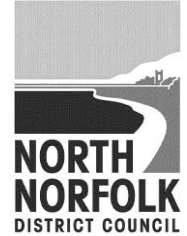


Development Committee



Please contact: Linda Yarham

Please email: linda.yarham@north-norfolk.gov.uk
Direct Dial: 01263 516019

20 September 2017

A meeting of the Development Committee will be held in the **Council Chamber** at the Council Offices, Holt Road, Cromer on **Thursday 28 September 2017 at 9.30am.**

Coffee will be available for Members at 9.00am and 11.00am when there will be a short break in the meeting. A break of at least 30 minutes will be taken at 1.00pm if the meeting is still in session.

Any site inspections will take place on **Thursday 19 October 2017.**

PUBLIC SPEAKING – TELEPHONE REGISTRATION REQUIRED

Members of the public who wish to speak on applications are required to register by **9 am on Tuesday 26 September 2017** by telephoning **Customer Services on 01263 516150**. Please read the information on the procedure for public speaking on our website [here](#) or request a copy of "Have Your Say" from Customer Services.

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so must inform the Chairman. 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 S Arnold, Dr P Butikofer, Mrs A Green, Mrs P Grove-Jones, Mr B Hannah, Mr N Lloyd, Ms M Prior, Mr R Reynolds, Mr P Rice, Mr S Shaw, Mr R Shepherd, Mr B Smith, Mrs V Uprichard, Vacancy

Substitutes: Mrs S Butikofer, Mrs A Claussen-Reynolds, Mr N Coppack, Mr T FitzPatrick, Mr V FitzPatrick, Mrs B McGoun, Miss B Palmer, Mr J Punched, Mr E Seward, Mr D Smith, Mr N Smith, Ms K Ward, Mr G Williams, Mr A Yiasimi

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

Heads of Paid Service: Nick Baker and Steve Blatch
Tel 01263 513811 **Fax** 01263 515042 **Minicom** 01263 516005
Email districtcouncil@north-norfolk.gov.uk **Web site** www.north-norfolk.gov.uk

AGENDA

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

PUBLIC BUSINESS

1. CHAIRMAN'S INTRODUCTIONS

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

3. MINUTES

To approve as a correct record the Minutes of a meeting of the Committee held on 31 August 2017

4. ITEMS OF URGENT BUSINESS (to be taken under items 8 or 10 below)

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

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

5. ORDER OF BUSINESS

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

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

6. DECLARATIONS OF INTEREST

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

7. OFFICERS' REPORT

ITEMS FOR DECISION

PLANNING APPLICATIONS

- (1) **SHERINGHAM - PF/17/0468 - Demolition of existing hotel and erection of mixed use building comprising 10 dwellings (Use Class C3) and 4 commercial units (Use Class A1/A2/A3/ A4/A5) with associated parking and highways works; Formerly The Shannoeks, 1 High Street for North Norfolk District Council**

- (2) **BRISTON - PF/17/1097** - Erection of extension to north elevation (retrospective);
3 Mill Road, Briston, Melton Constable for Mr Cloutman Page 14
- (3) **CROMER - PF/17/0785** - Erection of single storey building for use as a tea room
including store/toilet and outside seating area; Land at Fearn's Park, Station Rd,
Suffield Park for K Bishop Page 17
- (4) **POTTER HEIGHAM - PF/17/0789** - Change of use from residential care-home to
house in multiple occupancy; Cypress Lodge, Station Road for Black Kettle
(Norfolk) Ltd Page 23
- (5) **SHERINGHAM - PF/17/1091** - Extension to external staircase to form balcony to
rear of dwelling; 22 Hooks Hill Road for Mr Ignation Page 28
- (6) **APPLICATION RECOMMENDED FOR A SITE INSPECTION** Page 30
- (7) **NEW APPEALS** Page 31
- (8) **INQUIRIES AND HEARINGS - PROGRESS** Page 31
- (9) **WRITTEN REPRESENTATIONS APPEALS - IN HAND** Page 31
- (10) **APPEAL DECISIONS – RESULTS AND SUMMARIES** Page 31
(Appendix 1 – page 33)
- (11) **COURT CASES – PROGRESS AND RESULTS** Page 32
- 8. **ANY OTHER URGENT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND
AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE**
- 9. **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

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

**OFFICERS' REPORTS TO
DEVELOPMENT COMMITTEE - 28 SEPTEMBER 2017**

Each report for decision on this Agenda shows the Officer responsible, the recommendation of the Head of Planning and in the case of private business the paragraph(s) of Schedule 12A to the Local Government Act 1972 under which it is considered exempt. None of the reports have financial, legal or policy implications save where indicated.

PUBLIC BUSINESS - ITEM FOR DECISION

PLANNING APPLICATIONS

Note :- Recommendations for approval include a standard time limit condition as Condition No.1, unless otherwise stated.

- (1) **SHERINGHAM - PF/17/0468 - Demolition of existing hotel and erection of mixed use building comprising 10 dwellings (Use Class C3) and 4 commercial units (Use Class A1/A2/A3/ A4/A5) with associated parking and highways works; Formerly The Shannoeks, 1 High Street for North Norfolk District Council**

Major Development

- Target Date: 19 July 2017

Case Officer: Mr G Linder

Full Planning Permission

CONSTRAINTS

Town Centre

Conservation Area

RELEVANT PLANNING HISTORY

03/0981 PF

1 High Street, Sheringham

Continued use of former second floor hotel bedrooms as residential flat approved 18/08/2003

03/1897 PF

1 High Street, Sheringham

Continued use of former first floor hotel bedrooms as residential flat Approved 12/01/2004

05/1580 PF

1 High Street, Sheringham

Change of use from restaurant and two flats to hotel/restaurant Approved 15/12/2005

16/0596 PF

1 High Street, Sheringham

Demolition of building

Refused 26/08/2016

17/0192 PF

1 High Street, Sheringham

Demolition of existing building and erection of four a storey mixed use building. Unit 0.1 : A3/A1 (Restaurant/Shop). Unit 0.2 : A3/A1 (Restaurant/Shop). Unit 0.3 : A3 (Restaurant). Unit 1.1 : C3 (Residential). Unit 1.2 : A3 (Restaurant). Unit 2.1/Unit 2.2/Unit 2.3/Unit 3.1/Unit 3.2 : C3 (Residential)

THE APPLICATION

Seeks permission for the demolition and redevelopment of the former Shannoeks Hotel and adjacent Chequers public car park as a mixed use development comprising 4 commercial units and 10 apartments. The two sites combined have a total ground area of approximately 962 sq. metres.

The four commercial units on the ground floor will each have a floor area in the region of 80 sq. metres, and will be within Use Class A1/A2/A3/A4/A5. The 10 apartments would be located over three floors above the commercial units, four each on the first and second floors and two on the third floor. Apartments will consist of a mix of five 2 bedroom 3 person units and five 2 bedroom 4 person units, the majority of which range in floor area from 63 to 86 sq. metres. The exception being Unit 10 on the third floor which will have a floor area of 115 sq. metres.

Due to level changes across the site, the proposed building would be stepped in height with the residential apartments on the eastern side of the site set approximately 1.5m lower than apartments on the western side of the site.

Vehicular access to the residents' parking area will be from the east opposite The Crown Hotel and immediately north of No.1 Lifeboat Plain.

It is proposed that the development would employ a palette of vernacular materials including red brick, flint and render to the walls under a roof of red plain tiles, with white joinery and a colour finish to the shop fronts.

Amended plans have been received showing additional bin storage provision, an additional car parking space and alterations to the cycle storage arrangements.

REASONS FOR REFERRAL TO COMMITTEE

The applicant is North Norfolk District Council and referral to Committee is a requirement under the Council's scheme of delegation.

PARISH/TOWN COUNCIL

Sheringham Town Council – Supports the principle of improvement/development of the site, however objects on the following grounds:-

- NNDC proposed development has gone beyond the boundaries of the building that they are intending to compulsory purchase.
- It is essential to retain the Chequers car park as it is extremely well used for the town, Museum and Oddfellows Hall, as it is the only car parking facility in that area. In addition the car park is essential for disabled visitors.

REPRESENTATIONS

Nine letters of objection have been received which raise the following concerns

Summary of objections:

1. Loss of sea view as a consequence of any building development on the car park.
2. Loss of car park will have a detrimental impact both on commerce and residents.
3. The applicant has made no attempt to provide a suitable alternative to the Chequers car park.
4. Older and less mobile residents will be disadvantaged in accessing the sea front from car parks elsewhere in the town.
5. The car park has always been an open space.
6. The proposed development will block/brick up one of my north facing windows and restrict

light to the property.

7. During the construction phase of the development our holiday cottage will become un-rentable, due to construction traffic and noise.
8. The proposed pedestrian access to the residents' car park is off the alleyway to the south immediately opposite our back door.
9. There is a lack of parking for delivery vehicles servicing the four commercial units.
10. The apartments do not appear to be affordable.
11. This is a missed opportunity as there is a need for a quality hotel in line with modern standards. This would assist tourism and create local jobs.
12. The existing period property should be retained and returned to a hotel rather than building another carbuncle.
13. The character of Sheringham is gradually being eroded through poor and backward looking planning approvals.
14. The site does not have excellent public transport links as suggested in the submitted Design and Access Statement.
15. There is a deficiency of cycle parking in the town.

One letter of support has been received which suggests the proposal is well designed and will significantly enhance and positively contribute to the area.

CONSULTATIONS

County Council (Highway) - Cromer – No objection.

It is the view of the Highway Authority that the removal of the public car park with adequate signage, will improve traffic flows and pedestrian safety, through the reduction in drivers seeking parking in this busy area. However has requested a plan showing the footprint of proposed building in order to fully assess net changes to the highway boundary.

Historic England – Objects.

Considers that the existing building makes a positive contribution to the historic significance of the Sheringham Conservation Area and that its demolition could result in harm to that significance in terms of the National Planning Policy Framework paragraphs 132 and 134. The Council should seek the justification required for the harm by the NPPF and weigh this harm against any public benefit delivered by the new building.

As far as the design of the replacement building is concerned this responds well to its context and would not cause additional harm if a high quality of detailing and materials were achieved should it be granted permission.

Conservation and Design Officer – No Objection.

No sustainable objections to the demolition and replacement of the existing building. Nor are there any heritage concerns raised extending its footprint to include the adjacent car park.

The existing building does not in its current condition enhance the appearance and character of this prominent and important part of the Sheringham Conservation Area. At the same time it does offer approximately 100 years of history and a three-dimensional presence at the end of the High Street and is one of last remaining late 19th century hotels left in the town, it is certainly not without local interest and townscape value. However, by virtue of its longstanding shabby appearance, and the number of alterations it has sustained over time, its contribution is now essentially a neutral one to the overall significance of the heritage asset. As such, it cannot be considered critical capital which must be retained at all costs. Instead, because the property is not a listed building, its demolition can in theory be sanctioned subject to the submission of an appropriate parallel scheme of redevelopment.

In terms of the car park at the present time this provides a hard-surfaced area which is entirely open across its frontage. The net result is a rather soulless space which provides vehicular clutter when occupied and a visual scar when not in use. Either way, it cannot be said to

make a positive contribution to the character and appearance of the surrounding area. Against this context, there has to be broad C&D support for any proposals which bring forward the sensitive redevelopment of the site, not least because of its key position directly above the promenade.

Scale and massing

The building proposed would have a maximum height of around 13.5 metres (allowing for the sloping ground level) which is some 2.5 metres higher than the existing building. It would thus produce a more pronounced scale differential to its near neighbours. However, because the elevations feature a stepped ridge and eaves lines, and regular changes in materials, the overall massing would be broken up into a series of 'digestible' elements which would not only have a human scale but which would also correspond with plot widths found locally.

Design and materials

As far as the design is concerned with the exception of the Juliet balconies and the triangular window, the proposed elevations are essentially pastiche compositions which seek to replicate rather than innovate. Whilst some may argue about the appropriateness of such an approach, it can have equal validity if executed well. That is very much the case here with the elevations displaying good proportions and sympathetic detailing which would not look out of place within a late 19th/early 20th century context. With the interplay of window types and materials also providing good levels of visual interest, there is no reason to believe that the scheme would not make a positive contribution to the appearance and character of the area. Within this, however, there would clearly be a premium on securing high quality materials and authentic detailing. In terms of the materials the development would utilise a coherent palette of three principal facing materials – brick, render and flint. All three of these has an established presence locally and should offer proven durability against the elements. At roof height red plain tiles have been selected rather than the more conventional pantiles. In this case there are no objections to this for two main reasons; i) Sheringham and the immediate coastal strip is one of the few areas within the District where plain tiles have a historic foothold, and ii) the plain tiles would enable the development to turn the two corners more elegantly than pantiles. In conclusion, extending the buildings footprint to include the adjacent car park would have a beneficial impact in terms of introducing enclosure and animation to what is currently a rather utilitarian space. For these reasons, and because the scheme would at the very least preserve the appearance and character of the Sheringham Conservation Area, Conservation & Design recommend that this application be approved.

Environmental Health - No objection subject to the imposition of appropriate conditions relating to foul and surface water drainage, delivery and collection and demolition.

Anglian Water - No objection subject to the imposition of an appropriate condition relating to surface water disposal.

HUMAN RIGHTS IMPLICATIONS

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

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

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

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

Relevant Development Plan Policies

North Norfolk Core Strategy (Adopted September 2008):

Policy SS 1: Spatial Strategy for North Norfolk (*specifies the settlement hierarchy and distribution of development in the District*).

Policy SS 5: Economy (*strategic approach to economic issues*).

Policy SS 12: Sheringham (*identifies strategic development requirements*).

Policy HO 1: Dwelling mix and type (*specifies type and mix of dwellings for new housing developments*).

Policy EN 4: Design (*specifies criteria that proposals should have regard to, including the North Norfolk Design Guide and sustainable construction*).

Policy EC 5: Location of retail and commercial leisure development (*specifies appropriate location according to size*).

Policy EC 6: Public Car Parking Provision (*prevents loss of public car parking facilities*).

Policy CT 5: The transport impact on new development (*specifies criteria to ensure reduction of need to travel and promotion of sustainable forms of transport*).

Policy CT 6: Parking provision (*requires compliance with the Council's car parking standards other than in exceptional circumstances*).

Other material considerations:-

North Norfolk Design Guide Supplementary Planning Document (December 2008)

Relevant sections of National Planning Policy Framework (NPPF) (2012):

- Delivering a wide choice of high quality homes
- Requiring good design
- Conserving and enhancing the historic environment

MAIN ISSUES FOR CONSIDERATION

1. Principle of development
2. Dwelling mix and type
3. Affordable housing provision
4. Layout and Design
5. Residential amenity
6. Impact on heritage assets
7. Loss of public car park
8. Access, car parking and highway safety
9. Drainage

APPRAISAL

The Development Committee visited the site on 21 September 2017.

1. Principle of development - Policies SS1, SS3 and SS5

The site is situated within the development boundary for Sheringham, a Secondary settlement, as defined by the North Norfolk Core Strategy in the area zoned as town centre and is also within the Sheringham Conservation Area. In addition part of the site including the Chequers car park is zoned as public realm where proposals shall be expected to enhance the overall appearance and usability of the area.

Within this area Core Strategy Policy SS5 allows for a broad range of shopping and commercial uses with residential being permitted where it does not result in the loss of shops or other main town centre uses. In addition, development proposals should support the role of town centres in meeting local needs and as visitor and tourist destinations.

Subject to compliance with these policies and compliance with other related policies including design and heritage, development of this site would be acceptable in principle.

2. Dwelling mix and type - Policy HO1

Core Strategy Policy HO1 requires that on schemes of five or more dwellings at least 40% of the total number of dwellings should comprise a floorspace of not more than 70 Sq. metres, with no more than two bedrooms. However, in order to bring the policy in line with Building Regulations a more flexible approach has recently been adopted which allows for slightly larger dwellings. In this instance in addition to all the dwellings being two bedrooms, four of the properties would have a floor area ranging from 65.36 Sq. metres to 75.15 Sq. metres which is considered to be acceptable in policy terms and that the mix of type of dwellings will be attractive to a range of occupiers within the local community.

3. Affordable housing provision - Policy HO2

Notwithstanding the requirements of Core Strategy Policy HO2, the scheme is not required to provide any affordable housing, following amendments to affordable housing thresholds that were introduced by Central Government in December 2014 (upheld by the Court of Appeal in May 2016). The amendment removed the need for developments of 10 or less residential units, or which have a gross internal area of under 1,000 square metres of residential floorspace, to provide affordable housing. The proposed development satisfies both of these criteria and therefore is considered in accordance with current local and national policies in relation to affordable housing.

4. Layout and Design - Policy EN 4

Although the site has a total area of some 962 Sq. metres the building would only occupy a footprint of approximately 403 sq. metres of the northern half of the site with the remaining area providing car parking for 11 vehicles, together with 12 cycle parking spaces and bin storage area for the commercial and residential units. The vehicular access would be to the east opposite the Crown public house.

In terms of the buildings scale and massing due to the sloping ground level it will be broken down into a series of 'digestible' elements varying in height from three-storey to three and a half storey with a maximum height of around 13.5 metres, which is some 2.5 metres higher than the existing building. Elevationally it is proposed that the building will be a pastiche composition with its overall proportions, interplay of window styles and coherent palette of vernacular materials being in context with the area.

As a result whilst it is recognised that the scale and massing of the building will produce a more pronounced differential in scale to that of its near neighbours this is considered to be acceptable and overall the scheme will retain / reinforce the strong sense of enclosure that pervades the street scene. This combined with the polite elevational treatment and choice of materials will result in a scheme which will make a positive contribution to the appearance and character of the area.

In respect of layout and design, it is considered that the proposal would generally accord with the requirements of Core Strategy Policy EN 4.

5. Residential amenity - Policy EN 4

Given the close knit nature of development in the immediate vicinity of the site it is inevitable that there will be some impact on the residential amenity of neighbouring properties.

In particular the linear row of former fishermen's cottages to the northern side of Gun Street, which are predominantly two and half storey in height, would partially lose the sea view which they have enjoyed for the best part of seven decades.

In addition a number of representations suggest that these properties which predominantly have secondary and tertiary windows facing the site would be overlooked and overshadowed by the development.

Under planning law there is no "right to a view" however residents do have rights in terms of loss of outlook and daylight both of which are a material planning consideration. As far as outlook is concerned at the present time the occupiers of the dwellings in Gun Street overlook a public car park, which will be similar under the proposed scheme other than it would be parking for residents. In terms of overshadowing and loss of privacy the separation distance between the proposed building and the rear of the cottages would be in the region of 24 metres, which based on daylight calculation angles of 60 and 45 degrees would not result in any direct loss of light or overshadowing. In terms of the window to window separation distances these will be some 9 metres in excess of those identified in the amenity criteria contained in the North Norfolk Design Guide. As a result whilst there could be the perception of being overlooked this would not be a reason in itself to refuse the application. Similarly it is not considered that the residential amenities of the three cottages in Lifeboat Plain would be significantly affected by the development.

The only other property potentially affected by the development is the Two Lifeboats public house to the western side of High Street which has first floor windows facing the site. In this instance although the separation distance between this property and the proposed development will fall short of the amenity criteria by some 8 metres, this arrangement would be no worse than the current relationship. Furthermore, given that the general scale and massing of the proposed building would be broadly similar to that which it would replace it is not considered that there will be any significant increase either in loss of light or privacy.

In respect of residential amenity, it is considered that the proposal would generally accord with the requirements of Core Strategy Policy EN 4.

6. Impact on heritage assets – NPPF Paras 132, 134 and 137

The site is situated in the Sheringham Conservation Area, the historic core being designated in 1975, with areas to the east and west of the town centre being included in 1995. This was followed by the preparation of a draft Conservation Area Appraisal in 2013 which suggested that the Shannoeks is *"a plain and indifferently modernised building, marking the beginning of a visual "low point" along the seafront. Between the Shannoeks and the Mo is an open area, created by the 19th century demolition of part of the historic core. Here there is a short access road and car park, bordered by the unappealing rear elevations of the Gun Street and Lifeboat Plain houses"*.

Historic England has indicated that they consider the views and focal point created by the former hotel, together with the building's history ensure that the Shannoeks makes a positive contribution to the historic significance of the conservation area. As a result its demolition could harm that significance in terms of the NPPF paragraph 132 and 134. However, they recognise the proposed replacement is appropriate to the area and is broadly similar in form and scale and will deliver some public benefits to be weighed against the harm.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes that, in considering applications for planning permission, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area in the exercise of any powers under the Planning Acts (paragraph 72). The National Planning Policy Framework (NPPF) builds upon the 1990 Act. It identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paragraphs 6, 7 and 14). The NPPF also states that the significance of conservation areas can be harmed or lost by alteration to them or development in their setting (paragraph 132) and the conservation of heritage assets is a core principle of the planning system (paragraph 17). Furthermore paragraph 137 states that proposals that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of the heritage assets should be treated favourably.

Notwithstanding the comments of Historic England, whilst recognising the Shannocks is not without local interest and townscape value, in contrast the Council's Conservation Officer considers by virtue of its longstanding shabby appearance, and the number of alterations it has sustained over time, that the buildings contribution is now essentially a neutral one to the overall significance of the heritage asset. As such, it cannot be considered critical capital which must be retained at all costs. Instead, because the property is not a listed building, its demolition can in theory be sanctioned subject to the submission of an appropriate parallel scheme of redevelopment.

Officers therefore consider that, whilst the loss of any heritage asset is regrettable and is an irreplaceable resource, this loss has to be weighed against the public benefits of any replacement building. In this instance, it is considered that the scale, massing and design of the proposed replacement building is appropriate to the area and that overall will make a positive contribution to local character and appearance of this part of the Sheringham Conservation Area. In addition to the benefits of the replacement building, the development of the northern half of Chequers car park would also afford an opportunity to enhance this part of the Conservation Area a reduce the large open expanse of tarmac and concrete. These are public benefits which should, in the opinion of officers, be afforded considerable weight in the decision process.

7. Loss of public car park - Policy EC6

Although the Core Strategy Proposal Map does not identify the Chequers car park as being protected. Core Strategy Policy EC 6 indicates that the loss of public car parking facilities which make an important contribution to local parking provision should not be permitted unless alternative provision is made available in a suitable location.

In view of the level of local concerns in respect of the loss of the public car parking at the request of the Local Planning Authority the applicant's agent commissioned Canham Consulting Ltd to undertake a Parking Survey Assessment. This involved a Duration Stay Survey and Capacity Assessment for the period 15 - 21 August 2016, during the peak holiday season and covered all four District Council car parks within Sheringham:-

- Chequers car park (34 spaces - although this is actually marked out for 26 spaces)
- East Cliff car park (94 spaces)
- Morris Street car park (115)
- Station Approach car park (294 spaces)

The assessment was undertaken using data collected from the car parks ticket machines, with the Duration Survey being undertaken using the length of the ticket purchased and the Capacity Assessment based on five and seven day average accumulation on an hourly basis for a 24 hour period in each day.

The data shows that the most popular durations are under an hour at Chequers and Morris Street car parks, with 1-2 hours duration at East Cliff and Station Approach. However the assessment suggests that in reality some people may not stay as long as their ticket time. For example during the survey period the only car park to exceed its capacity on a number of occasions was Morris Street in the middle of the day. In addition the Chequers car park exceeded its capacity on one occasion which demonstrates that some people did not stay for the full duration of their tickets.

The survey data indicates that peak occupancy over all the car parks occurred on Thursday 18 August 2016 between 1 and 2 pm with 90% of the total spaces occupied, equivalent to 456 of the 506 total spaces being occupied. This leaves 50 available Council owned spaces and as such there is capacity even at peak times to cover the capacity loss of the Chequers car park.

The Parking Assessment therefore demonstrates that even during the peak holiday period there is spare available capacity within the alternative District Council car parks in the local area of Sheringham. In addition to the Council car parks, visitors to Sheringham have other options for parking in the local area whether short or long stay including 2 hours free parking at Tesco Sheringham (May to Sept) . In addition, for users who stay for under an hour there is also on street parking available throughout the town centre. Therefore whilst the loss of the Chequers car park could cause some inconvenience for local residents, businesses and visitors, primarily through loss of provision close to the seafront, as it can be demonstrated that there is alternative provision within Sheringham town centre, the proposed loss of the car park would not provide justification to refuse the application under Core Strategy Policy EC 6.

In pure highway safety terms the Highway Authority has indicated that, with the provision of adequate signage, the removal of the Chequers public car park would likely improve traffic flows and pedestrian safety, through the reduction in drivers seeking parking in this busy area.

Whilst outside of the formal planning process, having regard to the content of representations received and in terms of meeting its obligations under the Equalities Act 2010, in the event of permission being granted, it would be appropriate for the Council to review the provision of disabled parking facilities across the remaining Council owned car parks in Sheringham to ensure it has adequate provision. It would also be appropriate for the Council to review the accessibility of the remaining car parks so as to ensure access to local shops and services and to the sea front are of an adequate standard to meet the needs of a range of different town centre users.

8. Access, car parking and highway safety - Policies CT 5 and CT 6

As far as car parking is concerned the development will provide for a single car parking space for each of the 10 apartments together 1 disabled space and 12 secure cycle parking spaces. Although this falls short of parking standards contained in the Core Strategy, which indicates that in the case of two bedroom dwellings there should be a minimum of 2 parking spaces per unit the preamble Appendix C: allows for a reduction in these requirements in town centres where there are sufficient local services and access to acceptable levels of public transport. In addition, a reduced provision may also be appropriate in conservation areas where it would result in an improved building design which better enhances the character of the built environment. It is therefore considered that given Sheringham is served by a main line rail link to Norwich and has regular bus services together with a wide range of local shops the level of car parking proposed for the apartments is acceptable.

The Highways Authority has requested a plan showing the footprint of proposed building in order to fully assess net changes to the highway boundary. Although this plan has been received the further comments of the Highway Authority are awaited.

9. Drainage - EN 10

The Drainage Strategy submitted as part of the application indicates that both foul and surface water drainage will be to the existing combined sewer. In terms of the surface water, given the level of impermeable areas, this will require on-site underground storage with the outflow being controlled via a hydrobrake or other control device restricting run off rates.

Anglia Water has indicated that the sewerage system has available capacity for the proposed flows but suggests that a drainage strategy is required in respect of surface water, which can be secured by way of condition.

Subject to these details being secured by planning condition, the proposal would accord with Core Strategy Policy EN 10.

Summary

A mixed use development in this location is considered to be acceptable and will contribute both to the commercial viability of the town centre and the mix of residential dwellings and at the same time, enhance the public realm of this part of Sheringham.

In terms of as the building design although it will produce a more pronounced differential in scale to that of its near neighbours given the mixed nature of development within this part of the town centres this is considered to be acceptable. Furthermore, the combination of elevational treatment and palette of materials will it is considered result in a scheme that makes a positive contribution to the character and appearance of the area.

Turning to the issues of residential amenities although it is accepted that some properties particularly in Gun Street will lose their sea view it is not considered that there will be any significant issues of loss of light or overlooking which would warrant refusal of the application.

As far as the impact on the Sheringham Conservation Area although Historic England considers the existing building makes a positive contribution to the historic significance of the area in contrast the Council's Conservation Officer considers that the public benefits of the scheme would outweigh the loss of former Shannocks Hotel. Furthermore it is considered that the proposed development will make a positive contribution to the local character and appearance of the area.

Another area of concern raised by Sheringham Town Council and a number of local residents is the loss of the Chequers car park. As a result of these concerns the applicant has commissioned a Parking Assessment of the public car parking within Sheringham. This has revealed that even at the height of the holiday season in August there is still spare capacity within the car parks.

In terms of as parking within the site, although the proposed provision of one space per dwellings would fall short of the parking standards contained in the Core Strategy this does make allowances for reduced provision in town centres where there are sufficient local services and access to acceptable levels of public transport, which is the case with Sheringham.

Taking the above into consideration, it is considered that the proposal would broadly comply with the requirements of the Development Plan and the guidance set out in the National Planning Policy Framework such that approval is recommended. There are no material considerations that indicate the application should be determined otherwise

RECOMMENDATION: Approval subject to conditions relating to:

The full elements

1. Time Limit
2. Accordance with the submitted plans;
3. Commercial premises - restricted to Use Classes A1/A2/A3/A4 and A5;

Prior to commencement of development/ first use on site (including demolition)

4. Demolition and construction management plan for parking, access, dust, noise, material, storage;
5. Facing materials to be agreed;
6. Joinery details including shopfronts to be agreed;
7. Submission and agreement of foul and surface water management strategy;

Prior to first use/occupancy of development

8. Commercial premises - delivery and collection hours;
9. Details of any extract/ventilation equipment to be installed in the commercial premises

- (2) **BRISTON - PF/17/1097 - Erection of extension to north elevation (retrospective);
3 Mill Road, Briston, Melton Constable for Mr Cloutman**

- Target Date: 04 October 2017

Case Officer: Fran Watson

Householder application

CONSTRAINTS

LDF - Settlement Boundary

LDF - Residential Area

RELEVANT PLANNING HISTORY

CL/17/0792: An application for a certificate of existing lawful development for the roof enlargement to rear roof slope was submitted but subsequently withdrawn as the development could not be dealt with by this type of application having only recently been completed

THE APPLICATION

Retrospective application for the erection of a roof extension to the North elevation.

The extension is a dormer, which extends across most of the width of the property at first floor level. The dormer is set in from the side elevations slightly, and has a flat roof, with the front wall finished with vertical timber boarding, stained dark brown. The ridge line of the dwelling has not been increased and the existing eaves have been retained. The extension provides an additional bedroom and bathroom. Each room is served by a window in the rear elevation of the extension. The bathroom window is high level and fitted with obscured glazing. The bedroom window is clear glazing.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr English on the grounds of overlooking of the neighbouring property, the design being out of character and materials being inappropriate.

PARISH/TOWN COUNCIL

Briston Parish Council – Object on the grounds that there is a loss of privacy for the neighbouring property, poor design and inappropriate materials.

REPRESENTATIONS

1 letter of objection received. The grounds are as follows.

- Loss of privacy to the rear garden and paddock area of No. 5 Mill Road
- Style and obtrusiveness of extension being totally out of character because of the materials
- Gap between the new extension and wall of the adjacent property: concerns about maintenance

CONSULTATIONS

None

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):

Policy SS 1: Spatial Strategy for North Norfolk (*specifies the settlement hierarchy and distribution of development in the District*).

Policy SS 3: Housing

Policy EN 4: Design (*specifies criteria that proposals should have regard to, including the North Norfolk Design Guide and sustainable construction*).

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design and Appearance
3. Residential Amenity

APPRAISAL

1. Principle

The property is located within the settlement boundary for Briston and a designated residential area where extensions to dwellings are acceptable in principle under policies SS 1 and SS 3 subject to compliance with other relevant Core Strategy policies

In assessing the impacts of the proposal below, weight has been attached to the fact that the extension would have been permitted development if the external materials had been similar to those of the original dwelling. In that case matters such as the design and effect on the amenity of neighbours could not have been considered.

2. Design and Appearance.

The extension cannot be seen from the street in the immediate surrounding area and as such is not considered to result in any visual impact on the character and appearance of the surrounding area. However, the extension can be seen from neighbouring gardens and from the street a considerable distance away. As originally built, the timber cladding had been left in its natural state, which had a visually jarring appearance on the existing brick and flint rear wall.

The applicant has now stained the boarding in a dark finish to match the colour of the existing timber outbuilding in the courtyard immediately to the rear of extension. This gives it a more recessive appearance and ties the extension visually to the existing outbuilding. It is considered that this reduces the visual impact to an acceptable degree.

The extension is not considered to be disproportionate in size to the main dwelling, given what could be built under permitted development.

The development is therefore considered to be in accordance with the requirements of policy EN 4.

3. Residential Amenity

The adjoining property to the east, 5 Mill Road, has a lawned garden to its rear, which wraps around the rear boundary of the application site, and extends northwards and includes a paddock. The bathroom window in the extension, closest to the common boundary with No 5, is fitted with obscure glazing

Views of No 5's garden from the extension are limited due to the existing outbuilding at the rear of the application property and the single storey rear section of No 5, which sits further back than the rear elevation of No 3. Views from the bedroom window, which is furthest from the common boundary, are at an oblique angle, so are limited and not considered to be so significant to warrant refusal of the application. It is considered that there is no significant detrimental impact on the privacy of the area of No 5's adjacent to the house, and indeed in the patio area immediately to the rear of No 5, no overlooking will occur. Whilst there are some views directly to the rear these are to the rear part of No 5's garden.

On balance, whilst the extension has resulted in some loss of privacy to the amenity area at No 5, it is not considered this is to a degree that would warrant refusal.

With regard to the effect on the neighbour to the west, 1 Mill Road, existing boundary treatments and an intervening outbuilding, prevent any overlooking

As stated earlier in this report, it is important to note that the dormer could be built under permitted development rights if the materials had matched those of the existing dwelling. If this were the case, there could be no assessment of the overlooking of adjacent properties.

There are no overshadowing or overbearing impacts.

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

4. Other Considerations

Access for maintenance raised in the objection is not a material planning consideration.

Conclusion

It is considered that the development is acceptable for the reasons stated above and complies with the relevant development plan policies.

RECOMMENDATION:

Approve with no conditions

- (3) **CROMER - PF/17/0785 - Erection of single storey building for use as a tea room including store/toilet and outside seating area; Land at Fearn Park, Station Rd, Suffield Park for K Bishop**

Minor Development

- Target Date: 29 September 2017

Case Officer: Caroline Dodden

Full Planning Permission

CONSTRAINTS

LDF - Settlement Boundary

LDF - Education and Formal Recreation Area

LDF - Open Land Area

Controlled Water Risk - Medium (Ground Water Pollution)

RELEVANT PLANNING HISTORY for Land at Fearn Park, Station Rd, Suffield Park, Cromer, NR27 0DY

PLA/19830951 HR

FEARNS PARK RECREATION GROUND, STATION ROAD, CROMER
PROPOSED TIMBER BUILDING FOR USE AS CHANGING ROOMS

Approved 23/08/1983

PLA/20011380 PF

PLAYING FIELD, STATION ROAD, CROMER

ERECTION OF CHANGING ROOMS AND JUNIOR FOOTBALL CLUBROOM

Approved 28/05/2002

PLA/19761260 HR

BOWLING GREEN, STATION ROAD, CROMER

ERECTION OF TOILETS

Approved 22/10/1976

PLA/19950384 PF

SUFFIELD PARK BOWLS CLUB, STATION ROAD, CROMER

EXTENSION EAST AND WEST

Approved 08/06/1995

PLA/19940867 PF

SUFFIELD PARK BOWLS CLUB, STATION ROAD, CROMER

TOILET EXTENSION

Approved 04/08/1994

PLA/19901838 PF

SUFFIELD PARK BOWLS CLUB, STATION ROAD, CROMER

EXTENSION TO PAVILION TO PROVIDE MALE/FEMALE CHANGING/WC

Approved 09/01/1991

INTRODUCTION

Members will recall that this application was deferred at the Development Committee on 31 August in order for a site inspection to be carried out prior to determination.

Matters raised at the committee meeting on 31 August 2017:

- Request for a condition to be attached to prevent external amplified music and restrict the volume of internal amplified music.

Response: A condition has been added to the recommendation to cover this matter.

- Provision of a sign regarding no sale of alcohol.

Response: The Agent has confirmed the Applicant will provide a sign confirming that no alcohol will be sold.

- Query regarding the use of CCTV cameras.

Response: The Agent has confirmed that CCTV will be installed both internally and externally. It will cover the close periphery of the building and the seating area and be set up to avoid potential overlooking of neighbouring properties and the playing field.

A planning condition can be added for the submission of details of the external cameras, including angle and directions of cameras.

- Query regarding a Public Right of Way across the application site.

Response: The Council's GIS mapping system has been checked and no Public Right of Way has been revealed across the application site.

- Query regarding whether vehicles can only be parked on one side of Station Road.

Response: From observations during site visits, no specific parking restriction signs or road markings appear to be in place along the park section of Station Road. In addition, the Norfolk County Council (Cromer, various roads) (Street parking places and loading bay) Order 2014 does not include Station Road as having any specific on-street parking restrictions. As such, vehicles can currently park on both sides of Station Road.

- Query regarding whether the one proposed toilet would be sufficient for the number of potential customers.

Response: Comment from Senior Commercial Officer as follows - Counting the number of seats (52) the absolute minimum toilet provision that the café will need is 1 male WC, with one wash hand basin and 1 female WC with one wash hand basin. If the owner does not provide this level of toilet provision we may require them to do so.

THE APPLICATION

Planning permission is sought for the erection of a timber clad building to be used as a tea room with an associated store room to the rear, an external seating area to the front, a toilet facility to the side and pedestrian access from Station Road to the proposed site on Fearn's Park (also known as Fearn's Field) .

REASONS FOR REFERRAL TO COMMITTEE

In discussion with the Development Manager, it is considered that the number and nature of letters of objection and support received for the proposal warrant discussion and determination at Development Committee.

PARISH/TOWN COUNCIL

Cromer Town Council – supports the application.

Councillor Nigel Pearce (Suffield Park Ward Councillor) – Feels that it would be an asset in the location.

REPRESENTATIONS

Twenty-three letters of objection have been received from twenty-two local households objecting on the following grounds:

- Doesn't accord with local plan open space policy designation CT1;
- The field is historically open land gifted to the community for public enjoyment. The tea room will encroach negatively on the open recreational space due to its overall plot size;
- The proposed tea room is not comparable to the former changing room building in terms of size and function and would have a negative visual and environmental impact on the surrounding area;
- The proposal is speculative – there is no need for it and there are nearby facilities that already cater for food and drink. This is a residential area not a commercial area;
- If the business fails the park will be left with a 'white elephant';
- The roads around the park are busy and have on-street parking, particularly Station Road, which is a bus route and cut-through that is used by big lorries. The tea room would exacerbate the existing highway issues in terms of the traffic, congestion and parking, and increase the risk of accidents to both people and vehicles;
- The field has drainage problems and the properties opposite the site periodically flood;
- The tea room will add to the existing rubbish and drug problems, creating more anti-social behaviour and noise disturbance, particularly if the toilet is available to the public. External lighting will add to light pollution and cooking smells would create air pollution;
- Accessibility for elderly and disabled would not be provided;
- The tea room will impact on the outlook of the properties along Station Road;

Sixty-five letters of support have been received from sixty-four households living in Cromer and various places within Norfolk, supporting the proposal for the following reasons:

- The tea room will create a welcome amenity for family's and people of all ages to bring the park back to life, which is a bit run down and not used very much at the moment;
- A lot of the residents are elderly or young families and this facility would offer them something convenient and close to home;
- Station Road does get a little busy when the Bowls Club has a function, but there is always Park Road and Carrington Road too.

CONSULTATIONS

County Council (Highway) – Broadland

Details are required in relation to the site for deliveries, showing position, width and any alterations to the footpath, which may be required.

These details have been provided and further comments from the Highways Officer will be presented verbally to the Development Committee.

Environmental Health

It is noted that the proposal seeks to connect to the mains sewer. As such, a condition would be needed for the submission of schemes for foul and surface water disposal.

Conditions would be appropriate regarding the submission of details of any external lighting, extract ventilation system or refuse storage details.

Given the location in a residential area, conditions would need to be attached to control any delivery and collections and to restrict opening hours to members of the public.

Landscape Officer

The site is located within an area designated as Open Space (policy CT1) on the Proposals Map. Within these areas, development is not permitted except where it enhances the open character or recreational use of the land.

A thriving Tea Room/Café could be seen to enhance the recreational use of the land, however an unsightly, run-down or failed business could have a detrimental effect on the open land area. Whilst the success or failure of a business cannot be foreseen by planning, conditions could be imposed on a planning permission which require the removal of the building and ancillary structures should the business cease to operate, thereby securing the principle of the CT1 policy.

If the above condition is secured then the Landscape Section would not object to the application.

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 7: Cromer (*sets out the strategic targets for Cromer as a Principal Settlement*)

EN 4: Design (*specifies criteria that proposals should have to regard to, including the North Norfolk Design Guide and sustainable construction*).

EN 13: Pollution and hazard prevention and minimisation (*seeks to minimise and where possible reduce, all emissions and other forms of pollution*).

EC 5: Location of retail and commercial leisure development (*specifies where new retail and commercial proposals will be permitted*).

CT 1: Open space designations (*specifies the circumstances when development on these areas will not be permitted*).

CT 5: The transport impact of new development (*development proposals considered against criteria to reduce the need to travel and maximise the use of sustainable forms of transport*).

MAIN ISSUES FOR CONSIDERATION

APPRAISAL

1. Principle

Fearn's Park is located within an identified residential area within the settlement boundary of Cromer. The triangular recreational area is identified as an Open Land Area on the North Norfolk Proposals Map. There is a Bowls Club pavilion and bowling green occupying the northeast area of the park, which is identified as an Education and Formal Recreation Area on the Proposals Map. It is separated from the wider park by a hedge that runs along the south and west sides of the bowling green. A children's play area, made up of a number of pieces of

play equipment, is situated in the south western part of the park. The remainder of the park is grassed and can be used for more informal recreational activities.

Apart from around the Bowls Club, the park has low railings around its perimeter, set back from the footpaths by a grass verge and is bounded by Station Road on its north western side, Carrington Road to the east and Park Road to the south. Residential properties overlook the park on all sides.

In terms of the siting of new retail facilities, policy EC 5 seeks to locate these within the development boundary on the best sequentially available site (on schemes where the net sales area is less than 500sq.m). In this particular case, the location of the tea room is very much determined by and complementary to the park, serving the local community and beyond. As such, it is considered that the proposal would accord with the objectives of policy EC 5.

It should be noted that it is not for the Local Planning Authority to judge the viability of a new small business as part of such a planning application.

Policy CT 1 states that within Open Land Areas, development will not be permitted except it enhances the open character or recreational use of the land.

It is considered that the provision of a tearoom can be viewed as an enhancement to a recreational area, in that it can offer a complementary use alongside the open space and recreational facilities. This type of complementary use is a common feature of many parks. The buildings and external terrace would cover approximately 112sq.m within the park, which has an approximate site area of 8,450sq.m (excluding the Bowls Club). Nevertheless, it is appreciated that a potential vacant building would not be an appropriate future for the site. This can be resolved through the imposition of conditions which would firstly make a planning consent personal to the Applicant and secondly, that would require the removal of the buildings and external terrace and for the land to be returned to its former state, should the Applicant cease to operate from the premises.

With the imposition of such conditions, it is considered that the proposed tea room and associated terrace would comply with policy CT1 of the Core Strategy.

2. Design

The proposed building and associated store and toilet would be timber clad. An external seating area would be positioned at the front of the building facing southwest. This area would be paved and fenced with gates to the front, side and rear.

Given the form, context and function of the building, it is considered that its scale and design is acceptable in this residential area and would comply with the objectives of policy EN 4, in this regard. In addition, the Applicant has stated that they intend to put plants and flowers around the building, to soften its appearance. Should Members be minded to approve the application, the submission of hard and soft landscaping details covering planting, paving and fencing could be attached as a condition of a planning consent.

3. Impact on neighbour amenity

The proposed building is to be located immediately to the west of the bowling green, set back from the footpath on Station Road, being by approximately 10 metres at the closest point from the footpath.

The building and external terrace would be viewable from a number of properties on the opposite side of Station Road, but given the southwest orientation of the building and distances between the building and the properties (a minimum of 28 metres), it is considered that the proposed tea room would not be significantly detrimental to the residential amenities of these neighbouring dwellings, by way of loss of outlook or overlooking.

The Applicant has confirmed that the proposed business would be of a small scale. As such, any kitchen extractor system is likely to be modest. Nevertheless, it is considered that a condition requiring the submission of any kitchen extraction system would be appropriate, to protect the nearby residents from potential cooking odours and noise disturbance.

It is not known whether if external lighting is to be installed. As such and again, to protect the residential amenity of nearby residents, it is considered that it would be appropriate to attach a condition for the submission of any external lighting details for consideration, should this be required.

Provided the above mentioned conditions are attached to a planning consent, it is considered the proposed tea room would not be detrimental to the residential amenities of the nearby dwellings and as such, would comply with policy EN 4.

4. Impact on highways and accessibility

A hard surfaced footpath is proposed from Station Road to the northwest corner of the external terrace. This would involve adjusting the existing post and rail to form a new pedestrian opening across the grass verge and create a ramped path to the tea room.

Many objectors have raised concerns about the existing highway difficulties, particularly along Station Road. It is considered that whilst the proposed tea room may attract some custom from further afield, its main group of customers is likely to be drawn from the local population within this part of Cromer, who are most likely to walk or cycle and combine their trip to the park with a visit to the proposed tea room. Given that the park has an extant public recreational use, it is considered that

The further comments of the Highways Officer in relation to delivery details will be reported verbally to the Development Committee.

5. Opening hours, deliveries and collections

The Applicant has confirmed that the tea room is to be a daytime use. To protect the residential amenity of the nearby residential occupiers it is considered appropriate to attach a condition to a planning consent to restrict the hours that the premises is open to the public to between 08:00 and 18:00hrs on any day.

The Applicant has stated that the small scale nature of the business will not require deliveries from large vehicles. In any event, it is considered that deliveries would be achievable from Station Road, which although appears to be a busy road, is nevertheless unrestricted and could serve as a dropping off point for occasional deliveries.

A 770 litre refuse bin is to be located between the toilet building and the main tea room. In the same regard as deliveries, refuse can be collected from Station Road using the proposed hard surfaced path to the highway.

The times for deliveries and refuse collections would be restricted by condition in order to protect local residents from potential noise disturbance.

Provided the above conditions are attached and the subsequent details agreed, it is considered that the proposal would accord with policy EN 13 of the Core Strategy.

6. Foul and surface water drainage

Schemes for both foul sewerage and surface water disposal would need to be submitted via a condition and should include details of suitable grease traps, given the commercial nature of the proposal.

7. Other matters

Objectors have highlighted that there is a restrictive covenant that prevents development on the park. This is no doubt an historic covenant that will need to be investigated by the Applicant. Its existence does not, however, prevent the granting of planning permission.

Conclusion

The application is considered to be acceptable in terms of scale and design and would have a complementary function that is appropriate on a recreational park. Subject to the imposition of conditions, it is considered that the proposed tea room would not be significantly detrimental to the residential amenities of neighbouring properties or significantly exacerbate current highway arrangements. Therefore, the proposal is considered to be in accordance with the relevant Development Plan Policies and is recommended for approval.

RECOMMENDATION: Approve, subject to the following conditions and any others as deemed necessary by the Head of Planning:

1. Time limit
2. In accordance with submitted plans
3. Details of hard and soft landscaping including materials for new pedestrian access
4. Provision of new pedestrian access from Station road prior to occupation
5. Personal permission for the benefit of Applicant only
6. Building and associated development to be removed if Applicant ceases to operate from premises and land to be returned to former state
7. Details of proposed foul sewerage and surface water disposal
8. Details of any external lighting and CCTV to be submitted
9. Details of any kitchen extractor system
10. No external amplified music and restriction on volume of internal amplified music
11. Provision of bin storage as shown on drawing ref: 2017/253 02A
12. The tea room and associated toilet shall not be open to the customers/public outside the following times of 08:00 hours and 18:00 hours on any day
13. No deliveries or collections, taken or dispatched between 19:00 hours and 07:00 hours on any day

- (4) **POTTER HEIGHAM - PF/17/0789 - Change of use from residential care-home to house in multiple occupancy; Cypress Lodge, Station Road for Black Kettle (Norfolk) Ltd**

- Target Date: 21 August 2017

Case Officer: Mr D Watson

Full Planning Permission

RELEVANT CONSTRAINTS

- A Road
- HO 9 - Rural Residential Conversion Area

- Development within 60m of Class A road
- LDF - Countryside
- Flood Zone 2 - 1:1000 chance
- Flood Zone 3 1:200 chance sea/1:100 chance river

RELEVANT PLANNING HISTORY

PLA/20050029: Application for conversion and extension of garage to provide bedroom accommodation - approved 11/03/2005. The property's authorised use at the time of the application was a dwellinghouse (Class C3), although the committee report refers to it previously being used as a guest house for which permission was never sought. The report also refers to the applicant's intention to use the property for the care of up to five residents and that a dwellinghouse could be used for the care of up to six residents when living together as a household without the need for permission.

As such, although the application has been described and publicised as change of use from a residential care home to a house in multiple occupancy, in the absence of any formal application for change of use of to a care home or for a certificate of lawful existing use, it is likely that the authorised use of the property remains as a dwelling.

The application has therefore been considered on that basis and it is considered this has not resulted in prejudice to either the applicant or neighbours.

THE APPLICATION

The application is for the change of use of the property to a house in multiple occupation by 8 people. A 'house in multiple occupation' (HMO) is tenanted living accommodation occupied by persons as their only or main residence, who are not related, and who share one or more basic amenities such as kitchen facilities, as in this case. Smaller HMOs occupied by between 3 and 6 people are a Class C4 use but larger HMOs with more than 6 occupants are an unclassified 'sui-generis' use.

The use has commenced and a planning statement provided by the applicant states that the property is occupied by care staff who require accommodation, and are engaged by an agency to work for the applicants at a care home in Walcott (The Rookery) for adults with learning difficulties.

The proposal involves no physical changes to the exterior of the property

The application relates to a detached property on the east side of Station Road (A1062). It is set back from the road and has two storeys with further accommodation within the roof space served by windows in the gable ends. There is a former garage to the rear that was converted to bedroom accommodation under the historic permission referred to above. There is a further single storey section linking it to the main building. The property has seven bedrooms, five of which have their own bathrooms and six are large enough to be double/twin, so the property has capacity for more people than has been applied for. There is a shared kitchen, living and dining area. Hardstanding areas are to the front and side of the property. It has a large rear garden.

The property is surrounded by dwellings to the sides and rear, with the character of the area being residential. There is a convenience store about 60m to the south at the junction of Station Road and Ludham Road.

REASONS FOR REFERRAL TO COMMITTEE

Cllr Paul Rice has requested a committee decision on the grounds of highway safety and lack of detail in the application.

PARISH/TOWN COUNCIL

Potter Heigham Parish Council: object on the following grounds:

- the extra slowing, stopping and turning traffic likely to be generated would be detrimental to the free flow of traffic on Station Road. There is insufficient parking available within the site which will also result in traffic flow issues on Station Road;
- the application provides no information as to how many people would be living at the property, and with the bed spaces available the likelihood of anti-social behaviour problems occurring is inevitable; and
- the adjacent neighbours have expressed concern about the state of the garden and are experiencing issues with overgrowing vegetation into their property.

REPRESENTATIONS

Five received from surrounding residents, objecting on the following summarised grounds:

- High level of noise especially at night when the residents of the property stand outside the front of the property drinking;
- Problems with anti-social behaviour, loud music etc, residents smoking and drinking in the garden and staring at neighbours and passers by
- Garden is badly overgrown and no indication of who would be responsible for the state of both the house and garden
- Impact on property values
- Increased pressure on local services such as doctors who are already struggling to meet demand.
- Lack of information in the application such as how many people would occupy the house
- The application does not state the mains drainage is shared with a neighbouring property
- The property has been used for a significant time already
- The village is not a suitable location for a multi-occupancy hostel

CONSULTATIONS

County Council (Highway): further information subsequently provided indicates that the intended occupiers of the dwelling to be in the main non-car users with vehicle movements to and from the site being low. Whilst there are concerns regarding the increased use of the access and the adequacy of the on-site parking facilities, in light of the additional information and given the previous use as a care home, it is considered a highway objection would be difficult to sustain. A condition relating to car parking for 6 cars is requested.

Environmental Health: no objections, advise that they are currently dealing with an application for an HMO licence for the property

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):

Policy SS 1: Spatial Strategy for North Norfolk (*specifies the settlement hierarchy and distribution of development in the District*).

Policy SS2: Development in the Countryside (*prevents general development in the countryside with specific exceptions*).

Policy EN 13: Pollution and hazard prevention and minimisation (*minimises pollution and provides guidance on contaminated land and Major Hazard Zones*).

Policy EN 4: Design (*specifies criteria that proposals should have regard to, including the North Norfolk Design Guide and sustainable construction*).

Policy CT 5: The transport impact on new development (*specifies criteria to ensure reduction of need to travel and promotion of sustainable forms of transport*).

Policy CT 6: Parking provision (*requires compliance with the Council's car parking standards other than in exceptional circumstances*).

Policy EN 10: Flood risk (*prevents inappropriate development in flood risk areas*).

MAIN ISSUES FOR CONSIDERATION

APPRAISAL

1. Principle
2. Effect on amenities of surrounding occupiers
3. Highway impacts and parking

1. Principle

The property is located within an area designated as Countryside under policy SS 1 of the Core Strategy. HMOs are not specifically listed as a type of development acceptable in principle in such areas under policy SS 2 and there are no policies in the Core Strategy that make specific reference to HMOs. Therefore the application has to be considered on its own merits in this respect.

The application relates to an existing building in good condition. Its authorised use is a dwelling and even if a lawful use as residential care home was demonstrated, this is also a type of residential use. The number of residents would not be materially different - as a 'care home' it had 6 residents and employed 4 staff, whereas the application is for occupation by 8 people. The use would therefore not have any greater impact in terms of achieving more sustainable patterns of development, which is one of the objectives of policy SS 1.

As the authorised use of the property remains as a dwelling (Class C3), its use could be changed to an HMO within use class C4 with up to 6 occupiers as this is permitted development.

There are no other properties in use as an HMO in the vicinity and as such the proposal would not result in a concentration of such uses which could otherwise effect community balance and housing mix.

Whilst the site is not within a formally designated residential area on the Core Strategy Proposals Map, the character of the area within which it is located is clearly residential and a HMO being a form of residential use is considered to be appropriate in principle in such location, subject to their being no adverse impacts on the residential character and amenity of the area.

2. Effect on amenities of surrounding occupiers

As referred to above, the authorised use of the property is a dwelling as such it could be used as an HMO with 6 occupants without the need for planning permission. The occupation by 8 people would not automatically trigger a material change of use as it would be a matter of fact and degree including whether or not there would be any increase in general activity for example. This is difficult to predict as people's lifestyles differ. The HMO use would be likely to generate more activity than if the property was occupied by a family, but taking into consideration the previous use, and given that the property could be occupied by six people under permitted development, it is considered unlikely that a material change of use will occur.

With regard to anti-social behaviour concerns, it is apparent from the representations received, there have been some recent incidents of anti-social behaviour. Refusal on this ground could however, only reasonably be justified if it was clear that the HMO use would result in such impacts. Such issues can be considered under the legislation covering the issuing of a HMO licence by Environmental Health.

Maintenance of the property/garden, would also be subject of licence requirements relating to the outside of HMO and is therefore outside the scope of planning control.

It is considered that the HMO use would not result in material harm to the amenities of surrounding occupiers or those of the area and complies with policies EN 4 and EN 13 in this respect.

3. Highway impacts and parking

Although the existing access to/from Station Road is limited in width such that two cars cannot pass within it, compared to the previous use which would have incurred vehicle movements from staff, deliveries and visitors such as family members and health professionals, it is considered that the HMO use would be unlikely to result in any material increase in the use of the access and, vehicle movements generally on the surrounding highway network.

The adopted parking standards in appendix C of the Core Strategy make no reference to HMOs. Their nearest equivalent are boarding houses (Class C1) which require 1 space per bedroom and the Highway Authority advised in their initial comments that one space per dwelling i.e. 8, would be the minimum expected. The parking requirement for the dwelling would be 3-4 spaces based on current standards and for a care home it would be 3. Further information has been provided in which the applicant states that only two of the current occupiers drive, neither of whom own a vehicle. The applicant provides a company car to allow them to drive themselves and the other occupiers to work. On other occasions a car is sent to collect and drop off the occupants, As such there is normally only one vehicle at the site and on the occasions the site has been visited, this has been the case.

Based on this further information, the Highway Authority consider there are no sustainable highway objections to the proposal. Within the site there is space for 6 cars to park at the front and side of the property, which the condition requested by the Highway Authority requires.

The proposal is therefore considered to be acceptable in terms of policies CT 5 and CT 6.

Other Considerations

The site is within flood zone 3. Given the authorised use of the property and its previous occupation of 6 people, its use as an HMO would not result in any material increase in risk to life or property. Therefore there is no conflict with policy EN 10.

The property would provide an acceptable standard of accommodation for the occupiers and has an adequate amount of external amenity space and for the storage of bins etc.

The possible impact on property values is not a material planning consideration.

RECOMMENDATION:

APPROVAL is recommended subject to conditions to cover the matters listed below and any other deemed necessary by the Head of Planning.

- Approved plans
- Car parking
- Occupation restricted to no more than 8 people.

(5) **SHERINGHAM - PF/17/1091 - Extension to external staircase to form balcony to rear of dwelling; 22 Hooks Hill Road for Mr Ignation**

- Target Date: 06 September 2017

Case Officer: Mr C Reuben

Householder application

CONSTRAINTS

Controlled Water Risk - Medium (Ground Water Pollution)

Tree Works

LDF - Settlement Boundary

LDF - Residential Area

Enforcement Notice

LDF - Sheringham Park

RELEVANT PLANNING HISTORY

PLA/19791925 HR

22 HOOKS HILL ROAD, SHERINGHAM

ERECTION OF DOUBLE GARAGE, SAUNA AND GAMES ROOM, FOR DOMESTIC USE

Approved 30/11/1979

PF/17/0136 HOU

22 Hooks Hill Road, Sheringham, NR26 8NL

Extension to raised deck on rear elevation

Refused 28/03/2017

THE APPLICATION

The application proposes the replacement of an existing raised platform measuring 1m (length) x 4.3m (width) with a larger platform measuring 3m (length) x 5m (width) and constructed from concrete and metal with glass/timber/pvcu balustrading. The current property is a two-storey dwelling.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr R Shepherd having regard to matters of residential amenity arising from the proposed development.

PARISH/TOWN COUNCIL

Sheringham Town Council - no objection.

REPRESENTATIONS

The site notice expired on 11 August 2017. To date, no representations have been received.

CONSULTATIONS

n/a

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):

Policy SS 3: Housing (*strategic approach to housing issues*).

Policy EN 4: Design (*specifies criteria that proposals should have regard to, including the North Norfolk Design Guide and sustainable construction*).

MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design
3. Residential amenity

APPRAISAL

1. Principle

The property in question lies within the development boundary and designated residential area of Sheringham, as defined under Policy SS 3 of the adopted North Norfolk Core Strategy. Within this area, proposals to extend existing properties are considered to be acceptable, subject to compliance with other relevant Core Strategy policies.

2. Design

The raised platform, in terms of visual appearance and construction materials, is considered acceptable by virtue of being on the rear of the property and as such, not highly visible within the public domain. Although large, the design is considered to be acceptable and compliant with Policy EN 4

3. Residential amenity

A previous application was submitted for a similar platform though larger in length (4 metres) but of the same width and height as currently proposed. Whilst the platform proposed under the current application would be shorter in length (reduced from 4 metres to 3 metres) than previously proposed, there remains a concern regarding the detrimental impact it would have on residential amenity in regards to the degree of overlooking that would occur. The existing platform space is sufficiently restricted in length limiting the extent of its use, which limits the level of overlooking to neighbouring properties. The platform as proposed would allow a far greater degree of use with the potential for outdoor standing/seating in an elevated position. The platform would result in overlooking of all three neighbouring properties to the northeast, northwest and southwest to the detriment of the private amenity of these dwellings. Two large trees obscure much of the view to the southwest. However a view would still be achieved to the rear of the neighbouring property, including windows on the ground floor northeast facing elevation - the platform would be approx. 5 metres from this boundary. Furthermore, the platform would allow a direct view from an elevated position towards the rear windows of the bungalow to the northwest (rear) and to most of its rear/side garden areas from which the platform would be approx. 14m. As such, it is considered that as a result of the level of overlooking that would occur, the proposed platform results in a significantly detrimental impact to residential amenity and conflicts with the aims of Policy EN 4.

RECOMMENDATION:

To REFUSE for the reasons specified below:

It is considered that the height and length of the proposed development would encourage the use of the platform for recreational uses and would give rise to an unacceptable level of overlooking to neighbouring properties to the detriment of their private residential amenity. The proposal is therefore contrary to Policy EN 4 of the adopted North Norfolk Core Strategy.

(6) APPLICATION RECOMMENDED FOR A SITE INSPECTION

A site inspection by the Committee is recommended by Officers prior to the consideration of a full report at a future meeting in respect of the following application. The application will not be debated at this meeting.

Please note that additional site inspections may be recommended by Officers at the meeting or agreed during consideration of report items on this agenda.

NORTH WALSHAM – PF/17/0852 - Conversion and extension of existing attached garage (including alterations to roof) to facilitate creation of self-contained attached annex; 26 Thirlby Road for Mr Heinrich

REASON FOR REFERRAL TO COMMITTEE

At the request of the local Members to allow the Committee to view the site prior to consideration of the application at the next meeting.

RECOMMENDATION:-

The Committee is recommended to undertake the above site visit.

APPEALS SECTION

(7) NEW APPEALS

**NORTH WALSHAM - PF/17/0002 - Variation of Condition 2 of planning permission reference: PF/16/0313 to allow for alterations to first and ground floor fenestration, second floor south elevation fenestration and insertion of rooflights; Aitken House, 28 Yarmouth Road, North Walsham for Mr & Mrs Joory
WRITTEN REPRESENTATIONS**

**RUNTON - PF/16/1537 - Erection of dwelling; Land Between Beaconsfield & the Budlias, Davey Hill, Top Common, East Runton for Mr Yaxley
WRITTEN REPRESENTATIONS**

(8) INQUIRIES AND HEARINGS - PROGRESS

None

(9) WRITTEN REPRESENTATIONS APPEALS - IN HAND

FAKENHAM - PF/16/0855 - Creation of first floor to veterinary surgery to create ancillary office space, storage, staff room, and 1no. staff flat/crash pad; 14 Queens Road for Summer Hill Veterinary Centre

HOLT - LA/16/1675 - Internal & external alterations to facilitate loft conversion; 2 White Lion Coach House, White Lion Street for Mrs Bradbury

HOLT - PF/16/1654 - Insertion of dormer window to rear, to facilitate loft conversion; 2 White Lion Coach House, White Lion Street for Mrs Bradbury

HOLT - PF/16/1740 - Removal of planters, relocation of benches and provision of new trading barrows in front of the existing bank shopfront; 16 High Street for Dentons

SUTTON - PF/16/1178 - The change of use of land to operate a scaffolding business with associated buildings and the external storage of equipment (retrospective) (Description proposed by Planning Inspectorate)See original description below:-

Retrospective Change of use - Agricultural storage to Scaffolding business storage and associated outbuildings; depot 3, Sutton Road, Catfield, Great Yarmouth for MR Scaffolding (Anglia) Ltd

TRUNCH - PF/16/1528 - Erection of two storey dwelling; Land to the front of, Park Barn, Knapton Road, Trunch, North Walsham for Mr & Mrs Bennett

(10) APPEAL DECISIONS - RESULTS AND SUMMARIES

**BLAKENEY - PF/17/0143 - Erection of detached chalet bungalow; 8 Langham Road, Blakeney for Mr & Mrs Ingham
APPEAL DECISION:- APPEAL DISMISSED**

**EAST RUSTON - PU/16/1634 - Prior notification for a proposed change of use of agricultural building to no.2 dwellings houses; Barn at Poplar Farmhouse, Chequers Street, East Ruston for Mr & Mrs Stares
APPEAL DECISION:- APPEAL DISMISSED**

**GRESHAM - PF/16/0725 - Demolition of building and erection of single-storey dwelling, detached garage and continued use of outbuilding for light industrial and office use; Brick Kiln Farm, Sustead Road, Lower Gresham for Mr D Knowles
APPEAL DECISION:- APPEAL DISMISSED**

**LANGHAM - PF/16/1157 - Use of land to site 3 shepherds huts for holiday use and parking spaces, erection of utility shed, installation of package treatment plant, 3000 litres water bowser and creation of new access and track; Grove Farm, Field Dalling Road for Grove Farm Partnership
APPEAL DECISION:- APPEAL DISMISSED**

**WEYBOURNE - PF/16/0785 - Single storey garage extension (part retrospective); 25A Pine Walk, Weybourne for Mr Boon
APPEAL DECISION:- APPEAL ALLOWED**

Summaries of the above decisions are attached at **Appendix 1**.

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

No change from the previous meeting.

Application Number: PF/16/0785 & ENF 16/0044	Appeal Reference: APP/Y2620/W/16/31613636 & APP/Y2620/C/16/3162802 & 3168982
Location: 25A Pine Walk, Weybourne, Holt, NR25 7HJ	
Proposal: Single Storey Garage extension	
Officer Recommendation: Refuse	Member decision (if applicable) Refuse
Appeal Decision: ALLOWED	Costs: N/a
<p>Summary (planning application and enforcement notice): The Inspector noted a number of defects in the enforcement notice served by the Council.</p> <p>In regard to the enforcement appeals the Inspector agreed with the Council that it was a matter of fact that the works alleged in the enforcement notice had occurred. This ground of appeal failed.</p> <p>The main issues the Inspector considered subsequently were:</p> <ul style="list-style-type: none"> • Implications for the neighbouring occupiers • Character and appearance <p>Implications for the neighbouring occupiers: The Inspector considered that the Council's concerns about loss of light and overbearing on the neighbouring property were understandable, however, he found that, given the works being undertaken to the adjacent property (within the same ownership) any loss of light and overbearing impact would be negated such that, on balance, he found no significantly detrimental impact on neighbouring amenity.</p> <p>Character and appearance: The Inspector found that the introduction of a subordinate garage extension to 25A Pine Walk would not result in a material loss of the open character of the cul-de-sac. Nor would there be any impact on landscape character or the AONB.</p> <p>The enforcement notices are quashed and planning permission is granted.</p>	
<p>Relevant Core Strategy Policies: EN1 - Norfolk Coast Area of Outstanding Natural Beauty and The Broads EN4 - Design</p>	
<p>Relevant NPPF Sections/Paragraphs: None</p>	
<p>Learning Points/Actions: Details required in Enforcement Notices and procedural matters. To be addressed by Combined Enforcement Team.</p>	

Application Number: PF/16/0725	Appeal Reference: APP/Y2620/W/17/3169352
Location: Brick Kiln Farm, Sustead Road, Lower Gresham, Norfolk, NR11 8RE	
Proposal: Construction of dwelling and continued light industrial and office use	
Officer Recommendation: Refuse	Member decision (if applicable) N/a
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary: The main issues the Inspector considered in the appeal were:</p> <ul style="list-style-type: none"> • Whether the proposal would accord with the local and national policy for rural development, and; • The effect of the proposals on the character of the area. 	

Location of development:

The Inspector considered that the site is within open countryside and that therefore development should only be permitted where it requires a rural location. The Inspector did not consider that the dwelling proposed had been demonstrated to be necessary to secure the operation of the business at the Farm, or necessary to improve the efficiency of the operations at the site. He acknowledged that clarity over the existing uses at the site would provide certainty he did not consider this lent any additional material weight to the case for the dwelling. He found the dwelling not to be on previously developed land, contrary to paragraph 55 of the NPPF and contrary to Core Strategy policy SS2.

Character and Appearance:

The Inspector noted that the design of the dwelling was not entirely unacceptable but found its proposed position on the plot out of keeping with the character of the village, being set towards the rear of the site at contrast to the position of many other dwellings towards the frontage of plots.

Relevant Core Strategy Policies:

SS2 – Development in the Countryside
EN4 - Design

Relevant NPPF Sections/Paragraphs:

Section 6 – Delivering a wide choice of high quality homes

Learning Points/Actions:

None

Application Number: PF/17/0143	Appeal Reference: APP/Y2620/W/17/3174865
Location: 8 Langham Road, Blakeney	
Proposal: Erection of a chalet bungalow	
Officer Recommendation: Refuse	Member decision (if applicable) N/a
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary: The main issues the Inspector considered in the appeal were:</p> <ul style="list-style-type: none"> • The effect of the proposal on living conditions of occupiers of ‘Close By’, and; • The effect of the proposals on the character of the area. <p>Living Conditions: The Inspector considered that the proposed dwelling would be sited close to the shared boundary with the side garden to ‘Close By’ which provides most, if not all, the private amenity space for the property. He considered that there would be a resulting overbearing impact and overshadowing and loss of sunlight to this adjacent property.</p> <p>The Inspector noted the recent permission granted for an alternative scheme and commented that he found the siting of the approved scheme significantly different from the appeal proposals and with a far less harmful impact.</p> <p>Character and Appearance: The Inspector noted that the site had an existing garage on site and as such the proposals, whilst larger, would not have a significantly different effect on the character and appearance of the area.</p>	
Relevant Core Strategy Policies:	
EN4 - Design	
Relevant NPPF Sections/Paragraphs:	

None
Learning Points/Actions: None

Application Number: PU/16/1634	Appeal Reference: APP/Y2620/W/17/3173552
Location: Barn at Poplar Farm House, Chequers Street, East Ruston, NR12 9JT	
Proposal: Change of use of an agricultural building to a dwelling house	
Officer Recommendation: Refuse	Member decision (if applicable) N/a
Appeal Decision: DISMISSED	Costs: N/a
<p>Summary: The main issues the Inspector considered in the appeal were:</p> <ul style="list-style-type: none"> Whether the proposed development would consist of building operations other than those reasonably necessary for the building to function as a dwelling house. <p>For Member's information, this was a prior notification application so only the criteria and conditions in the Town and Country General Permitted development Order 2015 apply. All other criteria and conditions were met.</p> <p>The Inspector noted that the building is open to the majority of its elevations and is proposed to sit on an existing concrete pad. He noted that paragraph 105 of the NPPG refers to the assumption that the building should be capable of functioning as a dwelling, allowing for some building operations which would otherwise require planning permission, but making it clear that these are only to an extent reasonably necessary for the building to function as a dwelling. It is not the intention of Class Q for new structural elements to be constructed. The existing building must be structurally strong enough to provide for the residential use.</p> <p>The Inspector noted that the new walls were entirely new, and would be located within the steel uprights which themselves are not incorporated into the building fabric. He also noted the proposed first floor which could not be supported without new structural support.</p> <p>He concluded that the proposed dwellings would effectively be buildings within their own rights, the only nod to the existing structure would be that the new dwellings were being built within the existing extremities of the building. The Inspector agreed that the building works go beyond that 'reasonably necessary' as required by the criteria and conditions of Part Q.</p>	
Relevant Core Strategy Policies: N/a	
Relevant NPPF Sections/Paragraphs: None	
Learning Points/Actions: None	

Application Number: PF/16/1157	Appeal Reference: APP/Y2620/W/17/3167956
Location: Grove Farm, Field Dalling Road, Langham, Holt, NR25 7BU	
Proposal: Use of land to site 3 shepherds huts for holiday use and parking spaces, erection of utility shed, installation of package treatment plant, 3000 litres water bowser and creation of new access and track	
Officer Recommendation: Refuse	Member decision (if applicable) N/a
Appeal Decision: DISMISSED	Costs: N/a

Summary:

The main issues the Inspector considered in the appeal were:

- The principle of the proposed development with specific regard to its nature and location, and
- The effect of the proposed development on the character and appearance of the area with specific regards to the undeveloped coast (UC) and Norfolk Coast Area of Outstanding Natural Beauty (NCAONB).

The inspector concluded that the proposed location of the development would be remote, not only in terms of its geographical proximity to any other form of tourist accommodation but also from services needed for day to day living. He considered that such a remote location would lead to occupiers using the private car to access facilities and services which is the least sustainable travel option.

With regard to the impact on the character and appearance of the area the Inspector found that the huts would be located in an area which is open and expansive and largely undeveloped and that the appeal scheme would result in a fundamentally different impact on the character and appearance of the area to other rural buildings. Specifically, he noted that the formal siting of the huts and how they would function would exacerbate their visual effect and they would be new permanent buildings in an open and undeveloped countryside setting. He found no convincing evidence that the proposed development needed to be in this location and within the NCAONB.

Relevant Core Strategy Policies:

SS2 – Development in the Countryside

EN1 – Norfolk Coast Area of Outstanding Natural Beauty and The Broads

EN2 – Protection and Enhancement of Landscape and Settlement Character

EN3 – Undeveloped Coast

EC7 – Location of new Tourism Development

EC10 – Static and Touring Caravan and Camping Sites

Relevant NPPF Sections/Paragraphs:

None

Learning Points/Actions:

None

Sources:

Sarah Ashurst – Development Management Manager