



PLANNING APPLICATIONS COMMITTEE

10am to 4.15pm

20 September 2012

Present: Councillors Bradford (chair), Ackroyd, Blunt (substitute for Councillor Neale) (to end of item 5 below), Kendrick, Howard (to end of item 5 below), Little, Rogers, Sands (S) and Stonard

Apologies: Councillor Sands (M) (vice chair), Gee, Lay and Neale

1. DECLARATIONS OF INTEREST

Councillor Kendrick declared an interest in agenda item 3 (below) application no 12/01016/F because of family members living nearby.

2. MINUTES

RESOLVED to agree the accuracy of the minutes of the meeting held on 23 August 2012.

3. APPLICATION NO 12/01016/F LIONWOOD JUNIOR SCHOOL WELLESLEY AVENUE NORTH, NORWICH, NR1 4NT

(Councillor Kendrick having declared an interest in this item left the room during its consideration.)

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

A local resident and County Councillor Nobbs, representing Crome Division, addressed the committee outlining objections to the proposal which included concerns regarding traffic and the potential for accidents. It was also considered that there could be issues surrounding ownership of boundaries such as hedges, trees and fences; and where the responsibility for their upkeep would lie. It was considered that concessions to current residents had been made already and there was gratitude for this, but County Councillor Nobbs stressed that it was vital to maintain consultation with residents as the project progressed.

The agent then addressed the committee and explained that the development had evolved many times and that they were very conscious of landscaping. He

confirmed that the landlord for the social housing element of the project would be assuming obligation to maintain hedges, trees, etc.

Discussion ensued in which the senior planner referred to the report and responded to the issues raised by the speakers and members of the committee.

RESOLVED, with 6 members voting in favour (Councillors Little, Ackroyd, Stonard, Blunt, Howard and Bradford) and 2 members voting against (Councillors Sands (S) and Rogers) to approve application no 12/01016/F Lionwood Junior School, Wellesley Avenue North, Norwich NR1 4NT and grant planning permission, subject to:

(1) the completion of a satisfactory S106 agreement to include 4 units of affordable housing (all social rented), the provision of a transport contribution and a child's play space contribution in relation to the residential development, a street tree contribution for one street tree; and

(2) the following conditions:

1. Standard time limit;
2. In accordance with approved plans and drawings
3. Non-residential development to be used as D1 medical centre and A1 pharmacy only
4. Development to be in accordance with submitted AIA
5. Trees to be retained on site to be protected prior to any works commencing
6. Additional replacement tree planting to be carried out as part of on-site landscaping
7. Details of hard and soft landscaping, including surfacing materials, boundary treatments to all boundaries on or within the site and a management method statement detailing how the planting will be maintained, to be agreed before development takes place
8. Distance marker and school railings and wall to be retained
9. Details of proposed levels to be agreed before development takes place
10. Details of recessed panels, joinery, porch roofs, brick and tile finishes to be agreed, to include provision for a projecting flat canopy porch roof
11. Intrusive investigation and remediation, as necessary, for contamination to be undertaken before development takes place
12. Submission of verification report in respect of remediation before occupation or first use takes place
13. Measures to deal with unexpected contamination
14. Submission of details of all plant and machinery associated with the medical centre and pharmacy
15. Renewable energy provision – details to be agreed before development takes place to provide at least 10% of energy demand from decentralised low or zero carbon sources and measures to be installed before occupation or first use
16. Residential development to meet sustainable homes code level 4 for internal water consumption (105 litres per day)
17. Non-residential development to be designed to BREEAM excellent standard for water conservation

18. Details of all site lighting and CCTV cameras to be agreed before development takes place and no installation unless in accordance with agreed details
19. Details of biodiversity measures to be agreed, to include bat and bird boxes, in accordance with the recommendations in the ecology report and measures to be installed prior to occupation or first use
20. No occupation or first use until access, parking, cycle parking and refuse storage and collection facilities provided and thereafter maintained
21. No direct access (vehicular or pedestrian) to Wolfe Road at any time and no use of the medical centre or pharmacy to take place until the existing access gate has been removed and reinstated with a fixed boundary treatment in accordance with details to be first agreed
22. No use of the medical centre/ pharmacy until the lifting arm car park barrier shown on the submitted plan is in place, details of which to be agreed and, once in place, to be retained as such thereafter
23. No use of the medical centre/ pharmacy until dedicated pedestrian access from Wellesley Avenue North has been provided in accordance with the approved plans and level disabled access from the disabled parking spaces to the medical centre/ pharmacy has been provided in accordance with details to be agreed. Once provided, this shall be retained as such thereafter during the opening hours of the medical centre/ pharmacy
24. No use of the medical centre/ pharmacy to take place until provision has been made for the display of a directional sign from Plumstead Road
25. No use or occupation unless provision has been made for the removal of the zigzag road markings and pedestrian barrier
26. No use of the medical centre/ pharmacy to take place unless waiting restrictions (double yellow lines) have been installed around the junction of Wellesley Avenue North and Wolfe road
27. No development to take place unless precise details (including materials) of the access road, car park, vehicle crossovers and turning head(s) have been agreed and no use or occupation until the development has been carried out in accordance with the details as agreed
28. Details of cycle shelter design to be submitted and agreed and installed before first use of the medical centre
29. Submission of travel information plan

Informatives

1. Demolition work outside bird breeding season (1 March – 31 August)
2. Considerate constructors scheme (to avoid noise and disturbance)
3. New vehicle crossover(s) onto Wellesley Avenue North is likely to require a s278 and s38 agreement to be entered into with the Highway Authority
4. Vehicle crossovers for site access road and residential driveways will be expected to meet the Highway Authority's specification and to be constructed at the applicant's cost
5. The applicant is expected to meet the cost of the TRO for the provision of waiting restrictions and for the installation of the lining required

(Reasons for approval:

1. It is considered that the demolition of the school and the redevelopment of the site with a medical centre, pharmacy and 14 residential dwellings is acceptable in principle, subject to a legal agreement to secure 4 units of

affordable housing, a child play space contribution, street trees and transport improvements.

2. Subject to conditions, the proposal is considered to be an appropriate alternative use for this site, which although located outside of an existing centre is in a highly accessible location and the nature of the precise uses proposed would complement the surrounding predominantly residential area.
3. The design and layout of the proposal is considered acceptable and provides adequate standards of amenity and outlook for future residents and would be unlikely to cause detriment to the living conditions of existing residents. The shared access and parking is considered suitable to meet the needs of the proposal and, subject to further details, is unlikely to result in adverse impact for existing residents around the site.
4. Subject to conditions restricting the exact use of the non-residential elements, details of parking, access, transportation mitigation measures, tree retention and planting, landscaping and surfacing, boundary treatments, biodiversity mitigation measures, CCTV and lighting, water conservation and energy efficiency, contamination and materials, the development is considered to meet the NPPF, policies ENV7, ENG1, H2, T14 and WM6 of the East of England Plan 2008, policies 1,2,3,4,5,6,7,9,12 and 20 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 and saved policies AEC2, EP1, EP18, EP20, EP22, EMP3, HBE12, HOU6, HOU13, HOU18, NE4, NE9, SR7, TRA5, TRA6, TRA7, TRA8, TRA10 and TRA11 of the City of Norwich Replacement Local Plan 2004 and other material considerations.)

(Councillor Kendrick was readmitted to the meeting at this point.)

4. APPLICATION NO 12/00961/F CAR PARK REAR OF 5 - 11 CATHEDRAL STREET, NORWICH

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

A local resident spoke in favour of the application, commenting that she considered it would help reduce anti-social behaviour in the area.

The agent spoke in support of the application on behalf of his client, stressing that the design was considered acceptable; the area for the building of the new units was not inside the late night activity zone; the environmental officer had stated that the internal environment of the homes would be within acceptable noise limits; that 75% of letters from local residents were in favour of the application.

Discussion ensued in which the public protection manager referred to the report and explained his concerns regarding lack of amenity space and the unwillingness of the developer to create a car-free site.

Councillor Stonard moved and Councillor Rogers seconded that the application should be approved because the plans made use of a brownfield site, adequate noise protections were in place, the amenity space was acceptable and the plan represented an appropriate quality of design.

RESOLVED, with 5 members voting against the amendment to approve the application (Councillors Little, Ackroyd, Sands (S), Blunt and Bradford) and 4 members voting in favour of the amendment (Councillors Stonard, Rogers, Kendrick and Howard) the amended motion was lost.

The chair then moved the officers' recommendations as set out in the report.

RESOLVED, with 5 members voting in favour (Councillors Little, Ackroyd, Sands (S), Blunt and Bradford) and 4 members voting against (Councillors Stonard, Rogers, Kendrick and Howard), to refuse planning permission for application number 12/00961/F for the following reason(s):-

1. The National Planning Policy Framework (NPPF) encourages the use of brownfield land for development providing that it is not of a high environmental value. However, the local plan is explicit in that 'housing development adjacent to or within the Late Night Activity Zone (LNAZ) will not be considered acceptable'. Whilst the application site is not within the LNAZ, it is within 1.5m of the rear elevation of Norwich's biggest nightclub which can currently operate unconditionally. Whilst there are a plethora of residential dwellings within the immediate vicinity of the application site, the introduction of more residential properties into an area where late night activities such as nightclubs and bars are prevalent is not considered acceptable due to noise and disturbance issues. In addition, several of the local plan criteria required to ensure proposals are acceptable are not considered to be met and the proposed dwellings are not considered to provide sufficient private defensible quality amenity areas. Therefore the proposals are considered to be contrary to saved policies HOU2, HOU13 of the City of Norwich Replacement Local Plan (Adopted Version November 2004).
2. Whilst it is considered that the noise issues arising from the operation of the plant and machinery attached to the adjacent building could be mitigated through the use of conditions requiring all windows on the south and west elevations to be triple glazed, non-opening mechanically ventilated windows, and in addition to the obscure glazing required on the east elevation to mitigate overlooking to existing residential properties fronting St Faiths Lane, the resulting living conditions for future occupiers would be so poor so as to render the proposals unacceptable. The only openable and clear glazed windows on the property face north. In addition, whilst these noise issues could be mitigated to the habitable rooms, the noise levels within the amenity areas surrounding the property, in particular the areas to the rear, would be in excess of World Health Organisation Guidelines (WHO) for serious annoyance thereby rendering them unusable when the adjacent nightclub's plant and machinery is in operation. Therefore the proposals are considered to be contrary to the objectives of the National Planning Policy Framework and saved policy EP22 of the City of Norwich replacement Local Plan (Adopted Version November 2004).
3. The proposals are not considered to constitute good design but rather reflect poor quality living accommodation with limited natural light and poor outlook. In addition, the amenity area provision is very poor being neither private and defensible, or easily accessible. The amenity area to the rear is particularly substandard being surrounded by high walls with virtually no natural light. The proposals are therefore considered to be contrary to the National Planning

Policy Framework, policy 2 of the Joint Core Strategy for Broadland, Norwich and South Norfolk (March 2011), policies ENV6 and ENV7 of the East of England Plan (Amy 2008) and saved policies HBE12, HOU13 and EP22 of the City of Norwich replacement Local Plan (Adopted Version November 2004).

**5. APPLICATION NO 12/00739/F FORMER BALLY SHOE FACTORY LTD
HALL ROAD, NORWICH, NR4 6DP**

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report, which was circulated at the meeting, "Updates to reports for consideration" and said that three further letters of representation in support of the application had been received. Members were also advised of amendments to paragraphs 80, 89, 101 and 102, as set out in the supplementary report.

The agent spoke in support of the application on behalf of his client.

Discussion ensued during which some councillors expressed concerns that the proposals did not make best use of the site; in particular it was considered that the car parking dominated the location and multi-level parking could allow for the building of new homes. The lack of significant pedestrian and cycle access was also brought forward. Other councillors considered that the proposals offered a significant boost to the area by providing good value food and clothing and new employment in an area in need of regeneration.

Councillor Little moved and Councillor Ackroyd seconded that the application be refused because the proposal did not constitute a District Centre as the level of floorspace within the superstore is disproportionately large when compared to the amount of other town centre uses, the proposals represented underdevelopment of a brownfield site; the removal of trees; the dominance of car parking and because the proposals failed to maximise accessibility to the site by sustainable modes of transport.

RESOLVED with 5 members voting in favour of refusal (Councillors Little, Ackroyd, Rogers, Blunt and Howard) and 4 members voting against (Councillors Bradford, Stonard, Sands (S) and Kendrick) to refuse application no 12/00739/F Former Bally Shoe Factory Ltd, Hall Road, Norwich, NR4 6DP on the grounds that the proposal did not constitute a District Centre as the level of floorspace within the superstore is disproportionately large when compared to the amount of other town centre uses, the proposals represented underdevelopment of a brownfield site; the proposal would result in the loss of trees; the dominance of car parking and that the proposals failed to maximise accessibility to the site by sustainable modes of transport and ask the head of planning services to draft the reasons for refusal in full.

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

1. Saved policy SHO3 of the adopted City of Norwich Replacement Local Plan details that retail development will only be permitted where it is of a scale consistent with the catchment appropriate to a centre's position in the hierarchy. Part of the application is allocated as a District Centre under saved policy SHO13 of the adopted City of Norwich Replacement Local Plan. The superstore proposed is significantly larger than the site allocation and whilst it can be argued that an anchor convenience store of the size proposed

can fit into the district centre level of the hierarchy, it is considered that the size of the superstore must relate to the size of the centre proposed as a whole. The level of floorspace within the superstore is disproportionately large when compared to the amount of other town centre uses. It is therefore not considered that the centre as a whole constitutes a District Centre and as such the proposals are contrary to policy 19 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk, saved policies SHO3 and SHO13 of the adopted City of Norwich Replacement Local Plan and the objectives of the sequential test set out at part 2 of the National Planning Policy Framework.

2. The surface car parking takes up a significant proportion of the site and this coupled with the scale of the superstore limits the extent of the site available for other development or main town centre uses. The proposals have failed to make use of innovative design solutions to enable provision for a greater degree of development on the site. The proposals are therefore considered contrary to saved policy TRA5 of the adopted City of Norwich Replacement Local Plan, policy ENV7 of the adopted East of England Plan, policy 1 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk and the objectives of the National Planning Policy Framework to optimise the potential of the site to accommodate development.
3. The design of the proposals is dominated by surface car parking which fails to provide a positive and attractive setting to the development and as such the proposals are considered to be contrary to saved policies HBE12 and TRA5 of the adopted City of Norwich Replacement Local Plan.
4. The proposals fail to maximise accessibility to the site by sustainable modes of transport. The main entrance to the superstore is located at the lower ground floor level fronting onto the surface car park. The proposals design is orientated to users of the private car and access to the superstore for pedestrians, cyclists and users of public transport involves either navigating the surface car park or a significant change in level between Hall Road and the store entrance. The proposals are therefore considered to be contrary to saved policies TRA3 and HBE12 of the adopted City of Norwich Replacement Local Plan, policies 1 and 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk and the objectives of the National Planning Policy Framework for development to be designed to give priority to pedestrian and cycle movements.
5. The proposal would result in the loss of a significant number of trees protected by a tree preservation order including the complete loss of one group of protected trees. The loss of the trees would not allow for a substantially improved overall approach to the design of the development that would outweigh the loss of the trees. The design has failed to avoid or successfully mitigate harm to the biodiversity of the site and as such fails to take opportunities to enhance biodiversity through its design. The proposals are therefore considered to be contrary to saved policies NE3 and NE9 of the adopted City of Norwich Replacement Local Plan, policy 1 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk and the objectives of the National Planning Policy Framework.

(The committee adjourned for a short break. Councillors Blunt and Howard left the meeting at this point. The meeting reconvened with all members listed as present at the start of the meeting with the exception of Councillors Blunt and Howard.)

6. APPLICATION NO 12/01448/U NORFOLK HOUSE, EXCHANGE STREET, NORWICH, NR2 1DD

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

Discussion ensued in which the senior planner referred to the report and responded to questions from members. The committee expressed concern about the need for an improved forecourt and landscaped setting to be provided and there should be a substantial increase in cycle parking provision on the same site; all through pre-commencement conditions. The senior planner advised members that the decision notice could amalgamate some of the original conditions listed in the report.

RESOLVED to approve planning application 12/01448/U at Norfolk House, Exchange Street, Norwich, NR2 1DD, for the change of use from offices (Class B1a) to higher education centre (Class D1), subject to the following conditions:

1. Commencement within 3 years;
2. Use to be restricted to Higher Education, and not any other form of education;
3. Learning environment to be restricted to the open-study layout concept and layout as proposed in the submitted plans;
4. Remove permitted development right to prevent use in any other form of D1 Use Class;
5. Noise to not exceed a pre-determined level (to be confirmed by Environmental Health);
6. All deliveries and servicing to take place from St John Maddermarket;

Prior to commencement of use

7. On-site renewable energy generation scheme to be agreed, sufficient to demonstrate at least 10% renewable energy generation, unless otherwise shown to be unfeasible, impractical or unviable, and implemented;
8. Water efficiency scheme proposals to be agreed and implemented;
9. Site layout plan to be agreed and implemented, to show a specific landscaped site entrance to enhance the setting of the building and improve the street frontage, providing safe pedestrian routes into the site, appropriate disabled car parking and car parking access, and increased levels of cycle parking storage within an appropriate location for a secure and covered facility;
10. Landscaping scheme details to be agreed and implemented, to include tree protection;
11. Boundary treatments to be agreed and implemented;
12. Travel Plan to be finalised and implemented;
13. Cycle parking storage facility design details to be agreed and store to be implemented;
14. Heritage interpretation details to be agreed and implemented;
15. Car parking management plan to be agreed and implemented;
16. No plant and/or machinery to be installed without prior approval of details;
17. No lighting and/or CCTV to be installed without prior approval of details.

(Reasons for approval: Notwithstanding the loss of office floorspace in the heart of the city centre, the site offers an appropriate and highly sustainable location for the educational facility, which is considered complementary to main city centre uses and an appropriate means of improving the educational offer of the city centre. The facility will benefit the learning environment of higher education students and bring improved vitality and diversity of uses to the city centre. Subject to conditions imposed to restrict activities to those proposed in the plans, and prevent use of other forms or ages of education, or other uses in the same use class, the open study learning environment concept is considered acceptable in terms of avoiding nuisance or noise for adjoining local businesses and residents, and will improve its environmental performance. Subject to conditions to agree a revised layout and landscaping plan, the new use should be afforded a high quality entrance setting which should enhance the street frontage and the building's position in the Conservation Area, whilst improving amenity of students, providing improved means of access, and minimising the potential disruption and hazards to pedestrians within and outside the site.

As such, the development is considered to meet the objectives of the National Planning Policy Framework, policies SS1, SS6, ENV6, ENV7, WAT1, WM6, ENG1 and NR1 of the East of England Plan (2008), policies 2, 3, 5, 7, 9 and 11 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), and saved policies NE3, NE9, HBE8, HBE9, HBE12, EP10, EP16, EP18, EP22, TVA8, EMP3, EMP19, TRA3, TRA5, TRA6, TRA7, TRA8, TRA12 and TRA14 of the City of Norwich Replacement Local Plan (2004), and all material considerations.)

7. APPLICATION NO 12/00744/U 10 WEST PARADE, NORWICH, NR2 3DW

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

Two local residents addressed the committee and outlined their objections to the proposal, including erosion of a sense of residential community; a lack of large family homes in Norwich; and that it would change the character of the neighbourhood.

Discussion ensued in which the planner referred to the report and responded to questions from members. She clarified that planning law did not allow for consideration of the length of time any resident of the address needs to stay there and there is no remit for planners to attempt to control holiday or other short-term lets in the proposed flat. She explained that each application must be considered on its own merits and that at this stage, the application could not be refused on the grounds of residential density.

RESOLVED to approve application no 12/00744/U, 10 West Parade, Norwich and grant planning permission subject to the following conditions:

1. Use of building as two units only;
2. Joint refuse storage and appropriate screening provided within 6 months of permission.

(Reasons for approval: The decision is made with regard to policies HBE8, EP22, HOU18, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan, policies 4, 6, 9 and 12 of the adopted Joint Core Strategy March 2011 and all material considerations. The conversion of the basement to a separate flat would not

lead to any adverse impacts to the appearance of the street scene, character of the conservation area or amenities of the immediate neighbours by virtue of the small size of the additional flat and limited additional parking, refuse storage and noise disturbance this would have to surrounding neighbours and the spacious nature of the building and garden, and sufficient distance to the neighbouring dwellings.)

Informative Notes:

1. Subsequent division of building would require permission, or if 7 or more unrelated individuals occupied the first and second floors.
2. Bins to be purchased from council.

8. APPLICATION NO 12/01188/F 92 AMDERLEY DRIVE, NORWICH, NR4 6JH

The planner (development) presented the report with the aid of plans and slides. She referred to the supplementary report, which was circulated at the meeting, "Updates to reports for consideration" and advised members of a amendment to the report to correct references to Amderley Road to Amderley Drive in the recommendation and paragraph 25 of the main report and that a further representation had been received from the residents at 40 Hardwick Close.

Two local residents addressed the committee, explaining their concerns, which included overdevelopment of the area; parking problems; danger from traffic in a thoroughfare used for walking to school; difference between the design of the new building and those already in situ; overlooking of the new house onto other properties.

The applicant addressed the committee to explain that issues of overlooking had been countered, and that whilst overlooking was already an issue for the existing buildings, the design had taken into account the concerns and moved a window from the rear to the side of the house; obstacle hazards already exist within the street and adding further driveway space would increase, rather than decrease safety and access.

Discussion ensued in which the planner referred to the report and responded to the issues raised by the speakers and questions from members of the committee.

RESOLVED to approve application no 12/01188/F at 92 Amderley Drive, Norwich, and grant planning permission, subject to the following conditions:-

1. Standard time limit
2. In accordance with plans
3. Prior approval of:
 - (a) External facing materials;
 - (b) Hard surfacing which should be permeable and within root protection areas a porous load bearing gravel driveway;
 - (c) Fences and boundary treatments;
 - (d) Refuse storage;
 - (e) Cycle storage.
4. Works in accordance with AIA, TPP and AMS;

5. Arboricultural supervision;
6. Siting of services;
7. Protection of root areas;
8. No-dig methods;
9. Ground protection measures;
10. Water conservation to Code for Sustainable Homes level 4.

Informative Notes:

1. Construction working hours;
2. Vehicular cross over to specification required by Council;
3. Purchase of bins from Council in advance of first occupation.

(Reasons for approval: The decision is made with regard to policies NE3, NE8, HOU13, HBE12, EP16, EP17, EP22, TRA6, TRA7 and TRA8 of the City of Norwich Replacement Local Plan Adopted Version November 2004, the adopted Joint Core Strategy March 2011 and all material considerations. The design of the dwelling is in keeping with the scale, form and use of materials in the surrounding area and would not lead to a significant loss of privacy or outlook by virtue of the proximity of existing residential development, the fact the proposed dwelling would only be two storeys and due to the level of overlooking already experienced by the residents of surrounding dwelling. The additional dwelling would not lead to a significant increase in parking pressures on the surrounding roads or a loss of highway safety to pedestrians and cyclists by virtue of the fact the road is a cul-de-sac where traffic movements would be slower and due to the good visibility around the junction of the road and cycle path and footpath. The development would not have a significant adverse impact on the adjacent protected trees by virtue of the specified protection measures and through the use of conditions to control how works are carried out.)

9. APPLICATION NO 12/01399/F, 122 WATERLOO ROAD, NORWICH, NR3 3HZ

The planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report, which was circulated at the meeting. Members were advised of amendments to the report and that a further representation had been received.

He explained that the new plan provided a reduction of 20db – exceeding the 9db reduction that was required.

RESOLVED to approve application no 12/01399/F at 122 Waterloo Road, Norwich, NR3 3HZ and grant planning permission, subject to the following condition:-

Unless within 1 month of the date of this decision an appropriate scheme for the permanent attenuation (delivering at least a 9 dB(A) reduction) of noise emitted by the approved refrigeration plant, is submitted in writing to the local planning authority for approval, and unless the approved scheme is implemented within 2 months of the local planning authority's approval, the use of the refrigeration equipment shall cease until such time as a scheme is approved and implemented.

Reason for condition: To reduce the noise levels emitted from the approved refrigeration equipment to a level that meets the guidelines set by the World Health

Organisation, ensuring that the residential amenity of adjoining properties is protected in accordance with statement 7 (inc para 17) of the National Planning Policy Framework 2012, and saved policies EP22 and HBE12 of the adopted City of Norwich Replacement Local Plan 2004.

(Reasons for approval: The installed refrigeration equipment is considered to be of a scale and design that is not overly out of place in the rear garden environment helping to ensure that the small business protects its perishable stock and financial viability. Whilst the current noise limits will deliver some noise nuisance to adjoining properties, the imposition of a condition requiring a permanent acoustic absorption solution will ensure that adjoining residents will not be subjected to significant levels of disturbance either their amenity area or bedroom. The proposal is therefore compliant with statements 1 and 7 of the National Planning Policy Framework 2012, Policies 2 and 5 of the Joint Core Strategy for Norwich, Broadland and South Norfolk 2011 and saved policies HBE12 and EP22 of the City of Norwich Replacement Local Plan 2004.)

CHAIR