

Development Committee



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TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 30 November 2022

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 8 December 2022** at **9.30 am**.

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Please note that members of the public should not speak to Committee Members prior to or during the meeting.

PUBLIC SPEAKING :

Members of the public who wish to speak on applications must register **by 9 am on the Tuesday before the meeting** by telephoning **Customer Services on 01263 516150** or by emailing customer.service@north-norfolk.gov.uk. Please read the information on the procedure for public speaking at Development Committee on our website or request a copy of "Have Your Say" from Customer Services.

Anyone may take photographs, film or audio-record the proceedings and report on the meeting. You must inform the Chairman if you wish to do so and must not disrupt the meeting. If you are a member of the public and you wish to speak, please be aware that you may be filmed or photographed.

Emma Denny
Democratic Services Manager

To: Mrs P Grove-Jones, Mr P Heinrich, Mr A Brown, Mr P Fisher, Mrs A Fitch-Tillett, Dr V Holliday, Mr R Kershaw, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Mr M Taylor, Mr A Varley, Ms L Withington and Mr A Yiasimi

Substitutes: Mr T Adams, Dr P Bütikofer, Mrs S Bütikofer, Mr C Cushing, Mr T FitzPatrick, Mr V FitzPatrick, Mr N Housden, Mr J Punchard, Mr J Rest, Mrs E Spagnola, Mr J Toyne, Dr C Stockton and Mr E Vardy

All other Members of the Council for information.

Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance

If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

Chief Executive: Steve Blatch

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A G E N D A

PLEASE NOTE: THE ORDER OF BUSINESS MAY BE CHANGED AT THE DISCRETION OF THE CHAIRMAN
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PUBLIC BUSINESS

- 1. CHAIRMAN'S INTRODUCTIONS**
- 2. TO RECEIVE APOLOGIES FOR ABSENCE**
- 3. SUBSTITUTES**
- 4. MINUTES**

Due to a busy Committee Schedule the minutes of the 24th November 2022 will be brought to the Development Committee scheduled Thursday 22nd December 2022.

5. ITEMS OF URGENT BUSINESS

- (a) To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.
- (b) To consider any objections received to applications which the Head of Planning was authorised to determine at a previous meeting.

6. ORDER OF BUSINESS

- (a) To consider any requests to defer determination of an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.
- (b) To determine the order of business for the meeting.

7. DECLARATIONS OF INTEREST

(Pages 1 - 6)

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest. Members are requested to refer to the attached guidance and flowchart.

OFFICERS' REPORTS

- 8. WEYBOURNE - PF/22/1885 - ERECTION OF SINGLE-STOREY FRONT AND REAR EXTENSIONS AND RENDERING OF PROPERTY, HEATH VIEW, HOLT ROAD, WEYBOURNE** (Pages 7 - 12)
- 9. OVERSTRAND - PF/21/3221 - CONTINUED USE OF LAND FOR STORAGE ANCILLARY TO OVERSTRAND GARDEN CENTRE AND PROVISION OF OVERFLOW CAR PARKING FOR STAFF** (Pages 13 - 22)

**(RETROSPECTIVE): OVERSTRAND GARDEN CENTRE,
MUNDESLEY ROAD, OVERSTRAND**

- 10. DILHAM - RV/21/3306 - VARIATION OF CONDITION 2 (APPROVED PLANS) OF PLANNING PERMISSION PF/18/1928 TO ALLOW FOR CHANGE OF MATERIAL FROM GALVANISED STEEL TO OAK STRUCTURE (RETROSPECTIVE), NORTHBROOK COTTAGE, CHAPEL ROAD, DILHAM** (Pages 23 - 28)

11. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution, if necessary:-

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A (as amended) to the Act.”

PRIVATE BUSINESS

12. ANY URGENT EXEMPT BUSINESS

13. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA

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Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none">a) any body of which you are in general control or management and to which you are nominated or appointed by your authorityb) any body<ul style="list-style-type: none">(i) exercising functions of a public nature(ii) any body directed to charitable purposes or(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)



Weybourne – PF/22/1885 – Erection of single-storey front and rear extensions and rendering of property, Heath View, Holt Road, Weybourne, for Christopher Harwood

- Target Date: 10th December 2022

Case Officer: Fran Watson

Householder application

RELEVANT SITE CONSTRAINTS

- LDF Residential Area
- LDF Settlement Boundary
- Area of Outstanding Natural Beauty

RELEVANT PLANNING HISTORY

n/a

THE APPLICATION

The application proposes a single-storey rear extension and front porch, along with the rendering of the existing bungalow. It is positioned towards the southern edge of the village within a residential development of primarily single-storey dwellings, with agricultural land to the west. The existing property is of a standard brick and pantile construction with shared gravel driveway and a row of three garages to the rear. Single-storey dwellings neighbour the site to the north and east, with a two-storey dwelling to the south.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr V Holliday due to concerns regarding compliance with policies EN 1, EN 2 and EN 4 of the adopted North Norfolk Core Strategy, para. 185 of the National Planning Policy Framework (NPPF), and loss of biodiversity as a result of front hedge removal.

PARISH/TOWN COUNCIL

Weybourne Parish Council: Object due to detrimental effect on neighbouring houses, light pollution, overdevelopment and impact on the environment due to the large footprint.

CONSULTATIONS

n/a

REPRESENTATIONS

To date, three public objections have been received raising the following concerns (summarised):

- Proposed extension is very close to shared driveway with concerns regarding access for emergency vehicles to property to the rear.
- Development is too big/out of scale in a quiet residential area as the property is a holiday let, and with little parking facilities, will come up to edge of boundary.

- Rendering is different to other buildings, property is in a prominent position.
- Increase in traffic, cars having to reverse out of site onto busy road.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to:

- Article 8: The Right to respect for private and family life.
- Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

LOCAL FINANCE CONSIDERATIONS

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 not considered to be material to this case.

STANDING DUTIES

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) 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 Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk
 SS 3 - Housing
 EN 1 - Norfolk Coast Area of Outstanding Natural Beauty and the Broads
 EN2 – Protection and Enhancement of Landscape and Settlement Character
 EN 4 - Design
 CT 5 - The Transport Impact of New Development
 CT 6 - Parking Provision

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development
 Section 4 – Decision-making
 Section 12 - Achieving well-designed places
 Section 15 - Conserving and enhancing the natural environment

MAIN ISSUES FOR CONSIDERATION

1. **Whether the proposed development is acceptable in principle:** *policies SS 1 and SS 3*
2. **The effect on the character and appearance of the existing dwelling and surrounding area:** *policy EN 4*
3. **The effect on the living conditions of the occupiers of neighbouring dwellings:** *policy EN 4*
4. **Whether the proposed development will result in a detrimental impact upon the surrounding landscape/AONB:** *policies EN 1 and EN 2*
5. **The impact of the proposed development on highway safety and parking:** *policies CT 5 and CT 6*

1. Whether the proposed development is acceptable in principle

The site is located within Weybourne's designated Settlement Boundary as a Coastal Service Village under policy SS 1 and is within a designated Residential Area. Within such area, policy SS 3 indicates that appropriate residential development will be permitted. The proposal is therefore considered to be acceptable in principle but to be acceptable overall it must comply with all other relevant development plan policies unless material considerations indicate otherwise.

2. Effect on the character and appearance of the existing dwelling and the surrounding area

The dwelling is a bungalow likely to have been built during the mid-20th century. A block of three garages sits to the side rear of it with a dwelling (Beecholme) to the rear. Other than Lee Cottage to the south which is a two storey brick and flint dwelling, nearby dwellings are all bungalows with a fairly standard appearance.

As referred to above, the proposed extensions would result in a large increase in the footprint of the dwelling. The vast majority of the extension would sit to the rear of the existing dwelling and would have a flat roof form. It is however considered this would not result in any material harm to the character and appearance of either the dwelling or the surrounding area as public views of it would be relatively restricted and as it would be seen in the context of existing development such as the adjacent garage block. The front extension would enhance the appearance of the dwelling with the projecting gable design adding visual interest. Due to the size of the plot, it is considered that the proposed development would not appear cramped within it.

Render is proposed to both the walls of the extension and over the existing external brickwork of the dwelling. Whilst it is accepted that none of the surrounding dwellings within whose context the development would be seen are finished in render, this does not necessarily make it unacceptable. As the site is not within a conservation area and the building is not listed, the North Norfolk Design Guide SPD indicates that render can be acceptable, but the resultant building should pay due regard to its immediate setting. Although render is not commonplace within the village, there are some buildings where render and painted brick is used, including within the conservation area. On balance, given the general character of the surrounding development, it is considered that the use of render would not result in any material harm.

The proposed development is considered to be acceptable in terms of policy EN 4 for the reasons stated.

3. The effect on the living conditions of the occupiers of neighbouring dwellings

As the proposed extension would be single storey, there would be no material impacts with regards to loss of privacy or outlook. There would be no material overbearing or overshadowing impact. The south side wall of the proposed extension would sit 0.8m from the common boundary with the garden to Lee Cottage and would be to the north of the neighbouring dwelling and so would not cause any material overshadowing of the neighbouring garden. The proposal is therefore acceptable in terms of policy EN 4.

4. Whether the proposed development will result in a detrimental impact upon the surrounding landscape/AONB

The dwelling faces undeveloped land to the west but to the east is a small suburban style housing estate of bungalows in a cul-de-sac (Springfield Close). There is some limited street lighting and from the aerial photography it can be seen that a number of dwellings have rear and side conservatories with glazed roofs as does a dwelling (Westmead) on Holt Road just to the north of the site. A nearby dwelling on the same side of Holt Road has two large roof lights in its front elevation and there are a number of dwellings within the complex at Home Farm nearby, on the west side of Holt Road which have roof lights.

The site is within the Norfolk Coast AONB where, amongst other things, a low level of development and population density, leading to dark night skies and a general sense of remoteness and tranquillity away from busier roads and settlements, contribute to its qualities and natural beauty.

Weybourne Parish Council have raised concerns regarding light pollution, but do not identify the specific area/s of concern with the proposals in this respect. The proposal includes 3 glazed sliding doors in the rear elevation of the proposed extension in an opening with a width of approximately 4.8 metres and a glazed roof lantern (2.4m x 3.0m) in the flat roof. Whilst the dwelling is not located within a Dark Skies Reserve or Dark Sky Discovery Site, the requirement to take light pollution into account when assessing the impacts of a development is within para. 185 of the NPPF which requires that new development “limits the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”.

The glazed doors in the rear elevation of the proposed extension are considered acceptable given they would be on the rear of the property which faces towards a built-up area rather than open land. Similarly given the roof lantern would also be to the rear and the site’s proximity to a housing estate where there are other dwellings in the vicinity with glazed roof conservatory extensions as noted above, it is considered that any light spill through the roof light in the proposed extension would be limited and would not result in any material increase in light pollution.

Concerns regarding the overdevelopment of the site have been raised by both the Parish Council and in representations. This is considered in more detail below, but in general, whilst the proposed extensions would increase the footprint of the dwelling by approximately 90%, the majority of this would sit to the rear of the dwelling such that any impact would be limited. The front extension which would be more visible in public views is considered to be modest and would have no harmful impact. The dwelling sits on the edge of a built-up area and is seen within the context of other dwellings.

For the reasons stated above, it is considered the proposed development would not have any material impact on surrounding landscape or the special qualities of the AONB and therefore complies with policy EN 1 and EN 2.

5. The impact of the proposed development on highway safety and parking

There would be no change to the existing vehicle access to Holt Road, which also serves the dwelling to the rear (Beecholme). It is considered that the proposed development would not result in any material increase in vehicle movements and visibility out of the access to Holt Road is adequate and has been improved by the removal of a hedge on the south side of the access. The proposal would however increase the number of bedrooms from 3 to 4 which increases the on-site parking requirement to 3 spaces in accordance with the current adopted parking standards. The proposed plan shows three parking spaces and as such it complies with policy CT 6.

The representation from the occupiers of Beecholme regarding obstructing the access are noted. From what is referred to in the representation they have a right of access over the land which forms part of Heath View. The gap between the corner of the proposed extension and the garage block to the rear would be approximately 4.5 metres which is similar to the gap between the gable end of the garages and an existing boundary fence on the access to Beecholme and is sufficient for a car to be able to drive through. Furthermore, the granting of planning permission would not override any legal rights of access which in any event are a civil matter between the parties concerned. Any arrangement that would be needed to temporarily restrict access to construct the extension for example, would similarly be a civil matter.

With regard to access for emergency vehicles this has been checked with NCC Highways who have confirmed there would be no issues as vehicles such as a fire appliance would not enter further into the site than fronting the existing garage block in the event of an emergency and could service either of the dwellings from that point. There would be no requirement for the appliance to be manoeuvred further into the site.

6. Other matters

Although reference is made to holiday accommodation in the representations, there is nothing in the application that indicates the dwelling would or would not be used for holiday accommodation purposes. If this is done on a commercial basis rather than a second home for example it may be possible that there would be a material change of use from a dwelling. As it stands however, the application must be determined on the basis of what is applied for which is a householder application for extensions to a dwelling.

Regarding hedge removal, a box hedge to the front of the dwelling has been removed, however, removal of this would not have required planning permission and as such, is not a material consideration in determination of this application.

Conclusion:

The proposals are considered to be acceptable in design with no significantly detrimental impact upon amenity nor the AONB, and therefore comply with the relevant Development Plan policies as outlined above.

RECOMMENDATION:

APPROVAL subject to conditions to cover the matters listed below and any other considered necessary by the Assistant Director – Planning

- Time limit for implementation
- Approved plans
- Materials as submitted

Final wording of conditions to be delegated to the Assistant Director – Planning.

**Overstrand – PF/21/3221 - Continued use of land for storage ancillary to Overstrand Garden Centre and provision of overflow car parking for staff (Retrospective):
Overstrand Garden Centre, Mundesley Road, Overstrand: Mrs V Sheridan**

Target Date: 27th January 2022

Case Officer: Mr C Reuben

Full Planning Permission

Extension of time: TBC

RELEVANT CONSTRAINTS:

Countryside

Conservation Area

Area Susceptible to Groundwater SFRA - Area susceptible to Ground Water Flooding <25%

Clear water

Landscape Character Area Type RV1 (Coastal Shelf)

Undeveloped Coast

RELEVANT PLANNING HISTORY:

PF/99/0993 – Extension to rear of property to provide retail on ground floor and residential accommodation on first floor - Approved

PF/95/1413 – Erection of polytunnel - Approved

PF/92/0149 – Change of use of ground floor living rooms to tearoom, ancillary to garden centre - Approved

HR/77/1303 – Demolition of existing shop and construction of new shop with living accommodation - Approved

HR/77/0554 – Demolition of existing shop and erection of new shop with attached living accommodation - Approved

HR/76/1098 – Erection of one dwelling - Refused

HR/76/1097 – Temporary standing of caravan - Approved

PF/74/0569 – Erection of toilet accommodation for staff in shop & workers in gardens - Approved

THE APPLICATION:

This application is for retrospective planning permission for the continued use of a parcel of land to the rear of Overstrand Garden Centre for ancillary storage purposes and overflow car parking for staff, in association with the established garden centre to the north.

Whilst the site lies within an area designated as 'Countryside', it is located within a central part of the village of Overstrand. Residential properties lie directly to the east and west of the site,

and on the adjacent side of Mundesley Road to the north, with a disused railway line/wooded area along the southern boundary.

The site is also located within the designated Overstrand Conservation Area and an area of Undeveloped Coast.

A number of revisions have been made to the originally submitted proposals following concerns raised by the Council's Environmental Protection Team and local residents, with re-consultations carried out. The revised scheme includes the following elements;

- A landscaped area (buffer strip circa 9m wide)
- Staff overflow car parking areas (16 spaces in total)
- Area for HGV deliveries/turning
- Pallet storage area
- 3m high acoustic fencing
- Metal gate to close off application site from public access

An Updated Noise Impact Assessment (dated 28th October 2022) has also been submitted as part of the revised proposals.

Access to the site would be provided via an existing access off Mundesley Road which serves the garden centre.

It should be noted that Members attended a site visit on 21st July 2022.

REASONS FOR REFERRAL TO COMMITTEE:

At the request of Councillor Fitch-Tillett for the reasons of being supportive of the application in principle due to the business's value to the community and the local economy. Considers that conditions may be necessary to control activities on the site.

PARISH COUNCIL:

Overstrand Parish Council – Supports the application. Comments that this is a long established, and growing, business providing a valuable and sustainable outlet for goods and services for the village and further afield.

Previously existing without any close neighbours, the development of Lutyens Drive has placed neighbours within close distance. The business has made these proposals which will significantly mitigate its impact regarding noise and is clearly attempting to reduce the occurrence of noise generating actions. It is also willing to accept reasonable constraints imposed by way of planning permission.

Reconsulted in relation to amended proposals. Comments to be reported verbally at the meeting, if received.

Northrepps Parish Council – Confirmed no objections raised.

REPRESENTATIONS

11 representations have been received **objecting** and raising the following concerns

(summarised) in respect of the original proposals:

- Many residents have raised no objection to living near to Garden Centre in principle, with no significant noise or disturbance issues experienced by residents prior to lockdown when activities began to expand. Since this period however, the unauthorised use of the land for rear as a storage/car park area in connection with the Garden Centre has caused significant amenity concerns for local residents in respect of in noise, disturbance, loss of privacy and distress, particularly experienced by the occupants of properties on Lutyens Drive along the western boundary.
- Detrimental impact of the frequency and type of vehicles using the site (from smaller delivery vehicles to HGV's) on highway safety grounds, along with vehicles waiting to access on Mundesley Road, damage to verges and impact of visibility when exiting Carr Lane.
- Use of gravel surfacing has increased noise associated with cars, lorries and a diesel teleporters using this site, with the use having increased in frequency.
- Concern that information reflected in application/noise report is inaccurate and not reflective of how site is currently used, and the associated noise disturbance caused i.e.; frequency of deliveries/unloading considered frequent and not occasional, timings, use by staff/customers for parking and associated noise, and the range/amount of products stored on the site (including compost, coal, slabs, wood etc to varying degrees through the year) etc.
- In light of residents concerns, NNDC should carry out its own independent noise assessment.
- Visual harm caused by coloured pallets stacked high on the site which are unsightly and an ineffective and non-permanent sound barrier. Combined with number of high sided vehicles, this results in detriment to the character and appearance Overstrand Conservation Area.
- Attempts by residents to deal with the business direct were unsuccessful to resolve the issues prior to the Council's involvement.
- Proposals considered contrary to policies within NNDC Core Strategy including Policies EN 2, EN 4, EN 8 and EN13 as well as elements of the NPPF.
- Mitigation proposed in application considered inadequate to address the issues caused by the activities being undertaken on the site.
- Concerns that the land is not being used ancillary to the use of this garden centre, instead being used as part of a wider storage and distribution operation which if so, should be located within an industrial area. Also, the area on main site which was previously used for storage is now used for sales.
- Works are unauthorised and carried out without planning permission.

A further 8 representations have been received **objecting** to the revised proposals (many of which of from the same respondents to the original proposals) raising the following concerns (summarised):

- Whilst many residents are still supportive of the continuation of this local established business, it is considered that the site continues to be used in a manner not reflective of the details provided within the revised noise assessment, with inaccuracies in the information/data provided resulting in the proposals remaining significantly detrimental to the residential amenities of the occupants of nearby properties in respect of noise, disturbance, loss of privacy and visual intrusion.
- Revised Noise Assessment provided not considered accurate or reflective of activities being undertaken on site including the types and levels of activity, as well as hours of operation etc.
- Many of the mitigation measures proposed to address the existing issues require self-management, and it is considered unrealistic that it would take place and difficult to implement/monitor.
- Whilst the acoustic fencing and proposed buffer zone is welcomed, planting would need to be mature to be effective. Concerns also raised in respect of visual impact of a 3m high acoustic fence and how effective it would be.
- New proposed pedestrian entrance likely to cause more disturbance to residents due to its close proximity to the western boundary and could be used for other purposes.
- Approval of this application could set an undesirable precedent for future retrospective applications and expansion of this business.
- Many of the suggestions made by Council's Environmental Health Team to address noise issues have not been fully explored and cost implications should not justify their omission.
- Highway safety concerns associated with the site remain and concerned raised that highway impacts have not been fully assessed by NCC Highways.

2 letters of **support** have also been received to the original proposals on the following grounds;

- Having lived directly opposite the Garden Centre entrance for 30 years, occupants have never had cause to complain about the Garden Centre operations. HGV's take minutes to reverse in and not cause a 'safety issue'.
- The years over which the estate opposite was built caused more disruption and traffic on Mundesley Road than the present garden centre operations.
- Having lived adjacent for over 25 years, the garden centre operations has never caused concern as it is well managed and an asset to the village.

Any further representations received following latest round of consultation will be reported verbally at the meeting.

CONSULTATIONS:

County Council Highways – No objection (based on original consultation)

Comments that following NCC initial response, a site inspection was carried out and I met the Garden Centre manager who explained the operation of the overall site and the need for further storage space.

This inspection confirms Highways initial view that this proposal would appear to be ancillary storage and car parking, related to the well-established garden centre, that presumably, either does or could carry on, in the main, presently at other parts of the site.

Although it is clear the proposal offers additional storage space, this is apparently required for sound commercial reasons and although it is accepted that some increase in traffic movements is likely I cannot maintain that this increase in traffic movements (which will involve additional large vehicles) will, at this particular location, result in conditions detrimental to highway safety. On this basis no highway objection is raised.

NCC are aware of the environmental concerns regarding this proposal which includes on-site traffic movements. A potential solution to this would be to create a loading/turning area elsewhere within the site which allows vehicles to enter and leave the site in a forward gear without having to enter and turn/unload within the present application site.

It is also noted that the sites roadside verge frontage has a proliferation of signage that potentially restricts vehicular access/egress visibility. I tend to think this has been mentioned in regard to previous applications for signage on the site and potentially therefore is already subject to Planning Conditions. However, a visibility condition is also requested to any consent issued in regard to this application.

A previous condition was also requested in respect of the provision/retention of onsite car-parking, serving, unloading and turning areas, which should be attached to any permission.

Revised scheme – No further comments received to re-consultation.

Environmental Protection NNDC – No objection subject to the imposition of a range of conditions to limit impact of proposal.

Existing background noise levels in the area are very low and the Updated Noise Impact Assessment (Oct 22) recognises in Table 5 that a number of the activities will be noisy including activities involving fork lift movements and HGV turning. These impacts will be most noticeable at first floor level within nearby residential properties.

The applicant has set out a Summary of application site activity in Table 2 of the Updated Noise Impact Assessment (Oct 22) which suggests 9 HGV deliveries across the year, forklift movements associated with 3-4 pallets per week during March to September and October to December with less forklift activities Jan-Feb. Delivery vans would visit the site Mon-Fri. Staff parking would be up to 10 cars.

Activity	Time Period		
	Jan - Feb	March – September	October - December
HGV deliveries	1 compost/bark	2 compost/bark 3 aggregate 1 coal	1 Christmas tree delivery (no storage on application site) 1 Coal
Moving stock to main site with forklift.	Jan – Feb, occasional use.	3 – 4 pallets a week	1 – 2 pallets a week. Up to 2 extra pallets of coal a week in October/November.
Car parking	Up to 10 staff cars but usually fewer	Up to 10 staff cars	Up to 10 staff cars
Delivery van	Deliveries on Monday and Friday		

Table 2 - Summary of application site activity

Whilst there remains the potential for some adverse impacts on residential amenity associated with the proposed activities, these adverse impacts can, to a reasonable degree, be mitigated through the imposition of the following conditions (summaries):

1. Restricting delivery by times (rather than frequency);
2. Surface dressing of the site and maintenance regime to be agreed;
3. Planting specification for the landscape buffer strip to be agreed;
4. Acoustic Fence – design and specification to be agreed;
5. Acoustic Fence to be installed in accordance with approved design and specification and shall be retained and maintained whilst site is operational;
6. Position/depth of pallets to be agreed;
7. Pallets not to be double stacked;
8. No public access to the storage area
9. No retail sales within the storage area
10. Forklift truck hours of use to be agreed (Mon to Sat – no use on Sundays or Bank or Public holidays)
11. Forklift truck specification to be equivalent or quieter than the model used in the Updated Noise Impact Assessment (Oct 22)

Conservation and Design NNDC – No comments/objections

Confirmed on the basis that they do not wish to offer any detailed comments on this particular occasion. Recommended that the application be determined in accordance with national guidance and local policy and having paid special attention to the statutory duty contained in s72 of the Planning (Listed Buildings & Conservation Areas) Act, 1990.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

RELEVANT POLICIES:

North Norfolk Core Strategy (Adopted September 2008):

SS 2 - Development in the Countryside
SS 4 – Environment
SS 5 – Economy
SS 6 – Access and infrastructure
EC 3 – Extensions to businesses in the Countryside
EN 2 - Protection and enhancement of landscape and settlement character
EN 3 – Undeveloped Coast
EN 4 – Design
EN 8 – Protecting and Enhancing the Historic Environment
EN 9 - Biodiversity and geology
EN 10 – Development and Flood Risk
EN 13 – Pollution and hazard prevention and minimisation
CT 5 - The transport impact of new development
CT 6 - Parking provision

National Planning Policy Framework (NPPF July 2021):

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 6: Building a strong, competitive economy
Section 12: Achieving well-designed places
Section 15: Conserving and enhancing the natural environment
Section 16: Conserving and enhancing the historic environment

North Norfolk Landscape Character Assessment (SPD) January 2021

North Norfolk Design Guide (SPD) Adopted 2008

Conservation of Habitats and Species Regulations 2017 (as amended)

MAIN ISSUES FOR CONSIDERATION:

- 1. Principle and site history**
- 2. Design and heritage impacts**
- 3. Residential amenity and environmental considerations**
- 4. Landscape impacts including upon the Undeveloped Coast**
- 5. Highway safety**

APPRAISAL

1.Principle and site history (Policies SS 2, SS 5 and EC 3)

The application site lies within the village of Overstrand, on land defined as 'Countryside' by Policy SS 2 of the North Norfolk Core Strategy. Within such areas, Policies SS 2 and EC 3 of the North Core Strategy support the principle of proposals for extensions of existing businesses where the scale is appropriate to the host development and subject to compliance with other relevant local and national planning policies.

Section 6 of the NPPF also recognises the importance of planning decisions enabling the sustainable growth, development and expansion of all types of businesses in rural areas.

Therefore, given the existing commercial use of this site as an established Garden Centre, the scheme is considered acceptable in principle.

2. Design and heritage impacts (Policies EN 4 and EN 8 and Sections 12 and 16 of the NPPF)

The scheme seeks to regularise the use of the site in connection with the use of the adjacent land as a Garden Centre. Whilst no physical buildings are proposed, the proposals would comprise some physical structures including a 3 metre high acoustic fence and a landscaping buffer.

Whilst the proposed 3m high acoustic fencing is not considered ideal in design or visual terms, subject to the establishment of a mature landscape buffer, this would help to soften its impact when viewed from Luytens Drive. Furthermore, given the existing commercial use of the adjacent land and the fact that the land is set behind the existing garden centre buildings and not significantly prominent from the road, it is considered difficult to argue that the proposals would have a significantly detrimental impact to an extent which would warrant a refusal on design terms and they would, on balance, comply with the requirements of Policy EN 4 and Section 12 of the NPPF.

Furthermore, it is noted that the Council's Conservation Officer has raised no concerns in respect of the impact of the proposals on the Overstrand Conservation Area (the designated heritage asset in this case).

It is therefore the view of Officers that subject to elements of the scheme being controlled by conditions such as the colour finish/appearance of any fencing and the establishment of a mature buffer zone, the proposals would be considered acceptable in design terms and would protect the appearance and character of the Overstrand Conservation Area

It is therefore considered that the scheme would be acceptable in design terms and would comply with Policies EN4 and EN 8 of the North Norfolk Core Strategy, Sections 12 and 16 of the NPPF and the principles of the North Norfolk Design Guide.

3. Landscape impacts including upon the Undeveloped Coast (Policies SS 4, EN 2, EN 3 and EN 9 and Section 15 of the NPPF)

Whilst situated within the 'Countryside' policy area and an 'Undeveloped Coast', Officers consider that the nature of the scheme and the built context of the surrounding development

is such that the proposals would not raise any significant concerns in respect of impacts upon trees, landscape, or ecology. However, in the event of approval of this application, Officers would advise that conditions are considered in respect of controlling matters such as external lighting (currently none being proposed) and the provision and retention of appropriate landscaping/planting in areas such as the proposed buffer zone

As such, it is considered that the scheme would accord with policies SS 4, EN 2, EN 3, EN 9 and Section 15 of the NPPF.

4. Residential amenity and environmental considerations (Policies EN 4 and EN 13)

Policies EN 4 and EN 13 supports development proposals where they would not result in any significantly detrimental impacts upon the residential amenities of the occupants of nearby properties. The contentious element of the acceptability of this application in planning terms relates to amenity concerns raised by a number of local residents and objections previously raised by the Council's Environmental Protection Team on amenity grounds, in particular issues related to noise and disturbance resulting from the use of the land for the purposes specified in the application. Overcoming these issues has been the prime reason for delay since the Committee visited the site in July.

Residential properties lie directly to the east and west of the site, as well as to the north along Mundesley Road. It is recognised by Officers and many local residents that the Garden Centre is a well-established local business which has operated from the adjacent site without significant issues for many years and is a valuable asset to the local economy, with the estate to the west being a relatively recent addition as part of a residential development on an allocated site.

Notwithstanding the retrospective nature of the proposals, Officers sought to allow the applicant the opportunity to try to address the amenity concerns raised by the Council's Environmental Protection Team as part of the submitted proposals, resulting in the submission of the Updated Noise Impact Assessment (Oct 22) and revised layout plan (drawing No. 2022_437_001 Revision D), with a full re-consultation undertaken.

Having considered the most recent information, the Council's Environmental Protection Team have, on balance, concluded that the changes proposed are now sufficient to overcome the objections previously raised but have requested a suite of planning conditions to ensure that key mitigation is secured and delivered in order to protect residential amenity.

As such, it is considered that, on balance, the proposed development would comply with the requirements of Policies EN 4 and EN 13 of the adopted North Norfolk Core Strategy in respect of protecting residential amenity.

5. Highway safety (Policies SS 6, CT 5 and CT 6)

Access to the site would remain off Mundesley Road. NCC Highways have assessed the originally submitted and revised proposals and raised no objections on highway grounds, subject to the imposition of a condition to ensure provision of visibility splays.

As such, it is considered that the scheme would adequately safeguard highway safety in accordance with Policies SS 6, CT 5 and CT 6 of the Core Strategy.

6. Conclusion and planning balance

The retrospective nature of the proposal and activities involved has caused some significant amenity concerns for neighbouring residents and resulted in objections from the Environmental Protection Team. However, following extensive negotiation, a solution has been reached such that, whilst there remains the potential for some adverse impacts on residential amenity associated with the proposed activities, these adverse impacts can, to a reasonable degree, be mitigated through the imposition of planning conditions.

Subject to conditions the proposal would accord with the aims of Development Plan Policy.

RECOMMENDATION: APPROVAL

Delegate **APPROVAL** to the Assistant Director for Planning subject to:

1. **No new grounds of objection from consultees following re-consultation period;**
2. **The imposition of appropriate conditions** (detailed list of draft conditions to be provided to Development Committee ahead of the meeting); **and**
3. **Any other conditions that may be considered necessary at the discretion of the Assistant Director for Planning**

DILHAM – RV/21/3306 – Variation of condition 2 (approved plans) of planning permission PF/18/1928 to allow for change of material from galvanised steel to oak structure (retrospective), Northbrook Cottage, Chapel Road, Dilham, for Mr & Mrs Cole

- Target Date: 11th February 2022

Case Officer: Colin Reuben

Householder application

RELEVANT SITE CONSTRAINTS

- Landscape Character Area – RV3 (River Valleys)
- LDF – Countryside

RELEVANT PLANNING HISTORY

Ref: PF/05/1570

Description: Erection of first floor extension, two-storey extension, conversion and extensions of outbuilding to two-storey annexe and erection of covered way

Outcome: A - Approved

Ref: PF/18/1928

Description: Regularisation of first floor extension, two-storey extension, conversion & extension of outbuildings to two-storey annexe, & erection of enclosed covered way (Retrospective - amendments to previously approved application PF/05/1570)

Outcome: A - Approved

Ref: CD/21/3348

Description: Discharge of condition 1 (privacy screen) of planning permission PF/18/1928

Outcome: CD - Condition Discharge Reply

Ref: NMA/22/1487

Description: Non-material amendment of planning permission PF/18/1928 (Regularisation of first floor extension, two-storey extension, conversion & extension of outbuildings to two-storey annexe, & erection of enclosed covered way (Retrospective - amendments to previously approved application PF/05/1570)) to allow additional condition, referring to approved plans

Outcome: APP - Approve

THE APPLICATION

The application proposes a variation of a previous planning consent to allow a change in materials used for a previously approved fire escape from galvanised steel to oak. The fire escape formed part of a wider development of the property approved under permission ref: PF/18/1928 (which itself followed an earlier consent granted much earlier under PF/05/1570) for the regularisation of a first-floor extension, two-storey extension, conversion & extension of outbuildings to two-storey annexe, and the erection of an enclosed covered way. The property is a semi-detached cottage located in a rural location off Chapel Road to the west of Dilham village.

REASONS FOR REFERRAL TO COMMITTEE

At the request of the Assistant Director – Planning, due to historical/present concerns raised by objector.

PARISH/TOWN COUNCIL

Dilham Parish Council: Neutral, but raised concerns in regards to waste discharge and proposed combustible material on fire escape. Fire escape and decking should be used for this purpose only, and not for general access purposes so that neighbour security/privacy is not impinged. Existing door should not be lockable from the outside and open outwards. Would like these concerns taken into account.

CONSULTATIONS

Building Control (NNDC): (Not formally consulted but were contacted given nature of comments raised in objection) – offered advise as follows (summarised):

- As the property is a self-contained dwelling, there is no requirement to provide an external ‘fire escape’ as anything up to first floor level (single dwelling or flats) only needs an escape/egress window – should a stair be provided this would not be a contravention, the requirement for external escape stairs to be ‘non-combustible’ is related to public/commercial buildings only. What may have now been proposed/provided is over and above what can be controlled. The door in question is not a ‘fire door’ it is a door that accesses an escape route.
- The staircase being timber would not be a contravention of the Building Regulations within 1m of the boundary, as the structure is not a building, it will not allow a fire to build and ‘break through’ etc.

REPRESENTATIONS

To date, 1 public objection has been received raising the following concerns (summarised):

- Concerned that the fire escape is being turned into a decking/seating area
- Is causing noise nuisance to neighbouring property
- Overlooking still occurs from fire escape, screen does not prevent this
- Proposed materials are combustible, which is not appropriate for a fire escape
- Fire escape should not have been granted previously
- Concerns regarding future use of accommodation

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to:

- Article 8: The Right to respect for private and family life.
- Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

LOCAL FINANCE CONSIDERATIONS

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 not considered to be material to this case.

STANDING DUTIES

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) 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 Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

HO 8 - House extensions and replacement dwellings in the Countryside

EN 4 - Design

National Planning Policy Framework (NPPF):

Section 12 - Achieving well-designed places

North Norfolk Design Guide SPD (2008)

MAIN ISSUES FOR CONSIDERATION

- 1. Whether the proposed development is acceptable in principle: *Policies SS 1, SS 2 and HO 8***
- 2. The effect on the character and appearance of the existing dwelling and surrounding area Area: policy EN 4**
- 3. The effect on the living conditions of the occupiers of neighbouring dwellings: *Policy EN 4***
- 4. Other matters (inc. fire safety and use)**

1. Principle of development

The property, a detached two storey house, is situated within the area designated Countryside under policy SS 1. Policy SS 2 lists the types of development that can be acceptable in principle within the Countryside and these include extensions to existing dwellings, which must also comply with the requirements of associated Policy HO 8.

The principle of development has already been established under planning application ref: PF/18/1928, approved at Development Committee in 2019, allowing for the regularisation of a first-floor extension, two-storey extension, conversion & extension of outbuildings to two-storey annexe, and the erection of an enclosed covered way. This included the retention of the fire escape to be constructed of galvanised steel, Following this, consent was granted under NMA/22/1487 to add a condition to the previous 2018 consent to list the set of approved plans. The current application seeks to vary Condition 2 of the 2018 consent to change the materials on the fire escape from galvanised steel to oak. To be acceptable overall however,

the proposed development must comply with all other relevant development plan policies unless material considerations indicate otherwise.

2. Effect on the character and appearance of the existing dwelling and the surrounding area

Policy EN 4 states that all development will be designed to a high quality, and design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable. Development proposals such as extensions and alterations to existing dwellings are expected to have regard to the North Norfolk Design Guide, which as a Supplementary Planning Document is a material consideration.

The North Norfolk Design Guide gives clear guidance regarding the appropriate design of extensions and alterations. The scale of an extension should ensure that the architectural character of the original building is not harmed and remains dominant. Extensions should use forms, detailing and materials which are compatible with the original building.

The platform/fire escape in question is not particularly visible within the wider street scene and, given the characteristics of the location, there are no concerns design-wise to the proposed alternative material, noting that wood cladding already exists in part on the existing property and as such, wood as a material would not look out of place. As such, in respect of design only, the proposed change in materials is considered to be acceptable and compliant with Policy EN 4 of the adopted North Norfolk Core Strategy.

3. The effect on the living conditions of the occupiers of neighbouring dwellings

Policy EN 4 of the Core Strategy and the North Norfolk Design Guide requires that proposed development must not significantly impact upon the residential amenities of the occupiers of nearby dwellings in respect of light, privacy and disturbance.

It is considered that there would be no material adverse effects on the occupiers of the closest dwellings as the proposed revision is simply for a change in materials only, not for re-consideration of the existing development, the principle of which has already been accepted. It is noted that a privacy screen as required under Condition 1 of previous planning consent PF/18/1928 (the details for which were approved under application CD/21/3348) has now been installed which it is considered largely mitigates against any significantly detrimental levels of overlooking. In respect of amenity, the proposed development complies with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

4. Other matters

Fire safety

As stated, above, the application simply considers the change in materials of the platform/fire escape only. The objection received has raised significant concerns with regards to the combustible nature of the proposed wooden materials, noting that the originally approved plans labelled this section of the development as a 'fire escape'. However, advice has been sought from the Council's Building Control team as provided above in the consultations section.

Use of fire escape

Although labelled as a 'fire escape' on the previously approved plans, the use of the fire escape in question was not restricted via condition under the two previous approvals issued

in 2005 and 2018, with the 2018 consent conditioning details of a privacy screen along the south side of the platform. The previous officer committee report from 2018 considered the matter of amenity and found this to be acceptable subject to condition (noting that the privacy screen is now in place as referred to above). Any noise issues arising from use if the fire escape would need to be raised separately through the Council' Environmental Protection team who can investigate as to whether a statutory nuisance is being caused.

Future use of accommodation

The matter of potential use of the accommodation is noted, however, the Council are not aware of any current active use of the approved accommodation for letting purposes. This being the case, it is not expedient to apportion material planning weight to this matter. Should such a use occur in future, it is a matter that could be investigated by the Council's Enforcement team.

Conclusion:

The proposed revision to the fire escape materials is considered to be acceptable in appearance and complies with the relevant Development Plan policies. The recommendation is therefore one of conditional approval.

RECOMMENDATION:

APPROVAL subject to conditions to cover the matters listed below and any other considered necessary by the Assistant Director – Planning

- In accordance with approved plans
- Materials as submitted

Final wording of conditions to be delegated to the Assistant Director – Planning.

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