



PLANNING APPLICATIONS COMMITTEE

10am to 10.50am

9 February 2012

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

Apologies: Councillors Gee (vice chair) and George

1. MINUTES

RESOLVED to agree the accuracy of the minutes of the meeting held on 19 January 2012.

**2. APPLICATION NO 11/02225/U PART FIRST FLOOR AND SECOND FLOOR
13 - 25 LONDON STREET, NORWICH, NR2 1JE**

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

During discussion the senior planner answered questions on the report. Members welcomed the proposal which brought activity into a retail area but did not affect the retail frontage.

RESOLVED to approve application no. 11/02225/U (Part First Floor and Second Floor 13 - 25 London Street Norwich NR2 1JE) and grant planning permission, subject to the completion of a S106 agreement to secure A contribution of £7214.00 towards the provision of 17 cycle stands to be installed by the City Council, and; subject to the following conditions:

1. Standard time limit;
2. In accordance with the drawings and details as submitted and approved;
3. Details of insulation and methods of fixing for all plant and machinery, including exercise equipment.
4. Gym use only (D2) and no other D2 use unless agreed in writing with the Local Planning Authority;
5. Compliance with the Travel Information Plan
6. Details of all external CCTV cameras, including:
 - a) the size, and specification of all cameras;
 - b) the location of all cameras;
 - c) the combined coverage of all cameras;
 - d) the method of recording;

- e) the times of operation of the cameras, including recording; and
- f) the archive arrangements for recordings.

Informatives:

1. The applicant is advised that the installation of the cycle stands paid for by the applicant will need to be subject to local consultation and utilities checks.
2. The applicant is advised that any external works, for example, the proposed new entrance on Little London street, and any new signage, will require Full Planning Permission and Advertisement Consent respectively.

(Reasons for Approval:

1. Whilst the loss of retail floorspace and shopping function is regrettable, the substantial size and lack of prominence of the application unit makes it problematic to re-let to a single retail user and there are few compelling policy arguments to resist an appropriate alternative uses in this location (given that the main purpose of local plan policies is to maintain and protect active ground floor retail frontages and allow greater diversity of uses on upper floors). On balance the proposed use can be accepted in principle because it would encourage more beneficial activity in the area in the evening (thus supporting Joint Core Strategy objectives for the evening economy), introduce an appropriate and complementary leisure use in a particularly sustainable and accessible location within the central shopping area, and help to promote healthy lifestyles. Therefore the proposals are considered to be in accordance with the objectives of PPS1, PPS4, and PPG17, policies SS6, ENV7 and NR1 of the East of England Plan (May 2008), policies 5, 7 and 11 of the Adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and policies SHO10 and SR13 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).
2. Subject to compliance with conditions of any favourable permission the use of the premises as a gym is not likely to be considered to give rise to any noise or vibration pollution to the ground floor or adjoining premises and as such the proposals may be considered to be in accordance with the objectives of PPG24, and policy EP10 of the City of Norwich Replacement Local Plan (Adopted Version November 2004). In addition, the proposed use and location, together with conditions avoiding detrimental impacts on any existing or future residential amenity in the area therefore would be seen to comply with Replacement Local Plan policies SR14 and EP22.
3. A S106 agreement signed as part of any permission would ensure that 17 cycle stands would be provided by the applicant in order to promote sustainable methods of transport for its users. This and the suggested Travel Information Plan provided would ensure that the proposals could be acceptable in transport terms in accordance with the objectives of PPG13, policy 6 of the Adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and saved policies TRA7, TRA11 and TRA12 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).)

3. APPLICATION NO 11/02108/VC 37 PRINCE OF WALES ROAD NORWICH NR1 1BG

The senior planner (development) presented the report with the aid of plans and slides and said that there had been one letter of objection from Councillor Grahame, Thorpe Hamlet ward councillor.

Discussion ensued. Councillor Offord pointed out the contradiction of the night time economy and the close proximity to residential properties. Councillor Sands considered that there was no need to extend the opening hours to 4am. Other members considered that other neighbouring premises were open to 4am and it would be unfair to penalise this premises by restricting the opening hours. Also it was suggested that there was likely to be more disruption if people left the premises at 1am, as they tried to get into other premises.

RESOLVED with 8 members voting in favour (Councillors Bradford, Ackroyd, Banham, Gayton, Haynes, Kendrick, Little, Lubbock) and 2 members voting against (Councillors Offord and Sands) to vary condition 3 of permission 11/00671/F subject to the following conditions (assuming all relevant conditions need to be re-applied):

1. Implemented not later than the 8 July 2014;
2. In accordance with the drawings and details approved;
3. Varied hours condition (not open between 04:00hrs and 08:0hrs on any day);
4. The CCTV systems as approved and installed under application reference 11/02038/D with regard to condition 4 of permission 11/00671/F (as varied by this permission) shall be provided in full working order and in accordance with the agreed details in perpetuity;
5. The development shall be constructed and retained in perpetuity with the details as agreed under application 11/02038/D with regards to condition 5 of planning permission 11/00671/F (as varied by this permission);
6. The facing brickwork shall match that of the existing building;
7. Provision of car parking, cycle storage and refuse storage areas before the first use;
8. The landscaping details as agreed under application 11/02038/D with regard to condition 8 of permission 11/00671/F (as varied by this permission) shall be implemented before the first use of the premises and retained in perpetuity;
9. The lighting as agreed under application 11/02038/D with regard to condition 5 of permission 11/00671/F (as varied by this permission) shall no be used outside the hours of operation of the premises, allowing for 1 hour before and after closing for patrons and staff to safely access/exit the premises;
10. No use of the rear external door by customers, staff, guests or other members of the public with the exception of exit in the case of emergency or for persons with impaired mobility for exit/entry to the basement floor entertainment room;
11. The details of fume extraction and ventilation equipment as agreed under application 11/02038/D with regard to condition 11 of permission 11/00671/F (as varied by this permission) shall be installed and retained at the premises in accordance with the agreed details in perpetuity;
12. The plant and machinery to be installed, as agreed under application number 11/02038/D with regard to condition 12 of permission 11/00671/F (as varied by this permission) shall be retained in perpetuity in accordance with the agreed details;

13. Details of schedule of maintenance of fume and flue extraction and plant and machinery;
14. Details of refuse storage areas and a servicing statement;
15. Restrictions of hours of trade deliveries;
16. Implementation and retention of noise control measures as detailed in the Noise Impact Assessment submitted under application 1/00671/F;
17. Details of the amplification system;
18. No amplified music to be played unless through the agreed and installed amplification system;
19. No amplified music in any external areas;
20. Details of maximum noise levels to be agreed with the Local Planning Authority;
21. Details of management scheme ensuring no adjustment of the amplification system;
22. No noise or vibration emitting devices shall be fitted to either party wall;
23. All internal doors shall have self-closures and will be acoustic doors and shall be operational whenever the premises is open.

(Reasons for approval:

1. The decision has been made with particular regard to PPS1, PPS4, PPS5, and PPG24, policies ENV6, and ENV7 of the Adopted East of England Plan (May 2008), policies 2, and 11 of the Adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and saved policies HBE8, HBE12, EP10, EP22, EMP3, AEC1, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan (Adopted Version November 2004). The proposed use is considered acceptable in the Late Night Activity Zone. Subject to compliance with the conditions imposed here, it is not considered that the proposals would have a significant detrimental impact on the amenity of neighbouring residential or commercial properties.
2. It is considered that the extension of operational hours of the application premises will not result in a detrimental impact on the living conditions of nearby residents and that there will not be an increase in the potential threat of crime and disorder to the public as a result of an acceptance of this proposal. The premises are set within the Late Night Activity Zone where such late operations are considered acceptable. It is therefore considered that the proposals are in accordance with the objectives of PPG24, and saved policy EP22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004). The Local Planning Authority's duty of care under Section 17 of the Crime and Disorder Act has also been taken into account and it is not considered that the proposed extension of operational hours of this premise will result in an increase in crime and disorder in the area.)

4. APPLICATION NO 11/02199/T PROPOSED TELECOMMUNICATIONS CABINET AT CORNER OF OSBORNE COURT AND LIME TREE ROAD, NORWICH

The planning development manager presented the report with the aid of plans and slides, and answered members' questions.

Councillor Lubbock pointed out that it would be useful for all ward councillors to receive information about the programme to improve broadband in the city and an explanation on the policy considerations and permitted development rights associated with it. The planning development manager undertook to provide a briefing note to members of the council.

During discussion members considered the proposed location of the cabinet and noted that the highway planners had raised no objections to it.

RESOLVED to approve application number 11/02199/T, and grant prior approval, subject to the following conditions and informatives:

Condition:

1. Operations on site shall take place in complete accordance with the guidelines as detailed in the NJUG Guidelines: The Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees.

Informatives:

1. No works of any kind shall take place on the site until a pre-trenching site meeting between the developers' appointed consulting arborist, site agent and the Council's tree protection officer has taken place. The development shall be carried out in accordance with the details agreed at the meeting. Minutes of the meeting shall be produced and submitted to the local planning authority within one week of the meeting taking place.
2. No new services, unless otherwise specified on the approved drawings, shall be sited within the root protection areas.

CHAIR