

Planning Applications Committee
31st July 2009
Section C

Agenda Number:	C5
Section/Area:	Inner
Ward:	Mancroft
Officer:	Miss Sarah Platt
Valid Date:	5th June 2009
Application No:	09/00431/U
Site Address:	5 St John Maddermarket Norwich NR2 1DN
Proposal:	Change of Use from shop (Class A1) to shop and art gallery (Class A1 and D1) with ancillary body piercing and tattoo parlour (sui generis).
Applicant:	Mr Joseph Wythe
Agent:	Mr Joseph Wythe

THE SITE

The application site is located within the City Centre Conservation Area in the Norwich Lanes just to the North of Lobster Lane. The site of the proposed change of use is within the Secondary Retail Area of Pottergate and St John Maddermarket, but this is not a defined retail frontage, rather this is defined as a frontage of potential non-retail uses. Adjacent and to the left is the rear of Norfolk House and adjacent to the right is a hairdresser and tattoo studio above.

PLANNING HISTORY

The premises have been used as a music shop for many years until its closure earlier this year. The site is currently vacant.

THE PROPOSAL

The proposal is for a change of Use from shop (Class A1) to shop and art gallery (Class A1 and D1) on the ground floor with ancillary body piercing and tattoo parlour (sui generis) to the first floor.

CONSULTATIONS

Advertised on site and in the press. Adjacent neighbours were notified in writing.

6 letters of representation have been received citing the following reasons:

- Loss of Trade
- A passive frontage will be created by the Art Gallery
- There are other suitable locations.

PLANNING CONSIDERATIONS

Relevant National Policies:

PPS1 – Delivering Sustainable Development
PPS1 Supplement – Planning & Climate Change
PPS6 – Planning for Town Centres

Relevant Regional Plan Policies:

SS6 – City & Town Centres
E5 – Regional Structure of Town Centres
NR1 – Norwich Key Centre for Development & Change

Relevant Local Plan Policies:

SHO11 – Secondary Retail Areas

Supplementary Documents:

City Centre Conservation Area Appraisal

Principle:

The proposed use is within the secondary retail area of Pottergate and St John Maddermarket and is not considered to be a defined retail frontage. The proposed loss of retail is therefore considered acceptable so long as the proposed use is compatible with surrounding uses and there would be no harmful impact on the vitality and viability of the street and surrounding area in accordance with Planning Policy Statement 6. The proposed uses are not considered to have a detrimental impact on this area.

The area is noted as being “an important part of the City’s shopping ‘offer’ with an impressive range of specialist shops and galleries” in the City Centre Conservation Area Appraisal.

Concerns have been raised regarding the potential for loss of trade of adjacent premises, the potentially resulting passive frontage, and the availability of other suitable locations. Each will be addressed below:

Loss of Trade:

Concern has been expressed about the loss of trade to the adjacent tattoo premises. In a Government published document “The Planning System: General Principles” published by the Office of the Deputy Prime Minister in 2006 it is stated that the planning system does not exist to protect the private interests of objectors and that it is not normally considered that the financial loss or other loss of neighbouring properties or businesses is considered to be a material planning consideration.

Passive Frontage:

The ground floor of the application premises is proposed to be an Art Gallery and retail unit selling items of jewellery, clothing and artwork. The Tattoo parlour will be located at first floor level. These uses are considered to contribute positively to the vitality and viability of the area and are also considered to be compatible to the surrounding uses.

Alternative Locations Availability:

Whilst other alternative locations may indeed be available, the premises the subject of this permission is the premises being considered and the availability of other units is not a consideration.

Conclusions:

The proposed change of use is considered to be acceptable due to the provision of retail/gallery space on the ground floor which are considered to positively contribute to the vitality and viability of the secondary retail area. These uses and the tattoo parlour above will contribute positively to the character of the Conservation Area as a whole.

The proposals are in accordance with national, regional and local policies.

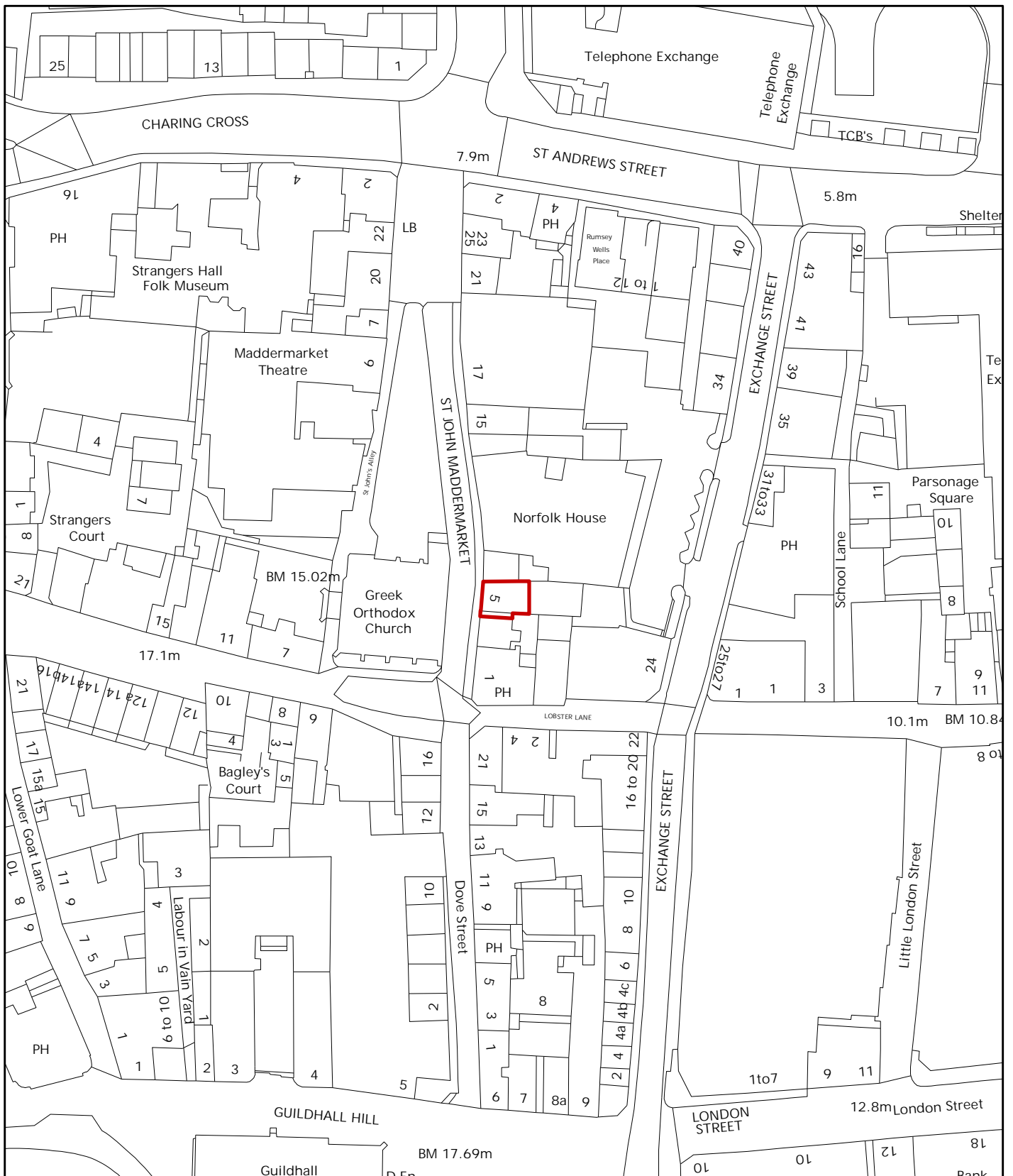
RECOMMENDATIONS

APPROVE PLANNING PERMISSION subject to the following conditions:

1) Standard time limit.

Reasons for Approval:

The proposed change of use to an Art Gallery and retail unit on the ground floor and Tattoo Studio on the first floor is not considered to have an adverse impact on the vitality or viability of the secondary retail area and is considered to be compatible with surrounding uses. The proposed change of use is therefore considered to be in accordance with Planning Policy Statement 6, policies SS6, E5 and NR1 of the East of England Plan (May 2008) and saved policy SHO11 of the City of Norwich Replacement Local Plan, Adopted Version (November 2004).



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Site Address - 5 St John Maddermarket

Scale - 1:1000



NORWICH
City Council

DIRECTORATE OF REGENERATION
AND DEVELOPMENT

