

Report to Planning applications committee
Date 14 March 2013
Report of Head of planning services
Subject 13/00061/U 39 Watling Road Norwich NR7 9TL

Item
5(10)

SUMMARY

Description:	Change of use from launderette (sui generis) to hot food takeaway (Class A5).
Reason for consideration at Committee:	Objection
Recommendation:	Approve
Ward:	Crome
Contact Officer:	Jo Hobbs Planner 01603 212526
Valid Date:	22nd January 2013
Applicant:	Mr Mehmet Alper
Agent:	Mr Mehmet Alper

INTRODUCTION

The Site

Location and Context

1. The site is located on Watling Road in the ward of Heartsease. The site itself forms one of two single storey units in commercial use on Watling Road. The area is predominantly residential in character with Ashbourne Tower to the north and Burleigh Tower to the east. There is a recreation ground and centre to the east of the site as well.
2. The site is in use as a launderette at present. The adjoining commercial unit is a newsagents/convenience shop.

Planning History

3. There is no planning history on this site relating to the proposed change of use. Other applications relate to minor alterations and extensions to the existing building only.

Equality and Diversity Issues

4. There are some equality and diversity issues. The site would be publically accessible and so level access into the building would be required. This is discussed further in the report below.

The Proposal

5. The application is to change the use of the building from a launderette to a hot food

takeaway.

6. An extractor is to be provided on the north side of the building just under the eaves of the property.

Representations Received

7. Advertised on site and adjacent and neighbouring properties have been notified in writing. Five letters of representation have been received and a petition signed by 20 people (four of whom wrote individual letters) citing the issues as summarised in the table below.

8.

Issues Raised	Response
Noise from traffic and people visiting takeaway	See paragraphs 15-17
Precedent	See paragraph 25
Other hot food takeaways not allowed	See paragraph 25
Traffic and parking	See paragraph 21
Litter	See paragraph 18
Smell	See paragraph 16
Loss of privacy	See paragraph 18

Consultation Responses

9. Environmental Health – acceptable subject to conditions.
10. Local Highways Authority – no objection in principle, some concerns about noise, refuse storage and cycle storage.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Statement 1 – Building a strong, competitive economy

Statement 2 – Ensuring the vitality of town centres

Statement 4 – Promoting sustainable transport

Statement 7 – Requiring good design

Statement 11 – Conserving and enhancing the natural environment

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 2 – Promoting good design

Policy 3 – Energy and water

Policy 5 – The economy

Policy 6 – Access and transportation

Policy 19 – The hierarchy of centres

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE12 – High quality of design

EP22 – High standard of amenity for residential occupiers
SHO22 – Food and drink uses and conditions on hot food takeaways
TRA3 – Modal shift measures in support of NATS
TRA6 – Parking standards
TRA7 – Cycle parking standards
TRA8 – Servicing provision

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011

Principle of Development

Policy Considerations

11. The key considerations for the change of use are the loss of the existing launderette, the location of the proposed hot food takeaway, impact on residential amenity, visual impact, and car parking, cycle parking and refuse storage.
12. The launderette provides a use to the community. Its loss whilst regrettable is not a use that can be protected under local or national policy. The proposed use would also provide a service to the community.
13. The location of the site is outside of defined centres. A takeaway is defined as a town centre use in the National Planning Policy Framework. As such the direction from national policy is to locate such uses in defined centres. Whilst this use is not within a defined centre it is in an accessible location to surrounding residential areas. It would therefore be able to provide a service to the local community without the need for people to travel by car to the site. It would also replace an existing use of similar nature that provides services to people throughout the day and evening.
14. The impact on residential amenity, visual amenity and the provision for car parking, cycle parking and refuse storage however requires adequate consideration.

Residential amenity

Noise

15. The proposed takeaway would lead to four key considerations in terms of residential amenity. Noise from customers, delivery vehicles and extraction flues, the smell from extraction flues and litter. The loss of privacy has also been raised in a letter of representation.

Smell

16. The smell from any extraction flues could reasonably be dealt with through the appropriate odour filters on the extraction units and the adequate maintenance of the filters. As such conditions are recommended for the specification of the flue to be provided and the maintenance of the flue.

Noise

17. Noise from the extraction flue has been considered, but provided the flue is in good working order it would not lead to a significant increase in noise levels. The noise of customers and delivery vehicles has been considered. To protect the amenity of residents surrounding the site, conditions are recommended for the hours of use and to restrict delivery vehicles from parking along side the unit near the residential block of Ashbourne Tower.

Litter

18. The potential for litter has been raised. A condition has been recommended that a litter bin is provided for customers. This could be provided within the unit as the applicant does not lease the land outside the unit.

Loss of privacy

19. The loss of privacy from people parked in cars and congregating has been raised as a concern to the residents of the west side of Watling Road. Given there is already an existing commercial use on the site and a bus stop on the west side of Watling Road there is already a certain amount of disturbance to residents. The change of use is not considered likely to lead to an increased level of overlooking or loss of privacy compared to the existing situation.

Design

20. The only external alteration is for an extraction flue outlet to be located on the north elevation of the building. This elevation of the building is visible from the north and east of the site. It is however a more screened location than the south west or south east elevations of the building.
21. Whilst the extraction flue would be noticeable and detract from the overall appearance of the building, it is sited on a less visible elevation. The benefits of the use must therefore be considered against these dis-benefits.

Transport and Access

Car Parking

22. There is an off-road parking bay outside the site. The site is not within a controlled parking zone and so on-road parking is available in the immediate area. Given the previous use of the site as a launderette a certain amount of traffic already accesses the site and parks on the road. The proposed use is likely to have more use in the evenings and around lunchtimes if open during the day. Given the amount of on-road parking available however this would not have a significantly adverse impact on the availability of parking in the surrounding area given the small size of the proposed hot food takeaway.

Cycling Parking

23. Cycle parking for customers has been considered but the land in front of the unit is not within the application site. Future maintenance of the cycle stands would fall to the land owner, the city council. In this instance it is therefore considered unreasonable to request that the applicant pays for these to be installed. There are some low level rails around the green verge to the north of the site. It would be possible to secure cycles to this railing if needed.

Refuse storage and disposal

24. Refuse storage has been indicated to be stored in the back yard. Refuse would be collected weekly. To ensure the visual amenity of the area a condition is recommended to require that bins are only brought to the highway on the day of collections.

Water conservation

25. Whilst policy 3 of the adopted Joint Core Strategy seeks for all new commercial development to maximise water efficiency it is considered unreasonable to request further water efficiency measures for this site given the small scale of the use.

Other matters raised

26. In letters of representation the matter of precedence and the refusal of other hot food takeaways in the area was raised. Each application must be considered on its own merits and particular site characteristics. Whilst there are guidelines in policy to direct appropriate development a judgement must be made on each site individually.

Equality and Diversity Issues

27. The building would be a publically accessible building. As such level access would be required. There is sufficient space around the entrance to the building for a level access ramp to be installed.

Conclusions

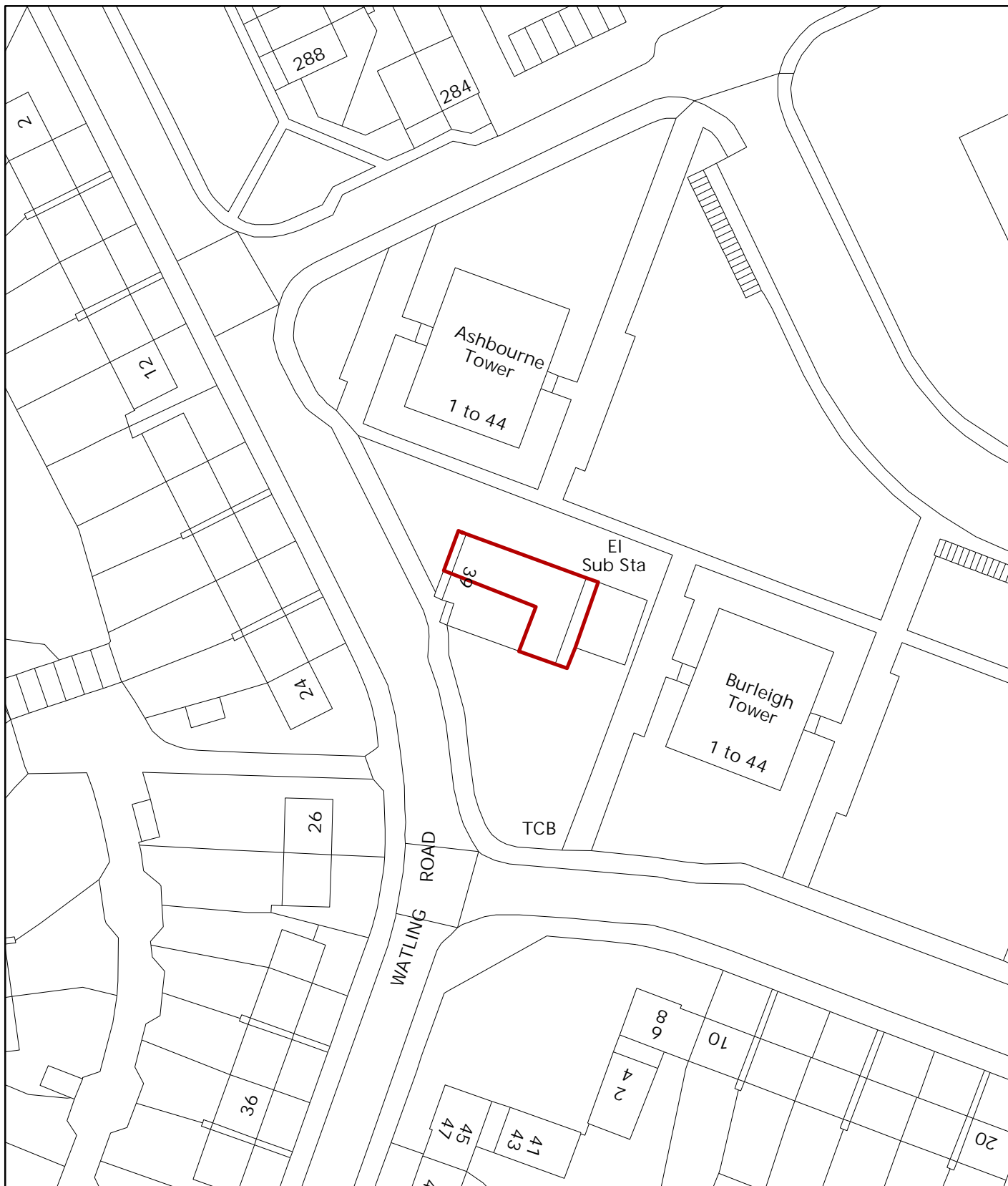
28. In determining this application regard has been given to policies HBE12, EP22, SHO22, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan (November 2004), policies 2, 5, 6 and 19 of the adopted Joint Core Strategy (March 2011) and paragraph 14 and statements 1, 2, 4, 7 and 11 of the National Planning Policy Framework (March 2012).
29. The change of use would provide a service to the surrounding local community, and would not have an adverse impact on the amenity of surrounding residents or the wider area provided the recommended conditions to agree extract flue details, hours of use, use of the highway verge and refuse bins to be stored in the rear store were adhered to. The use would enable sustainable development to promote jobs and employment for a small business.

RECOMMENDATIONS

To approve Application No 13/00061/U at 39 Watling Road and grant planning permission, subject to the following conditions:-

- 1) Standard time limit
- 2) In accordance with plans
- 3) Specification and maintenance schedule of flue to be installed
- 4) Hours of opening 07:00-23:00 on any day
- 5) No parking or use of delivery vehicles on pavements around unit
- 6) Refuse bins stored in identified rear store except on collection days
- 7) Level access into building
- 8) Litter bin to be provided in store

(Reasons for approval: In determining this application regard has been given to policies HBE12, EP22, SHO22, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan (November 2004), policies 2, 5, 6 and 19 of the adopted Joint Core Strategy (March 2011) and paragraph 14 and statements 1, 2, 4, 7 and 11 of the National Planning Policy Framework (March 2012). The change of use would provide a service to the surrounding local community, and would not have an adverse impact on the amenity of surrounding residents or the wider area provided the recommended conditions to agree extract flue details, hours of use, use of the highway verge and refuse bins to be stored in the rear store were adhered to. The use would enable sustainable development to promote jobs and employment for a small business.)



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Planning Application No 13/00061/U
 Site Address 39 Watling Road
 Scale 1:750



NORWICH
 City Council

PLANNING SERVICES



ALL DIMENSIONS TO BE CHECKED ON SITE

FOR DISCUSSION PURPOSES ONLY

13/00061 U

ADDITIONAL

Norwich City Council
21 DEC 2012
Planning Services

FAN BOX

CANOPY

480

1,600



KLS SPECIALIST SERVICES

PROJECT:	PROPOSED _ TAKEAWAY		
DRAWING TITLE:	PROPOSED _ RANGE		
DRAWN: RMK	DATE: 18/01/13	SCALE: #	
DWG NO: KLS2099	REV: A		

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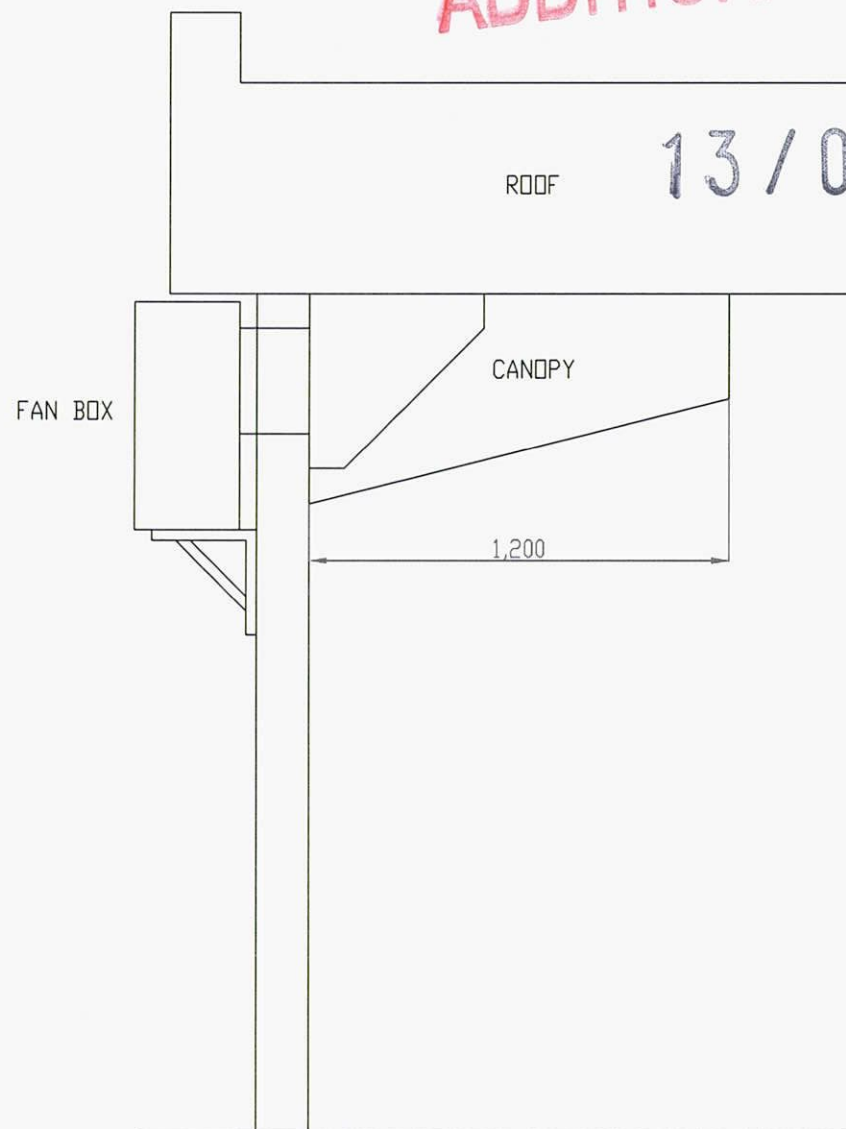
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ADDITIONAL



13/00061 U



KLS SPECIALIST SERVICES

PROJECT: PROPOSED TAKEAWAY		
DRAWING TITLE: PROPOSED RANGE		
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