



PLANNING APPLICATIONS COMMITTEE

11am to 2.40pm

14 February 2013

Present: Councillors Bradford (chair), Sands (M) (vice chair), Blunt, Gihawi (as substitute for Councillor Button), Gee, Howard, Kendrick, Little, Lubbock (as substitute for Councillor Ackroyd), Neale, Stonard and Storie.

Apologies: Councillors Ackroyd and Button

1. PRE-APPLICATION PRESENTATION – OLD HALL ROAD, YARE FIELD PARK, NORWICH (NORFOLK UNIVERSITY TECHNICAL COLLEGE)

Immediately before the start of the meeting, the following members of the committee attended the informal pre-application for the proposed development at Old Hall Road, Yarefield Park, Norwich: Councillors Blunt, Bradford, Gee, Gihawi (substitute for Councillor Button), Howard, Neale, Sands, Storie and Stonard. Councillors Driver, MacDonald and Maxwell, and County Councillor Whitaker were also present.

2. DECLARATION OF INTERESTS

Councillor Little said that in relation to item 4 (below), Lakenham Sports and Leisure Centre, Carshalton Road, he had been advised that he did not need to declare an other interest because of family connections with the school adjacent to the site but asked that it be recorded.

Councillor Lubbock said that she had liaised between residents and officers on the proposals for item 5 (below) the site of the former Civic Service Sports Club but had not predetermined the application and therefore could approach the application with an open mind.

3. MINUTES

RESOLVED to approve the minutes of the meeting held on 17 January 2013.

4. APPLICATION NO 12/01885/O LAKENHAM SPORTS AND LEISURE CENTRE CARSHALTON ROAD NORWICH NR1 3BD

The planner (development) presented the report with the aid of plans and slides. She also referred to the supplementary report of updates to reports which was circulated at the meeting and summarised a further letter of representation received

from a local resident. Members were advised that cabinet had removed the allocation for housing in the emerging site allocations plan in July 2012 and not June 2011 as stated in paragraph 33 of the report. The recommendation was to approve planning permission subject to conditions.

Eight local residents and Councillor Driver and County Councillor Whitaker, representing Lakenham ward/division, addressed the committee outlining their objections to the proposed scheme. These included: concerns about road safety at the junction of Cricket Ground Road and City Road; traffic congestion and pressure on car parking spaces; concerns about access/egress to the site; loss of open space and public access to the site; that the five aside site was inadequate and that the existing tennis courts could be refurbished; allotments could not be considered as publicly acceptable open space; impact on trees and bio-diversity; concerns about the wall and the loss of the pavilion; that the development could potentially lead to an increase in crime; surface flooding and on planning policy grounds.

The agent then addressed the committee and said that the report recommending approval of the application was to his satisfaction and that of his clients.

The planner, together with the planning development manager, referred to the report and addressed the issues raised by the speakers and in response to questions from members. The committee was advised that the application was for outline planning permission and that the proposed layout of the development was indicative. The detail of a footpath through the site to County Hall was inappropriate at this stage and would be considered under reserved matters.

Discussion ensued. Members considered that the increase in the number of dwellings on the site could make the retention of the pavilion more difficult. The proposal was not in accordance with the principle of the site being designated as open green space in the emerging site allocations plan and members queried what had changed since cabinet's decision in July 2012. Members were advised that the proposal had been assessed against existing policy and that the retention of the site as open green space was at the discretion of the owners. A member expressed concern that this urban green space would be lost for ever if the development went ahead and that it provided a valuable green link or corridor to other green spaces, such as gardens, allotments, parks etc. Members were advised that the extension of the controlled parking zone to the new development would increase capacity for new and existing residents to park on the new streets. Sport England had accepted that the county council had purchased part of the site for the sports field for the school. The site had not been used as a sports field and leisure centre for five years and was not considered viable. A copy of the biodiversity report provided by the applicant was available on the council's website. Pedestrian/cycle access/egress to the county council would be through part of the car park. Vehicular access from Smithfield Road to the site was not being proposed because it would require the removal of a tree covered by a tree protection order and on safety grounds given its proximity to the school. As members appeared to be concerned about aspects of the report the planning development manager explained that access to the site would not be sufficient grounds to refuse this application. He also referred to the national planning policy framework (NPPF) and said that although more homes were needed it was a judgement call as to whether the urban green space should be retained.

Councillor Lubbock moved and Councillor Kendrick seconded that the application should be refused on the grounds that the proposal was not in accordance with the principle of resisting development on a greenfield site especially important in the city where there were brownfield sites that should be developed; that there was inadequate provision of that it would require the loss of the pavilion which was a historical and heritage asset; and that it was not in accordance with policy SR3 and contrary to the open spaces need assessment and the principle of allocating the site to open space in the emerging site allocations document. Following discussion with the officers the reasons for the grounds of refusal were summarised as follows: inadequate provision of open space on and off site to compensate for the loss of open space resulting from development with housing; levels of on site open space significantly reduced from that currently provided; uses proposed are not of an equivalent use and value; commuted payment for off-site improvements is insufficient to provide meaningful sporting and recreational facilities of a comparable provision and loss of the pavilion building.

RESOLVED, with 11 members voting in favour of refusal (Councillors Bradford, Sands (M), Blunt, Gihawi, Gee, Howard, Kendrick, Lubbock, Neale, Stonard and Storie) and 1 member voting against (Councillor Little) to refuse to grant planning permission in respect of application no 12/01885/O Lakenham Sports And Leisure Centre Carshalton Road Norwich NR1 3BD, for the following reasons minuted above and to ask the head of planning services to provide the reasons for refusal in planning policy terms.

(Reasons for approval (subsequently provided by the head of planning services) 1.

1. The proposed development results in the loss of Urban Green Space previously used as a sports facility. The proposals are not considered to result in adequate compensatory provision or an appropriate form and layout of provision on site. Neither are sufficient alternative facilities of equivalent sporting or recreational value provided off site. The level of open space provided on site is significantly reduced, the uses proposed are not of an equivalent use or value to the uses being lost, and the compensatory payment is insufficient to provide meaningful off site sporting and recreational facilities of a comparable provision. Furthermore the development would lead to a deficit of such facilities within the south Sub Area of the Open Space Needs Assessment (December 2007). In determining the application regard has been given to the potential benefits of providing much needed housing on the site, however in this case it is not considered that this would justify the loss of the designated urban green space. Therefore the proposals are considered to be contrary to saved policy SR3 of the City of Norwich Replacement Local Plan (Adopted Version November 2004) and paragraph 74 of the National Planning Policy Framework.
2. During the application assessment process the pavilion building was deemed to be an unidentified heritage asset with local significance as a landmark building and by virtue of its importance in the social history of the Lakenham area. The proposed scheme will result in the complete loss of the building which is considered to be detrimental to the local distinctiveness of the historic environment of Lakenham and contrary to policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk and paragraph 135 of the National Planning Policy Framework.

3. In the absence of a legal agreement or undertaking relating to the provision of affordable housing, transportation contributions, provision of an on site car club space and vehicle, and library contributions, the proposals fail to provide a mixed community and deliver an appropriate mix of housing tenures, are likely to result in increased traffic movements and on street parking resulting in a detrimental impact to highway and pedestrian safety, and fail to secure improvements to community facilities, in particular, library provisions thereby placing increased pressure on the existing library service particularly in relation to library stock, such as books and information technology. Therefore the proposals are considered to be contrary to policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk, and saved policies HOU6 and TRA11 of the adopted City of Norwich Replacement Local Plan.

(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. Whilst a scheme has been given a recommendation for approval by officers elected members considered for the reasons outlined above that on balance and in light of the above policies that the application was not acceptable. The applicant is advised that no further planning fee would be payable for any resubmission for development of the same character or description on the same site and by the same applicant within 12 months of the date of this refusal. The applicant is also advised of the Council's pre-application service, further details of which can be found at the following web link:
<http://www.norwich.gov.uk/Planning/pages/Planning-Pre-ApplicationAdviceService.aspx>)

(The committee adjourned for lunch at this point and reconvened at 1.30pm)

5. APPLICATION NO12/01598/VC SITE KNOWN AS WENTWORTH GARDENS; SITE OF FORMER CIVIL SERVICE SPORTS GROUND, WENTWORTH GREEN, NORWICH

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report updates to reports which was circulated at the meeting and pointed out that the applicant had addressed some of the outstanding concerns from neighbouring residents. An additional letter of representation had also been received regarding the absorption of CO² which would be lost by the removal of the beech trees and members were advised that there was an account of the replanting in the main report and that the biomass would be replaced. The application as amended was recommended for approval, subject to an informative to advise the applicant that the tree owner would need to apply to the city council for permission to carry out works to the trees protected by a tree protection order.

Councillor Lubbock said that it appeared that the applicant had tried to appease all the issues raised by neighbouring residents and said that there had been a misconception when the original planning permission was granted that no trees would be felled. She suggested that this was part of good tree management.

In response to a member's question, the senior planner advised members of the species of the replacement trees. A member welcomed the level of detail in the

management of the ground cover and that the applicant had attempted to address the adjacent neighbours' concerns.

RESOLVED, unanimously, to approve application no. 12/01598/VC at the site of former Civil Service Sports Ground, Wentworth Green, Norwich, and grant planning permission, subject to the completion of a satisfactory S106 agreement to include the provision of arrangements for on-site affordable housing, appropriate management of protected trees, appropriate provision and management of public open space and children's play facilities, appropriate arrangements for drainage system management, transport contributions, highways works, on-site cycle works and library contributions, and subject to the following conditions:

1. The development shall be carried out in accordance with the approved plans and details listed on the revised decision notice, and shall include the use of materials as already approved within application 11/01619/D;
2. Landscaping, boundary treatments, planting, site treatment, open space and sports pitches and play facilities, and lighting are all to be provided in full accordance with details approved by application 12/01034/D prior to first occupation of the final dwelling to be approved on site, with boundary treatments for all dwellings to be provided prior to occupation of that dwelling;
3. Prior to tree works proposed for Year 1, a tree survey, wildlife survey and felling programme to be submitted and agreed in writing by the LPA;
4. Prior to each Phase of felling the beech trees, a wildlife survey and mitigation strategy shall be submitted and approved as appropriate and appropriate mitigation followed;
5. Development shall be constructed in accordance with the approved drainage strategy and shall be maintained in accordance with approved proposals for management and maintenance of soakaways and surface water drainage pipe network as appropriate;
6. Garages to be used only for parking of domestic vehicles and not to be converted to provide further living accommodation;
7. The areas of open space on the site shall remain as open space only, accessible to the public for unhindered access and use, in perpetuity;
8. There shall be no works to trees on site, other than those contained in the approved documents and Tree Protection Plan within this permission unless any variation proposals are first submitted to and agreed in writing by the LPA;
9. Precautionary mitigation for unidentified contamination;
10. Trees and hedges and works in root protection areas are to be protected during works as per the 2009-approved Arboricultural Method Statement (AMS) and Supplementary AMS, as amended by the updated 2012 Tree Protection Plan, with the associated Arboricultural Implications Assessment and Tree Protection Plan being available to all site personnel during site works;
11. Development to include solar panels as per the approved strategy and design details;
12. Glazing to the first floor bathroom at dwelling no.65 shall be only obscure glazed;
13. Provision of car parking shelters, refuse stores and bike stores prior to first occupation;
14. Two fire hydrants to be provided prior to occupation as per details in 11/01619/D;
15. Ongoing landscaping maintenance requirements for 5 years.

(Reasons for approval: Subject to the requirements of varied conditions and the amended associated planning obligations, the alterations proposed are acceptable and will enhance the quality of the scheme and avoid causing a detrimental impact on future and existing residents around the site. The landscape value, future health, ecology and biodiversity of the protected woodlands and other trees will be enhanced and the new planting will improve the area.

When considered alongside the merits of the original permission, the revised development will provide an appropriate and satisfactory form of residential development within the character of the area that would provide a high level of design, a good level of accessibility and a satisfactory level of amenity for residents. The proposal accords with the development plan for the area and the objectives of national planning policy. As such, the proposal would comply with the National Planning Policy Framework, policies 1, 2, 3, 4, 6, 9 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), and saved policies NE1, NE3, NE8, NE9, HBE12, EP16, EP17, EP18, EP22, HOU5, HOU6, HOU11, SR1, SR2, SR3, SR4, SR5, SR7, SR12, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11, TRA14 and TRA15 of the adopted City of Norwich Replacement Local Plan (2004).)

Informative: That the applicant applies to the city council for tree protection order (TPO) tree works application before any works to protected trees are carried out.

6. APPLICATION NO 12/01976/F NORWICH PLAYHOUSE BAR 42 - 58 ST GEORGES STREET, NORWICH, NR3 1AB

The planning team leader presented the report with the aid of plans and slides, and referred to the supplementary report updates to reports which was circulated at the meeting. Since the agenda had been published the applicant had produced amended drawings which removed the replacement rear folding glass doors from the proposal, retaining the sliding glass doors. He pointed out that some of the issues surrounding the use of the bar should be addressed through licensing.

A member of the public addressed the committee on behalf of the residents of Duke's Wharf and outlined their objections to the proposal principally about noise and asking that the council imposed a new condition in relation to amplified music.

The general manager of the Playhouse Bar said that the windows were usually shut; only acoustic music was played outside in the summer months; the bar did not open to the extent of the premises licence and that patrons were required to vacate the terrace by midnight.

The planning team leader said that there should be no problem in re-imposing the condition relating to the use of amplified music in the bar. The planning development manager explained that the level of amplification was very low and that if the audio equipment was changed in the future a condition could be placed to require it to be limited.

Discussion ensued in which the planning team leader referred to the report and answered members' questions in relation to the provision of toilets and the intention to provide a riverside walk.

RESOLVED, unanimously, to approve application no 12/01976/F Norwich Playhouse Bar, 42-58 St Georges Street, Norwich, NR3 1AB and grant planning permission, subject to the following conditions:-

1. Commencement within 3 years;
2. In accordance with drawings;
3. Archaeology1;
4. Archaeology2,
5. Archaeology3,
6. Archaeology4;
7. Details of:-
 - (a) replacement floodlighting in embankment wall;
 - (b) repairs to flint wall structure;
 - (c) replacement of plaque;
 - (d) new gate.
8. Details of construction of concrete slab to protect trees and hard landscaping;
9. Control of amplified sound within the building.

(Reasons for approval: This proposal is in accordance with the aims of the National Planning Policy Framework and local policies which promote the City centre leisure area for food and drink uses and well designed schemes in general. There is no significant additional floorspace for bar use by the public and therefore it is not considered that this modest proposal (in itself) will lead to any significant loss of residential amenity to nearby residents. There is a need to ensure that the site takes account of any archaeological requirements in accordance with the NPPF and local policy HBE3 together with the other suggested details in the body of the report.

Subject to the imposition of conditions therefore, this proposal is considered acceptable and in accordance with the objectives of Sections 7, 10 and 11 of the National Planning Policy Framework (March 2012), Policies 1, 2, 8, 9 and 11 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), saved policies NE1, NE3, NE9, HBE3, HBE8, HBE9, HBE12, EP22, AEC1, SHO22 and TRA8 of the City of Norwich Replacement Local Plan (2004) and all other material considerations.)

Informatives:

1. Flood defence consent required from Environment Agency;

**7. APPLICATION NO 12/02105/F STORE AND PREMISES REAR OF 1
ADELAIDE STREET NORWICH NR2 4JL**

The planner presented the report with the aid of plans and slides, including plans showing demonstrating the effect of shadowing from the new development at four times of the year. During his presentation the planner referred to the objections received from neighbouring residents.

At the discretion of the chair, the agent addressed the committee and explained that the proposed development was not a garden development but a sustainable development on a brownfield site that was currently used as a storage yard and for

parking vehicles. Concerns of overlooking would be addressed by the use of obscured glass.

During discussion the planner referred to the report and answered members' questions in relation to parking, the use of the obscured glass and the access arrangements.

Councillor Howard expressed concern on behalf of future occupants of the new dwellings because they would not be able to see out of the windows.

RESOLVED, with 11 members voting in favour (Councillors Bradford, Sands (M), Blunt, Gihawi, Gee, Kendrick, Little, Lubbock, Neale, Stonard and Storie) and 1 member voting against (Councillor Howard) to approve application no12/02105/F store and premises rear of 1 Adelaide Street Norwich NR2 4JL subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Details of external materials including samples and large scale section drawings of render, roofing materials, windows, doors, and rainwater goods
4. Obscure-glazed windows
5. Details of cycle parking and refuse storage
6. Landscaping scheme
7. Discovery of contamination of site during development
8. Water efficiency
9. Removal of permitted development rights

(Reasons for approval: In accordance with the National Planning Policy Framework and local planning policies, the proposal promotes the redevelopment of previously developed land, providing two units of much needed housing in an accessible location with good access to local shops and bus routes serving the City Centre. The contemporary scheme has been designed to a high standard and will not impact negatively upon the character of the surrounding area. The mono-pitched roof and use of obscure-glazed windows will minimise the impact of overbearing and overshadowing respectively and although the development will result in an increased level of overshadowing to neighbouring properties, the level is not considered significant enough to merit a refusal of the application. The proposed car free development is in line with the council's objective of promoting the use of sustainable modes of transport.

Subject to the imposition of conditions therefore, the proposal is considered acceptable and in accordance with the objectives of Sections 6, 7, 10 and 11 of the National Planning Policy Framework (March 2012), Policies 2, 3, 4 and 11 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), saved policies NE3, NE9, HBE12, EP16, EP18, EP22, HOU2, HOU13, TRA5, TRA6, TRA7, TRA8 and TRA9 of the City of Norwich Replacement Local Plan (2004) and all other material considerations.

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 negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined above.)

Informatives:

1. The applicant is advised that bins are to be purchased by the applicant prior to occupation, in agreement with Norwich City Council city wide services.
2. Street naming and numbering enquiries.
3. Building operation measures.

8. APPLICATION NO 12/02262/F LAND TO THE NORTH OF 20 WATERWORKS ROAD NORWICH

The planning team leader (development) presented the report with the aid of plans and slides and answered members' questions.

RESOLVED, unanimously, to approve application no 12/02262/F on land at north of no .20 Waterworks Road and grant planning permission, subject to :-

1. giving advance notice to the Health and Safety Executive allowing 21 days for their further consideration of the matter and allowing them to invite the Secretary of State to call-in the application;
2. the following conditions;
 1. Commencement of development within three years
 2. In accordance with the application form, plans, drawings and details as specified in this decision
 3. Submission of details of external materials
 4. Prior approval of details:
 - (a) covered and secure cycle storage
 - (b) bin storage
 5. Water consumption for new housing – Level 4 of the Code for Sustainable Homes
 6. Submission of landscaping scheme incorporating replacement trees, hard landscaping including materials for the access road and turning area and boundary treatments
 7. Works on site in accordance with Arboricultural Implications Assessment and Tree Protection Plan
 8. No occupation prior to provision of parking and servicing

(Reasons for approval: It is considered that the proposed residential scheme would result in an appropriate form of development. The proposal will provide much needed housing accommodation in this part of the city, and subject to conditions will enhance the appearance and amenities of the area without having an adverse affect on the River Wensum valley or adjacent and nearby occupiers. As such the proposal would accord with Statements 6,7,10 an 11 of the National Planning Policy Framework, March 2012, Policies 1,2,3,4 and 12 of the Joint Core strategy for Broadland, Norwich and South Norfolk, March 2011 and Saved Local Plan Policies

HOU13, HBE12, NE1, NE9, EP3, EP16, EP22, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan, Adopted Version November 2004.)

9. APPLICATION NO 12/02098/NF3 MILE CROSS DEPOT MILE CROSS ROAD NORWICH NR3 2DY

The planning team leader (development) presented the report with the aid of plans and slides.

RESOLVED, unanimously, to approve application no 12/02098/NF3 Mile Cross Depot Mile Cross Road Norwich NR3 2DY and grant planning permission, subject to the following conditions:-

1. Commencement of development within three years
2. In accordance with plans, drawings and details
3. Submission of details of secure cycle storage
4. The level of noise emitted from the site shall not exceed 35dB (LAeq1hour) between 23:00 hours and 07:00 on any day as measured at the specified northern boundary on plan number P2021/26816/03 of the site.
5. Details of any new plant or machinery installed on the site.

(Reasons for approval: It is considered that the change of use from a depot (sui generis use) to a mixed use of office/ light industrial, general industrial, storage and distribution would provide suitable employment uses within an identified General Employment Area, and subject to conditions, there would not be a significant detrimental impact on the amenities of nearby residential dwellings. As such the proposal is in accordance with Statements 1,2 , and 11 of the National Planning Policy Framework, March 2012, Policies 5, 6 and 12 of the Joint Core Strategy for Broadland, Norwich and South Norfolk, March 2011 and Saved Local Plan Policies EP1, EP22, EMP1, EMP5, EMP16, TRA6, TRA7, TRA8 and TRA12.)

CHAIR