

**Report to** Planning applications committee

**Item**

13 August 2020

**Report of** Area development manager

**Subject** Application no 20/00497/F - 6 Aylsham Crescent,  
Norwich, NR3 2RZ

**4(h)**

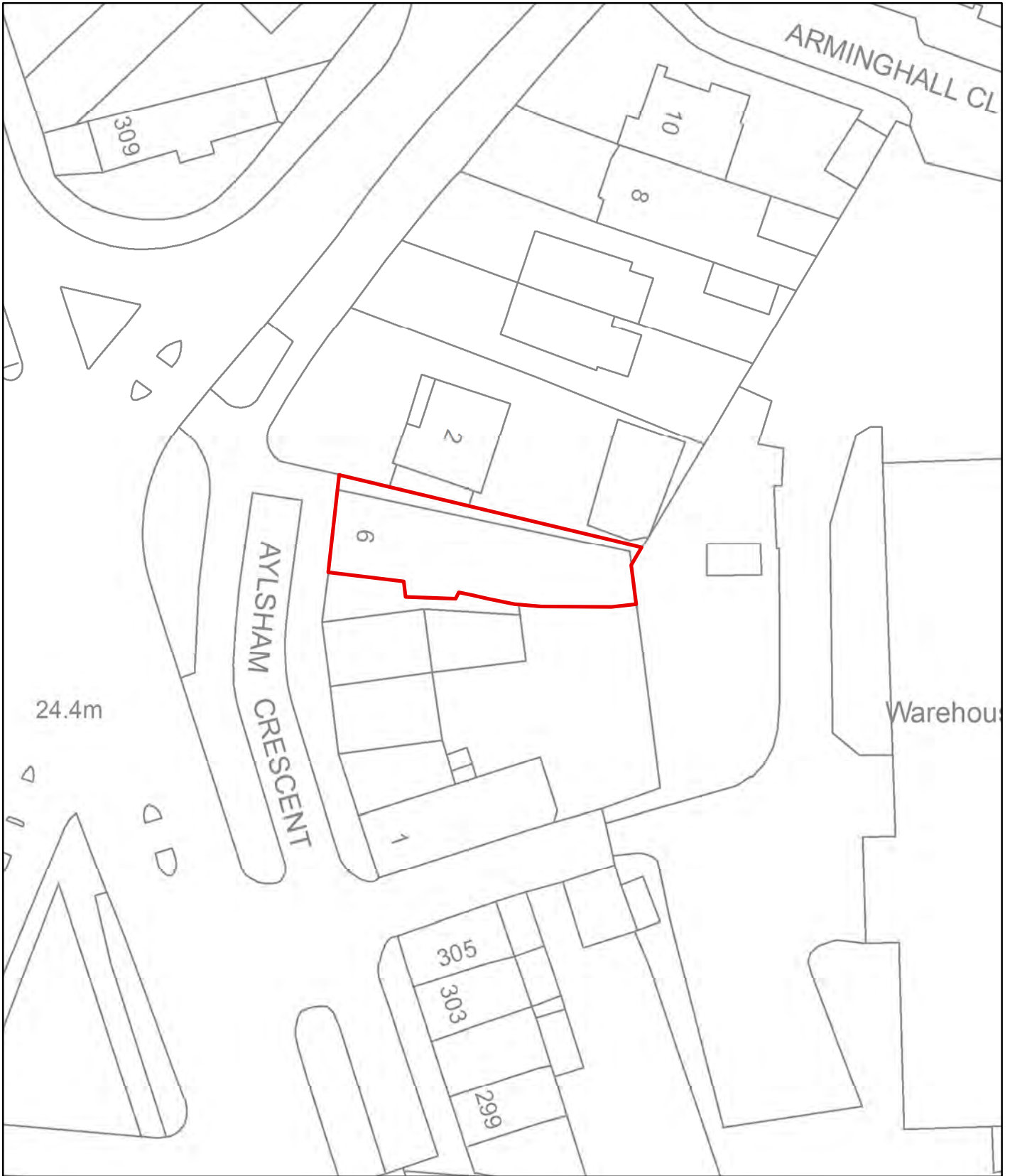
**Reason  
for referral** Called in by an elected member

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<b>Ward:</b>	Catton Grove
<b>Case officer</b>	Stephen Polley <a href="mailto:stephenpolley@norwich.gov.uk">stephenpolley@norwich.gov.uk</a>

<b>Development proposal</b>		
Change of use from financial services (Class A2) to cafe/takeaway (Class A3/A5) including external ventilation equipment.		
<b>Representations</b>		
Object	Comment	Support
3	0	0

<b>Main issues</b>	<b>Key considerations</b>
1 Principle of development	Loss of an A2 unit within a district centre
2 Design	The impact that the proposed change of use will have on the character and appearance of the building and wider area
3 Amenity	The impact of the proposed change of use on neighbouring residential amenity
4 Transport	The acceptability of the proposed change of use in terms of accessibility and storage
<b>Expiry date</b>	24 June 2020
<b>Recommendation</b>	Approve



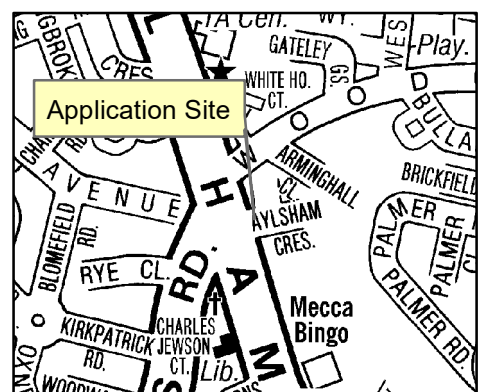
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Planning Application No 20/00497/F  
 Site Address 6 Aylsham Crescent

Scale 1:500



**NORWICH**  
 City Council  
 PLANNING SERVICES



## The site and surroundings

1. The site is located at the most northern extent of Aylsham Crescent, a small parade of shops accessed via Aylsham Road, at the junction with Woodcock Road, to the northwest of the city. The prevailing character of the area is a mixture of retail, residential and light industrial / commercial. Similar retail units are located to the south, light industrial / commercial units to the east and residential properties to the north.
2. The shopping parade consists of eleven units spread across two groups. All are of only a single-storey. The subject unit comprises a larger rectangular shaped unit with a flat roof which has been added to by way of a slightly lower flat roof extension to the rear. The rear is accessible via a yard to the rear. There is also a passageway running alongside the northern flank providing access to a door serving the rear extension. It was most recently used as a building society, however is has been vacant for a significant period of time following its closure approximately 8 years ago.
3. The site is bordered by the adjoining retail unit to the south, no. 5 Aylsham Crescent which currently operates as a hot food takeaway, and no. 2 Woodcock Road to the north, a detached single-storey dwelling.

## Constraints

4. District Retail Centre: Aylsham Road, Mile Cross  
Critical Drainage Catchment: Catton Grove and Sewell

## Relevant planning history

5.

Ref	Proposal	Decision	Date
4/1996/0136	Internally illuminated sign to front of shop	INSFEE	18/04/1996
07/00781/U	Change of use from shop (A1 use) to financial services (A2 use).	APPR	10/08/2007
08/00498/A	2 No. non-illuminated high level signs; 1 No. internally illuminated fascia sign and 1 No. double-sided internally illuminated projecting sign.	PART	11/07/2008

## The proposal

6. The application seeks consent to change the use of the building from the established use – A2 financial services – to a mixed A3 Café and A5 hot food takeaway. The application is submitted without a specific tenant in place to operate the site. The applicant seeks the planning consent in order to market the unit with

the A3/A5 uses as a consequence of the amount of time the A2 unit has been vacant.

7. The proposals would not require any significant changes to the external appearance of the unit, with the existing shopfront remaining. The submitted plans indicate a number of internal alterations to facilitate the creation of a kitchen area. The plans also indicate the potential location of an extraction system, to the rear of the building, although no specific details of any extraction equipment have been provided, as a consequence of the speculative nature of the application.

## Representations

8. Adjacent and neighbouring properties have been notified in writing. Four letters of representation have been received citing the issues as summarised in the table below including one from a ward councillor. 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 / odour disturbance caused by the proposed A5 use	See main issue 3
Increase in volume of hot food takeaways within the area	See main issue 1
Increase in traffic / parking problems within the area	See main issue 4
Increase in rubbish / litter within the area	See main issue 4

## Consultation responses

9. 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.

### Environmental protection

10. I note the information submitted by the applicant and request the following:

Hours of use: The applicant is required to detail the hours of use.

Noise: Full details of the ventilation system (including noise data sheets) must be submitted for written approval by the Council before installation.

NO3 Anti-vibration mountings (UNIFORM Ref = NO3A):

No occupation of the development shall take place in pursuance of this permission until precise details of the method of attaching the ventilation/ extraction units shown on approved plans to the building have been submitted to and agreed in writing with the Local Planning Authority. These submitted details shall specify the

use of anti-vibration mountings. The installation of the units shall be carried out in accordance with the details as agreed and retained as such thereafter.

#### Reason

To ensure that residential living conditions and local amenities are not adversely affected by the development proposed through unacceptable levels of noise and disturbance, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

OD1 NON-INDUSTRIAL - Details of ventilation and extraction to be submitted (UNIFORM Ref = OD1A):

No extract ventilation or fume extraction system shall be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority. The detailed scheme shall include the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment to be installed and used in the premises in pursuance of this permission, together with a schedule of maintenance. No use of the premises as hereby permitted shall take place until the approved scheme has been installed and is operational and thereafter it shall be retained in full accordance with the approved details and the maintenance of the system, including any flue, shall be carried out in accordance with the scheme as agreed.

#### Reason

To protect the amenities of the area and prevent nuisance from noise and odour in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

IN8 Asbestos (UNIFORM Ref = IN8A):

The developer is advised that any asbestos encountered on the site, either as part of the existing buildings or as fill material, should be handled and disposed of as per current Government guidelines and regulations.

### Highways (local)

11. No objection on highway grounds. There is adequate access for vehicles and pedestrians, there are two cycle stands in front available for staff or customers. The proposed use is suitable for a shopping parade in traffic and parking terms.

## 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)**
  - JCS1 Addressing climate change and protecting environmental assets
  - JCS2 Promoting good design
  - JCS5 The economy
  - JCS6 Access and transportation
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
- DM17 Supporting small business
- DM18 Promoting and supporting centres
- DM21 Protecting and supporting district and local centres
- DM24 Managing the impacts of hot food takeaways
- DM30 Access and highway safety
- DM31 Car parking and servicing
- DM32 Encouraging car free and low car housing

### **Other material considerations**

#### **14. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):**

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF4 Promoting sustainable transport
- NPPF7 Requiring good design

### **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 – DM18, DM21, JCS19, NPPF Sections 5 & 11.
17. The site is situated within the Aylsham Road / Mile Cross district retail centre as defined by policy DM21 of the development management policies plan. The policy seeks to protect the vitality and viability of locally defined retail centres by preventing the loss of significant amounts of A1 retail floor space. A threshold of 60% A1 retail units has been set within the policy.
18. The proposed change of use involves the loss of an established A2 financial services unit, which is not afforded any specific protection by policy DM21. The creation of a new A3 / A5 unit would therefore not have any impact on the provision of A1 retail floorspace within the district centre.
19. It is acknowledged that there are already other hot food takeaways within the local area, including three within the Aylsham Crescent parade of shops. Although there are no proposed hours of use provided by the applicant, the proposed change of use also includes A3 cafe use which would typically suggest opening hours during the working day. Cafes can therefore be considered to be broadly supportive of the vitality and viability of local centres.

20. The proposed change of use will result in the loss of an A2 financial services unit. The unit has been vacant for a significant period of time with the last business occupying the premises vacating in approximately 2014. No evidence of any marketing exercises has been provided by the applicant to confirm that the A2 use is no longer viable. There is however evidence available online to confirm that the unit has been marketed for sale as an A2 unit. The continued vacancy of the unit is undesirable from the perspective of the vitality and viability of the parade and the widened uses would allow a wider marketing of the unit to bring it into a viable use. in the future, as per the aims of policy DM21 and DM18.

### **Main issue 2: Design**

21. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
22. The proposed development will have only a limited impact on the overall appearance of the unit and the character of the wider area. The retention of the shopfront will ensure that the appearance remains consistent with the prevailing character.
23. The proposed extraction system is located to the rearmost section of the unit. Views from the public realm would be limited to non-existent. It may be seen at a distance from sections of Arminghall Close. Given its location adjacent to a garage block to the rear of 2 Woodcock Road and screening to the rear its visual impact from private property would be limited. Precise details and impacts of the extraction system can be secured by condition to ensure that any harm to the visual amenity of the area it sufficiently mitigated.

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

24. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
25. The site is located in an area with a mixed character, as such only the neighbouring property to the north of the site, 2 Woodcock Road, is likely to experience any significant changes to the current situation. The property is within close proximity of the unit and include a rear yard / garden area that abuts the site.
26. Policy DM2 seeks to protect the amenities of the neighbouring occupiers with particular regard given to overlooking, overshadowing, loss of light/outlook and the prevention of disturbance from noise, odour, vibration, air or artificial light pollution. In this case due to the orientation of the site the proposals would not result in any overshadowing of neighboring properties. With regard to noise and odour, the biggest potential impacts are from the extraction equipment and from visitors using the business late at night. As the proposed use is speculative, exact operational details cannot be considered at this stage. Full details of the proposed extraction system will be required to be submitted to the council for consideration prior to any A3 / A5 uses commencing at the site. In terms of hours of use it is proposed given the proximity to the neighboring resident and speculative nature of the application at this stage it is proposed to limit the use to the hours of 8 in the morning to 10 in the evening. Any change to this would need to be varied by application.

27. Environmental protection has the ability to intervene should incidents of litter from the site not being disposed of correctly.
28. The situation of the site in relation to the neighbouring dwelling will ensure that harm is not caused by way of overlooking.

#### **Main issue 4: Transport**

29. Key policies and NPPF paragraphs – JCS6, DM28, DM30, DM31, NPPF paragraphs 17 and 39.
30. The site is considered to be located within an appropriate location for the proposed uses. Cycle parking for visitors is already in situ to the front of the unit, the road outside provides parking and the rear yard suitable space for the storage of waste.

#### **Equalities and diversity issues**

31. There are no significant equality or diversity issues.

#### **Local finance considerations**

32. 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.
33. 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.
34. In this case local finance considerations are not considered to be material to the case.

#### **Conclusion**

35. The principle of the proposed change of use is considered to be acceptable as the development will result in the creation of a new A3/A5 unit within an appropriate location.
36. Further details of the extraction system are to be submitted prior to the commencement of any approved use and hours of use are restricted to ensure that harm is not caused to the residential amenities of the neighbouring property to the north.
37. 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**

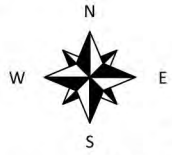
To approve application no. 20/00497/F - 6 Aylsham Crescent Norwich NR3 2RZ and grant planning permission subject to the following conditions:



1. Standard time limit;
2. In accordance with plans;
3. Hours of use of business restricted to between 8am and 10pm;
4. Anti-vibration mountings;
5. Details of ventilation and extraction to be submitted;

## **Informative**

1. Asbestos



# Existing Survey of 6 Aylsham Crescent, Norwich, NR3 2RZ for N Ozdemir

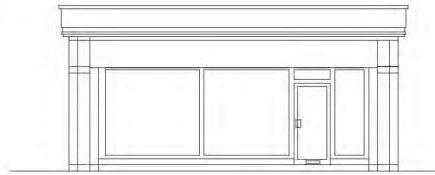
## LOCATION PLAN



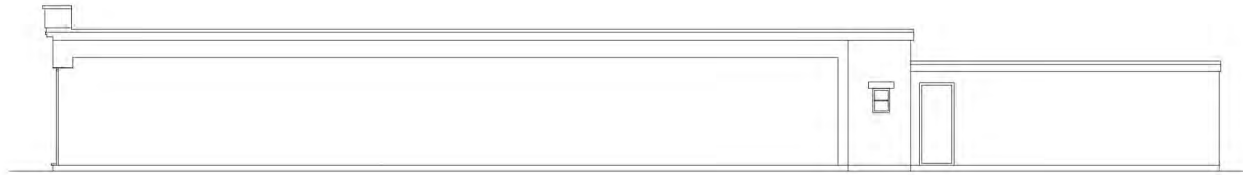
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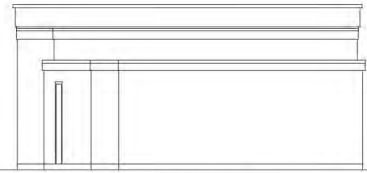
Location Plan - Metres @ 1:1250 @ A2



WEST ELEVATION



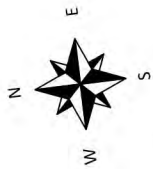
SOUTH ELEVATION



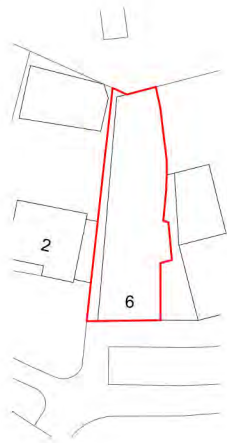
EAST ELEVATION



NORTH ELEVATION

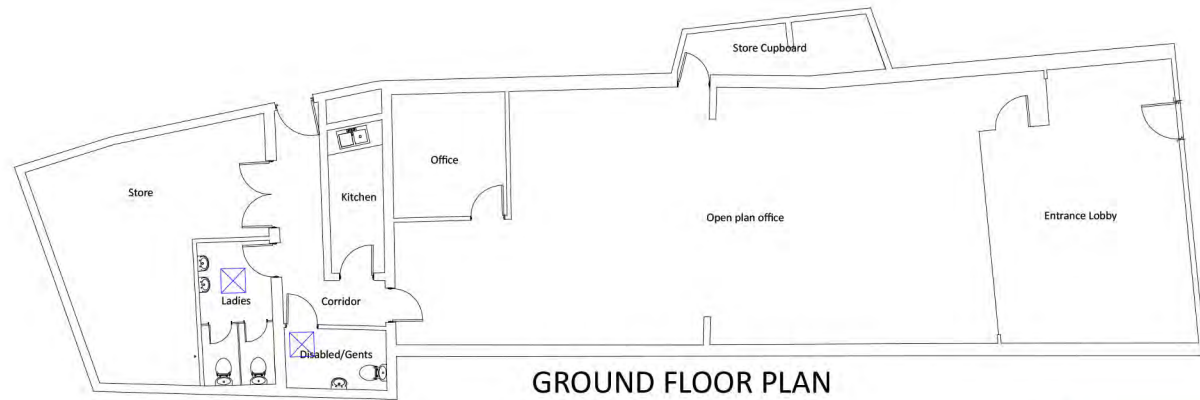


## BLOCK PLAN



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Block Plan - Metres @ 1:500 @ A2



GROUND FLOOR PLAN

ELEVATIONS & PLAN @ 1:100

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Metres @ 1:100 @ A2

**K GARNHAM**  
DESIGN

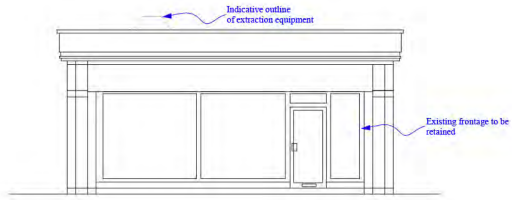
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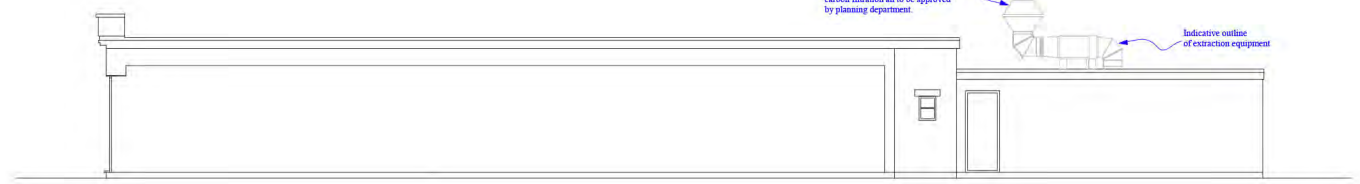
<b>Project -</b> Existing Survey and Proposed Extension At 6 Aylsham Crescent Norwich, NR3 2RZ	<b>Client -</b> Nuharrem Ozdemir  <b>Scale -</b> as dwg  <b>Drawn By -</b> KGG  <b>Date -</b> 03.03.20	<b>Drawing Number -</b> 1603  <b>Sheet Number -</b> 1  <b>Revision Number -</b> B
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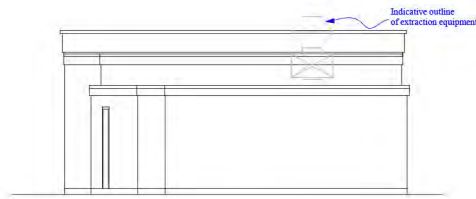
# Proposed change of use from A2 to A3 & A5 at 6 Aylsham Crescent, Norwich, NR3 2RZ for N Ozdemir



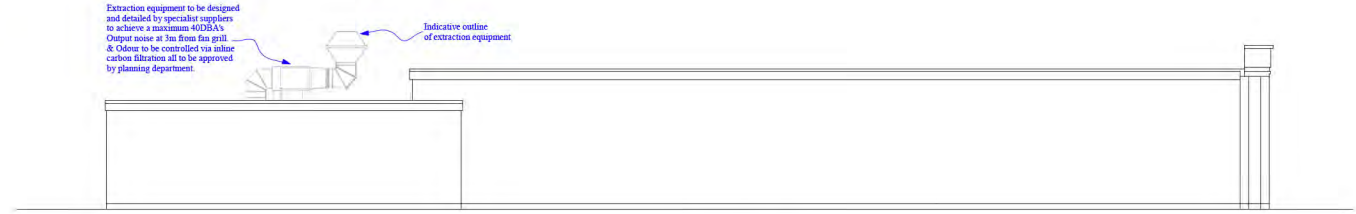
WEST ELEVATION



SOUTH ELEVATION



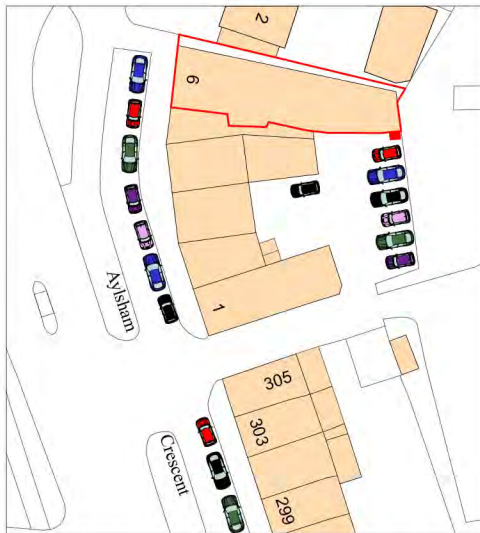
EAST ELEVATION



NORTH ELEVATION

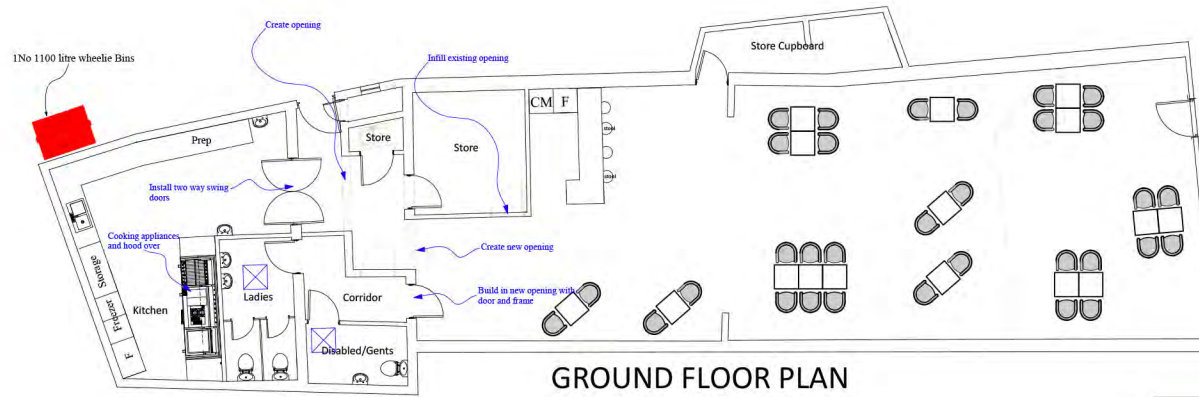


## BLOCK PLAN



0 20 40 50 [M]

Block Plan - Metres @ 1:500 @ A2



GROUND FLOOR PLAN

### MATERIAL SCHEDULE:-

#### EXISTING & PROPOSED

- Walls - Facing brick to elevations all retained
- Roof - A number of existing flat roofs all retained
- Windows - Front display window frame of aluminium fabrication to be retained
- Doors - Door to front of unit of aluminium to be retained
- Fascias with white decorative finish to be retained
- Rainwater Goods - Guttering and Downpipes black UPVC, guttering with down pipe all to be retained as existing

### ELEVATIONS & PLAN @ 1:100

0.0 1.0 2.0 3.0 4.0 5.0 6.0 7.0 8.0 9.0 10.0 [M]



Metres @ 1:100 @ A2

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DESIGN

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<b>Project -</b> Existing Survey and Proposed Extension At 6 Aylsham Crescent Norwich, NR3 2RZ	<b>Client -</b> Nuharrem Ozdemir	<b>Drawing Number -</b> 1603
<b>Scale -</b> as dwg	<b>Drawn By -</b> KGG	<b>Sheet Number -</b> 2
<b>Date -</b> 03.03.20	<b>Revision Number -</b> A	

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