



Planning applications committee

09:30 to 11:25

23 April 2020

Present: Councillors Driver (chair), Maxwell (vice chair), Bogelein, Button, Huntley, Lubbock, Neale, Ryan, Sands, Sarmezey, Stutely and Utton

Apologies: Councillor Peek

1. Declarations of interest

There were none.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meetings held on:

- (1) 12 March 2020, subject to correcting the list of members present to record that Councillor Driver was present and in the chair; and,
- (2) 30 March 2020.

(Members were advised that the committee officer was recording the meeting for technical reasons and that the recording would not be retained.)

3. Temporary proposed revised scheme of delegation

The area development manager (outer) presented the report. During his presentation he referred to the Coronavirus Act 2020 and regulations relating to virtual meetings and explained the proposed scheme of committee delegations to the area development managers in consultation with the chair or if not available the vice chair. He commented on the unprecedented situation of the global pandemic and the pressures on the council's resources, including the redeployment of members of the development control team to assist vulnerable people and the redistribution of the business grant to support local businesses, and the need to balance resources against the council's priorities and maintaining planning services. Officers had taken into consideration the planning applications that were in the system and would

require determination in the next few months. The committee could take these into account and consider setting a specific timescale for review of these arrangements.

Discussion ensued in which the area development managers referred to the report and answered members' questions. This included an explanation of the additional tasks required by officers to hold a physical meeting of the planning applications committee, including the writing of committee reports, time spent at the meeting on the day and presentations to the committee. The area development manager (outer) considered that this amounted to around 45 to 50 hours and that he did not consider that a virtual meeting would be much less, as the meeting would be subject to the same publication rules, although reports would probably be presented by the area development managers rather than case officers. Members of the committee commented that the situation was fast changing and that if the officers had to produce a report for the chair to consider, in consultation with the officers, it seemed reasonable that this could be circulated to other members and that it was possible to hold a virtual meeting where members of the committee could consider the application in public. It was suggested that other councils were holding virtual meetings. A member suggested that it would be difficult to make decisions without the visual display of plans and slides and suggested that the chair and vice chair would use their discretion to not determine planning applications which they considered should be referred to the full planning applications committee. The area development manager said that this had been discussed at the meeting on 30 March 2020 and had resulted in the amendment relating to exclusion from the delegation to the area development managers in consultation with the chair or vice chair, of applications that were a resubmission of a proposal of the same character or on the same site where the committee had overturned an officer recommendation on a previous application. The area development manager (outer) said that the proposed scheme of delegations was a reasonable approach and that there were applications such as the Norwich School, which was in this category but they would use discretion to applications where officers considered that the committee should determine, such as an application on the Bartram Mowers site. They were aware that the council's reputation should be upheld.

Discussion ensued. A member pointed out that the technology was available for virtual committee meetings and there was no reason to "cast aside democracy" particularly for planning where the consequences of decisions would remain in the city for hundreds of years. Other members referred to the unprecedented circumstances of a global pandemic and that the council's priorities were to provide support for vulnerable people and support businesses during the current emergency and that the proposed change of scheme of delegations was a temporary measure. They also considered that officers and the chair or vice chair would use their discretion and important planning applications would not be determined under delegated powers but would be held over and referred to committee. Other members considered that decisions should be transparent and that members should be able to call in decisions to be made at a virtual meeting. Members acknowledged the pressures that the council was in to provide essential services and said that they would not call in applications for extensions or conservatories, but considered that there would be applications that required a committee decision and members needed a mechanism to do this. Members also considered that it was necessary to set a timescale for the review of the schedule of delegations. The situation regarding the pandemic was a fast changing one.

The area development manager (outer) then shared with the committee the following list of major planning applications which would be required to be reported to committee if a recommendation for approval were made under the current scheme of delegation (this list was accurate as of 22 April 2020):

Application Number.	17/00245/F
Location.	Land adjacent 37 Bishop Bridge Road, Norwich
Description.	Demolition of existing buildings and construction of foodstore (Class A1) with associated parking resubmission of previous application 15/00756/F.
No. of Objections.	9
Notes.	This application was submitted simultaneously with an appeal on an early refusal. That appeal was lost by the applicant (dismissed). The case has been dormant for some time and in its current form would not be recommended for approval.
Application Number.	19/00837/F
Location.	Land adjoining Lime Kiln Mews, Drayton Road
Description.	Development of site to provide 29 residential units with associated landscaping and highways works.
No. of Objections.	1
Notes.	The case is still being considered by officers.
Application Number.	19/00911/F
Location.	Bartram Mowers Ltd
Description.	Demolition of existing buildings and erection of 32 bungalows, 21 apartments, a residents pavilion, access and ancillary development.
No. of Objections.	52
Notes.	The case is still being considered by officers.
Application Number.	19/01147/F
Location.	Land opposite 153 Holt Road
Description.	Construction of vehicle hire depot including associated external storage, parking areas and creation of vehicular access.
No. of Objections.	9
Notes.	The case is still being considered by officers.
Application Number.	20/00267/VC
Location.	Land at Dowding Road, Taylors Land and Douglas Close
Description.	Variation of Condition 10: landscaping of previous permission 11/00766/RM to replace landscape report.
No. of Objections.	5
Notes.	The case is still being considered by officers.
Application Number.	20/00345/F
Location.	9 Surrey Street
Description.	Conversion from offices (Class B1) to 14no. dwellings (Class C3), insertion of 4no. dormer windows, ramp to main entrance, new entrance door to cycle store, with associated car parking, bin storage and landscaping.
No. of Objections.	1
Notes.	The case is still being considered by officers.

Councillor Neale referred to his amendment approved at the last meeting and said that he considered that all major planning applications should be excluded from delegation to the area development managers. Councillor Bogelein had submitted the following proposed amendment to the area development managers prior to the meeting, which was shared on the screen with members:

“Alternative scheme of delegation – Option A

A. Planning applications, conservation area applications, listed building applications and hazardous substances consent applications

All applications will be determined by the area development managers with the exception of the following:

(1) approval of major ^{[[1]]} planning applications if:

- (a) subject to one or more objections citing material planning issues, received within the consultation period; and
- (b) a member of the city council requests, within 35 calendar days (5 weeks)^{[[2]]} of neighbour notification letters being sent and an appropriate planning justification is made, that the application be referred to the committee for decision; or
- (c) for applications submitted prior to the date of this meeting, a member of the city council requests within 14 calendar days (2 weeks) of this meeting and an appropriate planning justification is made, that the application be referred to the committee for decision.”

Councillor Bogelein explained that her proposed amendment was for major planning applications and that minor applications like conservatories or extensions could be considered under delegated powers, in consultation with the chair or vice chair. Councillor Neale said that the committee should have the opportunity to view applications determined under the delegated powers and contact the chair or vice chair if they have any concerns. Councillor Bogelein moved and Councillor Neale seconded the amendment (reproduced above) and on being put to the vote, with 5 members voting in favour (Councillors Bogelein, Neale, Utton, Stutely and Lubbock), 6 members voting against (Councillors Sands, Driver, Huntley, Ryan, Maxwell and Button), and 1 member abstaining (Councillor Sarmezey), the amendment was lost.

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

RESOLVED, with 8 members voting in favour (Councillors Driver, Maxwell, Sands, Button, Huntley, Ryan, Sarmezey and Stutely) and 4 members voting against (Councillors Bogelein, Neale, Utton and Lubbock) to approve for use with immediate effect the changes to the scheme of delegation as set out in the “Proposal” section of this report and at Appendix B.

^{[[1]]} major is defined by central government as applications for 10 or more dwellings, outline applications for residential development on sites over 0.5ha, or offices, research, industrial, warehousing or retail development over 1,000 sq m or over 1ha for outline applications.

^{[[2]]} where there is a re-consultation this will be extended to the end of any re-consultation period.

Discussion then ensued on the review of the approved scheme of delegation. In reply to a member's question the area development manager said that reviewing the amended scheme of delegation would be the first item on the agenda of the first physical meeting committee when it was possible to do so. He also confirmed to another member, who had asked if the committee were to consider reviewing the arrangements before 3 months' were up and it was reasonably practical to hold a meeting as normal, that it would take place within this period.

Councillor Lubbock moved and Councillor Utton seconded that the temporary scheme of delegations was reviewed in 2 months' time and on being put to the vote with 5 members voting in favour (Councillors Bogelein, Neale, Stutely, Lubbock and Utton) and 7 members voting against (Councillors Sands, Driver, Huntley, Ryan, Maxwell, Button and Sarmezey) the amendment was lost.

The chair moved and the vice chair seconded that the scheme of delegations was reviewed in 3 months' time and it was:

RESOLVED, with 9 members voting in favour (Councillors Sands, Driver, Huntley, Ryan, Maxwell, Bogelein, Button, Sarmezey and Stutely), 2 members voting against (Councillors Lubbock and Neale) and 1 member abstaining (Councillor Utton), to review the temporary scheme of delegations in 3 months' time.