



Planning applications committee

10:00 to 15:25

8 November 2018

Present: Councillors Driver (chair), Maxwell (vice chair), Bradford (to end of item 9, below), Button, Malik, Peek, Raby, Ryan, Sands (M), Stutely, Trevor (to end of item 9, below) and Wright

Apologies: Councillors Henderson

1. Declarations of interest

Councillors Maxwell, Bradford and Trevor declared an other interest in item 6 (below), Applications 18/01082/F and 18/01083/L - Norwich Castle Museum, Castle Hill, Norwich, NR1 3JS, as current members of the Norwich area museums committee.

Councillor Malik said that, as Nelson ward councillor, he had spoken to residents about item 8 (below), Application no 18/01062/NF3 - Heigham Park, Recreation Road, Norwich, but did not have a predetermined view.

(During consideration of item 8 (below), Application no 18/01062/NF3 - Heigham Park, Recreation Road, Norwich, Councillor Ryan said that he was a former member of the cabinet at the time that the closure of the council's grass tennis courts had been discussed. He stated that he did not have a predetermined view on this application. Councillor Button said that she had been shadowing the cabinet member responsible for parks when the closure of grass courts had been discussed but did not have a predetermined view on this application.)

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 11 October 2018.

3. Site Visit Anglia Square – Friday, 9 November 2018 at 8:30 am

The area development manager (inner) confirmed the arrangements for members of the committee to attend a site visit to Anglia Square¹.

RESOLVED to conduct a site visit to Anglia Square on Friday, 9 November 2018 at 8:30 for any members of the committee who are interested in attending.

¹ Councillors Driver, Maxwell, Button, Peek, Raby, Ryan, Sands (M), Stutely and Trevor attended the site visit on 9 November.

4. Extraordinary meeting of the planning applications committee

RESOLVED to hold an extraordinary meeting of the planning applications committee on Thursday, 6 December 2018 at 9:30.

(Members requested a short adjournment so that members could have an opportunity to read the supplementary report of updates to reports which was circulated at the meeting.)

5. Applications 18/01082/F and 18/01083/L - Norwich Castle Museum Castle Hill, Norwich, NR1 3JS

(Councillors Maxwell, Bradford and Trevor had declared an interest in this item.)

The design and conservation officer and the senior planner jointly presented the report, with the aid of plans and slides. The officers also referred to the supplementary report of updates to reports which was circulated at the meeting and comprised a further consultation from Norfolk Fire service and a response from the applicant to Norfolk Constabulary's concerns regarding the design of the viewing platform and people in crisis.

A member of the public who was employed by the Norfolk Museums Service addressed the committee and outlined his objections to the proposed removal of the Victorian balcony, designed by Edward Boardman. He referred to national and local planning policies and said that the removal of the balcony was not justified to recreate a modern interpretation of a Norman castle keep.

A representative for the applicant responded to the issues raised by the speakers and explained that Edward Boardman had wanted to restore the original floor levels in the keep. The removal of the balcony was a crucial element of the proposal. Norwich Castle was important as a Grade I building because it was an example of a Norman castle and not as a Victorian museum. There were plenty of more visible examples of Boardman's work in the city. The benefits of the scheme provided a "once in three generations" opportunity to make the museum fit for the 21st century and its social and economic benefits, outweighed the harm caused by the removal of the Victorian structures from the keep and the entrance hall.

Discussion ensued in which the senior planner, design and conservation officer and the area development manager (inner) referred to the report and presentation, and answered members' questions about projected visitor numbers and elements of the design. Members also sought reassurance about the phasing of the development and provision of services, such as weddings, whilst construction was in progress. The design and conservation officer said that it was likely that fire regulations would restrict the number of people on the viewing platform at any one time. Members were advised that there would be a demolition strategy in place and that fabric removed from the keep and entrance hall would be retained by Norfolk Museums Service.

The chair moved and the vice chair seconded the proposals as set out in the report and as amended in the supplementary report.

During discussion members commented that they regretted the loss of the examples of Edward Boardman's work and understood the concerns that had been raised about Victorian features being removed, but considered that this was outweighed by the economic and social benefits to Norwich Castle and the city. A member said that the visitor experience to the castle would be enhanced by this proposal. Members noted that visitor numbers to the museum were projected to increase by a third. Members were satisfied that the Victorian features removed during the demolition process would be preserved or reused elsewhere.

RESOLVED, unanimously, to:

- (1) approve application no. 18/01082/F - Norwich Castle Museum Castle Hill Norwich NR1 3JS and grant planning permission subject to the following conditions:
 1. Standard time limit
 2. In accordance with plans;
 3. Compliance with AIA, AMS and TPP
 4. Landscaping details of roof platform.
 5. Landscaping details to ground/mound.
 6. Construction Method Statement.
 7. Details of ecological enhancement measures.
 8. Water efficiency.
 9. Stop works if nesting birds or bats are discovered during the project.

Informatives:

1. Considerate construction

Article 35(2) Statement:

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework (2018) 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.

- (2) approve application no. 18/01083/L - Norwich Castle Museum Castle Hill Norwich NR1 3JS and grant planning permission subject to the following conditions:
 1. Standard time limit
 2. In accordance with plans;
 3. Detailed drawings or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:
 - (a) All external building materials (including manufacturer, product, colour finish, scaled drawings and samples where required) for the roof

- platform, lift and stair enclosures and the cladding for new roof extensions and new bridge link.
- (b) Schedule of internal finishes to walls, ceilings and floors;
 - (c) All new stairs and handrails
 - (d) All new external balustrades and fixings into historic fabric.
 - (e) All new openings to include depth of reveal, details of lintels, reveals and thresholds, elevations and sections at a scale of not less than 1:20
 - (f) All new internal and external doors (plan, section and elevation drawings at a scale of not less than 1:20 and horizontal/frame sections at not less than 1:2) including swing and operation
 - (g) Junctions between northern W.C extension and Keep walls
 - (h) Junctions between new lead roof and walls to lightwell 5
 - (i) New lantern to lightwell 5
 - (j) All new external plant and equipment (including new kitchen plant and roof v vents) and associated screening
 - (k) All new equipment relating to fire safety provision (active and passive) (including detailed design and routing of any dry risers and details of any new fire hydrants)
 - (l) Any new or relocated lightening protection
 - (m) Any new or relocated flag pole
 - (n) Any new or relocated surface mounted fixtures (items affixed to the Keep walls, floor or ceilings including projectors, conduit, track or wiring)
 - (o) Any new external lighting
 - (p) Column casings/treatment
 - (q) Precise material and detailed design (scaled plan, elevation and section drawing) of all new and relocated lift shafts, stairs and stair enclosures
 - (r) all new and replacement cornices, skirting, floor coverings, lantern light film, in the principal entrance hallway and adjacent Boardman era corridor
 - (s) A methodology for the careful lifting, storage and reinstatement for the mosaic Norwich City's Coat of Arms in the principal entrance hallway;
 - (t) All new floor coverings (must include details of new entrance hallway, Boardman corridor and atrium spaces, lightwell 5 at ground floor level) as well as within the Keep.
 - (u) details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air
 - (v) Details of any new or relocated rainwater goods
 - (w) Detailed design of all alterations to the Boardman stone stair, including nosings and new compliant handrail.
 - (x) Strengthening works to the pier within the main entrance hallway/protection of the dungeons (report shall be prepared by a suitably qualified person, namely a Member of the Institute of Structural Engineers (M.I. Struct. E.) or a Member of the Institution of Civil Engineers (M.I.C.E.).
 - (y) A new signage strategy and the detailed design of any proposed fixed signage.
4. A construction method statement informed by the contractor and prepared by a suitably qualified person, namely a Member of the Institute of Structural Engineers (M.I. Struct. E.) or a Member of the Institution of Civil Engineers

(M.I.C.E.) shall be prepared to indicate what piling they propose, what type of machinery will be required, all methods of protection and how it will be moved on and off site without undue harm to the form, fabric and structural stability of the Grade I Listed building (with particular reference to the Keep, dungeons and bridge) shall be submitted to and approved by the Local Planning Authority and works carried out in accordance with said report.

5. A construction method statement and detailed scaled drawings (informed by the glazing manufacturer and prepared by a suitably qualified person, namely a Member of the Institute of Structural Engineers (M.I. Struct. E.) or a Member of the Institution of Civil Engineers (M.I.C.E.)) in respect of the proposed glass atrium roof on the eastern side of the Keep wall/Bigod tower shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing. Works shall be carried out in strict accordance with the details so agreed.
6. Demolition method strategy shall be submitted to and approved by the Local Planning Authority prior to works commencing. This report should indicate how elements of the building can be sequentially removed without compromising structural integrity of the elements to be retained. It shall be prepared by a suitably qualified person, namely a Member of the Institute of Structural Engineers (M.I. Struct. E.) or a Member of the Institution of Civil Engineers (M.I.C.E.).
7. No scaffold should be affixed to any elevations of the building without the prior written agreement of the Local Planning Authority.
8. Any damage caused to the building by the works hereby approved shall be made good in accordance with a scheme first submitted to and agreed in writing by the local planning authority and the making good in accordance with the scheme as agreed shall take place within 6 months of the completion of the scheme.
9. Archaeology written scheme of investigation (including methodology for the opening up and strengthening works to the opening in the eastern wall of the keep.
10. Stop work if unidentified features revealed.
11. A photographic record of the existing Keep interior and entrance hallway interior and exterior shall be undertaken prior to demolition works commencing and submitted to the Local Planning Authority and HER. (The record shall comply with the requirements of level 2 of the Historic England guidance document, 'Understanding Historic Buildings: A Guide to Good Recording Practice' document).
12. Notwithstanding the services drawings, no new or relocated service routes or risers shall be installed so as to affect the surviving decorative plasterwork walls, ceiling or the floorzone within the Benefactors Room. Any proposed service routes within this space will require the prior written agreement of the Local Planning Authority.
13. No new keep roof extensions or additions (plant vents, equipment, services, balustrades, stairwell or lift enclosures etc) (with the exception of the flagpole or lightening protection) shall project above the height of the highest point of the battlements.

Informatives

1. You are reminded that the original historic fabric of the listed building should be retained unless specifically authorised for removal by the council as part of

a listed building consent. Historic fabric which must be retained would include lath and plaster ceilings and walls, floorboards, original skirting boards, dado rails, cornice, fireplaces, staircases, and any other surviving historic fabric. Where these elements are in poor condition, localised like for like repair could be undertaken by competent workmen, with the minimum amount of intervention to the historic fabric. You are reminded that the installation of new internal and external lighting and service routes and risers fixed to the building will in most cases will require listed building consent. Any proposals for these particular works must be first approved by the council as part of a listed building consent before they are installed within the listed building.

2. You are reminded that no work should commence on implementing this Listed Building Consent until all matters, samples, and details reserved by condition have been submitted to, and approved by, this local planning authority. It is an offence to carry out work to a Listed Building unless all such conditions have been complied with. Any proposed departure from the works specified in the approved drawings should be brought to the attention of the planning department for further consideration before the work is carried out. The Council will use its enforcement powers, including use of Breach of Condition Notices or Prosecution, to ensure compliance with conditions and prevent harm to the special historic character and historic interest of Listed Buildings. You are advised that there is currently a maximum fine of £20,000 if the offence is dealt with summarily, and if the offence is dealt with by indictment the fine is unlimited.

Reasons for approval:

The proposal internal and external alterations to the grade I listed Norwich Castle will result in harm to some aspects of the historic significance of this important heritage asset. In particular the changes to the Victorian museum in the keep and entrance lobby would result in harm to the historic significance of this phase of the building's development, the proposed bridge would visually and physically affect the keep and the kitchen extension to the 1960s block would change the appearance of the building from certain viewpoints. The level of harm however is considered to be less than substantial and clear and convincing justification can be made for this harm. In accordance with paragraph 196 of the National Planning Policy Framework this harm should be weight against the public benefit of the proposed changes.

In this case it is considered that providing new visitor facilities and educational resources, making access to the complex easier and more appealing, increasing visitor numbers and allowing for an increased understanding of the medieval keep will all help enhance these community facilities and in turn promote learning and Norwich's economy. Taking everything into account it is considered that these benefit outweigh the less than substantial harm to this heritage asset. The proposed works are therefore considered to be acceptable and in accordance with the National Planning Policy Framework, policies 1 and of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and policies DM1, DM3 and DM9 of the Norwich Development Management Policies Local Plan (December 2014).

6. Application no 18/01315/F - Car Park Barn Road, Norwich

The senior planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports circulated at the meeting. This contained a copy of the comments from the Norwich Society in response to the consultation and a further letter of representation from a resident. Following the response of the Environment Agency to the geo-environmental assessment, conditions 6 and 7 as set out in the report had been satisfied and could be removed. The senior planner recommended that condition 9 (as set out in the report) be amended to include a piling method statement.

A resident of the adjacent flats addressed the committee and expressed her concerns about the proposal in relation to noise; antisocial behaviour; overlooking and loss of privacy; that mature trees would be replaced by bushes and concern that the air quality from traffic would be detrimental to the health of the students living in the new accommodation. She also considered that the design was out of character to the historic churches in the vicinity, the city wall and the Lanes.

The applicant (provider of student accommodation) addressed the committee. He explained that the company had provided the first purpose built student accommodation in the city and that this scheme would be the company's third; the company had a sound management practice and contributed to community cohesion, and had good relationships with its key stakeholders, University of East Anglia, Norwich University of the Arts and City College Norwich; and, would provide significant landscaping to balance the removal of the trees, improve the public realm and enhance the city walls.

During discussion the senior planner and the area development manager (inner) referred to the report and answered members' questions. Several members commented that a green wall should have been considered in the proposals. The senior planner assured members that the daylight analysis showed that all student rooms would have adequate light, including the rooms on the northern corner of the site. This proposal would contribute to the unmet need for student accommodation in the city. The current study into student accommodation in the city indicated that current provision of purpose built student accommodation and that the proposal would help to meet the unmet need for student accommodation and mitigate the loss of residential houses to shared student houses in multiple-occupation (HMOs). Members were also advised that the council would retain the freehold of the site, operate the car park and lease the student accommodation to the management company. There were no proposals to let the accommodation out to holiday makers and in any case lettings were usually made to students for the academic year. Air quality was not a concern. There would be a good level of screening to soften the car park and enhance the heritage interpretation at this gateway for the city.

The chair moved and the vice chair seconded the recommendations as set out in the report and amended in the supplementary report of updates to reports.

Discussion ensued in which Councillor Malik said that he could not support this proposal because he considered that the council could have provided affordable housing on this site for working people. Other councillors welcomed the scheme which they considered was a good design and would enhance this gateway to the city and develop the former bomb site; provide purpose built accommodation for

students and alleviate pressure on the private rental market where rents were out of reach to families particularly in wards where there were large numbers of student HMOs. The chair pointed out that there was still a shortfall of purpose built student accommodation in the city. He also pointed out that the car park would provide electric charging points.

Councillor Trevor commented that she was concerned about the well-being of future students whose rooms were dark and which she considered would create an unpleasant working and living environment for them.

A member asked that the developers gave consideration to using green walls in future developments.

RESOLVED with 10 members voting in favour (Councillors Driver, Maxwell, Wright, Raby, Button, Sands, Ryan, Peek, Stutely and Bradford) and 2 members voting against (Councillors Malik and Trevor) to approve application no. 18/01315/F - Car Park, Barn Road, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No works above ground until following details agreed:
 - (a) Materials for walls (including brick bond and mortar),
 - (b) Materials for roof (including green roof)
 - (c) Windows and doors (including lintels and cils, glazing frames and profiles and reveals)
 - (d) Rainwater goods, fascias, bargeboards
 - (e) Bat boxes
 - (f) Screen to car park
4. No works until archaeology agreed.
5. Stop works if unidentified feature revealed.
6. Stop work if unknown contamination found .
7. No works until piling method statement has been agreed.
8. With the exception of site clearance, archaeology, tree protection works and ground investigation no development shall take place until slab levels have been agreed.
9. With the exception of site clearance, archaeology, tree protection works and ground investigation, no development shall take place until surface water management strategy has been submitted to and approved in writing by the LPA. No drainage into the ground other than with consent from the LPA.
10. No occupation until external lighting agreed and implemented.
11. No works above ground until fire hydrant provision agreed.
12. No works above ground until scheme for generating a minimum of 10% of the predicted energy requirement from decentralised renewable and/or low carbon sources has been agreed.
13. The development shall be designed to meet 110 litres/person/day water efficiency.
14. Works to be carried out in accordance with AIA, AMS.
15. No occupation until landscaping scheme has been approved.
16. No works above ground until a contract has been entered into with the Council for a financial payment to maintain trees

17. No occupation until following details agreed:
 - a) Car parking
 - b) Cycle storage and parking for residents and visitors to the site
 - c) Servicing, including waste and recycling bin storage and collection facilities
18. Removal of permitted development rights for boundary treatment
19. No occupation until public realm and highway improvements carried out – s278 application needed.
20. Full travel information plan to be submitted during the first year of occupation. Travel information to be made available in accordance with the interim travel plan. To be maintained and reviewed in accordance with the agreed details.
21. Parking and management arrangements (including arrangements to deal with the arrival and departure of residents at the beginning and end of academic term to be in accordance with agreed details.
22. Management to be carried out in accordance with approved details.
23. No works above ground until details of plant, machinery and mechanical ventilation systems have been agreed.
24. Dust management plan.
25. Bird nesting season.
26. No works above ground until details of ecological enhancements including bird/bat boxes and green roof have been agreed.
27. Compliance with Construction Management Plan and Construction Traffic Management Plan.
28. No occupation of the student accommodation until car park has been completed.

Informatives

1. Anglian Water assets
2. TRO fee of £1995
3. Need for s278 agreement
4. Tree maintenance fee
5. No entitlement to on-street parking permits
6. Refuse bins and collection arrangements to be arranged prior to first occupation
7. Construction working hours
8. Details of windows (condition 3(c)) to include information to demonstrate that the windows comply with the recommendations within the noise impact assessment.

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework (2018) 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 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich

The senior planner presented the report with the aid of plans and slides. He referred to the supplementary report of updates reports circulated at the meeting and summarised comments from the Norfolk Fire and Rescue Service which raised no

objections but stipulated that all parts of the building must be accessible for a fire appliance and additional fire hydrants to be provided.

The chair moved and the vice chair seconded the recommendations as set out in the report and amended in the supplementary report of updates to reports.

Members welcomed that this site was fully compliant with policy and would provide 33 per cent affordable housing, comprising six units on site and a commuted sum for provision of a unit elsewhere. The area development manager (outer) assured members that there was a reasonable amount of time before the commuted sum needed to be used.

RESOLVED, unanimously, to approve application no. 16/01889/O - Land West of Eastgate House, 122 Thorpe Road, Norwich and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit for submission of reserved matters
2. In accordance with plans
3. Energy efficiency
4. Water efficiency
5. Surface water drainage scheme
6. Unexpected contamination
7. Details of bin and cycle storage
8. Imported topsoil and subsoil
9. Slab levels
10. Construction method statement.
11. Provision of additional fire hydrants.

8. Application nos 18/00062/F and 18/00063/L - Rear of St Faiths House, Mountergate, Norwich, NR1 1PY

The planner 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 contained a correction to a statement in paragraph 84 of the report relating to all flats meeting the minimum space standard because one flat was just below the standard. Members were advised that there were a number of objections to the original proposal and although these had not been withdrawn, no further objections to the revised scheme to mitigate their concerns had been received.

During discussion the planner together with the area development manager (inner) referred to the report and answered members' questions. Members were advised that this site was policy compliant with affordable housing provision because the vacant building credit had been taken into consideration. In reply to a member's question, the area development manager (inner) said that conversion of St Faiths House was better suited for residential use and had not provided office space fit for modern standards.

RESOLVED with 11 members voting in favour (Councillors Driver, Maxwell, Wright, Raby, Button, Malik, Trevor, Ryan, Peek, Stutely and Bradford) and 1 member voting against (Councillor Sands) to:

- (1) approve application no. 18/00062/F - Rear of St Faiths House Mountergate, Norwich, NR1 1PY and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of an off-site contribution towards affordable housing and subject to the following conditions:

1. Time limit.
2. In accordance with plans.
3. Works to St Faiths House required to be completed before occupation of any other part of the site.
4. All materials to be agreed.
5. All habitable rooms fronting Mountergate to be provided with windows and ventilation in accordance with the approved Noise Impact Assessment.
6. A scheme to deal with contamination to be agreed.
7. Development to stop if unidentified contamination found during works.
8. No use of piling without express consent.
9. Residential units to achieve water efficiency of 110l per person per day,
10. Water efficiency measures for commercial unit to be agreed.
11. Surface water management scheme to be agreed.
12. Reinstatement of the footway on Mountergate - scheme to be agreed.
13. Car parking management plan to be agreed.
14. Landscaping scheme to be agreed (including use of planting which provides benefits for wildlife).
15. Development shall take place in accordance with the approved Written Scheme of Investigation.
16. No works except site clearance and demolition until a further ecological survey is carried out to determine whether the north eastern elevation of St Faith's House is being used by bats.
17. No development during the bird nesting season without consent.
18. Ecologist contact details to be made available to site contractor.
19. Boundary treatments to include small mammal access.
20. Bat and bird boxes to be installed on the site - number, locations and specification of boxes to be agreed.
21. Fire hydrant to be included - scheme to be agreed.
22. Details of bicycle parking to be agreed, including additional provision not identified on the approved plans.
23. On-site renewable energy generation - scheme to be agreed.

Informatives:

1. The developer will be expected to meet the costs of supplying and installing the fire hydrant.
2. The developer will be expected to meet the costs of reinstating the footway on Mountergate.
3. Street naming and numbering - contact the council.
4. New residential properties are not entitled to on-street parking permits.

- (2) approve application no. 18/00063/L - Rear of St Faiths House, Mountergate, Norwich, NR1 1PY and grant listed building consent subject to the following conditions:

1. Time limit.

2. In accordance with plans.
3. Full photographic survey of the building.
4. An existing floor plan of St Faiths House with retention notes.
5. Details to be agreed:
 - (a) Schedule of existing and proposed finishes
 - (b) Details relating to the installation and composition of new stud partitions.
 - (c) Details relating to new windows and doors, which shall be of a style and material to match the predominant significant relevant element.
 - (d) Details relating to fireproofing and soundproofing measures required
 - (e) Plans, sections and elevations detailing the relationship of the new extension at first floor (and the associated
 - (f) roof structure) with the existing building
6. Any damage caused to the building shall be made good.
7. All works of localised repair and making good to retained fabric shall be finished to match the adjacent work.
8. Any historic features not previously identified shall be retained in-situ and reported to the local planning authority.

Informative:

1. Only the works shown are approved.

(The committee adjourned for a short break at this point and reconvened with all members listed above as present.)

9. Application no 18/01104/F – 2 Quebec Road, Norwich, NR1 4AU

The planner 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 seven letters of representation that had been received outside the consultation period, three in support and three further letters of objection and one new objection to the application; a correction to the report only three objections had been made to the revised scheme in the consultation period and a statement that the property was detached when it was semi-attached to no 30a St Leonards Road.

The adjacent neighbour addressed the committee about his and other residents' concerns about the extension and the impact that it had on his house and the streetscene. He referred to the comments of the Norwich Society and design and conservation officer. The extension dominated the main house when it should be subsidiary to it. He displayed slides showing the view of the extension from the balcony of his property. The building should have been a metre lower. The proposed mitigation did not alleviate its impact. He asked members whether the application would have been acceptable if it was not retrospective.

The applicant addressed the committee, showing slides of the changes that had been made to the façade of the building to restore Victorian characteristics. He considered that the building was higher by 700mm not a metre. The amendments to the scheme had been discussed with the council's design and conservation officer. He said that he and his partner had received positive feedback from other residents.

The area development manager (inner) referred to the report and answered members' questions about the scheme and explained that when the complaint about

the breach of planning consent had come to light officers had sought to negotiate a solution.

The chair moved and the vice chair seconded the recommendations as set out in the report.

RESOLVED with 10 members voting in favour (Councillors Driver, Maxwell, Raby, Button, Malik, Sands, Ryan, Peek, Stutely and Bradford) and 2 members voting against (Councillors Trevor and Wright) to approve application no. 18/01104/F – 2 Quebec Road, Norwich NR1 4AU and grant planning permission subject to the following conditions:

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

(The committee adjourned for lunch at 13:30. Councillors Trevor and Bradford left the meeting at this point. The committee reconvened with all other members present as listed above.)

10. Application no 18/01062/NF3 - Heigham Park, Recreation Road, Norwich

(Councillors Button and Ryan declared that they did not have a predetermined view at this point in the meeting. See item 1 Declarations of interest, above, for further details.)

The area development manager (outer) 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 a summary of an additional representation from Councillor Carlo and reproduced a response from The Gardens Trust. The issues raised had been addressed in the main report. Members were advised that determination of this application was a balanced judgement for members. He explained that officers did not consider the proposal was causing “substantial harm” in that the provision of hard courts at Heigham Park was not irreversible and the grass tennis courts could be reinstated in the future. He advised that “substantial harm” was an extremely high bar and that in this case, officers considered that there was “less than substantial” harm in the terms of paragraph 196 of the NPPF which members would need to weigh against the benefits of the scheme. It was a finely balanced judgement but the benefits were considered to outweigh the harm caused by the scheme.

A representative of the Heigham Park Grass Court Group addressed the committee and said that grass courts were an integral feature of this park. The group had submitted a robust business case to manage the grass courts and considered it was a viable alternative to the proposed hard courts. This was followed by four other objectors who commented that the removal of the grass courts would cause significant harm to this heritage asset, which was an example of an Arts and Crafts garden with sports facilities (the tennis courts and bowling green). An important feature of the park was the herbaceous borders with the grass verges which takes the eye across the grass courts to the pavilion. The Gardens Trust opposed the proposal because it considered that this design feature should be retained. A proxy for one of the speakers, who had to leave the meeting because of the delay in the item being considered, commented on the impact of the proposal on climate change

and the ecology. He commented on the use of a hard surface in a ward which was in a critical drainage area and calling on the committee to retain the grass surface. He also referred to studies which demonstrated that bats were affected by the use of lights and suggested that the committee deferred consideration for ecological surveys before a decision was made. A local resident said that the proposals to remove the grass courts were unjustified and “deeply unpopular” with around 110 objectors and only 10 in support. The business case for the management of the courts would benefit the city council by retaining the grass courts and avoiding harming the heritage assets of the park; provide grass courts in the city, and increase the provision of facilities, at no cost to the council. The group supported the Norwich Parks Tennis Scheme but considered that it was not appropriate in this park. There was an opportunity to overturn the application and would provide a win-win to both the city council and local people of this area. A retired doctor addressed the committee and spoke of the health benefits for people playing tennis on grass courts, with lower injury rates than hard courts and benefits to older people with less impact on knee and hip joints and reduced rates of fractures for children. Playing tennis in a desirable location was beneficial to people’s health and wellbeing and mental health. He said that as there were other wards with greater levels of deprivation, the council should allocate its resources to these areas and engage with the Heigham Park Grass Court Group’s business plan which at no cost to the council could conserve the grass tennis courts in this “wonderful” park.

Councillor Carlo, Nelson ward councillor, referred to national and local planning policy and said that Heigham Park was a Arts and Crafts Park and that the “vista” looking across the herbaceous borders towards the pavilion created an important visual link which would be lost if the new hard courts were installed. Leaving the gates open would not recreate this artistic feature. She referred to the report and said that the report author had not articulated that the park was a significant heritage asset and as such this raised the bar for assessing the level of public benefit to outweigh harm to it. The business plan should be a material planning consideration and should be considered as it offered a solution to the retention of the grass tennis courts. The council’s match funding would be better spent in an area of greater need. She called on members to refuse the planning permission.

The parks and open spaces manager spoke on behalf of the applicant, Norwich City Council. The grass tennis courts were closed at the end of the 2017 season. The number of sessions played (285 in the last season) meant a widening gap between the cost of provision and the income received. He explained that the council was looking at alternative ways it could deliver its tennis facilities and the proposal for three all-weather courts at Heigham Park was a crucial part of the expansion of the Norwich Park Tennis model which had proven success as a delivery model across the council’s parks and was used as an exemplar by the Lawn Tennis Association for other local authorities. These benefits included all year round beginner tennis courses for adults with around 50 participants per week, the local tennis league being one of the largest in the country with over 380 matches being played at Eaton Park this year; and 246 participants taking part in three taster sessions. He pointed out the number of court sessions had increased from 12,000 two years ago to 18,640 court sessions last year and were at current capacity. The proposals for Heigham Park were aligned with the council’s corporate priorities which included: providing tennis facilities at an affordable price, delivered by a Sport England Tennismark, an accredited provider; increasing public presence in the park for longer periods which deterred antisocial behaviour and improved public

perception; the delivery of high quality tennis facilities to residents in an efficient manner, with online bookings; and contributing to the council's savings targets. He acknowledged the concerns of the residents but said that any change to the park would have an impact. This application had the support of the leader of the council and the cabinet member for health and wellbeing and he was confident that the benefits to the expansion of the Norwich Park Tennis scheme to residents outweighed any harm.

Councillor Malik, Nelson ward councillor, said that he was aware of the sensitivity surrounding this application but needed to point out that the council was about to embark on a consultation in this area on measures to improve parking which included: permit parking; traffic regulation orders to prevent parking on the grass verges of The Avenues; and installation of waiting bays and double yellow lines. He also pointed out that there were 10 lawn tennis courts available for hire to members of the public at the Hewitt Academy.

In reply to a question from Councillor Malik, the area development manager (outer) then explained the financial arrangements for the scheme which would be financed by the Lawn Tennis Association, who originally had promised to match fund by 50 per cent but this had been reduced due to the delay in considering the application to 25 per cent. The remainder of the funding was a S106 funding from the Lakenham Cricket Ground which had been earmarked for this scheme. He advised members that the reference to the community group's business case in the report was to put the application into context and that the decision to be made by members was on the current proposals before them and not on any alternative. Members would need to determine the application on the basis of relevant development plan policy and other material considerations weighing the benefits of the scheme against the harm. It was the applicant's view that the proposed all-weather courts met its objectives to provide all year round tennis facilities to the wider public and was financially viable and sustainable. If permission was granted however, the applicant could decide not to implement the scheme and consider other options.

Discussion ensued in which the area development manager (outer) referred to the report and answered members' questions. At the request of the chair, the parks and open spaces manager confirmed that it was the applicant's intention for the pavilion to be used by the tennis operator and that this would be their preferred outcome based on the arrangements at Eaton Park. The area development manager (outer) pointed out that there would be an informal area of grass for recreation purposes. Members then asked questions about the proposed surface which would be porous. Officers were not aware of any examples of AstroTurf being used for tennis courts. In reply to a question the area manager development (outer) then explained the contribution that the all-weather courts would have to the expansion of the Norwich Parks Tennis scheme and the benefits to the wider community in making tennis accessible and providing coaching to all sectors of the community. Members also sought reassurance about the impact of the court lights on residents and considered whether the hours of operation could be reduced. A member pointed out that in summer there should be sufficient light until 22:00 but that in winter the lights could be switched off at 21:00. The issue of parking on the verges was an existing one that was not specific to this application. Highways officers were seeking to address this through various measures including traffic regulation orders.

The area development manager (outer) then answered questions about the role of the committee in determining this application in relation to planning policy and that the alternative proposal from the community group was for the cabinet and green spaces to consider rather than a planning matter. The indication was that the group's business case was not a viable alternative and did not meet the council's corporate priorities. The alternative proposal had not been explored further because it did not offer all-weather tennis facilities. Funding from the Lawn Tennis Association was available to the council to provide courts that met the association's guidelines.

The chair moved and the vice chair seconded the recommendations as set out in the report in order to open up the discussion.

A member spoke in support of the application from the sporting perspective and health benefits that it would have for the wider community. The application had the support of Sport England and the Lawn Tennis Association.

Councillor Sands said that he had coached several sports on a variety of surfaces and that he considered that there was an opportunity for a joint enterprise which would enable the grass tennis courts to be retained. He considered that further consideration of the application should be deferred to allow an opportunity for the business case to be considered further. The application could be considered as proposed if there was not a viable alternative. The chair then withdrew his motion. Councillor Sand then moved and Councillor Wright seconded that the application be deferred to a future meeting. He said that he was concerned about the ramifications of making a decision on this application without knowing the view of the cabinet on the business case.

Discussion ensued on the motion to defer consideration. A member said that he considered that the community group's business plan was well intentioned but that it was not a viable proposal. There were 10 grass courts available for public hire at the Hewitt Academy. Another member said that grass tennis courts had had their day and required a lot of maintenance. The all-weather courts would be available to people of all ages. The council had already lost half of the Lawn Tennis Association grant by delaying a decision. The area development manager (outer) said that a delay could mean that the funding for the scheme was no longer available. Consideration of the business case was irrelevant in that it was a separate decision making process. The chair pointed out that the cabinet could review the community group's business case and, if it were the case that it was viable, to not implement the planning consent. Councillor Stutely said that he appreciated the wider benefits to the community but was concerned about the heritage aspect of the application and favoured deferment to enable other options to be considered. Councillor Raby also said that he supported the motion to defer as he had concerns on heritage and ecological grounds about the proposed all-weather courts.

Other members commented in favour of the recommendations as set out in the report and against the proposal to defer further consideration of this application. During discussion other members considered that over time use of the grass tennis courts had changed. The benefits of all-weather courts had wider benefits to the community and could be used by local schools and other groups. These benefits would outweigh the harm to the heritage of the park. The new courts would not detract from the herbaceous borders which were an important feature of this park.

On being put to the vote, the motion to defer consideration of the application was lost, with 4 members voting in favour (Councillors Sands, Wright, Raby and Stutely) and 6 members voting against (Councillors Driver, Maxwell, Button, Malik, Ryan and Peek).

The chair then moved, seconded by the vice chair, the recommendations as set out in the report.

RESOLVED, with 6 members voting in favour (Councillors Driver, Maxwell, Button, Malik, Ryan and Peek) and 4 members voting against (Councillors Wright, Raby, Sands and Stutely) to approve application no. 17/00505/NF3 - Eaton Park, South Park Avenue, Norwich NR4 7AU and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to be submitted of travel information plan;
4. Details to be submitted for heritage interpretation;
5. Details of Arboricultural site meeting, Method Statements including site layout for construction activities / buildings, ground protection mats and for any facilitation pruning to be agreed and implemented;
6. Works in accord with condition 4 outcomes and Arboricultural Implications Assessment, Tree Survey and Tree Protection Plan during construction. Retention of tree protection and no changes within areas;
7. Details of landscaping including - hard surfacing materials to paths and access areas, ecological enhancement; mitigation strategy for hedgehogs or small mammal access programme, planting schedules and landscape maintenance to be agreed and implemented;
8. Details of cycle storage/parking; access gates and use; site lighting; operation of any site lighting to be agreed and implemented;
9. No use of lights after 22:00 hours or before 08:00 hours on any day.

Article 35(2) statement

The local planning authority in making its recommendation has had due regard to paragraph 38 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.

(Councillors Button and Ryan left the meeting at this point.)

11. Application no 18/01026/F - The Alders, Cooper Lane, Norwich, NR1 2NS

The planner presented the report with the aid of plans and slides. In reply to a member's question, she explained that the proposal did not affect the wet woodland on the bank of the river.

Councillor Driver, Lakenham ward councillor, spoke in support of the application.

RESOLVED, unanimously, to approve application no. 18/01026/F - The Alders, Cooper Lane, Norwich, NR1 2NS and grant planning permission as a departure to the development plan, subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Material samples;
4. Arboricultural supervision of work in root protection areas;
5. Tree protection measures;
6. Boundary treatments to be agreed and include small mammal access;
7. External lighting to be agreed;
8. No removal of trees or vegetation in 1 March to 31 August, unless demonstrated to have no detrimental impacts on nesting birds;
9. No removal of trees or vegetation in 1 May to 31 August, unless demonstrated to have no detrimental impacts on bats;
10. Bat bricks/boxes to be agreed;
11. Flood resilient/resistant measures to be agreed;
12. Surface water drainage to be agreed;
13. Water efficiency;
14. Bin and cycle storage to be provided prior to first occupation;
15. Remove permitted development rights for curtilage buildings and boundary treatments.

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 and has recommended approval of the application as a departure from the development plan subject to appropriate conditions and for the reasons outlined in the officer report.

12. Application no 18/00338/F - 152 Gipsy Lane, Norwich NR5 8AZ

The area development manager (outer) presented the report with the aid of plans and slides.

RESOLVED, unanimously, to approve application no. 18/00338/F - 152 Gipsy Lane Norwich NR5 8AZ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Replacement tree planting prior to occupation;
4. Bin and bike stores provided prior to occupation;
5. Water efficiency.

13. Performance of the Development Management Service: Progress on Appeals Against Planning Decisions and Updates on Planning Enforcement Cases

The area development manager (outer) presented the report with the aid of plans and slides.

During discussion the area development manager (outer) referred to the report and answered questions on the progress of enforcement action and appeals at various sites across the city. This included discussion on the outcome of the Sentinel House site appeal and the expected outcome of the Bowthorpe Methodist Church's appeal against enforcement.

Members were advised that following the revised changes to the committee scheme of delegations, all planning enforcement action would be reported to the committee.

The committee concurred that the performance reports should be considered at committee on a quarterly basis.

RESOLVED to note the report.

CHAIR