



PLANNING APPLICATIONS COMMITTEE

10am to 1.10pm

18 October 2012

Present: Councillors Bradford (chair), Sands (M) (vice chair), Ackroyd, Gee, Howard, Kendrick, Little, Neale, Sands (S), Storie and Stonard

Apologies: Councillor Rogers

1. MEMBERSHIP

The chair welcomed Councillor Storie to her first meeting of the committee. Councillor Storie had replaced Councillor Lay.

2. DECLARATION OF INTERESTS

Councillor Ackroyd declared a disclosable pecuniary interest in item 10, Application no 12/014441/F 30 Greenways, Norwich, NR4 6PE, as she was the applicant for that application.

3. MINUTES

Application no 12/01016/F Lionwood Junior School, Wellesley Avenue North, Norwich, NR1 4NT

County Councillor Nobbs, Crome Division, on behalf of a local resident, expressed concerns that the minutes did not accurately reflect the discussion at the meeting. The planning development manager explained that the minutes were not intended to be verbatim and there had been a thorough discussion about the issues raised by the speakers at the meeting, but conceded that it had been agreed to request the applicant to liaise closely with local councillors who could consult with local residents as the project progressed, and that some of the residents who had commented on the application had not received notification of the date of the committee meeting until the day before.

RESOLVED to approve the accuracy of the minutes of the meeting held on 20 September 2012 subject to:

- (1) in relation to item 3, Application no 12/01016/F Lionwood Junior School, Wellesley Avenue North, Norwich, NR1 4NT, amend the

minutes to reflect the request relating to the applicant to liaise with local residents and councillors;

- (2) item 9, Application no 12/01399/F, 122 Waterloo Road, Norwich, NR3 3HZ, to delete the condition:

“Unless within 1 month of the date of this decision an appropriate scheme for the permanent attenuation (delivering at least a 9 dB(A) reduction) of noise emitted by the approved refrigeration plant, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 2 months of the local planning authority's approval, the use of the refrigeration equipment shall cease until such time as a scheme is approved and implemented.”

and insert the amended condition as agreed by the committee at the meeting:

“Unless within two months of the date of this decision the plant housing arrangement and noise mitigation measures shown on ref:401(P)003 rev 1 have been implemented and made fully operational no use of the external refrigeration equipment shall take place. Once installed, the plant housing arrangement and noise mitigation measures shall be maintained thereafter and no use of the external refrigeration equipment shall take place without those measures in place.”

4. APPLICATION NO 12/01487/F 66 WELLINGTON ROAD, NORWICH, NR2 3HT

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

The resident of the adjacent property (15 Denbigh Road) and Councillor Carlo, ward councillor for Nelson Ward, addressed the committee and outlined their objections to the proposal which included: the height of the extension and concerns about overshadowing and loss of light and residential amenity; that the applicant had not submitted a daylight/sunlight report; and that the comments of the Norwich Society had not been included in the report but were available on the council's website. (Photographs submitted by the resident were displayed at the meeting showing the light conditions in her garden at 4.30pm on 13 October 2012.)

The agent responded on behalf of the applicant and said that the proposal was not overdevelopment as it did not increase the footprint of the building and was for one storey only. The building was no longer used as a shop and the rebuilding would be to a high standard. The garden at 15 Denbigh Road had little of no direct sunlight and he considered that the proposed extension would not have a detrimental effect to it.

During discussion the planner and the planning development manager answered members' questions and explained that a sunlight/daylight report was not a requirement for all applications and on balance the impact of the extension on the neighbouring property would not justify refusal of the application. Several members

expressed concern that the proposed development would further restrict sunlight and daylight to the properties in Denbigh Road, and that the owners had a right to enjoy the amenity space of their gardens and the rooms at the rear of the property. Members were advised that a kitchen was not considered to be a “habitable room” defined by the policy EP22 and therefore the proposed extension did not impact on any habitable rooms of the property at 15 Denbigh Road and had a minimal impact on the sunlight in its garden. Members were also advised that a daylight/sunlight report would be open to subjective interpretation.

The solicitor suggested to members that if they do not consider that they had enough information to make a decision then it is always open for members to defer the matter to the next committee meeting.

Councillor Stonard moved and Councillor Gee seconded a proposal to defer the application on the grounds that further information was required. Following further debate where several members spoke in favour of refusing the application, Councillor Stonard withdrew the amendment (with the agreement of Councillor Gee) and proposed, seconded by Councillor Gee that the committee refuse the application on the grounds that the extension at 66 Wellington Road would significantly overshadow the property at 15 Denbigh Road, causing loss of sunlight and daylight at the rear of the property and loss of amenity in the garden and adjacent rooms.

Councillor Little said that he considered that extensions generally provided sustainable development in a city and provided places for people to live. He expressed concern for the resident in the neighbouring property but said that he considered that the proposal was in line with planning policy.

RESOLVED to with 6 members voting in favour of refusal (Councillors Sands (M), Gee, Howard, Sands (S), Storie and Stonard), and 5 members voting against (Councillors Bradford, Ackroyd, Little, Kendrick and Neale) to refuse application no 12/01487/F 66 Wellington Road, Norwich, NR2 3HT on the grounds of the impact to 15 Denbigh Road; causing loss of daylight and sunlight at the rear of the property; and that the overbearing effect of the extension would result in loss of amenity in its garden and adjacent rooms; and to ask the head of planning services to provide written reasons in planning policy terms.

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

1. The extension at first floor, by virtue of its height and positioning to the west of neighbouring dwellings, will lead to a loss of direct sunlight and daylight to the rear of the neighbouring properties and rear gardens on Denbigh Road. The development would therefore be contrary to saved policy EP22 of the City of Norwich Replacement Local Plan (November 2004) and paragraphs 9 and 14 of the National Planning Policy Framework (March 2012).
2. The first floor extension, by virtue of its height and depth in conjunction with the existing two storey built form, would lead to an overbearing form of development creating an unacceptable sense of enclosure to the rear garden of 15 Denbigh Road. The development is therefore contrary to saved policies HBE12 and EP22 of the City of Norwich Replacement Local Plan (November 2004), policy ENV7 of the East of England Plan (May 2008) and statement 7 of the National Planning Policy Framework (March 2012).

5. APPLICATION NO 11/02115/F 122 UNTHANK ROAD, NORWICH, NR2 2RS

The senior planner (development) presented the report with the aid of plans and slides and referred to the supplementary report “updates to reports” which was circulated at the meeting. Members were advised that the application was for three one-bedroom flats and two two-bedroom flats and that paragraph 5 of the report and the description of the development should be amended accordingly. A further letter of representation had been received and the details were set out in the supplementary report.

During discussion members expressed concern that the description had misled a member to almost visit the wrong site and that detailed floor plans should have been included in the papers for the meeting. The planning development manager took on board the members’ comments and said that officers were trying to take a consistent approach to provide the right balance of information for each application and meet print deadlines.

RESOLVED to approve application no 11/02115/F 122 Unthank Road, Norwich and grant planning permission, subject to the following conditions:

1. Standard time limit.
2. In accordance with the drawings and details as submitted.
3. Materials to match existing unless otherwise agreed in writing with the LPA.
4. Details of:
5. New boundary treatments
6. New windows
7. New doors
8. Refuse and cycle stores
9. Provision of refuse and cycle storage prior to first occupation.
10. Landscaping details of hard and soft landscaping.
11. Water efficiency measures to achieve level 4 CSH.

Informatives:

1. The applicant is advised that refuse and recycling bins should be purchased by the applicant prior to occupation in agreement with Norwich City Council City Wide Services.
2. The applicant is advised that any property numbering queries should be directed to Kay Baxter, Address Referencing Officer (Norwich City Council) (Mondays and Tuesdays only): Tel 01603 212468.
3. Considerate Constructors Scheme (see extract below).
4. The properties will not be eligible for parking permits.

(Reasons for approval:

1. The National Planning Policy Framework (NPPF) states that local authorities should promote the bringing back into use of empty houses and saved policy HOU18 of the Local Plan continues this approach stating conversions of larger houses should not impact on the character of the surrounding area, but should provide satisfactory defensible amenity space, and an appropriate density of housing. Whilst the proposal results in a net decrease in the number of bed spaces, the density is still considered acceptable, the form of accommodation is

of a higher quality, and the knock-on impacts of the net reduction will have other positive benefits in terms of an acceptable provision of amenity space and servicing areas. The use of this property for residential purposes is considered to be complementary to the surrounding area and the highly sustainable location of the property, directly opposite the Unthank Road local centre, means that this is a high appropriate location for residential conversion. Therefore the proposals are considered to be in accordance with the objectives of the NPPF, Policy 4 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and saved policy HOU18 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

2. The site layout has been carefully considered and whilst the proposed new extension to the rear of the property will result in the loss of some of the rear amenity space, the remaining areas are still considered acceptable. Refuse and cycle storage is provided and subject to compliance with conditions is considered acceptable. The application sees the demolition of an existing lean-to structure to the rear of the property. This structure is dilapidated and in need of substantial repair. As such its loss is considered acceptable. The new extension proposed to replace this lean-to is considered acceptable in terms of its scale and design. It remains subservient to the main dwelling, despite the significant increase in size. The materials proposed will match that of the existing property which is considered acceptable. Therefore the proposals are considered to be in accordance with the objectives of the NPPF policy ENV7 of the East of England Plan (May 2008), policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011) and saved policies HBE12, EP22, TRA7, TRA8 and TRA9 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).)

6. APPLICATION NO 12/00966/F 21A DEREHAM ROAD, NORWICH, NR2 4HY

The senior planner (development) presented the report with the aid of plans and slides, which included a daylight and sunlight report.

A local resident addressed the committee on her own behalf and that of a neighbour and outlined their objections to the proposal which included concerns about security and safety to their properties and the need for a secure gate into the passage way; and, boundary treatments and overlooking.

The senior planner referred to the report and addressed the issues relating to overlooking and security that had been raised by the speakers. The committee was advised by the officer that the applicant had agreed that the access gate could be secured with an access code and this could be a condition of granting planning permission. The agent had also agreed that his client would be willing to liaise with residents over the boundary treatments. The planning development manager pointed out that the boundary treatments were not in the ownership of the applicant could not be conditioned but was a matter for the owners of the site and neighbouring properties. The committee was also informed that the council's natural area officer was consulted as a matter of routine when applications were received for vacant sites. Members considered that it would be appropriate for an additional condition for landscaping.

RESOLVED to approve application 12/00966/F 21A Dereham Road and grant planning permission subject to the conditions as outlined below:

1. Standard time limit.
2. In accordance with the drawings and details submitted.
3. Archaeology – Written scheme of investigation.
4. Archaeology – Works to be in accordance with the approved written scheme of investigation.
5. Archaeology - No occupation until site investigation and post investigation assessment completed.
6. Submission of external materials details for approval- new windows, doors, external gates and associated security fixings, boundary treatments, bricks, roof tiles, mortar mix and bond type, porches.
7. Submission cycle and bin storage details.
8. Provision of cycling parking/ bin storage.
9. Provision of access.
10. New housing water efficiency measures.
11. Landscaping scheme.

Informatives:

1. None of the new dwellings are eligible for parking permits.
2. Any new vehicle crossovers required a part of this development should be provided at the applicants costs. Advice to be sought from local highway authority.
3. Considerate constructors' scheme.
4. Archaeological Brief to be provided by the Norfolk Historic Environment Record.
5. Written confirmation from the statutory undertaker for movement of telecommunications equipment

(Reasons for approval:

1. The site is within a highly sustainable location with excellent access to local shops, services and the city centre and there are excellent public transport routes available from Dereham Road. The density being provided is equivalent to 75 dwellings per hectare, which although high is considered acceptable in such a sustainable location and tight urban environment. The proposals are therefore considered acceptable in principle and to accord with the objectives of the NPPF policy 4 of the Joint Core Strategy for Broadland Norwich and South Norfolk (March 2011) and saved policy HOU13 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).
2. The new dwellings will enhance the street scene of Raglan Street, removing a dilapidated run down workshop and replacing it with a residential frontage and the converted commercial unit fronting Dereham Road will also improve the street scene, replacing the commercial shop front with domestic style windows. The height of the 2no proposed dwellings in the rear yard has been reduced to replicate that of the existing infill development fronting Raglan Street. The form and scale have also taken reference from these adjacent dwellings but with a more traditional approach to design referencing the terraces of Dereham Road. Sufficient private and defensible amenity space is provided, along with adequate cycle storage and refuse storage provision. Subject to compliance with the

conditions of this permission the proposals are considered to represent good design and to be in accordance with the objectives of the NPPF, policy ENV7 of the East of England Plan (May 2008), policy 2 of the Joint Core Strategy for Broadland Norwich and South Norfolk (March 2011) and saved policies HBE12 and EP22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

3. Adequate car parking, and refuse and cycle storage is provided on site. The proposals are therefore considered to be in accordance with policies TRA5, TRA6, TRA7, TRA8 and TRA9 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).)

7. APPLICATION NO 12/01606/F 23 ORCHARD CLOSE, NORWICH, NR7 9NY

The planner (development) presented the report with the aid of plans and slides, including slides provided by the agent. She pointed out that the applicant had addressed the neighbours' concerns about overlooking by the use of semi-opaque glass in the side bedroom window and removed the raised patio from the plans.

RESOLVED to approve application no 12/01606/F, 23 Orchard Close, Norwich, NR7 9NY and grant planning permission, subject to the following conditions:

1. Commencement of development within three years.
2. In accordance with approved details and plans.
3. Materials to match existing.
4. Provision of opaque glazing in accordance with plans.

(Reasons for approval: The decision has been taken having regard to Statement 7 of the National Planning Policy Framework, March 2012, Policy ENV7 of the East of England Plan, 2008, Policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk, March 2011, Saved Local Plan Policies HBE12, EP22 and TRA6 of the City of Norwich Replacement Local Plan, Adopted Version November 2004 and to all material considerations. The proposed side and rear extensions would be of an acceptable scale and design and would not be significantly detrimental to the residential amenities of the neighbouring properties.)

8. APPLICATION NO12/01116/F 74 - 80 THORPE ROAD, NORWICH, NR1 1BA

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

Discussion ensued in which the planner and the environmental protection officer referred to the issues raised in objection to the proposed change of use, answered members' questions and explained that the noise abatement measures would be sufficient to prevent noise from the adjacent public house being a nuisance to the future residents.

RESOLVED to approve application 12/01116/F/F 74-80 Thorpe Road, Norwich, NR1 1BA and grant planning permission subject to the conditions as outlined below:

1. Standard time limit.
2. In accordance with plans.
3. Section 106 Agreement.
4. No occupation of dwellings until habitable rooms provided with trickle ventilators.
5.
 - (a) No use or occupation of dwellings until sound insulation measures have been installed in accordance with par.5.3.2 of AJA noise assessment (17 May).
 - (b) Further measures as identified in par. 5.3.2 of AJA noise assessment (17 May) to be installed in accordance with a scheme to first be submitted to and approved by the LPA.
6. No use of premises as dwelling houses shall take place until a mechanical ventilation system has been installed in full accordance with a scheme to first be submitted to and approved by the LPA.
7. Water efficiency.
8. Landscaping scheme.
9. Removal of permitted development rights.

(Reasons for approval: The proposal re-establishes residential use of vacant office space, the loss of which has been justified by the applicant. The site is ideally located in terms of providing excellent access to public transport and nearby services and secure and covered cycle parking is provided for each residential unit in addition to suitably located refuse storage. The site is located adjacent to Thorpe Road and The Coach and Horses Public House, both of which are regarded as sources of noise with the potential to disrupt residential amenity. The applicant has submitted two noise impact assessments and set out a series of mitigatory measures to attenuate against any noise disturbance. The reports have been assessed by the council's environmental protection officer and with regards to potential noise disturbance, the residential conversion is considered acceptable provided suitable acoustic insulation is implemented and subject to conditions. No external alterations are proposed that would exacerbate overshadowing or overlooking to adjacent properties. The extent of overlooking from first floor bedrooms onto the rear plots of houses along Rosary Road is not considered significant enough to merit refusal of the application. The proposal will result in a decrease in the number of parking spaces currently available at the site and the council's transport officer has expressed satisfaction with the car/cycle parking arrangements as well as access to the site. Subject to conditions the Landscaping details for the site are considered to be acceptable.

Subject to conditions therefore, the proposal is considered acceptable and to accord with the objectives of Sections 4, 6, 7, 11 and 20 of the National Planning Policy Framework (March 2012), Policies ENV7 and WAT1 of the East of England Plan (2008), Policies 2, 3, 4, 6 and 11 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), saved policies NE8, NE9, HBE12, EP10, EP22, EMP3, HOU15, SR7, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan (2004) and all other material considerations.)

9. APPLICATION NO 12/01679/NMA 27 GROSVENOR ROAD, NORWICH NR2 2PY

RESOLVED, having considered the report of the head of planning services, to approve application no 12/01679/NMA, 27 Grosvenor Road, Norwich, NR2 2PY and grant a non material amendment to planning permission 12/00419/F.

10. APPLICATION NO 12/01441/F 30 GREENWAYS, NORWICH, NR4 6PE

(Councillor Ackroyd having declared a disclosable pecuniary interest in this item left the meeting at this point.)

RESOLVED, having considered the report of the head of planning services, to approve application no 12/01441/F, 30 Greenways, Norwich, NR4 6PE and grant planning permission, subject to the following conditions:

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

(Reasons for approval: The scale and design of the extension in the context of the existing built environment is considered to be sympathetic to the appearance of the existing dwelling. Similarly, it is of a scale and design which will not be overly overbearing or result in significant overshadowing to the property to the west. It is therefore compliant with statement 7 of the National Planning Policy Framework 2012, policy 2 of the Joint Core Strategy for Norwich, Broadland and South Norfolk 2011 and policies HBE12 and EP22 of the City of Norwich Replacement Local Plan 2004.)

(Councillor Ackroyd was readmitted to the meeting.)

11. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE, JULY TO SEPTEMBER 2012 (QUARTER 2, 2012-13)

The planning development manager presented the report.

RESOLVED to note the report.

CHAIR