



Report to: Planning Committee 24th January 2019

Report of: Deputy Director of Economic Development & Planning

SUBJECT: PLANNING APPLICATION P18L0453– ERECTION OF 2 BED DETACHED DORMER BUNGALOW AT 30 NORTON ROAD

Recommendation

1.1 The Deputy Director of Economic Development & Planning recommends that the Planning Committee grant planning permission, subject to the conditions set out in the plans list.

2. Background

2.1 The application has been referred to the Planning Committee at the request of Councillor Roger Knight on the 29th November 2018 on the following grounds;

- Over development of the site
- A loss of privacy for immediate neighbours
- Overbearing effect on the rear garden and the rear of the property of No. 32 Norton Road

2.2 The application was registered on the 15th October and was due for a decision on the 10th December 2018. The application timeframe has been extended to account for the committee process and the amended date is 28th January 2019.

3. The Site and Surrounding Area

3.1 The application site is situated at the junction with Arden Road within a predominantly residential area containing a mix of properties of varying design, scale and appearance. The dwellings fronting onto Norton Road are largely detached whilst those along Arden Road are mostly semi-detached properties on the southern side of the road with detached bungalows on the northern side.

3.2 The topography of the site is generally flat. The site is not within a conservation area nor is it a statutory listed building or subject to any natural environment policies within the South Worcestershire Development Plan 2016. However, the rear halves of the gardens of the adjacent properties in Arden Road are designated as Green Space in the South Worcestershire Development Plan 2016.

4. The Proposal

- 4.1 The scheme is similar to that approved on the site by Planning Committee on 21st September 2017 under application reference P17L0363. The proposal continues to be for the erection of a two bedroom detached dormer bungalow with vehicular access to 2no. forecourt car parking spaces from Arden Road.
- 4.2 The scheme differs from the previously approved scheme in that the rear eaves level is raised to allow for the bedroom spaces on the upper floor to be useable: the low eaves shown on the consented scheme restricts the head height to such a degree it would be significantly constricted.
- 4.3 Additionally the current proposal differs from that approved under application P17L0363 in that the front glazed element to the dwelling is in three sections rather than 5 and the changes in the internal layout have resulted in changes in the ground floor window arrangement on the front elevation. The front-facing dormer windows are also reduced in scale.
- 4.4 The site is now in a separate ownership from the original host dwelling at No 30 Norton Road and there is a fence established to set out the site perimeter.
- 4.5 The proposal is for a detached 2 bedroom dwellinghouse with lounge, dining room/ kitchen accommodation at ground floor and 2 bedrooms and a bathroom at first floor. Provision is made for two off-street car parking spaces, together with bin storage.
- 4.6 The proposed dwelling would approximately adhere to the building line and has a glazed feature on the frontage with standard ground floor windows and dormer on the upper floors.
- 4.7 No windows are proposed in either side elevation of the proposed dwelling, or on the upper floor at the rear with only a high level roof light to serve the bathroom.
- 4.8 The sub-division of the plot would provide the proposed dwelling with a rectangular rear garden approximately 57 m sq.

5. Planning Policy

- 5.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan, unless material considerations indicate otherwise.

5.2 The Development Plan for Worcester now comprises:

- The South Worcestershire Development Plan (SWDP) which was adopted February 2016, and;
- The Worcestershire Waste Core Strategy, which was adopted on December 2012.

South Worcestershire Development Plan

5.3 The following policies of the SWDP are considered to be relevant to the proposal:

SWDP 1	Overarching Sustainable Development Principles
SWDP 21	Design
SWDP 27	Renewable and Low Carbon Energy
SWDP29	Sustainable Drainage Systems

Material Considerations

1. National Planning Policy Framework

- 5.4 The National Planning Policy Framework (NPPF) was published and came into effect on 27 March 2012. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It constitutes guidance for local planning authorities and decision takers and is a material planning consideration in determining planning applications.
- 5.5 The NPPF outlines a series of considerations against which delivering sustainable development should be assessed. Paragraph 186 of the NPPF encourages Local Planning Authorities to approach decision taking in a positive way and to foster the delivery of sustainable development. LPAs are advised at paragraph 187 of the NPPF to look for solutions rather than problems and decision-takers are asked to approve applications for sustainable development where possible.
- 5.6 The Government believes that sustainable development can play three critical roles in England: an economic role, contributing to a strong, responsive, competitive economy; a social role, supporting vibrant and healthy communities; and an environmental role, protecting and enhancing our natural, built and historic environment.

2. National Planning Practice Guidance

- 5.7 On 6th March 2014 the Government also published National Planning Practice Guidance (NPPG) that comprises, amongst other matters: Design, Health and Wellbeing, Noise, and Use of Planning Conditions.

3. Supplementary Planning Documents

- 5.8 South Worcestershire Design Guide SPD (SWDG SPD), was adopted by the City Council on 6th March 2018. The key aim is to encourage a higher standard of design in all aspects of the built environment across south Worcestershire. The guide does not set prescriptive standards; rather it identifies principles of good design that are considered to be best practice. The SWDG SPD has been prepared to supplement policies in the SWDP, in particular SWDP 21 Design. As such, it is a material consideration for the decision taker in the determination of planning applications and planning appeals.

4. The New Homes Bonus

- 5.10 The 'New Homes Bonus' is a Government scheme which is aimed at encouraging local planning authorities to grant planning permissions for the building of new homes in return for additional revenue. The Government provides additional funding for new houses by matching funding the additional council tax raised for new homes with an additional amount for affordable homes for six years. Having regard to Section 70 (2) of the Town and Country Planning Act 1990, the New Homes Bonus is statutory and a local finance consideration in the determination of planning applications. As such, it is a material planning consideration.

6. Planning History

P18L0412 Proposed new dwelling. WITHDRAWN 24-10-18

P18L0269 Erection of 2 bed dwelling. WITHDRAWN 30-08-18

P17L0363 Erection of 2 bed detached dormer bungalow in garden of 30 Norton Road APPROVAL 25-09-17 .

7. Consultations

- 7.1 Formal consultation has been undertaken in respect of the application. The following comments from statutory and non-statutory consultees have been received in relation to the proposals:-

Highway Authority: No objection, subject condition.

Worcester City Council - Cleaner and Greener: No objection

Worcester City Council- Archaeological Officer: General comment-recommending conditions

South Worcestershire Land Drainage Partnership: general concerns regarding disposal for surface water and advises that the recommended drainage hierarchy: source control-watercourse-sewer is followed to control additional surface water generated by new roof and paved areas so that the proposed total rate and volume of run-off from the site is restricted to greenfield run-off rates. A surface water drainage condition is also recommended.

Neighbours and other third party comments: Objections have been raised by neighbouring residents on the following grounds:

- Impact on streetscene – may appear incongruous
- Loss of light
 - Overlooking and loss of privacy to 32 Norton Road
 - Concern regarding overdevelopment in the area
 - Concern regarding highway safety and additional parking

7.2 Members have been given the opportunity to read all representations that have been received in full. Any additional responses received will be reported to members in the form of a late paper.

7.3 In assessing the proposal due regard has been given to local residents comments as material planning considerations. Nevertheless, I am also mindful that decisions should not be made solely on the basis of the number of representations, whether they are for or against a proposal. The Localism Act has not changed this, nor has it changed the advice that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded on valid planning reasons.

8. Comments of Deputy Director of Economic Development & Planning

8.1 Following a comprehensive site visit in and around the application site, the main issues raised by the application relate to:-

- The principle of residential development on the site
- The impact of the proposal on the character and appearance of the area
- Impact of the proposed development on neighbouring properties
- Design of the proposed dwelling
- Quality of amenity for proposed residents
- Parking, Cycle provision and highway safety
- Sustainable measures

These matters will now be considered in turn.

Principle of residential development on the site

- 8.2 The application site is located in a predominantly residential area and the erection of a further residential unit is compatible with the adjoining land uses. The plot is of sufficient size to accommodate the proposed dwelling with the associated amenity space and parking requirements, and in principle is an efficient use of this land. Furthermore I note that consent has recently been granted for a similar development on this plot.

The impact of the proposal on the character and appearance of the area

- 8.3 Policy SWDP 21 of the South Worcestershire Development Plan 2016 states that, amongst other matters, planning permission will be granted for development proposals provided that the proposal does not have an adverse effect on the character, setting and the amenities of adjoining development.
- 8.4 The proposed dormer bungalow adheres to the general building line which is a strong characteristic of both Arden Road and Norton Road. It will sit comfortably within the streetscene which has seen considerable amendments to the dwellings in terms of extensions and alterations, to the extent there is limited uniformity.
- 8.5 The dwelling is sited between a bungalow and a two storey dwelling, as such the height and massing of the proposed storey and a half structure is considered to act as a reasonable intermediary measure to stagger the height line within the streetscene. The changes to the proposal compared to that which already has the benefit of planning permission are subtle and it is officer opinion that the proposal accords with all relevant national and local planning policy in this regard.

Impact of the proposed development on neighbouring amenity

- 8.6 The siting of the dwelling would satisfy the distance separation requirements set out in the Design Guide SPD to the extent that it would not block the outlook from any windows of habitable rooms to an unacceptable degree, or be close enough to cause unacceptable loss of privacy from the front facing windows to the dwellings across the highway.
- 8.7 The scale of the proposed development and roof form would ensure that it would not appear overbearing when seen from the garden areas beyond that of a common residential situation. In my opinion, the change in view from neighbouring properties arising from the introduction of the proposed dwelling would not amount to an oppressive outlook from the neighbouring houses or gardens when the distance separations and the roof form and lack of rear facing upper windows are taken into account.
- 8.8 The amended design has effectively dealt with concerns regarding overlooking and a loss of existing privacy with no rear facing windows on the upper floors. I am satisfied that there would be no adverse impact on the amenities of neighbouring residents in terms of loss of privacy through actual or the perception of overlooking.

- 8.9 There may be additional noise/disturbance from the intensification caused by the additional unit on the site, however this is not beyond what has already been considered by the Planning committee to be acceptable within the 2017 application.
- 8.10 I recognise this will introduce built form into the area currently vacant, it will not breach the 45 degree code from the nearest rear corner, furthermore due to the height, scale and massing it is unlikely to cause harm to the amenity of the residents to such a significant degree to warrant refusal on these grounds.
- 8.11 Whilst I acknowledge the proposal will result in an increase in the density of the local area and introduces more residential, it is not harmful in its nature and given the level of amenity space to serve the proposed dwelling is sufficient, this would not be excessively concentrated.

Quality of amenity for proposed residents

- 8.12 The scheme has been principally revised to ensure that the room layout on the upper floor has a more reasonable floor area which was curtailed by the ceiling height within the originally approved scheme. This scheme also includes a ground floor wet room to allow it to be adaptable for future residents.
- 8.13 The site meets the requirements of the Design Guide which states 'In a residential context access to outdoor space is required for a number of purposes all of which need to be catered for e.g. drying space for washing, play areas for children as well as areas for sitting and relaxing outside'. (Section 5.7.3). It is able to fulfil these functions and at 54 sq. m is sufficient in size to support a two bedroom dwellinghouse.
- 8.14 The proposal has rationalised the constraints and opportunities of the site, including the orientation and relationship to the surrounding residential properties, and I am satisfied that the site has the capacity to accommodate the development in an acceptable manner in terms of its layout and design.
- 8.15 I am satisfied that the proposed design of the development and palette of materials would fit sympathetically within the site and would have a positive impact on the wider surrounding area. The size and scale of the development would be acceptable in the local context of the site and surrounding development and it would not appear to be incongruous or overbearing within the local context.

Parking, Cycle provision and highway safety

- 8.16 The Highway Authority has commented on the amended scheme as follows:

"The proposed development will require 2 parking spaces within the curtilage in line with standards and whilst the parking arrangement as proposed is not ideal due to the constraints of the site, it is noted that there is an extant permission P17L0363 therefore I would not wish to raise an objection. Any displacement parking in this location would not have a severe impact."

Dropped kerb works to facilitate the access and parking must be carried out by WCC contractors Ringway as per the note below and cycle parking in line with standards should be provided. The 'small hedgerow' on the frontage as indicated on plan either side of the access should not exceed a height of 0.6m to ensure pedestrian visibility for those using the adjoining footway.

The Highway Authority has undertaken a robust assessment of the planning application. Based on the analysis of the information submitted and consultation responses from third parties the Highway Authority concludes that the proposal would not be contrary to Para. 109 NPPF and therefore there are no justifiable grounds on which an objection could be maintained."

- 8.17 The submitted proposal can provide cycle parking within the secure rear amenity space and this can be secured by a condition, as there is insufficient space to reasonably accommodate it within the front amenity area.
- 8.18 The proposed arrangement is viewed as acceptable by the Highway Authority and, as such, I am satisfied that the proposal will not result in any adverse effects on highway or pedestrian safety and accords with relevant national and local planning policies in this regard.

Sustainable measures

- 8.19 Policy SWDP 27 (Incorporating Renewable and Low Carbon Energy into New Development) seeks to reduce carbon emissions and secure sustainable energy solutions in all new development over 100 sq. metres gross or one or more dwellings. This should be achieved by incorporating energy generation from renewables or low carbon sources equivalent to at least 10% of predicted energy requirements, unless it has been demonstrated that this would make the development unviable. This can be secured by condition as it is not a mandatory part of the validation checklist.
- 8.20 The Land Drainage Engineer has requested a condition for a scheme for the surface water drainage to ensure satisfactory drainage of the site in order to accord with the requirements of policy SWDP 29.

Conclusion

- 8.21 Subject to the recommended conditions it is the Officer's opinion that the site has the capacity to accommodate the proposed development in an acceptable manner in terms of the siting, size, scale, design and appearance of the development, impact on neighbouring and future residents amenities and car parking and would accord with the aims and interests that both the South Worcestershire Development Plan and the National Planning Policy Framework seek to protect and promote.

8.22 The design has been revised minimally from the approved scheme and presents a considered design which is appropriate to the constraints of the site and it would sit satisfactorily within the local context. Overall, it is the Officer's opinion that the proposals constitute acceptable sustainable development in accordance with policy SWDP 21 and would broadly accord with the Framework and the Development Plan when read as a whole. Consequently, it is recommended that planning permission be granted.

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Background Papers: P18L0453