



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/035

Development Control Committee 3 August 2017

Planning Application DC/17/0035/RM – Land Between 4 and 8 Norfolk Road, Bury St Edmunds

Date Registered:	23.01.2017	Expiry Date:	20.03.2017 EoT until 11.08.2017
Case Officer:	Marianna Hall	Recommendation:	Approve Application
Parish:	Bury St Edmunds Town Council	Ward:	Northgate

Proposal: Reserved Matters Application - Submission of details under Outline Planning Permission DC/15/2245/OUT- the means of access, appearance, layout and scale for Plots 3 and 4. As amended by amendment to Application Form received on 01 June 2017.

Site: Land Between 4 and 8 Norfolk Road, Bury St Edmunds

Applicant: Mr John George

Synopsis:

Application under the Town and Country Planning Act 1990 and the (Listed Building and Conservation Areas) Act 1990 and Associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT CASE OFFICER:

Marianna Hall

Email: marianna.hall@westsuffolk.gov.uk

Telephone: 01284 757351

Background:

This application is presented to the Development Control Committee in the interests of consistency as the original outline planning application DC/15/2245/OUT was considered by Committee in February 2016. Bury Town Council has objected to this application and Councillor Diane Hind as Ward Member has also raised concerns regarding the proposal.

Proposal:

1. This is a reserved matters application and comprises the submission of details for Plots 3 and 4 of outline permission DC/15/2245/OUT which granted a total of 7 dwellings on land between numbers 4 and 8 Norfolk Road in Bury St Edmunds. Plots 3 and 4 are a pair of semi-detached 3-bedroom dwellings arranged over 2½ stories, with the third bedrooms accommodated within the roof space and served by dormer windows on the rear elevations. The dwellings would have bay windows at ground floor level and single-storey lean-tos on the rear. Their design incorporates traditional materials with the houses finished in red facing brickwork with contrasting detailing and plinths. The roofs are hipped and proposed to be finished in clay plain tiles. A detached garage building would serve the dwellings and would be sited to the back of the properties. The garage also has a hipped roof proposed to be finished in slate, with the walls in red facing brickwork.
2. The dwellings would utilise an existing vehicular access onto Norfolk Road and would be served by a new parking and turning area to the front of the buildings which would provide 2 spaces (1 per house). A further 2 spaces are provided in front of the garage building to the rear of the dwellings. The application includes details of a new access road to the west of the proposed dwellings which would serve the rear parking area and garaging as well as Plots 5, 6 and 7 of the development approved under outline permission DC/15/2245/OUT.
3. The application has been amended since its original submission to include matters of layout and scale for consideration in addition to access and appearance. The landscaping of the site remains a reserved matter and is not therefore for consideration at this time. The proposal has also been amended by moving the dwellings further south towards Norfolk Road by 1 metre to improve their relationship with No. 4 adjacent.

Application Supporting Material:

4. Information submitted with the application as follows:
 - Application Form
 - Site Plan
 - Block Plan
 - Floor Plans and Elevations
 - Street Scene
 - Access Plan

Site Details:

5. The site comprises a large parcel of land between numbers 4 and 8 Norfolk Road and currently forms part of the garden area to number 8. There is

close-boarded fencing and established hedging along the site boundaries and the land falls from west to east. The site is located within the housing settlement boundary for Bury St. Edmunds.

Planning History:

Reference	Proposal	Status	Decision Date
DC/15/2245/OUT	Outline Planning Application (All Matters Reserved) - 7 no. dwellings.	Application Granted	10.08.2016
SE/12/1110/OUT	Outline Planning Application - For three detached houses and vehicular accesses	Application Granted	02.10.2012
DC/15/2245/OUT	Outline Planning Application (All Matters Reserved) - 7 no. dwellings.	Application Granted	10.08.2016
SE/08/1650	Outline Planning Application - Erection of 3 no. detached dwellings and vehicular accesses	Application Granted	22.01.2009
SE/01/3383/P	Outline Planning Application - Three detached houses and vehicular access	Application Granted	08.01.2002
E/97/2024/P	Outline Planning Application - Two storey detached dwelling, garage and vehicular access as amended by letter received 16th July 1997 indicating that the application is revised to be in outline form with all matters reserved for subsequent approval	Application Granted	23.07.1997
E/96/2472/P	Outline Planning Application - Dwelling and alterations to vehicular access	Application Granted	21.10.1996
E/92/1731/P	Erection of detached dwelling, garage and construction of new vehicular access	Application Granted	28.07.1992
E/89/1330/P	Erection of detached dwelling and garage served by existing vehicular access	Application Granted	20.04.1989

E/88/2918/P	Outline Application - Three dwellings, garages and accesses (supported by sketch details) as amended by plan No. 3274 .1 received on 31/8/88	Application Refused	11.11.1988
E/86/1782/P	Erection of dwelling house and garage with construction of access	Application Granted	15.05.1986
E/76/1414/P	3 DWELLINGS WITH ACCESS	Application Granted	27.04.1976
E/75/1702/P	NEW HOUSE FOR PRIVATE DOMESTIC OCCUPATION	Application Granted	21.07.1975

Consultations:

6. Public Health and Housing: No objection.
7. County Highway Authority: Conditions recommended regarding layout, gradient and surfacing of access, bin storage, surface water drainage, manoeuvring and parking areas including secure cycle storage and visibility splays.

Representations:

8. Bury Town Council:
Original plans - Object on grounds of layout of buildings, loss of amenity and overlooking accentuated by height difference due to slope of land, building beyond existing building line.
Amended plan – Repeats previous objection.
9. Ward Member (Northgate) Councillor Hind: Wish to raise concerns on behalf of residents regarding overlooking, building line, height in relation to No. 4, and traffic issues.
10. Bury St Edmunds Society: Concerned scale and bulk of dwellings will harm amenity of 4 Norfolk Road. Suggest new dwellings are brought forward and reduced in depth to minimise loss of light. This would also improve the roof shape. Recommend a site inspection.
11. Neighbour representations: Representations have been received from No. 55 Tollgate Lane and Nos. 2, 4, 5, 7 and 25 Norfolk Road making the following summarised points:
 - Dwellings have greater depth and are taller than No. 4 adjacent. Ground level is also higher. Dwellings will overshadow No. 4's garden and be overbearing.
 - All side windows should be obscure glazed to protect privacy of neighbours.
 - Request restrictions to prevent windows or doors being added to the garage and to prevent additional outbuildings and extensions in future.
 - Kitchen/dining room extends further 2m back compared to outline application.

- Dormer windows were not shown on outline application and add to density and mass of development.
- Unclear whether skylights proposed.
- Plans lack details of external features.
- Plans do not show ground level differences or the distances between side fences and the property building line.
- Request site visit to understand the issues.
- Dwellings will have limited natural light due to their orientation and adjacent large trees.
- No details of surface water drainage and foul drainage have been provided.
- Original outline permission SE/12/1110/OUT was more reasonable for the site.
- High density development out of character with the area.
- Back fill development is new to Norfolk Road, should be a restriction to prevent this.
- Will exacerbate existing traffic issues and impact on-street parking.
- Concerned about visibility from new access.
- Dwellings have 3 bedrooms but outline application indicated 4. If 4 bedrooms proposed this will attract more vehicles and aggravate current on-street parking problems.
- Construction work will cause noise and disruption. Request restriction on construction hours.
- Concerned about mud and debris and builders' vehicles parking on grass verges.
- Concerned about phased nature of development proposed and associated disruption.

Policy: The following policies have been taken into account in the consideration of this application:

12. St Edmundsbury Core Strategy (December 2010):
 - Policy CS1 St Edmundsbury Spatial Strategy
 - Policy CS2 Sustainable Development
 - Policy CS3 Design and Local Distinctiveness
 - Policy CS4 Settlement Hierarchy and Identity
13. Bury St Edmunds Vision 2031 (September 2014):
 - Policy BV1: Presumption in Favour of Sustainable Development
 - Policy BV2: Housing Development within Bury St Edmunds
14. Forest Heath and St Edmundsbury Local Plan Joint Development Management Policies Document (February 2015):
 - Policy DM1 Presumption in Favour of Sustainable Development
 - Policy DM2 Creating Places – Development Principles and Local Distinctiveness
 - Policy DM14 Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards
 - Policy DM22 Residential Design
 - Policy DM46 Parking Standards

Other Planning Policy:

15. National Planning Policy Framework (2012)

16. National Planning Practice Guidance

Officer Comment:

17. The issues to be considered in the determination of the application are:
- Principle of development
 - Design and impact upon surrounding area
 - Residential amenity
 - Highway safety

Principle of development

18. This is a reserved matters application following the grant of outline planning permission for 7 dwellings on land between Nos. 4 and 8 Norfolk Road, ref. DC/15/2245/OUT. As such the principle of residential development in this location has been accepted, and it is solely matters of access, appearance, layout and scale for Plots 3 and 4 of that development that are to be considered under this application. The landscaping of the site has not been included for consideration as part of this application and therefore remains a reserved matter for determination at a later stage.

Design and impact upon surrounding area

19. Plots 3 and 4 occupy a prominent position in the street scene, fronting onto Norfolk Road. The properties comprise a pair of semi-detached 3-bedroom dwellings arranged over 2½ stories with accommodation within the roofspace. Their design incorporates some traditional features and materials with the houses finished in red facing brickwork with contrasting detailing and plinths. The roofs are hipped and proposed to be finished in clay plain tiles. Norfolk Road has a relatively mixed character in terms of property styles and the proposed dwellings are considered to be of a good standard of design that would not be out of keeping with the locality.
20. Concerns have been raised by the Town Council regarding the position of the dwellings forward of the existing building line. Although the dwellings are slightly further forward than No. 4 to the immediate east, the building line in Norfolk Road is not uniform with properties such as Nos. 8 and 10 sitting closer to the highway than No. 4, and others such as Nos. 12 and 16 being set notably further back. The new dwellings would be set back from the highway with a parking and turning area to the front in a similar arrangement to other properties in Norfolk Road, and as such are considered to be in keeping with the existing character of the area.
21. Concerns have also been raised by nearby residents regarding the density and backland nature of the development approved under outline permission DC/15/2245/OUT. These matters were however fully assessed as part of the consideration of that application and do not fall to be revisited under this reserved matters application.

Residential amenity

22. The dwellings would be sited adjacent to No. 4 Norfolk Road which is a detached two-storey dwelling. Plot 4 would be approximately 1.5m from the boundary with No. 4 and has a depth of approximately 10.3m

(excluding its single-storey rear lean-to). Concerns have been raised regarding the relationship of the proposals with this adjacent property due to their relative depth and height.

23. Plots 3 and 4 are slightly taller than No. 4 adjacent, measuring approximately 8.1m to the ridge compared to approximately 7.7m for No. 4. The land between Nos. 4 and 8 Norfolk Road also slopes down from west to east and the ground level is therefore lower at No. 4 relative to the application site. The closest part of No. 4 to the proposed dwellings is however a single storey double garage, and there is therefore a greater degree of separation between the proposed dwellings and the main part of the house at No. 4 as shown on the submitted street scene drawing. It is acknowledged that there will be some overshadowing of part of the garden area of No. 4 as a result of the development, however, No. 4 sits within a generous plot and only a relatively modest area of the rear garden would be affected. One first floor window is proposed to be sited in the east elevation of Plot 4 facing No. 4, however, as this would serve a bathroom it would be reasonable to impose a condition to secure this as obscure glazed. It would also be reasonable to impose a condition to prevent additional windows being subsequently installed above ground floor level in this elevation to prevent overlooking. Having regard to the modest degree of harm identified in this case, officers consider that a refusal of permission on the grounds of amenity could not be substantiated in this case.
24. The occupants of No. 4 Norfolk Road have requested that permitted development rights are removed in respect of the new dwellings for the addition of windows and doors to the garage building and for any further outbuildings and extensions. The National Planning Practice Guidance however makes it clear that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances. Officers do not consider it to be reasonable to withdraw such permitted development rights in this instance.
25. Concerns have been raised regarding noise and disruption during the construction period should the development be approved, and regarding the phased nature of the proposal (the application being only in relation to Plots 3 and 4). It is however open to the applicant to apply for the approval of reserved matters in this manner, and there is no requirement for all details to be submitted for approval in a single application. Given the proximity of No. 4 Norfolk Road to the application site however, officers agree that it would be reasonable to impose a condition regarding hours of construction in this case.
26. A concern has also been raised regarding the limited natural light to the proposed dwellings due to their orientation and the proximity of established trees along the highway. There are however dwellings with similar arrangements along Norfolk Road and the proposals are considered to provide a good standard of amenity for future occupiers.
27. Having regard to the above, the proposals are considered to be acceptable in terms of residential amenity.

Highway safety

28. The dwellings would be served by an existing access onto Norfolk Road with a shared parking and turning area to be provided in front of the properties. A new access road is also proposed to the west of Plots 3 and 4 which would serve additional parking and garaging to the rear in addition to providing access to Plots 5, 6 and 7 of the development approved under outline permission DC/15/2245/OUT. Each dwelling would have two parking spaces in addition to garaging, and this accords with the County Parking Standards for this size of property. No objections have been raised by the County Highway Authority regarding the proposals and the scheme is considered to be acceptable in terms of highway safety.

Other matters

29. A concern has been raised that details of surface and foul water drainage have not been provided as part of the application. These details however fall to be considered under conditions 6 and 7 of the outline planning permission which require the submission and approval of appropriate schemes prior to any development commencing on site.

Conclusion:

30. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

31. It is recommended that the reserved matters be **APPROVED** subject to the following conditions:
1. Approved plans to be adhered to.
 2. Materials to be agreed.
 3. First floor window in east elevation of Plot 4 and west elevation of Plot 3 to be obscure glazed.
 4. Restriction re: subsequent addition of windows above ground floor level in east elevation of Plot 4 and west elevation of Plot 3.
 5. Parking and turning areas and bin storage areas to be provided and retained.
 6. Construction works to only be carried out between the hours of 08:00 and 18:00 Mondays to Fridays and between the hours of 08:00 and 13:30 Saturdays and at no time on Sundays or Bank Holidays.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OJIG6FPD07P0>

