



Planning applications committee

09:30 to 12:30

12 April 2018

Present: Councillors Driver (chair), Maxwell (vice chair), Bradford, Button, Carlo, Henderson, Jackson, Malik, Sands (M) and Wright

Apologies: Councillors Peek and Woollard

1. Declarations of interest

Councillor Malik said that he knew the owner of no 111 Earlham Road, Norwich (item 7 (below), Enforcement Case – 111 Earlham Road, Norwich), in his capacity as Nelson ward councillor, but did not have a predetermined view on this item.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 8 March 2018.

3. Application no 18/00023/U - 6 St Matthews Road, Norwich, NR1 1SP

The senior planner referred to the supplementary report of updates to reports which was circulated at the meeting and said that the applicant had requested to withdraw this application.

RESOLVED to note that applicant has withdrawn Application no 18/00023/U - 6 St Matthews Road, Norwich, NR1 1SP.

4. Application no 18/00225/VC - Bartram Mowers Ltd, Bluebell Road, Norwich, NR4 7LG

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

During discussion, the senior planner referred to the report and answered members' questions. A member suggested that the applicant would increase the profit from the sale of units with parking spaces and therefore should make further contributions for mitigation traffic works. The senior planner said that increased revenue from the sale of the parking spaces had not been included in the planning assessment of this application. Floor space determined the amount of contribution that the developer would be required to pay for infrastructure costs. There were no grounds to require further contributions from the developer who was already making significant contributions to enhance community infrastructure. Members were advised that the council would ensure that the applicant complied with the agreed landscaping plan and would consider enforcement if necessary.

The chair moved and the vice chair seconded the recommendations as set out in the report. Councillor Carlo said that she was minded to vote against the application

because she considered that there was no justification for a further eight parking spaces. Discussion ensued in which members expressed concern that visitor parking would be displaced to the surrounding streets, in particular to Norvic Drive. Members sought clarification of the precise location of visitor parking spaces on the site. The motion to approve the application was withdrawn. Councillor Wright then moved and Councillor Maxwell seconded that consideration of the application be deferred to the next meeting of the committee for further information on parking provision for visitors, and it was:

RESOLVED, with 7 members voting in favour (Councillors Maxwell, Button, Carlo, Henderson, Jackson, Wright and Sands), 2 members voting against (Councillors Malik and Bradford) and 1 member abstaining from voting (Councillor Driver) to defer further consideration of Application no 18/00225/VC - Bartram Mowers Ltd, Bluebell Road, Norwich, NR4 7LG, to enable the officers to seek further clarification from the applicant on the precise location of parking spaces for visitors, and to bring back a revised report to the next meeting of the committee (10 May 2018).

5. Application no 18/00261/F - Bristol House 78 - 80 Unthank Road, Norwich, NR2 2RW

The planner 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 contained summaries of consultation responses from Norfolk Constabulary and the city council's tree protection officer.

At the chair's discretion, the agent addressed the committee and spoke in support of the application, itemising the changes that had been made to address the committee's reasons for refusal to the applicant's previous application. These measures included removing a bedroom and opening up the communal spaces to natural daylight; external lighting and CCTV; additional management plan, increased cycle parking. The proposal would provide good standard of living for its residents and provide housing against the shortfall. The exterior of the building would be enhanced and contribute to the conservation area.

During discussion, the planner and the senior planner referred to the report and answered members' questions. Members were advised on the lighting arrangements for the communal area and the adjoining corridor. Members also noted the plan which showed the location of the CCTV cameras and external lights which would have been considered by Norfolk Constabulary when making its recommendation that the applicant applied for a Secure by Design Award for the development. The planner advised members that the council as local planning authority had no control over a developer wishing to include a gym. The planner said that as a condition of approval there were very specific references to how the site would be managed. Any breach in the conditions would be enforceable.

The chair moved and the vice chair seconded the recommendations as set out in the report. Councillor Carlo said that she was concerned that the applicant would not comply with the management plan. Councillor Wright said that despite the agent's assertion he was not convinced that the applicant had gone far enough to address the committee's previous concerns about this scheme. Another member said that this application would prevent family homes in his ward being converted to houses in multiple-occupation.

RESOLVED, with 5 members voting in favour (Councillors Driver, Maxwell, Button, Sands and Bradford), 3 members voting against (Councillors Carlo, Henderson and Wright) and 2 members abstaining from voting (Councillors Jackson and Malik) to approve application no. 18/00261/F - Bristol House 78 - 80 Unthank Road, Norwich, NR2 2RW and grant planning permission subject to the following conditions:

1. Standard time limit
2. In accordance with plans
3. Landscaping scheme to be agreed pre-occupation (including 2 bird boxes)
4. Site to be managed as follows:
 - (a) Signs to be erected inside and outside the property to advertise management contact details
 - (b) Immediate neighbours to be provided with weekly on-site visiting hours for the Community Manager via post or a dedicated website
 - (c) The Community Manager should be available to tenants and members of the public at least one day per week. A log book should be kept as a record of all visits
 - (d) The outside areas should be inspected and cleaned at least once per week.
5. Cycle parking, refuse storage, external amenity space, window replacement works, internal communal spaces, CCTV, external lighting to be made available prior to occupation
6. Water efficiency measures to be used as set out on the plans
7. Works to take place in accordance with the recommendations within sections 5 and 6 of the ecology report
8. No development during bird nesting season without survey
9. Small mammal access - hedgehog haps in boundary treatments
10. Trees - in accordance with Arboricultural Impact Assessment (AIA)
11. Number of occupants limited to 26.

6. Application no 18/00167/O - Garages between 80 - 92 Lincoln Street, Norwich

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

During questions, the planner referred to the report and confirmed that the width of each of the four, proposed dwellings, were comparable with the terrace houses in the street. The space and room layout would be considered at reserved matters stage. Members asked about the window of the adjacent terrace that would be obscured and were advised that it was probably a small room but the representation received in objection had not specified its use. In reply to suggestion that the houses were reoriented to avoid obscuring the window, the planner said that the extension of the terrace would insulate the walls of the adjacent houses and suited the character of the terraced street. There would be further discussion and negotiation about the layout and impact on adjoining buildings at reserved matters stage. Members were also advised that building control was a separate process which would address concerns about dampness. Members noted that the statutory time limit for implementation of the proposal after approval of the last reserved matters application was two years.

The chair moved and the vice chair seconded the recommendations as set out in the report. Members commented that under council policy the occupants of the new dwellings would not be eligible for parking permits and that this could impact on adjoining streets outside controlled parking zones. A member pointed out that there could be potential for parking spaces to be created at the rear of the property as there were a number of garages to existing properties.

RESOLVED, unanimously, to approve application no. 18/00167/O - Garages between 80 - 92 Lincoln Street, Norwich, and grant planning permission subject to the following conditions:

1. Application for reserved matters to be made within 3 years of the date of the permission, development to commence within 2 years of approval of reserved matters.
2. No development to take place without approval of reserved matters relating to appearance, landscaping, scale, layout and access.
3. No development to take place without submission and approval of a protected species survey as part of the reserved matters application(s).
4. No development to take place without submission of a construction management plan.
5. Unexpected contamination to be reported.
6. Imported topsoil/subsoil to be certified.
7. No development to take place until a scheme to mitigate the impacts of surface water flooding has been submitted for approval and approved scheme to be implemented in full.
8. Water efficiency.

Article 35(2) statement

The local planning authority in making its recommendation 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 recommended for approval subject to appropriate conditions and for the reasons outlined in the officer report.

7. Application no 18/00005/F - 5 Nutfield Close, Norwich, NR4 6PF

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

Councillor Lubbock, Eaton ward councillor, addressed the committee on behalf of neighbouring residents and outlined their objections to the application which included: the splitting of a family home into two dwellings on a small close and inconsistent with the character and amenity of the area; over intensive development of the site; concern about parking; concern about the tenure of the building, loss of amenity for residents and its sense of community; concern that the applicant had created 3 bedsits previously; access to the new dwelling less than a metre from the neighbouring property and concerns about noise and loss of amenity to neighbours.

The agent addressed the committee on behalf of the applicant. The extension would be of Passivhaus standards and included rainwater harvesting. The proposal was for a two bedroom dwelling with shared bathroom and living spaces. The tenants had been given notice and no further work had been done pending this application. The

architect had confirmed that the building would meet building control requirements. The applicant was working abroad and asked for a nine month extension to complete the works.

The senior planner referred to the report and answered questions from members. He explained the changes to the layout to create a single dwelling and confirmed that there were no interconnecting doors with the original dwelling. Members sought confirmation that the access to the new dwelling would be adequate and were advised that the path was 1.2 metres and there was a patio door at the rear for larger furniture/white goods etc. The wall between the two properties would need to meet building control standards. The council would not take action provided the unauthorised occupation of the bedsits had ceased and the works were completed within the stated timeframe. The car parking provision was considered to be adequate.

The chair moved and the vice chair seconded the recommendations as set out in the report. Discussion ensued. Councillor Carlo said that she considered that this application was unacceptable in that it was over-intensification of the site and would change the character of the area. Another senior planner explained that the size of the plot was relatively large and with the addition of the new dwelling below 32 per hectare and therefore could not be considered as over-intensive. Councillor Jackson expressed concern that had this been a fresh application for planning consent would it have been granted where the existing dwelling has to be cut into to provide a bathroom. Councillor Henderson concurred with Councillor Jackson and expressed concern about the application being retrospective. Councillor Wright expressed concern that the application to split a dwelling would set a precedent. In response, the senior planner said that this plot was significantly larger than other gardens in the close and therefore little scope to set a precedent. The subdivision of this property which was set back from the street did not change the streetscene or alter the character of the plot.

The chair said that although he had some reservations he would vote in favour of this application. It did not change the character of the close. The council could take enforcement action if the applicant did not comply with the planning consent.

RESOLVED, on the chair's casting vote, with 4 members voting in favour (Councillors Driver, Maxwell, Button and Bradford), 4 members voting against (Councillors Carlo, Henderson, Jackson and Wright) and 2 members abstaining (Councillors Malik and Sands).

(The committee adjourned for a short break at this point. The committee reconvened with all members present. as listed above.)

8. Enforcement Case – 111 Earlham Road, Norwich

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

The owner of the property addressed the committee and explained that the fence and cycle shed had been erected to improve security for his family and cycle storage. Trees had been removed before the family lived at the property. The fence was no higher than the original gate, the only one remaining in the terrace, which was being retained. The family did not run a car and he cycled to work. He

considered that enforcement action would be unfair and pointed out that other properties in the area had trees, open frontages and fences (one with a lean-to). Removal of the fence and shed would make the property less secure and contrary to the National Planning Policy Framework. The shed and fence could be painted green and a green roof and ivy trained up it.

The planner, together with the senior planner, referred to the report and answered members' questions. Members were advised of the enforcement procedures and that officers investigated complaints from members of the public and then discussed with the owner of the property. In this case the harmful aspects of the unauthorised development outweighed the benefits. Sheds in front gardens were not encouraged. This property was locally listed, in a conservation area and subject to an Article 4 Direction which removed permitted development rights to retain the character of the terrace.

The chair moved and Councillor Jackson seconded the recommendations as set out in the report. During discussion Councillor Malik said that he considered enforcement action to be heavy handed as other properties (houses-in-multiple occupation) had rubbish in their gardens. This was a family trying to renovate their home and provide a safe place to live. The owner had offered to alleviate the impact of the fence by climbers on the fence and a green roof. The senior planner said that any properties in a poor state of repair should be reported and officers would investigate. If this fence and shed were to be allowed it would further spoil the character of the area and undermine the Article 4 Direction. Councillor Sands said that he supported Councillor Malik and that the fence was no higher than hedges and that he considered a green roof on the shed and ivy along the fence would not have an impact on the character of the area. Councillor Bradford queried whether the shed and fence were intended to be temporary and was advised that in planning terms these were considered to be permanent structures. Other members considered that as this terrace was locally listed, in a conservation area and subject to an Article 4 Direction it was right to take enforcement action to require the removal of the fence and shed.

RESOLVED, with 7 members voting in favour (Councillors Driver, Maxwell, Button, Carlo, Henderson, Jackson and Wright) and 3 members voting against (Councillors Malik, Sands and Bradford) to authorise enforcement action up to and including prosecution in order to secure:

1. Removal of the fence;
2. Removal of the shed.

9. Enforcement Case 15/00046/CONSRV/ENF – 13 Magdalen Street, Norwich, NR3 1LE

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

A representative of the owner of the property addressed the committee and outlined the reasons for the installation of the double glazed windows. He explained that the owner, to comply with the requirements of the council's private sector housing team, had installed double glazed windows in all of his managed properties. To install double glazed windows as required for this property would be costly, wasteful and

would disrupt the tenants. A condition could be placed that the windows were replaced if the property changed hands or when requiring replacement at a future date. The windows were mock sash, thermally efficient and reduced sound. The planning officers were inaccurately treating the property as a flat and it was a registered house in multiple-occupation (HMO). As a landlord replacing the windows with single glazed windows would not meet the requirements of the private sector housing team.

The planner responded to the issues raised. The landlord could have considered installing secondary double glazing to the original windows. As there was a shop at the ground floor the property was considered to be a flat and therefore did not have permitted development rights.

The planner referred to the report and answered members' questions. He explained that the opportunity to take enforcement action was time limited. The owner had been contacted by the council about the windows in 2015 and again in February 2018. The senior planner said that the replacement windows were considered to be unsuitable for the location in the City Centre Conservation Area where it was necessary to retain original features and present a positive frontage to Magdalen Street. The building was locally listed. Members also noted that disruption to tenants would be minimal.

Councillor Sands suggested that painting the UPVC windows would make a difference. He pointed out that the street light on the wall was not an original feature.

The chair moved and the vice chair seconded the recommendations as set out in the report.

RESOLVED, with 9 members voting in favour (Councillors Driver, Maxwell, Button, Carlo, Henderson, Jackson, Wright, Malik and Bradford) and 1 member voting against (Councillor Sands) to authorise enforcement action to secure the removal of the unauthorised uPVC top opening casement windows and replacement with vertical sliding sash windows in keeping with the original design for the subject property and the prevailing character of the area; including the taking of direct action that may result in referring the matter for prosecution if necessary.

10. Enforcement Case – 2 Bracondale, Norwich NR1 2AF

The planner presented the report with the aid of plans and slides. (The supplementary report of updates to reports, circulated at the meeting, corrects the plan reference number.)

During discussion the planner referred to the report and answered members' questions. He confirmed that Bracondale was in a controlled parking zone and there were designated areas for parking. The parking space outside no 1 Bracondale was considered to be a negative aspect of the conservation area.

The chair moved and the vice chair seconded the recommendations as set out in the report.

RESOLVED, unanimously, to authorise enforcement action up to and including prosecution in order to secure:

Removal of the access and reinstatement of the front garden, including railings of a similar height to that recently removed and of a design in keeping with the character of the conservation area.

11. Application no 18/00319/L - Norwich City Council, City Hall, St Peters Street, Norwich, NR2 1NH

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 explained that the reason for consideration at committee was that it was a city council application and site.

Members concurred with the chair's suggestion that there should be a condition to ensure that the defibrillator was relocated to an accessible location.

During discussion the conservation and design officer referred to the report and answered members' questions. She confirmed that the Roll of Honour was not affected by the current works. Members noted that there would be floor walkers in the lobby after the reception desk had been removed and that this was part of a different way of working for the council. The current application did not include the restoration of the original furniture of the building. Original features which had been boarded over would be retained and preserved in case one day there was ever funding to restore them. Members also commented that they feared removal of the reception desk could compromise building security but noted that the door entry system had been improved and that members of the public could no longer access the basement or office areas.

The chair moved and the vice chair seconded the recommendations as amended to include details of the arrangements for access to the defibrillator.

RESOLVED, unanimously, to approve application no. 18/00319/L - Norwich City Council City Hall, St Peters Street, Norwich, NR2 1NH and grant listed building consent subject to the following conditions:-Standard time limit;

1. In accordance with plans;
2. Details to be submitted including:-
 - (a) Any new internal doors and door furniture,
 - (b) New fire alarm system, emergency lighting and CCTV and any associated surface mounted conduit/wiring,
 - (c) Any new or relocated services in the principal entrance hallway, to include arrangements for access to the defibrillator;
 - (d) Any new fixed furniture;
 - (e) Any new internal or external signage,
 - (f) All new internal finishes (partition work, paintwork and floor coverings),
 - (g) Detailed design of works to the raised level timber floor beside the existing customer service counter in principal entrance hallway.
3. Before any work is undertaken in pursuance of this consent to demolish any part of the building, such steps shall be taken and such works carried out as

- shall, during the progress of works permitted by this consent, secure the safety and stability of all parts of the building to be retained.
4. No works shall take place on the site in pursuance of this consent until a detailed scheme of work outlining the proposed measures of protection for the following features, which shall enable them to remain undisturbed in their existing position and fully protected during the course of the work on the site, has been submitted to and approved in writing by the local planning authority:
 - (a) Tiled floor in rates hall (area 2A);
 - (b) Original lighting x 3 in rates hall (area 2A);
 - (c) Marble wall, emblem sculptures and clock (area 2A);
 - (d) Decorative plasterwork (area 2A);
 - (e) Top light (area 2A and beyond).
 5. Any damage caused to the building by the works hereby approved shall be made good in accordance with a scheme first submitted to and agreed in writing by the local planning authority and the making good in accordance with the scheme as agreed shall take place within 12 months of the approval of the scheme.

Reason for approval:

The proposed works will not result in harm to the surviving special architectural and historic interest of the building. The removal of non-original fabric will alter the internal appearance of the interior; however conditions have been added to ensure that the resulting appearance will preserve the surviving period character and appearance. All items of special architectural and historic interest will be retained. Therefore, subject to compliance with the suggested conditions, the works are considered to comply with the requirements of relevant national and local planning policy and guidance including Chapter 12 of the NPPF and Local Plan policy DM9.

12. Councillor Jackson

The chair paid tribute to Councillor Jackson who was stepping down as a councillor for his contribution to the work of the committee as a long standing, knowledgeable and experienced committee member.

RESOLVED to record the gratitude of Councillor Jackson for his contribution to the work of the committee.

CHAIR