

Report to Planning applications committee

Item

26 March 2015

Report of Head of planning services

Subject Applications nos 14/01604/F and 14/01605/L - The Cottage, 2 The Crescent, Chapel Field Road, Norwich NR2 1SA

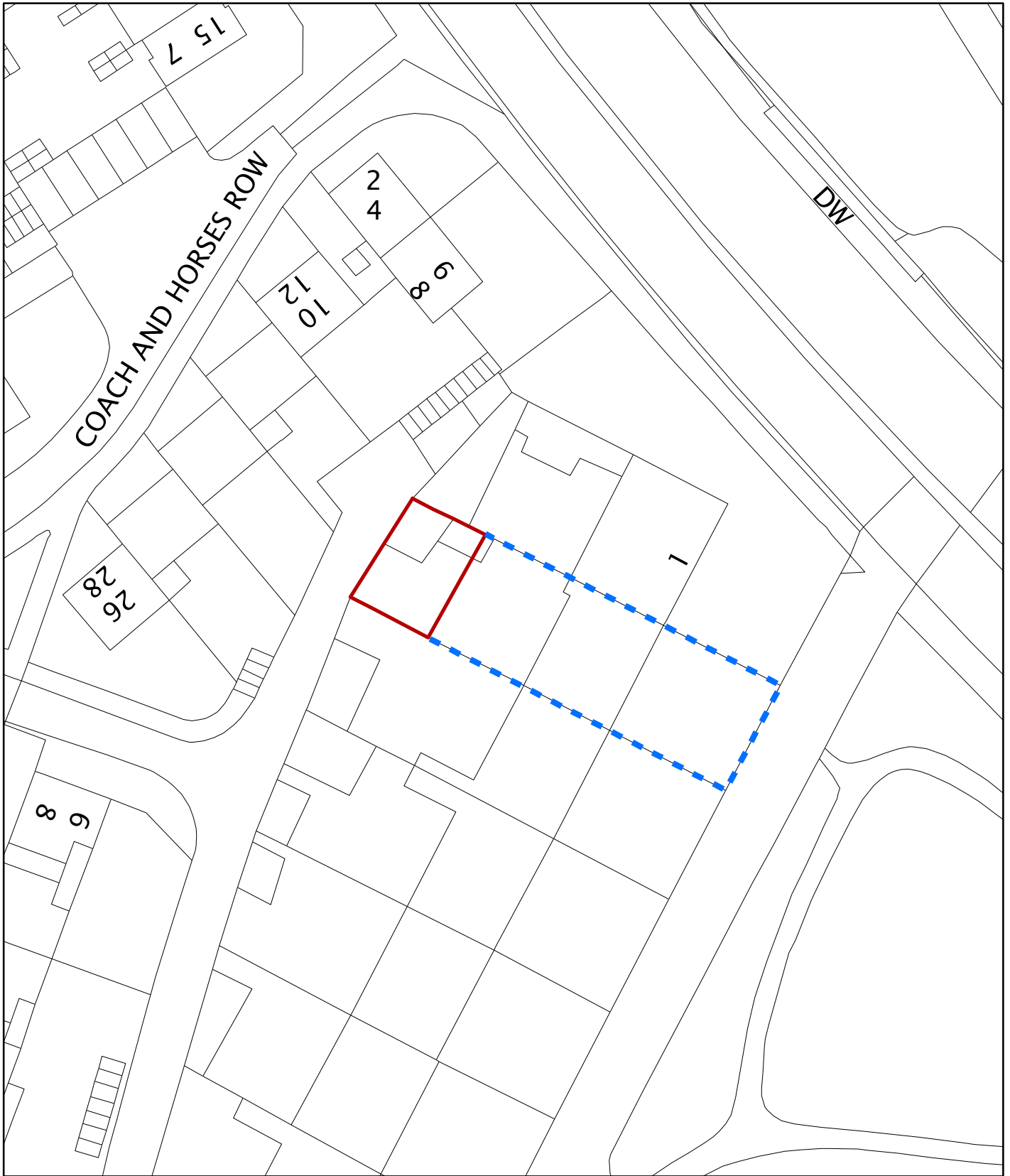
Reason for referral Objection

4(C)

Ward:	Town Close
Case officer	James Bonner - jamesbonner@norwich.gov.uk

Development proposal		
14/01604/F: Demolition of extension and associated external alterations to rear annex, installation of photovoltaic panels to flat roof of rear garage.		
14/01605/L: Demolition of extension and associated internal and external alterations to rear annex, installation of photovoltaic panels to flat roof of rear garage.		
Representations		
Object	Comment	Support
4		

Main issues	Key considerations
1 Design and heritage	PV panels; materials; loss of fabric; impact on conservation area and setting and character of listed buildings.
2 Amenity	Overlooking; glare
Expiry date	16 March 2015 (extended to 3 April 2015)
Recommendation	Approve



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Planning Application No 14/01604/F and 14/01605/L

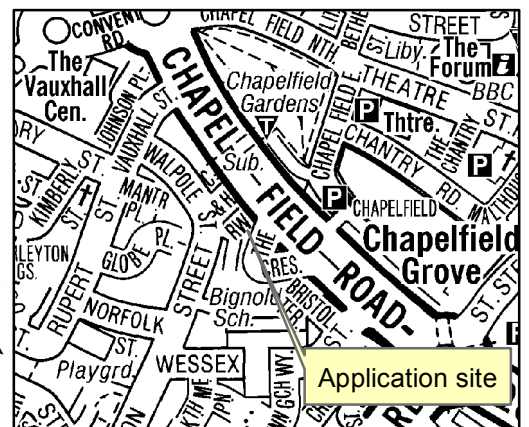
Site Address The Cottage
2 The Crescent, Chapelfield Road

Scale 1:500



NORWICH
City Council

PLANNING SERVICES



The site and surroundings

1. Number 2 is a terraced property on the north west side of The Crescent, off Chapelfield Road. The application affects the cottage and garage along its rear boundary.

Constraints

2. As part of the row, the property is grade II listed with the following description:
 - Terrace of 7 houses. Circa 1820. Red brick with some rendered plinths: slate roof; 12 brick ridge chimneys and 2 end stacks. 2 storeys; 21 first floor windows. Each unit symmetrical. Panelled (double-leaf style) doors have overlights with lattice glazing bars in panelled reveals, each flanked by 2 Tuscan half columns with plain entablature under a small hood. Most windows have large-paned sashes under flat gauged brick arches, but No.7 has full set of 16-pane sashes. Paired modillion cornice. Façade of 3 central houses is set back slightly.
3. Although not included within the list description, historic mapping shows the rear cottage to predate 1948, making it also listed. It is unclear whether the garage is also, but for the avoidance of doubt the PV panels are included within the listed building consent. The site is within the St Giles character area of the City Centre conservation area and is within a critical drainage catchment.

Relevant planning history

4.

Ref	Proposal	Decision	Date
10/00465/L	Re-establishment of a rear access door to dwelling.	Approved	27/04/2010
09/01534/D	Details of Condition 2) materials for external surfaces and Condition 3i) the linking of the extension to the existing brickwork of the house and adjacent boundary wall; 3ii) the alignment of the top of the wall of previous planning permission (App. No. 09/00178/F)	Approved	15/03/2010
09/00183/L and 09/00178/F	Removal of existing dilapidated lean-to sun room, currently used as a utility space, with repairs made to existing building fabric to make good. Extension to West elevation (not as replacement of existing sun room) as kitchen extension in contemporary style.	Approved	27/04/2009

The proposal

5. Proposed are works to the cottage, including:
- the removal of the later lean-to extension and replacement with full height windows;
 - its internal refurbishment, including reconfiguration of internal partitions;
 - replacement of ground floor door and window with double doors;
 - replacement of double doors to garage with double doors to match those replaced on the cottage;
 - insertion of first floor side window; and
 - replacement of two rooflights, one of which is to be located on rear roof pitch.
6. On the adjacent flat roof of the garage a total of eleven racked PV panels are proposed, arranged vertically in a two rows running east to west: one of seven and north of this a row of four. They are laid at 45 to 50 degrees and are estimated to produce around 3kWp. A post and wire trellis fence with ivy is proposed on the west side of the garage to provide a green screen.
7. The application has been amended from the original 12 panels arranged vertically in two rows of five with two additional panels laid horizontally next to the side elevation of the cottage.

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Four 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
History suggests rear buildings to Nos.1-7 were coach houses and are as historic and important as the main houses. Application ignores unsightly void created by lack of pitched roof on garage. PV panels, screen and planting are inappropriate and do not solve issue.	Heritage value of building – see main issue 1. Design – see main issue 1.
New additional side window overlooks property	Overlooking – see main issue 2.
Loss of tree further degrades natural environment already in short supply.	Trees – see paragraph 36.
Design and use of inappropriate materials:	Design and heritage impacts – see main

<p>information needed on window and rooflight specifications. Removal of brickwork for windows and doors will erode integrity.</p> <p>No mention of design specifics or density of PV panels. Sight of panels from neighbouring windows will harm visual amenity. The screen has no specified material and will be out of keeping with the LB and conservation area. No maintenance schedule is provided.</p>	<p>issue 1.</p> <p>Principle of panels – see paragraph 18.</p> <p>Design, landscaping and heritage impacts – see main issue 1.</p>
<p>Use of flat roof for PV panels contravenes listed building/CA regulations [PD regulation extract included].</p>	<p>Principle of panels – see paragraph 18.</p>
<p>Panels will cause glare to residents as they appear higher than screen.</p>	<p>Glare – see main issue 2.</p>
<p>Panels are visually intrusive.</p> <p>No comments on Coach House and would support screening at rear of garage roof to add to security.</p>	<p>Design and heritage – see main issue 1.</p>
<p>Solar energy may be necessary to save the health of the planet but they can also be unsightly. The panels are visually inappropriate on a listed building. Also support the objections made by No.3 (first objection).</p>	<p>Design and heritage impacts – see main issue 1.</p>
<p>While support is shown for improvement of residential part of cottage, objection relates to principle of PV. Green foliage will not cover view from The Crescent and who will maintain plants so they remain viable? The sedum roof on recent extension has failed and so may this.</p> <p>Questions raised over plans not showing elevations of panels or greenery.</p> <p>We take issue with architect's assumption that these panels will reduce the likelihood of the property being divided. High Court has decreed that these properties, by nature of their heritage, may not be divided.</p>	<p>Design and heritage impacts (including viability of planting) – see main issue 1.</p> <p>The proposed elevations available to the public show elevational representations of the solar panels with the green screen behind. An annotation is included which reads 'post and wire trellace [sic] with ivy and summer flowering creeper'.</p> <p>The potential for subdivision has been given no weight in this assessment. Main issue 1 discusses the heritage implications.</p>

Consultation responses

9. 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.

Design and conservation

10. The proposal is acceptable and the impact upon the character of the main listed building is minimal. The character of the rear courtyard has recently been substantially altered by the contemporary extension and the new proposal ties in well with this contemporary approach. The only comment would be to retain the existing small window on the west elevation to break up the elevation.

Landscaping

11. *[When asked about to plausibility of the living screen]* The level of success I would have thought will rely on the maintenance of any planting, so I think an automated watering system would be advisable. Instead of individual pots with plants ivy I would have thought a trough with ivy screens would be better <http://mobilane.co.uk/products/green-screen>. Not sure what they mean by summer flower? If they use a pre planted screen there are several options available and the screening would be instant. Otherwise bamboo makes a fairly effective screen.

Assessment of planning considerations

Relevant development plan policies

12. **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
 - JCS11 Norwich city centre
13. **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
 - DM9 Safeguarding Norwich's heritage

Other material considerations

14. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
 - NPPF7 Requiring good design

- NPPF10 Meeting the challenge of climate change, flooding and coastal change
- NPPF11 Conserving and enhancing the natural environment
- NPPF12 Conserving and enhancing the historic environment

15. City Centre conservation area appraisal (September 2007)

Case Assessment

16. 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.
17. Renewable energy generation schemes are encouraged through national policy and local policy in principle (DM1) and more specifically (through DM4). As part of DM4 proposals are subject to consideration of on four points:
 - a) neighbouring uses or amenity;
 - b) visual amenity, particularly from sensitive viewpoints;
 - c) environmental and heritage assets; and
 - d) highway safety.

The panels will not be readily visible from any sensitive viewpoints and will not cause issues for highway safety. The main considerations on their acceptability are the impact on heritage assets and neighbouring amenity, assessed in main issues 1 and 2 respectively.

18. Neighbour representations make reference to restrictions stating 'panels must not be installed on a building that is within the grounds of a listed building'. These are the limitations in the General Permitted Development Order for installing solar or PV panels under permitted development rights. As planning permission has been applied for this is irrelevant.

Main issue 1: Design and Heritage

19. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56, 60-66 and 128-141.
20. Although no explicit reference is made to the cottage being a former coach house, it is noted within this report. The proposals are assessed in the context of its current state with its history in mind – it has been clearly subject to numerous alterations over the years and there are minimal signs of its original use, reducing the amount of significance it once will have had. Internally the cottage has lost much of its original character and is need of significant refurbishment. Its continued use as accommodation and office use ancillary to the main dwelling is not in question.

Works to the cottage

21. The removal of the lean-to is acceptable as judging from its different brick and bond type it is clearly a later addition of no particular historic or architectural significance. Some original brick will need to be removed for the door and window but with the scale of the changes the amount is not excessive.
22. The windows and doors are of appropriate scale, design and material and their final detail is recommended to be secured via condition. It was questioned whether the small window in the rear could be retained or replaced like-for-like, but for security reasons the applicant would prefer to see it go. This does not raise significant design or heritage concerns as the reason for retaining it would be to break up the elevation, which can be adequately achieved through the proposed recessive brick panel. The rooflights, indicated as heritage specification, look to be an improvement over those in place and are fine to condition.

Where there is less than substantial harm in the removal of fabric or through introduction of elements, this does not adversely affect the significance of cottage given the changes that have occurred over the years. Bringing it back into a useable condition in this way is seen a positive contribution towards the longer term conservation of the heritage asset, although it should be noted the cottage is by no means being near or at risk.

PV panels

23. The proposed racked PV panels on the flat roof of garage will have no unacceptable consequences for the fabric of the listed building. Given their visibility they will clearly have an impact on the conservation area, the listed terrace and the listed curtilage buildings and an assessment must be made as to whether this is tolerable. Wider views of the panels from Union Street will be limited, but where they are visible (and particularly from the rear alley), their impact will be mitigated through the 'living screen' proposed along the western edge of the garage roof, currently suggested as a post and wire trellis with ivy and summer flower creepers to a height of 1.5m. Neighbours have raised questions about the plausibility of this visual barrier and Norwich City Council landscaping have confirmed that it should be achievable, subject to adequate maintenance. This and the final specification can be addressed through a landscaping condition. The photographs of the extension's sedum roof appear to show it in healthy condition and this does not provide a reasonable impediment for the achievability of the proposed green barrier.
24. A specification of the proposed PV panel (measuring 1640mm by 922mm by 40mm) has been provided and its all-black appearance looks appropriate. A condition will require details of the final specification, the racks on which they are supported and a condition requiring their removal and restoration when no longer needed.
25. Even where not publicly visible the impact of the development upon the setting of statutory listed buildings must be considered, such as in views westwards towards the elevation not covered by the green barrier. Orientated at 45-50 degrees, the panels will reach a height of 1.4m. Although their visibility causes some implications for the character of the cottage and those neighbouring, their setting is already somewhat compromised by the flat roof of the garage and the obvious gap it

provides through to the flats at Coach and Horses Row just ~13m away and further behind this Winchester Tower. The panels do not infill this as effectively as a pitched roof but the amount, location and orientation of PV panels is considered acceptable, particularly when positioned against the green screen which would further soften the impact and provide a good visual barrier in the gap.

26. In terms of the impact upon the main row of host listed buildings themselves it is noted that although the rear of the buildings do play a role, the key elements of the terrace's significance come from the group value of their front elevations in particular. A distance of ~14m separates the cottage from the rear elevation of the main house, which itself has a contemporary single storey extension. This extension does inform the assessment of the significance of the setting of the rear of this property and its neighbours, as does the presence of other elements within the curtilage such as the flat roof garage. Similarly informative are elements outside the curtilage such as the nearby modern flats and the significant lack of uniformity between the row of curtilage buildings in terms of their general form, height and appearance.
27. While the panels certainly do not improve the setting of the listed buildings and may be considered an alien feature, the qualities of the specified panel and the mitigation measures as identified above do go an adequate way to minimising the harm caused. The panels cause less than substantial harm to the significance of the designated heritage assets, albeit in areas of a relatively lower level of significance. As noted in national guidance (paragraph 134 of the NPPF), this harm should be weighed against the benefits of the proposal, which in this case are the environmental benefits of adapting to climate change. Of some importance to this conclusion is the relatively temporary nature of the development – PV panels typically have an approximate lifespan of 25 years – and the ease in which the development can be completely reversed.
28. This less than substantial harm applies to the character and setting of all statutory listed buildings within proximity, particularly the main row of host dwellings and the curtilage listed buildings within and adjacent to the site, bearing in mind the assessment of their significance above. It is important to note that Court of Appeal in *Barnwell Manor Wind Energy Ltd v East Northamptonshire DC* [2014] has held that this means that 'considerable importance and weight' must be given to the desirability of preserving the setting of listed buildings when carrying out the balancing exercise. Furthermore, less than substantial harm having been identified does not amount to a less than substantial objection to the grant of planning permission. It should be noted that The Barnwell Manor case principles (see above) are of similar application in the context of s72 duties, also, - i.e. considerable importance and weight is to be given.
29. Aside from the listed building consideration, the works to the cottage do not give rise to any significant concern for the character of the wider conservation area. The site is within the St Giles character area of the City Centre conservation area, identified in the appraisal as of 'high' significance. The Crescent itself is identified as a key building group but again this focuses on the significance of the way in which the terraces front the triangular space. As identified above the immediate area around the rear of this particular part of The Crescent has been undermined by numerous developments over the years. Given the screening and relatively localised harm of the panels, the fairly small-scale proposals altogether manage to

preserve the special character of the conservation area. The proposals are therefore considered to comply with policies DM3, DM4 and DM9.

Main issue 2: Amenity

30. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
31. The main amenity concern from the works to the cottage is from the new first floor side window. It does not present any direct overlooking concerns, only oblique views towards 3 The Crescent one side and 22-24 Coach and Horses Row the other, both around 18 to 22m away. This does not raise significant concerns for the amenity of any neighbouring occupiers through loss of privacy.
32. The PV panels have caused some concern for neighbours through potential glare from the panels. It is important to remember PV panels are designed to absorb sunlight to be as efficient as possible, but there may be a portion of it that has the chance to reflect. The orientation of the panels in relation to the windows may make the opportunities for glare relatively low, but the agent has specified a black PV panel with an anti-reflective surface and this detail will be secured via condition.
33. Given the scale of the proposals and their distance from neighbouring properties there are no unacceptable concerns for overshadowing or loss of outlook or daylight. Although there is no right to a view identified in planning law, particularly where it fails to coincide with another more severe amenity impact such as the over-dominating effect of a development, the impact it has on views of the listed cottages (i.e. as part of the appreciation of their setting) is a factor assessed in main issue 1.
34. As there are no adverse amenity concerns the proposal is therefore considered to comply with DM2 and DM4.

Other matters

35. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
 - i) Trees – although the tree is shown as being removed on the plans, it is outside the red line plan and its loss does not factor in this assessment. The agent has been informed of this and an informative will be attached to any approval.
 - ii) Critical drainage – the proposals do not raise significant concerns for runoff as per DM5 given no additional floorspace is proposed.

Equalities and diversity issues

36. There are no significant equality or diversity issues.

Local finance considerations

37. 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.

38. 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.
39. In this case local finance considerations are not considered to be material to the case.

Conclusion

40. Subject to adequate detailing and landscaping, the proposals are not considered to adversely affect the character of the wider conservation area. Considerable importance and weight is given to the impact on listed buildings. Although the proposals will lead to less than substantial harm to the listed buildings, the degree of the harm is considered to be relatively low and does not undermine the setting or significance of the heritage assets. Some weight should be given to the benefits of bringing the cottage back into a usable state and the environmental benefits the PV panels bring in supporting a move to a low carbon future.
41. 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. 14/01604/F - The Cottage 2 The Crescent Chapel Field Road Norwich NR2 1SA and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. The Cottage annexe is not to be used as a separate dwelling.

Article 31(1)(cc) 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 in the officer report.

Informative:

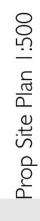
Notwithstanding what is shown on the plans, this approval does not give permission for the removal of any trees as they are outside the submitted red line plan.

And

To approve application no. 14/01605/L - The Cottage 2 The Crescent Chapel Field Road Norwich NR2 1SA and grant listed building consent subject to the following conditions:

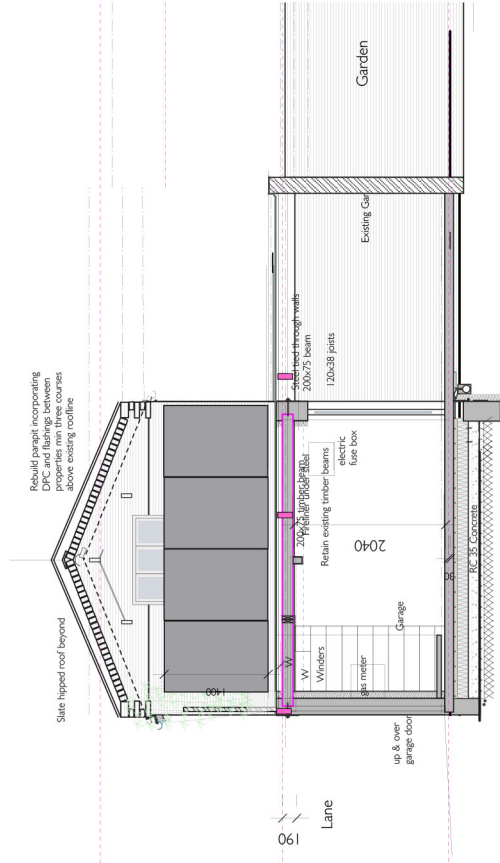
1. Standard time limit;
2. In accordance with plans;

3. Details (including samples) of external materials: bricks, tiles (including details of reinstatement for removed rooflights);
4. Details of (including rooflights);
5. Landscaping details (including soft and hard screening and a management scheme/maintenance schedule)
6. Details of:
 - a. bricks(including samples), bond type and mortar colour;
 - b. tiles (including details of reinstatement for removed rooflights);
 - c. all internal and external joinery;
 - d. rooflights;
 - e. PV panel specification and rack;
 - f. eaves/parapet detail including flashing.
7. Any damage caused to the building by the works hereby approved shall be made good in accordance with a scheme first submitted to and agreed in writing by the local planning authority and the making good in accordance with the scheme as agreed shall take place within three months of the approval of the scheme;
8. Within 6 months of the cessation of use of the PV panels hereby approved the garage roof shall be restored to its former condition.



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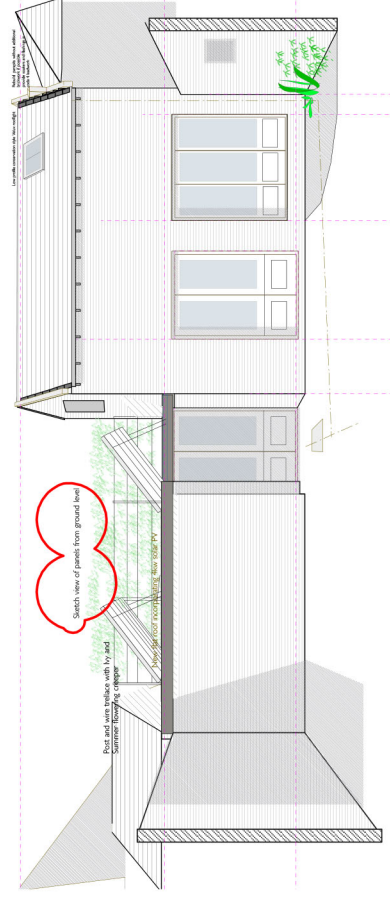
Job Number:	0630	Client:	Mr D & Mrs G Anderson-Brown	Drawing Title:	Proposed GF & FF Plans
Draw No:	03_01	Revision:	A	Address:	Nº2 The Crescent Norwich NR2 1SA
Scale @ A2:	1:50	Scale @ A4:	1:100	Date Created:	03.07.14



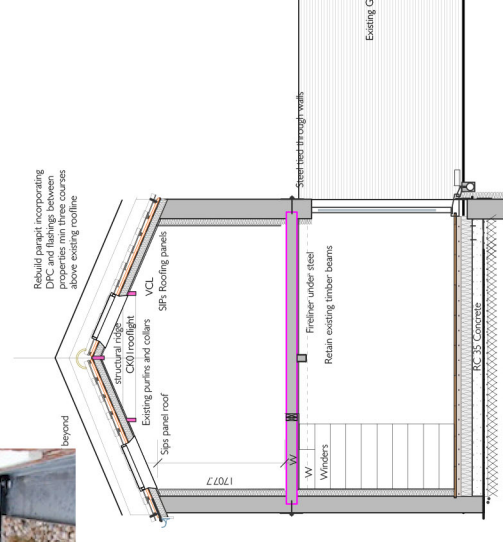
Elevation/Section South



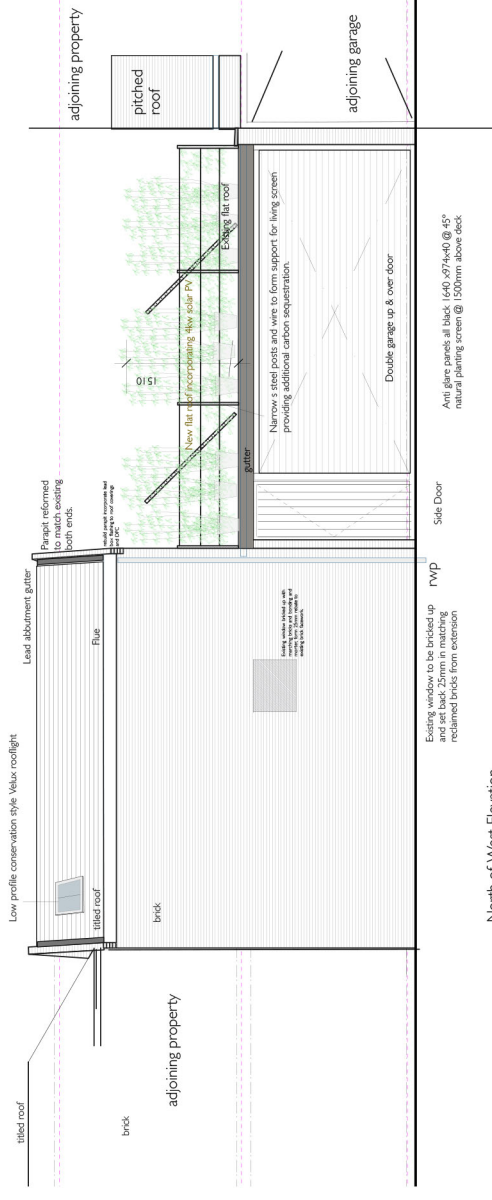
North of West Elevation



South of East Elevation



Section AA



Existing window to be bricked up and set back 25mm in matching reclaimed bricks from extension

rwp

Side Door

	Material notes added	Solar panel notes added
A	15 02 19	
B	15 03 05	

GENERAL NOTES

Do not scale from drawings. All written dimensions to be checked on site before work commences. Figured dimensions only are to be taken from drawings. Discrepancies, where identified, must be reported to the Architect immediately.

Areas indicated are approximate only. No responsibility taken for their accuracy.

All work must be carried out in accordance with Building Regulations and the requirements of the local authority.

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Job Number: _____ Drawing Title: _____

0630 Proposed Elevations

[illegible]

Revision:	Client:
03_02	

C Mr D & Mrs G Anderson-Brown

Scale @ A2: N°2 The Crescent Address:

Scale @ A4: 1:100
Norwich
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1:41.56 1:200

Date Created:

03.07.14