Report to	Planning applications committee 11 June 2015	**Item**
Report of	Head of planning services	
Subject	Application no 15/00003/F - 145 Earlham Road, Norwich, NR2 3RG	4(B)
Reason for referral	Objection / Significant departure from development plan / City council application or site / Member or Staff application / Called in by an elected member	
Applicant	Mr Jianping Liu	

Ward:	Nelson
Case officer	Mr Kian Saedi - kiansaedi@norwich.gov.uk

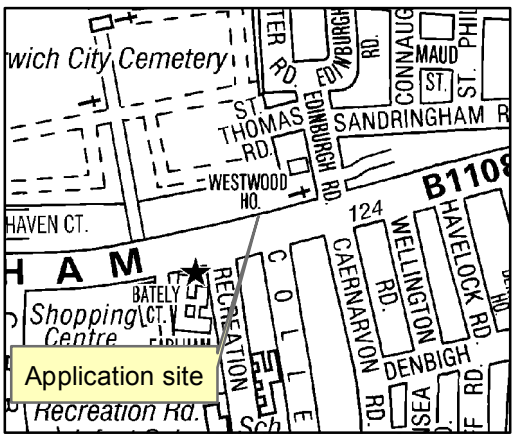
Development proposal		
Change of use of main part of existing building to Bed and Breakfast accommodation and conversion of rear of building to 1 no. flat.		
Representations		
Object	Comment	Support
3	0	0

Main issues	**Key considerations**
1 Principle of Development	Loss of existing housing and town centre use
2 Amenity	Expansion of commercial use and implications for residential amenity, living standards for remaining residential use
3 Transport	Accessibility, parking
Expiry date	18 March 2015 extended to 18 June 2015
Recommendation	Approve subject to conditions

Planning Application No 15/00003/F

Site Address 145 Earlham Road

Scale 1:1,000



NORWICH City Council

PLANNING SERVICES

The site and surroundings

1. The site is located on the north side of Earlham Road opposite the junction with College Road. The surrounding area is predominantly residential, characterised by two-storey, Victorian semi-detached properties. The application building is semi-detached with 147 Earlham Road, which currently operates as 'Earlham Guest House'. The proposal will involve the expansion of the existing B&B at 147 Earlham Road into part of 145 Earlham Road.

2. Several locally listed buildings are located opposite the site on the south side of the road.

3. The site is ~60 metres beyond the nearest district centre, which is located at the corner of Earlham Road and Recreation Road. The site is also located within a Critical Drainage Area as identified on *the local plan policies map.*

Relevant planning history

4.

Ref	Proposal	Decision	Date
07/00692/U	Change of Use from guesthouse to private residence.	Approved	18/07/2007
14/01400/U	Change of use from residential (Class C3) to use as a bed and breakfast (Class C1).	Refused on the grounds that the scheme would result in the loss of one unit of housing with no replacement contrary to policy DM15 of the *local plan.*	03/12/2014

The proposal

5. The application seeks the conversion of part of the existing dwelling (Class C3) at 145 Earlham Road to a Bed and Breakfast (Class C1).

Summary information

Proposal	Key facts
Operation	
Opening hours	07:00 – 23:30 – the front doors will be locked outside these hours.
Transport matters	
Vehicular access	As existing
No of car parking spaces	Two (as existing)
No of cycle parking spaces	Details to be conditioned

Representations

6. Adjacent and neighbouring properties have been notified in writing. Three 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
Noise disturbance from commercial use	Main issue 2
Overdevelopment of site	Main issue 2
Harm to character of the area	Main issue 2
Inadequate parking	Main issue 3

Consultation responses

7. 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)

8. No objections. In terms of suitability of a guest house with regards to transportation policy, it is well located and has a number of transport options. The concerns of residents towards parking issues are noted but the site is very accessible and space can normally be found within a 10 minute walk which is not unreasonable in a high density area where there is very little on-site parking owned by residents.

Assessment of planning considerations

Relevant development plan policies

9. **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
    - JCS6 Access and transportation
    - JCS12 The remainder of the Norwich urban area including the fringe parishes

10. **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
    - DM11 Protecting against environmental hazards
    - DM15 Safeguarding the city's housing stock
    - DM16 Supporting the needs of business
    - DM18 Promoting and supporting centres
    - DM28 Encouraging sustainable travel
    - DM30 Access and highway safety
    - DM31 Car parking and servicing

Other material considerations

11. **Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**
    - NPPF0 Achieving sustainable development
    - NPPF1 Building a strong, competitive economy
    - NPPF2 Ensuring the vitality of town centres
    - NPPF4 Promoting sustainable transport
    - NPPF6 Delivering a wide choice of high quality homes
    - NPPF7 Requiring good design
    - NPPF11 Conserving and enhancing the natural environment

Case Assessment

12. 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

13. **Residential:** Key policies and NPPF paragraphs –DM15, NPPF paragraphs 49 and 14.

14. Policy DM15 of the *local plan* seeks to protect the city's housing stock by preventing the loss of existing housing. The proposal involves no net loss of housing but will result in a much smaller unit of accommodation than that existing. The replacement unit provides sufficient living area to serve a two-bed dwelling and is adequately separated from the commercial use to provide dedicated access and the retention of the private rear garden space for exclusive use by future occupants. It is therefore considered that the standard of replacement accommodation is of no lower standard than that existing and the proposal is in accordance with policy DM15 of the *local plan.*

15. **Non-residential:** Key policies and NPPF paragraphs – DM18, JCS5, NPPF paragraph 24.

16. The B&B would fall into the C1 use category, which is identified as a town centre use in the NPPF. A brief sequential justification has been set out within the application justifying the suitability of the site location for the C1 use, which falls adjacent to, but outside of, a defined centre.

17. B&Bs by their very nature will quite often be located outside of defined centres in order to access particular visitor markets. The classification of hotels as a town centre use is also more applicable to larger scale hotel development that would be better suited to being located within town and city centres where sites are more widely accessible as opposed to smaller scale hotel and B&B development like that being proposed in the current application. The site is located only 60 metres outside of the nearest district centre and is well connected by public transport serving the city centre and wider area. The proposal also expands an existing and well established B&B at the adjoining site. The sequential justification is considered to be sufficient in this instance in order to satisfy policy DM18 of the *local plan.*

18. The proposal would also broadly be in line with JCS policy 5 in terms of supporting of the tourist industry.

19. The proposal will also facilitate the expansion of a local business in accordance with policy DM16 of the *local plan.*

Main issue 2: Amenity

20. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.

21. The residential dwelling benefits from sufficient internal living space and retains the existing rear garden for exclusive use by future occupants. Adequate separation has been provided between the commercial use and residential use to protect the amenities of future residents. It is not considered therefore that the proposal amounts to an overdevelopment of the site.

22. The proposal will result in 145 Earlham Road providing six guest bedrooms with the B&B kitchen and dining area remaining at 147 Earlham Road. The applicant has indicated opening hours of 07:00-23:30 with doors being locked outside of these hours. The B&B use will not significantly increase the activities at the site above

that associated with the existing dwelling and it is not considered that the proposal will result in any significant disturbances to the residential amenity of neighbouring properties.

23. Such is the small scale of the proposed B&B use that the conversion will not significantly detract from the residential character of the local area.

24. The site is located in a residential area and a condition will be added to any permission to restrict delivery times for the B&B use between 07:30 and 19:00 hours (Mon-Sat) and 09:00 and 16:00 hours (Sundays and bank holidays). This will prevent disturbance from deliveries to neighbouring properties.

Main issue 3: Transport

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

26. The concerns of local residents in terms of parking provision in the surrounding locality are noted. There are no restrictions upon on-street parking in the surrounding area and parking demand is generally high. However, the site is highly accessible, located adjacent to frequent bus services serving the city, UEA and hospital, is in walking/cycling distance from the city centre and only 60 metres from the nearest district centre. The site is therefore considered well suited for the proposed B&B use. Additionally, on-street parking space can normally be found within 10 minutes walking distance of the site which is not considered unreasonable in a high density area where there is very little on-street parking owned by residents.

27. Secure and covered cycle parking and details of refuse storage will be conditioned to ensure that provision is made for non-car users of both the dwelling and B&B.

28. The two existing car parking spaces will be retained for the occupiers of the dwelling.

Compliance with other relevant development plan policies

29. 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 provision	DM31	Yes – see main issue 3
Refuse Storage/servicing	DM31	Yes subject to condition
Sustainable urban drainage	DM3/5	Yes

Other matters

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

Landscaping and open space

31. Key policies and NPPF paragraphs – DM3, DM8, NPPF paragraphs 9, 17 and 56.

32. A privacy 'green' fence will be erected between 'guest bedroom 2' and the ground floor bedroom of the dwelling. This will provide adequate separation and privacy between the residential and commercial use.

33. It is also proposed to install a new fence to separate the driveway from the front garden of the B&B. Details of both the green fence and side fence will be conditioned to ensure a satisfactory appearance and specification for the development.

Design

34. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.

35. The only external alterations proposed involve replacement and installation of new windows and doors for the replacement dwelling. All first floor windows on the dwelling will be fitted with obscure glazing at lower levels to prevent overlooking onto the neighbouring property.

Critical Drainage Area

36. Key policies and NPPF paragraphs – JCS1, DM5, NPPF paragraphs 100 and 103.

37. The proposal will not increase the non-permeable surface area and will not therefore increase surface water flooding at the site.

Equalities and diversity issues

38. There are no significant equality or diversity issues.

Local finance considerations

39. 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.

40. 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.

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

Conclusion

42. The location of the site is considered highly accessible and suitable for the B&B use and the expansion of the existing B&B at 147 Earlham Road will not impinge upon the amenities of neighbouring properties nor harm he residential character of the surrounding area. The replacement dwelling will provide a high standard of living accommodation for future residents in accordance with policy DM15 of the *local plan.*

43. Subject to conditions 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. 15/00003/F - 145 Earlham Road Norwich NR2 3RG and grant planning permission subject to the following conditions:

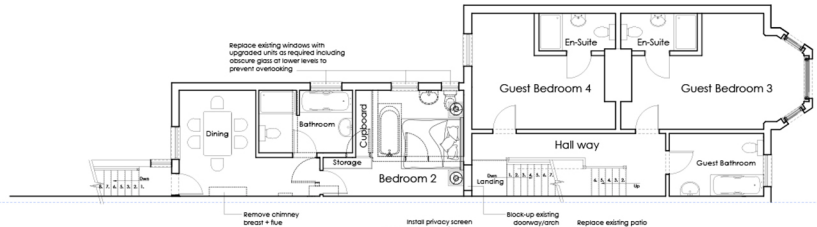
1. Standard time limit;
2. In accordance with plans;
3. Details including new windows and doors (to illustrate the coverage of obscure glazing where relevant), new boundary fence and the ‘green fence’.
4. Submission of parking/ cycle/ bin storage details;
5. Restricted delivery hours.

Article 35(2)(cc) statement

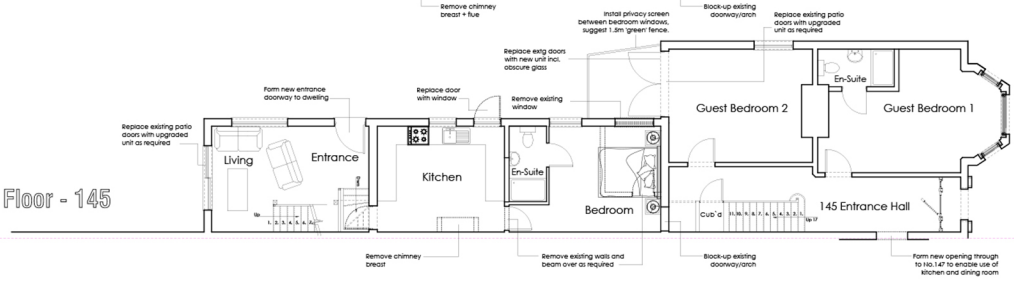
The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

PROPOSED Loft Area - 145
Scale 1:100

PROPOSED First Floor - 145
Scale 1:100



PROPOSED Ground Floor - 145
Scale 1:100



EXISTING Front Elevation - 145/147
Scale 1:100

PROPOSED Side Elevation - 145
Scale 1:100

PROPOSED Rear Elevation - 145
Scale 1:100