



PLANNING APPLICATIONS COMMITTEE

10.00am to 10.55am

29 September 2011

Present: Councillors Bradford (chair), Councillors Gee (vice chair), Ackroyd, Banham, Gayton, George, Kendrick, Little, Lubbock, Offord and Sands (S)

Apologies: Councillor Haynes

1. MINUTES

RESOLVED to agree the accuracy of the minutes of the meeting held on 8 September 2011, subject to recording Councillor Sands (S) as being present.

**2. APPLICATION 11/01329/F WENSUM CLOTHING CO FORMER
179 NORTHUMBERLAND STREET, NORWICH, NR2 4EE**

The senior planner (development) presented the report with the aid of slides and plans. He pointed out that regarding the loss of office space, there had been very little interest when the property was marketed as residential and office space for 28 months. Members were also advised of an amendment to the approach outlined in paragraph 21 of the report in relation to the use of S106 agreement to ensure that the applicant met the basic costs for a period. Legal advice proposed that the agreement would require the applicant to pay the joining fee (currently £25) and the insurance deposit (currently £150) of the first occupiers of the flats. S106 could not require that the monthly costs and mileage were met by the applicant.

Discussion ensued in which the senior planner and the planning development manager answered members' questions. Members were advised that a pragmatic approach had been taken to provide 6 residential units, which would not be ideal given the lack of parking and amenity space, rather than have a large empty building. Members discussed the lack of amenity space and parking. Councillor Sands expressed concern about the density of the development referred to the conversion of the former Startrite factory and said that it had spaces for parking and amenity and despite this there were still problems of parking in the area. Councillor Gayton also expressed concerns about whether this building met the criteria for conversion to residential units.

During discussion members said that the occupiers would need to be provided with information on the car club and the facilities that it offered. Councillor Lubbock

welcomed the promotion of the car club but suggested that consideration could also have been given to supplying a bicycle for each unit.

Councillor Banham suggested that the historic interpretation of the building as a former factory should be commemorated with a plaque. Members were advised that the opportunity to condition this would have been when consent was given to convert the factory in 2007, but given the property fronted on to the street it was considered that a condition could be imposed to require historic interpretation.

RESOLVED with 8 members voting in favour (Councillors Bradford, Kendrick, Gee, George, Akroyd, Lubbock, Offord and Little), 2 members voting against (Councillors Gayton and Sands) and 1 member abstaining (Councillor Banham) to approve Application No (11/01329/F Wensum Clothing Co Former 179 Northumberland Street Norwich NR2 4EE) and grant planning permission, subject to the completion of a satisfactory S106 agreement to include the provision of affordable housing and provision for the initial costs to join the car club and subject to the following conditions:

1. Standard time limit of three years;
2. Development to take place in accordance with the approved plans;
3. Refuse and cycle storage and the visitor cycle stand shall be provided prior to first occupation;
4. The existing communal amenity space to the southeast of the site shall be made available to future occupiers of the dwellings;
5. Development to achieve a water consumption rate of no more than 105 litres/person/day, equivalent to Level 4 of the Code for Sustainable Homes for water usage.
6. Heritage interpretation plaque to be erected in accordance with details to be agreed.

(Reasons for approval: The decision has been made with particular regard to policies H1, E2, E3 and ENV7 of the adopted East of England Plan, policies 1, 2, 3, 4, 5 and 6 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk, saved policies HBE3, EP18, EP22, EMP3, EMP5, HOU15, TRA6, TRA7, TRA8, TRA9 and TRA11 of the adopted City of Norwich Replacement Local Plan, PPS1, PPS3, PPS4, PPS5 and other material considerations.

Current policy seeks the retention of business premises unless it can be demonstrated that there is no demand for such premises which would justify their retention. It is considered that the site is not in a recognised office location and the property is likely to have limited scope for use in more industrial forms of B1 use, given its form and location adjoining residential dwellings. There is a significant surplus of similar sized office accommodation which is located in more central locations and on balance the loss of the B1 floor space is considered to be acceptable in this case.

The proposals do not provide for any car parking on the site and do not comply with the requirements of car free parking policy. The lack of parking needs to be weighed against the potential for the building to sit unoccupied if retained as office accommodation and the desirability of providing further housing in line with the objectives of regional policy H1 and Joint Core Strategy policy 4. Although this is a

finely balanced decision it is considered that the benefits of providing some form of development on the site and bringing the building into residential use outweigh the lack of parking provision.

It is not considered that there are any significant amenity implications of the development and subject to the conditions imposed and the S106 agreement the proposals are considered to be acceptable.)

3. APPLICATION NO 11/01090/F UNIT 1 ABC WHARF KING STREET NORWICH, NR1 1QH

The senior planner (development) presented the report with the aid of slides and plans.

Councillor Grahame, ward councillor for Thorpe Hamlet, addressed the committee on behalf of residents in her ward and pointed out that there was both opposition and support for this application.

The applicant explained her vision for her business to provide healthy takeaway food and that she was an experienced manager in catering.

The senior planner explained that the change of use applied to the premises and did not meet the test for personal permissions as set out in the circular and answered members' questions on the report.

During discussion members considered the business proposal was a good one but that the location of the premises was not a suitable location. Councillor George expressed concern that patrons of the Waterfront would queue for the takeaway and as it was outside of the Prince of Wales and Riverside night-time economy area would not be controlled. Members also expressed concern that the change of use could lead to a precedent and that whilst the proposed business was attractive in planning terms there was nothing to prevent it being replaced by a burger bar or other fast food takeaway.

Councillor Gee pointed out that there were 10 letters of objection, 1 letter of support and a petition of 71 signatures. The proposed opening hours for the takeaway were 11am to 11pm and would limit disturbance to local residents as it would not be open as late as most food takeaway outlets. The senior planner advised members that the signatories were not immediate neighbours of the property.

Councillor Offord said that King Street was in need of regeneration and development and expressed regret that the issues could not be overcome.

RESOLVED with 9 members voting in favour (Councillors Bradford, Kendrick, Banham, Gayton, Sands, George, Ackroyd, Lubbock and Little), 1 member voting against (Councillor Gee) and 1 member abstaining (Councillor Offord) to refuse planning permission for Application No 11/01090/F, Unit 1, ABC Wharf, King Street, Norwich, for the following reason(s):-

- (1) The proposal is considered to be detrimental to residential amenity especially given that the application site is within an area with a high level of residential

occupancy and low ambient noise levels. The proposed hot food take-away is considered likely to encourage people to loiter in the area leading to significant adverse residential amenity conditions through noise from customers, car engines running and doors closing for collections made by car, potential for increased litter in the adjacent and surrounding area, and increased potential for anti-social behaviour. The proposal is therefore considered to contravene saved policies EP22 and SHO22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004) and any approval is not considered to be in accordance with the council's duty to minimise the potential for crime, disorder and public nuisance.

- (2) The proposal is considered to be harmful to highway safety, in that the use of the building as a hot food take-away is considered likely to lead to increased traffic movements, particularly in the early and late evening hours when footfall in the area reduces. At this point, King Street is double yellow lined on both sides of the road, except for a 30 minute pay and display parking bay directly opposite the application site. Experience suggests that the pay and display parking bay will not be used correctly and cars may even wait on the double yellow lines directly outside the application premises if their visit only results in a short stay. This is considered to hinder pedestrian accessibility and safety in this area given the narrow pavements in the vicinity. The proposal is therefore considered to contravene saved policies TRA14 and SHO22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).
- (3) The proposed extraction flue is not considered acceptable by virtue of its position, and height. The proposed flue is high visible when approaching the application site from the north and is considered to have a negative impact on the setting of adjacent Grade I and Grade II Listed Buildings viewed in the context of the application premises. The flue is also considered to have a detrimental visual impact on the appearance of the street scene and wider Conservation Area given its highly prominent positioning. In addition, the flue as shown on plan ref 32[P]003 rev.0 is not tall enough to adequately disperse odours from the application premises. Any increase in height would only render the flue more visually prominent in its currently proposed position and deem it more unacceptable. The proposals are therefore considered to contravene the objectives of PPG24, policy 2 of the Adopted Joint Core Strategy for Broadland, Norwich and South Norfolk, policies ENV6 and ENV7 of the East of England Plan (May 2008) and saved policies HBE8, HE9, HBE12 and EP22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).
- (4) No justification for the loss of the office space has been provided and the proposals are therefore considered to contravene saved policy EMP3 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).
- (5) Insufficient refuse storage facilities have been provided on site and the proposals make no provision for staff or customer cycle parking. Therefore the proposals are considered to contravene saved policies TRA7 and TRA8 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

CHAIR