



**Planning applications committee**

**09:30 to 10:45**

**9 January 2020**

Present: Councillors Driver (chair), Maxwell (vice chair), Bogelein, Button, Lubbock, Neale, Oliver (substitute for Councillor Sarmezey), Peek, Ryan, Sands (M), Stutely and Utton

Apologies: Councillors Huntley and Sarmezey

**1. Declarations of Interest**

None

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meeting held on 19 December 2019, with reference to Item 5, Application no 19/01511/F - Garages adjacent to 83 Belvoir Street, Norwich, subject to noting that Councillor Neale's vote had been incorrectly recorded and that he had voted in favour on this item and therefore committee's resolution should read as follows:

**"RESOLVED**, with 11 members voting in favour (Councillors Driver, Button, Bogelein, Neale, Peek, Ryan, Sands, Sarmezey, Ryan, Oliver and Utton) and 1 member voting against (Councillors Lubbock) to approve application no. 19/01511/F - Garages Adjacent 83 Belvoir Street, Norwich and grant planning permission subject to the following conditions:"

**3. Application no 19/00875/F - 82 - 96 Prince of Wales Road, Norwich, NR1 1NJ**

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

During discussion, the senior planner and the area development manager (inner), referred to the report and answered members' questions. Members were advised that the café would not be open overnight but that it had not been considered necessary to restrict the time of operation for the office use. A taxi company could not operate out of the offices without a change of use planning consent. Permitted development rights had been removed from the office element of the proposal to prevent the offices being changed to residential use and maintain the commercial use at street level. The committee also noted that the building had originally been an apartment building and there had been large apartments occupied by members of the previous owners. Apartments at the top of the building would be duplex comprising two floors. Members also sought reassurance about noise mitigation measures to protect the amenity of future occupants; the assessment of liability for

contributions for affordable housing and an explanation of the application of the vacant building credit; and the relationship of the proposed development and adjoining buildings. In reply to a member's questions, the senior planner explained that the location of the 10 per cent lifetime homes would be agreed with the applicant when discharging the conditions. A member of the committee also sought reassurance about the discharge of conditions relating to renewable energy, water efficiency measures and the use of heritage interpretation. The applicant was proposing solar roof panels to achieve the 10 per cent of low carbon energy.

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

Councillor Utton, Thorpe Ward councillor, commented that he was impressed with the proposal for this high quality building which would enhance the area.

Discussion ensued in which members welcomed this application which would enhance the appearance of Prince of Wales Road. Members commented that there could be an opportunity to increase the percentage of low carbon energy to around 50 to 60 per cent; and stressed that the internal works should be of high quality.

**RESOLVED**, unanimously, to approve application reference 19/00875/F at 82-96 Prince of Wales Road and grant planning permission subject to the following conditions and completion of a Section 106 agreement to secure a contribution to affordable housing:

1. Standard time limit;
2. In accordance with plans;
3. External materials;
4. Details of external joinery;
5. Details of rear (north facing windows);
6. Lifetime homes/Accessible, adaptable dwellings;
7. Removal of permitted development rights for change of use of office and café;
8. Finished floor levels;
9. Heritage interpretation;
10. Renewable energy details;
11. Water efficiency commercial and residential;
12. Landscaping details;
13. Residents parking only;
14. Dropped kerb for bin store to be provided;
15. Details of noise mitigation measures in accordance with approved report;
16. Specification of extract system for car park;
17. Café premises not to open between 22.00 and 07.00;
18. Construction method statement;
19. Archaeological written scheme of investigation;
20. Stop work if unidentified features revealed;
21. Ecological mitigation/enhancement details;
22. Unknown contamination;
23. Details of external flues/extract equipment.

**4. Application no 19/01352/F - Site at rear of 67 - 69 Magdalen Street, Norwich, NR3 1AA**

The area development manager (inner) presented the report with the aid of plans and slides. He explained that there was outline planning permission on the site but that the only reserved matters related to landscaping. He also referred to the supplementary report of updates to reports which was circulated at the meeting and summarised a late representation from a third party about air quality and the officer response.

The member of the public, whose concerns about air quality were summarised in the supplementary report, addressed the committee. He said that he had submitted a document for inclusion in the body of evidence being collated for the Anglia Square public inquiry. He suggested that because of the poor air quality and Anglia Square's proximity to Magdalen Road, ground floor dwellings would not be suitable for human habitation. He also considered that a decision on this planning application would affect the planning inspector's decision on Anglia Square.

The area development manager (inner) referred to officer response in the supplementary report of updates to reports and explained that all of central Norwich was in the City Centre Air Quality Management Area (AQMA). This application was very different to the Anglia Square development and its determination would have no impact on the planning inspector's consideration at the public inquiry into Anglia Square.

During discussion, the area development manager (inner) referred to the reports and answered members' questions. The committee was advised that if this application were refused, the applicant could develop the site in accordance with the outline planning permission and subject to planning permission on the reserved matters of landscaping. A member commented that the balcony at the rear of an adjacent property on Magdalen Street had been approved without any concerns about air quality.

Discussion ensued on air quality in which the area development manager (inner) explained that whilst most of the city was within the AQMA it was not usual to request all developments to provide an air quality impact assessment. He pointed out that environmental health officers had commented that the location was within a management area but had not raised objections to this application. A member said that it should not be up to the applicant to satisfy themselves about the impact but that the council should be more objective and methodical, and request air quality impact assessments from applicants. Another member said that whilst it was no reason to refuse this application, he considered that it would be useful if information on pollution was included in reports.

Discussion also ensued on the impact of the development and amenity of the property at no 69c. Members were advised that the proposed condition 5, relating to the change of layout and external door of no 69c would need to be discharged before the development could commence. Members were concerned that the window of no 69c would look out on to a brick wall. The senior planner said that the applicant was proposing to insert roof lights into the roof to replace the loss of light from the kitchen window. The committee was also advised that the bike shed would be open and not block light to the bedroom windows of the adjacent apartment. The

area development manager (inner) also confirmed that there would be no loss of parking spaces for people with disabilities arising from this proposal.

**RESOLVED**, with 11 members voting in favour (Councillors Driver, Maxwell, Bogelein, Button, Neale, Oliver, Ryan, Peek, Sands (M), Stutely and Utton) and 1 member abstaining (Councillor Lubbock because of insufficient information relating to air quality), to approve application no. 19/01352/F - Site at rear of 67 - 69 Magdalen Street, Norwich, NR3 1AA and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Archaeology – standard condition;
4. SUDS to be agreed;
5. Works to 69c to be completed prior to commencement of works;
6. Landscaping to be agreed;
7. Refuse collection arrangements to be agreed;
8. In accordance with construction method statement;
9. Wall to be protected as per the submitted documents;
10. Works to stop if previously unidentified contamination found;
11. Water efficiency – standard condition;
12. All windows on the west elevation to be obscure glazed;
13. Refuse and recycling facilities to be provided and retained;
14. External lighting to be installed as per the submitted documents;
15. No microwave antenna to be installed without consent.

Informatives:

1. CIL liable
2. No parking permits
3. Archaeological brief available from HES