



PLANNING APPLICATIONS COMMITTEE

9.30 a.m. – 12.55 p.m.

12 March 2009

Present: Councillors Bradford (Chair), Llewellyn (Vice-Chair), Bearman, Lay, Little, and Stephenson

Apologies: Councillors Banham, Collishaw, Driver, George and Lubbock

1. MINUTES

RESOLVED to approve the accuracy of the minutes held on 19 February 2009 subject to item 15, Application No 08/01256/F – Garages adjacent to and east of 2 Albany Road, record that the late objection from a neighbour also included an objection on the grounds of parking.

2. PLANNING APPLICATIONS – SECTION 106 AGREEMENTS

The Planning Development Manager by way of introduction explained that due to a drive to improve performance figures over the last few months applications were now recommended to the Committee for approval, subject to refusal if the Section 106 Agreement was not completed by the end of the 13 week period. The following applications precede this policy and had received approval by the Committee subject to the signing of a Section 106 Agreement. In order to clear the backlog of older applications before April, it was recommended to delegate to the Head of Planning and Regeneration Services refusal of planning permission if a Section 106 Agreement was not signed by 27 March 2009. It was anticipated that this was reasonable expectation and that the majority of the Section 106 Agreements could be completed by the end of March. Officers would use discretion if substantial progress had been made and the agreement was likely to slip to early April.

3. APPLICATION NO 07/00587/F – LAND AT THE CORNER OF ST SAVIOURS LAND AND BLACKFRIARS STREET

The Planning Development Manager said that this item had been withdrawn as further information had come forward.

RESOLVED to note that the report recommending delegation to refuse Application No 0707/00587/F – Land at the Corner of St Saviours Land and Blackfriars Street if a Section 106 Agreement or satisfactory wording undertaking is not completed prior to 27 March 2009 had been withdrawn.

4. APPLICATION NO 100-108 ST BENEDICT'S STREET

RESOLVED, having considered the report of the Head of Planning and Regeneration Services, that if a Section 106 Agreement or satisfactorily worded undertaking is not completed prior to 27 March 2009, to delegate authority to the Head of Planning and Regeneration Services, to refuse planning permission for Application No 100-108 St Benedict's Street for the following reason:-

1. In the absence of a legal agreement or satisfactory undertaking relating to the provision of affordable housing, education contribution, open space provision, servicing and TRO provision, and transportation contributions the proposal is contrary to saved policies HOU4, HOU6, SR4, TRA10 and TRA11 of the adopted City of Norwich Replacement Local Plan.

5. APPLICATION NO 07/01018/F – CIVIL SERVICE SPORTS GROUND, WENTWORTH GREEN

RESOLVED, having considered the report of the Head of Planning and Regeneration Services, that if a Section 106 Agreement or satisfactorily worded undertaking is not completed prior to 27 March 2009, to delegate authority to the Head of Planning and Regeneration Services, to refuse planning permission Application No 07/01018F – Civil Service Sports Ground, Wentworth Green, for the following reason:-

1. In the absence of a legal agreement or satisfactory undertaking relating to the provision of: affordable housing on site; on-site open space; on-site child play area facilities; sustainable drainage solutions; highways works, parking controls and transport contributions commensurate with the highways impacts arising from the proposal; libraries contributions; and landscaping contributions for adoption of the tree belts, the proposal is contrary to saved policies NE4, HOU4, HOU6, SR7, TRA10 and TRA11 of the City of Norwich Replacement Local Plan Adopted version 2004.

6. APPLICATION NO 07/01228/F – 2 HURRICANE WAY

RESOLVED, having considered the report of the Head of Planning and Regeneration Services, that if a Section 106 Agreement or satisfactorily worded undertaking is not completed prior to 27 March 2009, to delegate authority to the Head of Planning and Regeneration Services, to refuse planning permission Application No 07/01228/F – 2 Hurricane Way for the following reason:-

1. In the absence of a legal agreement or satisfactory undertaking relating to the provision of transportation contributions to offset the increase in peak time traffic movements and to provide sustainable transport improvements the proposal is contrary to saved policy TRA11 of the City of Norwich Replacement Local Plan Adopted version 2004.

7. APPLICATION NO 07/01427/0 – LAND AT DOWDING ROAD, TAYLORS LANE AND DOUGLAS CLOSE

RESOLVED, having considered the report of the Head of Planning and Regeneration Services, that if a Section 106 Agreement or satisfactorily worded undertaking is not completed prior to 27 March 2009, to delegate authority to the Head of Planning and Regeneration Services, to refuse planning permission Application No 07/01427/0 – Land at Dowding Road, Taylors Lane and Douglas Close for the following reason:-

1. In the absence of a legal agreement or satisfactory undertaking relating to the provision of affordable housing, children's play provision and transportation and library contributions, the proposal is contrary to saved policies HOU4 and 6, SR4 and 7 and TRA 10 and 11 of the adopted City of Norwich Replacement Local Plan.

8. APPLICATION NO 08/00523/F – 13-25 LONDON STREET

RESOLVED, having considered the report of the Head of Planning and Regeneration Services, that if a Section 106 Agreement or satisfactorily worded undertaking is not completed prior to 27 March 2009, to delegate authority to the Head of Planning and Regeneration Services, to refuse planning permission for Application No 08/00523/F – 13-25 London Street for the following reason:-

1. In the absence of a legal agreement or satisfactory undertaking relating to the provision of children's play provision and transportation contributions the proposal is contrary to saved policies HOU6, SR7 and TRA11 of the adopted City of Norwich Replacement Local Plan.

9. APPLICATION NO 08/00673/0 – 212 - 216 THORPE ROAD

RESOLVED, having considered the report of the Head of Planning and Regeneration Services, that if a Section 106 Agreement or satisfactorily worded undertaking is not completed prior to 27 March 2009, to delegate authority to the Head of Planning and Regeneration Services, to refuse planning permission for Application No 08/00673/0 – 212 -216 Thorpe Road for the following reason:-

1. In the absence of a legal agreement or satisfactory undertaking relating to the provision of children's play provision contributions to assist in providing child play space facilities in this sector of the City and the provision of transportation contributions to offset the increase in peak time traffic movements and to provide sustainable transport improvements the proposal is contrary to saved policy the proposal is contrary to saved policies HOU6, SR7 and TRA11 of the City of Norwich Replacement Local Plan Adopted version 2004.

10. APPLICATION NO 08/00827/F – LAND AND GARAGES NORTH WEST SIDE OF MAGPIE ROAD

(Councillor Llewellyn declared a personal interest at the beginning of this item in that he resided in the area.)

The Senior Planner (Development) presented the report with the aid of slides and plans and diagrams showing shadow predictions. There had been a further letter of representation from the housing association which owned houses in Starling Road concerned that the development would affect the privacy of residents at 20 Starling Road. The Senior Planner (Development) said that the developer had amended the application to minimise the impact on 20 Starling Road by moving the development away from its rear garden and reducing the roof height of the eastern terrace, and together with the Planning Development Manager responded to members' questions.

During discussion members considered the use of the cycle path and whether it would actually be used. Members were advised that the cycle path would provide a safe route for cyclists in its own right and would enhance the gyratory system arising from the development of Anglia Square. Members were reassured that the two existing garage tenants would be offered vacant garages at Catherine Wheel Opening. Members also sought reassurance that replacement planting would comprise native species suitable for the site and were advised that the 10 replacement trees would comprise the following species: Norway Maple; Silver Birches; an Acer; Field Maple and 3 Hornbeams.

The Chair welcomed the development of the site for affordable housing.

RESOLVED to approve Application No 08/00827/F – Land and Garages North West Side of Magpie Road and grant planning permission subject to the following conditions:-

1. Commencement of development within three years
2. Details of Facing and Roofing Materials
3. Details of external lighting
4. Details of car parking, cycle storage, bin stores
5. Details of construction and surfacing of cycle lane
6. Details of Boundary treatment, walls and fences
7. Details of trees and hedging to be retained and Tree Protection Scheme prior to commencement
8. Details of retention of tree protection
9. Details of Landscaping, planting and site treatment works
10. Landscape maintenance
11. Obscure glazing only to boundary windows (plots facing Starling Road)
12. Details of habitat protection measures
13. Contamination report
14. Details of 10% renewables
15. Archaeology

(Reasons for approval:- The development of 11 affordable dwellings would contribute to the promotion of affordable housing in Norwich. The proposed development would be well integrated with the surrounding development in form and design and would make good use of this under-used site. The proposed development would not have any significant impact on the amenities of adjacent properties. The decision has been taken having regard to policies EP16, EP18, EP20, EP22, HOU6, HOU12, HOU13, HBE3, HBE12, NE9, SR7, TRA5, TRA6, TRA7, TRA8, TRA11 and TRA14 of the City of Norwich Local Plan (Adopted Version

2004) and policies ENG1, ENV7, H2 and WM6 of the East of England Plan, May 2008 and to all material planning considerations.)

11. APPLICATION NO 08/01035/F – 40 GERTRUDE ROAD

(Councillors Bradford, Bearman, Lay and Little declared a personal interest in this item in that they represent the Council on the Mousehold Heath Conservators Committee)

The Senior Planner (Development) said that since the publication of the report a further letter of representation had been received from the resident of 32 Gertrude Road, whose concerns included setting a precedent for other Gertrude Road residents to develop their back gardens; there were no street lights on Gilman Road beyond 10A and 10B Gilman Road; the development would be higher than Gertrude Road and look down into the gardens of numbers 30, 32 and possibly 36; would block the view of Mousehold Heath from 32 Gertrude Road; increased parking on Gertrude Road and also on Gilman Road if off street parking not adhered to and concerns that this could impede fire engines accessing the Heath and calling for a moratorium on any development adjacent to the Heath for 5 years to allow for the Council to create a policy. The Senior Planner (Development) then presented the report with the aid of slides and plans and, together with the Planning Development Manager answered questions on the report.

Councillor Bradford moved and Councillor Bearman seconded that the Committee undertook a site visit before determining this application.

RESOLVED, with 3 members voting in favour (Councillors Bradford, Bearman and Little), 2 members voting against (Councillors Stephenson and Llewellyn) and 1 member abstaining (Councillor Lay) to defer consideration of Planning Application No 08/01035/F – 40 Gertrude Road, to allow for a site visit (to be held at 9.00 a.m. on Thursday, 2 April 2009 meeting at the car park on Gilman Road) and for a full presentation of the report at the next meeting on 2 April 2009.

12. APPLICATION NO 08/01277/U - FORMER ALLOTMENT GARDENS REAR OF 19 OLD PALACE ROAD

The Senior Planner (Development) presented the report, with the aid of slides and plans, and explained that the former allotment gardens had been in private ownership. In response to questions, he said that the boundary treatment was to be confirmed but that the site needed to be secure. The applicants would proceed to purchase the site subject to planning permission being granted.

RESOLVED to approve Application No 08/01277/U - Former Allotment Gardens Rear of 19 Old Palace Road and grant planning permission subject to the following conditions:-

1. Standard time limit;
2. Details of landscaping and materials to be submitted and approved, to include boundary treatments and means of access;
3. Hours of use restriction – the site shall not be used between 18:00 and 08:00 Monday-Friday or at any time on Saturdays and Sundays.

(Reasons for approval:- The decision to grant planning permission has been taken having regard to national policy and Saved Local Plan policy EP22 of the City of Norwich Replacement Local Plan Adopted Version November 2004 and all material planning considerations. Subject to the above conditions, the proposal will bring a derelict and neglected site into improved use as an educational resource and playing facility for the adjacent school. The proposal accords with national planning policy PPG17 to enhance the quality of sports and recreation facilities. Although there will be some considerable loss of private amenity space from the host property, sufficient private amenity space remains for the dwelling, similar in form to the character of the surrounding area, to satisfy saved Local Plan policy EP22. Any impacts on neighbouring residential uses will be mitigated by the conditions requiring landscaping details and hours of use.)

13. APPLICATION NO 08/01247/FT - 102 PRINCE OF WALES ROAD

The Planner (Development) presented the report with the aid of slides and plans, and together with the Planning Development Manager answered questions. A copy of the roof plan and photographs showing the site and an example of the proposed finish of the mast were circulated at the meeting.

During discussion Councillor Bearman said that she could not see the need for increased mobile phone coverage and expressed concern for the health of the office workers and local residents. Councillors Little, Lay and Stephenson also expressed concern that the mast would be 'hidden' so that people might not be aware of its presence and that a lot of public used this area, and there was a residential area in the vicinity. Members considered that they could not vote against the proposal though because they used mobile phones.

Councillor Bradford pointed out that the proposal would not alter the visual appearance of the building.

RESOLVED with 1 member voting in favour (Councillor Bradford) and 5 members abstaining (Councillors Lay, Bearman, Stephenson, Little and Llewellyn) to approve Application No 08/01247/FT - 102 Prince of Wales Road and grant planning permission, subject to the following conditions:

1. The development must be begun within three years of the date of this permission.
2. Prior to the painting of the GRP enclosure full details of the colour and finish to match the existing brickwork shall be agreed on site and subsequently in writing with the Local Planning Authority. The enclosure shall then be painted in full accordance with the agreed details within 3 months or such further period as may be agreed in writing with the Local Planning Authority.

(Please note that for clarification the wording of condition 2 has been amended following the meeting.)

(Reasons for approval: The development hereby permitted is considered not to have a detrimental impact on the existing or adjacent buildings, wider street scene or City Centre Conservation Area, nor is there considered to be a detrimental impact on

important views of Norwich. Therefore the proposed development is considered to be in accordance with the objectives of PPG8, policy ENV7 of the East of England Plan (May 2008) and saved policies HBE8, HBE12, HBE13 and HBE20 of the City of Norwich Replacement Local Plan (Adopted Version November 2004.)

14. APPLICATION NO 08/01311/U – UPSTAIRS DOWNSTAIRS FURNITURE, 20 ST JOHN MADDERMARKET

The Planner (Development) presented the report with the aid of slides and plans. In response to a question she explained that if the applicant wanted to provide a takeaway service and delivery service, a separate application would be required.

RESOLVED to approve Planning Application No 08/01311/U – Upstairs Downstairs Furniture, 20 St John Maddermarket, and grant planning permission subject to the following conditions:-

1. The development must be begun within three years of the date of this permission.

(Reasons for approval:- The proposed change of use is not considered to have an adverse impact on the vitality or viability of the city centre, by virtue of the location of the premises outside of the defined retail areas. The proposed change of use is therefore in accordance with Planning Policy Statement 6.

The proposed change of use is not considered to have an adverse impact on highway safety or traffic thoroughfare by virtue of highly accessible location of the site and the availability of a lay-by outside the premises which could accommodate deliveries and servicing vehicles. The proposed change of use is therefore in accordance with saved policy TRA8 of the City of Norwich Replacement Local Plan, Adopted Version (November 2004) and Planning Policy Statement 1.

The proposed change of use is not considered to have an adverse impact on residential amenity by virtue of the proposed hours of operation. The proposed change of use is therefore in accordance with saved policy EP22 of the City of Norwich Replacement Local Plan, Adopted Version (November 2004.)

15. APPLICATION NO 08/01350/F – 80 HARVEY LANE

The Planning Development Manager presented the report with the aid of slides and plans. He said that subsequent to the publication of the report a representation had been received from Councillor Waters, Ward Councillor for Crome Ward, reiterating the objections made by the neighbour to the proposal, which were set out as 6 bullet points in the report. The report addressed the concerns raised by the neighbour and members were advised that the reason for the applicant needing extra accommodation was not a material consideration to the planning application.

Councillor Lay expressed concern about the affect of the extension on the adjacent property in particular in relation to loss of light.

RESOLVED, with 4 members voting in favour (Councillors Bradford, Bearman, Little and Llewellyn), 1 member against (Councillor Lay), and 1 member abstaining (Councillor Stephenson) to approve planning permission subject to the following conditions:-

1. Statutory Time Limit – 3 years;
2. Materials to match.

(Reason for approval: The decision is made with regard to policies HBE12 and EP22 of the City of Norwich Replacement Local Plan Adopted version November 2004 and all material considerations. The high quality materials to be used and positioning of the extension on the dwelling will have a minimal impact on the neighbouring dwelling, and will not detract from the character of the surrounding area.)

16. APPLICATION NO 09/00036/F – 21 GROSVENOR ROAD

The Planning Development Manager presented the report with the aid of slides and plans. He explained that this was a retrospective application but until last September when it would have been covered by permitted development rights and would not have needed consent.

RESOLVED to approve Application No 09/00036/F – 21 Grosvenor Road, subject to the following condition:-

1. The flat roof of the dining room shall not be used at any time for recreational use.

(Reasons for approval: The decision to grant planning permission has been taken having regard to Saved Local Plan policies EP22, HBE12 and HBE8 of the City of Norwich Replacement Local Plan Adopted Version November 2004 and all material planning considerations. The single storey rear extension is of an acceptable scale, design and massing and would not have a detrimental impact on the residential amenity of the neighbouring properties or on the character of the Heigham Grove Conservation Area as a whole.)

17. APPLICATION NO 09/00046/F – 1 WAVERLEY ROAD

The Planning Development Manager presented the report with the aid of slides and plans.

Two residents, whose property was at a right angle to 1 Waverley Road then addressed the Committee stating that they had no objections to a single storey extension and that their concerns included: a two storey extension would be detrimental to the enjoyment, value and amenity of their property; would be visible from all the main rooms of their house; and that a window was not necessary in a shower room.

The applicant then responded and said that footprint of the extension would be 0.6 m larger than the existing single storey building and was much smaller than the extension on the other half of the semi-detached building. The window for the

bathroom had been designed by the architect to conserve the design of the existing windows and let natural light into the room.

During discussion, Councillor Stephenson said that she considered that the extension had been carefully planned but a window gave a perception of being overlooked. The Planning Development Manager explained that the window would be obscure glazed by condition. It was a long way from the adjoining property and it would be difficult to look out of the window when open because it was top opening. If the bottom of the opening window was slightly higher (1.7m above internal floor level) then the window would be permitted development. The design of the new windows followed closely the original style and was welcomed. Councillor Llewellyn agreed that there was not a problem if obscure glazing was used. Members considered that the design of the extension and the replacement of the existing single storey extension was an improvement.

RESOLVED to approve Application No 09/00046/F– 1 Waverley Road and grant planning permission subject to the following conditions:

1. Commencement of development within three years;
2. Materials to match existing;
3. First floor side window to have obscure glazing and top opening lights only.

(Reasons for approval: The decision to grant planning permission has been taken having regard to Saved Local Plan Policies HBE12 and EP22 of the City of Norwich Replacement Local Plan Adopted Version November 2004 and to all material considerations. The rear two storey and single storey extensions are of an acceptable scale, design and massing and would not have a detrimental impact on the residential amenity of the neighbouring properties.)

CHAIR