



**Planning applications committee**

**10:00 to 12:25**

**8 July 2021**

Present: Councillors Driver (chair), Button (vice chair), Bogelein, Champion, Everett, Giles, Grahame, Lubbock, Maxwell, Peek, Stutely and Thomas (Va)

Apologies: Councillor Sands (M)

**1. Declarations of interests**

There were no declarations of interest.

**2. Minutes**

**RESOLVED** to approve the accuracy of the minutes of the meeting held on 10 June 2021.

**3. Application no 21/00561/F – 90-92 Colman Road, Norwich**

The planning team leader (case officer) presented the report with plans and slides. She referred to the supplementary report of updates to reports (which was circulated at the meeting and available on the council's website with the documents for this meeting) advising members of a late letter of representation and a correction or addition to the table set out in paragraph 13, to add that a comment had been received that two small rooms on the plans had been marked as "masjids" (prayer rooms) but that this did not suggest that the application was for anything other than a restaurant.

During discussion, the planning team leader referred to the report and answered members' questions. Members expressed frustration that local planning authorities could not control the change of use within Class E from retail to restaurant with ancillary takeaway which did not require consent. The only influence the committee had was over the shop front and extraction flue. It was noted that there was more than one bungalow in the vicinity and that these residents could also be affected by noise of people visiting, pressure on carparking and litter from the takeaway. Members were advised that the shop front's single glazing was the applicant's choice but was not something that the council could control. The committee was

also assured that the installation of the extraction flue would be subject to building regulations.

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

Councillor Lubbock, Eaton Ward councillor, said that she could not vote for this application and commented that the change of use did not require consent. Residents had considered it pointless to comment because their objections could not be considered. It would be the sixth takeaway outlet in a parade of 10 shops. There was already a litter problem. The two bins were always overflowing with rubbish. The restaurant had 80 seats but there was no assessment of parking provision which would affect local residents.

The area development manager said that whilst a litter bin could not be conditioned the applicant was present and had heard the comments and proposed that an informative could be added.

Councillor Stutely, chair of licensing committee, assured the members concerned of that the restaurant would be open 24/7, that all premises serving food after 23:00 hours required a late-night refreshments licence.

**RESOLVED** with 11 members voting in favour (Councillors Driver, Button, Stutely, Thomas, Champion, Grahame, Giles, Bogelein, Everett, Peek and Maxwell), 0 members voting against, and 1 member abstaining (Councillor Lubbock) to approve application no 21/00561/F for 90-92 Colman Road and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Extraction equipment to be installed in accordance with submitted details and fixed using anti-vibration mountings.

Informatives:

- Asbestos;
- Adverts may require consent.
- Provide and empty a litter bin outside the premises.

**4. Application nos 21/00355/PDD and 21/00428/F - 1 Ferry Road, Norwich, NR1 1SU**

The planner (case officer) presented the report with the aid of plans and slides, during which she explained that there were two applications, one for prior approval and the other for a full planning application, which were interdependent and required for a comprehensive development. Members were also asked to note that the additional storey was only 2.6 metres and not the full height of a standard storey.

A resident addressed the committee on behalf of residents living in Bertram Way and Rosary Road and said that whilst there were no substantial objections to the development but that residents were concerned about the height of the extra storey

which they considered conflicted with the principle of a stepped back skyline and concerned that a green used for recreation would be overshadowed. Residents were also concerned that there was no affordable housing and that the statue to commemorate the former Nest would be obscured. A resident from Lollards Road addressed the committee with her concerns relating to the impact of the development on surrounding terraces in relation to overshadowing and overlooking, suggesting that windows on the north side were reduced in size, and concerns about external lighting on bats. She also suggested that the applicant should consider a green roof to mitigate against surface flooding.

The applicant addressed the committee in support of the application. The development had been commissioned because the building was in need of substantial investment to maintain it and the developer has proven experience in office conversions to residential use. The change of use would make the building viable and improve its appearance. The additional activity would deter anti-social behaviour in the area.

The planner, together with the area development manager, referred to the report and commented on issues raised by the speakers and answered members' questions. In accordance with the National Planning Policy Framework (NPPF) and because eight of the dwellings could be provided under prior approval and were therefore discounted, this development did not provide more than 10 dwellings and therefore did not meet the criteria to require the developer to provide affordable housing either on-site or by a contribution for off-site provision.

Members were advised that the considerations for prior approval applications were much narrower than considerations for a full planning application. Members were advised that the windows to the new dwellings would provide adequate light and that the impact to existing dwellings was not considered unacceptable. Some of the windows to utility rooms had been reduced or high level windows had been incorporated into the revised plans. The use of cladding replicated the banding in the brickwork which was a feature of the building. It was noted that the appearance of the building would change significantly through high quality design to bring it from a sixties' design into a more contemporary design for the 21<sup>st</sup> century. Agreement of materials would be a condition of planning permission to ensure that materials were appropriate to the locally listed building and conservation area. Members were also advised that the applicant had not proposed a green roof or use of solar panels and that the committee needed to consider the application that was before them. A member suggested the use of bird boxes specifically for swifts. The planner confirmed that a green roof had been discussed with the applicant but measures to address surface water were not a requirement of this application. The development would improve the thermal efficiency of the fabric of the building. Members were referred to the proposed conditions 7 and 8 which would address the recommendations made in the ecology survey and in mitigation of the development on the bat habitat. Biodiversity measures would be part of the development.

Discussion ensued in which members expressed disappointment that the applicants were not incorporating measures such as solar panels, recycling of grey water or a green roof. The area development manager said that the issue of surface water drainage was an existing problem and that conditions could only be imposed if the development made the situation worse. The planner said that there was very limited

space for landscaping on the site but that the steep bank would be landscaped to increase biodiversity and absorb surface water drainage.

In reply to a member, the planner confirmed that the top storey would be set back and retained the character of the building, breaking up the overall mass of the building and reducing the impact on neighbourhood amenity.

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

Discussion ensued in which members reiterated their disappointment in the lost opportunity to retrofit this building to the highest energy efficiency available and hoped that the applicants would incorporate solar panels and green roofs at some stage in the future.

Councillor Grahame, Thorpe Hamlet ward councillor, said that she could not support this application given the concerns raised by the residents that could not be addressed through the prior approval application. She also expressed a desire for the applicants to increase the energy efficiency of this building to a higher standard.

Councillor Lubbock, who had expressed disappointment at the lack of opportunity to upgrade the energy efficiency of the building, also said that she could not support the application.

**RESOLVED** with 10 members voting in favour (Councillors Driver, Button, Stutely, Thomas, Champion, Bogelein, Giles, Everett, Peek and Maxwell) and 2 members abstaining from voting (Councillors Grahame and Lubbock) to approve:

- (1) application no. 21/00355/PDD - 1 Ferry Road Norwich NR1 1SU and grant prior approval subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. No occupation of the approved development prior to completion of all works approved in application 21/00428/F

#### **Informative notes**

- Risk of asbestos
- Trees within and adjacent to site protected by Conservation Area designation and tree preservation order

And,

- (2) application no. 21/00428/F - 1 Ferry Road Norwich NR1 1SU and grant planning permission subject to the following conditions:
  1. Standard time limit;
  2. In accordance with plans;
  3. Materials to be agreed;

4. Bin and cycle store and cycle channel designs to be agreed and provided prior to first occupation;
5. Parking to be laid out as agreed prior to occupation;
6. Construction method statement to be agreed;
7. Landscape scheme to incorporate new soft landscaping, bat sensitive external lighting and removal/management of invasive species to be agreed;
8. Work to be undertaken in accordance with ecology survey mitigation recommendations, enhancements to be agreed;
9. Timing of vegetation removal to protect nesting birds;
10. No works affecting the external walls of the building shall be carried out other than in strict accordance with the provisions of Bat Surveys Report;
11. Bathroom windows to be obscure glazed;
12. Water efficiency.

### **Informative notes**

- Risk of asbestos
- Trees within and adjacent to site protected by Conservation Area designation and Tree preservation order

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

### **5. Application no 21/00665/F - Land and Garages Rear of 2 to 20 Hanover Road, Norwich**

The planner presented the report with plans and slides. She referred to the supplementary report of updates to reports, which was circulated at the meeting, and two additional plans showing an amended redline for the application site, summarising a letter of objection sent to all members of the committee and clarifying that there were 9 parking spaces at Beaumont Place for zone S parking permit holders, and the officer response to the letter of objection. The applicant had provided full details of the materials and construction method which subject to planning permission being granted, this would enable work to commence immediately.

Councillor Oliver, Town Close ward councillor, addressed the committee and proposed that this development should be a car free development. It was accessible by bus routes and occupants could use the car club. The provision of one car park space to each dwelling appeared to be a disparity as existing residents were losing car parking spaces for the development. The space could be used for wildflower gardens and promote community cohesion or increase the floorspace of the dwellings rather than meet the minimum space standard.

The applicant said that this development was the last in a series of small sites being developed into affordable housing and was the same application as the previous one. Further car parking provision had been identified in Beaumont Place. He explained the delay in progressing this development due to Covid and a delay in

completing the land deal. Funding was in place. Subject to planning permission being granted a contractor could start on site next month.

During discussion, the planner and the area development manager referred to the report and answered members' questions. Members were advised that the layout of the development maintained pedestrian access through the site and to residents' rear gardens. Members were advised that damage to party walls was a civil matter that was subject to further discussion. The development would be subject to a construction method statement and considerate construction scheme (as set out in the proposed conditions nos 2 and 3. Members were advised that this site complied policy DM 32 and was well located to be a car free development. However, the applicant had requested that the site would be developed with one space for each dwelling. Members also asked whether there had been any further surveys of the car parking and noted that 12 garages and 29 surface car parking spaces would be lost and as mitigation replaced by only 9 spaces reserved for zone S permit holders at Beaumont Place.

Councillor Stutely, Town Close ward councillor, said that whilst the assessment of parking provision must be assumed to be correct at the time, he considered that the situation of the closure of the car park was intolerable for car users and that usage had increased to heavy use. He had worked with officers to provide an additional 9 spaces at Beaumont Place but pressure on parking was a material concern. The proposal for this site to be car free and provide an additional 4 car parking spaces for permit holders would help alleviate residents' concerns. He had worked with officers to identify the 9 spaces at Beaumont Place and pointed out that on safety grounds there needed to be better parking enforcement in the area. The planner pointed out that it was not possible to condition that the development was car free as the applicant would need to amend the proposed application accordingly.

Members were also advised that the case history of the site, ie, that a similar planning application had been approved, was a material planning consideration.

The chair moved and the vice chair seconded that the application should be approved as set out in the report.

Councillor Stutely said that there was no material reason to vote against this development of affordable housing, but that he would be abstaining from voting because the applicant should consider making this a car free development out of good neighbourliness to existing residents. This was an opportunity to take vehicles out of the city road network.

Discussion ensued in which members noted that the occupants of the new dwellings would not be eligible to apply for parking permits in accordance with the agreed policy. A member pointed out that the occupants of this ground floor affordable housing might specifically require access to a car, for instance wheelchair users. Members noted that there were no material changes to the application and welcomed the scheme to provide much needed affordable housing and expressed a desire for its construction to be as soon as possible.

**RESOLVED**, with 11 members voting in favour (Councillors Driver, Button, Thomas, Lubbock, Champion, Grahame, Bogelein, Giles, Everett, Maxwell and Peek) and 1 member abstaining from voting (Councillor Stutely) to approve application no

21/00665/F - Land and Garages Rear of 2 to 20 Hanover Road Norwich and grant planning permission subject to the following conditions:

1. Standard time limit;
2. In accordance with plans (including material details, landscape scheme, ecology report and construction method statement);
3. All construction traffic to use approved route;
4. Contamination investigation;
5. Hard landscape scheme (including car and cycle parking and bat and bird boxes) to be implemented prior to first occupation;
6. Landscape maintenance;
7. Previously unidentified contamination;
8. Imported topsoil;
9. Water efficiency.

**Informative note:**

- The new dwellings will not be entitled to parking permits (the Hanover Road housing permits, or for the adjacent controlled parking zone on-street permits).
- Asbestos advice

**6. Application no 21/00494/F – Chamberlain House, 5 Guildhall Hill, Norwich**

The planning team leader (case officer) presented the report with the aid of plans and slides.

During discussion the planning team leader referred to the report and answered members' questions. Members were advised that the proposal was that the applicant paid the ongoing maintenance of the silver maple tree for 20 years and it was confirmed that the tree was the subject of a tree preservation order. Tree works would be in accordance with an arboricultural method statement to protect the tree roots during construction. The proposal for a car free hotel had taken into consideration the future road network changes for Exchange Street and the Norwich Lanes. A member noted that architectural gems might be uncovered during the refurbishment of the building, but members were advised that control of this could not be controlled through this planning permission. Members were advised that the applicant's ecology survey had not identified any bat roosts and that bird boxes for three species of bird would be required to provide ecological enhancement.

Members also expressed concern that the development might impact on the temporary pavement licences for premises in the vicinity and were advised that the legitimate use of the highway took precedence over these temporary licences to provide additional seating during the pandemic. However, it was pointed out that many premises would be seeking to make these licences permanent. Members were also advised of the energy efficiency of the building with the use of air source heat pumps.

The chair moved and the vice chair seconded that the application be approved as set out in the report.

During discussion a member commented that the hotel could increase the footfall in the Norwich Lanes and provide a steady stream of new customers to businesses, benefiting the city centre. Other members said that this was a good scheme for the city would bring users into the pubs, restaurants and shops in the city centre and was accessible by sustainable public transport or taxis. Visitors to the hotel would contribute to the vitality of the city.

**RESOLVED** unanimously to approve application no 21/00494/F and grant planning permission, subject to the satisfactory completion of a legal agreement, and, subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Materials to be agreed, including detailing of windows, doors and junctions between the existing building and the extension;
4. Landscaping scheme to be agreed;
5. Artwork to be agreed;
6. Construction management plan to be agreed;
7. Archaeological investigations to be agreed;
8. Surface water drainage scheme to be agreed;
9. Travel information plan to be agreed;
10. Delivery and servicing plan to be agreed;
11. Blue plaque – location to be agreed;
12. Schedule of works relating to protection of adjacent listed buildings;
13. Cycle storage product specification to be agreed;
14. Bird boxes to be agreed;
15. No site clearance during bird nesting season without consent;
16. Plant and machinery and extract ventilation to be agreed;
17. Arboricultural supervision for work involving the planter;
18. Arboricultural works to be carried out by a qualified arborist;
19. Works in accordance with submitted tree documents;
20. Unknown contamination – halt work and report;
21. Air source heat pumps and water efficient components to be installed in accordance with energy & sustainability statement.

**Informatives:**

- Separate advertisement consent may be required;
- Listed building consent may be required;
- Highway works require consent;
- Asbestos disposal;
- Anglian Water have assets on or near to the site.

CHAIR