

Report for Resolution

Report to Planning Applications Committee
Date 20 September 2012
Report of Head of Planning Services
Subject 12/01188/F 92 Amderley Drive Norwich NR4 6JH

Item
5 (6)

SUMMARY

Description:	Subdivision of curtilage and erection of 1 No. detached residential dwelling.	
Reason for consideration at Committee:	Objection	
Recommendation:	Approve	
Ward:	Eaton	
Contact Officer:	Jo Hobbs	Planner 01603 212526
Valid Date:	3rd July 2012	
Applicant:	Mr And Mrs Matthews	
Agent:	Mr Peter Hilling	

INTRODUCTION

The Site

Location and Context

1. The site is located on Amderley Drive in the ward of Eaton to the south of the city. The area is residential in character but with a primary school located to the east of the site.
2. The surrounding development is typically semi-detached and detached two storey dwellings. The dwellings were constructed in the 1980s in a later phase of the earlier development of Eaton Village. There are a range of different designs and uses of materials to the dwellings in the surrounding area. In the immediate area around the application site there are some dwellings that match in design that of 92 Amderley Drive.
3. The existing site contains the existing dwelling at 92 Amderley Drive and adjoining garden with detached garage/storage building. The existing dwelling is a two storey semi-detached dwelling constructed of red brick with a pantile roof and white UPVc windows. At present there is a detached garage with a pitched roof to the side of the existing dwelling. There is a parking area to the front of this garage. The remainder of the site is used as garden for the existing dwelling. The new dwelling is proposed on the existing adjoining garden.

Constraints

4. There are neighbouring dwellings to the north-west, west and south. There is open

space directly to the north and the school playing fields to the east. The site and immediate surrounding land is relatively flat.

5. There is a link between Amderley Drive and this footpath for cyclists and pedestrians only.
6. There are mature trees along the west boundary of the school playing fields. These are subject to a tree preservation order (reference TPO.102).

Planning History

7. There are the following recent applications on the site:

- 12/01538/F - Erection of single storey rear extension and front porch. Pending consideration at time of this application.
- 12/01309/CLP - Certificate of Lawfulness for proposed single storey rear extension and front porch. Refused 27 July 2012, as there are no permitted development rights on property.
- 07/00920/F - Erection of sectional single garage. Approved 14 September 2007.

Previous to this the only history related to the construction of the original dwelling in the 1980s.

Equality and Diversity Issues

8. There are no significant equality of diversity issues.

The Proposal

9. The application is for the subdivision of the curtilage of 92 Amderley Drive and the construction of one detached dwelling. The proposed dwelling would have an 'L' shaped footprint, be two storeys in height and contain three bedrooms.

Representations Received

10. Adjacent and neighbouring properties have been notified in writing. Seven letters of representation have been received citing the issues as summarised in the table below.

- 11.

Issues Raised	Response
Increase in traffic and parking	See paragraphs 33-39
Road safety with new access and pedestrian/cyclist footpath, in particular with children accessing school	See paragraphs 33-39
Impact on mature trees	See paragraphs 31-32
Over-intensive development to character of existing residential area	See paragraphs 15-26

Loss of outlook	See paragraphs 16-24
Loss in value of dwelling	See paragraph 45
Noise from construction of new building disruptive to residents and school	See paragraph 27
Poor design of new dwelling and impact on existing dwelling	See paragraphs 22, 28-30
An attached terrace house would be more acceptable	See paragraphs 28-30

Consultation Responses

12. Local Highway Authority - No objections subject to further conditions.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 4 – Promoting sustainable transport

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

Statement 10 – Meeting the challenge of climate change, flooding and coastal change

Statement 11 – Conserving and enhancing the natural environment

Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008

T14 - Parking

ENV7 - Quality in the Built Environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 4 – Housing delivery

Policy 6 – Access and transportation

Policy 9 – Strategy for growth in the Norwich Policy Area

Policy 12 – Remainder of Norwich area

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

NE3 – Tree protection

NE8 – Management of features of wildlife importance and biodiversity

HBE12 - High quality of design

EP16 – Water resource conservation

EP17 – Water quality re. treatment of runoff from car parks

EP22 – Protection of residential amenity

HOU13 – Criteria for other housing sites

TRA6 – Parking standards
TRA7 – Cycle parking provision
TRA8 – Provision in development for servicing

Supplementary Planning Documents and Guidance

Trees and development SPD (2007)

Other Material considerations

Written Ministerial Statement: Planning for Growth March 2011

The Localism Act 2011 – s143 Local Finance Considerations

Principle of Development

Policy Considerations

13. The new dwelling would be on land currently used as garden land for 92 Amderley Drive. The National Planning Policy Framework (NPPF) identifies such land to be greenfield land, which should preferably not be developed over brownfield land. In paragraph 55 of the NPPF however it is clearly stated that local planning authorities should set policies to protect garden land as they see fit. The council does not have such a policy and so an assessment must be made on the suitability of the site for housing through other principles set out in the NPPF and local policy. The site however is in an accessible location in an area of existing housing and so the principle of the development on the site is considered to be acceptable.
14. As such the key consideration for the proposed dwelling are residential amenity for existing neighbouring residents and future occupants of the new property, design, impact on trees, road safety, parking, refuse and cycle storage provision, use of permeable hard surfaces and water conservation.

Impact on Living Conditions

15. The amenity of existing residents surrounding the site must be considered. This includes the outlook, privacy and daylight/sunlight received by neighbouring dwellings.

Outlook and overlooking

16. The amenity of the neighbouring dwelling to the south at 40 Hardwick Close is a key consideration in this application. The dwellings would be located around 18m to the south of the proposed two storey dwelling.
17. Due to the orientation of the new building there would not be a loss of daylight or sunlight to this neighbouring dwelling. There would however be a loss of outlook due to the width of the dwelling across the whole of the plot of the plot and a loss of privacy from the proposed window at first floor overlooking the rear of the this neighbouring dwelling.
18. The original plans proposed two windows facing south. Following discussions with the applicant however one of these windows was moved to the east elevation which does not overlook any residential dwellings. This amendment reduced the level of overlooking to only one window at first floor overlooking 40 Hardwick Close.
19. The existing layout, physical relationship and subsequent outlook and level of overlooking between the dwellings must be considered however. The dwellings along Amderley Close and Hardwick close are already facing each other and there

is already a certain level of overlooking and loss of outlook from the two storey built form.

20. The addition of this new dwelling with one window at first floor would not lead to a level of overlooking that would be sufficient to merit refusal of the application. As there is an existing level of overlooking it is difficult to justify the refusal of this application
21. The outlook from the property at 40 Hardwick Close would also be reduced to some degree by the proposed dwelling. The proposed dwelling would however be 18m from the rear of 40 Hardwick Close and the building would only be two storey in height. In an urban environment this proximity of development is usually acceptable. Further to this the existing layouts of the dwellings in the immediate area already leads to limited outlook. It would therefore be unreasonable to refuse this application on grounds of outlook. These two factors lead to the loss of outlook not being sufficient to merit refusal of the application on this ground.
22. In a letter of representation, the loss of outlook from the rear garden of 90 Amderley Drive has been raised as an issue. The outlook from outside in a rear garden is however not an issue that could merit refusal of the application. The loss of outlook from main habitable rooms in a dwelling is a key consideration, but the loss of outlook from an outdoor garden area is not a matter that would merit refusal of the application.
23. The existing residents of 92 Amderley Drive would potentially have a loss of outlook from the north facing ground floor windows from cars being parked in front of the living room windows. This would largely be down to the choice of the residents of this dwelling however. The provision of 1 parking space would be within the maximum parking standards under the local plan for a 1-2 bedroom dwelling. Whilst they would have a loss of outlook from a parked car this could be relocated to the road where there are no parking controls. The issue of parking in relation to traffic and design considerations is considered further below.
24. At the time of this report being written there was an application for a front porch and rear single storey lean-to extension for 92 Amderley Drive. Both of these proposals have been considered under this application in terms of the impact on the proposed new dwelling. The extensions would be single storey and to the west of the proposed dwelling. The height and depth of these extensions would be too small to have a significant adverse impact on the proposed dwelling from overshadowing or loss of outlook. There would only be one small side window to a WC on the rear elevation and so overlooking is also not considered to be an issue.

Overshadowing, daylight and sunlight

25. The orientation of the dwelling leads to the majority of overshadowing to 92 Amderley Drive only. There are no other dwellings to the north in close enough vicinity for there to be a loss of daylight or sunlight. 92 Amderley Road only has one side window at first floor that appears to be to a bathroom. It is not the only window to a main habitable room according to the floorplans submitted with the application. Therefore its loss of direct sunlight, loss of daylight and loss of outlook would not be a sufficient reason to refuse the application.

Residential amenity for occupants of new dwellings

26. The future occupiers of the proposed dwelling would have a good amount of outdoor amenity space, sufficient enough to accommodate refuse storage, cycle

storage and other general private amenity space. The proposed dwelling would also would not be overlooked and provide an overall good standard of amenity for future occupants.

Construction Noise

27. Due to the fact the proposed dwelling is in an existing residential area construction noise is a consideration. An informative note is recommended relating to construction working hours to ensure that noise, dust and construction traffic disturbance is kept to a minimum during the construction phase.

Design

Layout

28. There are a range of designs and uses of materials to the dwellings in the surrounding area. For this reason there is not a strongly defined architectural style. Whilst the dwellings along this part of Amderley Drive form two pairs of semi-detached dwellings, there are other dwellings in close vicinity that form short terraced blocks and detached properties.
29. Whilst the proposed L-shaped house leads to the whole plot being developed leading to a more terraced appearance to the street, this would not be particularly out of keeping with some of the other dwellings within the surrounding area. Part of the two storey dwelling is set back from the building line, which does step some of the built form back from the front of the dwelling visible from the highway.
30. For these reasons the overall height, scale, mass, form, choice of materials and design details are all considered appropriate and are in keeping with the surrounding area.

Trees

31. There are a group of trees to the east of the site along the boundary with the school playing field that are subject to a Tree Preservation Order. There are two oak trees within this belt of trees that are likely to have root growth towards the site of the proposed new dwelling.
32. Information submitted with the application however identifies that the majority of the proposed development would be outside of these zones. The proposed driveway would however largely be within the root protection areas of tree T1 and partially tree T4. Provided that tree protection is carried out and the works carried out on site in accordance with the Arboricultural Method Statement submitted then there would be no significant arboricultural implications from the proposed development. Conditions are recommended to this effect.

Transport and Access

Car Parking

33. The plans submitted with the application indicate space for two parking spaces on the driveway of the new dwelling, which is within the maximum parking standards for a dwelling of this size in this location in the city. There are no parking controls on the road in the surrounding area, and the road and turning hammerhead are used

for additional parking by residents and visitors.

34. The existing dwelling at 92 Amderley Drive has two spaces retained off road. This would be above maximum parking standards but it would be difficult to prevent parking as walls and fences can be removed without planning permission. Further to this the appearance of cars parked in front of the dwelling would not have a significantly different visual impact to if they were parked along the road which would be possible at this site.

Road Safety

35. The access to the proposed driveway could be blocked by existing residents parking on the road. Further to this cars to the new dwelling would either need to reverse into the driveway or reverse out of the driveway. This may require cars to reverse into the hammerhead before manoeuvring forwards and leaving the cul-de-sac.
36. Whilst several concerns have been raised over the safety of pedestrians and cyclists using the public footpaths, including young children to the adjacent primary school the addition of this dwelling is not considered to have an adverse impact on the overall safety of this road. There is good visibility around the junction and the speed at which vehicles would be moving in and out of the new driveway would be slow. Therefore there is not a significant enough reduction in road safety to merit refusal of the application.
37. In the absence of parking controls in the surrounding area cars can be parked on the surrounding roads. The increase in parking from one dwelling however is not significant enough to merit refusal of the whole application. As off-road parking is provided with the dwelling to the maximum parking standards under the local plan it would be unreasonable to refuse over impact of additional cars parking on the roads. Most surrounding dwellings also have driveways and garages as well that provide some off-road parking.
38. The addition of one dwelling would not increase potential parking pressures to a degree to merit a Control Parking Zone being designated. This would also only push parking problems onto adjacent streets in any case.
39. Therefore whilst it is noted that the additional dwelling would increase the potential number of cars parked on the road, given that off-street parking is provided and there are no justifiable parking controls on the road it would not be reasonable to refuse the dwelling on this basis.

Hard surfacing

40. All new hard surfacing should be permeable to prevent surface water run-off from the previously undeveloped site. A condition could be applied to any consent requiring the use of appropriate materials.

Refuse and cycle storage

41. All new dwellings are required to provide space for three 240 litre wheelie bins to be stored on site and for a collection area to be provided within 5m of the highway so that refuse collectors can easily remove the refuse from the site.
42. Covered and secure cycle parking is also required for new dwellings. Both the refuse storage and cycle parking are not provided on the current plans for the site. However, as there is a side gate onto the public footpath to the east boundary of

the dwelling. Bin storage and cycle storage could be provided in the rear garden of the dwelling. Therefore this detail could be agreed through a condition on any consent approved.

Water efficiency

Code for Sustainable Homes

43. All new dwellings are required to meet Code for Sustainable Homes Level 4 for water efficiency. A condition could be applied to any consent requiring this to be achieved.

Local Financial Considerations

44. Under Section 143 of the Localism Act the council is required to consider the impact on local finances, through the potential generation of grant money from the New Homes Bonus system from central government. The completion of new dwellings would lead to grant income for the council. The key considerations of amenity for existing neighbours and future residents must be considered however. These are other significant considerations in addition to this financial consideration that must be given due considerations.

Other matters raised in letters of representation

45. The issue of value of dwellings has been raised in a letter of representation. Whilst this is not directly a material planning consideration, the factors that cause the perceived or actual loss in property value are considerations. These include over-intensive development of land, overlooking and loss of outlook for example. These factors have been given due consideration.

Conclusions

46. It is considered that the design of the proposed dwelling is in keeping with the surrounding area and whilst the proposed dwelling would lead to a loss of privacy and outlook to the neighbouring properties it would not be sufficient to merit refusal of the application.
47. This application is a finely balanced case where there is an impact on the neighbouring properties, but the proposed dwelling is only two storeys in height and would be at a sufficient distance to not lead to a significant increase in overlooking or loss of outlook when compared with that experienced by the current surrounding built form.
48. The addition of one new dwelling would not lead to a significant increase in parking spaces required, but in any case the proposed dwelling provides off-street parking. There would also be adequate space within the curtilage for refuse and cycle storage.
49. Whilst the works are close to a protected tree, only the driveway would be in the root protection area and provided the specified tree protection measures are taken there would be no damage to the overall health of the tree.
50. As such the proposal accords with the criteria set out within policies NE3, NE8, HOU13, HBE12, EP16, EP17, EP22, TRA6, TRA7 and TRA8 of the City of Norwich

Replacement Local Plan and policies 1, 2, 3, 4, 6, 9 and 12 of the Joint Core Strategy.

RECOMMENDATIONS

To approve Application No 11/01188/F at 92 Amderley Road and grant planning permission, subject to the following conditions:-

- 1) Standard time limit
- 2) In accordance with plans
- 3) Prior approval of:
 - a. External facing materials
 - b. Hard surfacing which should be permeable and within root protection areas a porous load bearing gravel driveway
 - c. Fences and boundary treatments
 - d. Refuse storage
 - e. Cycle storage
- 4) Works in accordance with AIA, TPP and AMS
- 5) Arboricultural supervision
- 6) Siting of services
- 7) Protection of root areas
- 8) No-dig methods
- 9) Ground protection measures
- 10) Water conservation to Code for Sustainable Homes level 4

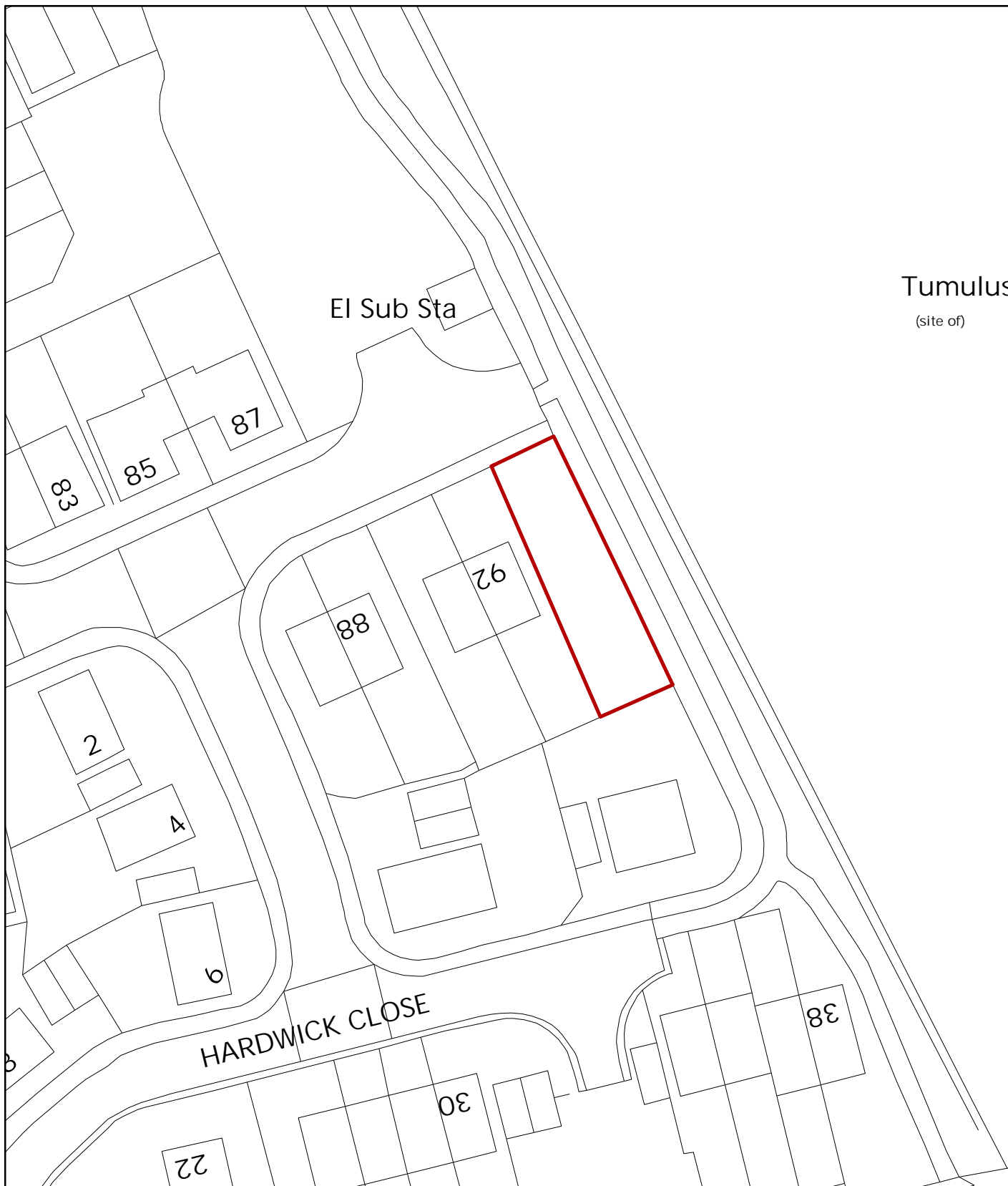
Informative Notes:

- 1) Construction working hours
- 2) Vehicular cross over to specification required by Council
- 3) Purchase of bins from Council in advance of first occupation

(Reasons for approval: The decision is made with regard to policies NE3, NE8, HOU13, HBE12, EP16, EP17, EP22, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan Adopted Version November 2004, the adopted Joint Core Strategy March 2011 and all material considerations. The design of the dwelling is in keeping with the scale, form and use of materials in the surrounding area and would not lead to a significant loss of privacy or outlook by virtue of the proximity of existing residential development, the fact the proposed dwelling would only be two storeys and due to the level of overlooking already experienced by the residents of surrounding dwelling.

The additional dwelling would not lead to a significant increase in parking pressures on the surrounding roads or a loss of highway safety to pedestrians and cyclists by virtue of the fact the road is a cul-de-sac where traffic movements would be slower and due to the good visibility around the junction of the road and cycle path and footpath.

The development would not have a significant adverse impact on the adjacent protected trees by virtue of the specified protection measures and through the use of conditions to control how works are carried out.



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Planning Application No 12/01188/F

Site Address 92 Amdereley Drive

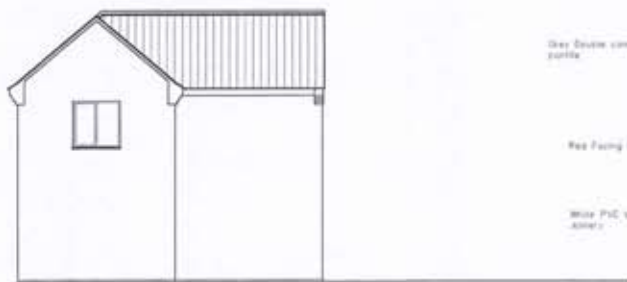
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NORWICH
City Council

PLANNING SERVICES





Proposed East Side Elevation

Grey Doulton concrete
pavilions

Red Facing Bricks

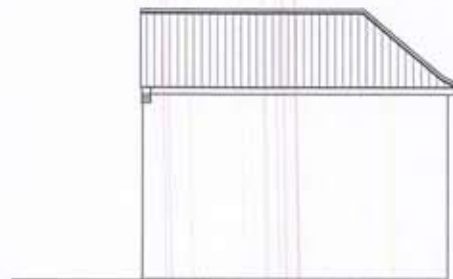
White PVC u
Annex



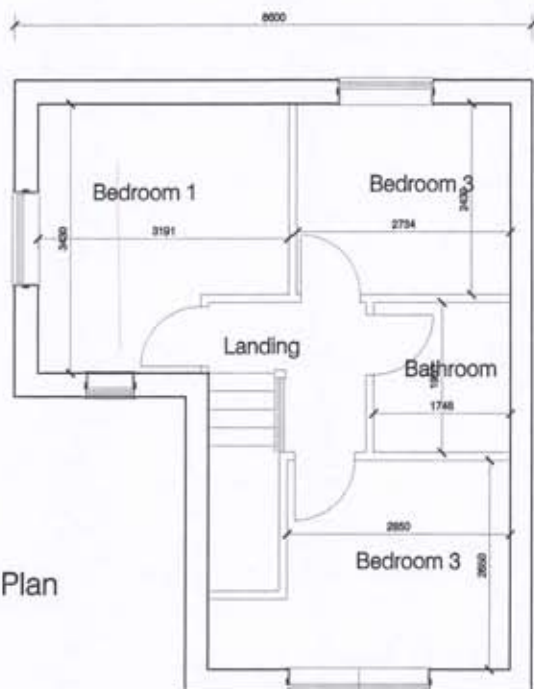
Proposed Front Elevation



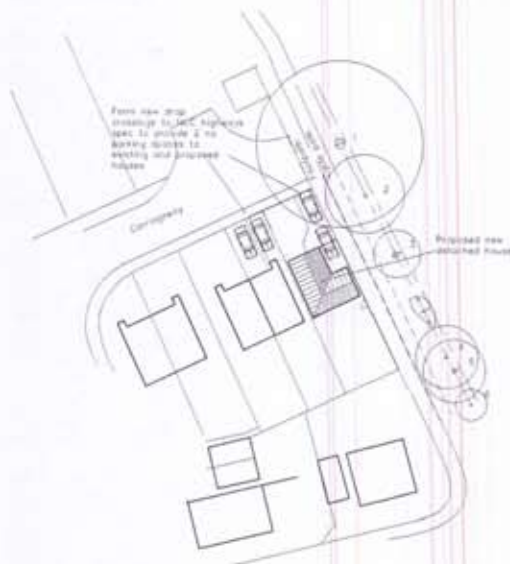
Proposed Rear Elevation



Proposed West Side Elevation



First Floor Plan



Proposed Block
Scale 1:500

Organisational Development
- 5 SEP 2012
Post Room

Proposed Detached Dwelling
92 Amderley Drive
Eaton
For Mr & Mrs Matthews

Scale 1:50 & 1:100

Date May 2012

Job No. 4477/C/1

Amended 05/09/2012 Bedroom window relocated

F.P.I. design & planning ltd.

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