



**Planning applications committee**

**09:30 to 11:55**

**14 April 2016**

Present: Councillors Herries (vice chair) (in the chair), Blunt, Bradford, Button, Carlo, Jackson, Lubbock, Maxwell, Neale, Peek and Woollard

Apologies: Councillor Sands (M) (chair)

**1. Declarations of interest**

There were no declarations of interest.

**2. Minutes**

**RESOLVED** to agree the accuracy of the minutes of the meeting held on 10 March 2016.

**3. Application no 16/00021/F - Land adjacent to 23 and 25 Mornington Road, Norwich**

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

During discussion, Councillor Carlo, as ward councillor for Nelson ward, referred to the objections to the scheme and sought clarification. The senior planner, together with the planning team leader (development) (outer area), referred to the report and answered the member's questions. The committee was advised that the scheme included an additional two parking spaces on site. It did not worsen the existing problem of on street parking by employees and visitors to the Colman Hospital. Members were also advised that there was room for alternative drying facilities in the grounds of the development and that Mornington Road was within easy access of Eaton Park. On balance the loss of amenity space was considered to be acceptable. A member pointed out that the provision of two new dwellings was welcomed.

**RESOLVED**, unanimously, to approve application no. 16/00021/F - Land adjacent to 23 and 25 Mornington Road, Norwich, and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials to match existing (bricks, roof tiles and windows);
4. Development to be carried out in accordance with the arboricultural impact assessment, method statement and tree protection plan;

5. No occupation until cycle parking has been provided in accordance with the approved plans;
6. Water efficiency.

Informatives:

1. Purchase of refuse and recycling bins;
2. Street naming and numbering;
3. Considerate construction.

Article 35(2) 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 in the officer report.

**4. Application nos 15/01696/F and 15/01697/L - 8 Swan Lane, Norwich, NR2 1HZ**

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

During discussion the planning assistant, together with the planning team leader (development) (inner area), referred to the report and answered members' questions. Members noted that, because the installation of insulation could be detrimental to the listed building, the use of the second floor as office space would act as a noise buffer between the restaurant on the ground floor and the third floor residential accommodation. Environmental officers had confirmed that the arrangements for plant and machinery on the roof of the building were satisfactory and would not impede the amenity of the residents on the top floor of the building. Members also noted that storage and collection of refuse was a condition of planning consent.

The committee commented on the existing problem of large delivery vehicles in Pottergate and Bedford Street. Councillor Button, chair of licensing committee, confirmed that restricted delivery times had been imposed on the premises licence. Members commented that there should be better regulation of large delivery vehicles in the area. Officers clarified that the appropriate route to control this would be via highways and a traffic regulation order to restrict deliveries between 10:00 to 16:00 during peak shopping times. Members also noted that the informative would require the applicants not to use A boards. The council was currently in the process of formulating its policy on the use of A boards in the city as there was concern about clutter and obstructions on pavements.

A member pointed out that the plan showed what appeared to be a coffee stall outside the entrance to the restaurant. Officers would clarify what this was with the applicant but confirmed that the grant of planning permission would not include a separate coffee kiosk.

**RESOLVED**, unanimously, to approve:

- (1) application no. 15/01696/F - 8 Swan Lane Norwich NR2 1HZ and grant planning permission subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. Restrictions on hours of use
  4. Details of refuse storage and collection.
  
- (2) application no. 15/01697/L - 8 Swan Lane Norwich NR2 1HZ and grant listed building consent subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. Details of colour schemes, internal materials and finishes.

Informative:

The local highway authority advises:

1. Tables and Chairs Licence would not be considered for Swan Lane or Bedford Street;
2. A boards; the highway authority will not want to see numerous or large A boards in the local area;
3. Overhead signs may get hit and additional ones should be avoided.

Article 35(2) 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 [at the pre-application stage insert if necessary] the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

**5. Application no 16/00257/F - 55 Essex Street, Norwich, NR2 2BL**

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

During discussion, the planning assistant and the planning team leader (development) (outer), referred to the report and answered members' questions. The committee noted that the guttering of the proposed extension was within the applicant's boundary. Access for maintenance could be subject to a party wall agreement between the applicant and the owner of the neighbouring property.

The planning assistant also advised the committee that, as set out in the supplementary report of updates to reports (circulated at the meeting), Councillor Raby, Town Close Ward councillor, had amended his representation following a further meeting and site visit. He considered that the proposed extension could "ideally" be reduced to minimise its impact on the residents of no 57 and appreciated their concerns, but did "not oppose the application in its entirety".

**RESOLVED**, unanimously, to approve application no. 16/00257/F - 55 Essex Street Norwich NR2 2BL and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of proposed materials

Article 35(2) 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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

**6. Application no 16/00093/F - 53 Cunningham Road, Norwich, NR5 8HH**

The senior planning technical officer presented the report with the aid of plans and slides.

Discussion ensued in which members considered the concerns raised in objection by the adjacent neighbours. The senior planning technical officer and the planning team leader (development) (outer) referred to the report and answered members' questions. The committee noted that the condition requiring the windows on the first floor to be obscure glazed, to mitigate concerns from neighbours about overlooking, served a landing and an en suite bathroom.

The committee discussed the plans and noted that the proposed extension would incorporate the breeze block wall on the side of the extension of the adjoining property (no 55). Members were advised that it was not unusual for extensions to adjoin the neighbouring property and that the applicant would need to enter a party wall agreement with the owners of the adjoining property, which did not have any bearing on the planning decision

Members noted that the committee could benefit from an informal briefing session which clarified the implications of The Party Wall Act for future reference.

**RESOLVED**, with 9 members voting in favour (Councillors Herries, Blunt, Button, Carlo, Jackson, Lubbock, Maxwell, Neale, Peek and Woollard) and 1 member abstaining (Councillor Bradford) to approve application no 16/00093/F - 53 Cunningham Road, Norwich, NR5 8HH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Obscure glaze first floor windows on side elevations.

Article 35(2) 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 16/00330/F - 134 Drayton Road, Norwich, NR3 2DX**

The senior planning technical officer presented the report with the aid of plans and slides. The application was before the committee because the agent/applicant was an elected member of the council.

**RESOLVED**, unanimously, to approve application no. 16/00330/F - 134 Drayton Road, Norwich, NR3 2DX and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.

Article 35(2) 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.

(The committee adjourned at 10:35 and reconvened at 11:25, with all members listed above as present. This was because speakers attending the committee meeting for the next item had been asked to attend at 11:30.)

**8. Tree Preservation Order [TPO], 2015. City of Norwich Number 493; north-east corner of the former playground adjoining the rear of 17, 19, 21 and 23 Rose Valley, NR2 2PX**

The design, conservation and landscape manager apologised that the council's tree protection officer was unable to attend the committee meeting and presented the report with the aid of plans and slides.

The arboriculturist, representing both parties of objectors and author of the arboricultural feasibility study, explained their position and his professional opinion that the tree was defective and needed to be replaced as soon as possible. He pointed out that the tree was owned by the council and questioned the purpose of confirming the order.

A representative of the Rose Valley Residents' Association addressed the committee, with the aid of slides, in support of confirming the order and his concern that a tree preservation order could be considered as a "constraint" to development.

Discussion ensued in which the planning team leader (development) (outer) and the design, conservation and landscape manager, and the lead arboricultural officer, referred to the report and answered members' questions. Members were advised that in terms of development, planning officers would explore the opportunities for development with the applicant. The council's trees were inspected on a four yearly

basis and managed appropriately. Members also sought clarification on the life of the red oak tree and noted that its potential lifespan was for another 20 to 40 years.

Discussion ensued in which it was noted that the tree was of significant amenity to the local residents and surrounding area. Members expressed an expectation that there could be development without detriment to this tree. The planning team leader (development) (outer) explained that there was not a planning proposal under consideration for this site at present. He explained that the pre-application consultation comments set out in paragraph 19 of the report related to an inspection in 2013 by the council's then tree protection officer. Removal or replacement of the tree could be considered as part of redevelopment proposals if it met the criteria of policy DM7.

Councillor Carlo, Nelson Ward councillor, pointed out that the tree was adjacent to a community garden and enhanced the amenity in the area.

**RESOLVED**, unanimously, to confirm Tree Preservation Order 2015, City of Norwich Number 493, north-east corner of the former playground adjoining the rear of 17, 19, 21 and 23 Rose Valley, Norwich, NR2 2PX.

CHAIR