



## PLANNING APPLICATIONS COMMITTEE

10.00 am – 12.50 pm

20 January 2011

Present: Councillors Bradford (Chair), Banham, Collishaw, Driver, Gee, Haynes, Lay, Little, Offord and Wright (J)

Apologies: Councillors Blower and Lubbock

### 1. APPOINTMENT OF VICE CHAIR

**RESOLVED** to appoint Councillor Gee as vice chair for the remainder of the current civic year.

### 2. MINUTES

**RESOLVED** to agree the accuracy of the minutes of the meeting held on 21 December 2010, subject to adding Councillors Blower and Driver in the list of members present at the meeting..

### 3. APPLICATION NO 10/01929/MA, 17 OLD GROVE COURT, NORWICH, NR3 3NL

The planner (development) presented the report with the aid of slides and plans, and answered members' questions on access and layout.

Councillor Collishaw said that there had been a problem of vandalism and welcomed the development on this site.

**RESOLVED** to approve application No 10/01929/MA and grant planning permission subject to the following conditions:-

1. Commencement of development within 3 years;
2. Development to be carried out in accordance with plans and statements submitted;
3. Details of materials;
4. Windows on southern-most gable to be obscure glazing;
5. Soft and hard landscaping details, specifically to include detailed proposals for planting along the eastern boundary;
6. Bin and cycle stores to be provided prior to first occupation;
7. Development to be carried out in full accordance with the arboricultural implications assessment (AIA) and further details to be submitted;
8. A scheme for the mitigation of the transport impact of the development.

Informative:

1. Construction working – hours of operation
2. Possible presence of fox on site should be taken into account during construction and work on site should be avoided during the season for raising young (Feb-June) if female fox is present (Wild Mammals Protection Act 1996).

(Reasons for approval: The decision has been made with particular regard to saved policies NE3, NE9, HBE12, HBE19, EP16, EP22, HOU13, TRA5, TRA6, TRA7, TRA8 and TRA11 of the City of Norwich Replacement Local Plan, Adopted Version November 2004 and the objectives of PPS1, PPS3 PPS9 and PPG13. The amendments to the proposed residential scheme are consistent with the objectives of HOU13 and will provide for the efficient use of the site for residential development. Subject to conditions, it is considered that the proposal would not have a negative impact on the general character of the area or have a significant detrimental impact on neighbour amenity. )

#### **4. APPLICATION NO 10/02090/F GARAGES ADJACENT TO 63-79 BERNERS STREET, NORWICH**

The senior planner (development) presented the report with the aid of slides and plans. The Norwich Society had submitted a response in support of the development of the garage sites for “affordable housing” given the low occupancy rate of the garages, and approved of the designs in general but considered that designs were “safe without much inspiration on the whole”. Members were advised of a minor amendment to the elevations with the addition of solar panels to the east facing roof slope, which was considered to be acceptable in principle and would aid the energy efficiency of the proposed development. It was suggested that condition 6 be amended to add a requirement for specific size and section details of the panels to ensure that the appearance was satisfactory and limit the protection from the roof slope.

A local resident then addressed the committee outlining his objections to the scheme. These included concerns that it would exacerbate parking congestion in Junction Road and that residents would not want to relocate garage parking to Penn Grove and its distance raised concerns for safety after dark for vulnerable adults. He also expressed concern that he had been advised by an estate agent that the development would devalue the flat that he held as a leaseholder.

The agent referred to the consultation process and the involvement of the city council’s housing services with tenants and said that parking was provided on the development site and would not increase traffic problems on adjacent streets; the proposal would provide much needed affordable housing; that solar panels had been added to increase the energy efficiency of the buildings and that, by not retaining the trees, the best long term solution for the landscaping of the site could be achieved.

The senior planner and the planning development manager responded to the issues and referred to the report. There was no requirement in planning policy terms to provide garages for residents. This was an issue for housing services and its

tenancy agreements. Devaluation of property was also not a material planning consideration.

The senior development officer (enabling), housing services, explained that garages were let on licence and that only 1 week's notice was required. Officers were working with garage tenants to find an alternative solution to their parking needs.

Discussion ensued in which the senior planner answered members' questions. Members were advised that the layout was constrained by the site and other layouts had been considered by the architect. In policy terms the layout was acceptable and could be ensured by landscaping conditions. Councillor Driver pointed out that there was a large park in the vicinity.

**RESOLVED** to approve application No 10/02090/F garages adjacent to 63 - 79 Berners Street, Norwich and grant planning permission, subject to the following conditions:-

1. Standard time limit;
2. Development in accordance with the submitted plans;
3. Compliance with the arboricultural implications assessment and method statement for construction and provision of services. Provision of an auditable system of arboricultural site monitoring.
4. Provision of the sheds, parking areas, refuse storage areas and cycle stores prior to first occupation;
5. Submission of a landscaping scheme including:
  - (i) details for replacement tree planting;
  - (ii) hard and soft landscaping details for all communal areas and site frontages including details of all boundary treatments;
  - (iii) details of the future management and maintenance of the landscaped areas;
  - (iv) reprovision of the community notice board and grit bin;
  - (v) provision of landscaping prior to first occupation.
6. Details of bricks, tiles, timber infill panels and solar panels to be used in the development;
7. Site contamination investigation and assessment to be carried out and if contamination is found a scheme of remediation and mitigation to be agreed and carried out. Should during development, contamination not previously identified be found development is to cease pending details to deal with contamination;
8. Archaeological monitoring and submission of results.

The following informative notes should be appended to any consent::

1. Considerate construction and timing to prevent nuisance;
2. An asbestos survey should be carried out;
3. All practical methods should be taken to prevent dust emission;
4. Materials removed from site should be classified and disposed of at suitable licensed facilities;
5. Site clearance to have due regard to minimising the impact on wildlife.

(Reasons for approval: The decision has been made with particular regard to PPS1, PPS3, PPG13, PPG24, policies ENV7, T8 and WM6 of the adopted East of England Plan and saved policies NE9, HBE4, HBE12, HBE19, EP1, EP18, EP22, HOU13, HOU18, TRA5, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan.

The proposals provide for the redevelopment of an existing brownfield garage site. Of the 27 parking/garage spaces on site, 19 spaces are tenanted and 8 are void. It is suggested that alternative parking provision would be offered to existing tenants at Penn Grove. The loss of parking could clearly lead to greater demand for on street parking which is limited. However, in this case it is not considered that this would lead to any significant demonstrable harm in planning terms. Current local plan parking policies seek to minimise the reliance on the private car and whilst matters of highway safety and congestion are material planning considerations, it is not considered in this case that the proposals would have any significant detrimental impacts in these areas. 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. The proposals are therefore considered to be acceptable subject conditions.)

## **5. APPLICATION NO 10/02098/F GARAGES ADJACENT TO 5 RANDLE GREEN, NORWICH**

The senior planner (development) presented the report with the aid of plans and referred to the Norwich Society's comments as reported above. Reference was also made to a further representation received from Councillor Makoff, ward councillor for Wensum ward, which was circulated at the meeting. The senior planner said that although the consultation ended on 14 January 2011 there had been sufficient information to prepare the report and reach the conclusions on the development. Other issues raised by Councillor Makoff were addressed in the report. Members were advised that there would be an additional condition to add a requirement for specific size and section details of the panels to ensure that the appearance was satisfactory and limit the protection from the roof slope.

A resident from Bates Green addressed the committee outlining her objections to the scheme, which included concern about the loss of parking spaces; congestion caused by parking in the vicinity; and access by coaches and emergency vehicles.

The agent then spoke in support of the proposed development and referred to the enhancement of turning spaces and using the design to improve the urban landscape.

The senior planner then referred to the slides and explained that the rationalisation of the existing parking spaces would address the issue of parking adequately. There was a possibility that the parking spaces on the development could be increased to 5, without detriment to the layout, and this could be discussed with the developer.

**RESOLVED** to approve application No 10/02098/F garages adjacent to 5 Randle Green, Norwich, and grant planning permission, subject to the following conditions:

1. Commencement of development within three years.
2. Details of facing and roofing materials; boundary treatment, walls and fences; external lighting and solar panels;
3. Provision of car parking, cycle storage, bin stores.
4. Details of scheme for road markings.
5. Tree Protection scheme prior to commencement.
6. Retention of tree protection.
7. Details of Landscaping, planting and site treatment works.
8. Landscape maintenance.
9. Site contamination investigation and assessment to be carried out and if contamination is found a scheme of remediation and mitigation to be agreed and carried out. Should during development, contamination not previously identified be found development is to cease pending details to deal with contamination.
10. 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 brown field site. The scheme provides adequate parking and servicing space and makes proposals for rationalising on street parking in the area. 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 made with particular regard to PPS1, PPS3 and PPG13 policies ENV7, T14, H2 and WM6 of the adopted East of England Plan and saved policies EP1, EP18, EP22, 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.)

**6. APPLICATION NO 10/02097/F GARAGES ADJACENT TO 32 BATES GREEN, NORWICH**

The senior planner (development) presented the report with the aid of slides and plans, and advised members that the late representations from the Norwich Society and Councillor Makoff were the same as for the previous item. Members were advised that there would be an additional condition to add a requirement for specific size and section details of the panels to ensure that the appearance was satisfactory and limit the protection from the roof slope.

**RESOLVED** to approve application No 10/02097/F garages adjacent to 32 Bates Green, Norwich, and grant planning permission, subject to the following conditions:

1. Commencement of development within three years;
2. Details of Facing and Roofing Materials; Boundary treatment, walls and fences; external lighting and solar panels;
3. Provision of car parking, cycle storage, bin stores;

4. Details of scheme for road markings;
5. Details of trees and planting to be retained;
6. Tree Protection Scheme prior to commencement ;
7. Retention of tree protection;
8. Details of Landscaping, planting and site treatment works;
9. Landscape maintenance;
10. Site contamination investigation and assessment to be carried out and if contamination is found a scheme of remediation and mitigation to be agreed and carried out; Should during development, contamination not previously identified be found development is to cease pending details to deal with contamination;
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 brown field site. The scheme provides adequate parking and servicing space and makes proposals for rationalising on street parking in the area. 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 made with particular regard to PPS1, PPS3 and PPG13 policies ENV7, T14, H2 and WM6 of the adopted East of England Plan and saved policies EP1, EP18, EP22, 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.)

## **7. APPLICATION NO 10/02099/F GARAGES ADJACENT TO 71 FRIENDS ROAD, NORWICH**

The senior planner (development) presented the report with the aid of slides and plans and pointed out that Friends Road was a mixed development of bungalows and two-storey buildings. The comments of the Norwich Society (recorded above) applied to this application. Members were also advised that there was an additional condition to add a requirement for specific size and section details of the panels to ensure that the appearance was satisfactory and limit the protection from the roof slope.

The senior planner (development) advised that the report should include reference to saved local plan policy NE4. The tree protection had confirmed that there was a requirement for street tree provision as the frontage was of 10 or more metres and existing provision was not sufficient. A financial contribution for the provision and maintenance of 3 trees at the site at a cost of £1,828 was required. It was proposed that this contribution, because it was a relatively small amount, could be secured through the sale of land contract should planning permission be granted. This would avoid the cost and time involved with drafting and completing a S106 agreement

**RESOLVED** to approve application No 10/02099/F, garages adjacent to 71 Friends Road, Norwich, and grant planning permission, subject to the following conditions:-

1. Standard time limit;

2. Development in accordance with the submitted plans;
3. Compliance with the arboricultural implications assessment and method statements for construction, provision of services and provision of tree protection barriers. Provision of an auditable system of arboricultural site monitoring.
4. Details for the provision of protection barriers to the existing green space to the west of the site.
5. Provision of the sheds, parking areas and refuse storage areas prior to first occupation;
6. Submission of hard and soft landscaping details including details of boundary treatments, strengthening of the hedge along the southern boundary by further planting, future management and maintenance and provision of those areas prior to first occupation;
7. Details of bricks, tiles, timber infill panels and solar panels to be used in the development;
8. Details for the insulation of bedroom and living rooms windows and the provision of acoustic ventilation;
9. Site contamination investigation and assessment to be carried out and if contamination is found a scheme of remediation and mitigation to be agreed and carried out. Should during development, contamination not previously identified be found development is to cease pending details to deal with contamination.

The following informative notes should be appended to any consent:

1. Considerate construction and timing to prevent nuisance;
2. An asbestos survey should be carried out;
3. All practical methods should be taken to prevent dust emission;
4. Materials removed from site should be classified and disposed of at suitable licensed facilities;
5. Site clearance to have due regard to minimising the impact on wildlife.

(Reasons for approval: The decision has been made with particular regard to PPS1, PPS3, PPG13, PPG24, policies ENV7, T8 and WM6 of the adopted East of England Plan and saved policies NE9, HBE12, HBE19, EP1, EP18, EP22, HOU13, TRA5, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan.

The proposals provide for the redevelopment of an existing Brownfield garage site. In this case the ten garages in question are all void and it is not considered that the loss of the garages would have any detrimental knock-on implications in terms of highway congestion or safety. 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. The future residential amenity of residents will be acceptable subject to a condition relating to noise insulation of windows. The proposals are therefore considered to be acceptable subject to the conditions imposed.)

**8. APPLICATION NO 10/01873/F LAND TO THE REAR OF 154 AND 156A  
NEWMARKET ROAD, NORWICH**

The planner (policy) presented the report with the aid of slides and plans, and together with the planning development manager answered members' questions. Members were advised that the application was essentially the same as the previous one but it was proposed to extend the property by 2 metres and move the building forward by 3 metres to avoid the root protection area of the protected Yew tree.

**RESOLVED** to approve application No (10/01873/F, land to the rear of 154 and 156a Newmarket Road, Norwich) and grant planning permission, subject to the following conditions:-

1. Standard time limit;
2. Development in accordance with the submitted plans;
3. Details/and or samples of material to be used in the development, including roof, windows, doors, fascias, trims, rainwater goods, pergola, solar panels and roof lights;
4. Details of the proposed finished floor levels of the building and the existing site ground levels;
5. Compliance with the arboricultural implications assessment;
6. Prior to the commencement of any development, a detailed arboricultural method statement shall be submitted detailing the trenchless solution to the various service installations;
7. The no dig access and tree protection barriers must be in place before any vehicles, plant machinery access, or material storage are allowed;
8. Full details of hard and soft landscaping before commencement of development;
9. Provision of cycle stores, parking areas and refuse storage areas prior to first occupation;
10. No windows, dormer windows or roof lights other than those expressly authorised by this permission shall be constructed on either roof slope or on either side elevation of the new house at first floor level or above.
11. No fences, gates or wall shall be erected within the curtilage of the dwelling house forward of any wall of the dwelling house which fronts onto a road.
12. No extensions or ancillary buildings shall be erected.
13. Location and specification of air source heat pumps to be submitted and agreed prior to installation and retained as such thereafter.

**Informative**

1. All services will need to pass under the root protection area of the northern boundary trees to make their apparatus connections and that once the no-dig surface has been installed there should be a web matrix at ground level retaining the drive fill material.
2. Construction working hours

(Reasons for approval: The decision has been made with particular regards to PPS1, PPS3 and saved policies NE9, HBE8, HBE12, EP18, EP22, HOU13, TRA6, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan. Having considered relevant policy and other material considerations, it is considered that the proposal meets development plan policy objectives and the proposals are

considered to be acceptable. The principle of a contemporary dwelling within the conservation area has already been established on the site, and it is considered that the amended scheme is not significantly different from the previous scheme allowed at appeal. The amendments will not have any significant implications for neighbour amenity or visual impact. Subject to conditions ensuring compliance with the submitted arboricultural implications assessment, the proposals would not have any significant arboricultural implications and is considered that the scheme will safeguard the well-being of the trees on site.)

**9. APPLICATION NO 10/01990/RM 14 BRANKSOME ROAD, NORWICH, NR4 6SN**

The planner (development) presented the report with the aid of slides and plans, and together with the planning development manager answered members' questions.

**RESOLVED** to approve application no 10/01990/RM and approve reserved matters, and grant planning permission, subject to the following conditions:

1. Boundary treatment to north east before occupation;
2. Materials to be agreed, including drive;
3. Turning area to be laid out before occupation;
4. Bin storage to be provided before occupation;
5. In full accordance with AIA;
6. Tree protection;
7. In accordance with submitted drawings.

Informative:

1. Construction working hours

(Reasons for approval: The decision to grant approval for the reserved matters has been taken having regard to PPS1 and saved policies HOU13, HBE12, NE3, EP22, TRA6 and TRA7 of the City of Norwich Replacement Local Plan Adopted Version November 2004 and all material considerations. The design details of the scheme meet the criteria of the above policies and will result in a high quality bungalow with appropriate landscaping and of a scale and appearance which is in keeping with the area.)

**10. APPLICATION NO 10/01969/F - LAND AND BUILDINGS AT REAR OF 2 DURHAM STREET, NORWICH, NR2 2ED**

**RESOLVED** to note that this item has been withdrawn at the request of the applicant.

**11. APPLICATION NO 10/01994/U 52 ST BENEDICTS STREET, NORWICH NR2 4AR**

The planner (development) presented the report with the aid of slides and plans. Since the publication of the report a further letter of representation objecting to the proposed change of use because of the effect on other local businesses and concern about refuse collections. Members were advised that the first objection had been raised by the other objectors and was addressed in the report. The daily sack

collection in St Benedict's was considered acceptable. The planner, together with the planning development manager, answered members' questions.

**RESOLVED** to approve application No 10/01994/U and grant planning permission subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. The development hereby approved shall be carried out in accordance with the plans and details as specified on this decision notice.
3. The installation of any plant or machinery on the premises shall be in accordance with a scheme first approved by the Local Planning Authority for the reduction, where necessary, of the level of noise and vibration emanating from the premises.
4. Details of any extract ventilation or fume extraction system, including the position of ventilation, fume or flue outlet points and the type of filtration or other fume treatment to be installed and used in the premises in pursuance of this permission, shall first be approved by the Local Planning Authority and installed before the use hereby permitted commences and thereafter retained in full accordance with the approved details.
5. The premises the subject of this permission shall not be open to customers before 08:00hrs and after 22:00hrs on any day.
6. No trade deliveries or collections, including trade waste, will take place between the hours of 19:00hrs and 07:00hrs Monday to Saturday. There will be no trade deliveries or collections, including trade waste on Sundays or Bank Holidays.
7. Prior to the commencement of the use hereby permitted, a scheme of sound insulation measures between the ground and first floor of the building shall be submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented in full prior to the first use of the café/restaurant at ground floor use hereby permitted.

**Informatives:**

1. The applicant is advised that the business premises the subject of this permission is not eligible for on-street parking permits.
2. The applicant is advised that part of the frontage of number 52 St Benedict's Street has an "at any time" loading ban. If loading is required, there is no restriction in front of number 50 St Benedict's Street.

(Reasons for approval: The percentage of defined retail frontage on St Benedict's Street at the last retail survey in July 2010 was 70.7% so there is a clear capacity for additional non-retail in this secondary retail area. Further to this a café/restaurant use is considered to be a complementary use which would contribute positively to the vitality and viability of the immediate and wider City Centre Conservation Area. Therefore the application is considered to be in accordance with the objectives of PPS1 and PPS4 and saved policies HBE8 and SHO11 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

(The committee then had a short break before reconvening.)

**12. APPLICATION NO APPLICATION NO 10/01758/L AND 10/01757/F,  
5 THE CLOSE, NORWICH, NR1 4DH**

The planner (development) presented the report with the aid of slides and plans. Detailed plans were circulated at the meeting.

Members considered that the proposal was acceptable and that it was necessary to provide more bathroom facilities for a house of that size.

**RESOLVED to:**

- (1) recommend approval of application number 10/01757/F to GO East with the recommended conditions as outlined below:
  1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
  2. The development hereby approved shall be carried out in accordance with the plans and details as specified on this decision notice.
  3. Prior to the commencement of the conversion of the building to the residential dwelling hereby approved details of all new solar collectors, including a manufacturers specification including details of size, colour, finish and an elevation drawing showing the exact position of the solar collectors on the roof, shall be submitted to and approved in writing by the Local Planning Authority. The solar collectors shall thereafter be installed in full accordance with the agreed details and retained as such in perpetuity unless they are no longer required in which case they shall be removed within 3 months of the date of their redundancy and the roof repaired to a satisfactory level and as agreed by the Local Planning Authority.
  4. Prior to the commencement of the conversion of the building to the residential dwelling hereby approved details of any new drainage for the building including materials for new pipes, paint colour and finishes, a specification and elevation drawings showing the position of new drainage runs on the building shall be submitted to and approved in writing by the Local Planning Authority. The new drainage shall thereafter installed in full accordance with the agreed details and retained as such in perpetuity.
  5. Prior to the commencement of the conversion of the building to the residential dwelling hereby approved details of any new extract ventilation including routes of any ducting (internal or external) and the position, style and specification of any extract fittings shall be submitted to and approved in writing by the Local Planning Authority. The extract ventilation and any associated ducting shall thereafter be installed in full accordance with the agreed details and retained as such in perpetuity.
  6. The windows on the rear south elevation fronting St Faith's Lane serving any newly created or existing cloakrooms, hereby permitted, shall have obscured glazing with a degree of obscurity equivalent to Pilkington level 5. The glazing shall thereafter be retained in accordance with this detail unless otherwise agreed in writing by the Local Planning Authority. Details of the new glazing shall first be submitted to and approved in writing with

the Local Planning Authority and shall thereafter be retained as such in perpetuity.

7. Prior to the first occupation of the residential dwelling hereby approved, car parking, cycle parking and refuse and recycling storage shall be provided in accordance with a plan to be first submitted to and agreed in writing by the Local Planning Authority. The car parking, cycle storage and refuse and recycling storage shall then be retained in perpetuity.
8. No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. In this instance, the programme of archaeological work will comprise the monitoring of groundworks under archaeological supervision and control. Norfolk County Council Historic Environment Service will provide a brief for the programme of archaeological works on request.

**Informatives:**

1. You are advised that the council expects the following measures to be taken during any building operations to control noise, pollution and parking:

- (a) Work that is audible beyond the site boundary shall only be carried out between 7.30am and 5.30pm Monday to Friday, between 7.30am and 1.00pm Saturday and not at all on Sundays or Bank Holidays;
- (b) The quietest available items of plant and machinery shall be used on site. Where equipment such as generators is necessary, they should be enclosed to reduce noise levels, if applicable.
- (c) Deliveries shall only be received within the hours detailed in (a) above.
- (d) Adequate steps shall be taken to prevent dust-causing nuisance beyond the site boundary. Such uses include the use of hoses to damp down stockpiles of materials, which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsters and wheel washes;
- (e) There shall be no burning on site;
- (f) Only minimal security lighting shall be used outside the hours stated above;
- (g) Building materials and machinery shall not be stored on the highway and contractors' vehicles shall be parked with care so as to not cause an obstruction or block visibility on the highway.

Any divergence from these recommendations should be referred to the Council's environmental protection department for approval. The council also recommends membership of a scheme, such as the Considerate Constructors Scheme.

**(Reasons for approval:**

1. The proposed conversion from offices (Use Class B1) to a residential dwelling (Use Class C3) is considered acceptable. 1 no car parking space is provided with the accommodation which is accessed from Tombland via St Ethelbert's Gate and Chapel entrance to the Cathedral Precinct; an appropriate density for a City Centre location is proposed; there is a private garden attached to the dwelling house and the property is set within the extensive Cathedral

Precinct with many areas of public open space available within a 5 minute walk; there is excellent accessibility to local shops and employment areas with the City Centre being a 5 minute walk away, the train station and bus station are also within easy walking distance providing excellent public transport links locally and nationwide; there is not considered to be any detrimental impact on the character or amenity of the surrounding area, especially considering that there will only be minimal external alteration made to facilitate the conversion, and; the proposals are considered to enable the regeneration of a historic building. Therefore the proposals are considered to be in accordance with the objectives of PPS1, PPS3 and PPG13 and saved policies EMP3, HOU13, EP22, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

2. The southern (rear) roof slope of 5 The Close cannot be seen from any strategic viewpoints when looking towards the Cathedral and the proposed solar collectors are considered to have a visually minimal impact on the appearance and setting of the building. Subject to compliance with conditions imposed here, it is considered that the installation of solar collectors on the roof slope is acceptable. There are not considered to be any detrimental visual or other impacts on the wider Conservation Area. Therefore the proposals are considered to be in accordance with the objectives of PPS1 Supplement, PPS22 and Saved Local Plan policies HBE8, HBE12, HBE13 and EP19.)
- (2) to recommend approval of Listed Building Consent 10/01758/L to GO East with the recommended conditions outlined below:
1. The works must be commenced within three years of the date of this permission.
  2. The development hereby approved shall be carried out in accordance with the plans and details as specified on this decision notice.
  3. Prior to the commencement of the development hereby permitted, full details of the following shall be submitted to and approved in writing with the Local Planning Authority:
    - (a) details of the lintel to the cupboard opening between the proposed entrance hall (G01) and the proposed dining room (G06);
    - (b) a schedule of works for the repairs to the southernmost room in the existing Gatekeeper's Lodge (Room G06c on plan number 08.125-LL-XP-013 A);
    - (c) details of any underpinning works to the wall between number 5 The Close and the existing Gatekeeper's Lodge;
    - (d) details of minor alterations to the masonry to the rear of the existing chimney to bedroom F02 to accommodate the proposed stair.The development shall then be constructed in full accordance with the agreed details and retained as such in perpetuity.
  4. Within 3 months of the completion of the works hereby permitted, any damage to the fabric of the Listed Building resulting from the carrying out of the works hereby permitted shall be made good in accordance with details to be first submitted and agreed in writing with the Local Planning Authority.

(Reasons for approval: It is not considered that the proposed internal alterations will result in any substantial harm to the significance of the designated heritage asset. The re-use of this long-term empty building will be beneficial and although some harm may be caused by the insertion of the en suite stud partition wall to room F04, it is considered that the public benefits gained through the re-use of the whole building outweigh the relatively minor harm that this potentially reversible alteration may result in. Therefore the proposals are considered to be in accordance with the objectives of PPS5 and saved policy HBE9 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).

### **13. ENFORCEMENT ACTION: 27 CASTLE MEADOW, NORWICH, NR1 3DS**

The senior planner (development) presented the report with the aid of slides and plans. The enforcement officer said that planning officers had investigated the issue of suspected non-compliance with the approved plans in relation to the height and position of the smoking shelter awning adjoining the second floor window of 27 Castle Meadow (as set out in paragraph 14 of the report). Photographs showed that a significantly taller roof structure, which was almost as high at the top of the window (which was over 1 metre higher than the approved sloping fabric awning on a steel structure), had been installed. There was also evidence that the rooftop bar was in use in December 2010. A response had been received from the owner which was circulated to members. Private parties on the premises had since been stopped.

The part owner of the premises apologised to the committee and said that she was prepared to work with officers and an architect to resolve the issue. Office parties on the premises were not acceptable and had been stopped.

Discussion ensued in which the solicitor gave further details of the enforcement action being sought to secure the immediate cessation of the unauthorised uses, the removal of the unauthorised bar serverly structure, and the non-compliance of the planning permission for the awning roof structure. Members were advised that the applicant could apply for retrospective planning permission for the smoking area awning roof structure and that an enforcement notice would be suspended during the consultation period for this application.

**RESOLVED** to authorise the head of legal and democratic services to:

- (1) issue a stop notice to secure the immediate cessation of the use of the internal areas of 27 Castle Meadow including the music amplification system as part of the adjacent bar premises together with an enforcement notice to secure cessation of the use of the internal areas of these premises including the music amplification system as part of the adjacent bar premises;
- (2) issue enforcement notices to:
  - (a) secure the cessation of the use of the bar serverly adjoining the terrace; and,

- (b) secure the removal of the new bar serverly and reinstatement of the building to its former condition;
  - (c) ensure compliance with planning permission for application 09/01391/F and 09/01392/L with regard to the smoking shelter awning;
- (3) to take any legal proceedings, including prosecution as necessary to enforce the stop and enforcement notices.

**14. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE:  
APPEALS: 1 JULY 2010 TO 30 SEPTEMBER 2010 (QUARTER 2: 2010 -  
2011) (REPORT TITLE CORRECTED TO APPEALS 1 OCTOBER TO 31  
DECEMBER 2010 – QUARTER 3.)**

The planning development manager presented the report and said that the title had not been amended and should refer to quarter 3, 1 October to 31 December 2010. In this period all 7 appeals had been dismissed by the planning inspector. Of these one was where the committee refused planning permission for an extension to 15 York Street against officers' advice.

**RESOLVED** to note the report.

**15. PERFORMANCE OF THE DEVELOPMENT MANAGEMENT SERVICE,  
OCTOBER - DECEMBER 2010 (QUARTER 3, 2010-11)**

The planning development manager presented the report and said that there had been a number of planning applications coming forward last month and that performance targets had slipped because of reduced staffing numbers.

**RESOLVED** to note the report.

**16. ADDITIONAL MEETING OF THE COMMITTEE**

**RESOLVED** to hold a meeting in addition to the scheduled meeting (due to be held on 10 February 2011) on Thursday 17 February 2011 at 11.00 a.m. at City Hall if required.

CHAIR