



## PLANNING APPLICATIONS COMMITTEE

10.00 a.m. – 11.30 a.m.

21 December 2010

Present: Councillors Bradford (Chair), Banham, Collishaw, Gee, Lay, Little, Lubbock, Offord and Wright (J)

Apologies: Councillor Read (Vice-Chair)

### 1. DECLARATIONS OF INTEREST

Councillor Wright declared a personal and prejudicial interest in item 3, application no. 10/01717/F: 75 – 81 Pottergate as he was a friend of one of the objectors.

Councillor Blower declared a personal interest in the urgent item 6, Riverside Heights, Norwich City Football Club, Carrow Road.

Councillor Lubbock declared a personal and prejudicial interest in the urgent item 5, application no 10/01614/F Marston Marshes, Marston Lane, in that she had agreed to be a referee for the funding application made on behalf of Eaton Residents' Association.

### 2. MINUTES

**RESOLVED** to agree the accuracy of the minutes of the meeting held on 2 December 2010.

### 3. APPLICATION NO. 10/01717/F: 75 - 81 POTTERGATE, NORWICH, NR2 1ED

(Councillor Wright having declared a personal and prejudicial interest left the room for the duration of this item.)

The senior planner (development) presented the report with the aid of slides and plans and advised members that the report should be revised to reflect that this proposal was for the same number and type of dwellings as the previous permission 06/00854/F (18 dwellings comprising of 15 2-bed flats and 3 1-bed flats) but that there was more car parking in this scheme than the previous permission. The report should be revised as follows:-

'Paragraph 8	This proposal actually includes 8 not 6 parking spaces.
Paragraph 14	Permission has already been granted for 18 dwellings.

Paragraph 15            There is no increase in density between the previous permission and current proposals. Both schemes are identical in description.'

The developer of the neighbouring site then addressed the committee and outlined his objections to the scheme, which included concerns about the height of the proposed development and its proximity would cause overlooking and block light to the proposed scheme to be developed on his property and that this was outside policy guidelines. (A further letter of representation was circulated to members of the committee on behalf of the objector.)

The agent for the proposed application then addressed the committee and said that the project team had worked in close collaboration with officers to develop an acceptable scheme and take into account the archaeological constraints of the site.

The senior planner said that there could be greater densities in a conservation area within an urban context. He referred to the changing levels of the two sites and said that consideration had been given to the coexistence of the planning permission on the adjoining site.

Discussion ensued in which the senior planner and the planning development manager answered questions. Councillor Driver expressed concern about the layout of the site. Councillor Blower referred to the objections that the development would overshadow the neighbouring development and said that it was regrettable that little credence was made to the BRE code. Councillors Gee and Little expressed concern about the loss of amenity space to additional parking spaces. Councillors Lubbock and Bradford welcomed the application to develop a Brownfield site and considered that the development of the two sites could coexist.

**RESOLVED** with 7 members voting in favour (Councillors Bradford, Little, Banham, Lay, Lubbock, Offord and Collishaw), 2 members voting against (Councillors Driver and Blower) and 1 member abstaining (Councillor Gee) to approve Application No. 10/01717/F: 75 - 81 Pottergate, Norwich, NR2 1ED, and grant planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement by 22 December 2010, to include the provision of contributions to sustainable transportation improvements and children's play provision, and subject to the following conditions:

1. Standard time limit
2. Development to be in accordance with the approved plans.

Prior to commencement of development

3. Details of programme of archaeological work to be agreed;
4. Archaeological works to be implemented and results of investigation recorded and submitted and entered into the historic environment register.
5. Contamination investigation, appraisal, remediation and verification.
6. No further works to take place if unexpected contamination is found and treated.
7. Method of disposal for materials removed from the site.
8. Contamination checks on any imported materials.
9. Prior approval of surface water drainage scheme.
10. Prior approval water and energy efficiency measures.

11. Prior approval of details of on-site renewable energy system and their installation.
12. Prior approval of materials of all windows and doors and Juliette balconies.
13. Prior approval of details of following materials and design specification:
  - (a) external facing materials, including render finish, brick bond, roofing materials;
  - (b) details of roof eaves, barge boards, fascias and soffits, and rainwater goods;
  - (c) windows, roof lights, doors and door surrounds, dormers, and timber louvres;
  - (d) window lintels and cills, depth of window recesses;
  - (e) samples of reconstituted stone and shiplap;
  - (f) any gates proposed within the carriage-arch to be agreed;
  - (g) details of extract vents, flues and other fenestration to be agreed.

Prior to first occupation

14. Details of vehicle crossover to be agreed and to be provided prior to occupation.
15. Prior approval and provision of refuse stores and electrical plant room in courtyard;
16. Prior approval and provision of cycle stores;
17. Details of car parking area layout to be agreed and parking to be provided;
18. Car parking management scheme to be agreed;
19. Details of external lighting to be agreed, implemented and retained;
20. Details of landscaping scheme to be agreed, to include:
  - (a) all soft landscaping;
  - (b) hard landscaping materials;
  - (c) paving details;
  - (d) car parking materials;
  - (e) all boundary treatments.
21. Landscaping to be provided within 6 months of first occupation;
22. Landscaping maintenance scheme to be agreed and implemented;

(Reasons for approval:

The proposed residential scheme will provide high density housing within an appropriate part of the City Centre which will enhance the visual amenity of this part of the City Centre Conservation Area by utilising a currently negative and derelict site. Despite the uncertainties around the relationship of this site with the undeveloped site at the rear, the scheme will provide a suitable form of development and a modern, high quality of design that restores the historic street frontage along Pottergate and proposes a modern approach to scale, massing and elevation treatment that still respects the adjoining listed buildings. The development will provide a considered layout that addresses the site constraints, including carefully preserving the significant archaeological remains.

Although there is a limited range of housing types proposed, the scheme will provide a suitable density of good-quality housing for the City Centre and will ensure that all requirements for car-free housing will be satisfied, and offers a form of accommodation suitable to the character of the surrounding area. The layout, scale and massing of the proposals is acceptable and will not cause undue detrimental impact to the residential amenity of existing adjacent occupiers or future residents of the application site. Subject to the conditions

imposed, the scheme will provide appropriate and sensitive levels of site treatment, architectural detailing, a suitable degree of on-site renewable energy generation, and a high quality of landscaping and site layout that will enhance the setting of the two blocks of apartments. The proposals include adequate on-site secure and covered individual cycle storage, appropriate levels of car parking and suitable landscaped shared amenity space to cater for the car-free housing. Subject to the completion of a suitable legal agreement the scheme will provide for necessary local transportation and play provision contributions.

The proposals are therefore in accordance with national policy PPS1, PPS3, PPS5, PPG13, PPS23, policies SS1, SS6, T14, ENV6, ENV7, WM6, ENG1 and NR1 of the East of England Plan (May 2008), and saved policies NE9, HBE3, HBE5, HBE6, HBE8, HBE12, HBE19, EP1, EP18, EP20, EP22, HOU13, HOU18, TRA5, TRA6, TRA7, TRA8, TRA9, TRA10, TRA11, TRA14, TRA24, SR7 of the adopted City of Norwich Replacement Local Plan (November 2004).

Informative advisory notes:

- (a) Construction processes;
  - (b) Those dwellings without car parking spaces will not be eligible for parking permits;
  - (c) Dust emissions guidance;
- (2) where a satisfactory S106 agreement is not completed prior to 22nd December 2010, that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 10/01717/F: 75 - 81 Pottergate, Norwich, NR2 1ED, for the following reason:

In the absence of a suitable legal agreement or undertaking relating to the provision of children's play provision and transportation contributions the proposal is contrary to saved policies SR7, TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan (November 2004).

(Councillor Wright was readmitted to the meeting at this point.)

**4. APPLICATION NO 10/01763/F: IVORY HOUSE, ALL SAINTS GREEN, NORWICH NR1 3NB, AND 10/01764/L: IVORY HOUSE, ALL SAINTS GREEN, NORWICH NR1 3NB**

The senior planner development presented the report with the aid of slides and plans. Members were advised that the Georgian Group had written to confirm that it was satisfied its concerns had been addressed and the extent of historic assets would be retained and could be dealt with by a condition to require prior agreement of a room by room schedule of preservation. This would require further site visits which the Georgian Group would be invited to attend and participate in discussions regarding discharge of conditions. Members were also advised of amendments to the plans and elevations as follows:-

'The front dormer windows are reduced in number to 3, as described at paragraph 22 and shown in an elevation at page 53 (superseding the plan at page 52). Floor plans are also revised, superseding those on page 61.

Insulation is no longer required to historic wooden panelling within the proposed Flat 10 on the second floor. This supersedes the plan on page 60 and relates to concerns expressed at paragraph 28.

The kitchen to new Flat 10 will not undergo any changes and a drafting error in the plans led to unfounded concerns for its alteration. A new revised floor plan has been submitted to supersede that on page 60.

Windows currently shown to the hallway at first and second floor do not exist in reality and won't need filling. Plans have been revised to address the concerns of the Georgian Group raised in paragraph 11.'

**RESOLVED** to approve:

(A) Application No 10/01763/F: Ivory House, All Saints Green, Norwich NR1 3NB, and either:

(1) grant Planning Permission, subject to the completion of a satisfactory S106 agreement by 19 January 2011, to include the provision of contributions to transportation improvements and subject to the following conditions:

1. Standard time limit.
2. Development to be in accordance with approved plans.
3. Archaeological requirements for investigation and mitigation.
4. The approved renewable energy strategy shall be utilised and the final details of the ground source heat pumps, their installation and servicing requirements agreed prior to commencement.
5. Cycles stores – materials, screening, doors and roofing colour and appearance.
6. Cycles stores to be provided prior to first occupation.
7. Refuse stores – materials, screening, doors and roofing colour and appearance.
8. Refuse stores to be provided prior to first occupation.
9. Prior agreement of construction detail to join the new extension and historic building.
10. Window glazing to be agreed to a suitable standard to prevent traffic noise nuisance.
11. Rainwater goods - materials and positioning.
12. Windows and doors - materials, colour, design and joinery.
13. Cills, cill heads, copings, copings to parapet, cornices and corbel under parapet - materials, colour, design.
14. Balconies – materials, colour, design.
15. Roof tiles, bricks, and brickwork voussoirs over windows - colours and materials.
16. Brick bonds and mortar mixes.
17. Dormer windows – materials, colour and design.
18. New gates, walls and fences - colour, design and materials.
19. Landscaping scheme (hard landscaping and soft landscaping) for whole of curtilage, including planting and site treatment, and maintenance schedule.
20. Rainwater harvesting system and storage to be agreed.

(Reasons for approval: The recommendation is made having had regard to national and local development plan policy and all material considerations. The development will provide a high standard of design quality in the extension to a Listed Building and will avoid causing detrimental effect to the setting of the Listed Building, whilst improving the character of the Conservation Area. The proposals offer a high density and suitable quality of residential accommodation in an accessible and sustainable location and will avoid detrimental impacts to neighbouring residential amenity. The proposed car-free development is considered acceptable in this city centre site being in close proximity to employment, shops and services and having a suitable standard of cycle parking. Subject to the conditions imposed, and the completion of a suitable legal agreement to secure transportation contributions, the development will accord with national policies PPS1, PPS3, PPS5 and PPG13, policies SS1, SS6, T14, ENV6, ENV7, WM6, ENG1 and NR1 of the East of England plan (May 2008), and saved policies NE9, HBE3, HBE8, HBE9, HBE12, EP18, EP20, EP22, HOU13, HOU18, TRA5, TRA6, TRA7, TRA8, TRA9 and TRA11 of the adopted City of Norwich Replacement Local Plan (November 2004)).

Informative advisory notes:

1. Standard construction hours;
2. Construction traffic restrictions in the city centre;
3. Residents will not be entitled to on-street parking permits.

- (2) where a satisfactory S106 agreement is not completed prior to 19<sup>th</sup> January 2011, that delegated authority be given to the Head of Planning and Regeneration Services to refuse planning permission for Application No 10/01763/F: Ivory House, All Saints Green, Norwich NR1 3NB, for the following reason:

In the absence of a legal agreement or undertaking relating to the provision transportation contributions the proposal is contrary to saved policies TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan (November 2004)).

- (B) approve Application No 10/01764/L at Ivory House, All Saints Green, Norwich NR1 3NB, and grant Listed Building Consent, subject to the following conditions:

1. Standard time limit;
2. There shall be no insulation added to the existing panelling of interior walls in flat 10;

Prior to commencement of development the following shall be agreed:

3. A survey of the historic building shall be undertaken to establish the assets and historic features therein, and to agree a schedule for preservation and retention, and replacement and losses where necessary;
4. Detailed survey to establish the extent of works needed to ceilings and the impacts required thereto;
5. Details of all new services;
6. Details and method statement for drylining the interior between flats 6 and 7;

7. Details of all internal joinery, windows, doors, plasterwork and architraves to be created, and details of how doors will be blocked up and finished;
8. Details of all proposed wall removals, and details of all new walls to be installed;
9. Details of all sound insulation and fire proofing measures;
10. Details of arrangements to kitchen of flat 10;
11. Details of positioning and appearance of all extract ventilation, and boiler flues;
12. Detailed schedule of works for all repairs to the building should be provided, including treatment of external walls;
13. All architectural features (including doors, dado rails, cornices, fireplace surrounds, ceiling roses, skirting boards) shall be retained;
14. Any damage arising as a result of the works should be repaired within 3 months of occurrence following prior agreement with the local planning authority.

(Reasons for approval: The proposals do not unduly affect the character and appearance of the Listed Building and the areas of highest significance will be left intact. The overall significance of the building should not be compromised by the proposed internal alterations and the proposed extension will ensure an appropriate subservience to the listed building. As such the development accords with the provisions of national policy PPS5 and saved policy HBE9 of the adopted City of Norwich Replacement Local Plan (November 2004)).

## **5. APPLICATION NO 10/01614/F MARSTON MARSHES MARSTON LANE NORWICH**

(Councillor Lubbock having declared an interest did not take part in the determination of this item.)

(The Chair agreed to take this report as an urgent item. Members had been sent a copy of the report in advance and it was available on the council's website)

The planning development manager presented the report and answered questions.

Councillor Lubbock spoke in favour of the application that would improve accessibility to the site and provide car parking for disabled.

**RESOLVED** with 10 members voting in favour (Councillors Bradford, Little, Banham, Lay, Offord and Collishaw, Driver, Blower, Gee and Wright) and 1 member abstaining (Councillor Lubbock having declared a personal interest) to approve Application No 10/01641/F at Marston Marshes, Marston Lane, Norwich and grant planning permission, subject to the following conditions:-

1. Standard time limit (3 years)
2. Contractors compound temporary permission only for duration of the works on site
3. Any external lighting and security measures details to be agreed
4. Scrub clearance timing
5. Work to be carried out in full accordance with the Extended Phase One Ecological Assessment (Kepwick Ecological Services, 2010) and particular attention is drawn to sections 6.2 (route of footpath), 6.3 (restriction of works area), 6.4 (mitigation works for species rich grassland and reptile mitigation)

6. Pollution control during construction operations
7. Route and maximum height of path, with installation of pipes underneath
8. All surplus material to be removed from site upon completion of works
9. In accordance with submitted drawings and details

(Reasons for approval: The works proposed to upgrade the existing footpath on site to provide a more accessible surface are considered to have been carefully designed to ensure that the use of materials and the construction of the path would have a relatively limited impact on the wildlife and biodiversity importance of the marshes, whilst also enabling the creation of additional habitat for wading birds and fish, without compromising the land drainage and flood plain function of the marshes. The improvements proposed to the path would also enable greater use of the marshes as a recreational resource to be made by a much wider cross section of the local community so resulting in a significant improvement to the accessibility of this site. Subject to conditions, the proposal is considered acceptable and would meet the guidance in PPS1, PPS9, PPG17 and PPS25 and City of Norwich Replacement Local Plan saved policies NE1, NE7, NE8, SR3, SR12, SR14, EP12 and EP16 and all other material considerations)

## **6. RIVERSIDE HEIGHTS, NORWICH CITY FOOTBALL CLUB, CARROW ROAD**

(Councillor Blower had declared an interest in this item.)

(The Chair agreed to take this as an urgent item.)

The solicitor explained that the report was requesting a variation to a resolution of the committee at its meeting on 14 October 2010 to grant planning permission for Application No 10/01107/RM at Riverside Heights, Carrow Road and to allow an extension to the period of time allowed for completion of the associated S106 Agreement. He pointed out that the report, which was circulated at the meeting, had not been publicised on the website. The head of planning services had been delegated authority to refuse the application if it was not determined by 24 December 2010 and could choose not to exercise this and report back to the next committee for an extension or members could approve the recommendations contained in the report.

### **RESOLVED to:-**

- (1) approve application 10/01107/RM at Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, and GRANT PLANNING PERMISSION subject to the satisfactory completion of a Section 106 Agreement by 31<sup>st</sup> March 2011, to include affordable housing provision, sustainable transport measures and library contributions as appropriate, and subject to the conditions and advisory notes, and for the same reasons, as listed in the original resolution [14<sup>th</sup> October 2010].
- (2) In the event that completion of a satisfactory Section 106 Agreement is not achieved by 31 March 2011, to include affordable housing provision, sustainable transport measures and library contributions as appropriate, to delegate authority to the Head of Planning Services to refuse application



10/01107/RM at Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, for the following reason:

In the absence of a legal agreement or undertaking relating to the provision of affordable housing, sustainable transport measures and library contributions the proposal is contrary to saved policies HOU4, TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan (November 2004).

**7. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE:  
APPEALS: 1ST JULY 2010 TO 30TH SEPTEMBER 2010 (QUARTER 2:  
2010 - 2011)**

The planning development manager presented the report and answered questions.

**RESOLVED** to note the report.

CHAIR