

**Report to** Planning applications committee

26 February 2015

**Report of** Head of planning services

**Subject** Application no 14/01798/F - 19 The Avenues  
Norwich, NR2 3PH

**Applicant** Mr James Jones

**Reason for referral** Objection and called in by an elected member

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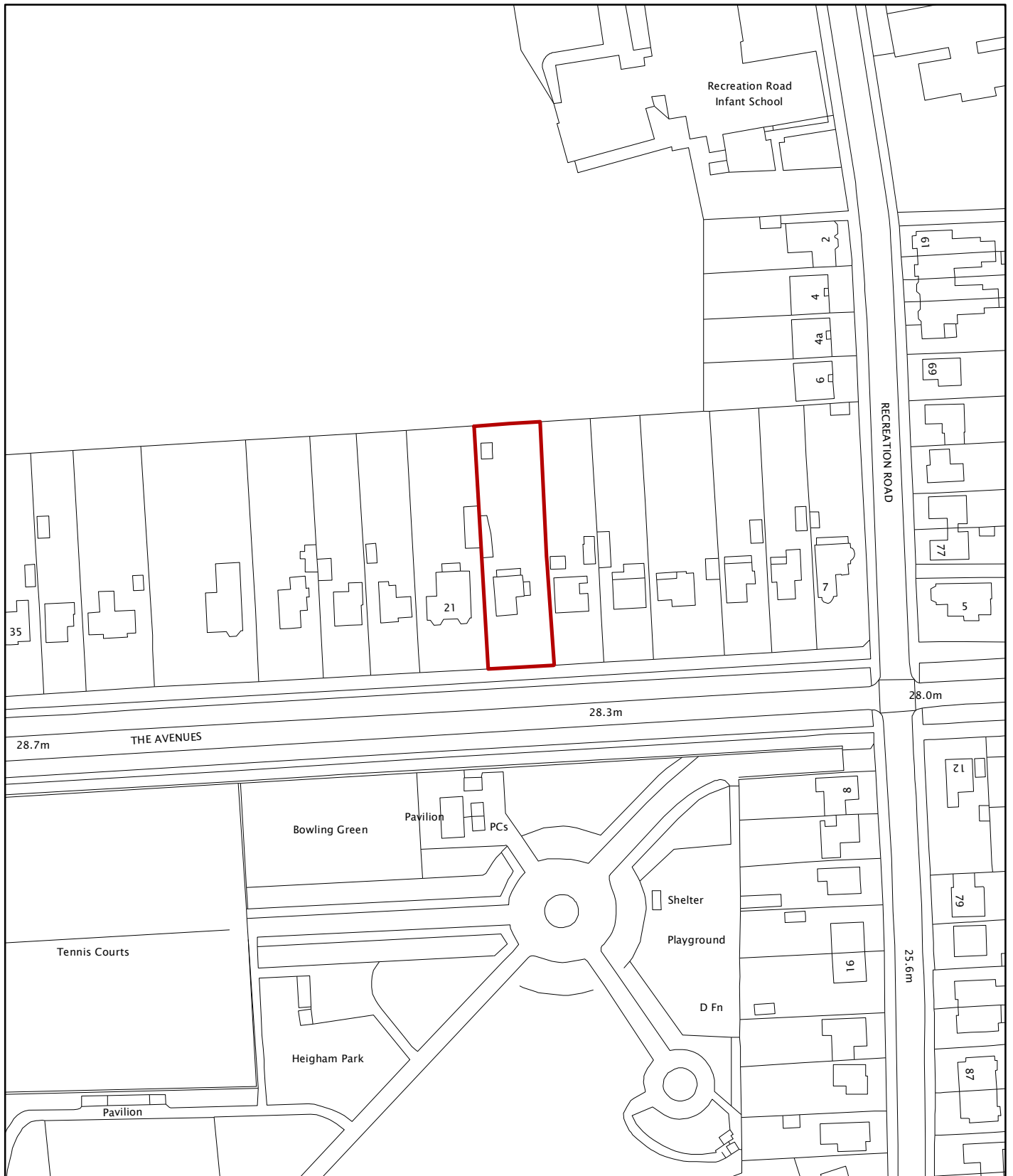
Item

4(F)

<b>Ward:</b>	Nelson
<b>Case officer</b>	John Dougan - johndougan@norwich.gov.uk

Development proposal		
Erection of two-storey side/rear extension and single-storey front and rear extension.		
Representations		
Object	Comment	Support
2	0	1

Main issues	Key considerations
1 Scale and design	Character of the area, visual amenities of the street scene and appearance of the new property
2 Residential amenity	The impact of the development on adjoining properties to the west (no.21) and east (no.17) – overlooking / privacy, outlook and sunlight / daylight.
<b>Expiry date</b>	29 January 2015 (extended to 27 February)
<b>Recommendation</b>	Approval



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Planning Application No 14/01798/F

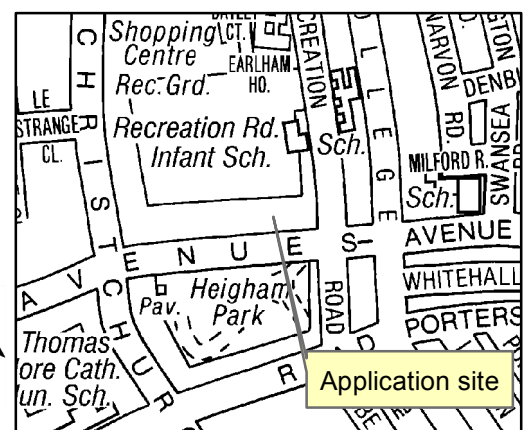
Site Address 19 The Avenues

Scale 1:1,250



**NORWICH**  
City Council

PLANNING SERVICES



## The site and surroundings

1. The character of the area is residential, comprising large two-storey detached dwellings of varied styles on large plots fronted by street trees with many properties having mature landscaping within them. Some dwellings are in close proximity to their side boundaries. The properties benefit from playing fields to the rear and Heigham Park on the opposite side of the road.
2. It is noted that the adjoining property to the west is a locally listed building described as a good representative example of a 1930's two-storey detached dwelling, key features being the hipped roof profile, over-sailing eaves, red brick walls, sash windows and central entrance door.
3. The existing dwelling on the plot is a two-storey white render dwelling, of smaller scale compared to the larger dwellings evident on the street, some of which have two-storey elevations in relatively close proximity to the boundary. With the above in mind, the site has the capacity to accommodate significant additions and alternations, making the property more reflective of the other larger examples on the street.

## Constraints

4. Critical drainage area (DM5).

## Relevant planning history

5. None

## The proposal

6. Erection of a single / two storey extension to the side and rear in red brick including retention of the yew and beech hedge along the east boundary. It should be noted that the application has been revised following its submission. The extension has been reduced in width and set 1m further away from the boundary (so that it is now 2.8m from the boundary). The two-storey element of the rear extension has been reduced in depth by 1 metre and the ridge height of the two-storey extension has been reduced by 0.65 metres.

## Summary information

Proposal	Key facts
<b>Scale</b>	
No. of storeys	Single and two-storey
Max. dimensions	See attached site plan and elevations
<b>Appearance</b>	
Materials	Red brick

	Red clay clay pan-tiles
<b>Transport matters</b>	
Vehicular access	As existing

## Representations

7. Adjacent and neighbouring properties have been notified in writing. The application was also subject to a further period of consultation. 3 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
Not appropriate to the character of the area and setting of the local listed building	See main issue 1
The extension is of a scale and design which is inappropriate and will compromise the visual amenities of the street scene.	See main issue 1
<p>The revised proposal is still uniquely intrusive in the context of the neighbourhood and the scale is very different to all others.</p> <p>There are 20 other houses on the street and no other extensions have been approved on the east side let alone a rear extension.</p> <p>The current proposal would leave a much smaller gap than is typical in the street.</p>	See main issue 1
<p>Loss of light and direct sunlight to our ground floor kitchen/dining room, study utility room, upstairs bedroom and garden (no.17).</p> <p>The extension will prevent the setting sun in summer from reaching my conservatory impacting on quality of life (no.15)</p>	See main issue 2
The extension is of a scale which will appear oppressive (no.17)	See main issue 2
Loss of privacy of our main living areas and garden (no.17)	See main issue 2
Impact on the existing yew hedge contributes to the character of the area (no.17)	See main issue 2 and other issues section

The extension could compromise our utilities which run along the east boundary (no.17)	See paragraph 52
<p>The revised plans do not go far enough in making the proposal acceptable. We have provided a photograph to show that the extension will grossly overshadow our living area from area (no.17)</p> <p>Furthermore, the sunlight lies northwest in the summer afternoons / evening so the rear extension would reduce sunlight reaching houses to the east</p>	See main issue 2
<p>Letter of support:</p> <ul style="list-style-type: none"> <li>• The extension is proportionate to the size of the plot and in keeping with the houses in the area</li> <li>• As the property was previously rented it suffered from lack of care. The proposal will improve the aesthetics of the area.</li> <li>• It is pleasing to see a young family in the area and it is fully expected that they would wish to improve and extend it.</li> </ul>	See main issue 2

### Other responses

8. Cllr Denise Carlo – Residents (no.15 and no.17) have expressed concern about the impact of the development on their amenity. Does the council meet the 45 degree and 21.3 metres separation standards, taken from the Cannock Chase District Council design guide, as referred to in previous Norwich City Council committee report?

### 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.

### Tree protection officer

10. The protection of the yew hedge is feasible subject to condition.

# Assessment of planning considerations

## Relevant development plan policies

11. **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
12. **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
  - DM5 Planning effectively for flood resilience
  - DM7 Trees and development
  - DM9 Safeguarding Norwich's heritage

## Other material considerations

13. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
  - NPPF0 Achieving sustainable development
  - NPPF6 Delivering a wide choice of high quality homes
  - 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

## Case Assessment

14. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

## Main issue 1: Design

15. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 9, 17, 56 and 60-66.
16. The character of the area is residential comprising large two-storey detached dwellings of varied styles on large plots fronted by street trees with many properties having mature landscaping within them. It is noted that the adjoining property to the west is a locally listed building described as a good representative example

of a 1930's two-storey detached dwelling, key features being the hipped roof profile, over-sailing eaves, red brick walls, sash windows and central entrance door.

17. The existing dwelling on the plot is two-storey white render dwelling but of a smaller scale compared to the larger dwellings evident on the street, many of which have two-storey elevations in relatively close proximity to the boundary. With the above in mind, the site has the capacity to accommodate significant additions and alternations, making the property more reflective of the other larger examples on the street.
18. The original submission was considered to result in a well-balanced frontage, which was of a scale and positioning within the site which was typical of other examples on the street and respecting the spatial characteristic between its self and the adjoining properties to the west and east.
19. That being said, the applicant was invited to reduce the scale of the extension to reduce any amenity impacts on the adjoining property to the east (no.17). The reduction of the width of the extension resulted in an improvement to the original submission increasing the spatial characteristics between the new building and the dwelling in no.17. This reduction in width would also have the effect of reducing the prominence of the side extension in the context of the original gabled ended frontage.
20. The choice of red brick will help define the new addition from the white render frontage, helping enhance the original gable profile and also reflecting the brick used on other examples in the street e.g. nos. 15 and 21. It is recommended that the choice of brick be conditioned, ensuring that they are sympathetic to the bricks on the locally listed building to the west. Replicating the red clay pan-tiles will help deliver a sympathetic transition with the original roof.
21. The retention of the mature yew hedge along the east boundary alongside the street trees will also have a further mitigating effect of softening the appearance of the new extension in the street scene.
22. It is not accepted that the extension would be uniquely intrusive or of a scale and layout which would compromise the character of the area and the visual amenities of the street scene. Specifically, the spacing between other properties in the street is very varied, their being examples of two-storey buildings being in close proximity to the boundary e.g. the adjoining property to the west (no.21). The revised proposals would ensure a sense of openness between adjoining dwellings when viewed from the street. Views of rear gardens and trees beyond would be retained, ensuring the proposals would not conflict with the character of the surrounding area.
23. In conclusion, the extension will result in a well-proportioned dwelling which is sympathetic to the character of the area, still delivering adequate spacing to the boundary which respects the visual amenities of the street scene and the setting of the locally listed building to the west.

#### **Main issue 6: Amenity**

24. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

25. The key areas of consideration in this application are potential impacts in terms of overlooking and loss of privacy, overshadowing of gardens and loss of daylight, sunlight and outlook to windows of adjoining properties. The nearest potentially affected properties in relation to these issues are no.21 to the west and no.17 to the east.

*Overlooking and privacy.*

26. There are no new windows which directly face to the west, so no significant impacts on no.21 will result.
27. There are no first floor windows to the new east elevation but two new ground floor windows serving a utility room and WC which are opposite 2 no. ground floor windows and a door serving no.17's utility room and study. The applicant has confirmed that both windows and the door to this elevation will be of obscure glazing. Furthermore, as there is a mature yew hedge between both sets of windows, no significant overlooking of no. 17's utility room will result. To ensure continued privacy for both properties, it is recommended that a condition be added requiring that the yew hedge be retained and the ground floor windows be of obscure glazing.
28. The proposals include a new first floor window serving bedroom 3. As the window is offset 3.7 metres from the east boundary and north facing, no significant additional loss of privacy of no.17's rear amenity area will result.
29. Comments from Cllr Carlo refer to separation distance standards from Cannock Chase District Council, which were mentioned within previous Norwich City Council reports. The policies and guidance of other councils are not material to the consideration of this application. However such standards are generally devised from the "Site layout planning for daylight and sunlight: a guide to good practice" (Building Research Establishment (BRE) 2011) which is often used as a guide within the English planning system.
30. Separation distances mentioned in this guidance relate to separation distances between the rear elevations of proposed dwellings, in order to prevent overlooking. Such standards are not applicable in this case as the proposals are for a side / rear extension, which does not have any side facing windows at first floor level facing adjoining properties.

*Daylight / Sunlight / Overshadowing*

31. The proposals are not considered to result in loss of daylight to the rear facing windows of nos.17 and 21, as it is set in from the boundary and does not project a significant distance beyond the rear elevations of these neighbouring properties. Potential impact upon daylight received by rooflights of the rear extension at no.17 is noted. It should also be noted that these rooflights are secondary windows, which light a room which also receives daylight from other unobstructed windows. In addition the proposed extension is a sufficient distance from these rooflights to ensure that no undue loss of daylight to these rooflights would occur.
32. Concerns are noted with regard to the impact of the proposals upon windows within the side elevation of no.17. In particular that they would be contrary to the '45 degree line' standards used by other councils.



33. As noted above such standards are derived from BRE guidance, which states that extensions which intersect a 45degree line taken in both plan and elevation from the affected windows could result in loss daylight. It is accepted that the proposals would not meet this BRE guideline. However in this case the potentially affected windows are sited in the side elevation of the dwelling in close proximity to the site boundary, and daylight is already obstructed by the existing boundary hedge. The BRE document recognises that in these unusual situations, given the proximity of the windows to the boundary and its outlook towards the neighbouring site, daylight to these windows cannot be protected to the same degree as rear facing windows.
34. In addition the BRE guidelines also note that windows to non-habitable rooms such as bathrooms and utility rooms should not receive the same protection as main living spaces. Furthermore the revised proposals setting back the development from the boundary with no.17 has further reduced any potential loss of daylight to this property. Given the above factors it is considered that the proposals would not result in undue loss of daylight to neighbouring properties.
35. In terms of sunlight, the rear windows of nos.15, 17 and 21 are north facing and receive little sunlight in the existing situation. The proposals would not result in any significant reduction in sunlight to adjoining windows, or overshadowing of adjoining gardens, in comparison to the shadow already cast by the existing buildings on site and by adjoining buildings.
36. It is not accepted that the two-storey element would result in significant overshadowing of no.15's conservatory or west facing windows due to the fact that a large proportion of the addition is set behind no.17 and is approximately 18 metres from no.15's west elevation.

#### *Outlook*

37. The extension will be apparent when viewed from no.17. However the revised proposal in the form of increased distance (3.6m) between the two dwellings, reduction in ridge height and reduced projection of the rear element reduces the massing of the overall massing of the proposal. These changes in conjunction with the retention of the mature yew hedge will mean that the side element of the proposal will not appear significantly overbearing when viewed from the ground floor windows serving no.17's utility room and study or rear garden.

#### **Compliance with other relevant development plan policies**

38. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

Requirement	Relevant policy	Compliance
Sustainable urban drainage	DM3/5	39. Yes subject to condition. As the site is within a critical drainage area, consideration needs to be given to surface water run-off. It is likely that suitable sustainable urban drainage system is feasible for a development of this scale. However, it is recommended that a

		suitable system be secured by condition.
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### **Equalities and diversity issues**

40. There are no significant equality or diversity issues.

### **Local finance considerations**

41. 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.
42. 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.
43. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

44. The proposal will result in a dwelling which is reflective of the varied design styles and position evident in area, being sympathetic to the character of the area and the visual amenities of the street scene.
45. The extension will result in some loss of daylight to the side windows of the adjoining property to the east. However the revised proposals have significantly reduced amenity impacts. When site specific circumstances are considered, the proposals would not result in an undue loss of daylight, sunlight or outlook to neighbouring properties.
46. 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.

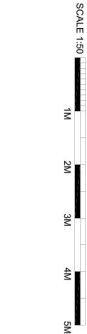
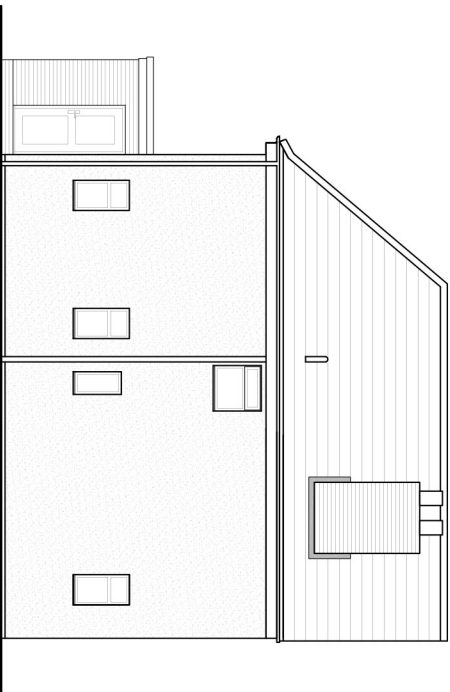
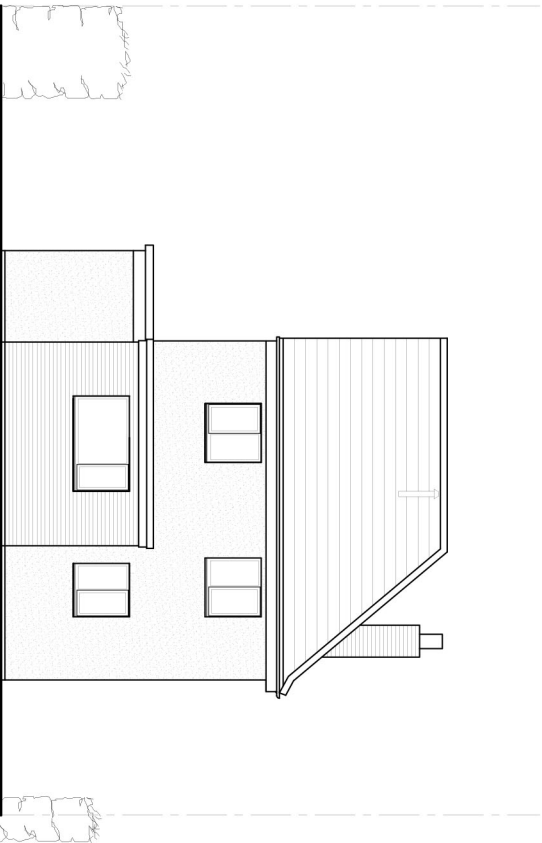
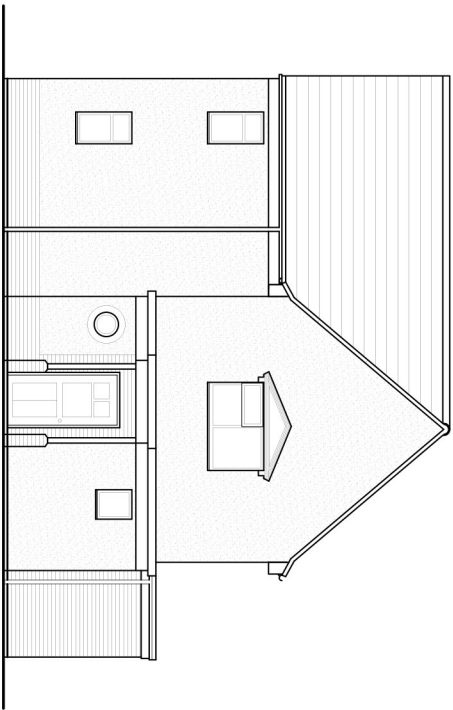
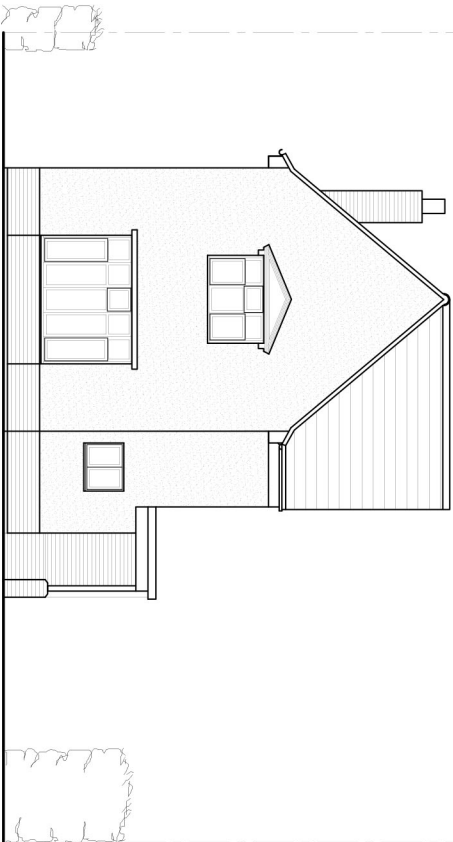
### **Recommendation**

To approve application no. 14/01798/F - 19 The Avenues Norwich NR2 3PH and grant planning permission subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Brick samples to be submitted for approval.
4. Yew hedge along the east boundary to be retained
5. All ground floor windows to the east elevation of the extension to be of obscure glazing
6. Details of sustainable urban drainage

**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 above.



P2	22.01.15	MINOR CORRECTIONS, DETAIL ADDED	MPF	CND
P1	22.08.14	PRELIMINARY ISSUE ONLY	MPF	
REV	0488	0488	by	revise

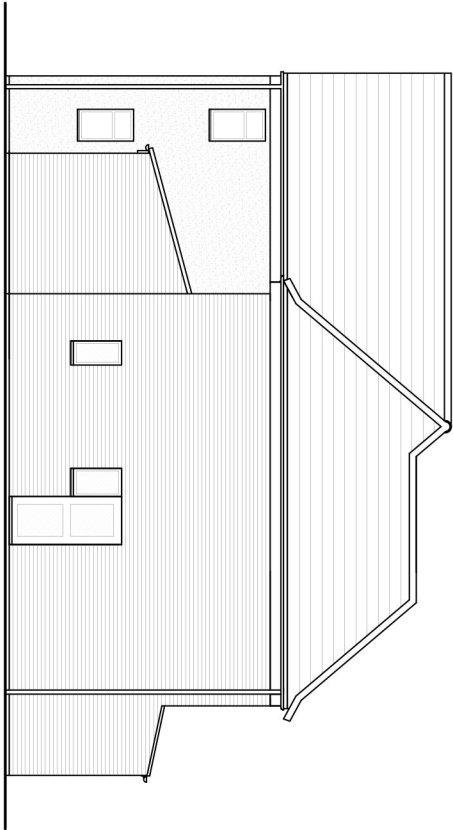
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MR J JONES		19 THE AVENUES, NORWICH NR2 3PH	
PROJECT		19	
EXISTING ELEVATIONS		204458-02	
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MPF		204458-02	



PROPOSED FRONT ELEVATION (SOUTH)

SCALE 1:50

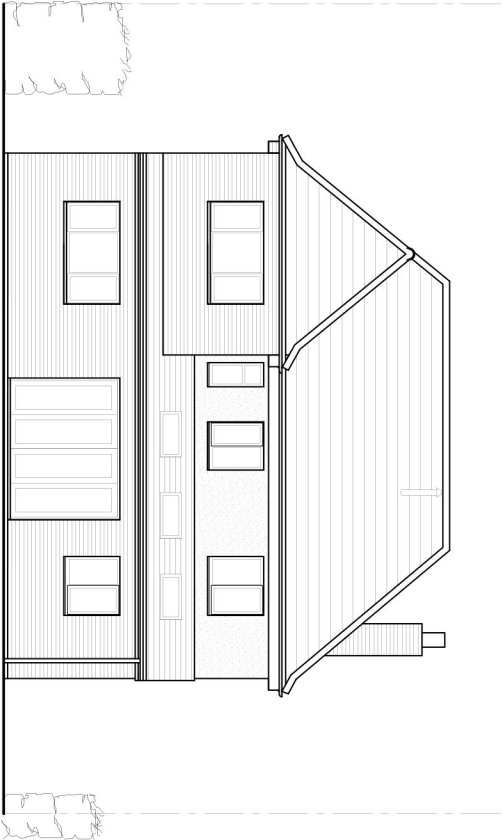
NOTE: NO ALTERATIONS  
TO BOUNDARY  
TREATMENTS EXISTING  
THES KNUX HEDGES  
ALREADY MARKED



PROPOSED SIDE ELEVATION (EAST)

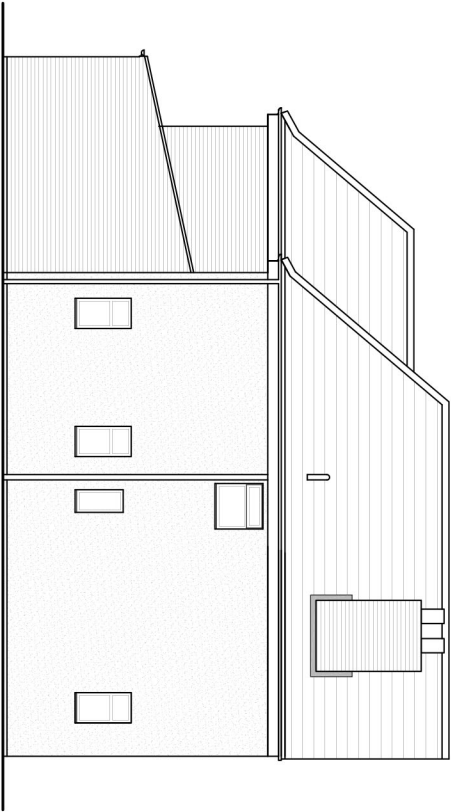
SCALE 1:50

OBSCURED GLAZING TO  
PROPOSED DOOR AND  
WINDOW



PROPOSED REAR ELEVATION (NORTH)

SCALE 1:50



PROPOSED SIDE ELEVATION (WEST)

SCALE 1:50

P6	22.01.14	EXTENSION SIZE REVIEWED. DETAILS ADDED	MPP	client	MR J JONES	project	19 THE AVENUES, NORWICH NR2 3PH
P5	01.12.14	MINOR REVISIONS	MPP	approved			
P4	06.11.14	MINOR REVISIONS	MPP	approved			
P3	09.10.14	REVISED TO CLIENT COMMENTS	MPP	approved			
P2	01.09.14	PRELIMINARY ISSUE ONLY	MPP	approved			
P1	22.08.14	PRELIMINARY ISSUE ONLY	MPP	approved			
REV	0608	0608	by	checked			

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client

scale

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204458-04

19 THE AVENUES, NORWICH  
NR2 3PH

PROPOSED ELEVATIONS



GARAGE

-GRASS-

-PAVING-

-PAVING-

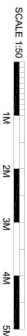
-GRAVEL-

FENCE

BOUNDARY FENCE & LAUREL HEDGE

21 THE AVENUES

EXISTING GROUND FLOOR PLAN  
SCALE 1:50



LIVING ROOM

BED 4

KITCHEN

HALL

ENSUITE

-GRAVEL DRIVE

YEW HEDGE

BOUNDARY FENCE

BAY 2.5m

17 THE AVENUES

EXISTING FIRST FLOOR PLAN  
SCALE 1:50

BED 2

BED 3

BED 1

ENSUITE

DATE: MR J JONES  
19 THE AVENUES, NORWICH  
NR2 3PH

EXISTING PLANS

P2	22.01.15	DETAIL ADDED	MPF	CND
P1	22.08.14	PRELIMINARY ISSUE ONLY	MPF	
REV	date	details	by	checked

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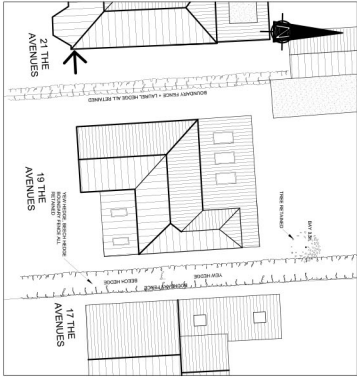
SITE LOCATION PLAN  
SCALE 1:1250



EXISTING SITE PLAN  
SCALE 1:500



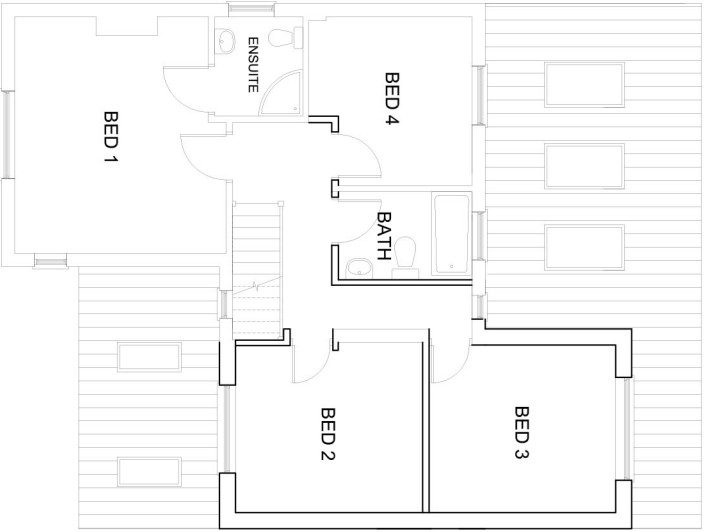
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TO BOUNDARY EXISTING  
TREES AND HEDGES  
ALL RETAINED



PROPOSED SITE PLAN  
SCALE 1:200



PROPOSED SITE PLAN  
SCALE 1:500



PROPOSED FIRST FLOOR PLAN  
SCALE 1:50

DATE: 19 THE AVENUES, NORWICH  
NR2 3PH

MR J JONES

REV	DATE	DESCRIPTION	BY	CHECKED
P3	23.01.14	EXTENSION SITE APPROVED	MPF	
P2	01.09.14	PRELIMINARY ISSUE ONLY	MPF	
P1	22.08.14	PRELIMINARY ISSUE ONLY	MPF	
REV	04.08	04.08		

REV	DATE	DESCRIPTION	BY	CHECKED
P3	23.01.14	EXTENSION SITE APPROVED	MPF	
P2	01.09.14	PRELIMINARY ISSUE ONLY	MPF	
P1	22.08.14	PRELIMINARY ISSUE ONLY	MPF	
REV	04.08	04.08		

REV	DATE	DESCRIPTION	BY	CHECKED
P3	23.01.14	EXTENSION SITE APPROVED	MPF	
P2	01.09.14	PRELIMINARY ISSUE ONLY	MPF	
P1	22.08.14	PRELIMINARY ISSUE ONLY	MPF	
REV	04.08	04.08		