

Report to Planning applications committee
Date 6 March 2014
Report of Head of planning services
Subject 13/02009/F 514 Earlham Road Norwich NR4 7HR

Item
4(11)

SUMMARY

Description:	Erection of single and first floor extensions and car port.
Reason for consideration at Committee:	Objections
Recommendation:	Approve
Ward:	University
Contact Officer:	Lara Emerson Planner 01603 212257
Valid Date:	10th December 2013
Applicant:	Mr Mike Peters
Agent:	Mr Neil Withington

INTRODUCTION

Background

1. This application was previously considered at Planning Applications Committee on 6th February 2014. The decision was deferred with a request for a revised report providing information on the issue of access and the enforcement history. In response to this request, the following three paragraphs will provide further information on several issues raised at the previous Planning Applications Committee.
2. A 2m high fence and gates were erected without permission in mid December 2013. The council has requested an application on several occasions. However to date no application has been submitted. The fence panels have been reduced to 1.1m in height but the fence posts remain at a higher level and at the time of writing this report the gates have been removed. This matter is dealt with by a separate report regarding enforcement action.
3. Vehicular access to the property is gained through double gates on the left and right hand side of the property's frontage (albeit those gates don't currently have consent as detailed above). Evidence suggests that access has been gained across the whole frontage for 10 years or more without any formal enforcement action being taken in which case the access to the highway becomes lawful and no enforcement action for the creation of a new access to the highway can be taken.
4. The existing property is in use as a single dwelling house (use class C3) and the proposals do not change this. As such, the application must be considered on that basis.
5. Permitted development rights provide for a change of use from class C3 to class C4 (a house in multiple occupation with 3-6 unrelated residents) but a change of use to a house in multiple with more than 6 residents (sui generis) would require a planning

application. Neither a C4 nor a sui generis use is proposed here.

The Site

Location and Context

6. The site is located on the southern side of Earlham Road which is located to the west of the city.
7. At this point, Earlham Road is very wide and is lined with mature trees and a deep grass verge on both sides. The area is predominantly made up of detached and semi-detached residential dwellings set well back from the road. Most of the houses near to this property are of a matching and distinctive 1930s style.

Constraints

8. There are no planning constraints on the site.

Planning History

4/1997/0684 - Erection of single storey side and rear extensions (Refused 30/10/97)

4/1997/0907 - Erection of single storey rear extension. (Approved 31/12/97)

4/2001/1080 - Single storey side extension and conservatory to the rear. (Approved 21/06/02)

13/01888/F - Erection of single and first floor extensions and car port. (Withdrawn 28/11/13)

NB: the current application is a revised scheme which has been amended to be more acceptable in design terms following advice from the planning officer

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

9. The proposal is for the erection of a first floor extension to the western side of the property and the erection of a small single storey extension and a covered car port along the eastern side of the property.
10. The first floor extension creates 2 additional bedrooms and a bathroom. It will be flush with the existing building line and will have a dual pitched roof with a total height of 7m and an eaves height of 4.7m (below the ridge and eaves heights of the existing dwelling). It is to be built over an existing ground floor extension which provides self-contained accommodation and was permitted in 2001. The first floor extension hereby proposed is to be accessible from the main dwelling and not from the self-contained ground floor side extension. Additional windows are proposed for the front and rear elevations on the first floor extension. Materials are all to match existing.
11. The single storey extension is located to the west of the site and has a footprint of 2.5m by 3.2m. It has a lean-to roof with a total height of 4.5m and a ridge height of 2.5m. Materials are all to match existing.

12. The car port is constructed of exposed beams with a pantile roof and is set back a distance of 0.35m from the main building line.

Representations Received

13. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 3 letters of representation from 2 individuals have been received citing the issues as summarised in the table below.

14.

Issues Raised	Response
The proposed car port is on the west side of the property which cannot be considered acceptable	Paragraph 25
Access to the property is currently used in an illegal way by driving over the grass verge resulting in damage to the grass verge and tree roots	Paragraph 24
Access should not be gained from the neighbouring driveway and a 2 nd driveway should instead be applied for	Paragraph 24
Increased density of occupation may lead to increased parking requirement. Access is not properly addressed on the application form	Paragraph 24
A 2m high fence has recently been erected on the front boundary	Paragraph 23 This does not form part of the application. The erection of the fence requires planning permission which has not been sought or obtained. The applicant has been made aware that a planning application is required. This issue is dealt with separately under an enforcement report.

Consultation Responses

15. No internal or external consultations have been undertaken.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Policy:

National Planning Policy Framework:

Statement 6 – Delivering a wide choice of high quality homes

Statement 7 – Requiring good design

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011:

Policy 2 – Promoting good design

Policy 12 – Remainder of Norwich area

Relevant Saved Policies of the adopted City of Norwich Replacement Local Plan 2004:

HBE12 - High quality of design

EP22 – Protection of residential amenity

Principle of Development

Policy considerations

16. The key policy considerations are Replacement Local Plan policy HBE12 which relates to design and policy EP22 which relates to the protection of residential amenity.

Impact on Living Conditions

Loss of Privacy

17. The first floor extension, with windows on the rear elevation, will create more opportunity for overlooking the neighbouring garden at 512 Earlham Road. However, this is not considered reason enough for refusal given the distance and the fact that there are already windows facing in this direction and no sensitive spaces will be overlooked.

Loss of Light and Outlook

18. There is no concern regarding loss of light or outlook.

Impact of Additional Accommodation

19. The extensions proposed here would turn this 3 bedroom dwelling into a 6 bedroom dwelling. The plans indicate that these extra bedrooms would be used for further accommodation incidental to the enjoyment of the dwelling house, rather than for any business use or as a separate unit of accommodation (as has previously been the case) and the application is being considered under such an assumption.

Design

Form, Scale and Height

20. It is important that any extensions to the property appear subservient to, and do not dominate, the existing dwelling. The previous scheme (13/01888/F) was of a design that was inappropriate in terms of its scale.

21. The ridge height of the first floor extension has been lowered and the car port has been set back from the main building line. As such, the extensions are now considered to appear subservient to the existing dwelling and the proposals are considered acceptable in design terms subject to the use of matching materials as recommended to be conditioned.

Transport and Access

Vehicular Access and Car Parking

22. This increase in accommodation will potentially lead to an increase in the level of traffic and parking requirements. The front of the property currently has space for the parking of approx 4 cars (plus a space which will be created with the erection of the car port) which is considered sufficient.

Other Matters Raised

23. The recently erected 2m+ high fence does not form part of this application and will be considered under a future application.

24. 2 letters of representation cite the alleged mis-use of driveways over the grass verge from Earlham Road. This application does not indicate that access from Earlham Road is to be altered. As such, it is assumed that vehicular access to the property is

gained from the designated access-way leading to the left of the house. A future application for the recently erected fence may dispute this and therefore this issue surrounding access will be dealt with separately at a later date.

25. The car port is located on the right hand side of the property. It has been raised that this suggests access will be gained through the right hand gate. It appears possible for a car to drive in through the left hand gate and across the front curtilage in order to access the car port. In any case, it would appear that vehicular access has been gained across the whole frontage for 10 or more years, and as such this has become lawful.

Equality and Diversity Issues

26. There are no significant equality or diversity issues.

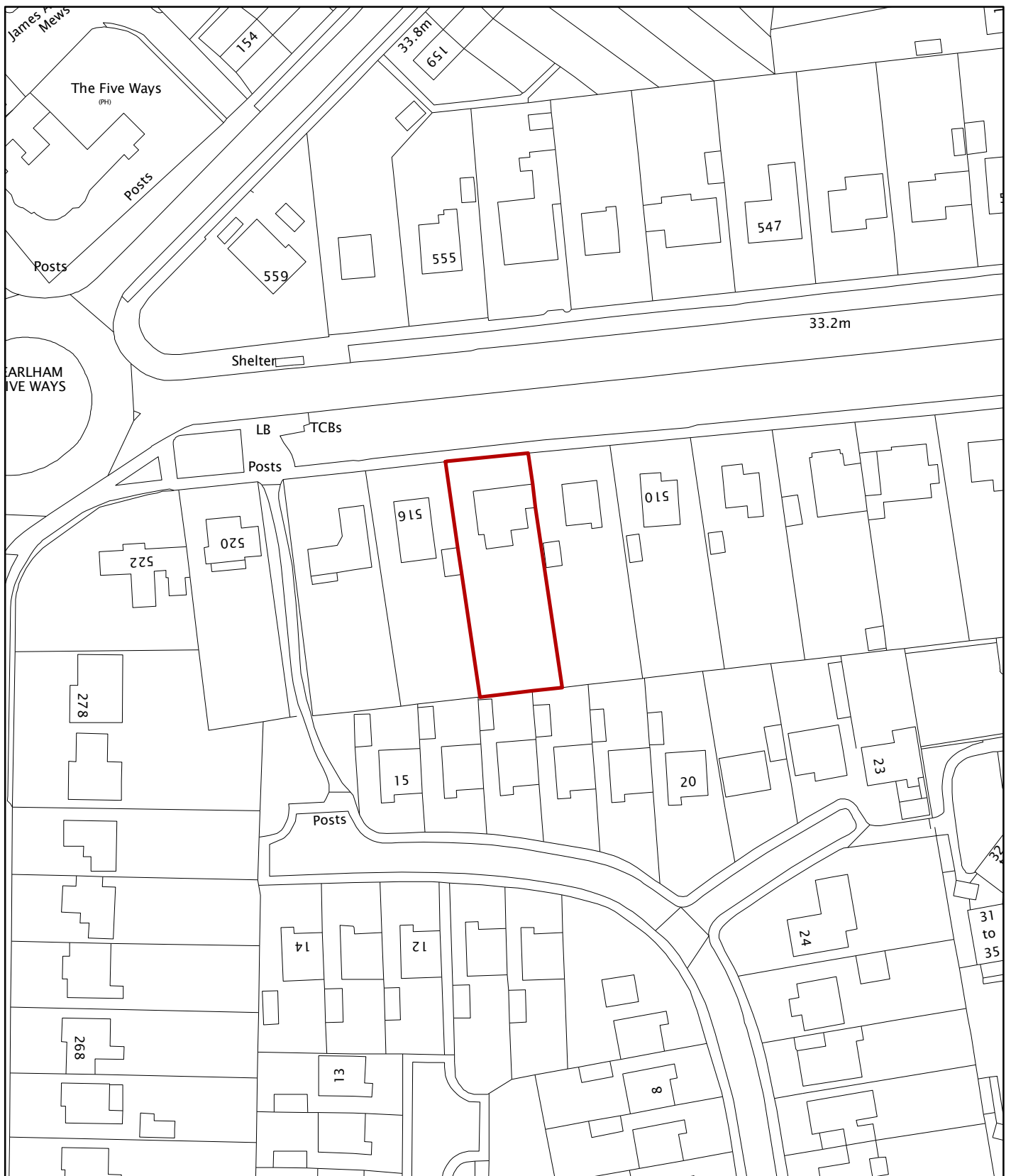
Conclusions

27. It is considered that the design is in keeping with the property and that the proposal is unlikely to have an adverse impact on the amenities of the immediate neighbours or the wider area. As such the proposal accords with the criteria set out within policies HBE12 and EP22 of the City of Norwich Replacement Local Plan and policy 2 of the Joint Core Strategy.

RECOMMENDATIONS

To approve application 13/02009/F and grant planning permission, subject to the following conditions:

- 1) Time limit.
- 2) In accordance with plans.
- 3) Materials to match existing property.



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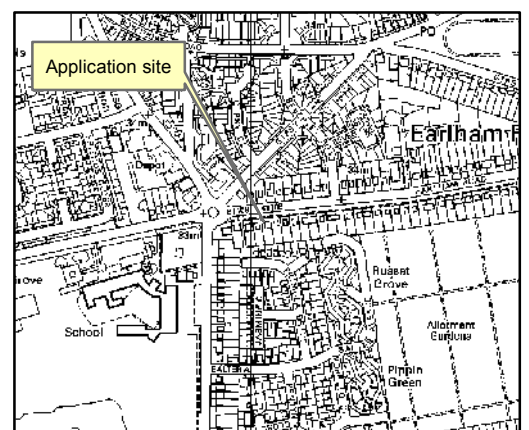
Planning Application No 13/02009/F
 Site Address 514 Earham Road

Scale 1:1,000



NORWICH
City Council

PLANNING SERVICES



Revisions

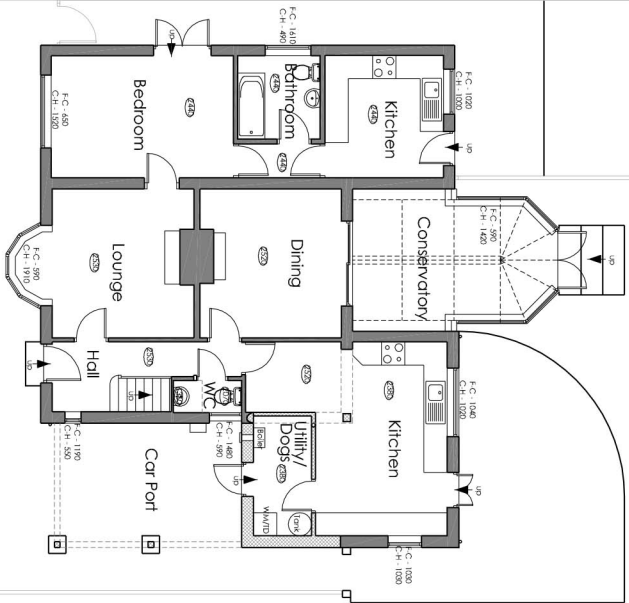
Rev A - 05/12/13 -
Planning A1s

Proposed Plans &
Elevations

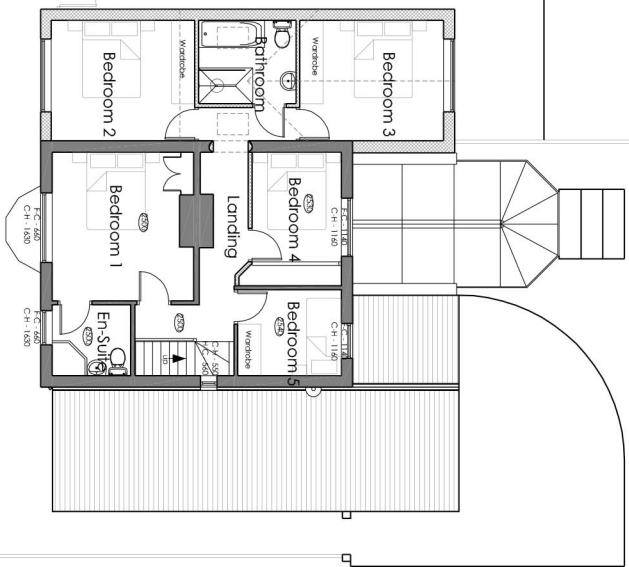
Alterations to Fair
View, 514 Earlham
Road, Norwich
for Mike Peters

October 2013

Scale: 1:100 @ A2
13-002-14A



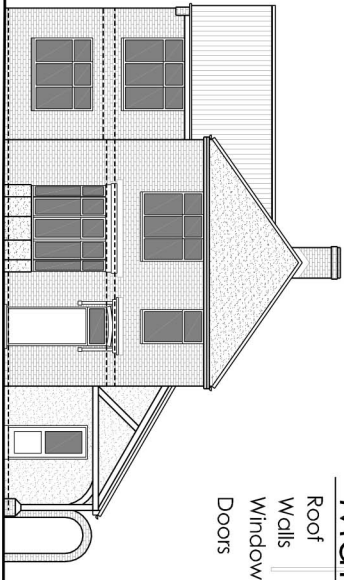
Ground Floor Plan



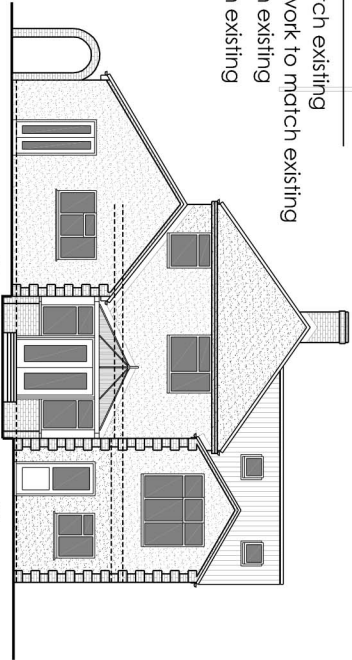
First Floor Plan

Materials

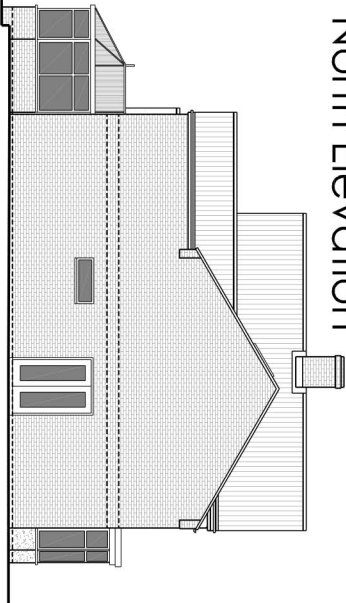
- Roof : Pan Tiles to match existing
- Walls : Render & Brickwork to match existing
- Windows : UPVC to match existing
- Doors : UPVC to match existing



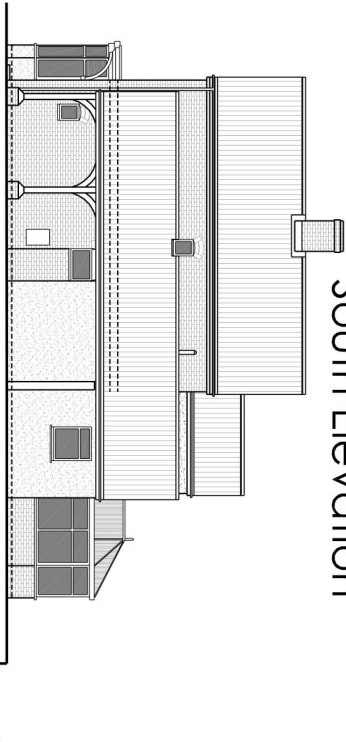
North Elevation



South Elevation



East Elevation



West Elevation