

**TRUNCH - PF/19/0962 - Retention of land for private recreational use, retention of summerhouse; retention of shed; retention of electricity meter cabinet and mains water stop-cock cabinet; retention of pedestrian access gate; retention of vehicular entrance and gate; Land opposite School Cottage, Back Street, Trunch for Mr Amis**

**- Target Date: 01 October 2019**

Case Officer: Natalie Levett

Full Planning Permission

## **RELEVANT CONSTRAINTS**

- LDF Tourism Asset Zone
- Landscape Character Area
- Conservation Area
- LDF - Countryside
- C Road
- Tree Works
- HO 9 - Rural Residential Conversion Area

## **RELEVANT PLANNING HISTORY**

PLA/1999/0971

LAND AT BACK STREET, TRUNCH

ERECTION OF HOUSE AND GARAGE

Refused 16/12/1999 ADIS 06/06/2000

## **THE APPLICATION**

This retrospective application is to continue the use of an area of land opposite School Cottage, Back Street, Trunch for private recreational use with the retention of the summer house, shed; electricity meter cabinet, mains water stop-cock cabinet, pedestrian access gate and vehicular entrance with gate on the site

## **REASONS FOR REFERRAL TO COMMITTEE**

The application is recommended for approval contrary to the development plan.

## **PARISH/TOWN COUNCIL**

Trunch Parish Council: no objections, but do not wish to see the outbuilding used for residential use at any time in the future.

## **REPRESENTATIONS**

No representations received.

## **CONSULTATIONS**

None considered necessary in this case

## **HUMAN RIGHTS IMPLICATIONS**

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

Article 8: The Right to respect for private and family life.

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

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

### **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder issues.

### **POLICIES**

North Norfolk Core Strategy (Adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk

SS 2 - Development in the Countryside

EN 4 - Design

EN 8 - Protecting and Enhancing the Historic Environment

CT 5 - The Transport Impact of New Development

CT 6 - Parking Provision

### **National Planning Policy Framework (NPPF):**

Section 2 - Achieving sustainable development

Section 4 - Decision-making

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

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

Section 15 - Conserving and enhancing the natural environment

Section 16 - Conserving and enhancing the historic environment

### **MAIN ISSUES FOR CONSIDERATION**

- Principle of Development
- Design and effect on the Conservation Area
- Amenity impacts
- Highway Impact

### **APPRAISAL**

#### Principle:

Policy SS 1 sets out the spatial strategy for North Norfolk and the site is within an area designated as Countryside. Policy SS 2 limits development in the Countryside to that which requires a rural location and is for one of the types of development listed in the policy.

In this case development is not one of the types listed in Policy SS 2. It cannot fall under extensions to dwellings because it is not land not associated with a dwelling. Previously it formed part of garden land to the adjacent dwelling before they were separated and the adjacent site sold off.

As a result, the principle of development is unacceptable being and contrary to policies SS 1 and SS 2, and it is whether or not there are any material planning considerations that outweigh this.

### Design and effect on the conservation area:

The vehicular and pedestrian gates have been in situ for over 10 years, therefore the applicant could submit a Certificate of Lawfulness for them and that would likely be granted.

The site is fairly well screened, albeit the summer house and shed can be seen from the road. However, given the size in proximity to the land, it is considered acceptable and not overbearing.

The electricity meter cabinet and mains water stop-cock cabinet are hidden from view and are used by the applicant when visiting the site with their motorhome.

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular Sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Development Plan. National policy states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Core Strategy Policy EN 8 seeks to ensure that new development preserves and enhances the character, appearance and setting of conservation areas and listed buildings.

The Trunch Conservation Area includes the historic core of the village and is characterised by a loose knit pattern of development, with wide streets lined by primarily traditional brick and flint cottages, creating an open character. The development is small in scale and generally hidden from view. Accordingly, the development would have limited material impact on the character and appearance of the conservation area. The proposal is therefore considered to be acceptable in terms of policies EN 4 and EN 8 having regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### Amenity:

The design and location of the summer house and shed, together with the other elements of this proposal including the use, are considered acceptable and do not result in any detrimental impact on the residential amenity of the surrounding area. As a result, the proposal complies with Policy EN 4.

### Highways:

Given the access has been in situ for over ten years, the access is established. Nevertheless, whilst not in an ideal location, visibility is relatively good. There are no car parking requirements for this kind of development but there is sufficient off road parking for a number of vehicles. As a result, the proposal complies with Policies CT 5 and CT 6.

### Conclusion

Whilst the development is not one of the types of development listed under policy SS 2 as being acceptable within the Countryside, it is considered that the proposal does not harm the aims the policy and is acceptable in all other respects.

### **RECOMMENDATION:**

It is recommended that approval of the application is delegated to the Head of Planning subject to conditions relating to:

- development to be in accordance with the submitted plans;
- restrict use of site to private amenity use only;
- summer house not to be used for residential habitation.

and any other conditions considered necessary by the Head of Planning.