



Planning applications committee

09:50 to 13:10

8 February 2018

Present: Councillors Driver (chair), Bradford (to end of item 8, below), Bremner (substitute for Councillor Maxwell), Button, Carlo, Henderson, Jackson, Malik, Peek (to end of item 8, below), Sands (M), and Wright

Apologies: Councillors Maxwell and Woollard

1. Declarations of interest

Councillors Driver and Wright declared an other interest in item 6 (below), Application no 17/02033/F - The Quebec 93 – 97, Quebec Road, Norwich, NR1 4HY, because they were members of the Campaign for Real Ale (CAMRA) but were not involved in the consultation response made on behalf of CAMRA.

Councillor Malik said in relation to item 5 (below) Application no 17/01588/F - Bristol House 78 - 80 Unthank Road, Norwich, NR2 2RW, that he knew the member of the public who had given notice that he wanted to speak at the meeting and stated that he did not have a pre-determined view of this application.

2. Minutes

RESOLVED to agree the accuracy of the minutes of the meeting held on 11 January 2018.

3. Application no 17/01647/VC - Land North of Carrow Quay, Kerrison Road, Norwich

The area development manager (outer) presented the report with the aid of plans and slides.

The area development manager referred to the report and answered members' questions. Recommendations from Norfolk Fire and Rescue Service had led to some of the amendments to the scheme, which was subject to building control. The scheme would not be Passivhaus standard but complied with energy efficiency policies. Savings in development costs were not necessarily a bad thing as more affordable housing would be achieved. The amendments to the scheme were minor and did not affect access or require changes to the implementation of the bus and taxi gate on to Koblenz Avenue. There would be landscaping around the development and the scheme would contribute to the development of the riverside walk. The committee was also advised on the arrangements for affordable housing.

The chair moved and Councillor Button seconded the recommendations set out in the report.

A member commented that he regretted that the development would no longer be to Passivhaus standard but that he was hopeful that the level of energy efficiency that could be achieved for this scheme would be of a similar standard.

RESOLVED, unanimously, to approve application no. 17/01647/VC - Land North of Carrow Quay, Kerrison Road, Norwich and grant planning permission subject to the following conditions:

1. The development proposed within these reserved matters shall be built in accordance with the approved plans / details.
2. Details of the permitted surface water drainage system's pipe network, any resultant flood event contingency and management procedures including details of flood locations in the pipe network, volumes of flooding and flood water storage prior to dispersal.
3. Details of works to the river bank, to include the ecological mitigation measures for protection of the Depressed River Mussel as specified within paragraph 5.3.2 of the approved Ecological Survey.
4. Details of river bank mooring strategy.
5. Details of floor / ceiling sound insulation to be installed above the ground floor non-residential uses and first floor residential apartments within the development.
6. Details of the bird and bat boxes and brown roof hibernaculae.
7. Details of Arboricultural Implications Assessment including Arboricultural Method Statement (AMS) for the works to land in the vicinity the tree on the eastern boundary of the site.
8. Details of cycle storage/stands for non-residential parts of the development and their visitors, including possible storage within the Kerrison Cut area and Riverside Walk, and details of cycle storage/stands provision for visitors within the access road along the northern boundary of the site.
9. Revised Travel Plan to be approved prior to first occupation shall include provisions to survey and monitor annual residential cycle use and demand and supply of residential cycle stores, and include means to satisfy the unmet need to provide secure and covered storage within the development as may be appropriate.
10. Details of bus stop installed and made operational in the location shown on the landscaping strategy plans for the north-south access road.
11. Details of the renewable energy measures.
12. Control on any amplified music system within the non-residential parts of the development.

Article 31(1)(cc) statement

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

Informatives:

1. Relationship of permission to earlier applications.
2. Restriction on permit parking.

4. Application no 17/01091/F - Land North of Carrow Quay, Kerrison Road, Norwich

The area development manager (outer) presented the report with the aid of plans and slides. He also referred to the supplementary report of updates to reports which was circulated at the meeting which contained corrections to the committee report and a summary of a statement of support from the applicant. During the presentation the area development manager (outer) referred to the report and gave a detailed explanation of the arrangements for affordable housing across the two sites.

During questions from the members, the area development manager (outer) referred to the report and answered questions. This included confirmation that condition 13 relating to site contamination and assessment was standard requirement for Brownfield development. The area development manager (outer) referred members' to paragraph 78, in the section of the report relating to affordable housing and viability (main issue 6, Affordable housing and viability) and the arrangements for the delivery of affordable housing across the two sites (applications no 17/01647/VC and Application no 17/01647/VC). The senior development officer (enabling) explained that the core business of the applicant (Broadland Housing Association) was the provision of affordable housing and that an element of this would be dependent on grant funding from right to buy receipts. The transport planner confirmed that the highways authority would adopt the roads but the provision of external lighting would be provided by the developer. He also explained that this site was a low car use development and that no parking permits would be available to its residents. A third of current residents walked to work from this area and it was adjacent to a bus stop and car club parking bay. The junction on Koblenz Avenue would be reviewed as part of a county council survey of all inner-ring road junctions. Members were advised that the scheme complied with policy JCS 3 and that low carbon technology would be used. The area development manager (outer) pointed out the areas for soft landscaping and scope for biodiversity on this constrained site. He explained how living accommodation had been designed so as to mitigate noise from the adjacent factory site. Two members commented that they did not consider the scheme to be particularly child friendly. The committee noted that children's play space was provided at Carrow Park, around the corner to the scheme.

The chair moved and Councillor Button seconded the recommendations set out in the report. During discussion members commented on the affordable housing arrangements and their trust that the applicant would deliver a higher level of affordable housing than required through this application. The scheme would regenerate this area. A member welcomed the business model of this registered social landlord and said that despite the viability appraisal for no affordable housing on this site the applicant could deliver almost twice the policy requirement because it did not require the high profit of private developers. He suggested that the council's Affordable Housing Supplementary Planning Document should be updated.

RESOLVED, unanimously, to approve application no. 17/01091/F - Land North of Carrow Quay, Kerrison Road, Norwich and grant planning permission subject to the

completion of a satisfactory legal agreement to include provision of affordable housing, tree contribution and access across the adjoining roadway and subject to the following conditions:

1. Commencement of development within 3 years from the date of approval;
2. Development to be in accord with drawings and details;
3. Details of facing and roofing materials; brick bond and mortar; joinery; glazing to ground floor openings; verges; vent systems; external lighting; and heritage interpretation;
4. Details of any remaining archaeological work and written scheme of investigation
5. Details of vehicle charging points; cycle storage; site management for parking/access; and bin stores provision;
6. Details of highway design works;
7. Construction management plan; parking; wheel washing;
8. Details of landscaping including: planting; tree pits; biodiversity enhancements, bird and bat boxes; site treatment works; boundary treatments, including separation of private amenity areas, gates, walls and fences; edge treatment to roof terraces and gardens; landscape features such as planters, seats, raised walls etc. complete with heights or levels to indicate the overall appearance; parking, service road and path link surfaces; and landscape management and implementation programme and maintenance;
9. Details of provision and maintenance of low or zero carbon technologies / renewable energy sources;
10. Water efficiency measures to comply with latest standards;
11. Compliance with the surface water drainage system and future maintenance of;
12. Details of emergency flood warning and evacuation plan and implementation of surface water flood strategy;
13. Site contamination investigation and assessment;
14. Details of contamination verification plan;
15. Cessation of works if unknown contaminants found and submit details of remediation;
16. Details of testing and/or suitable compliance of all imported material prior to occupation;
17. Details of glazing and compliance with the recommendations of submitted noise report.

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 at the pre-application and application stage the application has been approved subject to suitable land management, adoption, appropriate conditions and for the reasons outlined within the committee report for the application.

Informatives

1. Considerate constructor;
2. Impact on wildlife;
3. Highways contacts, street naming and numbering, design note, works within the highway etc.

4. Properties at this development will not be entitled to on street parking permits;
5. Environment Agency guidance;
6. Anglian Water guidance.

5. Application no 17/01588/F - Bristol House 78 - 80 Unthank Road, Norwich, NR2 2RW

(Councillor Malik declared an interest in this item.)

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which summarised the comments received from the council's design and conservation officers and Councillor Davis, Town Close ward councillor, and the officer response. Members were advised that the development was not large enough to fall within the scope of policy JCS3 and therefore energy efficiency measures were not required to accompany the development.

(A member of the public who had given notice of his intention to speak at the meeting did not attend the meeting.)

Councillor Davis, as ward councillor for Town Close Ward, addressed the committee on behalf of residents. She expressed disappointment that the applicant would not meet with the local members for Town Close to discuss the application before the application was submitted. She listed the concerns which included density of development and overshadowing of adjacent properties; highway safety on Essex Street; management of the residents, such as curfew on the use of outside areas, to prevent noise disturbance to neighbours, particularly at night; that there were too many student developments in the area and that this was creating a monoculture and a detrimental impact on the character of the area; that the units were too small and provided a poor standard of amenity to future residents, that there was no disabled access; the proposal would exacerbate parking pressures and did not satisfy policy JCS3 relating to energy efficiency.

The agent addressed the committee and explained that he was not aware of an approach from local members to discuss the application. He welcomed the officer recommendation for approval and explained that the applicants had recently taken over the ownership of the property. There had been only two objections to the proposal, with the majority of comments received being positive. No further comments had been received following amendments to the scheme. The applicants had worked with the conservation and design officers on this high quality application. The applicant had not sought any additional parking on the site because it was in a sustainable location within walking distance of the city centre and on bus routes and access to the Car Club bay on Essex Street. The scheme was policy compliant. There was no overlooking of adjacent properties. It made a positive contribution to the housing shortfall in the city and would enhance this building within a conservation area.

The planner referred to the report and responded to the issues raised by the speakers. The change of use from a 16-bed hotel to a HMO was not expected to result in an increase in noise given the size of the grounds. If there were any complaints about noise, the council's environmental protection team would respond. Bristol House was in a controlled parking zone and new parking permits would not

be available for residents. The development was outside the scope of JCS3 as it fell below the threshold of 1,000 square metres.

The planner, together with the area development manager (outer), referred to the report and answered questions from members. The applicant had stated that the development would be targeted at professional young people but the tenure of future occupants was not something that could be controlled through planning consent. A member pointed out that the nature of the occupation of the accommodation was important as he considered that students would make more noise than young professionals. Another member also questioned whether there was a market for this type of accommodation and questioned the number of kitchens available for 27 people. The planner apologised and explained that during her presentation she had missed off one of the plans and confirmed that there would be three kitchens within the property. In reply to a question that there would be overnight guests, the planner said that the number of full-time residents would be restricted to 27. The use of the building was C3 and appropriate for a residential area. The proposal had been assessed by colleagues in private sector housing and the kitchen provision was considered appropriate. Amenity space had been secured at the rear of the property and so as to have a lesser impact on the adjacent neighbour on Unthank Road and to provide more private external amenity space for future residents. In reply to a question, the planner explained that there were light wells into the communal space on the ground floor. She pointed out that the proposed change of use was residential and not C2 and therefore there was no policy requirement that set the level of cycle storage provision. The number of car parking spaces had been reduced on the site, thus reducing vehicle movements on to the site. The area development manager (outer) said that 20 cycle storage spaces and 2 car parking spaces had been deemed sufficient for this sui generis use.

The chair moved and Councillor Button seconded the recommendations to approve the application as set out in the report.

During discussion, Councillor Carlo said that she considered that this was overdevelopment of the site and that she was concerned that rooms would be subdivided, exceeding the set level of 27 fulltime residents. The hotel had been referred to locally as a “doss house” and had offered a very poor level of accommodation. She was also concerned about the use of the front garden by residents as this would generate noise and impact on the neighbours of the adjacent property.

Councillor Jackson said that he considered the proposal lacked sufficient amenity for future residents and would cause disturbance to neighbouring residents which he considered outweighed any benefits to this application. He said that he was concerned about the lack of a management condition to manage a property of this size with 27 separate people sharing accommodation and was very different from smaller HMOs. The area development manager (outer) advised that a management plan could be achieved through a planning condition. He said that introducing a curfew on outside use would not be reasonable. It would not be viable to require a manager to live on site. The planner suggested that contact details could be issued to residents and neighbours to contact the manager when necessary. Other members expressed concerns about how the communal areas would be managed and the security of future residents and their belongings.

Councillor Malik commented on his regret that the applicant had not met with the local councillors and MP. The student accommodation market had changed over the last two years with purpose built units being created. He sought reassurance that the accommodation met with space standards for use by young professional people and was advised that all bedrooms met the space standard with some rooms exceeding it and that all bedrooms had external windows, a good level of light and en-suite bathrooms. The chair pointed out that the existing use of the building was for a hotel. The area development manager confirmed this and pointed out that it could revert to hotel use without further planning consent.

Councillor Sands said that he was concerned about fire safety and was advised that this was a matter for building control and the fire and rescue service. As a large HMO, it would need to comply with licensing by private housing and fire regulations.

During the discussion the planner answered questions on the lighting to the communal rooms and the layout, which included the use of light wells. Councillor Jackson expressed concern about the lack of outlook and natural light in the communal rooms. Members expressed concern about how 9 people would share the kitchens and the lack of arrangements for food storage. Councillor Carlo said that she would move for the refusal of this application because of concern about the amenity of future residents and the residents of the neighbouring properties in this densely populated conservation area. The area development manager (outer) said that the internal and external space standards were met for 27 residents on this site. The community space was not insignificant and sufficient for the number of rooms on each floor. With regard to neighbourhood amenity the former use was for a 16 room hotel which if fully occupied would accommodate 32 guests. The proposal for a 27 bed HMO was consistent with a residential use.

The chair asked members to move to the vote on the recommendations to approve the application as set out in the report, and with 1 member voting in favour (Councillor Driver) and 10 members voting against (Councillors Button, Bremner, Carlo, Henderson, Jackson, Wright, Sands, Malik, Peek and Bradford) the motion was lost.

Councillor Carlo moved and Councillor Jackson seconded that the application be refused because it did not comply with policies DM2 and DM13. The area development manager (outer) advised that amenity of the future occupants would be difficult to defend at appeal because the bedrooms were large and the overall size of the building complied with space standards and was considered acceptable by the private housing officers.

The chair suggested that the committee deferred consideration of the application to provide an opportunity for the planners to discuss a management plan with the applicants and then brought before the committee for determination. Members were advised that the management plan could alternatively be secured through a condition of the planning consent.

Discussion ensued in which members commented on the proposal. Councillor Carlo said that she considered that a proposal for self-contained flats would be more appropriate for this site. She considered that the level of occupancy was too high and that permanent residence in an HMO was different from that of a hotel. Councillor Wright said that 27 people would not have a shared communality and that

he was minded to vote for refusal on the grounds set out in policy DM13. The area development manager reiterated that the committee could consider deferring the application to seek further information on the management plan to a future meeting. It would still have the opportunity to refuse the application on amenity grounds. Councillor Bradford said that he supported the proposal to defer for further information. Other members expressed concern about the need to safety of future residents and their property and also concern about the impact of noise on the residents of the adjacent properties.

Councillor Carlo then summed up her motion to refuse the application. She said that she was aware that management plans could work as seen at another HMO in Earlham Road, but that she considered that the number of occupants for this proposal was too large and it would be detrimental to the amenity of future residents and residents of the neighbouring properties.

The committee then moved to the vote on refusal and it was:

RESOLVED, with 6 members voting in favour (Councillors Carlo, Jackson, Henderson, Wright, Malik and Sands) and 5 members voting against (Councillors Driver, Button, Bremner, Peek and Bradford) to refuse application no. 17/01588/F - Bristol House 78 - 80 Unthank Road Norwich NR2 2RW on the grounds of amenity to future residents and concern about disturbance to neighbours and to ask the head of planning services to provide the reasons in planning terms.

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

The proposal would fail to deliver a high standard of amenity and living conditions for future residents of the site, by virtue of the lack of outlook and light provided to communal amenity spaces, the number of residents on site in comparison to communal internal and external amenity space and due to the lack of management proposals to ensure that satisfactory security and servicing arrangements are in place.

The applicant has also failed to demonstrate that the site will be managed in such a way as to prevent noise and disturbance to neighbours. It is considered that this harm would outweigh the benefits of the proposal. The proposals are therefore contrary to policies DM1, DM2 and DM13 of the Development Management Policies Plan 2014 and paragraphs 17 and 69 of the National Planning Policy Framework.)

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

6. Application no 17/02033/F - The Quebec 93 – 97, Quebec Road, Norwich, NR1 4HY

(Councillors Driver and Wright had declared an interest in this item.)

The planner presented the report with the aid of plans and slides. She referred to the supplementary report of updates to reports which contained amendments to the report to correct the address of the site in the recommendations and insert an additional paragraph to explain that the loss of the 4 bedroom manager's flat was

ancillary to the main use of the building and not subject to assessment against policy DM15. Members were also advised that the application was in Thorpe Hamlet ward.

The planner referred to the report and answered members' questions regarding car parking, access and confirmation that there would be no significant issue with cars pulling out at the junction of Wolfe Road and Quebec Road. There were council owned car parks in the area and the application site was in a sustainable location, close to the rail station and bus routes. Members also sought assurance that there were other public houses within 800 metres of the Quebec Road. There was no space for soft landscaping around the building.

The chair moved and Councillor Button seconded the recommendations as set out in the report. Discussion ensued in which a member asked that the applicant place a plaque to commemorate that the building had been a public house. Members regretted the loss of a public house but acknowledged that there were other public houses in the vicinity and that it was a suitable location for a bed and breakfast.

RESOLVED, unanimously, to approve application no application no 17/02033/F - The Quebec 93 – 97, Quebec Road, Norwich, NR1 4HY and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Bike and bin storage details to be agreed;
4. Water efficiency measures to be agreed;
5. Materials to match existing.

7. Application no 17/01791/F - Flordon House, 195 Unthank Road, Norwich, NR2 2PQ

The planner presented the report of the plans and slides. She referred to the supplementary report of updates to reports which contained a summary of a consultation response received from the council's citywide services relating to collection of refuse and recycling bins.

During questions from members, the planner referred to the report and the plans and explained the position of the subterranean flat would be underneath the car park. The location was in a sustainable location and 4 car parking spaces and cycle storage was considered adequate. Members then sought reassurance that noise from the cars would not disturb future residents. Sound proofing was a matter for building control.

Councillor Malik, Nelson ward councillor, said that he has spoken to neighbouring residents who were concerned about vehicles turning on the car park would beam light into their houses. The planner said that the landscaping and planting would mitigate this issue. She pointed out that the car parking was an existing one and that the cycle storage would also provide some screening.

Councillor Carlo, Nelson ward councillor, sought reassurance that there would be no significant loss of light from this development and welcomed the landscaping proposals for a green wall and a sedum roof to mitigate the loss of garden space.

RESOLVED, unanimously, to approve application no. 17/01791/F - Flordon House, 195 Unthank Road, Norwich, NR2 2PQ and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Landscaping scheme (including boundary treatments) prior to occupation;
4. Management responsibilities of outside garden areas;
5. Drainage scheme (and any associated landscaping hereby approved or approved under condition 3) to be implemented prior to occupation;
6. Details of cycle store and bin store prior to occupation;
7. Water efficiency;
8. Car parking to be provided prior to occupation.

Informative

1. Considerate construction.

8. Application no 17/01757/F - Bennetts Retail Ltd, 35 Barnard Road, Norwich, NR5 9JB

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

The planner referred to the report and together with the area development manager (outer) answered members' questions. A member commented that he did not consider that it was clear in the report that the application was retrospective. The officers pointed out that there was reference to the works had already been undertaken under "Other matters" but this should not affect the committee's decision. If the committee were to refuse the application then enforcement action would need to be considered.

During discussion, members were advised that the tree belt between the residential dwellings and the industrial site were not in the ownership of the applicant. Councillor Button, Bowthorpe ward councillor, said that ownership of the trees was uncertain.

Councillor Sands, local member for Bowthorpe, asked whether it was feasible to install an acoustic fence to absorb the noise from the external condenser units. This could be demountable so that it could be moved for access. The planner said that the noise levels had been assessed by environmental protection officers. Councillor Sands moved that an acoustic fence should be installed and this was seconded by Councillor Driver. The area development manager (outer) advised that newly installed condenser units would not create much noise and maintenance was a greater issue than installing acoustic fencing. He also questioned whether it was feasible to install acoustic screening in this location and that it would remove some of the car parking spaces. On being put to the vote with 3 members voting in favour (Councillors Sands, Driver and Peek), 6 members voting against (Councillors Button, Bremner, Jackson, Wright, Malik and Bradford) and 2 members abstaining (Councillors Carlo and Henderson) the motion was lost.

The chair then moved the recommendations as set out in the report, and it was:

RESOLVED, with 10 members voting in favour (Councillors Driver, Button, Bremner, Carlo, Henderson, Jackson, Wright, Malik, Peek and Bradford) and 1 member abstaining (Councillor Sands) to approve application no. 17/01757/F - Bennetts Retail Ltd 35 Barnard Road Norwich NR5 9JB and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Time restrictions on use of condenser units.

Informative

1. Considerate construction.

(Councillors Peek and Bradford left the meeting at this point.)

9. Tree Preservation Order [TPO], 2017. City of Norwich Number 529; 2A and 2B Essex Street, Norwich, NR2 2BL

The arboricultural officer (TPO) presented the report with the aid of plans and slides. He outlined the objection to the confirmation of the tree preservation order (TPO) and said that these issues could be addressed not by the removal of the lime tree but by pollarding or crowning it.

In reply to a member's question, the arboricultural officer confirmed that maintenance of the tree was the responsibility of its owner. Pollarding would restrict the growth of the tree.

RESOLVED, unanimously, to confirm Tree Preservation Order (TPO), 2017 City of Norwich 529, 2A and 2B Essex Street, Norwich, NR2 2BL.

10. Tree Preservation Order [TPO], 2017. City of Norwich Number 527; 137 Plumstead Road, Norwich, NR1 4JT

The arboricultural officer (TPO) presented the report with the aid of plans and slides. He confirmed that there were no safety issues associated with this mature oak tree and that a preservation order would not prevent maintenance work to it.

RESOLVED, unanimously, to confirm Tree Preservation Order (TPO), 2017 City of Norwich Number 527; 137 Plumstead Road, Norwich, NR1 4JT.

CHAIR