



**Planning applications committee**

**10:00 to 13:10**

**12 September 2019**

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

Apologies: Councillor Huntley, Neale and Peek

(Due to the large numbers of people attending the meeting for item 3 (below) the committee moved to the council chamber before the start of the meeting.)

**1. Declarations of Interest**

There were none.

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meeting held on 12 September 2019.

**3. Application no 19/00933/F and 19/01014/L - 5 Recorder Road, Norwich, NR1 1NR**

The planner referred to the supplementary report of updates to reports which was circulated at the meeting, containing a summary of six further representations and the officer response, an update on the total number of representations received and other matters, including corrections to typographical errors in the main report. A copy of the police architectural liaison officer's response was appended to the supplementary report. She said that the local press had reported that the cabinet member and council supported applicant's proposal. However she pointed out that planning was a separate process to the rest of the council and that the determination of these planning applications was for the members of this committee. The planner then presented the main report with the aid of plans and slides.

Fourteen speakers, comprising representations from and on behalf of the Greek Orthodox Church and local residents, addressed the committee with their objections to the proposed change of use and listed building consent. This included: concern about that the change of use would exacerbate antisocial behaviour in the area, including drug dealing and other criminal activities; that it would impact on the activities of the church, including concern that the fencing would impede access to the church for funerals and weddings, and block fire exits; concern about potential security issues for the church and that members of the congregation, particularly older volunteers and families with children, would be fearful to attend the church or let children play in its vicinity which would be overlooked by CCTV cameras; that

there was a large number of older people living in the area and that they were fearful of going out and for the safety of their visitors; that the proposal compromised the “safe haven” of hundreds of older and vulnerable residents to provide accommodation for 16 homeless people; that there the proposed change of use would generate noise and disturbance to local residents; and, concern about the applicant’s ability to control the behaviour of its clients, stating examples of antisocial behaviour at its premises in Bishop Bridge Road. Other concerns expressed were that the proposed change of use was contrary to national and local planning policy, and the required physical measures were inappropriate for the listed church building. Concern was also expressed that the proposed change of use was in the wrong location and that it would cause the thriving congregation to decline resulting in a loss of income and the ability of the church to maintain the listed building. A speaker pointed out that the site plan was incorrect and included land a third of which, belonged to the church. Three speakers referred to the planning process being biased or flawed in that Councillor Maguire, a cabinet member, had endorsed the scheme and that funding constraints had determined the applicant’s structural choice of an office block conversion. (The chair interceded at one point and said that Councillor Maguire was not a member of the committee making the decision on this application.) A speaker referred to the “revolving door” of homelessness and reoffending, and questioning the applicants’ business model to provide an assessment centre for 16 homeless people, suggesting that it would need to bring people into the city to be assessed. Members were also asked to undertake a site visit. Members were also asked to take into consideration the report of the police architectural and liaison officer in full (which had been circulated at the meeting.)

The agent explained that the media coverage was around the council’s corporate plan and its support to address rough sleepers in partnership with St Martin’s Housing Trust. Speaking in support of the application she said that homeless people were often vulnerable and older people and it was incorrect to consider that every homeless person had problems with substance abuse; that the location was on the edge of the night time economy; that the applicants worked with the police who did not object to the proposal; that the council’s conservation officers had suggested the conditions and that the second set of gates was an additional security measure to allow access to the church without compromising the security of the hub. The site would be under constant surveillance by staff. There was an urgent need for this facility, especially as the coldest winter in 30 years had been predicted and the funding grant was time sensitive. At the chair’s discretion, a representative for the applicant, addressed the committee and said that homeless people had low levels of violence and the majority were kind, caring people. The CCTV was intended to be a deterrent to antisocial behaviour and staff would report incidents to the police. She expressed concern that without this facility lives of homeless people would be lost.

(The committee had a short break at this point and reconvened with all members listed present as above.)

The area development manager (inner) announced that the application had not been advertised properly and therefore could not be considered further. During the break officers and the applicant had checked the red line shown on the location plan and as one of the speakers had said the red line had been drawn too far south into land owned by the church. Therefore the correct notices had not been served and the application was invalid. He apologised to the committee but said that the issue had only come to their attention at this meeting and had not been raised during the

consultation. The planners had acted on the application in good faith as it had been received from the applicants.

The chair moved and the vice chair that further consideration of these applications be deferred to the next meeting.

**RESOLVED**, unanimously, to defer consideration of application nos. 19/00933/F and 19/01014/L - 5 Recorder Road, Norwich, NR1 1NR, until the next meeting to enable the applicant to resubmit the site location plan to validate the application.

Councillor Utton moved and Councillor Stutely seconded that members of the committee undertook a site visit before the next meeting, and it was:

**RESOLVED** to undertake a site visit to 5 Recorder Road, Norwich, before the next meeting.

(The committee had a short break at this point and reconvened in the Mancroft room with all members as listed above as present.)

#### **4. Application no 19/01073/VC - 286 Dereham Road, Norwich, NR2 3UU**

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting which noted that three additional letters of support for approval of the application had been received.

Councillor Stonard, cabinet member for sustainable and inclusive growth and local resident, explained the reasons for calling in the determination of this application to members. The centre was at its busiest for Friday lunch time prayers; there was parking on site and it was open for longer hours during the month of Ramadan. Speaking in support of the Norwich and Norfolk Muslim Association he said that there had been no complaints about noise in the eight years since the community had started using the premises and there was no reason to refuse the application to extend the hours of operation because of speculation that the community would expand. He considered that the usage was likely to decline rather than expand because of the planned mosque in Aylsham Road, and suggested that consent could be granted for a temporary period.

Councillor Youssef, Nelson ward councillor, explained that the removal the condition for opening 24 hours a day was required because early morning prayers fell outside the current operating hours. The community was proactive in hosting events and open days and was committed to making as little noise as possible when entering or leaving the premises.

At the request of the chair a statement was read out from Councillor Peek, Wensum ward councillor, in which he stated that despite local people expressing concerns about noise and disturbance to previous planning applications from the community; he had not come across any concerns or complaints from residents when canvassing, which was unlike the situation when the premises had been used as a public house.

A representative spoke on behalf of the applicants, and confirmed that the application was for the centre to be used for prayer 24 hours a day, but that the current hours of operation would apply for all other activities and, that when leaving the centre at unsocial hours, members of the community were not permitted to speak.

The planner and the area manager development (outer) referred to the report and answered members' questions. Members considered whether the condition could be removed as a temporary consent. Members noted that the restrictions of use did not apply during Ramadan and were advised that a three year period would be sufficient to assess whether there were any issues. The options available to members was to refuse the application as recommended in the report; approve for a temporary basis so that it could be reviewed, or approve on a perpetual basis.

During discussion members considered that there was more ambient noise during the day and that a car door slamming at 03:00 had a greater impact. Members also took into consideration that the centre could be used less when the mosque at Aylsham Road came into use. Members considered that a temporary consent could be reviewed after a period of three or five years. The removal of the condition to allow 24 hours day a use for worship was considered to be a reasonable request. Members were advised that the change of condition had potential to cause a disturbance to residents and that if there were issues a longer period of consent would mean that residents would have longer to wait for it to be reviewed. In reply to a question, the area development manager (outer) said that the permission to worship at the centre would not set a precedent because each case would be considered on its individual merit. The centre at Dereham Road was on a busy main road and as it was larger, had more capacity than the centre at Sandy Lane.

Councillor Stutely moved and Councillor Grahame seconded that the application be approved for the community centre and place of worship to allow 24 hour use for worship only for a period of five years. A member spoke in support of a granting the consent for a three year period as this should be sufficient to assess the situation.

**RESOLVED**, unanimously, to approve application no. 19/01073/VC - 286 Dereham Road, Norwich, NR2 3UU and allow 24 hour use for a temporary period of five years and subject to all other conditions as set out in approved application no 18/01402/VC.

#### **5. Application no 19/00427/F - Garages between 80 - 92 Lincoln Street, Norwich**

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

Councillor Carlo, Nelson ward councillor, addressed the committee and explained her reasons for calling in the application for committee determination. She said that she considered that four five bedroom houses was over development of the site; likely to be let as houses in multiple occupation (HMO), and that with no parking provision, there would be pressure on adjacent streets which would impact on residents and delivery vehicle, would block the road.

The planner said that Use Class C3 houses could become small HMOs under permitted development rights. She referred to minimum space standards and the area development manager highlighted that the national space standards were not

set up for assessing HMOs. However, officers considered that the proposal provided adequate amenity and communal living space for five people. Members were advised that the site was located within a controlled parking zone and new dwellings in these zones were not eligible for parking permits.

During discussion the planner, together with the area development manager (outer), referred to the report and answered members' questions. Members were advised that there was already extant outline consent for four houses on the site. There was no reason in policy terms to refuse the application on the grounds that the houses could become HMOs, or control ownership to prevent a single landlord owning all the houses. Members were advised that all HMOs were subject to licensing. Members also considered that the houses would have no parking provision for residents or visitors and that this would impact on other residents. The future occupants could be professional people and were not necessarily students. Members also considered that there was access to the car club at this location. Members were advised that a condition was recommended requiring the submission of a construction management plan.

Councillor Sands (M) said that he was concerned that 20 people would live in a small area and whilst a HMO provided housing for young people, there was still a need for affordable family housing in the city.

**RESOLVED**, with 9 members voting in favour (Councillors Driver, Maxwell, Button, Bogelein, Lubbock, Ryan, Sarmezey, Stutely and Utton) and 3 members abstaining from voting (Councillors Grahame, Sands (M) and Sands (S)) to approve application no. 19/00427/F - Garages between 80 - 92 Lincoln Street, Norwich, and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials;
4. SUDS;
5. Landscaping scheme to include small mammal access fencing and biodiversity enhancements;
6. Details of Air Source Heat Pump prior to installation;
7. Details of bin and bike stores;
8. Construction management plan to be submitted;
9. Contamination report;
10. Contamination verification/monitoring;
11. Obscure glazing of first floor en-suite windows;
12. Rooms to be laid out as shown;
13. Removal of PD rights;
14. Water efficiency.

#### Informatives

1. Asbestos
2. The applicant is reminded that, in accordance with local plan policy, new dwellings in existing controlled parking zones are not entitled to parking permits and therefore the dwellings hereby permitted will be car free houses;
3. Any works to the highway will require a streetworks permit;
4. Street naming;

5. Bin purchases;
6. Site clearance and wildlife.

**6. Application no 19/00083/F - 2 Langton Close, Norwich, NR5 8RU**

(Councillor Sands (S) left the meeting during this item and did not take part in the determination of the planning application.)

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

During discussion the planner referred to the report and answered members' questions, and confirmed that the building line of new dwelling would be slightly forward of no 2 Langton Close. Members were also advised that the landscaping scheme would be agreed at the discharge of conditions stage and this would include the type of species to be planted and biodiversity measures.

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

**RESOLVED**, unanimously, to approve application no. 19/00083/F - 2 Langton Close, Norwich, NR5 8RU and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials;
4. SUDS;
5. Landscaping scheme to include replacement tree planting and biodiversity enhancement measures;
6. Details of bin and bike stores;
7. Arboricultural pre-start meeting
8. Obscure glazing to first floor bathroom;
9. Removal of PD rights;
10. Water efficiency.

**Informatives**

1. Any works to the highway will require a streetworks permit;
2. Street naming;
3. Bin purchases;
4. Site clearance and wildlife.

CHAIR