



Planning applications committee

9:30 to 12:40

16 April 2015

Present: Councillors Gayton (chair), Sands (M) (vice-chair), Ackroyd, Blunt, Boswell, Bradford, Button, Herries, Jackson, Neale and Woollard

Apologies: Councillor Grahame

1. Chair

RESOLVED to note that this will be the last meeting chaired by Councillor Ralph Gayton, who will be standing down as a councillor in May 2015, and to record a vote of thanks for his contribution as chair for the civic year 2014-15.

2. Declarations of interest

There were no declarations of interest.

3. Minutes

RESOLVED to approve the minutes of the meeting held on 26 March 2015.

4. Applications nos 15/00139/MA and 15/00232/L - Land Rear of 39 Unthank Road, Norwich

The senior planner (development) presented the report with the aid of plans and slides, and explained the changes to the previous planning application, that the site had been resold and the current applications had been submitted by the new owners. A number of objections had been received which were summarised in the main report and the supplementary report of updates to reports, circulated at the meeting. There had been an additional objection about a concern that the council had not consulted on revisions to the scheme. The senior planner pointed out that there was no need to consult as these were minor amendments and addressed issues that had been raised by neighbours during the previous consultation.

The immediate neighbour to the site addressed the committee and outlined his objections to the proposal. He said that the extenuating circumstances that had been relevant to the previous approvals did not apply to this application. He pointed out that the five year land supply was no longer an issue. The previous application had been finely balanced between harm to the amenity of the surrounding listed buildings and provision of accommodation for the then owner. The land had subsequently been sold for development. He also considered that the increased height of the single storey would block sunlight to his property and that moving the dining room to the rear of the building would create noise from open windows and

French doors which were only 7 metres from his child's bedroom. He called on the committee to refuse the application.

The applicant explained that she and her husband, who was unable to attend the committee meeting, had purchased the site to create a home for their retirement. They were aware of the need to protect the tree roots from previous properties they had owned and would ensure that the landscaping of the gardens and the property were well maintained. The applicants appreciated that there would be noise and disruption during the construction of the new dwelling.

The senior planner referred to the report and explained that the application had been revised since it had first been submitted. The proposed dwelling was now within the footprint of the approved scheme and would not increase development into the root protection area.

Discussion ensued in which the senior planner answered members' questions about the drop in ground levels and that the extension would be 3.1 metres from the boundary.

RESOLVED, with 10 members voting in favour (Councillors Gayton, Sands, Ackroyd, Blunt, Boswell, Button, Herries, Neale, Woollard and Bradford) and 1 member voting against (Councillor Jackson) to approve applications no. 15/00139/MA and application no. 15/00232/L - Land rear of 39 Unthank Road Norwich and grant planning permission and listed building consent subject to the following conditions:

15/00139/MA

1. Time limit; three years from approval of 14/00324/.
2. In accordance with plans.
3. Conditions as per 14/00324/F – revised to take account of the new scheme; details of timber cladding; detailed section of junction between new building/coach house; rainwater goods; new brick work to match existing, and revision of tree protection condition to control hard surfaces with the root protection area.
4. Additional condition requiring approval of extracts and flues.

15/00232/L

1. Time limit.
2. Conditions as 14/000332/L – plus details of any underpinning of listed wall; re-use of first floor of coach house; detail of flat roof construction adjacent to listed wall.

Article 35(2) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

5. Application no: 15/00245/O - 161 Oak Street, Norwich, NR3 3AY

The senior planner (development) presented the report with the aid of plans and slides and referred to the supplementary report of updates to reports which was circulated at the meeting, and contained a summary of an additional letter of representation, a response from the Environment Agency and additional conditions.. She explained that the application was for outline planning permission and the applicant had submitted a concept plan, showing the development parameters which was displayed as part of the presentation.

During discussion, the senior planner, together with the planning team leaders (development), referred to the report and answered members' questions. In response to a member's proposal to defer consideration to allow for further details of the conditions, the planning team leader gave a detailed explanation of the concept plan. Members were advised that at the outline planning stage, the plans set the parameters for an acceptable scheme to come forward at the reserved matters stage. In response to a member's question, the senior planner explained that energy efficiency would meet policy requirements and that the opportunities would be maximised. The Environment Agency had recommended detailed conditions relating to the development of the site and the use of the river as a heat source might not be appropriate at this site. Members were advised that it was necessary to require affordable housing at this stage as it would be too late to add it as a requirement at the reserved matters. The lower density of housing on this site meant that affordable housing was more acceptable to registered social landlords. The committee also sought clarification on access through the site and future development of adjacent sites, the riverside green buffer area, the massing and gradients of the site, the local amenity and the proposed enhancement of the highway.

Discussion ensued on the proposals. A member expressed concern that the houses on Oak Street should be set back from the public footpath and not have front doors opening into the street. Members were advised that layout and landscaping would be considered at the reserved matters stage and that it was important to retain some flexibility. Members also commented on the location of the site in the context of the commercial use of the adjacent site and the Great Hall.

RESOLVED, unanimously, to approve application no. 15/00245/O - 161 Oak Street Norwich NR3 3AY, and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing/riverside walk/public access rights/ street tree maintenance sum and subject to the following conditions:

1. Standard time limit for outlines;
2. In accordance with plans/details;
3. Contamination conditions required by EA
4. Flooding and surface water mitigation/management
5. Archaeological investigation/monitoring
6. % Lifetime homes
7. Water and energy efficiency
8. Access details/provision
9. Noise mitigation

10. Approval of reserved matters: including layout, scale, landscaping, appearance; plus highway enhancements of Oak Street and scheme for a riverside walk;
11. Prior to demolition, a photographic record of the remnants of the brewery building to be undertaken and submitted by agreement.

Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

6. Application no 15/00305/F - 117 - 127 Trinity Street Norwich NR2 2BJ

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to the report which was circulated at the meeting and contained a summary of the late consultation responses and recommended amendments to the conditions. Historic England did not object to the scheme but had requested that vertical glazing bars were used on the windows facing Unthank Road. Members were advised of the planning history of the site. During the presentation, the committee was advised of the Building Research Establishment guidance and that this scheme would have a marginal impact on the neighbouring properties.

Four local residents (including the adjacent neighbours at 116 Trinity Street and 3 Essex Street) addressed the committee with their objections to the proposal. This included concern that there had only been a 3% reduction in the total area of the proposed building and that the scheme had not altered the concerns of overbearing and over shadowing, and harming the outlook and amenity of local residents; that there were too many flats on the site and three would be below the minimum size standard; concern about the underground car park and its construction; and concern about the use of bamboo to provide a screen and maintenance of planters. One of the residents illustrated his speech with slides and plans.

The agent responded to the issues raised and referred the committee to the 3D image and explained that careful design had reduced the impact of the scheme on the neighbouring properties. The flats were well designed and would be fitted to a high specification. The space standards were a guide only.

The senior planner referred to the report and reassured the committee that issues surrounding basement conversions in central London did not apply to the construction of the basement car parking.

During discussion, Councillors Neale and Boswell commented that they still had concerns about the mass and size of the proposed scheme and its impact on the conservation area.

RESOLVED, with 8 members voting in favour (Councillors Gayton, Sands, Ackroyd, Blunt, Button, Herries, Jackson and Bradford), and 3 members voting against (Councillors Boswell, Neale and Woollard) to approve application no. 15/00305/F -

117 - 127 Trinity Street Norwich NR2 2BJ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Ground conditions survey and thereafter SUDS to be designed into the scheme;
4. Top soils to be certified as appropriate to residential purposes;
5. Contamination precautionary condition;
6. Development to follow paras 3.20 – 3.22 of the Arboricultural Impact Assessment;
7. Landscaping – details of a comprehensive scheme to include hard and soft landscaping materials, planter construction, management strategy, the irrigation and drainage system info and maintenance;
8. Refuse store details to be agreed, and provide;
9. Energy efficiency and renewable energy measures – agree details to ensure it provides at least 10% using the Minus7 or similar technology, or other systems as necessary, and provide thereafter;
10. Water efficiency measures – agree and provide;
11. Car parking – layout and provide;
12. Cycle parking – agree designs of residents and visitor storage, and provide;
13. Bird and bat boxes to be agreed and provided;
14. Car parking management plan;
15. Materials –
 - (a) refuse store screening;
 - (b) all doors and windows;
 - (c) bricks;
 - (d) cladding panels;
 - (e) render areas;
 - (f) eaves and soffits;
 - (g) stone banding;
 - (h) rainwater goods;
 - (i) roofing materials.
 - (j) Obscure glazing to be used on the rear block stairs, with materials to be agreed (to minimise opportunity for overlooking towards 1 and 3 Essex Street); options for vertical glazing bars to exterior elevation windows to be considered with applicant and conservation and design officer and their final use to be at the discretion of the head of planning services;
16. No occupation of the flats until precise design details of balcony screens and window planters are agreed, and prior to approval, inspected on site in situ (to ensure the effectiveness of screening) and to be retained as approved in perpetuity thereafter;;
17. Boundary treatments to be confirmed – and the garage wall to 1 Essex Street to be retained as boundary wall and infilled in the north-east corner.
18. Noise assessment to be agreed, and specifications for acoustic attenuation and ventilation windows, to be installed prior to occupation.
19. No additional plant or machinery to be used without prior consent.
20. Notwithstanding the Norwich Local Development Order for flats, there shall be changes to the windows and doors without prior consent.

21. Demolition of the apartments cannot take place until a contract for the redevelopment of the site has first been agreed (to ensure minimal detrimental impact on the setting of the conservation area, minimise disruption to neighbours and minimise the period when a loss of housing stock occurs);
22. No new windows are to be created anywhere on the scheme without prior approval (to prevent loss of amenity, privacy and overlooking).

Informative advisory notes:

1. Chalk workings and subsidence – advice for getting specific studies.
2. Good practice in construction;
3. Waste material certification;
4. Car parking permit advice.

Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations. Following negotiations with the applicant and subsequent amendments, including at the pre-application stage, the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

7. Application no 14/01496/RM – Former Lakenham Sports and Leisure Centre, Carshalton Road, Norwich, NR1 3BD

The senior planner (development) presented the report with the aid of plans and slides. The recommendation was to approve the application subject to a deed of variation to the S106 legal agreement and to include additional conditions to address issues raised by local residents.

A representative of the Lakenham Cricket Ground Residents' Association said that the Planning Inspectorate had allowed the outline planning application at appeal and that the concerns of the residents had not been considered relevant. She considered that nothing had changed with this application which included: concern about the number of dwellings and design being out of keeping with the surrounding Victorian terrace houses, impact on traffic and car parking; loss of the cricket pavilion and that the Victorian wall would be breached to allow access.

The applicant said that the outline planning permission had been granted prior to his company's involvement and that the developers were committed to the provision of heritage interpretation on the site, including a sculpture by the local artists/art students. He explained that the design of the two and three storey buildings reflected the different housing styles in the area; that there would be 25% of affordable housing on the site; low water consumption and low carbon emissions and high energy efficiency. It was good use of the site, and provided public access and an area of open playing space and allotments.

The senior planner answered members' questions on the level of energy efficiency of the new dwellings; that the highways and cycle paths would be adopted and that the council would manage the controlled parking zone. A private management company would maintain the open spaces and allotments. The committee was advised of the

different types of housing surrounding the site and how the design of the proposed scheme reflected this. The council's address referencing officer would ensure that the street names reflected and commemorated people associated with the former use of the site.

During discussion a member said that he could not make a decision on the reserved matters application because the five year land supply had altered since the principles of the application had been established in the outline planning application. Other members commented that the decision on the demolition of the cricket pavilion and the loss of other heritage aspects of the site had been taken out of their hands when the appeal against the committee's decision to refuse the outline planning permission had been upheld by the Planning Inspector at appeal.

RESOLVED, with 9 members voting in favour (Councillors Gayton, Sands, Ackroyd, Blunt, Boswell, Button, Neale, Woollard, and Bradford) and with 2 members abstaining from voting (Councillors Herries and Jackson) to approve application no. 14/01496/RM – former Lakenham Sports and Leisure Centre Carshalton Road Norwich NR1 3BD and grant reserved matters subject to the completion of a satisfactory deed of variation to the legal agreement and subject to the following conditions:

1. In accordance with plans;
2. Details of heritage interpretation;
3. Details of allotment fencing, cycle stands, parking bays, shared road surface;
4. Details of lighting scheme;
5. Details wheel washing for construction vehicles

Informatives

1. Considerate constructors
2. Advisory for play areas
3. Impact on wildlife
4. Highways contacts, permits, design note etc.

Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the application stage the application has been approved subject to suitable land management, adoption, measures to seek compliance with the S106 agreement, appropriate conditions and for the reasons outlined within the committee report for the application.

8. Application no 15/00325/F - 67 The Avenues, Norwich, NR2 3QR

The senior planning technical officer presented the report with the aid of plans and slides.

The immediate neighbour (no 65 The Avenues) addressed the committee and outlined his concerns about the proposed extension, which included concern that the extension was overbearing and would result in loss of sunlight to rooms on the side of his house and would impact on the building line.

The applicant addressed the committee and explained the revisions to the scheme which included the use of roof lights and reducing the footprint; that the upper storey extension was to provide a child's bedroom, and was in line with other extensions in the street and that the front of the building would remain unchanged.

The senior planning technical officer referred to the report and answered a member's question about the measurements of the gap between the proposed extension and the windows and boundary of no 65 and the impact that it would have on daylight to the rooms on the side of no 65. He also explained that the applicant had agreed to revise the application to reduce the footprint and use roof-lights instead of dormer windows to mitigate concerns from the neighbours.

RESOLVED, with 10 members voting in favour (Councillors Gayton, Sands, Ackroyd, Blunt, Boswell, Button, Herries, Neale, Woollard and Bradford) and 1 member voting against (Councillor Jackson) to approve application no. 15/00325/F - 67 The Avenues Norwich NR2 3QR and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;

Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined above.

9. Enforcement Case 14/00068/BPC/ENF– 1 Cathedral Street Norwich, NR1 1LU

The planning team leader (development) presented the report and referred to the supplementary report of updates to reports and pointed out for clarification that the building was within the late night economy zone.

Councillor Button, as chair of the licensing committee, said that at a recent licensing sub-committee meeting, the police had recently given evidence that there a number of people living at the property.

RESOLVED to authorise enforcement action to secure the cessation of the unauthorised residential (Class C3) use including the taking of direct action, including prosecution, if necessary.

10. Performance of the development management service; progress on appeals against planning decisions and planning enforcement action for quarter 4, 2014-15 (1 January to 31 March 2015)

The planning development manager presented the report and together with the planning team leader (development) answered members' questions.

During discussion members expressed concern that the Norwich Family Life Church had not removed the portakabin buildings on the Heartsease Lane site or vacated the premises at Mason Road. Members were advised that applications for temporary use on the Heartsease Lane site would be resisted as it would delay the construction of the church building.

The chair then announced with great pleasure that the planning development management team had been awarded the chief executive's special award in the 2015 ROARS (recognition of achievement and remarkable service).

RESOLVED to:

- (1) record the chair and the committee's congratulations to the planning development management team for its achievement:
- (2) note the report.

CHAIR