

Development Committee



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TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 18 August 2021

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 26 August 2021** at **9.30 am**.

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

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

PUBLIC SPEAKING:

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

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

Emma Denny
Democratic Services Manager

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

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

All other Members of the Council for information.
Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance
If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

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 a meeting of the Committee held on 29 July 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

(Pages 1 - 2)

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

OFFICERS' REPORTS

ITEMS FOR DECISION

PLANNING APPLICATIONS

7. SALTHOUSE - PF/21/0666 - SINGLE STOREY REAR EXTENSION TO REPLACE CONSERVATORY; VERTICAL TIMBER CLADDING OVER BRICKWORK ON REAR ELEVATION; DOOR OPENING IN NORTH ELEVATION OF DWELLING; EXTERNAL ALTERATIONS TO SEMI-DETACHED GARAGE INCLUDING ROOFLIGHT AND FLUE (PART

(Pages 3 - 8)

RETROSPECTIVE); 1 BLOOMSTILES, SALTHOUSE, HOLT, NORFOLK, NR25 7XJ

8. WIVETON - PF/20/1228 - RETENTION OF GARDEN BUILDING AND DECKING AREA ON AMENITY LAND ASSOCIATED WITH PARVA COTTAGE, THE STREET, WIVETON AT PARVA COTTAGE, WIVETON FOR MR AND MS J EASTERBROOK (Pages 9 - 14)
9. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - AUGUST 2021 (Pages 15 - 20)
10. APPEALS SECTION (Pages 21 - 24)
 - (a) New Appeals
 - (b) Inquiries and Hearings – Progress
 - (c) Written Representations Appeals – In Hand
 - (d) Appeal Decisions
 - (e) Court Cases – Progress and Results
11. ANY OTHER URGENT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE
12. 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

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

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Declarations of Interest at Meetings

When declaring an interest at a meeting, Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.

Does the interest directly:

1. Affect yours, or your spouse / partner's financial position?
2. Relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner?
3. Relate to a contract you, or your spouse / partner have with the Council
4. Affect land you or your spouse / partner own
5. Affect a company that you or your partner own, or have a shareholding in

If the answer is "yes" to any of the above, it is likely to be pecuniary.

Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest, you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.

Does the interest indirectly affect or relate to any pecuniary interest you have already declared, or an interest you have identified at 1-5 above?

If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

Is the interest not related to any of the above? If so, it is likely to be another interest. You will need to declare the interest, but may participate in discussion and voting on the item.

Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

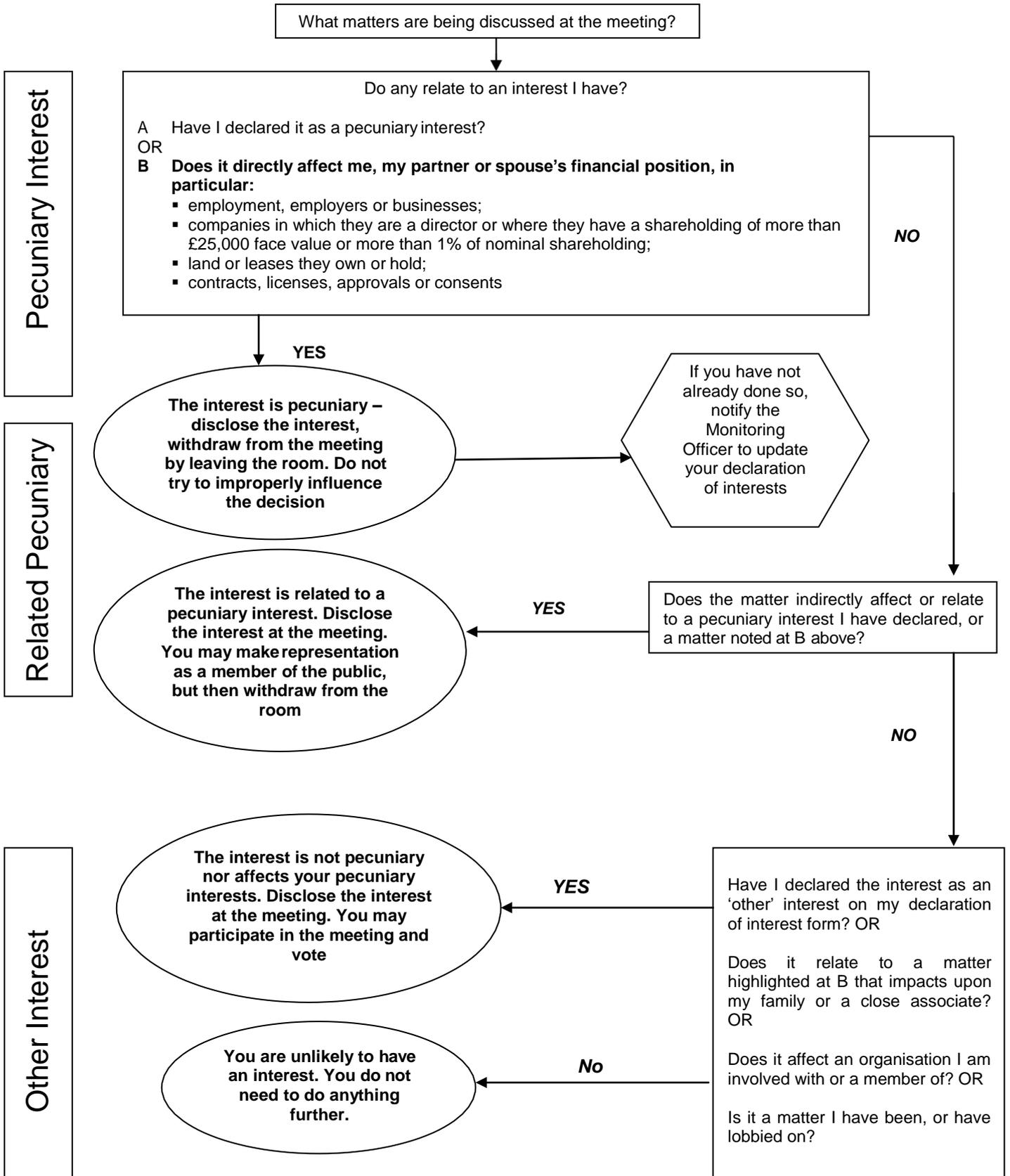
FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF

PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST INSTANCE

DEVELOPMENT COMMITTEE MEMBERS SHOULD ALSO REFER TO THE PLANNING PROTOCOL

Declarations of Interest at Meetings

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



SALTHOUSE - PF/21/0666 – Single storey rear extension to replace conservatory; vertical timber cladding over brickwork on rear elevation; door opening in north elevation of dwelling; external alterations to semi-detached garage including rooflight and flue (part retrospective); 1 Bloomstiles, Salthouse, Holt, Norfolk, NR25 7XJ

Householder application

Target Date: 26th August 2021

Case Officer: Bruno Fraga Da Costa

Full Planning Permission

CONSTRAINTS

Countryside

Conservation Area

Area of Outstanding Natural Beauty

Landscape Character Area – Rolling Heath and Arable

RELEVANT PLANNING HISTORY

PF/20/2390 – Alterations and extensions to dwelling including first floor corner window, bay window and roof terrace to east elevation; single storey extension to west elevation following removal of conservatory; detached outbuilding to side; new windows doors and rooflights to garage; car port to side of garage – Application Withdrawn 12/02/2021

PF/05/1664 – Retention of rear conservatory – Approved 02/12/2005

PF/98/0832 – Erection of two-storey side extension – Approved 27/07/1998

THE APPLICATION

The proposed development would comprise of single storey rear extension to replace conservatory; vertical timber cladding over brickwork on rear elevation; door opening in north elevation of dwelling; external alterations to semi-detached garage including rooflight and flue (part retrospective).

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr. Victoria Holliday – the proposal is contrary to Policies EN1, EN2, and EN4.

PARISH COUNCIL

Salthouse Parish Council – no response.

REPRESENTATIONS

Seven letters of objection to the proposal on the following grounds:

- The proposed black cladding on the east elevation and larch cladding to the sunroom are out of keeping with neighbouring dwellings;

- The increase in the size and height of the proposed sunroom and conversion of the garage constitutes overdevelopment. In addition, the sunroom would be far more prominent – it would dominate the eastern side of the property;
- Objection to the replacement of the garage door with a pedestrian doorway and glazed window;
- The sunroom window would give rise to overlooking effects to the two bedrooms on the south of 37 Cross Street;
- The use of the garage as a potential annex or additional residential accommodation would give rise to noise and light nuisances, which will impact on our property and neighbouring properties during unsociable hours;
- The glazing on the rear elevation and roof lights proposed for the sunroom and garage will result in an increase in light pollution, which is contrary to the “dark skies” qualities of the AONB;
- The conversion of the garage to office space is considered to be a separate dwelling, which would increase occupancy from three to four bedrooms in the property and would result in the need for additional parking.

CONSULTATIONS

Conservation and Design Officer – there are no sustainable Conservation & Design objections to this application.

Landscape Officer – the west elevation remains in keeping with other dwellings within the cul de sac and has a neutral wider impact on the street scene. The glazing has also been reduced both on the west and east elevations, therefore, reducing the potential increase in light spill. Given that the black finish has been amended to natural larch, this will assist in assimilating these additional features into the immediate setting of the dwelling.

Highways Officer – whilst there may be a loss of garaging as part of this proposal, given the site is unadopted, it is difficult to substantiate an objection on this matter alone, given the existing internal subdivision.

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):

- SS1 – Spatial Strategy for North Norfolk
- SS2 – Development in the Countryside
- HO8 – House Extensions and Replacement Dwellings in the Countryside
- EN1 – Norfolk Coast Area of Outstanding Natural Beauty and The Broads
- EN2 – Protection and Enhancement of Landscape and Settlement Character
- EN4 – Design
- EN8 – Protecting and Enhancing the Historic Environment
- CT5 – The Transport Impact of New Development
- CT6 – Parking Provision

National Planning Policy Framework (NPPF):

- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design
3. Amenity
4. Heritage
5. Landscape impact
6. Highway impact/parking
7. Other matters

APPRAISAL

1. Principle (Policies SS1, SS2 and HO8)

The application site is situated in Salthouse, which is defined as Countryside under Policies SS1 and SS2 of the adopted North Norfolk Core Strategy. Within this area, extensions to existing dwellings are permitted, and are subject to compliance with other relevant policies of the adopted plan.

The dwelling lies within a consolidated residential development and the proposed scheme is considered subordinate and compatible with the host dwelling. As such, it is considered the proposal would not result in a disproportionately large increase in the scale of the original dwelling and would not materially increase the impact of the dwelling on the appearance of the surrounding countryside. Therefore, it complies with Policy HO8.

2. Design (Policy EN4)

Concerns have been raised that the proposed black cladding on the east elevation and larch cladding to the sunroom are out of keeping with neighbouring dwellings. The proposed black cladding on the east elevation of the dwelling has been replaced with larch timber cladding.

As such, both the proposed east elevation and sunroom will have the same material, which as per paragraph 10.3.2 of the North Norfolk Design Guide – Supplementary Document are occasionally appropriate in Conservation Areas. Therefore, given the proposed cladding will go through a weathering process, in which the material will silver in time, it will therefore be compatible with the colour palette of existing dwellings within the housing development.

The proposed sunroom measures 6m x 4m x 3m in length, width, and height resulting in a footprint of approximately 24sqm. There is an existing boundary wall measuring 1.8m in height that screens the development from the surrounding area. As such, by virtue of the existing boundary wall, marginal increase in the width by 700mm and reduction in height by 300mm of the proposed sunroom in relation to the former conservatory, it is considered that the proposal would be screened from the surrounding area and as such would not give rise to significant design concerns.

The replacement of the garage doors with a pedestrian doorway and glazed window would not give rise to significant detrimental effects to external appearance of the development. As such, they are considered acceptable.

On this basis, the proposal is considered compliant with Policy EN4.

3. Amenity (Policy EN4)

The proposed sunroom window is located 17.50m south of the two bedroom windows of No. 37 Cross Street. As such, it is considered the proposal would not give rise to significant detrimental effects to the residential amenity of neighbouring occupiers. Therefore, it complies with Policy EN4.

4. Heritage (Policy EN8)

The dwelling is located in Salthouse Conservation Area, which is a designated heritage asset and is therefore afforded protection under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest. As a result, the Conservation and Design Officer has assessed the proposal and does not sustain an objection to the application. The proposed development would not result in harm to the character and setting of the Conservation Area. As such, it is considered the proposal complies with Policy EN8.

5. Landscape impact (Policies EN1 and EN2)

The proposal is situated within the Norfolk Coast Area of Outstanding Natural Beauty (AONB), of which dark night skies are stated as one of the defined special qualities. In addition, the Landscape Character Assessment (LCA) 2021 defines the area as Coastal Shelf.

Concerns have been raised that the proposed glazing on the rear elevation and roof lights proposed for the sunroom and garage will result in an increase in light pollution, which is contrary to the “dark skies” qualities of the AONB. The Landscape Officer has been consulted and is of the opinion that the glazing has been reduced both on the west and east elevations in relation to application ref. PF/20/2390 which has been withdrawn, therefore, reducing the potential increase in light spill. In addition, the previously existing conservatory was extensively glazed and would have resulted in light emission, perhaps more so than that

now proposed. Furthermore, an external lighting condition will be appended to the decision notice.

In terms of appearance, the west elevation remains in keeping with other dwellings within the cul de sac and has a neutral wider impact on the street scene. Finally, given that the black finish has been amended to natural larch, this will assist in assimilating these additional features into the immediate setting of the dwelling. Therefore, it is considered the proposal complies with Policy EN1 and EN2.

6. Highway impact/parking (Policies CT5 and CT6)

Concerns have been raised that the conversion of the garage to office space is considered to be a separate dwelling, which would increase occupancy from three to four bedrooms in the property and would result in the need for additional parking.

The proposal would not result in the increase in the number of bedrooms. There is an existing concrete parking area in front of the garage, which would provide adequate parking provision for two cars, in line with the minimum car parking requirements under Policy CT6. The Highway Officer in respect of access or parking arrangements has raised no objections. As such, it is considered that the proposed development complies with policies CT5 and CT6.

7. Other matters

Concerns have been raised that the use of the garage as a potential annexe or additional residential accommodation would give rise to noise and light nuisance, which will affect neighbouring properties during unsociable hours. In this instance, if any issues arise that constitute a statutory nuisance these should be reported to Environmental Health. Notwithstanding this, it is not considered that the proposed development would give rise to any significant issues.

Conclusion

The development is considered to be in accordance with the requirements of the Development Plan. There are no material considerations that indicate the application should be determined otherwise. Approval is therefore recommended subject to conditions.

RECOMMENDATION:

It is recommended that the application be APPROVED subject to conditions relating to the matters listed below and any others considered necessary by the Assistant Director - Planning:

- Time limit for implementation
- Accordance with approved plans
- Materials to be in accordance with submitted details
- Prior agreement of external lighting

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WIVETON – PF/20/1228 - Retention of garden building and decking area on amenity land associated with Parva Cottage, The Street, Wiveton at Parva Cottage, Wiveton for Mr and Ms J Easterbrook

- Target Date: 6th October 2020
Extension of time: 1st September 2021
Case Officer: Mrs L Starling
Full Planning Permission

CONSTRAINTS

Countryside
Area of Outstanding Natural Beauty
Areas Susceptible to Groundwater SFRA
Undeveloped Coast
Conservation Area
Flood Warning Area SFRA
Landscape Character Area

RELEVANT PLANNING HISTORY

CL.19/2223 (WLU) – Certificate of Lawfulness for existing use of land for private amenity purposes – Granted 20/03/2020

THE APPLICATION

Seeks full planning permission for the retention of a dark green painted horizontally clad timber garden outbuilding, with a green coloured felt roof, timber doors on its west elevation, full height glazing/doors to the east and south-east elevations and associated decking area to the east (proposed to measure approximately 4 metres by 5.6 metres). The building which measures approximately 6 metres by 5.6 metres, with a height of 3.5 metres, was erected on the site in 2018 as a replacement structure for a two previous buildings; a garage constructed in 1973 and a replacement garden building/shed erected in 2007/2008. The application states that the building is used for the purposes of garden storage, with the rear element and decking used to enjoy views of the garden and surrounding area. The structure is not habitable given its lack of insulation and power.

The application site comprises of a long-narrow rectangular parcel of amenity land which is physically detached from the main property known as Parva Cottage and its garden side/rear gardens. A number of properties along this part of The Street are served by a similar arrangement of amenity land set away from the main property.

The site lies within a, a grouping of mainly traditional residential properties situated to the north, south and west, with meadow land and Riven Glaven to the east.

Access to Parva Cottage and the amenity land on which the building to be retained is sited is accessed via an unmade shared access track off The Street.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Councillor Holliday on the grounds that the proposal is considered contrary to Policies EN1, EN2 and EN4 of the North Norfolk Core Strategy, NPPF paragraph 174, the NDC Landscape Character Assessment and its impact upon the Glaven Valley.

PARISH COUNCIL

Blakeney Parish Council – Objection on the following grounds;

This development has been before the Council previously, and a significant number of objections were raised at the time when dealing with the matter of a certificate of lawfulness for the development. We would wish that all the objections raised at the time be brought forward and attached to this application.

The building is almost twice the size of the structure it replaces, and overshadows and blocks the light to the neighbouring properties.

The character of the structure is clearly designed for habitation and not for use as garden storage, and if passed the Council may well be faced with a subsequent planning application for 'change of use' for holiday accommodation. We would wish this scenario to be taken into account and limitations applied when considering this application.

The structure is not in keeping with the site, dominates its surroundings, and is clearly visible from the Cley side of the valley. This impact on the AONB and the Glaven Valley Conservation Area is totally unacceptable.

Wiveton Parish Council wish to object to this development in the strongest possible terms.

REPRESENTATIONS

8 letters of objection have been received on the following grounds, along with other matters;

- Planning application is retrospective; the building was erected in December 2019 without planning permission or even neighbourly consultation.
- The building replaces a small garden shed and is substantially larger - almost double the original dimensions. It completely blocks the view of occupants of Sycamore Cottage.
- Unacceptable design which is completely out of character with the village environment and is solely for the use of holiday makers who rent Parva Cottage as a holiday let.
- The building diminishes the qualities of the AONB and fails to enhance/contribute to the beauty of the perimeter of the ancient medieval meadow (adjacent to the River Glaven).
- If used as a holiday let it could set a dangerous precedent

CONSULTATIONS

NNDC Conservation and Design - Confirm no objections for two main reasons: -

- The submitted proposals would not impact upon the character and appearance of the Wiveton Conservation Area, nor any other heritage assets, and
- The scheme does not give rise to any substantive design issues or concerns.

In the event of an approval issued, no materials or architectural conditions are deemed necessary.

NNDC Landscape Officer – No objections based on the submitted Proposed Planting Mitigation Site Plan (received following the comments made below) and subject to the imposition of the suggested conditions. Comments as follows;

On balance the retention of the *summer house* building is unlikely to have a significant adverse impact on the key qualities of the AONB and would not conflict with Policy EN1. Notwithstanding this, the building is visible within the landscape (especially from Cley) and could adversely impact the landscape character if lighting were introduced, either internally (because of the amount of glazing on the southern and eastern elevations) or externally (which would be contrary to Policy EN2).

The visual impact of the building could be reduced if planting were introduced on the southern boundary (where there is an existing post and wire fence boundary with the adjacent field). Also key is the retention of the existing scrub vegetation to the east of the building. To ensure that suitable mitigation planting is achieved and to ensure the retention of the existing vegetation, a plan should be submitted which shows the existing vegetation to be retained and identifies that new planting is established along the southern boundary. This planting should encompass a predominantly blackthorn hedge planted in a double staggered row, five plants per meter. The hedge plants should be protected by stakes and guards and maintained to reach a height of no less than 2m from ground level. The details on the plan should be secured via a condition of planning.

In addition, to ensure that the tranquillity of the landscape is maintained, it is recommended that the building is only used in association with the existing Parva Cottage building and is not available as additional rental accommodation, this should be secured via a condition of planning.

Finally, a condition should be placed on any permission granted to restrict any mains powered lighting internally or external, without prior approval.

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

EN 1 – Norfolk Coast Area of Outstanding Natural Beauty and The Broads

EN 2 - Protection and enhancement of landscape and settlement character

EN 3 – Undeveloped Coast

EN 4 - Design

EN 8 - Protecting and enhancing the historic environment

EN 9 - Biodiversity and geology

EN 13 – Pollution and hazard prevention and minimisation

CT 5 - The transport impact of new development

CT 6 - Parking provision

National Planning Policy Framework (July 2021):

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 12: Achieving well-designed places
Section 15: Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

Wiveton Conservation Area Appraisal and Management Plan Adopted July 2019

North Norfolk Landscape Character Assessment (SPD) January 2021

North Norfolk Design Guide (SPD) Adopted 2008

MAIN ISSUES FOR CONSIDERATION

1. Principle and site history
2. Design, landscape and heritage impacts including the AONB/Undeveloped Coast
3. Residential amenity
4. Highway safety

APPAISAL:

1. Principle (Policy SS 2)

This application following a previous application granted on 20th March 2020 for a Lawful Development Certificate (LDC) under ref: CL/19/2223. The use of the application site is for private amenity purposes associated with Parva Cottage, in Wiveton as established through the granting of the LDC.

This application seeks approval to retain a garden building which was erected on the site as a replacement structure for a previous building.

The application site is detached from the main residential amenity directly associated with Parva Cottage itself. The previously granted Lawful Development Certificate clarifies that the land does not fall within the typical C3 Use Class, and does not form part of the curtilage of the dwelling house, nor benefits from Permitted Development rights. The land is, however, permitted for private amenity purposes only. As such, the principle of a replacement building in this location is considered acceptable under policy SS 2 of the Core Strategy.

2. Design, landscape and heritage impacts (Policies EN 1, EN 2, EN 3, EN 4, EN 8 and EN 9 and NPPF Sections 12, 15 and 16)

The application site (including the dwelling) are not listed, although it lies within both the designated Wiveton Conservation Area and North Norfolk Area of Outstanding Natural Beauty. (AONB)

The Glaven Valley Conservation Area, and this part of the Undeveloped Coast and Area of Outstanding Natural Beauty are typified by rolling arable land dissected by hedgerows and small woodland copses. There are areas of rough heathland at Wiveton Downs.

The building currently stands on site (to replace a previous, albeit smaller building), and is very much of a typical design for its intended purpose as a garden building. Projecting eaves, the use of timber cladding and appropriate glazing, all help to achieve this view, which is also complemented by the low pitch roof. Given the location of the site within a

wider landscape, its scale and the dark green colour to external walls all assist in its integration within the Conservation Area and wider landscape, as well as helping to protect the special qualities of the North Norfolk AONB.

It should be noted that no objections have been raised to the proposals by the Landscape Team in respect of impacts upon the wider landscape, special qualities of the AONB or Undeveloped Coast for the reasons stated. Therefore, subject to the imposition of requested conditions, including one to ensure that the development is carried out and retained in accordance with the submitted 'Proposed Mitigation Planting Site Plan', the scheme is considered to accord with Policies EN 1, EN 2 and EN 3 of the Core Strategy.

The Conservation and Design team have also raised no objections to this application, stating that the proposal would not impact upon the character and appearance of the Wiveton Conservation Area, nor any other heritage assets, with no materials or architectural conditions deemed necessary.

It is therefore considered that the development complies with the requirements of Policies SS4, EN 1, EN 2, EN 3, EN 4, EN 8 and EN 9 of the Core Strategy and Sections 12, 15 and 16 of the NPPF.

3. Residential amenity (Policies EN 4 and EN 13)

Policy EN 4 supports development proposals where they would not have a significantly detrimental effect on the residential amenity of nearby occupiers.

The boundary with Sycamore Cottage (the nearest property) is approximately 12m from where the shed is located. It has been taken into account that the outbuilding of a greater scale than the building which it replaced. Notwithstanding this, the building's form and design with a low projecting eaves, helps to lessen its the impact on the rear cottages and their outlook from their rear gardens. Any loss of light or overbearing caused by the increase in the outbuilding could not be regarded as 'significant' and as such would not justify a reason for refusal of the application on amenity grounds.

It should be noted that no external lighting is proposed for this building, to ensure minimal impact on the wider landscape in terms of light pollution and retaining dark skies. A condition would be attached to restrict external lighting.

The applicants have stated for the purposes of planning, that the building is not a habitable structure, offering no insulation or dedicated residential use. It is considered prudent considering the history of the site and the nature of the development to condition that no overnight accommodation of any kind is permitted within the outbuilding.

As such, it is considered that subject to the proposed conditions, that the proposed development complies with the requirements of Policy EN 4 of the adopted North Norfolk Core Strategy in respect of protecting residential amenity.

4. Highway safety (Policies CT5 and CT6)

Given the siting and nature of the proposal, the scheme would not raise any concerns in respect of parking, traffic generation or access. As such, it is considered that the scheme would safeguard highway safety in accordance with Polices CT 5 and CT 6.

Conclusion

In conclusion, given that the principle of development is considered acceptable due to the

previous Certificate of Lawfulness being granted, it is considered that the scheme is acceptable in design, landscape, heritage, highways and amenity terms. Subject to the imposition of appropriate conditions, it would comply with the relevant Development Plan policies and the guidance set out in the National Planning Policy Framework (NPPF).

RECOMMENDATION:

Approve, subject to conditions to cover the matters listed below, and any others considered necessary by the Assistant Director - Planning:

Conditions to include:

- Development to accord with submitted details and specifications (given part retrospective)
- Works to be carried out and retained in accordance with submitted landscaping scheme
- Restriction on installation of external lighting
- Conditions to restrict use to incidental to Parva Cottage to ensure not occupied independently and not used for overnight accommodation

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

DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE - AUGUST 2021

1. Introduction:

1.1 This report sets out performance in relation to the determination of planning applications in both Development Management and Majors teams on the basis of speed and quality of decision against national benchmarks. This report is provided as an analogous report to the monthly reporting of The Planning Portfolio Holder to Full Council. The report will be provided on a monthly basis going forward.

2. Background:

2.1 The table below sets out the current national performance targets as set by Central Government as measured over a cumulative 24-month period.

Measure and type of application	Threshold and assessment period
Speed Major Development	60% of applications determined within 13 weeks or an agreed extended deadline over a 24-month cumulative period. NB for EIA development this extends to 16 weeks or an agreed extended deadline.
Quality Major Development	Not more than 10% of appeals overturned over a 24 month cumulative period.
Speed of Non-major ¹ Development	70% of applications determined within 8 weeks or an agreed extended deadline over a 24 month cumulative period.
Quality of Non-major Development	Not more than 10% of appeals overturned over a 24 month cumulative period.

2.2 Persistent failure to reach the national standards of performance in these categories may lead to an authority being designated as poorly performing. Poor performing Councils can lose the right to determine planning applications with MCHLG intervention to secure performance improvements until performance improvement is secured. All categories carry equal weight in these matters.

2.3 An authority can claim 'exceptional circumstances' before designation occurs. An authority will be given the opportunity to provide clear evidence to justify any corrections to data and to set out any exceptional circumstances which would, in their opinion, render designation unreasonable. Such claims are judged against two criteria:

- Whether the issue affects the reasonableness of the conclusions that have been drawn from the data provided, and;
- Whether the issue had a significant impact on the authorities' performance for reasons beyond its control.

3. Current Performance:

3.1 The current period for assessment runs from 2019 to 2021. Applications performance data in relation to speed of decisions for Majors and Non-majors is shown below for quarters from October 2019 to June 2021. The Council receives on average around 2500 applications in anyone year, spread across all applications types, the most numerous case are Householder developments with other smaller scale Non major projects following behind.

3.2 Major developments as measured under Table 151 of MCHLG guidance:

	All Major Decisions	Major Decisions within 13 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result
Oct - Dec 2019	7	2	4	4	1	86%
Jan - Mar 2020	5	0	4	3	2	60%
Apr - Jun 2020	6	0	6	6	0	100%
Jul - Sep 2020	3	1	2	2	0	100%
Oct - Dec 2020	7	2	5	5	0	100%
Jan - Mar 2021	8	0	7	4	4	50%
Apr - Jun 2021	4	0	4	3	1	75%
Jul - Sep 2021						
total	40	5	32	27	8	80%

Minimum level required

60%

* *EoT – Extension of Time Period for determination.*

Please note that no major decisions were made in July, as such our position remains as above.

3.2 Performance in major developments remains 20% above national designation for intervention on performance measures. However, poor performance has resulted in three quarters. Previously our team has striven to exceed 90% of decisions being within the performance criteria. Officers and managers will be re- focused on performance improvements to ensure the figures rebound to a point around the 90 – 95% mark.

The comparatively limited number of major applications requires a maintained

focus on speed of decision to deliver on the targets and ensure good customer service and deliver strategically important development.

Of the 40 cases determined then reliance remains on time extensions 32 cases required extended time periods. This position relating to extension of time periods for major applications is not unusual, given both the complexity of major cases and NNDC's requirement for most major cases to be supported by S106 legal agreements. Those agreements provide affordable housing, infrastructure and ecology mitigation. Critical to performance in this area will be ensuring that wherever possible that extensions of time period are adhered to for decision making.

3.3 Non Major Performance as measured under Table 153 of MCHLG guidance:

	Non-major Decisions	Non-major Decisions within 8 weeks	PPA, EoT or EIA Decisions	PPA, EoT or EIA Decisions in time	Out of time	Result
Q1	297	168	112	91	38	87%
Q2	259	143	107	96	20	92%
Q3	200	71	122	110	19	91%
Q4	182	44	131	126	12	93%
Q5	235	61	155	118	56	76%
Q6	308	41	178	130	137	56%
Q7	298	83	123	104	111	63%
Q8						
	1779	611	928	775	393	78%
	Minimum level required					70%

* EoT – Extension of Time Period for determination.

Please note performance in July for non-majors:

102 total decisions; 43 decisions within time (no EOT); 48 decisions were made under EOT with 32 decisions made within the agreed EOT; 27 decisions exceeded time periods. In total 74% of decisions were made in time for July. This maintains a position at 78% over the two-year performance period.

Performance in non-major developments remains challenging, we stand at no

more than 8% above national designation for intervention on performance measures. Performance below 70% has occurred in two consecutive quarters, performance of this nature is not acceptable and must be addressed. Performance must improve, both in the interests of customer service and reputation. Officers and managers will be re-focused on performance improvements geared to ensure the figures rebound to a secure position that represents more timely decision making and better customer service as soon as possible.

There is a reliance on the use of agreed time extensions, in this area also. It will be critical that where extension of time periods is agreed that decisions are delivered within those timelines. Reliance on extension of time periods for these application types will be reviewed and will provide a key indicator of performance improvements going forward.

3.4 Appeals performance data (the quality criteria) is defined as no more than 10% of all appeals against the Council's decisions being overturned over via the appeal process over the same two-year period.

3.5 For major development appeals the current figure to July 2021 stands at 2.17%; this is single case overturned during the performance period.

3.6 For Non-Major development the figure is 0.55%; the appeals determined are independently reported on a monthly basis to Development Committee, members will be aware of the strong performance from the Council in this area.

4.0 Influencing factors and actions

4.1 Capacity –When discussing performance, it is relevant to consider the flow of work that has been received. Officers have tracked all applications received through May, June, and July. Those figures are for all applications not just those returned under the Council's PS1/2 requirements to MCHLG. I have given the figures within the context of the last two previous years' receipts:

Applications received

May 2021 = 299 (May 2020 = 154; May 2019 = 255)

June 2021 = 272 (June 2020 = 254; June 2019 = 226)

Applications received

July 2021= 262 (July 2019=257; July 2020=266)

The pattern is one whereby incoming work has been higher than normal through this three-month period. The current period shows 833 cases in total over the three months; as against 665 in 2020 and 747 in 2019. As an average over the three months than 277 applications were received per

month in 2021; as compared to averages of 221 cases per month in 2020 and 249 cases per month in 2019. The overall impact has been for officer capacity to be stretched in this time resulting in higher than normal caseloads.

4.2 Software updates – members will be aware that the planning applications software system has been migrated to the Uniform system in December 2020. Further that software updating was required in May 2020. Those processes required substantial down time which imposed backlogs in the validation process. Those backlogs are resolved but have an impact upon the case officers handling capacity, bunching of application can result.

4.3 Illness – the development management team operated through December to March with three senior managers and two cases officers absent for extended periods. Case officer capacity and management of the team was impacted during this time.

4.4 Consultations – the service is reliant upon consultation response to facilitate determination of cases. In some instances, consultation responses have been delayed as internal and external consultees have had competing demands placed upon them.

4.5 Key performance areas for improvement will be discussed with the Incoming Director of Place and Climate Change, along with the Planning Portfolio holder. Areas for discussion may focus upon:

- Extension of time period
- Any need to boost capacity in the short or longer term.
- Proactive case management / case conferences.
- Development of enhanced performance management reports for Case Officers, Team leaders and Managers.
- Improved business process

5.0 Recommendations:

5.1 Members are asked to note the content of this report.

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APPEALS SECTION

(a) NEW APPEALS

ALDBOROUGH – EF/21/0972 - Lawful Development Certificate that the hybrid garden annexe and associated concrete plinth foundation, concrete lattice (max 7sqm) or lightweight lattice base falls under the definition of a caravan and its subsequent siting on a concrete plinth foundation, concrete lattice (max 7sqm) or lightweight lattice base for use ancillary to the main dwelling known as 1 Harmers Lane, Thurgarton, Norwich, Norfolk, NR11 7PF does not amount to development so that Planning permission is not required

1 Harmers Lane, Thurgarton, Norwich, Norfolk NR11 7PF

For Victoria Connolly

WRITTEN REPRESENTATION

BLAKENEY - PF/20/1109 - Change of use and extension to existing storage barn to form new dwelling; and meadow enabled to rare chalk grassland creation scheme

Agricultural Barn, Morston Road, Blakeney

For Mr D Broch

WRITTEN REPRESENTATION

FAKENHAM – PU/20/1494 - Application to determine if prior approval is required for proposed change of use of agricultural building to 2 dwellinghouses (Class C3)

West Barn, Laurel Farm, Thorpland Road, Fakenham, NR21 8NH

For C.E Davidson Farms Ltd

WRITTEN REPRESENTATION

FAKENHAM – PU/20/1495 - Application to determine if prior approval is required for proposed change of use of agricultural building to 1no. dwellinghouse (Class C3)

East Barn, Laurel Farm, Thorpland Road, Fakenham, NR21 8NH

For C.E Davidson Farms Ltd

WRITTEN REPRESENTATION

LITTLE BARNINGHAM – PF/20/0855 - Demolition of existing dwelling and outbuildings; erection of replacement single and part two storey dwelling

Church Cottage, The Street, Little Barningham, Norwich NR11 7AG

For Mr N Wedgwood

WRITTEN REPRESENTATION

SKEYTON – PF/21/0461 - Detached 3 bay car port/garage with annexe accommodation above

Primrose Farm, Cross Road, Skeyton, Norwich, Norfolk NR10 5AN

For Mr M Heraud

FAST TRACK HOUSEHOLDER

STIFFKEY – PF/20/1202 - Conversion of former army training buildings into four holiday lets suitable for disabled persons

Former Army Buildings, Greenway, Stiffkey

For Mr Phil Harrison

WRITTEN REPRESENTATION

(b) INQUIRIES AND HEARINGS – IN PROGRESS

BRISTON - PF/19/1567 - Change of use of land for the stationing of 9 no. caravans for residential use

**Land North Of Mill Road, Briston
For Mr David O'Connor
INFORMAL HEARING – Date TBA**

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 Spiegall

VIRTUAL INFORMAL HEARING 08 February 2021 – Deferred until after 31 March 2021 – upon determination of newly submitted planning application

RYBURGH - ENF/20/0231 – Replacement Roof
**19 Station Road, Great Ryburgh, Fakenham NR21 0DX
For Christopher Buxton and A E Simcock
INFORMAL HEARING – no date as yet**

(c) WRITTEN REPRESENTATIONS APPEALS - IN HAND

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, and conversion of existing detached garage to habitable space for proposed 'Dwelling 2'.

Galley Hill House, Langham Road, Blakeney, Holt NR25 7PR

For J Bunn Homes Ltd

WRITTEN REPRESENTATION

CORPUSTY & SAXTHORPE - PU/20/0398 - Application to determine if prior approval is required for change of use of agricultural building to a dwellinghouse (Class C3) and for associated building operations

Barn At Valley Farm, Wood Dalling Road, Corpusty, Norwich NR11 6QW

For Mr George Craig

WRITTEN REPRESENTATION

CROMER – ADV/20/1701 - Upgrading of advertisement hoardings to digital display of static, internally illuminated advertisements (instead of posters)

Land at Station Road Junction, Norwich Road, Cromer

For Wildstone Group Limited

WRITTEN REPRESENTATION – CAS (Commercial Appeals Service)

HAPPISBURGH – PF/20/0778 – Single storey detached dwelling to rear of existing dwelling and alterations to vehicular access

Old Police House, North Walsham Road, Happisburgh NR12 0QU

For Mr & Mrs Mullins

WRITTEN REPRESENTATION

HIGH KELLING – TW/20/0427 - To remove 2 pine trees as concerns over the safety and close proximity to the dwelling, replacement trees could be planted in the woodland

Coach House At Voewood, Cromer Road, High Kelling, Holt NR25 6QS

For Mrs Sylvia Ackling

Fast Track

KETTLESTONE – ENF/19/0094 - Erection of log cabin
Land South East Of Kettlestone House, Holt Road, Kettlestone, Norfolk
Mr and Mrs P & S Morrison
WRITTEN REPRESENTATION

NORTH WALSHAM – PP/20/0160 – Permission in principle for the demolition of the existing buildings on site and the erection of four dwellings with associated parking and gardens and an extension of 30mph speed limit
Land East of Bacton Road, North Walsham NR28
For Mr David Taylor – Cincomas Ltd
WRITTEN REPRESENTATION

SHERINGHAM – PF/20/1660 - Demolition of redundant A1 use building and replacement with 6 no. studio holiday lets
The Granary, Rear of 51 Station Road, Sheringham NR26 8RG
For Mr Jon Nash
WRITTEN REPRESENTATION

THURGARTON – EF/21/0972 - Lawful Development Certificate that the hybrid garden annexe and associated concrete plinth foundation, concrete lattice (max 7sqm) or lightweight lattice base falls under the definition of a caravan and its subsequent siting on a concrete plinth foundation, concrete lattice (max 7sqm) or lightweight lattice base for use ancillary to the main dwelling known as 1 Harmers Lane, Thurgarton, Norwich, Norfolk, NR11 7PF does not amount to development so that Planning permission is not required
1 Harmers Lane, Thurgarton, Norwich, Norfolk NR11 7PF
For Victoria Connolly
WRITTEN REPRESENTATION

(d) APPEAL DECISIONS - RESULTS AND SUMMARIES

HICKLING – CDC/19/0400 – Discharge of Conditions 6 (Visibility Splay) and 7 (On-site Parking and Turning) of Planning Permission PF/19/0400
Former Andrews Garage Site, The Green, Hickling, Norwich NR12 0XR
For Mr George Hermann
WRITTEN REPRESENTATION
APPEAL DISMISSED

(e) COURT CASES – PROGRESS AND RESULTS

None

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