

## Planning Applications Committee: 6 November 2014

### Updates to reports

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#### Application no: 14/01134/F – 1 The Moorings

#### Page 21

#### Three additional letters of representation

- 1) Objecting as resident of Indigo Yard because:
  - proposed extension is out of keeping with surroundings and an eyesore to Indigo Yard
  - will exacerbate antisocial behaviour and drug abuse within area
  
- 2) Not happy about lack of consultation.  
Strongly object for the following reasons:
  - It will fill a small gap between the two houses with a structure out of keeping with their design
  - Will detract from gardens and open space of Indigo Yard courtyard and enjoyment of only space available. Area will be overlooked and ruined by the building.
  - Described as single storey but it is double as it extends to 2<sup>nd</sup> floor and will be overbearing
  - Light and space taken up by extension will be lost forever to provide one individual with more living space in an already large property.
  
- 3) Additional objection from 19 Indigo Yard. Includes document put together by Indigo Yard residents drawing attention to areas of critical interest to members on their site visit as well as other views on the proposal:
  - Extension not in keeping with either house design.
  - Planning permission for original scheme given for existing layout. Gaps and spaces important to separate houses in blocks of different design.
  - Additional space to already larger house.
  - Extension is equivalent to height of a two storey house bringing it within ~2m of No.19.
  - Closes gap between IY and riverside, a south-facing gap which provides light and spaciousness to Indigo Yard houses and courtyard.
  - Extension would tower over courtyard as an intrusive mass, affecting amenity of its users.
  - Members should walk through passageway – those who have rights to may not enjoy having to walk through a tunnel.

#### Additional note from applicant

- Draw attention to Indigo Yard already overlooked on all four sides.
- Indigo Yard entered through 'tunnel' – proposal is open along one side.

- Side of 1 The Moorings is dominant factor (3 storeys + roof) – extension occupies middle third; does not add to loss of sun or daylight.
- Overlap between host dwelling and 19 Indigo Yard is small and extension narrow at rear. From most viewpoints it will be seen against vegetation.
- Photograph provided from across river showing difficulty of reading relationship between the buildings.
- Consult river elevations on drawings 2&3.

#### Officer response

- Design issues addressed in paragraphs 3 and 29-39.
- Crime/ASB behaviour issues addressed in paragraphs 24-28.
- Amenity issues addressed in paragraphs 17-23.
- Issues of size of existing property are not material to assessment.
- All areas of interest to be visited by members.
- Issue of passageway addressed in paragraphs 35-37.
- Consultation – neighbour letters are only sent to properties within 10m of the site. The proposal was also advertised via site notice and an advert in the press.
- Applicant's points noted.

#### **Updates to October committee report not included within November committee report:**

##### Additional letter of representation

Additional objection from 2 The Moorings following revised description of side rather than front extension.

- It is still felt there is a negative effect on character and appearance of conservation area and frontage onto river.
- Issues regarding exacerbation of crime and antisocial behaviour.
- Passage between 1 The Moorings and 19 Indigo Yard is an important emergency exit in the event of a fire and provides an important gap between the buildings for the spread of fire.

#### Officer response

- Design issues addressed in paragraphs 3 and 29-39.
- Crime/ASB behaviour issues addressed in paragraphs 24-28.
- Exits are available into Unicorn Yard and onto Riverside Walk to the north of 8 The Moorings. Access on the affected path should still be available for those who require it and will be a civil matter. A gap will remain between the buildings, there is no minimum distance required between buildings and fire regulations will be assessed by Building Control.

##### Additional information from applicant

Visualisations have been provided showing the relationship between the proposed extension and 19 Indigo Yard from the south and the east. Also

provided is a further explanation of the overlap with No.19 and the effect on the view. A suggestion is made that the Thermowood could be finished in grey and the visualisations show this alongside photographs of where grey is used elsewhere on the building.

#### Officer response

Changing the colour of the material, although dealt with through condition, would affect the assessment of the extension in paragraph 31 particularly. The grey structure would be less 'softened' but its colour would take reference from other parts of the building such as the windows, doors, timber boarding and roof covering.

#### Change to report

*Paragraph 10:*

#### **'Supplementary Planning Documents and Guidance**

Northern Area Action Plan (March 2010)'

*To be amended to read:*

#### **Northern City Centre Area Action Plan (March 2010)**

TU1 - Enhancement of the historic environment, and re-establishment of historic street pattern.

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### **Application no. 14/01234/F – 41A Ipswich Road**

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#### Additional letter of objection (which should have been in the body of the report)

*An administrative error meant that this letter was acknowledged but not put on the website or specifically referred to within the committee report. All planning matters raised are already covered by other letters received and so the issues are addressed within the body of the committee report.*

As resident and chairperson of Harford Manor Houseowners' Association:

- An application to 'regularise' the use of the site fails to acknowledge the fundamental change in the volume of its use in recent times and the major disruption it has caused to residents of the close.
- Use of the term 'regularisation' is disingenuous in this context as in the 30 years to association has been established, only at the last two annual general meetings has the serious disruption been raised.
- Damage to hedge and fence of No.8 as a result of activities
- One tenant has already left as a result
- Serious concern over lack of consultation on the issue – more people should have been informed in writing.
- Noise assessment may not have been undertaken on days reflective of the heaviest use of the site.

- Given recent extension to the use of the site the residents are concerned about future expansion and see no firm assurances about this.

#### Officer response

- The term regularisation is used as it looks to continue its current operations. This should be viewed in the context of the assessment of the site's alleged intensification. This is addressed in paragraphs 11-18.
- The issues relating to the hedge are covered in paragraphs 31-33.
- Without planning permission the issues relating to noise are more than likely to continue given the planning context of the site. The proposals to regularise offer a degree of control which does not currently exist, for instance the ability to enforce against unduly noisy practices which are not in line with those agreed in a future site operations management plan.
- The report makes reference to significant instances of noise that the noise survey will have missed such as the dragging of the skip. Unacceptable working practices can be addressed through a management plan. See paragraph 22.
- Expansion of the site is constrained by its size but refusal may lead to a different operator running the site unrestricted at even earlier times.

#### Councillor objection (Stephen Little)

Objection to 7:30am start as it is too early. An 8am start would be more appropriate as consideration should be given to the fact that this is a B1 Industrial site which has developed in close proximity to neighbouring properties. Although it benefits from little or no enforceable planning law in relation to intensification of use, this offers no justification to diminish the rights that neighbouring residents have to a decent level of amenity.

This 8am start is justified (as a compromise between commercial and residential interests) by the fact that:

- Noise and activity are likely to cause disturbance which will cause loud short term effects not accurately reflected in noise measurements over 5 minutes; and
- 2m barrier would not benefit upper windows.

With regards recommendations from noise survey:

- 'no objection to implementation of the recommended measures' should be strengthened to include a firm commitment to implement the measures
- In particular, specific reference to the following is needed:
  - Discontinuation of dragging on skip
  - Commitment to replacing of older skips sooner rather than later (or other noise reduction measures)
  - Immediate installation of rubber on handles

As well as 2m fence, the hedge should be reinstated.

While the above issues are important it does not deal with the long term issues of the site. It is disappointing to not see a more comprehensive solution such as looking at more soundproof storage or relocating some or all of the activity to a more suitable site.

#### Officer response

- The noise survey is acknowledged as a subjective assessment which identifies the main sources of noise which has informed the list of recommended conditions. While accepted as not removing all sources of annoyance, the situation would be preferable to an unrestricted use.
- 2m barrier – see paragraph 25.
- Hedge – see paragraphs 31-33.
- The list of conditions were agreed at draft stage with the applicant and client as reasonable and if approved they would look to implement them. Of particular importance is the site operations management plan which would help reduce disturbance through bad working practices.
- There is no commitment to replacing skips but there is to installing the rubber on the handles.

The agent and client would not accept an 8am start, with the following justification provided:

Through the passage of time the depot is effectively established as a lawful use with no restrictions on working hours and practices; there is no material change of use to warrant enforcement. The client has also sought to work with neighbours to amend start times. Regarding the 8am start:

- Financial implications – lost time where staff cannot work but must be paid.
- Later time may result in drop of standards for existing clients and loss of business.
- Working mainly on school sites (including infant and nursery) – for Health and Safety reasons there is a need to be on/away from site before children and staff arrive.
- Starting at 8am would mean vehicle access on customer sites would be an issue with parent and staff cars
- Operational need to tow trailers is benefited when not driving in peak traffic conditions.
- 8am start would require 5:30pm finish and potential issues for other neighbours
- Winter gritting – need to be out gritting well before 8am before general public use sites (e.g. car parks)
- Leaf cleaning from public car parks needs to be done as early as possible
- Amended times would be anti-competitive and therefore unreasonable as competitors do not have these restrictions.
- Would cause significant operational issues and become unusable and unviable so therefore not acceptable

## Application no. 14/01228/F – 220a Unthank Road

### Page 69

#### Correction

- Para 44 – The distance to the boundary is **8.5 metres** and not 5.8 metres

#### Further clarification

The report did not identify all of the changes included with the revised plans.

In addition to the length of the extension being reduced from 8.1 metres to 7.1 metres, the roof profile has been simplified and reduced in height from 5.5 metres to 4.2 metres.

#### Officer response

The simplification of the roof profile and a reduction in height has the effect of reducing the scale of the extension further, making it more sympathetic to the visual amenities of the street scene, appearance of the original dwelling and the amenities of neighbouring properties.

#### Additional submission

Are you able to confirm that, as this application is for a residential annex to 220a, that it would not be permitted for it to be rented out as a separate dwelling?

#### Officer response

See paragraphs 8, 9, 14 and 15 of the report

Also note – recommended condition 3

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*The annexe hereby permitted shall only be occupied by a family member and incidental to the enjoyment of the main dwelling. The single storey one bedroom annex shall not be converted independently other than for purposes ancillary to the residential use of 220a Unthank Road. At no time shall the single storey one bedroom annex be leased or occupied independently from the main dwelling.*

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**Application 14/01235/VC – Three Score Land South of Clover Hill Road,  
Bowthorpe**

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Revisions to the Landscape General Arrangement Plan and Planting Strategy, as well as the Invertebrate Mitigation Study have been submitted in order to address concerns raised by the Council's Natural Areas Officer and Landscape officers. Bat / Bird boxes are proposed to be resited from locations upon proposed trees to either existing trees or proposed buildings. The mix of planting is proposed to be changed, and screen planting is proposed to the proposed substation. These additional proposals would help to address the concerns raised and ensure that the proposals would not impact unduly upon biodiversity.

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**Application no. 12/00143/ET – Depository Building Part Lion House And  
Part Seymour House, Muspole Street, Norwich**

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There is an error in the recommendation, the section in brackets should read "12/00143/ET Depository Building Part Lion House And Part Seymour House, Muspole Street, Norwich".

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