MINUTES

Planning applications committee

09:30 to 11:45 **4 December 2014**

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

(Councillors Gayton, Sands (M), Ackroyd, Blunt, Boswell, Button, Herries, Jackson, Neale, Woollard and Bradford attended the pre-application briefing at 09:00 on the proposals for the residential accommodation at the former Blackdale School site, Bluebell Road, Norwich.)

1. Declaration of interests

There were no declarations of interest.

2. Minutes

RESOLVED to approve the minutes of the meeting held on 6 November 201, subject to item 7, Application no 14/00618/F Vikings Venture Scout Hut adjacent to 420 Dereham Road, Norwich, NR5 8QQ, deleting the words “He also explained that..” from the end of the fourth paragraph.

3. Application no 14/01103/F, Former Eastern electricity board site, Duke Street, Norwich (Duke’s Wharf)

The senior planner (development) presented the report with the aid of plans and slides. She also referred to the supplementary report of updates to reports which was circulated at the meeting, and advised members that the Broads Authority had submitted an amended plan which reduced the number of floating islands to four. Members were also advised that the reference to there was an incorrect reference to policy CC23 in paragraph 34 of the report which should be amended to policy CC21. The supplementary report also pointed out corrections to the text in the main report.

A resident of Dukes Palace Wharf addressed the committee and whilst welcoming the development of a derelict site, highlighted his objections to the scheme which included: the “canyon effect” of the buildings and the creation of a wind tunnel; the generation of extra traffic; loss of the surface car park; that the warehouse should be converted rather than demolished and that there would be confusion between the new Dukes Wharf and the existing Dukes Palace Wharf.

The applicant addressed the committee and spoke in support of the application explaining that the change of use of the office buildings to residential dwelling was the most viable option and that the scheme was the result of work with council

officers and the Broads Authority over the last 18 months to bring forward a development which would provide high quality, energy efficient homes in a sustainable location; retain access to the river; contribute to the cycle contraflow and create jobs.

During discussion, the senior planner and the planning team leader (development) referred to the reports and answered members' questions. Members sought reassurance about planning obligations and expressed regret about the lack of viability for affordable housing provision. Members were advised that access to the river was through the lower basement of the riverside building and that there would need to be a public access scheme to manage it.

RESOLVED, with 11 members voting in favour (Councillors Gayton, Sands (M), Ackroyd, Blunt, Boswell, Button, Herries, Jackson, Neale, Woollard and Bradford) and 1 member abstaining (Councillor Grahame) to approve application no 14/01103/F, Former Eastern Electricity board site, Duke Street, Norwich (Dukes Wharf), and grant planning permission, subject to the completion of a satisfactory S106 Obligation to include a viability review, public access to the riverside and contributions to provide and maintain street trees and subject to the following conditions:

1. Standard time limit.
2. In accordance with plans.
3. Phasing.
4. Photographic record former social club.
5. Archaeology – investigation/interpretation/recording.
6. No demolition/clearance nesting season.
7. Arboricultural method statement – submission and implementation.
8. Contamination/ imported material – investigation and verification.
9. Off- site highways works to be agreed and implemented.
10. Environmental and construction management plan – submission and implementation.
11. Min. floor level 5.0m, Above ordnance Datum Newlyn (AOND).
12. Landscaping – details/implementation/management.
13. Detailed design of joinery/balconies etc to be agreed.
14. Parking and servicing plan – provision and management.
15. Development to meet water efficiency code 4.
16. Development to meet 10% lifetime homes.
17. Prior approval of extraction/ventilation/machinery.
18. PD removal for changes of use from A2/B1a.
19. Hours restrictions – restaurant.
20. Energy strategy – full details and implementation/management.
21. Flood mitigation - implementation/management.
22. Surface water drainage scheme - implementation/management.
23. External lighting details.
24. Provision of pontoon.
25. Scheme for heritage interpretation.

Article 31(1)(cc)
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.

4. Application no 14/01527/F 3 Albemarle Road

The planner (development) presented the report with the plans and slides and referred to the supplementary report of updates to reports which was circulated at the meeting.

Discussion ensued in which the planner referred to the reports and answered members' questions. Members were reassured that officers would agree the materials with the applicant and negotiate that the material used were sensitive to the area. The blank façade would be softened by landscaping.

RESOLVED with 11 members voting in favour (Councillors Gayton, Sands, Ackroyd, Blunt, Button, Herries, Grahame, Jackson, Neale, Woollard and Bradford) and 1 member abstaining (Councillor Boswell) to approve application no. 14/01527/F 3 Albemarle Road and grant planning permission, subject to the following conditions:

1. Standard time limit.
2. In accordance with plans.
3. Compliance with tree protection plan.
4. Material samples required pre-commencement.
5. Details of water efficiency pre-commencement.
6. Cycle storage to be agreed and installed pre-occupation.
7. Refuse storage to be agreed and installed pre-occupation.
8. Green roof provision and retention to reduce runoff.

Article 31(1)(cc)
The local planning authority in making its decision has had due regard to paragraph 187of 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 pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

5. Application no 14/01454/F 149 Gipsy Lane

The 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. Members were advised that the applicant had provided revised plans and clarified that the use of the garage would be for a workshop/storage ancillary to the main dwelling. The supplementary report also contained a further letter of representation and the officer response.

RESOLVED, unanimously, to approve application no 14/01454/F 149 Gipsy Lane subject to the following condition:

1. In accordance with plans.

Informative
Should the outbuilding be used as a workshop independently of the main house or for residential purposes as a residential dwelling or annexe, then such a change would be likely to require planning permission, and a application should be submitted for consideration by the local planning authority prior to any such change of use taking place. In addition any occupation of the site (including the main house) by more than six unrelated individuals would also constitute a change of use and would require planning

Article 31(1)(cc)
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 and has approved the application.

6. Application no 14/01286/F, Land south of Howard Mews

The 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 representation and the officer response. The proposal had been amended to a flat roof dwelling which was a significant improvement.

Discussion ensued in which the planner, the planning development manager and the planning team leader (development) referred to the reports and answered members' questions, which included the assessment of the application against the five year land supply.

RESOLVED, unanimously, to approve application no 14/01286/F land south of Howard Mews and grant planning permission, subject to the following conditions:

1. Standard time limit.
2. In accordance with plans.
3. Cycle and bin storage to be implemented prior to occupation.
4. Location and details of bin collection area.
5. Submission of Arboricultural Impact Assessment, method statement and treeprotection plan.
6. Details of existing soft landscaping to be retained and new hard / soft landscaping.
7. No site clearance between March and September.
8. Biodiversity enhancements.
9. Implementation of boundary treatment.
10. Further details of the white lining of existing parking spaces for existing residents within the development area within the development area.
11. Details of water conservation measures.
12. Details of secure and covered cycle storage for the existing residents in the flats.

7. Application no 14/01436/VC Aldi, 174 – 178 Plumstead Road

The planning team leader (development) presented the report with the aid of plans and slides.

During discussion members expressed concern about the effect about extending delivery hours to the store on the residents of adjacent properties. Members noted that measures such as an acoustic unloading bay were in place to mitigate disturbance from deliveries. Members were advised that the appropriate noise assessments had been carried out, and at the chair's discretion, the agent confirmed that thorough noise level assessments had been carried out based on a "worst case scenario".

Some members were especially concerned about nuisance to residents on Sundays and Bank Holidays when people want to enjoy being in their gardens.
Councillor Bradford moved and Councillor Ackroyd seconded that the hours of delivery on Sundays and Bank Holidays should not be extended and should remain unchanged (9:00 to 16:00) and therefore condition 13 should be amended. On being put to the vote, with 9 members voting in favour (Councillors Ackroyd, Boswell, Button, Herries, Grahame, Jackson, Neale, Woollard and Bradford) and 3 members voting against (Councillors Gayton, Sands and Blunt) the amendment was carried.

RESOLVED, with 7 members voting in favour (Councillors Gayton, Ackroyd, Blunt, Boswell, Button, Jackson and Herries) and 5 members voting against (Councillors Sands, Neale, Woollard, Bradford and Grahame) to approve application no 14/01436/VC Aldi, 174 – 178 Plumstead Road and grant planning permission subject to the following conditions:

1. Walls and fences retained as agreed.
2. Car parking, cycle and refuse storage retained as agreed.
3. Pedestrian access through site retained as agreed.
4. Landscaping retained as agreed.
5. Replacement landscaping as required.
6. Ventilation or fume extraction systems agreed as required.
7. No storage of materials on site.
8. No reversing alarms.
9. Vehicle refrigeration units switched off.
10. Vehicle loading and unloading as agreed.
11. Delivery bay shroud retained as agreed.
12. No cages used on site.
13. Servicing and delivery hours 06:00-23:00 Monday to Saturday and 09:00-16:00 on Sundays and Bank Holidays.
14. Plant or machinery agreed as required.
15. Retail sales type restriction.
16. Highway improvement works completion.
17. Car park management plan.
18. Traffic directional signs.
19. Travel plan implementation retained as agreed.
20. Refuse storage screening for Heartsease Public House retained as agreed.
21. 10% renewable energy on site retained as agreed.
22. Highway matters implementation.

23. No more than two deliveries each day between the hours of 06:00 and 07:00.

Article 31(1)(cc)
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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

8. Application no 14/00957/F Site between 95 and 111 Adelaide Street

The planning development manager presented the report with the aid of plans and slides and referred to the supplementary report of updates to reports circulated at the meeting in relation to the five year land supply.

During discussion the planning development manager referred to the report and answered members' questions. Members were advised that if this application was not approved the applicant could develop the site under the extant planning permission. The planning development manager said that there was provision to revoke extant planning consent but it was a complicated legal process.

Councillor Jackson suggested that the application was contrary to policy DM12, parts (a) and (b), and because The Bread and Cheese public house was a locally listed building, contrary to part (e) of DM12.

Councillor Jackson moved and Councillor Boswell seconded that the application be refused because it was contrary to DM12, the design of the proposed three dwellings was overdevelopment of the site which was the size of a terraced house, and its height and mass would be detrimental to the street scene of terraced houses and the locally listed public house; the proposed development would overshadow adjacent neighbouring properties and provide unsatisfactory living conditions for potential residents of the development and offered no off street parking, exacerbating existing pressure for resident parking in the area.

One member said that he considered that as the applicant had in submitting this application sought to improve on the extant planning consent and therefore was unlikely to develop the site without seeking further planning permission.

RESOLVED with 11 members voting in favour of refusal (Councillors Gayton, Sands, Ackroyd, Blunt, Boswell, Button, Grahame, Jackson, Neale, Woollard and Bradford) and 1 member abstaining (Councillor Herries) to refuse application no 14/00957/F Site between 95 and 111 Adelaide Street on the grounds that the proposed development contradicts policy DM12, is overdevelopment of the site, its height and mass is detrimental to the streetscene and a locally listed building, would overshadow and be detrimental to the amenity of neighbouring properties, and provide unsatisfactory living conditions to potential residents of the development and provided no street parking, and to ask the head of planning services to provide the reasons for refusal in planning policy terms>

(Reasons for refusal as provided subsequently by the head of planning services:

1. The proposed building does not adequately take account of its setting with the proposed development appearing overbearing and out of keeping with the surrounding buildings. Furthermore there is an unusual relationship between the proposed building and the pitched roofs of the other buildings on the street. As such it is not considered that the proposal is of good design and therefore does not accord to policies DM3 of the Norwich Development Management Policies Local Plan (adopted 2014), policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted January 2014) and the objectives of the National Planning Policy Framework.

2. The proposed three storey development dwarfs the neighbouring Bread and Cheese Public House, which is a locally listed building, due to its size, mass and positioning. It is therefore considered that the proposal will have a detrimental impact upon the neighbouring heritage asset. As such the development does not accord to policy DM9 of the Norwich Development Management Policies Local Plan (adopted 2014), policy 1 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted January 2014) and the objectives of the National Planning Policy Framework.

3. The proposed development will result in loss of light and overshadowing to the property to the south (95 Adelaide Street) and will also have an overbearing impact upon the neighbouring residents. Furthermore the proposal will lead to overshadowing to the garden area of 2 Arderon Court and an unacceptable level of overlooking to neighbouring residents on Adelaide Street, Arderon Court and Waddington Street. The development would therefore not accord to policy DM2 of the Norwich Development Management Policies Local Plan (adopted 2014).

4. The proposed development will provide a poor standard of amenity for future residents of the site due to a combination of the flats having a small internal area and a lack of sufficient private, useable external amenity space for all three flats. The development would therefore not accord to policies DM2 and DM13 of the Norwich Development Management Policies Local Plan (adopted 2014).

5. No off street car parking is provided and as the site is situated within an area where there is no controlled parking and the site is not within 200 metres of a bus stop which offers a 10 minute service to the city centre, an additional three flats will significantly increase demand for on street car parking. The proposed development does not therefore meet the minimum car parking standards of one car parking space per dwelling and does not accord to policies DM31 and DM32 of the Norwich Development Management Policies Local Plan (adopted 2014) and section 4 of the National Planning Policy Framework.

Article 31(1)(cc) 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. Whilst a scheme has been given a recommendation for approval by officers elected members considered for the reasons outlined above that on balance and in light of the above policies that

the application was not acceptable. The applicant is advised that no further planning fee would be payable for any resubmission for development of the same character or description on the same site and by the same applicant within 12 months of the date of this refusal. The applicant is also advised of the Council's pre-application service, further details of which can be found at the following web link: http://www.norwich.gov.uk/Planning/pages/Planning-Pre-ApplicationAdviceService.aspx

9. Application ref: 12/01598/VC Wentworth Gardens

The senior planner (development) presented the report with the aid of plans and slides.

RESOLVED, unanimously, to approve the application 12/01598/VC Wentworth Gardens subject to the conditions and amended planning obligations as set by previous planning committee resolutions on 14 February, 2013 and 6 February, 2014, and subject to the following additional amendments to the Section 106 Agreement:

1. The two outstanding shared ownership bungalows can be used for either intermediate tenure (for the avoidance of doubt being shared ownership, intermediate rent or shared equity housing), or social rent tenure.
2. In the event they remain unfeasible as affordable housing the two bungalows can be disposed of to the open market only if a commuted sum financial contribution payment is first made to the Council; this sum being £132,198.04 index-linked, or an alternative sum to be first agreed by the Head of Planning in consultation with strategic housing, such sum to be required prior to the first occupation of either of the two remaining bungalows following open market disposal.

Article 31(1)(cc) 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, and has approved the application subject to the appropriate conditions and for the reasons outlined in the officer report and preceding officer reports and planning committee resolutions.

10. Application no 14/01474/F 77 Earlham Road

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

RESOLVED, unanimously, to approve planning application 14/01474/F 77 Earlham Road, Norwich and grant planning permission, subject to the following conditions:

1. Commencement within 3 years.
2. In accordance with plans.
3. Materials to be agreed with local planning authority.

Article 31(1)(cc) 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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

CHAIR