

Planning Applications Committee

29 January 2009

Section C

<b>Agenda Number:</b>	<b>C4</b>
<b>Section/Area:</b>	Inner
<b>Ward:</b>	Mancroft
<b>Officer:</b>	Sarah Platt
<b>Valid Date:</b>	8th December 2008
<b>Application Number:</b>	08/01225/F
<b>Site Address :</b>	Dial House, 131 Dereham Road, Norwich. NR2 3TA
<b>Proposal:</b>	Extension of ground floor and change of use from retail shop (Class A1) to hot food outlet (Class A5); also extension of first floor, change of use from retail shop (Class A1) to residential.
<b>Applicant:</b>	<b>Mr Stephen Long</b>
<b>Agent:</b>	<b>Chaplin &amp; Farrant</b>

**THE SITE**

The application site is located on the busy intersection of Dereham Road, Old Palace Road and Heigham Road. Adjacent on Dereham Road is a garage workshop and the Seventh Day Adventist Church. To the rear is situated STS garage, and on the opposite side of the road are some residential flats. Directly opposite are advertising billboards adjacent to residential terraced houses. Approximately 50 metres further down Dereham Road, heading towards the City Centre is the local retail centre which includes a number of hot food takeaways.

**PLANNING HISTORY**

**08/00345/F** - Change of use from retail to two ground floor hot food outlets.  
(APPLICATION RETURNED - 12/05/2008)

**08/00346/F** - Alterations and extensions to convert the premises from shop premises to two ground floor hot-food takeaway units and one first floor residential flat, together with associated parking and service areas.  
(WITHDRAWN - 11/07/2008)

## **THE PROPOSAL**

Extension of ground floor and change of use from retail shop (Class A1) to hot food takeaway (Class A5). The existing single storey extension to the west of the site is to be demolished and a new extension up to the west and north boundaries is to be erected. The first floor will be extended to cover part of this new side and rear extension and part of the roof will be used to form a roof terrace to be used for amenity space for the residents. There will also be a change of use from retail shop (Class A1) to residential (C3) on the first floor

## **CONSULTATIONS**

Advertised on site and in the press and neighbouring properties have been notified in writing.

**2 letters of objection** have been received citing the following objections:

- Increased noise;
- Increased litter;
- Increased traffic;
- Anti-Social behavior;
- Existing provision of this type of outlet
- Amenity outlook

There were no objections to the housing element of the proposals and the proposed landscaping is welcomed.

**Norfolk County Council** has responded. They have no objection to the principle of the extension to the building or the change of use. They advise that any new access should be a dropped kerb crossing the footpath, not a kerbed access. Further details of this can be conditioned on an approval. Additional conditions requested concern; 1) restrictions on access gates being erected, 2) Provision of parking and servicing areas, 3) Provision of drainage measures, and, 4) new access construction.

**Environmental Health:** No objections made to the proposals so long as conditions are imposed on an approval for the installation of plant and machinery and details of any extraction flue systems.

## **PLANNING CONSIDERATIONS**

### **Relevant National Policy:**

PPS1 – Delivering Sustainable Development  
PPS3 – Housing  
PPS6 – Planning for Town Centres  
PPG13 - Transport  
PPG24 – Planning & Noise

### **Relevant Regional Policy:**

ENV7 – Quality in the Built Environment  
T6 – Strategic and Regional road networks.  
WM6 – Waste management in development

### **Relevant Local policy:**

HOU13 – Proposals for new Housing Development  
HOU18 – Conversion of larger properties to Houses of Multiple Occupation  
EP10 – Noise protection between uses  
EP22 – High Standard of Residential Amenity  
TRA6 – Parking Standards Maximum  
TRA7 – Cycle Parking Standards  
TRA8 – Servicing Provision  
TRA18 – Major Road Network  
SHO22 – Food and Drink Uses and Conditions on Hot Food Takeaways  
HBE12 – High Quality of Design  
NE9 – Comprehensive Landscaping Scheme and Tree Planting

Supplementary Planning Document: Conversion and development of Houses in Multiple Occupation: Adopted Version June 2006.

### **Principle of use**

The application site is not within any defined retail frontage in the City of Norwich replacement Local Plan (Adopted Version November 2004). Saved Local Plan policies indicate that a hot food takeaway would be appropriate in this location in principle subject to the consideration of issues including highway safety, residential amenity, environmental impacts and litter bin provision.

The property was historically used as a public house and most recently as a retail unit for car audio equipment and now furniture and beds. The loss of A1 retail in this area is considered acceptable and the change of use is unlikely to impact upon the local retail centre or operation of other facilities in this area.

### **Housing:**

The use of the first floor of the application site as a shared flat is considered to be a good use of space and is in accordance with PPS3 and saved policies HOU13 and HOU18 of the City of Norwich Replacement Local Plan. Sufficient bin and

cycle storage have been provided and the flat roof space is designed to provide sufficient amenity space for future occupiers of the residential flat.

### **Traffic**

Increased traffic has been raised as an issue by neighbouring residents. The site has a large forecourt parking area and the proposal now defines this space and provides 7 no. car parking spaces for customers of the retail element, 2 no. staff parking spaces, 1 no. disabled car parking space and 2 no. car parking spaces for the residential element. This is considered to be sufficient for this type of scheme. The location of the access has also been revised following consultation and now rationalises access and is located at a suitable point within the site. Deliveries will have access to the rear of the premises depending on the availability to park in the main car park when the A5 element is closed.

### **Amenity**

The impact on the surrounding area has been raised as an objection. This part of Dereham Road contains a variety of uses and has a very mixed character. There are existing hot food takeaways in the immediate vicinity and the building itself was historically used as a public house, therefore a precedence for this type of use in this area has been set. The likely impacts of the proposals in terms of noise, traffic and amenity for residents both on and outside of the application site have been considered, and the scheme designed to ensure that the use will not adversely affect the amenity and character of this part of the city.

The control of public/anti-social behaviour is outside the remit of planning control. The proposed A5 use is considered to be compatible with other uses in the area and therefore should not be refused on these grounds.

### **Noise**

The site is located on a busy road intersection with other late night uses in the vicinity. After consultation with Environmental Health, no objections to the levels of noise which this use class may give rise to have been raised. It has been requested that a condition be put on regarding the extract flue to ensure that noise and odour control regulations are met. Also, a condition will be put on regarding the installation of plant and machinery to meet reduced noise and vibration standards. Negotiations have previously taken place to ensure these elements are placed at the rear of the building to further minimise design and amenity impacts.

Other amenity issues arise from A5 uses adjacent to existing or proposed residential accommodation. As is normal practice conditions for sound insulation between the two uses and a condition controlling the hours of operation of the A5 use from 08:00am to 11:30pm are also recommended. Subject to conditions the proposal is therefore considered to be in accordance with saved policy EP22 and EP10 of the City of Norwich Replacement Local Plan (Adopted Version November 2004) and acceptable in this location.

**Litter**

To avoid issues surrounding litter the agent has agreed that litter bins can be provided on site. A condition to meet this requirement is recommended.

**Conclusions:**

The proposed change of use is considered acceptable in principle, subject to further controls through the use of conditions.

**RECOMMENDATIONS**

APPROVE PLANNING PERMISSION subject to the following conditions:

- 1) Standard time limit
- 2) Details of:
  - a. Hard and soft landscaping
  - b. Kerbing to new access point
  - c. Refuse Storage
  - d. Cycle Storage
  - e. Bin storage
  - f. Plant and Machinery
  - g. Details of extract ventilation or fume extraction systems
  - h. Insulation
  - i. Materials for new windows, doors, bricks etc
- 3) Restriction on access gates
- 4) New access construction
- 5) Provision of parking and servicing areas
- 6) Provision of drainage measures
- 7) Installation of plant and machinery
- 8) Restriction on hours of opening
- 9) Protection of residential parking

**Reasons for Approval:**

1. The development hereby permitted meets the objectives of PPS1 and PPS3 and the requirements of saved policies HOU13 and HOU18 of the City of Norwich Replacement Local Plan (Adopted Version November 2004) by providing high quality, low density, and easily accessible housing.

2. The proposals are not considered to have a detrimental impact on the surrounding area. Residential amenity and issues of noise and litter have been overcome. Therefore, the proposals are considered to be in accordance with saved policies EP10, EP22, HOU13, HOU18 and SHO22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

3. The internal and external layout have been considered carefully and provide a high standard of design in accordance with policy ENV7 of the East of England

Plan (May 2008) and saved policies HBE12, HOU13, HOU18 and NE9 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

4. The access, parking and servicing facilities have been designed to remove access onto the main Dereham Road and laid out within the site in safe and sustainable locations. Therefore the proposals are in considered to be in accordance with policies T6 and WM6 of the East of England Plan (May 2008) and saved policies TRA6, TRA7, TRA8, TRA18 and HOU13 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).



© Crown copyright. All rights reserved. Licence No. 100019747 2009

Planning Application No- 08/01225/F

Site Address - Dial House, 131 Dereham Road, Norwich

Scale - 1:1250



**NORWICH**  
City Council

DIRECTORATE OF REGENERATION  
AND DEVELOPMENT

