

Report to Planning applications committee

Item

14 June 2018

Report of Head of planning services

Subject Application no 18/00648/U - 6 St Matthews Road,
Norwich, NR1 1SP

5(g)

**Reason
for referral** Objections

Ward:	Thorpe Hamlet
Case officer	Lydia Tabbron - lydiatabbron@norwich.gov.uk

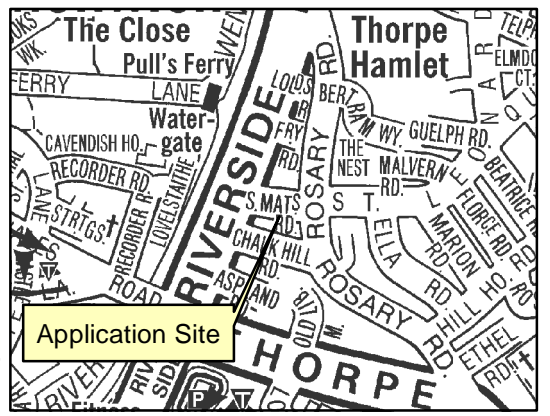
Development proposal		
Change of use to large house in multiple occupation (HMO) (Class Sui Generis).		
Representations		
Object	Comment	Support
4		

Main issues	Key considerations
1. Principle of development	Creation of large House in Multiple Occupation (HMO).
2. Transport	Parking, cycle and refuse storage.
3. Amenity	Living conditions for present and future occupants, impact on amenity of neighbours.
Expiry date	26 June 2018
Recommendation	Approve



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Planning application no: 18/00648/U
 Site Address: 6 St Matthews Road
 Scale: 1:1,000



The site and surroundings

1. The subject property is a two-storey mid Victorian terrace. It is located on the southern side of St Matthews Road, which is a sloping residential street comprised of similar style terraces (on the southern side) which step down from one another towards the river. On the other side of St Matthews Road, to the north, is The Old Church which has been converted to offices.
2. 6 St Matthews is currently occupied and licensed as a small 5 bed HMO (C4 use) with rooms spread over 3 floors following a recent loft conversion. To the rear is a small 'L' shaped paved courtyard which gives access to a narrow service lane with original granite setts, where the facing residents of St Matthews and Chalk Hill Road store their bins.

Constraints

3. St Matthews Conservation Area
4. Locally Listed Building

Relevant planning history

5. The previous application (for the same scheme) was withdrawn at the request of the applicant.

Ref	Proposal	Decision	Date
17/00699/F	Removal of existing chimney stack and insertion of 3no. roof windows.	CANCLD	16/10/2017
18/00023/U	Change of use to large house in multiple occupation (Class Sui Generis).	WITHDRA WN	11/04/2018

The proposal

6. Change of use from C4 dwelling (small HMO) to 8 person HMO (sui generis). There will be no change to the current internal layout or physical alterations to the property. This proposal seeks to increase the number of occupants from 6 to 8 to allow couples to reside in 3 of the 5 bedrooms.

Representations

7. The application has been advertised on site and in the press and adjacent and neighbouring properties have been notified in writing. Four letters of representation, all in objection, have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Increase in noise from residents	See Main Issue 3 - Amenity
Increase on local parking pressures	See Main Issue 2 - Transport
Inadequate bin management under current situation, increase in occupants will exacerbate this.	See Main Issue 2 - Transport This proposal will require by condition for bins to be provided and retained as shown on the proposed plans with the aim of avoiding these.
Impact upon residential character of the area	See Main Issue 4 – Character of the area
Amenity provision for residents is substandard and insufficient	See Main Issue 3 – Amenity It will be required by condition that the occupation will not exceed 8 persons at any one time, the smallest first floor front room will cease use as a bedroom and the downstairs front room will be retained as a communal living area to protect the amenity of occupants.
The applicant has not complied with licence conditions	Not a planning consideration
Criminal activity, anti-social behaviour and drug use associated with the HMO	Not a planning consideration
None of the fears stipulated in the first application by nearby residents have been addressed or remedied.	These issues have been addressed in the below paragraphs

Consultation responses

Design and conservation

8. This is not an application that I intend to provide conservation and design officer comments on because it does not appear on the basis of the application description to require our specialist conservation and design expertise. This should not be interpreted as a judgement about the acceptability or otherwise of the proposal.

Transportation

No objection on highway grounds. As a change of use to large HMO the property will not have additional parking permit entitlement. The property will be entitled to 2 resident permits and visitor permits for the entire household. It is essential that the landlord makes tenants aware of this to avoid disappointment. Bins and bike storage appears satisfactory.

Private sector housing

9. I have looked at the proposed layout. The small room (2.72m²) is definitely too small to be used as sleeping accommodation. Room sizes are currently being reviewed in light of the draft statutory instrument laid before parliament this week. Our current standards ask for a bedroom for 1 person to be at least 6.5m² the new national standards require the rooms to be at least 6.51m². Under the new national

standards a room over 10.22m² can be used as a double room for two persons. It is possible for the proposed layout to be occupied by 8 persons (and with a different configuration perhaps 10 persons) and still comply with the licensing conditions. Obviously the landlord will need to make sure that there are sufficient amenities for the amount of people sharing.

Norwich Society

10. We repeat our previous comments made in February 2018 -
“We support the comments of the local residents and deplore the loss of this substantial family home.”

Assessment of planning considerations

Relevant development plan policies

11. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS1 Addressing climate change and protecting environmental assets
 - JCS2 Promoting good design
 - JCS3 Energy and water
 - JCS4 Housing delivery
 - JCS6 Access and transportation
12. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design
 - DM12 Ensuring well-planned housing development
 - DM13 Communal development and multiple occupation
 - DM28 Encouraging sustainable travel
 - DM30 Access and highway safety
 - DM31 Car parking and servicing
 - DM32 Encouraging car free and low car housing

Other material considerations

13. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
- NPPF0 Achieving sustainable development
 - NPPF4 Promoting sustainable transport
 - NPPF6 Delivering a wide choice of high quality homes
 - NPPF7 Requiring good design
 - NPPF8 Promoting healthy communities
 - NPPF12 Conserving and enhancing the historic environment

Case Assessment

14. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material

considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Principle of development

15. Key policies and NPPF paragraphs – DM12, DM13, NPPF paragraphs 49 and 14.
16. The creation of a large HMO is covered by DM12 and DM13. Policy DM13 deals specifically with Houses in Multiple Occupation (HMOs) and sets out how proposals should meet three criteria. Criteria a) of DM13 relates to the provision of sufficient living conditions for future occupants, which is a matter dealt with under Main Issue 3. Criteria b) states that HMOs should meet criteria a) to c) of DM12 (see below). Criteria c) relates to the provision of appropriate servicing, bicycle storage and car parking, which is a matter dealt with under Main Issue 2.
17. In association with DM13, DM12 also sets out a number of criteria that residential development should comply with. This proposal satisfies criteria a) and c) of DM12 due to the site's sustainable location and in particular its proximity to the city centre. Criteria b) of DM12 relates to the impact of the development on the character and amenity of the area, which is a matter dealt with below and under Main Issue 3 and 4.

Main issue 2: Transport

18. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
19. The property is located within a control parking zone and is therefore entitled to two residents on street parking permits and the visitor permit scheme. This provision will not change. Equally, this location is in a part of the City where car free residential development is acceptable due to the close proximity to the City Centre and public transport. In addition to the provision of cycle storage and access to the nearby cycle network the need for additional parking is not anticipated. Despite neighbour concerns, due to the highly sustainable location and facilities for cycle storage, it is not anticipated that there will be a significant impact on parking conditions in the area as a result of this proposal and on highways grounds is considered acceptable.
20. Four Sheffield cycle hoops in the rear courtyard will provide enough cycle parking for 8 bikes. There is no specific policy requirement for larger HMOs, but this level is considered appropriate by the Transport Officer. Additionally, provision for two refuse bins and two recycling bins is provided in the rear courtyard (as existing there is only one of each bin). Given the increase in the number of occupants by two persons this provision is also considered acceptable. It is recommended that a condition requiring the cycle and refuse storage to be provided as indicated and retained thereafter is attached to ensure long term off-set for parking need and appropriate amenity provision.

Main issue 3: Amenity

21. Key policies and NPPF paragraphs – DM2, DM11, DM13, NPPF paragraphs 9 and 17.
22. The first issue to consider is the ability of the development to provide present and future occupants with adequate living conditions. The current layout provides two bathrooms, a kitchen, a utility room and communal sitting room. The bathrooms and kitchen have the space available and ability to meet the amenity standards for HMO licensing for 8 people. However, bedroom sizes for this layout require a minimum of 11m² for each bedroom where 2 people share and 6.5m² for one person. Only two of the bedrooms are over 11m², whilst the other two doubles are 10m² and the smallest room falls below all standards at 2.72m² (1.6mx1.7m approx.). However, given the comments from Private Sector Housing and with the retention of the ground floor communal living space (secured via condition), kitchen and utility room, the use of the 4 largest bedrooms as double rooms for a maximum of 2 residents will be acceptable as there is an adequate amount of communal area within the property. Subsequently, the smallest first floor bedroom at the front of the property will cease its use as such (secured by condition) due to its small size and poor provision for adequate living space.
23. The rear external amenity space will provide sufficient space for drying, cycle and refuse storage. Although the amount of external amenity space remaining will be small, with the property's central city location, other amenity provisions are considered to be within an accessible distance, such as the Riverside Walk which is >325m on foot. For these reasons the amenity and space provided is considered adequate to meet the needs of two additional occupants and a total of 8 residents.
24. Neighbours have raised concerns over the amount of additional noise that would be generated by this proposal. By virtue of increasing the number of occupants the number of comings and goings is also likely to increase, but with the loss of a bedroom, co-habiting rooms and no physical alterations this intensification would be limited. Additionally, with the number of occupants only increasing by two any additional noise is not expected to result in a material increase in disturbance and therefore not an adequate grounds for refusal.
25. It is recommended that a condition be attached to limit the number of occupants to 8 to ensure that internal and external space is sufficient for the number of residents and to protect neighbours from an over-intensive use of the site. Subject to this condition being imposed, the proposal is considered to accord with the relevant local and national policy with regard to amenity.

Main issue 4: Character of the area

26. Key policies and NPPF paragraphs – DM9 and NPPF paragraphs 128 to 141
27. The property is situated within the St Matthews Conservation Area. The Conservation Area Appraisal characterises the area as quiet streets of terrace housing which contrasts with the busy activity around the Station and Foundry Bridge. The management section also sets out that *“enhancement of the Conservation Area also depends on the care that individual owners take with the maintenance and repair of their properties and due consideration to preserving and enhancing the Conservation Area when carrying out alterations to their properties”*

28. Neighbours have expressed concern that the proposal will impact negatively upon the character of the area from the properties use as a HMO which is not in conjunction with surrounding uses. While a large number of HMOs may have the potential to cause an adverse effect on the character of the Conservation Area, in this instance there is no evidence to suggest an erosion of the character of the immediate area as a result of the development with the absence of external alterations. In addition, the impact upon the local area is not expected to be materially altered beyond the current impacts from the existing C4 small HMO (which does not require planning permission to convert from a C3 dwelling house) and is therefore not considered an adequate reason for refusal.

Equalities and diversity issues

29. There are no significant equality or diversity issues.

Local finance considerations

30. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case local finance considerations are not considered to be material to the case.

Conclusion

31. Subject to the below conditions, it is considered that the proposal provides adequate amenity provisions for its occupants, thus allowing the living conditions of residents to be maintained. The development is also not considered to significantly alter the character of the local area, the current parking situation or materially impact upon neighbour amenity due to the number of occupants only increasing by two and the absence of any physical alterations to the property. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application no. 18/00023/U - 6 St Matthews Road, Norwich, NR1 1SP and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No more than 8 residents at 6 St Matthews Road at any one time;
4. The layout as shown on approved plans 00920 01 shall be retained as such.
5. The smallest first floor bedroom at the front of the property will cease to be used as a bedroom.
6. Cycle and bin storage shall be provided prior to occupation as indicated on the approved plans (ref # 00920 01) and retained thereafter;

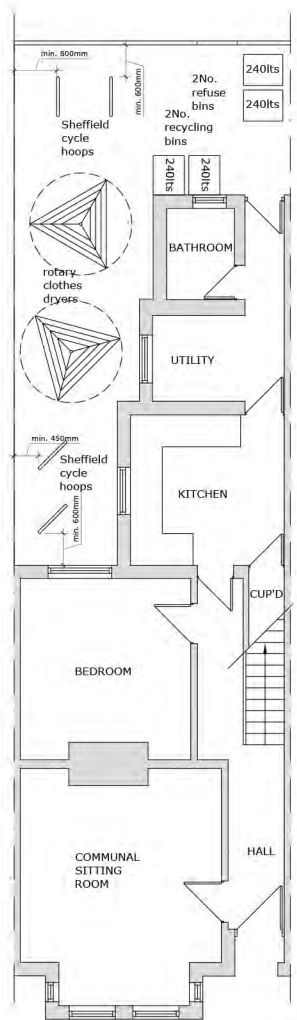
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ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
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			SECTION
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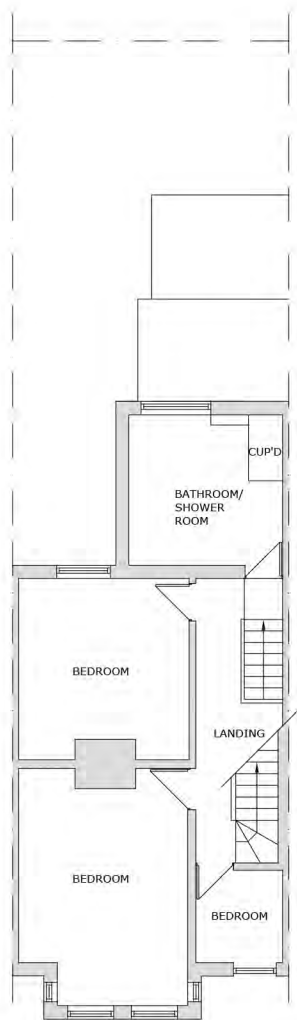
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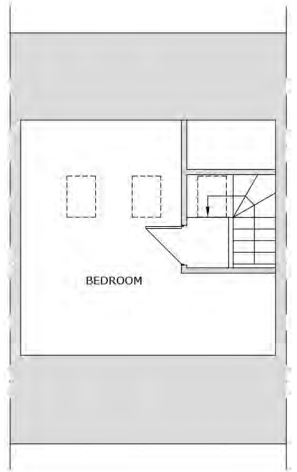
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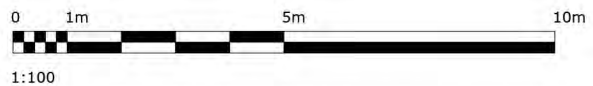
ground floor
 PLANS



first floor



second floor



CLIENT
 Merlin Batchelor

PROJECT
 6 St Matthews Road

DRAWING TITLE
 Floor plans as existing

SCALE	DATE	DRAWN BY	CHECKED BY
1:100	Feb'18	CR	
PROJECT NO.	DRAWING NO.	REV	
00920	01		

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RIBA #
 Chartered Practice
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The Studio
 42 Gorse Road
 Norwich, Norfolk
 NR7 0AY
 T: 01603 610200
 E: enquiries@readspicer.com