



Planning applications committee

09:40 to 12:40

14 February 2019

Present: Councillors Driver (chair), Maxwell (vice chair), Ackroyd (substitute for Councillor Wright), Bradford, Button, Peek, Raby, Ryan, Sands (M), Stutely and Trevor

Apologies: Councillors Henderson and Wright

1. Declarations of Interest

Councillor Stutely declared an other interest in item 6, because a family member had previously owned the property and did not have a predetermined view.

2. Minutes

RESOLVED to approve the accuracy of the minutes of the meetings held on 14 February 2019.

3. Application nos 18/01286/F & 18/01287/L - Barrack Street Development Site, Barrack Street, Norwich

The senior planner presented the report with the aid of plans and slides. She also referred to the supplementary report of updates to reports which was circulated at the meeting and contained two further comments relating to the John Jarrold Print Museum which did not raise any new issues that had not been responded to in the officer report. In addition the senior planner, recommended that condition 24, relating to the bird nesting season was removed and to include this as an informative as it was covered by other legislation, and, an informative to put on any future consent setting out condition 31, relating to the riverside walk, that it did not create a public right of way.

The chair, National Printing Heritage committee of the PHS, attended the meeting and addressed the committee about his objections to the development in relation to the proposals for the John Jarrold Print Museum. (The issues raised are set out in the main report under paragraph, 22, Representations.)

A resident addressed the committee said that the 10 per cent affordable housing to be provided on this site was a disgrace and asked members to take into consideration that 50 council dwellings had been demolished to make way for development.

A representative for the developers said that this was a joint application with Jarrolds, the owners of the site, and would provide much needed housing on the site. The print museum would be open Monday to Friday and would improve the visitor

experience. The rationalisation of the collection would be in line with the Museums Association's code of practice. He then referred to the enhancement of the heritage assets, improvements to the public realm and access to the City Walls and the river, the conversion of the listed cottages back to residential use, and a design that retained the character of the conservation area. The applicants had discussed the affordable housing contribution with the district valuer and planning officers. This was a high quality redevelopment of a brownfield site.

The area development manager (inner) commented on the issues raised by the speakers. He said that the comparison of the John Jarrold Print Museum with the National Science Museum was inaccurate. The print museum was a private museum owned by the Jarrolds who had made it clear that in its present form the museum would not be sustainable because of the aging profile of the volunteers who ran the working museum and that the museum would change over time. The council as the local planning authority had very little control over the future of the museum. The policy CC17B required provision for a space for the museum. He also clarified the position that there was outline planning permission for the adjacent site, where the 50 council dwellings had been, which was fully compliant with the policy requirement for affordable housing.

The chair moved and the vice chair seconded the recommendations in the report as amended in the supplementary report of updates to reports.

The area development manager (inner) and the senior planner referred to the report and presentation and answered members' questions. This included questions about viability of the site and the compliance with JCS4 in relation to affordable housing. Members noted that the applicants would be required to pay £1,743,425 in community infrastructure levy (CIL) and that this was a tax on the development and not secured by condition. The demolition of the 50 council dwellings was outside the line of the application site and not material to this planning application. Members queried that the loss of income from the surface car park was considered as part of the viability assessment and advised that the assessment was in accordance with National Planning Policy Framework practice. Members were also advised that CIL was pooled with Broadland District Council and South Norfolk Council and used for infrastructure such as schools and roads as agreed by the Greater Norwich Growth Board.

During discussion on the print museum, members were advised that if a larger space was provided for the museum it would affect the viability of the site and reduced the amount of affordable housing that could be provided. The café would mean that the museum would be open for longer and accessible, but would not be a working museum for all of this time. Members also noted that the operation of the museum would not be dependent on the operation of the café which, it was assumed, would operate on a commercial basis. It was suggested that the Norwich University of the Arts could take on some of the equipment. The applicant had provided a set of criteria for the disposal of objects from the museum. Members said that they would like the owners of the museum to consult the volunteers about the retention and disposal of objects. The area development manager (inner) said that a letter could be written to the owners to that effect and this could include a formal request that the owners liaised with the Norfolk Museums Service and the National Science Museum service regarding the rationalisation of the collection. Members were advised that the council could not control the future operation of the museum. It was a private

museum that the owners considered that the function of the museum would need to change. Refusal of the application would not guarantee the future of the museum. Consideration of an alternative location for the print museum outside the application site was not part of this planning application.

Members also sought clarification on the maintenance of the roads on the application site which would not be adopted and were advised that the site owners would retain the freehold of the site and maintain the roads. Provision for maintenance of the city walls was included in the landscaping condition and would be maintained by the owners of the site. Car parking spaces would be allocated to purchasers of the flats and dwelling houses and was down to the choice of the purchaser. Members were advised that there was a condition relating to the details of parking and parking provision which would include the allocation of parking spaces. Members also viewed the slide showing the proximity of the Hornbeam trees to existing buildings and noted that removal was required otherwise the trees would be detrimental to the amenity of future residents. Members also sought clarification about where cladding would be used on the development and that the applicants would need to agree the colour of the cladding with the council when discharging the conditions.

The area development manager (inner) explained the issues the Norwich Historic Churches Trust had raised in relation to the Norwich Puppet Theatre and said that the construction method statement would include details to safeguard it from vibrations and that environmental health raised no concerns about noise from the puppet theatre impacting on the future residents on this site.

In reply to a question from a member, the area development manager (inner) said that the application was policy compliant with JCS3.

Discussion ensued in which members commented on the applications.

During discussion on the future of the print museum members noted its importance and significance to the city's culture and vibrancy. One member said that the proposal did not future proof the print museum which would cease to be a hands-on museum in a "sterile dead space". There were opportunities to work with the Norwich University of the Arts and new volunteers could be recruited. Other members welcomed that the museum would be open for longer and more accessible to people, including children. A member suggested that the owners took note that the print museum was unique and important to the city, and that the element of interaction by working the printing presses should be retained.

Members in favour of the application took into account that the proposal would enhance the heritage assets (the city walls and the listed cottages), open up access to the site and provide a site for the print museum. A member speaking for the application said that this was an important redevelopment of a vacant, brownfield site.

Other members said that they could not vote in favour of the application because of the proposals for the print museum and that they did not agree with the viability assessment and the provision of only 10 per cent affordable housing. A member suggested that the applicants could bring a better scheme forward to develop this site which would provide more affordable housing. A member also said that the concerns raised by English Heritage had not been adequately addressed.

RESOLVED:

(1) with 7 members voting in favour (Councillors Driver, Maxwell, Button, Sands, Ryan, Peek and Bradford) and 5 members voting against (Councillors Ackroyd, Raby, Trevor, Malik and Stutely) to approve application no. 18/01286/F - Barrack Street Development Site, Barrack Street, Norwich, and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit.
2. Compliance with approved plans.
3. Details of external materials.
4. Details of glazing and ventilation system for noise attenuation purposes.
5. Details of other plant and machinery.
6. Remediation of contamination.
7. Unexpected contamination.
8. No surface drainage by percolation without prior approval.
9. Details of piling and foundation design.
10. Clean imported topsoil and subsoil.
11. Archaeological written scheme of investigation.
12. Stop work if unidentified archaeological details found.
13. Standards for water efficiency (residential).
14. Standards for water efficiency (commercial).
15. Sustainable urban drainage systems – submission and implementation.
16. Details of finished floor levels.
17. Details of flood proofing measures.
18. Flood warning and evacuation plan.
19. Details of external lighting.
20. Fire hydrants.
21. Provision of 10% lifetimes homes/accessible, adaptable dwellings.
22. Phasing details.
23. Submission and implementation of ecological mitigation work in accordance with submitted surveys.
24. Provision of small mammal access in boundary treatments.
25. No works from November to February in areas where surveys have identified presence of roosting bats.
26. Details of slab levels.
27. Details of heritage interpretation measures.
28. Renewable energy details.
29. Landscaping details including maintenance generally and specifically of city walls.
30. Details and implementation of riverside walk plus access and maintenance arrangements.
31. Provision of cycle parking and bin storage.
32. Details of access and parking and provision thereof (including allocation of parking spaces).
33. Arrangements for maintenance of new roads.
34. Removal of permitted development rights for residential extensions, curtilage buildings and boundary treatments.
35. Use of museum unit as a museum only and for no other purpose within Class D1.

36. Restricted delivery hours to commercial units in block E2/E3 (not before 0700 or after 1900 Mon-Sat and not at all on Sun and Bank Holidays).
37. Restricted opening hours on commercial units in block E2/E3 (not between 2359 and 0600 on any day).
38. Provision and maintenance of play area.
39. Details of demolition and construction method statement.
40. Submission of full travel plan.
41. Works to be carried out in accordance with arboricultural implications assessment, method statement and tree protection plan.
42. Supplementary arboricultural method statement submitted before demolition works.
43. Programme for recording prior to demolition of St James' Mill Annex and 67-69 Barrack Street.
44. Methodology for protection of city walls during demolition and construction.
45. Structural engineers report prior to demolition of St James' Mill Annex.
46. No demolition of St James' Mill Annex or 67-75 Barrack Street prior to signing contract for redevelopment of whole site.
47. Securing provision of replacement print museum.
48. Securing works to 77-79 Barrack Street.

Informatives:

1. Car free housing.
 2. Landscape management plan.
 3. Landscape schedule of maintenance operations.
 4. Construction working hours.
 5. Site clearance and wildlife.
 6. Tree protection barriers.
 7. Planning obligation.
 8. Travel plan.
 9. Street naming and numbering.
 10. Bins.
 11. Scheduled Monument consent will be necessary for demolition of the modern building attached to the city wall and for any works to it.
 12. No works during bird nesting season.
 13. Condition 31 (to be renumbered as 30) does not create a public right of way.
 14. Condition 34 (to be renumbered as 33) does not require the adoption of the proposed streets.
- (2) with 8 members voting in favour (Councillors Driver, Maxwell, Ackroyd, Button, Sands, Ryan, Peek and Bradford) and 4 members abstaining from voting (Councillors Raby, Trevor, Malik and Stutely) to approve application no. 18/01287/L - Barrack Street Development Site Barrack Street Norwich and listed building consent subject to the following conditions:
1. Standard time limit.
 2. In accordance with approved plans.
 3. Access for recording at 77-79 Barrack Street.
 4. Requirements for schedule and specification of repairs to 77-79 Barrack Street.
 5. Details of joinery, flues etc.

6. Making good any damage caused.
7. Submission of structural engineers report prior to demolition of 67-75 Barrack Street to show how 77-79 Barrack Street will be protected during demolition.
8. Submission of structural engineers report prior to demolition/alteration of walls facing St James Church.
9. No scaffold to be affixed to either 77-79 Barrack Street or the wall facing St James Church without prior approval.

Informative notes:

1. Requirement to comply with conditions etc
2. Retention of historic fabric

Reason for approval:

The principle of bringing back into use two listed cottages which are currently on the Building at Risk Register is supported and the proposed residential use is considered to be the optimum viable use for the buildings. The proposed restoration will result in some harm to the listed cottages due to the proposed extension of the cottages and the provision of external insulation and render to the side and rear elevation. This will obscure the historic brick work and patina of age and will blur the lines between the original modest form of the building and the extensions to the rear. The level of harm is considered to be less than substantial and in accordance with paragraph 196 of the National Planning Policy Framework should be weighed up against the benefits of bringing the units back into use and the wider benefits of redeveloping the site. In this instance it is considered that the wider development provides significant public benefits as it will provide 220 homes on a derelict brownfield site within the city centre and will also bring the cottages back into their optimum viable use. Furthermore the alterations to the flint-panelled wall which faces the former churchyard to the rear of St James Church will not result in harm to its setting subject to conditions requiring full details of the works. It is considered therefore that the benefits outweigh the less than substantial harm and therefore the development accords with policy DM9 of the Development Management Policies Plan (2014) and paragraph 196 of the National Planning Policy Framework.

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

4. Application no 18/00962/F - St Peters Methodist Church Park Lane, Norwich, NR2 3EQ

(The planning inspector's support had been circulated to members before the meeting and was available on the council's website with the papers for this meeting.)

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, comprising two further representations objecting to the proposal. The issues raised in these representations had been addressed in the main report. The planner explained that the recommendation was in two parts. The applicants would sign the S106 agreement on completion of the sale of the site which they did not currently own.

Councillor Carlo, Nelson ward councillor, spoke on behalf of residents who were opposed to the application on the grounds of the percentage of affordable housing, concerns about surface water flooding and that future occupants were at risk of flooding, daylight and overshadowing of residents adjacent to the site.

The applicant addressed the committee and spoke in favour of the application and referred to the outcome of the appeal. The planning inspector had found the application to be sound other than the securing of the legal agreement for affordable housing.

During discussion the planner and the area development manager (outer) referred to the report and answered members' question. Members were advised that fire escapes were subject to building regulations. The proposal to convert the church would open up the building and provide more access points. The area development manager (outer) referred to the report and explained the outcome of the planning inspector's appeal in relation to the provision of affordable housing. The council had sought advice from an independent quantity surveyor at the appeal and had challenged the assessment of land values. The sum of £167,172 was considered acceptable. The appeal had failed because of the absence of an appropriate mechanism to pay this sum. In reply to a member's question, the area development manager (outer) said that if members were minded to refuse the application the applicant could appeal. He also cautioned that should the application be refused members should be aware that with rising construction costs could result in a reduction in the developers' contributions. The applicant could also be awarded costs. The planner then answered questions that this development would provide 8.9 per cent affordable housing. No registered social landlords had been willing to take on affordable housing units on the site and it would therefore be provided off site. A member suggested that a site visit would be useful but did not receive support from other members.

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

During discussion a member said that nowhere else in the city would 8.9 per cent affordable housing be considered acceptable. Members noted that the site was located in the most desirable part of the city, the Golden Triangle and flats would be sold at a premium. Another member said that if the planning application was refused there was a good chance that an appeal would be upheld. The planning inspector had dismissed concerns about all other issues. Some members, who were minded to refuse the application, considered that the risk of flooding would increase with climate change and become more serious. One member expressed concern that there was a flat that did not conform with the space standard. One member referred to the use of the church and that it was regrettable that this community asset would be lost. A member suggested that he would support the application but it was a difficult decision as there were too many uncertainties even with planning approval. Another member said that in its current state the building looked like an eyesore and that at least the development would improve its appearance.

RESOLVED, with 6 members voting in favour (Councillors Driver, Maxwell, Sands, Ryan, Peek and Bradford), 4 members voting against (Councillors Ackroyd, Raby, Malik and Stutely) and 2 members abstaining (Councillors Button and Trevor) to:

(1) approve application no. 18/00962/F - St Peters Methodist Church Park Lane Norwich NR2 3EQ and grant planning permission subject to the completion of a satisfactory legal agreement to include provision of affordable housing and subject to the following conditions:

1. Standard time limit;
2. In accordance with plans;
3. Phasing condition;
4. Operations in accordance with bat mitigation measures and enhancements to be agreed
5. Construction method statement
6. Internal and external photographic record
7. Detailed surface water drainage scheme to be agreed
8. Method statement for demolition of structures attached to church hall and for repair and reinstatement of façade to be agreed
9. Structural survey of porch to church and method statement for restoration/rebuilding to be agreed
10. Materials and details of alterations and extensions to be agreed
11. Hard and soft landscaping scheme to be agreed
12. Scheme for 10% energy requirements from renewable or low carbon sources to be agreed
13. Heritage interpretation scheme to be agreed
14. Noise attenuation to units C2, C5, C7, C8, CH7 and CH8
15. Water efficiency
16. Refuse storage and collection to be managed as proposed in Design and Access Statement

(2) where a satisfactory legal agreement is not completed within six months of the date of this committee meeting (or such further period as may be agreed between the head of planning services, in consultation with the chair of the planning applications committee), to refuse application no. 18/00962/F - St Peters Methodist Church Park Lane Norwich NR2 3EQ for the following reason:

The proposal fails to secure provision of an appropriate off-site contribution to affordable housing. The proposal is therefore contrary to Policy 4 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011, amendments adopted 2014), Policy DM33 of the adopted Development Management Policies Local Plan (2014) and paragraph 63 of the National Planning Policy Framework (2019).

5. Application no 19/00046/F - 30 Irving Road, Norwich, NR4 6RA

(Councillor Stutely had declared an interest in this item.)

The planner explained that there was a discrepancy by 1 metre on the plans, on which the assessment of the application had been based. It was therefore necessary to withdraw the report from consideration at this meeting and defer it to the next meeting.

RESOLVED to defer consideration of planning application no 19/00046/F to the next meeting of the committee to revise the assessment of the application.

CHAIR