



PLANNING APPLICATIONS COMMITTEE

10.00 a.m. – 13.20 p.m.

19 June 2008

Present: Councillors Bradford (Chair), Banham, Bearman, Driver, George, Lay, Little (S), Lubbock and Stephenson

Apologies: Councillors Llewellyn (Vice-Chair) and Collishaw

1. DECLARATIONS OF INTEREST

In accordance with the Committee's code of conduct, Councillors Lubbock, Little, Lay, Stephenson and Driver declared that they had been lobbied by applicants. The Solicitor to the Council advised that members notified the Committee Officer of this in writing.

2. MINUTES

RESOLVED to approve the accuracy of the minutes of the meeting held on 5 June 2008.

3. APPLICATION NO 07/00587/F – LAND AT THE CORNER OF ST SAVIOURS LANE AND BLACKFRIARS STREET

The Planning Team Leader (Development – Inner Area) presented the report with the aid of slides, drawings and plans, and answered questions. A summary of consultation responses and representations received was circulated at the meeting (Appendix 3). The main concerns were the possible affect on the proposed Block F on Gurney House and access via Thompson's Yard. Block F would be 25m from Gurney House and it would be an additional condition that obscured glazing would be used so that the gardens of Gurney House were not overlooked. There would be no vehicle or pedestrian access to the proposed development via Thompson's Yard and construction vehicles would not be permitted to enter the site through Yard. It was also suggested that permission should be subject to a condition on energy efficiency measures being implemented as set out in the report.

A resident of Gurney Court addressed the Committee outlining his objections to the scheme, particularly that the proposed development was in a Conservation Area and should respect the Grade II Star listed Gurney House, the proposed Block F was an inappropriate height/scale and should be two-storey and, although welcoming the suggestion of the condition for obscured glazing, sunlight to the gardens would be restricted. Councillor Dylan then added weight to the objections expressing concern about the height/scale of the development as a whole and its impact on the

surrounding area and concerns about the affect that it would have on the gardens of Gurney Court.

Discussion ensued. Members considered the plan which showed the rooflines of the development compared to the former Hi Tech House and were advised that the applicant had revised the plans to ensure that the foundations of the proposed development did not interfere with the roots of mature trees. Members considered that the site was 'long overdue' for development and had been vacant for some time.

RESOLVED, with 8 members voting in favour (Councillors Bradford, Lay, Banham, Lubbock, Stephenson, Bearman, George and Driver), 0 members voting against, and 1 member abstaining (Councillor Little) to approve Application No 07/00587/F Land at the Corner of St Saviours Land and Blackfriars Street, and grant planning permission subject to:-

- (1) The signing of a Section 106 Agreement to include the following:-
 - (a) Affordable Housing;
 - (b) Open Space and Playspace Contribution;
 - (c) Transportation Contribution;
 - (d) No access to site from Thompson's Yard for construction traffic.
- (2) Conditions relating to the following:-
 1. Commencement within 3 years.
 2. Submission of samples of materials.
 1. Boundary treatment.
 2. Prior approval of details:-
 - (i) Roof, eaves and verge, water goods;
 - (ii) Windows, doors, balconies, balustrades, décor panels;
 - (iii) Shopfront treatment to the offices;
 - (iv) Solar panels, rainwater harvesting.
 3. Sound Insulation to units fronting St Saviours/Blackfriars Street.
 4. Flood risk – finished floor levels.
 5. Flood risk – materials.
 6. Surface water disposal.
 7. Surface water - maintenance scheme.
 8. Contamination – soil.
 9. Contamination – methods statement.
 10. Pollution prevention.
 11. Surface water drainage.
 12. Fire Hydrant.
 13. Archaeological Agreement.
 14. Archaeological investigation, excavation or recording.
 15. Cycle/refuse storage provision details.
 16. Tree Protection.
 17. Landscaping planting and site treatment scheme.
 18. Maintenance of landscaping.
 19. Plant and machinery details.
 20. Fume/Flu details.

21. The use of obscure glazing in windows in Block F overlooking Gurney Court.
22. The implementation of energy efficiency measures as set out in the report.
23. Live/work units to be limited to uses within Class B1.

4. APPLICATION NO 08/00489/F LAND AND PLAY AREA ADJACENT TO 16 LEONARDS STREET

The Planning Team Leader (Development – Inner Area) presented the report with the aid of slides and plans and together with the Planning Development Manager, answered questions. Members were advised that an additional letter of representation had been received which raised the following issues relating to loss of greenspace and affect on wildlife, loss of privacy and light to neighbouring buildings, destruction of trees, infringement of human rights, notice not placed prominently and then removed, the Council had allowed the play area to become run down and that lots of housing was planned in the Anglia Square area.

Councillor Holmes, Ward Councillor for Mancroft Ward, then addressed the Committee, in which he expressed concern that neighbours who had made representations were not informed of the Committee meeting, the proposal was overdevelopment in an already densely built-up area, and concerns about loss of outdoor play space for children and the affect of the proposed gyratory road system which would encircle this area and making it necessary for children to use two pedestrian crossings to access the nearest play area at Gildencroft. Photographs showing the site were circulated to members. The Rowan trees on the site were healthy and vigorous and had nesting birds in them. The site had become a valued open space following the demolition of buildings and the play equipment should be better maintained.

Various residents also addressed the Committee outlining their objections to the proposal, pointing out that the surrounding terraced houses did not have front or back gardens, the play area gave a sense of community to the area, concerns about loss of car parking for the development and that emergency vehicular access could be restricted. A resident expressed concern that the proposals to close a play area was against the government's aims and objections in initiatives such as 'Every Child Matters'. The development would make the site a 'glorified roundabout'. (A copy of this resident's letter was circulated to members at the meeting. In addition a letter signed by children who used the play area and their parents was circulated at the meeting.)

The architect for the Housing Association then responded and said that this was a cleared site that had been landscaped. The car parking element was not been removed but there would be appropriate surfacing. The play space was not used but there would be a new space in the centre of the development that could incorporate such use. The design was in keeping with its surroundings.

The Planning Development Manager confirmed that according to records letters had been sent to those neighbours who had commented as a result of the consultation on 11 June 2008.

Discussion ensued in which members considered that the play area should be retained for its amenity value and contribution to the community and that it would be 'irresponsible' to remove it when the neighbourhood would be surrounded by heavy traffic. Members considered that the development of Brownfield sites such as this was preferable to Greenfield sites but not at the detriment of loss of play areas and valuable open spaces in urban areas. Concern was expressed about the displacement of car parking but it was considered that this was not a material planning consideration.

The Chair proposed and Councillor Lay seconded that the application be refused on the grounds of loss of green and play space.

RESOLVED to refuse planning permission in respect of Application No 08/00489/F Land and Play Area adjacent to 16 Leonards Street and to ask the Head of Planning and Regeneration to draft reasons for refusal on the grounds that the loss of green and play space would be detrimental to the community and the aims and objectives of initiatives such as 'Every Child Matters' .

(Reasons for refusal:- The proposal would result in the loss of green space and play space which contributes to the amenity of the local community and the loss of such space would have a detrimental impact on the character of the area contrary to saved policies SR3 and HBE8 of the City of Norwich Replacement Local Plan (Adopted November 2004).)

5. APPLICATION NO 08/00034/O – GOTHIC WORKS, HARDY ROAD

RESOLVED to note that this application had been withdrawn by the applicant.

6. APPLICATION NO 08/00161/F – 98 THORPE ROAD

The Planner (Development) presented the report with the aid of a plan and slides and explained that the change of use of this premises had been recommended for refusal on highway safety grounds. Letters of support for the applicant from Thorpe Hamlet Ward Councillors, Divers and Hooke, were circulated to the Committee.

The applicant addressed the Committee and said that the takeaway shop would be open from 5.00 p.m. to 11.00 p.m. and most of the business would be deliveries. In response to questions, the applicant pointed out that there was parking for the delivery vehicle at the rear of the premises and that bollards would be placed at the front of the premises. He anticipated that 95% of the trade would be from deliveries and that it would be at its busiest between 7.30 to 8.30 p.m. which was outside of the rush hour.

During discussion members considered that the applicant could not be penalised in the event that customers might park on double yellow lines and that most of the business would be from passing pedestrians or in response to ordered deliveries. Members noted that the previous use of the premises was for an off-licence. The premises had been vacant for around 8 months and there needed to be a viable business in it. It was also pointed out that the premises was near to the Norwich Railway Station and Prince of Wales Road, where there were several other hot food takeaways and it was in a densely populated area of Norwich. Two members had reservations about the premises being on an arterial road and that consideration

should be given to whether it was necessary to change the use to another hot food takeaway.

Councillor Lubbock moved and Councillor George seconded that this application for change of use should be approved subject to the usual conditions.

RESOLVED, with 5 members voting in favour (Councillors Bradford, Lay, Banham, Lubbock and George), and 3 members voting against (Councillors Bearman, Little and Driver) and 1 member abstaining (Councillor Stephenson) to approve Application No 08/00161/F – 98 Thorpe Road,

(1) subject to the following conditions:-

1. Standard time limit.
2. Restrict hours of opening to 7. 00 a.m. to 11 .00 p.m. Mondays to Sundays.
3. Maintenance of extraction flue to be in accordance with manufacturers guidelines.
4. Anti-vibration mountings to be used on the flue where attached to any building.
5. Sound proofing shall be installed between the ground and first floor of the building.
6. Details of number and location of litter bins to be agreed.

(2) ask the Head of Planning and Regeneration to prepare the reasons for approval.

7. APPLICATION NO 08/00313/F – BARTRAM MOWERS LTD, BLUEBELL ROAD

The Senior Planner (Development) presented the report with the aid of slides and plans and answered questions. The development was deemed reasonable.

The applicant attended the meeting for this item.

Councillor Lubbock pointed out that the application was ‘low-key’ in comparison with other uses on the site and was screened from the road.

RESOLVED, with 8 members voting in favour (Councillors Bradford, Lay, Banham, Lubbock, Stephenson, Bearman, George and Driver) and 1 member voting against (Councillor Little) to approve Application No 08/00313/F – Bartram Mowers Ltd, Bluebell Road, and grant planning permission subject to the following conditions:-

1. The development must be begun within three years of the date of this permission.
2. The development should be restricted to the display of sheds, sectional buildings and ancillary goods only.
3. The displays of sheds, sectional buildings and ancillary goods should not extend beyond the height of the existing building immediately to the north east of the display area.

4. Prior to the first display being constructed hedges shall be provided in accordance with details to be first approved by the Council as Local Planning Authority. These shall thereafter be permanently retained.
5. Any trees or plants which comprise part of the approved hedge scheme and within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

(Reason for approval: The decision to grant planning permission has been taken having regard to saved policies NE1 and SHO3 of the City of Norwich Replacement Local Plan (Adopted Version November 2004). The proposed use is considered to fulfill the criteria of these saved policies and in its limited extent and subject to conditions is considered acceptable in this location and will not adversely affect the vitality and viability of the City Centre or character of the area.)

8. APPLICATION NO 08/00436/F - 154A DEREHAM ROAD

The Senior Planner (Development) presented the report with the aid of slides and plans and answered questions. The change of use to a dental surgery was not considered to generate more traffic than its former uses of a bank and an office.

RESOLVED to approve Application No 08/00436/F – 154A Dereham Road and grant planning permission subject to the following conditions:-

1. The development must be begun within three years of the date of this permission.
2. Development shall not be started until precise details or samples of the materials to be used in the construction of the platform lift have been submitted to and approved by the Council as Local Planning Authority.

(Reason for approval: The decision to grant planning permission has been taken having regard to policy HBE12 and EP22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004) and all material considerations. The change of use and alteration of the building are considered to be acceptable within this location and will not be detrimental to amenities in the area.)

9. APPLICATION NO 08/00328/F – D UTTING AND SON LTD, GOLDSMITH STREET

The Planner (Development) presented the report with the aid of slides and plans and explained that although planning permission was granted in 2005 and was still current, this application was before the Committee because of a change in design and materials.

A member of the public attended the meeting and outlined his reasons for objecting to the proposal. He was concerned that lorries parked on the road and that this prevented emergency vehicles getting through.

The agent then addressed the Committee and explained that the new application would improve the visual aspect of the building with better design and materials. The applicant had operated from the site for 18 years and there had never been any

complaints about the parking, and in fact the applicant permitted residents to use a car park to the rear of the Dereham Road Baptist Church. There had been 3 letters received in support of the application, including a representative of the Church, with a congregation of 180, who raised no issues about parking.

During discussion members were supportive of the application but expressed concern that the issues about on street parking raised by the resident and asked the Planner to ensure that action was taken to enforce permit parking in the area.

RESOLVED to approve Application No 08/00328/F – D Utting And Son Ltd, Goldsmith Street and grant planning permission subject to the following conditions:-

1. Commencement of development within three years.
2. The brickwork to be used on the extension shall match that on the existing building.
3. Details of any plant and machinery.
4. Details of any extract ventilation or fume and flue extraction system.

(Reasons for approval:- The decision to grant planning permission has been taken having regard to Policies EMP2 and EP22 of the City of Norwich Replacement Local Plan (Adopted Version November 2004) and to all material considerations. The side extension to the existing garage workshop is acceptable in terms of scale and design and would not have a significant detrimental impact to the amenities of the nearby businesses and residents.)

10. APPLICATION NO 08/00473/FT – THE CHERRY TREE, DEREHAM ROAD

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

A resident of Dereham Road, attended the meeting, and outlined his objections to the proposal. He expressed concerns that the telecommunications mast was continually being added to and considered that it was already visually 'horrendous' and would only be obscured by mature trees. Photos were circulated to members

Discussion ensued in which members considered that they needed further information about the landscaping and an assessment that this was the best site for this additional facility.

RESOLVED to defer consideration of Application No 08/00473/FT – The Cherry Tree, Dereham Road to a future meeting of the Committee for further information on the proposed landscaping and assessment justifying the best site for this additional facility.

11. APPLICATION NO 07/00613/F – 2-8 ALL SAINTS GREEN (THE MUSTARD LOUNGE)

The Team Leader (Development – Inner Area) presented the report with the aid of slides and plans and answered questions. Members were advised that officers advised against the use of patio heaters in outside areas but could not enforce this.

Members said that it would be useful to be informed of the name of the premises as this would put the site into context. Officers were trying to address this issue as the report was automatically populated from the database.

RESOLVED to approve Application No 07/00613/F – 2-8 All Saints Green (The Mustard Lounge) and grant planning permission subject to the following conditions:-

1. Standard time limit (3 years).
2. Details of external lighting to be agreed.
3. No use of the external seating area before 6 p.m.
4. No use of the external seating area to take place prior to the completion of the internal alterations specified in relation to access and the creation of a first floor lobby and in relation to the alterations to the fire escape shown.
5. No amplified music to be played within seating area.

(Reasons for approval:-

- (1) By virtue of its location and design, the proposal is considered unlikely to have an adverse impact on the setting of nearby Listed buildings or the character or appearance of the Conservation Area. Due to the details of the scheme, the development is considered unlikely to cause detriment to the living conditions of local residents or to local amenities as a result of an increase in noise and disturbance. The provision of the facility and the design of the proposal are also considered unlikely to lead to an increase in risk in safety or security for surrounding land users or customers and it is understood that the proposal has been designed to minimise the risk of fire.
- (2) The development is therefore considered to meet the relevant criteria of saved policies EP22, HBE19, HBE8 and HBE9 of the City of Norwich Replacement Local Plan 2004 and all material considerations.)

CHAIR