

**Report to** Planning applications committee

**Item**

13 August 2020

**Report of** Area Development Manager

**Subject** Application no 20/00631/F - 149 Lincoln Street, Norwich  
NR2 3JZ

**Reason  
for referral** Objections

4(d)

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<b>Ward:</b>	Nelson
<b>Case officer</b>	Maria Hammond - <a href="mailto:mariahammond@norwich.gov.uk">mariahammond@norwich.gov.uk</a>

Development proposal		
Change of use from retail (Class A1) to residential (Class C3).		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1	Principle of loss of retail use and change to residential
2	Amenity
3	Transportation
<b>Expiry date</b>	18 August 2020
<b>Recommendation</b>	Approve



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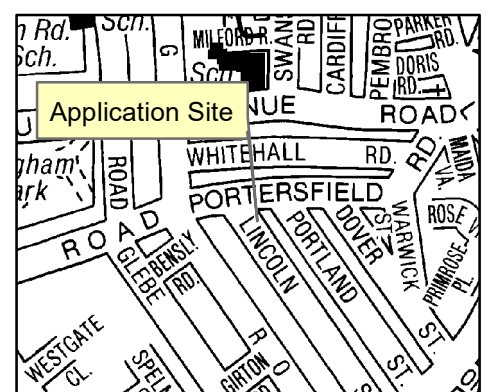
Planning Application No 20/00631/F  
Site Address 149 Lincoln Street

Scale 1:500



**NORWICH**  
**City Council**

**PLANNING SERVICES**



## **The site and surroundings**

1. The application concerns a two storey end of terrace property at 149 Lincoln Street. It occupies a corner site at the junction with Portersfield Road.
2. Historically the site has been formed of a small retail unit (25 square metres) at the corner on the ground floor, with linked residential accommodation across the remainder of the ground floor and whole of the first floor. There is a residential entrance off Lincoln Street with a modest front garden, the shop frontage around the corner is open and hard surfaced and on the Portersfield Road frontage there is a small garden and secondary residential access. The shop has been vacant for a number of years and the residential accommodation has remained occupied, possibly as two dwellings without consent.
3. The red brick and pantile building is consistent in appearance with the remainder of the terrace along Lincoln Street, the large shop window openings spanning the corner set it apart from the residential dwellings, however.
4. The surrounding area is predominantly residential, other than a short row of shops, including a convenience store, on the opposite side of the Lincoln Street/Portersfield Road junction.

## **Constraints**

5. The site is within a critical drainage catchment and controlled parking zone.
6. It is not within any defined retail centre.

## **Relevant planning history**

7. There are no records of relevant applications on the site. Two applications for alterations to the property were made concurrently with this proposal but have been withdrawn.

## **The proposal**

8. It is proposed to change the use of the retail unit to residential, to incorporate it with the existing accommodation to form one single dwellinghouse.
9. No external alterations are proposed.

## **Representations**

10. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation 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
Shame to lose this retail (class A1) space in a high-traffic, family-oriented area. It would be a loss to the community to not preserve this property and its history. Has potential for a shop, cafe, or mixed-used space.	See main issue 1
Object if the property is to be converted for multiple occupancy. There is a row of student accommodation at present next to this property and this causes the houses opposite extreme noise pollution.	A single dwellinghouse (C3) is proposed. Permitted development rights do, would however allow for a change of use to a C4 small HMO (up to 6 residents).

## Consultation responses

11. Consultation responses are summarised below the full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

### Highways (local)

12. No objection on highway grounds.
13. Informative: The new dwelling will not be entitled to on-street parking permits.

## Assessment of planning considerations

### Relevant development plan policies

14. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS4 Housing delivery
  - JCS5 The economy
  - JCS19 The hierarchy of centres
15. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
- DM1 Achieving and delivering sustainable development
  - DM2 Ensuring satisfactory living and working conditions
  - DM5 Planning effectively for flood resilience
  - DM18 Promoting and supporting centres
  - DM21 Protecting and supporting district and local centres
  - DM22 Planning for and safeguarding community facilities
  - DM31 Car parking and servicing

### Other material considerations

16. **Relevant sections of the National Planning Policy Framework February 2019 (NPPF):**

- NPPF2 Achieving sustainable development
- NPPF5 Delivering a sufficient supply of homes
- NPPF7 Ensuring the vitality of town centres
- NPPF7 Requiring good design
- NPPF9 Promoting sustainable transport

## **Case Assessment**

17. 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 council's 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**

18. Key policies and NPPF paragraphs – DM12, DM18 and DM21, NPPF sections 6 and 7
19. Policies DM18 and DM21, in accordance with paragraph 85 of the NPPF, seek to support retail centres. Policy DM12 also does so by preventing the change of use of ground floor units in defined centres to residential.
20. This site, however, is not within a defined centre. Whilst it forms part of a small group of neighbourhood shops with those across the junction, it has not been defined as a local centre in the Local Plan. The closest defined centre to the site is along Unthank Road.
21. It is noted that this corner shop is an established part of the heritage and character of the area, being one of many properties at the corners of terraced streets providing small scale shops and services to local neighbourhoods. There is, however, no policy objection to the loss of a retail use here and the principle of the proposal is acceptable.
22. It is noted that, rather than create a new separate dwelling (which would not be possible within the 25 sqm of floorspace), the proposal would integrate this room into a single dwellinghouse.
23. A representation has raised concern about the potential use as a house in multiple occupation (HMO) and the impacts this could have on local amenity in combination with other HMOs in the local area. The applicant has made clear the intention to use the property as a single C3 dwellinghouse, however permitted development rights would allow for a change of use to a C4 small HMO without further permission and there is no policy basis on which to restrict the use to C3 only.

### **Main issue 2: Amenity**

24. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraph 127.

25. The proposal would expand the existing residential accommodation, enhancing the amenity of future occupiers, and obscuration of part of the former shop windows, is proposed to protect occupants of this prominent room with large openings from views from the street.
26. There is an existing garden which provides adequate external amenity space.
27. This is a predominantly residential area and the modest additional residential use would be less intensive than the past retail use so it is not considered there would be any harm to neighbouring amenity.
28. The proposal is therefore acceptable in terms of amenity in accordance with Policy DM2.

### **Main issue 3: Transport**

29. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
30. There is an existing shed which can provide cycle storage and ample space for bin storage. A new dwelling would not be eligible for a parking permit, however there would be no net gain in dwellings and existing arrangements will remain. The dwelling can therefore be appropriately accessed and serviced.

### **Compliance with other relevant development plan policies**

31. A number of development plan policies include key targets for matters such as parking provision and energy efficiency. The table below indicates the outcome of the officer assessment in relation to these matters.

<b>Requirement</b>	<b>Relevant policy</b>	<b>Compliance</b>
Sustainable urban drainage	DM3/5	No external alterations are proposed and therefore the impermeable area and surface water run-off from the site will not alter.

### **Equalities and diversity issues**

32. There are no significant equality or diversity issues.

### **Local finance considerations**

33. 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.
34. 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.

35. In this case local finance considerations are not considered to be material to the case.

## **Conclusion**

36. The application proposes changing the use of a small corner shop to integrate it into the existing residential accommodation and form a single dwellinghouse. Whilst it is appreciated this historic use is part of the character of the area, there is no policy objection to the loss of a small retail unit outside a defined centre.
37. Incorporating this small space into the existing dwelling would not harm the amenity of neighbouring occupiers, would provide an acceptable standard of amenity for future occupiers and has acceptable existing provision for parking and refuse.
38. 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.

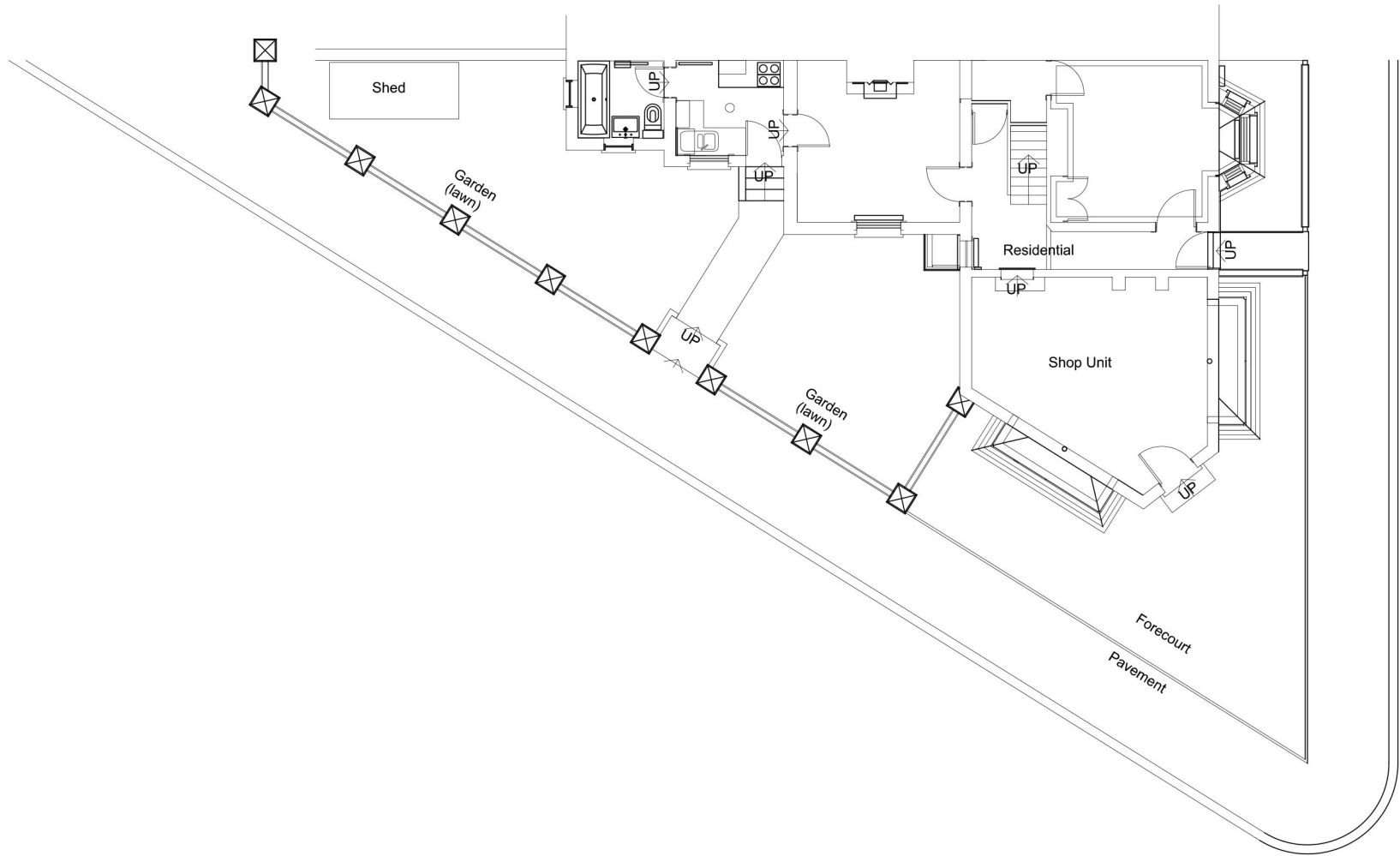
## **Recommendation**

To approve application no. 20/00631/F - 149 Lincoln Street Norwich NR2 3JZ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.

### **Article 31(1)(cc) statement**

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has recommended approval of the application subject to appropriate conditions and for the reasons outlined in the officer report.



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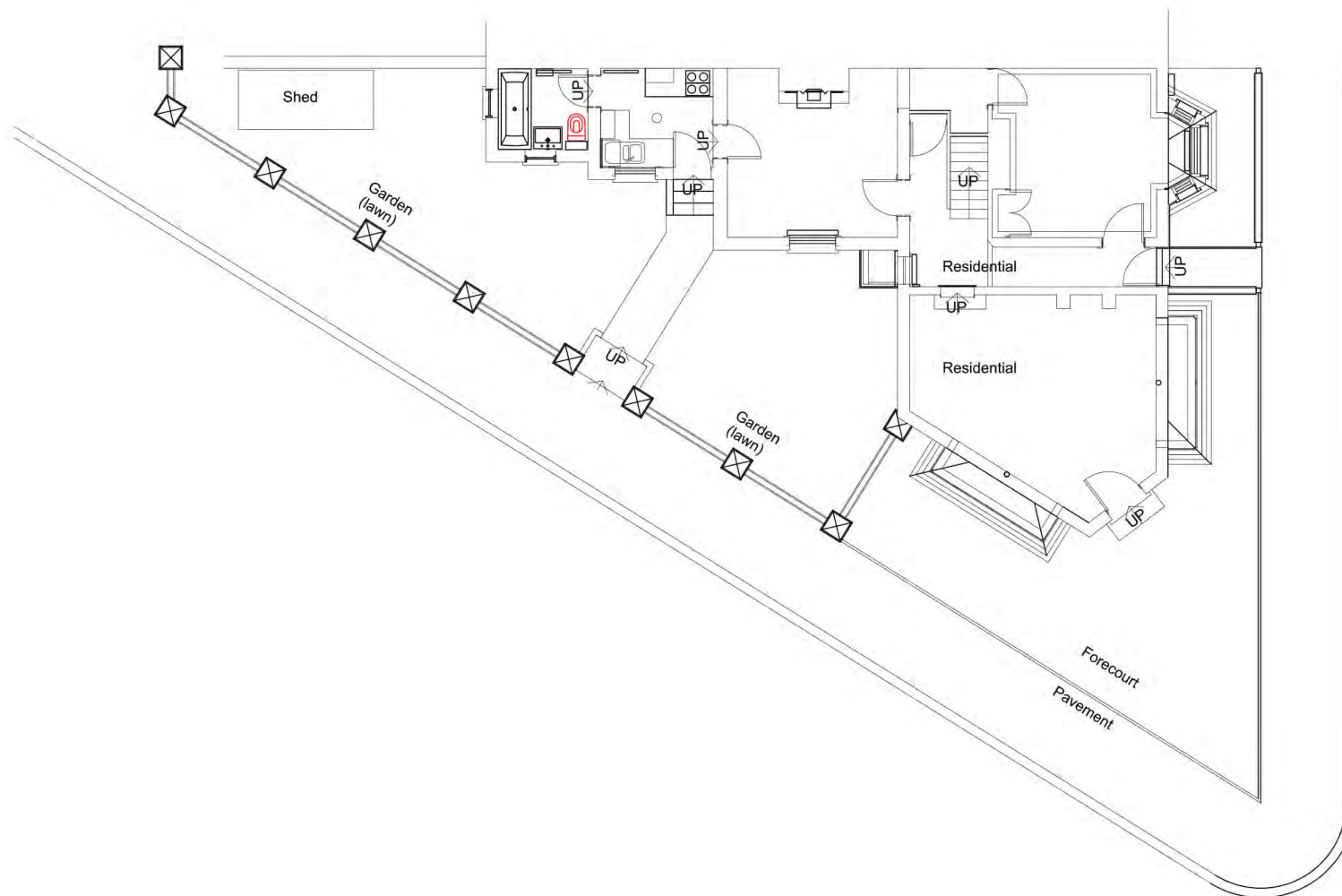
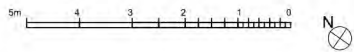
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149 LINCOLN STREET  
NR2 3JZ  
Title:  
Existing Ground Floor  
Plans

Project No:	Building:	Zone:	Drawing No:	Revision:
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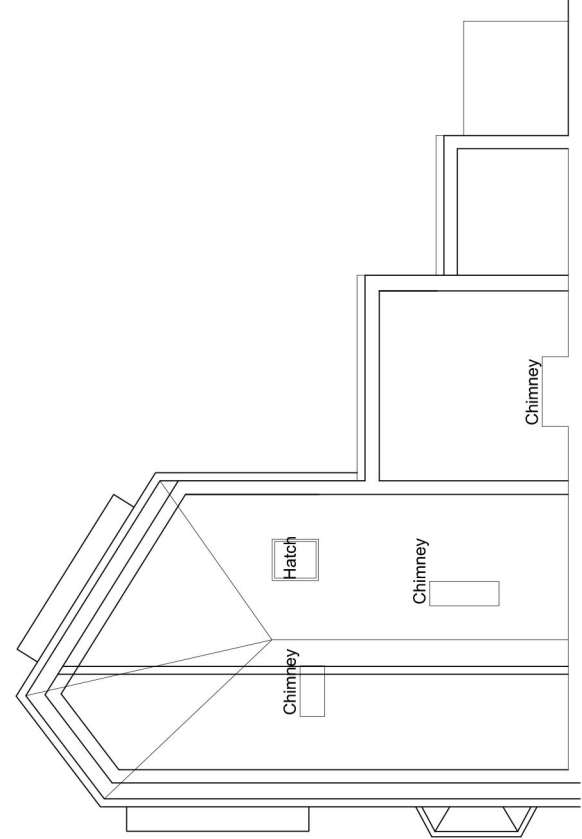
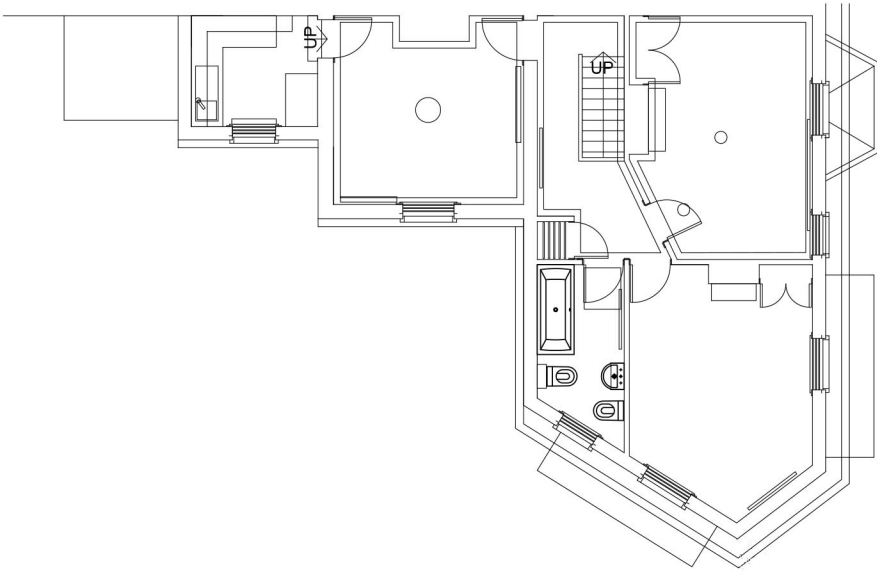
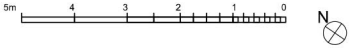
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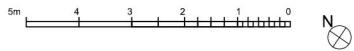
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Proposed Ground Floor Plans			
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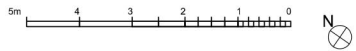
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