

**Report to** Planning applications committee

**Item**

11 March 2021

**Report of** Area Development Manager

**Subject** Application no 20/01192/F – 80 Connaught Road Norwich  
NR2 3BS

4(a)

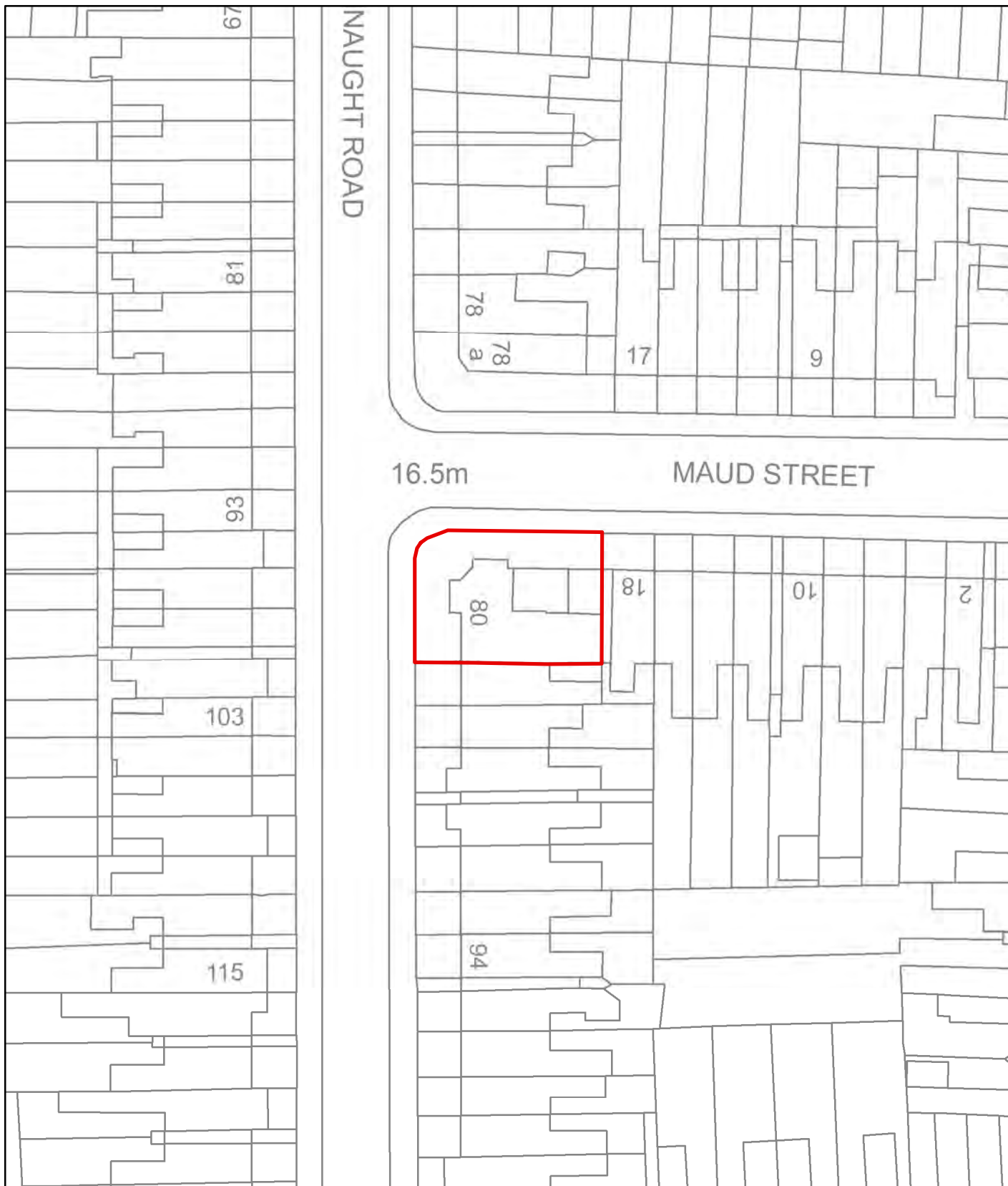
**Reason  
for referral** Objections

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<b>Ward:</b>	Nelson
<b>Case officer</b>	Jacob Revell - <a href="mailto:jacobrevell@norwich.gov.uk">jacobrevell@norwich.gov.uk</a>

Development proposal		
Conversion of part of shop/cafe to ground floor flat with garden area to front elevation, rear extension to first floor flat with external balcony area and external decking/planters to ground floor shop/cafe.		
Representations		
Object	Comment	Support
2	0	0

Main issues	Key considerations
1	Principle of development.
2	Design.
3	Amenity.
<b>Expiry date</b>	15 February 2021.
<b>Recommendation</b>	Approve



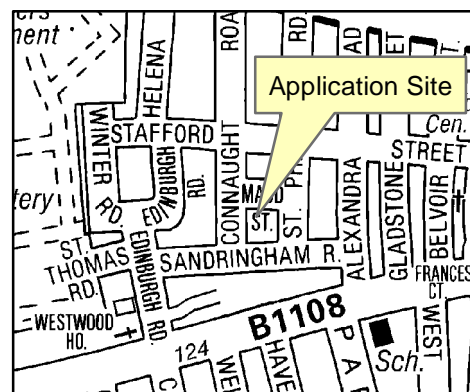
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Planning Application No 20/01192/F  
 Site Address 80 Connaught Road

Scale 1:500



**NORWICH**  
 City Council  
 PLANNING SERVICES



## The site and surroundings

1. The site is located on Connaught Road, on the south-eastern corner of the junction with Maud Street. The site is located approximately 1km west of the city centre, and is of a largely residential character. The properties in the area are mostly two-storey Victorian terraces of a relatively uniform character, with buff or grey brick and grey tiled roofing the predominant materials. The property has been historically in use as a shop, first as a grocers and most recently a bicycle shop.
2. The site itself is a large corner property, a former grocers with a large open shopfront that faces onto both Connaught Road and Maud Street. The property is locally listed, description as follows:

*Formerly a grocer and provision merchant, which in 1911 was run by William Hazell. The wide opening on Maud Street allowed for the sale of fodder which is symbolised by the bull's head on the keystone, together with Number 78 (a former bakery) opposite which has a wheatsheaf on its keystone. These two pieces of commercial decoration were inspired by that at the Agricultural Hall(1882) on Prince of Wales Road. Included in Local List notes: "A rare survivor on the street scene, retaining both its original form and its community function, as a cycle shop."*

The shopfront is set back from the street scene, with concrete parking to the front of the property. On the northern elevation facing onto Maud Street, the property features an entrance arch to the former workshop. There is a small gravelled section of land at the edge of the site where the front of the property borders the neighbour at 18 Maud Street.

3. Whilst the ground floor of the property has historically been used for commercial purposes, the top floor is in use as a residential flat. The was granted prior approval in 2020 for both the conversion of the retail unit to a restaurant (A1 to A3) and the rear part of the shop from retail to residential (A1 to C3). The prior approval for the conversion of the rear part of the shop space into residential was for a different layout no longer achievable due to proposed changes to the upstairs flat. As such, the change of use has been included as part of this application.

## Constraints

- Locally listed.

## Relevant planning history

4.

Ref	Proposal	Decision	Date
19/01749/PA	Change of use from retail (Class A1) to cafe/restaurant (Class A3).	AEGPD	14/02/2020
19/01752/PDR	Change of use from retail storage (Class A1) to ground floor flat (Class C3).	AEGPD	13/02/2020

## **The proposal**

5. It should be noted that this is the third revision of this proposal. The proposal differs from the original in having an altered layout to the ground floor flat, alterations to the decking and area in front of the proposed flat to the front of the property, alterations to the rear first floor elevation and the inclusion of a decked balcony at the first floor to the rear of the property.
6. The proposal can be divided into three elements: changes to the ground floor flat and exterior area, installation of decking and planters to the front of the property and the first floor rear extension and addition of the balcony.
7. Firstly, the conversion of the rear part of the ground floor to a residential unit. As noted above, prior approval for the conversion of this part of the building was previously granted under application 19/01752/PDR. This previous application included an internal courtyard space for the flat below. Due to the intention to extend the first floor flat, it is no longer possible to provide the external amenity space. In response, the applicant has provided a walled front garden area to the front elevation of the ground floor flat, retaining a level of external amenity space for future residents of the property. This space would be bordered by a dwarf brick wall and hedgerow approximately 0.65m tall. To facilitate the conversion of this part of the building to residential, the existing service entrance will be infilled with glazed panelling and a new front door fitted. Two additional ground floor windows will be inserted.
8. Secondly, the shop front of the property would feature a raised external decking area for use by the cafe, bordered by render-finished planter walls. The proposed walls are located on the curve of the hill on Maud Street, so would be approximately 1.4m at the highest point and 1m at the lowest, where the street is flat along Connaught Road. The decked area will formalise the front areas of the café unit for use associated with the unit, covering the existing concrete parking area on the front elevations of the property, approximately 8.3m along Maud Street and 10.9m along Connaught Road. The decking is to be made of a composite material.
9. Thirdly, it is proposed to extend the existing first floor flat over the existing flat roof section to the rear of the property. The proposed extension will create a new lounge area for first floor flat. This would be approximately 4.5m wide, infilling space between the existing two storey element and the neighbouring property. The length of the extension is approximately 5.5m, although the width narrows to 3.2m after a length of 2.5m, to accommodate the proposed rooflights to the ground floor flat. The flat roof extension is approximately 2.6m tall. Beyond the extension, there is a 2.7 x 2.5m balcony, built above the flat roof, with a 1m high wall. This is set back approximately 1.8m from the neighbouring boundary due to the flat roof section.

## **Representations**

10. Advertised in writing to neighbouring properties. As a result of officer comments and alterations proposed by the applicant, this case was consulted on three times. During the second round of consultation, one letter of objection was received. During the third round of consultation, one additional letter of objection was received. Both letters of representation are summarised in the table below.

Issues raised	Response
<ul style="list-style-type: none"> <li>- Concern about noise generated by outdoor decking area, especially if opening hours extend into evening.</li> <li>- Concern regarding change of use to a café with outdoor seating, as this may increase noise levels within a residential area. Limitations should be placed on the number of people seated outside and the times of days the outside area can be used.</li> </ul>	<ul style="list-style-type: none"> <li>- <b>See main issue 3.</b></li> </ul>

## Consultation responses

### 11. Consultee: Environmental Protection Officer

Comments: As with any business providing external seating, there is the potential for noise disturbance. However, due to the proposed hours, the nature of the business and the number of tables provided, noise disturbance should be minimal.

I would recommend using the following condition to prevent noise disturbance from amplified music:

No loudspeaker, amplifier, relay or other audio equipment shall be installed or used outside the building the subject of this permission.

Reason:

To ensure adequate protection between different uses takes place to avoid unacceptable noise and disturbance in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

## Assessment of planning considerations

### Relevant development plan policies

#### 12. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**

- JCS2 Promoting good design
- JCS4 Housing delivery

#### 13. **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
- DM9 Safeguarding Norwich's heritage
- DM12 Ensuring well-planned housing development

## **Other material considerations**

### **14. Relevant sections of the National Planning Policy Framework (NPPF) (2019 Revision):**

- NPPF5 Delivering a sufficient supply of homes
- NPPF11 Making effective use of land
- NPPF12 Achieving well designed places
- NPPF16 Conserving and enhancing the historic environment

## **Case Assessment**

15. 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**

16. Key policies and NPPF paragraphs – DM12, NPPF sections 5, 11 and 15.
17. The proposal features a number of different components: the creation of a new dwelling at ground floor level, the installation of decking to the exterior of the café and the extension of the first floor flat including the creation of the balcony.
18. With regards to the creation of the new ground floor flat, some precedent for acceptability of a new dwelling in this location has already been established by the approval of application 19/01752/PDR. However, permission is required for the revised design. Policy DM12 allows for new dwellings in the city through either new build or conversion, other than in certain areas. None of these policy exclusions apply to the site. The principle of the creation of an additional flat through the conversion of the existing retail storage space is acceptable, subject to compliance with the detailed criteria of DM12, DM13 and other relevant policies considered below.
19. Regarding the other alterations to the property, the principle of alterations and extensions to the property are acceptable in principle, provided that the requirements of the relevant development management policies are met.

### **Main issue 2: Design & Heritage**

20. Key policies and NPPF paragraphs – JCS2, DM3, DM9, NPPF sections 11 and 12.
21. DM3 requires that development should be designed with regard for the character and local distinctiveness of the local area. The policy also states that extensions should be designed as not to be overly dominant or incongruous, and that materials should reflect the prevailing materials of the locality. DM9 requires that any development that impacts a locally designated heritage asset should strive to retain the significance of the asset, or show that there are demonstrable public benefits associated with the loss of significance.

22. Several alterations are proposed to the northern elevation of the property in order to accommodate the conversion of the rear of the ground floor of the building to a flat. Two new windows are proposed, in line with the existing windows at first floor level. The existing service door is infilled to accommodate the front door to the flat, with the remainder of the space infilled with obscure glazed panels. A new boundary wall is proposed to the front of the property here, in order to mark the front garden of the new flat. These alterations are in line with the prevailing characteristics of the surrounding building, with the new windows aligning with the existing features of the building, the shape of the existing service door retained and the boundary wall following the general form of the front gardens of surrounding properties.
23. Regarding the rendered decking element, the built wall element of this will partially obscure the existing shopfront of the property. However, the wall of the decked area is of a sufficiently low profile that the majority of the shopfront will still be visible in views of the property. As such, the decking is not considered overly incongruous and it is not considered that this addition will impact harmfully upon the significance of the locally designated heritage asset. Given that the use of the premises as a restaurant is already established, the formalisation of the outdoor seating area will provide a vibrant outdoor amenity space for users of the café, with a positive impact on the character of the street-scene.
24. The works to extend the first floor flat will only be visible from the rear of the property, and will not be visible from any public viewpoints. The extension would have a flat roof, and will be built out above the existing flat roof extension. Due to the scale of the proposed extension to the rear, this element is considered to have a negligible impact on either the character of the local area and the significance of the individual building.
25. For the reasons outlined above, it is considered that the proposal meets the requirements of DM3 and DM9 of the local plan, in addition to NPPF sections 11, 12 and 16. Therefore the proposal is considered acceptable in design and heritage terms.

### **Main issue 3: Amenity**

26. Key policies and NPPF paragraphs – DM2, DM3, NPPF section 12.

#### **Amenity issues in relation to café decking**

27. The amenity issues raised by objectors relate solely to concerns regarding additional noise generated by the additional seating area. It should be reiterated here that this application is not for the granting of consent for café use – this has already been established under prior approval (19/01749/PA). These concerns can therefore only be applied to any additional noise that may be generated by the formalised seating area.
28. The officers report for 19/01749/PA includes comments from Environmental Protection regarding the impact of the change of use on noise concerns for local residents, as follows:

“Due to the close proximity to residential properties, the Public Protection Team recommends that outside seating should be vacated by 22:00.”

It has already been established in the previous application that the principle of outdoor seating is acceptable. In addition, this permission was conditioned with clear opening hours:

*The premises which form the subject of this permission shall not be open to the public, trading, or have members of the public, as customers or guests, on the premises between the hours of 19:00 to 08:00 on any Sunday, Monday, Tuesday or Wednesday, or 22:00 to 08:00 on any Thursday, Friday or Saturday.*

#### *Reason*

*To safeguard the amenity of the surrounding area, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.*

These are the working hours in which the café is permitted to open, and applies to the seated area as well as the café. No objection is raised by the Environmental Protection Officer to the current proposal, and it is considered no material harm to amenity would occur, providing the opening hours continue to be conditioned.

#### **Amenity issues for the proposed new dwelling and extended dwelling**

29. Policy DM2 requires that new dwellings will only be permitted where adequate standards of amenity are met for future occupiers. Regarding the ground floor flat, the Gross Internal Area of 51m<sup>2</sup> ensures that the flat is well above the indicative minimum space standards for a one bedroom flat (39m<sup>2</sup>). The layout of the flat is relatively open, and it is considered that acceptable levels of light will be provided by the newly proposed windows and skylights. DM2 also requires that new dwellings should be provided with external amenity space wherever possible. The provision of amenity space to the front of the property amends for the internal courtyard space lost to accommodate the first floor extension. The provision of the front garden to the ground floor flat will have a positive impact on the amenity of the future occupants.
30. Policy DM2 also requires that development should only be permitted where it will not result in an unacceptable impact on the living conditions of neighbouring occupiers, particularly with regard to overlooking/loss of privacy, overshadowing or loss of light and outlook. The extension to the first floor of the property is considered of an appropriate size and form as not to cause amenity issues for the neighbouring properties. The eastwards orientation of this elevation ensures that the proposed extension will not cause material harm through loss of light or shadowing to the rear windows of number 82 Connaught Road, a fact assisted by the existing parts of the building that are much taller than the proposed extension.
31. It is not considered that the proposed balcony area will cause any significant overlooking issues – there is approximately 1.8m of flat roof between the balcony and the neighbour at number 82 and the width of the garden ensures that users of the balcony will not be able to look directly down into the neighbouring garden. The only windows visible from this point will be obscure glass windows which service the neighbouring utility room. Views into the gardens of other properties will be limited due to distance, existing mature vegetation and the orientation of the surrounding properties.



32. In light of the points made above, it is not considered that the proposal generates any unacceptable amenity concerns.

### **Equality and diversity issues**

33. There are no significant equality or diversity issues.

### **Local finance considerations**

34. 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.
35. 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.
36. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

37. The proposal is of an acceptable design and it is considered that it will contribute positively to the surrounding streetscene. The proposal is not considered to cause adverse impact to the amenity of any neighbouring properties. It would deliver a new dwelling, and enhance the facilities for the café, to the benefit of the vitality of the street scene.
38. The proposal therefore meets the criteria outlined within policies DM1, DM2, DM3, DM9 and DM12 of the Norwich Development Management Policies Local Plan (2014) and sections 12 and 16 of the National Planning Policy Framework (2016).
39. 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**

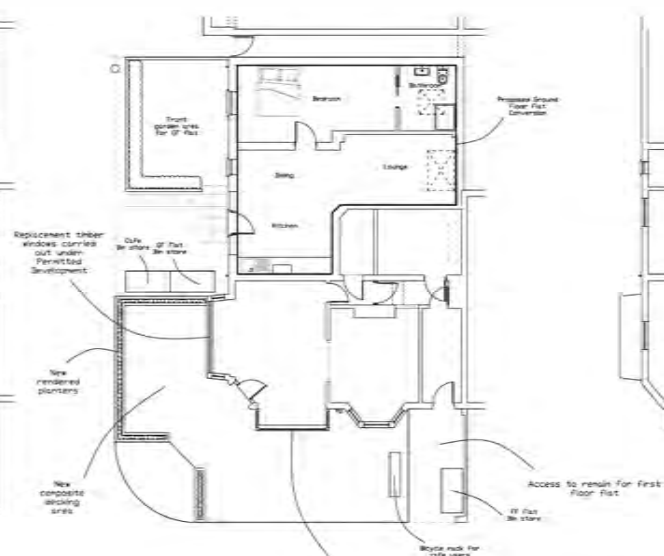
To approve application no. 20/01192/F – 80 Connaught Road Norwich NR2 3BS and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No amplified music to be played outside the premises.

Existing Ground Floor Plan



Proposed Ground Floor Plan



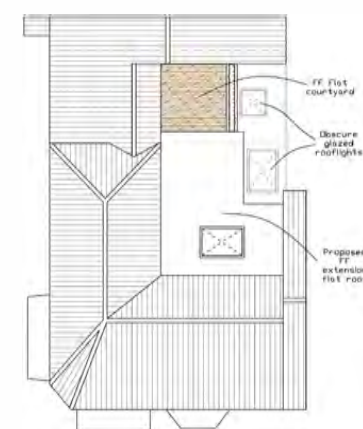
Existing First Floor Plan



Proposed First Floor Plan



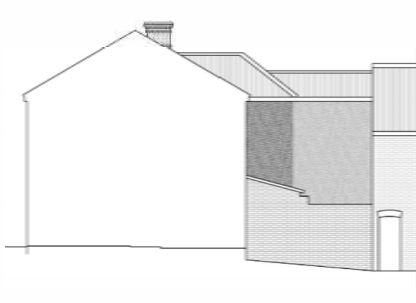
Proposed Roof Plan



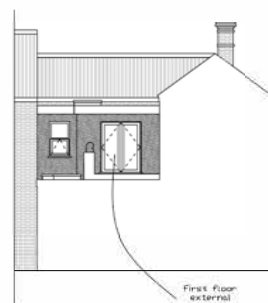
Existing East Elevation



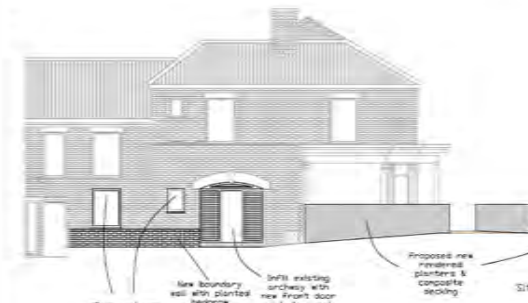
Existing South Elevation



Proposed East Elevation



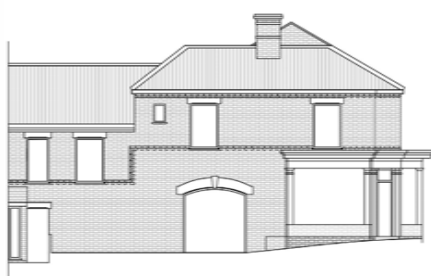
Proposed North Elevation



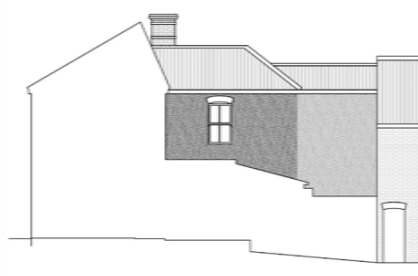
Proposed West Elevation



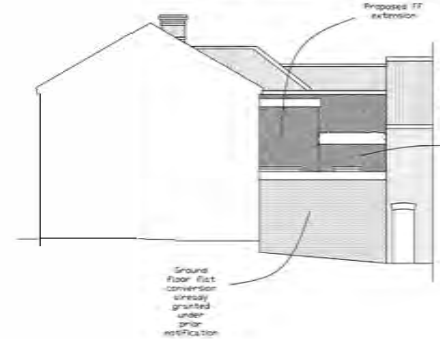
Existing North Elevation



Existing South Elevation (courtyard view)



Proposed South Elevation



14.02.02 Revision 2	Planning Assessment
23.02.02 Revision 3	Planning Assessment
14.02.02 Revision 6	Drawings & Details
14.02.02 Revision 7	Final Floor Plans/Details
14.02.02 Revision 8	Final Floor Plans/Details
23.02.02 Revision 9	Architectural Drawings
20.02.02 Revision A	Working Application

**Duncan Whitton**  
Architectural Design

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Deciding & First Floor Extension			
Client	Mr Stanner & Miss Goods		
Project Address	98 Connaught Road Southgate London N16 3ED		
Date	16/01/05	Scale	1:100 A2
Dwg No	072-006	Rev	