

## **Planning Applications Committee: 14 December 2023**

### **Updates to reports**

#### **Application no 23/00843/F – Site Adjacent to 99-105 Netherwood Green, Norwich**

**Item no:** 4

**Pages:** 15 – 34

**Officer note:** It is currently standard practice for Planning Services to notify interested parties of the date of the committee meeting for the relevant application. A letter was sent to interested parties on 7 December which erroneously stated that the committee date was 9 November. This was corrected on 11 December when a letter with the correct date of 14 December was sent.

#### **Two further letters of objection received raising the following issues:**

- Objection to the addition of bollards which would obstruct right of way to Martineau Cottage. Also would cause obstruction to long standing public rights of way. Concern about ability of emergency vehicles to access site.

**Officer response:** There is currently no vehicular access to Martineau Cottage from Netherwood Green, there is only a pedestrian access. This pedestrian access would remain and there would be no obstruction to this. The emergency services will have the facility to be able to lower the bollards so there would be no obstruction to access for emergency vehicles, indeed it would be possible for them to get closer to Martineau Cottage due to the removal of the garages.

There is no objection from Norfolk County Council to the inclusion of bollards. It is intended that new waiting restrictions in the form of double yellow lines will be painted on the highway side of the bollards to deter parked cars from causing an obstruction – this will be secured by condition.

It should also be noted that rights of way across land is a civil matter between landowners and is not a planning matter.

- Concern about crime and anti-social behaviour caused by the proposal

**Officer response:** This matter is addressed within the committee report, under Main Issue 3: Amenity on page 22.

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#### **Application no. 23/01166/F 1 Fernhill, Norwich, NR1 4AQ**

**Item no:** 6

**Pages:** 51-62

**Officer note:** The report refers to the application being called in by a Councillor. It was called in by Councillor Claire Kidman, who has made the following comments in her request:

“In the event that Planning Officers are minded to refuse this planning application, I would request that it is referred to planning committee for determination on the basis that I am concerned that the public benefits of the scheme, including the ability for people to improve the energy efficiency of their properties and reduce carbon footprint in accordance with the aims and objectives of the Norwich City Local Plan, must have the opportunity to be properly weighed against the lack of identified harm to designated heritage assets as concluded within the Applicant’s Heritage Statement”.

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**Application no. 23/01074/VC 6 Aylsham Crescent, Norwich, NR3 2RZ**

**Item no: 7**

**Pages: 63 – 72**

**Officer note:** For clarity, the description of the proposal should be amended to read ‘Variation of Condition 3: Opening Hours of permission 20/00497/F’. In the event that consent is granted, it is any condition attached to the decision that will govern the opening hours and not the description of the proposal.

The officer report also indicates that the decision notice for 20/00497/F should have been attached as an appendix, but this was omitted. The decision notice is therefore attached on the following page of this updates document.

**Item 7 - Appendix**  
**Decision Notice - Application no. 20/00497/F**



**Application submitted by:**  
K Garnham Design  
The Clyffe  
St Leonards Road  
Norwich  
NR1 4JW

**On behalf of:**  
Mr N Ozdemir  
67 Winstanley Road  
Norwich  
NR7 0YH

TOWN AND COUNTRY PLANNING ACT 1990

**PLANNING PERMISSION**

**Application Number:** 20/00497/F

**Valid date of application:** 29 April 2020

**Decision date:** 20 August 2020

**Location:** 6 Aylsham Crescent, Norwich, NR3 2RZ

**Proposal:** Change of use from financial services (Class A2) to cafe/takeaway (Class A3/A5) including external ventilation equipment.

**Conditions and Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason:

As required to be imposed by section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the application forms, plans, drawings and details as specified below:

Design and Access Statement Received 29 April 2020

1603 1 Composite Plans - Existing Version B Received 29 April 2020

1603 2 Composite Plans - Proposed Version A Received 29 April 2020

Reason:

For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans.

3. The uses hereby approved shall not take place outside of the following hours:

- before 0800 hours and after 2200 hours Mondays - Sunday and bank holidays

Reason:

To safeguard the amenity of the surrounding area, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

4. No occupation of the development shall take place in pursuance of this permission until precise details of the method of attaching the air conditioning units shown on approved plans to the building have been submitted to and agreed in writing with the Local Planning Authority. These submitted details shall specify the use of anti-vibration mountings. The installation of the air conditioning units shall be carried out in accordance with the details as agreed and retained as such thereafter.

Reason:

To ensure that residential living conditions and local amenities are not adversely affected by the development proposed through unacceptable levels of noise and disturbance, in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

5. No extract ventilation or fume extraction system shall be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority. The detailed scheme shall include the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment to be installed and used in the premises in pursuance of this permission, together with a schedule of maintenance. No use of the premises as hereby permitted shall take place until the approved scheme has been installed and is operational and thereafter it shall be retained in full accordance with the approved details and the maintenance of the system, including any flue, shall be carried out in accordance with the scheme as agreed.

Reason:

To protect the amenities of the area and prevent nuisance from noise and odour in accordance with policy DM2 and DM11 of the Development Management Policies Local Plan 2014.

#### **Article 35(2) Statement**

The local planning authority in making its decision has had due regard to paragraph 38 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

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**Informatives:**

1. The developer is advised that any asbestos encountered on the site, either as part of the existing buildings or as fill material, should be handled and disposed of as per current Government guidelines and regulations.

A handwritten signature in black ink, appearing to read 'Mark Brown', with a stylized, cursive script.

Mark Brown  
Area Development Manager  
Planning Services