



PLANNING APPLICATIONS COMMITTEE

10am to 1.35pm

18 April 2013

Present: Councillors Bradford (chair), Sands (M) (vice chair), Blunt, Gihawi (substitute for Councillor Button), Henderson, Howard, Kendrick (to the end of item 12 below), Neale, Stammers (substitute for Councillor Little), Stonard and Storie

Apologies: Councillors Button and Little

1. DECLARATION OF INTERESTS

There were no declarations of interest.

2. MINUTES

RESOLVED to approve the minutes of the meeting held on 14 March 2013.

3. APPLICATION NO 12/01172/F NORWICH AIRPORT, AMSTERDAM WAY, NORWICH, NR6 6JA

(The chair agreed to admit the supplementary report which was circulated at the meeting.)

RESOLVED, having considered the report of the head of planning services, to note the revised wording for condition 21, approved by the head of planning services, in consultation with the chair, as follows:

21 No use of the engine test site hereby approved (shown outlined in red on Site Context Plan ref Drawing No. C-0177064-01 received on 15 June 2012 attached to this permission) shall take place until a scheme for the provision of:

- (i) a publicly viewable log of all engine tests carried out (including in a critical situation);
- (ii) the publication of a programme of anticipated engine tests and periods when it is anticipated that no engine tests will be carried out;
- (iii) a system for alerting residents to updates to the programme and for notification of engine tests not appearing on the programme;
- (iv) has been submitted in writing to and approved by the local planning authority.

The scheme shall make provision for:

- (i) the log to include details of: the date and time of the start of the test; the aircraft type; the reason for the test; the duration of the test; the maximum engine power levels used during the test; the wind direction during the test; and whether notification of the test was given on the programme;
- (ii) the programme to be kept up to date;
- (iii) the alert system shall include arrangements for the public to sign up to be given advance warning of engine tests including by text or e-mail where appropriate.

The scheme shall be operated as approved. Any variation to the approved scheme must be subject to further written approval by the local planning authority.

4. APPLICATION NOS 13/00113/F AND 13/00115/L FORMER FIRE STATION, BETHEL STREET, NORWICH

The planning development manager said that the applicant had not adhered to the correct procedures relating to the completion of the ownership certificate and therefore the report on applications nos 13/00113/F and 13/00115/L Former Fire Station, Bethel Street, Norwich should be withdrawn from consideration at this meeting. The planning solicitor (nplaw) explained that the committee did not have the power to determine the application until the irregularities had been cleared and the correct notices served.

In reply to a question, the planning development manager advised members that the planning applications would come back to committee at the earliest opportunity for consideration but this was dependent on how quickly the applicants provided the correct information to start the 21 days of consultation.

RESOLVED to note that application nos 13/00113/F and 13/00115/L Former Fire Station, Bethel Street, Norwich, had been withdrawn from consideration at this meeting.

5. APPLICATION NOS 13/00208/F 463 - 503 SPROWSTON ROAD NORWICH

The planner (development) 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 and contained details of further representations and the officer's response. The update report also advised of textual amendments to the main report which ensured the delivery of affordable housing. In paragraph 39 "of some" should be inserted to the last sentence so that it reads "to compromise the ability of some of the housing to come forward" and to delete paragraph 50.

A resident of Anthony Drive addressed the committee and outlined his objections to the proposed development; which included: that the proximity of the car park was detrimental to the amenity houses in Anthony Drive; concerns about the potential anti-social behaviour arising from the car park and the pathway linking it with

Anthony Drive; that the car park should be gated; that noise from deliveries and from the heating and ventilation plants will affect residents. The agent for the owner of the adjoining site said that the development was contrary to existing policies and that it compromised development of her client's site. The applicant had not engaged with her client. The emerging site allocation policy was for a mixed use and both parts of the site should have been developed in parallel. Another resident of Anthony Drive said that she expected some development on this Brownfield site and reiterated some of the concerns of the other resident. She said that her key concern was the landscaping was too narrow near her garden and that she was concerned for the health of developing children playing on the garden. She referred to comments made by the council's cycling and landscape development officer and suggested that if lots of customers would be on foot and the maximum car park spaces had been allocated, some could be given up to increase the landscaping. The landscaping would act as a buffer from noise of deliveries and use of the car park, including anti-social behaviour. (The resident's plans showing where she considered that the landscaping should be increased were submitted to the planning officer.)

A resident on behalf of the Templemere Residents Association welcomed the development. She said that her main concern was highway safety as there had been a fatal accident and although the highways officers had no objections considered that it should be raised.

Councillor Harris, Catton Grove ward councillor, referred to the proposal and said that the scheme would bring jobs and benefits to the community, providing low cost food and nine affordable housing units. However she asked the committee to balance this with consideration of what could be done to mitigate the objections of local residents. She said that Councillor Barker, Catton Grove ward councillor, also supported this approach.

The applicant said that the scheme had the support of 95 local residents and was a mixed use development which could be delivered. The owner would agree to gated access if it was necessary.

The planner referred to the report and responded to the issues raised by the speakers and members. Further plans of the elevations of the building and the landscaping were displayed. Members noted the difference in the levels from adjoining gardens and the car park. She said that delivery vehicles would only be allowed access between 7am and 11pm and that a rubber shroud would be used to seal in noise during unloading. The issue of increasing the landscaping strip had been discussed with the applicant. The gating of the car park could be included in the conditions. The proposed scheme did not jeopardise the development of the adjoining site and would deliver affordable housing through the s106 agreement. The planning development manager referred to the supplementary report of updates to reports and said that the site to the north was not prejudiced by this application. The emerging site allocation was for mixed use on this site and the housing element was deliverable over the whole site. Members were advised that the correct procedures had been followed and that owners of houses and the owners of the adjoining property had been notified of the proposed development.

Discussion ensued in which members welcomed the food store which would provide access to cheap food and jobs. There was considerable discussion on the issues of widening the landscaping strip where it was narrow by removing car parking spaces.

Some members expressed concern that the applicant wanted the maximum car parking spaces permitted but had not provided sufficient cycle parking spaces. Members also sought reassurance that the arrangements for delivery vehicles were acceptable and that measures would be in place to minimise disturbance to the neighbouring residents. The planner advised members that there were two pathways because of an established right of way. The use of different paving materials defined the use of the car park for drivers throughout the site and contributed to highway safety. Members were advised that the light intrusion from the car park would be kept to a minimum as the light faced in a downward direction and that the site was in an urban environment near to street lights.

Members also considered the potential for antisocial behaviour and that the car park management should include gating and CCTV cameras.

A member welcomed the scheme and asked if the delivery hours could be reduced to 10pm but was advised that it would be unreasonable to condition an hour before the time recommended by the World Health Organisation.

Councillor Howard moved and Councillor Sands seconded that car parking spaces should be removed to increase the landscaping strip, as indicated on the residents' plan. This was agreed by consensus with another suggestion that cycle parking provision was also increased and that the condition relating to the car park management plan should also stipulate that the car park should be gated; that the CCTV should be installed for security and that the lighting should be controlled.

RESOLVED, unanimously, to approve application no 13/00208/F at 463 to 503 Sprowston Road and grant planning permission, subject to amending conditions 6 and 17 to ensure that car parking spaces are removed to increase landscaping between the car park retaining wall and the gardens of no 71 to 79 Anthony Drive and cycle parking provision; and condition 18, to ensure that the car park management plan includes provision for gating the car park; CCTV and adequate lighting.

- (1) the completion of a satisfactory S106 agreement to include the provision of affordable housing at a stage to ensure that delivery occurs at an early stage and contributions to transportation and subject to the following conditions:
 1. Standard time limit
 2. In accordance with plans

Approval of details

3. Prior approval of details:
 - a. External materials
 - b. Gate to vehicular entrance of site
 - c. Lighting locations and types
4. Use of obscure glazing within high level windows in retail store
5. The content, materials and fixing of the historic interpretation materials to the north elevation of the store

Landscaping and trees

6. Hard and soft landscaping (including permeable hard surfacing, walls and fences for privacy and acoustic screening) and details for the surfacing and bollards to the pedestrian link from Anthony Drive to Sprowston Road,
7. Maintenance and replacement of landscaping within 5 years
8. Mitigatory replacement tree planting
9. No removal of trees, shrubs or buildings on site during bird breeding season (March to August inclusive)
10. Pre-construction site meeting and submission of further details
11. Arboricultural supervision
12. Works to trees first
13. No dig methods
14. Protection of areas
15. Siting of services
16. Works in accordance with AIA

Car parking, cycle and refuse storage

17. Provision of car parking, cycle parking and refuse storage as indicated on plans
18. Car park management plan

Water and energy efficiency

19. Provision and maintenance of SUDS system (in consideration with ground contamination present on site)
20. Water resource conservation to Code for Sustainable Homes Level 4 for homes
21. Provision of renewable energy for retail store to 10%

Restrictions to protect amenity

22. Hours of store opening, opening of vehicle gate into site and delivery and servicing, outside of which time no delivery or servicing vehicles may enter site 07:00 to 23:00 Mondays to Saturdays and 09:00 to 16:00 Sundays and Bank Holidays
23. Pedestrian accesses across site retained as agreed
24. Details of resurfacing of pedestrian link between Anthony Drive and Sprowston Road
25. Details of fume and flues to be submitted and agreed
26. No plant or machinery installed unless agreed in writing
27. Removal of permitted development rights for ventilation and fume extraction for any future plant required at the store after implementation
28. No storage or materials on site outside of designated areas unless first agreed
29. No use of reversing alarms on lorries on site
30. Refrigeration units on delivery vehicles to be switched off
31. Loading/unloading in designated areas only
32. Rubber shroud around delivery bay to be implemented and retained
33. No cages to be used on site

Archaeology and ground contamination

34. Archaeology – stop work if any artefacts found
35. Watching brief for land contamination
36. Remediation strategy for ground contamination
37. Unidentified contamination found on site

Other conditions

38. Goods sold limited to 198sq.m. of floorspace for non-convenience goods
39. Travel information plan to be agreed and implemented
40. Safeguarding of access to site to north of Windmill Road, as indicated by access road on proposed site plan

(Reasons for approval: The proposed development would provide a mixed use redevelopment of a previously developed piece of land close to a local centre. The proposed retail floorspace of 1438sq.m. and 9 residential dwellings would provide both homes and jobs to the surrounding area. The location of the site is considered to be the most sequentially preferable site for this development and the impact the additional convenience retail would have on the existing local centre would be mitigated by the positive impact of increased footfall to the Sprowston Road local centre.

The residential development would provide affordable housing, and enable the wider emerging site allocation for 25 dwellings to be met. The provision of a road into the site and providing access to the site to the north of Windmill Road to adoptable standards would ensure the future development of the remaining site allocation.

The design and siting of the retail unit would lead to a notable loss of amenity through loss of outlook, daylight and direct sunlight to residents in flats at 479 Sprowston Road. This loss of amenity is regrettable but has been weighed against the benefits that this development would bring. The benefits of redeveloping a sequentially preferable site for retail, and the provision of nine dwellings, can afford significant weight under paragraph 14 of the National Planning Policy Framework. In this instance the loss of outlook, direct sunlight and daylight for the residential units at 479 Sprowston Road in particular would be outweighed by the benefits delivered by this scheme.

The development is therefore considered to be acceptable subject to the completion of a S106 agreement to provide affordable housing and transport contribution for the development, and subject to the conditions imposed.

It is considered that the proposed development would deliver a beneficial redevelopment of brownfield land and be in accordance with saved policies NE8, NE9, HBE4, HBE12, EP15, EP17, EP18, EP19, EP22, SHO3, HOU12, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11, TRA12, TRA14 and TRA18 of the adopted City of Norwich Replacement Local Plan (2004), policies 1, 2, 3, 4, 5, 6, 9, 12, 19 and 20 of the Joint Core Strategy, paragraphs 9 and 14 and statements 1, 2, 4, 6, 7, 8, 10, 11 and 12 of the National Planning Policy Framework (2012) and all material planning considerations.

Article 31(1)(c) 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.)

Informative notes:

1. Soakaways to consider ground contamination on site and only be installed on permeable ground
2. Tree protection barriers
3. Protected species licence required if any bats found on site
4. Considerate construction

- (2) where a satisfactory S106 agreement is not completed prior to 26 April 2013 that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 13/00208/F at 463-503 Sprowston Road for the following reason:

In the absence of a legal agreement or undertaking relating to the provision of affordable housing and transportation contributions the proposal is contrary to saved policies TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan (November 2004) and policy 4 of the adopted Joint Core Strategy (March 2011).

6. APPLICATION NO 12/01991/O LAND AT JUNCTION WITH AYLSHAM ROAD COPENHAGEN WAY NORWICH

The planner (development) presented the report with the aid of plans and slides, and answered members' questions. She confirmed that there had been no objections to the revised plans from local residents.

RESOLVED, unanimously, to approve application no 12/01991/O at land at junction of Aylsham Road and Copenhagen Way and grant planning permission, subject to the following conditions:-

1. Standard time limit for outline application;
2. Prior approval of reserved matters of layout, scale, external appearance and landscaping including lighting, permeable paving and longer term management of landscaping.
3. Water conservation.
4. Ground contamination – intrusive study.
5. Imported material.
6. Identification of further ground contamination.
7. In accordance with plans in respect of parameters for height and distances of built form to plot boundaries as shown on plan 2054/005 received on 08 March 2013.
8. Protection of individual proposed dwellings from noise – daytime and night time.

Informative:

1. Outline permission only, no permission granted for specific layout or design of development. Further submission of reserved matters required.
2. Vehicle crossover to council specification
3. Construction working hours

(Reasons for approval: The site is in an accessible location to public transport and local services and forms previously developed land. The former use of the land for car parking as overspill for the development on Copenhagen Way was not greatly used when in place and in line with local policy to reduce car parking where possible in accessible locations, the loss of this land for parking is considered to be acceptable. Based on the indicative information submitted the proposed development, subject to submission of reserved matters and conditions, would be in keeping with the scale and form of surrounding development, would make good use of this urban site and would not lead to a significant loss of outlook, privacy, daylight and direct sunlight to neighbouring dwellings at 1-7 Copenhagen Way, by virtue of the overall scale and form of existing surrounding development and by virtue of the minimum distances from the boundaries indicated on submitted plans.

It is therefore considered the development is in accordance with saved policies NE9, HBE12, EP16, EP17, EP22, HOU13, HOU18, TRA, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan (2004), policies 1, 2, 3, 4, 6, 9, 12 and 20 of the adopted Joint Core Strategy (2011), paragraphs 9 and 14 and statements 4, 6, 7, 10 and 11 of the National Planning Policy Framework (2012), and all 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.)

7. APPLICATION NO 11/02104/O LAND NORTH OF CARROW QUAY, GEOFFREY WATLING WAY, OFF KERRISON ROAD / CARROW ROAD, NORWICH

The senior planner (development) presented the report with the aid of plans and slides. The supplementary report of updates to reports which was circulated at the meeting contained a summary of the Environment Agency's response, which had been anticipated and therefore the conditions did not need to be amended. Some members of the committee had attended the informal briefing by the applicants on 11 April 2013 and received a briefing on Passivhaus technology. In reply to a member's question, the senior planner explained that Passivhaus Standard was technically contrary to policy as less energy use was required overall.

RESOLVED, unanimously, to approve application no 11/02104/O Land North of Carrow Quay, Geoffrey Watling Way, off Kerrison Road / Carrow Road, Norwich, as

revised, and grant planning permission to include the revised proposal description and site plan, subject to the resolution of the planning applications committee on 21 June 2012 with the following variations being made to proposed conditions:-

- New condition – the B8 use will be for groundsman’s facilities only, and limited to a maximum 279sq.m. internal floorspace;
- Condition 2 - development to be in accordance with a flood risk assessment and drainage strategy that follows the principles of the June 2012 scheme but in accordance with a scheme to be revised to reflect introduction of new uses;
- Condition 4 – revised terms, to limit commercial floorspace to a maximum 400 sq.m. and community uses to a maximum 300 sq.m, and for both facilities to be provided at ground floor only, and for D1 use to not include certain uses that are not community-based;
- Condition 5 – introduce flexibility for reserved matters to establish parking allowance for additional uses as necessary;
- Condition 9 – revise to require minimum finished floor level of non-residential use units to be 2.3m AOD;
- Condition 12, 13 and 14 regarding phasing to be amalgamated with no change to the overall content / delivery of the riverside walk, bus gate, landscaping or access road;
- Condition 22 regarding rainwater harvesting is proposed for amalgamation into condition 2 to require water storage, efficiency and harvesting as a part of the overall drainage and flood risk mitigation strategy;
- Condition 31 revised to allow highly energy efficient / Passivhaus construction in lieu of on-site energy generation, with contingency clauses as appropriate;
- Conditions 38 and 39 to be revised to be more specific to the application’s acoustic survey and results provided therein, and be consistent with specifications at the adjoining site;
- Condition 61 – delete, with bat friendly requirements transferred to other conditions.

8. APPLICATION NO 12/01444/F, NORWICH FAMILY LIFE CHURCH HEARTSEASE LANE, NORWICH, NR7 9NT

The senior planner (development) presented the report with the aid of plans and slides, and answered members’ questions.

During discussion members considered the future use of the building and were advised that the use was limited to that stipulated in the application. Members also discussed the period that would be allowed before enforcement action was taken for the removal of the portakabin building. Members were advised that 15 months should be sufficient for the applicants to comply with the notice and a construction timetable had formed part of their submissions, indicating times when activities should be completed. The council would not take immediate enforcement action if after that time the new building was close to completion. The senior planner advised members that children attending the schools on the other side of Heartsease Lane had easier access as those schools served a large residential catchment on that side of the road. The portakabins on the proposal site were on the opposite side of the road where people had to cross a busy road or arrive by car which therefore limited use on this detached site and was deemed to be in location terms “not sustainable” for a pre-school venue. The travel plan and improved cycle access, plus the range of

uses with the main application however made the site more acceptable, managed and accessible.

RESOLVED, unanimously, to approve application no 12/01444/F Norwich Family Life Church, Heartsease Lane, Norwich, NR7 9NT and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include costs of reviewing and monitoring a Travel Plan annually and Bond to ensure that the Travel Plan targets are met; and
- (2) subject to the following conditions:
 1. Standard time limit;
 2. In accordance with approved plans and drawings;
 3. Non-residential development to be used as D1 and D2 uses as shown on floor plan only;
 4. Details of recessed panels, joinery, glazing, roofs, brick and cladding finishes, bin store, external lighting and CCTV equipment to be agreed;
 5. Details of proposed levels to be agreed;
 6. Details of relocation of the existing portakabin buildings;
 7. Details of arboricultural supervision and method statement to be agreed
 8. Development to be in accordance with submitted AIA, tree protection plan and details as above
 9. Tree protection to be retained and no changes etc within tree protection areas unless agreed
 10. Details of hard and soft landscaping, including surfacing materials, boundary treatments, enclosures within the site, additional replacement tree planting, replacement green space, biodiversity enhancements to include bat and bird boxes and fence gateways, implementation programme, written specifications and a management method statement detailing how the planting will be maintained, to be agreed
 11. Development to be in accordance with submitted ecology report
 12. Intrusive investigation and remediation, as necessary, for contamination to be undertaken
 13. Submission of verification report in respect of remediation of contamination
 14. Measures to deal with unexpected contamination
 15. Details of verification of imported topsoil
 16. Details of sustainable drainage and surface water drainage strategy
 17. Details for standards and features for water conservation to be agreed
 18. Details of all plant and machinery associated with the development
 19. Details of all extract, fume and flue systems associated with the development
 20. Details and setting of noise limiter
 21. Details for boundary noise levels to be agreed
 22. Details to be agreed to provide at least 10% of energy demand from decentralised low or zero carbon sources
 23. Details of the access road, car and coach parking, cycle parking, loading/unloading and turning areas
 24. Details of scheme for provision for on site parking for construction workers for the duration of the construction period
 25. Details of wheel cleaning facilities for construction vehicles

26. For the duration of the construction period all traffic associated with the construction of the development shall use the approved wheel cleaning facilities
27. Details of Interim Travel Plan
28. Implementation of the Interim Travel Plan and details during the first year of occupation of a Full Travel Plan based on the Interim Travel Plan
29. No use to take place unless waiting restrictions have been installed from Rider Haggard Road to Salhouse Road on both sides of Heartsease Lane
30. No use to take place unless shared use cycle/footway has been installed from Valley Drive to Salhouse Road along Heartsease Lane
31. Details archaeological site monitoring
32. Details of provision of fire hydrants

Informatives

1. Considerate constructors scheme (to avoid noise and disturbance)
2. Environment Agency advice on drainage and contamination
3. Anglian Water advice on AW assets
4. Norfolk County Council advice on travel information
5. Works within the highway and transport contact

Reasons for approval:

1. It is considered that the clearance and redevelopment of the site for the erection of a new church building (Class D1) incorporating preschool, sports and community facilities is acceptable in principle, subject to a legal agreement to secure the travel plan requirements.
 2. Subject to conditions, the proposal is considered to be an appropriate use for this site, which although located outside of an existing centre is in an accessible location and the nature of the precise uses proposed would complement the surrounding predominantly residential area.
 3. The design and layout of the proposal is considered acceptable and provides adequate replacement green space and biodiversity and tree protection measures and would be unlikely to cause detriment to the visual amenity of the area or Mousehold Heath. The access and parking is considered suitable to meet the needs of the proposal and, subject to further details and travel plan, is unlikely to result in adverse impact on the adjoining highway network.
 4. Subject to conditions the development is considered to meet the requirements of the NPPF, policies 1, 2, 3, 5, 6, 7, 9, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies AEC2, EP16, EP18, EP20, EP22, HBE12, NE1, NE7, NE8, NE9, SR3, TRA3, TRA5, TRA6, TRA7, TRA8, TRA10, TRA11 and TRA12 of the City of Norwich Replacement Local Plan 2004 and relevant policies of the Development Management Policies Development Plan Document – Pre-submission (April 2013) and all other material considerations.
- (3) authorise enforcement action to secure the cessation of the unauthorised use of the land for the placement of portakabin buildings after 15 months have expired from the date of the decision notice and the taking of legal proceedings, including prosecution if necessary.

9. APPLICATION NO 13/00352/T SITE OF PROPOSED DSLAM CABINET IN FRONT OF 12 POTTERGATE, NORWICH

The 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, and summarised an additional representation from a shop owner in Pottergate and the officer's response.

During discussion members considered that the cabinet would be painted the same peach/pink colour as the wall and painted in a substance that would discourage graffiti. The planning development manager explained that changing the colour of the building adjacent to the proposed cabinet would require listed building consent.

RESOLVED, unanimously, to grant prior approval for application no.13/00352/T Proposed DSLAM cabinet in front of 12 Pottergate.

Informative:

Anti-graffiti/fly posting paint should be applied in line with description of proposal.

10. ENFORCEMENT CASE 12/00048/BPC/ENF – UNIT 1 ABC WHARF, KING STREET, NR1 1QH

The environmental protection officer presented the report with the aid of plans and slides.

During discussion the environmental protection officer answered members' questions and explained that the building was not suitable for residential use. Officers from the council's private sector housing team had inspected the building, who had advised its internal layout could not be adapted for residential use.

Members asked that the council ensured that the tenant received help and support in finding new accommodation.

RESOLVED, unanimously, to authorise enforcement action to secure the cessation of the unauthorised residential (class C3) use, including the taking of direct action including prosecution, if necessary.

11. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE, JANUARY - MARCH 2013 (QUARTER 4, 2012-13) PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE, JANUARY - MARCH 2013 (QUARTER 4, 2012-13)

The planning development manager presented the report and answered members' questions.

RESOLVED to note the report.

**12. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE:
APPEALS: 1 JANUARY TO 31 MARCH 2013 (QUARTER 4 2012 - 13)**

The planning development manager presented the report and answered members' questions. He said that the applicant for the Lakenham Sports Ground site had asked for a public inquiry.

RESOLVED to note the report.

(The committee adjourned for a short break. The meeting then reconvened with all members present as listed above with the exception of Councillor Kendrick, who left the meeting at this point.)

**13. APPLICATION NO 13/00250/F 14 BRANKSOME ROAD, NORWICH, NR4
6SN**

The planning development manager presented the report with the aid of plans and slides and advised members that the objection from the resident of 14 Branksome Road had been withdrawn.

RESOLVED, unanimously, to approve Application No (13/00250/F at 14 Branksome Road) and grant planning permission, subject to the following conditions:-

1. Time Limit.
2. In accordance with the approved plans.
3. In accordance with the Arboricultural Method Statement.
4. Submission of details of boundary treatment to no.14's rear garden.
5. Proposals to meet code for sustainable homes level 4 for water efficiency.

(Reasons for approval: The scale, design and location of the proposal in the context of the existing built environment and recent planning approval for the site is considered to be sympathetic to the character of the area, the visual amenities of the street scene and amenity of neighbouring properties.

The layout of the site provides safe access, parking and turning for the residents, including adequate provision for on site servicing. The internal layout also provides more than adequate amenity provision for the new residents as well as leaving adequate rear garden space for no.14 Branksome Road.

The arboricultural method statement will ensure the protection of any trees in neighbouring properties.

It is therefore compliant with statements 6, 7 and 11 of the National Planning Policy Framework 2012, policies 2, 3 and 3 Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 and policies HOU13, NE3, HBE12, EP22, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan 2004.

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 during the pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined above.)

14. APPLICATION NO 12/01245/F 126 CAMBRIDGE STREET, NORWICH, NR2 2BE

The planner (development) presented the report with the aid of plans and slides. He explained that this application was a resubmission of the previous application and accompanied by a daylight and sunlight study, which was displayed to the committee.

The resident of the house in Trinity Street, which backed on to this site, addressed the committee and requested that photographs showing views from her house and garden, taken at various times during last summer. She also said that she could not understand why when there was an outstanding appeal on the outcome of the previous application, the applicant had resubmitted an application.

The planning development manager by way of explanation said that the applicant had the right to lodge an appeal against the decision on the original application and to submit a further application which the council had a duty to determine.

The agent pointed out that the applicant's extension would be substantially smaller than the building to the rear of the gardens which had been shown to the committee in the neighbour's photographs.

The applicant's sister spoke on behalf of the applicant and said that she endorsed the officer's report. The application was for a two storey extension to create an upstairs bathroom and was in keeping with the form and mass of adjacent properties in Cambridge Street and Trinity Street. The footprint of the extension was the same as the existing one storey building and did not intrude into the garden. The daylight and sunlight study had concluded that the proposal satisfied BRE standards. She pointed out that there had only been one objection to this application.

During discussion a member referred to the new information provided by the daylight and sunlight study and said that his concern about this application was not overshadowing but that the overbearing nature of the extension would create "prison walls" and be detrimental to the amenity of the neighbouring properties. Other members concurred that the new information provided in the daylight and sunlight study did not outweigh their concerns that the extension was overbearing and that they were minded to refuse for the reasons consistent with the committee's decision on 23 August 2012.

The planner advised members that the garden at 126 Cambridge Street was 20m and that it would provide sufficient outside amenity space for a two-bedroom property.

The chair then moved, with the consensus of the members, that the committee refused the application on the grounds consistent to the committee's reasons for determining application no 12/01245/F.

RESOLVED, with 9 members voting in favour of refusal (Councillors Sands, Ackroyd, Blunt, Gihawi, Henderson, Howard, Neale, Storie and Stonard) and 2 members voting abstaining (Councillor Bradford and Stammers) to refuse application no 12/01245/F 126 Cambridge Street, Norwich, NR2 2BE on the grounds that it would be detrimental to the amenity of the adjoining terrace house and the properties in Trinity Street, that it would cause loss of day light to these properties, was overbearing in height, scale and mass and would reduce the amenity space in the rear garden of the property and to ask the head of planning services to provide the reasons for refusal in policy terms.

(Reasons for refusal as subsequently provided by the head of planning services:

1. The proposed single and two storey extensions are considered to be excessive in terms of height, scale and massing and as such result in an overbearing nature of development to adjacent dwellings on Cambridge Street and dwellings fronting Trinity Street. In addition, the proposed extensions would cause overshadowing to the rear gardens and rear habitable rooms of properties fronting Trinity Street by virtue of the height and massing of the proposed extensions. The proposed development is therefore considered to result in harm to the amenity of neighbouring properties contrary to saved policy EP22 of the City of Norwich Replacement Local Plan (2004) and the relevant policies of the Development Management Policies Development Plan Document - Pre-submission (April 2013).
2. The proposed single and two storey extensions will result in the rear garden of 126 Cambridge Street being reduced in size to a point where it is no longer considered to be providing a sufficient area of private amenity space for the occupiers of the application dwelling. As such the proposals are considered to be contrary to saved policy EP22 of the City of Norwich Replacement Local Plan (2004) and the relevant policies of the Development Management Policies Development Plan Document - Pre-submission (April 2013).

CHAIR