



**Planning applications committee**

**09:30 to 12:30**

**10 March 2016**

Present: Councillors Sands (M) (chair), Herries (vice chair), Blunt, Bradford, Button, Carlo, Jackson, Lubbock, Maxwell, Neale, Peek and Woollard

**1. Membership**

The chair pointed out that the list of members on the front of the agenda was incorrect as the template had not been amended since Councillor Maxwell had replaced Councillor Brociek-Coulton.

**2. Declarations of interest**

There were no declarations of interest.

**3. Minutes**

**RESOLVED** to agree the accuracy of the minutes of the meeting held on 11 February 2016.

**4. Application nos 15/01810/F and 15/01811/L - 191 King Street, Norwich, NR1 2DF**

The senior planner (development) gave a detailed presentation of the report with the aid of plans and slides. She referred to the supplementary report of updates to reports, which was circulated at the meeting containing clarification of the points received from the Cannon Wharf Residents' Association and confirmation that the Environment Agency had no objections to the planning permission subject to conditions.

During discussion the senior planner, together with the planning team leader (development) (outer area), referred to the report and answered members' questions. This included confirmation that there would be public access to the river, although it would be limited to certain times to deter anti-social behaviour. Members also noted that the S106 legal agreement would include an affordable housing review clause. Members were advised that Historic England had changed its response and did not object to the revised proposal. Members noted that the arch would be retained and that planning permission was subject to archaeological conditions and historic recordings of the buildings to be demolished.

Discussion ensued in which a number of members commented on the revised scheme, which had improved the King Street frontage and reduced the bridge tower

by two storeys, as it either addressed their concerns about the previous application or in one member's case greatly improved on the previous scheme which he had considered to be acceptable. Members also welcomed the development of a site which had been vacant for about a decade and would permit access to the River Walk and staithe.

Councillor Carlo commented on the Broads Authority's objections to the scheme and said that whilst she welcomed the reduction in size to the tower, she was concerned that there had been no change to the relationship of the development with the river. King Street had been the most important street in the city in the Middle Ages because of its river frontage. She could not support the application because of the scale and mass of the buildings on the river front and with the other developments on each quadrant of the bridge, considered it would have a canonising effect on the river.

**RESOLVED**, with 11 members voting in favour (Councillors Sands, Herries, Blunt, Button, Jackson, Lubbock, Maxwell, Neale, Peek, Woollard and Bradford) and 1 member voting against (Councillor Carlo) to approve:

- (1) application no. 15/01810/F - 191 King Street Norwich NR1 2DF and grant planning permission subject to the completion of a satisfactory legal agreement to secure those items listed at paragraph 77 of the report and subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. Construction Management Plan
  4. Standard contamination conditions - investigation/remediation and monitoring
  5. Standard archaeological conditions
  6. Prior to demolition historic recording of buildings - placed on the Heritage Environment Record (HER).
  7. Details of piling/foundation design.
  8. Details of river wall works.
  9. Full details of SUDs and long term management arrangements
  10. Conditions required by Environment Agency regarding flood risk management
  11. Detailed landscape scheme for all hard and soft /seating and planters etc – details to include biodiversity enhancements.
  12. Scheme for off-site improvements to adjacent highway land – including street trees.
  13. Scheme for de-masting -design and long term management.
  14. Materials.
  15. Details of; balconies, windows, external doors and gates, bonding, joint treatment, mortar mix, decorative/textured brick work, gates.
  16. Details of external lighting
  17. Completion of Ferry Boat Inn works prior to first occupation of any part of the development
  18. Details of heritage interpretation - public house/14th arch
  19. Compliance - lifetime homes

- 20. Compliance - water efficiency
- 21. Compliance - Energy strategy
- 22. Compliance - electric car charging ,cycle parking and refuse facilities

Note required by Anglian Water re assets, no parking permits.

- (2) application no 15/01811/L - 191 King Street Norwich NR1 2DF and grant listed building consent subject to the following conditions:
1. Standard time limit;
  2. In accordance with plans;
  3. Prior to commencement full schedule of works including sound proofing/fire proofing measures, including method statements for opening up areas currently lined (ground floor back room and fireplaces)
  4. Details of light-well lighting, method for blocking of stairs, where new openings full details of elevations, architrave/lining details
  5. Record of building and provided to the HER.
  6. All internal/external features shall be retained unless stated otherwise
  7. Details of any replacement windows /doors/secondary glazing if proposed
  8. Details of routes/specification and locations of all extracts; boiler flues, heating/hot water systems, plumbing.
  9. External decoration.

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.

#### **5. Application no 15/01921/F - 2 Upton Close, Norwich, NR4 7PD**

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

The resident of no 2A Upton Close, addressed the committee and outlined her objections to the proposal. This included: concern about access to inspect the drains and sewers serving their properties; the proximity of the extension to her house and impact on the outlook from liveable rooms and that the walnut tree on the site had been removed. The resident of the other neighbouring property, at no 2B, referred to his letter of representation and outlined his objections which included concerns about water because the footprint of the proposed development would cover a greater percentage of the site than the previous application and asking for clarification of paragraph 34 of the officer's report.

The agent spoke on behalf of the applicant and said that although there was outline planning permission for a single storey dwelling on the site, this was a complete planning application and not a reserved matters application. The client had commissioned a one and a half storey building, designed to meet the site constraints and its scale and front elevation suited the character of the area. The application was compliant with the relevant planning policies.

The senior planner referred to the report and responded to the issues raised by the speakers. He said that the drainage issue was a separate matter and not material to planning permission. The site was not in a designated critical drainage area. He also apologised for using the phrase “not excessively imposing” and said that this was an unfortunate choice of language to explain that the extension would exceed the boundary fence by 45 cm.

Discussion ensued in which the senior planner and the planning team leader (development) (outer area) referred to the report and answered members’ questions. The committee was assured that although the right to access the drains/sewers was a legal agreement and not a planning consideration, the construction of the building would need to comply with building regulations. Members concurred that the applicant should be asked to use permeable hard standing to improve surface water drainage. A member suggested that as the walnut tree had been removed and to mitigate the loss of former garden space, the applicant should be asked to include the replacement of the tree. The committee agreed that the landscaping condition could be strengthened to mitigate the loss of vegetation. Officers said that there was no justification to require the applicant to install a green roof as the building was not in a critical drainage area and at risk of surface water flooding.

Discussion ensued in which members referred to the planning history of the site and noted that the principle of a single storey dwelling had been established.

**RESOLVED**, unanimously, to approve application no. 15/01921/F - 2 Upton Close Norwich NR4 7PD, and grant planning permission subject to the following conditions

1. Standard time limit;
2. In accordance with plans;
3. 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 included within Appendix 4 of the approved AIA. 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.
4. All hard and soft landscaping works shall be carried out in accordance with the details as specified on this decision, including those detailed on the approved 'proposed site plan and street scene' (ref. 6336 SL01 G) and the landscaped areas of the site shall be made available for the enjoyment of residents of the development hereby permitted. All hard and soft landscaping works shall thereafter be retained as such. No occupation of any part of the development shall take place until all landscaping works detailed within the approved plans have been carried out.
5. All bathroom and WC windows within the development hereby approved shall be:

- (a) obscure glazed to a specification of not less than the equivalent of classification 5 of Pilkington Glass; and
- (b) non-opening unless the parts of the windows which can be opened are more than 1.7 metres above the floor of the room in which the windows are installed;

The windows shall be retained as such.

- 6. 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.
- 7. Notwithstanding the provisions of Schedule 2, Part 1, Class A, Class B, Class D and Class E 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 part of the dwelling houses hereby permitted shall be enlarged and no garage, porch or garden building erected without express grant of permission by the Council as Local Planning Authority.
- 8. Any hardstanding as part of the construction to be of porous material

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 the application has been approved subject to appropriate conditions and for the reasons outlined in the officer report.

Informatives:

- 1. Vehicle crossovers;
- 2. Purchase of refuse and recycling bins;
- 3. Street naming and numbering;
- 4. Considerate construction.

**6. Application no 16/00030/F - Orbit Housing Association, 14 - 16 St Matthews Road, Norwich, NR1 1SP**

The planner (development) presented the report with the aid of plans and slides. He explained that this was a retrospective planning application and answered members' questions.

**RESOLVED**, unanimously, to approve application no. 16/00030/F - Orbit Housing Association 14 - 16 St Matthews Road, Norwich, NR1 1SP and grant planning permission subject to the following condition:

- 1. 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.

**7. Application no 16/00040/F – 4 Dover Street, Norwich, NR2 3LQ**

The planning assistant presented 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 a correction to the recommendation and summarising a representation received from the Norwich Society regarding the stairwell window.

**RESOLVED**, unanimously, to approve application no 16/00040/F, 4 Dover Street, Norwich, NR2 3LQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. For the avoidance of doubt, all windows within the side elevation will be:
  - (a) obscure glazed
  - (b) non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the windows are installed.

**8. Application no 15/01858/F - 24 Mile End Road, Norwich, NR4 7QY**

The senior planning technical officer presented the report with the aid of plans and slides.

The committee heard the objections of two objectors who were immediate neighbours to the property and outlined their concerns about the height and mass of the extension; that it was too close to the boundary of no 26 Mile End Road; loss of privacy and overlooking, and concern that emergency services would not be able to access the rear of the property.

The senior planning technical officer referred to the report and, together with the planning team leader (development) (outer) addressed the issues raised by the speakers and members. He explained that the extension would be less than half a metre from the boundary and that under the current arrangements access to the rear of the property was restricted. Members sought clarification about the proposed window treatments. The committee was advised that the use of a dormer window was very common in a residential area and that there was no justification to require that it was obscure glazed or replaced by a Velux window. The chair said that he was sympathetic to the concerns raised by the neighbours about overlooking from the dormer window

Councillor Lubbock, as ward councillor for Eaton Ward. said that she had been contacted by the residents for advice but did not have a pre-determined view. She said that she considered that the extension, an already extended house, and reducing the gap between no 24 and the boundary with no 26 to less than a metre was unacceptable.

The committee then discussed the windows and noted that the windows on the extension would replicate the windows of the existing side elevation but would be 2 metres closer to no 26. A member said that he was concerned that the utility room window was a large window right on the boundary and should be obscure glazed or be redesigned as a high level vertical window. Councillor Lubbock moved and

Councillor Peek seconded that there should be an additional condition to require the window to the utility room to be obscure glazed or redesigned, and with 8 members voting in favour (Councillors Sands, Blunt, Carlo, Jackson, Lubbock, Maxwell, Peek and Woollard), 4 members voting against (Councillors Herries, Button, Neale and Bradford) the amendment carried.

**RESOLVED** with 10 members voting in favour (Councillors Herries, Blunt, Button, Carlo, Jackson, Maxwell, Neale, Peek, Woollard and Bradford), 1 member voting against (Councillor Sands) and 1 member abstaining (Councillor Lubbock), to approve application no. 15/01858/F – 24 Mile End Road, Norwich, NR4 7QY and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans.
3. Window to the utility room to be obscured glazed or redesigned to be high level vertical window.

#### 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 above.

#### **9. Enforcement Case 16/\*\*\*\*\*/BPC/ENF – 128 Thorpe Road Norwich, NR1 1RJ**

The planning team leader (development) (outer) presented the report and explained that the materials to reinstate the wall were still on site.

Discussion ensued in which the planning team leader referred to the report and answered members' questions. The conservation and design officer would advise on the reinstatement of the wall and ensure that the correct mortar base was used.

The committee expressed concern that the demolition of part of the wall could have been prevented if highways officers had consulted planning services before giving permission for the dropped kerb.

The committee noted that the applicant would have the right of appeal against enforcement action.

**RESOLVED**, unanimously, to authorise enforcement action to secure the cessation of the unauthorised development of a new opening and forming of a new vehicular access to Cotman Road and return the wall back to its original condition; including the taking of direct action that may result in referring the matter for prosecution if necessary.

CHAIR