



Planning applications committee

09:30 to 10:35

9 February 2023

Present: Councillors Driver (chair), Sands (M), Bogelein, Champion, Davis, Grahame, Lubbock, Peek, Sands (S), Thomas (Va), and Stutely

Apologies: Councillors Thomas (Vi) and Young

1. Declarations of interests

There were no declarations of interest.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meetings held on 12 January 2023.

3. Application no 22/00385/U – 308 Bowthorpe Road, Norwich, NR5 8AB

The planner (case officer) presented the report with the aid of plans and slides. He also referred to the supplementary report of updates to reports (which was circulated at the meeting and available on the council's website) that recommended an additional condition requiring the provision of a litter bin to be added to the planning permission if granted.

A resident of Fieldview addressed the committee outlining his objections to the proposed change of use. This included concern that: the proposal would exacerbate problems of parking in the cul-de-sac; the forecourt did not provide adequate parking for customers or staff and the rear car park was for residents of the accommodation that was ancillary to the retail unit. He also expressed concern about the safety of cyclists and pedestrians with vehicles crossing the pavement and that vehicles were parked on the double yellow lines, and that the bin provision was inadequate. Following his presentation, the resident displayed slides illustrating his concerns.

The agent on behalf of the applicant spoke in support of the application. The applicant was a family-owned business that provided economic prosperity to the area and the proposed change of use would keep the business "modern, sustainable and viable." The application did not change the street scene and was policy compliant.

The planner and the area development manager referred to the report and answered members' questions. The planner had visited the site earlier in the week and noticed

that there was no longer a waste bin on the forecourt for visitors to the shops and the nearby fish and chip shop. It was therefore considered reasonable to require the applicant to provide a bin on this stretch of Bowthorpe Road. It was also noted that there were no opening hours for the adjacent retail unit, but it was proposed that the takeaway could open between 11:00 and 23:00. Members were advised that there was no policy requirement for cycle parking provision. The committee was advised that the accommodation in the rear extension was ancillary to the retail units. The change of use did not differ significantly from the existing class use of the retail unit (Class E). It was expected that most visits would be on foot from students living in the proximity.

The planner advised members that the transportation officer at county council had not visited the site but had made a desktop assessment and had suggested cycle parking on the forecourt and that a crossover was required for the rear parking. Members expressed concern that there was an historic issue with parking and traffic congestion in this area.

The planner explained that the officer assessment took into account that the permission granted on the retail unit was covered by Class E broad retail use, which included the sale of sandwiches and hot drinks. A hot food takeaway required food to be prepared and cooked on the premises and an extractor fan. There was not much difference from the existing consent. The area development manager confirmed that planning consent for the additional retail unit in 2018, had been issued under delegated powers. The reason that the current planning application being before the committee was due to changes in the committee's scheme of delegations and that it was a minor development with objections.

The chair moved and the vice chair seconded the recommendations set out in the report, together with the additional condition set out in the supplementary report circulated at the meeting.

Councillor Grahame moved and Councillor Stutely seconded that the committee deferred consideration of the application for a further traffic assessment by the county council's transportation officers.

During discussion, members said that they considered they required more information on the transportation issues given the proposed change of use to a hot food takeaway, were concerned about the existing traffic and parking in the area and were not convinced that there would be no impact. Members said that they would like a proper assessment of parking and road safety, and further mitigation if necessary. A member said that since 2018, when the retail unit had received the current consent, there was now greater emphasis in local and national policy on cycling and pedestrians.

The area development manager reiterated that he considered that the current use of the retail unit would not have a greater impact on traffic than a Class E use, which included a plethora of uses, including an off-licence. The fact that the unit was not in current use was irrelevant. The assessment took into account the current planning consent. Conditions on planning consent were to ensure that a planning application did not make an existing situation worse but could not be required to make it better. There was justification in planning terms for a condition to require cycle parking for delivery riders.

At the request of a member, the committee viewed the Google Earth plan to view traffic at the front of the retail units. The planner confirmed that his photos were taken at 16:00 on a Monday afternoon. Another member said that it would be worth a further assessment of the transportation issues. The neighbouring fish and chip shop closed at 21:30.

On being put to the vote it was:

RESOLVED, with 5 members voting in favour (Councillors Grahame, Peek, Stutely, Sands (S) and Thomas (Va)), 2 members voting against (Councillors Davis and Sands (M)) and 4 members abstaining from voting (Councillors Bogelein, Lubbock, Champion and Driver) to defer consideration of Application no 22/00385/U – 308 Bowthorpe Road, Norwich, NR5 8AB, to a future meeting of the committee to enable further consultation with the transportation officer at Norfolk County Council.

CHAIR