



## PLANNING APPLICATIONS COMMITTEE

10.00 a.m. – 2.35 p.m.

19 February 2009

Present: Councillors Bradford (Chair), Llewellyn (Vice-Chair), Collishaw (until part way through items 7 and 8 due to other Council business), Driver, Lay, Little, Lubbock and Stephenson

Apologies: Councillors Banham, Bearman and George

### 1. MINUTES

**RESOLVED** to approve the accuracy of the minutes held on 29 January 2009, subject to amending item 1, Public questions, by deleting 'square' from the sub-heading so that it reads 'Trafalgar Street'.

### 2. APPLICATION NOS 08/01296/F AND 08/01297/L – MEMORIAL GARDENS, ST PETER'S STREET

The Senior Planner (Development) presented the report with the aid of slides and plans, and together with the Planning Development Manager, answered questions. A further letter of representation had been received from the Royal British Legion confirming that they were pleased with the proposals. Members were advised that the building was in the Council's ownership and would be referred to the Secretary of State for a decision. The proposals did not alter the external appearance of the rear of the listed building but this constrained the use of the void underneath the structure as it could not be used by general public access under health and safety regulations. Any changes to this would require a further listed building application. The proposals did resolve the current structural concerns. The new slope met the requirements of the Disability Discrimination Act (DDA).

During discussion members welcomed the refurbishment, the improved access for people in wheelchairs and the turning around of the memorial to face City Hall and make better use of the public space. Members considered that civic pride and the use of CCTV cameras and police community support officers would deter anti-social behaviour.

**RESOLVED** to:-

- (1) approve Application No 08/01296/F – Memorial Gardens, St Peter's Street and grant planning permission subject to the following conditions:-

1. Standard time limit;
2. Provision of an agreed lighting plan and fittings;
3. Samples of all new stone to be agreed;
4. Mortar mix and pointing to be agreed;
5. Submission of a Waste Management Plan;
6. An implementation timetable for the landscaping scheme to be submitted, including a management and maintenance plan which includes details of irrigation and formative pruning;
7. Submission of a Programme of Archaeological Work.

(Reasons for approval:- The recommendation has been made with regard to policies ENV6 and WM6 of the adopted East of England Plan Regional Spatial Strategy, saved policies NE9, HBE3, HBE8, HBE9, HBE12, HBE19, SR3 and TRA14 of the adopted City of Norwich Replacement Local Plan, PPS1, PPG15, PPG16, PPG17 and all other material planning considerations.

Subject to the conditions listed, it is not considered that the special interest of the Memorial Gardens or the War Memorial will be fundamentally harmed by this scheme. In so far as changes are proposed they represent a new interpretation of these values for our own time which both builds upon and compliments those of the original design.

The scheme will enhance the function of the Gardens as a key urban space within the heart of the City and will facilitate commemorative ceremonies and disabled access. It is also considered that the proposals would represent an improvement, in crime prevention terms.)

- (2) refer application No 08/01297/L – Memorial Gardens, St Peter's Street to the Secretary of State for approval subject to the following conditions:-

1. Standard Time Limit;
2. Provision of a comprehensive Level 4 Record;
3. Provision of a detailed Method Statement for the dismantling, labelling, transportation, storage and re-instatement of the War Memorial and the Memorial Garden fabric;
4. Provision and agreement to a Specification and Method Statement covering the extent and nature of stonework repairs and cleaning to be agreed based on detailed Defects Report submitted as part of the application;
5. Details to be agreed concerning fixings for War Memorial flag poles and storage for the repaired poles when not in use;
6. Details of the restoration of the painted crest and lettering and the reinstating of functioning flambeaux on the Lutyens Memorial to be agreed;
7. Details of an agreed plan and location for the safe keeping and possible conservation repair of the contents of the Cask in the War Memorial and the reinstatement in the new location;
8. Provision of an agreed lighting plan and fittings;
9. Samples of all new stone to be agreed;
10. Mortar mix and pointing to be agreed.

(Reasons for approval:- The recommendation has been made with regard to policies ENV6 of the adopted East of England Plan Regional Spatial Strategy, saved policy

HBE9 of the adopted City of Norwich Replacement Local Plan, PPG15 and all other material considerations.

Subject to the conditions listed, it is not considered that the special interest of the Memorial Gardens or the War Memorial will be fundamentally harmed by this scheme. In so far as changes are proposed they represent a new interpretation of these values for our own time which both builds upon and complements those of the original design.)

### **3. APPLICATION NO 09/00012/U – 115 -117 CASTLE MALL**

The Senior Planner (Development) presented the report with the aid of slides and plans and pointed out that no further responses to the consultation had been received.

During discussion members welcomed the proposal for a health centre in the city centre which would be easily accessible by public transport. Some concern was expressed by Councillor Collishaw as to whether the Castle Mall was the best location for a health centre. Discussion ensued on the condition relating to the health centre not being open to patients or clients when the Farmers Avenue multi-storey car park was closed. Members considered that patients should not be denied access to health care in the event of temporary closure of the car park. Members were advised that in planning terms the condition had been proposed to ensure satisfactory parking provision for the health centre.

Councillor Stephenson moved and Councillor Little seconded that people should not be denied health care because of a car park being closed and that the condition in relation to the health centre not being open to patients or clients at any time when the Farmers Avenue multi-storey car park is closed be removed.

**RESOLVED**, with 6 members voting in favour (Councillors Stephenson, Little, Bradford, Lubbock, Lay, and Llewellyn) and 2 members abstaining (Councillors Collishaw and Driver) to remove the following condition:-

‘The health centre, hereby permitted, shall not be open to patients or clients at any time when the Farmers Avenue multi-storey car park is closed.’

**RESOLVED**, with 7 members voting in favour (Councillors Bradford, Lubbock, Lay, Llewellyn, Stephenson, Little and Driver) and 1 member voting against (Councillor Collishaw) to approve Application No 09/00012/U – 115 – 117 Castle Mall and grant planning permission subject to:-

- (1) no further letters of objection being received which raise new material planning objections before the 25 February 2009:
- (2) the following conditions:
  1. Standard Time Limit;
  2. Submission of a travel plan within six months of commencement of development.

(Reason for approval:- The recommendation has been made with regard to policy WM6 of the adopted East of England Plan Regional Spatial Strategy, saved policies SHO10, AEC2, TRA6, TRA7, TRA8, TRA11, TRA12 and TRA24 of the adopted City of Norwich Replacement Local Plan, PPS1, PPS6, PPG13 and all other material planning considerations.

It is considered that the site is an appropriate central location for a health centre use and that the proposal is in accordance with saved adopted Development Plan Policy. In terms of transport the site is well located for access to alternative modes of transport and subject to conditions is acceptable in transport terms.)

#### **4. APPLICATION NO 08/01304/F – SUSSEX HOUSE**

The Planner (Development) presented the report with the aid of slides and plans and answered questions. Members were advised that of the following amendments to the recommendations; in order to ensure the right of way through the site 'ensuring public access' should be added to the requirements for the Section 106 agreement and the first condition should be 'standard time limit' for commencement of works.

Councillor Collishaw said that she was disappointed that a former employment area in the city was being lost to housing.

**RESOLVED**, with 7 (Councillors Bradford, Llewellyn, Driver, Lay, Little, Lubbock and Stephenson) and 1 member abstaining (Councillor Collishaw) to approve Application No 08/01304/F – Sussex House and grant planning permission subject to:-

- (1) the completion of a satisfactory Section 106 Agreement by 15 April 2009 to include the provision of contributions to child play space, transportation contributions, ensuring public access and maintenance of communal areas:
- (2) the following conditions:-
  1. Standard time limit
  2. Samples of:
    - a) bricks
    - b) mortar
    - c) roof tiles
    - d) timber cladding panels
    - e) render
    - f) metal-clad balcony details
  3. Details in plan form of:
    - a) Windows
    - b) Doors
    - c) Fascia boards and eaves
    - d) Solar panels
  4. Written details of:
    - a) Rainwater goods
  5. Precise details of new opening in wall adjacent to St Martins at Oak Wall Lane to be submitted:
  6. Repairs to Oak Wall to be agreed
  7. Archaeological investigations;

8. Compliance with the Tree Protection Plan and Arboricultural Method Statement
9. Hard and soft landscaping scheme, including details of bollards to block pedestrian route through site to vehicles;
10. Replace any trees/plants from the approved landscaping scheme that die within five year period
11. Details of maintenance of public landscaped areas;
12. Path provided and retained through site as indicated on site layout plan.
13. Further land contamination details in the form of a preliminary risk assessment and site investigation scheme.
14. Details on monitoring, maintenance and any contingency action to be carried out on site for site contamination ;
15. If further contamination found details to be submitted to the Local Planning Authority and remediation methods to be agreed.

(Reasons for approval: The recommendation has been made with regard to the provisions of the development plan, so far as material to the application including policies ENV6, ENV7, ENG1 and WM6 of the adopted East of England Plan (May 2008), saved policies NE9, HBE3, HBE8, HBE9, HBE12, HBE19, EP1, EP16, EP18, EP22, HOU1, HOU6, HOU13, SR7, TRA3, TRA5, TRA6, TRA7, TRA8 and TRA11 of the City of Norwich Replacement Local Plan (November 2004), PPS1, Supplement to PPS1, PPS3, PPG13, PPG15 and PPG16.

Having considered all of the above and other material planning considerations it is considered that subject to the conditions listed and the contents of the S106 agreement that the proposals are an appropriate redevelopment of a Brownfield site in a sustainable manor which would enhance the surrounding Conservation Area. The proposal includes a suitable use and subject to the conditions listed will provide satisfactory amenity space, site layout, car parking and bin storage facilities as well as appropriate renewable energy provision.)

- (3) delegate authority to the Head of Planning and Regeneration Services if a satisfactory Section 106 Agreement is not completed prior to 15 April 2009, to refuse planning permission for the following reason:

In the absence of a legal agreement or undertaking relating to the provision of children's play space and transportation contributions the proposal is contrary to saved policies SR7, TRA11 and HOU6 of the adopted City of Norwich Replacement Local Plan, Adopted Version (November 2004).

## **5. APPLICATION NOS 08/01336/C AND 08/01337/F – 150 – 152 MAGDALEN STREET**

The Planner (Development) presented the report with the aid of slides and plans and answered questions. A further representation from English Heritage regarding measures to protect the fabric of the City Wall during demolition and redevelopment and that this was covered in the condition for the demolition and could be extended to the full application.

Councillor Lubbock said that the development would reinvigorate Magdalen Street but it was disappointing that the opportunity to reflect the architecture of the building on the other side of the street had been lost.

**RESOLVED** to approve Application No 08/01337/F – 150 – 152 Magdalen Street and grant planning permission subject to the following conditions:-

1. Standard Time Limit;
2. Details of;
  - (a) Rainwater goods;
  - (b) Bricks;
  - (c) Pantiles;
  - (d) External Brick Decoration;
  - (e) Timber Cladding (Colour and Finish);
  - (f) Joinery Details (Balconies);
  - (g) Access Gate;
  - (h) Access Gate Key Pad;
3. Shop front design (including scaled drawings of joinery);
4. Details of Velux Rooflights;
5. Archaeology Evaluation;
6. Hard and Soft Landscaping;
7. Details of Cycle parking;
8. Damage to Listed Building and Scheduled Ancient Monument are made good;
9. City Wall remains will be protected during works to our satisfaction;
10. Construction Traffic Management.

(Reasons for approval:-The proposed retail units are considered acceptable in this location. They will re-instate the traditional frontage of this area and improve the vitality and viability of the street. Therefore the development hereby permitted is considered to be in accordance with the objectives of PPS6 and saved policies HBE8, HBE12, EMP1, SHO3, SHO7, SHO12 and CC6 of the City of Norwich replacement Local Plan (Adopted Version November 2004).

The proposed residential development is considered acceptable in this location. An acceptable mix has been achieved of flats and houses. There is sufficient residential amenity in this location with a communal courtyard space being provided which in turn will retain the historic street pattern. Therefore the development hereby permitted is considered to be in accordance with the objectives of PPS1 and Annex to PPS1 and PPS3, and saved policies HOU2 and HOU13 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

The design, height, scale and massing has had careful consideration so as not to have a detrimental impact on the setting of the Scheduled Ancient Monument, surrounding street scene, gateway to the City Centre and key vistas. The traditional design of the residential and retail units is in keeping with surrounding buildings and sits comfortably in the wider Conservation Area. A high standard of residential amenity is achieved through development of the courtyard. Therefore the development hereby permitted is considered to be in accordance with the objectives of PPG15 and PPG16, Policies ENV6 and ENV7 of the East of England Plan (May 2008) and saved policies HBE8, HBE9, HBE12, HBE13, HBE14, and EP22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).)

**RESOLVED** to approve Application No 08/01336/C – 150 – 152 Magdalen Street and grant planning permission subject to the following conditions:-

1. Standard time limit;
2. Contractual Agreement for the re-development of the site;
3. Method Statement for the demolition of the building adjoining the Listed Building at 148 Magdalen Street;
4. Damage to Listed Building and Scheduled Ancient Monument are made good
5. City Wall remains will be protected during works to our satisfaction;
6. Archaeology Watching Brief;
7. Construction Traffic Management.

(Reason for approval: The proposed demolition is considered acceptable in this location. The existing buildings are of little architectural or historical merit and the demolition is required in order to facilitate the re-development of the site. Therefore the demolition hereby permitted is considered to be in accordance with the objectives of PPG15 and PPG16, Policy ENV6 of the East of England Plan (May 2008) and saved policies HBE1, HBE3, HBE8 and HBE9 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).)

## **6. APPLICATION NOS 08/01287/F AND 08/01241/L – 1-3 TIMBERHILL**

The Planner (Development) presented the report with the aid of slides. One further letter had been received from the applicant stating that the police were aware of the CCTV equipment and that the privacy mode was working.

The licensee of the Murderers' Public House addressed the Committee outlining his objections to the proposal. These included concerns that the camera was only being used to collect evidence to object to licensing applications for tables and chairs and the privacy of his customers and the private residential accommodation above the public house. He suggested that the camera could be moved down the wall.

The applicant then addressed the Committee in response and explained that there was no intention to look directly into the flat, that a hood on the camera could be dislodged and that the reason for the camera was to deter vandalism of the premises at 1-3 Timberhill.

Discussion ensued in which members were advised that the Data Protection Act regulated the use of CCTV cameras and protected people's privacy. Members considered that both the use of a hood and use of the security setting on the camera software should be sufficient to preserve the privacy of the residents in the private apartment above the public house.

**RESOLVED** to approve Application No 08/01241/L – 1-3 Timberhill and grant listed building consent subject to the following condition:

1. Removal of CCTV equipment when no longer required.

(Reason for approval: By virtue of the location of the CCTV camera under the eaves of the building and the design being similar to cameras used on other listed buildings around the city centre the CCTV camera is not considered to have an adverse impact on the special architectural or historic interest of the listed building. The camera is therefore considered to be in accordance with saved policy HBE9 of the City of Norwich Replacement Local Plan, Adopted Version (November 2004), policy ENV6 of the East of England Plan (May 2008) and Planning Policy Guidance 15. )

**RESOLVED** to approve Application No 08/01287/F – 1-3 Timberhill and grant planning permission subject to the following condition:

1. Details of method of obscuring view from top section of dome camera.

(Reasons for Approval: By virtue of the location of the CCTV camera in relation to the nearest residential dwellings and with the security setting and recommended condition to protect the privacy of adjacent residential occupiers the camera is considered to be in accordance with saved policy EP22 of the City of Norwich Replacement Local Plan, Adopted Version (November 2004).

By virtue of the location of the CCTV camera under the eaves of the roof of the building the camera is considered to have a minimal visual impact on the character and setting of the City Centre Conservation Area. The camera is therefore considered to be in accordance with saved policy HBE8 of the City of Norwich Replacement Local Plan, Adopted Version (November 2004), policy ENV6 of the East of England Plan (May 2008) and Planning Policy Guidance 15.)

**7. APPLICATION NO 08/01322/F – VIKINGS VENTURE SCOUT HUT,  
ADJACENT TO 420 DEREHAM ROAD**

The Senior Planner (Development) presented the report with the aid of slides and plans and advised members that the ordnance survey maps showed the site as vacant for many years. The Senior Planner (Development) and the Planning Development Manager answered questions on the report. Drawings of the site plan were circulated.

A resident of Dell Crescent circulated extracts of plans and newspaper cuttings of former chalk workings and lime kilns and the associated problems of subsidence and land movement. She then outlined her objections to the scheme in particular that increased traffic in Dell Crescent which she considered would exacerbate subsidence problems; the problem of parking on the cul-de-sac, and that emergency vehicles already had difficulty accessing Dell Crescent. Another resident of Dell Crescent then addressed the Committee with his objections to the proposal which included the access through Dell Crescent which was a cul-de-sac originally intended for 8 residences but now also serving the 3 blocks of flats; concerns about the loss of mature trees and use of hard wood cladding on the buildings.

Members then discussed the access to the site and noting that there had been access to the Scout Hut from the Dereham Road. The Committee was advised that it was policy to restrict the number of access points on to a main road.

The applicant, at the Chair's discretion, then addressed the Committee and said that an independent tree survey had been undertaken and that there had been detailed conversations with officers regarding the loss of trees and landscaping and access to the site. The development would provide 4 integral garages and 4 off street car parking spaces which reduced the impact on existing parking. The applicants had worked with officers to meet policy guidelines.

Councillor Driver moved and Councillor Stephenson seconded that the application be refused on the grounds of access.



(The item was then adjourned to allow the Principal Planner (Transport) time to attend the Committee meeting. The Committee then considered the following item before returning to determine this application. Councillor Collishaw left the meeting during this adjournment to attend to other Council business.)

The Principal Planner (Transport) explained that it was best practice to minimise the number of accesses on to major roads in order to reduce the number of accidents. The cul-de-sac should be able to cope with the relatively minor development of 8 apartments. The road surface could be strengthened to prevent soil movements. The buildings were close enough to Dereham Road for access from fire engines or ambulances. The number of traffic movements for each apartment were estimated at between 6-7 movements per day and peaking at around 5 extra movements an hour. Councillor Lubbock considered that the traffic movements would be similar to that of a Victorian terraced street in Norwich.

The Chair then put the amendment moved by Councillor Stephenson and seconded by Councillor Driver to refuse the application on the grounds of access and the loss of amenity and concerns of highway safety

(Councillor Collishaw had left the meeting at this point.)

**RESOLVED**, with 3 members voting in favour (Councillors Stephenson, Driver and Llewellyn) and 4 members voting against (Councillors Bradford, Lubbock, Lay and Little) the amendment to refuse the application on the grounds given was lost.

The Chair then moved the recommendations as set out in the report.

**RESOLVED**, 5 members voting in favour (Councillors Bradford, Lubbock, Lay, Little and Driver) and 2 members voting against (Councillors Llewellyn and Stephenson) to approve Application No 08/013322F – Vikings Venture Scout Hut and grant planning permission subject to the following conditions:

1. Standard time limit.
2. Precise details of external facing and surfacing materials.
3. Details of refuse storage enclosures to be agreed and retained.
4. Details of cycle storage enclosures to be agreed and retained.
5. Landscaping to be carried out and retained.
6. Landscape maintenance.
7. Tree protection.
8. Details (plans/sections) of access road.
9. Development to be carried out in accordance with recommendations in geotechnical report.
10. Submission of a completion report to confirm ground stability issues addressed.
11. Not less than 3 months before commencement of development, applicant to submit protocol on means to protect neighbours from excessive disturbance during construction period.

Informatives:

1. Advice regarding previous archaeological site evaluation.
2. Contents of protocol to cover noise audible at boundary at various times, mitigation of vibration effects etc.

(Reasons for approval: The principle of the use of the site for residential purposes is consistent with policies HOU1 and AEC3 of the adopted City of Norwich Replacement Plan 2004. The detail of the proposal provides satisfactory services and amenities for future occupiers of the development and safeguards those of neighbouring occupiers consistent with policy ENV7 of the adopted East of England Plan and policies HOU13, NE9, EP2, EP16, EP18, EP22, TRA5, TRA6, TRA7 and TRA18 of the adopted City of Norwich Replacement Plan 2004.)

## **8. APPLICATION NO 08/01126/U – 8 MILE END ROAD**

(Councillor Collishaw left the meeting during consideration of this item on other Council business.)

The Senior Planner (Development) presented the report with the aid of plans and slides and answered questions. Members were advised that a further letter of representation from the neighbours had been received, expressing concern for the 'right' for business access at the rear of the property; that refuse recycling bins should not be kept in the rear lane; additional traffic would worsen the poor condition of the lane to the rear of the applicant's premises; and concern at noise from business activity from the rear garden. A copy of this letter was circulated to members of the Committee. The issues raised in the letter had been addressed in the report.

A resident then addressed the Committee outlining his objections to the proposal which included concerns about the change of use to business in a residential area; loss of privacy; and pressures on parking spaces.

The applicant then responded and explained the nature of the business and that the change of use would only require one more car and would generate less noise than most family use. A green travel policy applied to the employees.

During discussion Councillor Lubbock pointed out that there were other non-residential uses in the Unthank Road and Newmarket Road area, including dentist surgeries and a nursing home. This application would have a minimal impact and it was not unusual for people to work from home.

**RESOLVED**, with 5 members voting in favour (Councillors Bradford, Lubbock, Lay, Llewellyn and Little), 1 member voting against (Councillor Driver), and 1 member abstaining (Councillor Stephenson) to approve Application No 08/01126/U – 8 Mile End Road and grant planning permission subject to:-

1. Standard time limit for commencement (3 years);
2. Business use of basement of premises limited to 55.37sq.m.;
3. Personal to applicant;
4. Maximum of 4 employees on site;
5. Premises to be used for the administration and client management of the business only with no on site training, events, programmes or meetings involving non on-site employees or external clients, unless otherwise agreed.

(Reason for approval: It is considered that the relatively small scale nature of the use proposed would not have a detrimental effect on the character or appearance of the Conservation Area and would enable the predominantly residential character and

amenity of the area to be maintained. Furthermore, the scale and nature of the proposed use is such that it is considered unlikely to result in detriment to highway safety or to the living conditions of local residents through additional demand for parking or noise and disturbance. Subject to conditions to limit the scale and nature of the business use and to ensure adequate cycle parking provision the proposal is considered acceptable and to meet the relevant requirements of saved policies EMP1, EP22, HBE8, TRA6 and TRA7 of the City of Norwich Replacement Local Plan 2004.)

(There then followed a short adjournment for lunch before reconvening.)

## **9. APPLICATION NO 08/01344/C – PUBLIC CONVENIENCE, ST BENEDICTS STREET**

The Senior Planner (Development) presented the report with the aid of plans and slides, and answered questions. Members were advised that the recommendation was to approve the application, with an additional condition to ensure that the adjacent tree was not harmed during the demolition.

During discussion Councillor Stephenson considered that the building was unique and of its time, and whether it could be retained for other uses. Councillor Lubbock considered that the demolition of the conveniences and the landscaping would be beneficial to the Conservation Area and was an asset in that it would expose the City Wall.

**RESOLVED**, with 5 members voting in favour (Councillors Bradford, Driver, Lubbock, Lay, and Little), 1 member against (Councillor Stephenson) and 1 member abstaining (Councillor Llewellyn) to approve Application No 08/01344/C – Public conveniences, St Benedict's Street and grant Conservation Area Consent subject to the following conditions:

1. Commencement within 3 years;
2. Recording;
3. Heritage Interpretation;
4. Any damage to be made good;
5. Landscaping;
6. Arboricultural impact and method statement.

(Reasons for approval:- The decision to grant conservation area consent has been taken having regard to saved policies HBE1, HBE3, HBE8 of the City of Norwich Replacement Local Plan (Adopted November 2004), policies ENV6 and ENV7 of the East of England Plan, PPG15 and PPG16 and all material considerations.)

## **10. APPLICATION NO 08/01248/F – GARAGES OPPOSITE 75-83 BARCLAY ROAD**

The Senior Planner (Development) presented the report with the aid of slides and plans and answered questions.

During discussion members welcomed the scheme which would provide affordable homes.

**RESOLVED** to approve Application No 08/01248/F – Garages opposite 75-83 Barclay Road subject to the following conditions:-

1. Standard time limit.
2. Precise details of external facing and surfacing materials.
3. Details of proposed solar panels to be agreed and installed.
4. Details of refuse storage enclosures to be agreed and retained.
5. Landscaping to be carried out and retained, inc. the proposed 'green space' adj. the development to the east..
6. Landscape maintenance.
7. Disabled parking spaces to be provided and retained.
8. All the proposed disabled persons parking spaces to be provided with lockable drop-down bollards.
9. If un-identified contamination found, mitigation measures to be agreed.

#### Informatives

1. Asbestos survey to be carried out prior to demolition. Any asbestos to be removed in accordance with regulations.
2. Mitigation of dust emission to be undertaken.
3. Construction noise to be mitigated by appropriate times of operation, direct noise minimisation and liaison with NCC officers.

(Reasons for Approval:- The proposed development will assist in meeting the affordable housing requirements of regional policy (policy H2 of the East of England Plan) and local policy (policy HOU6 of the adopted City of Norwich Replacement Local Plan, 2004) and is considered complementary with its surroundings and the amenity requirements of policy HOU13 of the adopted City of Norwich Replacement Local Plan 2004 and policy ENV7 of the East of England Plan.)

#### **11. APPLICATION NO 08/01207/U – HILL HOUSE FARM, HELLESDON HALL**

The Senior Planner (Development) presented the report with the aid of slides and plans. The Planning Enforcement Officer said that no objections to the applicant's previous use of the site had been received.

**RESOLVED** to approve Application No 08/01207/U – Hill House Farm, Hellesdon Hall and grant planning permission subject to:-

- (1) giving advance notice to the Health and Safety Executive allowing 21 days for their consideration of the matter and allowing them to invite the Secretary of State to call-in the application;
- (2) the following conditions:
  1. Commencement of development within three years.
  2. Provision of bicycle storage
  3. Hours of operation 07:30 – 18:00 Mon-Sat  
10:00 – 16:00 Sun and Bank Holidays
  4. No retail sales other than in garden centre shop (marked C on layout plan)
  5. External display areas shall be retained as designated on layout plan

6. The barn building shall be used for craft workshops, light industrial or offices only
7. Details of any plant and machinery
8. Details of any extract ventilation or fume extraction system
9. Details of any external lighting, including security lighting

Informative:

Only clean, uncontaminated surface water should be discharged to any soak away, watercourse or surface water sewer.

(Reasons for approval: It is considered that the proposed use would be appropriate for this site, and in particular, its historic barn. Subject to conditions, the proposal would not have a detrimental impact on adjacent and nearby occupiers. As such the proposal would comply with saved Local Plan Policies HBE9, EP3, TRA6 and TRA7 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).)

## **12. APPLICATION NO 08/01305/F – 152 ARMES STREET**

The Senior Planner (Development) presented the report with the aid of slides and plans and explained that notice to the Health and Safety Executive was because the site was in the vicinity of the waterworks. Members were advised that the development was below the threshold for an energy statement to be required.

**RESOLVED** to approve Application No 08/01305/F – 152 Armes Street and grant planning permission subject to:-

- (1) giving advance notice to the Health and Safety Executive allowing 21 days for their further consideration of the matter and allowing them to invite the Secretary of State to call-in the application;
- (2) the following conditions:
  1. Commencement of development within three years.
  2. Submission of details or sample of materials.
  3. Prior approval of further details:
    - (a) materials for driveways
    - (b) internal footpaths
    - (c) bin store
    - (d) windows
  4. Details of boundary walls, fences and hedges
  5. Provision of car parking and cycle storage
  6. Details of landscaping
  7. Maintenance of landscaping

(Reasons for approval: It is considered that the proposed residential scheme would result in an appropriate form of development for this Brownfield site. The proposal will provide much needed housing accommodation in this part of the City, and subject to conditions will enhance the appearance and amenities of the area without having an adverse affect on adjacent and nearby occupiers. As such the proposal would comply with saved Local Plan Policies HOU13, EP3, NE9, EP22, TRA6 and TRA7 of the City of Norwich Replacement Local Plan (Adopted Version, November 2004).)

**13. APPLICATION NO 08/01351/U – SOVEREIGN MOTOR COMPANY, MOUNTERGATE**

The Planning Enforcement Officer presented the reports for this and the following item, with the aid of slides and plans and answered questions. Members were advised that the second recommendation on both reports should be amended by the addition of 'and authorise the taking of legal proceedings including prosecution if necessary'.

**RESOLVED to:-**

- (1) refuse planning permission for Application No 08/01351/U – Sovereign Motor Company, Mountergate, on the following grounds:-
  1. The continued use of the site as a temporary car park would undermine the transportation strategy for Norwich to promote a shift of modal choice from the car to walking, cycling and public transport and as such would be contrary to saved policies TRA3, TRA21, TRA22 and TRA24 of the City of Norwich Replacement Local Plan and the objectives of PPS1, PPG13 and the Norwich Area Transport Strategy.
- (2) authorise enforcement action under section 172 of the Town and Country Planning Act 1990 (as amended) to secure the cessation of the unauthorised use and the taking of legal proceedings including prosecution if necessary.

**14. APPLICATION NO 08/01354/U – CAR PARK ON FORMER EEB SITE, DUKE STREET**

The Planning Enforcement Officer pointed out that there had been two letters of support from businesses using the car park.

**RESOLVED to:-**

- (1) refuse planning permission for Application No 08/01354/U – Car Park on Former EEB Site, Duke Street, on the following grounds:-
  1. The continued use of the site as a temporary car park would undermine the transportation strategy for Norwich to promote a shift of modal choice from the car to walking, cycling and public transport and as such would be contrary to saved policies TRA3, TRA21, TRA22 and TRA24 of the City of Norwich Replacement Local Plan and the objectives of PPS1, PPG13 and the Norwich Area Transport Strategy.
- (2) authorise enforcement action under section 172 of the Town and Country Planning Act 1990 (as amended) to secure the cessation of the unauthorised use and the taking of legal proceedings including prosecution if necessary.

**15. APPLICATION NO 08/01256/F – GARAGES ADJACENT TO AND EAST OF 2 ALBANY ROAD**

The Senior Planner (Development) presented the report with the aid of slides and plans and answered questions. He reported that a neighbour had submitted a late objection, stating a preference for a two-storey development in keeping with the other terraced houses in the street. Members were advised that the parking provision exceeded that required

**RESOLVED** with 6 members voting in favour (Councillors Bradford, Driver, Lubbock, Lay, Llewellyn and Stephenson) and 1 member against (Councillor Little) to approve Application No 08/01256/F – Garages adjacent to and east of 2 Albany Road and grant planning permission subject to the following conditions:-

1. The development must be begun within three years.
2. Details of facing and roofing materials to be submitted.
3. Hedges, walls and fences to be erected prior to use commencing.
4. Car parking areas and cycle storage to be laid out prior to use commencing.
5. Surfacing of the access ramp and parking area shall be of permeable materials only.
6. Soil amelioration.
7. Works to accord with AIA, AMS and TPP.
8. Site meeting regarding trees before commencement of development.
9. Landscaping scheme to be submitted.
10. Maintenance of landscaping scheme.

(Reason for approval: The decision is made with regard to policies HBE12, EP22, HOU13, TRA6 and TRA7 of the City of Norwich Replacement Local Plan Adopted Version November 2004 and all material considerations. The siting of a single storey dwelling on the site of lock up garages will enhance the visual appearance of the area and, in addition, because of the high quality materials and good design to be used together with its positioning in this residential area will enhance the impact of the development on the area as a whole.)

## **16. APPLICATION NO 08/01276/F – 178 CHRISTCHURCH ROAD**

The Senior Planner (Development) presented the report with the aid of slides and plans.

Discussion ensued in which members considered the objections from the neighbour.

**RESOLVED** to approve Application No 08/01276/F – 178 Christchurch Road and grant subject to the following conditions:-

1. The development must be begun within three years
2. Facing and roofing materials to match existing.

(Reason for approval: The decision is made with regard to policy HBE12 of the City of Norwich Replacement Local Plan Adopted Version November 2004 and all material considerations. Because of its design having minimal impact on the neighbour and the use of quality materials the extension will not be detrimental to the character of the area nor to the visual or residential amenities of the locality as a whole.)

**17. APPLICATION NO 08/01317/A – DIGNITY FUNERALS LTD, 4 CHURCH LANE**

The Senior Planner (Development) presented the report with the aid of slides and plans and answered questions.

During discussion members noted that there were other business signs in the vicinity and that the premises was opposite a supermarket. Councillor Stephenson objected to the sign and considered it distasteful.

**RESOLVED**, with 4 members voting in favour (Councillors Bradford, Little, Driver and Lubbock), 1 member voting against (Councillor Stephenson) and 2 members abstaining (Councillors Llewellyn and Lay) to approve Application No 08/01317/A – Dignity Funerals Ltd, 4 Church Lane and grant planning permission subject to standard advert conditions.

**18. APPLICATION NO 08/01334/F – 8 ST MILDRED'S ROAD**

The Senior Planner (Development) presented the report with the aid of slides and plans and explained that this was a retrospective application. Members were advised that the second recommendation should be amended by the addition of 'and authorise the taking of legal proceedings including prosecution if necessary'.

Councillor Stephenson said that many residents were concerned about family houses being turned into houses of multiple occupation for primarily use by students. The use was too intense and unacceptable for this road.

**RESOLVED** to:-

- (1) refuse planning permission for Application No 08/01334/F – 8 St Mildred's Road and on the following grounds:-

The proposed single storey rear extension by reason of its design and size would result in an excessive and over intensive form of development on this restricted site, likely to cause additional noise and disturbance to adjacent dwellings to the detriment of the residential amenities of the area. The proposal would therefore be contrary to policies HBE12 and EP22 of the City of Norwich Replacement Local Plan Adopted Version November 2004.

- (2) authorise enforcement action under section 172 of the Town and Country Planning Act 1990 (as amended) to secure the removal of the partially constructed passageway and shower room and the taking of legal proceedings including prosecution if necessary.

CHAIR