

Report to

Planning applications committee

Item

29 January 2015

Report of

Head of planning services

SubjectApplication no 14/01780/F - Land adjacent to 36
Sunningdale, Norwich**Reason for referral**

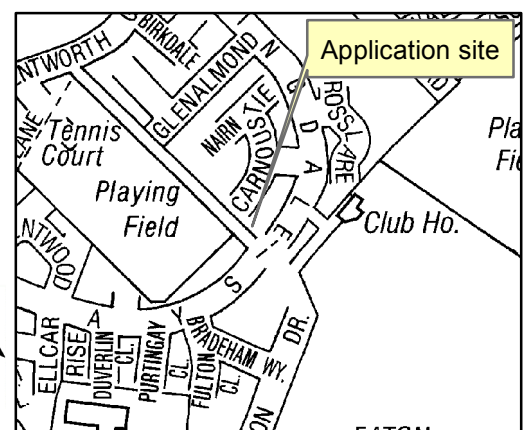
Objection

4(c)

Ward:	Eaton
Case officer	John Dougan - johndougan@norwich.gov.uk

Development proposal		
Erection of a dwelling house.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1 Principle of a dwelling in this location	Provision of a mix of housing types, accessibility to shops and services
2 Scale and design	Character of the area, local distinctiveness
3 Trees	Protection of the mature trees with tree preservation orders
6 Amenity	Protection of the amenities of neighbouring properties (outlook, privacy, overshadowing, loss of light and noise).
Expiry date	27 January 2015
Recommendation	Approve



The site and surroundings

1. The site is in a residential area and consists of various styles including chalet and two-storey, with a mixture of materials include red brick, buff brick and cladding. Most of the dwellings sit on generous plots with varying spatial characteristics between each of the dwellings. However, the area to the south-east and west has been redeveloped with modern contemporary properties built using a combination of brick and render.
2. Mature oak trees run along the public footpath that links Sunningdale and Wentworth Green. This group contain trees which have tree preservation order status.
3. The application site lies between the public footpath to the south-west and the adjoining property to the north-east i.e. 36 Sunningdale which is a two storey dwelling with an open garden to the front and garden to the rear. The south-west elevation of no.36 has no windows at first floor level and a small window at ground level but it is not believed to be a primary window serving a habitable room.
4. The adjoining property to the rear is a two-storey dwelling which has windows and a balcony which overlook the application site.
5. Existing boundary treatment to the rear is a combination of 2m. close board fence and overgrown hedge, with the boundary with no. 36 being a 2m close board fence. The boundary to the south-west is a 1.8 metre close boarded fence. The site has been cleared of vegetation.

Constraints

6. Mature trees along the western boundary of the site with tree preservation orders.

Relevant planning history

7.

Ref	Proposal	Decision	Date
08/00046/U	Change of use of site as builders secure compound whilst site opposite is developed. Single container to be stored on site.	APPR	25/04/2008
14/00169/F	Erection of 1 No. four bedroom dwelling with garage.	APPR	16/07/2014
14/01178/D	Details of Condition 3) proposed materials, Condition 4) landscaping and Condition 7) site meeting of previous planning permission 14/00169/F 'Erection of 1 No. four bedroom dwelling with garage'.	APPR	25/09/2014

The proposal

8. Erection of 4 bedroom dwelling with double garage.
9. The current proposal is of the same design, scale and layout to the previously approved scheme. Except that an alternative foundation method is proposed to safeguard the root zone of the protected trees. The revised scheme also amounts to a slight increase in height of the ridge to accommodate the revised foundation system.

Summary information

Proposal	Key facts
Scale	
Total no. of dwellings	One
Total floorspace	Same as previously approved
No. of storeys	Two (same as previously approved)
Max. dimensions	Same as previously approved (except for the slight increase in height from 7.3 – 7.6 metres)
Appearance	
Materials	Same as previously approved
Construction	Same as previously approved
Energy and resource efficiency measures	Same as previously approved
Transport matters	
Vehicular access	Same as previously approved
No of car parking spaces	Same as previously approved
No of cycle parking spaces	Same as previously approved
Servicing arrangements	Same as previously approved

Representations

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 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
Oversized building on an inappropriate plot	See main issues 1 and 2
Some pruning of the trees has already occurred.	This is a matter which will be investigated by the Council's tree protection officer
Is the revised foundation system sufficient to safeguard the protection of the trees	See main issue 3
Will the pilling process result in instability of adjoining properties and impact on the water table / local drainage.	See other matters
Nuisance from the pilling process	See main issue 4

Consultation responses

11. 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

12. No objection

Assessment of planning considerations

Relevant development plan policies

13. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery
14. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- 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
 - DM12 Ensuring well-planned housing development
 - DM28 Encouraging sustainable travel

- DM30 Access and highway safety
- DM31 Car parking and servicing

Other material considerations

15. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF6 Delivering a wide choice of high quality homes
- NPPF7 Requiring good design
- NPPF11 Conserving and enhancing the natural environment

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.

Main issue 1: Principle of development

17. Key policies and NPPF paragraphs – DM12, NPPF paragraphs 49 and 14.
18. The principle of a dwelling of similar scale, design and layout in this location has already been assessed and approved in the previous approval (14/00169/F). With this in mind, that assessment is still relevant to the determination of the current application.
19. The principle of a dwelling in this location is acceptable.

Main issue 2: Design

20. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
21. The reason for the current application is due to change in the design and methodology to be employed to secure the protection of the protected trees along the south-west boundary of the site. This means that the proposed dwelling needs to be raised upon a construction deck above the root protection zone of nearby trees. The new ridge height of the house is raised from 7.3 metres to 7.6 metres
22. It is acknowledged that such a change will increase the height of the house in the street scene. However, as the change reflects the ridge height on the adjoining property, the change to the appearance of the proposed dwelling and character of the area will be negligible.
23. The conclusions of the previous planning approval are still relevant to the determination of the current application i.e. the proposal is of a scale, design and layout which is sympathetic to the character of the area and the visual amenities of the street scene.

24. The proposed materials reflect the range of materials that have already been approved (14/01178/D). With this in mind a further condition relating to the submission of materials is no longer required.

Main issue 3: Trees

25. Key policies and NPPF paragraphs – DM7, NPPF paragraphs 109 and 118.
26. The impact on nearby mature protected trees is a major consideration for this development. The trees in question are located along the south west boundary and the footprint of the dwelling and associated driveway/turning area being within the route protection zone of two of those trees.
27. The previously approved application proposed the innovative ‘Abbey Pynford Housedeck System’ method of protecting root protection zones. This was based on an above ground raft, with a void between the existing ground level and the base of the foundation. The suspended slab is supported by piles that can be positioned to suit the ground conditions so as to avoid significant routes. The Council’s tree officer deemed such a solution acceptable.
28. Following further consideration of site conditions the applicant is now proposing a similar method construction to that outlined above, but using a system from an alternative manufacturer. This has resulted in the building height being increased. The Council’s tree officer has reviewed this alternative methodology. It is noted that such a system has not previously been used in the city. However the tree officer and considers that this system, as well the means for protecting root zones in driveway areas and considers them sufficient to ensure that the route protection zones of the protected trees are safeguarded.
29. On the basis of the above, the revised tree protection methods are deemed acceptable subject to a condition requiring a pre-commencement condition with all key parties, enabling the local planning authority to establish a clear method of works and supervision regime.

Main issue 4: Amenity

30. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
31. The conclusions of the previous planning approval are still relevant to the current application i.e. the development will not result in significant harm to the amenities of neighbouring properties. The slight increase in the ridge height will result in negligible change to that original assessment in terms of the outlook, level of light and overshadowing of adjoining properties.
32. It is acknowledged that piling operations can be noisy. However, in the context of a residential area, a development of this scale and nature is not considered untypical and unlikely to occur over a long period of time. Therefore, any noise impacts association with such operations are not considered significant.

Compliance with other relevant development plan policies

33. 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
Cycle storage	DM31	Yes
Car parking provision	DM31	Yes
Refuse Storage/servicing	DM31	Yes
Energy efficiency	JCS 1 & 3 DM3	Not applicable
Water efficiency	JCS 1 & 3	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes

Other matters

34. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:
35. The site is not within a critical drainage area. Nevertheless, the site layout is flat and has a high level of permeable surfacing which is unlikely to lead to any significant surface run off from the site.
36. The previous permission had a condition that no site clearance associated with the development occur between the months of March and August. However, a recent site visit by officers found that the long grasses and mature hedge along the west boundary has already been removed. Therefore a similar condition is not deemed to be necessary.
37. Details relating to materials and hard / soft landscaping have already been approved as part of the recent discharge of condition application and indicated on the current submission. Therefore, this matter does not need to be conditioned on any new approval.
38. Policy DM11 requires that local planning authorities have regard to environmental hazards associated with development such as subsidence, water quality and noise emissions.
39. There is no evidence of subsidence of ground instability on the site and the site is not known to be in a ground water protection zone. With this in mind there are no reasonable grounds to suggest that the piling operations would have a significant adverse impact on neighbouring properties. That being said, separate legislation in the form of the Building Regulations and Party Wall Act are in place to determine the appropriateness of the structure and the stability of neighbouring properties.

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 principle of the development has already been established in the previously approved scheme.
45. The scale, design and layout of the proposal is the same as the previously approved scheme. The slight increase in height and foundation system will have a negligible change to the character and local distinctiveness of the area or the amenities of neighbouring properties.
46. The revised foundation system is appropriate subject to the recommended conditions.
47. 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. 14/01780/F - Land Adjacent To 36 Sunningdale, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans
3. In accordance with the arboricultural method statement and tree protection Plan
4. Pre-commencement meeting and arboricultural supervision
5. Details of water conservation measures.

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 and has approved the application subject to appropriate conditions and for the reasons outlined above.

