



Planning applications committee

09:30 to 12:40

6 August 2015

Present: Councillors Sands (M) (chair), Herries (vice chair), Blunt, Bradford, Button, Carlo, Lubbock, Jackson, Neale, Peek and Woollard

Apologies: Councillor Brociek-Coulton

1. Declarations of interest

There were no declarations of interest.

Councillor Woollard said that she had spoken to residents about item 7 (below), Application no 15/00683/F- Mile Cross Area Housing Office, 2 - 8 Hansard Close, Norwich, NR3 2LY, in her capacity as a local member for Mile Cross ward and stated that she did not have a predetermined view and would approach the determination of the application with an open mind.

2. Minutes

RESOLVED to approve the minutes of the meeting held on 6 July 2015, subject to amending the time recorded for the commencement of the meeting to 9:30.

3. Application no 15/00593/F - 20-22 Bridewell Alley, Norwich, NR2 1AQ

The planning team leader (development) (inner) presented the report with the aid of plans and slides. He also referred to the supplementary report of updates to reports, which was circulated at the meeting, and pointed out a correction to paragraph 21 of the report (replacing the word “overlooking” with “overshadowing”).

During discussion the planning team leader referred to the report and answered members’ questions. Members sought clarification about the accessibility of the toilet facilities for disabled people and noted that as planning consent was not required for this element of the planning application, it could not be required as a condition of planning consent. The committee also considered that there should be access for the disabled and were advised that the case officer had discussed lowering the shop front with the applicant. Some members considered that a further condition could be added to ask the applicant to explore the feasibility of providing level access and, if it was found to be feasible, to provide access for disabled people. One member considered that this was unnecessary as the planning case worker had already explored this with the applicant.

In reply to a member's question, the planning team leader said that the use of the roof terrace was unlikely to impact on the neighbouring commercial properties. The future occupants would be likely to use the facility during the weekends or evenings. A member said that he was concerned that future residents of the residential units would suffer noise and disturbance from a nearby café and its patrons dispelling into the street late at night. He pointed out that this change of use came under permitted development rights and therefore the committee was powerless to address the amenity of the occupants.

Councillor Neale moved and Councillor Woollard seconded that an additional planning condition should be added to the list set out in the recommendations to require the applicant prior to the commencement of the scheme to assess the feasibility of providing level access to the shop and if demonstrated as feasible to provide it. On being put to the vote with 9 members voting in favour (Councillors Sands, Herries, Button, Lubbock, Carlo, Neale, Peek, Woollard and Bradford), 1 member voting against (Councillor Jackson) and 1 member abstaining (Councillor Blunt), the amendment was approved. There was general consensus that an informative should be added to the planning consent that advised the applicant to consider door treatments, such as a sliding door, which would make the toilet facilities accessible to people with disabilities.

RESOLVED, unanimously, to approve application no. 15/00593/F - 20-22 Bridewell Alley, Norwich, NR2 1AQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials;
4. Bin and bike storage to be provided within the site prior to occupation;
5. Water efficiency measures;
6. No development shall take place until a scheme which assesses the feasibility of providing level access to the new shop front has been submitted to and agreed in writing with the Local Planning Authority. Where the feasibility scheme shows that level access is feasible such level access shall be provided in full accordance with the approved details within the scheme.

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.

Informative:

1. It is recommended that the new downstairs toilet shown on the plans should provide disabled access.
2. The applicant/future occupier is advised that the site is located within the heart of the city centre where noise from evening activities can be a nuisance. As the proposed residential use was permitted development no restrictive noise conditions have been applied in this instance.

4. Application no 15/00256/F - 111 Adelaide Street, Norwich, NR2 4JD

The planning team leader (development) (inner) presented the report with the aid of plans and slides. He also referred to the supplementary report of updates to reports, which was circulated at the meeting and contained a summary of an additional letter of representation and the officer response to the issues raised.

A member suggested that as there were three car parking spaces for four flats, an informative should be added to the planning consent to advise future occupants of the availability of the Norwich Car Club. This was agreed by consensus.

During discussion, the planning team leader referred to the report and replied to members' comments. Members noted that parking provision complied with the council's policy and that there was a landscaping condition to ensure that the detail of planting at the front of the property would be agreed with officers. The committee was advised that The Bread and Cheese public house had not been listed and that there were other public houses in the vicinity. Discussion ensued on heritage interpretation of the site as a former public house. Members noted that a condition to interpret the site under policy DM9 was not appropriate. It would be difficult to maintain the public house sign and the public house would have been called various names over the years. Members considered that the proposed design retained some of the external features of the building and were advised that there was a condition for the use of materials which could support retention of the heritage of the building.

RESOLVED, unanimously, to approve application no 15/00256/F - 111 Adelaide Street Norwich NR2 4JD and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials;
4. Landscaping;
5. Details of bin and bike stores; to be provided prior to occupation;
6. Details of any tree works (including replacement planting if necessary);
7. Retention of stained glass;
8. Water efficiency measures.

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.

Informative:

The future occupiers are advised that a car club operates in Norwich which allows the use of vehicles on a pay as you go basis. The nearest vehicle is on Nelson Street. More information is available at www.norfolkcarclub.com .

5. Application no 15/00239/F - 12 - 14 Old Palace Road, Norwich, NR2 4JF

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

One of the owners of the adjacent properties read out a statement from the owner of no 16 Old Palace Road. His objections to the scheme included: concern about the size and mass of the extension; that it would impact and block natural light to no 16; that the capacity of the temple would be increased and that potentially more people would attend the temple and increase noise and disturbance to its neighbours; and that noise and emissions from the flue and water run off would constitute a public nuisance in case law. The owner of no 12A Old Palace Road then addressed the committee and outlined her objections to the proposal which also included: intensification of use of the worship centre and unreasonable development in a primarily residential street, doubling its size; the applicant had not provided any indication of sound proofing; concern about emissions and odours from the flue and detrimental effect on the amenity of residents of 12a and 16 Old Palace Road through open windows and when enjoying their gardens; light restriction to the upper floor of both neighbouring properties and in particular given its proximity, blocking natural light to one of her windows which would look out on to a brick wall; concern about parking and noise from people attending the temple; and suggesting that the applicants should consider relocating to a purpose built facility. She pointed out that the current unauthorised ground floor extension had been tolerated as a temporary structure but the application for a permanent three level structure would be unreasonable for the neighbouring residents. (Slides provide by the owner of no 12A were displayed at the meeting.)

During discussion the planning team leader referred to the report and, together with the planning development manager, answered members' questions. A member expressed concern that no action had been taken about the unauthorised development. Members were advised that there were a number of options that the committee could consider including the refusal of the application and authorising enforcement action. One member said that he considered that the design of the kitchen and dining areas was a breach of environmental health regulations as the toilets led direct on to the dining room without a door in between and refuse and waste materials needed to be moved through the kitchen/dining area. Members were advised that the internal arrangements would need to comply with building and environmental health regulations.

Discussion ensued in which a member suggested that the intensification of this site for use as place of worship was not a sustainable location and contrary to policy DM1 and suggested that the appellants considered relocation to a more suitable location. Another member said that she had attended the opening of the temple five years ago and it was a small place of worship. There was no evidence to support the suggestion that the congregation was expanding or seeking to intensify the use of the site. The application was to rationalise the use of the facilities for the current congregation. A member pointed out that there was mixed development in Old Palace Road and that there was a small supermarket and garage in the vicinity. The planning team leader said that places of worship were often located in residential areas. The location of a place of worship near a district centre was

supported by planning policy. The temple was close to the Dereham Road district centre. The committee discussed the use of the flue and the kitchen facilities.

At one point during the debate, Councillor Neale moved and Councillor Jackson seconded that the application be refused because of its impact on parking and the highways, and that the intensification of the use of the site would be detrimental to residents' amenity. The motion was withdrawn following advice that, as the highway planners had not objected to the scheme, it would be difficult to substantiate refusal (under the National Planning Policy Framework guidelines). Members were also advised that additional conditions could be imposed to mitigate noise and disturbance to the neighbours from amplified sound or from people congregating to the rear of the building. Members also noted that the temple was detached and there was no party wall with the adjacent properties. Councillor Button (chair of licensing committee) spoke in support of an additional condition to control the use of amplified music on the site and said that it surpassed arrangements under the licensing regulations.

Members then considered that the temple was not in constant use throughout the week and that proposed development would improve the appearance of the building from the street and rear. Also the introduction of purpose built kitchen facilities and a flue would prevent cooking odours emanating from the building.

The chair moved the recommendations with additional conditions relating to the requirement that details of amplification equipment be submitted to the local planning authority prior to use and controlling the external space at the rear of the building.

RESOLVED, with 8 members voting in favour (Councillors Sands, Herries, Blunt, Button, Lubbock, Carlo, Woollard and Bradford), 1 member voting against (Councillor Neale) and 2 members abstaining (Councillors Jackson and Peek), to approve application no. 15/00239/F - 12 - 14 Old Palace Road Norwich NR2 4JF and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. External materials to match existing main building;
4. [Notwithstanding what is shown on the plans] Details of flue/extract system;
5. Details of water butts; to be retained in perpetuity;
6. Details of landscaping
7. Details of cycle and refuse storage;
8. Provision of car parking prior to first use;
9. No loudspeaker, amplifier, relay or other audio equipment shall be installed at the premises unless and until details of the amplification equipment have first been submitted to and agreed in writing by the local planning authority. The amplification system shall be designed to limit the level of noise emanating from the premises, such that the noise levels from the application premises shall not exceed background noise levels at the nearest sensitive receptor.
10. With the exception of normal comings and goings to and from the premises, the external curtilage of the building shall not be used for congregational gatherings and the holding of outdoor events, including outdoor consumption of food and the prolonged overspill of visitors from the temple.

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

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

6. Application no 15/00915/NF3 - Garages adjacent to 13 Riley Close, 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 contained a correction to the report regarding the site plan; two further representations and the officer response and additional comments from the local highway authority proposing an informative be added.

Councillor Bradford, local member for Crome Ward, welcomed the application and said that there was a need for this type of accommodation in the area.

The planner referred to the report and answered members' questions. Twelve of the garages were currently empty and there was capacity in the area to provide alternative council owned garages to meet demand. The provision of the three unallocated parking spaces was beyond the policy requirement but sought to readdress the concerns raised by residents. Soft landscaping was subject to condition and the landscaping plan agreed.

RESOLVED, unanimously, to approve application no. 15/00915/NF3 - Garages adjacent to 13 Riley Close Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials and PV panels
4. Details of mitigatory planting next to the unallocated parking spaces
5. In accordance with the approved landscape plan
6. All boundary treatment to be carried out prior to occupation
7. Biodiversity enhancements to be carried out prior to occupation
8. Details of cycle parking to the frontage prior to occupation
9. If unknown contamination is found, mitigation to be approved prior to occupation
10. Details of all imported material prior to occupation
11. Prior to commencement details of archaeological written scheme of investigation
12. First floor windows to side elevations to be of obscure glazing.

Informatives

1. Adoption guidance.
2. Refuse and recycling.
3. Considerate construction.
4. Construction working hours.
5. Advice relating to processing 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 at the pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined above.

7. Application no 15/00683/F - Mile Cross Area Housing Office, 2 - 8 Hansard Close, Norwich, NR3 2LY

The senior planner development presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports circulated at the meeting and explained the changes to the National Planning Policy Framework and the implications on the current status of planning policy related to the provision of affordable housing. He pointed out that there had been no objections to the scheme from members of the public. However a member of the public had raised concerns through his ward councillor at the pre-application stage on the position of the windows overlooking adjacent properties, which had been resolved in the design stage, and a housing management issue regarding the occupants of the one bedroom units.

During discussion a member said that hedges were an important part of the character of Mile Cross as a garden suburb of the city and therefore sought clarification of the planting at the front of the site. The senior planner explained that it would be possible to review the planting at the edge to maintain the character of the area but it would not be possible to place hedging at the front of the building because of the allocation of parking spaces.

Members welcomed the use of Passivhaus development and noted that retro fitting of heating could be carried out at a later date if necessary. Members also noted that Passivhaus technology required a change in mind-set for its occupants.

RESOLVED, unanimously, to approve application no. 15/00683/F - Mile Cross Area Housing Office 2 - 8 Hansard Close Norwich NR3 2LY 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 plant and machinery;
4. Details of facing and roofing materials; joinery; verges, vent systems, external lighting;
5. Details of car parking, cycle storage, bin stores provision;
6. Details of off-site highways works,;

7. Details of landscaping, planting, biodiversity enhancements, site treatment works, boundary treatments, gates, walls and fences, access road and path link surface and landscape maintenance;
8. Pre-construction site meeting, details of arboricultural monitoring and where necessary AMS for protection of existing tree planting;
9. Compliance with AIA, AMS and Tree Protection Scheme implemented prior to commencement;
10. Retention of tree protection;
11. Details of provision and maintenance of LZC technologies and renewable energy sources should development not achieve Passivhaus accreditation;
12. Details of water efficiency measures;
13. Surface water drainage management;
14. Cessation of works if unknown contaminants found;
15. Details of all imported material prior to occupation.

Informatives

1. Considerate constructors
2. Advisory on Asbestos
3. Impact on wildlife
4. Highways contacts, permits, design note, works within the highway etc.

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 pre-application and application stage the application has been approved subject to suitable land management, adoption, appropriate conditions and for the reasons outlined within the committee report for the application.

8. Application no 15/00559/F – 3 Helena Road, Norwich, NR2 3BY

The senior planning technical officer presented the report with the aid of plans and slides. He explained that in order to mitigate the concerns of local residents that the cladding would inhibit access to the alleyway the cladding would be only 60mm at the lower level and increased in width to 100mm over 2.5m to benefit from greater insulation. There was also concern about the red brick gable end which would be rendered.

Councillor Carlo said that she considered that the cladding would make a difference to the energy efficiency of the house and improve its insulation. She considered that the compromise of using different widths at the bottom to maintain access to the alleyway was useful and would benefit the other residents.

RESOLVED, unanimously, to approve application no. 15/00559/F – 3 Helena Road Norwich NR2 3BY 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.

9. Application no 15/00864/F – 8 Latimer Road, Norwich, NR1 2RW

The senior planning technical officer presented the report with the aid of plans and slides. He explained that the projected gable was a feature of the area.

RESOLVED, unanimously, to approve application no. 15/00864/F – 8 Latimer Road, Norwich, NR1 2RW 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.

10. Performance of the development management service; progress on appeals against planning decisions and planning enforcement action for quarter 1, 2015-16 (1 April to 30 June 2015)

The planning development manager presented the report. He referred to the supplementary report of updates to reports which was circulated at the meeting and advised members of progress on enforcement cases.

Members were advised that the appeal for application no 15/00225/F, 1 The Moorings had been allowed at appeal.

During discussion members sought further information on the progress of enforcement action and asked that an explanation for the delays could be included in the next quarterly report to the committee. It was also suggested that the committee had an informal briefing on unauthorised development and the actions available to the council to address it.

RESOLVED to note the report.

CHAIR