

Planning applications committee

Date: Thursday, 11 August 2022

Time: 09:30

Venue: Mancroft room, City Hall, St Peters Street, Norwich, NR2 1NH

Members of the public, agents and applicants, ward councillors and other interested parties must notify the committee officer if they wish to attend this meeting by 10:00 on the day before the committee meeting, please. The meeting will be live streamed on the council's YouTube channel.

Committee members:

Councillors:

Driver (chair)
Sands (M) (vice chair)
Bogelein
Champion
Davis
Grahame
Lubbock
Peek
Sands (S)
Stutely
Thomas (Va)
Thomas (Vi)
Young

For further information please contact:

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Information for members of the public

Members of the public and the media have the right to attend meetings of full council, the cabinet and committees except where confidential information or exempt information is likely to be disclosed, and the meeting is therefore held in private.

For information about attending or speaking at meetings, please contact the committee officer above or refer to the council's website



If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

Agenda

Page nos

1 Apologies

To receive apologies for absence

2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

3 Minutes

5 - 8

To approve the accuracy of the minutes of the meeting held on 14 July 2022

4 Planning applications

Please note that members of the public, who have responded to the planning consultations, and applicants and agents wishing to speak at the meeting for item 4 above are required to notify the committee officer by 10:00 on the day before the meeting.

Further information on planning applications can be obtained from the council's website:

<http://planning.norwich.gov.uk/online-applications/>

Please note:

- The formal business of the committee will commence at 9.30;
- The committee may have a comfort break after two hours of the meeting commencing.
- Please note that refreshments will not be provided. Water is available
- The committee will adjourn for lunch at a convenient

point between 13:00 and 14:00 if there is any remaining business.

| | | |
|-----------|---|----------------|
| | Summary of planning applications for consideration | 9 - 10 |
| | Standing duties | 11 - 12 |
| 4a | Application no 22/00563/F 31 Rockingham Road, Norwich, NR5 8HZ | 13 - 24 |

Date of publication: **Wednesday, 31 August 2022**



Planning applications committee

9:30 to 10:00

14 July 2022

Present: Councillors Driver (chair), Bogelein, Champion (from end of item 2), Davis, Grahame, Peek, Stutely and Young

Apologies: Councillors Sands (M) (vice chair), Lubbock, Sands (S), Thomas (Va) and Thomas (Vi)

1. Declarations of interests

During consideration of item 4 below, Site visit to aid in determination of applications 22/00570/F & 22/00571/L for refurbishment and repair of building 3, Teaching Wall, Norfolk Road, University of East Anglia, Councillor Young declared an interest as being employed by the University of East Anglia.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meeting held on 9 June 2022.

(Councillor Champion was admitted to the meeting at this point.)

3. Application no 22/00445/F - Bowmonk Ltd Diamond Road, Norwich, NR6 6AW

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

During discussion, the senior planner referred to the report and presentation and answered members' questions. He explained that the proposal had been amended in mitigation of concerns raised by neighbouring residents regarding outlook and overlooking. An aerial photograph was used to demonstrate the distance of the residential properties from the proposed extension, with the dwellings 11 to 12 metres from the boundary. Members were advised that consideration had been made in the assessment to the proposed extension being to the north of the residential dwellings, which reduced the impact on daylight, and that one of the dwellings' main outlook was to the side rather than to the north.

A member referred to the loss of the car park and suggested tree planting to provide screening and increase biodiversity. The senior planner said that there was already

a tall and healthy hedge on the boundary and that there would be very little space for additional planting. There was no proposal to remove the tree. During discussion, members were advised that there was some uncertainty about the ownership of the hedge and that any conditions proposed needed to be reasonable.

Councillor Stutely proposed an additional condition be imposed to ensure that boundary treatments were agreed with the applicant. This was to ensure that if the hedge was owned by the applicant it was maintained at a height of 2 metres or other appropriate planting for screening was provided. Members concurred with this proposal.

The chair moved and Councillor Peek seconded the recommendations as set out in the report and with the additional condition relating to boundary treatments.

During discussion, a member expressed sympathy to the local residents but said that the additional condition made the application acceptable. Another member referred to the emerging Biodiversity Strategy and said that the industrial estate appeared “barren” and that he hoped in future that opportunities to increase biodiversity corridors would be achieved through the planning process.

RESOLVED, unanimously, to approve application no. 22/00445/F - Bowmonk Ltd Diamond Road Norwich NR6 6AW and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Obscure glazing to be used on the rear facing first floor windows;
4. No installation of plant or machinery without submission of sound insulation measures first being submitted to and approved by the council.
5. Boundary treatments to be approved.

4. Site visit to aid in determination of applications 22/00570/F & 22/00571/L for refurbishment and repair of building 3, Teaching Wall, Norfolk Road, University of East Anglia

(Councillor Young declared an interest during this item as she is employed by the University of East Anglia.)

The senior planner presented the report, which sought the committee’s agreement to undertake a site visit prior to the committee where the planning application and listed building consent would be considered. Members were advised that this would most likely be at either the September or October meetings of the committee.

During discussion member considered the practicality of holding the site visit on the same day as committee, with one member expressing a preference to hold the site visit on a different date. Members were advised that arrangements for site visits were set out in the committee procedures available on the website. The details of the site visit would be published as part of the agenda and members of the public could attend where the site visit was in the public domain or if the applicant gave consent.

RESOLVED to undertake a site visit before the committee where the applications for planning permission and for listed building consent are to be determined.

CHAIR

Summary of planning applications for consideration**ITEM 4****11 August 2022**

| Item No. | Application number | Location | Case officer | Proposal | Reason for consideration at committee | Recommendation |
|-----------------|---------------------------|--------------------------|---------------------|--|--|-----------------------|
| 4a | 22/00563/F | 31 Rockingham Road | Nyasha Dzwowa | Single storey rear extension (retrospective) | Called in by Councillor | Approve |

STANDING DUTIES

In assessing the merits of the proposals and reaching the recommendation made for each application, due regard has been given to the following duties and in determining the applications the members of the committee will also have due regard to these duties.

Equality Act 2010

It is unlawful to discriminate against, harass or victimise a person when providing a service or when exercising a public function. Prohibited conduct includes direct discrimination, indirect discrimination, harassment and victimisation and discrimination arising from a disability (treating a person unfavourably as a result of their disability, not because of the disability itself).

Direct discrimination occurs where the reason for a person being treated less favourably than another is because of a protected characteristic.

The act notes the protected characteristics of: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The introduction of the general equality duties under this Act in April 2011 requires that the council must in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by this Act.
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not.
- Foster good relations between people who share a relevant protected characteristic and those who do not.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The council must in the exercise of its functions have due regard to the need to eliminate unlawful discrimination against someone due to their marriage or civil partnership status but the other aims of advancing equality and fostering good relations do not apply.

Crime and Disorder Act, 1998 (S17)

- (1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its

various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

- (2) This section applies to a local authority, a joint authority, a police authority, a National Park authority and the Broads Authority.

Natural Environment & Rural Communities Act 2006 (S40)

- (1) Every public authority must, on exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Planning Act 2008 (S183)

- (1) Every Planning Authority should have regard to the desirability of achieving good design

Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law

Article 8 – Right to Respect for Private and Family Life

- (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
- (2) There shall be no interference by a public authority with the exercise of his right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the rights and freedoms of others.
- (3) A local authority is prohibited from acting in a way which is incompatible with any of the human rights described by the European Convention on Human Rights unless legislation makes this unavoidable.
- (4) Article 8 is a qualified right and where interference of the right can be justified there will be no breach of Article 8.

Report to Planning Applications Committee

Item

11 August 2022

Report of Head of Planning & Regulatory Services

Subject Application no 22/00563/F 31 Rockingham Road,
Norwich, NR5 8HZ

**Reason for
referral** Called in by Cllr Jones

4a

| | |
|---------------------|--|
| Ward | University |
| Case officer | Nyasha Dzwowa 01603 987998 nyashadzwowa@norwich.gov.uk |
| Applicant | Mr Minns |

| Development proposal | | |
|--|---------|---------|
| Single storey rear extension (retrospective) | | |
| Representations | | |
| Object | Comment | Support |
| 2 | 0 | 0 |

| Main issues | Key considerations |
|-----------------------|--------------------|
| 1 | Design |
| 2 | Amenity |
| Expiry date | 15 September 2022 |
| Recommendation | Approve |



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Planning Application No 22/00563/F
 Site Address 31 Rockingham Road

Scale 1:500

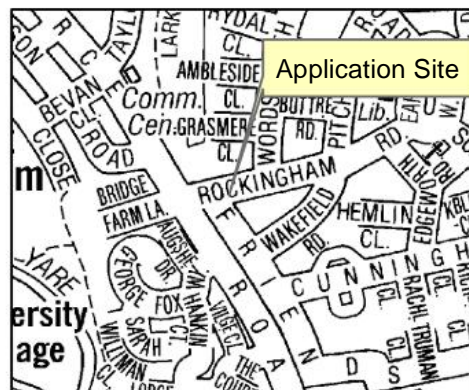


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 City Council

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The site and surroundings

1. The subject property is a two-storey, semi-detached dwellinghouse located on the southwest side of Rockingham Road, a typical suburban street, west of the city. The street is predominantly residential, characterised by identically sized Victorian semi-detached and terraced blocks featuring UPVC windows, red brick and clay pantiles, with largely unaltered frontages set back from the highway by sizeable front gardens and parking. The property is currently in use as a small HMO (house in multiple occupation.)
2. The rear of the site had two single storey outbuildings constructed to form an 'L' shape, there is a passage on the southern boundary of the property, this provides access to the rear of the property. The subject property and surrounding neighbours within the terrace have reasonably long rear gardens which are generally levelled out.
3. The site is bordered on the northeast side by 29 Rockingham Road and on the northwest side by no. 33. The rear of the site is bordered by terraced properties on Wakefield Road to the south.

Constraints

4. There are no additional site constraints.

Relevant planning history

5. The records held by the city council show no relevant history for the site.

The proposal

6. Retrospective application for a single storey rear extension that converts the outbuildings to additional living space and adjoins them to the main dwelling creating an 'L' shaped extension with a flat roof. The dimensions of the extension are Height = 2.6m, Width = 5.2m, Depth = 6.1m. The proposed extension is finished with off white rendering with white UPVC doors and windows as well as a flat felt roof.
7. The extension adjoins the neighbouring property's extension, and the roof is slightly raised above the adjoining roof.

Representations

8. Adjacent and neighbouring properties have been notified in writing. Two letters of representation have been received citing the issues as summarised in the table below. The application is being considered at planning applications committee as it has been called in by Cllr Beth Jones.

| Issues raised | Response |
|---|--|
| The proposed extension is built over a main external drain. | This is not a material planning consideration. Building Control has been dealing with the regulation certificate application in relation to this issue and Anglian Water is involved in solving the issue. The regularisation certificate is |

| Issues raised | Response |
|---|---|
| | still awaiting a decision and it will only be granted once Anglian Water are satisfied with the solution. The decision on the planning application will not affect this separate matter. |
| The extension causes water damage for the neighbouring property due to the standing water on the roof. | It appears that surface water from the neighbour's extension used to run off into the subject property's garden, and the erection of this extension a few centimetres above the height of the adjoining extension has prevented that from continuing. Building Control is in the process of resolving this issue alongside the drainage issue above. The decision on the planning application will not affect this separate matter. |
| Noise and antisocial behaviour by student occupiers cause disturbance to adjoining neighbours. Any increase in the number of bedrooms would increase the number of students which has a knock-on effect on noise and antisocial behaviour. Concerns about increased car parking requirements. | The application is for the extensions only. It is understood that the property has been in use as a small HMO for a number of years, and in any case the change of use from a C3 single dwellinghouse to a C4 small HMO does not require planning consent. |

Consultation responses

9. No consultations have been undertaken as part of this application.

Assessment of planning considerations

Relevant development plan policies

10. **Joint Core Strategy for Broadland, Norwich and South Norfolk adopted March 2011 amendments adopted Jan. 2014 (JCS)**
 - JCS2 Promoting good design
11. **Norwich Development Management Policies Local Plan adopted Dec. 2014 (DM Plan)**
 - DM1 Achieving and delivering sustainable development
 - DM2 Ensuring satisfactory living and working conditions
 - DM3 Delivering high quality design

Other material considerations

12. **Relevant sections of the National Planning Policy Framework July 2021 (NPPF):**
 - NPPF12 Achieving well-designed places
13. **Advice Notes and Guidance**
 - Extensions to houses advice note September 2012

Case Assessment

14. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Relevant development plan policies are detailed above. Material considerations include policies in the National Planning Policy Framework (NPPF), the Council's standing duties, other policy documents and guidance detailed above and any other matters referred to specifically in the assessment below. The following paragraphs provide an assessment of the main planning issues in this case against relevant policies and material considerations.

Main issue 1: Design

15. Key policies and NPPF paragraphs – JCS2, DM3, NPPF paragraphs 126-136.
16. The extension is adjoined to the existing dwelling and has been built in place of the existing outbuildings. The development will create an 'L' shape at the rear and will take up a small portion of the garden.
17. The development will use materials that are not a direct match to the materials on the main dwelling. However, the proposed off white rendering finish will complement the red facing brick on the main dwelling. Although this material is not a direct match and is not a prevailing material in the area it does not disrupt the character of the area, especially given its location at the rear of the site. At the rear properties on the road have used varied materials for the extensions and the proposed off-white rendering is consistent with the materials used within other rear extensions within the area. The proposed felt flat roof is in keeping with the roof style at the rear of properties within the area. The proposed roof is appropriate for a rear extension of this scale, and it is sympathetic to the prevailing character of the area. The rear extension will not be visible from the front of the property therefore the materials will not impact the visual character of the surrounding area.
18. The proposed single storey extension will measure the following: Height = 2.6m, Width = 5.2m, Depth = 6.1m. The extension is positioned at the boundary with number 29 and the roof adjoins the neighbouring extension. The extension is a similar scale to the extension at the neighbouring property as they both extend the same distance into the garden and are of a very similar height with a few centimetre differences between the roof heights. The scale of the extension allows it to sit in well in relation to its surrounding and not be dominant or intrusive on the host property or the neighbouring properties.

Main issue 2: Amenity

19. Key policies and NPPF paragraphs – DM2, DM11, NPPF paragraphs 8 and 129.
20. The proposal does not result in amenity issues for the occupiers of neighbouring properties. The extension is single storey with a window on the rear southeast elevation. The window overlooks the garden of the subject property therefore does not result in overlooking neighbouring properties. The extension is positioned along the northwest boundary and is aligned with the extension of the neighbouring property at number 29. There are no neighbouring properties affected by overshadowing as a result of the extension.
21. The extension leaves sufficient outdoor amenity space for the subject property.

22. Overall, the proposal is acceptable in terms of impact upon the amenity of neighbouring and future occupiers.

Other matters

23. The proposal is for a single storey rear extension only. The comments raised a number of other matters including noise, parking and anti-social behaviour, these are not relevant to the assessment of the case. Car parking concerns have not been considered as the application is for the extension only. Any historic or future change of use from C3 single dwellinghouse to C4 small HMO does not require consent.

24. **Assessment of Impacts under the Conservation of Habitats & Species Regulations 2017 (as amended)**

Site Affected: (a) Broads SAC/Broadland Ramsar

Potential effect: (a) Increased nitrogen and phosphorus loading

(b) Increased phosphorous loading

The application represents a 'proposal or project' under the above regulations. Before deciding whether approval can be granted, the Council as a competent authority must undertake an appropriate assessment to determine whether or not the proposal is likely, either on its own or in combination with other projects, to have any likely significant effects upon the Broads SAC, and if so, whether or not those effects can be mitigated against.

The Council's assessment is set out below and is based on advice contained in the letter from Natural England to LPA Chief Executives and Heads of Planning dated 16th March 2022.

(a) Broads SAC/Broadland Ramsar

Does the plan or project create a source of water pollution or have an impact on water quality (e.g. alters dilution)? AND

Is the plan or project within the hydrological catchment of a habitats site which includes interest features that are sensitive to the water quality impacts from the plan or project?

Answer:NO

The proposal is for works to an existing dwelling and will not impact upon the average occupancy figures for dwellings across the catchment and will therefore not impact upon water quality in the SAC.

Conclusion: It is not necessary to carry out an assessment under the Habitats regs.

Equalities and diversity issues

25. There are no equality or diversity issues.

Local finance considerations

26. Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are defined as a government grant or the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular decision will depend on whether it could help to make the development acceptable in planning terms. It would not be appropriate to make a decision on the potential for the development to raise money for a local authority. In this case local finance considerations are not considered to be material to the case.

Conclusion

27. The proposal does not cause a negative impact on the character of the surrounding area and the design does not harm the character of the property, additionally the proposal will not cause an impact on amenity. The development is in accordance with the requirements of the National Planning Policy Framework and the Development Plan, and it has been concluded that there are no material considerations that indicate it should be determined otherwise.

Recommendation

To approve application 22/00563/F 31 Rockingham Road, Norwich, NR5 8HZ and grant planning permission subject to the following condition:

1. In accordance with plans.



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Scale 1:1250 0 10 20 50

client:

BMA Specialist Coatings Ltd

location:

**31 Rockingham Road,
Norwich, Norfolk, NR5 8HZ**

title:

Site Location Plan

scale @ A4:

1:1250

date:

April 2022

project no:

8430

drawn by:

approved:

dwg no:

P.01

revision:

#

| rev: | date: | description: | by: |
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| | | | |



Existing Site Block Plan
Scale 1:500



Proposed Site Block Plan
Scale 1:500

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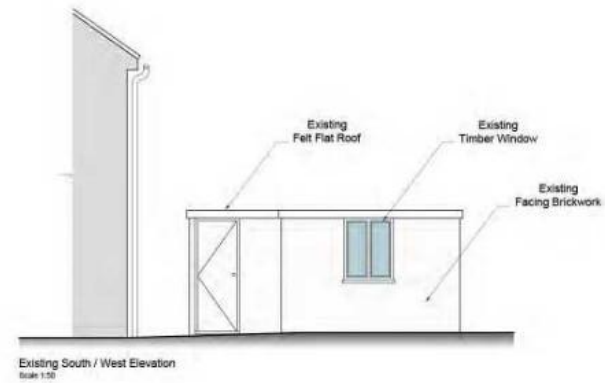
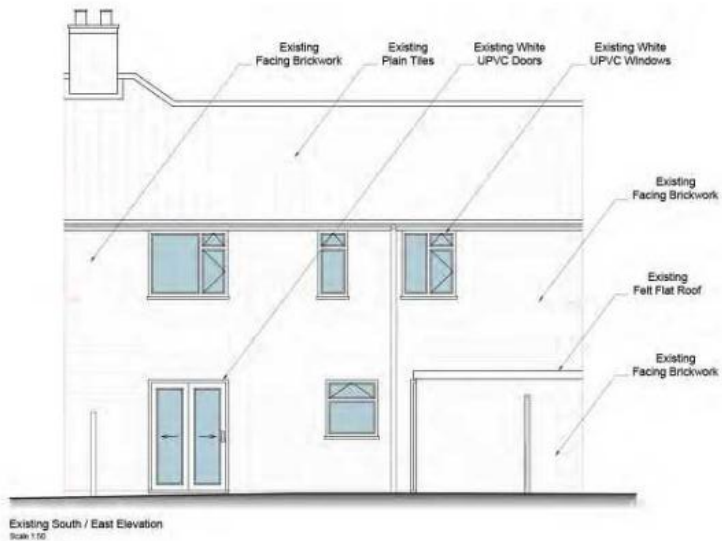
client:
BMA Specialist Coatings Ltd

location:
**31 Rockingham Road,
Norwich, Norfolk, NR5 8HZ**

title:
**Existing & Proposed
Site Block Plans**

| | | |
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| scale @ A3: 1:500 | drawn by: MA | |
| date: April 2022 | approved: CL | |
| project no: 8430 | dwg no: P.02 | revision: # |

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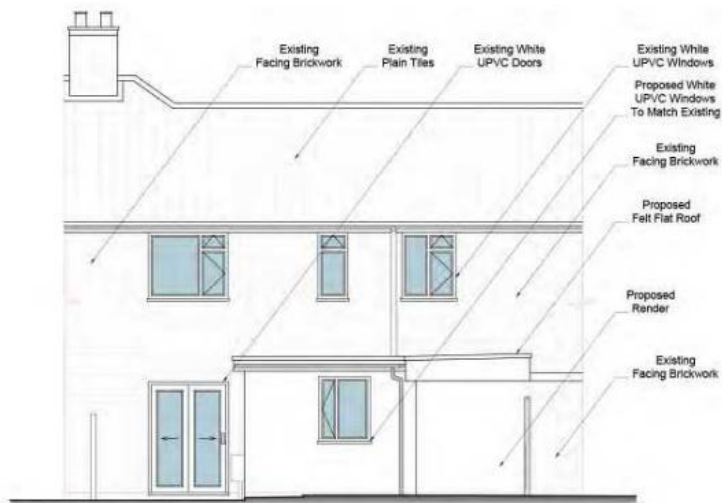
Client:
BMA Specialist Coatings Ltd

Location:
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Norwich, Norfolk, NR5 8HZ**

Site:
**Existing
Plans & Elevations**

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| Date: April 2022 | Approved: CL |
| Project no: 8430 | Sheet no: P.03 |
| | Revision: # |

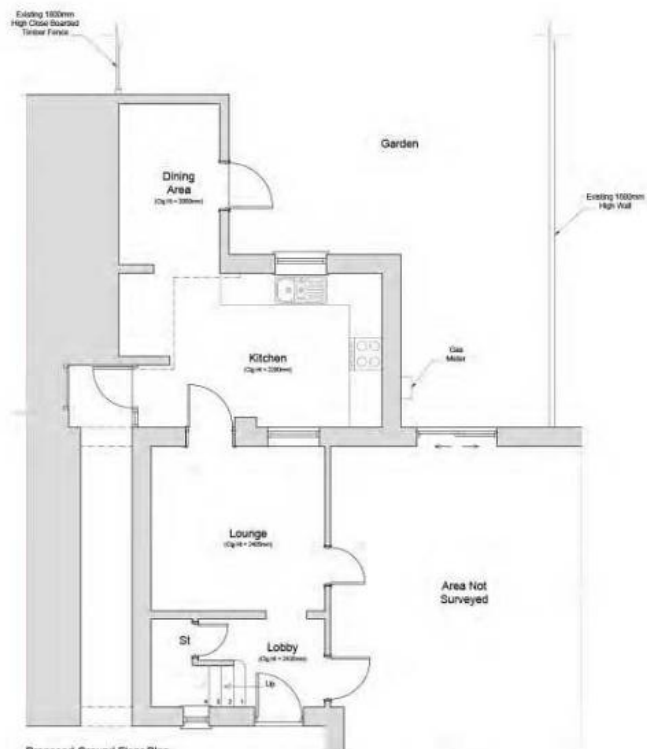
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Proposed South / East Elevation
Scale 1:50



Proposed South / West Elevation
Scale 1:50



Proposed Ground Floor Plan
Scale 1:50

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Client:
BMA Specialist Coatings Ltd

Location:
**31 Rockingham Road,
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Use:
**Proposed
Plans & Elevations**

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| April 2022 | 8430 | P.04 | |

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