

Report for Resolution

Report to Planning Applications Committee
Date 19 May 2011
Report of Head of Planning Services
Subject 11/00074/F 8 Hall Road Norwich NR4 6DW

Item
7(4)

SUMMARY

Description:	Replacement of existing shopfront and change of use from A1 (Retail) to A2 (Financial and professional services).	
Reason for consideration at Committee:	Member's Request	
Recommendation:	Refuse	
Ward:	Town Close	
Contact Officer:	Miss Sarah Platt	Planning Officer - 01603 212500
Date of receipt:	13th January 2011	
Applicant:	Mr Matthew Williams	
Agent:	Mr Matthew Williams	

INTRODUCTION

The Site

Location and Context

1. The application site sits on the west side of Hall Road at its north end and is a two storey red brick and rendered building with clay pantiles. The ground floor is a currently vacant A1 retail unit which has undergone some internal refurbishment in advance of this application. The first floor is an occupied residential flat. To the rear is a small fully enclosed courtyard.
2. The premises sit within the Local Centre which takes in parts of Hall Road, Queens Road, City Road and Kensington Place. This section of Hall Road is heavily trafficked by both vehicles and pedestrians and as a result the premises are prominent within the street scene and wider area. Adjacent uses also included in the local centre are A1, A3/A5, Sui generis uses and A4. A full copy of the retail survey carried out during the application process is available at Appendix 1. This retail survey shows the uses as inspected on the 11th March 2011. Other surrounding uses outside the local centre boundary are not included in this survey. Residential dwellings (flats and houses) above commercial units are also not included in the local centre.

Constraints

3. Within the Hall Road/Queens Road Local Centre
4. Locally Listed Building.

Planning History

5. There is no relevant planning history save for the current application for consideration.

Equality and Diversity Issues

6. There are significant equality or diversity issues. See paragraphs 25 and 26.

The Proposal

7. The application seeks the change of use of the premises from a vacant A1 retail unit to an A2 use class for use as an estate agency.
8. In addition to the change of use the application also seeks alterations to the shopfront to allow for a separate access to the residential flat above and to provide for an enlarged shopfront window.

Representations Received

9. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 8 letters of representation have been received all in support of the application citing the points as summarised in the table below..

10.

Points Raised	Response
The existing premises have been vacant for some time and it would be good to see them active again.	Paragraphs 16-22
The use as an estate agency will contribute to the vitality and viability of this area.	Paragraphs 16-22
The new shopfront will improve the vitality of this area, both now and in the future.	Paragraphs 23-26
Cllr Fairbairn has commented that the proposed change of use would impact on both the Lakenham and Town Close wards. The upgrades would improve the appearance of the locality. The applicant considers it more viable for his business to be located here rather than in the City Centre. Two members of staff are employed by the offices at present.	Paragraphs 12-24

Consultation Responses

11. None

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 - Delivering Sustainable Development
 PPS4 – Planning for Sustainable Economic Growth
 PPS5 - Planning for the Historic Environment

Relevant Strategic Regional Planning Policies

SS6 – City and Town Centres
 ENV7 - Quality in the Built Environment
 ENV6 - The Historic Environment

Relevant Joint Core Strategy Policies

Policy 2 – Promoting Good Design
 Policy 20 – Implementation and Monitoring

Relevant Local Plan Policies

HBE8 - Development in Conservation Areas
 HBE12 - High quality of design in new developments
 SHO15 – Changes of use within District and Local Centres
 TRA5 – Approach to Design for Vehicle Movement and Special Needs.

Principle of Development

Policy Considerations

12. Planning Policy Statement 4: Sustainable Economic Development under sub-policy EC13 seeks to protect local services for communities within local centres. This includes the protection of services if they are proposed to be lost or their use changed as a result of an application proposal. Policy SS6 of the East of England Plan supports this national aim and states that local development documents should seek to protect and enhance existing neighbourhood centres.
13. Saved local plan policy SHO15 is the key policy relevant to the determination of this application. This policy states that proposals for change of use from class A1 to other uses will only be permitted where the proportion of A1 uses in the defined centre will not fall below 60% as a result, or, the proposed use provides a service appropriate to the centre's position in the hierarchy, which is underrepresented in that centre, or is a community use and there are no other units available in or adjacent to the centre, in which such a use could be accommodated.

Retail Implications

14. As can be seen in the appended retail survey the level of non-retail uses in the defined local centre of Hall Road/Queens Road already stands at 41.3%. A further change of use of a retail unit would result in 44.8% non-retail. This is considered unacceptable against the threshold in saved policy SHO15 of the local plan and the aims and objectives of protecting local services within local centres as outlined in PPS4.
15. Whilst it is accepted that we are in a state of economic downturn, these policies should be adhered to, ensuring the sustainable economic position of local centres for the future.
16. The second part of the saved policy relates to whether other use class services are adequately represented in the local centre. There are 2 other A2 uses within the local centre; a bookmakers and an estate agents. It is not possible for the planning system to differentiate between each of the potential uses within this use class and say that an additional estate agents is more acceptable than an additional bookmakers or vice versa, we can only control the number of such A2 units, not their uses within that use class. This is because planning permission is not needed to change within a use class, only between

use classes. As a result it is considered that the A2 use class is adequately represented in this local centre.

17. In discussions throughout the application process the applicant has cited a previous permission granted at 8 City Road for change of use from A1 to A2 granted in 2007 under application reference 07/00401/F. It is important that members understand the differences in these two cases.
18. Application reference 07/00401/F sought a change of use from A1 to A2 with shopfront alterations. In 2007 an assessment was made based on the retail survey of October 2006 at which time non-retail uses stood at 37% (3% under the threshold). The change of use of a retail unit to an A2 use class resulted in a non-retail percentage of 40.7%. This was not considered a significant breach of the threshold at this time. In addition, there was only one other A2 use in the local centre; a bookmakers and therefore it was considered that A2 uses were underrepresented at this time. Further to this, the position of the unit was also taken into consideration. The unit at 8 City Road is on the periphery of the local centre and not in the main two frontages, namely Hall Road and Queens Road. The approval of an estate agency in this periphery location was not considered to harm the vitality and viability of the local centre at this time.
19. At the time of the current application relating to 8 Hall Road, there is already a breach of the non-retail threshold of 1.3%, a further change of use away from retail results in a breach of 4.8%.
20. If considering the position of the unit as well, the premises are prominent within the street scene and are within one of the main frontages of the local centre.

Design

Layout

21. In addition to National policy (PPS1 and PPS5), saved Local Plan policies HBE8 and HBE12 seek a high quality of design in new development which respects and complements the character of the surrounding area and in this case, the locally listed building.
22. Policy 2 of the Joint Core Strategy updates saved policy HBE12 of the Local Plan and states that all development should be designed to the highest possible standard and will respect local distinctiveness including, as appropriate, the historic environment and the townscape of the area. There is recognition that development at any scale should make a positive contribution to providing better places for people and that good design is a key aspect of successful development.
23. The proposed alterations to the shopfront are considered acceptable in terms of the impact on the street scene and wider area. This retail unit currently has a poor retail frontage and this is likely to have contributed to its poor previous trading performance. The expansion of the glazed shopfront area will give an improved street presence to the unit and allow for a separate access to the residential flat above and the commercial premises on the ground floor. The design and materials proposed are considered acceptable with a timber double glazed shopfront proposed.
24. It was recommended to the applicant that the application was withdrawn and that the alterations to the shopfront re-applied for as a separate application. The unit may be more successful as a retail unit with an improved frontage. This opportunity was not taken up.

Equality and Diversity

25. Saved policy TRA5 of the Local Plan states that developments will be designed such that they benefit all users and account is taken of the special needs of disabled people and other groups with particular mobility requirements.
26. The current proposals see a stepped access provided into the shop which is a replication of the access in the existing shopfront. Given that the application proposes a new shopfront to the unit in order to establish separate access to the residential unit on the upper floor and the unit on the ground floor, it is considered that a level or ramped access should be provided as part of these works. The proposals do not include any such provision and as such the lack of level or ramped access is a secondary reason for refusal.

Conclusions

27. Notwithstanding the acceptability of the shopfront alteration proposals, the application would result in an unacceptable and significant breach of the threshold of non-retail uses in the local centre of Hall Road and Queens Road and the loss of a further retail unit would be likely to have a significant impact on the vitality and viability of this small but important local centre. In addition, it is also considered that there is sufficient representation of A2 uses within the local centre and in view of the prominent position of this unit within the local centre it should remain in retail use. The lack of a level or ramped access into the unit is considered unacceptable. Therefore the proposals are considered to be contrary to the objectives PPS4, policy SS6 of the East of England Plan (May 2008), and saved policies SHO15 and TRA5 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

RECOMMENDATIONS

To refuse planning permission for Application No (11/00074/F) at 8 Hall Road, Norwich for the following reason(s):-

1. Notwithstanding the acceptability of the shopfront alteration proposals in terms of design and their impact on the surrounding street scene, the application would result in an unacceptable and significant breach of the threshold of non-retail uses in the local centre of Hall Road and Queens Road. In addition, it is also considered that there is sufficient representation of A2 uses within the local centre and in view of the prominent position of this unit within the local centre it should remain in retail use..
2. The lack of provision of a level or ramped access as part of the proposed shopfront alterations is considered unacceptable.
3. Therefore the proposals are considered to be contrary to the objectives of PPS4, policy SS6 of the East of England Plan (May 2008), and saved policies SHO15 and TRA5 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

Appendix 1 – Retail Survey as carried out by the Case Officer on the 11th March 2011.

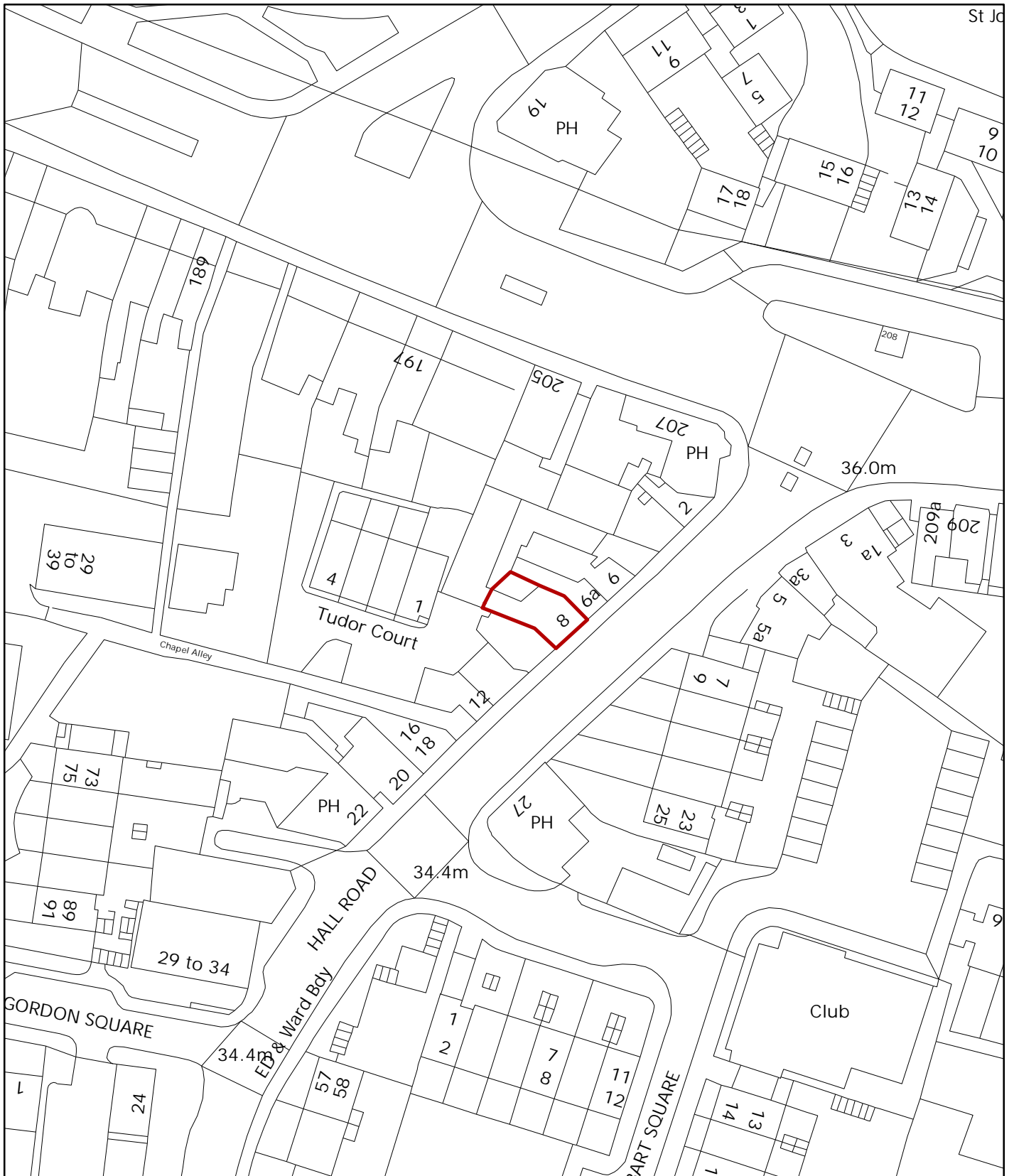
Premises Address	Our Survey Use Class	Our Survey Use
6 City Road	A1 vacant	Retail
8 City Road	A2	Estate agent
1/3 Hall Road	D1	Chiropractor
2/4 Hall Road (Your address was number 2 only)	A1	Retail
3a Hall Road	A1	Retail
5-5a Hall Road	A1	Retail
6-6a Hall Road	A3/A5	Restaurant/Take-away
8 Hall Road	A1 vacant	Retail
10 Hall Road	A1	Retail
12 Hall Road	A5	Take-away
16 Hall Road	A1	Retail
20 Hall Road	Sui generis	Laundrette
22 Hall Road	A4	Public House
27 Hall Road	A4	Public House
205 Queens Road	A1	Retail
207 Queens Road	A4 vacant	Public House
209 Queens Road	A1	Retail
209a Queens Road	A1 vacant	Retail
211 Queens Road	A1	Retail
213 Queens Road	A1 vacant	Retail
215-217 Queens Road	A1	Retail
219 Queens Road	A1	Retail
221 Queens Road	A1 vacant	Retail
223 Queens Road	A1 vacant	Retail
225-227 Queens Road	A2	Betting Shop
229 Queens Road	A5	Take-away
231 Queens Road	A1	Retail
233 Queens Road	A4	Public House
Workshop, kensington place	B1	Offices (by virtue of no goods being displayed)

Vacant Units (%) **7 (24.1%)**

Non-Retail (%) **12 (41.3%)**

Retail **17 (58.6%)**

If a further unit was lost to retail the following would result:
Non-retail would rise to 13 units (44.8%) above the 40% threshold under policy SHO15 and contrary to the objectives of PPS4



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Planning Application No 11/00074/F
 Site Address 8 Hall Road
 Scale 1:750



NORWICH
 City Council

PLANNING SERVICES



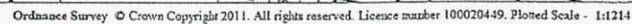
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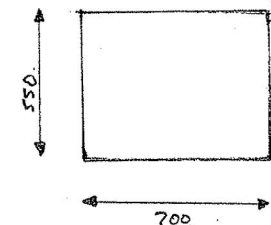
Client
Sippcentre SIPP Matthew Williams

Scale 1:1250 @ A3

Jan 2011



ROLFE JUDD LTD, OLD CHURCH COURT, CLAYLANDS ROAD, THE OVAL, LONDON SW8 1NZ



FIXED PROJECTING
SIGN.
NON-ILLUMINATED

FIRST FLOOR PLANT
ENTRANCE DOOR.

KEY

- 1: EXISTING RENDER
PAINTED WHITE.
- 2A: EXISTING DOOR
PAINTED GREY
- 2B: NEW SHOP FRONT
PAINTED GREY
- 3: EXISTING SHOP SIGN
TO RECEIVE NEW LOGO

Project
Retail Premises
8 Hall Road, Norwich NR1 3HQ

Client
Sippcentre SIPP Matthew Williams

Drawing
Hall Road Elevation As Proposed
Drawing 03 P

Scale 1:50 @ A3

Jan 2011