



Planning applications committee

09:30 to 11:55

8 August 2019

Present: Councillors Driver (chair), Maxwell (vice chair), Bogelein, Button, Lubbock, Peek, Neale, Ryan, Sands (M), Sarmezey, Stutely and Utton

Apologies: Councillor Huntley

1. Declarations of Interest

Councillor Neale declared that he had a pre-determined view in item 3 (below), Application no 19/00514/U – 58 Sandy Lane, Norwich in that he had submitted comments as part of the planning application consultation. He would therefore speak as a member of the public and leave the room whilst the committee determined the application.

Councillors Driver and Sarmezey said that they had received leaflets and emails about item 3(below), Application no 19/00514/U – 58 Sandy Lane. as Lakenham ward councillors but had not made any response and did not have a pre-determined view. Councillor Driver said that only the committee would only take into account issues that were material to the planning application. Comments that were racist or irrelevant to the planning application would not be considered.

Councillor Bogelein declared an other interest in item 5(below), Application nos 19/00301/F & 19/00302/L - 38A St Giles Street, Norwich, NR2 1LL in that she was considering nurseries for a family member. As ward councillor for Mancroft ward, she had been in contact with a member of the public regarding this application for advice but did not have a pre-determined view.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 11 July 2019.

3. Application no 19/00514/U - 58 Sandy Lane, Norwich, NR1 2NR

(Councillor Neale had declared a pre-determined view in this item. He spoke as a member of the public and then left the room and did not take part in the determination of the application.)

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which was circulated at the meeting and summarised an additional representation relating to parking and operational hours and the officer response.

Two residents addressed the committee with their concerns about the proposal. This included concern that the site was in a quiet, residential neighbourhood in the Yare Valley, and that in order to avoid ambiguity it was essential that a condition was placed to restrict the use to 08:00 to prevent disturbance in the early morning every day during the month of Ramadan and that the existing building was not extended. A second resident referred to the traffic issues and said that the location was inappropriate as people, including young children, attending the facility would need to cross the road from the bus stop; and that traffic management measures were required. A further speaker, at the chair's discretion, addressed the committee with his concerns about parking issues, pointing out that the proposed site only had two parking spaces and the impact of on-street parking on the amenity of residents, including noise from car doors; and that the bus service was inadequate. He also referred to the large number of objectors to the proposal and a petition from local residents to the scheme, and their concern that it was the intention of the applicants for the site to be a mosque rather than worship being ancillary to the change of use.

Councillor Neale then addressed the committee as a resident of the area on and off since 1955 and that he was pleased to see a change use coming forward for the vacant retail premises in the shopping parade. However he was concerned about the impact of parking on the local area and suggested that the hours of operation were reduced to 22:00 to mitigate the impact on local residents.

The agent spoke on behalf of the applicants and said that there had been misinformation circulated to residents in the form of a leaflet which had malicious intent and said that there was no proposal to turn the centre into a mosque. He referred to the size of the premises and said that the application was for a community hub for people who were already the residents' friends and neighbours. The facility would be available for use by the whole community. Muslims often felt isolated and the hub would provide somewhere for people to meet, have coffee and allow access to their community, increasing social cohesion.

The planner explained the proposed condition relating to opening hours and that the hours would be extended during the period of Ramadan. The extended operating hours would be permitted for a temporary period only and then reviewed further to assess the impact on the local community. She also pointed out that the change of use to this facility was a very small in scale and that it would be unlikely to have a significant impact on the existing traffic conditions. The applicants would be required to submit and implement a travel information plan and management plan which would be subject to planning enforcement should the applicants not comply with this information. She also referred to a wider traffic management scheme in this area.

The planner and the area development manager (outer) referred to the report and answered members' questions. This included confirmation that the operating hours were considered acceptable for a community centre. Members were advised that the adjacent fast food operator remained open until 23:00 but this was less intense as customers did not all come or leave at the same time. In response to a request from a member, the leaflet that had been circulated in the neighbourhood was displayed. Members were advised that inflammatory or offensive comments had been reviewed and the council's antisocial behaviour team had been informed. These comments did not form part of the planning assessment. In response to a member's suggestion that the applicants installed CCTV cameras, the planner said that the applicants would need to make a further application submitting the details of

cameras, external lighting, etc, for agreement so that the impact of the surrounding area could be considered.

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

(Councillor Neale left the meeting.)

Discussion ensued in which members commented in support of the proposed community hub and their abhorrence of the racially motivated misinformation that had been circulated in the community. Members considered that the community hub would have positive benefits for Lakenham Ward and social cohesion, providing a meeting place for people who currently felt excluded. It would be unfair to burden this application with lowering traffic speeds and moving the bus stop which would be addressed elsewhere. Harford Community Centre could not provide facilities for the applicants at the times required and this vacant retail unit provided an ideal opportunity to bring it into use for a community hub. Local residents could be reassured that the extended operating hours during the period of Ramadan would be permitted for a temporary period of 3 years and would then be subject to reassessment.

RESOLVED, unanimously, to approve application no. 19/00514/U - 58 Sandy Lane Norwich NR1 2NR and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Restriction of D1 use, not including a place of worship used in conjunction with the community facility;
4. Opening hours restricted to 08:00-23:00 on any day except during the Ramadan period where the use shall cease not later than 3 hours after sunset for a temporary period only;
5. Restricted hours for deliveries and servicing;
6. Travel information plan;
7. Management plan;
8. No external lighting or security measures including CCTV shall be installed without approval
9. No amplified sound equipment to be installed outside of the building
10. No plant or machinery, or extract ventilation to be installed without first being agreed.

(The committee adjourned for a short break at this point. The committee reconvened with all members present as listed above and readmitting Councillor Neale to the meeting.)

4. Application no 19/00242/MA - Flordon House, 195 Unthank Road, Norwich, NR2 2PQ

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports, which was circulated at the meeting, and contained a correction to paragraph 38 of the committee report. The applicants had submitted a revised plan (Sheet 1 Revision G) which incorporated a 180m high planted green screen in response to a suggestion from the landscape officer.

The planner then referred to the report and answered members' questions and confirmed that the responsibility for the maintenance of the front and rear gardens would be by the occupants of the two ground floor flats, that the plans had been amended to correctly position existing windows and confirming that disabled access was not part of the planning assessment as it would be covered by building regulations.

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

During discussion members considered the removal of the green wall from the original planning application and it was suggested that in this case the revised landscape proposal was more appropriate, as green walls needed to be properly maintained. In reply to a question, the planner confirmed that building control would ensure that the sustainable drainage measures as set out in this application were implemented.

RESOLVED, unanimously, to approve application no. 19/00242/MA - Flordon House, 195 Unthank Road, Norwich, NR2 2PQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Management and maintenance of landscaping
4. Installation and retention of bin and bike storage
5. Water efficiency
6. Parking made available prior to first occupation.

5. Application nos 19/00301/F & 19/00302/L - 38A St Giles Street Norwich NR2 1LL

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

The planner presented the report with the aid of plans and slides. She referred members to the supplementary report of updates to reports which was circulated at the meeting and contained additional information regarding the proximity of a bedroom window and front door of 48 Bethel Street and confirming that it had informed the response from environmental health and informed the planning assessment. The issue of ownership of the building was not material to the planning application.

The planner and the area development manager (inner) referred to the report and answered members' questions. Members were advised that the air condition unit had been installed and therefore this was a retrospective application. It was considered acceptable and officers had not sought to negotiate a different solution or considered recommending refusal/enforcement action. A member commented that the large flue was "hideous" and other members concurred that the wall mounted fan box was preferable. Members were advised that the noise from the unit would be minimal in the day and would not be in use at night.

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

During discussion, Councillor Bogelein said that she would abstain from voting because of the use of modern units on the walls of a listed building. Other members considered that the units were necessary for the sustainability of the nursery and its ability to provide meals for children. Members were advised to balance the appearance of the units on the listed building against ensuring that the building would continue to be in use. Some members considered that the wall mounted fan would be an improvement on the existing flue.

RESOLVED, with 11 members voting in favour (Councillors Driver, Maxwell, Button, Lubbock, Neale, Peek, Ryan, Sands, Sarmezey, Stutely and Utton) and 1 member abstaining from voting (Councillor Bogelein) to approve:

- (1) application no 19/00301/F, 38A St Giles Street Norwich NR2 1LL, subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans;
 3. The equipment hereby approved shall not be operated between 23:00 and 07:00 on any day.

- (2) application no 19/00302/L, 38A St Giles Street Norwich NR2 1LL, subject to the following conditions:
 1. Standard time limit;
 2. In accordance with plans;
 3. Damage to be made good;
 4. Localised repair to match;
 5. Existing fabric to be retained;
 6. Any historic features encountered to be retained and reported.

Informatives:

1. Only works shown are approved.
2. Historic fabric to be retained.

6. Application no 19/00383/F - 28 Cotman Road Norwich NR1 4AF

The planner presented his report with the aid of plans and slides. During the presentation images from the applicant's independent assessment of the daylight/shading report were displayed. The planner also referred to the supplementary report of updates to reports which was circulated at the meeting and contained a summary of an additional representation contesting the findings of the daylight/shading report and the officer response.

At the chair's discretion, a representative of the resident at High Green to the rear of the application site addressed the committee, setting out their objections to the proposal and calling on an independent study and a visit from the planners to their

property. Photographs taken from the resident's house were displayed showing their estimation of the extent of the shading on a habitable room in the house.

(The area development manager (inner) advised the committee that the case officer had visited the neighbouring property and that slides in the presentation had been taken from that view point and that the distance from each property and the coniferous trees had been taken into account during the assessment.)

The agent spoke on behalf of the applicant and spoke in support of the application. Consideration had been given to the design of the extension and its material. The proposal used sustainable and natural materials and a sedum roof. The extension would be a modern building rather than a pastiche. The shading studies had been modelled by an independent specialist consultant, Energy Council. There would be some impact on the neighbouring property but it was within BRE guidelines and was in part due to the Cyprus tree and boundary fence. The applicant had considered the impact on the nature of the site and welcomed the conditions to preserve the beech tree and install nesting boxes.

The area development manager (inner) together with the planner referred to the report and responded to the issues raised by the speakers. He explained that the planner's assessment of the shadowing and overbearing of the extension was essentially the same as the applicant's independent consultants. The shading was mainly in the winter months and was not considered significant to warrant refusal of the application. Members noted that the coniferous tree caused shading. Members were advised that the distance between no 13 Highland Green and the extension was 9.5 meters, that the property was not in the vicinity of any listed buildings and that there would be some loss of shrubbery. Members also sought confirmation of the differing levels between the application site and the properties in Cotman Road and High Green (as set out in the plan showing the elevations on page 76 of the agenda papers.)

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

During discussion a member said that he had sympathy for the concerns of the neighbours but on balance there was sufficient distance between the properties for the application to be acceptable. Councillor Utton, Thorpe Hamlet ward councillor, said that he liked the balance of the Arts and Crafts house with the contemporary extension and that he considered that the concerns about the impact of overshadowing on neighbouring properties had been overestimated. Another member agreed and said that the proposal had been well thought out and would not have the impact that the neighbours had perceived.

RESOLVED, unanimously, to approve application no. 19/00383/F - 28 Cotman Road Norwich NR1 4AF and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials, rainwater goods;
4. TR3 – Site Monitoring
5. TR4 – Arboricultural Supervision
6. TR6 – Arboricultural works to facilitate development

7. TR10 – No digging
8. TR12 – Planting
9. IN9 – Site clearance and wildlife.

7. Application no 19/00851/F; 9 Weatherby Road, Norwich NR5 9NH

The planner presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports which reiterated comments received from the adjacent neighbour about the impact on her garden and the officer response.

A proxy on behalf of the adjacent neighbour addressed the committee and summarised her objections to the proposed extension. This included concern about the scale of the extension taking up half the length of their garden boundary; that the proposal would result in loss of amenity due to loss of direct sunlight; and disputing the argument that the trees at the boundary of the property already blocked sunlight because trees shed leaves and in winter light would permeate into the garden.

The planner responded to the issues made and questions from members of the committee, by referring to the report, in relation to the size of the extension and confirming that the proportion of garden space, taking out the woodland belt, was less than half of the garden space and that the extension would be allowed under prior approval if permitted development rights had not been removed from properties in this part of Bowthorpe. Members also noted that the extension would have less impact on the amenity of neighbouring property because of its south facing aspect. The applicant would need to negotiate a party wall agreement with the neighbour in order to build the extension.

The chair moved and the vice chair seconded the recommendations in the report.

Councillor Sands, Bowthorpe ward councillor, said that he could not support the application because he considered that it would impact on the sunlight from the west and therefore impact on the neighbour's amenity and enjoyment of their garden. A member said that he agreed with these concerns but that given the recommendation and taking into account that the extension would be allowed if permitted development rights had not been removed there was no reason on balance to refuse this application.

RESOLVED, with 11 members voting in favour (Councillors Driver, Maxwell, Button, Bogelein, Lubbock, Neale, Peek, Ryan, Sarmezey, Stutely and Utton) and 1 member voting against (Councillor Sands) to approve application no. 19/00851/F – 9 Weatherby Road, Norwich, NR5 9NH and grant planning permission subject to the following conditions:

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

CHAIR