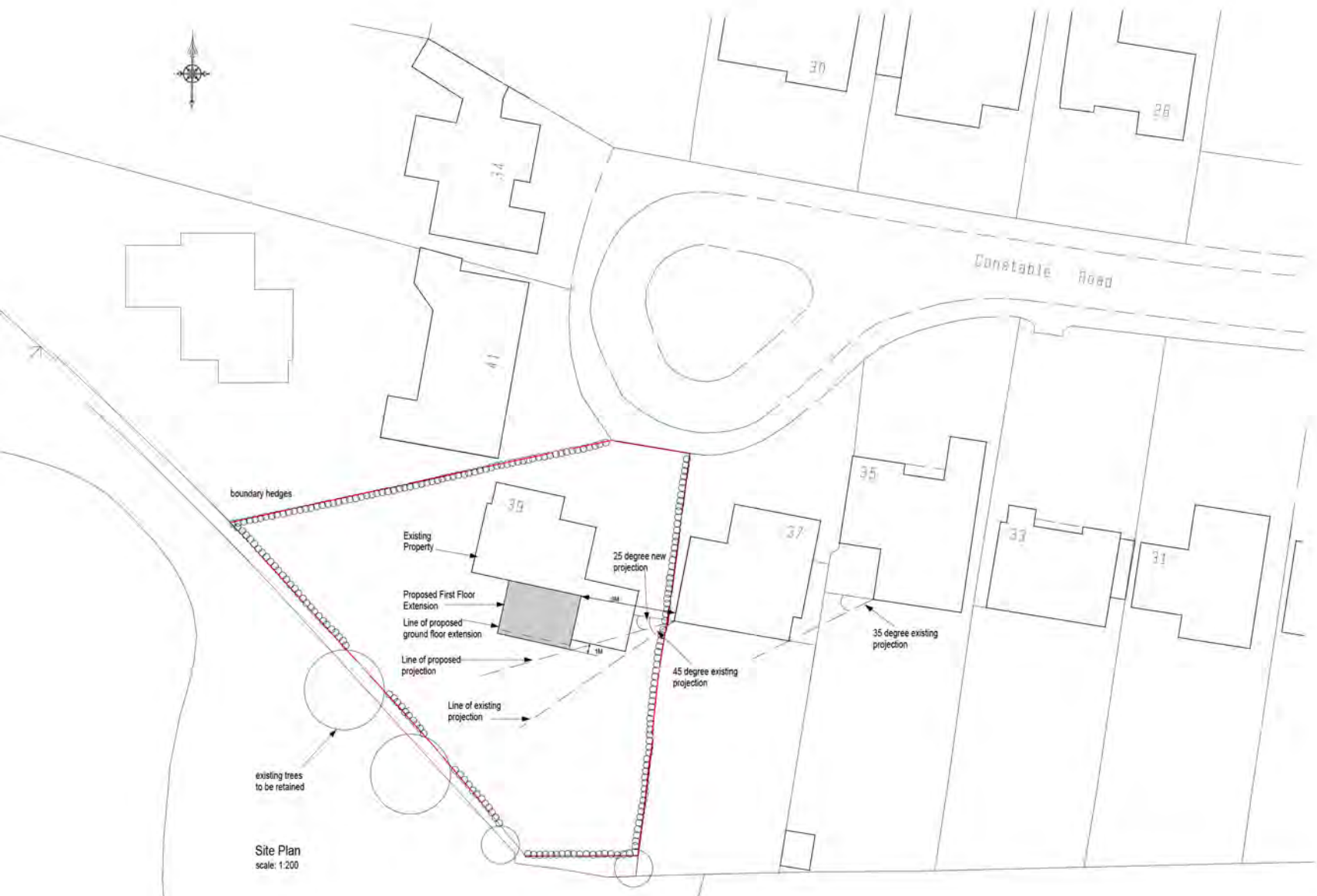
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**Location Plan**  
scale: 1:1250

E. Site Plan updated as requested by LPA	260218 n/c
D. Site Plan updated as requested by LPA	220218 n/c
C. Site Plan updated	300118 n/c
B. Site Plan updated to suit Location Plan	300118 n/c
A. Site Plan updated to suit Location Plan	300118 n/c

architects and consulting engineers

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**RIBA** Chartered Practice

Project: 39 Constable Road, Norwich

Client: Holdgate, Dr D

Drawing: Proposed Site Plan & Location Plan

Drawn By: n/c	Checked By: DF	Ref No: 6810	Orig No: SL01E
Scales: 1:200 & 1:1250 @ A1			
Date: December 2017			

Site Plan  
scale: 1:200



Rear Elevation



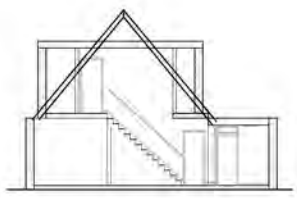
Right Elevation



Front Elevation



Left Elevation



Section A:A



Ground Floor



First Floor

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PRELIMINARY

architects and consulting engineers



Project:  
**39 Constable Road**

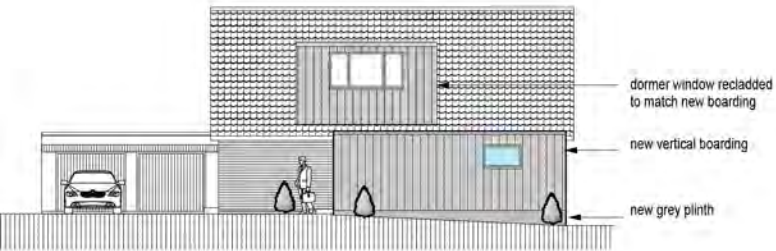
Client:  
**Holdgate, Dr D**

Drawing:  
**Existing's Floor Plans and Elevations**

Drawn by: AM  
 Checked by: DF  
 Scale: 1:50, 1:100 @ A1  
 Date: September 2017

Dwg. No: **6810 S01**  
 Rev: -





FRONT ELEVATION (North)



LEFT ELEVATION (East)



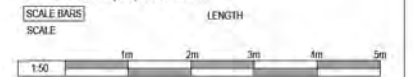
REAR ELEVATION (South)



RIGHT ELEVATION (West)

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**Client Note: Health & Safety is your responsibility**  
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G. First floor projection revised to LPAs request	260218
	nlc
F. Windows revised to clients request	230218
	nlc
E. Design Scheme revised in accordance with clients request	181217
	nlc
D. Design Scheme revised in accordance with clients request	151217
	nlc
C. Design Scheme revised in accordance with clients request	141217
	AM
B. Design Scheme revised in accordance with clients request	011217
	nlc
A. Design Scheme revised in accordance with clients request	241117
	nlc

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Project:  
**39 Constable Road,  
 Norwich**

Client:  
**Holdgate, Dr D**

Drawn:  
**Proposed Elevations**

Drawn By: nlc	Checked By: DF	Ref No: <b>6810</b>	Proj No: <b>P02G</b>
Scales: 1:50 & 1:100 @ A1		Date: November 2017	

