



Planning applications committee

09:30 to 11:55

9 March 2017

Present: Councillors Herries (chair), Bradford, Button, Carlo, Henderson, Jackson, Lubbock, Malik, Peek, Sands (M) and Woollard

Apologies: Councillor Driver

1. Declarations of interest

Councillor Lubbock declared an interest in item 5 (below), Application no 16/01763/L - South-West Quadrant Pavilion Eaton Park, South Park Avenue, Norwich as the applicant and that she would speak on the item and then leave the room and not take part in the deliberation of the application.

Councillor Lubbock declared an interest in item 6 (below), Application no 16/01750/F 418 Unthank Road, as she lives in Unthank Road and could be perceived as having a personal and prejudicial interest. However, she did have a predetermined view and would be speaking on behalf of the neighbours and as such would speak as a member of the public and not take part in the deliberation of the application.

2. Minutes

RESOLVED to agree the accuracy of the minutes of the meeting held on 9 February 2017, subject to amending item 8, Application no 16/01780/F 23 Bek Close, to include the fact that the neighbour had informed the committee that "he was disabled partly because of his eyesight" and that this was important to him because the whole point of his objections related to his disability and the impact that the development would have on that disability.

3. Application no 16/01893/VC - St Annes Wharf, King Street, Norwich

The senior planner (development) 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 and pointed out that the agent for the applicant was unable to provide a flood mitigation plan in time for the committee meeting because the Environment Agency had still to provide information on the flood risk which had changed since 2006. Therefore it was proposed to approve the application subject to an additional condition for flood risk mitigation and to revise condition 3 to include approval of treatment of underside balconies. The applicant had indicated that these changes to the conditions were acceptable.

During discussion the senior planner, together with the planning team leader (inner area), referred to the report and answered members' questions. Members noted that there had been overprovision for the plant room on block H3 and that the plant could

be accommodated elsewhere in the building and not necessarily at the upper level. Members also were advised of the flood mitigation measures in place for the development and that the additional flood mitigation related to the Old Barge Yard part of the site which would be the last phase of the development and would be appropriate to the flood risk. The development included commercial units near the Howard House, which would be for office use. Members sought clarification on the design and the proposed use of cementitious coloured board to replace natural timber cladding. Members noted the objections of the Broads Authority and its preference for timber cladding on buildings adjacent to the river. A member asked what measures were there to offset the impact of the development on Climate Change, pointing out that timber was a natural product and had less impact than cement based cladding. The committee was advised that the proposal was to create areas of landscaping along key corridors and in communal squares. Officers would work together with the developers to identify scope for tree planting and optimise biodiversity on the site. The committee was advised that the proposed cladding would last 60 years unlike timber which required more maintenance and would not last as long.

Discussion ensued in which members considered that the area needed to be lifted and that the scheme which included 41 affordable housing units should be progressed as soon as possible. Members were advised that first occupation was expected in a year.

Councillor Jackson said that he supported the Broads Authority's view on the use of the cementitious coloured board and said that he could not vote either way on this application. He suggested that if the application was granted then a warmer colour of block should be used.

RESOLVED, with 9 members voting in favour (Councillors Herries, Button, Malik, Henderson, Lubbock, Peek, Sands, Woollard and Bradford) and 2 members abstaining from voting (Councillors Carlo and Jackson) to approve application no 16/01893/VC - St Annes Wharf King Street Norwich Norfolk and grant planning permission subject to the following conditions and Deed of Variation of the S106 Obligation (Conditions imposed in relation to 04/00605/F are re-imposed modified to take account of conditions already discharged and the new details approved):

1. In accordance with plans;
2. Materials (other);
3. Approved balcony system and plan, to include treatment of underside of balconies;
4. Unknown contamination;
5. Phasing plans;
6. Approval of details:
 - (a) typical windows, doors including sections to show the window head, window cills and reveal depth (Drg. Min. scale 1:5);
 - (b) typical eaves, verge, parapet and roof details (Drg. Min. scale 1:5);
 - (c) typical shopfront (including sections)(1:10);
 - (d) typical balustrade and balconies construction including supports (Drg. Min. scale 1:10);
 - (e) external lift in Central Street;
 - (f) typical rainwater goods (1:10);

(g) typical projecting canopies (1:10).

6. Energy efficiency measures;
7. Archaeology (x2);
8. Hard and soft landscaping – approval and implementation;
9. Replacement of trees/shrubs;
10. Plant and machinery;
11. Management Agreement:
 - (a) a restrictive servicing arrangement to take place outside the hours of 1030 to 1630 on any day;
 - (b) servicing vehicles to travel in a clockwise direction from Mountergate (adjacent Baltic House) through to King Street (via St Anne Lane);
 - (c) maintenance of the landscaping and planted areas;
 - (d) cleaning of litter from the permissive and pedestrian routes;
 - (e) telecommunications, communal satellite and terrestrial aerials arrangements for the development.
12. Agreement of flues, extraction, ventilation or filtration equipment in relation to A3 uses;
13. No materials shall be kept, deposited or stored in the open;
14. Agreement and implementation of refuse and cycle storage areas;
15. There shall be no amplified sound in any of the restaurants (Class A3) or retail (Class A1) units before the Local Planning Authority has agreed details;
16. Servicing areas shall be clearly marked, and available for use;
17. Restricted goods - retail units;
18. Parking details to be agreed;
19. The Riverside Walk and other permissive and pedestrian routes shall be constructed and provided in accordance with a scheme to be first approved by the Local Planning Authority and shall thereafter be permanently retained.
20. Street lighting shall be submitted to the Local Planning Authority.
21. Nest boxes for birds and bats.
22. Interpretation of archaeological investigation/ former Synagogue Street; the sacrifices of Corporal Day VC.
23. Fire Hydrants.
24. Travel plan.
25. Directional signage.
26. Flood risk mitigation.

Article 32(5) statement: The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Framework as well as the environmental information submitted, the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments to the Environmental Statement the application has been approved subject to appropriate conditions outlined above.

4. Application no 17/00130/F - Land South of 37 - 51 Howard Mews, Norwich

(A supplementary report containing the plans omitted from the main report was circulated at the meeting and was available on the council's website.)

(Councillor Henderson left the meeting during this item.)

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

RESOLVED with 9 members voting in favour (Councillors Herries, Button, Malik, Jackson, Lubbock, Peek, Sands, Woollard and Bradford) and 1 member voting against (Councillor Carlo) to approve application no. 17/00130/F - Land South of 37 - 51 Howard Mews, Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of external materials to be used in the construction of the building;
4. Landscape details to include permeable paving and details of cycle storage and ecological enhancements;
5. Sustainable drainage scheme;
6. Scheme demonstrating flood resilient construction;
7. Development to be carried out in accordance with the approved Arboricultural Impact Assessment, method statement and Tree Protection Plan;
8. Parking to be laid out and provided in accordance with site plan and retained as such thereafter;
9. Removal of permitted development rights for extensions or enlargements;
10. Water efficiency.

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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

(Councillor Henderson was readmitted to the meeting at this point.)

5. Application no 16/01763/L - South-West Quadrant Pavilion Eaton Park, South Park Avenue, Norwich

(Councillor Lubbock having declared an interest addressed the committee and then left the meeting during the committee's determination of the application.)

The assistant conservation and design officer presented the report with the aid of plans and slides.

Councillor Lubbock, councillor for Eaton Ward and vice chair of the Friends of Eaton Park, said that the application was to provide a defibrillator for use in the park which was necessary for health and safety of people using the sporting facilities. Over 500 runners met at the park each Saturday. She explained that the defibrillator had been

funded by contributions from Parkrun and donations. There was a similar defibrillator in Eaton at Waitrose.

(Councillor Lubbock left the meeting at this point.)

Discussion ensued in which the planning team leader (inner area) explained that the application was for listed building consent and therefore issues relating to anti-social behaviour and vandalism were not valid considerations.

RESOLVED, unanimously, to approve application no 16/01763/L - South-West Quadrant Pavilion, Eaton Park, South Park Avenue, Norwich and grant listed building consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Listed buildings; making good

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 and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

(Councillor Lubbock was readmitted to the meeting at this point.)

6. Application no 16/01750/F - 418 Unthank Road, Norwich, NR4 7QH

(Councillor Lubbock having declared an interest addressed the committee and then left the meeting during the committee's determination of the application.)

The planner (development) presented the report with the aid of plans and slides. She had met with the builder and checked all the measurements. The measurements reported to the last meeting had been from the eaves to the internal floor rather than to the ground level. She also referred to the supplementary report of updates to reports which was circulated at the meeting and contained a summary of further representations including a new issue relating to the cladding which would need access from the neighbouring property to be attached and the officer response that this was a civil matter. Planning permission could be granted despite any potentially conflicting civil matters. The change in roof height was not sufficient to change the recommendations but an additional condition was proposed to ensure that the roof lights were conservation style and consistent with the local character of the area.

Councillor Lubbock addressed the committee on behalf of her neighbours at no 420 who were unable to attend the meeting. Her neighbours considered that a hipped roof would be appropriate and that there were no dual pitched roofs on similar outbuildings in the vicinity of the site; the committee was not presented with an alternative design suggested by the neighbours of a hipped roof outbuilding; the revised plans showed that the proposed structure would create a wall nearly 5 metres tall on their boundary and they were concerned about overshadowing; the cladding to the wall would require access to their land which they would not grant. They considered that the committee did not have the right to approve plans

which would require them against their will to provide access to scaffolding and other building materials on their land.

(Councillor Lubbock left the meeting at this point.)

The planner, together with the planning team leader (outer area) and planning team leader (inner area) referred to the report and responded to the issues raised by Councillor Lubbock on behalf of the neighbours. Members were reminded that the application was as submitted by the applicant and alternative plans would not be considered. The proposed dual pitched roof outbuilding was considered acceptable. It was not sufficient reason to refuse the application because there were no similar pitched roofs in the immediate vicinity. There were other tiled and brick outbuildings at the rear of the properties and in the wider area there were dual pitched roof outbuildings. Members were also advised that the issue of access was a civil matter and not sufficient grounds to refuse an application which was considered acceptable on planning grounds.

During discussion members reconfirmed the importance of the condition restricting the installation of a first floor ~~of~~ or mezzanine. A member said that he was sympathetic with the neighbours' objections but it was not the job of the committee to design a building that they wanted. In reply to a question the planner said that the neighbours' representation containing their refusal to allow the applicant access from their garden had only been received within the last few days and it had not been discussed with the applicant. The applicant required the pitched roof to allow for the roof lights and, as it was considered acceptable, officers had not pressed for a hipped roof on the revised plan.

Members expressed concern that the roof lights were not shown on the plans presented with the committee pages. They considered that it was important that accurate information was presented to them. The planning team leader (inner area) suggested that, as it appeared that the applicant had failed to transfer the roof lights to the revised set of plans, the number of roof lights should be restricted to no more than four at roof light size and positioned on the east elevation of the outbuilding. The reason for this was to mitigate concerns about overlooking.

RESOLVED, with 9 members voting in favour (Councillors Herries, Button, Malik, Carl, Jackson, Herries, Peek, Woollard and Bradford) and 1 member voting against (Councillor Sands) to approve application no. 16/01750/F - 418 Unthank Road, Norwich, NR4 7QH and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No first floor or mezzanine shall be installed;
4. Conservation Style rooflights and further details required (numbering a maximum of 4).

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 discussions with the applicant and subsequent amendments the application

has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

(Councillor Lubbock was readmitted to the meeting at this point.)

7. Application no 17/00107/F - 475 Unthank Road Norwich NR4 7QN

The planning team leader (outer area) presented the report with plans and slides.

The owner of the property addressed the committee and explained the reasons for the application which was to extend a large detached family home. She referred to the National Planning Policy Framework (NPPF) and said that the extension was a high quality design which was influenced by the style of a prestigious Canadian architect to meet the needs of a modern family. The rear extension was not visible from the Unthank Road. She did not consider that the extension would be overbearing to the neighbours' property on the south side as the roof pitch was the same height as the previous roof and therefore would not increase overshadowing or overbearing. She said that work on the extension had ceased.

The planning team leader referred to the report and said that he had no further comments except to point out that the rear of the building was considered to be detrimental to the amenity and character of the conservation area. During discussion several members commented that the design was overbearing and would impact on the neighbouring property to the south. Members also commented that the extension had not been built to the approved plans which were of a better design for the character of the area.

Councillor Sands said that he was minded to vote against refusal because he considered that the extension was at the rear of the building and the same height as the previous roof line and was not visible from Unthank Road and therefore he considered it was not harmful to the conservation area as it was not visible from the road.

RESOLVED to with 10 members voting in favour (Councillors Herries, Button, Malik, Carlo, Jackson, Henderson, Lubbock, Peek, Woollard and Bradford) and 1 member voting against (Councillor Sands) to:

(1) refuse application no. 17/00107/F - 475 Unthank Road Norwich NR4 7QN for the following reasons:

1. The proposed development will result in an overly large extension which is of a poor design, causing harm to the character and appearance of the subject property and surrounding conservation area. The development would therefore be contrary to policies DM3 and DM9 of the Development Management Policies Local Plan 2014, and paragraphs 128-141 of the NPPF.
2. The proposed development by way of its scale would result in overbearing impacts to the neighbouring property. This would result in an unacceptable standard of amenity for the neighbours. The development would therefore be contrary to Policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 (amended 2014), Policy 2 of the Development

Management Policies Local Plan 2014 and paragraphs 9, 17 and section 7 of the NPPF.

- (2) authorise enforcement action under section 172 of the Town and Country Planning Act 1990 (as amended) to secure the removal of the unauthorised extension.

8. Application no 16/01751/L 14 and 16 Lower Goat Lane, Norwich

The conservation and design officer 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 contained a further representation from an objector about the publication of revised plans who was now satisfied that further consultation was not required because the plans had been produced for clarification at the request of the council.

Discussion ensued in which the conservation and design officer referred to the report and answered members' questions. The committee noted that the repairs to the façade of the building were necessary for the preservation of the building and this outweighed the temporary inconvenience to adjacent businesses whilst the work was carried out.

RESOLVED, unanimously, to approve the application and grant listed building consent 16/01751/L 14 and 16 Lower Goat Lane, Norwich subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Further detail of the timber frame repair required
'Once the timber frame of the building has been fully exposed, no further works shall take place until such a time that the frame has been inspected by the Council's Conservation Officer and a full schedule and specification of repairs of the timber frame has been agreed in writing by the Local Planning Authority. Repair works to the timber frame shall be carried out in accordance with the details so agreed.
4. Precise materials and methods to be employed in the re-building of the upper two levels of the building and gable end:
'Notwithstanding drawing no.47728/S/102 A, 'DETAIL 18 EXTERNAL WALL CROSS-SECTION SHOWING FINISHES' is not hereby approved, the precise materials and methods to be employed in the re-building of the upper two levels of the building and gable end are to be agreed in writing with the Local Planning Authority prior to the relevant part of the works commencing.
5. Windows and external doors – Painted timber
6. Demolition - Hand tools
7. Protecting the retained building structure
8. Further detailed design required:
 - (a) 1:20 elevations and 1:2 section and plan drawings of all new windows and doors. Details of window sills;
 - (b) All new and re-located service routes and risers;
 - (c) All new floor coverings (including floor boards);

- (d) Details of any new or relocated rainwater goods [which shall be cast iron or aluminium];
- (e) Paint specification and colour.

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.

CHAIR