

**Planning (Regulatory) Committee
Minutes of the Meeting Held on Friday 24 September 2021
at 11am in the Council Chamber, County Hall**

Present:

Cllr Brian Long (Chair)
Cllr Eric Vardy (Vice-Chair)

Cllr Stephen Askew	Cllr Steve Riley
Cllr Christopher Dawson	Cllr Mike Sands
Cllr Barry Duffin	Cllr Tony White
Cllr William Richmond	

Substitute Members present:

Cllr David Bills for Cllr Martin Storey
Cllr Ben Price for Cllr Paul Neale

Also Present

Hollie Adams	Committee Officer
Ashley Best-White	Public Speaker
Neil Cooke	Public Speaker
Jodie Cunnington-Brock	Solicitor, nplaw
Nick Johnson	Head of Planning
Isabel Horner	Sufficiency Delivery Manager, Children's Services
Angelina Lambert	Principal Planner
Andy Scales	NPS Property Consultants
Michael Zieja	Planner (Apprenticeship)

1 Apologies and Substitutions

- 1.1 Apologies were received from Cllr Martin Storey (Cllr David Bills substituting), Cllr Paul Neale (Cllr Ben Price substituting), Cllr Graham Carpenter and Cllr Matt Reilly.

2 Minutes

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 30 July 2021 were agreed as an accurate record and signed by the Chair.

3 Declarations of Interest

- 3.1 No declarations of interest were made.

4 Urgent Business

There was no urgent business discussed.

Applications referred to the Committee for determination.

5. FUL/2021/0018 Old Catton C of E Junior School, Church Street, Old Catton, Norwich, Norfolk NR6 7DS

5.1 The Committee received the retrospective application for work completed on 22 February 2021 which related to the replacement of the original Victorian timber windows on the 1874 Victorian School Building with uPVC alternatives to all elevations. The application was being reported to the Planning (Regulatory) Committee in accordance with the Council's Constitution as it had passed the threshold of three objections to allow the decision to be made under delegated powers.

5.2.1 The Committee saw a presentation by the Planner (Apprenticeship):

- The school was located in the Old Catton conservation area on a road with 10 listed buildings.
- The new, uPVC windows were of the same colour as the previous wooden windows. No damage had been done to the school building during installation.
- Modern housing developments in the local area and a modern addition to the junior school also had uPVC or aluminium windows. Examples of buildings with uPVC windows in the area were shown in the presentation.

5.3 The Committee heard from registered speakers

5.3.1 Neil Cooke spoke in objection to the application

- Mr Cooke stated it was a criminal offence to encourage harm to a heritage asset; Old Catton Junior School was a 150-year-old building in the Old Catton conservation area. The Old Catton Conservation Area Statement set out a requirement to make "every effort to maintain its special character".
- Mr Cooke queried why the school had been allowed to follow different rules to other heritage assets in Church street, noting that owners of other heritage assets on this street had been advised not to replace timber windows with uPVC windows else enforcement action would be taken. Planning officers had advised the school that planning consent was not required to replace the wooden windows with uPVC windows.
- Planning officers were informed of the removal of the wooden windows in February 2021, and that they took no action at this point.
- Mr Cooke felt that new, wooden windows matching the original windows could have been installed which would have met the school's requirements and given adequate insulation.
- The original wooden windows were rotten and painted shut and were therefore poorly maintained by the Council. Mr Cooke discussed paragraph 196 of the

National Planning Policy Framework and noted that admission of neglect of the heritage asset could have impacted on the Committee's decision if it had been included in the report.

- Mr Cooke noted that paragraph 95a of the National Planning Policy Framework quoted in the officer's report, referring to great weight being given to educational development, related to new schools and extensions to existing schools.
- The officer's report did not refer to Historic England guidance stating that cost could not be a factor when considering the correct course of action for preserving a heritage asset. Mr Cooke noted that Historic England studies had shown that properly maintained wooden windows had a better long term economic value than uPVC windows, requiring replacing less often.

5.3.2 Isabel Horner, Sufficiency Delivery Manager, Children's Services, spoke on behalf of the applicant:

- The report covered the issues regarding the works carried out at the school. Efforts were made to discuss with the planning department at Broadland District Council and it was therefore unfortunate that the works were contrary to policy.
- The issue of ventilation in schools had become a high priority in the last few months to allow schools to remain open during the ongoing Covid-19 pandemic.
- Quotes for windows that would have been more in keeping with the original wooden windows were sought, but no responses were received from these contractors.
- Broadland District Council gave verbal information that uPVC windows were acceptable.
- Some classrooms had 28 children at full capacity, making good ventilation important.

5.3.3 Ashley Best-White, Head Teacher of Old Catton Junior School, spoke on behalf of the applicant:

- The Department for Education (DfE) guidance had been updated recently to state the importance of ventilation in all classrooms.
- The classrooms for the youngest children in the school held 26-28 children per classroom. The windows seen in the photos in the planning officer's presentation were the only windows for these classrooms, and therefore the only source of ventilation.
- It had not been possible for the school to open for all children to return until they were able to open the windows and provide ventilation, therefore this had become urgent for the school.
- DfE guidance stated that ventilation was the most crucial aspect for a safe return to education for staff and children.

5.3.4 Members of the Committee asked questions of Ashley Best-White:

- A Member of the Committee asked whether the school had investigated use of air purification in classrooms and whether remedial work to the existing windows to allow them to be opened again had been explored. Ashley Best-

White replied that before the pandemic, repairs to the windows had been on the school's action plan. The window frames were rotten and unable to be opened for some time. Preliminary quotes were taken, however when the Covid-19 pandemic hit there became an urgent need to provide ventilation; contractors who were asked to look at the existing windows did not provide quotations in time. Air purification had only recently been added into DfE guidance and Mrs Best-White had not been aware of the availability of this technology before this point.

5.3.5 Cllr Karen Vincent spoke as local Member for Old Catton:

- Cllr Vincent felt that despite the application being a retrospective application, it was important to focus on what was appropriate for this building in the conservation area and the fact that the original Victorian, wooden windows on the Victorian building had been replaced with uPVC windows.
- Cllr Vincent acknowledged that there were modern buildings with uPVC windows in the vicinity however these were not listed buildings, and this was therefore not comparable.
- The school was in one of the most historic streets in the conservation area and was listed in the Conservation Character Statement 2008. Works carried out were not in keeping with the Conservation Area Statement and it was disappointing that the school, despite endeavours to ask, were told planning permission was not needed.
- If the school had been properly advised about the need for planning permission, consultation could have been carried out ahead of the works with the community, parish council and planning departments.
- Cllr Vincent believed that replacement wooden windows matching those removed could have been provided which met the ventilation requirements and achieved the benefits set out in paragraphs 4.2-4.4 of the report.
- Cllr Vincent noted that reprocurring would result in loss of public money however felt that it was also important to consider what was right for the building.

5.4 Cllr Steve Riley arrived 11.29; as he had missed the officer presentation and beginning of proceedings, he would be unable to take part in the vote.

5.5 The Committee moved to debate on the application:

- Information was requested on the difference between locally listed and grade 2 listed buildings. Officers clarified that locally listed buildings were considered locally important, whereas grade 2 listed buildings were considered nationally important. Grade 2 buildings were designated under the Planning (Listed Building and Conservation Area) act and there were regulations stating what could and could not be done to a building of this status. Locally listed buildings were non-designated, and the local authority could set out by article 4 direction, changes that could be made to such buildings.
- It was noted that wooden windows could also provide good ventilation.
- The importance of reducing the impact on the environment was raised, and that removing the uPVC windows to replace them with wooden ones would result in waste of materials, impacting on climate change.
- A Committee Member was concerned that if the Committee granted the

application, noting the inaccurate planning advice given to the school, this would set a precedent for the council and may open them up to legal challenge by future applicants. The Head of Planning clarified that each case was taken on its own merits and planning judgements taken on this basis. A decision on this application would therefore not set such a precedent.

- The difference in installation times of wooden frames and uPVC frames was discussed, noting the timescale put in place for the school to adhere to for pupils to return. The Chair noted, from his professional background working for fenestration, that lead in times for uPVC frames were quicker than for custom built timber frames. The Head of Planning noted that such information did not form part of the decision making in the report.
- A Committee Member noted that uPVC windows would be longer lasting, the installed uPVC window frames were the same colour as the removed wooden frames, and that these new frames would benefit the comfort and safety of children in the school.
- The Chair noted that quotes for wooden window replacements were not received in time for children's return to school.
- The Chair noted Mr Cooke's points regarding the conservation area, which needed to be weighed against the need for windows which could be opened to allow children to be in a safe, ventilated school environment.

5.6

With 8 votes for, 1 vote against (from Cllr Tony White), and 1 abstention, the Committee **RESOLVED** that the Executive Director of Community and Environmental Services be authorised to:

- I. Grant planning permission subject to the conditions outlined in section 11.
- II. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

The meeting ended at 11.52

Chairman



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