



PLANNING APPLICATIONS COMMITTEE

10.00am to 11.05am

1 December 2011

Present: Councillors Bradford (chair), Councillors Gee (vice chair), Banham, Gayton, Haynes, Kendrick, Little, Lubbock, Offord, Sands (S) and Wright (substitute for Councillor Ackroyd)

Apologies: Councillors Ackroyd and George

1. MINUTES

RESOLVED to agree the accuracy of the minutes of the meeting held on 10 November 2011.

2. APPLICATION NO 10/01774/O ENTERPRISE GARAGE STARLING ROAD, NORWICH, NR3 3ED

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report "Updates to reports for consideration" that was circulated at the meeting and said that the agent had requested that the time limit on the application was at least three years and possibly five years, to allow a sale of the site and to ensure that the obligations as set out in the section 106 agreement were delivered. Now that the Joint Core Strategy (JCS) had been adopted it was no longer necessary to impose shorter time limits such as the 9 month and 6 month time limits conditioned for the development to the north of this site. Councillor Brociek-Coulton, ward councillor for Sewell ward, had also submitted a comment which was reproduced in the supplementary report, supporting the development, but requesting consideration to highway changes. A representative of the Norwich Society had also expressed concern about the impact on vehicles in the area and Magdalen Gate School. Members were advised that the application was changing the use of the site from commercial to residential and therefore local transport generation and impacts would be reduced. Transportation officers had not raised any objections to the proposal. The highways issues were a matter for the Norwich Highways Agency committee.

Councillors Banham said that neither Councillor Sands nor himself, both Sewell ward councillors, had discussed the proposal with Councillor Brociek-Coulton and had not pre-judged this application.

During discussion members asked the senior planner and the planning development manager questions on the report.

Councillor Sands said that in recent years alley gates had been installed in the alleys at the back of the terraced houses for security reasons. She referred to the designs and said that the residents would need a gate to the area at the rear of the houses where the bins were stored.

RESOLVED to approve Application No 10/01774/O Enterprise Garage Starling Road Norwich and grant outline planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include the provision of contributions to sustainable transportation improvements and street trees and for the suitable provision of affordable housing, and the following conditions:-
 1. Application for the approval of reserved matters to be made not later than 3 years from date of permission;
 2. Commencement of development 2 years from the date of approval of the reserved matters to be approved;
 3. Reserved Matters to relate to appearance, scale and landscaping;
 4. Planting and site treatment works;
 5. Landscape maintenance;
 6. Details of Facing and Roofing Materials; Boundary treatments, walls and fences; external lighting; biodiversity enhancements;
 7. Details of car parking, cycle storage, bin stores, access road;
 8. Provision and maintenance of renewable energy sources;
 9. Water efficiency measures;
 10. Noise protection measures.
 11. Site contamination investigation and assessment to be carried out and if contamination is found a scheme of remediation and mitigation to be agreed and carried out. Should during development, contamination not previously identified be found development is to cease pending details to deal with contamination;
 12. Control on imported materials;
 13. Archaeology - investigation, evaluation and mitigation;
 14. Removal of permitted development rights;
 15. Development to be in accordance with approved drawings.

(Reasons for approval: The development of 14 dwellings would contribute to the overall delivery of housing in Norwich and as considered against the Joint Core Strategy Policy 4, would provide for a 30% provision towards affordable housing (4 no. affordable units in total) which would contribute specifically to the promotion of affordable housing in Norwich. The proposed development, subject to conditions, would be well integrated with the surrounding development in form and layout and would make good use of this brown field site. The scheme provides adequate parking and servicing space with ease of access to future residents. The individual layout of blocks has regard to amenity issues in the area for existing residents and subject to conditions should limit amenity impacts for future residents of the scheme. The scheme as laid out also allows sufficient space for further landscape and biodiversity enhancement to improve the amenity of the area. The scheme also provides for appropriate contributions to meet tree planting and transportation improvements in the area.

The decision has been made with particular regard to PPS1, PPS3, PPS5, PPG13 and PPG24; policies ENV7, ENG1, H2, T14 and WM6 of the East of England Plan 2008; policies 1, 2, 3, 4, 5, 6, 9 and 20 of the Joint Core Strategy (March 2011); and saved policies EP1, EP18, EP20, EP22, EMP3, HBE3, HBE12, HOU1, HOU13, HOU18, NE4, NE9, TRA5, TRA6, TRA7, TRA8 and TRA11 of the City of Norwich Local Plan (Adopted Version 2004) and to all material planning considerations.)

The following informative notes should be appended to any consent::

1. Considerate construction and timing to prevent nuisance;
2. An asbestos survey should be carried out;
3. Materials removed from site should be classified and disposed of at suitable licensed facilities;
4. Site clearance to have due regard to minimising the impact on wildlife
5. Advise that new flats will not be eligible for permits within the CPZ

- (2) where a satisfactory S106 agreement is not completed prior to 31 March 2012 that delegated authority be given to the head of planning services to refuse planning permission for Application No 10/01774/O Enterprise Garage Starling Road Norwich for the following reasons:

In the absence of a suitable legal agreement or undertaking relating to the provision of street trees and transportation contributions the proposal is contrary to saved policies NE4, TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan (November 2004) and policy 20 of the Joint Core Strategy.

Policy 4 of the Adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) seeks the target provision of 30% affordable housing on sites of 10 to 15 dwellings in line with the most up to date housing market assessment. No affordable housing provision has been provided for within the scheme, nor has it been demonstrated that the provision of affordable housing would render the scheme unviable and therefore in the absence of a legal agreement relating to the provision of affordable housing the proposal is considered to be contrary to policies 4 and 20 of the Adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and would undermine the objectives of PPS3 to deliver housing need in affordable housing in sustainable locations.

- (3) ask the committee officer to liaise with Councillor Brociek-Coulton about referring her comments to the Norwich Highways Agency committee.

3. APPLICATION NO 11/01713/ET LAND ADJACENT TO AND EAST OF 19 TO 27 CATTON VIEW COURT, NORWICH

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

During discussion Councillors Kendrick and Sands expressed concern that the parking situation for existing residents had not been reappraised as part of the application. The senior planner referred to the 2008 appeal decision from the planning inspector to the previous application and said the council's position was not as strong now as it had redeveloped its own underused garage sites. The residents of the adjacent flats did not have a legal right to use the garages and the development should not lead to problems with on-street parking and congestion in Catton View Court.

RESOLVED with 7 members voting in favour (Councillors Bradford, Wright, Lubbock, Gee, Offord, Little and Haynes), 2 members voting against (Councillors Kendrick and Banham) and 2 members abstaining (Councillors Sands and Gayton) to approve Application No11/01713/ET Land adjacent to and east of 19 to 27 Catton View Court, Norwich and grant planning permission, subject to the following conditions:-

1. Application for approval of all reserved matters must be made not later than the expiration of three years beginning with the date of this permission. Approval of these reserved matters (referred to in condition 2) shall be obtained from the Local Planning Authority in writing before any development is commenced. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.
2. The reserved matters shall relate to the design, external appearance of the building and the landscaping of the proposed development and this condition shall apply notwithstanding any indication as to these matters which have been given in the current application.
3. No development shall commence until details of boundary treatments, materials for driveways, bin store and cycle store facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved and completed prior to the first occupation or use of any part of the development and shall be retained thereafter in accordance with the approved details.
4. The development shall 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. No occupation of any of the flats shall take place until a full Code for Sustainable Homes assessment which relates to that dwelling and which confirms that the development has been constructed in accordance with Level 4 for water usage has been submitted to and agreed in writing by the local planning authority. All completed water conservation measures identified shall be installed in accordance with the details as agreed and thereafter permanently retained.

(Reasons for approval: The decision has been made with particular regard to policies ENV7 and WM6 of the adopted East of England Plan Regional Spatial Strategy 2008, policies 1, 2, 3, 4 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies NE9, HBE12, EP18, EP22, HOU13, TRA5, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan 2004, PPS1, PPS3, PPG13 and other material considerations.

The proposals provide for the redevelopment of an existing brownfield garage site. The site has good connections to nearby services and is considered to be an appropriate location for new residential development. It is not considered that the proposal would exacerbate problems of on-street parking and congestion on the adjacent highway. Whilst there may be problems of on-street parking and congestion in Catton View Court, cars parked in the road would not result in a significantly poor living environment for future occupiers of the proposed dwellings. It is considered that any implications for overlooking could be satisfactorily resolved via detailed design at reserved matters stage.)

CHAIR