

Planning applications committee**09:30 to 15:40****8 September 2016**

Present: Councillors Herries (chair), Driver (vice chair), Ackroyd (substitute for Councillor Lubbock), Bogelein (substitute for Councillor Henderson) (to the middle of item 18, below), Bradford (to the end of item 9 below), Button, Carlo, Jackson, Malik, Peek, Sands (M) and Woollard

Apologies: Councillors Lubbock and Henderson

1. Declarations of interest

Councillor Jackson declared a predetermined view in item 5 (below), Application no 16/00699/F - 36 - 42 Duke Street, Norwich, NR3 3AR because he had commented on the application.

Councillor Carlo declared that she had a predetermined view in item 7 (below) Application no 16/00928/U - 145 and 147 Earlham Road, Norwich, NR2 3RG because she had commented on the application.

Councillor Bogelein declared a pecuniary interest in item 10 (below), Application no 16/00835/F - 120 - 130 Northumberland Street, Norwich, NR2 4EH because she lived in the street.

2. Minutes

RESOLVED to agree the accuracy of the minutes of the meeting held on 11 August 2016.

3. Application no 16/00790/F - 30 All Saints Green, Norwich, NR1 3NA

The policy team leader (projects) presented the report with the aid of plans and slides and an animated presentation displaying the proposed building in context with its surrounding buildings and varying views, including at street level. She also referred to the supplementary report of updates to reports, which was circulated at the meeting and contained a summary of two further letters of representation and an amendment to paragraph 8 of the main report.

A representative of Aviva addressed the committee and said that the company supported the principle of development on this site but was concerned about the proposed height of the building which was considered to be harmful to the street-scene and the townscape. The height should be reduced from fourteen storeys to

eleven storeys to align the proposed development with the Aviva building. There was no evidence of financial viability to justify the height of the building. Historic England and the Norwich Society also considered that the proposed building should be reduced in height by several storeys. Aviva was also concerned about the site specific impact of the development on its office buildings which included loss of sunlight, daylight and outlook.

The managing director of the development company explained that it specialised in the provision of high quality student accommodation. He explained the economic benefits to the city in providing purpose built accommodation for students of the city's higher educational institutions and that this alleviated pressure on family houses in the residential areas of the city. He explained that there were thirteen storeys and that daylight/sunlight studies demonstrated a minimal impact on the Aviva building. Construction would commence in early 2017 for delivery in 2018.

During discussion the planning policy team leader (projects) referred to the report and responded to the issues raised by the speakers and answered members' questions. Members considered the viability of the site, the effect of reducing the height of the building and sought clarification that an affordable housing contribution was not applicable to this application. The committee noted that the development of a vacant brownfield site would be beneficial to the streetscene and enhance the adjacent listed buildings. Reassurance was given that parking for the disabled would not be lost but would be repositioned. Members were also advised that ground source heat pumps had been considered as a form of renewable energy but this was not considered feasible due to the nature of the site.

Discussion ensued in which members commented on the application. Members generally considered that concerns about the height of the building and its impact on the streetscene were outweighed by the need to provide good quality accommodation for students and by bringing a brownfield site back into use.

Councillor Bradford said that he was concerned about the sustainability of the use for students when there was a demand for good quality housing in the city centre and that he was concerned about the mass and height of the building.

RESOLVED with 11 members voting in favour (Councillors Herries, Driver, Ackroyd, Bogelein, Button, Carlo, Jackson, Malik, Peek, Sands and Woollard) and 1 member abstaining (Councillor Bradford) to approve application no. 16/00790/F - 30 All Saints Green Norwich NR1 3NA and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Contamination
4. Unknown contamination
5. Imported material
6. Archaeological written scheme of investigation
7. Materials
8. Details to be agreed of materials including doors, windows, shopfronts, rainwater goods.
9. Lighting

10. Fire hydrants
11. Disabled access
12. Boundary treatment
13. Obscure glazing
14. Heritage interpretation / public art
15. Energy efficiency
16. Water efficiency
17. SuDS details submission and implementation
18. Landscaping details
19. Landscape provision
20. Street trees
21. Parking / servicing
22. Provision of cycle parking and bin storage
23. TRO required
24. Removal of permitted development rights – ground floor uses
25. Removal of permitted development rights – details of plant and machinery
26. Restricted delivery hours
27. Construction method statement
28. Provision of litter bins and waste collection facilities
29. Travel plan
30. Arboricultural works to facilitate development
31. Details of management arrangements to be agreed
32. S278 agreement

Informatives

1. Construction working hours
2. Asbestos
3. Landscape management plan

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.

4. Extraordinary meeting of the planning applications committee – 22 September 2016 at 12 noon

In reply to a question, the planning team leader (development) (outer area) confirmed that the Lead Local Flood Authority would comment on the planning application prior to the date of the meeting.

RESOLVED to hold an extraordinary meeting of the planning applications committee on Thursday, 22 September 2016 at 12 noon in the council chamber to consider Application No 15/01928/F – St Peters Methodist Church, Park Lane, Norwich, following a site visit at 10:30 to the application site.

5. Application no 16/00699/F - 36 - 42 Duke Street, Norwich, NR3 3AR

(Councillor Jackson having declared a pre-determined view, left the meeting at this point and did not take part in the determination of this item.)

The senior planner (development) presented the report with the aid of plans and referred to the supplementary report of updates to reports which was circulated at the meeting and contained a summary of further letters of representation that had been received in objection to the scheme and a consultation response from Heritage England.

Councillor Jackson, Mancroft ward councillor, addressed the committee on behalf of residents. He said that he was concerned that a number of objectors had not known when the meeting would be considered and that it was essential that residents had the opportunity to speak at meetings and that the committee should defer consideration of this meeting and hold a site visit. He then listed the residents' concerns to the proposed development which included concerns about overlooking; that it was overdevelopment and was detrimental to the character of the conservation area; and concerns about the pavement being too narrow and that driver visibility would be impaired.

The agent addressed the committee in support of his clients' application. He explained that the design of the scheme was sympathetic to the conservation area and adjacent listed buildings; no building would be above three storeys and would be of traditional design and of sustainable materials. The proposal had been amended to mitigate concerns about overlooking from adjacent residents.

(Councillor Jackson left the meeting at this point.)

The planning team leader explained that the council acknowledged comments to planning applications and advised members of the public how to track applications. The council did not have the resources to contact people to advise them when an application came to committee. The report and presentation provided adequate information for the committee to make a decision. The Duke Street site was an open and accessible site which members could have visited.

During discussion the senior planner referred to the report and answered member's questions and the comments from the speakers. There would be a brick wall with railings on Duke Street, but the pavement width would remain the same. The application could not be used to put right a poor situation. The Highways Agency did not object to the vehicle access/egress arrangement which was on to a one-way street. The scheme would be of good quality materials comprising red brick and pantiles, with stepped back ridge heights, which would enhance the conservation area. In reply to a question, she explained that main issue 3 was incorporated into main issue 4 of the report.

Members commented that the scheme provided much needed housing for the city and was sympathetic to the conservation area.

RESOLVED, unanimously, to approve application no. 16/00699/F - 36 - 42 Duke Street Norwich NR3 3AR and grant planning permission, subject to the completion of a satisfactory legal agreement and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to include: materials to be used in external construction of development (including samples), external walls and railings, all external joinery and fenestration including rooflights, rainwater goods, infilling of openings on western side of the site;
4. Landscaping scheme including all soft and hard landscape, boundary treatments, finished site levels and management measures;
5. Works to be undertaken in accordance with the protection measures as outlined in the submitted arboricultural report;
6. Construction Method Statement;
7. Solar panels;
8. Parking, EV charging and cycle/ bin storage details;
9. Obscure glazing of windows in the south elevation as shown on plan reference 4876 C received on 05/08/2016 to be permanently retained in that form;
10. Noise mitigation measures in accordance with the submitted noise report;
11. Contamination measures;
12. Travel Plan;
13. Water efficiency;
14. Lifetime homes; and
15. Archaeology.

Informatives:

1. Protection of noise from balconies.
2. Note to remind the use of permeable paving in courtyard to assist with surface water drainage.

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.

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

6. Application no 16/00536/F - 5 - 9 Haymarket, Norwich, NR2 1QD

The senior planner (development) presented the report with the aid of plans and slides. She explained that the works would ensure that there was no impact on the undercroft of the adjacent building.

During discussion the senior planner referred to the report and answered members' questions. A member referred to the Norwich Society's comments and said that whilst he agreed that there could have been a better designed building it was an

improvement on the existing “ugly façade”. Members commented on the creation of one very large store rather than two retail stores and its sustainability in the future.

RESOLVED, unanimously, to approve application no. 16/00536/F - 5 - 9 Haymarket Norwich NR2 1QD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials;
4. Cycle storage;
5. Energy/Air source heat pumps;
6. Refuse and servicing arrangements;
7. The flood risk measures as outlined in the submitted FRA;
8. Archaeology condition – Written Scheme of Investigation with monitoring of works.

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.

7. Application no 16/00928/U - 145 & 147 Earlham Road, Norwich, NR2 3RG

(Councillor Carlo, having declared a pre-determined view, left the meeting at this point and did not take part in the determination of this item.)

The senior planner (development) presented the report with the aid of plans and slides, including visualisations displaying the garden with the refuse stores in place.

Three local residents addressed the committee and outlined their objections to the application, which included: concern about that the number of occupants would be too great, particularly if some rooms were occupied by couples, and that there would be fewer occupants than the current use of a family house and a bed and breakfast. The proposed change of use was considered to be detrimental to the character of the conservation area, a view shared by the Norwich Society. The applicant had already left rubble in the front garden of one of the properties for some time. The residents also expressed concern that the bin storage would have an adverse visual impact on the streetscene for residents and pedestrians, would emit smells and attract vermin and would take up much of the front garden, require levelling and be difficult to use. Councillor Carlo referred to the planning history and said that the bin storage would still be visible above the wall; that future residents would have cars and exacerbate pressure on parking in the area. She suggested that the scheme be car free as it was in a sustainable location for cyclists and pedestrian, on bus routes and within access of the car club.

(Councillor Carlo left the meeting at this point.)

The agent addressed the committee on behalf of the applicant. He referred to the planning history and said that the current application would reduce the potential occupants from 29 to 14. This halved the number of car journeys that could be expected and reduced the amount of refuse that would be generated.

Discussion ensued in which the senior planner, together with the planning team leader, referred to the report and answered members' questions. He said that there was potential to reduce the size of the bins if larger bins were not considered necessary. Members noted that rooms were en-suite and there were shared kitchens and living spaces. The applicant was targeting young professional people. It was in a sustainable location, on bus routes and residents could easily walk or cycle into the city. It would not be possible to enforce this development as car free because it was not in a controlled parking zone. There had been no complaints to environmental health about debris in the front garden but officers would investigate this. The removal of garden vegetation and internal building works did not require planning permission. The applicants could revert to the current building use if this application was not successful.

The committee discussed the size of the bins and the applicant's arrangements for private contractors to clean the communal areas and service the bins. Members considered that if it were possible then smaller bins should be provided and asked that this should be added to the conditions for the application.

Councillor Jackson moved and Councillor Button seconded that the application be approved subject to an additional condition requiring the details of bin storage to be amended to stipulate the maximum number and size of bins to meet the needs of the development, and it was:

RESOLVED, unanimously, to approve application no. 15/01867/F - 145 & 147 Earlham Road Norwich NR2 3RG and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Detailed landscaping scheme to ensure adequate screening of refuse storage area and planting to mitigate for that lost in the front gardens which is easy to maintain and attractive;
4. No occupation of development until details of cycle storage have been agreed and implemented.
5. Any hardstanding to be constructed of porous material;
6. Compliance with the Management Strategy;
7. Installation of obscure glazing;
8. Each property shall be occupied by no more than 7 tenants, on a 1 tenant per lettable room basis, at any one time;
9. Details of bin storage to be amended subject to agreement on the number and size of bins.

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.

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

8. Application no 16/01033/F – 23 Orchard Close, Norwich, NR7 9NY

The planning team leader (development) (outer area) presented the report with plans and slides. He explained that the application was for multigenerational family use to provide accessible accommodation for an older family member. He referred to the concerns of the adjacent neighbours and recommended that the application should be approved subject to the conditions stated in the report and two additional conditions to mitigate overlooking: partial obscure glazing to the windows to the side of the building to prevent overlooking of the driveway of no 25 and screening to prevent overlooking of the adjacent gardens.

The neighbour at 35 Orchard Close addressed the committee and outlined her concerns about loss of privacy as her property (kitchen and garden) would be overlooked by 23 Orchard Close when the patio was raised. She also expressed concerns about the large footprint of the proposal and flooding caused by surface rainwater and provision of a soakaway 2.5m from the boundary of her property. She considered the gable end, instead of a hipped roof as in the original planning permission, was out of character and would result in loss of outlook.

The agent addressed the committee and explained that the original planning permission had not been built and that subsequently the family's needs had changed and they now needed a wet-room, bedrooms for two boys, a kitchen with wheelchair access. There was a public sewer which constrained the location of the extension. She confirmed that applicant would accept the additional conditions.

During discussion the planning team leader referred to the report and commented on the issues raised by the speakers. He explained that the rear garden was not level and the decking raised the height of the garden by 1.8m, and, therefore, screening was proposed to prevent the overlooking into the neighbouring gardens. He explained that the gable end would not have an undue effect on overlooking or amenity. The extension would have guttering which led into the main drainage and there should be no increase in surface water drainage.

During discussion members had no questions but by consensus agreed to not to move the condition requiring partial glazing of the side windows overlooking the driveway of no 25. Councillor Jackson, moved, and Councillor Bogelein, seconded, to approve the application subject to the additional condition for screening and it was:

RESOLVED, unanimously, to approve application no. 16/01033/F – 23 Orchard Close, Norwich, NR7 9NY and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of landscaping and screening to be provided.

Article 35(2) statement

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

9. Application no 16/00808/F – 1 Branksome Close, Norwich, NR4 6SP

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

Two residents of the close spoke in objection to the proposal. Nine neighbours and the Norwich Society had objected to this proposal. Their concerns included concerns that the extension was out of scale and character of the 1930s' development; would come beyond 2.5m beyond the building line; and, that the design was not harmonious to the surrounding houses and the double front door was confusing.

The applicant explained that the extension was to improve the domestic internal arrangements of the house and that it was essential that it was sympathetic to the appearance of the house and replace an ugly flat room. The front door was to provide access to the house without going through the kitchen. There would be an extra bedroom but it would not impact on traffic in the close and there was sufficient parking on the drive of the house for it not to affect parking on the highway.

During discussion the planning team leader referred to the report and replied to members' questions and the issues raised by the speakers. He explained that this was a large house that was set back, with a large front garden, from the street and that the breach of the building line by the extension was considered acceptable.

Some members expressed concern that the design of the extension could be more sympathetic to the 1930s' building and that the extension could have been moved back from the building line into the rear of the property.

RESOLVED with 8 members voting in favour (Councillors Herris, Driver, Button, Carlo, Peek, Sands, Woollard and Bradford) and 4 members voting against (Councillors Bogelein, Jackson, Ackroyd and Malik) to approve application no. 16/00808/F – 1 Branksome Close, Norwich, NR4 6SP and grant planning permission subject to the following conditions:

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

Article 35(2) statement

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

(Councillor Bradford left the meeting at this point.)

10. Application no 16/00835/F - 120 - 130 Northumberland Street, Norwich, NR2 4EH

(Councillor Bogelein declared an interest in this item and left the room at this point.)

The senior planner (development) presented the report with the aid of plans and slides and referred to the supplementary report of updates to reports circulated at the meeting which contained a correction to the report to take account of a petition signed by 33 people objecting to the three storey block of flats and summarising the comments of Anglian Water.

During discussion the senior planner referred to the report and answered members' questions. He explained that there would be pedestrian priority near the Nelson School and the material used would indicate that this was a shared space. Members were reassured that it was intended to screen the bin storage to the rear of the development.

RESOLVED, unanimously, to approve application no. 16/00835/F - 120 - 130 Northumberland Street, Norwich, NR2 4EH and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details to include: materials to be used in external construction of development(including samples and specifications where necessary), external joinery, rainwater goods;
4. Detailed landscaping scheme to reflect homezone design and include details of permeable paving, demarcation of parking spaces, biodiversity enhancements (hedgehog fencing, bird/bat boxes), lighting, planting (including replacement tree planting), boundary treatments;
5. Contamination – Risk assessment;
6. Contamination – Verification plan;
7. Contamination – Long term monitoring;
8. Contamination – Unknown contamination;
9. Contamination – Imported material;
10. Contamination – Piling methodology;
11. Details of secure and covered cycle storage, refuse storage across the site and EV charging;
12. Compliance with AIA and submission of TPP and method statement as recommended in AIA;
13. Operations on site to take place in accordance with the mitigation/compensation measures outlined in section 7 of the ecological report.
14. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority;
15. Scheme for renewable energy;

16. Construction Method Statement;
17. Grampian condition. No occupation of the dwellings until vehicle access incorporating pedestrian priority has been provided from Northumberland Street in accordance with a scheme to first be agreed in writing with the local planning authority;
18. 10% Lifetime homes;
19. Water efficiency;
20. Restricted construction times

Informatives:

- 1) Considerate construction
- 2) Details of refuse storage are conditioned. The applicant is advised that disabled access should be provided to the communal stores.
- 3) EA advice;
- 4) Asbestos;

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.

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

11. Application no 16/00788/F – 21 Hellesdon Road, Norwich, NR6 5EB

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

Councillor Jackson stated that this application demonstrated the need for the council to have a policy on garden grabbing. However, there was existing permission for a single dwelling on this site and therefore he would support this application for two dwellings.

RESOLVED, unanimously, to approve application no. 16/00788/F – 21 Hellesdon Road, Norwich, NR6 5EB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of windows to north and west elevations (glazing and method of opening)
4. To remain ancillary accommodation to main house.

Article 35(2) statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations

with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined above.

12. Application no 16/00765/F – 31 St Clements Hill, Norwich, NR3 4DE

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

During discussion the planning team leader referred to the report and answered members' questions. He explained that the application was retrospective and if members were to refuse the application the applicant would be subject to enforcement action to reinstate the property to its original condition. The garden was large and other surrounding properties had large outbuildings. The standard of the upper floor of the outbuilding had restricted headroom but was suitable for a playroom and as an ancillary use to the main house.

RESOLVED, with 9 members voting in favour (Councillors Herries, Driver, Button, Bogelein, Carlo, Malik, Sands, Peek and Woollard), and 2 members voting against (Councillors Jackson and Ackroyd) to approve application no 16/00765/F – 31 St Clements Hill, Norwich, NR3 4DE and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of windows to north and west elevations (glazing and method of opening)
4. To remain ancillary accommodation to main house.

Article 35(2) statement

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

(The committee adjourned for lunch at 13:35 and reconvened at 14:05 with the following members present as above, with the exception of Councillor Bradford who had left the meeting after item 9, above.)

13. Application No 16/00782/F and 16/00783/L - Sainsbury Centre for Visual Arts, University of East Anglia, Earlham Road, Norwich

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

During discussion the senior planner referred to the report and answered members' questions. He explained the need to provide more car parking for visitors to the Sainsbury Centre as a separate entity from the University of East Anglia. Members noted the comments of the Twentieth Century Society and noted that a travel plan would be required as part of the application.

RESOLVED, with 7 members voting in favour (Councillors Herries, Driver, Button, Carlo, Peek, Sands and Woollard) and 4 members abstaining from voting (Councillors Bogelein, Jackson, Ackroyd and Malik) to:

- (1) approve application no. 16/00782/F - Sainsbury Centre for Visual Arts, University of East Anglia, Earlham Road, Norwich and grant planning permission subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans;
 3. Submission of landscape details for tree planting and landscape implementation. Subsequent maintenance;
 4. Submission of cycle parking details;
 5. Tree officer meeting.
 6. Submission of AMS for hand dig specification and any alternative land grading
 7. Tree works in accord with AIA/AMS;
 8. Retention of tree protection measures during works;
 9. Parking for use by visitors to the SCVA only;
 10. Submission of car park management and travel planning details/information

Article 35 (2) statement

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

- (2) approve application no. 16/00783/L - Sainsbury Centre for Visual Arts, University of East Anglia, Earlham Road, Norwich and grant listed building consent subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans;

Reasons for Approval:

Car parking in the proposed location could result in a degree of harm to the significance of the grade II* listed Sainsbury Centre and ziggurats and grade II listed teaching wall and walkway in terms of the NPPF. Misgivings have previously been expressed about the prospect of allowing parking either as a temporary car park or within close proximity to the Sainsbury Centre. Earlier assessment has helped inform the larger debate about locations for smaller, permanent additional car parking designated for the Sainsbury Centre elsewhere on campus and for providing managed solutions which are aimed at avoiding causing substantial harm to the setting of the listed buildings or river valley character area.

Although the change in the design of the landscape setting could be considered to result in a degree of harm when it is altered, the possibility that the works present an opportunity to allow better access and beneficial continued use of the building does

help to outweigh the harm that will be caused. Subject to appropriate replacement landscaping the alterations will relate satisfactorily to the area and will respect the special architectural character of the Sainsbury Centre and other listed buildings. Subject to suitable operation of the parking area the alterations on balance result in less than substantial harm to the significance of the heritage asset and will help to secure the optimum viable use of the building.

The scheme improves the operation of the building and overall should not have an adverse impact on design or amenities in the area. As such the development and works to the listed building, subject to conditions, are considered to be appropriate and in accordance with the objectives of the NPPF, policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (2011) and policies DM3 and DM9 of the adopted Development Management Policies Plan (December 2014).

14. Application no 16/00425/F - 2 Fairmile Close, Norwich, NR2 2NG

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

Two neighbours addressed the committee and highlighted their objections to the proposal. This included concern about overlooking of bedrooms and living rooms and that the extended building would block natural light to the neighbouring property. The extension would breach the building line. The modernist design was considered to be out of keeping of the 1960s' buildings in the close and would clash with the "characterful and distinct" appearance of the close. The Norwich Society had objected to the proposal. Members were asked to undertake a site visit.

The applicant spoke in support of the application and said that the houses in the close had not been built to a "harmonious plan". He referred to planning policy and said that he had employed an architect to design the extension. He also referred to the report and said that paragraph 20 set out the results of the shadow assessment and said that he had worked with the planning officer to mitigate the concerns of the neighbours.

The planning assistant referred to the report and answered members' questions. He confirmed that the new extension would be 6.0m at its highest point while the existing house was 6.4m. (Plans displaying the new structure superimposed on the existing house were presented to the committee.)

Discussion ensued. Members had varied views. Some members welcomed the design and considered that there was sufficient space for it. A member commented that the building was innovative but should be refused because it did not fit into the context of the surrounding houses, which although individual had shared features such as materials and landscaping. Other members were concerned that the alterations were so great as to merit a new build rather than an extension.

During discussion a member highlighted that the house was in a critical drainage area and suggested that the flat roof should be a sedum roof. The planning team leader (development) (outer area) said that this would be subject to the agreement of

the applicant, who then indicated that he would agree for this amendment to the proposal.

The committee then voted on the recommendations to amend the conditions to require a sedum (green) roof.

RESOLVED with 7 members voting in favour (Councillors Herries, Driver, Button, Bogelein, Carlo, Malik and Woollard) and 4 members voting against (Councillors Jackson, Ackroyd, Peek and Sands) to approve application no. 16/00425/F - 2 Fairmile Close Norwich NR2 2NG and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans, subject to amendment to include a sedum roof;
3. External Materials

Informative:

1. Construction working hours.

15. Application no 15/01540/F - Land to the south of Merchants Court, St Georges Street, Norwich

(Councillor Bogelein left the meeting during this item.)

The planning assistant (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. Following recent changes to the application, The Playhouse had withdrawn its objections to the scheme, subject to the timing of planned works being considerate of matinee performances.

During discussion the planning assistant referred to the report and answered members' questions. Members expressed concern that the car park had become "landlocked" as an outcome of permitted development rights when office accommodation was changed to a school. Members noted that the residents needed to access the car park but considered it regrettable that there would be loss of public amenity space and trees.

Councillor Carlo said that she did not consider the proposed access acceptable and that it would be detrimental to the safety of pedestrians.

RESOLVED, with 8 members voting in favour (Councillors Herries, Driver, Button, Jackson, Ackroyd, Peek, Woollard and Sands) and 2 members voting against (Councillors Carlo and Malik) to approve application no. 15/01540/F - Land to the south of Merchants Court, St Georges Street, Norwich and grant planning permission subject to the following conditions (and deleting condition 3 as set out in the report because previous approval on this site is now expired so condition preventing its implementation has been removed):

:

1. Standard time limit;
2. In accordance with plans;
3. In accordance with the submitted Arboricultural Impact assessment.
4. Subject to submission and subsequent approval of an Arboricultural Method Statement.
5. Specification of replacement planting.

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.

16. Application no 16/00924/F - 3 Ampthill Street, Norwich, NR2 2RG

The planning assistant (development) and the arboricultural officer (TPO) presented the report, together with the report for the following related item.

The applicant addressed the committee and explained that she needed secure off-street parking to protect her company car from vandalism and, as she worked shifts, was easily accessible. Other residents had converted their front gardens to provide off-street parking. The area would be landscaped and could include a silver birch or rowan tree. Neighbours had complained about the crab apple tree when it dropped its fruit.

During discussion the planning assistant, arboricultural officer and the planning team leader (development) (outer area) referred to the reports and answered members' questions. The proposal was recommended for refusal. The arboricultural officer said that in his opinion there was not room for off street parking and a tree in the front garden. The tree could be maintained so that it was easier to manage.

Discussion ensued in which members considered that the area was in a controlled parking zone and the difficulty of the applicant in finding a parking space near her home late at night or early morning and her personal safety. A member suggested that the applicant could apply to rent a garage and pointed out that there were garages in the vicinity. Some members considered that the tree was in the wrong location and that landscaping would be more sympathetic to the streetscene.

The chair moved the recommendation to refuse the application as set out in the report and with 3 members voting in favour (Councillors Carlo, Jackson and Ackroyd) and 6 members voting against (Councillor Herries, Driver, Button, Peek, Sands and Woollard) and 1 member abstaining (Councillor Malik) the motion to refuse application no 16/00924/F – 3 Ampthill Street, Norwich, NR2 2RG, was lost.

Councillor Sands moved and Councillor Woollard seconded that the application be approved, subject to conditions (proposed by the planning team leader) and on being put to the vote it was:

RESOLVED, with 6 members voting in favour (Councillor Herries, Driver, Button, Peek, Sands and Woollard), 3 members voting against (Councillor Carlo, Jackson and Ackroyd), and 1 member abstaining (Councillor Malik) to approve application no Application no 16/00924/F - 3 Ampthill Street, Norwich, NR2 2RG (contrary to officer recommendation) and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of landscaping and replacement planting to be agreed;
4. Gates not to open into highway.

17. Tree Preservation Order [TPO], 2016. City of Norwich Number 505; 3 Ampthill Street, Norwich, NR2 2RG

The chair moved and Councillor Sands seconded that the committee went straight to the vote and with a majority voting in favour the procedural motion was carried.

Councillor Sands moved and Councillor Woollard seconded that Tree Preservation Order no 505 was not confirmed as a consequence of the decision taken in respect of the above item - Application no 16/00924/F - 3 Ampthill Street, Norwich, NR2 2RG.

RESOLVED, with 6 members voting in favour (Councillors Herries, Driver, Button, Peek, Sands and Woollard), 3 members voting against (Councillors Carlo, Jackson and Ackroyd), and 1 member abstaining from voting (Councillor Malik), to not to confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 505; 3 Ampthill Street, Norwich, NR2 2RG, (contrary to officer recommendation).

18. Tree Preservation Order [TPO], 2016. City of Norwich Number 506; 166a St Clements Hill, Norwich, NR3 4DG

The arboricultural officer (TPO) presented the report with the aid of plans and slides.

A member of the public addressed the committee and said that the birch tree blocked the entrance to the drive because its root structure. The drive way was 2.4m wide and although the tree officer maintained that there was adequate room to access the drive "with care", he considered that there was insufficient room for an ambulance. He also considered that the amenity value of the tree had diminished.

Discussion ensued in which a member suggested that the consideration should be given to remove the brick pillars at the entrance to the drive as this could widen it sufficiently to overcome the resident's concerns.

RESOLVED, unanimously, to confirm Tree Preservation Order [TPO], 2016. City of Norwich Number 506; 166a St Clements Hill, Norwich, NR3 4DG.

19. Application no 16/01118/F - Garages opposite 2 Oxford Street. Norwich

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 was circulated at the meeting, and said that two representations had been received which were summarised with the officer response in the report. Members were also advised that there was an amended plan and that an additional condition regarding tree protection measures was recommended.

During discussion the senior planner referred to the report and answered members' questions. The committee considered the issues raised in response to the consultation/publication of the report. Members noted that 20 of the 24 garages were let to tenants and that alternative provision was available within 800m of the site.

Members welcomed the provision of five affordable housing units in the area.

RESOLVED, unanimously, to approve application no 16/01118/F and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of facing and roofing materials; windows; joinery; boundary treatments, walls and fences; external lighting;
4. Details of hard and soft landscaping, planting, biodiversity enhancements.
5. Implementation of sustainability measures/energy efficiency measures as outlined in application
6. Contamination risk assessment and report to be submitted
7. Unknown contamination to be addressed
8. Control on imported materials;
9. Works on site to be in accordance with the submitted Arboricultural Implications Assessment, Arboricultural Method Statement and Tree Protection Plan.

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.

20. Application no 16/00290/F - Eaton Hand Car Wash Ipswich Road Norwich NR4 6QS

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

Councillor Ackroyd, Eaton Ward councillor, said that it was important that the applicants reinstated the boundary.

RESOLVED, unanimously, to approve application no. 16/00290/F - Eaton Hand Car Wash Ipswich Road Norwich NR4 6QS and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans
3. Details of the boundary treatments specified on PDB/16/07/02A must be submitted within 8 weeks and a supplementary AIA/AMS for the installation of these.
4. Opening hours restricted to 08:00 – 19:00 Monday to Saturday and 10:00 – 16:00 Sunday and Bank Holidays.

Informative

It should be noted that a separate application would be required should any development (which requires consent) be undertaken on the land within the same ownership that is outlined in blue on the site location plan.

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

Planning applications committee**12:15 to 12:35****22 September 2016**

Present: Councillors Herries (chair), Bogelein (substitute for Councillor Henderson), Bradford, Button, Carlo, Jackson, Lubbock, Malik, Peek

Apologies: Councillors Driver (vice chair), Henderson, Sands (M) and Woollard

(The following members attended the site visit to St Peters Methodist Church, Park Lane and no 79 Park Lane: Councillors Herries, Bradford, Button, Carol, Jackson, Lubbock, Malik and Peek.)

1. Declarations of interest

There were no declarations of interest.

2. Application no 15/01928/F – St Peters Methodist Church, Park Lane, Norwich, NR2 3EQ

(The meeting had been delayed to give members an opportunity to read through the supplementary report of updates to reports and a letter received from Norfolk County Council, as lead local flood authority, which were circulated at the meeting.)

Councillor Carlo referred to the county council's objection to the scheme and the supplementary report of updates to reports, circulated at the meeting, and said members did not have time to fully comprehend the technical five page objection from the county council and the implications raised in late representations from local members in relation to the city council's economic viability assessment for affordable housing. She then moved, seconded by Councillor Bogelein, that consideration of the application should be deferred to allow members an opportunity to consider the issues raised and for a response from the applicant and officers.

The senior planner (development), referred to the supplementary report and the revised officer recommendation, and explained that when the application was received last year, the local authority did not identify the site as a known flooding location and the site did not therefore constitute one where the lead local flood risk authority should be consulted. The flood risk of the surrounding area was subsequently brought to the attention of the local authority, which meant that it was necessary to consult the county council as lead local flood risk authority and its response had been received on 21 September 2016.

During discussion members spoke in support of the motion to defer consideration of the application and expressed their concern about the need to fully understand the implications of the county council's objections and consider a full assessment of the issues raised in its letter and the supplementary report before making a decision on

the application. Members considered that were the county council's objection to be removed there would be conditions which should be approved by members rather than delegating to officers.

The planning team leader (development) (outer area) advised members that the applicant could instigate an appeal for non-determination if there was a further delay.

RESOLVED, with 7 members voting in favour (Councillors Carlo, Bogelein, Bradford, Button, Jackson, Lubbock and Malik) and 2 members voting against (Councillors Herries and Peek), to defer consideration of the application to allow members to digest the information circulated at the meeting and for further information to be provided in response to the issues raised by the lead local flood authority (Norfolk Council) regarding the applicant's flood risk assessment and in late representations from local members and residents regarding the viability assessment provided by the applicant.

(The application is therefore expected to come before the committee on 10 November 2016, at the earliest.)

CHAIR