Report to	Planning applications committee 01 October 2015	**Item**
Report of	Head of planning services	
Subject	Application no 15/01028/U - 109 Catton Grove Road, Norwich, NR3 3NX	5 (E)
Reason for referral	Objection	

Ward:	Catton Grove
Case officer	Mr John Dougan - johndougan@norwich.gov.uk

Development proposal		
Change of use to large house in multiple occupation (HMO) with 7 bedrooms (Sui Generis).		
Representations		
Object	Comment	Support
2	0	0

Main issues	**Key considerations**
1 Principle	Loss of the dwelling, creation of alternative residential accommodation and access to shops, services and whether this is a sustainable location
2 Transport	Access to car parking, cycle storage and bin storage
3 Amenity	Provision of adequate internal and private amenity space for the occupants. Securing the amenity of neighbouring properties e.g. noise disturbance and overlooking
Expiry date	7 October 2015
Recommendation	Approve

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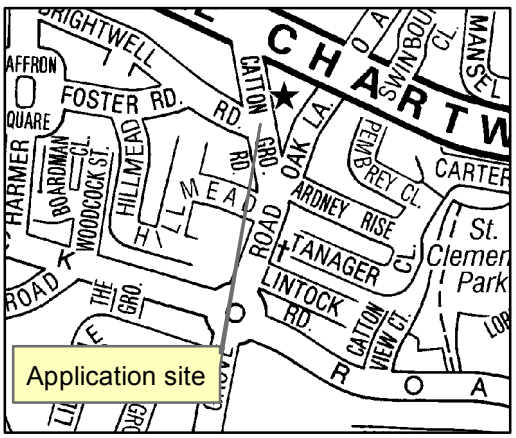
Planning Application No 15/01028/U

Site Address 109 Catton Grove Road

Scale 1:500



NORWICH City Council

PLANNING SERVICES

The site and surroundings

1. The area is residential, there being a local retail centre some 130 metres south of the site and other community facilities and shops nearby. The area also has access to local bus routes.

2. The application site occupies a prominent corner plot location being a large detached two-storey property in red brick with a sizable parking area to the frontage and large garden to the rear.

3. It is understood that the existing building is currently being operated as a small House in Multiple Occupation containing 6 tenants (class C4).

4. The property benefits from a 1.8 metre high fence / brick wall to its frontage and rear garden. The rear garden has a flat roof garage along its western boundary which is accessed via an existing access on Hillmead. It is also noted that there is a dividing fence separating the rear amenity area.

Constraints

5. Critical drainage catchment (DM5)

Relevant planning history

6. None

The proposal

7. As above

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 2 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**
Seven bedrooms could mean that 14 people could living at the property. Such a density is not right for the area.	See main issues 1 and 3
Increased parking pressure on Hillmead and access to other properties	See main issue 2
Loss of privacy to my property	See main issue 3
The change of use would result in a reduction in the value of my property.	Not a material planning consideration

Issues raised	Response
There is a restrictive covenant on the property	Not a material planning consideration
The work to convert the house has already commenced without permission	See other matters
I am very concerned about further redevelopment of the rear garden. The plans are already being drawn up.	See other matters
Adverse impact on the drainage and sewerage infrastructure	See other matters

Consultation responses

9. 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.

Private sector housing

10. Discussions indicate that the building meets the standards required for an HMO of this size.

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
    - JCS4 Housing delivery
    - JCS5 The economy
    - JCS20 Implementation

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
    - DM5 Planning effectively for flood resilience
    - DM12 Ensuring well-planned housing development
    - DM13 Communal development and multiple occupation
    - DM15 Safeguarding the city's housing stock
    - DM28 Encouraging sustainable travel
    - DM30 Access and highway safety
    - DM31 Car parking and servicing

Other material considerations

13. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
    - NPPF0 Achieving sustainable development
    - NPPF1 Building a strong, competitive economy
    - NPPF4 Promoting sustainable transport
    - NPPF5 Supporting high quality communications infrastructure
    - NPPF6 Delivering a wide choice of high quality homes
    - NPPF7 Requiring good design

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 polices 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, DM15, NPPF statement 6.

16. The existing building is a residential dwelling and is already operating as a House in Multiple Occupation (C4) which is permitted without the need for planning permission.

17. It is acknowledged that the proposal would result in the loss of a dwelling (C3). However, as the building can operate as an HMO (C4) without the need for planning permission and would deliver a slightly larger HMO (7 bedrooms), this would itself still contribute to the city's housing stock.

18. Furthermore, the NPPF states that planning authorities should deliver a wide choice of quality homes creating sustainable, inclusive and mixed communities. Larger HMO's contribute to that mix providing a type of accommodation which is demand throughout the city.

19. The principle of the development is acceptable subject to the requirements of DM12 and DM13.

Main issue 2: Transport

20. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.

21. The site is in an accessible location close to shops, services and public transport. In such a location, the parking standards for an HMO (C4) are the same as a dwelling (C3) being a maximum of 1.33 spaces.

22. The property benefits from a sizable parking / servicing area to its frontage which could provide parking for at least 5 cars, potentially having a further two spaces to the rear of the site via the secondary access of Hillmead Road. Such a provision is considered to be in excess of the parking standards. Furthermore, there are no parking restrictions on Hillmead Road.

23. It is acknowledged that concerns have been raised about the development resulting on parking on Hillmead Road. However, the site exceeds parking standards and is considered more than adequate for a use of this scale.

24. The site is in very close proximity to local facilities, shops and public transport meaning the occupants can choose to cycle, walk or take the bus instead of owning a car.

25. It is also noted that the site already contains a cycle store along the southern boundary, promoting and encouraging cycling instead of the car.

26. The frontage of the site contains sufficient space to accommodate refuse storage for the occupants, being in an accessible location for refuse collection operatives and set behind the boundary fence. Nevertheless, it is recommended that condition be imposed seeking clarification of the positioning of the refuse and recycling storage, ensuring that there is no conflict with vehicular movements to the frontage of the site.

Main issue 3: Amenity

27. Key policies and NPPF paragraphs – DM2, DM13, NPPF paragraphs 9 and 17.

28. The character of the area is residential, there being a local retail centre and other facilities including a community centre opposite the site. Therefore, the movements and activities associated with a development of this scale cannot be considered alien to the general character of the area.

29. The internal layout and quality of the building is of a good standard, providing the occupants with the facilities necessary for day to day living. Indeed, in an effort to bring the HMO up to the required standard, the applicant liaised with the Council's Private Sector Housing team.

30. The above coupled with a sizable servicing area to the frontage and private amenity space to the rear results in a development which will provide a good standard of amenity for the occupants.

31. In relation to the amenity space to the rear, the applicant had originally proposed that tenants only have access to land to the east of the existing fence that divided the rear amenity area. Such an amount of private amenity space was not deemed to be adequate for an HMO of this size or character of the area, having a detrimental impact on the amenity of the occupants. The applicant agreed to remove the dividing fence, making the entire area available to the occupants.

32. Although, for the avoidance of doubt, it is recommended that a condition be imposed requiring that the servicing area to the frontage and private amenity space to the rear be made available to occupants and retained thereafter.

33. It is acknowledged that the larger HMO is in close proximity to nearby residential properties particularly 1a Hillmead, 107 Catton Grove Road and 111 Catton Grove Road.

34. Operation of the building as a seven bed HMO is only considered to a small increase over what can be operated without the need for planning permission i.e. a six bed HMO.

35. Concern was raised that each bedroom could accommodate 2 persons resulting in an overall occupancy of 14 persons, potentially resulting in noise disturbance which would harm the amenity of neighbouring properties.

36. Whilst this is a possibility, the likelihood of this is unlikely. Indeed, it is in the interests of the operator to ensure that they do not overcrowd the property and control any anti-social behaviour as this could result in further investigation by the Council's Environmental Protection or Private Sector Housing teams. The applicants have indicated that the premises are and will continue to be pro-actively managed to ensure that occupancy is restricted to identified tenants only. A condition is proposed limiting the number of future occupants to no more than 7.

37. Therefore it is unlikely that the slight different style of occupation would result in additional noise levels or overlooking which would significantly harm the amenities of neighbouring properties.

38. The garden area to the rear already exists, with a sufficient level of boundary fencing to provide a degree of privacy of the occupants and neighbouring properties.

39. It is acknowledged that the rear garden is overlooking by the first floor windows of 1A Hillmead. However, as this arrangement already exists no additional harm to the privacy of the occupants of the HMO will result.

40. No additional overlooking from the existing building to other properties will result as the windows already exist. Therefore no significant additional loss of privacy of the adjoining properties will result.

41. The development will not result in any significant demonstrable harm to the amenities of neighbouring properties.

Compliance with other relevant development plan policies

42. 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.

Requirement	Relevant policy	Compliance
Cycle storage	DM31	**Yes subject to condition**
Car parking	DM31	**Yes subject to condition**

provision		
Refuse Storage/servicing	DM31	**Yes subject to condition**
Energy efficiency	JCS 1 & 3 DM3	**Not applicable**
Water efficiency	JCS 1 & 3	**Not applicable**
Sustainable urban drainage	DM3/5	**Not applicable**

Other matters

43. The following matters have been assessed and considered satisfactory and in accordance with relevant development plan policies, subject to appropriate conditions and mitigation:

44. This planning application is for the change of use of the existing building site and not for the addition of a new dwelling in the rear.

45. No major changes to the exterior of the property are proposed. Therefore, the impact on the street scene will be negligible.

46. No significant buildings or alterations to the curtilage are proposed except for the provision of cycle and bin storage. No addition surface water run-off is expected. Therefore, no additional SUD's measures are deemed necessary.

47. The development is not of a scale which would require any significant sewerage infrastructure.

48. The application has been assessed on the basis of the details submitted. Any change of ownership would require that the HMO still be operated in accordance with the planning permission. Any future incidences of anti-social behaviour or poor management of the property would be investigated by the Council's Environmental Protection or Private Sector Housing teams.

Equalities and diversity issues

49. There are no significant equality or diversity issues.

Local finance considerations

50. 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.

51. 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.

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

Conclusion

53. The principle of the change of use is acceptable.

54. The development is in excess of car parking standards.

55. The layout of the development provides for a good level of amenity for the occupants.

56. The development is of a scale and layout which would not cause any significant harm to the amenity of neighbouring properties.

57. 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. 15/01028/U - 109 Catton Grove Road Norwich NR3 3NX and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans
3. Details of the position of refuge storage to be submitted and approved prior to occupation.
4. Cycle and bin storage to be made available prior to occupation and retained thereafter.
5. The fence dividing the rear garden shall be removed and the entire amenity space to the rear of the site shall be made available to the occupants prior to occupation and retained thereafter.
6. The site shall be occupied by no more than 7 tenants, on a 1 tenant per lettable room basis, at any one time.

Article 35(2) 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, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

FLOORPLANS @ 1:100

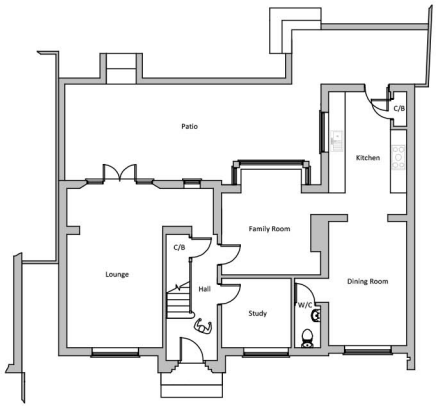
0.0 1.0 2.0 3.0 4.0 5.0 6.0 7.0 8.0 9.0 10.0 [M]

Metres @ 1:100 @ A1

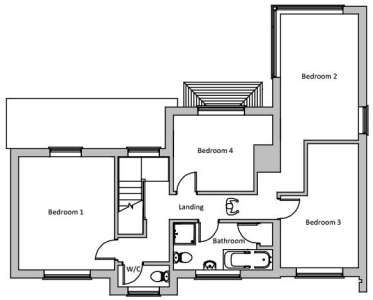
PROPOSED CHANGE OF USE AT 109 CATTON GROVE ROAD, NORWICH, NORFOLK, NR3 3NX.

Note: The building work required to convert the dwelling house into a 7 bedroom house in multiple occupation has been undertaken however six bedrooms in the house are currently being let on a single occupancy basis.

4 BEDROOM DWELLING HOUSE PRIOR TO BUILDING WORK @ 1:100 @ A1

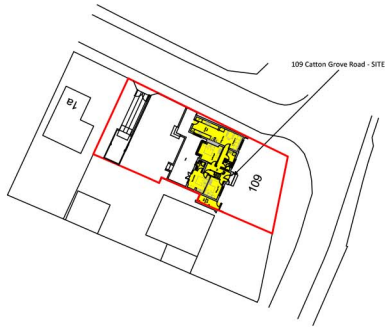


GROUND FLOOR LAYOUT PLAN



FIRST FLOOR LAYOUT PLAN

BLOCK PLAN



0 20 40 50 [M]

Block Plan - Metres @ 1:500 @ A1

LOCATION PLAN

0 20 40 60 80 100 120 [M]

Location Plan - Metres @ 1:1250 @ A1

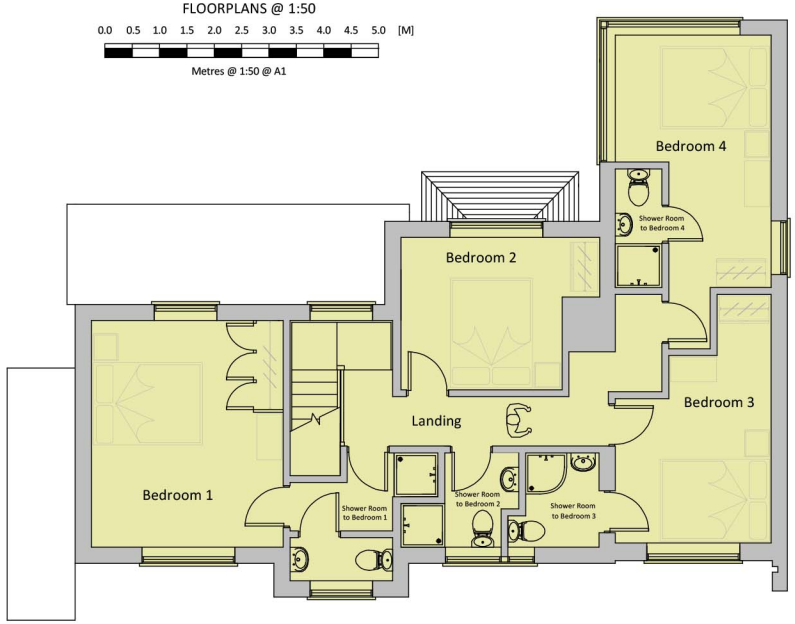
7 BEDROOM HOUSE IN MULTIPLE OCCUPATION AFTER BUILDING WORK @ 1:50 @ A1

FLOORPLANS @ 1:50

0.0 0.5 1.0 1.5 2.0 2.5 3.0 3.5 4.0 4.5 5.0 [M]

Metres @ 1:50 @ A1

GROUND FLOOR LAYOUT PLAN



FIRST FLOOR LAYOUT PLAN

N

W E

S

EXISTING AND PROPOSED

K GARNHAM DESIGN

01603 616884 www.kgarnham.co.uk

info@kgarnham.co.uk

Project - Proposed Change Of Use from Dwelling to House in Multiple Occupation at 109 Catton Grove Road Norwich Norfolk NR3 3NX	Client - Mr Francis Meynell		
	Scale - as dwg	Drawing Number - 1217	
	Drawn By - James	Sheet Number- 1	
	Date - 27.07.2015	Revision Number - B	

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