



## PLANNING APPLICATIONS COMMITTEE

10.15am to 3.50pm

6 March 2014

Present: Councillors Bradford (chair), Gayton (vice chair) (to the end of item 8 below because of other council business), Ackroyd, Blunt, Brociek-Coulton (to the end of item 8 below), Button (to the end of item 8 below because of other council business), Grahame, Henderson (substitute for Councillor Neale), Jackson, Little, Sands (S) (to item 12) and Storie

Apologies: Councillor Neale

### 1. **SITE VISIT – APPLICATION NO 13/01964/F LAND ADJACENT TO 25 AND 27 QUEBEC ROAD, NORWICH**

The following members undertook a site visit in respect of application no 13/01964/F land adjacent to 25 and 27 Quebec Road, Norwich:

Councillors Bradford (chair), Gayton (vice chair), Ackroyd, Blunt, Brociek-Coulton, Button, Grahame, Henderson, Jackson, Little and Storie.

Members were advised that the footprint of the buildings had been marked out by the applicant. However two poles situated on the site, which sought to demonstrate the height of the proposed development, had not been erected by the applicant. The committee also viewed the site from the gardens of 29 Quebec Road and 2 Primrose Road at the request of the residents.

### 2. **APPLICATION NOS 13/01296/F AND 13/01297/L GLADSTONE HOUSE, 28 ST GILES STREET, NORWICH, NR2 1TQ**

The head of planning services explained that due to technical errors on the council's website members of the public could have received the impression that the public consultation on the proposals for Gladstone House, 28 St Giles Street had closed before its due date. He proposed that the consideration of the applications be deferred to the next meeting of the committee on 3 April 2014, to avoid any possible prejudice to members of the public wishing to submit representations on the application. The consultation would be extended to 13 March 2014.

**RESOLVED** to defer consideration of application no 13/01296/F Gladstone House, 28 St Giles Street, Norwich, NR2 1TQ to the next committee meeting on 3 April 2014.

### **3. DECLARATION OF INTERESTS**

Councillor Storie declared a pecuniary interest in items 12 (below), Application no 13/01639/MA NR1 Development, Geoffrey Watling Way and 13 (below), Application no 13/02087/VC and 13/02088/VC Ashman Bank and Allison Bank and NR1 Development, Geoffrey Watling Way because she was a member of Norwich City Football Club Supporters' Trust. She also said that she had been appointed to the Norse board overseeing the development at Three Score but had not yet attended a meeting.

Councillor Brociek-Coulton said she did not hold a predetermined view on item 11 (below), Application no 13/01982/F Aldi, 463 – 503 Sprowston Road, Norwich, despite having discussed the issue with the local access forum. She also declared an other interest in items 12 (below), Application no 13/01639/MA NR1 Development, Geoffrey Watling Way and 13 (below), Application no 13/02087/VC and 13/02088/VC Ashman Bank and Allison Bank and NR1 Development, Geoffrey Watling Way because she represented the council as a member of the Broads Authority. (Councillor Brociek-Coulton had left the meeting before these applications were considered at committee.)

Councillors Button and Storie declared an other interest in item 13/02031/RM Three Score in that they had been recently appointed to the Norse board overseeing the development on Three Score but had not attended any meetings or taken part in any decisions relating to the application.

Councillor Grahame said that she had been lobbied in respect of Application no 13/01964/F land adjacent to 25 and 27 Quebec Road, Norwich but had not predetermined the application. It was noted that all members of the committee had been lobbied about this application.

### **4. MINUTE**

**RESOLVED** to approve the minutes of the meeting held on 6 February 2014.

### **5. APPLICATION NO 13/01964/F LAND ADJACENT TO 25 AND 27 QUEBEC ROAD, NORWICH**

The planner (development) referred to the report and presented the supplementary report of updates to reports which was circulated at the meeting. This comprised a correction to a reference to "three" instead of "two" new dwellings in paragraph 41 of the report and a recommended condition to require further detail of the car port to be submitted to the local planning authority for approval to ensure adequate design and to protect the amenities of the neighbouring properties. In response to a request from a member, the planner displayed the results of the applicant's sun-path analysis making particular reference to the impact on the garden of 29 Quebec Road.

The head of planning services and the planner, together with the building surveyor, NPS Norwich, answered members' questions. Members were advised that landownership and access was a civil matter independent of the planning process. The committee was advised that construction would be covered by the building regulations. CNC Building Control would require a geo-physical survey before

construction commenced to assess ground stability and the potential for inadequate drainage from the site. The site was considered to be reasonably stable, with no underlying chalk mine workings and considered to be of no significant risk to existing dwellings. The car port would weigh less than the other buildings and was considered to be a very low risk to ground stability.

Discussion ensued on the sun-path analysis and the impact that it would have on the properties located on Quebec Road. Members were advised that these properties were south facing and that the main overshadowing from the development was to the north of the site, where the garage and parking area were located. A member suggested that acceptable boundary treatments to protect the privacy of the proposed dwellings and neighbouring properties could exacerbate shadowing from the site. Members also noted that the car port was very close to the boundary of the garden at 2 Primrose Road and that it could be overbearing because of the difference in gradient.

During discussion members concurred on the value of conducting a site visit in order to appreciate the gradients of the site in relation to the surrounding dwellings. Councillor Sands said that she had visited the site independently. Some members expressed concern that the dwellings would be overbearing to surrounding properties and result in the loss of direct sunlight. Whilst members noted that there had been two dwellings on the site, it was suggested that the properties located on Quebec Road had been built after the previous dwellings had been demolished. A member referred to the National planning policy framework (NPPF) and expressed concern that the development would harm the residential amenity of the surrounding residents by overlooking their properties. Members also expressed concern about the steep gradient for the vehicular access/egress to the site and the implications for pedestrian safety.

One member spoke in support of the applications and said that he considered it would be difficult to refuse planning permission on the grounds of over shadowing and overlooking because the adjacent properties were some distance from the proposed development. He pointed out that there was a need for housing in a sustainable location. The head of planning service commented that if members were minded to refuse the application they would need to consider that the proposed development was in a sustainable location and helped meet the five year land supply. The recommendation was for approval with conditions to mitigate the concerns of adjacent residents and therefore refusal could be hard to sustain.

Councillor Blunt moved and Councillor Ackroyd seconded that the application should be refused on the grounds that the proposed development would be overbearing and block the sunlight to neighbouring gardens and properties; the proposed dwellings would overlook neighbouring properties and harm residents' amenity to such an extent as to outweigh the benefits of the development in a sustainable location and justify refusal.

**RESOLVED** with 9 members voting in favour of refusal (Councillors Storie, Ackroyd, Blunt, Brociek-Coulton, Button, Grahame, Jackson, Sands and Henderson), 1 member against (Councillor Little) and 2 members abstaining (Councillors Bradford and Gayton) to refuse planning permission for application no 13/01964/F land adjacent to 25 and 27 Quebec Road, Norwich, on the grounds as minuted above and

to ask the head of planning services to provide the reasons for refusal in planning policy terms.

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

The proposals would result in a significant detrimental impact on the amenities of neighbouring properties with overshadowing to properties to the north of the site and overbearing and overlooking to properties to the north, west and south of the site. Taken cumulatively the above impacts are considered to result in a significant loss of amenity to existing neighbouring properties, which outweighs the benefit of housing development in what would otherwise be a sustainable location and the proposals are therefore contrary to saved policy EP22 of the adopted City of Norwich Replacement Local Plan (2004), Policy DM2 of Development Management Policies Development Plan Document - Pre-submission policies (April 2013) and paragraph 9 of the National Planning Policy Framework.)

## **6. APPLICATION NO 13/01636/F CASTLE MALL, NORWICH**

The planner (development) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting and summarised a further representations received since the agenda and papers for the meeting had been published, including a letter of support from the Norfolk Chamber of Commerce and one from the Norwich Society objecting to the proposal. In response to a query from the chair, the planner clarified that the design included works to the entrance

The original architect of the Castle Mall addressed the committee with his objections to the scheme which included concern that the façade was out of scale and out of keeping for a conservation area and not sympathetic to the overall design of the building.

A representative of the Norwich Society said that the revised design did not differ much from the previous designs and that whilst contemporary would not date well.

The manager of Castle Mall spoke in support of the application and said that it was important to improve the primary entrance to the shopping mall and invest in the mall to retain and attract new brands and improve the Norwich retail offer.

The agent then addressed the committee and said that the applicant had worked with officers on a solution to provide a contemporary solution to the façade at this main entrance to the mall.

During discussion the planner, together with the head of planning services, referred to the report and answered members' question. The officers confirmed since the last meeting they had discussed the proposals submitted by the original architect with the applicant. Members were advised that the materials for the fretwork canopy were durable and noted that some maintenance would be required. It would not be unreasonable to add a condition to ensure that the applicant provided details of the maintenance agreement, and the committee agreed that this should be a condition of planning permission. Discussion ensued in which members commented on the

design of the façade and were advised that it was not possible to separate it from the internal improvements. One member said that his concerns about the use of aluminium rather than a more sustainable material had not been addressed. Other members considered that the design was an improvement on the previous application. Members were advised that if they were minded to defer consideration to another meeting they needed to be clear on what was unacceptable with this proposal.

**RESOLVED**, with 5 members voting in favour (Councillors Gayton, Brociek-Coulton, Button, Grahame and Little), 5 members voting against (Councillors Bradford, Blunt, Jackson, Sands and Henderson) and 2 members abstaining (Councillors Storie and Ackroyd), on the chair's casting vote (the chair casting his vote in favour of the officer recommendation for approval and that he considered that on balance the internal improvements to the entrance outweighed his dislike of the façade treatment) to approve application No 13/01636/F at the Castle Mall entrance, Back of the Inns subject to the following conditions:-

1. Commencement of development within three years.
2. In accordance with the details and drawings submitted with the application
3. Details of all materials including:
  - (a) Fret cut aluminium and rear panels;
  - (b) Paving to the new entrance to include details of the materials, including manufacturers name and product code (if applicable), details of the colour, finish and any application of anti-slip coating;
  - (c) New doors to include details of materials, colour, finish and any incidental details such as door furniture, stall risers etc;
  - (d) LED lighting specification.
4. Construction management plan to include the following:
  - (a) Details of how waste will be stored and removed from site;
  - (b) Details of how deliveries will be made to the site;
  - (c) Storage of materials;
  - (d) Provision of pedestrian routes past and through the site (if appropriate).
5. Details of the agreement for the maintenance of the exterior of the entrance to Castle Mall, Back of the Inns.

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 in the officer report.

## **7. APPLICATION NO 13/02031/RM THREE SCORE SITE LAND SOUTH OF CLOVER HILL ROAD NORWICH**

(Councillors Button and Storie had declared an interest in this item. Councillor Sands said that she had not discussed the application with Councillor Sands (M).)

The planning team leader (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 contained a summary of a further representation received from a member of the public who had previously commented on the application relating to the ecology of the site. The applicant had submitted a methodology for the protection of the grassland areas indicated to be protected during development which was considered to be acceptable. Members were advised that it was proposed to amend condition 8 of the recommendation to require the method for the protection of the grassland to be implemented in full accordance with the submitted details.

Councillor Mike Sands, local member for Bowthorpe ward, said that the site had been set aside for development in the 1970s and that the facility for sheltered housing with care and dementia care would provide a much needed service for Norwich and the county. He said that the mitigation measures put in place by the conditions alleviated concerns for the ecology and archaeology of the site.

Discussion ensued in which the applicant's ecologist was invited to respond to members' questions, together with the planning team leader, about the methodology involved in evaluating the site and the protection of the grassland areas. Members discussed the mitigation measures which included a green corridor through the development and whether there were other biodiversity measures that could be explored with the developer, such as the potential for green roofs.

**RESOLVED** , unanimously to approve application no 13/02031/RM Three Score Site Land South Of Clover Hill Road Norwich and grant planning permission, subject to the following conditions:-

1. Landscaping in accordance with the plans submitted and further landscaping details to be agreed including: levels, kerbs, measures to prevent vehicles entering open/green space, boundary treatment elevations, lighting details of private areas (public areas covered by condition 19 of the outline consent), hard surfacing materials.
2. Details of materials including: Bricks, render, tiles, columns to entrance, eaves detail of entrance canopy, windows, rainwater goods, external walls of lower ground supporting structures, bargeboard, curtain walling, substation/bin/sprinkler store details.
3. Cycle parking stand specification, numbers and location;
4. Construction access to be closed off before occupation and details of access, temporary boundary treatment to either side of temporary foot/cycle path, realignment of pavement on Clover Hill Road and restrictive access barriers;
5. Details of the cycle/foot path access to the west of the site onto Clover Hill Road including the link to the existing pavement, further AIA and AMS for the access and restrictive access barriers;
6. Tree protection in accordance with the AIA
7. Method for removal, storage and re-use of topsoil in full accordance with supplementary ecology statement;
8. Method for the protection of the grassland areas indicated to be protected during development in full accordance with submitted details;
9. Conservation (ecology) management plan for the site.

**8. APPLICATION NO 14/00028/VC MCDONALDS, 162 BARRETT ROAD, NORWICH, NR1 2RT**

The planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which contained amendments to paragraph 40 of the report, to delete “not” from the report and to the amend the plan to extend it to the highway.

Discussion ensued in which members considered the comments received from the residents adjacent to the site and the impact of extending to operating 24 hours a day. Members expressed concern about the affect of noise on residents, particularly from anti-social behaviour. The committee was advised that anti-social behaviour was less predictable than normal use of the car park and drive through restaurant. One member pointed out that the premises was on a busy road, would provide job opportunities and a service to the community and that this should be considered on balance with the fact that there would be an impact on only three dwellings. Councillor Little proposed, seconded by Councillor Gayton, to refuse the application on the grounds that it would be harmful to the amenity of the residents. Following discussion, Councillor Little withdrew the amendment and proposed that the committee deferred consideration for further information from the police about anti-social behaviour. This was seconded by Councillor Jackson.

**RESOLVED** with 6 members voting in favour (Councillors Ackroyd, Brociek-Coulton, Button, Jackson, Little and Henderson), 5 members voting against (Councillors Bradford, Gayton, Storie, Blunt and Sands) and 1 member abstaining (Councillor Grahame) to defer consideration of application no 14/00028/VC McDonalds, 162 Barrett Road, Norwich, NR1 2RT to the next meeting in order to take into consideration comments from Norfolk Constabulary about anti-social behaviour.

(The committee adjourned for lunch between at 1.30pm. Councillors Gayton and Button left the meeting at this point to attend other council business. Councillor Brociek-Coulton also left the meeting at this point. The meeting reconvened with all other members present.)

**9. APPLICATION NO 13/02051/F FORMER WELLESLEY FIRST SCHOOL, WELLESLEY AVENUE NORTH, NORWICH, NR1 4NT**

The senior 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 contained information supportive to the application regarding implementation and finance from the National Health Service. The senior planner referred to the objections from local residents and the associated highways improvements agreed under the previous application for the full redevelopment of the site.

**RESOLVED** to approve application no 13/02051/F Former Wellesley First School Wellesley Avenue North Norwich NR1 4NT and grant temporary planning permission, subject to the following conditions:-

1. limit to 18 months use of the site only and making good on removal of building.
2. development to be carried out in accord with drawings and details supplied.
3. limit on hours of opening and delivery 08:00 hours and 18:30 hours Monday to Friday and 09:00 hours to 13:00 hours on Saturday only.
4. details of site lighting to be agreed prior to first use.

#### 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 at the application and pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined within the committee report with the application.

#### **10. APPLICATION NO 13/01982/F 463 - 503 SPROWSTON ROAD, NORWICH**

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and contained further representations from the agent and a chartered surveyor, appointed by the applicant, and the officer response. A representative of the agent responded to points made within the report.

The agent spoke in support of the application and explained that the permission was being sought for a minor amendment to the original planning permission for the food store to install steps at the rear of the building which was considered a better solution to the ramp and complied with building regulations. The steps were intended for staff use.

During discussion the senior planner, together with the planning team leader (development) and the policy officer, responded to the representation and answered members' questions. Members were advised that the council had a general duty to eliminate unlawful discrimination and enhance the equality of opportunities.

#### **RESOLVED** unanimously, to:

- (1) refuse planning permission for application no 13/01982/F 463 - 503 Sprowston Road Norwich for the following reason:-
  1. The scheme for replacement steps has been considered having regard to the requirements of the Equality Act and appropriateness of providing suitably designed and detailed emergency escape and access to the building. A suitable means of providing ramped access/egress along this side of the building has previously been approved. Concerns have been expressed that the scheme as submitted provides a less than adequate alternative and is therefore considered to be an inappropriate form of emergency escape and access to the building.
  2. The application is not accompanied by a deed of variation to the section 106 agreement attached to the earlier permission 13/00208/F and does



not make appropriate provision for planning obligations related to this development.

- (2) authorise the head of planning services, in consultation with the chair, to write to the applicant/agent to encourage further discussion with interest groups and others to seek to facilitate an alternative form of emergency access to this side of the building
- (3) authorise enforcement action to secure the removal of the unauthorised steps and replacement with ramps as approved and the taking of legal proceedings, including prosecution if necessary.

**11. APPLICATION NO 13/01639/MA NR1 DEVELOPMENT  
GEOFFREY WATLING WAY, NORWICH CITY FOOTBALL CLUB,  
CARROW ROAD, NORWICH, NR1 1JE**

(Councillor Storie having declared a pecuniary interest left the meeting for this item.)

The senior planner (development) presented the report with the aid of plans and slides. He outlined the proposed changes in the design and that an objection had been received from a resident in block 5.

**RESOLVED** unanimously to approve application no 13/01639/MA at the NR1 development, Geoffrey Watling Way, Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, and grant planning permission, subject to:

- (1) the completion of a satisfactory Section 106A Deed of Variation legal agreement by 7 March 2014 to include amendments to the definition of development, the planning permission concerned and to the amended timescales for development phasing, and subject to the following conditions:
  1. The development shall be begun by 5 October 2015;
  2. The development shall be carried out in accordance with the application forms, plans and details originally approved in permission 10/01107/RM and as amended by this planning permission 13/01639/MA, and shall include the same finished floor levels and energy efficiency features previously approved;
  3. The phasing of the development shall be as per the details within approval 12/02263/D;
  4. (a) – site contamination remediation shall be as per permission 10/01107/RM; (b) contamination remediation shall be agreed prior to first occupation of blocks 3 and 4;
  5. Car park ventilation shall be provided as per permission 10/01107/RM;
  6. Landscaping shall be provided, maintained and managed as per the details approved within 12/02263/D and the landscaping areas for each block shall be provided prior to first occupation of the final dwelling to be occupied in each block, with the entire scheme landscaping provided no later than first occupation within Block 4;
  7. Car club space provision and retention shall be as per details approved in 12/02263/D;

8. Cycle and refuse storage shall be provided for each block in the positions shown within the approved ground floor layout plan of permission 13/01639/MA and to the specifications shown within the approved details 12/02263/D;
9. Acoustic defence glazing, ventilation and balustrade details shall be provided to the specifications set out within condition 9 of permission 10/01107/RM;
10. The materials used in the development shall be as set out in Condition 10 of permission 10/01107/RM as amended by the additional details of this permission 13/01639/MA;
11. The development shall be constructed using the brown roofs and features agreed under details within 12/02263/D;
12. The development shall be constructed using the water efficiency measures agreed under details approval 12/02263/D;
13. (a) The development shall be constructed using the energy efficiency measures approved by permission 10/01107/RM; and (b) shall include the photovoltaic panels installed at Block 1 as per the details approved within 12/02263/D, and shall be managed and retained as such thereafter;
14. The development shall be built using the surface water drainage strategy details approved within permission 10/01107/RM, and shall include an oil separator, and shall be managed and maintained in accordance with the details approved within 12/02263/D;
15. (a) Blocks 1, 2, 3 and 4 shall be built to include the flood defence retaining wall details as approved under the details approved by 12/02263/D; and (b) Blocks 5 and 6 shall be built using the flood defence retaining wall details approved within 10/01107/RM;
16. The development shall provide the necessary flood defence measures as required by Condition 16 of permission 10/01107/RM, and the Flood Warning and Evacuation Plan shall be provided to all residents prior to the first occupation of each dwelling;
17. There shall be no occupation of Blocks 3 and 4 until the Travel Plan approved through details approval 12/02263/D has been implemented and made available to all residents, based on the Travel Plan agreed by 10/01107/RM.

Informative notes:

1. Noise mitigation advice for residents;
2. Updated advice on relevant conditions of previous consents;
3. Travel Plan advice;
4. Planning obligations advice;
5. Good practice advice for construction.

- (2) where a satisfactory S106A Deed of Variation not completed prior to 8 March 2014, that delegated authority be given to the head of planning Services to refuse planning permission for application no 13/01639/MA at the NR1 development, Geoffrey Watling Way, Norwich City Football Club, Carrow Road, Norwich, NR1 1JE, for the following reason:

In the absence of an agreed amendment to the Section 106 Agreement associated with the original permission 10/01107/RM, the consequent release of a new planning permission taking effect over both the outstanding and

existing parts of the NR1 development would not be subject to the necessary or relevant planning obligations associated with the original permission and as such the development would not provide for affordable housing, transport improvement measures, sustainable transport features, or library enhancements, and as such would be contrary to Policy 4 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), and saved policies HOU6, TRA11 and TRA12 of the adopted City of Norwich Replacement Local Plan (2004) and the objectives of the National Planning Policy Framework.

**12. APPLICATION NO 13/02087/VC AND 13/02088/VC: NORWICH CITY FOOTBALL CLUB, GEOFFREY WATLING WAY AND CARROW ROAD, NORWICH, NR1 1JE**

(Councillor Storie having declared a pecuniary was not present for this item. Councillor Sands left meeting during this item.)

The senior planner (development) presented the report with the aid of plans and slide, and referred to the supplementary report which contained amendments to the report and the recommendations. Officers had met with Norwich City Football Club and Broadland Housing Association earlier in the week and a timetable had been agreed for outstanding works on a phased basis until completion by 2017.

During discussion the senior planner answered questions and confirmed that there were concerns about the bank adjacent to the boom gate was deteriorating and that the work would probably be carried out in 2016. Members also sought clarification on the width of the Riverside Bank and were advised that it was not intended as a cycle route as there was a separate cycle route through the site.

**RESOLVED** unanimously to

- (1) approve Application No 13/02087/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, and grant planning permission, subject to:
  - (a) the completion of a satisfactory Section 106A Deed of Variation legal agreement before 26 March 2014 to include obligations of the original consents with the necessary amendments to the definition of development, the planning permission concerned and to the amended timescales for provision of the varied riverside walk, landscaping and tree provision, riverbank works and mooring elements, and subject to a revised list of planning conditions (as set out in the supplementary report of updates to reports which was circulated at the committee meeting and is listed below);
  - (b) where a satisfactory S106 agreement is not completed prior to 26 March 2014, that delegated authority be given to the Head of Planning Services to refuse planning permission for Application No 13/02087/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, for the following reason:

In the absence of an agreed amendment to the Section 106 Agreement associated with the original planning permission 4/2002/1281/O, the consequent release of a new planning permission taking effect over the site would not be subject to the necessary or relevant outstanding planning obligations associated with the original permission and as such the development would not provide the outstanding bus shelter contribution for promoting sustainable transport and improved public transport links, riverside walk and landscaped setting, television reception survey and remediation of faults, traffic control measures during development, transport contribution, section 106 monitoring contribution, affordable housing, transport improvement measures, sustainable transport features, or library enhancements, and as such would be contrary to Policies 4, 6, 11, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), and saved policies HBE12, NE9, EP22, SR11, SR12, HOU6, HOU9, HOU12, TRA3, TRA10, TRA11, TRA12, TRA14, TRA15, TRA16 and CC14 of the adopted City of Norwich Replacement Local Plan (2004) and the objectives of the National Planning Policy Framework.

- (2) approve Application No 13/02088/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, and grant planning permission, subject to:

- (a) the completion of a satisfactory Section 106A Deed of Variation legal agreement before 26 March 2014 to include obligations of the original consents with the necessary amendments to the definition of development, the planning permission concerned and to the amended timescales for provision of the varied riverside walk, landscaping and tree provision, riverbank works and mooring elements, and subject to a revised list of planning conditions (as set out in the supplementary report of updates to reports which was circulated at the committee meeting and is listed below);
- (b) where a satisfactory S106 agreement is not completed prior to 26 March 2014, that delegated authority be given to the head of planning services to refuse planning permission for Application No 13/02088/VC at Norwich City Football Club, Geoffrey Watling Way and Carrow Road, Norwich, NR1 1JE, for the following reason:

In the absence of an agreed amendment to the Section 106 Agreement associated with the original planning permission 06/00012/VC, the consequent release of a new planning permission taking effect over the site would not be subject to the necessary or relevant planning obligations associated with the original permission and as such the development would not provide the outstanding bus shelter contribution for promoting sustainable transport and improved public transport links, riverside walk and landscaped setting, television reception survey and remediation of faults, traffic control measures during development, transport contribution, section 106 monitoring contribution, affordable housing, transport improvement measures, sustainable transport features, or library enhancements, and as such would be contrary to

Policies 4, 6, 11, 12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2014), and saved policies HBE12, NE9, EP22, SR11, SR12, HOU6, HOU9, HOU12, TRA3, TRA10, TRA11, TRA12, TRA14, TRA15, TRA16 and CC14 of the adopted City of Norwich Replacement Local Plan (2004) and the objectives of the National Planning Policy Framework.

(Conditions as listed in the supplementary report of updates to reports which was circulated at the meeting.

- (i) to insert the following revisions or new conditions:
  - 1. Time limits for landscaping & walk provision;
  - 2. Riverside walk specification –
    - (a) amended description
    - (b) confirmation of weight capacity and paths' load ability
    - (c) walk design needs to include CCTV & lighting ducting
  - 3. Engineering of river bank edge
  - 4. Moorings provision timescales
- (ii) to allow the existing conditions of permissions 4/2002/1281/O and 06/00012/VC to be varied as agreed by officers in liaison with the applicant, but based on the following proposed amendments.

**Retained conditions (i.e. those still relevant to the developments)** (subject to final wording being agreed by officers):

- 1. Development to be as per historic masterplan 1011/NO/P02 of 16 April 2007, unless otherwise first agreed by the LPA.
- 2. Landscape Masterplan.
- 3. Off-site coach parking.
- 4. Plant and machinery – future installation precautions.
- 5. Foul drainage shall be discharged to the main foul sewer.
- 6. Surface water from parking and hard landscaping to be passed through oil interceptors, but not roof water.
- 7. Exterior lighting – details to be agreed - and retained.
- 8. Materials storage and keeping pedestrian areas free of obstructions unless first agreed by the LPA.
- 9. No amplified sound to be used without first agreeing the details of maximum noise levels 2m from loudspeakers.
- 10. Details of servicing arrangements.
- 11. Parking and cycle spaces to be provided for residents, to at most 1 space per dwelling, to be permanently retained solely for the use of residents and their bona fide guests.
- 12. Removal of PD Rights – no satellite dishes, no extensions.
- 13. Ongoing landscaping maintenance requirements.
- 14. Tree protection during works.

15. Details of precise alignments and dimensions.
16. Details of road surface treatments.
17. Details of road levels.
18. Details of road traffic control measures.
19. No deliveries to the hotel and stadium to take place when the main stadium is in use or for two hours before or after.
20. Illustrative drawings of this permission do not form part of planning permission.

**Amended conditions (i.e. those still relevant but in need of updating)**

(subject to final wording being agreed by officers):

1. Contamination remediation works.
2. Extract vent & fume systems– if installed shall be retained.
3. Litter bins to be used in all publically accessible areas - in accordance with details to be first agreed – and retained.
4. Riverside Walk provision and defined specification.
5. Hard and soft landscaping before each phase.
6. Trees and Utility Routing precautions during construction.
7. Details of road traffic signal layout.
8. Details of road carriageway markings.
9. Details of road direction signs.
10. Community facilities to be provided within the stadium.
11. Position of CCTV cameras associated with use of the stadium to be agreed.

**Removed / deleted conditions (i.e. those complied with / not relevant)**

(subject to final wording being agreed by officers):

1. Time limit for RM submission and commence.
2. Development to be as per historic master plan 10365-MP 2009.
3. Flood risk assessment.
4. Contamination assessments.
5. Contamination remediation works.
6. Phasing Plan.
7. Archaeological works programme.
8. Development to provide public art (no details needed).
9. Details to be submitted for cycle storage.
10. Details of siting, design and external appearance.
11. Details of walls, fencing and means of enclosure.
12. Details of materials.
13. Details of doors, windows and glazing.
14. Residential windows to have acoustic glazing (no requirement for them to be retained).
15. Development to meet residential density of 40 d/ha.
16. Residential developments to provide play space.
17. Soft planting and site treatment works provision.
18. Management and Tariff scheme for Decked Car Park.
19. Designs of buildings, access ways and car parks shall include appropriate provision for disabled persons.

20. Before hotel is brought into use, the drop-off, access and landscapes area at the hotel to be provided (not retained).
  21. Play space relating to those dwellings to be provided.
  22. Car parking spaces for the dwellings to be provided.)
- (3) authorise enforcement action and the taking of legal proceedings, including prosecution if necessary, against any breaches of conditions relating to either the construction or timely delivery of (i) the provision of the Riverside Walk, (ii) provision of the Geoffrey Watling Way road and footpaths to adoptable standards, (iii) provision of landscaping alongside the road and outside flats and the football stadium, (iv) provision of public demasting and short-stay moorings, and (v) provision of appropriate riverbank works.

#### Informative

1. Explanation of the absence of a time limit condition: The scheme has already been implemented pursuant to the submitted reserved matters. There are no further reserved matters able to be submitted.
2. Removal of decked car park and residential development on triangle car park: The time period for submission of reserved matters on the triangle car park or other areas has expired and the new permission shall not be able to cover those areas, so are excluded from the proposal description.
3. Previous masterplans are relevant only in relation to the unimplemented areas of live consents, ie. landscaping, riverside walk and roads.
4. The designs of the landscaping either side of the Geoffrey Watling Way road and along the riverside walk are expected to be along the latest indicative plans of Stephen Flynn Associates, but area known as Jarrold Plaza can be related to either the overall scheme or any possible future development of triangle car park, although the latest plans are also supported in principle.
5. Standard construction good practice advice.
6. Remaining planning obligation requirements advice.

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

#### **13. APPLICATION NO 13/02009/F 514 EARLHAM ROAD, NORWICH, NR4 7HR**

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

During discussion the planner, together with the planning team leader (development) referred to the report and answered members' questions. A member noted that the application was for an extension to accommodate a family but expressed concern that the proposed development led itself to becoming a house in multiple-occupation in the future.

**RESOLVED** with 5 members voting in favour (Councillors Bradford, Grahame, Jackson, Little and Henderson) and 3 members abstaining (Councillors Storie,

Ackroyd and Blunt) to approve application 13/02009/F and grant planning permission, subject to the following conditions:

1. Time limit.
2. In accordance with plans.
3. Materials to match existing property.

**14. ENFORCEMENT CASE EH13/36490 – 514 EARLHAM ROAD, NORWICH NR4 7HR**

The planning team leader (development) presented the report with the aid of slides.

In reply to a member, the planning team leader said that the case would be reported back to committee if in the future 2m high gates were installed or trellis added to the top of the fencing panels.

**RESOLVED** unanimously to agree that no formal enforcement action would be taken in relation to case EH13/36490 – 514 Earlham Road, Norwich given the removal of the gates and reduced height of the fence.

**15. COMBINED REPORT: APPLICATION NOS 13/01483/A, 13/01481/A, 13/01484/A AND ADDITIONAL UNAUTHORISED ADVERT AT VARIOUS LOCATIONS ON SWEET BRIAR ROAD (RING ROAD)**

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

During discussion members considered that the council should use its powers of enforcement to remove unauthorised advertising signs as appropriate. Members noted that no action could be taken regarding the advertising board at site 4.

**RESOLVED** unanimously to:

**Application no 13/01483/A (Site 1)**

- (1) refuse planning permission for application no 13/01483/A Land to the south side of the junction of Boundary Road, Drayton Road and Sweet Briar Road) for the following reason(s):-
  1. The advertising hoarding by reason of its size, position and location would be overly prominent and an inappropriate form of advertising which would have a negative impact on the appearance of the environment and would detract from the character of the adjacent landscape belt to the detriment of the visual amenity of the surrounding area. The advertising hoarding would therefore be contrary to the objectives of paragraph 67 of the National Planning Policy Framework, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies HBE12 of the adopted City of Norwich Replacement Local Plan 2004 and emerging policy DM3 of the Development Management Policies DPD Regulation 22 submission document, 2013.



2. Given the size and location of the advertising hoarding on an important junction in the strategic highway network it is considered that the sign presents an unacceptable distraction to road users and could have a significant detrimental impact on the highway safety of a busy intersection in the strategic road network. The advertising hoarding would therefore be contrary to paragraph 67 of the National Planning Policy Framework 2012 and policy 6 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (2) authorise the head of planning services to secure the removal of the advert and associated structure at site 1 including the serving of an enforcement notice under section 172 of The Town and Country Planning Act 1990 and the taking of legal proceedings, including prosecution if necessary.
- (3) request the head of city development services to seek the removal of the sign given its location on highways land.

**Application no 13/01481/A (site 2)**

- (4) refuse planning permission for application no 13/01481/A Land north of junction between Hellesdon Hall Road and Sweet Briar Road) for the following reason(s):-

The advertising hoarding by reason of its size, position and location would be overly prominent and an inappropriate form of advertising which would have a negative impact on the appearance of the environment and would detract from the character of the adjacent landscape belt to the detriment of the visual amenity of the surrounding area. The advertising hoarding would therefore be contrary to the objectives of paragraph 67 of the National Planning Policy Framework, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies HBE12 of the adopted City of Norwich Replacement Local Plan 2004 and emerging policy DM3 of the Development Management Policies DPD Regulation 22 submission document, 2013.

- (5) authorise the head of planning services to secure the removal of the advert and associated structure at site 2 including the serving of an enforcement notice under section 172 of The Town and Country Planning Act 1990 and the taking of legal proceedings, including prosecution if necessary.

**Application no 13/01484/A (site 3)**

- (6) part refuse planning permission for Application no 13/01484/A Land at junction of Hellesdon Hall Road and Sweet Briar Road) for erection of a 64 sheet advertising panel on the south side of the junction the following reason(s):-

1. The advertising hoarding by reason of its size, position and location would be overly prominent and an inappropriate form of advertising which would have a negative impact on the appearance of the

environment and would detract from the character of the adjacent landscape belt to the detriment of the visual amenity of the surrounding area. The advertising hoarding would therefore be contrary to the objectives of paragraph 67 of the National Planning Policy Framework, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies HBE12 of the adopted City of Norwich Replacement Local Plan 2004 and emerging policy DM3 of the Development Management Policies DPD Regulation 22 submission document, 2013.

2. Given the size and location of the advertising hoarding on an important junction in the strategic highway network it is considered that the sign presents an unacceptable distraction to road users and could have a significant detrimental impact on the highway safety of a busy intersection in the strategic road network. The advertising hoarding would therefore be contrary to paragraph 67 of the National Planning Policy Framework 2012 and policy 6 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011.
- (7) part approve planning permission for Application No (13/01484/A land at junction of Hellesdon Hall Road and Sweet Briar Road) for the erection of two totem signs either side of the junction subject to the following conditions:
1. Five standard conditions required to be imposed by the advertisement regulations;
  2. The development to be in accordance with approved plans;
  3. The signs shall provide advertising for businesses located on the sweet briar industrial estate only.
- (8) authorise the head of planning services to secure the removal of the existing advert and associated structure at site 3 including the serving of an enforcement notice under section 172 of The Town and Country Planning Act 1990 and the taking of legal proceedings, including prosecution if necessary.
- (9) request the head of city development services to seek the removal of the sign given its location on council owned land.

CHAIR