

**Planning Applications Committee**  
**30 July 2009**  
**Section C**

<b>Agenda Number:</b>	C3
<b>Section/Area:</b>	Outer
<b>Ward:</b>	University
<b>Officer:</b>	Elizabeth Franklin
<b>Valid Date:</b>	9th June 2009
<b>Application No:</b>	09/00397/F
<b>Site Address :</b>	54 Cunningham Road Norwich NR5 8HH
<b>Proposal:</b>	Retrospective application for conservatory in rear garden.
<b>Applicant:</b>	<b>Mr Adrian Self</b>
<b>Agent:</b>	<b>Mr Adrian Self</b>

### **THE SITE**

The site is to the rear of a semi detached ex local authority house which is located on the north side of Cunningham Road. Land drops down to the north into the garden and a fence is positioned on the boundary to the east and incorporates trellis above to approximately 1.5m high. To the west side of the garden there is a brick shed which forms the boundary on that side.

### **RELEVANT PLANNING HISTORY**

There is no relevant planning history.

### **THE PROPOSAL**

This is a retrospective application for a conservatory to the rear of the house, 3.5metres deep, 3.525metres wide, and 3.4metres high. It is located on the east side of the rear of the house with the side of the conservatory on the boundary with the neighbour. Although the lower 0.5m of the conservatory walls are brick,

the entire upper part is glazed, including the wall that is on the boundary, with opening lights.

## **CONSULTATIONS**

Neighbours have been consulted and there have been 2 letters submitted supporting the scheme and 1 objecting to it. Comments are:

- No objections;
- It will not be possible to maintain the structure on the boundary, or the fence;
- There are pipes located under the conservatory;
- The floor level is the same as the living room – potential for overlooking;
- Opening lights invade privacy;
- Clear glazing is unneighbourly;
- Obscure glazing is an acceptable compromise.

## **PLANNING CONSIDERATIONS**

### **Relevant National Planning Policies:**

PPS1 – Delivering Sustainable Development

### **Relevant East of England Plan Policies:**

ENV7 – Quality in the Built Environment

### **Relevant Local Plan Policies:**

HBE12 – High Quality of Design;

EP22 – General Amenity.

The conservatory has already been built following on from the time lapse of advice given by an agent and the change to the permitted development regulations in October 2008. Prior to the changes of the regulations the conservatory would have been permitted development, however the depth is 0.5m more than current regulations allow without planning permission.

The conservatory is situated close to the boundary with the neighbour and has a fence on the boundary to approximately 1.5m to provide screening from the glazed side wall of the conservatory. It is possible that because of the height of the fence that there could be overlooking to the neighbour's property. The applicant has advised that he is willing to obscure glaze the window and fix the opening lights closed on that side which is considered acceptable as a compromise to overcome concerns by the adjacent neighbour.

In view of the above the application is recommended for approval subject to the condition that the windows are obscure glazed and fixed closed on the eastern side.

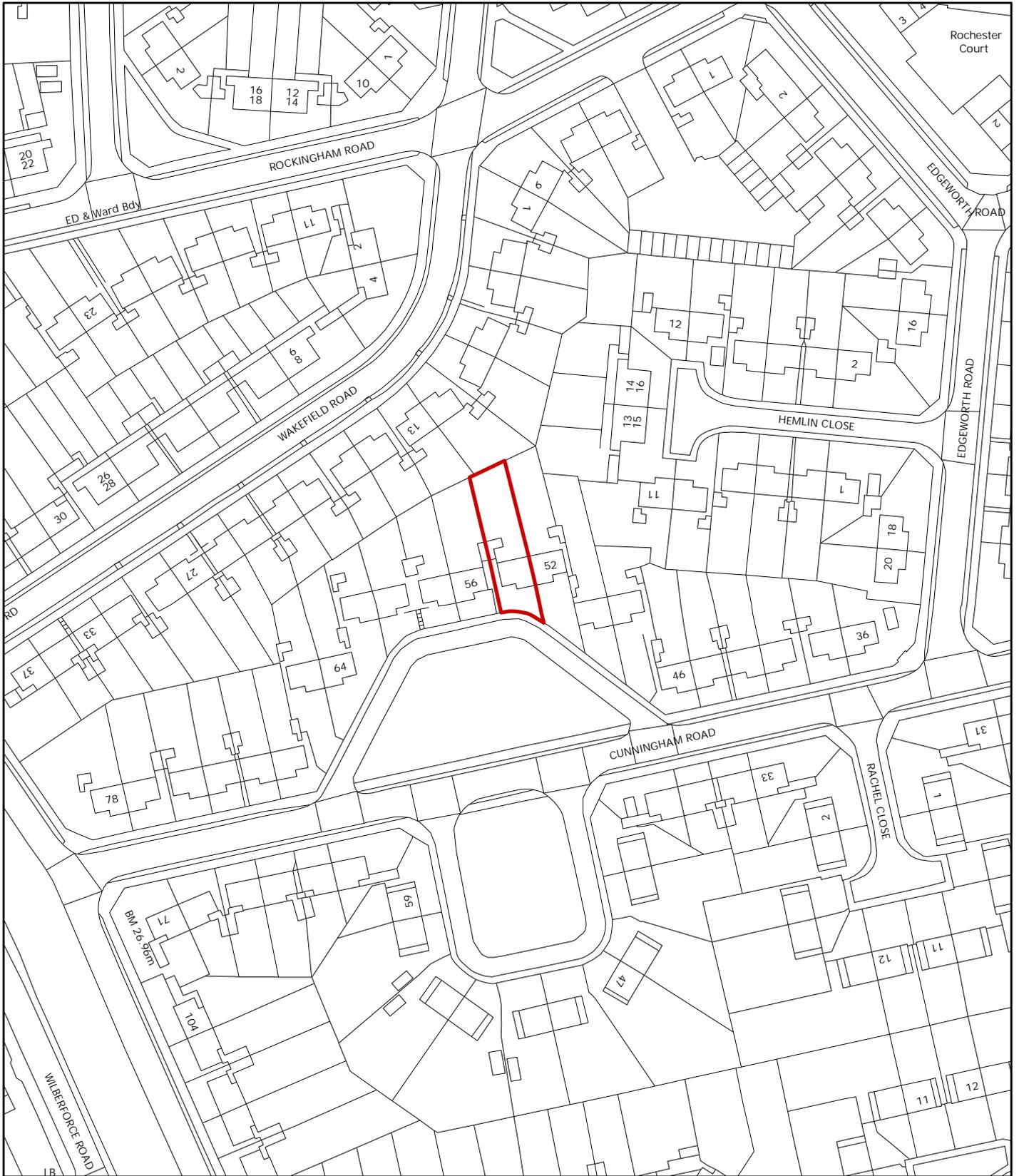
## **RECOMMENDATIONS**

APPROVE PLANNING PERMISSION subject to the following condition:

1. Within one month obscure glaze and fix east windows.

Reason for Approval:

The decision to grant planning permission has been taken having regard to saved policies EP22 and HBE12 of the City of Norwich Replacement Local Plan Adopted Version November 2004 and all material planning considerations. The conservatory is not considered to be detrimental to the visual or residential amenities of the neighbourhood.



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Site Address - 54 Cunningham Road  
Scale - 1:1250



**NORWICH**  
City Council

DIRECTORATE OF REGENERATION  
AND DEVELOPMENT

