

Development Committee



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TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 9 February 2022

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 17 February 2022 at 9.30 am.**

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

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

PUBLIC SPEAKING :

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

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

Emma Denny
Democratic Services Manager

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

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

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A G E N D A

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

1. CHAIRMAN'S INTRODUCTIONS

2. TO RECEIVE APOLOGIES FOR ABSENCE

3. SUBSTITUTES

4. MINUTES

(Pages 1 - 16)

To approve as a correct record the Minutes of a meeting of the Committee held on 20th January 2022.

5. ITEMS OF URGENT BUSINESS

(a) To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

(b) To consider any objections received to applications which the Head of Planning was authorised to determine at a previous meeting.

6. ORDER OF BUSINESS

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

(b) To determine the order of business for the meeting.

7. DECLARATIONS OF INTEREST

(Pages 17 - 18)

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.

8. EAST RUSTON - PF/21/2469 - ERECTION OF 7 SINGLE STOREY HOLIDAY LODGES IN CONNECTION WITH THE PUBLIC HOUSE, ASSOCIATED CAR PARKING AND AMENITY AREAS; BUTCHERS ARMS, OAK LANE, EAST RUSTON, FOR MR M OAKES

(Pages 19 - 26)

9. BEESTON REGIS & THE RUNTONS - PF/21/2593 - REMOVAL OF EXISTING OUTBUILDING AND RAISED PAVING AND STEPS TO REAR OF BUILDING; TWO STOREY SIDE EXTENSION; NEW OUTBUILDINGS TO SIDE AND REAR; RAISED REAR SEATING AREA AND GLASS WIND SCREEN TO REAR OF BUILDING

(Pages 27 - 34)

**INCORPORATING RAMP AND STEPS; NEW FIRE ESCAPE STAIR;
PERGOLA AND GLASS WIND SCREEN TO FRONT OF BUILDING;
REPLACEMENT OF 2 NO. ROOF WINDOWS BY DORMER
WINDOWS; CHANGE WINDOW TO BI-FOLD DOORS FROM
RESTAURANT TO OUTSIDE SEATING AREA; 2M HIGH SCREEN
FENCE TO EASTERN BOUNDARY (RETROSPECTIVE);
DORMY HOUSE HOTEL CROMER ROAD WEST RUNTON
NORFOLK, FOR MR S BRUNDLE.**

OFFICERS' REPORTS

- 10. DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE** (Pages 35 - 40)
- 11. APPEALS SECTION** (Pages 41 - 44)
- (a) New Appeals
 - (b) Inquiries and Hearings – Progress
 - (c) Written Representations Appeals – In Hand
 - (d) Appeal Decisions
 - (e) Court Cases – Progress and Results

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 URGENT EXEMPT BUSINESS**
- 14. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM
CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA**

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DEVELOPMENT COMMITTEE

Minutes of the meeting of the Development Committee held on Thursday, 20 January 2022 in the Council Chamber - Council Offices at 9.30 am

Committee Mr P Heinrich (Vice Chairman) –
Members Present: serving as Chairman for the meeting.

Mr A Brown
Dr V Holiday
Mr N Lloyd
Mr N Pearce

Mrs A Fitch-Tillett
Mr R Kershaw
Mr G Mancini-Boyle

Substitute Mr T Adams – On behalf of Mr P Fisher
Members Present Mr J Rest – On behalf of Mrs L Withington
Mr J Toye – On behalf of Mrs P Grove-Jones

Officers in Attendance: Assistant Director for Planning (ADP),
Principal Lawyer (PL),
Major Projects Manager (MPM)
Development Management Team Leader (DMTL- CR)
Development Management Team Leader (DMTL- DW)
Senior Planning Officer (SPO- JP)
Senior Planning Officer (SPO-JB)
Democratic Services and Governance Officer - Scrutiny
Democratic Services & Governance Officer – Regulatory

1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies were received from Committee Members, Cllr P Grove-Jones (Chairman), Cllr P Fisher, Cllr C Stockton, Cllr L Withington, and Cllr A Yiasimi

2 SUBSTITUTES

Cllr T Adams, Cllr J Rest and Cllr J Toye were present as substitutes for Cllrs P Fisher, L Withington and P Grove-Jones respectively.

3 MINUTES

Minutes of the meeting held on 16 December 2021 were approved as a correct record and signed by the Chairman.

4 ITEMS OF URGENT BUSINESS

None received.

5 DECLARATIONS OF INTEREST

- i. Cllr J Toye declared a non-pecuniary interest for Agenda Item 8, Planning application PF/21/2507. As the Local Ward Member he had indicated his support and would abstain from voting.

- ii. Cllr R Kershaw affirmed he was the Local Member for applications PF/21/2969 and PF/21/2656, Agenda Items 10 and 11. He expressed his intention to speak and vote on each applications, as was not predetermined.
- iii. Cllr T Adams advised he was the Local Member for applications PF/20/2569 and PF/21/2544, Agenda Items 9 and 13, adding he would speak on the applications, but would not vote.
- iv. MPM stated, in relation to Item 11 application PF/21/2656, he had neither met nor spoken with the applicant, but his wife served as a planning agent and had been involved with the application. As such the MPM advised he would not speak on this Item.

6 TRUNCH - CL/21/0566 CERTIFICATE OF LAWFUL DEVELOPMENT FOR EXISTING USE OF LAND FOR STATIONING OF A CARAVAN - LAND EAST OF LINCOLN COTTAGE (KNOWN AS THE VINEYARD), COMMON ROAD, BRADFIELD COMMON FOR MS BELL

The SPO-JP introduced the report to Members and noted the ward should read 'Swafield and Bradfield' rather than 'Trunch'. He added that the application was for a Certificate of Lawfulness, and the determination would be based on evidence submitted rather than planning policy.

Public Speakers

Elaine Pugh – Clerk, Swafield and Bradfield Parish Council

Questions and Discussion

- i. At the request of the Chairman, the PL explained the term 'Certificate of Lawfulness'. The PL relayed Planning Policy guidance and advised the application was not for planning permission and would not take into account whether a development should be granted, rather it was a consideration of evidence to determine whether the application was lawful in planning terms.
- ii. Cllr J Toye sought clarification on how long an absence was considered to be in a planning context, and what the current and future use of the Caravan would be. The PL advised that a period of absence in planning terms would be a substantial and continuous period of time, though any sustained break would reset this period. The SPO-JP referred Members to the Report which detailed the Caravan's use for tending a small holding.
- iii. Cllr J Toye enquired whether there would be any restrictions which would legally prohibit the Caravan from being used for residential purposes in the future. The ADP affirmed that information provided to the Council suggested that the Caravan provided shelter to those who worked the area and was not proposed to be of residential use. If occupied permanently for residential use, this would constitute an Enforcement investigation.
- iv. The PL advised a change of use to residential would constitute a material change of use, and would therefore require planning permission or be subject to enforcement action.
- v. Cllr J Toye noted that he had surveyed satellite imagery of the site and a

Caravan had seemingly been located on the land since 2006. As the Caravan has been in situ in excess 10 years, Cllr J Toye proposed acceptance of the officer's recommendation.

- vi. Cllr N Pearce raised concerns that the Parish Council had disputed the legality of the Caravan over the last 10 years, and that these enquires may not have been addressed. The ADP advised each application should be determined on its material merits. Whether or not the Council had failed through its Enforcement Team to address concerns relating to the use of land, was a separate matter. Members should consider whether the Caravan had been in situ for 10 years based on material facts, or if there was evidence to dispute this.
- vii. Cllr A Brown sought clarification on whether officers were aware of any planning enforcement action that would have interrupted the period of continuous use. The SPO-JP advised he was not aware of any such action. Cllr A Brown seconded the proposal to accept the Officers recommendation.
- viii. Cllr V Holiday questioned the validity of evidence provided, and suggested that Exhibits C-K formed indirect rather than direct evidence, proving the land was used for agricultural purposes, as opposed to verifying the presence of a Caravan. She commented that a Caravan had been observed on the site, but not continuously.
- ix. The SPO-JP established that the primary evidence supplied was the signed Statutory Declaration in conjunction with the aerial photographs taken over a 10 year period. The secondary evidence adding weight to the evidence provided.
- x. The ADP acknowledged that officers were satisfied with the evidence supplied showing that a Caravan had been sited as a requirement for the management of the land to have a shelter. He added that if the land was used for agriculture, the evidence would support this as an ancillary element.
- xi. The Chairman enquired if the Caravan could be used for residential purposes. The ADP relayed that the application was largely predicated on the basis of the Caravan being cited for use as a field shelter. This was supported by the SPO-JP, who advised the Caravan was utilised as a field shelter to service the small holding. The ADP noted that an informative could be added to the decision stipulating the Caravan be used as a shelter for amenity purposes and not for residential use.
- xii. Cllr T Adams asked whether the applicant could apply for planning permission for an additional Caravan. The PL advised this would be at the discretion of the applicant, though they would be unable to apply for a Lawful Development Certificate without the suitable period of continuous breach of planning control. Cllr T Adams enquired whether changes to the field, to the exact location of the Caravan, and the Caravan itself, would form material considerations. The ADP advised that replacement or upgrading of the Caravan would not be a material consideration. He added that caravans had a limited lifespan and it was reasonable to expect replacement due to degradation. It was noted that evidence suggested the use the Caravan had been consistent ever the 10 year period, and Officers considered replacement of the Caravan to be reasonable.

- xiii. Cllr J Rest, sought clarification on whether the Caravan itself was new, or whether it was new to the site, in addition to the reasonable life expectancy for a Caravan. The ADP replied that the application was for a Certificate of Lawfulness for the arrangement of a Caravan on the site as an amenity shelter, and should that structure require replacement overtime, under tests of reasonableness this would be permissible. He added that the use of land remained the crux of the issue, rather than the condition of the Caravan.
- xiv. Cllr T Adams raised concerns that the Parish Council had not received adequate notification of the meeting, and whether a deferral would be appropriate. The Chairman noted that the Parish Council had made a representation at the meeting, and that other evidence had been brought forward. The Chairman permitted discussion on this Item to continue.
- xv. Cllr R Kershaw determined on evidence supplied, a Caravan had been located on the site for the required period. He suggested the removal of the word 'residential' from the officer's recommendation.
- xvi. Cllr J Toye proposed the amendment to his original proposition, seconded by Cllr A Brown, to include an informative that a Caravan located on the site be used for amenity purposes for shelter only, and not for residential use.

RESOLVED by 9 votes for, and 3 against.

To grant the Certificate of Lawful Development for the existing use of land for stationing of a Caravan for amenity purposes for shelter.

7 BANNINGHAM - PF/21/2507 - TWO STOREY DETACHED DWELLING (4-BED) WITH DETACHED SINGLE GARAGE AND CAR PORT TO FRONT WITH WIDENING AND IMPROVEMENTS TO VEHICLE ACCESS

The DMTL-CR introduced the report and noted that the site was subject to a prior planning application for a two-storey dwelling, reference PF/21/771, which was refused by the Development Committee on 11th January 2021. The current design was considered to be an improvement, however the proposed development remained unacceptable in respect of strategic policies SS1, SS2 and SS4. The Highways Authority had objected to the application describing the junction of the B1154 as being severely substandard, particularly with regards to visibility and with no possibility of sustained improvement. It was acknowledged that in receipt of the Highways objection, the applicant and agent had made efforts to improve junction visibility. However, Highways noted that these improvements could not be provided in perpetuity, as the applicant does not own the land subject of the improvements.

Public Speakers

Mo Anderson-Dungar – Clerk, Colby and Banningham Parish Council
Paul Harris (Supporting)

- i. Cllr J Toye- local Member, expressed his support for the application. He established the primary issues in determining the application were the sustainability and quality of the structure. With reference to sustainability, Cllr J Toye advised that Sanders Coaches ran a regular bus service, which was only a short walk from the proposed dwelling, with Banningham Village also only a short walk via Weavers Way. He added that the proposed building

was sustainable with its reuse of products, recycling, and energy efficiency, and the design was of exceptional quality, reflecting high standards in architecture, significantly enhancing the immediate setting. In reference to the Highways objection, he commented that the dwelling would not make the road any more dangerous, and that there were other junctions to busier roads that were more dangerous.

- ii. Cllr R Kershaw expressed his support for the application. He noted familiarity with the site and affirmed that there had not been, to his knowledge, any road traffic accidents at the junction with Mill Road. He considered the application was one of infill rather than building within the countryside. He praised the applicant's commitment to improving highways visibility by cutting the hedge at the junction.
- iii. Cllr T Adams spoke in support of the application, and acknowledged representations made by the Local Member and Parish Council, and recognised the application as being sustainable and of good design.
- iv. Cllr N Lloyd endorsed comments raised by Members relating to the environmental considerations, and suggested that developers should be encouraged to produce similar low carbon properties within the District. Additionally, there should be a greater distinction between the use of vehicles dependent on fossil fuels and electric vehicles which would have no impact on sustainability.
- v. Cllr J Rest agreed with representations and noted concerns about the report which advised Mill Road would not be suitable for heavy construction vehicles, given that this would be for a limited time whilst construction was being undertaken.
- vi. Cllr N Pearce noted the Officer's objections in relation to policies, but stated his support for the arguments made and the application itself.
- vii. The ADP recommended Members consider policies SS1 and SS2 in a robust manner, and that a departure from locational strategies should be the exception. The matter of location sustainability forms part of wider considerations, and neither the current or emerging local plan would consider the location sustainable. With respect to vehicles, the ADP affirmed that car journeys using any type of motorised vehicle are considered to be unsustainable, therefore any location dependent on the use of private cars is unsustainable. He added that planning policies aim to deliver no further burden on greater car use and noted the concerns raised by Highways that hedge cutting could not be delivered in perpetuity. It was suggested that Members may consider it appropriate for the application to be permitted subject to a legal agreement with the adjacent landowners, or the use of alternative Grampian style condition.
- viii. Cllr A Brown acknowledged correspondence received from the agent, and the absence of references to policy SS4 from the prior application, which had been refused. It was clarified that due regard was given to environmental policies during that discussion.
- ix. In response to questions raised by the Chairman on the use of the former railway carriage located on the site, the DMTL-CR affirmed that it had been used as an ancillary overspill accommodation, and or, additional storage and

not as a separate permanent dwelling.

- x. Cllr V Holiday stated that weight should be given to the Highways assessment, and the risk of ignoring such guidance. The ADP reminded Members of comments supplied by the Highways Authority at a prior meeting, in which the Highways engineer had advised that accident statistics formed only one aspect of determining highway safety, and they still considered there to be a clear risk at the junction.
- xi. The Chairman noted that there was no proposer or seconder for the Officer's recommendation. The PL advised that within the Constitution, rule 17.5 stated that there was the possibility of Officer's reports being taken as both proposed and seconded at the Chairman's discretion, which was granted.

VOTE WAS LOST by 7 votes against, 4 votes in favour.

- xii. Cllr R Kershaw proposed acceptance of the application in fulfilling policy EN4. The MPM noted that the Officers report considered the application a departure from policy EN4. Cllr R Kershaw revised his proposal and proposed acceptance of the application in conforming to paragraph 79 and 80 of the NNDC Policy guide. Cllr A Varley seconded the proposal.
- xiii. Cllr N Pearce stated the application should be considered a redevelopment due to the presence of existing buildings on the site. He added that the risk at the junction with Mill Road would not be significant, as the site had already been in use, and was only one proposed development.
- xiv. In response to comments from the Chairman, the ADP noted that conditions made regarding the departure from planning policy be important. He added that it was important Members consider the reasons for the departure from Highways advise, and whether a unilateral agreement, or section 106 maybe a consideration, to aid with the betterment in the treatment of the junction. Cllr R Kershaw supported comments made by the ADP, and endorsed the use of a unilateral agreement to secure the improvements to in perpetuity to the junction.

RESOLVED by 7 votes for, 4 against.

That Application PF/21/2507 be approved subject to conditions relating to highways safety.

At the discretion of the Chairman a 15 minute break was taken. The meeting reconvened 11.15am.

8 CROMER - PF/20/2569 - TWO STOREY SIDE EXTENSION WITH BALCONY TO FRONT, SINGLE STOREY REAR EXTENSION AND DETACHED OUTBUILDING IN REAR GARDEN, SOMERVILLE HOUSE, 55 RUNTON ROAD, CROMER FOR MR & MRS DAVIES

The SPO-JB introduced the report and relayed the Officer's recommendation for approval. It was determined that the critical aspects of the report related to design

and amenity.

Public Speakers

Phil Harris – Councillor, Cromer Town Council

Douglas Hiscock (Objecting)

- i. Cllr T Adams - Local Member expressed concerns that the scale and massing of the property would result in overdevelopment of the site. Impacts on amenity had also been noted in comments raised by public objectors. He added that the building would be of a considerably larger scale following development compared to existing properties in the area and along the Runton Road. Cllr T Adams suggested the result would be a cramped development with the host building being dominated by the extension.
- ii. The MPM relayed a statement prepared by Local Member -Cllr A Yiasimi, who was unable to attend the meeting. The Local Member had advised that each application should be considered on its merits, and expressed his support of the Officer's recommendation for approval. Cllr A Yiasimi noted that he was familiar with the area and considered the application to be acceptable in principle and on consideration of the impact on character and appearance, amenity and Highway safety.
- iii. Cllr R Kershaw queried the documentation of the Parish Councils comments, with the report stating no objection, whereas the Parish Council made their objection known. He added that he shared the concerns raised by neighbours with respect to the massing of the building, and impact that the relocation of the living room to the first floor would have on privacy, and stated that he would vote against the Officer's recommendation.
- iv. Cllr A Brown objected to the application, stating that whilst the application may be policy compliant, the final result would be an intensification of the site. There would be a large loss of garden, which he determined to be at the upper limit of acceptability. If the application were approved, he suggested that permitted development rights be withdrawn.
- v. In response to questions raised by the Chairman, the SPO-JB advised that the remaining garden space would be permissible for the dwelling, but this was a finely balanced application. The case officer noted within the recommendation the removal of permitted rights associated with alterations and extensions as well as roof additions.
- vi. Cllr J Toye agreed with concerns about the scale and massing of the development, and the loss of garden space that would result in a loss of biodiversity.
- vii. Cllr V Holiday sought clarification on what percentage increase of the extension compared to the footprint of the original dwelling, and referred to the design guide defining distances between windows to neighbouring properties, as she believed the development would be very close to adjacent neighbours. She added that the single storey studio in the garden would be considered as a bedroom, given that it contained a bathroom, and with this increased bedroom capacity, the application should be considered developmental over-massing. The SPO-JB replied that he did not have footprint figures available, but, it had been a subjective and balanced assessment of the amenity relationship. It was understood that the two storey

wall would create some overshadowing, and that it was a judgement whether the shorter hipped roof and reduced ridge line significantly increased concerns, though this was determined by Officers to be acceptable.

- viii. Cllr N Pearce stated it was a very large extension and redesign of the property in a confined space. The rights of the existing neighbours to their privacy was paramount in deciding upon the application.
- ix. Cllr G Mancini-Boyle enquired what the percentage increase of combined extensions was compared to the host dwelling. The SPO-JB advised that floor area calculations were not available. Cllr G Mancini-Boyle asked whether there was a maximum size to an extension which may be added when compared to the host building. The ADP advised that no clearly defined rule existed.
- x. With no proposer or seconder for the Officers recommendation, the Chairman enacted rule 17.5 of the Constitution which deemed the officer's reports both proposed and seconded at the Chairman's discretion.

VOTE WAS LOST by 10 against, and 1 abstention.

- xi. Cllr J Toye proposed refusal of the application under policy SS7, as well as policy EN4 in that the scale and massing of the proposed development did not respect the character or landscape of the surrounding area, and would negatively impact on biodiversity through the loss of land. He added that the application was not suitability designed for the context of which it was considered to be set. Cllr N Pearce seconded, and asked that loss of privacy also be noted as a reason refusal.

UNANIMOUSLY RESOLVED by 11 votes for.

That application PF/20/2569 be refused in accordance with policy SS7 and EN4, and the loss of privacy on adjacent properties.

9 BINHAM - PF/21/2926 - TWO STOREY SIDE/REAR EXTENSION TO DWELLING, 87 WARHAM ROAD, BINHAM, FOR MR & MRS WALES

The DMTL-DW introduced the report and affirmed officer's recommendation for refusal. Primary considerations related to the effect the proposed extension would have on the character and appearance of the existing dwelling and also on the conservation area. Officers considered the proposal to be harmful due to its size, appearance and proposed materials which would not be subservient to the existing dwelling, and be an in conflict to it. It was noted that there were no public benefits or material considerations which would outweigh this harm, as required by paragraph 202 of the NPPF.

Public Speakers

Pennie Alford - Councillor, Binham PC
Gary Pearce (Supporting)

- i. Cllr R Kershaw - Local Member supplied photographic evidence of other properties located on Warren Road which had large extensions. He added that the application would enable a third generation farming family to live and

work in the area, and better enable them to run the local tea room, adding to the local community and economy. Cllr R Kershaw proposed that members defer the application, to enable Officers and the applicant to discuss and seek a mutually agreeable decision.

- ii. Cllr A Brown seconded the proposal and acknowledged whilst the property was situated within the conservation area and would be subject to additional criteria, there was scope for further discussion.
- iii. Cllr A Fitch-Tillett noted the images supplied by the local Member were instances where the extension was more sympathetic with the existing character and appearance of the area, including use of brick and flint materials. She added that the proposed application did not adopt such traditional materials. Cllr N Pearce echoed concerns regarding the materials used for the proposed extension would consist largely of glazing and timber construction. The setting of the building within the Binham Conservation Area was a principle consideration.
- iv. The DMTL-DW noted the prior application which had an initial similar design, required amendment in order that it be agreed. Should the applicant desire to submit a new application, this would be considered within the pre-application service.
- v. The ADP referred to the previously approved design, which the committee had been informed did not meet the personal circumstances of the applicant, but noted that personal circumstances carry limited, if any, material weight because conditions could not be made on the basis that the building may not remain in the ownership of the family in perpetuity. The ADP acknowledged comments made by the DMTL-DW, which respectfully indicated that this process was felt to have been exhausted.
- vi. Cllr A Brown asked the DMTL-DW whether the use of timber cladding would be permitted as an acceptable material within a conservation area. The DMTL-DW advised that extensions carried out within permitted development stipulated that materials must match the existing dwelling, though this was not applicable for this application, as it was not permitted development. Cllr R Kershaw affirmed timber cladding had been used in the previously approved design.
- vii. Cllr V Holiday surmised from discussion that it seemed Members were in favour of a redesign rather than deferral, and questioned if deferral would be appropriate.
- viii. Cllr R Kershaw commented that he believed with some small amendments the proposal would be acceptable, and that the plug in issue was one of the major problems established within the report. He added that the use of timber had been permitted in the previous application, and should not be considered an issue. If the extension could be set back, it would address concerns contained within the officer's report.
- ix. Cllr J Toye appreciated the work of officers, but felt that a solution could be reached which would be agreeable with the Conservation Officer and the applicant.

RESOLVED by 10 vote for, 1 against.

To defer the Item to enable further discussion between officers and the applicant relating to the materials and positioning of the extension in relation to the existing building.

- x. Cllr J Toye asked for a timeline to ensure that discussions occurred in a timely manner. The ADP suggested a formal request for an extension of time for no more than three months, and that this be returned to the Committee with any requirements for determination within that three month period. If beyond the three months, further discretion would need to be sought. He affirmed, the aim is for a light touch change to the scheme only.

10 GUNTHORPE- PF/21/2656- SINGLE STOREY DETACHED DOMESTIC OUTBUILDING (RETROSPECTIVE) OLD SCHOOL HOUSE, BALE ROAD, FOR MRS DEBORAH BOON.

The DMTL-CR introduced the report and outlined the reasons for refusal. The core issue being the design of the outbuilding and its visual impact upon the setting of the grade II listed asset. It was acknowledged that the harm arising from the proposal was low, and that any harm must be outweighed by public benefits, required under paragraph 202 of the NPPF. Officers concluded that this was a finely balanced proposal but that benefits did not outweigh the identified harm, and would be in conflict to policy EN8 and paragraph 202 of the NPPF.

Public Speakers

Debbie Boon (Supporting)

- i. Cllr R Kershaw - Local Member established his support for the application and acknowledged the retrospective nature of the application was due to incorrect planning advice received by the applicant from the former architect. He added that the applicant had made every effort to comply with the Conservation Officers recommendations, and had agreed to the removal of the separate garden shed in addition to landscape planting which may help soften the visual impact of the studio outbuilding. The local Member recognised the high level of restoration the owners had brought to the old school house, and the value that they had brought to the local community and economy. Cllr R Kershaw indicated his support for approval under SS1, SS2 and under NPPF section 14.
- ii. In response to comments made by the Chairman, the DMTL-CR advised that officers had considered the listed nature of the building and that the NPPF required great weight to be added to conserving heritage assets, and that any harm level be outweighed by public benefits. The ADP affirmed the buildings listed status and that appropriate weight be applied accordingly. He added that it was a prominent building, and the use of additional landscape planting may help mitigate the appearance of the outbuilding. It was stated that Members must consider that it was a permanent structure, which would remain in perpetuity. The ADP stated that it was for Members to consider the appearance of the outbuilding and its setting, in relation to the listed building, and apply weight appropriately any positive elements considered to be of wider public benefit.

- iii. The PL reminded Members of Section 66 of the Listed Buildings Conservation Areas Act, which stated in considering whether to grant planning permission for a development which affects a listed building or setting, that the local Planning Authority should have special regard for the desirability of preserving the building or setting.
- iv. Following questions from the Chairman, the DMTL-CR stated that the application would not be classified under permitted development, irrespective of its listed status, as it is beyond the principle elevation of the building.
- v. Cllr J Rest stated he had observed other larger buildings which had been erected in gardens throughout the District, and was therefore opposed to refusal.
- vi. Cllr N Lloyd spoke in favour of the application in supporting the economic benefits brought to the area through the development.
- vii. Cllr J Toye considered the harm associated with the structure was best determined by local residents, and noted the unanimous support for the application.
- viii. Cllr N Pearce questioned how harm to the heritage asset could be measured, and how this metric was decided. He also acknowledged the unanimous support within the local community for the application, which would bring economic benefits to the applicant and area.
- ix. The ADP highlighted the detailed comments made by Conservation Officer, noted that the harm was towards the lower end of the spectrum. He added that Members must consider the balance of wider public benefits that may accrue, or mitigation which may be delivered to help with the impact of the harm created.
- x. Cllr R Kershaw acknowledged that the applicant had demonstrated willingness to take down the existing garden shed, which would help lessen the visual impact and therefore harm on the listed building. He added that the outbuilding had previously been re-cited and therefore could not be determined to be entirely permanent.
- xi. Cllr V Holiday stated North Norfolk depended on its heritage assets which serve as an economic benefit through tourism, and should not be treated lightly. She added that any harm, even if minimal would still be considered harm.
- xii. Cllr T Adams spoke against the officer's recommendation, stating that there were public and economic benefits to the application.
- xiii. Cllr V Holiday proposed acceptance of the officers recommendation, the Chairman seconded.

THE VOTE WAS LOST by 9 votes against, to 3 votes for.

- xiv. Cllr R Kershaw proposed approval of the application, in accordance with policies SS1, SS2, EN4 and EN8, noting the harm was less than substantial and outweighed by public benefits. Cllr J Toye seconded this proposal, and referred to paragraph 202 of the NNPF, adding that the development enabled

the property to remain maintained and permanently inhabited, rather than as a holiday home. The benefits therefore outweighed the harm to the heritage asset.

- xv. The ADP summarised Members discussion and noted potential conditions for the granting of the proposal, including the removal of the separate shed, and landscape agreements. He added that Members could consider the granting of permission on a temporary or long term basis, and specify a set timeframe, to aid with the mitigation of harm.
- xvi. Cllr R Kershaw amended his proposal to include condition for approval to be subject to the removal of the existing garden shed, and additional planting being used to soften the visual impact the outbuilding has on the landscape.

RESOLVED by 10 votes for, 2 against.

That application PF/21/2656 be approved subject to conditions relating to the removal of the additional garden shed, and inclusion of landscape planting.

11 STIBBARD - PF/21/1630 ERECTION OF THREE TIMBER BUILDINGS TO PROVIDE WC, SHOWER AND WASHING UP FACILITIES AND INSTALLATION OF SEPTIC TANK FOR USE IN CONJUNCTION WITH THE EXEMPTED CAMPSITE (RETROSPECTIVE).

The SPO-JP introduced the report and relayed the Officer's recommendation for approval.

Public Speakers

Alex Waters (Supporting)

- i. Cllr T Adams affirmed his support and proposed acceptance of the Officer's recommendation.
- ii. Cllr A Brown seconded the officers recommendation, and expressed his disappointment that the Local Member had not made a representation at the meeting.
- iii. Cllr J Toye noted a similar development within his ward, which operated without issue, and stated that he was in support of the recommendation.
- iv. Cllr N Lloyd asked that it be placed on record his disappointment that the Local Member had not made a representation at the meeting, given the application had been brought to Committee by said Member.
- v. Cllr R Kershaw, noted the representation made by the applicant, and supported their foresight and innovation in developing a scheme for sustainable tourism.

RESOLVED by 11 votes for, and 1 against.

That application PF/21/1630 be approved in accordance with the Officers recommendation.

12 CROMER - PF/21/2544 - REPLACEMENT WINDOWS TO FIRST FLOOR APARTMENT, FLAT 1 HAGLEY HOUSE, FOR MR & MRS KIRKHAM

The DMTL-CR introduced the report and relayed the Officer's recommendation for approval. It was noted that the existing first floor windows were of poor condition and in need of replacement, and that the proposed new windows would match that existing windows installed on the second floor, as approved under application PF/20/0968. The Officer's report considered the incorporation of such windows locally, as well as on the building, and determined the benefit of unifying the style of windows with the frontage above. The Officer's recommendation established that there would not be an unacceptable level of harm caused to the host building or the Cromer Conservation Area.

Public Speakers

Tim Bartlett – Councillor, Cromer Town Council

- i. Cllr T Adams - Local Member stated his concern that no appraisal of the impact on the Grade I listed St Peters Church, located opposite the site, had been included within the report. The impact of which, Cllr T Adams determined to be significant and material to the decision making. He added that the use of UVPC plastic windows within the Cromer Conservation Area would have a detrimental effect to the visual impact of the host building, and would be noticeable from the street scene. Previous comparable applications, including 28 High Street and 14 Mount Street, had been refused, with these refusals being upheld at appeal. Cllr T Adams noted that the application did not comply with policies EN4 or EN8.
- ii. The MPM read a statement prepared by Cllr A Yiasimi -Local Member for Cromer, who had been unable to attend the meeting. Cllr A Yiasimi detailed his approval of the Officers recommendation, and determined that the heritage white wood grain effect UPVC window frame would match the existing windows located on the second floor.
- iii. Cllr A Fitch-Tillett noted the use of UVPC windows within the Cromer Conservation Area had repeatedly been discussed at Committee, with Members historically supporting the conservation of Cromer Town by refusing such applications. She added that having declared a Climate Emergency it was important to limit the use of plastic, and suggested voting against the Officer's recommendation.
- iv. Cllr V Holiday affirmed that the ground floor and first floor should be considered together as a unit, as opposed to the first and second floor, as this would be more noticeable from the street. It was noted that the ground floor did not have plastic UVPC windows. Cllr V Holiday supported voting against the officer's recommendation.
- v. Cllr G Mancini-Boyle stated use of UVPC windows on the first floor would be noticeable to onlookers, and was considered to have a detrimental effect to the building and the Conservation Area more broadly.
- vi. Cllr N Lloyd commented that whilst he would normally support the use of double glazing for environmental reasons, on this occasion he had been persuaded by Members the use of Wood, with its insulating properties would be more suitable for the location.

- vii. In response to questions raised by the Chairman, the DMTL-CR relayed the Conservation Officers comments, in recognising that plastic windows were already in situ on the building, noting a small benefit in unifying the appearance of the first and second floors. The MPM advised the Conservation Officer had carefully considered the need to preserve and enhance the Conservation Area. Prior permission had been granted for use of plastic windows on the second floor at Hagley House.
- viii. The Chairman enquired whether the Committee should take a view against the use of UVPC in future, within a design code. The ADP advised it would be inappropriate and demonstrate pre-determination, as each application should be considered on its merits. The principle matters to be considered with respect to this application were matters of design and the impact on the Conservation Area.
- ix. Cllr A Brown noted that the Committee were not limited to following the precedent for the use of plastic windows, and questioned the absence of the conservation appraisal for the Officers report.
- x. Cllr N Pearce stated as there was a precedent for use of UVPC windows on the building, it would be difficult to substantiate an objection, and therefore proposed the Officer's recommendation for approval.
- xi. Cllr J Toye supported representations made by Members in objecting to the Officer's recommendation, noting differences to the second floor due to the existence of bay windows, making the first floor more visible from the street.
- xii. The Chairman seconded the proposal made by Cllr N Pearce.

THE VOTE WAS LOST by 6 votes against, and 5 votes for.

- xiii. Cllr V Holiday proposed refusal of the application due to associated harm caused to the heritage asset in accordance with policies EN4 and EN8.
- xiv. The MPM noted discussion from Members that the perceived harm to the character and appearance from the use of materials outlined in the application in the Cromer Conservation Area, outweighed any public benefits, under NPPF paragraph 202. The PL reminded members of Section 72 of the Listed Buildings Conservation Areas Act in determining applications, that special attention was needed in the preserving and enhancing buildings.
- xv. Cllr A Fitch-Tillett seconded the proposal, and comments made by the PL, that the application neither preserved nor enhanced the designated heritage asset, and that substantial harm was caused to the Conservation Area.

RESOLVED by 6 votes for, and 5 against.

That application PF/21/2544 be approved in accordance with policies EN4, EN8 and Paragraph 202 of the NPPF.

13 DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE

The ADP introduced the report to members and invited comments or questions.

14 APPEALS SECTION

- i. New Appeals
- ii. No questions.

- iii. Inquiries and Hearings – Progress
- iv. ENF/18/0164 Cley-Next-The-Sea – The ADP confirmed an appeal hearing would take place in June with the Planning Inspectorate. Amended plans were anticipated for February which would seek to remediate the building and secure historical permission.
- v. PF/20/1056 Kelling- The ADP advised that the hearing would be undertaken remotely on the 1st and 2nd of February.
- vi. ENF/20/0231 Ryburgh – The ADP relayed the appeal had been deferred to March, and would be taken in person. The appellant suggested to the Planning Inspectorate that there were a number of individuals who wished to make representations and should be heard in an informal hearing.

- vii. Written Representations Appeals – In Hand
- viii. The ADP updated members on application PO/20/0887, noting the Planning Inspector had dismissed the appeal in part for considerations relating to the Council's five year land supply.

- ix. Appeal Decisions
- x. None

15 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 1.28 pm.

Chairman

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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.

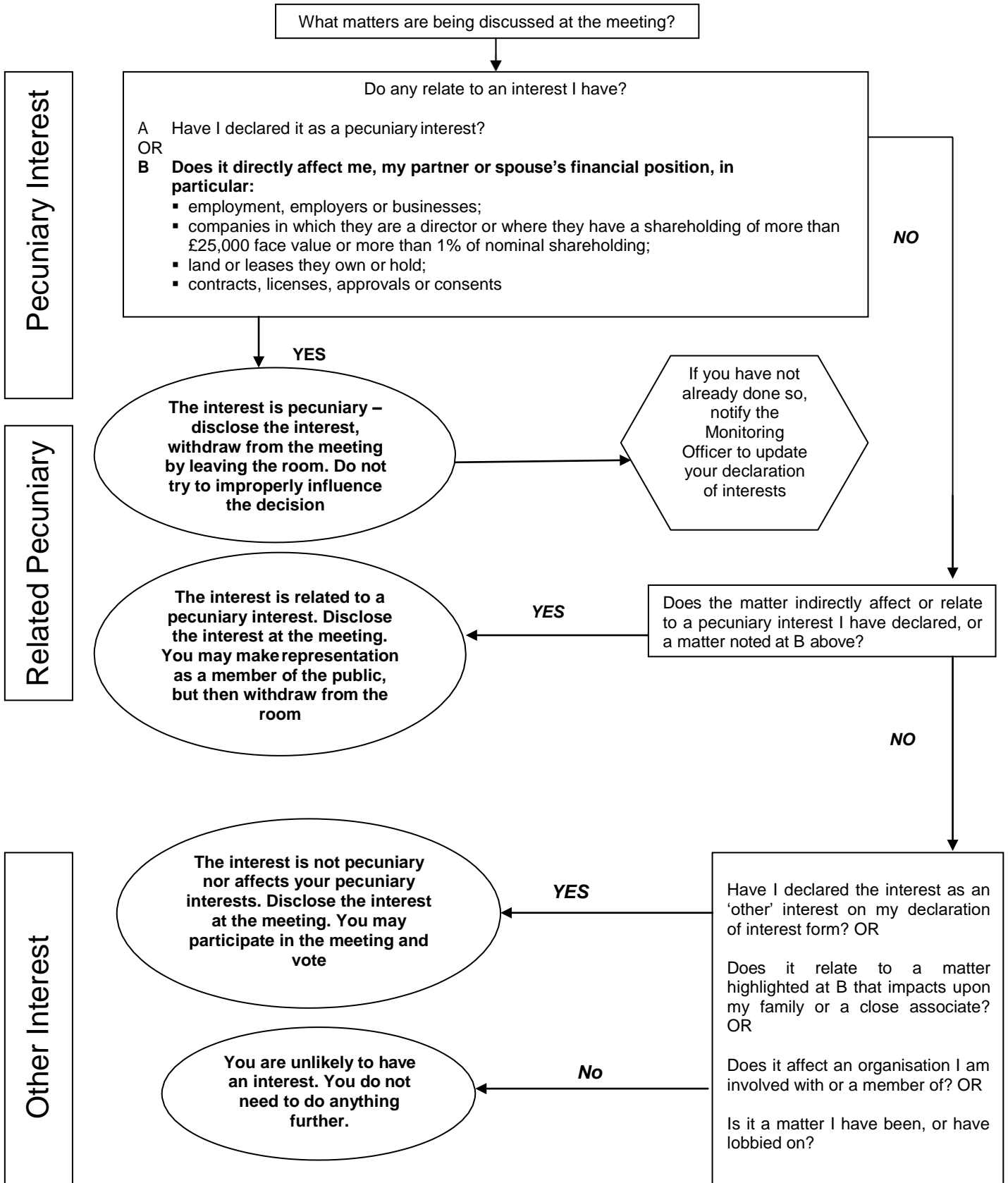
FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF

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



EAST RUSTON - PF/21/2469 – Erection of 7 single storey holiday lodges in connection with the public house, associated car parking and amenity areas; Butchers Arms Oak Lane, East Ruston, for Mr M Oakes

Minor Development

- Target Date: 10th November 2021

- Extension of time: 21st February 2022

Case Officer: Mr C Reuben

Full Planning Permission

CONSTRAINTS

Countryside LDF

Agricultural Land Classification - Agricultural Land: Grade 3

Areas Susceptible to Groundwater SFRA - Classification: $\geq 50\%$ $<75\%$ Flood Type: Clearwater

Landscape Character Area - Description: Low Plains Farmland

RELEVANT PLANNING HISTORY

Application PF/19/1816

Description Erection of 9 no. single storey letting rooms in connection with the public house & associated car parking and amenity areas

Outcome REF - Refuse

Pre-App IS2/19/0582

Description Creation of 9. no letting rooms in single-storey detached buildings connection with the public house business and associated car parking and amenity areas

Outcome AG - Advice Given

THE APPLICATION

The application proposes 7 units of serviced accommodation on land associated with, and adjacent to, the public house (Butchers Arms) located towards the northern end of the village. The new units, which are not fully self-catered, are intended to provide a source of revenue to be directed towards refurbishment of the public house. Associated on-site parking (including cycle parking) would be provided, along with replacement boundary treatments and additional planting. Residential dwellings lie to the south and east of the site along a private cul-de-sac leading around the eastern and southern boundary of the site, and with a tree belt separating the site from properties to the west.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr L Shires citing concerns regarding noise and loss of green space.

PARISH COUNCIL

East Ruston Parish Council – Objection. Insufficient defined parking; The proposed development is too close to residential properties. This will result in excessive noise to the residents and loss of amenity and enjoyment of their gardens; Concerns about the proposed drainage system as site is low-lying and is affected by water table; Surprised that plans do not include plans to remodel the Public House as it is claimed that the pub will need to rely on the units to make them financially viable.

REPRESENTATIONS

Five public representations have been received, all objecting (two further objections have also been received from the same objectors), raising the following concerns:

- Patio doors facing neighbouring property
- Noise from units 24hrs a day, 7 days a week due to chatter of customers, air source heat pumps, tranquil area with neighbours windows open in Summer, staff coming and going, need for servicing. No stipulated silent hours, acoustic fencing inadequate.
- Loss of privacy/overlooking.
- Will result in light pollution with bedroom windows facing development
- Loss of natural drainage and high water table will cause flooding on the adjacent private driveway, more problematic due to increased rainfall due to climate change.
- Need for the units questioned. Question why has money not gone straight into the pub for refurbishment/renovation since purchased. Other pubs the applicant owns have no accommodation facilities. Priority should be to refurbish the pub first for the community. Pub could provide additional accommodation internally or extended. Lack of transparency regarding plans for pub.
- Examples of other pubs that have been successfully renovated
- Both the pub and former bowling green are listed as an Asset of Community Value. The bowling green would be lost where community and private events have been held over the years.
- No evidence that the pub needs lodging rooms to be successful.
- Lodging rooms could be located closer to the pub.
- Will cause traffic difficulties in the locality due to overspill parking (particularly on Oak Lane)/deliveries/customers, insufficient parking provided, will cause access difficulties. Increased risk of accidents.

CONSULTATIONS

Norfolk County Council (Highway) – No objection subject to condition regarding on-site parking provision.

Landscape Officer NNDC – No objection subject to controls over external lighting. Given that the site does not contain suitable GCN habitat and no other confirmed records of GCN have been identified within the ZOI, then the conclusions of the Ecological report are considered to be sound, i.e. the likelihood of GCN being present on site is negligible and that the proposed works will not impact these species. Unless unequivocal evidence is presented as to the presence of GCN on the development site, it is not considered reasonable or proportionate to request additional survey in this instance.

Environmental Health NNDC – No objection subject to conditions regarding acoustic fencing/noise control scheme, air source heat pumps and external lighting.

Economic Growth NNDC – Support. Consideration of the proposal has been given alongside the applicant's business plan. The applicant has previously given sufficient reassurances to the Economic Growth Team that they will be investing in The Butcher's Arms as part of their wider business plan. The investment would support the resilience of The Butcher's Arms to operate as a viable business, thereby maintaining the commercial use of the building which could otherwise become untenanted. It is recognised that there are potential economic benefits that would be derived by such a proposal (e.g. permanent job creation, supply chain, tourism etc.) and which would serve the wider business community within the area.

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

EC 3 - Extensions to existing businesses in the Countryside

EC 7 - The location of new tourism development

EN 2 - Protection and enhancement of landscape and settlement character

EN 4 – Design

EN 9 - Biodiversity and geology

EN 10 – Development and Flood risk

EN 13 - Pollution and hazard prevention and minimisation

CT 3 - Provision and retention of local facilities and services

CT 5 - The transport impact of new development

CT 6 - Parking provision

National Planning Policy Framework (NPPF)(2021):

Section 2 – Achieving sustainable development

Section 6 – Building a strong, competitive economy

Section 8 – Promoting healthy and safe communities

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 and amenity**
- 3. Highway impact**
- 4. Landscape impact**
- 5. Biodiversity**
- 5. Environmental considerations**

APPRAISAL

1. Principle (Policies SS 1, SS 2, EC 3, EC 7 and CT 3)

The site lies within the designated countryside policy area of North Norfolk, as defined under Policy SS 2 of the adopted North Norfolk Core Strategy. In this location, proposals for tourist accommodation, extensions to existing businesses and improved community facilities can be considered in line with the requirements of associated policies EC 3, EC 7 and CT3. Such proposals are also supported by paragraph 83 of the National Planning Policy Framework (NPPF) by enabling the sustainable growth and expansion of all types of business in rural areas, which includes well-designed new buildings. The proposal seeks to provide 7 units of serviced accommodation within the grounds of the public house. Each unit would contain just a bed with seating and a shower room, and breakfast making facilities, akin to a very small hotel room and with no substantial self-catering facilities (effectively pod-like accommodation). As such, they would very much be dependent on the adjacent public house for meals. A previous application was submitted under ref: PF/19/1816 which proposed 9 units on the same site. That application was refused in being overdevelopment, with further concerns raised in regards to drainage (then proposing connection to an existing septic tank) and amenity (potential noise impacts arising from use of the external areas of the units). The current application has sought to address these concerns, as discussed further below.

It is recognised that the public house is an Asset of Community Value (ACV). In addition, it noted that questions have been raised by objectors in regards to the stated lack of investment into the public house itself and focus instead being directed on the delivery of the proposed accommodation. However, the local planning authority (LPA) must simply assess the application before it in respect of compliance with the relevant policies within the development plan, rather than assessing the historic investment, or alleged lack of such investment, into the public house. The units as proposed would serve to support the existing public house, revenue from which it is stated would be channelled into future funding/refurbishment of the public house to ensure its ongoing survival. The application has been supported by the Council's Economic Growth team who have spoken to the applicant and are satisfied with the proposal. Conditions can be imposed restricting the proposed units as being ancillary accommodation to the public house only, and thus not to be used as a separate holiday site.

As stated earlier, the public house and adjacent land known as the bowling green (the land subject of this application), have been designated as an ACV, however it is up to the determining authority to decide how much weight is apportioned to this matter. It is recognised that historically the land would have been used as a community asset for both private and community events, however, the land is in the private ownership of the public house and does not appear to have been used for such events for some time, and with only one objection relating to this matter. It is further considered that although the proposed development would result in the partial loss of an ACV, the revenue from the development would contribute

towards the ongoing survival of the other half of the ACV (the public house). It is also recognised that paragraph 92 of the NPPF requires local planning authorities to plan positively for the provision of community facilities and ensure they are able to develop and modernise, and guard against their unnecessary loss.

This matter is ultimately one of planning judgment, but officers consider that refusal on the grounds of the partial loss of an ACV relating to green space cannot be adequately substantiated in this instance, taking into account the potential economic benefits to the public house (including potential job creation/tourism, etc) and local community.

Therefore, subject to the proposal according with other relevant policies identified above, the principle of development would be considered acceptable.

2. Design and amenity (Policy EN 4)

Each of the proposed units would be identical in appearance, possessing a modest floorspace of 23m² each, with a single window on the front and patio doors on the rear. The external appearance would consist of a brick plinth with light grey vertical cladding and a zinc/lead effect roof, with similarly dark fascias and guttering. All units would further benefit from solar panels. In terms of landscaping, pathways and planting would be provided, including additional boundary tree planting, and replacement boundary acoustic fencing.

The previous concerns raised in regards to overdevelopment of the site have largely been eased through the reduction in the number of units from 9 to 7. One of these units as originally proposed was larger and positioned towards the southern end of the site, however, the applicant agreed to amend the plans to reduce the unit in size and attached it to the end of the row of units on the western side of the site. Effectively what is now proposed is two rows of modest units (three along the western boundary and four along the eastern boundary). The public house would retain an area of beer garden to its east/rear.

Some low category trees would be lost in the middle of the site, but can be replaced with additional planting around the site boundaries, type/specification to be agreed.

It is considered that, on balance, given the largely secluded nature of the site with appropriate boundary screening and with the layout and appearance of the units being considered appropriate, the proposed development complies with the requirements of Policy EN 4 in respect of design.

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

The proposed plans indicate the provision of 7 on-site parking spaces, 1 per new unit, long with a cycle storage area and electric car charging points, all positioned at the northern end of the site. The units, given their limited size, are not expected to generate parking requirements above the number of spaces proposed. The existing public house retains its existing car park (12 spaces).

It is noted that concerns have been raised in terms of the prospect of on-street parking around the site, particularly during events, however, no objections have been raised by the Highway Authority in regards to either parking or access arrangements. This being the case, it is

considered that the proposed development complies with the requirements of Policies CT 5 and CT 6.

4. Landscape impact (Policy EN 2)

Given that the proposed units are acceptable in appearance, and the site being well contained within a built up area of the village, and with replacement fencing/additional planting proposed around the site, it is not considered that the proposed development would result in any significantly detrimental landscape impact, and therefore complies with the requirements of Policy EN 2.

5. Biodiversity (Policy EN 9)

The matter of the potential presence of Great Crested Newts (GCN) in the pond of a neighbouring garden (as raised by an objector) has been considered by the Landscape Officer. However, given the ponds relative isolation in unsuitable habitat, the likelihood that the pond is a breeding pond with significant status within the local metapopulation of GCN is considered to be limited. The locality is considered less likely to contain important pathways of connecting habitat for GCN. No objections have been raised in regards to any biodiversity impact of the proposed development, with the possibility of enhancement proposed through the installation of bat boxes, additional tree planting and wildflower planting. Subject to conditions, the proposed development complies with the requirements of Policy EN 9

6. Environmental considerations (Policies EN 10 and EN 13)

The application was accompanied by a drainage strategy indicating the provision of an infiltration/soakaway system within the site and connection to the foul sewerage network. It is recognised that concerns have been raised in respect of drainage around the site, particularly relating to surface water on adjacent roads, however, the drainage strategy has been compiled by a competent drainage engineer, also providing a management/maintenance schedule, which concludes that the site has good soakage potential, proposing a cellular soakaway system to the northern end of the site with permeable surfacing for the parking area and retention of run-off through natural infiltration within the site to prevent further run-off, directing water flow northwards. The number of units has been reduced by two since the previously refused application which allows further space for drainage, whilst the possibility of further tree planting around the site boundary and towards the southern end of the site would also help with surface water soakage, along with permeable paving to the rear of the units.

In respect of noise, the application was accompanied by a Noise Impact Assessment which considered noise sources including the impact of the air source heat pumps and conversational noise. The report concluded that, with the mitigation proposed, noise levels would be within acceptable limits and would not be significantly detrimental. It is also noted that the area of land has apparently been used by the public house as a beer garden and for events.

No objections have been raised by the Council's Environmental Protection Officer subject to conditions relating to the air source heat pumps and a noise control scheme. In addition, it is proposed to limit use of the external areas of the units to not past 10pm given the proximity to residential properties.

Further improvements have been made from the previously refused application reducing the number of units from 9 to 7, and by removing previously proposed external decking areas and Jacuzzis, which should further help to reduce noise. Additional planting along the southern site boundary of the site if required, along with infill planting along the eastern boundary, although taking time to establish, would further help to provide screening and act as a further noise buffer, in addition to the 2.2m acoustic fencing proposed.

Officers consider that any external lighting should be strictly controlled and a condition is recommended for such lighting to be agreed prior to installation, to protect amenity and reduce any potential impact upon protected species.

On balance, with the measures proposed and with appropriate conditions securing these and additional measures, the proposed development is considered compliant with the requirements of Policies EN 10 and EN 13.

Conclusion

In conclusion, the proposal for 7 single storey holiday lodges in connection with the public house is considered to be acceptable in principle and comprises of buildings of an appropriate design with suitable boundary treatments, additional planting and sufficient parking, along with adequate proposals to deal with drainage and protected species mitigation/enhancement.

Although the concerns raised in regards to amenity are recognised, noise mitigation measures are proposed, along with strict conditions controlling the use of the site and controlling external lighting. Furthermore, it is considered that the proposed development would provide economic benefits both in terms of securing the longevity of the public house (ACV) through revenue from the proposed units, along with wider benefits in respect of job retention, creation and tourism spend. Again, sufficient conditions can be imposed to tie the proposed units to the public house and to ensure they are not used as separate holiday units.

As such, on balance, and subject to appropriate conditions, the proposed development complies with the relevant Core Strategy policies and the guidance set out in the National Planning Policy Framework.

RECOMMENDATION:

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

1. Time limit
2. Accordance with approved plans
3. Materials as submitted
4. Units used as ancillary accommodation to the public house, not sold off separately
5. Limit use of external amenity areas
6. Noise control scheme to be submitted/agreed
7. Details of acoustic fencing to be submitted/agreed
8. Compliance with submitted tree protection measures
9. Landscaping scheme/specific planting details to be agreed
10. Replacement of new planting if subsequently damaged/removed.
11. Incorporation of biodiversity mitigation/enhancement measures

12. Compliance with submitted drainage strategy
13. Air source heat pumps to be installed/maintained as per details submitted
14. Parking area to be provided prior to first use
15. Prior agreement of any external lighting

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

Beeston Regis & The Runtons – PF/21/2593 - Removal of existing outbuilding and raised paving and steps to rear of building; two storey side extension; new outbuildings to side and rear; raised rear seating area and glass wind screen to rear of building incorporating ramp and steps; new fire escape stair; pergola and glass wind screen to front of building; replacement of 2 no. roof windows by dormer windows; change window to bi-fold doors from restaurant to outside seating area; 2m high screen fence to eastern boundary (Retrospective) for Mr S Brundle.

Other Minor Development (Commercial)

- **Target Date: 25th November 2021**

- **Extension of time 22nd February 2022**

Case Officer: Mrs L Starling

Full Planning Permission

CONSTRAINTS

Article 4 Direction

Advertising Control

Countryside

Agricultural Land Classification – Grade 3

Enforcement Enquiry

Landscape Character Area Type RV1 (Coastal Shelf)

Undeveloped Coast

RELEVANT PLANNING HISTORY (Post 1990 onwards)

ADV/21/1260 - Installation of free standing external non-illuminated sign - Pending Consideration

IS1/20/1831 - Replacement sign - Advice Given (for pre-apps)

ADV/20/0464 - Display of non-illuminated pole mounted advertisements - Refused

PF/19/1682 - Erection of two storey and single storey front and side extensions, bin storage area, external fire escapes, raised outdoor paved seating area and associated landscaping including glass panel screen and flint retaining wall, second floor balcony, first floor glazed juliet balconies, installation of external air conditioning and heating units, vertical and horizontal timber cladding, and addition of disabled car parking spaces – Approved

ADV/19/0324 - Display of non-illuminated advertisement panel mounted on posts – Refused and Dismissed at Appeal

ADV/18/1195 - Display of non-illuminated advertisement panel mounted on posts to replace existing sign mounted on posts (retrospective) – Refused

PF/18/0512 - Remodelling & enlargement of hotel; demolition of existing front canopy; various alterations (new porch, changes to windows & doors & juliet balconies to first floor new french doors); erection of single-storey side extension (beer store); single & two-storey rear extension (restaurant on ground floor & function room on first floor) & first floor balconies; new balcony in west elevation roof; surface treatments of roof tiles & slates; erection of smoking shelter to

front garden with landscaping; rear decking area; laying out of car park & landscaping at rear
- Application Withdrawn

PF/05/0988 – Erection of single-storey rear extension for function room and associated facilities - Withdrawn

AI/98/0824 – Retention of illuminated advertisement - Approved

THE APPLICATION

This full planning application is seeking planning permission for alterations and extensions works, including associated buildings and landscaping works, to The Dormy House Hotel which fronts onto Cromer Road in West Runton.

The site comprises of a detached well established hotel which has been substantially altered and extended over many years, including by some recent works approved in 2020 under planning permission Ref: PF/19/1682. This latest application proposes both amendments to elements of the previously approved scheme, as well as the inclusion of additional works/structures. This current application is predominantly retrospective given that some works have already been commenced or completed.

The works (part retrospective) subject of this current application are summarised as follows;

- Removal of existing outbuilding and raised paving and steps to rear of building
- Two storey flat roof side (east) extension and new fire escape stairwell
- New outbuildings to side and rear
- Raised seating area and glass wind screen to rear of building incorporating ramp and steps
- Pergola and glass wind screen to front of building
- Replacement of 2 no. previously approved rooflights with 2 no. dormer windows and balcony changes
- Replacement of restaurant window with bi-fold doors to access outside seating area
2m high screen fence to eastern boundary

Residential properties lie directly to the east and north-east with Cromer Road to the South, the carpark with the coast/coastal footpath beyond to the north and open land to the west. Access to the site and car park would remain served via the existing access off Cromer Road.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Councillor S Butikofer for the reasons of the scheme being a departure from agreed plans and lies in the area designated as Countryside and Undeveloped Coast area and is a prominent structure on the Cromer Road.

PARISH COUNCIL

East and West Runton Parish Council – No objections.

REPRESENTATIONS

One letter of objection has been received from the owners of a neighbouring property to the east on following grounds (summarised);

- Detrimental impact of the pergola on highway safety grounds due to the structure extending to the front boundary and at height which blocks view of traffic approaching from west on a busy road where the 30mph speed limit is frequently exceeded. This is causing safety issues exiting driveway and affecting neighbours to the east and hotel guests exiting the car parking. If the pergola were reduced in length by half this would ease our difficulties.
- Detrimental impact of the pergola and landscaping to front of the hotel resulting in loss of car parking space. Whilst the form states no reduction in car parking spaces would result, this is not the case. Although the existing plans show an additional parcel of land highlighted in red, this has not been secured. The rear terrace has been significantly enlarged with available parking spaces reduced resulting in cars frequently parked on the grass verge to the front west. The original permission appears to have been granted on the assumption of this extra parcel of land being secured for parking. Highways should be consulted on this matter.
- Construction of footing for beer store undermined adjacent boundary. The proximity of this building so close to the fence is such that the cladding has not been completed (contrary to the application statement) as to do so would require accessing our property, removal of several fence panels and disturbance of garden planting, none of this stated on the original 2019 planning application.

CONSULTATIONS

NNDC Landscape Officer (Verbal response) – No objections subject to conditions re-imposed from the 2019 permission including works to be carried out in accordance with the accompanying Preliminary Bat Roost Assessment and a condition to control the installation of any future additional external lighting.

County Council Highways – No objections or conditions requested. Comments that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to restrict the grant of consent.

In light of the highway safety concerns raised by the occupants of the adjoining properties, this was raised with Highways by the Case Officer. However, the Highways Officer confirmed this did not alter the Highway view offered.

Environmental Protection Team NNDC – No objections or conditions requested based on the additional information and technical data submitted by the agent following their original holding objection made due to concerns in respect of noise and disturbance resulting from equipment, music and the use of the site) and refuse details. It was also confirmed that the originally required Noise Impact Assessment was no longer considered necessary. Commented that should any future noise disturbance occur Environmental Protection have powers to investigate where necessary.

Economic Growth NNDC – Confirmed support for the application based on the economic impacts of the application. Comments as follows;

Consideration of the proposal has been given alongside the applicant's business plan. We note that the use of the proposed extension and new outbuildings will encompass activities

relating to the operational aspect of the business. The additional space will be an improvement on the current space and will also assist with a more efficient operation of the business.

This proposal will provide Dormy House Hotel the opportunity to operate a more viable business and enable sufficient resilience to overcome the economic fallout and challenges businesses face from the Covid-19 pandemic.

It is also recognised that there are potential economic benefits that would be derived by such a proposal, in particular the creation of a number of new jobs. There are also potential benefits to local businesses, the local supply chain and the visitor economy.

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 2 - Development in the Countryside

SS 4 – Environment

SS 5 – Economy

SS 6 – Access and infrastructure

EC 3 – Extensions to businesses in the Countryside

EN 2 - Protection and enhancement of landscape and settlement character

EN 3 – Undeveloped Coast

EN 4 - Design

EN 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 6: Building a strong, competitive economy

Section 12: Achieving well-designed places

Section 15: Conserving and enhancing the natural environment

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**
- 3. Landscape impacts including upon the Undeveloped Coast**
- 4. Residential amenity and environmental considerations**
- 5. Highway safety**

APPRAISAL

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

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

Given the existing commercial use of the building on this site, the scheme is considered acceptable in principle.

The applicant has provided supporting information based on economic and Covid-19 related factors which resulted in changes needing to be made to the approved 2019 scheme and why works, particularly in respect of the two-storey extension, were necessary. Members attention is also drawn to the support received from the NNDC Economic Growth Team based on economic factors only.

2. Design (Policy EN 4 and Section 12 of the NPPF)

The scheme includes a range of new outbuildings located within the site, extended raised rear seating areas with windscreens, landscaping works including a pergola with wind screening and seating situated to the front of the hotel and alterations to the main building including new dormer windows. Whilst certain elements are not considered ideal in design terms, it is considered difficult to argue that they would have a significantly detrimental impact to an extent which would warrant a refusal on design terms and they would, on balance, comply with the requirements of Policy EN 4 and Section 12 of the NPPF.

However, the contentious element of this scheme relates to the two-storey flat roof clad extension constructed on the eastern gable of the hotel. Whilst it is acknowledged that the extension is of a similar scale to that approved under the 2019 approval and similarly set back some distance from the building's front elevation, its two-storey flat roof design protruding above the existing eaves line, along with dark clad colour finish, results in an incongruous 'utilitarian' form of development which is considered unacceptable in design terms and detrimental to both the visual amenities of the area and character of the host building. Whilst its set-back position offers an element of screening, the extension as built, due to its height and contrasting colour finish results in it being prominent when viewed from Cromer Road, compounding its visual impact in the streetscene and detrimental to the character of the host building.

It is therefore considered that the scheme would be contrary to Policy EN4 of the Core Strategy, Section 12 of the NPPF and the principles of the North Norfolk Design Guide as it

would be unacceptable in design terms and fail to adequately protect the character of the host building.

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

Whilst situated within the 'Countryside' and 'Undeveloped Coast' designations, the scheme has been assessed by the Landscape Team who raised no objections in respect of the impact of the proposals upon the surrounding landscape subject to the imposition of a previously requested condition from the 2019 permission prohibiting the installation of any additional external lighting.

Furthermore, no objections were raised in respect of ecology or biodiversity on the basis that the 2019 condition being re-imposed ensuring works carried out in accordance with the Preliminary Bat Roost Assessment.

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

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

Policies EN 4 and EN 13 supports development proposals where they would not result in a significantly detrimental impact upon the residential amenity of nearby occupiers.

It is noted that residential properties lie directly to the east of the site. As was the case with the 2019 scheme which also included a two-storey extension (albeit of a hipped roof design), the two-storey side extension remains modest in scale (with its height reduced by virtue of its flat roof design), with no additional first floor windows included on the east-facing elevation. As such, it remains the view that the extensions, along with the introduction of 2 no. dormers to the rear wing of the hotel, would not result in any significant loss of privacy to, nor be visually overbearing for, neighbouring properties.

Furthermore, whilst the Councils Environmental Health Team raised a holding objection initially to the scheme based on concerns relating to noise and disturbance, following the receipt of additional information provided by the Agent, this objection has been removed with no conditions requested.

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

5. Highway safety (Policies SS6, CT5 and CT6)

Access to the site would remain off Cromer Road. It is noted that an element of parking which was previously located to the front of the hotel has been lost due to the use of this area as a seating area/eating area with associated structures and buildings, and concerns have been raised to the impact of this area and loss of parking on highway safety.

Notwithstanding this, NCC Highways have assessed the proposals and raised no objections, with no conditions requested.

As such, it is considered that the scheme would safeguard highway safety in accordance with Policies CT5 and CT6 of the Core Strategy.

Conclusion

Whilst officers recognise there are numerous elements of the proposal that are broadly acceptable in planning terms, there are also elements of the proposal which conflict with aims and objectives of the development plan. The Local Planning Authority is unable to issue a 'Split' decision (i.e. approve those elements that are acceptable and refuse those elements which are not)

As such, the scheme as a whole is considered to be unacceptable in design terms, due to the design, form, height (protruding above the eaves), materials and colour finish of the two-storey side (east elevation) extension, resulting in an incongruous form of development which would be detrimental to the character of the host property and visual amenities of the area, contrary to the requirements of Policy EN 4 of the Core Strategy and Section 12 of the NPPF.

The proposals would fail to comply with relevant Development Plan policies and the guidance set out in the National Planning Policy Framework (NPPF).

As a departure from the Development Plan, the Development Committee would be able to consider whether any material considerations advanced in favour of the proposal outweigh the departure. In this case, the applicant has put forward supporting information to justify the proposal related to the impact of Covid 19. However, Officers consider that the justification for a flat-roof extension rather than a pitched roof extension and the choice of cladding in themselves do not provide material considerations of sufficient weight to outweigh the identified conflict with Core Strategy Policy EN 4 nor the aims and objectives of Section 12 of the NPPF.

In making a recommendation of refusal, if the Development Committee were minded to support the recommendation, further consideration would need to be given to the next steps (i.e. consideration of enforcement action or further negotiation outside of this application to seek to secure an acceptable scheme).

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:

EN 4 - Design
Section 12 NPPF

North Norfolk Design Guide SPD (2008)

In the opinion of the Local Planning Authority, the scheme, in particular the inclusion of a two-

storey flat roof side extension protruding above the existing eaves line constructed in a dark clad colour finish, results in an incongruous form of development which is considered unacceptable in design terms and detrimental to both the visual amenities of the area and character of the host building. The development is therefore considered contrary to the requirements of Policy EN 4 of the North Norfolk Core Strategy, Section 12 of the NPPF and the design principles set out in the North Norfolk Design Guide (Adopted SPD).

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

DEVELOPMENT MANAGEMENT PERFORMANCE UPDATE – FEBRUARY 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 reporting of The Planning Portfolio Holder to Full Council. The report is provided on a monthly basis.

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. (EIA development 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.

3. Current Performance:

3.1 The current period for assessment runs from April 2020 to April 2022. Applications performance data in relation to speed of decisions for Majors and Non-majors is shown, with current position as at the date of publication.

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
Q1 Apr - Jun 2020	6	0	6	6	0	100%
Q2 Jul - Sep 2020	3	1	2	2	0	100%
Q3 Oct - Dec 2020	7	2	5	5	0	100%
Q4 Jan - Mar 2021	8	0	7	4	4	50%
Q5 Apr - Jun 2021	4	0	4	3	1	75%
Q6 Jul - Sep 2021	1	0	1	1	0	100%
Q7 Oct - Dec 2021	3	0	3	3	0	100%
Q8 Jan - Mar 2022	0	0	0	0	0	
total	32	3	28	24	5	84%

Minimum level required 60%

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

3.3 No major decisions were issued in January. Performance in major developments remains shows a theoretical rise by 3% since reporting in December to 81% (over the 2-year average). The rise in performance arrives as the previous quarter Jan - Mar 2020 producing 5 decisions. 2 of which were out of time. We must improve upon the reporting for quarter Jan - Mar 2020 limiting any decisions made beyond agreed time limits and boosting decisions produced. Our aim as officers and managers remains focused on performance improvements to ensure the figures move to the 95% mark.

3.4 I will be working with our Service Manager and new Team Leader to ensure decisions with pending s106 agreements are issued in a timely manner. We will establish a clear project plan for s106 development and improved timelines, return overrunning cases to Development Committee with reporting of progress / review decisions. Officers and members can agree the path to move decisions forward, delays can be limited and members updated. The challenge remains adding robustness by increasing the number of timely major decisions as a whole in the coming quarters. This will require timely progress of s106 negotiations and that those active cases where the Council is minded to grant permission in the remainder of this quarter.

3.5 **Projected** 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
Q2	200	71	122	110	19	91%
Q3	182	44	131	126	12	93%
Q4	235	61	155	118	56	76%
Q5	308	41	178	130	137	56%
Q6	298	83	123	104	111	63%
Q7	196	57	108	99	40	80%
Q8	287	119	154	146	22	92%
Q9	305	147	150	147	21	96%
	2011	623	1121	980	408	80%
	Minimum level required					70%

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

Projecting performance forward from January gives a potentially stronger quarter with 305 decisions at 96% in time, moving to 80% of decisions over the two-year time period being in time. Our aim is for the figure to be maintained for each quarter to be at no less 90% with over 300 decisions being made in total.

January:

Performance in non-major developments is maintaining the improvements in terms of speed. January was a further improvement of 94.28% from a December figure of 92.8% of decisions in time.

The quantity of decisions also increased in January 105 from 84 decisions in December.

Reliance of extension of time period improved to stand at 47% of all decisions under extensions and improved conversions standing at 98% being completed in the agreed time.

The position in Non-Major development is one of sustained performance improvement in terms of productivity; with nearly 50% of decision being within 8 weeks, fewer extensions required. We hit our bench mark of over 100

decisions per month. This trajectory can delivery robust performance to offset the poor quarters experienced in early to mid-2021.

We will strive to deliver more decisions, and for more of those decisions to be within the 8-week period, creating a reduce reliance on extension of time period requests.

3.6 Appeals performance data (the quality criteria) is defined as no more that 10% of all appeals against the Council's decisions being overturned over via the appeal process over the same two-year period. Performance in both Major and Non Major Decision making remains strong in terms of Quality.

3.7 For major development appeals the current figure to January stands at 2.63%; remaining a single case overturned during the 2-year performance period in Spring 2021.

3.7 For Non-Major development the figure fell to 0.54% for the appeals determined over the 2-year aggregate.

4.0 Influencing factors and actions

4.1 Officer caseloads – the number of older cases held in the service's live caseload is reviewed monthly in this report with Development Committee. The current live case load of all matters in the service has fallen by 19 cases and stands at 552 (571 December).

Average caseloads in the Non-Major's group has fallen to 29 cases per officer (35 from last month). Our average cases per officer are reducing in the Non Major group, a Trainee and Senior officer joined the group in January.

We have a rise to 29 cases per officer in the Majors team (23 last month). A vacancy exists in the major group which is being reviewed to assist capacity in the group. This together with a clutch of major decisions (5) awaiting imminent clearance of decisions should delivery an improving picture for reporting in March.

High rates of first time validation are being achieved with average timing remaining consistent at around 3 days per case for the PPU team to move the applications through to case officers.

4.2 Software updates – No new software updates are expected in the near future.

4.3 Staffing – Jo Medler has returned as a Senior officer in Development Management. Isobel McManus joined the Development Management Team as a trainee Planning Officer in January. Bruno be Frago Costa has been promoted to the Senior Officer role in Major Projects. The team will now review the vacant role of Planning Officer in the group.

4.4 Consultations – pressure remains in this area; internal consultees are under pressure from competing work areas. Case officers are being proactive and supportive. Assessment of cases at first clear date remains central to driving forward speed and quality of decision making.

4.5 We continue to monitor key performance areas for improvement:

- Reduce reliance on extension of time periods (reducing as a proportion of decisions issued - 43% decisions extended in January). Ensure that wherever possible extended timescales are met (completion rates last quarter 100% major & 95% Non-Major).
- Monitor need to boost capacity to meet any short term needs (No short term needs apparent).
- Enhanced performance management reports for Case Officers, Team leaders and Managers, (completions graph available for managers).
- Improved communication agents / applicants (generally positive, escalation process in place where required)
- Improved business process, (produced consultation pro-former response forms).

5.0 Recommendations:

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

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OFFICERS' REPORTS TO DEVELOPMENT COMMITTEE 17 FEBRUARY 2022

APPEALS SECTION

NEW APPEALS

TRUNCH – PF/21/1561 - Two storey detached dwelling with associated landscaping including tree planting scheme and wildlife pond

Field Near Fairview Barn, Brick Kiln Road, Trunch, Norfolk, NR28 0PY

For Mr Mike Pardon

WRITTEN REPRESENTATION

INQUIRIES AND HEARINGS – IN PROGRESS

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

INFORMAL HEARING – ~~1 & 2 March 2022~~ Re-Scheduled - TBC

KELLING – PF/20/1056 - Demolition of former Care Home buildings and erection of 8no. dwellings, car parking, associated access and landscaping

Kelling Park, Holgate Hill, Kelling, Holt NR25 7ER

For Kelling Estate LLP

INFORMAL HEARING – Date: 22 & 23 March 2022

RYBURGH - ENF/20/0231 – Replacement Roof

19 Station Road, Great Ryburgh, Fakenham NR21 0DX

For Christopher Buxton and A E Simcock

INFORMAL HEARING – Date: 26.04.22

WRITTEN REPRESENTATIONS APPEALS - IN HAND

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

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

CORPUSTY – ENF/20/0095 - Operational development without planning permission

Manor Farm Barns, Norwich Road, Corpusty, NR11 6QD

For Mr Michael Walsh

WRITTEN REPRESENTATION

INGHAM – PF/21/0797 - Two storey detached dwelling; driveway and access to Palling Road; tree and hedgerow planting and formation of pond

Land North Of, Palling Road, Ingham, Norfolk

For Mr Tom Coller

WRITTEN REPRESENTATION

ITTERINGHAM – PF/20/1715 - Change of use from holiday let to single dwellinghouse

The Muster, The Street, Itteringham, Norwich NR11 7AX

For Mr Joff Goodman

WRITTEN REPRESENTATION

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 – ENF/21/0146 - Unauthorised development in back garden

1 Millfield Road, North Walsham, Norfolk NR28 0EB

For Mr Robert Scammell

WRITTEN REPRESENTATION

ROUGHTON – PO/21/0149 - Erection of detached dwelling (outline with all matters reserved)

Pine Cottage, Felbrigg Road, Roughton, Norwich, Norfolk NR11 8PA

For Mr P & Mrs S Miles-Jones

WRITTEN REPRESENTATION

SCULTHORPE – PF/21/0779 – Erection of detached dwelling with associated parking
Land at Grid Ref: 591266.85, Goggs Mill Road, Fakenham, Norfolk
For Mr S Mann
WRITTEN REPRESENTATION

SHERINGHAM – PO/20/1327 - Erection of single detached property within the garden and adjacent to the existing property (Outline - detail of access only)
5 Meadow Way, Sheringham, NR26 8NF
For Mr Steve McDermott
INFORMAL HEARING– Date TBA – NOW TO BE 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

TUNSTEAD – PO/21/0257 - Single storey detached dwelling (outline - details of access only with all other matter reserved)
Land North Of 9 Granary Way, Market Street, Tunstead, Norfolk
For Mr Kelvin Rumsby
WRITTEN REPRESENTATION

WICKMERE – PF/20/2072 - Erection of dwelling with attached double garage
Park Farm Office, Wolterton Park, Wolterton, Norwich NR11 7LX
For Mr M & Mrs C McNamara
WRITTEN REPRESENTATION

APPEAL DECISIONS - RESULTS AND SUMMARIES

FAKENHAM – PO/20/0887 - Two detached dwellings (outline application with details of access only - all other matters reserved)
Land At Barons Meadow, Barons Hall Lane, Fakenham NR21 8HB
For RPF Norfolk Ltd
WRITTEN REPRESENTATION – APPEAL DISMISSED

HIGH KELLING – PF/21/0428 - Dormer window extension to east side elevation
Penny Farthing, Cromer Road, High Kelling, Holt, Norfolk NR25 6QZ
For Mr Nigel Godden
FAST TRACK HOUSEHOLDER – APPEAL DISMISSED

HOLT – PF/21/0967 - Small single storey front extension
6 Manor Walk, Holt, Norfolk NR25 6DW
For Mr Simon Coe
Fast Track Householder – APPEAL DISMISSED

PUDDING NORTON – PO/20/1736 - Erection of two dwellings (2-bed) - (outline with all matters reserved)
Site At Green Lane, Pudding Norton, Fakenham NR21 7LT
For Mr D Rahman
WRITTEN REPRESENTATION – APPEAL DISMISSED