

# Planning Applications Committee

19 February 2009

## Section C

<b>Agenda Number:</b>	<b>C8</b>
<b>Section/Area:</b>	INNER
<b>Ward:</b>	THORPE
<b>Officer:</b>	Steve Kenny
<b>Valid Date:</b>	6 January 2009
<b>Application Number:</b>	08/01351/U
<b>Site Address :</b>	Sovereign Motor Company Mountergate Norwich NR1 1PY
<b>Proposal:</b>	Retrospective application for temporary use of site and buildings as a car park (120 cars).
<b>Applicant:</b>	<b>Mr Shapoor Naghshineh</b>
<b>Agent:</b>	<b>Mr Shapoor Naghshineh</b>

### THE SITE

The application site is located to the east of Mountergate. To the west of the site is the old fish market, and to the east is the Rose Lane car park. The site is just over 0.4ha in size and the majority of the site is occupied by a large building that was previously used as a garage. Various parking already takes place on site, with most of the vehicles parking in spaces around the building and some vehicles parked inside various unused areas of the building.

## **PLANNING HISTORY**

There have been 2 previous applications for change of use of the site from a garage to A1 retail, the first (4/1999/0530) lapsed in 2000 and the other application (4/2001/0799) was refused in 2001 on policy grounds.

In 2002 temporary permission (4/2001/1098) was granted for a paintball centre to be run on the site until 31<sup>st</sup> January 2004.

An application to demolish the building on site and use a temporary surface car park was cancelled in early 2004 (04/00041/U). This was followed by an application (04/00463/U) for temporary use as a car park that was approved for period ending 30<sup>th</sup> January 2006.

## **THE PROPOSAL**

The proposal is for retrospective permission for temporary use of site and buildings as a pay and display park consisting of 120 spaces. The opening times proposed are 0700 – 1830 every day.

## **CONSULTATIONS**

**Neighbours:** Advertised on site, in the press and adjacent neighbours notified. There have been no responses

**County Council Highways:** A response has been received objecting to proposal on grounds that proposal appears to be prejudicial to the satisfactory functioning of the Norwich Area Transportation Strategy.

## **PLANNING CONSIDERATIONS**

### **Relevant National Planning Policy**

PPS1 – Delivering Sustainable Development

PPG13 – Transport

### **Relevant East of England Plan Policies:**

ENV7 – Quality in the built environment

### **Relevant Local Plan Policies:**

Adopted City of Norwich Replacement Local Plan Saved Policies:

HBE8 – Development within conservation areas

TRA3 – Model shift measures in support of the Norwich Area Transportation Strategy (NATS)

TRA21 – Tariffs on car parks in City centre

TRA22 – Information for drivers on car parking

TRA24 – City centre strategy

## **Supplementary Planning Documents and Guidance (SPD and SPG):**

The Norwich Area Transport Strategy (October, 2004)

### **Principle**

The Norwich Area Transportation Strategy (NATS) was reviewed in 2004 and is a joint strategy between Norwich City Council, Norfolk County Council, Broadland and South Norfolk District Councils. The strategy provides the detailed policy background to transport within the Norwich area. The strategy seeks to cater for growth in travel demand, whilst maintaining or improving the quality of the built environment and supporting the economic growth of the area by accommodating the growth in demand for trips by means other than the private car.

NATS gives considerable emphasis to measures to promote a shift of modal choice from the car to walking, cycling and public transport. NATS policies 8 and 32 are critical to the assessment of this application. These seek to improve accessibility by accommodating growth by means other than the car and state that parking provision in the City Centre will be limited to the replacement of existing provision.

This is consistent with saved policies TRA3, TRA21 and TRA24 of the Local Plan which seek a modal shift away from the car and seek reduced intrusion of the car into the City Centre and the objectives of PPG13.

City Centre parking should support its retail and leisure functions. Commuting causes peak hour traffic congestion, and should be accommodated within the urban area by public transport, walking and cycling, and outside the urban area through the provision of long-stay parking at 'Park and Ride' sites. The policies have been successful and have actually resulted in a small reduction in traffic entering the City Centre, despite the huge amounts of development that have taken place.

Furthermore, the strategy is underpinned by review of City Centre car parking, which concludes that currently there is an oversupply of parking in the City Centre (even taking account of the cap in Policy TRA21). This is demonstrated by the current competition between car park operators that is providing City Centre parking at levels substantially below 'breakeven' taking into account the cost of the land, construction and operation.

Use of this site and areas inside the building on site as a car park will only worsen the situation, it undermines not only the overall transport strategy, and increases traffic levels causing even more congestion in peak periods, but it also undermines the operation of the 'Park and Ride' service.

Even if the car park were operated on a short-stay tariff it would add to the supply of parking in the City Centre, forcing further competition, and undermining the operation of legitimate, and properly managed and secure provision, whilst also encouraging a generally more car-dependant culture. This will have a knock on

effect of reducing reliability of public transport and make cycling and walking less pleasant alternatives, whilst adding to calls for ever increasing vehicular capacity on the road network.

The most recent temporary planning permission for use as a car park, granted under 04/00463/U expired on 30<sup>th</sup> January 2006. The site is currently used as a car park and this use is therefore unauthorised. Enforcement action by way of the issue of an enforcement notice requiring cessation of use is considered essential. Should you agree, this notice will accompany the decision notice.

## **Conclusion**

During some seasonal periods it may seem that parking in the City Centre is in short supply, in reality, there are very few days in the year when there is not an oversupply.

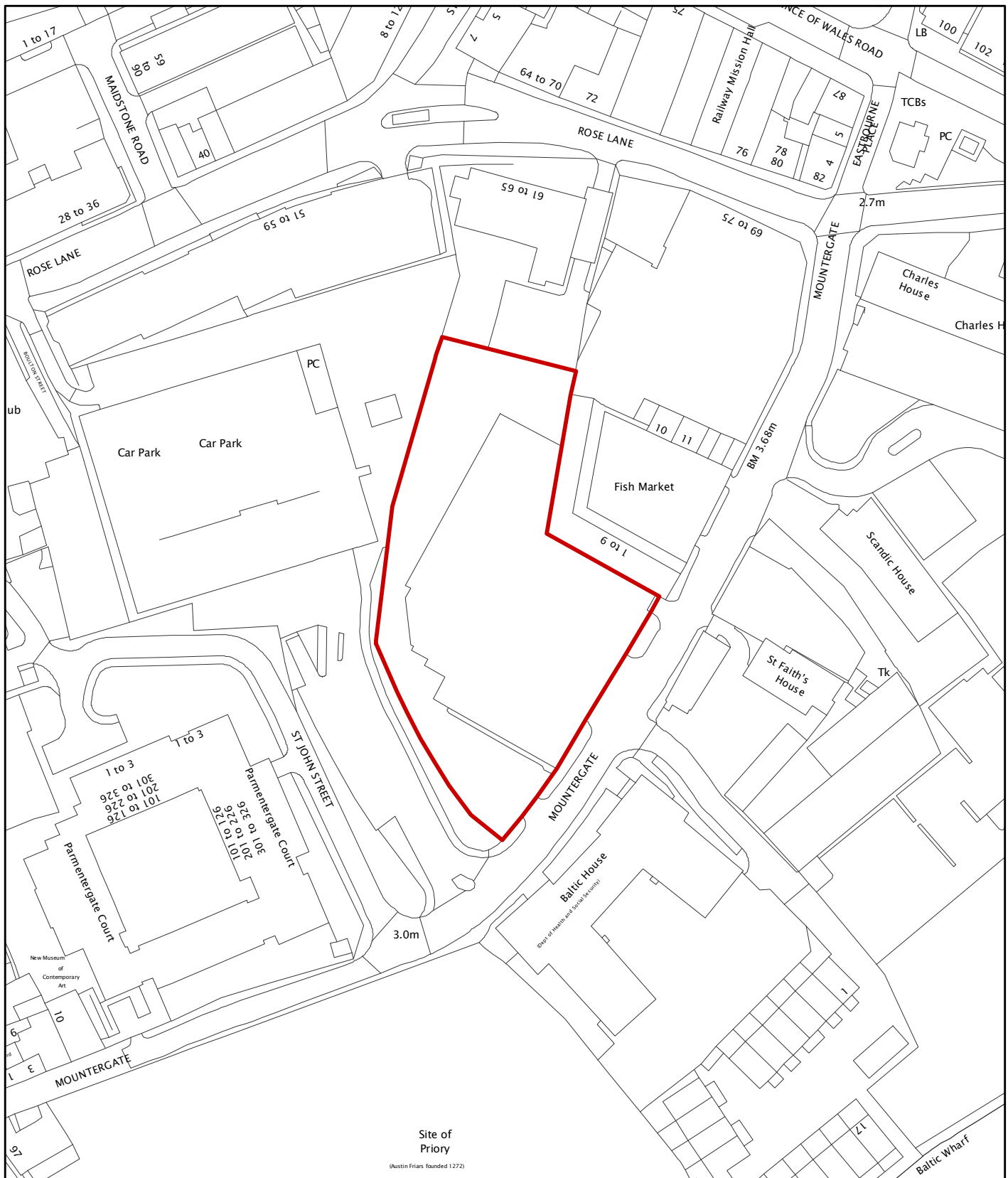
Parking Policy is a critical part of the overall transport strategy for the City. Additional temporary car parking will not only undermine the operation of legitimate, and properly run and maintained facilities (including 'Park and Ride'), but also increase congestion in a City where the opportunity to facilitate increased car use is not only undesirable, but severely restrained. The proposal is therefore contrary to saved policies TRA3, TRA21, TRA22 and TRA24 of the City of Norwich Replacement Local Plan and the objectives of PPS1, PPG13 and the NATS to promote a shift of modal choice from the car to walking, cycling and public transport.

## **RECOMMENDATIONS**

(1) REFUSE PLANNING PERMISSION on the following grounds:

1. The continued use of the site as a temporary car park would undermine the transportation strategy for Norwich to promote a shift of modal choice from the car to walking, cycling and public transport and as such would be contrary to saved policies TRA3, TRA21, TRA22 and TRA24 of the City of Norwich Replacement Local Plan and the objectives of PPS1, PPG13 and the Norwich Area Transport Strategy.

(2) AUTHORISE enforcement action under s.172 of the Town and Country Planning Act 1990 (as amended) to secure the cessation of the unauthorised use.



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Site Address - Sovereign Motor Company, Mountergate, Norwich

Scale - 1:1250



**NORWICH**  
City Council

DIRECTORATE OF REGENERATION  
AND DEVELOPMENT

