



PLANNING APPLICATIONS COMMITTEE

10.30am to 3.45pm

3 April 2014

Present: Councillors Bradford (chair), Gayton (vice chair), Ackroyd, Blunt, Brociek-Coulton, Button, Grahame, Jackson, Little, Neale, Sands (S) and Storie

1. DECLARATION OF INTERESTS

Councillor Blunt declared an other interest in item 8 (below), Application nos 13/01536/F and 13/01537/L, 9 Elm Hill (Britons Arms) and churchyard of St Peter Hungate, Norwich, as the council's representative on the Norwich Preservation Trust.

Councillor Brociek-Coulton declared an other interest in item 10 (below) Application no 13/01540/VC land and buildings to the north east of King Street, Norwich as the council's appointed member of the Broads Authority.

2. MINUTE

RESOLVED to approve the minutes of the meeting held on 6 March 2014.

3. APPLICATION NOS 13/01296/F AND 13/01297/L GLADSTONE HOUSE, 28 ST GILES STREET, NORWICH, NR2 1TQ

The head of planning services referred to the minutes of the last meeting and said that it had come to his attention that the applicant had not complied with the legal requirement to notify all landowners within the redline of the site plan because of an issue with the ordnance survey map which incorrectly showed 1 to 5 Old Barley Market backing on to Gladstone House instead of the former fire station site. The committee had no choice but to defer consideration of the applications so that the proper notice could be served on the landowners.

RESOLVED to defer consideration of application no 13/01296/F Gladstone House, 28 St Giles Street, Norwich, NR2 1TQ to the next committee meeting (8 May 2014).

4. APPLICATION NO 13/01686/F & 13/01687/L 24 CATTLE MARKET STREET, NORWICH, NR1 3DY

The planner (development) presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports, which had been circulated at the meeting, which contained a summary of an additional letter of representation that added further weight to objections already received. The applicant had provided further visuals which showed the proposal in context with the surroundings and these were included in the presentation and copies were circulated at the meeting.

One of the owner occupiers of the business premises adjacent to the proposed development addressed the committee outlining their objections to the scheme, which included the following concerns: that the scheme could compromise the ability to expand their premises in the future; lack of clarity about the visual impact the scheme would have; overlooking of the adjacent premises and that planting would not be sufficient to provide adequate screening and would need to be maintained; and, that the location of the fire escape shown on the plans would require access from their car park and there was no right of way.

The planner, together with the planning development manager, responded to the issues raised by the speaker. Members were advised that there was a condition relating to the landscaping and maintenance of planting and this would include a clause that if any planting was removed or died within five years of planting, it should be replaced. The proposed development would not increase the footprint of the building. At the chair's discretion, the applicant explained that the most recent plans showed the location of the fire escape with egress to the lane and not through the car park of the neighbouring business. The planning development manager suggested that the conditions would ensure that the location of the fire escape was in accordance with the submitted plans and that an informative would ensure that it was not on the south elevation.

Discussion ensued in which the planner and the planning development manager referred to the report and answered members' questions. Members sought clarification on the access arrangements for residents and were advised that there were three points of access: through the revolving front door, the side of the building adjacent to the bin-store and from the car park. As a listed building the different levels of the building meant that steps were needed between the revolving door and the lift. The building was accessible for disabled people and the delivery of furniture and other large items from the side. Members also expressed concern that different window treatments for the flat would be detrimental to the façade of the iconic building and that this should be conditioned.

A member expressed concern that the ground floor plan had not been included with the committee papers and that the layout was difficult to see on the screens. Another member noted that the industrial heritage of the building would be recorded. Members were advised that the applicants would be required to submit a full noise assessment as a condition of planning permission to ensure that the glazing was satisfactory for residential accommodation adjacent to a public house.

RESOLVED, with 10 members voting in favour (Councillors Bradford, Gayton, Ackroyd, Blunt, Brociek-Coulton, Button, Grahame, Neale, Storie and Little) and 2 members abstaining (Councillors Jackson and Sands) to approve:-

- (1) application no No 13/01686/F – Crystal House, 24 Cattle Market Street and grant planning permission, subject to:
 - (i) the completion of a satisfactory S106 agreement to include the provision of contributions to affordable housing; and,
 - (ii) the following conditions:
 1. Standard time limit
 2. In accordance with plans
 3. No development shall take place until details (including manufacturer, product, colour finish and samples where required) of the materials to be used in the construction of the external surfaces have been submitted to and approved in writing. The development shall be carried out in accordance with the materials as approved.
 4. No development shall take place until the following details have been submitted to and approved in writing:
 - (a) external doors and windows;
 - (b) rainwater goods;
 - (c) balconies;
 - (d) Juliet balconies;
 - (e) roof terraces;
 - (f) roof and eaves;
 - (g) coping;
 - (h) the design and placement of the roller shutter to the car park;
 - (i) window covering to the glazed screen and/or front façade of flat 8;and, the development shall be carried out in accordance with the details as agreed and thereafter on completion retained as such.
 5. No occupation until details have been submitted of all external lighting
 6. No development shall take place until details on how the new build will be attached to the building know as Crystal House have been submitted and agreed in writing. The development shall be carried out in accordance with the approved details.
 7. The two central panels for the windows to the balcony serving flat 5 (level 3) as shown on plan CH/12/41R4 shall be obscure glazed to a specification of not less than the equivalent of classification 5 of Pilkington Glass and shall be retained as such.
 8. The development shall be designed and built to achieve a water consumption rate of no more than 105 litres per person per day, equivalent to Level 4 of the Code for Sustainable Homes for water usage. No occupation until confirmation from code assessor and measures to be permanently retained.
 9. No development shall take place until a detailed landscaping scheme has been submitted to and agreed in writing. The landscaping scheme shall include the following information:
 - (a) planting on the terraces;
 - (b) materials for the surface of the balconies/roof terraces;
 - (c) surfacing of the lane;and to be carried out in accordance with approved details and retained thereafter.

10. No development shall take place until details of the following on site provisions have been submitted to and agreed in writing by the local planning authority:
 - (a) car parking;
 - (b) bicycle storage residents and staff; and
 - (c) servicing, including waste and recycling bin storage and collection facilities.

(No occupation of the development shall take place until these have been provided and they shall be retained as such thereafter.)
11. No demolition to take place until recording of the workshop building has taken place and a photographic record has been placed on the Norfolk Historic Environment Record.
12. No demolition or development shall take place until an archaeological Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority.
13. No demolition or development shall take place unless in accordance with the archaeological Written Scheme of Investigation
14. No occupation until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation
15. No demolition shall take place until a detailed schedule of the methods of works to the retained east wall has been submitted to and agreed in writing. The works shall be carried out in accordance with the approved details
16. No development shall take place until a full noise impact assessment has been submitted to and agreed in writing. The noise assessment should identify the noise exposure, noise exposure category and where the noise exposure is high, identify mitigation measures to achieve acceptable levels of noise exposure. The proposed mitigation measures should include full details of the design of the inner glazed area. The assessment should cover early morning rush hour periods and late night prime time use.
17. The building envelope of flat 8 shall be constructed so as to provide sound attenuation against external noise and ensure internal sound levels no greater than:
 - (a) 35dB LAeq(16 hour) in the main living rooms of the dwelling(s) (for daytime and evening use); and,
 - (b) 30dB LAeq(8 hour)/45dB L_{Amax}(fast) in the bedrooms of the dwelling(s) (for nighttime use) in line with World Health Organisation guidance, with windows shut and other means of ventilation provided.
18. No plant or machinery or extract ventilation or fume extraction system shall be installed or erected on the site unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority.
19. The retail premises which form the subject of this permission shall not be open to the public, trading, or have members of the public, as customers or guests, on the premises between the hours of 22:00 and 07:00 on any day.
20. No trade deliveries or collections shall take place before 07:00 hours and after 19:00 hours Monday to Saturday. There shall be no trade deliveries or collections on Sundays or Bank or Public Holidays.
21. No development shall take place until precise details of the slab levels of the new building hereby approved have been submitted to and agreed in writing. Such details shall also provide comparative levels with Crystal House and details of the levels of any ground levels proposed. To be carried out in accordance with the approved details.

Informatives:

1. Considerate construction and timing to prevent nuisance.
2. Bins to be purchased by the applicant prior to occupation.
3. Street naming and numbering enquiries.
4. If any bats are discovered, all works should cease and advice be sought from Natural England before re-commencing.
5. This permission does not allow for a fire escape on the south elevation.

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

- (2) Application no 13/01687/L – Crystal House, 24 Cattle Market Street and grant listed building consent, subject to the following conditions:

1. Standard time limit.
2. In accordance with plans.
3. No works shall take place until an inventory of historic fixtures and fittings has been undertaken and a detailed scheme outlined the proposed measures of protection and repair has been submitted to and approved in writing.
4. No works shall take place until the following details have submitted to and agreed in writing with the local planning authority:
 - (a) main entrance doors;
 - (b) internal joinery including revolving doors to flats, doors to retail unit 1 and 2 and glazed screen at first floor level;
 - (c) junction between the glass elevation and the new partition;
 - (d) secondary glazing to the existing side windows;
 - (e) schedule of internal finishes to walls and ceilings;
 - (f) schedule of construction and internal finishes to the floors including an indication of where the pit is to be retained;
 - (g) steel and glass circular staircase;The development shall be carried out in accordance with the details as approved.
5. No works to repoint the external brickwork or stonework shall take place until:
 - (a) details of the extent of repointing have been submitted to and approved in writing; and,
 - (b) a sample panel to show the proposed mortar composition and colour and the method of pointing has been prepared on site, inspected and approved in writing.All such works shall be carried out in accordance with the details as agreed.
6. No ventilation system shall be installed within the building known as Crystal House, unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority
7. No sprinkler system shall be installed within the building know as Crystal House, unless in accordance with a detailed scheme that has been submitted to and approved in writing by the local planning authority.

8. Any damage caused to the building by the works hereby approved shall be made good in accordance with a scheme first submitted to and agreed in writing.
9. The 'conservatory' within flat 8 shall not be used for the storage of any goods other than for the provision of items of furniture for the use by the residents of flat 8.

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments at the pre-application stage the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.)

5. APPLICATION NO 13/02098/F 11 MOUNT PLEASANT, NORWICH, NR2 2DH

The planner (development) presented the report with the aid of plans and slides and referred to the supplementary report of updates to reports, which was circulated at the meeting. One of the letters of objection had been withdrawn following revisions to the original proposals.

During discussion the planner referred to the report and answered members' questions on the proposed gable end and the boundary treatments. She explained that as the proposal site was in a conservation area, the trees on the site were protected. The council's tree protection officer had advised that the trees were retained.

RESOLVED with 11 members voting in favour (Councillors Bradford, Gayton, Ackroyd, Blunt, Brociek-Coulton, Button, Grahame, Jackson, Sands, Storie and Little) and 1 member voting against (Councillor Neale) to approve Application no 13/02098/F, 11 Mount Pleasant and grant planning permission, subject to the following conditions:-

1. Standard time limit;
2. In accordance with plans;
3. Details of render, roof, windows and doors, in accordance with the plans submitted;
4. Details of the fence and hardstanding;
5. In accordance with AIA/AMS;
6. Further details of specialist foundations in RPA.

Informatives:

1. Community infrastructure levy.
2. Works to trees.

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

6. APPLICATION NO 14/00187/NF3 GARAGES REAR OF 28 TO 30 TRORY STREET NORWICH

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

The owner of the adjacent locally listed property (32 Trory Street) addressed the committee and outlined his objections to the scheme and said that he wanted to enter a dialogue with the applicant (housing services) to work on a proposal which was more aesthetic and sympathetic to the conservation area and his garden/orchard. He also expressed concern about the security of his property and that the height of the proposed wall would not be sufficient to deter intruders.

During discussion the planner, together with the planning team leader (development), referred to the report and answered members' questions. Discussion ensued on the height of the wall and that part of the wall was already 1.4m and the proposal was for a consistent height across the length of the wall and that buttresses would be added to the wall. The demolition of the garages was considered to enhance the amenity of the area and it was noted that the brick work was in keeping with buildings to the east of the site. The committee was advised that under permitted development rights the owner of the adjacent property could erect a fence up to 2m in height or screen the wall with planting. The committee concurred that the applicant should be advised to discuss the proposal with the owner of the neighbouring property before implementation and it was agreed that an informative should be added to the permission.

RESOLVED with 11 members voting in favour (Councillors Bradford, Gayton, Ackroyd, Blunt, Brociek-Coulton, Button, Grahame, Jackson, Sands, Storie and Little) and 1 member voting against (Councillor Neale) to approve Application no 14/00187/NF3, Garages rear of 28-30 Trory Street and grant planning permission, subject to the following conditions:-

1. Standard time limit.
2. In accordance with plans.
3. In accordance with the AIA.
4. No works until a pre-commencement site meeting take place with regards trees.
5. Arboricultural supervision during demolition and build phases.
6. Tree protective barriers as per drawing TROR1.
7. Working practices to accord with section 5.0 of AIA.

Informative:

The applicant should discuss the proposals with the owner of 32 Trory Street before implementation.

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application subject to appropriate conditions and for the reasons outlined in the officer report.

7. APPLICATION NO 14/00164/F LAND ADJACENT TO AND WEST OF VULCAN HOUSE VULCAN ROAD NORTH NORWICH

The planner (development) presented the report with the aid of plans and slides. In reply to a member's question, she said that the tree protection officer had considered that the loss of one of the trees from the row of poplars was not significant.

RESOLVED, unanimously, to approve application no 14/00164/F subject to the following conditions:

1. Time limit.
2. According to plans.
3. In accordance with AIA.
4. Limited hours of use (8am-6pm Monday to Friday, 8am-1pm Saturday)
5. No trade deliveries or collections between 7pm-7am Monday to Saturday. or at any time on Sundays or bank holidays.
6. Not for use by the public.
7. No machinery or power tools to be used outside the building.
8. No extract ventilation to be installed.
9. All doors to be kept closed except for access and egress.

(The committee adjourned for lunch at 12.35pm and reconvened at 2pm, with all members present, as listed above.)

8. APPLICATION NOS 13/01536/F AND 13/01537/L 9 ELM HILL (BRITONS ARMS) AND CHURCHYARD OF ST PETER HUNGATE, NORWICH

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

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

Two members of the public addressed the committee and outlined their concerns about the scheme which included access to the churchyard; impact on the amenity of the churchyard and the integrity of the garden; and that works had begun on the earthworks without a licence from the Ministry of Justice; concerns about emergency access and the route of the path through the churchyard.

The agent addressed the committee and explained the reasons for the proposed changes to the churchyard for emergency access from the Britons Arms and level access to the west of the churchyard and the Museum of Medieval Church Art. She also referred to the historic precedence for levelling the churchyard and the position of the gate in Princes Street. The disturbance to the earthworks had occurred during

restoration works to the Britons Arms, funded by a grant from English Heritage. Work had stopped immediately human remains had been uncovered and a licence had been obtained from the Ministry of Justice to lift the remains from 15 April 2014.

Discussion ensued in which the planner, together with the conservation and design officer, referred to the report and responded to the issues raised by the speakers and members. Members were advised that the landscaping condition would ensure that the churchyard would retain its character. Informal negotiations with the applicant indicated that minimal amounts of hard landscaping would be proposed. English Heritage had not objected to the proposals. Members were advised that the emergency exit from the Britons Arms on to Princes Street was considered more acceptable than egress on to Elm Hill.

RESOLVED with 10 members voting in favour (Councillors Gayton, Ackroyd, Blunt, Button, Jackson, Neale, Sands, Storie, Little and Grahame) and 2 members voting against (Councillors Brociek-Coulton and Bradford) to approve:-

- (1) application no 13/01536/F and grant planning permission subject to the following conditions:-
 1. Standard time limit.
 2. In accordance with plans.
 3. No works shall take place on the site in pursuance of this permission until the following details have submitted to and agreed in writing with the local planning authority:
 - (a) details of all external joinery to include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:20 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2;
 - (b) details of proposed rooflights, which should be flush fitting 'conservation' type rooflights;
 - (c) details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
 - (d) large scale details of proposed eaves and verges at a scale not less than 1:20;
 - (e) details of external decoration to render, joinery and metalwork;
 - (f) details and samples of external materials (e.g. bricks/tiles) including manufacturer, product name and colour;
 - (g) details of brick bond and mortar;
 - (h) details of rainwater goods (which shall be cast iron or aluminium)
 4. No use of the outdoor seating area between the hours of 19:00 and 09:00 on any day.
 5. No development shall take place in pursuance of this permission until a detailed landscaping scheme has been submitted to and agreed in writing with the Local Planning Authority to include soft and hard landscaping details and scheme for the relocation of headstones.
 6. No demolition or development shall take place unless in accordance with the archaeological Written Scheme of Investigation.
 7. No occupation until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation

8. No demolition shall take place until a detailed schedule of the methods of works to the retained east wall has been submitted to an agreed in writing. The works shall be carried out in accordance with the approved details.
- (2) application no 13/01537/L and grant listed building consent subject to the following conditions:-
 1. Standard time limit
 2. In accordance with plans
 3. No works shall take place on the site in pursuance of this permission until the following details have submitted to and agreed in writing with the local planning authority:
 - (a) details of all internal joinery at a scale of not less than 1:20 and horizontal/frame sections at not less than 1:2;
 - (b) details of proposed internal service routes;
 - (c) schedule of internal finishes to walls, ceilings and floors;
 4. The development shall be carried out in accordance with the detail as approved.

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant and subsequent amendments the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

9. APPLICATION NO 14/00028/VC MCDONALDS, 162 BARRETT ROAD, NORWICH, NR1 2RT

The planner (development) presented the report with the aid of plans and slides. He explained that there was a correction to the location plan, which had not been updated on the plan included with the committee papers. The committee had deferred consideration of the application at the last meeting in order to receive information from the police about anti-social behaviour on the site. The police had not raised any significant concerns about anti-social behaviour, although an additional condition for the site to be monitored by CCTV had been recommended. The planner referred to the supplementary report of updates to reports and said that the roof top replacement plant work that had been a requirement of the noise impact assessment had been carried out and completed.

The applicant (the franchisee) addressed the committee, at the chair's discretion, and outlined the benefits of increasing the opening hours to a 24 hour operation, which included the recruitment of an additional 15 members of staff. He confirmed that the business would comply with the management plan which related to litter; disturbance and noise management; and, CCTV. There had been 800 signatures in support of increasing the opening hours (NB this petition had not submitted to the council to support the application). There had only been one complaint about noise in 2007. The police and environmental health services had not objected to the proposal.

Discussion ensued in which members considered the concerns that had been raised from local residents about anti-social behaviour and noise disturbance from patrons using the car park late at night. Members considered that in order to minimise disturbance to residents, deliveries to the premises should only be permitted between the hours 7.00 am to 7.00 pm. The planner, together with the planning team leader (development) referred to the report and answered members' questions. A member suggested that permission could be granted on a temporary basis but members were advised that this could not be justified as it was unreasonable to expect the applicant to invest in CCTV cameras for the assessment period. Members were advised that the application was for a variation in opening hours and that in 1995 it was not company policy to open all night.

RESOLVED with 8 members voting in favour (Councillors Bradford, Gayton, Blunt, Brociek-Coulton, Button, Jackson, Storie and Little) and 4 members voting against (Councillors Ackroyd, Grahame, Neale and Sands) to approve application no.14/00028/VC at McDonalds, 162 Barrett Road and grant planning permission, subject to the following conditions:-

1. Standard time limit
2. In accordance with the approved plans
3. Replacement of roof top plant in accordance with the Noise Impact Assessment;
4. Compliance with the management plan in terms of litter collection, noise and disturbance management and CCTV operation.
5. Prior to commencement, details of CCTV coverage to be submitted for approval.
6. Deliveries to the site permitted only between the hours of 07.00 to 19.00.

Article 31(1)(cc) Statement

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations, following negotiations with the applicant during the previously withdrawn application (13/01024/VC) including provision of appropriate supporting information (noise impact assessment and site management plan), the application has been approved subject to appropriate conditions and for the reasons outlined above

10. APPLICATION NO 13/01540/VC LAND AND BUILDINGS ON THE NORTH EAST OF KING STREET, NORWICH

(Councillor Brociek-Coulton had declared an interest in this item.)

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

A representative of residents of Cannon Wharf and Spooners Wharf addressed the committee with the residents' concerns about the unsuitability of the proposed mooring location. These included concerns about fires on boats jeopardising their properties and an increased risk of burglaries to properties above the mooring site. She suggested that the best solution was the moorings that had already been agreed and asked the committee to undertake a site visit.

Discussion ensued in which the planner, together with the planning development manager and the planning team leader, referred to the report and answered member's questions. Members considered that in order to make a decision on this application, it would be necessary to take into consideration legal advice on enforcement to secure the provision of the moorings at the location set out in the condition 9 of the original planning permission.

Councillor Gayton moved, seconded by Councillor Ackroyd, that the committee deferred consideration of this application to the next meeting in order to receive further information on the legal position of enforcing the provision of the moorings at the original location.

RESOLVED with 7 members voting in favour (Councillors Gayton, Ackroyd, Blunt, Brociek-Coulton, Button, Grahame and Sands) and 5 members voting against (Councillors Bradford, Jackson, Neale, Storie and Little) to defer consideration on application no 13/01540/VC Land and buildings on the north east of King Street, Norwich, for legal advice on enforcing the provision of moorings as set out in condition 9 of the current planning permission.

CHAIR