

Development Committee



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TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 3 February 2021

A meeting of the **Development Committee** will be held **remotely via Zoom** on **Thursday, 11 February 2021 at 9.30 am.**

Please note that due to the Covid-19 restrictions, meetings of Development Committee will be held remotely via Zoom video conferencing and live streamed on Youtube.

Public speaking: If you wish to speak on a planning application on this agenda, please email DemocraticServices@north-norfolk.gov.uk no later than 5.00 pm on the Tuesday before the meeting and include a copy of your statement. You will have the opportunity to make your statement by video link but in the event that this is not possible, or if you would prefer, your statement will be read out by an officer.

This meeting will be broadcast live to Youtube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting and make a representation you will be deemed to have consented to being filmed and that the images and sound recordings could be used for webcasting/ training purposes.

Emma Denny
Democratic Services Manager

To: Mrs P Grove-Jones, Mr P Heinrich, Mr A Brown, Mr C Cushing, Mr P Fisher, Mrs A Fitch-Tillett, Mrs W Fredericks, Mr R Kershaw, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Dr C Stockton, Mr A Varley and Mr A Yiasimi

Substitutes: Mr T Adams, Mr D Baker, Dr P Bütikofer, Mrs S Bütikofer, Mr V FitzPatrick, Mr N Housden, Mr J Punchard, Mr J Rest, Mrs E Spagnola, Mr J Toye and Ms K Ward

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

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AGENDA

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

PUBLIC BUSINESS

1. CHAIRMAN'S INTRODUCTIONS

2. TO RECEIVE APOLOGIES FOR ABSENCE AND DETAILS OF ANY SUBSTITUTE MEMBER(S)

3. MINUTES

To approve as a correct record the Minutes of meetings of the Committee held on 14 January and 28 January 2021.

4. 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.

5. 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.

6. DECLARATIONS OF INTEREST

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.

OFFICERS' REPORTS

ITEMS FOR DECISION

PLANNING APPLICATIONS

7. BANNINGHAM - PF/20/1771 - TWO STOREY DETACHED DWELLING (4-BED) WITH DETACHED GARAGE / CARPORT TO FRONT; ALTERATIONS, INCLUDING WIDENING, OF VEHICLE ACCESS; LAND ADJACENT TO, WATTS COTTAGE, 2 MILL ROAD, BANNINGHAM, NORWICH, NR11 7DT

(Pages 1 - 6)

8. DILHAM PF/20/0002 - CHANGE OF USE FROM B1 LIGHT INDUSTRIAL TO CAR REPAIRS (RETROSPECTIVE); CARLS AUTO REPAIR SERVICES, UNIT 1 GRANARY WORKS, HONING ROAD, DILHAM, NORTH WALSHAM NR28 9PR (Pages 7 - 34)
9. DILHAM PF/20/1895 - CHANGE OF USE OF PART OF BUILDING FROM AGRICULTURAL TO USE FOR AUTOMOTIVE REPAIRS (CLASS B2). THE PIGGERIES, HONING ROAD, DILHAM, NORTH WALSHAM NR29 9PN (Pages 35 - 44)
10. EAST RUSTON - PF/20/2049 SLANEYS BARNS (SEAGLASS BARN), CHEQUERS STREET, EAST RUSTON, NORWICH, NR12 9JT: MR DUNCAN (Pages 45 - 50)
11. APPEALS SECTION (Pages 51 - 54)
- (a) New Appeals
 - (b) Inquiries and Hearings – Progress
 - (c) Written Representations Appeals – In Hand
 - (d) Appeal Decisions
 - (e) Court Cases – Progress and Results

12. ANY OTHER URGENT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE

13. 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

14. ANY OTHER URGENT EXEMPT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE
15. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA

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BANNINGHAM - PF/20/1771 – Two storey detached dwelling (4-bed) with detached garage / carport to front; alterations, including widening, of vehicle access; Land adjacent to, Watts Cottage, 2 Mill Road, Banningham, NORWICH, NR11 7DT

Minor Development

- Target Date: 23 December 2020

Case Officer: Mr C Reuben

Full Planning Permission

CONSTRAINTS

Landscape Character Area

SFRA - Risk of Flooding from Surface Water + CC

SFRA - Areas Susceptible to Groundwater Flooding

LDF Tourism Asset Zone

LDF - Countryside

EA Risk of Flooding from Surface Water 1 in 1000

Unclassified Road

RELEVANT PLANNING HISTORY

None

THE APPLICATION

The application proposes the building of a new detached dwelling with car port and further on-site parking on a plot created through the subdivision of an existing garden to the side of a semi-detached property, which is positioned within a small cluster of residential properties along Mill Road which is approx. 1km to the southeast of Banningham village. Mill Road links to the B1145 North Walsham Road to the west. Part of the plot is currently occupied by an old railway carriage which would be removed, and is understood to have previously been used for ancillary overspill accommodation for the existing cottage (though this has some heritage value, it is not a formally designated heritage asset). The applicant also intends to renovate the existing vacant semi-detached cottage, though this does not require planning permission.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr J Toye citing paragraphs 78 and 79 of the NPPF, Parish Council support (comments below) and neighbour concerns.

PARISH COUNCIL

Colby Parish Council – Support, but acknowledge the conflict between Policy SS 2 and the NPPF. Believe that a property on the site and renovation of an existing property as a potential starter home would be a positive contribution to the village.

REPRESENTATIONS

Three public representations have been received. All have objected and raised the following concerns:

- Mill Road is of a poor standard, as is the nearby road junction with the B1145 with a number of accidents/near misses.
- Would result in overlooking of neighbouring property.
- Noise of building works would cause disturbance to residents and wildlife.
- Proposed building not in keeping with the architecture/character of the village.

CONSULTATIONS

Norfolk County Council (Highway) – Objection. The proposal will intensify the traffic use of the severely sub-standard Mill Road a narrow rural road with no formal vehicular passing and turning facilities, no footway provision and dangerous levels of visibility within a 40 Mph speed limit onto the busy and important B1145 (Main Distributor Route) North Walsham Road. Visibility at the junction of Mill Road with the B1145 is restricted in both directions by immediately adjacent vegetation. The requirement, under Design Manual for Roads and Bridges (DMRB) (DoT) guidance is that, for the 40 Mph speed limit in force, 2.4m x 120m visibility splays are provided to both directions. Previous knowledge of this junction and a desktop study of the situation shows that the levels of visibility are woefully short of these Government requirements.

In addition, the development would be located in an isolated location with little in the way of service facilities and with no alternative safe means of access other than the private car (though on this matter alone, not the basis of a highway objection to a single dwelling).

Norfolk County Council (Historic Environment Officer) – No objection. Request a condition requiring a programme of archaeological work (historic building recording) relating to the existing railway carriage.

Landscape Officer – No objection subject to condition (protection of breeding birds).

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, refusal 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.

POLICIES

North Norfolk Core Strategy (Adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

EN 2 - Protection and enhancement of landscape and settlement character

EN 4 - Design
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):

Section 2 – Achieving sustainable development
Section 5 – Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design and amenity
3. Highway impact
4. Landscape impact
5. Environmental considerations

APPRAISAL

1. Principle (Policies SS 1 and SS 2, NPPF Paragraphs 78 and 79)

Planning applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Policy SS 1 of the Core Strategy sets out the spatial strategy for the District and directs development to the areas which have been identified as sustainable locations. The application site is not one of those areas, and is located in an area designated as Countryside under Policy SS 2.

Under Policy SS 2 development in the Countryside is limited to that which requires a rural location and falls under one of the categories listed in the policy. The only new build residential development which may be permitted in a countryside location is affordable housing (providing it complies with the rural exception policy), or housing where it can be demonstrated that it is required to meet the needs of full-time workers in agriculture, forestry or other essential workers connected with the land, or if there are material considerations which would be sufficient to justify a departure from Development Plan policies. None of these criteria apply to the proposed development. Recent appeal decisions have confirmed that these policies remain broadly consistent with the NPPF in respect of setting an overall strategy for the distribution of sufficient housing and focusing significant amounts in locations which are sustainable, thus limiting the need to travel, offering a choice of transport modes and helping to reduce congestion and emissions, so as to improve air quality and public health.

There are no services/facilities within close proximity to the development site and a lack of any footpaths or regular public transport links to such services, further noting the lack of any street lighting. As such, inevitable reliance will be placed on the use of a private car to meet basic day-to-day needs. With a lack of basic facilities and transportation options, it is considered that a single dwelling in this location would represent an unsustainable form of development. Paragraph 78 of the National Planning Policy Framework (NPPF) states that proposals for new housing in rural areas should be located in sustainable locations where it will enhance or maintain the vitality of rural communities, an approach which current adopted Core Strategy policies follow. Given the lack of a basic level of accessible local

services/facilities, it is not considered that a single dwelling in the location proposed would contribute in any meaningful way to maintaining or enhancing the vitality of the local rural community and as such, would not comply with the requirements of Paragraph 78 of the NPPF. No suggestion has been made that there is any essential need, nor any significant mitigating circumstances that should be considered, for a dwelling in this location. It would further not fulfil any of the criteria as set out in Paragraph 79 of the NPPF. In addition, the Council's most recent published Statement of Five Year Supply of Housing states that there are 5.16 years of deliverable housing land. As such, the Council continue to give full weight to the adopted housing supply policies of the Core Strategy.

Finally, it is not considered that renovation of the existing cottage has any material planning weight, as the existing cottage could be renovated without the need for an additional large dwelling on the proposed plot. Other than some general dilapidation to be expected of a property that has been vacant, there is no sufficient evidence presented to suggest that renovation of the existing cottage would be unusually prohibitive in regard to cost.

It is therefore concluded that the proposed dwelling would amount to an unsustainable form of development, contrary to Policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy, and Paragraphs 78 and 79 of the NPPF.

2. Design and amenity (Policy EN 4)

The proposed dwelling would occupy much of the width of the plot, being positioned, in part, only 1.5m from the south-east and north-west site boundaries. Furthermore, the property would be set back within the plot with a large south-east and north-west facing elevation, each consisting of a large brick wall of approx. 11.4m in length. This, combined with the proximity to both boundaries, would result in an overbearing visual impact when viewed from the garden of properties either side and would be representative of overdevelopment. The overall size and bulk is considered to be larger than other dwellings in the immediate vicinity of the site and as such, the proposed dwelling would very noticeable and create undue prominence within the street scene, further accentuated by the modern design approach which would jar against the two existing neighbouring, more traditionally designed dwellings. Although the footprint of other dwellings along Mill Road has been highlighted, those nearby along the same side of Mill Road further to the south-east are largely single-storey dwellings. Further concerns were raised against the originally submitted plans which proposed a balcony to the front of the property which had the potential to overlook a neighbouring property to the south-west. Amended plans received have removed this, now proposing a recessed first floor window.

However overall, given the size and design of the proposed dwelling, its position within the plot and impact upon neighbouring properties, it is considered that the proposed development fails to comply with the requirements of Policy EN 4.

3. Highway impact and parking (Policies CT 5 and CT 6)

Aside from general on-site parking provision which would be provided to meet the requirements of Policy CT 6, the plot lies on Mill Road which joins the main B1145 North Walsham Road to the west. The road and the junction with B1145 are described by the Highway Authority as being 'severely sub-standard', particularly with regard to visibility in

both directions at the junction, and with no possibility of improvement. Upon visiting the site, it is clear that, having used the junction in question, visibility is very poor. This being the case, strong concerns are raised with regard to the number of daily vehicular movements generated by a new dwelling and the resultant increased use of the substandard road and junction.

Concerns are also raised by the Highway Authority in regards to the transport sustainability of the location, with a lack of facilities and means of access other than by private car use. However, they do not consider this to be grounds for objection for a single dwelling.

Notwithstanding this, on the basis of the substandard road and visibility at the nearby junction of Mill Road with the B1145, it is considered that the proposed development fails to meet the requirements of Policy CT 5, an approach further supported by Paragraph 109 of the NPPF given the unacceptable impact on highway safety.

4. Landscape impact (Policy EN 2)

Although the site lies within the designated Countryside area, it is positioned between existing properties and therefore seen within the context of a small built-up area. This being the case, and given that the proposed dwelling would be of a similar height to existing properties, it is not considered that the proposed development would have a significantly detrimental wider landscape impact. As such, the proposed development complies with the requirements of Policy EN 2.

5. Environmental considerations (Policy EN 13)

The site does not present any significant environmental concerns, with the proposed methods of drainage being considered suitable. As such, the proposed development complies with the requirements of Policy EN 13.

6. Conclusion

Notwithstanding the design alterations made, for the reasons outlined above, the proposed development is contrary to policies SS 1, SS2, EN4, CT 5 of the adopted North Norfolk Core Strategy and Paragraphs 78 and 79 of the NPPF. The development is not considered to be in accordance with the requirements of the Development Plan, and it has been concluded that there are no material considerations which would outweigh the policy conflict. Therefore, refusal of the application is recommended.

RECOMMENDATION:

REFUSAL for the following reasons:

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:

- SS 1 - Spatial Strategy for North Norfolk
- SS 2 - Development in the Countryside
- EN 4 - Design
- CT 5 - The transport impact of new development

National Planning Policy Framework (NPPF) (2019) Paragraphs 78 and 79

In the opinion of the Local Planning Authority, the proposed dwelling would be within an area designated as Countryside where there is a general presumption against residential development and in a location with poor access to a full range of basic services and facilities to meet day-to-day needs. The future occupiers would be highly dependent on the use of private car to be able to reach such services and facilities. The proposal would therefore not constitute sustainable development, contrary to policies SS 1 and SS 2 of the adopted North Norfolk Core Strategy. In addition, it is not considered that the addition of a single dwelling in this Countryside location would make a significant contribution to supporting any local services and facilities nor those of any nearby rural villages and as such, does not fulfil the requirements of Paragraph 78 of the NPPF. Furthermore, the proposed development does not meet any of the criteria as set out in Paragraph 79 of the NPPF.

In addition, due to the size and design of the property and proximity to the site boundaries, the proposed development would be out-of-keeping with the prevailing form and character of the surrounding settlement to the visual detriment of the wider street-scene, and have an overbearing visual impact upon neighbouring properties. As such, the proposed development fails to comply with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy.

Finally, Mill Road (U14239) serving the site is considered to be inadequate to serve the development proposed, by reason of its restricted width, lack of passing provision, lack of pedestrian facilities and restricted visibility at the nearby road junction with the B1145 North Walsham Road. The proposal, if permitted, would be likely to give rise to conditions that would be detrimental to highway safety and as such, is contrary Policy CT 5 of the adopted North Norfolk Core Strategy.

Final wording of reasons to be delegated to the Assistant Director for Planning.

DILHAM PF/20/0002 - Change of use from B1 Light industrial to car repairs (retrospective); Carls Auto Repair Services Unit 1 Granary Works Honing Road Dilham North Walsham NR28 9PR

Minor Development

- Target Date: 02 March 2020

Case Officer: Mr J Pavey-Smith

Full Planning Permission

RELEVANT SITE CONSTRAINTS

LDF Tourism Asset Zone

Enforcement APPEAL

LDF - Countryside

C Road

RELEVANT PLANNING HISTORY

PLA/2005/1974 PF Potato store new barn, Honing Road, Dilham change of use of building from agricultural to B1 (light industrial) Approved 13/02/2006.

PF/18/0606: Change of use from B1 light industrial to Sui Generis (car repairs) & erection of compound fence (part retrospective). Refused 04/01/2019 for the following reasons:

In the opinion of the Local Planning Authority the proposal constitutes an unacceptable form of development in the Countryside policy area where development is limited to that which requires a rural location. It is considered that the applicant has failed to demonstrate satisfactorily that there are material considerations to justify a departure from Development Plan policy in this case and as such, the proposal is contrary to Policy SS 2.

Furthermore, it is not considered that the proposed use is appropriate in scale and nature to the rural location, nor represents the sustainable growth or expansion of a business in a rural area, with no evidence provided of a specific need for such a business in the locality, contrary to Policy EC 2 and Paragraph 84 of the National Planning Policy Framework.

An Enforcement Notice (ENF/18/0046) was subsequently served and an appeal (Ref: APP/Y2620/C/19/3223988) against the notice was made by the applicant.

The appeal was dismissed on 5 March 2020 with the Inspector making minor variations to the Enforcement Notice including a longer period for compliance, such that in summary, it requires:

- (i) Cease the use of the land for a car repairs (sui generis) use.
- (ii) Remove all waste, car parts and tools in relation to the car repair business from the Land
- (iii) Permanently remove the shipping container from the Land

The varied notice was served on the 13/03/2020. The six months for compliance therefore lapsed on the 13/09/2020 and the applicant is therefore liable for prosecution in court.

THE APPLICATION

The application is for retrospective change of use of the building from B1 (light industrial) use to car repairs (a sui generis use). The car repairs business started operating from the site in February 2018 and the unauthorised use has continued since that time, despite the refusal of planning permission in January 2019 and the dismissed enforcement. As noted above the period for compliance with the notice has now elapsed and the applicant is therefore liable for prosecution for the continued operation of the business. Prosecution has been stayed to allow for determination of the current applications.

The building consists of a part brick/part metal clad structure measuring approximately 22m x 27m. It sits within a sizeable site with a gravelled parking/turning area to the north (front) of the building, storage space alongside the east elevation, a roadside hedge along the eastern boundary and landscaping to the north-west and alongside the western and southern elevations. The site is served by a single shared access point off Honing Road. Six residential properties lie immediately to the south of the building and are served by the same access.

REASONS FOR REFERRAL TO COMMITTEE

At the request of the Head of Planning, local interest and material planning considerations e.g. nuisance, disturbance, highway safety, sustainability / settlement hierarchy and economic development.

PARISH/TOWN COUNCIL

Dilham Parish Council continues to object to this change of use on the basis that a car repair business is not appropriate for this site because it is within a residential area. The site has operated now for 2 years and two members of the Parish Council live adjacent to the site.

The site has not been operated within the agreed work time scale. The car numbers have built up and the site is now crowded with cars during the day. Also, cars have been parked outside overnight.

This provides a very poor reflection on entering the village. The driveway entrance is shared with residential properties with the added risk of collision. The volume of traffic to the site from the A149 down a single-track road has increased both the risk of collision and congestion. There is already a long-established car repair facility in Dilham on an appropriate site. From the adjacent houses both a shipping container and scrap cars are visible.

REPRESENTATIONS

One letter of objection from occupiers of the nearby homes: Comments summarised as follows:

- This is a repeat of the original application which was rejected by NNDC. It is understood that there is an independent final hearing against that decision on February 4th.
- During the last two years there has been a noticeable increase in activity and no regard for the environment and safety of the entrance driveway leading to private houses. During the last two years there have been many near misses with cars and delivery vans just cutting up private traffic coming to and from the houses.

- There is an increase of cars and vans left around overnight and the shipping container, other vans and tyre skip have not moved.
- The working practices go beyond the norm. There is more pollution, more noise and more disruption.
- This is a site that should be on an industrial estate not at the entrance to a rural setting.
- Cannot support the application for the change of use as nothing has changed from the original application, it has only got worse.

CONSULTATIONS

Norfolk County Council (Highway) - No objection. The proposal (as before) utilises an existing industrial building which would clearly generate vehicular activity, potentially involving large or HGV traffic. There is also some sustainability benefit in having local car repair workshops which reduce the distance travelled for rural communities to have car repairs carried out. Conditions and informative are requested, which are the same as recommended for the previous application.

Economic Growth Team: - No objection. It is recognised that there are potential economic benefits that would be derived by such a proposal, including employment generation and supply chain development.

Environmental Health: - No objections subject to conditions relating to the following matters:

- -No plant, equipment, vehicles or machinery to be operated on the premises and no deliveries taken or dispatched from the site outside the hours of 08:00 – 18:00 Monday to Friday, 0800-1300 Saturdays, nor at any time on Sunday, Bank or Public Holidays.
- no repairing of vehicles or storage of scrap cars outside the building at any time and no storage of materials or waste outside the building at any time, except where waste is contained in appropriate waste receptacles for collection by a licenced waste contractor.
- No plant, equipment, vehicles or machinery to be operated externally other than for access and egress from the site.
- No valeting or washing of cars via the use of a pressure washer anywhere on site. No vacuuming shall take place outside the building.
- All external doors and windows to the building to be kept shut at all times during working hours apart from when providing access for personnel and visitors, deliveries and the movement of plant and equipment to and from the building.
- No paint spraying to take place at the site
- full details of any ventilation, air conditioning, refrigeration or mechanical extractor systems or any other plant and equipment to be installed as part of the approved development, to be submitted to and approved in writing by the Local Planning Authority.

Prior to the installation of any external lighting, details to be submitted to and approved in writing by the Local Planning Authority.

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, refusal 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.

POLICIES

North Norfolk Core Strategy (Adopted September 2008):

SS 1: Spatial Strategy for North Norfolk

SS 2: Development in the Countryside

SS 5: Economy

EN 2: Protection and enhancement of landscape and settlement character

EN 4: Design

EN 13: Pollution and hazard prevention and minimisation

EC 2: The re-use of buildings in the Countryside

CT 5: The transport impact of new development

CT 6: Parking provision

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development

Section 6 – Building a strong, competitive economy

Section 12 - Achieving well-designed places

Section 15 - Conserving and enhancing the natural environment

MAIN ISSUES FOR CONSIDERATION

- Principle
- Design
- Residential amenity
- Highway impact
- Landscape impact
- Environmental impact

APPRAISAL

Background:

Following the refusal of planning application PF/18/0606, an appeal was submitted, but was turned away by the Planning Inspectorate as the appeal deadline for the refusal of planning permission had passed. However, an appeal against the Enforcement Notice that was subsequently served. The grounds of enforcement appeal included Ground (A), i.e. that in the appellant's view planning permission should be granted. The Inspector concluded that planning permission should not be granted, this supported the decision by the local planning authority to refuse planning permission.

A copy of the report for the meeting of the Development Committee on 4 January 2019 is attached as **Appendix A**.

A copy of the Appeal Decision for appeal ref: APP/Y2620/C/19/3223988 is attached at **Appendix B**.

Principle/Planning History (Policies SS 2, EC 2 and NPPF Para's 83(a) and 84):

It is clear that the car repairs business is significant activity, and certainly a larger operation than could be envisaged within the context of the permitted B1 (light industrial) use, e.g. noting the size of the existing building and the number of cars parked within the site. It is considered that the proposed use still does not comply with Core Strategy Policy SS2 as the proposed use does not require a rural location. In addition, the proposal fails to comply with Policy EC 2 due to the size of the business not being appropriate in scale and nature to the location. Furthermore, the proposed use does not conform to the aims of NPPF Paragraphs 84. This was upheld by the planning inspectorate under Appeal Ref: APP/Y2620/C/19/3223988.

Given the previous refusal and the appeal decision, the main issue is therefore whether there have been any material changes in the planning circumstances since then or if the current application is substantially address those reasons for to that refusal dismissal of the appeal (ground A). The refused application was considered against policies in the North Norfolk Core Strategy, which is still in force, and the then current version of the NPPF (Feb 2019) which has not changed.

Compared to the refused application, the current application includes a statement by the operator of the business. For the benefit of members of the committee, a copy of this statement is attached as **Appendix C**. This however, appears to be substantively similar to the statement submitted to the Planning Inspectorate in support of the enforcement appeal.

Both the Development Committee and the Planning Inspector have previously concluded that benefits resulting from the development do not outweigh the conflict with development plan policies and the harm resulting from the car repairs use. Nothing has substantially changed since then and as such, albeit regrettably given the business could potentially close, resulting in a loss of jobs, it is considered that the recommendation must remain for refusal.

The site has an outstanding planning enforcement notice which has been upheld by the planning inspectorate under Appeal Ref: APP/Y2620/C/19/3223988. The planning inspectorate supported the Councils case to remove the business from the site under Enforcement notice ENF/18/0046. The applicant's case was dismissed. The varied notice was served on the 13/03/2020. The six months for compliance therefore lapsed on the 13/09/2020. The notice period has ceased and the applicant is therefore liable for prosecution for unlawful operation of the business. The Council will review enforcement action with the application and local community following the Committee's decision, any case for extended compliance will need to be carefully considered in terms of local public interest on matters of safety and amenity.

Design (Policy EN 4):

Regarding design, no alterations are proposed to the existing building. The application proposes an additional 1.82m high fence along part of the eastern site boundary, alongside an existing hedge, which would help to screen existing storage areas alongside the eastern side of the building. The proposed fencing does not raise any major design concerns. At present, due to the level of outdoor storage and parking, the site has adopted a more industrial look, however, taking note of the consultation responses received and associated conditions required seeking the limitation of external working and storage, much of the visual impact of the proposed use could

be addressed. On balance, it is considered that in regards to design, the proposals are acceptable against the aims of Policy EN 4 of the Core Strategy.

Residential amenity (Policy EN 4):

The nearest residential properties lies directly to the south of the building. One objection has been raised in regards to the proposed use, in particular relating to noise and visual impact created by the proposed use. The site has an existing lawful B1 use (previously occupied by a steel fabrication business) and as part of acceptance of that use a number of strict conditions were suggested by the Environmental Protection Officer and imposed in order to control noise from the site, specifically in regards to the installation of acoustic insulation, hours of use, keeping doors closed, amongst other measures.

The proposed use, being for car repairs, raises similar issues, particularly in regards to whether it will result in any additional noise impact upon nearby residents. No formal objection has been raised by the Environmental Protection Officer. Instead, it is expected that significantly restrictive conditions would be imposed to ensure that the previously installed insulation remains installed and maintained appropriately, and with controls over hours of use, keeping doors closed and preventing external working.

The key consideration regarding compliance with Policy EN 13 is whether, even with such conditions imposed, the proposed use is acceptable given the proximity to nearby residents.

In particular, the operation of the site is considered to be, materially different to the previous building use, due to the greater level of vehicular movement into/out of the site which itself creates noise, and the likelihood that the garage shutter doors will be frequently opened/close to allow vehicles/equipment in/out of the building. This is partially ameliorated by the positioning of the current access/doors on the northern side of the site. If complied with then the suggested conditions may limit the level of noise/disruption and may be sufficient to comply with Policy EN 4, though a level of concern remains, particularly as to the appropriateness of such a facility being located immediately adjacent to residential properties.

If the use is approved, it is essential to ensure that the conditions are strictly complied with and enforced robustly where breached.

In respect of visual amenity, concern has been raised in regards to the visual impact of parked cars and storage of waste externally which is stated by residents to have resulted in an overly industrial appearance of the site and with a resultant visually unappealing outlook. At stated earlier in regards to design, this matter can be satisfactorily controlled through the imposition of conditions to maintain an acceptable visual appearance. The matter is then one for balance of probability in terms of the applicant's compliance

Environmental considerations (Policy EN 13):

As referred to above, the original acceptance of the use of the building for B1 purposes was made under previously adopted policy, and on the basis of strict conditions proposed by the Environmental Protection Officer, given the nature of the proposed business at the time. The matter of noise has been addressed above in relation to amenity and raises similar concerns in regards to compliance with Policy EN 13. The suggested conditions will help to control operations within the site to alleviate any noise impact as much as practically possible.

In terms of the potential for pollution and impact on drainage, much of the external area of the site consists of gravel/soft landscaping and as such, consideration has been made of the potential for chemical/oil leakage given the proposed use and the current storage of vehicles/waste externally.

However, subject to conditions to prevent the storage of vehicles externally, (except for staff/customer parking) and the suitable provision of waste receptacles (further details of which would be required) it is considered that this matter could be satisfactorily addressed to comply with Policy EN 13.

Landscape impact (Policy EN 2):

The position of the site on the edge of the village and adjacent open countryside requires consideration of any potential landscape impact. The site is at present relatively enclosed within a hedged site boundary. Given that no changes are proposed to the external appearance of the existing building, and subject to limitations on external working/storage, it is not considered that the proposed use will have a significantly detrimental impact upon the appearance of the surrounding landscape and as such, the proposed use would be broadly compliant with Policy EN 2.

Highways impact (Policies CT 5 and CT 6):

The Highway Authority have not raised an objection (stating the same conditions as PF/18/0606 the previous application) to the proposed change of use, subject to access improvement works, to include the widening of the existing access point and improved visibility splays

As such, although there are concerns from an officer perspective in regards to the current access arrangements, with no objection from the Highway Officer, it is not considered that refusal based upon the current arrangements can be substantiated under Policy CT 5. Plenty of space exists within the site for both staff and customer parking and as such, the proposed use complies with Policy CT 6.

Conclusion:

It is considered that the proposed use would not accord with the aims of Core Strategy Policy SS2 which seeks to limit development to that which requires a rural location, nor with Paragraph 84 of the NPPF. In this respect, the applicant has not sufficiently demonstrated why a rural location is necessary for the business, nor that there is a community need for the business. Furthermore, it is not considered that the size of business proposed is appropriate in the context of the rural locality, in what is considered to be an unsustainable location, contrary to Policy EC 2. No convincing mitigating circumstances have been put forward to outweigh the policy conflict identified. In addition to this, the Development Committee will need to consider whether the potential noise impact of the proposed use upon the amenity of nearby residential properties can be sufficiently mitigated through appropriate conditions, and balance of probability for their compliance in order to comply with Policies EN 4 and EN 13.

RECOMMENDATION:

Refuse for the following reason:

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO 9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

EC 2 - The re-use of buildings in the Countryside

The National Planning Policy Framework (NPPF) (published 27 March 2012) is also material to the determination of the application. The following sections are considered relevant:

Section 6 – Building a strong, competitive economy (paragraph 84)

In the opinion of the Local Planning Authority the proposal constitutes an unacceptable form of development in the Countryside policy area where development is limited to that which requires a rural location. It is considered that the applicant has failed to demonstrate satisfactorily that there are material considerations to justify a departure from Development Plan policy in this case.

Furthermore, it is not considered that the proposed use is appropriate in scale and nature to the rural location, nor represents the sustainable growth or expansion of a business in a rural area, with no evidence provided of a specific need for such a business in the locality, contrary to Policy EC 2 and Paragraph 84 of the National Planning Policy Framework.

Final wording of reasons to be delegated to the Head of Planning

- Target Date: 27 November 2018

Case Officer: Mr C Reuben

Full Planning Permission

CONSTRAINTS

LDF Tourism Asset Zone

Enforcement Enquiry

LDF - Countryside

C Road

RELEVANT PLANNING HISTORY for Granary Works, Honing Road, Dilham, NORTH WALSHAM, NR28 9PR

PLA/20051974 PF

POTATO STORE NEW BARN, HONING ROAD, DILHAM

CHANGE OF USE OF BUILDING FROM AGRICULTURAL TO B1 (LIGHT INDUSTRIAL)

Approved 13/02/2006

THE APPLICATION

The application proposes the change of use of an existing building from B1 (light industrial use to car repairs (Sui Generis use). The car repairs business started operating from the sit in February 2018 and as such, the application is retrospective. The building consists of a part brick/part metal clad structure measuring approximately 22mx27m. It sits within a sizeable site with a gravelled parking/turning area to the north (front) of the building, storage space alongside the east elevation, a roadside hedge along the eastern boundary and landscaping to the north-west and alongside the western and southern elevations. The site is served by a single shared access point off Honing Road. Six residential properties lie immediately to the south of the building and are served by the same access.

A decision on the application was deferred at the meeting of the previous Development Committee (held on 29 November 2018) for a site visit, which subsequently took place on 20 December 2018.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr L Walker citing matters of compliance with Policy SS 2, adherence to existing conditions, neighbouring residential amenity and local interest.

PARISH COUNCIL

Dilham Parish Council - Objection. Concerns in regards to the hours of use and noise. A car repairs business is not appropriate for this site as it is within a residential area. The building's prior use was as a potato store, not a granary.

REPRESENTATIONS

Six objections have been received to the application, raising the following concerns:

The change of use was implemented without planning permission.

Existing conditions imposed on the building have not been adhered to, concerned that future considerations will similarly not be adhered to.

The site has now taken the form of an industrial estate.

Vehicles and equipment on the site represents an eyesore.

The site entrance has poor visibility with conflict between garage vehicles and vehicles of local residents. The entrance has been blocked on numerous times by breakdown trucks, customer cars and delivery vehicles. The entrance tarmac has deteriorated and is not maintained.

The business has moved from a more appropriate site in North Walsham, with two similar businesses already within easy reach of Dilham and as such, is surplus to requirements. Therefore, no justification for the business on the grounds of employment or providing necessary village services.

Propose use is totally inappropriate and far removed from the original potato store.

Residents faced with extra long business hours, six days a week, noise and pollution, and will severely impact upon quality of life.

No right of access for business to use residential drive.

Pollution may affect the natural wildlife environment.

Health and safety concerns to due to stored waste and scrap cars.

Increase risk to pedestrians as a result of increased vehicular use, and increased vehicular traffic through the village.

Dilham has a peaceful reputation and attracts visitors due to river access, a traditional pub and scenery. Proposed development will have a detrimental impact on this.

Residents have been miss-led as to the intentions regarding the use of the building since the purchase of the adjacent residential properties, as demonstrated by non-compliance with conditions and the continual 'creeping use' of the building.

Concern in regards to required highway conditions and disagreement with Highway Officer's/Landscape Officer's conclusions.

CONSULTATIONS

Norfolk County Council (Highway - Broadland) - No objection. Commented that the proposed use would have sustainability benefit in reducing the need to travel to other car repair workshops, though also question the ability of the rural road network in regard to the possible resultant intensification in use. However, subject to conditions requiring widening of the existing access, improved visibility splays and provision of the on-site parking/turning areas, the proposed use is considered to be acceptable.

Environmental Health - In receipt of formal complaints from local residents in regards to noise and odour (under investigation). Although former B1 use may preclude an objection to Sui Generis (car repairs) use, the applicant has requested to increase the intensity in use of the site, which may lead to further complaints. If committee are mindful to grant permission, a number of conditions are strongly recommended, to include:

personal consent to the current occupier only;

insulation to be installed and maintained as per previously agreed details;

no repairing of vehicles or storage of scrap vehicles externally, no use of plant/equipment/machinery or vehicles (except for access and egress) externally, and only allow the external storage of waste in appropriate receptacles;

no cleaning/washing of vehicles externally;

restricting opening hours to between 08:30 and 17:30 Monday-Friday, with no opening at weekends or on bank holidays

further details of waste storage/disposal to be submitted;

keeping windows/doors closed during hours of working (except to allow for access and for movement of equipment

no paint spraying;

details of any future required ventilation/extraction/air conditioning/refrigeration to be submitted and approved; and

details of any future external lighting to be submitted.

Landscape Officer - No objection.

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, refusal 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.

POLICIES

North Norfolk Core Strategy (Adopted September 2008):

SS 1: Spatial Strategy for North Norfolk

SS 2: Development in the Countryside

SS 5: Economy

EN 2: Protection and enhancement of landscape and settlement character

EN 4: Design

EN 13: Pollution and hazard prevention and minimisation

EC 2: The re-use of buildings in the Countryside

CT 5: The transport impact of new development

CT 6: Parking provision

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development

Section 6 – Building a strong, competitive economy

Section 12 - Achieving well-designed places

Section 15 - Conserving and enhancing the natural environment

MAIN ISSUES FOR CONSIDERATION

Principle

Design

Residential amenity

Highway impact

Landscape impact

Environmental impact

APPRAISAL

Principle (Policies SS 2, EC 2 and NPPF Para's 83(a) and 84):

The site in question lies within the designated Countryside policy area of North Norfolk, as defined under Policy SS 2 of the adopted North Norfolk Core Strategy. Within this area, specific types of development are acceptable but are limited to those which specifically require a rural location and are listed in the policy. One such accepted use is the re-use of an existing building for economic use, subject to compliance with the criteria set out in associated Policy EC 2. However, the use must still require a rural location.

The existing building was granted consent in 2005 under application ref: PF/05/1974 for its change of use from agricultural use (a potato store) to B1 use (a steel fabrication business). Acceptance of that application was based upon adopted Local Plan policy at the time (pre-dating the now adopted North Norfolk Core Strategy) with a strict set of conditions imposed in relation to, in particular, noise mitigation, taking account of the close proximity of the building to neighbouring properties to the south.

Key to determination of this current application is whether the proposed car repair business (Sui Generis) is acceptable in principle in the Countryside, in particular, whether it truly requires a rural location as required by Policy SS 2. Although associated Policy EC 2 of the Core Strategy does allow the re-use of rural buildings for economic uses, these uses must be 'appropriate in scale and nature

to the location' and '...in accordance with other policies to protect...amenity'. The policy approach set out in policy EC 2 is in broad conformity with paragraph 83(a) of the National Planning Policy Framework which supports the 'sustainable' re-use of rural buildings for economic uses. However, this is caveated by paragraph 84 of the NPPF which states that whilst sites in rural areas may have to be found for local business needs, such development should be '...sensitive to its surroundings...'.

It is clear that the car repairs business is significant, and certainly a larger operation than the permitted B1 (light industrial) use, noting the size of the existing building and the number of cars parked within the site. This being the case, it is considered that the proposed business represents a much larger business/operation than would normally be expected in the context of an edge of village location (noting that the village itself is small). Such uses are better suited to designated employment land/industrial areas as facilitated by Policy SS 5 of the Core Strategy, and indeed this is where the use previously took place, being operational from 31 New Road, North Walsham, in close proximity to North Walsham Town Centre. As such, it is considered that the size of the business, coupled with the character of the location, is considered to be disproportionate in terms of its scale and nature to the locality, with no convincing justification provided as to why this particular location is required, nor that there is a local need for such a business.

It is recognised that historically small, localised garages have been, and indeed remain, a feature of some small villages. Although not a material policy consideration in the determination of this application, Core Strategy Policy CT 1 (which ensures the retention of important local facilities and services) provides useful guidance as to the type of services/facilities that are considered to be important to a local community, particularly in order to safeguard their future. Notably, a car repairs business is not listed as one of these key services/facilities. It is further noted that similar businesses already exist in the locality, one located approximately half a mile to the north along Honing Road, and another located just over a mile away on Yarmouth Road in Smallburgh. Indeed, the business located in Smallburgh is smaller and more appropriate in scale to a rural location. As such, this further casts doubt as to the need for an additional car repairs business in the locality, which owing to its size, is likely to draw business from a much wider area.

Consideration has been given to the economic benefits of the proposed use, current employment levels at the facility and the existing lawful B1 use of the building. However, it is not considered that any potential economic benefits of the business, nor the permitted prior use of the building, would outweigh the policy conflicts identified.

On balance, it is considered that the proposed use does not comply with Core Strategy Policy SS2 as the proposed use does not require a rural location. In addition, the proposal fails to comply with Policy EC 2 due to the size of the business not being appropriate in scale and nature to the location. Furthermore, the proposed use does not conform to the aims of NPPF Paragraphs 84.

Design (Policy EN 4):

Regarding design, no alterations are proposed to the existing building. The application proposes an additional 1.82m high fence along part of the eastern site boundary, alongside an existing hedge, which would help to screen existing storage areas alongside the eastern side of the building. The proposed fencing does not raise any major design concerns. At present, due to the level of outdoor storage and parking, the site has adopted a more industrial look, however, taking note of the consultation responses received and associated conditions required seeking the limitation of external working and storage, much of the visual impact of the proposed use could be addressed.

On balance, it is considered that in regards to design, the proposals are acceptable against the aims of Policy EN 4 of the Core Strategy.

Residential amenity (Policy EN 4):

The nearest residential properties lies directly to the south of the building. A number of objections have been raised in regards to the proposed use, in particular relating to noise and visual impact created by the proposed use. The site has an existing lawful B1 use (previously occupied by a steel fabrication business) and as part of acceptance of that use a number of strict conditions were suggested by the Environmental Protection Officer and imposed in order to control noise from the site, specifically in regards to the installation of acoustic insulation, hours of use, keeping doors closed, amongst other measures.

The proposed use, being for car repairs, raises similar issues, particularly in regards to whether it will result in any additional noise impact upon nearby residents. No formal objection has been raised by the Environmental Protection Officer, though neither are they particularly supportive of the proposed use and at the very least, it is expected that significantly restrictive conditions are again imposed to ensure that the previously installed insulation remains installed and maintained appropriately, and with controls over hours of use, keeping doors closed and preventing external working.

The key consideration regarding compliance with Policy EN 13 is whether, even with such conditions imposed, the proposed use is acceptable given the proximity to nearby residents. In particular, the operation of the site is considered to be, to an extent, materially different to the previous building use, due to the greater level of vehicular movement into/out of the site which itself creates noise, and the likelihood that the garage shutter doors will be frequently opened/close to allow vehicles/equipment in/out of the building - this again is partially alleviated by the positioning of the current access/doors on the northern side of the site. The suggested conditions will certainly help to minimise the level of noise/disruption and may be sufficient to comply with Policy EN 4, though a level of concern remains, particularly as to the appropriateness of such a facility being located directly adjacent to residential properties. If the use is approved, it is perhaps prudent to ensure an ongoing programme of monitoring to ensure that the conditions are strictly adhered to.

In regards to visual amenity, concern has been raised in regards to the visual impact of parked cars and storage of waste externally which is stated by residents to have resulted in an overly industrial appearance of the site and with a resultant visually unappealing outlook. As stated earlier in regards to design, this matter can be satisfactorily controlled through the imposition of conditions to maintain an acceptable visual appearance.

Environmental considerations (Policy EN 13):

As referred to above, the original acceptance of the use of the building for B1 purposes was made under previously adopted policy, and on the basis of strict conditions proposed by the Environmental Protection Officer, given the nature of the proposed business at the time. The matter of noise has been addressed above in relation to amenity and raises similar concerns in regards to compliance with Policy EN 13. The suggested conditions will help to control operations within the site to alleviate any noise impact as much as practically possible.

In terms of the potential for pollution and impact on drainage, much of the external area of the site consists of gravel/soft landscaping and as such, consideration has been made of the potential for chemical/oil leakage given the proposed use and the current storage of vehicles/waste externally. However, subject to conditions to prevent the storage of vehicles externally, (except for staff/customer parking) and the suitable provision of waste receptacles (further details of which would be required) it is considered that this matter could be satisfactorily addressed to comply with Policy EN 13.

Landscape impact (Policy EN 2):

The position of the site on the edge of the village and adjacent open countryside requires consideration of any potential landscape impact. The site is at present relatively enclosed within a hedged site boundary. Given that no changes are proposed to the external appearance of the existing building, and subject to limitations on external working/storage, it is not considered that the proposed use will have a significantly detrimental impact upon the appearance of the surrounding landscape and as such, the proposed use would be broadly compliant with Policy EN 2.

Highways impact (Policies CT 5 and CT 6):

At present, the site is served by a single point of access onto Honing Road. This access is also shared by residents on the adjoining housing development to the south, with the access drive leading around the northern and western boundary of the application site. Much concern has been raised by local residents in regards to the safety of this point of access, highlighting continual conflict between motorists entering and exiting the garage and those using the residential drive. In addition, it is stated that delivery vehicles frequently miss the turn into the garage and have to turn around using

the residential drive, with further concerns raised as to the general increase in traffic that may occur through the village as a result of the proposed use.

The Highway Authority have not raised an objection to the proposed change of use, subject to access improvement works, to include the widening of the existing access point and improved visibility splays. Following the public objections received, these concerns have been raised with the Highway Officer, in addition to which an alternative arrangement has been suggested to create a new access into the garage site from Honing Road and close off the existing access to the garage, leaving the existing access solely for the use of the residents. Both this, and the objections have been considered by the Highway Officer who has maintained that the existing access remains suitable for the proposed use subject to improvements, and as such, there remains no objection, whilst further stating that a new access would be unnecessary and thus not supported.

The Highway Authority response does, however, question the suitability of the surrounding highway network to cater for any material intensification in use of the site, though this matter has to be weighed against the access improvements that could be secured. The response further highlights the benefit of a local vehicle repairs business which may reduce the need for rural communities to travel to such facilities. This comment, however, is afforded little weight given that there is no guarantee that local people will use the facility, and further noting the presence of an existing car repair businesses in the locality.

As such, although there are concerns from an officer perspective in regards to the current access arrangements, with no objection from the Highway Officer, it is not considered that refusal based upon the current arrangements can be substantiated under Policy CT 5. Plenty of space exists within the site for both staff and customer parking and as such, the proposed use complies with Policy CT 6.

Conclusion:

It is considered that the proposed use would not accord with the aims of Core Strategy Policy SS2 which seeks to limit development to that which requires a rural location, nor with Paragraph 84 of the NPPF. In this respect, the applicant has not sufficiently demonstrated why a rural location is necessary for the business, nor that there is a community need for the business. Furthermore, it is not considered that the size of business proposed is appropriate in the context of the rural locality, in what is considered to be an unsustainable location, contrary to Policy EC 2. No convincing mitigating circumstances have been put forward to outweigh the policy conflict identified. In addition to this, the Development Committee will need to consider whether the potential noise impact of the proposed use upon the amenity of nearby residential properties can be sufficiently mitigated through appropriate conditions, in order to comply with Policies EN 4 and EN 13.

RECOMMENDATION: REFUSAL for the reasons specified below:

The District Council adopted the North Norfolk Core Strategy on 24 September 2008, and subsequently adopted Policy HO 9 on 23 February 2011, for all planning purposes. The following policy statements are considered relevant to the proposed development:

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

EC 2 - The re-use of buildings in the Countryside

The National Planning Policy Framework (NPPF) (published 27 March 2012) is also material to the determination of the application. The following sections are considered relevant:

Section 6 – Building a strong, competitive economy (paragraph 84)

In the opinion of the Local Planning Authority the proposal constitutes an unacceptable form of development in the Countryside policy area where development is limited to that which requires a rural location. It is considered that the applicant has failed to demonstrate satisfactorily that there are material considerations to justify a departure from Development Plan policy in this case.

Furthermore, it is not considered that the proposed use is appropriate in scale and nature to the rural location, nor represents the sustainable growth or expansion of a business in a rural area, with no evidence provided of a specific need for such a business in the locality, contrary to Policy EC 2 and Paragraph 84 of the National Planning Policy Framework.

In the event that Members are minded to refuse the application authority is sought for enforcement action to remove the unauthorised uses from the site within 12 months under Section 172 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.



Appeal Decision

Hearing Held on 4 February 2020

Site visit made on 4 February 2020

by Mr K L Williams, BA, MA, MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 05 March 2020

Appeal Ref: APP/Y2620/C/19/3223988

Land at Granary Works, Honing Road, Dilham, North Walsham, NR28 9PR

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr C Purkiss against an enforcement notice issued by North Norfolk District Council.
- The enforcement notice, ref: ENF/18/0046, was issued on 5 February 2019.
- The breaches of planning control as alleged in the notice are:
 - (i) A material change of use from B1 light industrial to car repairs (sui generis);
 - (ii) The erection of a compound fence;
 - (iii) The stationing of a shipping container.
- The requirements of the notice are to:
 - (i) Permanently cease all activities on the Land associated with the car repair business.
 - (ii) Remove all waste, car parts and tools in relation to the car repair business from the Land.
 - (iii) Permanently remove the compound fence from the Land.
 - (iv) Permanently remove the shipping container from the Land.
- The period for compliance with the requirements is 4 months.
- The appeal is proceeding on the grounds set out in section 174(2) (a) of the Town and Country Planning Act 1990 as amended. The application for planning permission deemed to have been made under section 177(5) of the Act as amended also falls to be determined.

Summary of Decision: The appeal fails. The enforcement notice is varied and upheld.

Preliminary Matter

1. The Hearing was adjourned on 4 February 2020 and was formally closed in writing by email dated 20 February 2020.

The Enforcement Notice

2. At the Hearing the Council confirmed withdrawal of the allegation of a breach of planning control in respect of the erection of a compound fence. The enforcement notice will therefore be varied to remove reference to the fence from paragraphs 3, 4 and 5. The fence is therefore not addressed further in this decision. The enforcement notice alleges a material change of use and its first requirement should be the cessation of the alleged use. This matter was discussed at the Hearing and the notice can be varied accordingly without injustice to the main parties, as set out in the Formal Decision.

Background

3. The appeal site is to the west of Honing Road. A substantial part of the site is taken up by a large building of an industrial appearance. There is parking for customers cars and other vehicles on the north side of the building and an area for storage to the east of it. A grassed area with trees takes up the western part of the site. Access into the site is from Honing Road. It is shared with 6 dwellings, which are to the south of the appeal site. The shipping container is positioned near the south-east corner of the site.
4. In 2006, planning permission 20051974 was granted for the change of use of the building from agricultural to B1 (Light industrial). The previous occupiers, a metal fabrication business, later left the site. Mr Purkiss has occupied it for his car repairs business since early in 2018.

The Appeal on Ground (a) and the Deemed Planning Application

Main Issues

5. The deemed planning application to be determined is for the change of use to a car repairs (sui generis) use and for the stationing of the shipping container. Mr Purkiss would not object to the removal of the shipping container and I take that into account. The main issues are the suitability of the use for a countryside location and the effect of the development on the character and appearance of the surrounding area. There is a degree of overlap between these issues and they are considered together.

Assessment

6. The appeal site is on the edge of the village of Dilham. It is within the countryside as designated in policy SS1 of the North Norfolk Local Development Framework Core Strategy (CS), dated September 2008. That document incorporates development control policies. Policy SS2 limits development in areas designated countryside to that which requires a rural location and falls with specified development types. They include some types of employment related development and the re-use and adaption of buildings for appropriate purposes. Policy EC2 says that the re-use of buildings for non-residential purposes will be permitted in accordance with policy criteria. Of relevance to this appeal are the requirements that economic uses must be appropriate in scale and nature to the location and that the building must be soundly built and suitable for the use proposed. The development must also be in accordance with other policies, including those protecting amenity and the character of the area.
7. A car repairs use is not one that necessarily requires a rural location. There are numerous representations in support of the appellant, many of them referring to the advantage of having such a business in the village. However, that is not the same as a need for the use to be in a rural location and there is another car repairs business not too far from the appeal site. Mr Purkiss explains that he has found it difficult to find a site over a long period, having no option but to leave a site in North Walsham. It was to be developed for housing. On the other hand, the Council cites allocations of land in nearby towns, including North Walsham and Stalham, although Mr Purkiss says that these allocations have not yet been developed.

8. Having regard to the above, the development conflicts with policy SS2. The Council's Core Strategy was published well before the National Planning Policy Framework, (the Framework), the latest version of which is dated February 2019. Framework paragraph 80 says that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Amongst other things, paragraph 83 says that planning policies and decisions should enable the sustainable growth and expansion of all types of businesses in rural areas, both through the conversion of existing buildings and well-designed new buildings. The Framework's approach does not require the demonstration of a need for a rural location. To that extent CS policy SS2 is not fully consistent with the Framework. I give moderate weight to the conflict with that policy.
9. Turning to policy EC2, the building appears to be soundly built and Mr Purkiss has found it suitable for his business. Other criteria concern whether the use would be suitable in scale or nature for its location and whether the character of the area would be protected. Framework paragraph 84 recognises that sites to meet local business and community needs in rural areas may be adjacent to or beyond existing settlements. However, it goes on to say that such development should be sensitive to its surroundings.
10. Although there is an existing planning permission on the site for a light industrial use (B1), there is no evidence submitted that such a use is likely to be resumed should this appeal fail. The car repairs business has been successful. Mr Purkiss explains that it is growing, serving local customers and others, including agricultural businesses. This is likely to be an intensive use of the site, generating considerable activity, vehicle movements and a degree of noise. There is only limited development near to the site, including the 6 dwellings to the south, which are barn conversions. There is open, agricultural land to the west, east and north. The Council refers to the particularly quiet character of the area, with low levels of ambient noise. From what I saw of the site and its surroundings, I find that to be credible. The intense activity likely to be associated with the car repairs use on this site would be incongruous within this setting.
11. The use of the access onto Honing Road by vehicles related to the business is likely to be considerable. It is in addition to vehicle movements resulting from 6 dwellings served by that access. Some local residents refer to conflicting traffic movements around the entrance to the site. Visibility to the right for drivers emerging onto Honing Road is limited by the deciduous roadside hedge along the site's eastern boundary. The hedge is also likely to limit the ability of drivers approaching from the south to see vehicles coming out of the site onto Honing Road.
12. I share the Council's view that, if planning permission was granted, a condition would be required for highway safety reasons. It would ensure no vegetation exceeded 0.4 metres in height along most of the eastern boundary to the site. The area is characterised by deciduous roadside hedges and trees and this hedge is an attractive feature. It also assists in screening some views towards the site from Honing Road. Its loss, or reduction to 0.4 metres, would be harmful to the character and appearance of the area. Having regard to the above, the development conflicts with policy EC2, in addition to the conflict with policy SS2. It is not well suited to this countryside location and results in harm to local character and appearance.

13. The development brings some benefits. It re-uses an existing building and gives a degree of economic benefit, including approximately 4 jobs. The representations in support of the appellant, together with the evidence of Mr Purkiss and Ms Adams at the Hearing, suggest that the business provides a valued service for some in the local community. Mr Purkiss also refers to other sites which he has pursued without success. However, he has not submitted any systematic assessment of the availability of sites in the surrounding area.

Other matters

14. The Council has suggested a range of planning conditions. They were discussed at the Hearing and could be imposed if planning permission was granted. Subject to those conditions, the development would not be unacceptable with regard to its effect on residential amenity.
15. Mr Purkiss is concerned about aspects of Council's handling of his planning application, including aspects of the investigation of the breach of planning control and of the Development Committee's consideration of his subsequent planning application. These are not matters for me to address in considering the planning merits of this appeal. I do not attach weight to them.

The Overall balance on ground (a) and the deemed planning application

16. The benefits resulting from the development do not outweigh the conflict with development plan policies and the harm resulting from the car repairs use of this site. The appeal should not succeed on ground (a) and planning permission should not be granted.

The Period for Compliance

17. The enforcement notice gives a period of 4 months for compliance with its requirements. They include ceasing the use and removing related waste, car parts and tools from the site. The appellant did not appeal on ground (g) but was not professionally represented in his appeal. I have therefore considered whether 4 months is a reasonable period. Ceasing the use could be done quickly. However, removing the container and all the related tool, plant and equipment would take some time. In addition, Mr Purkiss has explained the difficulties he has had in finding a site for his business. An extended period would assist with that process. Extending the period would also prolong the harm resulting from the use. Nevertheless, a period of 4 months is unreasonably short. The notice will be varied to extend it to 6 months.

Overall Conclusion

18. Having regard to the above and to all other matters raised the appeal should not succeed. The enforcement notice should be varied and upheld.

Formal Decision

19. It is directed that the enforcement notice be varied as follows:
- i) At paragraph 3 by the deletion of "(ii) The erection of a compound fence" and by the renumbering of (iii) to read (ii).
 - ii) At paragraph 4 by the deletion of the words "erection of a boundary fence and".

- iii) By the replacement of the words at paragraph 5(i) with the words "Cease the use of the land for a car repairs (sui generis) use."
 - iv) At paragraph 5 by the deletion of "(iii) Permanently remove the compound fence from the Land" and the renumbering of (iv) to (iii).
 - v) At paragraph 7 by the replacement of "4 months" with "6 months"
20. The appeal is dismissed. The enforcement notice is varied as set out above and is upheld.

K Williams

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr C Purkiss	The Appellant.
Ms Gail Adams	Local resident.

FOR THE LOCAL PLANNING AUTHORITY:

Mr C Reuben	Senior Planning Officer.
Mr K Peacock	Planning Enforcement Officer.
Ms D Romaine	Environmental Protection Officer.

INTERESTED PERSONS:

Mr I Warner	Vice-chairman, Dilham Parish Council.
Mr K Bowman	Local resident.
Mrs G Bowman	Local resident.
Ms Bowles	Local resident.

DOCUMENTS SUBMITTED AT THE HEARING

- 1) Copy of site layout plan showing position of container.
- 2) Copy of planning application report PF/18/0606.
- 3) Copy of committee minute for PF/18/0606.
- 4) Copy of planning permission 01 20051974.

Thank you for the opportunity to submit this planning application

And I have submitted at this time after instruction from my local planning authority telling me I had a year after the first decision.

A brief history of my business

In 2017 my existing premises was sold to MCarthy and stone developers for a retirement complex.

I had been there for 12 years and the site had been an industrial site for many years previous.

I approached many sites over 12/14 months looking for suitable premises including

Jordans of Coltishall ,Legrice Garden center north walsham, The Old crane freuhaff site owned by City gate, north walsham , the old rope works cromer road north walsham , Rodger hannants garage,

All off these wanted to sell for housing or redevelopment.

I approached many other places of which were not suitable, affordable or big enough for my business.

After my lease had expired and I was on borrowed time at new road north Walsham and I was told about the unit 1 honing road at Dilham.

My obvious first question was to my landlord, would he sell? which he firmly replied no. This gave me some confidence that it was a secure move for my business and that unit 1 had been a B1 light industrial unit for the previous 10 years. There is a good-sized front yard which I could tidy up the building is very suitable for my needs, fully sound insulated with a lockable compound area to the side and no overlooking neighbors. After coming from the middle of a town surrounded by residential properties it seemed ideal. Easy for my customers to find me and convenient for many too.

My planning progress

Moving out of my old premises and setting up at my new unit was a very busy time and I was aware I needed to put in a change of use from B1 to B2 but before I got a chance to do so the council had come down and served a notice on me, at this point I was still caught up in moving in.

Nndc stated without reason on their enforcement letter they would decline my application should I choose to put in a planning application. This seemed to me to be unfair as the decision was made prior to any evidence being surveyed.

I submitted my application on the 02/04/2018 to which I had a small number of objections from the immediate neighbors, when moving in and setting up I was working longer hours and making more noise in the setting up process of my business, as any industrial business moving in would usually do unfortunately.

Months after the complaints simmered out as my working hours have become less and noise levels are now at a minimum and in the highly insulated sound proofed building.

The Highways officer had no objection only good positives to say when he came down to visit and discus the entrance to my site.

He saw the benefits of my being there especially for locals not having to travel and suggested simply cutting back and keeping the hedge trimmed back as access is good and compared to many other garage services ,quite safe even though having to use the shared drive with the closest residents that is owned by my landlord.

The environmental impact officer also had no objections as the state as my garage is clean and well presented I feel. I certainly always do my best to keep it looking presentable.

My planning officer led me to believe in the later months of 2018 I was going to get planning he just needed to get a few details amended before writing up the decision.

Then in the last 2 or 3 weeks prior to writing up in my favor he told me it would be going to committee decision as there was a few locals with opinions although not planning related.

I asked him the council's stance on this expecting a recommendation for approval to hear in the last 2 weeks to decision that the council had changed their mind due to a policy SS2 which was news to me.

I Felt shocked by the turn around off the council's recommendation but the fact I serve the local community and I am constantly busy easily disproves the policy SS2.

Since moving to Dilham so many locals have been very happy with my location and the convenience of my garage for them with being able to maintain their vehicles and trailers.

On the first council committee meeting there was a unanimous vote for a site visit by committee members as I believe they wanted to see for themselves where I was and if my business impacted on the local environment.

I saw the committee members cross examining the environmental agency's recommendations as they said some off there restrictions they wanted to employ on my work and unit wasn't safe or fair. At this point the the council kept reminding the committee their recommendation was rejection.

The committee unanimously voted for a site visit.

Meeting deferred and site visit took place 20th December 2018

next committee meeting on 4th January 2019.

As explained earlier when it came to vote one member hadn't made it back from break on time so couldn't vote so with a hung decision off 5/5 if the council chamber had waited 3 more minutes I may have won and had planning granted to me to trade at unit 1. it was that close so I am appealing now to save my business and my employees jobs and to continue to give the local community the service a lot have come to rely up on.

Policy SS2

The previous occupants of unit 1 was a company called flashpoint a metal works fabrication business doing grinding welding sheet metal folding which is why I guess being noisy they had to sound insulate the building. And after 10 years off trading there they moved to Heatherset miles away, so they were obviously not interested in local trade.

I rely on local trade from Dilham and surrounding villages and I am central to the two local towns so can be very convenient for many using my services.

If I am not needed in a rural location, then how come I am so busy with local trade and fixing 4x4s horse boxes and trailers as well as local's cars and vans. In the countryside people are more spaced out so for those in mechanical trouble or in need I have been a welcomed help for sure.

If I lose this appeal and I have to move out and close my business, then unit 1 will still be a b1 light industrial unit and another business will take it over. Which will no doubt upset the locals that have complained about me as they have complained about each business in the unit.

The next business may not care for the environment or keep the place as clean and tidy like I do, and not care about who they upset.

I'm not causing any environmental impact, I can verify where all my waste goes.

And I do care. I am not here to upset anyone just to provide a good honest service to the local community.

I feel I have made efforts to improve the grounds which I occupy, I keep it clean and tidy have re-shingled the yard fixed the gates put up a fence in the compound keeping with the area.

I do not understand the decision that the council made after originally telling me they were going to grant planning to then recommend rejection under policy ss2, criteria I feel I fit into.

Environmental impact on local community

As I generally only work in side my unit and I don't feel I am causing any impact on the environment the road structure to my unit is suitable as pointed out by highways. The environmental impact officer had no objections to me being at the site.

Being able to turn our hands to fixing many types of mechanical vehicle we have also helped and fixed the smaller farm vehicles locally.

Also working in an old farm building adds to the diversity off the farm and village.

Now after a year off trading I consider my business an asset to the local community.

Conclusion

So after such a close result at committee I feel robbed off a positive result in my first planning application which leaves me in a limbo until I know either way.

I have searched rightmove for any other units and there is nothing again in my local area.

I urge for the planning inspectorate to support my established business and grant me planning for a simple change of use from B1 to B2 so I can continue to provide the good quality service to the local community and keep the jobs for my employees .

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DILHAM PF/20/1895 - Change of use of part of building from agricultural to use for automotive repairs (Class B2). The Piggeries Honing Road Dilham North Walsham NR29 9PN

Minor Development

- Target Date: 01 January 2021

Case Officer: Mr J Pavey-Smith

Full Planning Permission

RELEVANT SITE CONSTRAINTS

LDF Tourism Asset Zone

LDF - Countryside

C Road

RELEVANT PLANNING HISTORY

This application seeks permission for the change of use of part of a large agricultural building to B2 Use (for automotive repairs). The proposal seeks to find alternative premises for a business (Carl's Auto Repair Services) which currently operates from another site – The Granary Works, located approximately 200 south-west of the application site – which is also owned by the applicant.

The Granary Works site extends to circa 1,760 sq. m and its permitted use is for light industrial (Class B1).. The auto repairs business operating from it does not have planning permission following the refusal of a retrospective planning application (PF/18/0606) in January 2019 and a subsequent appeal against the enforcement notice requiring the use to be ceased, which was dismissed (appeal Ref: APP/Y2620/C/19/3223988)

Following the dismissal of the appeal, the applicant has engaged with the Local Parish Council and local residents and has identified an alternative site to accommodate the automotive repair use. That location is the current application site.

Members will be aware that the retrospective application (PF/20/0002) for change of use of the Granary Works to car repairs, is also pending a decision that is reported on this agenda with a recommendation for refusal.

THE APPLICATION

The Piggery is a large, agricultural building located at the north end of the village of Dilham. The building comprises a main body (circa 900 sq. m.) and a substantial lean to element on the northern elevation (circa 200 sq. m). The building is fronted (to the west) by a hardstanding 'forecourt' (circa 250 sq. m.) and is accessed via a dedicated private driveway leading off Honing Road.

The Piggery is bounded to the north by a dwelling and associated extended curtilage, and to the south, east and west (on the other side of Honing Road) by agricultural land, all of which is in the ownership of the applicant.

REASONS FOR REFERRAL TO COMMITTEE

At the request of the Head of Planning to consider matters of local interest and material planning considerations, e.g. compliance with plan policies for rural employment uses SS1 & 2, EC2 and EN4.

PARISH/TOWN COUNCIL

Dilham PC: are neutral with regards this application subject to the following conditions/concerns being incorporated into any decision.

If the current application is successful it should be subject to the condition that Carl's Autos clears The Granary of all equipment, vehicles, and scrap and that it cannot return to use for auto repairs The grass verge should be fenced off to prevent excess cars being parked there.

With regard to:

- **Parking:**

The application mentions parking for 10 vehicles at the site but the location of these places is not clear on any plan.

The grass verge alongside the approach drive should not be used for the parking or storage of vehicles under repair, this will be much more visible than using the hard standing in front of the building.

The outside parking allocation of 10 should only be in the present hard standing area. No daytime parking should overflow to other areas. More than 10 cars must not be permitted at any other location on the site. The PC is concerned that surplus vehicles could end up being parked in the field opposite the barns or on the grass verge.

This would easily be prevented by fencing off the grass verge. Dilham Parish Council suggests this be a condition if this application is successful.

- **Amenity Impact**

The 'Amenity Impacts' mentions 'no repairing of vehicles or storage of scrap vehicles externally' but it falls short of 'no vehicles to be left outside after hours of business'. This would avoid repeating the present situation where many vehicles are still left outside after hours and at the week-end.

- **Traffic**

The increase in traffic has been a big issue in Carl's Autos present location and surely some traffic restriction should be put into place turning in and out of current application site. There is also concern over an increase in accidents, with the number of vehicle movements coming in and out of the

REPRESENTATIONS

Sixteen letters of support have been received from occupiers of the nearby homes: Comments summarised as follows:

- The business in question (Carls Auto Repair Service) has already been so very valuable to some local people who have utilised this service.
- Is an excellent small business and employs several young apprentices.
- No repair facilities in Dilham. The nearest was Smallburgh but that closed some years ago.
- Carl's Auto hasn't caused any problems in its current location in terms of noise and pollution, and is always very tidy

CONSULTATIONS

Norfolk County Council (Highways)

No objection subject to conditions requiring the provision and retention thereafter, of specified visibility splays at the junction of the access with the highway before the proposed use commences, along with on-site parking and turning space

Economic Growth Team: support as there are potential economic benefits that would be derived by the proposal, including employment generation and supply chain development.

Environmental Health: No objections subject to conditions relating to the following matters;

- hours of operation (08:00 – 18:00 hours Monday to Friday, 0800-1300 Saturdays, nor at any time on Sunday, Bank or Public Holidays) with no plant, equipment, vehicles or machinery to be operated on the premises and no deliveries taken or dispatched from the site outside these times. No operations outside these times.
- no repairing of vehicles or storage of scrap cars outside the building at any time and no storage of materials or waste outside the building at any time, except where waste is contained in appropriate waste receptacles for collection by a licenced waste contractor.
- No plant, equipment, vehicles or machinery to be operated externally other than for access and egress from the site.
- No valeting or washing of cars via the use of a pressure washer anywhere on site and no vacuuming other than within the building.
- All external doors and windows to the building to be kept shut at all times during working hours apart from when providing access for personnel and visitors, deliveries and the movement of plant and equipment to and from the building.
- No paint spraying
- Details of any ventilation, air conditioning, refrigeration or mechanical extractor systems or any other plant and equipment to be installed as part of the approved development, to be submitted to and approved in writing by the Local Planning Authority.
- Details of any external lighting to be submitted to and approved in writing by the Local Planning Authority.

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.

POLICIES

North Norfolk Core Strategy (Adopted September 2008):

SS 1: Spatial Strategy for North Norfolk

SS 2: Development in the Countryside

SS 5: Economy

EN 2: Protection and enhancement of landscape and settlement character

EN 4: Design

EN 13: Pollution and hazard prevention and minimisation

EC 2: The re-use of buildings in the Countryside

CT 5: The transport impact of new development

CT 6: Parking provision

National Planning Policy Framework (NPPF):

Section 2 – Achieving sustainable development

Section 6 – Building a strong, competitive economy

Section 12 - Achieving well-designed places

Section 15 - Conserving and enhancing the natural environment

MAIN ISSUES FOR CONSIDERATION

- Principle
- Design
- Residential amenity
- Landscape impact
- Environmental impact
- Highway impact

APPRAISAL

Principle (Policies SS 2, EC 2 and NPPF Para's 83(a) and 84):

The site is within the designated Countryside policy area of North Norfolk, as defined under Policy SS 1 of the adopted North Norfolk Core Strategy. Within this area, Policy SS2 lists the types of development that are acceptable in principle where they specifically require a rural location. Policy SS2 allows for the re-use of an existing building for economic use, subject to compliance with the criteria set out in the associated policy - EC 2.

Policy EC 2 states that the re-use of buildings in the Countryside for non-residential purposes subject to the following:

- *Economic uses must be appropriate in scale and nature to the location.*

- *It can be demonstrated that the building is soundly built and suitable for the proposed use without substantial rebuilding or extension and the proposed alterations protect or enhance the character of the building and its setting;*
- *The proposal is in accordance with other policies seeking to protect biodiversity, amenity and character of the area.*

Considering the first criterion, the application seeks permission for the introduction of a new use to part (less than half) of an existing agricultural building. The proposed development would be substantially smaller than the development previously proposed at the Granary site under application 20/0002, where the unauthorised car repairs use is currently taking place. Whereas the refused application / appeal sought permission for change of use over an area of 1,760 sq. m, this application proposes change of use on an area of circa 600 sqm (approx. 400 sqm of internal space, 200 sq. m external)

It is appropriate to consider a fall-back position i.e. what other uses could potentially be undertaken via permitted development without the need for express planning permission.

Accordingly, it is relevant to note that under existing permitted development rights the site could accommodate up to 500 sq. m floor space of uses as diverse as residential (under Class Q of the GPDO); flexible commercial use (E/B8/C1, D2 under Class R); or a school or nursery (Class S).

If these are uses are considered to be acceptable in nature and scale (of up to 500 sq. m), then officers consider that if the proposed use can be controlled in such a way that limits unacceptable impacts then nil detriment against the above permitted development uses may apply.

Furthermore, that given the limited scale under such a comparison to permitted development uses it is otherwise reasonable to consider the 600 sqm proposed use to be appropriate in scale to a countryside area under policy EC2 criterion one.

Considering the second criterion, the building is in sound structural condition and capable of accommodating the proposed use without extension or external alteration. Thus, criterion 2 is considered satisfied.

With regards the third criterion, the proposal is not considered to have any unacceptable impact on amenity, landscape or ecology, and these matters are considered in more detail below. It is considered that the proposal accords with policy EC2.

It is recognised that historically small, localised garages are features in some smaller village communities. It is further noted that similar businesses have already existed in the locality, one located just over a mile away on Yarmouth Road in Smallburgh which has since closed. The villages surrounding the application site (East Ruston, Smallburgh, Tunstead and Honing) have all lost garages over the years and now offer no such facility. The application proposes a smaller scale use which is potentially important to the functioning of local communities, and in a location which has recently lost a similar business. Consequently, the development proposed in this application represents sustainable development in a rural area, and satisfies the provisions of policy SS2 and EC2.

Design (Policy EN 4):

Regarding design, other than new doors, no alterations to the exterior of the building are proposed to the only new doors to the building. With regards visual amenity, the site is well screened site from the public highway by the substantial area of mature tree planting located between Honing Road and the site.

In regard to visual amenity, concern has been raised as to the visual impact of parked cars and storage of waste externally which is stated by residents to have resulted in an overly industrial appearance of the site and with a resultant visually unappealing outlook. As stated above, this matter can be satisfactorily controlled through the imposition of conditions to maintain an acceptable visual appearance, in this otherwise rural open countryside area.

The proposed conditions would also effectively control the use of external areas. Accordingly, the proposed development is considered to satisfy the provisions of policy EN 4. in this respect.

Residential amenity (Policies EN 4 and EN 13):

No objections have been raised by the Environmental Protection Officer (EPO).

The key consideration regarding compliance with Policy EN13 is whether, even with such conditions imposed, the proposed use would result in material harm to the living conditions nearby residents.

In particular, the use of part of the building for car repairs would, to an extent, be materially different to the agricultural use, due to the greater level of vehicular movement into/out of the site which itself creates noise, and the likelihood that the garage shutter doors will be frequently opened/closed to allow vehicles/equipment in/out of the building - this again would be partially alleviated by the positioning of the current access/doors on the western side of the building. The suggested conditions will minimise the level of noise/disruption. Whilst the appropriateness of such a facility being located close to residential properties, those closest are under the control of the applicant and the occupiers are supportive of the proposal. Officers note the significantly lesser scale of the proposed use, in comparison with application 20/0002

On balance with the inclusion of the conditions recommended by the EPO, it is considered that the proposal would not result in significant material harm to residential amenity and that the proposal complies with policies EN 4 and EN 13.

Environmental considerations (Policy EN 13):

In terms of the potential for pollution and impact on drainage, much of the external area of the site consists of gravel/soft landscaping and as such, consideration has been given to the potential for chemical/oil leakage given the proposed use and the current storage of vehicles/waste externally. However, subject to conditions to prevent the storage of vehicles externally, (except for staff/customer parking) and the suitable provision of waste receptacles (further details of which would be required) it is considered that the proposal complies with Policy EN 13.

Landscape impact (Policy EN 2):

The position of the site on the edge of the village and adjacent open countryside requires consideration of any potential landscape impact. The site is at present relatively enclosed within a hedged site boundary. Given that no changes are proposed to the external appearance of the existing building, and subject to limitations on external working/storage, it is not considered that the proposed use will have a significantly detrimental impact upon the appearance of the surrounding landscape. As such, the proposal is considered to comply with Policy EN 2.

Highways impact (Policies CT 5 and CT 6):

Having received further information, the Highway Authority have confirmed that they would not wish to restrict the grant of permission. With regard to the visibility condition requested by the Highway Authority the agent has recently confirmed that the applicant has acquired land to the north of the site and a plan has been provided on this basis, such that it is considered the splay could be provided. Provision will be controlled by appropriate condition requiring installation before first use and maintenance in perpetuity.

In the absence of any objection from the Highway Authority and with the required visibility splays, parking and turning space within the site to be secured by conditions, it is considered the proposal complies with policies CT 5 and CT 6.

Conclusion:

Positive weight can be applied as this application proposes the change of use of part of an agricultural building creates / retains 5 jobs (2 full-time, 3 part-time), in addition the business could continue to provide the rural community with an important service. Officers recognise the same positive weight may also be applied to 20/0002.

The application represents the effective reuse of an existing building, and it has been demonstrated that the proposal is represents sustainable development, delivering economic and social benefits. Critically, the proposals differ from application 20/0002 “retention of use at granary barn” as they are significantly reduced and appropriate in scale to their surroundings. The proposed use will be approximately 1/3 the size of the alternative proposals, at a lesser scale it may be more readily controlled by appropriate conditions. In this way negative weight which may apply on matters of public interest, may be mitigated by this smaller scale proposal which is otherwise appropriate in scale to the community it serves.

Accordingly, the application is considered to satisfy the provisions of Local Plan policies SS1, SS2, EC2 and EN4 and paragraphs 83, 84 and 109 of the NPPF.

RECOMMENDATION:

APPROVE, subject the conditions listed below and any others considered necessary by the Assistant Director for Planning

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development to which this permission relates shall be undertaken in strict accordance with the submitted and approved plans, drawings and specifications.

Plan 1: Site Location.

Plan 2: Site Plan.

Plan 3: Elevations.

Reason: To ensure the development is carried out in accordance with the expressed intentions of the applicant and to ensure the satisfactory development of the site, in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

Highway Conditions

3. Prior to the first use of the development hereby permitted visibility splays measuring 43 metres x 2.4 metres shall be provided to each side of the access where it meets the highway. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety in accordance with the principles of the NPPF.

4. Prior to the first use of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.

Residential Amenity

5. No plant, equipment, vehicles or machinery shall be operated on the premises and no deliveries taken or dispatched from the site outside the agreed hours of operation of 08:00 – 18:00 hours Monday to Friday, 0800-1300 Saturdays, nor at any time on Sunday, Bank or Public Holidays.

Reason: To control the noise, smell and airborne pollution emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

6. There shall be no repairing of vehicles or storage of scrap cars outside the building at any time. There shall be no storage of materials or waste outside the building at any time, except where waste is contained in appropriate waste receptacles for collection by a licenced waste contractor.

Reason: To control the noise, dust or odour emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text and to protect the character of the countryside in accordance with Policy SS 2 of the adopted North Norfolk Core Strategy.

7. No plant, equipment, vehicles or machinery shall be operated externally other than for access and egress from the site.

Reason: To control the noise emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

8. No valeting or washing of cars via the use of a pressure washer anywhere on site. No vacuuming shall take place externally on site.

Reason: To protect nearby residents from smell and airborne pollution in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

9. All external doors and windows to the building shall be kept shut at all times during working hours apart from when providing access for personnel and visitors, deliveries and the movement of plant and equipment to and from the building.

Reason: To protect nearby residents from smell and airborne pollution in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

10. No paint spraying shall take place from the premises subject to this planning permission.

Reason: To protect nearby residents from smell and airborne pollution in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

11. Prior to the first use of the premises hereby permitted, full details of any ventilation, air conditioning, refrigeration or mechanical extractor systems or any other plant and equipment to be installed as part of the approved development, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall specify measures to control noise/dust/odour from the equipment. The use of the premises hereby permitted shall not be commenced until such time as the equipment has been installed in full accordance with the approved details (unless otherwise agreed in writing by the Local Planning Authority). The equipment shall be maintained in accordance with the approved details thereafter.

Reason: To control the noise, dust or odour emitted from the site in the interests of residential amenity in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy as amplified by paragraphs 3.3.66-3.3.72 of the explanatory text.

12. Prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall thereafter be installed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities/residential amenities of the area and in the interests of highway safety and convenience, and to avoid light pollution in accordance with Policy EN 13 of the adopted North Norfolk Core Strategy, as amplified by paragraph 3.3.70 of the explanatory text.

Final wording of conditions to be delegated to the Assistant Director for Planning

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EAST RUSTON – PF/20/2049 Slaneys Barns (Seaglass Barn), Chequers Street, East Ruston, Norwich, NR12 9JT: Mr Duncan

Target Date: 11 February 2021

Case Officer: Jayne Owen

Full application

CONSTRAINTS

SFRA - Flood Warning Area

Landscape Character Area

SFRA - Areas Susceptible to Groundwater Flooding

SFRA - Flood Alert Area

LDF - Countryside

Unclassified Road

RELEVANT PLANNING HISTORY

PF/06/1650 Conversion of former agricultural buildings to five units of holiday accommodation.
Appeal Allowed 6 August 2007

THE APPLICATION

The proposal is for a total of 15.18 kWp solar PV to be installed at Seaglass Barns, which is an existing barn conversion comprising four holiday lets. The PV panels would be mounted on a wooden frame (referred to in the submission as a 'solar carport') and would also enable a total of 4 parking spaces and Electric Vehicle charging facilities to be provided, two spaces each side of the central frame. The central frame is designed to angle the PV array at 7 degrees.

The solar carport would be located on an area of existing hardstanding within an unused central area of an existing vehicle turning circle leaving clear access. The carport would also incorporate EV charging facilities and maximise the generation capacity of the panels by orientating them 180 degrees south.

REASONS FOR REFERRAL TO COMMITTEE:

The applicant is related to a Head of Service at North Norfolk District Council

PARISH COUNCIL:

No objections

REPRESENTATIONS:

None

Environmental Health

Limited environmental concerns. It is noted that the site has converted into holiday barns for a number of years. However, as this would appear to have been a previous agricultural site there remains some risk of contamination of the land. An advisory note that in the event of any

contamination becoming evident (from storage or oil/fuel/agrochemicals, disposal pits etc), the applicant/developer is advised to halt works and seek advice from the District Council's Environmental Protection Team is recommended.

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.

POLICIES

North Norfolk Core Strategy (Adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

SS 4 - Environment

SS 5 - Economy

SS 6 - Access and Infrastructure

EN 2 - Protection and enhancement of landscape and settlement character

EN 4 - Design

EN 7 - Renewable energy

CT 5 - The transport impact of new development

National Planning Policy Framework (NPPF):

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 6 - Building a strong, competitive economy

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design
3. Landscape
4. Amenity
5. Highway impact

APPRAISAL

1. Principle (SS 1, SS 2, SS 4, EN 7):

The application site lies within an area of designated countryside. Policy SS 2 states that in areas designated as countryside development will be limited to that which requires a rural location and is for one of a number of specified types of development. This includes renewable energy projects.

The proposal is for solar photovoltaic panels mounted on a wooden frame, referred to as a 'solar carport' within the submitted design and access statement, to generate electricity for existing holiday lets and to provide Electric Vehicle (EV) charging points for holidaymakers staying at the barns. A total of 15.18 kWp of solar PV is proposed to be installed.

The barns were converted from former piggery buildings in 2010 (PF/06/1650) by the application to provide holiday accommodation. The solar carport would be sited to the south of the existing converted barns on an area of existing hardstanding within the centre of a turning circle used by visitors to the holiday lets for vehicle access and informal parking. There are 4 existing on-site parking spaces which would increase to 8 as a result of the proposal.

Policy SS 4 states that renewable energy proposals will be supported where impacts on amenity, wildlife and landscape are acceptable.

Policy EN 7 states that renewable energy proposals will be supported and considered in the context of sustainable development and climate change taking account of the wider environmental, social and economic benefits of renewable energy. Proposals for renewable energy technology, associated infrastructure and integration of renewable technology on existing or proposed structures will be permitted where individually or cumulatively there are no significant adverse effects on the surrounding landscape, townscape and historical features/areas, residential amenity, highway safety or designated nature conservation or biodiversity considerations.

In addition, The National Planning Policy Framework provides that the planning system should support the transition to a low carbon future in a changing climate and support renewable and low carbon energy and associated infrastructure. Paragraph 154 of the framework states that when determining planning applications for renewable and low carbon development, local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions and approve the application if its impacts are (or can be made) acceptable.

In summary, it is considered that the proposed development is acceptable in principle having regard to Policies SS 1, SS 2, SS 4 and EN 7 of the North Norfolk Core Strategy and the aims and objectives of Section 14 of the National Planning Policy Framework.

2. Design (EN 4)

Policy EN 4 states that all development should be designed to a high quality, reinforcing local distinctiveness. 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.

The proposal is for a single carport, providing a total of 4 car parking spaces, one for each holiday barn.

The structure comprises a wooden carport frame, which would support the roof mounted solar panels. The PV panels will be mounted on a wooden frame constructed of Douglas Fir which has been harvested from a sustainable managed forest in Northumberland and cut to shape by a local sawmill, each frame has a support base which is mounted to the ground using a concrete base.

The proposed carport would measure approximately 6.8 m in depth by 9.6 m in depth (10.6 m including overhang of the solar panels) and would have a monopitch roof measuring 2.4 m to 3.3 m at its highest point (angled towards the south orientation).

The carport would comprise a central frame with two supporting frames at either end. A total of 4 parking spaces will be provided, with two spaces either side of the central frame. The wooden framework provides a cantilever onto which the purlins are mounted, which support the PV panels. The frame system designed for Seaglass Barns is referred to as a 'Mono Pitch' frame, whereby the frame is angled in a single direction to maximise the southern orientation of the site. The central frame has been designed to enable the PV array at 7 degrees, such that it will enable a standard sized car to comfortably park underneath the frame, but prevent the pooling of rainwater and subsequent deposit of dirt.

A surface area of approximately 78.9 sq m would be covered by the solar carport. The installation comprises 44 No. photovoltaic panels. The modules comprise thermally pre-stressed glass with anti-reflection technology and a black anodised aluminium frame.

The existing holiday lets are sited to the rear of existing built form, accessed via an existing access. The structure would therefore have no significant impact within the established street scene.

In summary, the proposed development is acceptable in terms of its design and appearance and would accord with Policy EN 4 of the North Norfolk Core Strategy.

3. Landscape (EN 2)

The solar carport would be sited within a small section of unused land within the centre of an existing turning circle and informal parking area in front of the holiday lets. The structure would be screened to the north by the existing holiday lets and there is existing brick and panel fencing of approximately 2.9 m high on the common boundary with the property known as Goosander which would screen the development to the south, views from the east would be from Back Road across an arable field 152 m from the site boundary. To the west of the site there is an existing dutch barn and small scale vineyard.

The solar PV panels specified are construction of dark-coloured black materials and have an anti-reflective coating (ARC) in order to maximise transmission of light and limit the possibility for reflections. No permanent visible spectrum lighting is proposed to be installed as part of the development proposals.

Owing to the relatively small scale and open-sided nature of the building, its natural wooden frame and the siting of the building which minimises its visual impact within the site itself, it is

considered that the proposal would not give rise to any overriding concerns with regard to landscape or visual impact in this location.

The proposal would therefore accord with Policy EN 2 of the North Norfolk Core Strategy.

4. Amenity (EN 4)

Policy EN 4 of the North Norfolk Core Strategy requires that proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers and new dwellings should provide an acceptable level of amenity.

The nearest dwellings are the property known as Goosander which lies to the south and the residential properties at High Hill Road to the north. Views from the residential properties at High Hill Road which lie approximately 132 m to the north would be screened by the existing holiday barns which are approximately 4 m in height. There is existing brick and panel fencing (approximately 2.9 m high) on the common boundary with Goosander to the south.

It is not considered that the proposal would give rise to any overriding concerns in relation to the amenity of any nearby occupiers and therefore the proposal would accord with Policy EN 4 of the North Norfolk Core Strategy.

5. Highway Impact (CT 5)

No additional or new access is required for the installation of the solar PV array. The area where the solar PV is proposed is accessible from the existing private farm track off Chequers Street.

The proposal would accord with Policy CT 5 of the North Norfolk Core Strategy.

6. Conclusion

The proposal is to install a wooden solar carport to generate electricity for the existing holiday barns and to provide electric vehicle (EV) charging for visitors to the barns. Energy generation from renewable sources is supported by local and national planning policies. The NPPF supports the approval of applications for renewable and low carbon development if the impacts are or can be made acceptable.

The solar carport is appropriately sited minimising its visual impact and any adverse impacts in the immediate and wider landscape setting.

The proposal is for a renewable energy project which would have no significant adverse effects on the surrounding landscape, residential amenity or highway safety. The proposal accords with Policy EN 7 of the North Norfolk Core Strategy and the aims and objectives of Section 14 of the National Planning Policy Framework in relation to meeting the challenge of climate change and supporting renewable and low carbon energy and associated infrastructure.

RECOMMENDATION:

APPROVE subject to conditions relating to the following matters and any others considered necessary by the Assistant Director for Planning.

- Time limit for implementation
- Approved plans

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

APPEALS SECTION

(a) NEW APPEALS

**BLAKENEY – PF/20/0614 - Subdivision of single dwelling to form two dwellings including replacement white PVC doors and windows throughout and erection of a detached double garage/cartshed for each dwelling
Galley Hill House, Langham Road, Blakeney, Holt NR25 7PR
for J Bunn Homes (Blakeney) Ltd
WRITTEN REPRESENTATION**

**CORPUSTY - PU/20/0398 – Application to determine if prior approval is required for change of use of agricultural building of a dwelling house (Class C3) and for associated building operations
Barn at Valley Farm, Wood Dalling Road, Corpusty, Norwich
for Mr George Craig
WRITTEN REPRESENTATION**

**EDGEFIELD – PF/20/0761 – Erection of two storey front and side extension, new dormer to first floor West Elevation and internal alterations
Stonehaven, Ramsgate Street, Edgefield, Melton Constable NR24 2AX
for Mr & Mrs Rainsford
WRITTEN REPRESENTATION**

**NORTH WALSHAM – PO/20/1081 (AP/20/003) - Detached two storey dwelling - Outline application for access & layout (all other matters reserved)
52 Aylsham Road, North Walsham NR28 0BL
for Mr John Smith
WRITTEN REPRESENTATION**

(b) INQUIRIES AND HEARINGS – PROGRESS

**HOLT - PO/18/1857 - Outline planning application for the erection of up to 110 dwellings with associated infrastructure to service 2 hectares of land potentially for a new Two Form Entry (2FE) primary school, public open space, landscaping and sustainable drainage system (SuDS) with main vehicular access point from Beresford Road and secondary pedestrian, cycle and emergency access from Lodge Close. All matters reserved except for means of access; Land off Beresford Road, Holt for Gladman Developments Ltd
PUBLIC INQUIRY 20 October 2020**

**CLEY-NEXT-THE-SEA - ENF/18/0164 - Alleged further amendments to an unlawful dwelling
Arcady, Holt Road, Cley-next-the-Sea, Holt, NR25 7TU
for Mr Adam Spiegel
VIRTUAL INFORMAL HEARING 08 February 2021 – Deferred until after 31 March 2021**

**ITTERINGHAM - ENF/17/0006 / CL/19/0756 - Annex which has permission for holiday let is being used for full residential purposes
The Muster, Land adjoining Robin Farm, The Street, Itteringham, Norwich, NR11 7AX for Mr E Goodman
VIRTUAL PUBLIC INQUIRY 08 March 2021**

NORTH WALSHAM - ENF/18/0339 - Material change of use of the land for stationing of containers and jet washing of coaches, and a breach of condition as coaches are stored and manoeuvred outside the area details in the planning permission 02/0013

**Bluebird Container Storage, Laundry Loke, North Walsham, NR28 0BD
for Mr John Silk, Bluebird Commercial Properties Ltd**

VIRTUAL PUBLIC INQUIRY 25 January 2021 – to be Re-Scheduled – Awaiting Dates

(c) **WRITTEN REPRESENTATIONS APPEALS - IN HAND**

BLAKENEY – PF/20/0564 - Erection of one and a half storey detached dwelling (part retrospective) 8 Langham Road, Blakeney, Holt, NR25 7PG

for Mr & Mrs Ingham

WRITTEN REPRESENTATION

HICKLING – PF/20/0760 - Construction of single and two-storey side and rear extensions including first floor balcony with external staircase and construction of new permeable driveway

Marsh Cottage, Pockthorpe Loke, Hickling, Norwich, NR12 0BX

for Mr Lambard

WRITTEN REPRESENTATION

HIGH KELLING - ENF/16/0131 - Alleged Unauthorised Development and Recreational Activity

Holt Woodland Archery, Cromer Road, High Kelling

for Mr Jonathan Hancock

WRITTEN REPRESENTATION

MUNDESLEY – PF/20/0830 - Subdivision of land and construction of two storey dwelling with associated access

49 Northfield Road, Mundesley, Norwich, NR11 8JN

for Mrs Ship

WRITTEN REPRESENTATION

WIVETON - PF/19/0856 - Retention of an electronic communications base station without removing the existing 12.5m high monopole mast and attached transmission dish (as required by condition 5 of prior approval ref. no. PA/17/0681); Telephone Exchange, Hall Lane, Wiveton

for Arqiva Limited

for Arqiva Limited

WRITTEN REPRESENTATION – JOINT WITH ENF/18/0061

WIVETON - ENF/18/0061 - Works not in accordance of permission-

Telecommunications monopole not removed.; Telephone Exchange, Hall Lane,

Wiveton for Arqiva Limited

WRITTEN REPRESENTATION – LEAD APPEAL

(d) **APPEAL DECISIONS - RESULTS AND SUMMARIES**

BLAKENEY – CL/20/0292 - Certificate of Lawfulness for Existing Use of the site for the stationing of 6 no. static caravans

Caravan Site, Galley Hill House, Langham Road, Blakeney, Holt, NR25 7PR for J Bunn Homes (Blakeney) Ltd

APPEAL DISMISSED

**BLAKENEY – PF/20/0293 - Variation of condition 3 of planning permission
PF/19/0768 to remove the restriction that 2no. of the 6 no. caravans should be
touring caravans
Grimes Caravan Site, Langham Road, Blakeney, Holt, NR25 7PR for J Bunn
Homes (Blakeney) Ltd
APPEAL ALLOWED**

(e) **COURT CASES - PROGRESS AND RESULTS**

No change from previous report.

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