

Report to Planning applications committee
 14 September 2017
Report of Head of planning services
Subject Application no 17/01130/VC - 174 Aylsham Road,
 Norwich, NR3 2HJ
**Reason
 for referral** Objections

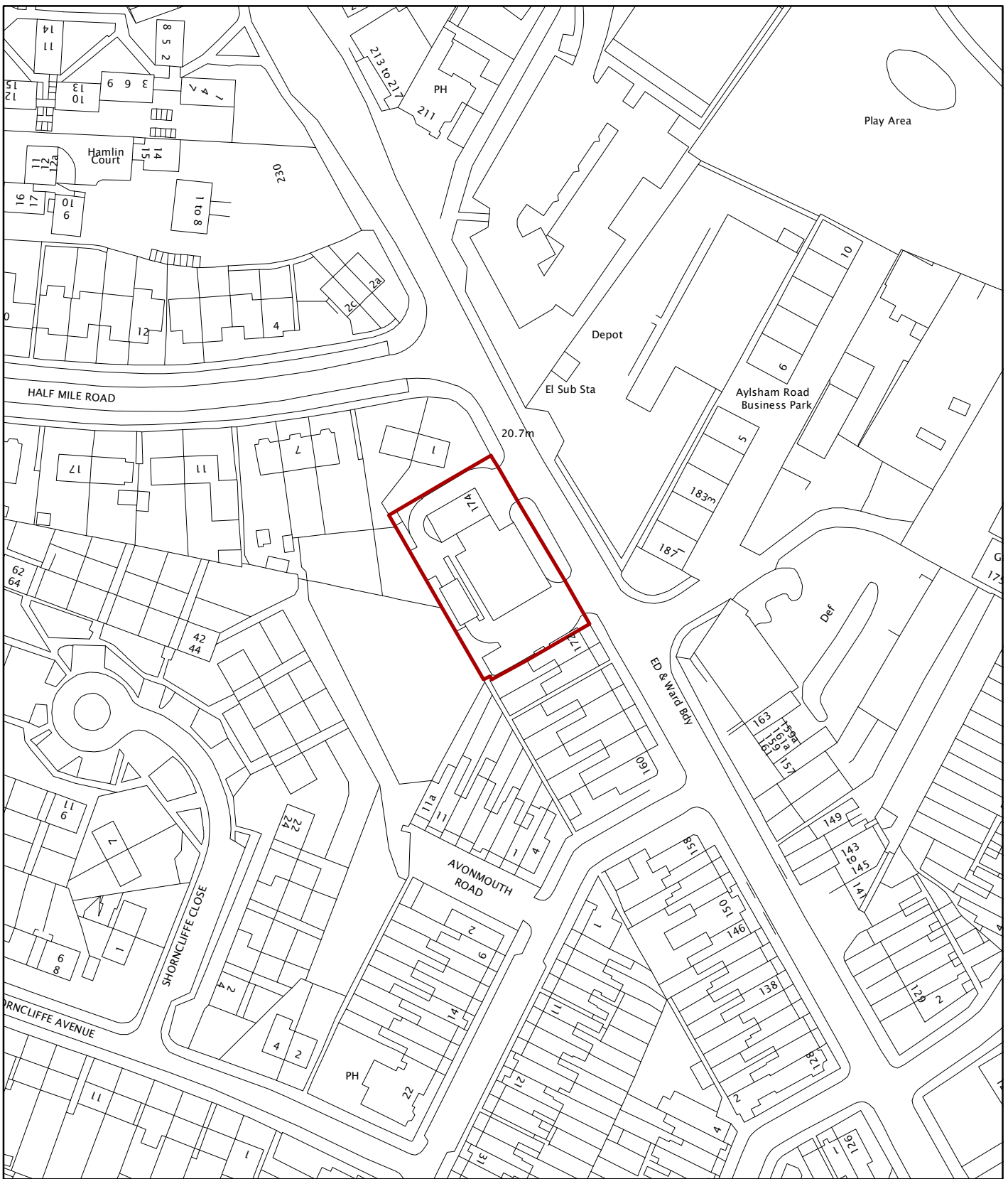
Item

4(d)

Ward:	Mile Cross
Case officer	Lara Emerson - laraemerson@norwich.gov.uk

Development proposal		
Removal of Condition 6: The premises the subject of this permission shall not open before 0700 hours or after 2300 hours on any day of planning permission 4/1992/0549/F.		
Representations		
Object	Comment	Support
3	0	0

Main issues	Key considerations
1. Amenity	Noise and disturbance to surrounding residential properties
Expiry date	11 October 2017
Recommendation	Approve with conditions



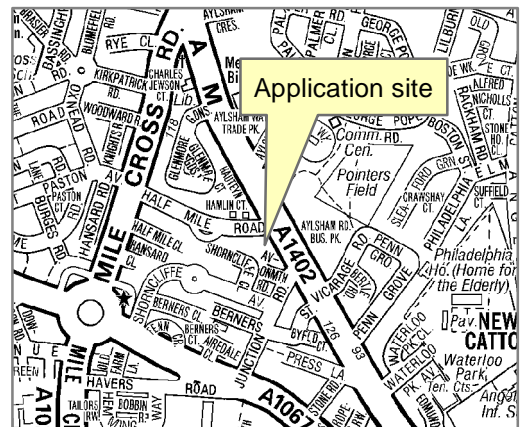
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Planning Application No 17/01130/VC
 Site Address 174 Aylsham Road

Scale 1:1,250



NORWICH
 City Council
 PLANNING SERVICES



The site, surroundings & constraints

1. The site sits on the west side of Aylsham Road within the Mile Cross ward to the north of the city.
2. The site is occupied by a petrol station with a car wash, air and water station and small retail store.
3. The site borders with residential properties to the north (Half Mile Road), south (Aylsham Road) and west (Avonmouth Road).
4. There site sits within the Critical Drainage Area.

Relevant planning history

5.

Ref	Proposal	Decision	Date
42626	Construction of pump island canopy and screening to trash area.	Approved	20/04/1973
4/1976/1503	Alterations to pump islands and shop to provide post payment attended self-service petrol facilities.	Approved	08/10/1976
4/1977/1815	Raising of roof over lift bay.	Approved	18/01/1978
4/1980/1247	Alterations and improvements to petrol filling station.	Approved	07/01/1981
4/1987/1099	Demolition of existing buildings and construction of new filling station, tank farm, forecourt canopy, car wash and retail store.	Refused	31/03/1988
4/1988/1340	Demolition of existing buildings and construction of new petrol filling station, tank farm, forecourt canopy car wash and shop.	Refused	22/12/1988
4/1988/1341	Demolition of existing buildings and construction of new petrol filling station, tank farm, forecourt canopy car wash and shop.	Refused	22/12/1988
4/1988/1385	Two internally illuminated fascia signs.	Refused	22/12/1988
4/1988/1386	One internally illuminated gantry sign.	Refused	22/12/1988
4/1989/1388	1, Non-illuminated fascia signs on canopy. 2, Illuminated totem sign.	Approved	01/02/1990
4/1989/1420	Redevelopment of existing petrol filling station and workshops with construction of new petrol filling station, convenience store, enclosed car wash and screen.	Approved	26/04/1990

Ref	Proposal	Decision	Date
4/1989/1421	Redevelopment of existing petrol filling station and workshops with construction of new petrol filling station, convenience store, enclosed car wash and screen.	Approved	26/04/1990
4/1992/0549	Erection of forecourt building, car wash and pump island with canopy over and installation of 24000G underground tanks.	Approved	29/10/1992
4/1992/0936	Two illuminated fascia signs and one internally illuminated pole variable price sign.	Approved	27/01/1993
4/1993/0004	Condition 2: detail of external facing, Condition 3: details of forecourt, Condition 4: details of landscaping, planting and site treatment for Planning Permission 4920549/F "Erection of forecourt building, car wash and pump island with canopy over and installation of 24000G underground tanks.	Approved	21/04/1993
4/2000/0170	Replacement internally illuminated shop fascia sign and pole sign; two poster boards and monolith sign.	Approved	15/05/2000
16/01008/F	Retention of ATM.	Approved	31/08/2016
16/01009/A	Display of 1 No. internally illuminated ATM fascia with blue LED halo illumination to ATM surround.	Approved	16/09/2016

The proposal

6. The site currently has limited opening hours of 7am-11pm on any day of the week. The proposal is to remove condition 6 of planning permission 4/1995/0549 to allow the petrol station to operate without any restriction on its opening hours.
7. The applicant proposes a number of operations which would not be carried out on the site between the hours 11pm-7am.

Representations

8. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 3 letters of representation have been received citing the issues as summarised in the table below. All representations are available to view in full at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Issues raised	Response
Noise from car wash during the night	See main issue 1 relating to amenity.
Noise from deliveries during the night	See main issue 1 relating to amenity.

Issues raised	Response
Light pollution from signage during the night	See main issue 1 relating to amenity.
Noise from people using the shop to buy alcohol after the pubs have shut	See main issue 1 relating to amenity.
Increased litter and smell	See main issue 1 relating to amenity.
There are other 24 hour petrol stations nearby	This is not considered relevant in this case.
Increase in traffic during the night	The extended opening hours are not considered to lead to a significant increase in traffic.
Trees along the western boundary should be replanted	See paragraph 24.

Consultation responses

9. Consultation responses are summarised below. The full responses are available to view at <http://planning.norwich.gov.uk/online-applications/> by entering the application number.

Environmental protection

10. The complete removal of the current time restrictions, in isolation, could impact adversely on the surrounding neighbouring residential properties, particularly with regard to late night noise and light intrusion associated with the extended hours sought.
11. In their supporting documentation the applicant has set out a number of proposed operating restrictions, to minimise the impact of the proposed extended hours, these are numbered 1 - 8 in the document.
12. If permission is granted, consideration should be given to imposing suitable conditions to ensure that the offered operating restrictions are mandatory.

Highways (local)

13. No objection.

Assessment of planning considerations

Relevant development plan policies

14. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
- JCS5 The economy
 - JCS7 Supporting communities

15. Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)

- DM1 Achieving and delivering sustainable development
- DM2 Ensuring satisfactory living and working conditions

Other material considerations

16. Relevant sections of the National Planning Policy Framework March 2012 (NPPF):

- NPPF0 Achieving sustainable development
- NPPF1 Building a strong, competitive economy
- NPPF8 Promoting healthy communities

Case Assessment

17. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Framework (NPPF), the Councils standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Amenity

18. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 9 and 17.
19. The site is located in a residential area with 172 Aylsham Road and 1 Half Mile Road being the closest dwellings at 0m and 3m from the boundary respectively. The gable end wall of 172 Aylsham Road immediately abuts the site, and its garden has a high brick wall and fence running along the boundary. 1 Half Mile Road has a 1.8m high fence running along the boundary between its garden and the application site.
20. The site must therefore operate in such a way so as not to cause significant detriment to the amenities of surrounding residential occupants.
21. The current permitted opening hours are 7am-11pm and the applicant is seeking to remove this restriction to allow the site to operate 24 hours.
22. There are a number of operations which the applicant is proposing to restrict during the hours 11pm-7am:
- The shop would be closed, with all purchases taking place at the night pay hatch.
 - Only the two pump islands closest to the shop would be in use.

- Only the recessed lights set within the underside of the canopy above the two active pump islands to be switched on.
 - No use of the car wash, vacuum, air and water facilities.
 - No deliveries.
23. The applicant proposes a temporary consent for 12 months to allow the council to monitor the activity and record any complaints. A noise monitoring procedure is suggested to be agreed with the council. The applicant also proposes to erect signage within the forecourt reminding customers to be quiet in the residential area.
24. The council's Environmental Protection Officer has given the opinion that the proposed extension of opening hours would adequately protect the amenities of surrounding neighbours if the above suggestions are imposed as conditions.

Other issues

25. One objector has reported that some planting had been removed from the site and noted that this planting offered some screening and noise protection. On investigation, it was found that the 1992 consent (4/1992/0549) included a condition requiring the submission of a landscaping plan. The council is now investigating whether the comprehensive landscaping scheme, which was submitted under a subsequent application (4/1993/0004), has been implemented and retained.

Equalities and diversity issues

26. There are no significant equality or diversity issues.

Local finance considerations

27. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case local finance considerations are not considered to be material to the case.

Conclusion

28. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

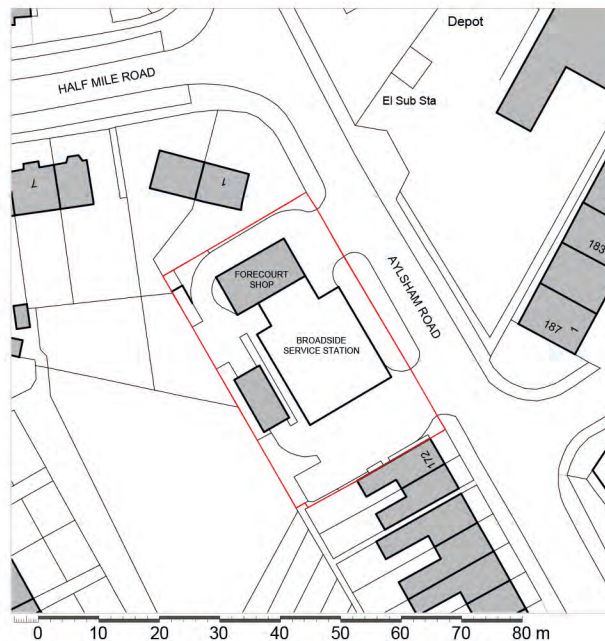
Recommendation

To approve application no. 17/01130/VC - 174 Aylsham Road, Norwich, NR3 2HJ and grant planning permission subject to the following conditions:

1. Temporary consent for 12 months unless extension is agreed with council;
2. In accordance with plans;
3. Noise monitoring procedure to be agreed and followed;
4. Certain activities not to be carried out during the hours 11pm-7am;
5. Bicycle storage and car parking in accordance with the details approved under 4/1992/0549;
6. Landscaping in accordance with the details approved under 4/1993/0004;
7. Installation of plant and machinery to be agreed.

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.



LOCATION PLAN 1/1250

REVISIONS:

REV	NOTE	DATE

NOTES:

Hard copy prints may not scale accurately. All levels are in metres and dimensions in millimetres and unless specified otherwise. To be read in conjunction with all other relevant drawings and specifications.



PLANNING APPLICATION BROADSIDE 2017

CLIENT **mfg**
motor fuel group

PROJECT APPLICATION FOR VARIATION OF A CONDITION

ADDRESS BROADSIDE SERVICE STATION
174, AYLSHAM ROAD
NORWICH, NR3 2HJ

TITLE LOCATION PLAN

SCALE 1/1250 @ A4	JOB NO 17696-217
DRAWN ANTONIO RUIZ	DWG NO PA-01
DATE 04.07.2017	REVISION
CHECKED	DATE

ADCOCK ASSOCIATES

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DESIGN ARCHITECTURE PROJECT MANAGEMENT