

## Report for Resolution

**Report to** Planning Applications Committee  
**Date** 21 April 2011  
**Report of** Head of Planning Services  
**Subject** 10/02226/F 177A Newmarket Road Norwich

**Item**  
**5(3)**

### SUMMARY

<b>Description:</b>	Erection of two storey dwelling and associated works including driveway and landscaping.	
<b>Reason for consideration at Committee:</b>	Objection	
<b>Recommendation:</b>	Approve subject to conditions	
<b>Ward:</b>	Eaton	
<b>Contact Officer:</b>	Mrs Anne Napier-Derere	Planning Development Team Leader 01603 212502
<b>Validation Date:</b>	29th December 2010	
<b>Applicant:</b>	Jenkinson Properties	
<b>Agent:</b>	David Futter Associates Ltd	

### INTRODUCTION

#### The Site

##### Location and Content

1. The application site is a relatively large plot, originally formed from the subdivision of a substantial site which included the 1960's dwelling to the site frontage (no.177). The original plot included two access points to the site frontage. No. 177 is sited forward of the two neighbouring properties (no.'s 175 and 183) and is a replacement for the original dwelling which was demolished in 1962 (ref. 26433). The application site is largely screened from the road by the existing dwelling at no.177 and by several mature trees.
2. The site itself is vacant and is currently mainly rough grassland, with several mature trees on the boundary of the site and some planting within the site. It is screened from no.'s 175 and 183 by existing substantial screening on the side boundaries of the site. From approx. 2003 it is understood that it was used as a garden extension to the adjacent dwelling no.175. The application site has more recently been sold away from that property.

##### Constraints

3. The site is within the Newmarket Road Conservation Area and contains a number of mature trees which enhance the character and appearance of the area.

## Topography

4. The site, whilst relatively flat, is higher than the site to the south (no.177) and the west (no.183), but lower than the site to the east (no.175).

## Planning History

**04/00294/F** - Remodelling of existing dwelling, sub-division of plot and erection of new dwelling and garage. (Refused - 17/08/2004)

**05/00463/F** - Subdivision of curtilage and erection of one new house and garage. (Approved - 02/08/2005)

**08/00348/F** – Re-siting of driveway to access building plot to rear. (Approved - 19/06/2008)

**10/00759/NMA** - Minor realignment of driveway - non-material amendment to permission ref. 08/00348/F (Approved - 13/05/2010)

**10/01002/F** - The construction of a new 2 storey dwelling and associated landscaping. The construction of a new driveway. (Approved - 02/08/2010)

**10/01160/D** - Details of Condition 2 - materials to be used in the construction of the external walls and roof of the building and Condition 3 - a) external joinery b) surfacing of the drive and manoeuvring area of previous planning permission 05/00463/F 'Subdivision of curtilage and erection of one new house and garage'. (Approved - 15/07/2010)

## Equality and Diversity Issues

There are no significant equality or diversity issues.

## The Proposal

5. The application proposes the construction of a new two-storey dwelling as an alternative proposal to the scheme agreed in August 2010, which in turn effectively renewed the 2005 permission for a dwelling on the site. The current proposal seeks to significantly amend the design of the dwelling, as the previous design is considered to have discouraged prospective buyers for the site.
6. Although the floor area and footprint of the development currently proposed is similar to the previous approved scheme, the siting of the proposed dwelling is further from the south-east and north-east boundaries of the site. There is however, considerable overlap between the two schemes in respect of siting and it is not considered feasible for the approved scheme and the current proposal both to be constructed.
7. The fundamental difference in design approach between the approved scheme and the current proposal is the incorporation of pitched roofs. Large areas of glazing are proposed within grey coloured frames and a sharp rendered finish to external walls, vertical timber boarding and grey plain roof tiles with a modern chimney flue. An air source heat pump with underfloor heat pump is proposed, with solar panels to the west elevations and the property is intended to be constructed to code level 4 of the Code for Sustainable Homes.
8. The current application seeks to use the existing access to the site, which is located between the dwellings at no.'s 177 and 183 Newmarket Road. A turning area is proposed to ensure that vehicles can access and egress the site in a forward gear.

## Representations Received

9. Advertised on site and adjacent and neighbouring properties have been notified in writing. Four letters of representation have been received citing the issues as summarised in the table below.

10.

Issues Raised	Response
The proposed dwelling is substantially bigger than previous approved dwellings, which will impose directly on to no. 183 Newmarket Road and cause loss of privacy.	The submitted plans and elevations show the proposed new dwelling in relation to the scale and dimensions of the previously approved house. The approved scheme is for a dwelling of some 334 square metres, whereas the current scheme proposes as dwelling of some 340 square metres.  See paragraphs 24-6
The dwelling is not in keeping with the principles of a conservation area.	See paragraph 27
Planning permission and subsequent appeals have rejected similar attempts to obtain consent for a large dwelling in the rear garden of no.183	Each application is assessed on its own merits as the details of proposals and the nature of the individual sites will vary. In addition, the policy context for development proposals may change over time.
The proposed dwelling is orientated towards no.183, where most of the windows would face the house and garden of no. 183 causing problems of privacy.	Although the main entrance of the proposed dwelling would be located on the south-west elevation of the dwelling, the majority of the dwelling is orientated to the north-west, with the main habitable rooms and three of the five bedrooms facing the proposed rear garden of the application dwelling.  See paragraphs 17-23
Concern that the house is very close to the boundary with no.177 Newmarket Road and without any landscape screening there would be an invasion of privacy. Landscaping could overcome this issue.	A landscaping condition is recommended.  See paragraph 22
Consultation requested if drainage is to go through garden of no. 177 Newmarket Road.	This is considered to be a civil matter between the two parties concerned.
Query type of fencing proposed along driveway which shares boundary.	The application form indicates that the existing boundary treatment for the site is proposed to be retained and the plans show that this is intended to be supplemented to the south-west boundary of the site. It is recommended that the details of this are conditioned to be approved
Confirmation that the removal of trees to the north-east boundary is not proposed	The AIA does suggest that some work may be required to some of the trees and vegetation to the north-east border of the

	site. However, even if planning permission is granted, this would not enable works to take place on land outside the application site without the landowners consent. It is recommended that the landscaping of the site is conditioned.
Would a site visit take place prior to the removal of trees for reasons of disease	See above
Confirmation of the dimensions of the windows to the north-east elevation requested	There are two bathroom windows proposed to this elevation and a window to bedroom 3. The bathroom windows would each be approx. 1.2x0.6m and the bedroom window would be approx. 2.1x1.2m.
Would boundary treatments be in place from completion	Whilst it is likely that hard boundary treatments such as fences would be conditioned to be in place prior to first occupation, the provision of soft boundary treatments such as hedging or tree planting is normally required to take place within the first planting season following the commencement of work on site.

**11. Norwich Society** – This is back garden development on a grand scale. It is a very ‘Hollywood’ style plan, designed to show off. There is very fussy detailing around windows. It is not in keeping with surrounding buildings, but neither is it an interesting contemporary interpretation. We suspect its eco-credentials are nil!

## Consultation Responses

**12. Design and Conservation** – The site already has planning permission for a new dwelling of approximately the same size, although the design is quite different to the approved scheme. The scale of the building appears to be generally in keeping with others in the area and although it is a large building, the recessed and single storey elements help reduce its massing. The building is more traditional in style than the approved scheme, but adopts a contemporary approach to the traditional dwelling. Materials common to the Conservation Area are used – such as the grey brick and render, but again they are used in a contemporary manner along with the timber cladding. There was previous concern about the prominence of the garage, however, the pitch of the roof appears to have been reduced and along with changes to the garage doors it has lessened its impact. It is not envisaged that the scheme will be particularly visible from the street and it will not be detrimental to the character of the conservation area

**13. Tree Protection Officer** – In the main the AIA covers the tree protection issues adequately, apart from the approach recommended for the service runs. Therefore, it is recommended that any planning permission is subject to a condition requiring full compliance with the AIA and AMS submitted along with an AMS addendum to be submitted and agreed that details a trenchless approach for the proposed long service run

**14. Transportation** – The proposed use accords with the residential area and is a sustainable location for a dwelling. The use of the existing site access is welcome and the proposed turning head will allow vehicles to exit in a forward gear which is an essential requirement for road safety [in this location]. The dwelling would be more than 48 metres from the highway. It is strongly recommended that the applicant consults the Fire Authority to

ensure that an enlarged turning head or widened driveway is not required. Bin store is adequate but these will probably need to be taken to the main road for collection. The cycle store is adequate. The design of the turning head is quite engineered in appearance, perhaps it could be softened by integrating it into a hardstanding forecourt, but this is not essential. Any new hardstanding should be porous. No objections on transportation grounds subject to confirmation that porous materials will be used for the hardstanding and that agreement has been reached with the Fire Authority on emergency access matters. [The applicant has subsequently confirmed that the development can meet Building Regulation requirements for access by emergency vehicles and fire prevention.]

## **ASSESSMENT OF PLANNING CONSIDERATIONS**

### **Relevant Planning Policies**

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

- PPS1 Sustainable design and climate change
- PPS3 Housing
- PPS5 Planning for the Historic Environment
- PPS9 Biodiversity

#### **Relevant East of England Plan 2008 Policies**

- ENV7 – Quality in the Built Environment
- WM6 – Waste Management

#### **Relevant adopted Joint Core Strategy 2011 policies**

- 2 – Promoting good design
- 3 – Energy and water

#### **Relevant saved Replacement Local Plan 2004 policies**

- HBE12 High quality design
- HBE8 Conservation Areas
- HOU13 New housing
- NE8 Wildlife and biodiversity
- NE9 Landscaping
- TRA5 Design of access
- TRA6 Parking standards (maxima)
- TRA7 Cycle parking provision
- TRA8 Servicing

#### **Supplementary Planning Documents and Guidance**

Trees and Development

#### **Written Ministerial Statement: Planning for Growth (23 March 2011) by the Minister for Decentralisation, Greg Clark, MP**

This statement includes, amongst other things, that when deciding whether to grant planning permission, planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development.

## **Principle of Development**

### **Policy Considerations**

15. The principle of erecting a new dwelling on this site has already been accepted, originally in 2005 and then more recently in 2010. The number of units has not increased and the access and servicing arrangements are largely as previously approved. In effect, therefore the current application seeks approval for a different design of dwelling on the site.

### **Main issues**

16. The main issues in respect of the proposal are considered to be the affect of the proposal on the character and appearance of the Conservation Area, including the potential impact on the trees on or near the site and the effect on the living conditions and amenities of nearby residents.

## **Impact on Living Conditions**

### **Noise and disturbance, overlooking and loss of privacy**

17. The proposal would, if approved, result in the development of a substantial dwelling of some 340 square metres. The dwelling would be provided with five bedrooms, four bathrooms, a sitting room, dining room, family room, kitchen/ breakfast area and study. A double garage is also proposed. It is quite likely that a dwelling of this size would be occupied by a family, which would in turn be likely to generate some level of activity and noise associated with that type of occupation.
18. The application site, however, is also substantial and a large garden area is proposed as part of the scheme. The dwelling itself would be some 20-30 metres away from the three dwellings around the site. It is considered, therefore, that the level and type of noise and activity likely to be generated by the dwelling proposed is unlikely to cause problems of disturbance to neighbouring residents.
19. Although access to the property passes between two existing dwellings, space remains between the access and these houses that is sufficient so as to significantly reduce the impact of the use of this driveway on the neighbouring occupiers. The trees lining the driveway are also proposed to be retained. The access and driveway is also largely as previously approved and it is not considered that the current proposal would be likely to result in a material difference in impact in comparison with that previously considered acceptable.
20. The property would be located some distance from the neighbouring houses, a distance of between some 20 and 30 metres, excluding the garage. The design of the dwelling is such that the fenestration at first floor level is positioned so as to minimise the impact of any overlooking, despite the distances involved. The north-east elevation, towards number 175, includes three windows at first floor level of which two are bathroom windows, with one serving a bedroom. However, views towards the adjoining dwelling are also limited by the existing trees along this boundary, which are proposed to be retained.
21. Similarly, the south-west elevation, towards number 183, includes three windows at first floor level, which comprise windows to a landing, an en-suite and a bedroom. Due to the design of the dwelling, these would be set further away from this boundary than other parts of the dwelling and the bedroom window would be some 30 metres from the neighbouring property. In addition to this, additional screening is proposed to part of this boundary by way of additional planting and a new fence.
22. In terms of the likely impact of the proposal on the adjoining dwelling number 177, the south-east elevation has been designed within only two first floor windows, one serving an en-suite and the second a bedroom. However, again, due to the design of the dwelling, the bedroom window would be situated some distance further back from the boundary of the site than other parts of the dwelling. In this case, there would be some 30 metres from the proposed bedroom window to the neighbouring dwelling to the south-east. In addition, the

double garage is proposed to be located between the two properties and this would also provide some additional screening.

23. The proposal is therefore considered unlikely to result in any significant degree of overlooking of the neighbouring properties around the site or loss of privacy to their residents. The proposal has been sympathetically designed to minimise these issues and this, together with the distances involved and the existing and proposed screening, has resulted in a proposal which is considered acceptable in terms of its likely impact on the living conditions of existing and future residents and on local amenities.

## **Design**

### **Layout, form, scale, height and appearance**

24. The previously approved scheme also proposed the development of a substantial dwelling, of some 334 square metres, with four bedrooms, three bathrooms, sitting room, dining room/garden room, kitchen, study and snug and a double garage. Of this accommodation, three of the four bedrooms and two of the three bathrooms were proposed to be at first floor level. Despite this different configuration, the layout and form of the proposal are considered to be similar to the approved scheme and would occupy a similar part of the application site with a not dissimilar footprint.
25. In terms of height, the approved dwelling would be some 8.2 metres in height at its highest point, whereas the current proposal would be a maximum of 7.3 metres approximately. In both cases, two storey dwellings are proposed, with a comparable floorspace. The scale of development therefore can be considered to be very similar to that previously considered acceptable. The design also includes recessed and single storey elements which will reduce the massing of the dwelling.
26. The largest change between the two schemes would be the appearance of the proposed dwelling. The approved scheme is for a contemporary design with flat roofs, whereas the current proposal includes pitched roofs. However, the pitch of the roofs has been kept low and it is proposed to retain a contemporary feel by the use of large areas of glazing and appropriate materials. The current scheme, although more traditional in style than the approved scheme, adopts a contemporary approach to a traditional dwelling. The appearance of the proposal is considered acceptable in this context and, overall, in design terms the current proposal is considered appropriate for the site and would result in a dwelling which would relate positively to the dwellings around it.

### **Conservation Area – Impact on character and appearance**

27. The site is set back some considerable distance and well screened from the road and, as such, the proposal is unlikely to have any impact on the appearance of the wider Conservation Area. As discussed above, its impact on the area immediately around the site in terms of appearance is also considered acceptable. The principle of erecting a dwelling on the site has previously been accepted and, although the status of garden land has changed, the impact of such a development on the character of the area was previously considered acceptable and the current scheme would not result in a materially different impact. Therefore, in terms of its impact on the character and appearance of the immediate locality and the wider Conservation Area, the proposal is not considered to be detrimental.

## **Transport and Access**

### **Vehicular Access, Servicing, Car and Cycle Parking**

28. The principle of using the existing access and driveway to serve a dwelling of this size and scale has previously been accepted and the current scheme proposes no significant alteration to the previously approved scheme. No objections have been raised in principle by the Transportation section and, in relation to access, the proposal is considered acceptable.

29. The amount and type of car and cycle parking proposed is considered appropriate for a dwelling of this size and the refuse and recycling storage arrangements are considered acceptable.
30. In terms of servicing and access for emergency vehicles, the scheme is similar to the previous approval and it has been confirmed by the agent that it can comply with the relevant requirements under Building Regulations. However, in planning terms, it is hoped that access by emergency vehicles would only be required very rarely, if at all. Consequently, although the turning area as currently proposed may not be sufficient to enable an emergency vehicle to turn within the site, this is considered insufficient to justify a refusal of permission in this instance, given the likelihood that such a manoeuvre would be undertaken only very infrequently and the very limited impact that this would have on the highway safety.

## **Environmental Issues**

### **Energy Efficiency and Renewable Energy**

31. An air source heat pump with underfloor heating is proposed, with solar panels to the west elevations and the property is intended to be constructed to code level 4 of the Code for Sustainable Homes. It is recommended that conditions be imposed requiring these measures be installed and compliance with code 4 for water conservation.

## **Trees and Landscaping**

### **Loss of Trees, Impact on Trees and Replacement Planting**

32. The proposal would involve the loss of some trees on the site and this is clearly set out within the submitted Arboricultural Impact Assessment. Replacement tree planting is proposed to supplement the screening on the south-west boundary of the site. No objections in principle have been raised by the Tree Protection Officer, subject to confirmation that the long service run will utilise a trenchless approach. It is therefore recommended that this be conditioned as part of any approval, together with conditions requiring the replacement planting to take place and the submission of a landscaping scheme for the site.

## **Conclusions**

33. The erection of a dwelling on the site is considered acceptable in principle and the design proposed is such that, subject to conditions, the development would not be likely to have an adverse impact on the living conditions and amenities of neighbouring residents, future residents of the dwelling or on the character and appearance of the surrounding area, including the Newmarket Road Conservation Area or the setting of adjoining buildings. The access and servicing arrangements are considered satisfactory and unlikely to cause problems to local amenities or highway safety. The impact of the proposal on the existing trees on the site is considered acceptable subject to replacement planting being undertaken. The development also proposes the use of renewable energy and sustainable construction to comply with code level 4 of the Code for Sustainable Homes.
34. The development is therefore considered acceptable and to meet the relevant policy criteria and all other material considerations.

## **RECOMMENDATIONS**

To approve Application No (enter application number and address) and grant planning permission, subject to the following conditions:-

1. Standard time limit (3 years)
2. In accordance with plans and details
3. Facing materials to be agreed
4. Parking and turning areas, bin and cycle storage to be provided prior to first occupation



5. Hard and soft landscaping to be agreed, including replacement tree planting and boundary treatments
6. Surfacing materials and drainage details for driveway, parking and turning areas to be agreed
7. Supplementary AMS to be provided to detail a trenchless approach for the long service run
8. Development to be carried out in accordance with submitted Arboricultural Impact Assessment and Arboricultural Method Statement (as supplemented by the AMS addendum required above)
9. Development to meet water conservation requirements of code 4 of the Code for Sustainable Homes
10. The renewable energy measures proposed to be provided as part of the development

Informatives:

1. Considerate construction
2. Avoidance of bird nesting season (March-September)

(Reasons for approval:

1. The erection of a dwelling on the site is considered acceptable in principle and the design proposed is such that, subject to conditions, the development would not be likely to have an adverse impact on the living conditions and amenities of neighbouring residents, future residents of the dwelling or on the character and appearance of the surrounding area, including the Newmarket Road Conservation Area or the setting of adjoining buildings. The access and servicing arrangements are considered satisfactory and unlikely to cause problems to local amenities or highway safety. The impact of the proposal on the existing trees on the site is considered acceptable subject to replacement planting being undertaken. The development also proposes the use of renewable energy and sustainable construction to comply with code level 4 of the Code for Sustainable Homes.
2. The development is therefore considered acceptable and to meet the relevant criteria of PPS1, PPS3, PPS5, PPS9, policies ENV7 and WM6 of the East of England Plan 2008, policies 2 xxx of the adopted Joint Core Strategy 2011, saved policies HBE8, HBE12, HOU13, NE8, NE9, TRA5, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan 2004, the Written Ministerial Statement dated 23 March 2011 and all other material considerations.)



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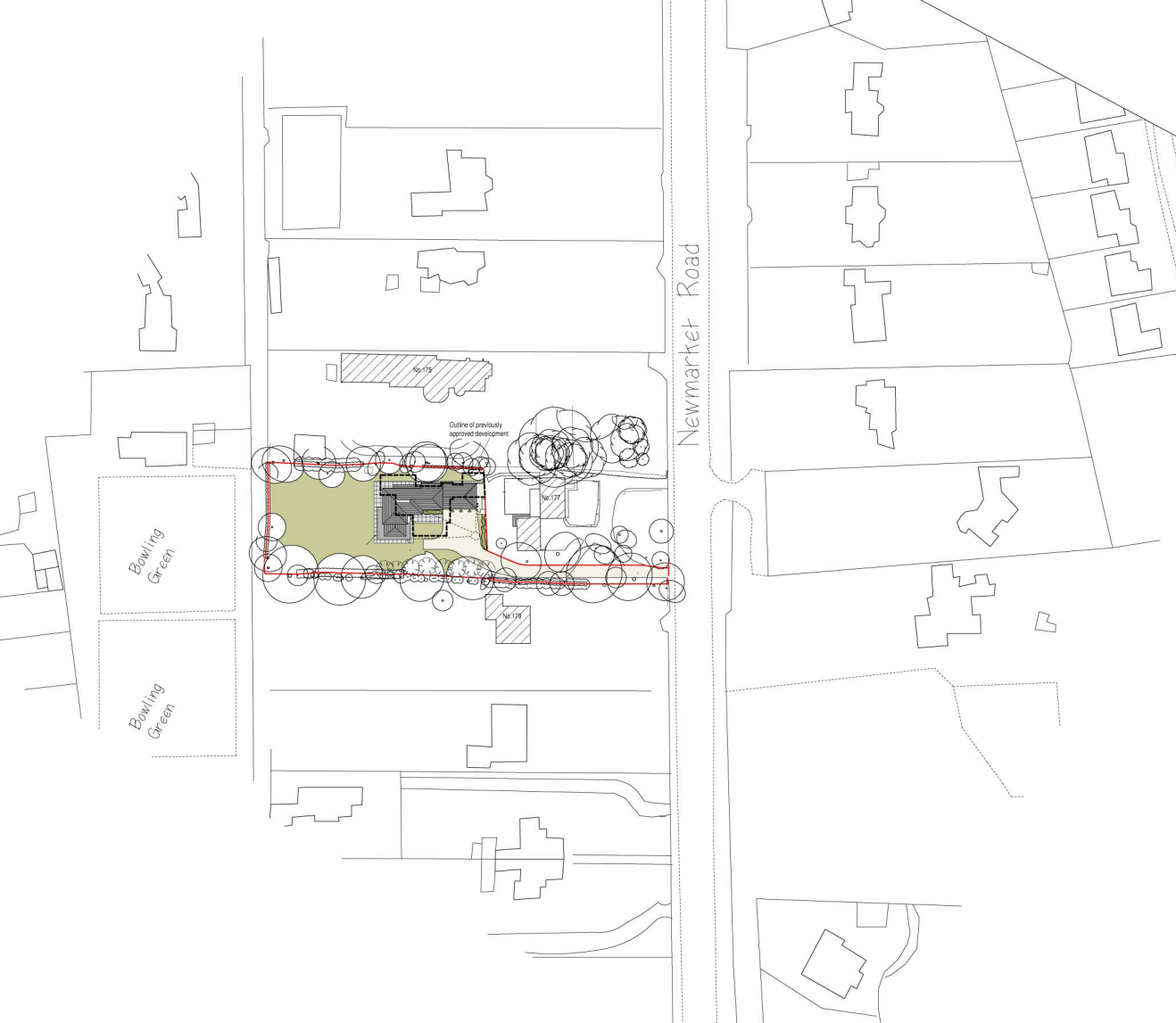
Planning Application No 10/02226/F  
Site Address 177A Newmarket Road, Norwich  
Scale 1:1,250



**NORWICH**  
**City Council**

**PLANNING SERVICES**





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REV

DATE

architects and consulting engineers



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Project

Residential Development,  
No.177 Newmarket Road,  
Norwich.

Client

Jenkinson Properties Ltd.

Drawing

Proposed Site Context Layout.

Drawn By

n/c

Checked By

n/c

Scale

1:500 @ A1.

Date

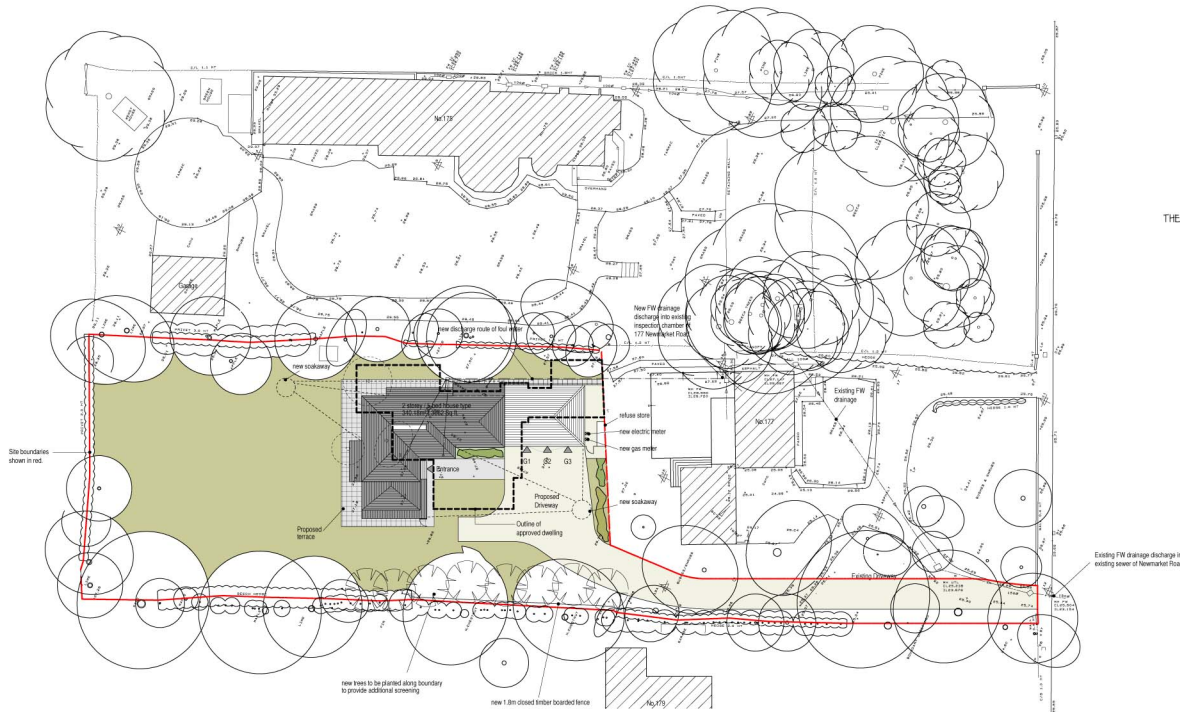
January 2011

Ref. No.

5794

Dwg. No.

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## KEY

- Existing trees to be removed
- Existing trees to be retained
- New trees to be planted

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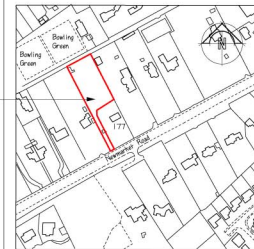
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THE SITE



## Location Plan

Scale 1:2500

H	Cycle Store Removed	21/12/10 (CJH)
G	Additional drainage and refuse store added	15/12/10 (HIC)
F	Additional trees added to southwest boundary	21/12/10 (HIC)
E	Turning head added	22/11/10 (CJH)
D	Layout treatment amended and existing building amended.	20/11/10 (LM)
C	Layout treatment amended.	26/10/10 (LM)
B	Garage amended in accordance with client's request.	20/10/10 (LM)
A	Layout treatment amended in accordance with client's request.	18/10/10 (LM)
rev		gdn

architects and consulting engineers



**dfal**  
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Norwich NR10 6NR  
NR1 2AW

Project:

Residential Development,  
No. 177 Newmarket Road,  
Norwich.

Client:

Jenkinson Properties Ltd.

Drawing:

Proposed Site Layout.

Drawn By:

DP

Scale:

1:250 @ A1.

Date:

August 2010.

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