



Planning applications committee

09:30 to 17:15

12 May 2016

Present: Councillors Sands (M) (chair), Herries (vice-chair) (absent for items 8 to 11 below, on other council business), Bradford, Button, Carlo, Henderson (substitute for the vacant place on the committee), Jackson, Lubbock, Maxwell, Peek and Woollard

1. Declarations of interest

Councillor Lubbock declared a predetermined view in item 3 (below), Application no 15/01646/F – Bartram Mowers Ltd, Bluebell Road, Norwich, NR4 7LG. She stated that she would speak on the item and then withdraw from the meeting during the committee's deliberations.

Councillor Carlo declared an other interest in item 3 (below), Application no 15/01646/F – Bartram Mowers Ltd, Bluebell Road, Norwich, NR4 7LG.as a member of the Yare Valley Society.

Councillor Carlo also declared a predetermined view in item 11 (below), Application nos 15/01867/F - 145 & 147 Earham Road, Norwich, NR2 3RG. She stated that she would speak on the item and then withdraw from the meeting during the committee's deliberations.

2. Minutes

RESOLVED to agree the accuracy of the minutes of the meeting held on 14 April 2016.

3. Application no 15/01646/F - Bartram Mowers Ltd, Bluebell Road, Norwich, NR4 7LG

(Councillors Lubbock had declared a predetermined view in this item and left the room during the committee's deliberations and decision making. Councillor Carlo had declared an interest in this item.)

The planning team leader (development) (outer area) provided a detailed presentation of the report, with the aid of plans and slides. There had been two further representations objecting to the proposal which was summarised in the supplementary report of updates to reports that was circulated at the meeting.

A local resident addressed the committee on behalf of the Yare Valley Society. The society and residents considered that this first phase of the development was too

dense and that the design of the three blocks was inappropriate for the character of the area.

Councillor Lubbock, as ward councillor for Eaton ward, addressed the committee and set out her concerns about the development, which included concern about the massing and density of the development, lack of sensitivity to its unique location in the Yare Valley, and that there should be a single application for the whole site rather than a separate application for the first phase. She also said that she regretted that the committee had not undertaken a site visit.

(Councillor Lubbock left the meeting at this point.)

The agent responded on behalf of the applicant and spoke in support of the application. This was a high quality scheme which responded to the setting and allowed specific housing to be delivered, including affordable housing, and this released family size accommodation.. The scheme opened up access to the river and was in a sustainable location, for residents to access local shops in the village and the city by public transport.

During discussion the planning team leader referred to the report and answered members' questions. The committee was advised that the use of permeable surfaces; planting, including replacement planting; and, where practical, green roofs could be considered as part of the landscaping condition. Bat and bird boxes would be provided to retain biodiversity on the site. Members also sought clarification about the status of the master plan for the development of the wider site and were advised that this application for the first phase of the development followed its principles. The committee noted that there was an emerging market for housing for over 55s and that the applicants did not want to develop a large site in one phase. Members were also advised that the site allocation was for housing for over 55s and therefore proposals for the second phase of the development that did not meet this requirement would be contrary to policy. Other issues that the committee sought reassurance about were that the buggy recharging facilities were adequate and that the size of the individual accommodation units met minimum size standards.

Discussion ensued in which the committee considered that it had sufficient information to consider the application without a site visit, although another Councillor Henderson concurred with Councillor Lubbock's suggestion.

The committee commented on the density of the housing and suggested that in accordance with the masterplan, there was an expectation that the second phase of development would be lower density housing for over 55s.. Councillors Jackson and Carlo commented that they considered the density proposed for the first phase of development was too great and therefore the application was unacceptable. Lower density housing would have less impact on the natural environment.

Members welcomed the provision of affordable housing for people aged over 55 and the opening up the access to the Yare Valley.

RESOLVED, with 6 members voting in favour (Councillors Sands, Herries, Button, Maxwell, Peek and Woollard), 3 members voting against (Councillors Carlo, Henderson and Jackson) and 1 member abstaining (Councillor Bradford), to approve

application no. 15/01646/F - Bartram Mowers Ltd Bluebell Road Norwich NR4 7LG and grant planning permission subject to the completion of a satisfactory legal agreement with the following heads of terms:

1. Affordable housing;
2. Provision and maintenance of open space in perpetuity
3. Financial contribution of £25,000 towards pedestrian / cycle crossing on Bluebell Road.

And subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials;
4. S278 agreement in relation to design of accesses, details to be agreed;
5. Landscaping, including replacement tree planting, boundary treatments;
6. Details of SUDS;
7. Details of lighting;
8. Details of visitor cycle parking;
9. Car / cycle parking to be provided prior to commencement of the development, including one car club space;
10. AMS / TPP.
11. Details of enhancements to Yare Valley footpath.
12. Details of biodiversity enhancements, including bird / bat boxes on buildings.
13. Water efficiency.
14. Details of fire hydrants
15. Development not to be occupied by residents under 55 years of age.

Article 35(2) 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.

(Councillor Lubbock was readmitted to the meeting.)

4. Application no 16/00426/VC - 286 Dereham Road, Norwich, NR2 3UU

The planning team leader (development) (outer area) provided a detailed presentation of the report, with the aid of plans and slides. He referred to the supplementary report of updates to reports, which was circulated at the meeting, and contained a summary of a further representation and the officer response and explanatory text to clarify paragraph 28. He also proposed an amendment to condition 3, to require the centre to close three hours after sundown during the Ramadan period.

Councillor Bogelein, ward councillor for Nelson ward, spoke on behalf of residents of Merton Road, Bond Street and Dereham Road., who had made representations as part of the planning application consultation and were concerned about the adequacy of the community centre's travel plan. There were no buses after 23:00

and therefore increasing the opening hours of the centre after 23:00 during Ramadan would exacerbate pressure on parking spaces in the area. Residents had also expressed concern about noise when people vacated the premises. There was also concern that the community centre had breached the conditions and that the centre had been used between 23:00 and 07:00.

A representative of the Norwich and Norfolk Muslim Association community centre attended the meeting and spoke in support of the application. He apologised for any disturbance that visitors to the centre had caused to neighbouring residents and said that the centre engaged with the local and wider community. Visitors to the centre could park at the community hospital after 20:00. He explained that the centre required the extended hours to provide communal meals after sundown and a second meal at 12:30. He said that the community centre would work hard to address the issues about parking and noise.

During discussion the planning team leader referred to the report and answered members' questions. A member suggested that there should have been a travel plan when planning permission for the change of use was made. The committee also noted that the community centre was held in a former public house and that residents had complained about noise from its patrons when the pub had been open to 00:30.

The chair said that Dereham Road was a busy road and said that in fairness to residents the applicant should ensure that noise was kept to a minimum.

RESOLVED, with 10 members voting in favour (Councillors Sands, Herries, Button, Carlo, Henderson, Lubbock, Maxwell, Peek, Woollard and Bradford) and 1 member abstaining (Councillor Jackson) to:

- (1) approve application no. 16/00426/VC - 286 Dereham Road Norwich NR2 3UU and grant planning permission subject to the following conditions, which have been reattached or modified from the previous permission:
 1. In accordance with plans;
 2. Use only as a community centre;
 3. Use not to take place between the hours of 2300 hours and 0700 hours on any day, except during Ramadan period, when it shall close 3 hours after sundown and not after 23:00 (if the three hour period elapses prior to 23:00) and not after 01:00 if the three hour period elapses after 23:00;
 4. No external amplified sound;
 5. No amplified sound internally outside of specified limits;
 6. Use to take place in accordance with travel plan;
 7. No external lighting or CCTV without written consent.
 8. No fixed plant or machinery;
 9. Management plan to be submitted within 3 months.
- (2) seek authority to undertake further formal enforcement action against any breaches of the opening hours approved within condition 3 above should any evidence in future be found that such breaches are taking place.

(The committee had a short adjournment at this point and reconvened with all members listed above as present.)

5. Application no 15/00756/F - Land Adjacent 37 Bishop Bridge Road, Norwich

(As this item was being filmed by Mustard Television, the chair advised the committee and members of the public of the council's procedures in relation to filming at public meetings.)

The senior planner (development) gave a detailed presentation of the report with the aid of plans and slides. She also referred to the supplementary report of updates to reports, which was circulated at the meeting and contained summaries of additional representations (four in support of a new food store at this location and two further comments, one submitted by Councillor Price, ward councillor for Thorpe Hamlet Ward. The supplementary report also contained additional information submitted by the applicant, a consultation response from the Highways Authority and an update on the retail impact.

Discussion ensued in which the senior planner (development) and a transportation planner from the county council, together with the planning team leader (development) (inner), referred to the report and answered members' questions in relations to highways issues (particularly the prohibition of right turns when egressing the site), traffic congestion and pedestrian access; biodiversity and landscaping; sequential test for a food store at this location; the constraints on the site for housing development because of the adjacent gasometer (which would not be considered for decommissioning and revocation of its hazardous waste consent before 2021) and that access to site allocation site R15 was through site R14 and therefore the sites were interlinked.

During discussion a number of members referred to traffic congestion on Riverside Road and near the roundabout and pointed out that the air quality was compromised. Members considered that the prohibition of a right turn, when exiting the proposed store, would mean longer journeys for customers and was not a practical solution. Members also expressed concern about the loss of valuable housing allocation at this site. A member suggested that the decommissioning of the gasometer did not constrain the development of housing on the R15 site. Officers advised the committee that the applicant had provided a transport assessment which had been found acceptable by the county's highways planners. Members were also referred to paragraph 32 of the National Planning Policy Framework and were advised that it would be difficult to support their concerns about the transport issues in policy terms.

In reply to a question the senior planner referred to the planning history as set out in the report. The application for development in 2008 had been set Grampian conditions for development following decommissioning of the gasometer. She also pointed out that R14 and R15 were in separate ownership and allocated for housing. Members noted that both sites could be developed after 2021 if the gasometer was decommissioned. Members considered that the location of site was better suited for housing and that proposals coming forward for this site should comply with the site allocation.

Councillor Peek said that he supported the application which would provide 40 jobs.

Councillor Jackson moved and Councillor Lubbock seconded that the application be refused on the grounds that it was contrary to the site allocations plan, policies R15 and R14, and the relevant planning policies for the delivery of housing.

RESOLVED, with 8 members voting in favour (Councillors Herries, Button, Carlo, Henderson, Jackson, Lubbock, Woollard and Bradford) and 3 members voting against (Councillors Sands, Maxwell and Peek) to refuse application no. 15/00756/F - Land Adjacent 37 Bishop Bridge Road, Norwich on the grounds that the application was contrary to the site allocation policies for R14 and R15 and to ask the head of planning to provide reasons in planning policy terms.

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

1. The development of the site for retail purposes would result in the loss of land allocated for housing development in the adopted Norwich Site Allocations and Site Specific Policies Local Plan (2014) under site specific policies R14 and R15. These two allocated sites are capable of delivering a minimum of 80 dwellings of which approximately 50 could be reasonably delivered on the application site which comprises site R15 and a major part of R14. The allocated housing sites form part of an identified supply of specific developable sites required to meet the allocation target of 3,000 homes in Norwich over the period 2008-2026.

Even if neither site is deliverable in five years, both sites are considered to be developable toward the end of the local plan period. The development of the sites for non-residential purposes would thus compromise the ability of the city council as local planning authority to meet the objectively identified need for new homes (including affordable homes) in Norwich over the entirety of the local plan period.

Furthermore the development does not meet any of the exception criteria set out in policy DM15 of the Norwich Development Management Policies Local Plan (2014) which would allow the development of land allocated for housing for other purposes. Specifically the development as a whole does not deliver exceptional benefits to sustainability which would clearly and justifiably outweigh the strong presumption in favour of retaining the land for housing.

On this basis the application is contrary to the following policies of the adopted development plan and in the absence of material considerations to indicate otherwise, permission must be refused.

Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014

- JCS4 Housing delivery
- JCS9 Strategy for growth in the Norwich policy area
- JCS12 The remainder of the Norwich urban area including the fringe parishes

Norwich Development Management Policies Local Plan adopted Dec. 2014

- DM1 Achieving and delivering sustainable development
- DM15 Safeguarding the city's housing stock

Norwich Site Allocations Plan and Site Specific Policies Local Plan adopted December 2014

- R14 Land at Ketts Hill and Bishop Bridge Road
- R15 Land east of Bishop Bridge Road)

6. Application no 15/01927/O - Barrack Street Development Site, Barrack Street, Norwich

The planning policy team leader (projects) presented the report with the aid of plans and slides. The supplementary report of updates to report, circulated at the meeting, set out an erratum to the table of representations set out in the report to include 1 comment in addition to the four representation of objection. The issues raised in objection to the proposal were highlighted in the presentation.

Discussion ensued in which the planning policy team leader, together with the planning team leader (development) (inner area) referred to the report and answered members' questions. Members' questions included concern that this was an outline application. Some members expressed concern that affordable housing on the site had been cleared for development several years ago and then left undeveloped.

Members also objected to the indicative plans showing "eastern bloc" style housing and suggested that there was an expectation that at the reserved matters stage the design of housing would be more sympathetic to the river and adjacent conservation area.

RESOLVED with 9 members voting in favour (Councillors Sands, Herries, Button, Jackson, Lubbock, Maxwell, Peek, Woollard and Bradford) and 2 members abstaining from voting (Councillors Carlo and Henderson) to approve application No. 15/01927/O, Barrack Street Development Site, Barrack Street, Norwich and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit and specification of reserved matters;
2. Reserved matters to be broadly in compliance with the parameters plan;
3. Reserved matters to include provision for 3,680sqm of public open space;
4. Reserved matters to include an energy statement;
5. Contamination risk assessment, site investigation, remediation and verification plan;
6. Contamination verification report;
7. Contamination monitoring, maintenance and contingency;
8. Contamination not previously found;
9. Certification of imported material;
10. Archaeology written scheme of investigation;
11. Finished floor level;
12. Sound insulation to habitable rooms facing Barrack Street;
13. Details and provision of fire hydrants;
14. Details of the surface water drainage scheme to be submitted;

15. Condition parking provision;
16. Surface car parking to cease on first use of the 127 space B1/Jarrold car park;
17. Restriction of 442 B1/Jarrold spaces across the wider site (both sides of the City Wall);
18. 10% of dwellings to be constructed to meeting M4(2) building regulations for accessible and adaptable dwellings;
19. Development to be constructed to achieve 110 litres/person/day water efficiency.

Informative Notes:

1. Construction working hours
2. Anglian Water assets close to site

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.

7. Application no 16/00558/F - 14 Bland Road, Norwich, NR5 8SA

(The chair said that he had called in this application as a ward councillor but did not have a predetermined view in determining this application.)

The senior planning technical officer presented the report with the aid of plans and slides. The application was recommended for refusal.

Discussion ensued in which the senior planning technical officer referred to the report and answered questions.

The applicant addressed the committee and said that the extension was required to provide two bedrooms and shower room at ground floor level to facilitate the care of her mother. She explained that the extension was to the front of the existing house because it was quieter than the rear, where there was noise from student lets from the neighbouring houses and streets.

During discussion members expressed support for the application and considered that the extension was not intrusive and that the applicant had exceptional circumstances to "need" the additional ground floor space. The planning team leader (development) (outer area) said that a previous application for this site had been refused. Members were minded to approve the application on the grounds that the personal circumstances of the applicant outweighed any harm to the character of the area, subject to conditions relating to materials and landscaping. Accordingly, Councillor Maxwell moved and Councillor Bradford seconded that the application be approved contrary to officer recommendation.

RESOLVED unanimously to approve application no 16/00558/F 14 Bland Road, Norwich, NR5 8SA, subject to the following conditions:

1. Standard time limit;
2. In accordance with plans'
3. Materials to be agreed prior to construction;
4. Landscaping to be agreed.

(The committee adjourned for lunch at 13:05. The committee reconvened at 13:55 with all members listed above as present, except Councillor Herries who was on other council business.)

8. Application no 16/00408/U - 134 Unthank Road, Norwich, NR2 2RS

The planner (development) presented the report with the aid of plans and slides. There were no further updates to the report.

RESOLVED, unanimously, to approve application no. 16/00408/U - 134 Unthank Road Norwich NR2 2RS and grant planning permission subject to the following conditions:

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

Article 35(2) 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.

9. Application no 16/00300/U - 20 Elm Hill, Norwich, NR3 1HG

The planner (development) presented the report with the aid of plans and slides. She also referred to a late submission from Councillor Grahame, ward councillor for Thorpe Hamlet ward, who had been unable to stay to speak at the meeting and had been submitted too late to be included in the supplementary report of updates to reports, circulated at the meeting. In her submission Councillor Grahame reiterated the objections she had raised previously and alluded to the rental value that the property had been marketed at. The planner said that the figures that had been provided to the councillor had been incorrect and that the property had been marketed for 9 months at £8,000 per annum.

The agent addressed the committee and explained that the property had been marketed as a retail unit for 9 months without success. The retail unit had no storage and the residents required access through the shop. There were no proposed changes to the front of the building. The windows were used to display local art work at no cost to the artists. Elm Hill was a vibrant street with a mix of commercial and residential units.

During discussion the committee considered whether the change of use of this building to residential use could set a precedent. The planner explained that this property was in a central location on Elm Hill and had not been used for commercial purposes, except for a short period, for over a decade. Approval of this application would not set a precedent. Members were advised that the property was privately

owned and that the applicant had tried to market it for retail use for an acceptable period of time (9 months) at £8,000 per annum, which was a reasonable figure. Some members considered that the loss of a retail unit would impact on the vitality of the street and not be reversed. Others considered that as the shop frontage would be retained, the property could be used for commercial use in the future.

RESOLVED, with 7 members voting in favour (Councillors Sands, Button, Lubbock, Maxwell, Peek, Woollard and Bradford), 3 members voting against (Councillors Carlo, Henderson and Jackson) to:

(1) approve application no. 16/00300/U - 20 Elm Hill Norwich NR3 1HG and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Use of two shop front windows for display space.

(2) subject to the granting of planning permission, agree the removal of the Enforcement Notice, which took effect on 13 January 2012.

Article 35(2) 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 the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

10. Application no 15/01837/F - 20 Cambridge Street, Norwich, NR2 2BB

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

Residents addressed the committee and highlighted the objections to the scheme. They considered that the scheme was detrimental to the amenity of their property and expressed concern about the impact of the scheme in relation to air flow, daylight and direct overshadowing to their garden in particular. They believed that the stairwell which would cause this was unnecessary and would only enable subdivision in the future. They considered two single storey garages would be more appropriate in both design and parking terms.

Discussion ensued in which the planner explained that there was space in front of the garages for additional car parking and that two garages would exceed the parking thresholds in the local plan. He referred to the report and answered members' questions. He explained that the stairwell block provided visual screening and that a single storey development would not address the street as effectively, a concern raised by a different representation. In response to a member's suggestion, the planner said that a green roof could be conditioned if deemed necessary. The chair pointed out that a green roof would preclude the addition of solar panels. Members noted there had been previous contamination on the site and that the drainage condition should take account of the need to avoid a soakaway.

A member said that he considered that the application was unacceptable because of its impact on the amenity of the neighbouring properties and the character of the conservation area.

The chair moved the officer recommendations to approve the application and with 4 members voting in favour of approval (Councillors Sands, Maxwell, Peek and Woollard), 5 members voting against (Councillors Carlo, Henderson, Jackson, Lubbock and Bradford), with 1 member abstaining (Councillor Button) the motion was lost.

Discussion then ensued in which members who had voted against approval expressed their reasons for the refusal of this application. The massing of the stairwell structure was considered as being unnecessarily large and of an imposing form. Refusal would be consistent with policy DM3 in that the design was contrary to the positive characteristics of the area. The planning team leader (development) (inner area) said that the National Planning Policy Framework allowed for contemporary design in a conservation area. It was not always considered that a modern pastiche of the buildings in the area was the best solution. A member responded that design was critical in a conservation area and that the scheme should be more sympathetic to the surrounding development which made a positive contribution. Members were advised to take into account whether they considered that both this and the overshadowing of part of a garden outweighed the benefits of delivering a new dwelling.

Councillor Jackson moved and Councillor Lubbock seconded that the application be refused because the design of the proposed development was contrary to policy DM9 and did not draw on the positive references from the conservation area rather than the detrimental development to the west, and that combined with the loss of amenity to the neighbouring property, this outweighed the delivery of a new residential unit.

RESOLVED with 5 members voting in favour (Councillor Carlo, Henderson, Jackson, Lubbock and Bradford), 4 members voting against (Councillors Sands, Maxwell, Peek and Woollard) and 1 member abstaining (Councillor Button) to refuse application no 15/01837/F - 20 Cambridge Street, Norwich, NR2 2BB on the grounds that the design of the building was detrimental to the character of the area and amenity of the neighbouring garden, and to ask the head of planning services to provide reasons for refusal in planning policy terms.

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

1. The area to the south and east of the site is characterised by terrace housing, which with their traditional form, detailing and materials, have a group value which significantly contributes to the character of the conservation area. The proposed development does not take reference from these positive characteristics and instead, by virtue of its form, massing and detailing, takes reference from the adjacent 'detrimental building' to the west (as identified in the Heigham Grove conservation area appraisal). This serves to detract from the established local distinctiveness and as such cannot be considered to preserve or enhance the character of the conservation area. This causes less than substantial harm to the heritage asset and the benefits of delivering an additional

dwelling are not considered to outweigh this. The proposal is therefore contrary to paragraph 134 of the National Planning Policy Framework, policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (adopted March 2011, amendments adopted January 2014) and policies DM3, DM9 and DM12 of the Norwich Development Management Policies Local Plan (adopted 2014).

2. Due to the elevated position of the garden of 5 Trinity Street the scale and form of the development presents itself as an overbearing structure which, alongside the direct overshadowing and loss of daylight, adversely affects the enjoyment of the garden and therefore the amenity of those occupiers. As mitigation of this harm is entirely unachievable through condition, the development is contrary to policy DM2 of the Norwich Development Management Policies Local Plan (adopted 2014) and the objectives of the National Planning Policy Framework.)

11. Application no 16/00138/F - 1 Park Lane, Norwich, NR2 3EE

The planning assistant presented the report with the aid of plans and slides.

RESOLVED unanimously to approve application no. 16/00138/F - 1 Park Lane Norwich NR2 3EE and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of materials to be submitted;
4. In accordance with AIA and foundation proposal.

12. Application no 15/01867/F - 145 & 147 Earlham Road, Norwich, NR2 3RG

(Councillor Carlo had declared a pre-determined view in this item and left the room during the committee's deliberations and decision making. Councillor Herries was readmitted to the meeting during this item.)

The senior planner (development) presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports circulated at the meeting and said that there had been three additional letters of objection. There had been 58 letters of objection and 1 letter of support.

Four local residents and Councillor Carlo, ward councillor for Nelson ward, addressed the committee and outlined their objections to the proposed change of use which included: concerns about the safety to other road users and pedestrians from vehicles access and egressing the site; concerns about the management of the property and fears of anti-social behaviour; that the facilities for cycle storage, parking and refuse were not adequate; that the visual appearance of the front garden would be out of character to the surrounding gardens; and, that there was a high density of houses in multiple occupation in the ward, and that the Norwich Society objected to the proposal.

The agent spoke in support of the application. He explained that this application would provide accommodation for fewer people than if the two properties were used as bed and breakfasts and a one bedroom flat (potentially 36 people). The properties would be marketed as an upper end HMO. He asked the committee to uphold the officer recommendation. Cycle parking would be provided. The car park would be shielded by landscaping. He pointed out that the same objections had been made to the previous planning consent and not considered of significance to refuse it. Refuse bins could be accommodated on the site.

(Councillor Carlo left the meeting at this point.)

Discussion ensued in which the senior planner, together with the planning team leader (development) (inner area) referred to the report and answered members' questions. Members noted that the proposal would not have an adverse impact on the critical drainage area. The senior planner confirmed that the private sector housing officer had been consulted and were satisfied with the fire escape route. The bin store was shown on the plans but there was a step and would be difficult to access.

During discussion members commented on the concern that the character of the area was being lost by converting large family homes into HMOs and the detrimental effect that this had on the amenity of the neighbourhood. Members stated that they were minded to refuse this application. The introduction of Article 4 Directions to control the growth of HMOs in certain parts of the city would assist the committee in determining applications for change of use. The committee was advised that if it was minded to refuse the application the relevant planning policies were DM3, DM13 and DM12, relating to the harmful impact of the development on the character of the area. The senior planner also stated that the current use of the buildings (one 9 bedroom bed and breakfast (B&B) and a five bedroom family house) and the proposed two HMOs would both accommodate 14 people. Members however considered that the intensity of the occupancy of the buildings as HMOS would be greater than a B&B and that there would be more opportunity for antisocial behaviour, nuisance to neighbours and problems with refuse and parking.

The chair moved the officer recommendations to approve the application, and with 1 member voting in favour (Councillor Sands) and 8 members voting against (Councillors Button, Henderson, Jackson, Lubbock, Maxwell, Peek, Woollard and Bradford) not to approve it.

Discussion then ensued on the reasons for refusal. Members considered the impact that a high density of HMOs had on the neighbourhood and the inappropriateness of the change of use on the surrounding properties. Members were advised that traffic management would not be sufficient grounds for refusal. These were larger semi-detached properties and over-occupancy was not an issue as for smaller terraced houses. Members considered that the scheme should be car free. The senior planner cautioned that the removal of car parking would result in increased parking on the highway and may increase local concern over the proposals. Further consultation would be required if car parking was removed.

The agent said that the applicant could remove the parking provision and reinstate the garden if members were minded to approve the application.

The chair moved and Councillor Bradford seconded that the committee deferred making a decision to allow for further consultation. This motion was then withdrawn when other members indicated that they were minded to determine the application.

Members considered that the impact of a HMO on the surrounding area should be considered as with any other change of use application, eg, for a shop or commercial use. This was a residential area and there would be more people coming and going than if the houses were used for a family home. Also there were concerns about the arrangements for storage and collection of refuse. The planning team leader advised that unlike retail units the council did not have a policy on the impact of HMOs on the character or vitality of an area.

(The committee had a short adjournment at this point. All members listed as present were readmitted with the exception of Councillor Carlo.)

Councillor Lubbock moved and Councillor Woollard seconded that the application be refused on the grounds that the changes to the front of the building would be detrimental to the residential character of the area and that the plans for the storage and collection of refuse were inadequate. The planning team leader said that these grounds were linked to policies DM3, DM13 and DM12.

RESOLVED, with 6 members voting in favour (Councillors Henderson, Jackson, Lubbock, Maxwell, Peek and Woollard), 1 member voting against (Councillor Sands), and two members abstaining (Councillors Bradford and Button, and Councillor Herries not participating in voting because she had been absent for part of the item) to refuse application no 15/01867/F - 145 and 147 Earlham Road, Norwich, NR2 3RG on the grounds that the changes to the front garden would be detrimental to the residential character of the surrounding area and that there was inadequate provision been made for the storage and collection of refuse, and to ask the head of planning services to provide reasons for refusal in planning terms:

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

1. The removal of the front gardens and creation of an area of hardstanding for car parking will be out of keeping with the residential character of the surrounding area and harmful to the appearance of the site. As such the proposal is contrary to paragraphs 58 and 64 of the NPPF, policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014, and policies DM3, DM12 and DM13 of the Development Management Policies Local Plan 2014.
2. Inadequate provision has been made for the storage and collection of refuse and as such the proposal will increase the potential for waste receptacles to be left out on the street or adjacent to the site entrance. Such a scenario would be harmful to the appearance of the site, be detrimental to the character of the surrounding area and potentially create obstacles in the highway. The proposal is therefore considered contrary to paragraphs 58 and 64 of the NPPF, policy 2 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011 as amended 2014 and policies DM3, DM12, DM13 and DM31 of the Development Management Policies Local Plan 2014.

13. Application no 15/01875/F - Little Timbers, 2 South Park Avenue, Norwich, NR4 7AU

(Councillor Carlo re-entered the meeting during this item and therefore did not participate in the determination of this item.)

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

During discussion the senior planner referred to the report and answered members' questions. He confirmed that the communal areas were adequate and that there had been no objections from private sector housing to the scheme.

Discussion ensued in which members noted that this application was acceptable as there were not many houses in multiple- occupation (HMO) in the area and this HMO did not have a detrimental impact on the area. Councillor Lubbock concurred with this but considered that the proposal was too intense for the size of the site.

RESOLVED with 9 members voting in favour (Councillors Sands, Herries, Button, Henderson, Jackson, Maxwell, Peek, Woollard and Bradford), and 1 member voting abstaining (Councillor Lubbock) and 1 member not voting (Councillor Carlo who had been absent for part of the item) to approve application no. 15/01875/F - Little Timbers, 2 South Park Avenue, Norwich, NR4 7AU and grant planning permission subject to the following conditions:

1. Standard time limit;
1. In accordance with plans;
2. With the exception of any site clearance works, archaeological work, tree protection works and ground investigations, no development shall take place in pursuance of this permission until details (including manufacturer, product, colour finish and samples where required) of the materials to be used in the external construction of the [insert relevant materials i.e. walls, roof, windows, doors, gutters, downpipes, fascias, bargeboards etc] of the development hereby permitted have been submitted to and approved in writing by the local planning authority. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The development shall be carried out in accordance with the materials as approved.
3. With the exception of any site clearance works, archaeological work, tree protection works and ground investigations, 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. The landscaping scheme shall include the following information:

Existing landscape details:

- (a) location, spread and levels of existing trees, hedgerows and other significant areas of vegetation on or adjoining the site;
- (b) details of existing boundary treatments and forms of enclosure;

Hard landscape details:

- (c) details of the materials for paved areas, parking area and low level terrace including manufacturer, product type and colour;
- (d) proposed and existing functional services above and below ground (e.g. power and communication cables, pipelines, indicating manholes, supports etc.);
- (e) details of all new boundary treatments at the site, including the material and colour finish of any walls, fences or railings;
- (f) details of new external lighting;
- (g) details of vehicle and pedestrian access and circulation areas;
- (h) details of car parking layouts, cycle store and bin stores;
- (i) proposed finished levels or contours;

Soft landscape details:

- (j) planting plans showing the location, species and numbers of proposed new trees, hedging, shrubs and other planting on the site;
- (k) planting schedules, noting species, planting sizes (at time of planting) and proposed numbers and densities where appropriate;
- (l) written specifications (including cultivation and other operations associated with plant and grass establishment).

Implementation and management details:

- (m) an implementation programme clearly indicating a timescale for the completion of all landscaping works;
- (n) a landscape management plan, including management responsibilities and a schedule of maintenance operations for all landscaped areas for a minimum period of five years following implementation.

The development shall be carried out in full accordance with the agreed details and implementation programme and the landscaped areas of the site shall be made available for the enjoyment of residents of the development hereby permitted. Management of the landscaping shall commence immediately after planting in accordance with the agreed details. All hard and soft landscaping works shall thereafter be retained as such.

If within a period of FIVE years from the date of planting, any tree or plant (or any tree or plant planted in replacement for it) is removed, uprooted or is destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant or similar.

4. SUDS Details submission and implementation
5. No development shall take place until details of the proposed finished floor levels of the building and the existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with these agreed details.
6. Operations on site shall take place in complete accordance with the approved Arboricultural Impact Assessment (AIA), Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS). No other operations

shall commence on site in connection with the hereby-approved development until the tree protection works and any pre-emptive tree works required by the approved AIA or AMS have been carried out and all tree protection barriers are in place as indicated on the Tree Protection Plan in Appendix 4 of the above document. The approved protective fencing shall be retained in a good and effective condition for the duration of the development and shall not be moved or removed, temporarily or otherwise, until all site works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior written approval of the local planning authority has first been sought and obtained.

7. The development hereby approved shall be carried in out in full accordance with the 'HMO Management Policy' [received 22 March 2016].
8. The development hereby approved shall be designed and built to meet the regulation 36 2(b) requirement of 110 litres/person/day water efficiency set out in part G2 of the 2015 Building Regulations for water usage.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that order)(with or without modification), no extensions or ancillary building shall be erected unless an appropriate planning application is first submitted to and approved in writing by the local planning authority.

Informatives:

- 1) Considerate construction;
- 2) Refuse and recycling bins;
- 3) Vehicle crossovers;
- 4) Permeable hardstanding;
- 5) Street naming/numbering;

Article 35(2) 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.

14. Application no 16/00283/F - 1 Hanover Court, Norwich, NR2 2HE

The planning assistant presented the report with the aid of plans and slides. He referred to the supplementary report of updates to reports, circulated at the meeting, and said that the tree protection officer required condition 3 to be amended to require an amended arboricultural statement to be submitted. He explained that the initial proposal had been slightly larger and that this had required the impact assessment to be amended.

Two of the immediate neighbours addressed the committee and said that several neighbours also objected to this proposal to extend a bungalow which would alter the

appearance of the adjacent bungalows, that it was over development of the site and that it would be difficult for the future owner to access or egress the site.

During discussion members asked to view the slides to compare the ridge height of the proposed two storey building with adjacent buildings.

RESOLVED with 6 members voting in favour (Councillors Herries, Button, Carlo, Jackson, Lubbock and Peek), 4 members voting against (Councillors Sands, Maxwell, Woollard and Bradford) and 1 member abstaining (Councillor Henderson) to approve application no. 16/00283/F - 1 Hanover Court Norwich NR2 2HE and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. In accordance with a revised arboricultural method statement (to be submitted)
4. Details of proposed materials for horizontal boarding and window joinery.

Article 35(2) 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.

15. Application no 16/00223/F - YMCA 10 Winalls Yard, Norwich, NR1 3GX

The planning assistant presented the report with the aid of plans and slides. He explained that this was a retrospective application.

The planning team leader (development) (outer) advised the committee of an erratum in the report and that the policy references in the reasons for refusal were DM30 and DM9.

RESOLVED, unanimously, to:

- (1) refuse application no. 16/00223/F - YMCA 10 Winalls Yard Norwich NR1 3GX for the following reasons:
 - (a) The ATM by virtue of its location and freestanding nature would be an incongruous feature which in combination with the advertising on it would detract from the surrounding area and fail to enhance this recently regenerated part of the City Centre and as such would be contrary to policy DM9 of the adopted City of Norwich Replacement Local Plan and contrary to paragraph 64 of the NPPF.
 - (b) The applicant has failed to demonstrate that the ATM can be serviced in a safe manner which would ensure the prevention of crime in accordance with the Council's duties under section 17 of the Crime and Disorder Act 1998 and policy DM30 of the adopted City of Norwich Replacement Local Plan.

- (2) authorise enforcement action under section 172 of the Town and Country Planning Act 1990 (as amended) to secure the cessation of the unauthorised structure, the replacement of landscaping and the taking of legal proceedings, including prosecution if necessary.

Article 35(2) 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. The local planning authority has sought to negotiate amendments to the scheme in order to overcome the reasons for refusal outlined above, however the applicant has not been able to make the amendments in order to ensure the development complies with national policy and the development plan as such the application has been refused for the reasons outlined above.

16. Application no 16/00122/F - 5 Wordsworth Road, Norwich, NR5 8LN and Application no 16/00135/F - 7 Wordsworth Road, Norwich, NR5 8LN

(The chair agreed that application no 16/00122/F - 5 Wordsworth Road, Norwich, NR5 8LN and application no 16/00135/F - 7 Wordsworth Road, Norwich, NR5 8LN, could be considered as a joint presentation.)

The senior planning technical officer presented both reports on the separate applications with the aid of plans and slides. He pointed out that that the application for no 7 was no longer for a change of use as the number of residents had been reduced from 6 which was within permitted development rights.

Discussion ensued in which the senior planning technical officer answered questions, about parking and refuse storage and collection.

Application no 16/00122/F - 5 Wordsworth Road, Norwich, NR5 8LN

RESOLVED, with 9 members voting in favour (Councillors Sands, Herries, Button, Carlo, Henderson, Maxwell, Peek, Woollard and Bradford) and 2 members abstaining (Councillors Jackson and Lubbock), to approve application no. 16/00122/F - 5 Wordsworth Road Norwich NR5 8LN and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of cycle / refuse storage to be submitted and agreed.
4. No occupation until car parking is provided.
5. Details of hard / soft landscaping.
6. No more than 7 occupants

Article 35(2) 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.

Application no 16/00135/F - 7 Wordsworth Road, Norwich, NR5 8LN

RESOLVED, with 10 members voting in favour (Councillors Sands, Herries, Button, Carlo, Henderson, Jackson, Maxwell, Peek, Woollard and Bradford) and 1 members abstaining (Councillor Lubbock), to approve application no. 16/00135/F - 7 Wordsworth Road Norwich NR5 8LN and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Informative advising that occupation by 7 or unrelated individuals will require a separate application for planning permission.

Article 35(2) 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.

17. Performance of the development management service; progress on appeals against planning decisions and planning enforcement action for quarter 4, 2015-16 (1 January to 31 March 2016)

RESOLVED to note the report.

CHAIR