

Application for Determination

Parish	Hoveton Parish Council
Reference	BA/2015/0084/FUL Target date: 7 May 2015
Location	Icecream Parlour, Norwich Road, Hoveton
Proposal	Remove existing wooden window frame and replace with softwood with hardwood sill with 4 lift out panels
Applicant	Mr Nick Stone
Recommendation	Approve with conditions
Reason for referral to Committee	Member referral

1 Description of Site and Proposals

- 1.1 The application site contains a commercial property within Hoveton known currently as 'Yankee Candy & Soda', which is currently trading as a sweet shop. The shop is situated facing the northwest towards the main road through Hoveton, on the A1151. The road, at this location, is lined with commercial properties on both sides, with a high preponderance of café and takeaway outlets. A public footpath exists on a pavement to the front of the shop.
- 1.2 The application is for the removal of the existing timber window frame and replacing with a softwood timber frame with hardwood timber sill with four lift out panels. The overall size of the window frame would remain the same, 3,040mm wide by 1,620mm in height. The four large panels would lift out of the frame to allow the front of the shop to be open to trade directly onto the street. The top 450mm of glazing would be fixed.

2 Site History

None

3 Consultation

Broads Society – No objections.

Parish Council – a response is awaited.

District Member - My initial impressions are that such a serving hatch facility, with the attendant queue, so close to a busy public footway would create a narrowing of the effective footway and cause passing pedestrians to walk in the carriageway of a very busy road. Accordingly, if officers were minded to approve the application under delegated powers, I would need to call it in for Planning Cttee consideration on the planning grounds that the expected queue at the hatch would be likely to create a significant risk to pedestrian road safety.

Highways – a response is awaited (expected 21.04.2015).

4 Representations

None received

5 Policies

- 5.1 The following policies have been assessed for consistency with the NPPF and have been found to be fully consistent with the direction of the NPPF.

Adopted Broads Core Strategy (2007)
[Core Strategy Adopted September 2007 pdf](#)

CS9 and CS11 – Sustainable Tourism

Adopted Broads Development Management DPD (2011)
[DEVELOPMENTPLANDOCUMENT](#)

DP4 – Design
DP11 – Access on Land

- 5.2 The following policies have been assessed for consistency with the NPPF and have been found to be fully consistent with the direction of the NPPF.

Adopted Site Specific Policies Local Plan (2014)
http://www.broads-authority.gov.uk/__data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf

HOV 4 – Village Retail Core

- 5.3 Material Considerations
NPPF [NPPF](#)

6 Assessment

- 6.1 This application seeks consent for the removal of the existing timber window frame and replacing with a softwood timber frame with hardwood sill with four lift out panels. This would enable the unit to trade directly to

the street and it is proposed to sell ice creams. The main issues in the consideration of this application are the principle of the design and impact on pedestrian safety.

- 6.2 Planning policies within the adopted DM DPD and Site Specific Policies Local Plan are supportive of the redevelopment of sites and buildings within the area to provide retail, tourist or boating facilities, where developments do not significantly exacerbate traffic congestion, air quality problems or have a significant impact on highway safety, especially in the vicinity of the bridge in Hoveton. The proposed development would satisfy these criteria and is therefore acceptable in principle.
- 6.3 Turning to the details of the scheme and considering first the design of the proposed development, the replacement windows would be of a similar design and materials to other shops in the Hoveton area. The application proposes the use of timber frame windows, which are considered to be an appropriate and sustainable material. The modest scale of the works combined with the proposed materials result in a proposal which is considered to be of a high standard of design and acceptable.
- 6.4 In terms of the use, the proposed change constitutes permitted development and no planning permission is therefore required.
- 6.5 Concerns have been raised regarding the potential for a queue of customers to cause a significant risk to pedestrian road safety, because having a queue so close to a busy footway could create a narrowing of the effective footway and cause passing pedestrians to have to walk in the carriageway of a busy road. Whilst the concerns are noted, it is considered that the footway in this location, at over two metres wide, safely provides sufficient space for pedestrians to pass one another, even in the event of a customer queue outside this site.

7 Conclusion

- 7.1 The application seeks consent for the removal of the existing timber window frame and replacing with a softwood timber frame with hardwood sill with four lift out panels.
- 7.2 Policies within the Broads DM DPD and Broads Site Specific Policies Local Plan seek to encourage the redevelopment of sites and buildings within the area to provide retail, tourist or boating facilities. The development is of a small scale and the design is considered to be appropriate in the context of the surrounding area. It is not considered to impact on pedestrian road safety.
- 7.3 Consequently, the recommendation is for approval subject to conditions as detailed below.

8 Recommendation

8.1 Approve subject to conditions:

- (i) Time limit
- (ii) In accordance with approved plans

Background papers: Application File BA/2015/0084/FUL

Author: George Papworth

Date of Report: 13 April 2015

List of Appendices: APPENDIX 1 – Location Plan

APPENDIX 1

BA/2015/0084/FUL - Icecream Parlour, Norwich Road, Hoveton

Remove existing wooden window frame and replace with softwood with hardwood sill with 4 liftout panels



BA/2015/0084/FUL : Remove existing wooden window frame and replace with softwood with hardwood sill with 4 lift out panels

From: French, Stuart [mailto:stuart.french@norfolk.gov.uk]

Sent: 20 April 2015 14:41

To: George Papworth

Subject: RE: BA/2015/0084/FUL

Hello George

With reference to your recent email, below are my comments in relation to highway matters only, which has only been based on a desktop study only.

The property is a commercial premise within an already clearly identified town centre environment where motorists will expect pedestrians and pedestrian interaction, and in Wroxham this is likely to vary depending on the season. The local speed limit near to the development is 15mph due to the nearby bridge which also acts to restrict traffic speeds and I suspect pedestrians frequently cross the road in the near presence of vehicles. Having looked at the accident data available there appear not be any personal injury accidents in the near vicinity.

It is noted that there are varying types of business along this stretch or road, but many appear to be in the business of food, confectionary or takeaway sales and indeed some already have facilities for trading from an open façade.

It should be noted that there is a strip of land fronting the property that is not public highway, this is the concrete strip between the footway and the property, which currently is used for 'A'-frame signs. Whilst this land may give an "additional available width" to the adjacent footway, my records indicate there that are no established highway rights and therefore any use of this land is at the discretion of the land owner.

I am of the opinion that whilst some queues may occur, and I would also suggest that this may presently occur at neighbour's shops, I am of the opinion that this private strip of land if kept clear of signing etc., would serve to facilitate any queues within minimal inconvenience to users of the highway. Furthermore this will not be the only shop in the immediate area offering the sale of ice cream etc. Whilst no opening times appear to have been stipulated I am further of the opinion that the sale of such goods as proposed takes a relatively short time and it is for the applicant to ensure there are sufficient staff to cope with customer demand.

By the nature of a high street there will be some partial obstruction to pedestrian movements caused by people stopping to talk or window shops queue at bus stops, etc., or even queuing for shops to open.

Whilst it is extremely difficult to predicate queue lengths (which could be variable depending on season), or even if queuing will occur, I am of the opinion that given the local environment and similar provision nearby, it is unlikely that there would be a significant issue given the private land that will also be utilised.

I would suggest that it may be prudent to consider an appropriate condition to ensure the private land (and the public highway for that matter) is kept clear of any advertising material, barriers or similar obstructions in order to ensure that the private land is available for use by customers. If may

also be appropriate to consider whether a temporary consent be granted in order to monitor the effects of the development.

I trust this is of assistance

Kind regards

Stuart

Stuart French

Highways Development Management & Licensing Officer

Developer Services

Highways and Transport

Community and Environmental Services

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