

Planning Applications Committee

23 April 2009

Section C

Agenda Number:	C4
Section/Area:	OUTER
Ward:	EATON
Officer:	Anne Napier
Valid Date:	7th March 2009
Application Number:	09/00060/F
Site Address :	183A Newmarket Road Norwich NR4 6AP
Proposal:	Extension to existing property including additional first floor above garage including loft conversion and retrospective change of use to both residential and dental surgery. (Revised application).
Applicant:	Mr Sameer Shah
Agent:	Mr Sameer Shah

THE SITE

The site is located to the north-west side of Newmarket Road and is a substantial plot, currently occupied by a detached single storey property with parking to the front and rear. To either side of the site are older, more traditional properties. The existing planting and hedging to the site boundaries provides a substantial element of screening between the application property and its neighbours. The site is located within the Newmarket Road Conservation Area.

RELEVANT PLANNING HISTORY

Permission was granted in 1974 for the subdivision of the curtilage of 183 Newmarket Road and the erection of a single dwelling.

Consent was granted in 2007 for the substantial demolition of the existing bungalow (ref.07/00048/C) and permission granted for alteration and extension of the bungalow to create a new two storey house and garage (ref. 07/00047/F). This scheme has not been implemented.

In February 2008, advice was provided that the use of one room at the property as a dental surgery, with the hall to have a dual use as a residential hall and waiting area for the surgery, would not require planning permission as a use of this scale would be considered to be ancillary to the main residential character of the property.

However, subsequent to this advice being provided, the dwelling has been equipped with two dental surgeries, a clean room and a separate reception area on the ground floor. The remainder of the ground floor continues to be residential. Following enforcement enquiries, the current application has been submitted to seek retrospective permission for this element of the scheme. The signage to the site frontage has also been investigated and the applicant advised that express consent is not required.

THE PROPOSAL

It is proposed to extend the existing property by including both an additional residential first floor above the existing flat roofed garage and a loft conversion to the existing bungalow with the introduction of dormer and velux windows to the roof. A retrospective change of use of the property to both residential and dental surgery also forms part of the application.

Following the receipt of the original details, it became apparent that the submitted plans did not reflect the current situation and would not enable a mixed residential/dental surgery use on the ground floor. Revised details have therefore been submitted to address these matters.

The application form submitted confirm that no additional parking is proposed from that currently existing (4 spaces plus 1 disabled space) and that no change is proposed to the number of employees on site (which would remain at 2 FTE). The hours of use for the dental clinic would be 9am - 5pm Monday - Friday.

The details provided in the submitted Design and Access Statement indicate that the incorporation of second treatment room is an essential requirement within a modern dental clinic and is required to account for cases of equipment failure, or to enable patients to recover from anaesthetic administered for treatment, or to

enable the applicant to operate in the 'American' way by having one patient anaesthetising in one room whilst another is treated in the second room.

CONSULTATIONS

The application was advertised in the press and on site and neighbours were notified. Following the receipt of amendments the application was re-advertised and those who had made representations were re-notified.

4 letters raising objections to the proposal were received together with 7 letters of support.

The objections related to the following issues:

- Use of the property for business purposes is inappropriate in a residential area and should be resisted
- Signage is unsightly and spoils the ambiance of the street scene
- Access to the site is dangerous due to its location on Newmarket Road, which forms part of the strategic road network
- Traffic likely to be generated by the proposal will result in an increased danger to road safety
- The proposal suggests that two dentists could operate from the site leading to an even greater increase in traffic
- More suitable properties in Norwich where a dental practice could be located
- Trees have been removed from the property without consent and not replaced
- No details of the energy efficiency measures proposed for the new windows/ roof
- The character of the Conservation Area is being spoilt by careless infilling and the subdivision of curtilages

The reasons for support concerned the following matters:

- Location of the existing surgery is very convenient meaning that residents of Eaton do not have to travel into the City
- It is within walking distance of Cringleford
- There is a great demand for new dental practices and this meets a local need for the facility
- The site is on a main bus route and the number 121 (Eaton-city centre) bus route has a request stop close to the site
- There is ample parking
- The premises provide full disabled access to the ground floor surgery
- The increase in traffic flow onto Newmarket Road would be minimal
- Visibility and access to and from the property is excellent
- Proposal represents a significant investment to create immaculate premises

Policy: Policy AEC2 of the Replacement Local Plan states that facilities of this type should be located within the city centre or within district or local centres or, where no such sites exist, on the edge of centres. However, consideration should also be given to other highly accessible sites (by foot, cycle or public transport) if there are no other suitable sites and where there is a need.

The last survey carried out in August 2008 indicated that there were no vacant properties in the Eaton district centre. Since there are no other suitable sites available on the edge of the centre, the proposed site could be considered as it is an accessible location (being located on the strategic cycle network and with excellent public transport).

However, little information has been provided with the application to demonstrate that there is a need for the facility in this location.

Policy considerations relating to impact on residential amenity, highway safety and the Conservation Area are also important considerations.

Provided these matters can be satisfactorily addressed, it is considered that the site is a suitable one in policy terms for a dental surgery.

Transportation: The principle of the proposed use is likely to be acceptable but inconsistencies in original proposals were identified. Important that any driveway area can cater for the likely demand for parking and turning to enable vehicles to leave in a forward gear. The issue regarding the proportion of the accommodation to be used as a surgery needs to be resolved in order to establish that this will be the case. Provision for staff and customer cycle parking also needs to be made.

(Updated comments following revisions): Provided the floorspace of the dental surgery element is conditioned and taking into account the application details provided that indicate no increase in the number of employees is proposed from the number existing (2 FTE), the proposal is considered unlikely to cause detriment to highway safety and the parking available should be more than adequate for the demand likely to be generated.

Design & Conservation: No comment

Tree Officer: Proposal has no significant arboricultural implications

PLANNING CONSIDERATIONS

Relevant National Planning Guidance:

PPS1 – Sustainable Development

PPG4 – Industrial, Commercial Development and Small Firms

Relevant East of England policies:

ENV7 – Quality in the Built Environment

Relevant Local Plan Policies:

HBE8 – Development in Conservation Areas

HBE12 – High standard of design

HOU16 – Loss or residential accommodation resisted

EMP1 – Small scale business development

EP22 – High standard of amenity for residential occupiers

AEC2 – Local community facilities in centres

ASSESSMENT**Principle of the mixed use of the site for a residential/dental surgery use:**

The proposal does not propose the loss of the existing residential use of the site and proposes additional residential accommodation is provided via extensions and alterations to compensate for that lost to the dental surgery. Consequently the proposal is not considered to be unacceptable in relation to policy HOU16.

Policy EMP1 provides for the principle of small scale business development to take place within residential areas subject to certain criteria, including those referring to the amenities of local residents, accessibility, parking and servicing.

The assessment of the proposal in relation to policy AEC2 has been outlined by the policy consultation response above.

Paragraph 15 of PPG 4 states that: It is now generally recognised that it may not be appropriate to separate industry and commerce - especially small-scale developments - from the residential communities for whom they are a source of employment and services. In areas which are primarily residential, development plan policies should not seek unreasonably to restrict commercial and industrial activities of an appropriate scale - particularly in existing buildings - which would not adversely affect residential amenity. Planning permission should normally be granted unless there are specific and significant objections, such as a relevant development plan policy, unacceptable noise, smell, safety, and health impacts or excessive traffic generation. The fact that an activity differs from the predominant land use in any locality is not a sufficient reason, in itself, for refusing planning permission.

Paragraph 17 goes on to state: Where they are disposed to permit industrial or commercial developments in residential and rural areas, planning authorities should bear in mind that subsequent intensification of the use may become unacceptably intrusive. Unless it amounts to a material change in the character of the use, intensification cannot be controlled if unconditional planning permission has been granted. Planning authorities should, therefore, consider the use of planning conditions or planning obligations to safeguard local amenity, where they would be an appropriate means of preventing foreseeable harm.

Taking into account the advice provided and the criteria of saved policies EMP1 and AEC2 it is considered that the principle of the mixed use of the site for a residential/ dental surgery is acceptable. However, it is recognised that the long term control of the scale of the dental surgery element of the use would be necessary to ensure that the principle of the mixed use on the site continued to be acceptable. Consequently, conditions concerning the amount of floorspace for the dental surgery use and the number of employees on the site are recommended.

Impact on the Conservation Area:

The proposal seeks to alter and extend a relatively modest bungalow and incorporate a mixed use for the site. As discussed above, it is considered that the use of the site for a mixed use is acceptable in principle and, subject to conditions, would be unlikely to have a detrimental effect on the character of the Conservation Area.

Although the existing dwelling is of a different form, mass and design to those adjacent, its single storey nature and position set back into the site limits the effect of the current building on the Conservation Area. Although it is proposed to alter the building and incorporate dormer and velux windows to the roof slopes and provide a first floor over a flat roofed garage, these alterations are such that the impact of the proposal on the surrounding area is not considered likely to be substantially different from the existing and, as such, the proposal is not considered to be detrimental to the appearance of the Conservation Area.

Impact on highway safety and residential amenities:

The scale of the proposal as submitted is such that the impact on the local highway network in terms of additional vehicular movements is not considered likely to be significantly greater than that associated with the use of one room within the dwelling as a dental surgery, which has been considered to be ancillary to the main residential use of the proposal in this instance. Consequently, subject to conditions limiting the floorspace of the dental surgery use, the number of employees on site, the provision of parking and turning for vehicles and for the parking and storage of bicycles, the proposal is considered acceptable in highway safety terms.

Similarly, subject to conditions being imposed concerning the scale of the dental surgery use and taking into account the size of the site and the existing boundary screening, the proposal is considered unlikely to be detrimental to the living conditions of neighbouring residents through problems of noise, disturbance, overlooking or loss of privacy.

Conclusion:

Taking into account the location of the site, the size of the plot and the scale of the proposed alterations, extensions and uses, the proposal is considered to be an acceptable mixed use in this instance and one that, subject to the imposition of appropriate conditions, would not have a detrimental impact on the character or appearance of the Conservation Area, on highway safety or on the living conditions of neighbouring residents.

RECOMMENDATIONS

APPROVE PLANNING PERMISSION subject to the following conditions:

1. Standard 3 year time limit
2. Details of external materials to be submitted and approved
3. Floorspace of dental surgery element not to exceed two treatment rooms, one clean room and a reception area occupying a total area of not more than 95 sq.m. with the remainder of the property to have a residential use
4. The dental surgery element to employ no more than two employees on site at any one time of whom only one can be a dental surgeon
5. Surgery hours of use to be Monday-Friday 9am-5pm
6. Use as a mixed use dental surgery/residential dwelling only
7. Parking and turning facilities to be provided
8. Cycle parking and storage facilities to be provided

Reasons for approval:

1. Taking into account the location of the site, the size of the plot and the scale of the proposed alterations, extensions and uses, the proposal is considered to be an acceptable mixed use in this instance and one that, subject to the imposition of appropriate conditions, would not have a detrimental impact on the character or appearance of the Conservation Area, on highway safety or on the living conditions of neighbouring residents.
2. The development is therefore considered acceptable and to have met the relevant criteria of PPS1, PPG4, East of England Plan policy ENV7, and saved policies HBE8, HB12, HOU16, EMP1, AEC2 and EP22 of the City of Norwich Replacement Local Plan 2004 and all material considerations.



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 Site Address - 183A Newmarket Road, Norwich
 Scale - 1:1,250



NORWICH
City Council

**DIRECTORATE OF REGENERATION
AND DEVELOPMENT**

