

Planning applications committee**9.30am to 12noon****4 September 2014**

Present: Councillors Gayton (chair), Sands (M) (vice chair), Ackroyd, Blunt (not present for the informal briefing), Boswell, Bradford, Button, Grahame, Henderson (substitute for Councillor Neale), Herries, Jackson and Woollard

Apologies: Councillor Neale

1. Pre-application briefing

The committee received a presentation before the commencement of the committee meeting on proposals for residential development on the former site of the Ferry Boat Inn, King Street, Norwich.

2. Declaration of interests

There were no declarations of interest.

3. Minutes

RESOLVED to approve the minutes of the meeting held on 7 August 2014.

4. Application no 14/00911/F Former chapel to the rear of the Theatre Royal, Chantry Road

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which contained amendments that clarified information in the report and amended the proposed condition 21.

Discussion ensued in which the senior planner, together with the planning development manager, referred to the reports and answered members' questions. The retention of the south façade of the former chapel was not viable as the building was structurally unsound. During discussion members considered how the building would be used and the access arrangements. It was noted that the proposals did not affect the council car park in Chantry Road. Members also noted that it would be in the theatre company's interest to ensure that there was no delay between the demolition of the old building and the construction of the new one.

RESOLVED, unanimously, subject to the local authority not receiving any further letters of representation raising new or additional issues before 11 September 2014,

to approve application no. 14/00911/F at former chapel to the rear of the Theatre Royal, Chantry Road, Norwich, NR2 1RL, and grant planning permission, subject to the following conditions:-

1. Standard time limit for commencement of development (inc. demolition).
2. Development shall be in accordance with the approved plans and details.
3. There shall be no demolition until the contract for redevelopment has been secured.
4. No demolition until a full building record and photographic survey has been agreed and submitted to the Historic Environment Record.
5. No demolition until archaeological monitoring has been secured through an approved Written Scheme of Investigation to be first agreed, to include appropriate evaluation of any archaeological remains found at the site.
6. (a) If development does not commence by 1st April 2016 a further bat presence survey shall be undertaken and submitted to the LPA.
(b) If the further bat presence survey reveals bats use the site as a roosting location there shall be no commencement of demolition or construction until a scheme for appropriate mitigation has been agreed in writing by the LPA, and undertaken as per the approved details.
7. No construction works until details are agreed for external materials (including bricks, cladding, roofing, fascias, eaves, brise soleil and render) with samples, position and appearance of services, flues and vents, soil pipes and rainwater goods, glazing, doors, surrounds and reveals, and details that show internal services do not appear within views through the glazed areas.
8. Details of at least 4no. bird boxes to be provided within the new development for swifts, within the brickwork on either east, west or south-facing elevations, to be above 4m in height and ideally not above a window.
9. A landscaping scheme to be provided including planting and maintenance plan and pavement restoration including street lamp relocation.
10. Surface water drainage scheme to be agreed, and hard landscaping shall demonstrate the necessary permeability for surface water drainage based on the submitted report.
11. Car park pollution to be prevented through appropriately designed control measures.
12. Development to be as per the AIA and use tree protection fencing.
13. Precautionary contamination condition during development.
14. Date stone preservation details - extraction, cleaning, protection and relocation details to be agreed and carried out.
15. Heritage interpretation within the building or its external design, to record the significance of the site as a complex of former Victorian buildings and larger church, and to include the historic wall.
16. No use until the PV system and water efficiency measures have been installed and made operational as per the submitted energy efficiency report.
17. No use until cycle storage has been provided and the car park laid out in accordance with design / spec details and as per the revised site layout plan DR-A-0002 Rev P3, to provide 15 covered cycle stands and 12 car park spaces including disabled parking.
18. Details of amplified music noise limitations, to ensure music shall not exceed 91dB in the auditorium and 80dB in the rehearsal studio, and therefore avoid exceeding the Environmental Health noise limit criteria.

19. Details of noise attenuation on plant and machinery within the development, to keep plant noise below the lowest background noise levels during hours of operation.
20. Hours of use – no use during 0000 and 0800 hours on any day.
21. Servicing / loading shall not take place during 0000 and 0800 hours on any day and during such activities the HGV engines shall be turned off..
22. The building shall be used only as an auditorium and performance venue with education and skills training centre for the theatre (sui generis mixed use), with ancillary workshop, storage and office space and for no other use (except any ancillary use).
23. No installation of additional plant, machinery, extracts and ventilation gear without prior approval of the LPA.

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. 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 to planning committee.

Informative notes:

1. Bird protection advice.
2. Construction good practice.

5. Application no 14/00401/VC land and buildings rear of and including 293 - 293A Aylsham Road, Norwich

RESOLVED having considered the statement from the applicant, as set out in the supplementary report of updates to reports circulated at the meeting, to note that the applicant has withdrawn application no 14/00401/VC land and buildings rear of and including 293-293A Aylsham Road, Norwich.

6. Application no 14/00833/F 216 Unthank Road, Norwich, NR2 2AH

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

A resident of the property situated directly opposite to the site addressed the committee and highlighted her objections to the scheme. This included her concern that the application should not be determined until the council had conducted an appraisal of the Newmarket Road conservation area to preserve this unique, semi-rural and tranquil area of the city.

The agent on behalf of the applicant addressed the committee and said that the proposal sought to preserve the verdant nature of the road and would provide screening from the adjacent listing building.

Discussion ensued in which the planner and the planning development manager referred to the report and answered members' questions. Some members expressed concern that the conservation area appraisal had not been carried out and that this development of a garden could impact on the amenity of the area.

RESOLVED, with 7 members voting in favour (Councillors Gayton, Sands, Ackroyd, Button, Henderson, Woollard and Bradford), 2 members abstaining (Councillors Boswell and Jackson) and 3 members abstaining (Councillors Blunt, Grahame and Henderson) to approve application no 14/00833/F, 216 Unthank Road, Norwich, NR2 2AH subject to the following conditions:

1. Standard time limit
2. Development in accordance with approved plans
3. Details to cover facing and roofing materials, external windows and doors and eaves details;
4. Details of hard and soft landscaping (to include supplementary planting, boundary treatments, driveway materials, any external lighting, levels to demonstrate how the bank will be profiled around the access point);
5. Development in accordance with the arboricultural report;
6. Scheme for SUDS at the site;
7. Development to be designed and built to achieve a water consumption rate of no more than 105 litres per person per day, equivalent to Level 4 of the Code for Sustainable Homes for water usage.

Informatives:

1. Construction working hours
2. Site clearance to have due regard to minimising the impact on wildlife.
3. Site management techniques to be followed to avoid harm to small animals that may be present on site.

7. Application no 14/00633/F Storage Land West of 27 Vulcan Road North, Norwich

The planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which was circulated at the meeting and advised members that the applicant had agreed to submit a noise management plan and of changes to the recommended conditions

RESOLVED unanimously to approve application no 14/00633/F, storage land west of 27 Vulcan Road North, subject to the imposition of the following conditions:

1. Standard time limit -3 years
2. Shipping containers shall be installed and laid out in accordance with a site layout plan to be submitted to and approved by the local planning authority. Each shipping container is to be allocated a number corresponding to the provision of 24 access. The layout of the site shall not provide for the stacking of the storage containers and shall provide for landscaping along the western boundary of the site.
3. Landscaping scheme to include details of screening to the western boundary of the site.
4. Opening hours restricted so that the site is not open to the public or for trade deliveries or collections, between the hours of 9pm and 7am on any day, unless access relates to 24 hour storage unit as located on the layout plan approved under condition 2, or if access is pre-arranged and supervised in accordance with the management plan approved under condition 8..

5. No external lighting shall be installed unless in accordance with a lighting plan to first be submitted to and approved in writing by the local planning authority. The lighting plan will show how lighting will be minimised during the hours of closure from 8pm to 7am daily.
6. Any hard surfacing to be constructed of a porous material.
7. Development in accordance with plans (with the exception of the layout plan to be agreed under condition 2)
8. A noise management plan must be submitted to an agreed by the local planning authority prior to use of the site and not altered unless with agreement from the local planning authority.

Informatives:

1. The applicant is advised to contact Ken Willis for further advice on the installation of the vehicle crossover.
2. It is advised that the applicant installs the storage containers outside of the main operating hours of surrounding businesses in order to minimise any impact on the highway.

8. Application nos 14/00874/RM and 14/00850/F Three Score Site, Land South of Clover Hill Rd, Bowthorpe

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

During discussion members considered the safety aspects of the lagoon and noted that there had been no safety issues arising from the existing lagoons, south of Bowthorpe. Members were advised that there would be a fence around the new lagoon and that the south part of it would be a dry area unless there was heavy rainfall. In response to a question, the planning team leader said that the width of the path would be considered with the landscaping arrangements. A member suggested that officers consulted the Broads Authority and the Royal Society for the Protection of Birds for advice on wetlands.

RESOLVED unanimously to approve:

(1) application no 14/00874/RM Three Score Site Land South of Clover Hill Road Norwich) and grant planning permission, subject to the following conditions:

1. In accordance with submitted plans and details;
2. CEX fencing to be provided before commencement in accordance with 3.0 of AIA;
3. Works to be undertaken in full accordance with the arboricultural implications assessment, no services to be installed in CEZ's unless otherwise agreed and no storage in CEZ's;
4. Pre-construction meeting with the councils tree protection officer;
5. Turf, top soil and sub soil management strategy to be provided pre-commencement or in accordance with details if acceptable details are provided pre-determination;
6. Survey of the double hedgerow, consideration and details to re-establish the route between the rows, unless not considered feasible to do so, ongoing management and maintenance details;

7. Details for the cladding of the headwalls and materials for the railings above;
8. Management and maintenance to be undertaken in full accordance with submitted details;
9. Details of culvert under the spine road to provide for amphibian corridor and potential diversion of overland flows.
10. (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.)

(2) application no 14/00850/F Three Score Site Land South of Clover Hill Road Norwich, and grant planning permission, subject to the following conditions:-

1. Standard time limit condition;
2. In accordance with submitted plans and details;
3. In accordance with arboricultural implications assessment, including provision of protective fencing;
4. Re-use of top soil from site above area cut and covered and to extended ditch.
5. (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.)

9. Application no 14/01070/NF3 Heathgate Open Space, Heathgate, Norwich

The planning team leader (development) presented the report with the aid of plans and answered members' questions on the landscaping, the gradient and design. Members welcomed the use of low impact lighting to ensure that good views of the city at night were retained.

Councillor Bradford said that the Mousehold Heath Conservators had been consulted at an early stage and had welcomed the proposal.

RESOLVED, unanimously, to grant planning permission for application no 14/01070/NF3 Heathgate Open Space, Heathgate, Norwich, subject to the following conditions:

1. Standard time limit
2. Development in accordance with approved plans
3. Landscaping (to include details of paving materials, replacement tree planting)
4. Development in accordance with the AMS
5. Details of lighting to be submitted and agreed. The hereby approved lighting shall be retained and maintained on site unless otherwise agreed by the local planning authority.
6. No removal of trees and vegetation to be carried out outside of the main bird nesting season (March-September)

7. Trees to be felled to be inspected by licenced bat worker prior to felling.

10. Application no 14/00630/F Aldwych House, 57 Bethel Street Norwich NR2 1NR

The planning development manager presented the report with the aid of plans and slides.

During discussion the planning development manager referred to the report and answered members' questions.

Councillor Jackson said that the current application had resolved his concerns about the design and that he considered it was an acceptable proposal.

RESOLVED, unanimously, to approve application no 14/00630/F Aldwych House, 57 Bethel Street Norwich NR2 1NR and grant planning permission, subject to the following conditions:-

1. Commencement of development within 3 years from the date of approval;
2. Development to be in accord with drawings and details;
3. Details of facing and roofing materials; external decoration to render, joinery and metalwork; eaves and verges; joinery; roof lights; external lighting;
4. Details of cycle storage, bin stores provision;
5. Details of landscaping, planting, biodiversity enhancements, site treatment works, boundary treatments, gates, walls and fences and landscape maintenance;
6. Details of water efficiency measures;
7. Details of external flues, background and mechanical ventilation, service routes, soil/vent pipes and their exits to the open air;
8. Archaeological site monitoring.

Informatives

1. Community infrastructure levy.
2. Considerate Constructors
3. Asbestos
4. Protection of wildlife
5. Refuse and recycling bins
6. Parking permits
7. Address naming and numbering

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, following negotiations with the applicant and subsequent amendments at the application stage the application has been approved for the reasons outlined within the Officers committee report with the application.

11. Application no 4/01120/F Land adjacent 240 Hall Road, Norwich NR1 2PW

The planning development manager presented the report with the aid of plans and slides.

A member commented that he considered the need for housing outweighed the loss of the alleyway.

RESOLVED, with 11 members voting in favour (Councillors Gayton, Sands, Ackroyd, Blunt, Boswell, Bradford, Button, Herries, Grahame, Henderson and Woollard) and 1 member abstaining (Councillor Jackson) to approve application no 14/00269/F (240 Hall Road) and grant planning permission, subject to the following conditions:

1. Standard time limit (3 years)
2. In accordance with plans
3. Details of external facing materials
4. Details of:
 - a) Car parking
 - b) Bin store
 - c) Cycle store
 - d) External amenity areasProvision prior to occupation
5. Water conservation

Informatives

1. Community infrastructure levy.
2. Refuse and recycling bins
3. Vehicle crossover
4. Permeable hardstanding to parking forecourt
5. Street naming and numbering

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.

12. Application no 14/00840/F Rear of 25 Clabon Road, Norwich NR3 4HG

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

Discussion ensued in which members expressed concern about the overbearing nature of the proposed dwelling on the site, its impact on neighbouring properties in terms and that it was out of character for the area. Members were advised that a flat roofed garage could be constructed on the site under development rights and that the application was for a one storey property. A member expressed concern about the proximity to the adjacent property would make it difficult to access the walls of the property. Members were advised that the Party Wall Act covered the easements

between adjacent properties. Several members considered that the footprint for the building was too large for the site.

During discussion the committee considered that the council should develop a policy to provide members with criteria to gauge the cumulative effect of development on garden land and ensure that decisions were made that were compliant with the National planning policy framework. Members were concerned about the impact of setting a precedent for garden development in areas where it would be detrimental to the local distinctiveness of an area.

RESOLVED with 3 members voting in favour (Councillors Herries, Woollard and Bradford), 7 members voting against (Councillors Gayton, Sands, Ackroyd, Boswell, Blunt, Button and Jackson) and 2 members abstaining (Councillors Grahame and Henderson) not to approve application no 14/00840/F at 25 Clabon Road and following discussion confirm that the reasons for refusal are as follows: the development is detrimental to the character of the area being a single storey dwelling in an area of predominantly two storey dwellings which was detrimental to the local distinctiveness of the area and that the proposed dwelling is overdevelopment of the site, covering 40% of it, and to ask the head of planning services to provide the reasons for refusal in planning terms.

(Reasons for refusal as subsequently provided by the head of planning services: The development of a single storey flat roof dwelling, is of a scale, design and layout which would result in a cramped form of development which would relate poorly to the style and layout of the majority of the other properties in the area. The proposal would therefore have a detrimental impact on the character and local distinctiveness of the area. It is therefore contrary to paragraphs 58 and 64 of the NPPF, policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies HOU13 and HBE12 of the City of Norwich Replacement Local Plan 2004 and emerging policies DM3 and DM12 of the emerging Development Management Policies April 2013.)

(Councillor Grahame left the room and returned during the discussion on the reasons for refusal.)

13. Application no 14/01002/F 14 Mill Hill Road, Norwich NR2 3DP

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

RESOLVED unanimously to grant planning permission for application no 14/01002/F at 14 Mill Hill Road, subject to the following conditions:

1. Time limit.
2. In accordance with plans.
3. Materials to match existing.

CHAIR