



## MINUTES

### PLANNING APPLICATIONS COMMITTEE

10.00 a.m. – 11.10 a.m.

8 April 2010

Present: Councillors Bradford (Chair), Llewellyn (Vice-Chair), Banham, Driver, George, Jago, Lay, Little (S), Lubbock, Read and Wiltshire

#### 1. MINUTES

**RESOLVED** to approve the accuracy of the minutes of the meeting held on 18 March 2010.

#### 2. APPLICATION NO 10/00169/F - LAND AND BUILDINGS ON THE SOUTH EAST SIDE OF WOODHILL RISE, NORWICH

The Senior Planner (Development) presented the report with the aid of slides and plans.

A resident then addressed the committee outlining the couple's objections to the proposed scheme which included: concerns about the loss of the car park and that there would be more parking on Oval Avenue; drainage; potential loss of the silver birch trees which had nesting birds; and loss of light to their bungalow in Oval Avenue.

Councillor Makoff, Ward Councillor Nelson Ward, addressed the committee on behalf of local residents, in which she referred to the level of renewable energy efficiency being increased; that the drainage particularly on the Costessey side was a problem and should be controlled by conditions; that a more explicit tree survey should be conducted and that policies for trees should be applied consistently; need for clarification of access by emergency services; and whether the consultation included South Norfolk Council and the Costessey Parish Council and that immediate neighbours in Oval Avenue had not been notified of the committee meeting.

The agent then responded and said that the scheme was a Brownfield development of a car park that was no longer required; that the site was mostly tarmac and that the majority of the trees were around the edge of the site and would be retained, and the hard standing would be reduced as the houses would have front and back gardens; the houses met the criteria of the lifetime homes and would be built at

angles to provide sufficient privacy and not block light; and that Anglian Water had confirmed there was capacity for the development.

The Senior Planner referred to the report and responded to the issues raised above. The scheme complied with Sustainable Homes Code 3 and the agent had agreed to the conditions relating to trees and planting and the undertaking of biodiversity enhancements. The site was near the district council border but it was not practice to consult the neighbouring authority or parish council for applications of this size. The residents of Oval Avenue should have received a letter about the committee as they had made representations. Their representations were referred to in the report and copies of all correspondence were available for members to see in the file. There was no access to the proposed development from Oval Avenue and this would deter people visiting it from parking there.

Discussion ensued in which the Senior Planner answered questions on the report, in relation to design and layout and concerns about overshadowing. Members welcomed the use of the site to provide 4 affordable homes. Councillor Read requested that the situation regarding the trees was carefully monitored during the construction of the scheme.

**RESOLVED** to approve Application No 10/00169/F and grant planning permission, subject to the following conditions:-

1. Commencement of development within three years;
2. Details of Facing and Roofing Materials;
3. Details of external lighting;
4. Provision of car parking, cycle storage, bin stores;
5. Provision of Boundary treatment, walls and fences;
6. Details of trees and planting to be retained;
7. Tree Protection Scheme prior to commencement;
8. Retention of tree protection;
9. Details of Landscaping, planting and site treatment works;
10. Landscape maintenance';
11. Details of biodiversity enhancements.

(Reasons for approval: The development of 4 affordable dwellings would contribute to the promotion of affordable housing in Norwich. The proposed development, subject to conditions, would be well integrated with the surrounding development in form and layout and would make good use of this under-used site. The scheme is laid out to retain existing trees around the site and also allows potential for further landscape and biodiversity enhancement to improve the amenity of the area. The decision has been taken having regard to policies HOU13, HBE12, HBE19, EP22, NE9, TRA5, TRA6, TRA7 and TRA8 of the City of Norwich Local Plan (Adopted Version 2004) and to all material planning considerations.)

### **3. APPLICATION NO 09/01433/VC - LAND AND GARAGES NORTH WEST SIDE OF MAGPIE ROAD, NORWICH**

The Senior Planner (Development) presented the report with the aid of slides and plans and explained the reason for this application.

**RESOLVED** to approve Application No 09/01433/VC and grant planning permission, subject to the following conditions:-

1. Those conditions as previously imposed on application 08/00827/F which are still relevant.
2. Revised condition 11 to now read:  
“the north facing windows to bedroom 3 of house type 3B5P shall be non opening and fitted with obscure glass only and thereafter retained as such. There shall be no additional window or other opening constructed at first floor level or above in any elevation of the development hereby approved facing existing properties on Starling Road without the prior written permission of the local planning authority”

(Reasons for approval: The proposed development overall complies with to policies EP16, EP18, EP20, EP22, HOU6, HOU12, HOU13, HBE3, HBE12, NE9, SR7, TRA5, TRA6, TRA7, TRA8, TRA11 and TRA14 of the City of Norwich Local Plan (Adopted Version 2004) and policies ENG1, ENV7, H2 and WM6 of the East of England Plan, May 2008. Variation of condition 11 would accord with the nature of the development as now being built and the resultant relationship between buildings following site clearance. In design and use of clear glazing to the side window the proposed change would not have any significant impact on the amenities of adjacent properties. The decision has been taken having regard to policies EP22 and HOU13 of the City of Norwich Local Plan (Adopted Version 2004) and to all material planning considerations.)

#### **4. DELEGATION OF POWERS FROM PLANNING APPLICATIONS COMMITTEE**

The Planning Development Manager presented the report and said that the committee had undertaken to review its delegations after 6 months. There had been no negative impacts arising from delegated powers since the review in July 2009. A letter had been received from the Norwich Society suggesting that all applications relating to listed buildings should be referred to the committee. This had not been a criteria used previously, and would mean that an additional 70-80 applications would be referred to the committee in a year, most of which would be very minor requests. The Norwich Society had also asked a question about the definition of a major application. The Council used the government's definition and this was clearly set out in the delegations. The recommended amendments to the delegations were a matter of clarification. The Solicitor to the Council had advised that paragraph D be deleted as the delegations to the Director of Regeneration and Development were direct from Council and the Executive and therefore it was not relevant to include it in this committee's delegations.

Members then discussed the recommended amendments to the delegations. Councillor Driver considered that a tree preservation order should be referred to the committee if there was one objection. Councillor Driver moved and Councillor Jago seconded that the number of objectors to a tree preservation order for it to be referred to the committee should remain at one, and, with 4 members voting in favour (Councillors Driver, Jago, Lay and Little) and 6 members voting against

(Councillors Lubbock, Banham, George, Wiltshire, Llewellyn and Read) and 1 abstention (Councillor Bradford), the amendment was lost.

In response to questions, the Planning Development Manager explained that officers would use discretion if a second letter of objection was received after the statutory deadline. The application relating to the extension of the Marks and Spencer's store in Rampant Horse Street had been brought before the committee at the discretion of the Head of Planning but could have been dealt with by delegated powers.

**RESOLVED** to confirm the delegation arrangements as set out in Appendix 1 subject to the minor revisions listed in paragraph 6 of the report and the deletion of paragraph D – Other.

## **5. REVIEW OF THE PLANNING SERVICES CODE OF CONDUCT**

**RESOLVED**, having considered the report of the Head of Legal, Regulatory and Democratic Services, to approve the amendments to the code of conduct as attached to this report and the arrangements proposed for its publication as set out in the report.

CHAIR