

**Report to** Planning applications committee

**Item**

15 June 2017

**Report of** Head of planning services

**Subject** Application no 17/00315/VC - Unit 3 Ropemakers Row,  
Mile Cross, Norwich

**5(i)**

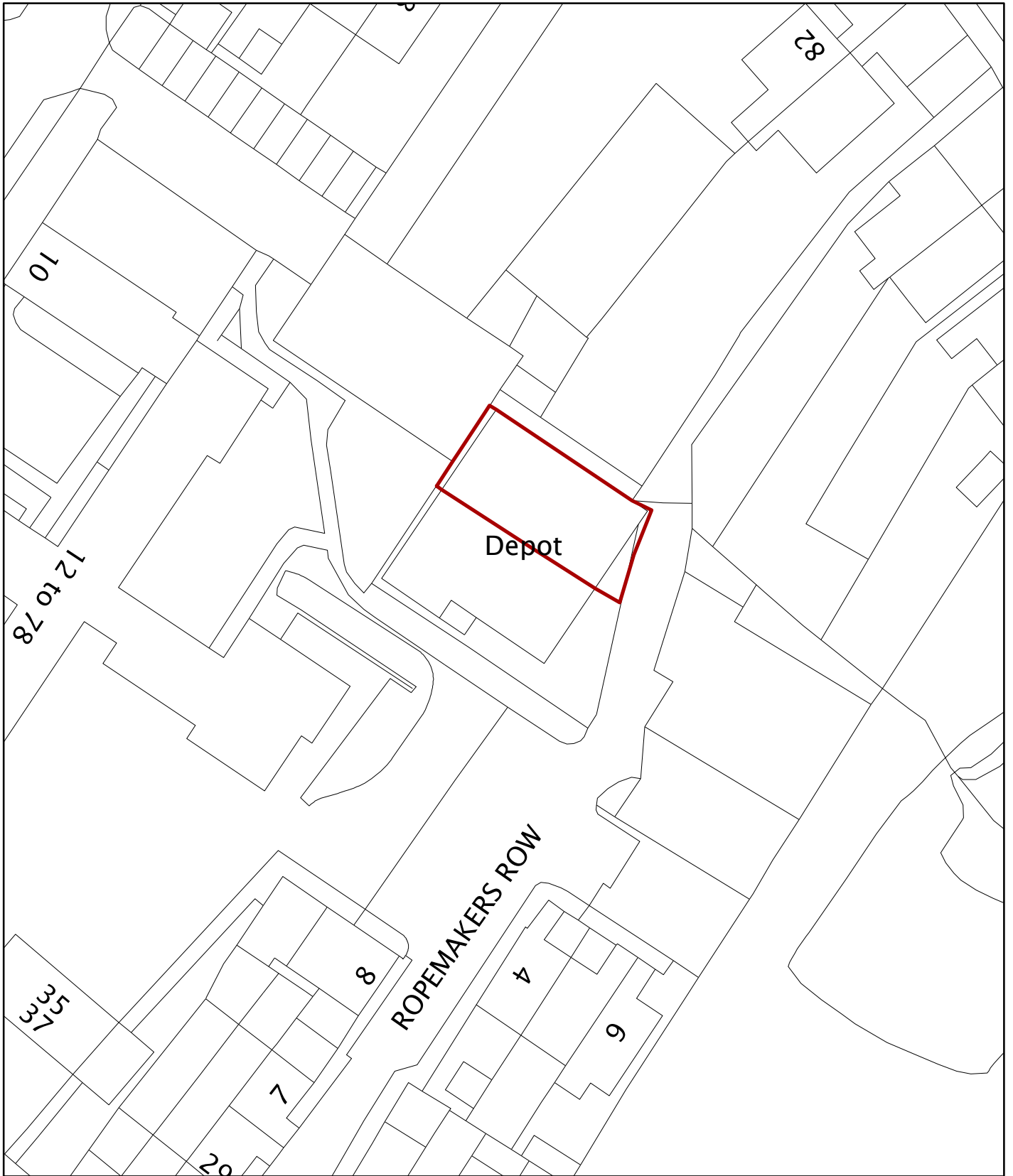
**Reason  
for referral** Objection

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<b>Ward:</b>	Mile Cross
<b>Case officer</b>	Robert Webb - <a href="mailto:robertwebb@norwich.gov.uk">robertwebb@norwich.gov.uk</a>

<b>Development proposal</b>		
Removal of condition 7 and variation of Condition 6 of previous permission 03/00146/U to allow opening hours from 07.00-22.30.		
<b>Representations</b>		
Object	Comment	Support
2	0	0

<b>Main issues</b>	<b>Key considerations</b>
1	Principle of Development
2	Design
3	Transport and Amenity
<b>Expiry date</b>	24 April 2017
<b>Recommendation</b>	Approve



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Planning Application No 17/00315/VC

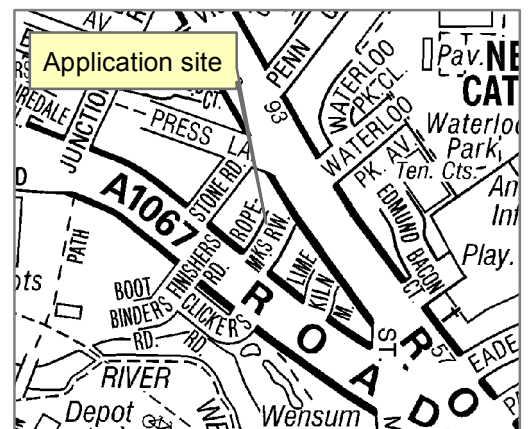
Site Address Unit 3 Ropemakers Road

Scale 1:500



**NORWICH**  
City Council

PLANNING SERVICES



## The site and surroundings

1. The site is an industrial building within Ropemakers Row, which is a cul-de-sac off Drayton Road. The building has most recently been used as dance studio in conjunction with the building opposite, but was previously used for B1 light industrial purposes.
2. There are three-storey blocks of flats to the north and west of the site, with further industrial buildings and residential development to the south and east. The building next door is used as a storage facility. The building to the north is a car repair business.

## Constraints

3. No planning constraints

## Relevant planning history

Ref	Proposal	Decision	Date
4/1998/0519	Change of use of premises from light industrial use (B1) to dancing school (D2).	Temporary consent	27/07/1998
4/1999/0580	Renewal of temporary permission 4980519/U "Change of use of premises from light industrial use (B1) to dancing school (D2)".	Approved	20/08/1999
03/00146/U	Change of use to dance studio (D2 use).	Approved	06/10/2003

## The proposal

4. The latest planning permission (reference 03/00146/U) which was for the change of use to dance studio was subject to a number of conditions.

5. Condition 7 states:

*This permission shall enure for the benefit of Richard and Lynn Miller, and on disposal the use of the premises shall revert back to light industrial use.*

*Reason: Permission is granted solely due to the personal circumstances of the applicant.*

6. The applicant wishes to remove this condition to allow the building to continue to be used for D2 (leisure) purposes including by a different operator. The applicant wishes to use the building as an independent gym but would like the flexibility to use it as a dance studio if required. It is stated within the application that Richard and Lynn Miller are no longer the tenants. The premises have been altered for D2 purposes and it is argued they are no longer suitable for B1 purposes.

7. Condition 6 states:

*The premises the subject of this permission shall not be open between the hours of 22.30 and 09.00 on any day.*

*Reason: To protect the nearby residents from unacceptable late night disturbance*

8. The applicant wishes to vary this condition to extend the opening hours to between 07.00 and 22.30 hours.

## Representations

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Concerns regarding noise from use as dance studio and impacts of comings and goings.	See main issue 3
Concerns at parking pressure including in spaces reserved for residents.	See main issue 3
Concern about access for emergency vehicles	See main issue 3

## Consultation responses

10. 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

11. We have not received any complaints about the premises at this location. It may be useful to restrict the uses to those proposed in order to restrict expansion into other uses that may have a greater impact, however given the size/location/parking facilities, it could be argued this is not necessary

### Highways (local)

12. No objection

# Assessment of planning considerations

## Relevant development plan policies

13. **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
  - JCS7 Supporting communities
  - JCS8 Culture, leisure and entertainment
  - JCS12 The remainder of the Norwich urban area including the fringe parishes
  
14. **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
  - DM8 Planning effectively for open space and recreation
  - DM11 Protecting against environmental hazards
  - DM16 Supporting the needs of business
  - DM17 Supporting small business
  - DM30 Access and highway safety
  - DM31 Car parking and servicing

## Other material considerations

15. **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
  - NPPF8 Promoting healthy communities

## Case Assessment

16. 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

17. Key policies and NPPF paragraphs – JCS5, DM16, DM17, NPPF paragraphs 19, 21 and

70.

18. Although the previous permission envisaged a return to B1 use, there is no apparent demand currently for the use of the building for light industrial purposes. The use of the building as a gym/dance studio would be broadly consistent with the established use of the site since the 1990's, albeit as ancillary premises in relation to the dance studio opposite. The use of the building for a new independent business would be in accordance with requirements of the above national and local planning policies which place great weight on the need for the planning system to support proposals for economic development purposes and also healthy communities.

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

19. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 9, 17, 56 and 60-66.
20. No material changes are proposed to the outside of the building as part of this application, although some improvements to cycle storage would be sought via condition.

### **Main issue 3: Transport and Amenity Impacts**

21. Key policies and NPPF paragraphs – JCS6, DM2, DM11, DM28, DM30, DM31, NPPF paragraphs 9, 17 and 39.
22. Concerns have been raised by some local residents regarding the parking and traffic implications of the proposal. There are residents parking places in Ropemakers Row, close the premises. In terms of the proposed use, there would be 3 no. car parking spaces for staff and 2 no. parking spaces for customers as well as two existing cycle stands. It is recognised that this is a relatively low level of car parking provision. However, it is worth noting that if the building reverted to B1 use it could easily generate a significant parking demand which would be unrestricted. In addition, under the current permission, the building could be used for a number of D2 leisure uses by the current owners which could result in significant parking demand.
23. It is therefore considered that the proposed use would not unduly alter the current and historic situation in terms of parking for this building. A travel plan has been submitted confirming that the operators will promote sustainable travel patterns and discourage customers from parking in residents parking spaces. Regard is had to the fact that this would be a relatively small scale gym and users are therefore likely to come from the surrounding area where there would be the opportunity to walk and cycle. No objection is raised by the Highway Officer. Subject to a condition requiring the imposition of this travel plan, and a further condition seeking the increased provision of cycle storage, the proposal is considered to be acceptable in terms of transport and associated amenity impacts.
24. In terms of noise, the Environmental Protection Officer has advised there is no record of any complaints in relation to the use of the building as a dance studio and no objection is raised to the proposal. The 2003 permission required details of sound insulation and amplified equipment to be provided. It is considered prudent to have a condition requiring details of any sound equipment and insulation required as part of the proposed use by the new operators.
25. The applicant has sought to vary the hours of use, so that the gym/dance studio can

open from 07.00 hours until 22.30 hours. This is considered reasonable given the proposed use as a gym, and would help to ensure no noise nuisance occurs during night-time hours.

26. A condition is recommended restricting the use of the premises to a gym or dance school and for no other purpose, to prevent a change to a more intensive use that could result in greater amenity impacts on the surrounding neighbourhood.

### **Equalities and diversity issues**

27. There are no significant equality or diversity issues.

### **Local finance considerations**

28. 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.
29. 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.
30. In this case local finance considerations are not considered to be material to the case.

### **Conclusion**

31. 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. The proposal would provide premises for a new business which would have economic development benefits and would also provide a local facility which would support health and well-being within the community. Bearing in mind the lawful use of the building, the amenity impacts are considered acceptable, subject to the conditions recommended below.

### **Recommendation**

To approve application no. 17/00315/VC - Unit 3 Ropemakers Row Mile Cross Norwich Norfolk and grant planning permission subject to the following conditions:

1. In accordance with plans
2. Building to be used as a gym or dance studio and for no other purpose including other uses within class D2 or changes of use permitted under permitted development rights.
3. Implementation of travel plan
4. Details of improved cycle storage and bin storage
5. Restriction on hours of opening to between 07.00-22.30 hours

### **Article 32(5) Statement**

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined above.





Unit 3 Ropemakers Row, Norwich