



## PLANNING APPLICATIONS COMMITTEE

9.30am to 10.40 am

9 January 2014

Present: Councillors Bradford (chair), Gayton (vice chair), Ackroyd, Blunt, Button, Grahame, Jackson, Little, Neale, Sands (S) and Storie

Apologies: Councillor Brociek-Coulton

### 1. DECLARATION OF INTERESTS

There were no declarations of interest.

### 2. MINUTES

**RESOLVED** to approve the minutes of the meeting held on 5 December 2013, subject to amending the start time of the meeting to 9.30am.

### 3. APPLICATION NO 13/01740/O 2 UPTON CLOSE NORWICH NR4 7PD

The planner (development) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting and contained summaries of five further representations and the officer response. The applications was recommended for approval and it was proposed that an additional informative should be added to advise the developer that the permission was for a single storey dwelling.

Three residents of Upton Close addressed the committee and highlighted their objections to the proposal which included concerns about the amenity to neighbouring properties from vehicles using the new drive way adjacent to the boundary with no 4 Upton Close and about traffic safety as the access/egress to the site was situated on a bend in the road which served as the main route to around 70 dwellings and there were concerns about on street parking. One of the residents who lived opposite to the site said that he had not received notification of the planning application and that he was concerned about the affect that the proposal would have on the aesthetic value of the house at no 2 Upton Close.

The agent then addressed the committee and spoke in support of the application and said that it was for a small residential dwelling in a sustainable location.

The planner referred to the report and together with the planning development manager responded to the issues raised by the speakers and answered members'

questions. Members were advised that the house opposite 2 Upton Close was outside the 10 meters of the “redline” of the proposal site and therefore was not included in the criteria for letters to neighbours. The boundary between nos 2 and 4 Upton Close was outside the redline of the proposal site and therefore concerns about boundary treatment and noise and disturbance to the residents of no 4 Upton Close was not material to this application. Upton Close was an unclassified road and planning permission was not required for access/egress to dwellings.

During discussion one member expressed concern that the access/egress to the site would be near a bend in the road. Another member noted that approval for landscaping would be considered under reserved matters and requested that the condition be expanded to ensure that the beech hedges were not removed during the bird nesting season.

**RESOLVED**, with 8 members voting in favour (Councillors Bradford, Gayton, Blunt, Button, Grahame, Little, Neale, Sands), 1 member against (Councillor Ackroyd) and 2 members abstaining (Councillors Jackson and Storie):

- (1) to approve application no 13/01740/O at 2 Upton Close and grant outline planning permission, subject to the following conditions:-
  1. Standard time limit.
  2. Approval of reserved matters in relation to access, layout, scale, external appearance and landscaping, and to ensure that the beech hedges to the front of the property are not removed during the bird nesting season;
  3. In accordance with plans.
  4. Works in accordance with AIA including tree protection.
  5. Ground protection, arboricultural supervision and siting of services.
  6. Water efficiency.
- (2) that the committee will determine the planning application for reserved matters in respect of this site.

#### Article 31(1)(cc) 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.

#### Informative Notes:

1. Vehicle crossover/dropped kerb information.
2. Street naming information.
3. Permission is given for a single storey dwelling only.

**4. APPLICATION NO 13/01218/F 13 - 14 GENTLEMANS WALK, NORWICH, NR2 1NA**

The planner (development) presented the report with the aid of plans and slides, highlighting the issues raised in response to the consultation.

Discussion ensued in which the planner and the planning development manager answered members' questions. Members were advised that the applicant must comply with the hours of operation as conditioned and would not be able to extend opening hours through a subsequent application under the Licensing Act 2003 for a premises licence. It was standard policy that sites outside the city's night time economy zone closed at midnight and would be difficult to justify staying open after that time. Members were advised that this application was sui generis for the use specified by the applicant. The planning development manager explained that an informative would be added in order to make it clear to the applicant that the planning permission would be for a sui generis use as a restaurant and karaoke bar and for no other use. The application was subject to conditions on materials, plant and restrictions on amplified sound equipment. The environmental protection officers were aware of the application and the assessment was based on the maximum use of all the rooms on the third floor. It was noted that there would be insulation between the rooms.

During discussion officers undertook to seek clarification on whether it would be possible to specify the times when the waste bins could be placed in the alley and whether the applicant's waste collection service could collect from inside the premises, and raise this in discussions on the management plan as set out in condition 10 (a). Members suggested that bins should be placed outside after closing time so as not to affect the amenity of the patrons using the external seating area of the Walnut Tree Shades public house.

**RESOLVED**, unanimously, to approve application no 13/01218/F at 13-14 Gentleman's Walk and grant planning permission, subject to the following conditions:-

1. Standard time limit condition
2. In accordance with the details and drawings submitted with the application
3. Submission of details of all new doors and windows (external and internal)
4. Details of external materials to be submitted
5. Restriction on use of amplified sound equipment
6. Details of any plant/ machinery /fume/ extract systems to be submitted
7. Details of position of air-conditioning or refrigeration plant and maintenance schedule
8. Premises not open to the public between the hours of 00:01 hours and 07:00 hours
9. The storage receptacles associated with the operation approved shall only be left on Old Post Office Court or Gentleman's Walk for collection purposes outside pedestrianised and at no other time
10. Submission of a construction and management plan to include the following:
  - (a) details of how waste will be stored and removed from the site;
  - (b) details of how deliveries will be made to the site;
  - (c) storage of materials;
  - (d) provision of pedestrian routes past the site (if appropriate);

(e) hours of construction.

Informatives:

1. No vehicles are permitted adjacent to the premises at any time as Old Post Office Court is a narrow pedestrian thoroughfare. Vehicles must wait at the Castle Street end of Old Post Office Court or on Gentleman's Walk outside pedestrianised hours of operation.
2. Refuse and recycling bins to be purchased by the applicant prior to occupation.
3. The new floorspace created as part of the proposal although technically liable for Community Infrastructure Levy (CIL) is below the threshold of 100sq.m. for minor developments and will not therefore incur a fee unless before the time planning permission first permits the chargeable development the government amends the threshold.
4. The development hereby approved relates to a change of use to a mixed sui generis use as a restaurant and karaoke bar, which does not fall within a specific use class as defined in the Use Classes Order 1987 (as amended) and for no other use.

**5. APPLICATION NO 13/01963/VC: UNIT A, YAREFIELD PARK, OLDHALL ROAD, NORWICH, NR4 6FF**

The senior planner (development) presented the report with the aid of plans and slides, and referred to the supplementary report of updates to reports which was circulated at the meeting.

In response to a member's question, the senior planner proposed that the head of planning, in consultation with the chair and vice chair, should be delegated to determine whether any adverse representations or objections received before the closure of the consultation period (15<sup>th</sup> January) would require the application to be referred back to the committee. A member expressed concern that people who had made representations would be denied an opportunity to speak at committee.

**RESOLVED**, unanimously,

- (1) to approve application no 13/01963/VC at Unit A, Yarefield Park, Oldhall Road, Norwich, NR4 6FF, and grant planning permission, subject to the following:
  - (a) not receiving any adverse representations or objections from the public or consultees before 16 January 2014;
  - (b) the following conditions:
    1. Development shall commence by 23 August 2016.
    2. The development shall be in accordance with the plans and details within permission 13/00870/F, amended appropriately to include the highways plans detailed on this decision notice.
    3. Restrictions on use of site and users of the school – as per Condition 3 of 13/00870/F.
    4. Water conservation measures shall be provided – as per Condition 4 of 13/00870/F.

5. Provision of: on-site bus stop; landscaping and servicing areas; fencing and gates; landscaping; car parking and sports area; pedestrian safety markings; and cycle parking – as per Conditions 5a-5g of permission 13/00870/F.
6. There shall be no use until the following features are provided:
  - (a) provide the Hall Rd / Oldhall Rd cycle link shown on drawings 02 and 03;
  - (b) undertake signage adjustments shown in drawings 04 and 05;
  - (c) provide a vehicle direction sign to Oldhall Road on Hall Road as shown on drawing 06 and to the specification shown at plan Appendix 12/1;
  - (d) provide the pedestrian safety measures at the Oldhall Road junction previously required by condition 6f of 13/00870/F unless otherwise agreed in writing by the Local Planning Authority;
  - (e) provide the bus stop improvements previously required by condition 6f of 13/00870/F unless otherwise agreed in writing by the Local Planning Authority.
7. No use of the development until the following measures have been provided in general accord with plan PL/TR/3329/738-2, unless otherwise agreed in writing with the LPA:
  - (a) double yellow lines along the length of Oldhall Road as shown on drawing PL/TR/3329/738-2A.
  - (b) double yellow lines along Neatmarket as shown on drawings PL/TR/3329/738-3 and PL/TR/3329/738-3B..
  - (c) double yellow lines within the entrances to access drives / unadopted roads, as shown in the plan PL/TR/3329/738-2.
  - (d) the application site shall be marked as a 'no drop off' zone by using signage as shown in drawings Appendix 12/1.
8. There shall be no use until street lighting is provided to Oldhall Road – as per Condition 8 of permission 13/00870/F;
9. There shall be no use until photovoltaic panels are provided – as per Condition 9 of permission 13/00870/F.
10. Fulfil Travel Plan requirements of Condition 10 of permission 13/00870/F.
11. External lighting details to be agreed - as per Condition 11 of permission 13/00870/F.
12. Servicing and delivery restrictions for HGVs – as per Condition 12 of permission 13/00870/F.
13. Restrictions on installation of plant and machinery – as per Condition 13 of permission 13/00870/F.

- (2) in the case of any adverse representations or objections being received before 16 January 2014, delegate to the head of planning services, in consultation with the chair and vice chair, to consider the representations and either confirm the committee's decision or refer the application back to committee for determination.

Article 31(1)(cc) 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. Following pre-application discussions and negotiations with the applicant, the proposals have been approved subject to appropriate conditions and reasons as outlined above.

Informative Note:

1. Construction good practice guidance.

CHAIR