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| ITEM: | | RECOMMENDATION: | APPROVAL |
| REF NO: | 3PL/2017/1521/F | CASE OFFICER | Lisa ODonovan |
| LOCATION: | THETFORD 14 Lime Kiln Lane Thetford | APPNTYPE: | Full |
| APPLICANT: | Mr Amin Bashdar 12 Lime Kiln Lane Thetford | POLICY: | In Settlemnt Bndry |
| AGENT: | Sketcher Partnership Ltd First House Quebec Street | ALLOCATION: | N |
| PROPOSAL: | Change of use of building to car wash and associated coffee shop | | |
| | | CONS AREA: | Adjacent |
| | | LB GRADE: | N |
| | | TPO: | N |

REASON FOR COMMITTEE CONSIDERATION

The application is brought to the Planning Committee at the request of the Ward Representative.

KEY ISSUES

Principle
Impact on the character and appearance of the area
Amenity impact
Highway impact/safety

DESCRIPTION OF DEVELOPMENT

The application proposes the change of use of the majority of the unit to a hand car wash with a small section to the front section of the unit to a coffee shop.

SITE AND LOCATION

The application site comprises of a unit located within the designated Thetford Town Centre on a retail park on Lime Kiln Lane. Access to the site is via the existing shared access off Lime Kiln Lane and the unit is surrounded by other, similar units and uses, including Aldi, Halfords and Jolleys. Residential dwellings are sited to the south-west.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2017/1212/F - Change of use of part building to coffee shop / cafe to include external decked - Refused

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

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|-------|-------------------------------------|
| CP.04 | Infrastructure |
| DC.01 | Protection of Amenity |
| DC.09 | Proposals for Town Centre Uses |
| DC.16 | Design |
| DC.19 | Parking Provision |
| NPPF | National Planning Policy Framework |
| NPPG | National Planning Practice Guidance |

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

THETFORD T C

Strong objection due to the lack of sufficient parking associated with this application.

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to a temporary consent (18 months) and a condition requiring the parking area to be provided within 12 weeks.

ENVIRONMENTAL HEALTH OFFICERS

No objection subject to conditions.

REPRESENTATIONS

Site notice erected: 15-12-2017

Consultations issued: 05-12-2017

One letter received raising concerns in respect of additional traffic and the subsequent implications of that.

ASSESSMENT NOTES

Principle

The unit is located in a Town Centre location within an existing retail park, therefore the principle of

establishing a car wash and associated coffee shop in this location is accepted.

Impact on the character and appearance of the area

In terms of character impact, the proposal incorporates minimal changes externally. It brings a currently empty building into use and given the mixed use nature of the area, the character impact will be minimal. In light of these factors, the proposal is considered to accord with Policy DC16.

Amenity impact

In terms of amenity impact, the Environmental Health have raised no objection subject to conditions regulating the hours of opening and external fume extraction systems/vents/air conditioning and no loudspeakers etc. Consideration also has to be given to the previous use of the site as a tyre fitting/MOT bay which also generated some noise. In light of the restrictions, the application is considered acceptable with regard to impact on the level of amenity currently enjoyed by neighbouring occupiers, particularly with regard to noise and disturbance, having due regard to Policy DC1 and paragraph 17 of the NPPF.

Highway safety

The application creates an additional 8 spaces and also keeps the front of the coffee shop clear (previous application proposed a decking area). Norfolk County Council Highways Authority was consulted and subsequently advised that when the site was visited it was noted that cars were parked opposite the tile centre but these did not appear to be connected with the car wash. The car wash was operating and the building appeared large enough to accommodate several cars simultaneously although not to the layout supplied by the most recent layout plan. It is noted that the seating area in front of the proposed coffee shop has been removed to allow vehicles to queue for the car wash without waiting in the highway.

It is also noted that 8 parking spaces have been provided for the coffee shop and whilst this is 50% less than would normally be required it is accepted that the vast majority of customers will be either visiting the adjacent retail uses, and will leave their cars elsewhere, or will be customers of the car wash.

However, there is still some concern regarding the potential for vehicles being left in the highway, it is recommended that any permission is granted be for 18 months in the first instance to monitor whether there is any detrimental effect in terms of highway safety and parking.

Conclusion

The application brings an vacant building into use and provides employment without causing undue harm to the character of the area and neighbour amenity. In terms of the overall planning balance of the scheme a temporary consent is recommended to allow for the monitoring of any potential highway impacts.

RECOMMENDATION

Planning Permission

CONDITIONS

3030

Temporary use - 18 months

Unless permission is granted beforehand for its retention, the use hereby permitted shall

cease on or before 31st July 2020 .and the land/building shall be reinstated to its former condition.

Reason for condition:-

In order that the Local Planning Authority may retain control over development which could become detrimental to the amenities of the locality and to monitor the impact on the local highway network.

3047A In accordance with submitted plans NEW 2017

The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.

Reason for condition:-

To ensure the satisfactory development of the site.

HA24 Provision of parking and servicing - when shown on plan

Within 12 weeks from the date the use hereby permitted was approved the proposed parking area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason for condition:-

To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

3920 Hours of use

The proposed development shall not operate nor customer be permitted on the premises outside the hours of 09:00 to 18:00 Monday to Saturday nor 09:00 to 15:00 on Sundays, Bank Holidays and Public Holidays.

Reason for condition:-

In the interest of the amenities of nearby residents.

3920 No fume extractions

No fume extraction systems, extract vents, air conditioning units or cooling fans shall be installed on the site unless full details have been submitted to and approved in writing by Local Planning Authority. Only those extraction systems, extract vents, air conditioning units or cooling fans which have been agreed shall be installed on site.

Reason for condition:-

In the interest of the amenity of nearby residents.

3920 No fixed plant

No fixed plant, e.g. generator, compressor or any associated flues, ducts or vents shall be installed on the site without the prior written approval of the Local Planning Authority.

Reason for condition:-

In the interest of the amenities of nearby residents.

3920 No loudspeaker

No Loudspeaker, relay, radio or other audio equipment shall be installed or used on the site without written approval of the Local Planning Authority.

Reason for condition:-

In the interest of the amenities of nearby residents.

3920 No plant, power tools

No plant or power tools shall be operated any where on site except within the building.

Reason for condition:-

In the interest of the amenities of nearby residents.

- 3920 Noise level**
- The development hereby permitted shall not generate a noise level measured at the boundary of the site greater than 59dBA. The noise level to be measured or calculated as a 60 minute Laeq.
- All measurements to be taken with a sound level meter of IEC 651 Type 1, or BS EN 61672 Class 1, standard (or the equivalent relevant UK adopted standard in force at the time of the measurements) set to measure using a fast time weighted response. This should be calibrated in accordance with the procedure specified in BS 4142: 2014 (or the equivalent relevant UK adopted standard in force at the time of the measurements).
- Reason for condition:-
In the interest of the amenities of nearby residents.
- 4000 Variation of approved plans**
- Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
- You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new application.
- 3996 Note - Discharge of Conditions**
- If the formal discharge of any condition is required, it will be necessary for you to submit to the Council all relevant details, together with a completed application for the "Discharge of Conditions" and the fee as appropriate.
- 2001 Application Approved Following Revisions**
- The Local Planning Authority has acted positively and proactively in determining this application, and by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal in as timely a manner as possible, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
- Copies of all documentation submitted in connection with this application can be viewed online at <http://www.breckland.gov.uk/content/planning-search-0>
- 2014 Criterion E - Planning Apps Where Approved**
- Appeals against planning decisions
- If you are aggrieved by the decision of your local planning authority to attach any particular condition/s to this permission, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a

householder appeal) of the date of this notice, whichever period expires earlier.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.co.uk

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.