



Planning applications committee

10:35 – 14:10

14 June 2018

Present: Councillors Driver (chair), Maxwell (vice chair following appointment), Bradford, Brociek-Coulton, Henderson (left meeting during item 9), Lubbock (substitute for Councillor Wright) (left meeting during item 9), Malik, Peek, Raby, Ryan (to end of item 5 below), Sands (M), Stutely, Trevor (to end of item 5 below)

Apologies: Councillor Wright

1. Appointment of vice chair

RESOLVED to appoint Councillor Maxwell as vice chair for the ensuing civic year.

2. Declarations of interest

Councillor Lubbock declared predetermined views in items 6 (below) Application no 18/00544/F - 21 Sotherton Road, Norwich, NR4 7DA, and 9 (below) Application no 18/00518/F - 10 Sunningdale, Norwich, NR4 6AQ.

Councillor Raby declared an other interest in item 4 (below), Application no 18/00437/F - Car Park adjacent to Sentinel House 37 - 43 Surrey Street, Norwich as a member of the Norwich Church Preservation Trust. He also stated that he was a member of the Norwich Society.

Councillor Malik referred to item 10 (below), Application nos 18/00551/F and 18/00552/A - 13 Earlham House Shops, Earlham Road, Norwich, NR2 3PD and said that he had spoken to residents about the proposals for Earlham Road Shops in his capacity as ward councillor but did not have a pre-determined view.

3. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 10 May 2018.

4. Application no 18/00437/F - Car Park adjacent to Sentinel House 37 - 43 Surrey Street, Norwich

(Councillor Raby had declared an interest in this item.)

(As a mark of respect for those killed and injured in the Grenfell Tower tragedy, a minute's silence was held during this item.)

The senior planner presented the report with the aid of plans and slides. During the presentation she referred to the supplementary report of updates to reports which

was circulated at the meeting and contained a summary of a further comment from a member of the public who could not attend the meeting but had replied to the planning consultation on the application.

Six members of the public, including a proxy speaking on behalf of a resident who could not attend the meeting, addressed the committee and highlighted their objections to the scheme. Councillor Smith, Mancroft ward councillor, also addressed the committee on behalf of local residents and spoke against the application. Their concerns regarding the impact of the development on the amenity of residents of Carlton Terrace included loss of light; loss of outlook; overlooking and loss of privacy; noise and concern that a large number of bins for the proposed development would be sited adjacent to the boundary with Carlton Terrace; and loss of community and over studentification of the area. Other concerns included the impact on the character of the area and the conservation area, that it would produce a canyon effect with adjacent buildings and that the design was not sympathetic to the four storey Carlton Terrace; concern about wellbeing of residents and the local community and that a mixed development in line with the site allocation would be more suitable for this site. Residents also expressed concern about the disruption that would be caused during the construction of the development.

The agent responded on behalf of the applicant and spoke in support of the application. The applicants had worked with planning officers to address the reasons for refusal that the committee had given to the previous application, which was currently being appealed. This was a brownfield site in a sustainable location and would help meet demand for student accommodation and provide a pedestrian link through the site. She pointed out that the impact of the development would have a very low impact on the residents of Carlton Terrace. Only four windows did not meet the standard because of the existing use of canopies on the building. She referred to the distance of the nearest building to Carlton Terrace was 24 metres, which was acceptable in an urban city centre, and pointed out that none of the elevations directly overlooked Carlton Terrace or Sentinel House. The scheme would benefit the city and provide a choice of accommodation for students in the city.

The planner and the area development manager (inner) referred to the report and answered members' questions. This included clarification of distances from the proposed development to Carlton Terrace and Sentinel House and that the car parking provision in this sustainable location was policy compliant. Members were also advised that the council was still working on its evaluation of the need for student accommodation in the city but this was not a reason to refuse this application as the application before members had been amended to address the previous reasons for refusal. Community infrastructure levy was a lower rate for student accommodation. The senior planner provided a detailed explanation of the impact on the windows of Carlton Terrace and explained how the canopies meant that the windows failed the BRE standard rather than the proposed development itself. It was proposed that a condition of the planning consent would be that a management plan would be required. With regard to noise, windows facing Queens Road would be mechanically ventilated and could be kept closed to protect occupants from poor air quality and traffic noise. The buildings would be built to building control noise standards. The development was in a sustainable location; occupants could walk to services and access public transport. Although it was proposed to remove the roof terrace element, there would still be outside recreational amenity space, including the path way and courtyards, and easy access to parks in the city centre, which was

considered sufficient for the reduced number of students. Accessible units were spread out across the site rather than a concentration in one block.

The chair moved and the vice chair seconded the recommendations as set out in the report. Discussion ensued in which some members expressed concern that they did not consider that this application sufficiently addressed the reasons for refusal of the previous application and that the scale and mass of the development still took as its reference Sentinel House, considered to have a negative effect on the built landscape, rather than Carlton Terrace. Other members spoke in support of the application which would open up the site and was in a sustainable, brownfield site, accessible by public transport. A member pointed out that this application tried to mitigate the adverse effects of the previous application, which could be won at appeal. Development on this site would need to be dense because of its location and land values. It was unlikely that a lower density mixed use would come forward for this site. The application supported the five year land supply. Anecdotal evidence was given of the need for accommodation for the higher education establishments in the city and that 25 metres distance from the buildings was good for a city centre location.

On being put to the vote, with 6 members voting in favour (Councillors Driver, Maxwell, Lubbock, Ryan, Bradford and Peek) and 7 members voting against (Councillors Brociek-Coulton, Henderson, Trevor, Sands, Raby, Malik and Stutely) the motion to approve the application was lost.

Discussion ensued in which members considered reasons for refusal and were advised by the area development manager (inner) with regard to the changes that had been made between this application and the previous application.

Councillor Raby moved and Councillor Malik seconded that the application be refused on the grounds: that its height and mass and degree of separation from the proposed and neighbouring building would have a detrimental impact on the residents of Carlton Terrace; the scale and height of the proposed development would have an adverse impact on the conservation area and heritage buildings in the vicinity; and, that it was contrary to policy. On being put to the vote, it was:

RESOLVED, with 7 members voting in favour (Councillors Brociek-Coulton, Henderson, Trevor, Sands, Raby, Malik and Stutely) and 6 members voting against (Councillors Driver, Maxwell, Lubbock, Ryan, Bradford and Peek) to refuse Application no 18/00437/F - Car Park adjacent to Sentinel House 37 - 43 Surrey Street, Norwich for the following reasons:

1. By virtue of the height and mass of the proposed building and the degree of separation between the proposed and neighbouring buildings, the proposal will have a detrimental impact on the existing residents of Carlton Terrace, and an overbearing relationship. The development would therefore not accord to policy DM2 and DM12 of the Norwich Development Management Policies Local Plan (adopted 2014).
2. The scale, height and mass of the proposed development fails to respect the character of the adjacent non designated heritage asset of Carlton Terrace and other historic buildings in the conservation area and instead takes reference from Sentinel House and Norfolk Tower which are buildings

identified within the Norwich City Centre Conservation Area Appraisal as being negative. The development results in less than substantial harm to the non-designated heritage assets and to the conservation area and would therefore not accord with policy DM3 and DM9 of the Norwich Development Management Policies Local Plan (adopted 2014), policies 1 and 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted 2011, amendments adopted 2014) and sections 7 and 12 of the National Planning Policy Framework (adopted 2012).

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

5. Application no 18/00058/F - 41 - 43 St Augustines Street, Norwich, NR3 3BY

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

During discussion members sought clarification that future residents would not be entitled to parking permits for the controlled parking zone and that visitors would be required to park in city centre car parks or short stay visitor parking bays. Road closure to enable the demolition of the corner building would be kept to a minimum. The windows would be sash windows and materials were subject to approval.

Councillor Sands said that he welcomed the scheme which would remove an eyesore and renovate the area. He suggested that consideration was given to naming it Blacksmiths Court to mark its historic background.

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

RESOLVED, unanimously, to approve application no. 18/00058/F - 41 - 43 St Augustines Street Norwich NR3 3BY and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Retail unit to be for A1, A2 or A3 purposes only.
4. Water efficiency – residential
5. Water efficiency – commercial
6. Materials to be submitted for approval
7. Cycle and bin storage and landscaping details of rear courtyard to be submitted for approval
8. Land contamination report to be submitted and measures implemented if required
9. Surface water drainage attenuation measures to be provided.
10. Archaeological written scheme of investigation
11. The building envelope shall be constructed so as to provide sound attenuation against external noise and ensure internal sound levels no greater than:

(a) 35dB LAeq(16 hour) in the main living rooms of the dwelling(s) (for daytime and evening use); and

(b) 30dB LAeq(8 hour)/45dB LAm_{ax}(fast) in the bedrooms of the dwelling(s) (for nighttime use) in line with World Health Organisation guidance, with windows shut and other means of ventilation provided.

13. Construction management plan to be submitted.

14. All windows should be sash style and not outward opening.

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

(The chair had agreed to amend the agenda order to take the next three applications in sequence. The area development manager (inner) referred to the supplementary report of updates to reports, circulated at the meeting, which set out the outcome of an appeal decision in relation to an application for a house in multiple-occupation (HMO) and explained that this would have implications for these items.)

6. Application no 18/00544/F - 21 Sotherton Road, Norwich, NR4 7DA

(Councillors Ryan and Trevor left the meeting during this item.)

(Councillor Lubbock, having declared a predetermined view, sat in the public seats, addressed the committee and then left the room. She did not take part in the discussion or determination of this application.)

The planner 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 implications for this specific application which was a fine balance between approval and refusal. The key concerns related to access and parking.

A resident spoke on support of 17 neighbours who were opposed to the application, pointing out that a number of properties were now houses in multiple-occupation (HMOs). No 19 had recently been purchased and no 23 was already an HMO. It was very difficult for vehicles, including emergency vehicles, to access the cul-de-sac. The area development manager (inner) read out a statement from a neighbour opposed to the proposal whose child's medical condition required regular attendance by ambulances and that the increase in occupants of the HMOs led to more noise and disturbance to other residents. Councillor Lubbock, Eaton Ward, also addressed the committee and outlined the residents' concerns including pointing out that the issues were similar to the outcome of the appeal decision, outlined in the supplementary report of updates to reports. There were concerns that too many properties in this street were student lets and parking at this property was reliant on co-operation of the neighbouring property. This HMO would be detrimental to residential amenity. She referred to planning policies DM13, DM30 and DM31 and said that there should be adequate parking for the residents of this HMO.

The chair moved and the vice chair seconded that the application be refused on the grounds of residential amenity and parking. The area development manager assisted with wording for the reasons for refusal in policy terms. During discussion members commented about the unsuitability of this site for a HMO, due to the constraints of the site on a cul-de-sac, that the access would be reliant on co-operation from the neighbouring property and that students should have satisfactory living conditions.

RESOLVED, unanimously, to refuse Application no 18/00544/F – 21 Sotherton Road, Norwich, NR4 7DA on the grounds of residential amenity and parking and to ask the head of planning services to provide the reasons in planning policy terms.

(Reasons for refusal as subsequently provided by the head of planning services:

1. The proposed development by virtue of the number of occupants and the character of the local area would cause significant harm to the residential amenity for occupants of nearby dwellings in terms of noise, and general disturbance. The development does not accord with development plan policy in terms of Policies DM2 and DM13 of the Development Management Policies Local Plan 2014. These include provisions to protect residential amenity in terms of such aspects as noise disturbance, and to ensure that larger HMOs do not have an unacceptable impact on the living conditions of neighbouring residential occupiers.
2. The proposed development by virtue of the number of occupants and the sites location within a tightly constrained cul-de-sac causes significant harm to highway interests in terms of traffic generation and parking. The development does not accord with the development plan, particularly with reference to policies DM13, DM30 and DM 31, which include aims to ensure there are adequate levels of servicing and parking available for larger HMOs, and that these should be in accordance with the standards at Appendix 3 of the Local Plan.)

(Councillor Lubbock was readmitted at this point.)

7. Application no 17/01862/F - 2 Jordan Close, Norwich, NR5 8NH

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.

During discussion members noted that car parking was not such an issue as the previous application. However a member said that Wilberforce Road was a busy road and that the side roads did get congested because of on-street parking. He also considered the proposal to be overdevelopment of the site.

The chair moved and Councillor Sands seconded that the application be refused because of its impact on residential amenity.

RESOLVED, unanimously, to refuse Application no 17/01862/F - 2 Jordan Close, Norwich, NR5 8NH on the grounds of its impact on residential amenity and to ask the head of planning services to provide the reasons in planning policy terms.

(Reasons for refusal subsequently provided by the head of planning services:

“The proposed development by virtue of the number of occupants and the character of the local area would cause significant harm to the residential amenity for occupants of nearby dwellings in terms of noise, and general disturbance. The development does not accord with development plan policy in terms of Policies DM2 and DM13 of the Development Management Policies Local Plan 2014. These include provisions to protect residential amenity in terms of such aspects as noise disturbance, and to ensure that larger HMOs do not have an unacceptable impact on the living conditions of neighbouring residential occupiers.”)

8. Application no 18/00648/U - 6 St Matthews Road, Norwich, NR1 1SP

The planner 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. The area development manager (inner) explained that the HMO was in a controlled parking zone and would be eligible for two permits and visitor parking permits. The application was seeking an increase from 6 to 8 occupants. It was the officers' view that the application was acceptable.

During discussion the officers referred to the report and answered members' questions. The premises would be subject to separate licensing requirements which stipulated the size of kitchens and facilities. Members were advised that there was already space in the property to accommodate two extra occupants. The accommodation was not aimed at students.

Councillor Sands and Henderson said that they considered that the accommodation was overcrowded and there was not sufficient communal space.

RESOLVED, with 8 members voting in favour (Councillors Driver, Maxwell, Lubbock, Raby, Malik, Bradford, Peek and Stutely) and 3 members voting against (Councillors Brociek-Coulton, Henderson and Sands) to approve application no. 18/00023/U - 6 St Matthews Road, Norwich, NR1 1SP and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. No more than 8 residents at 6 St Matthews Road at any one time;
4. The layout as shown on approved plans 00920 01 shall be retained as such.
5. The smallest first floor bedroom at the front of the property will cease to be used as a bedroom.
6. Cycle and bin storage shall be provided prior to occupation as indicated on the approved plans (ref # 00920 01) and retained thereafter.

9. Application no 18/00518/F - 10 Sunningdale, Norwich, NR4 6AQ

(Councillor Lubbock, having declared a predetermined view, sat in the public seats, addressed the committee and then left the room. She did not take part in the discussion or determination of this application.)

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

Councillor Lubbock spoke on behalf of the immediate neighbours and asked for photographs of the view from Glenalmond to be shown to demonstrate the impact that the extension would have on the garden of this extensive property and its proximity to neighbouring properties. She also questioned the intended use of the extensive extension and that a scaled back extension would be more in keeping with the character of the neighbourhood.

(Councillor Lubbock left the meeting at this point. Councillor Henderson also left the meeting at this point.)

The area development manager (inner) said that there would be a condition proposed to ensure that the use of the extension was ancillary to the main house and could not be subdivided. Discussion ensued in which the planner and the area development manager (inner) referred to the report and answered members' questions, regarding the size of the extension, the access and confirming that change of use within C3 would be subject to a further planning consent.

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

RESOLVED, with 8 members voting in favour (Councillors Maxwell, Brociek-Coulton, Sands, Raby, Malik, Bradford, Peek and Stutely) and 1 member voting against (Councillor Driver) to approve application no. 18/00518/F – 10 Sunningdale, Norwich, NR4 6AQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Obscure glaze side window at first floor level;
4. Permission is granted for a C3 dwellinghouse only and removal of rights for any other use under C3 would require further planning consent.

10. Application nos 18/00551/F & 18/00552/A - 13 Earlham House Shops, Earlham Road, Norwich, NR2 3PD

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

The chair pointed out that the ATM would operate 24/7 and would provide a facility when the shop and post office were closed.

Councillor Malik expressed concern that the application was retrospective.

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

RESOLVED, with 8 members voting in favour (Councillors Driver, Maxwell, Brociek-Coulton, Sands, Raby, Bradford, Peek and Stutely) and 1 member voting against (Councillor Malik) to approve:

- (1) application no. 18/00551/F - 13 Earlham House Shops Earlham Road Norwich NR2 3PD and grant planning permission subject to the following condition:

1. In accordance with plans;
- (2) application no. 18/00552/A - 13 Earlham House Shops Earlham Road Norwich, NR2 3PD and grant planning permission subject to the following conditions:
 1. Standard advertisement conditions;
 2. In accordance with plans.

11. Enforcement Cases 18/00026/ENF - 113 Trinity Street and 18/00087/ENF - 114 Trinity Street

The planner presented both reports, at the request of the chair, with the aid of plans and slides. There was an Article 4 Direction in place which removed the right to remove the walls. The owner of one of the properties said that he had only removed the wall because the demolition of the adjacent wall had made his wall unsafe and that he was happy to replace it.

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

RESOLVED, unanimously, to authorise enforcement action, up to and including prosecution, to require the wall to be rebuilt in relation to the following cases:

- (1) 18/00026/ENF - 113 Trinity Street;
- (2) 18/00087/ENF - 114 Trinity Street.

CHAIR