

Planning Applications Committee  
2 July 2009  
Section

<b>Agenda Number:</b>	<b>C2</b>
<b>Section/Area:</b>	Outer
<b>Ward:</b>	Sewell
<b>Officer:</b>	Caroline Dodden
<b>Valid Date:</b>	20th May 2009
<b>Application Number:</b>	09/00411/U
<b>Site Address :</b>	Unit 2 Denmark Opening Sprowston Road Norwich NR3 4JG
<b>Proposal:</b>	Change of use from wholesale butchers to car repair garage.
<b>Applicant:</b>	<b>Miss Egle Miliunaite</b>
<b>Agent:</b>	<b>Miss Egle Miliunaite</b>

## THE SITE

The site relates to a unit and first floor office area within a group of commercial premises on the south side of Denmark Opening, a short cul-de-sac on the west side of Sprowston Road.

## THE PROPOSAL

To change the use of the unit and first floor area from a wholesale butchers to car repair garage with ancillary office.

## CONSULTATIONS

**Neighbours:** Four letters of representation received in total, one from a nearby car repair business and three from nearby residential properties who are concerned about the proposal for the following reasons:

- Concern about the direct impact the proposal will have on their own business;
- Concern that the level of traffic entering Denmark Opening is already at a level that causes numerous problems for residents and other businesses. Further traffic will cause more problems and potential danger;
- A similar application for this site was refused and the existing car repair unit was granted permission in exceptional circumstances for a form of development that would not normally be acceptable;
- The Applicants have already been repairing cars on the double yellow lines in Denmark Opening;
- There is no provision for the parking of cars prior to or after repair;
- The existing car repair unit has been in Denmark Opening for a very long time and has never caused any inconvenience;
- Access into Layson Drive can be impossible for larger vehicles, such as ambulances and fire engines, when cars are parked along Denmark Opening. Any more cars would make the situation worse;
- Would it not be possible for such a business to be located on a trading estate so that Denmark Opening can revert to a residential area as it was years ago;

**Councillor Brociek-Coulton:** has submitted comprehensive comments, which can be summarised as follows:

- There is on-going traffic/ parking problems in Denmark Opening that have been going on for years. Yet another car workshop will make this problem worse;
- This is a retrospective application as the applicants are already using the unit and the rear courtyard, which is not included within the application site;
- There is concern that people are living in the first floor area;
- Queries the notification policy as three residential properties and an existing car repair business did not receive consultation letters about the proposal;
- The access to Layson Drive is frequently blocked because of parked cars on Denmark Opening;
- Concludes by asking Committee Members to look at the proposal carefully, as yet another car repair workshop will increase traffic generation/parking and affect the lives of the people living in Denmark Opening.

**Norwich Society:** No comment except check traffic generation.

**Transportation:** No objection in principle, as this use appears to be relatively low key. With only two employees it seems unlikely that there would be sufficient vehicles on the premises to create a problem.

**Environmental Health:** conditions should be attached relating to:

- Any paint spraying within building and fume filtration system to be approved;
- Any external lighting to be positioned to not cause nuisance to neighbours;
- Restriction of hours for site to be considered.

## **PLANNING CONSIDERATIONS**

### **National Planning Policy**

PPG4 Industrial, commercial development and small firms

### **East of England Plan Policies**

T14 The need for maximum parking standards

### **Local Plan Policies**

EMP1 small scale business development

EP22 residential amenity

TRA6 maximum parking standards

Unit 2, Denmark Opening is part of the premises that makes up a wholesale butchers unit on the south side of Denmark Opening. The workshop unit is just over 100sq.m. and there is no forecourt/ external space. The first floor office/reception is accessed from a door to the right of the workshop. Private parking for the café at no.162 Sprowston Road is on the opposite side of Denmark Opening. To the west of this is Layson Drive, a private access road to three properties. Existing businesses located at the end of Denmark Opening are an existing car repair workshop, a food preparation unit and a car sales site.

### **Parking/ Traffic Generation**

The full width of Denmark Opening is adopted highway, however, the position of the double yellow lines on the southern side allows for vehicles to park between the buildings and the yellow lines. It is understood that the Applicant has spoken to the Highways Department to confirm that such parked vehicles are not considered to be in violation of the parking restrictions. Whilst the proposed repair business may choose to park in this area it cannot be relied upon as it is available to any of the businesses operating in Denmark Opening and cannot be controlled by the imposition of a planning condition.

### **Principle of use**

The premises were previously used as a wholesale butchers, where a number of vans would visit and load from the road every day commencing from early in the morning. In comparison, the proposal is likely to be far less intensive in terms of traffic generation/parking and less detrimental to the residential amenities of the nearby dwellings and businesses.

The principle of a change of use to a car repair workshop with ancillary office is considered to be acceptable on the basis that the operation would be very low

key, where, due to the size of the unit, there would be sufficient space within it to accommodate all vehicles associated with its operation. If Members are minded to approve the proposal, it would be conditioned to limit the number of vehicles worked on at any one time to two and to control the hours of operation, as well as requiring the submission of a layout plan confirming the specific internal area where repairs would be carried out.

Inspection of the first floor accommodation from an impromptu visit confirmed that there was no evidence of people living in this area.

### **Conclusion**

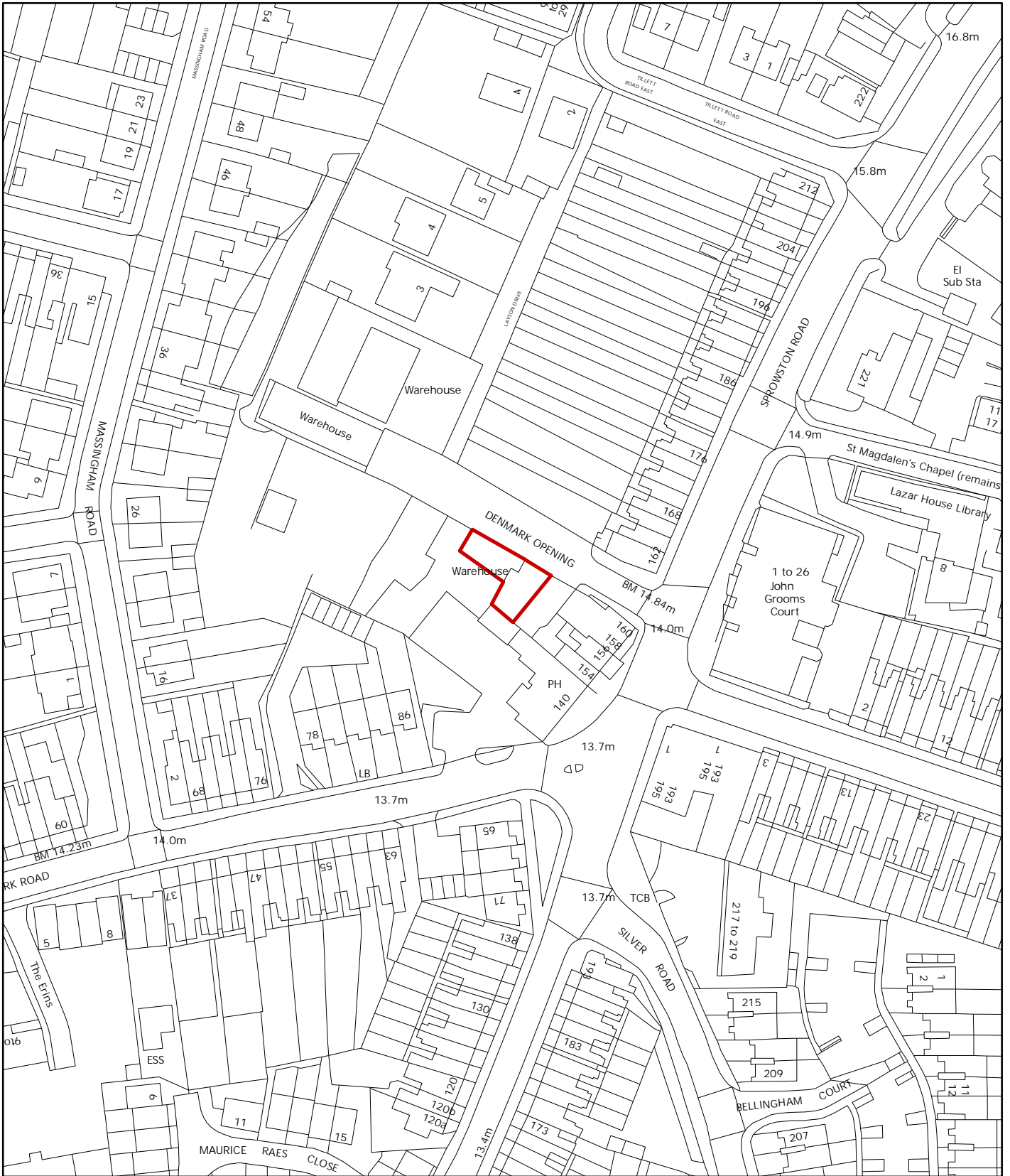
It is considered that, with the imposition of conditions, the proposed change of use from a wholesale butchers to a car repair workshop and ancillary office complies with Saved Local Plan Policy EMP1 and, particularly in comparison to its current authorised use as a wholesale butchers, the proposed use is likely to be less intensive and consequently decrease the level of traffic generation and parking in Denmark Opening.

### **RECOMMENDATIONS**

APPROVE PLANNING PERMISSION subject to the following conditions:

- (1) Commencement of development within three years
- (2) Within one calendar month of the permission being granted a layout plan shall be submitted and approved detailing vehicle repair area.
- (3) Restriction of use of repair workshop to two vehicles being worked on.
- (4) Restriction of hours – shall not be open before 08:00 hours or after 18:00 hours Monday to Saturday and not at all on Sundays.
- (5) Paint spraying to be restricted within building and fume produced shall be filtered or treated in accordance with a scheme to be approved.
- (6) Details of any plant and machinery to be submitted and approved.
- (7) Details of any fume extraction system to be submitted and approved.

**Reasons for Approval:** The recommendation has been made having regard to Saved Local Plan Policies EMP1, EP22 and TRA6 and all other material considerations. On balance it is considered that the proposed change of use to a car repair workshop and ancillary first floor office is acceptable and subject to conditions would not have a significant detrimental impact on traffic generation, or the amenities or nearby residential properties or businesses.



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Planning Application No- 09/00411/U  
 Site Address - Unit 2 Denmark Opening, Sprowston Road  
 Scale - 1:1250



**NORWICH**  
**City Council**

DIRECTORATE OF REGENERATION  
 AND DEVELOPMENT

