



PLANNING APPLICATIONS COMMITTEE

10.00am to 10.40am

20 October 2011

Present: Councillors Bradford (chair), Councillors Gee (vice chair), Ackroyd, Banham, Gayton, Haynes (during item 2 below), Kendrick, Lubbock, Offord and Sands (S)

Apologies: Councillors Little and George

1. DECLARATION OF INTERESTS

Councillor Ackroyd declared a personal and prejudicial interest in item 4 (below), Application No 11/01507/F 58A Mount Pleasant, Norwich, NR2 2DQ , as she part owned a property with a relative in the vicinity.

2. MINUTES

RESOLVED to agree the accuracy of the minutes of the meeting held on 29 September 2011.

**3. APPLICATION NO 11/01270/U PRINCE OF DENMARK,
140 SPROWSTON ROAD, NORWICH, NR3 4JQ**

(Councillor Haynes was admitted to the meeting during this item and therefore did not take part in the discussion or the determination of the planning application.)

The planner (development) presented the report with the aid of plans and slides and said that the owners of the premises did not contest the report or the officer's recommendations. The planner pointed out that the council would allow a period of six months for the residents to find alternative accommodation.

RESOLVED unanimously (with Councillor Haynes abstaining on the grounds that she had not been present for the entire item) to:

- (1) refuse planning permission for Application No 11/01270/U for Prince of Denmark Public House, 140 Sprowston Road for the following reason(s):-

In the absence of a noise assessment, it has not been demonstrated that the potential for noise disturbance from the ground floor public house use would not be significantly detrimental to the residential amenity of the house in multiple occupation contrary to Saved Local Plan Policies EP10 and EP22(ii) of the City of Norwich Replacement Local Plan, Adopted Version November 2004.

The absence of any external amenity space, drying areas or secure covered cycle storage for the residents of the house in multiple occupation would be detrimental to their residential amenity and provide an unacceptably poor standard of living conditions, contrary to Saved Local Plan Policies HOU18, EP22(iii) and TRA7 of the City of Norwich Replacement Local Plan, Adopted Version November 2004.

The house in multiple occupation would provide a poor quality of internal living accommodation, particularly with regard to Flat 3, contrary to Saved Local Plan Policy HOU18(iv) of the City of Norwich Replacement Local Plan, Adopted Version November 2004 and the Supplementary Planning Document Houses in Multiple Occupation, Adopted Version June 2006.

- (2) authorise enforcement action to secure the cessation of the unauthorised use of part of the Prince of Denmark Public House as a house in multiple occupation, including the taking of all required legal proceedings including prosecution if necessary.

4. APPLICATION NO 11/01507/F 58A MOUNT PLEASANT, NORWICH, NR2 2DQ

(Councillor Ackroyd having declared an interest in this item, addressed the committee as a member of the public and left the meeting during the committee's discussion and determination of the planning application.)

The planner (development) presented the report with the aid of slides and plans and referred to the light analysis study.

Councillor Ackroyd asked whether the new elevation would have any impact on the residents of Bury Street to the rear of the property.

The agent then addressed the committee with an explanation of the applicant's personal circumstances and confirming that the applicant would sound proof the party wall. He also pointed out that there was overshadowing of the property to the rear and that the extension would cause a minimum increase.

The planner and the planning development manager responded to the issues raised and said that the only window of the proposed development that faced the house opposite was a first floor bathroom window which should be subject to a condition that it was obscure glazed. Members were also advised that the appropriate building regulations would ensure that the development had adequate sound insulation.

(Councillor Ackroyd left the meeting at this point.)

During discussion members noted that the roof would be elevated to allow sufficient head room and that the asbestos sheeting would be removed. In response to a question the solicitor explained that a Land Registry search and local planning conditions on the site would prevent the site being sub-divided if it changed ownership and that injunctions could be taken to prevent it being divided.

RESOLVED to approve Application No 11/01507/F – 58A Mount Pleasant, Norwich and grant planning permission, subject to the following conditions:-

1. Standard time limit;
2. Development shall be in accordance with the approved plans;
3. Samples of materials to be used in the development, including bricks and roofing materials, shall be submitted to and approved in writing prior to commencement;
4. The first floor bathroom windows on the north and east elevations of the dwelling house shall be obscure glazed to a minimum of level 4 Pilkington standard of obscurity.
5. Development shall not commence until details of the joinery of all windows have first been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details so approved and shall be retained as such thereafter;
6. The residential use of the coach house shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 58A Mount Pleasant. At no time shall it be sold, leased or occupied independently from the main dwelling nor shall the common ownership or occupation of the coach house and main dwelling be severed.
7. Requirement to make good the front elevation wall of the dwelling house following the removal of the existing canopy.

(Reasons for approval: The two most pertinent elements of the proposal in respect of potential impact upon residential amenity involve the two-storey extension and conversion of the coach house for residential purposes. Any potential overlooking will be negated by ensuring that the first floor bathroom window on the two storey extension is obscure glazed to a minimum level 4 of Pilkington standard of obscurity. The two storey extension will result in a degree of overshadowing to part of the rear garden of number 58, but the extent of overshadowing is not considered significant enough to detrimentally affect residential amenity to an unacceptable level. The location, orientation and scale of the two storey extension are such as not to present an overbearing threat to the living conditions of adjacent properties. Whilst concern has been raised regarding the suitability of the coach house for residential use and the potential for noise and odour spillage onto 56 Mount Pleasant, the applicant has proposed soundproofing measures and the matter of whether the building is physically suitable for residential purposes is something covered by Building Control and not Planning in this instance. Planning permission will be conditioned to ensure that the use of the coach house is for purposes ancillary to the main dwelling house only.

The design of the proposal is acceptable and it is considered that taken cumulatively, the scheme will enhance the appearance of the Newmarket Road conservation. In order to ensure that the proposal is acceptable in design terms, any planning permission will be conditioned to require material samples and window joinery details to be submitted to and approved in writing by the Local Planning Authority before any development commences.

It is considered that following the imposition of conditions the proposal is acceptable and will meet the policy objectives of PPS1 and PPS5, policies ENV6 and ENV7 of the East of England Plan (2008), Policy 2 of the Joint Core Strategy for Broadland,

Norwich and South Norfolk (2011), saved policies HBE8, HBE12 and EP22 of the City of Norwich Replacement Local Plan 2004 and all other material considerations.)

(Councillor Ackroyd was readmitted to the meeting at this point.)

5. APPLICATION NO 11/01331/U -18 WHIFFLER ROAD, NORWICH, NR3 2AZ

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

RESOLVED to approve application no. 11/01331/U – 18 Whiffler Road, Norwich, NR3 2AZ, and grant planning permission, subject to the following conditions:-

1. Standard time limit (3 years).
2. The development to be carried out in accordance with the submitted plans and details.
3. Restricted hours of use (10am - 6pm Monday to Friday, Saturday and 10am - 5pm and 10am - 4pm Sundays and Bank holidays.
4. Maximum number of people working on the premises at any one time (maximum of 6 people).

(Reasons for approval: The use is considered to be of a small scale and low intensity which would not adversely impact on the vitality or viability of existing centres nor adversely affect the use of the employment area or be detrimental to the balance of B1, B2 and B8 uses in the general employment area. In addition, given the size of the premises and its current authorised use as a taxi office, together with the proposed employment generation likely to result from the proposal, it is not considered that the proposed use would lead to an unacceptable loss of employment floorspace. Furthermore, although not ideal, taking into account the scale and likely operation of the premises proposed, the car and cycle parking and access arrangements are considered acceptable in this instance. Consequently, although the proposal is considered to be contrary to saved policies EMP5, TRA7 and PPS4, in this instance, due to the lack of harm that would result from the specific development proposed, it is considered acceptable.)

6. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE, JULY TO SEPTEMBER 2011 (QUARTER 2, 2011-12)

The planning development manager presented the report.

During discussion, the planning development manager and the solicitor explained that S106 agreements were still applicable and that the community infrastructure levy was not likely to be introduced until the summer of 2012.

RESOLVED to note the report.

7. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE, APPEALS 1 JULY 2011 TO 30 SEPTEMBER 2011 (QUARTER 2, 2011-12)

The planning development manager presented the report and pointed out that the planning inspectorate had overturned the decision on 8 Redwell Street.

RESOLVED to note the report.

CHAIR