

Report to Planning applications committee
Date 2 October 2014
Report of Head of planning services
Subject 14/01004/F 37 Clarendon Road Norwich NR2 2PN

Item
4G

SUMMARY

Description:	External alterations to facilitate conversion to a residential annex.
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Nelson
Contact Officer:	Mrs Joy Brown Planner 01603 212543
Valid Date:	8 August 2014
Applicant:	Ms Marilyn Mann
Agent:	Mrs Solam Sizer

INTRODUCTION

The Site

Location, context and constraints

1. The site is situated on the south side of Clarendon Road relatively near the junction with Bathurst Road. It is a mid 19th century two storey terrace property with basement and attic and is known as 'Holland Terrace'. The entrance is raised. The terrace in which this property is situated has larger rear gardens than the majority of terraces within this area which means that the gardens extend right through to Neville Street. 37 Clarendon Road and the neighbouring property to the east (35 Clarendon Road) have an outbuilding facing onto Neville Street that is most likely to be a former coach house for both 35 and 37 Clarendon Road.
2. The surrounding area is mainly residential with most of the surrounding properties being two storey terrace dwellinghouses.
3. The site is situated within the Heigham Grove Conservation Area and is within the article 4 direction area which removes certain permitted development rights in order to ensure that the historic character of the area is preserved and enhanced. The property is locally listed.

Topography

4. The site is relatively flat.

Planning History

4/2003/0549 - Conversion of outbuilding to form annexe. (Approved - 26/08/2003)

4/1999/0366 - Conversion of outbuilding to form annexe. (Approved - 15/07/1999)

Equality and Diversity Issues

There are no significant equality or diversity issues.

The Proposal

5. The application seeks full planning permission for external alterations to facilitate the conversion of the outbuilding to a residential annex.
6. The proposed external alterations include the following:
 - The provision of a roof lantern and two roof lights to the flat roof extension of the outbuilding.
 - Cladding of the upper floor with timber and the replacement of the existing render with a new lime render.
 - The repositioning of the flue
 - The installation of an additional door at ground floor level within the north (garden facing) elevation of the outbuilding.
7. Internally the ground floor space is currently used for storage. It is proposed to use the ground floor as an open plan annex with bedroom space, lounge, kitchen area and shower room. Part of the space will still be used for the storage of bins and bikes and an access through the outbuilding from the rear garden of 37 Clarendon Road to Neville Street is to be retained. The upper floor is currently used as an artist studio and this space is to remain as is.

Representations Received

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Six letters of representation have been received, four of which object to the proposal, one of which supports the proposal and one of which has no objection subject to the annex being used solely for occupants of 37 Clarendon Road. The issues raised are summarised in the table below. Furthermore the Norwich Society have commented that they have no objection provided that the annex stays within the ownership of 37 Clarendon Road, although they wish to see the existing brickwork cleaned and remain exposed instead of being clad with timber as this is out of keeping with the surrounding streetscape.

Issues Raised	Response
There would be little to prevent the separation of the residential annexe from the main house in the long term and there is concern that it will be let out after	See paragraph 10

conversion and there is already a disproportion of rented properties on the street.	
There is no objection provided that the dwelling remains as a residential annexe for sole use of the occupants of 37 Clarendon Road.	See paragraph 10
The first floor windows of the outbuilding look directly onto the neighbouring garden and living accommodation (39 & 41 Clarendon Road) and will therefore reduce privacy. The distance between the coach house and rear of 39 Clarendon Road is only around 14m and the vegetation is deciduous. The possible use of the flat roof will also be a gross invasion of privacy and could create noise disturbance to our environment. A compromise could be to have obscure glazing and restricting the use of the flat roof.	See paragraphs 12 and 13
The proposal would result in the loss of privacy to residents of Neville Terrace who currently enjoy not having residential properties facing their houses.	See paragraph 14
The proposal appears logical and does not impact on any other house owners nearby.	See paragraphs 12-16.
The proposed conversion will result in the loss of historic and architectural qualities and will fundamentally alter the character and purpose of the property. Currently this part of Neville Street consists of only rear gardens and outbuildings.	See paragraphs 18-22.
The use of timber cladding would look incongruent with the rest of the property and the adjoining coach house.	See paragraph 18
The lantern would be visible from 39 Clarendon and the repositioned chimney would be unsightly and in full view.	See paragraphs 19 and 20
The proposal will add to the existing pressure on available parking spaces.	See paragraph 23
This could set a precedent for the adjoining property which could mean there would be two additional residential properties on Neville Street.	The use of the outbuilding as an annex does not require planning consent.
UPVC windows have been installed in the coach house which is not in keeping with the rest of the properties or within the conservation area.	New windows have already been installed so should not form part of the consideration of this application. Note: If the windows were replaced after the

	introduction of the article 4 direction and were not 'like for like', planning permission would have been required to replace windows in an elevation facing a highway or in the side elevation. If the windows were replaced before the introduction of the article 4 direction, planning permission would not have been required.
The proposal will reduce the value of the neighbouring property.	This is not a material planning consideration.

9. The applicant's agent also submitted a representation during the consultation period 'in order to clear up a number of inaccuracies with regards to objections received to our client's application' and questioned whether the representations of some neighbours were 'genuine'. This prompted three neighbours to submit a further letter of representation to reiterate their previous comments and pointed out that they should be entitled 'to air their opinions respectfully without their comments being labelled as not genuine.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Section 7: Requiring good design

Section 12: Conserving and enhancing the historic environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2014:

Policy 1 – Addressing climate change and protecting environmental assets

Policy 2 – Promoting good design

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

HBE8 - Development in Conservation Areas

HBE12 – High quality of design

EP22 – High standard of amenity for residential occupiers

TRA7 – Cycle parking standard

TRA8 – Servicing provision

Supplementary Planning Documents and Guidance

Heigham Grove Conservation Area Appraisal (2011)

Heigham Grove Conservation Area Article 4 direction guidance notes (2011)

Other Material Considerations including:

Written Ministerial Statement: Planning for Growth March 2011

Procedural Matters Relating to the Development Plan and the NPPF

The Joint Core Strategy and Replacement Local Plan (RLP) have been adopted since

the introduction of the Planning and Compulsory Purchase Act in 2004. With regard to paragraphs 211 and 215-216 of the National Planning Policy Framework (NPPF), both sets of policies have been subjected to a test of compliance with the NPPF. Both the 2014 JCS policies and the 2004 RLP policies above are considered to be compliant with the NPPF. The Council has also reached submission stage of the emerging new Local Plan policies, and considers most of these to be wholly consistent with the NPPF. Where discrepancies or inconsistent policies relate to this application they are identified and discussed within the report; varying degrees of weight are apportioned as appropriate.

Emerging DM Policies

DM1 - Achieving and delivering sustainable development

DM2 - Ensuring satisfactory living and working conditions

DM3 - Delivering high quality design

DM9 – Safeguarding Norwich's heritage

DM31 - Car parking and servicing

Principle of Development

Policy Considerations

10. Concerns with regard to the potential severance of the residential annexe from the main dwellinghouse is noted. Any use of the outbuilding as a separate self-contained unit, which is rented or occupied independently of the main house would represent a change of use which would require a further application for planning permission. A condition to this effect is attached to any future planning permission for the avoidance of doubt. Should the independent use of the annex occur without planning permission, the Council would be able to take enforcement action requiring this unauthorised use to cease.
11. The main issues for consideration therefore are design, the impact of the proposed external alterations on the character of this locally listed building and wider conservation area and the impact that the proposal will have upon neighbouring residents. These issues are addressed below.

Impact on Living Conditions

Overlooking

12. No alterations are being made to the fenestration, other than the provision of an additional door at ground floor level within the garden facing elevation of the outbuilding. Concern has been raised by neighbouring residents that the intensification of the use could result in an increased level of overlooking from existing windows and that the future occupier could potentially use the flat roof of the single storey element as amenity space. Given that the use of the building as a granny annex does not require consent it is not considered that there is any justification for refusing an application on overlooking grounds nor is it considered reasonable to condition that the glazing is replaced with obscure glazing.
13. Notwithstanding the above, it is acknowledged that the use of the outbuilding as a residential annexe may result in the upper floor being used more regularly; however given that the openings already exist and that the upper floor is already used as an artist studio, the increase in overlooking will be minimal and at an acceptable level,

due to the distances involved and due to there being a reasonable amount of screening. Furthermore it should be noted that the door onto the flat roof element already exists and although the ground floor of the outbuilding may be used more intensively than it is currently, the provision of a roof lantern and roof lights will mean that there is significantly less space for the resident of the annex to use on the roof should they wish to do so. Therefore it is not considered that the proposal will significantly increase overlooking to any of the neighbouring residents on Clarendon Road.

Loss of Privacy

14. Neighbouring residents on Neville Street have raised concern that the proposal will lead to loss of privacy as they currently look out at outbuildings or the back of gardens. Although the use of the outbuilding will be intensified by the proposal no alterations are being made to the fenestration of the road facing elevation. Furthermore within an urban setting such as this it is common for the front of a residential property to face onto another residential property and therefore it is not considered that the proposal will significantly result in the loss of privacy to any of the residents on Neville Street.

Overshadowing, loss of light and overbearing nature of development

15. The proposal does not include the provision of any extensions and as such it is not considered that the proposal will have any impact upon neighbouring residents taking into consideration loss of light or overshadowing and it is not considered that the proposal will be overbearing in any way.

Noise and Disturbance

16. The proposed conversion has the potential to intensify the use of the outbuilding which may result in a slight increase in noise, although it is not considered that this will be significant or of detriment to neighbouring residents. Furthermore as set out above, the use of the building as a residential annex does not in itself require consent and therefore this should not be a material planning consideration when assessing this application.

Design and impact upon the conservation area

17. The proposal includes four main external alterations. Each of these are discussed below.

18. The existing coach house building is made of Norfolk Red brick with a slate roof. Some of the timber windows remain although some of the windows have since been replaced. The base of the front wall of the building has been rendered which is unfortunately failing. It appears that lime/cement render has been applied over existing cement render which has thus caused the former to fail. As such all of the render needs to be removed and a lime render re applied. Lime pointing also needs to be applied to the brick before it decays any further. Furthermore as part of the proposal it is intended to apply a timber cladding to some of the brickwork. Although this will be slightly at odds with the remainder of the building, providing it is of good quality i.e. dark stained clapboard rather than a plastic coated product, its provision is considered acceptable. A condition should be attached to any future permission, requiring details of the external facing materials to ensure that they are of good

quality and do not have a negative impact upon the conservation area.

19. It is proposed to install a roof lantern and two roof lights within the flat roof element of the outbuilding. These will allow more light into the building and it is considered that the provision of a roof lantern is consistent with the age of the building and the surrounding area. Although glimpse views of it are likely to be seen from Neville Street and from the gardens of neighbouring properties on Clarendon Road, the general design is considered to be acceptable and the proposal will therefore not have a significant impact upon the conservation area, subject to a condition requiring full details of the roof lantern.
20. The repositioning of the flue from the Neville Street facing elevation to the garden facing roof slope will mean that it is less visible from the highway thus minimising its impact upon the wider conservation area. It will be more visible from neighbouring properties on Clarendon Road, but due to the distances involved, it is not considered that it will be of significant detriment to neighbouring residents.
21. The installation of an additional door at ground floor level within the north (garden facing) elevation of the outbuilding is considered acceptable from a design point of view and will not impact upon the appearance of the building as viewed from Neville Street.
22. In summary it is considered that the proposal is of good design and will not have a significant impact upon the special architectural character of 37 Clarendon Road which is a locally listed building or the wider Heigham Grove conservation area.

Car parking, bin storage and cycle storage

23. The newly created residential annex would not be entitled to additional residential parking permits. An informative should be attached to any future permission, notifying the applicant that this is the case.
24. The existing outbuilding is currently used for storage including the storage of cycles and bins. As part of the proposal an area for storage is still to be retained so there will be no change to servicing or cycle storage arrangements.

Water Conservation

25. As the proposal is not for a new residential dwelling, it is not considered reasonable to require the annex to be built to Code for Sustainable Homes level 4 for water.

Trees

26. There are a number of trees and shrubs on the site; however it is not considered that any of the internal or external alterations will have any arboricultural implications.

Local Finance Considerations

27. Under Section 143 of the Localism Act the council is required to consider the

impact on local finances. It is a material consideration when assessing this application. The benefits from the finance contributions for the council however must be weighed against the above planning issues. In this case the financial considerations are relatively limited and therefore limited weight should be given to them.

Financial Liability	Liable?	Amount
New Homes Bonus	No	£0. The proposal is for an annex and not a new unit of residential accommodation.
Council Tax	Yes	Band not yet known
Community Infrastructure Levy	No	£0. No new floorspace is being constructed.

Conclusions

28. It is considered that the proposed external alterations to facilitate the conversion of this outbuilding to a residential annex are of good design. The proposal will not have a detrimental impact upon the historic character of the property or the wider conservation area. Furthermore it is not considered that the proposal will impact upon the living conditions of neighbouring residents subject to a condition ensuring that the annex is not occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 37 Clarendon Road. As such the proposal accords with the criteria set out within policies HBE8, HBE12 and EP22 of the City of Norwich Replacement Local Plan, policy 2 of the Joint Core Strategy, the National Planning Policy Framework and policies of the emerging Local Plan.

RECOMMENDATIONS

To approve application no 14/01004/F 37 Clarendon Road and grant planning permission, subject to the following conditions:-

1. Standard time limit
2. In accordance with plans
3. Details of a) timber cladding, render, roof lantern
4. Annex to be occupied only for purposed ancillary to the residential use of dwelling known as 37 Clarendon Road. At no time shall it be sold, leased or occupied independently

Informatives:

The annex would not be entitled to parking permits.

(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 in the officer report.)