



PLANNING APPLICATIONS COMMITTEE

10.00am to 12noon

10 November 2011

Present: Councillors Bradford (chair), Councillors Gee (vice chair), Banham, Gayton, Haynes, Kendrick, Little, Lubbock, Offord, Sands (S) and Wright (substitute for Councillor Ackroyd)

Apologies: Councillors Ackroyd, Banham and George

1. MINUTES

RESOLVED to agree the accuracy of the minutes of the meeting held on 20 October 2011.

2. APPLICATION NO 11/01755/ET SOUTHGATE HOUSE SOUTHGATE LANE, NORWICH NR1 2AQ

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

Councillor Fairbairn, ward councillor for Lakenham Ward, explained why he had requested that the committee determined this application and reiterated his reasons for objecting to the original application, which included concerns about the loss of a large family home and that conversion to small one or two bedroom flats was unsympathetic to its location and setting.

The applicant explained that the slow housing market had contributed to this application to extend the time limit on the previous planning permission.

Discussion ensued in which the planner, together with the head of planning services, responded to members' questions.

RESOLVED with 9 members voting in favour (Councillors Bradford, Kendrick, Gayton, Haynes, Sands, Little, Gee, Offord and Lubbock) and 1 member voting against (Councillor Wright) to approve Application No 11/01755/ET, Southgate House, Southgate Lane, Norwich and grant planning permission, subject to the following conditions:-

1. Standard time limit;
2. In accordance with plans;
3. Details of cycle parking, bin storage and car parking to be agreed;
4. Details of how the three storey extension to the south east elevation will be attached to the wall of the original building;

5. Details/samples of bricks, tiles, external joinery, rainwater goods;
6. Details of mortar, brick bond, eaves, ridges;
7. Archaeological investigation, evaluation and mitigation measures;
8. In accordance with Arboricultural Implications Assessment and Tree Protection Plan;
9. Water efficiency.

(Reasons for approval: The proposed development accords with the changes in policy and material considerations arising since the previous grant of permission in 2008, subject to an additional condition relating to water efficiency. The conversion and extension of the dwelling house to provide five flats has previously been accepted in principle. It is not considered that the proposal will have an adverse affect on the residential character of the surrounding area, existing facilities, highway safety or trees. Furthermore the proposal is of good design and will not have an adverse impact on the character of the conservation area or the locally listed building itself. The proposal provides adequate living conditions for future residents of the site and will not have a significantly detrimental impact upon the living conditions of neighbouring residents.

The proposals are therefore considered to meet the relevant criteria of PPS1, PPS3, PPS5 and PPG13, policies ENV6 and ENV7 of the East of England Plan, policies 1, 2, 3, 4, 9 and 11 of the Joint Core Strategy, Adopted Version, March 2011 and saved policies NE3, HBE3, HBE8, HBE12, EP22, HOU13, HOU18, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan, Adopted Version, November 2004 and to all other material considerations.)

3. APPLICATION NO 11/01747/F 73 WHIFFLER ROAD, NORWICH, NR3 2AU

The senior planner (development) presented the report with the aid of plans and slides and answered members' questions in relation to policy considerations, planning history, ecology issues, renewable energy technologies, surface water drainage, water source protection and grey water recycling. He also advised members that an arboricultural assessment had been received from the applicant.

Members were advised that, although the historic environment service had requested a watching brief for potential archaeological remains on site, it was unreasonable to require the applicant to provide historic interpretation on the site because of previous archaeological finds in the wider area. Any finds were normally recorded by the county council and held as a public record.

RESOLVED to approve Application No 11/01747/F 73 Whiffler Road Norwich NR3 2AU and grant planning permission, subject to the following conditions:-

1. Commencement within 3 years;
2. Development to be in accordance with approved drawings listed;
3. Details of cladding and colour; external lighting; cycle storage
4. Access road, site links, car parking, bin stores to be provided in accordance with approved plan
5. Details of installation and maintenance of energy requirements to be achieved through decentralised and renewable or low-carbon sources
6. Details of water efficiency methods;

7. Details of archaeological site monitoring/supervision
8. Detail of arboricultural information;
9. Compliance with approved arboricultural information;
10. Retention of tree protection;
11. Details of landscaping and ecology enhancements;
12. Landscape maintenance;
13. Extent of site area used for car sales and display shall be in accordance with site layout plan;
14. Control on use of parking area;
15. Compliance with travel plan and details of travel schemes;
16. Details of pedestrian links;
17. If, during development, contamination not previously identified is found to be present no further development carried out until a remediation strategy is submitted and approved detailing how this unsuspected contamination shall be dealt with;
18. Control on import of top soil;
19. Details of who shall maintain the surface water system and the maintenance actions that shall be undertaken throughout the lifetime of the development;
20. Details and drawings showing how the car park will be designed to store excess surface water in an extreme rainfall event, as outlined in the FRA;
21. An infiltration drainage scheme incorporating soakaways shall be implemented prior to the completion and occupation of the development;
22. Plant and machinery;
23. Fume or extract system.

(Reasons for approval: The decision has been made with particular regard to PPS1, PPS4, PPG13, PPS23 and PPS25 policies E1, ENG1, ENV7 and WM6 of the east of England Plan 2008; Policies 1, 2, 3, 5, 6 and 12 of the Joint Core Strategy 2011; and policies EP1, EP3, EP16, EP17, EP18, EP20, EMP5, HBE12, NE9, SR12, TRA3, TRA6, TRA7, TRA8, TRA11, TRA12, TRA14 and TRA18 of the City of Norwich Replacement Local Plan Adopted Version, November 2004 and to all other material considerations:

The applicant has explored the availability and suitability of other sites within the area to bring forward the new employment use and found that no suitable alternative sites are available. The employment density proposed is also acceptable with over 100 full time jobs potentially being created and training opportunities provided on a site of just over 2 hectares in an area of high social deprivation. National policy in PPS4 introduced in 2009 defined economic development, in addition to B class uses, to include new development providing employment opportunities, generating wealth and producing an economic output. This could therefore cover significant employment generating uses such as the mixed workshop and car sales use proposed. PPS4 also promotes economic development which will assist regeneration, particularly in deprived areas. In this instance it has been shown that there are material considerations which would justify making an exception to the 2004 policy to allow the proposed development.

The proposal would result in an appropriate and satisfactory form of development that would bring back this vacant site into employment use and help enhance use of the estate overall. The siting and design of the building and layout of the site would create an acceptable relationship to its surroundings and the scheme would maintain

the character and the appearance of the area. Trees are being retained on and adjacent to the site and additional landscaping proposed to help retain a landscape setting to the site. Safe access and use should be achievable subject to the imposition of conditions. The installation of associated lighting, plant and equipment is considered to be achievable without detriment to amenity subject to the conditions recommended and there are not considered to be any detrimental impacts to the amenity of neighbouring premises by virtue of noise or odour pollution which would arise or could not be adequately dealt with by condition. Subject to conditions construction phase and the resultant scheme should also be able to adequately respond to issues of contamination, archaeology and flood risk.

Informatives:

- Materials removed from the site should be classified as per the analysis results obtained from the site investigation and any subsequent testing. Materials disposed of off site should be taken to a suitably licensed facility.
- All practical methods shall be taken to prevent dust emission from the site. Such methods may include water suppression, damping down or covering materials etc, as necessary.
- Construction site noise shall be mitigated by appropriate times of operation, direct noise minimisation practices, and through liaison with Norwich City Council officers. Acceptable hours of operation for noisy works shall be 07:30 – 17:30 Mon to Fri and 07:30 – 13:00 on Sat, with no work on Sundays or Public Holidays
- Environment Agency advice by letter dated 27 October 2011
- Anglian Water advice by letter dated 28 October 2011.
- Site clearance work should be undertaken outside the main bird breeding season (roughly March - early September). If there is no alternative to site clearance work taking place within the bird breeding season, a bird surveyor should check for any evidence of nesting prior to work commencing, as recommended in the survey report
- The avoidance measures and site works should be carried out as per the recommendations in the report (as the report points out, the careful timing of various site operations, in particular the storage of any materials on site, can be used to reduce the amount of mitigation measures necessary).
- Unless there are over-riding safety considerations, the use of low intensity lighting, both during the construction phase and in the finished development, will benefit bats as well as any reptiles present at the site.)

4. APPLICATION NO 11/01768/T PROPOSED TELECOMMUNICATIONS, MAST OPPOSITE 161B BOWERS AVENUE, NORWICH

The planner (development) presented the report with the aid of plans and slides. Members were advised that since the report had been published one further letter of

objection had been received concerned about the mast adding to “clutter” and that the mast was unnecessary as reception was fine. Norwich International Airport Ltd had confirmed that it had no objection to the scheme. County Councillor Edwards, Mile Cross Division, had submitted a petition of 68 signatures, objecting to the size of the structure and questioning whether it was needed.

County Councillor Edwards then addressed the committee, on behalf of local residents and said that he was opposed to the proposed mast as the reduction in height of 1m was not sufficient to alleviate the concerns about its height and location and that residents did not consider there was a need for the mast.

During discussion Councillor Lubbock said that the applicant would have researched the need for its services and possible locations for the mast. Refusal of the application would deny local residents from mobile phone coverage in their homes. There were insufficient reasons for the committee to refuse this application. Other members considered that the reduction in the mast height by 1m was not sufficient to address concerns about its visual impact in a central location.

The committee was advised that the applicant had explored alternative locations for the mast. A plan showing the mobile phone coverage in Mile Cross was displayed. Coverage could not be provided from a mast located on the Whiffler Road industrial estate because of the land levels. The shopping parade at Bowers Avenue was not ideal but it had the advantage of being more commercial and therefore making less impact than on neighbouring residential streets. The location of the mast was further constrained by the council’s moratorium on placing mobile phone masts on council owned buildings.

Councillor Gayton moved and Councillor Banham seconded that the application for a telecommunications mast was refused on the grounds of its visual intrusion in a prominent public area and that the council looked again at its asset management policy in relation to the installation of mobile phone masts on council owned buildings. Discussion ensued. Councillors Little and Offord said that a review of the council’s policy could be worthwhile given the technological advances since the implementation of the policy but it should be a thorough review and the outcome should not be pre-judged. The determination of policy matters was outside the terms of reference for this committee.

RESOLVED to:

- (1) with 7 members voting in favour of refusal (Councillors Gayton, Kendrick, Haynes, Sands, Little, Gee and Offord), 2 members voting against (Councillors Wright and Lubbock) and 1 members abstaining Councillor Bradford, to refuse prior approval in respect of Application No 11/01768/T Proposed Telecommunications, Mast Opposite 161B Bowers Avenue, Norwich for the following reason:

The height and siting of the proposal would have an unacceptable and unduly prominent visual impact, as it would result in a significant visual intrusion in a highly visible public area within the streetscene, to the detriment of local amenities and the character of the area and contrary

to saved policy HBE20 of the City of Norwich Replacement Local Plan 2004 and policy 2 of the adopted Joint Core Strategy 2011.

- (2) with 9 members voting in favour (Councillors Bradford, Gayton, Kendrick, Haynes, Sands, Little, Gee, Offord and Wright) and 1 member voting against (Councillor Lubbock) to ask the cabinet to review the council's moratorium on placing mobile phone masts on council owned buildings.

5. APPLICATION NO 11/01651/F, 2A WILBERFORCE ROAD, NORWICH, NR5 8ND

The senior planner (development) presented the report with the aid of plans and slides. A supplementary report comprising updates to the report which was circulated at the meeting. The agent had responded submitted revised plans that were consistent and showed close boarded fencing. The agent had advised that the section and land levels could be amended to avoid any increase in the height of land around the house. Transport officers had also responded to the consultation and had some concern with the parking arrangements. No further representations had been received during the period for representations.

Discussion ensued in which senior planner and the planning development manager answered members' questions. Members were advised that whilst planning obligations were not being sought in this case, it should not set a precedent.

Councillor Sands, on behalf of Councillor Sands, Bowthorpe Ward councillor, said that residents welcomed the proposal as the site had attracted anti-social behaviour and there had been fears that it would be a high-rise development aimed at students. The proposal for family homes was much preferable.

RESOLVED to approve Application No 11/01651/F 2A Wilberforce Road, Norwich, NR5 8ND and grant planning permission, subject to the following conditions:

1. Standard Time Limit;
2. Development to be carried out in accordance with the plans, application forms and supporting details submitted;
3. Compliance with the arboricultural implications assessment and methods statements and a site meeting to be held with the Councils tree protection officer prior to commencement;
4. Details of materials to be submitted (including a sample where required) including details of bricks, tiles, windows, window headers and cills, colour of render, rainwater goods and bargeboard;
5. Proposals to meet code for sustainable homes level 4 for water;
6. Submission of a landscaping scheme including:
 - details of the materials for paved areas;
 - details of the access road cross over and kerb details;
 - details to prevent the build up of land adjacent to the existing hedge to the west of the site;
 - details of all new boundary treatments at the site (which shall comply with the details provided within the AIA and AMS);

- location, species, numbers and size (at the time of planting) of proposed new trees and shrubs on the site, this shall include provision for the infilling of existing gaps in the hedge to the west of the site;
- planting specifications;
- an implementation programme and timetable;
- a landscape management plan.

(Reasons for approval: The decision has been made with particular regard to PPS1, PPS3, PPG13, policies ENV7 and WM6 of the adopted East of England Plan, policies 1, 2, 3, 4 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk and saved policies NE2, NE7, NE9, HBE12, EP18, EP22, HOU13, SR3, SR7, SR12, TRA5, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan and other material considerations

The site has good connections to nearby services and is considered to be an appropriate location for new residential development. Subject to conditions, the design of the proposal is considered to be acceptable taking into account the constraints of the site. It is not considered that there are any significant detrimental impacts to the amenities of adjacent properties. Although it could be held that the former residential use had been lost, given the short time period since demolition, the owner intentions and the grant of prior approval for demolition partly on the basis of redevelopment no planning obligations are sought in this case. The proposals are therefore considered to be acceptable subject to the conditions imposed.)

6. ENFORCEMENT ACTION – 20 ELM HILL

The planning development manager presented the report with the aid of slides and plans and explained that the issue was the retention of the ground floor of the premises for retail purposes.

RESOLVED, with 9 members voting in favour ((Councillors Bradford, Gayton, Kendrick, Haynes, Sands, Little, Gee, Lubbock and Wright), and 1 member abstaining (Councillor Offord) to authorise the serving of an enforcement notice to require the owner to cease using the relevant part of the ground floor of the premises for domestic residential purposes.

CHAIR