



Planning applications committee

10:15 to 15:30

10 October 2019

Present: Councillors Driver (chair), Maxwell (vice chair), Bogelein, Button, Lubbock, Neale, Oliver (substitute for Councillor Huntley), Peek, Ryan, Sands (M), Sarmezey, Stutely and Utton

Apologies: Councillor Huntley

(The chair apologised for the delay in the start of the meeting due to members of the committee undertaking a site visit in respect of 5 Recorder Road: Councillors Driver, Maxwell, Bogelein, Button, Lubbock, Neale, Peek, Ryan, Sands (M), Sarmezey, Stutely and Utton.)

1. Declarations of Interest

Councillor Ryan declared a pre-determined view in item 8 (below) Applications no 19/00958/F - 65 The Avenues, Norwich, NR2 3QR as University Ward councillor, he would be speaking on behalf of a resident. He would therefore address the committee as a member of the public and would then leave the room during the committee's determination of the application.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 12 September 2019, subject to amending item 3, Minutes correcting the reference to the date of the previous meeting 8 August 2019.

3. Application no 19/00933/F and 19/01014/L - 5 Recorder Road, Norwich, NR1 1NR

The planner drew members' attention to the supplementary report of updates to reports which was circulated at the meeting and contained a summary of an updated proposal plan submitted by the applicant and a further representation comprising notes of a meeting held between representatives of the Greek Orthodox Church and the agent representing the applicants; and the officer comments. The planner presented the report with the aid of plans and slides.

Fourteen representatives of the church and local residents addressed the committee, highlighting their objections to the proposal, which included concern that: the proposed homeless assessment centre would lead to antisocial behaviour in the area from ex-offenders and drug users and would affect families and children attending the church and older people; the church would be overlooked by the CCTV

cameras; the centre would encourage drug sellers into the area and as it was near the train station and would exacerbate County Line activities; questioning the business model for the facility in that there were 43 homeless people in the city and that a further 1900 “new” homeless people would be assessed at the facility over ten years and asking whether this would be beneficial to the city; Recorder Road was not part of the night-time economy but a quiet residential street with flats for elderly people, who were anxious about the users of the facility; the proposal was contrary to the National Planning Policy Framework (NPPF) 91B and the council’s development management policies DM17 and DM22; that current residents’ needs were being put aside for a transient minority; the security measures would not protect the whole of the site and not all of the windows or fire doors had been shown on the plan; the bins and cycle store would impede escape in an emergency; the needs of the elderly vulnerable residents should be at the forefront and not those of a transient minority and it was contrary to Human Rights legislation; the proposal was detrimental to the amenity of the Grade II listed building; there had been no comments from the ambulance and health services; residents considered Recorder Road to be a “safe haven” and were concerned that the character of the street would change; there were more suitable locations for the facility, including premises in Prince of Wales Road, and other agencies provided homeless assessment services in the city; rents on 5 Recorder Road had been increased making it unviable for the previous small business and the church had tried to purchase the premises; the facility would have a negative impact on the 500 strong congregation and the church activities, including concerns about child safety during services and that the security measures would hinder the religious ritual of processing around the church; concern about St Martin’s ability to engage with the local community and manage the facility; the application had been rushed because of the funding constraints and had not taken into account the church’s specific needs, such as access for funerals and fire exits; the security measures and gates would be unwelcoming to the churchgoers and fear of antisocial behaviour could lead to a decline in the congregation affecting the church’s ability to maintain the Grade II listed building; and, reference to the applicant’s business model for the facility and its annual report, suggesting that the assessment centre would attract homeless people, with no connection to the city, as evidenced by a similar scheme in Brighton. A member of the church addressed the committee and said that the church had tried to rent¹ the premises and that the proposed use would be detrimental to the church community’s religious observances. She said that would be afraid of the consequences if she reported incidences of antisocial behaviour. In summary a speaker spoke on behalf of the church and residents suggesting that the proposal had no net benefits for the community. The funding was a national initiative and would pitch people into an overburdened system, and other options could be considered such as extending existing hostels or considering alternative locations.

At the chair’s discretion, four speakers addressed the committee on behalf of the applicant. This included a personal account from an employee on the circumstances that had led to drug dependence and homelessness and the assistance that had been provided to him by the Trust; the employee had never seen drug dealing at any of the Trust’s premises; that preventing homelessness saved lives and that rough sleepers were vulnerable to rape and suffered violence on the streets; that it was a national responsibility to address homelessness; that the proposal was in a good

¹ Minutes approved by committee on 14 November 2019, subject to deleting “purchase” and inserting “rent” in this sentence.

location and that the layout was suitable for assessment; that trends of homelessness were monitored and there was a need for this facility; the centre could be open and fully functional by the end of November before the forecasted severe winter; that it was difficult to address homelessness, their clients were not “scum” but decent people who needed assistance and that it sometimes took several attempts; that the applicants were linked to Pathway and promoted outreach services and was fully compliant with the Misuse of Drugs Act 1971; that there was no smoking on the premises and that only two smokers at a time would be permitted into the courtyard. The agent referred to the provisional access that the church had to the courtyard and explained that this had been on a grace and favour basis. The rear door of the female sleeping area could be fixed shut on a permanent basis. The external plans had been amended to show the rear boundary of the courtyard and she commented on the revised fire exit plans for the church (as set out in the supplementary report) through the rear courtyard. The gate and railing design, and the use of obscure glazed windows had been in response to issues raised by the church. The police had not objected to the proposed change of use provided that the planning conditions were met and were reassured by the applicant’s reputation as a service provider for homeless people and its zero tolerance to drug taking. The premises was in the right location for this use on a 24 hour basis. The building was available on a lease only basis and no other business or office use had come forward. It was not available for sale.

(The chair declined an indication to speak from Councillor Maguire, cabinet member for safe and sustainable city environment.)

The planner commented that legislation required CCTV covered only within an owners’ property and therefore the applicants could not use it on the church property. The NHS and ambulance service had been consulted as part of the planning process but had chosen not to comment on this application.

(The committee adjourned for a short break at this point. The committee reconvened with all members present as listed above.)

The planner referred to the main and supplementary reports and explained the arrangements for the fire exit following discussions with the applicant regarding access for the church through the fire exit and the insertion of a gate at the rear of the court yard, which could be opened by either side and would maintain the access around the church.

The planner together with the area manager development (inner) referred to the reports and answered members’ questions. This included confirmation that arrangements for fire exits, toilets and washroom provision, and Disability Discrimination Act compliance, were all subject to building regulations. Members were advised of the church’s provisional access arrangements and that this was a civil matter which would need to be agreed between the church and the applicant, but a gate at the rear of the property that could be opened would not prevent the religious observance of proceeding around the church. Members were advised that despite the reputation of the applicant, a management plan was required as a condition of planning consent because it would ensure that the current applicant’s method of operation could be applied to another operator in future. The management plan which would provide for the operation within the building, including the management of specific areas of the building. There was an expectation that the

staff would receive training on emergency evacuation of the building and security. The centre would be supervised 24 hours a day with a minimum of two staff on duty at any one time. The planner said that not all homeless people would be able to access this facility and people with high needs would be referred for assessment elsewhere in the city. A member commented that there was no communal space and the committee was advised that during the 72 hour assessment period, people could come and go. Drinks and snacks could be prepared in the kitchenette facilities but clients would be referred to Pathway and other facilities, where they could obtain meals which were available in the immediate area. The proposal was for a short term assessment centre, with a maximum stay of 72 hours, and was not a hostel. Members were advised that the cycle and bin storage as shown on the plans was indicative and that the location would be subject to condition. The committee also noted that, as advised on the site visit, the children's play area was inside the church and that the door could be closed. In relation to fear of crime, the police had indicated that provided the conditions to mitigate these concerns were in place, there was no objection to the proposal. The government grant was not a material planning consideration. In reply to members' questions, the area development manager (inner) explained that the funding was a national initiative but was intended to serve people in Norwich and its immediate area. Not all homeless people were rough sleepers. The assessment centre would be part of a wider network of provision for homeless people.

The chair moved and the vice chair seconded the recommendations as set out in the report.

Discussion ensued in which members commented on their views of the application. A member said that he had listened to the arguments for and against the application but had been persuaded by the police's reassurance in the applicant's track record in helping homeless people in the city. Other members concurred with this view. Members commented on their concern about the national problem of homelessness and the need to address it in Norwich and its immediate area. A member pointed out that he considered that the proposed site was in the wrong location and that other premises were available in Prince of Wales Road. Other members commented that they considered that the location in the city centre was a good one. Another member considered that kitchen and toilet/washing facilities were inadequate. Members commented on this being a small assessment centre which would be an integral part of the wider network of provision in the city. Some members expressed concern about the fear of crime associated with this application, whilst others were reassured that the police had no objections to the proposal subject to the planning conditions and the reputation of the applicant as a service provider for homeless people.

During the discussion, Councillor Utton, Thorpe Hamlet ward councillor, refuted the suggestion from the applicants that any of the objectors had referred to homeless people as "scum" and said that their primary objection was that the location of the assessment centre in Recorder Road, a quiet residential street, was the wrong location. He said that vacant office premises in Prince of Wales would be a better alternative location for this facility.

Also during the discussion, the chair when speaking in support of the application, said that he hoped that there would be opportunities for the church and residents to become involved in the project as volunteers.

RESOLVED with 9 members voting in favour (Councillors Driver, Maxwell, Sarmezey, Oliver, Peek, Button, Lubbock, Ryan and Stutely) and 4 members voting against (Councillors Utton, Neale, Sands and Bogelein) to approve:

- (1) application no. 19/00933/F - 5 Recorder Road, Norwich, NR1 1NR and grant planning permission subject to the following conditions:
1. Standard time limit;
 2. In accordance with plans;
 3. Provision of cycling parking/ bin storage
 4. Management Plan
 5. Details of any fences and gates
 6. Alterations to the fenestration/details of new door
 7. Details of CCTV and external lighting
 8. Details of heritage interpretation
 9. Details of signing
- (2) application no. 19/01014/L - 5 Recorder Road, Norwich, NR1 1NR and grant listed building consent subject to the following conditions:
1. Standard time limit;
 2. In accordance with plans;
 3. Listed building – making good
 4. Localised repair
 5. Listed Building Retain Original Fabric of Building
 6. Stop Work if Unidentified Features Revealed
 7. Partitions
 8. Details of new door and any alterations to fenestration
 9. Details of Details of any additional security measures including signage
 10. Details of any fences and gates
 11. Dismantling of the window drop by hand.

(The committee then adjourned for lunch at 12:30. The committee then reconvened in the Mancroft room at 13:00 with all members present as listed above.)

4. Application no 19/00020/F - 9 Eaton Road, Norwich. NR4 6PZ

The planner presented the report with the aid of plans and slides. He added that the site was in a critical drainage area and an additional condition had been added to require the applicant to provide water butts.

The adjacent neighbour addressed the committee and highlighted his objections to the proposal which included concern about overshadowing and loss of sunlight; loss of privacy from the window in the loft extension and that the extension would extend beyond the building line. He suggested that as it was a large plot the applicant could have considered a different proposal.

The agent spoke in support of the application and said that the scheme was compliant with planning policy. The applicant had requested that a memorial feature in the rear garden was retained.

During discussion the planner referred to the report and answered members' questions. Members were advised that no 7 had planning consent for an extension which had not yet been built out. Software used to assess the impact of sunlight indicated that the proposal would have a minimal impact on the neighbouring properties and this modelling had included the approved extension at no 7.

The chair moved and the vice chair seconded the recommendations as set out in the report.

Councillor Lubbock, Eaton Ward councillor, expressed concern that given the size of the plot, it would be more neighbourly of the applicant if the proposal was revised to have less impact on no 7. At the least the applicant could put in obscure glazing to prevent overlooking.

During discussion members considered the impact of overshadowing of the neighbouring property and the neighbour's concerns about overlooking from the loft conversion. Members also took into account the position of the adjacent houses. Councillor Bogelein suggested that there was no reason to object to this application but in light of the neighbour's concerns obscure glazing should be applied to the window ground floor window to serve the proposed utility room and with all members in agreement the chair moved the recommendations as amended.

RESOLVED with 12 members voting in favour (Councillors Driver, Maxwell, Button, Bogelein, Neale, Oliver, Peek, Ryan, Sands, Sarmezey, Stutely and Utton) and 1 member voting against (Councillor Lubbock) to approve application no. 19/00020/F - 9 Eaton Road Norwich NR4 6PZ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Details of replacement chimney to be submitted prior to commencement of works;
4. Provision of water butts.
5. Obscure glazing to ground floor window on north-west elevation.

5. Application no 19/00573/F and 19/00574/L – The Royal Hotel, 25 Bank Plain, Norwich

The chair explained that this application had been referred to committee as a major development.

The senior planner presented the report with the aid of plans and slide. He asked members to ignore the comments contained in the supplementary update of reports in relation to application 19/00574/L and said that all the recommended conditions as set out in the main report applied.

A representative of the Maid's Head Hotel addressed the committee setting out concerns about the need for another hotel and that it would impact on the viability of

other hotels in a difficult market, and calling on the committee to defer making a decision until robust viability information was available.

The agent spoke in support of the application and said that there had been discussions with council officers, the Norwich Society and Historic England. The proposal would return the building to its former use and conserve this Grade II listed, heritage asset for the city.

The senior planner referred to the report and explained that there was no requirement within local and national planning policy for the applicant to demonstrate the need for the proposed change of use which was suitable for a town centre. Difficult market conditions were not grounds for refusal.

The senior planner referred to the report and answered members' questions in relation to the proposed extension in the rear courtyard; movement of the front door to the hotel to provide wheel chair access; and arrangements for the roof top garden, plant and machinery. Members also sought information on the use of the street cycle storage and noted that there were no drop off points for coaches near the hotel. The senior planner also explained that the proposal for the change of use to a hotel was considered as the optimum viable use due to the limited number of uses that were appropriate in the building and the lack of any other serious proposals coming forward.

Discussion ensued on the use of the roof-top terrace and concern about noise to residents in the area. The senior planner said that the use of the terrace would be ancillary to the hotel. In response to members' concerns about noise it could be reasonable to place a condition to prevent the use of audio-equipment on the terrace. Members were also advised, in relation to noise considerations, that the applicant had agreed that there would be no bedrooms in the rooms above the existing ground floor bar.

Councillor Utton moved, seconded by Councillor Sarmezey, to prevent the use of audio sound systems on the roof terrace, and on being put to the vote with 11 members voting in favour (Councillors Maxwell, Button, Bogelein, Neale, Oliver, Peek, Ryan, Sands, Sarmezey, Stutely and Utton) and 2 members voting against (Councillors Driver and Lubbock) the condition became part of the substantial motion.

The chair then moved, seconded by the vice chair, the recommendations as set out in the report and as amended above.

Discussion ensued in which members welcomed the proposal considering that it would be an excellent opportunity for the city and would create employment for 40 people and retain a mixed use on the site.

RESOLVED unanimously to approve:

(1) application 19/00573/F and grant planning permission subject to the following conditions:

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

3. External materials
4. Fire Hydrant
5. Construction method statement
6. Contamination method statement
7. Unknown contamination
8. Ecological mitigation
9. Renewable energy provision
10. Restaurant/bar – hours of operation restricted between 00.00 hours and 6.59 hours.
11. No use of speakers or amplified sound systems the roof terrace.
12. No use of rooms above ground floor bar without scheme of noise mitigation and implementation of scheme.

(2) application no.19/00574/L and grant listed building consent subject to the following conditions:

1. Standard time limit;
2. In accordance with plans
3. Any damage to be made good
4. Repair and making good to match existing
5. Retention of existing fabric
6. Undiscovered features
7. Details to be submitted
8. Photographic survey
9. Demolition method statement
10. Protection of significant features
11. Heritage interpretation
12. Repair to brickwork
13. Rooflights conservation style
14. Rainwater goods
15. Partitions
16. Roof terrace restrictions,

(Councillors Bogelein and Oliver left the meeting at this point.)

6. Application no 19/00271/F - 1 Holmwood Rise, Norwich, NR7 0HJ

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

The planner referred to the report and answered questions from members of the committee. She explained that the Beech tree was at the end of its natural life and would be replaced with a tree that would grow to a similar size. Members were also advised that it was intended to use the existing brick weave driveway as the shared access. The area development manager (outer) pointed out that the applicant would be required to submit details of surface water drainage (condition 9). The planner said that the landscaping scheme was indicative and would include boundary treatments to enhance biomass diversity.

The chair moved and the vice chair seconded the recommendations as set out in the report.

RESOLVED, unanimously, to approve application no. 19/00271/F - 1 Holmwood Rise, Norwich, NR7 0HJ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. External Materials;
4. Replacement tree;
5. Landscaping Details – Minor Scheme (to include external lighting)
6. In accordance with report;
7. Mitigation Details;
8. Water Efficiency – residential;
9. SUDS Details submission and implementation;
10. Provision of cycling parking/ bin storage;
11. Residential extensions, curtilage buildings, boundary treatments.

7. Application no 19/01083/F - 17 Branksome Close, Norwich, NR4 6SP

The planner presented the report with the aid of plans and slides. During the presentation he outlined the issues that had been raised in objection to the proposal. Members were also advised that all planning applications from councillors or members of staff were referred to this committee.

The chair moved and the vice chair seconded the recommendations as set out in the report.

RESOLVED, unanimously, to approve application no. 19/01083/F - 17 Branksome Close, Norwich, NR4 6SP and grant planning permission subject to the following conditions:

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

8. Applications no 19/00958/F - 65 The Avenues, Norwich, NR2 3QR

(Councillor Ryan had declared a predetermined view in this item and as such spoke as a member of the public and did not take part in the determination of the application.)

The planner presented the report with the aid of plans and slides. The area development manager (outer) explained that planning permission was required for this wood cabin because it was 3 metres in height and less than 2 metres from the boundary fence.

Councillor Ryan addressed the committee on behalf of the neighbour who was concerned about overshadowing her garden and whilst not objecting to the wood cabin, suggesting that the storage element was removed.

(Councillor Ryan then left the meeting at this point.)

The chair moved and the vice chair seconded the recommendations as set out in the report.

During discussion members noted that the use of the cabin was ancillary to the house. The committee took into consideration the location of the cabin; the size of the applicant's and neighbouring gardens and that there were large shrubs in the neighbouring garden. Members also noted that if the cabin were further away from the boundary it would have been allowed under permitted development.

RESOLVED, unanimously, to approve application no. 19/00958/F - 65 The Avenues Norwich NR2 3QR and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Log cabin to remain ancillary to the main dwellinghouse.

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

9. Application no 19/01179/VC - Stretton School, 1 Albemarle Road, Norwich, NR2 2DF

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

During discussion the planner referred to the report and explained the reasons for the condition.

The chair moved and the vice chair seconded the recommendations as set out in the report.

RESOLVED, unanimously, to approve application no. 19/01179/VC - Stretton School 1 Albemarle Road, Norwich, NR2 2DF and grant planning permission subject to the following condition:

The occupation of the dwelling known as West Lodge shall be limited to a person or persons (and their family) having a close connection with the adjoining nursery school (Stretton School) by virtue of employment by the school, or as owner of the school. Should the lawful use of the adjacent buildings (outlined in red on the location plan received on 17 September 2009 in respect of application 09/00672/F) change to C3 residential use, this limitation shall cease to apply.

10. Application no 19/00928/F - 31 Spelman Road, Norwich, NR2 3NJ

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

During discussion the planner referred to the report and presentation and answered members' questions on the design and elevations of the proposal.

The chair moved and the vice chair seconded the recommendations as set out in the report.

During discussion members commented that the design was unattractive and that it was a shame that the applicant had not considered a green roof.

RESOLVED, unanimously, to approve application no. 19/00928/F – 31 Spelman Road, Norwich NR2 3NJ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Provision of water butts.

11. Review of the scheme of delegation

The area development manager (outer) presented the report.

RESOLVED to approve, for use with immediate effect, the changes to the scheme of delegation as set out in Appendix A.

CHAIR