



PLANNING APPLICATIONS COMMITTEE

10.00am – 11.35am

21 April 2011

Present: Councillors Bradford (chair), Gee (vice chair), Banham, Collishaw, Driver, Haynes, Lay, Little, Lubbock (from item 4), Offord and Wright (J)

Apologies: Councillor Blower

1. DECLARATIONS OF INTEREST

Councillor Banham declared a personal interest in item 3, Cordova Buildings, Starling Road, Norwich because he lived in the vicinity.

2. MINUTES

RESOLVED to agree the accuracy of the minutes of the meeting held on 31 March 2011.

3. APPLICATION NO 10/00755/O CORDOVA BUILDINGS STARLING ROAD, NORWICH, NR3 3ED

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

The planning development manager circulated a supplementary report which comprised the transcript of the statement made by the Minister of State for Decentralisation on planning for growth. Members were advised that it was a material consideration that needed to be considered by members when dealing with planning applications.

The senior planner (development) presented the report with the aid of plans and slides. The application was for outline planning permission. The only reserved matter than needed an application for approval was landscaping. He explained that late modifications to the plans ensured that the bin provision was adequate for the site.

The agent, speaking on behalf of the applicant, requested that the standard time limits were applied for the application for approval of reserved matters and the commencement of the construction to enable the site to be marketed for development. He pointed out that the delay in bringing this application to the committee had not been the fault of the applicant.

The senior planner referred to the report and explained the reasons for the delay in bringing this application to committee and the difficulties caused by the revocation and subsequent reintroduction of the policy ENG1 in the East of England Plan. The recommendation for a reduction in the timing of the commencement of the application was in relation to the adoption of the Joint Core Strategy (JCS) and gave a pragmatic response to this revised policy on affordable housing whilst allowing this application and a limited number of other applications coming forward for determination to be looked at favourably.

Councillor Banham said that residents who lived 100m from the site had not been informed of the application. He supported the application in principle but was concerned about the impact on residents' parking.

(Councillor Banham left the meeting at this point.)

The senior planner and the planning development manager, answered questions, and said that they considered that given the changes in policy it was important that the development was not delayed further. Members were advised that there had been a press notice, site notice and residents living within 10m of the site had been notified of the application. It was not usual to consult 100m from the site.

During discussion the chair said that he considered that 15 months should be sufficient time for the applicant to market the property and commence the development. Councillor Little expressed concern that the development could be rushed through. Councillor Collishaw expressed some reservation at the loss of an employment site.

Councillor Gee moved and Councillor Little seconded that the condition 1 be amended so that the application for the reserved matters be made not later than 9 months from the date of the permission, which therefore extended the time limit for the commencement of development to 15 months from the date of permission.

RESOLVED to approve with 7 members voting in favour (Councillors Bradford, Lay, Gee, Wright, Offord, Haynes and Little) and 1 member abstaining (Councillor Collishaw) to approve Application No 10/00755/O Cordova Buildings Starling Road Norwich and grant outline planning permission, subject to:

- (1) the completion of a satisfactory S106 agreement to include the provision of contributions to sustainable transportation improvements and street trees, and the following conditions:-
 1. Application for the approval of reserved matters to be made not later than 9 months from date of permission.
 2. Commencement of development 6 months from the date of approval of the reserved matters to be approved.
 3. Matters to relate to landscaping, planting and site treatment works.
 4. Landscape maintenance.
 5. Development that is the subject of this 'reserved matters' approval shall comply with all conditions imposed on the permission.
 6. Details of Facing and Roofing Materials; Boundary treatments, walls and fences; external lighting; biodiversity enhancements.

7. Record of existing buildings on site.
8. Details of car parking, cycle storage, bin stores, access road.
9. Compliance with AIA, AMS and Tree Protection Scheme implemented prior to commencement.
10. Retention of tree protection.
11. Provision of renewable energy sources.
12. Water efficiency.
13. Noise protection measures.
14. Site contamination investigation and assessment to be carried out and if contamination is found a scheme of remediation and mitigation to be agreed and carried out. Should during development, contamination not previously identified be found development is to cease pending details to deal with contamination.
15. Imported materials.
16. Archaeology - investigation, evaluation and mitigation
17. Removal of hoardings.
18. Drawing numbers.

(Reasons for approval: The development of 22 dwellings would contribute to the delivery of housing in Norwich. The proposed development, subject to conditions, would be well integrated with the surrounding development in form and layout and would make good use of this brown field site. The scheme provides adequate parking and servicing space with ease of access to future residents. The individual layout of blocks has regard to amenity issues in the area for existing residents and subject to conditions should limit amenity impacts for future residents of the scheme. The scheme is laid out to retain existing trees around the site and also allows sufficient space for further landscape and biodiversity enhancement to improve the amenity of the area. The scheme also provides for appropriate contributions to meet tree planting and transportation improvements in the area.

The development of 22 dwellings, if considered against the new Joint Core Strategy (JCS) Policy 4, would be required to provide 33% affordable housing (7 no. affordable units in total) which would contribute to the promotion of affordable housing in Norwich. However, in the very particular circumstances of this application, applying the new policy could be considered to be unreasonable and a balanced approach is suggested on policy application and on future development coming forward in a timely manner. Therefore in this particular case it is considered reasonable that the commencement timing for development is reduced to recognise the need to support the change in policy and need to provide for an acceptable provision of affordable housing within the Norwich area.

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

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

1. Considerate construction and timing to prevent nuisance;
2. An asbestos survey should be carried out;

3. Materials removed from site should be classified and disposed of at suitable licensed facilities;
4. Site clearance to have due regard to minimising the impact on wildlife.
5. Advise that new flats will not be eligible for permits within the CPZ.

- (2) where a satisfactory S106 agreement is not completed prior to 19 May 2011 that delegated authority be given to the head of planning services to refuse planning permission for Application No 10/00755/O Cordova Buildings Starling Road Norwich for the following reason:

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

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

4. APPLICATION NO 11/00013/F ROSARY TAVERN, 95 ROSARY ROAD, NORWICH, NR1 4BX

(Councillor Lubbock joined the meeting during this item.)

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

Discussion ensued in which members expressed concern about the loss of a public house and the lack of evidence that it was not a viable business. Members welcomed that the proposal would retain the external features of the historic tavern but the use of it should ensure public access. Councillor Offord also referred to the layout of the proposed development with bathrooms too close to the kitchen.

The applicant then addressed the committee and explained that the building was no longer viable as a licensed premises. Previous publicans had failed to meet overheads and one had been declared bankrupt. The building was no longer viable as a public house and had been subject to arson attacks and other criminal damage, which had cost £10,000 so far. It was standing empty but subject to full rates. The applicant would have no choice but to demolish the premises as it could no longer be used as a public house and cost too much to keep standing empty.

Discussion ensued. Members noted that planning permission was not required to demolish the building and although the layout was awkward that was not sufficient reason to reject the application.

Councillor Banham asked that the use of the premises as a tavern was recorded on the site. The planning development manager confirmed that this was covered under condition 12.

RESOLVED with 6 members voting in favour (Councillors Bradford, Gee, Banham, Wright, Haynes and Collishaw), 2 members voting against (Councillors Lay and

Little) and 2 members abstaining (Councillors Offord and Councillor Lubbock, who had not been present for the entire item) to approve Application No 11/00013/F: Rosary Tavern, 95 Rosary Road, Norwich, NR1 4BX, and grant planning permission, subject to the following conditions:

1. Standard time limit;
2. Development to be in accordance with the approved plans (subject to condition 4);
3. Footpath to be re-instated and parking restrictions extended;
4. Details of interior layout and revised access for rear flat and shared room area, whilst still providing 1-bed flat and being able to provide level access;
5. Details of all new doors and windows;
6. Details of external front fascia treatments;
7. Details of front garden re-instatement, to include boundary wall;
8. Details of tree protection plan and tree protection measures;
9. Details of landscaping scheme and management plan;
10. Details of water efficiency measures;
11. Obscure glazing to bathroom window in ground floor;
12. Details of Heritage Interpretation measures.

Informative notes:

1. Standard construction guidance;
2. No parking permits to be issued for new dwellings.

(Reasons for approval: Whilst the loss of the pub use as a community facility and business premises is regrettable there are a number of alternative pubs in the area so its loss as a service to the community will not have severe implications for the area. The residential conversion scheme will bring the building back into productive use whilst retaining much of its architectural character and heritage features and widen the range of low-cost housing in the area. Subject to conditions, the scheme will provide a satisfactory level of amenity and will improve the setting and streetscape around the site by reinstating the pavement and boundary treatments and will acknowledge the historic site. As such, the scheme is considered to be satisfactory and to accord with PPS1, PPS3 and PPS4, Joint Core Strategy policies 2,3,4 and 12, and saved policies SHO21, EMP3, HOU18, HBE12, EP22, TRA7, TRA8, TRA9 and TVA8 of the adopted City of Norwich Replacement Local Plan (November 2004).)

5. APPLICATION NO 10/02226/F 177A NEWMARKET ROAD, NORWICH

The planning development manager presented the report with the aid of plans and slides, and answered questions. Members were advised that the site had been a previously closely mown lawn which had grown out in the last season. The trees on the site would be retained

RESOLVED to approve Application No 10/02226/F 177A Newmarket Road, Norwich and grant planning permission, subject to the following conditions:

1. Standard time limit (3 years)
2. In accordance with plans and details
3. Facing materials to be agreed

4. Parking and turning areas, bin and cycle storage to be provided prior to first occupation
5. Hard and soft landscaping to be agreed, including replacement tree planting and boundary treatments
6. Surfacing materials and drainage details for driveway, parking and turning areas to be agreed
7. Supplementary AMS to be provided to detail a trenchless approach for the long service run
8. Development to be carried out in accordance with submitted Arboricultural Impact Assessment and Arboricultural Method Statement (as supplemented by the AMS addendum required above)
9. Development to meet water conservation requirements of code 4 of the Code for Sustainable Homes
10. The renewable energy measures proposed to be provided as part of the development

Informatives:

1. Considerate construction
2. Avoidance of bird nesting season (March-September)

(Reasons for approval:

1. The erection of a dwelling on the site is considered acceptable in principle and the design proposed is such that, subject to conditions, the development would not be likely to have an adverse impact on the living conditions and amenities of neighbouring residents, future residents of the dwelling or on the character and appearance of the surrounding area, including the Newmarket Road Conservation Area or the setting of adjoining buildings. The access and servicing arrangements are considered satisfactory and unlikely to cause problems to local amenities or highway safety. The impact of the proposal on the existing trees on the site is considered acceptable subject to replacement planting being undertaken. The development also proposes the use of renewable energy and sustainable construction to comply with code level 4 of the Code for Sustainable Homes.
2. The development is therefore considered acceptable and to meet the relevant criteria of PPS1, PPS3, PPS5, PPS9, policies ENV7 and WM6 of the East of England Plan 2008, policies 2 xxx of the adopted Joint Core Strategy 2011, saved policies HBE8, HBE12, HOU13, NE8, NE9, TRA5, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan 2004, the Written Ministerial Statement dated 23 March 2011 and all other material considerations.)

6. APPLICATION NO 11/00265/F 68 WEST END STREET, NORWICH, NR2 4DP

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

RESOLVED to approve Application No 11/00265/F at 68 West End Street, Norwich and grant planning permission, subject to the following conditions:

1. STLC – 3 years;
2. Provision of fences before occupation;

3. Materials to match 68 West End Street;
4. Provision of cycle and bin storage before occupation;
5. Excavations and root pruning;
6. To meet level 4 Code for Sustainable Homes for water usage;
7. In accordance with submitted drawings.

(The decision is made with regard to saved policies HOU13, NE3, HBE12, TRA6, TRA7 and EP22 of the City of Norwich Replacement Local Plan Adopted Version November 2004 and Policies 1, 2 and 3 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and all material considerations. The dwelling is considered to be appropriate for the area and its position, height and scale would not have a significant impact on the residential amenities of the area.)

**7. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE:
APPEALS: 1ST JANUARY 2011 TO 31ST MARCH 2011 (QUARTER 4:
2010 - 2011)**

The planning development manager presented the report and answered questions.

RESOLVED to note the report.

CHAIR