

Report for Resolution

Report to Planning Applications Committee
22 October 2009

Report of Head of Planning Services

Subject 09/00475/F 67 Grove Road Norwich NR1 3RL

Item
5(4)

SUMMARY

Description:	Change of use from betting shop (Class A2) to hot food takeaway (Class A5), and installation of new extraction and flue system.	
Reason for consideration at Committee:	Objection	
Recommendation:	Approve	
Ward:	Town Close	
Contact Officer:	Miss Sarah Platt	Planning Officer Telephone Number: 01603 212500
Date of Validation:	5th September 2009	
Applicant:		
Agent:	Mr Peter Moore	

INTRODUCTION

The Site

Location and Context

1. The application site is located to the South East of Grove Road and is within the Local Centre Retail Area. The site can be found within a terrace of retail units with adjacent uses including a dry cleaners and a nostalgia shop. To the rear is a car park and some outbuildings with residential gardens behind. The residential properties are approximately 15 metres away from the rear elevation of the property. To the North West and across the highway there are more units; a beauty salon and lettings agent office, with residential flats above.

Planning History

2. Planning permission was granted in 2003 for the change of use from a retail unit to the bookmakers as existing today (application reference: 03/00523/U). The application was approved on the 3rd February 2004.
3. Prior to this an application was approved in 2001 for a change of use from retail to a hot food takeaway (application reference: 4/2000/1001). However, this approval does not appear to have been implemented.

The Proposal

4. The proposal is for the change of use of the betting shop (Class A2) to hot food takeaway (Class A5). There will also be the installation of a new extraction system and an extraction flue to the roof.

Representations Received

5. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing. 1 letter of representation has been received citing the issues as summarised in the table below.

Issues Raised	Response (see paragraph)
Smell disturbance	See paragraph 11
Increased litter	See paragraph 12
Increased noise	See paragraph 11

Consultation Responses

6. Environmental Health have responded that the extraction flu is positioned in a location which is unlikely to cause nuisance to surrounding businesses or residents.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

Relevant National Planning Policies

PPS1 – Delivering Sustainable Development
PPS1 Annex – Planning & Climate Change
PPS6 – Planning for Town Centres
PPG24 – Planning and Noise

Relevant East of England Plan Policies

SS6 – City & Town Centres
ENV7 – Quality in the Built Environment
NR1 – Norwich as a Key Centre for Development & Change

Relevant Saved City of Norwich Replacement Local Plan Policies

HBE12 – High Quality of Design
EP22 – High Standard of Residential Amenity
SHO12 – Development in District or Local Centres
SHO15 – Changes of Use within District or Local Centres
SHO22 – Food and Drink uses and conditions on hot food takeaways

Principle of Development

Policy Considerations

7. The application site falls within the Grove Road Local centre so saved policy SHO12 of the adopted Local Plan applies. There are 15 units which comprise the Local Centre, of which 5 are non-retail. There is currently a retail frontage of 66.7%.
8. Saved policy SHO12 states that development within the Local Centre will only be permitted if it does not have a significant detrimental impact on the vitality or viability of the existing centre, the development should be of a scale in proportion to the Local Centre and the quality of the built environment and residential amenity will not be harmed.
9. Saved policy SHO15 states that the proportion of A1 retail uses in Local Centres should not fall below 60% as a result of changes of use. Increasing the non-retail units to 6 from 5 would result in a new retail frontage percentage of 60% which is in accordance with policy. The proposal for change of use is therefore not considered to be detrimental to the vitality and viability of the area.

Impact on Living Conditions

Noise and Disturbance

10. Concern has been raised over issues of noise and smell disturbance to local residents. These points can be taken together. The nearest residential property to the front of the application premises is approximately 20 metres (across the highway), the nearest residential property to the rear is approximately 15 metres. The flue extraction chimney and cowl is to be placed approximately two thirds of the building depth away from the frontage adjacent to the rear stepped flat roof. It is considered that the flu is sufficiently far enough away from the residential properties so as not to cause noise or smell disturbance to local residents. Therefore it is would be considered difficult to sustain a refusal on these grounds.
11. Saved policy SHO22 requires developers to provide litter bins for changes of use to hot food takeaways. There is a litter bin within 5 metres of the main entrance door and it is not considered necessary to provide further litter facilities.
12. The extraction chimney and cowl are placed sufficiently far enough back on the roof that they are not visible from the pavement. As there are no long range views towards the application site it is considered that the chimney and cowl will not have a detrimental visual impact on the area.

Conclusions

13. It is considered that the change of use will not result in a non-retail frontage of more than 40% and that the proposals are in accordance with saved policy SHO15 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).
14. The extraction flu will be situated in a location so as to cause little noise or smell disturbance to local residents and there is not considered to be any detrimental harm to residential amenity.
15. It is also considered that there is already sufficient provision of litter bins within the area.
16. There is not considered to be any visual harm from the addition of the extraction chimney and cowl in its proposed location.

RECOMMENDATIONS

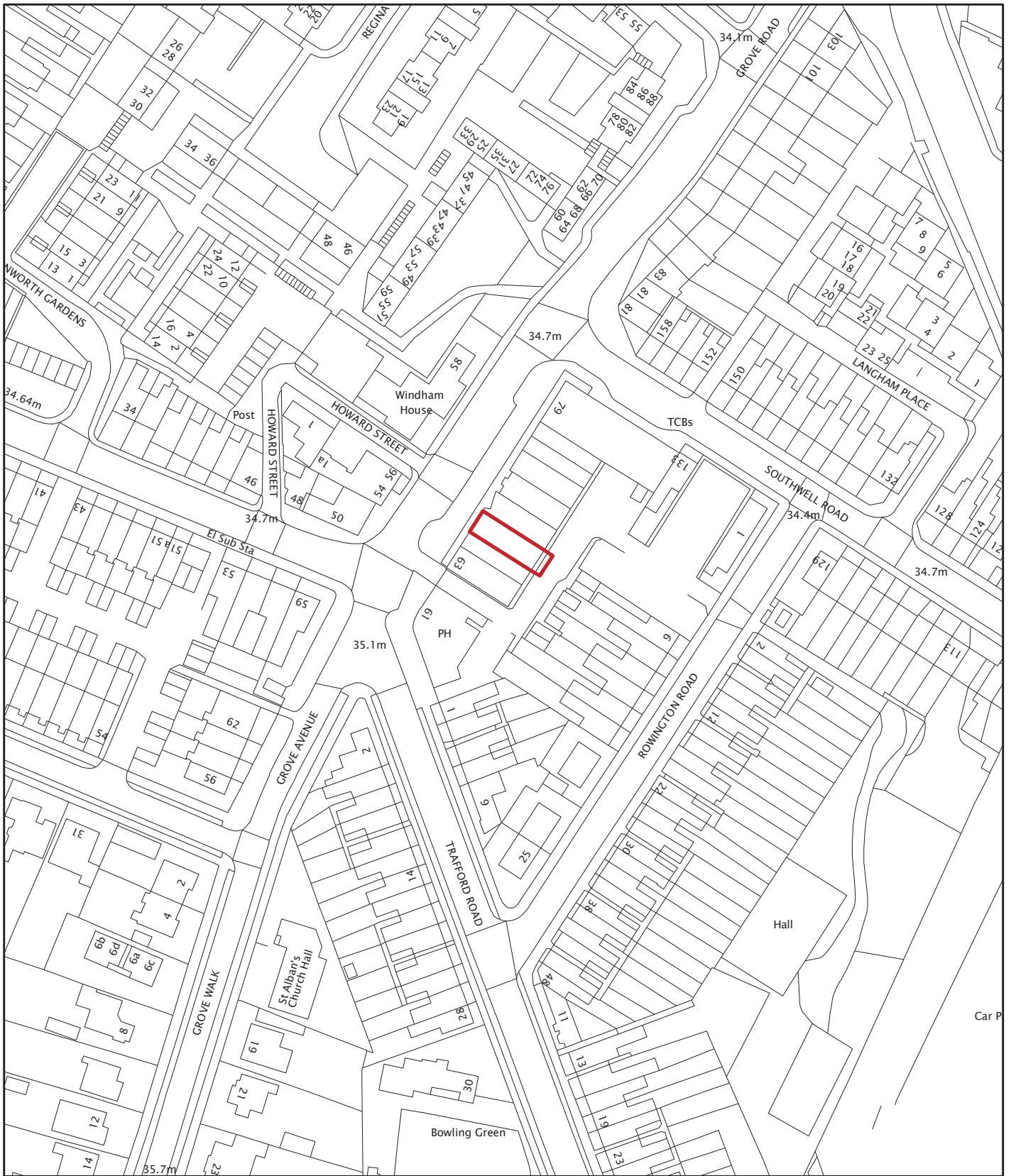
RECOMMENDED FOR APPROVAL subject to the conditions outlined below:

- 1) Standard time limit
- 2) Drawings as included on the decision notice
- 3) Opening Hours: Not before 11:00hrs or after 23:00hrs Sunday to Thursday and not before 11:00hrs or after 24:00hrs Friday and Saturday.

- 4) Maintenance of the filtration system for the extraction system.

Reasons for Approval:

- 1) The change of use hereby permitted is not considered to be out of scale with the Local centre of Grove Road. The proportion of retail to non-retail will still be within acceptable levels and the use permitted is considered to add positively to the vitality and viability of the area. Therefore the proposal is considered to be in accordance with PPS6, policies SS6 and NR1 of the East of England Plan (May 2008) and saved policy SHO15 of the City of Norwich replacement Local Plan (Adopted Version November 2004).
- 2) There is not considered to be any detrimental impact on residential amenity through noise or smell pollution and there is already sufficient litter provision in close proximity to the application site and there will be no visual harm caused through the addition of the extraction chimney and cowl as there are no long range views towards the application site. Therefore the proposals are considered to be in accordance with the objectives of PPG24, policy ENV7 of the East of England Plan (May 2008) and saved policies HBE12, EP22 and SHO22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).



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Planning Application No - 09/00475/F
 Site Address - 67 Grove Road, Norwich
 Scale - 1:1250



NORWICH
 City Council

DIRECTORATE OF REGENERATION
 AND DEVELOPMENT

