



NORWICH City Council

Committee name: Planning applications

Committee date: 14/12/2023

Report title: Application no. 23/01166/F 1 Fernhill, Norwich, NR1 4AQ

Report from: Head of planning and regulatory services

OPEN PUBLIC ITEM

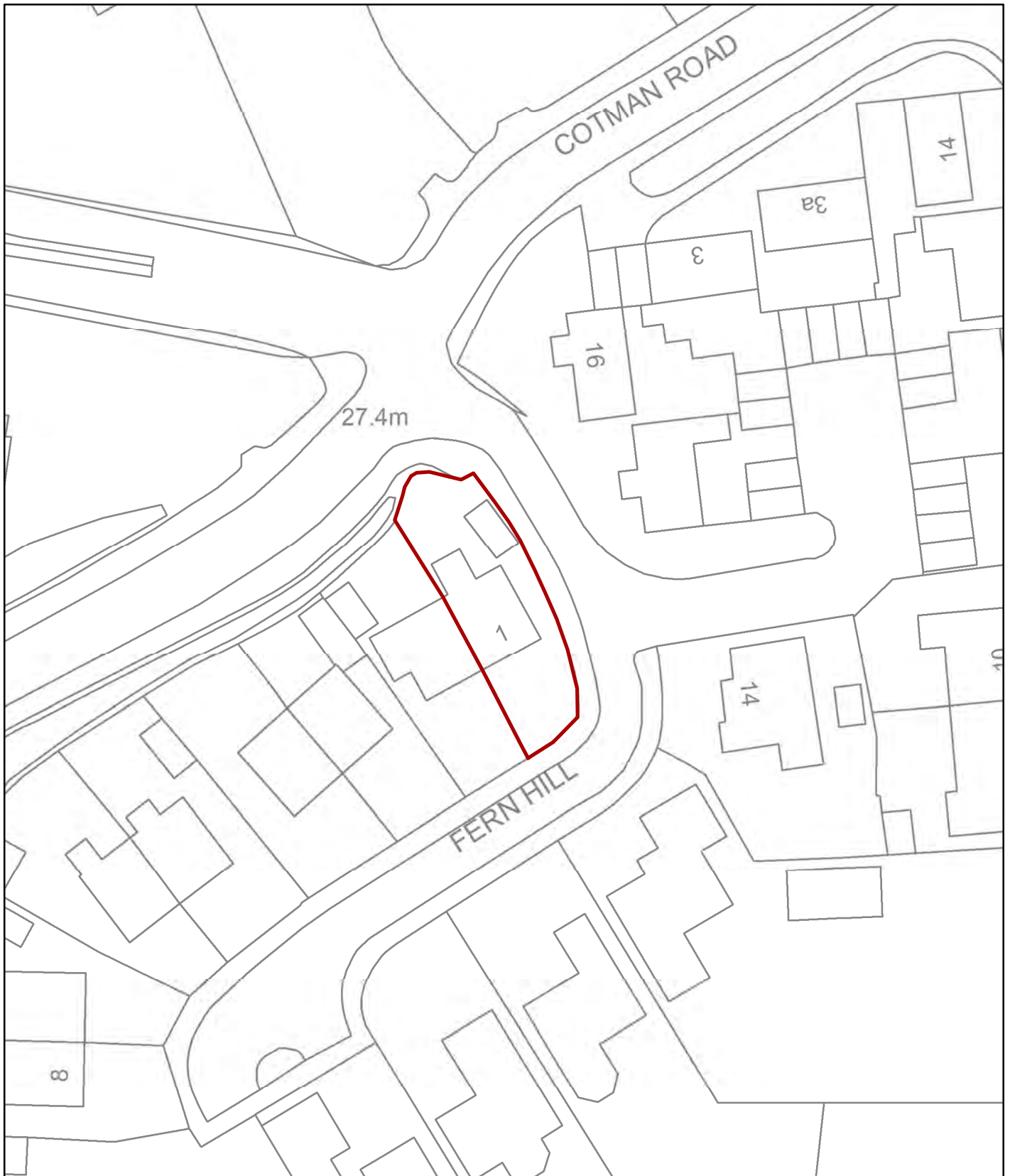
Purpose:

To determine:

Application no:	23/01166/F
Site Address:	1 Fernhill, Norwich, NR1 4AQ
Decision due by:	27/11/2023
Proposal:	External insulation and replacement render (retrospective).
Key considerations:	The impact of the proposal upon the character of the Conservation Area
Ward:	Thorpe Hamlet
Case Officer:	Holly Lusher-Chamberlain
Applicant/agent:	Mr Christopher and Ms Sarah Elston
Reason at Committee:	Councillor Call In

Recommendation:

It is recommended to refuse the application for the reasons given in the report.



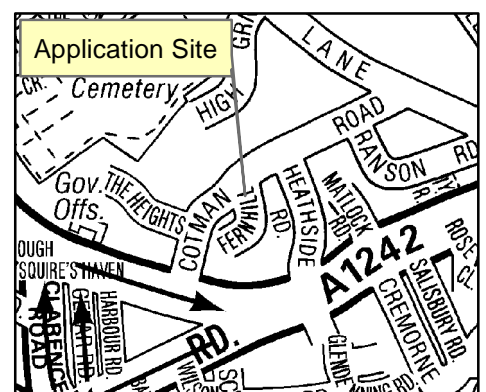
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Planning Application No 23/01166/F
Site Address 1 Fernhill

Scale 1:500



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PLANNING SERVICES



The site and surroundings

1. The site is a semi-detached dwelling and is one half of four semi-detached properties. All of the properties have a consistent coarse render and flat roof construction, no. 1 now has a smooth render finish.
2. The property sits within the Thorpe Ridge Conservation Area. The site was originally the location of the Fernhill estate built by the influential I.B. 'Bugg' Coaks in 1865. The land was disposed of in 1930 and a builder called Southgate built the properties on Fernhill, now nos. 1-8.

Constraints

3. Thorpe Ridge Conservation Area

Relevant Planning History

4. The records held by the city council show the following planning history for the site.

Case no	Proposal	Decision	Date
12/01397/CLP	Certificate of Lawfulness for proposed rear conservatory	APPR	27 September 2012

The Proposal

5. External insulation and replacement render (retrospective).
6. The property has installed external insulation and have re-rendered resulting in a smooth finish. This required planning permission as permitted development specifically excludes the rendering of the exterior of a dwellinghouse in a Conservation Area (General Permitted Development Order 2015, Article 3, Schedule 2, Part 1, Class A, Paragraph A.2(a).)
7. The reason given for replacing the render is that the original render was failing due to its age and was cracking which resulted in increased areas of dampness on the internal walls.

Summary of Proposal – Key facts:

8. The key facts of the proposal is summarised in the tables below:

Appearance	Key Facts
Materials	Installed a layer of thermal insulation which uses a modern, coloured silicon render that is rain repellant, algae and grime resistant and is also flexible and less likely to crack.

Consultation responses

9. No consultations are required for this application. The case officer is a Conservation and Design officer.

Representations

10. Adjacent and neighbouring properties have been notified in writing. 7 letters of representation have been received in total, 2 of which objected the proposal and 5 of which supported the proposal. The letters of objection and support citing the issues as summarised in the table below:

Issues raised	Response
Objections	
There is a consistent coarse render finish with the other properties.	See main issue 2
The proposal sets a precedent for other householders to modify their properties leading to a wide variety of finishes and out of context with the conservation area.	See main issue 2
It is out of context for the conservation area and creates a negative impact.	See main issue 2
Generally similar colour with the other properties with a coarse finish.	
The insulation has changed the architectural style of the property with altering the window details and no longer sitting flush with its adjoining neighbour.	See main issue 2
Object to the current finish not the insulation of insulation cladding.	See main issue 1
The property now looks like a new build on an estate and is completely at odds with the other seven properties.	See main issue 2
Support	
Enhances the entrance to Fernhill.	See main issue 2
There is no consistency in the visible appearance of the properties.	See main issue 2
Improved thermal performance.	See main issue 3
Rendering colour is appropriate and there is not a uniform colour on the other properties.	
Improved the living conditions.	See main issue 3
Eco-improvements should be encouraged.	See main issue 1
Visually appealing.	See main issue 2

Statutory and non-statutory consultees

11. No consultations have been undertaken.

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

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
- DM9 Safeguarding Norwich's heritage

Other material considerations

14. Relevant sections of the National Planning Policy Framework July 2021 (NPPF):

- NPPF16 Conserving and enhancing the historic environment

Case Assessment

15. 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 Policy Framework (NPPF), the council's 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. Principle of development

16. Key policies and NPPF paragraphs – JCS4, DM12, NPPF section 16.

17. The principle of the development of installing external insulation is acceptable, however, the detail of the render is the main issue of this refusal.

18. The detail is not acceptable as Section 16 of the NPPF, specifically paragraph 199 states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

19. In addition, section 72 of the Planning (Listed Building and Conservation Areas) Act, 1990 states the 'General duty as respects conservation areas in exercise of planning functions'.

20. Therefore, it is considered that the impact of the smooth render applied to the house as non-designated heritage asset causes harm to its significance and group value of nos. 1-8 and consequently fails to either preserve or enhance the character of the Thorpe Ridge Conservation Area.

Main Issue 2. Design and Heritage

21. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF paragraphs 126-136 and 189-208.

22. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a statutory duty on the local authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law (specifically *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 and conservation areas when carrying out the balancing exercise.
23. No.1 has very high evidential and historic values. The location of Fernhill was the site of the former manor house 'Fernhill House' which was constructed by the influential Thorpe Ridge figure I.B 'Bugg' Coaks. The Fernhill estate was developed leaving behind the street pattern that exists today. In the 1930s the properties were built opposite Fernhill House and the street of Fernhill was established. These properties would have been read in conjunction with Fernhill House before it was demolished in the 1960s, creating high evidential value of this historic setting of Thorpe Ridge.
24. The buildings are mentioned in the Thorpe Ridge Conservation Area Appraisal as influenced by the interwar art deco and modernist movement with the flat roofs forming an unusual combination with the typical form of an interwar suburban semi. The application of smooth render has damaged the group value that contributes to the special character and appearance of the Thorpe Ridge Conservation Area.
25. Currently, the property is not on either the National or Local List. The scoring system from Appendix 7 of the Development Management Policies Plan have been applied to the house to assess whether or not it is of sufficiently high value to be added to the local list. It has been calculated under the assessments of Townscape Value; Architectural Value; History; Archaeology; Community; and Condition. Using these scoring criteria, it has been determined that 1 Fernhill could be considered for the Local List and become a non-designated heritage asset along with the other semi-detached properties of nos. 2-8.
26. The smooth coloured render is visually detrimental to the group value of nos.1-8 Fernhill. The coarse render is one of the only remaining features that creates a cohesive appearance to these properties. All have had their windows replaced from, most likely, Crittall style to uPVC and some have inserted porch doors. Thereby replacing no. 1 with a smooth render has broken this cohesive look of the properties and sets an unwelcome precedent for others to follow.
27. No. 1 is the first property encountered when entering Fernhill; the new cladding is instantly visible from Cotman Road on the approach to Fernhill. This causes a conflicting appearance to the distinctive and homogenous group of properties on the northern side of the cul-de-sac.
28. The colour of the installed render has yellow tones which are also not in keeping with the other properties within the group. They have an off-white/cream colouring which are not consistent in shade but have a harmonious tone of colour with each other. The yellow tones of no. 1 are very prominent within the streetscape and highly contrast against the adjoining neighbouring property.

29. The principal of installing insulation is acceptable however there is a better solution available to allow the appearance of no. 1 to remain homogeneous to the remaining properties on Fernhill. The three options open to the homeowner are:

- Insulate the property internally (this will reduce the size of the rooms) and reapply the coarse render.
- Remove the smooth render and apply a coarse render over the insulation that is already applied to the exterior.
- Apply a coarse render that has insulating capabilities (there are local providers that can undertake the work).

30. Given that there are alternative, less damaging options for insulating the property, the benefits of the insulation are not considered to out-weigh the harm caused to the property and the character of the Conservation Area in an assessment of the harm against benefits required by paragraph 202 of the NPPF.

Main Issue 3. Amenity

31. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 127.

32. The proposal has no impact on the neighbouring occupiers by means of overlooking and overshadowing.

33. It does have an impact on the outlook of the neighbouring occupiers as it disrupts the visual appearance of the street scape.

34. The installation of insulation has improved the thermal capabilities of the property and has improved the occupants' living conditions.

Equalities and diversity issues

35. There are no equality or diversity issues.

Local finance considerations

36. 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. 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.

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

Human Rights Act 1998

38. Officers have considered the implications of the Human Rights Act 1998 in reaching a recommendation to approve this application. They consider that the interference with the human rights of the applicant under Article 8/Article 1 of Protocol 1 is justifiable and proportionate for the protection of the rights and

freedom of others or the control of his/her property in this way is in accordance with the general interest.

Section 17 of the Crime and Disorder Act 1998.

39. Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission, officers consider that the proposal will not undermine crime prevention or the promotion of community.

Planning Balance and Conclusion

40. The development has been assessed against the policies of the National Planning Policy Framework and the Development Plan. Whilst it is acknowledged that there are some benefits to both the owner and to the wider environment of providing the insulation to the building, these are not considered to outweigh the harm caused to the house as a non-designated heritage asset and to the character of the wider Conservation Area. It should also be noted that there are other, less harmful ways of achieving the benefits of the insulation that could have been pursued. Accordingly, the proposal is contrary to Local Plan policy DM9, the policies in chapter 16 of the NPPF and in particular paragraph 202 and fails to preserve the character of the Conservation Area, contrary to the requirements of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Recommendation

41. **REFUSE** application no. 23/01166/F, 1 Fernhill, Norwich, NR1 4AQ for the following reason:

- The external render negatively impacts upon the character and appearance of no. 1 Fernhill and upon the group of four pairs of semi-detached properties of nos. 1-8 Fernhill, and thereby causes harm to the special character and appearance of the Thorpe Ridge Conservation Area. Said harm is not considered to be outweighed by the benefits of providing insulation to the property. Consequently, the proposal is contrary to Local Plan policy DM9, Chapter 16 of the NPPF (in particular paragraph 202) and also fails to preserve the character of the Conservation Area in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act, 1990.

Appendices: None

Contact officer: Conservation and Design Officer

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If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

1 Fernhill before new rendering (2014)

Front and side elevation



Rear elevation



1 Fernhill after new insulation and render

Front and side elevation



Rear elevation

