

<b>Report to</b>	Planning applications committee 6 November 2014	<b>Item</b>
<b>Report of</b>	Head of planning service	<b>6</b>
<b>Subject</b>	Performance of the development management service; and progress on appeals against planning decisions and planning enforcement action for quarter 2 2014-15 (1 July to 30 September 2014)	

### **Purpose**

This report updates members on the performance of development management service; progress on appeals against planning decisions and planning enforcement action for the quarter covering the period 1 July to 30 September 2014.

### **Recommendation**

To note the report.

### **Corporate and service priorities**

The report helps to meet the corporate priority A safe and clean city.

### **Financial implications**

There are no direct financial implications arising from this report.

Ward/s: All wards

Cabinet member: Councillor Stonard – Environment and transport

### **Contact officers**

Graham Nelson, head of planning services 01603 212530

Ian Whittaker, planning development manager 01603 212528

### **Background documents**

None

# Report

## Background

1. On 31 July 2008 the planning applications committee considered a report regarding the improved working of the committee which included a number of suggested changes to the way it operates. In particular it suggested performance of the development management service be reported to the committee and that feedback from members of the committee be obtained.
2. The committee has also asked to be informed on the outcome of appeals against planning decisions and enforcement action.

## Performance of the development management service

3. The cabinet considers quarterly reports which measure the council's key performances against the council's corporate plan priorities. The scrutiny committee considers the council's performance data regularly throughout the year and will identify any areas of concern for review by the scrutiny officer or through the scrutiny committee work programme.
4. This report will only highlight trends or issues that should be brought to the attention of the planning applications committee for information.
5. Of all the decisions that are accounted for by the governments NI157 indicator, some 192 out of 213 were dealt with by officers (a delegation rate of 90.1%). The remainder, 19 applications, were dealt with by committee. Over the past 5 quarters this rate has varied between 84.4% and 92.7%).

## Appeals

6. There were five planning appeals pending or awaiting decision at the end of the quarter. Details of the appeals that have been lodged and are pending a decision are set out in appendix 1. Three of the appeals are delegated officer decisions where the application was refused. One appeal was a member decision relating to moorings on the river bank which was refused against officer advice (application no. 13/01540/VC) for land and buildings on the north-east side of King Street, Norwich. The remaining appeal was a case where members refused the application against officer advice: Application no. 13/01964/F (Land adjacent to 25 to 27 Quebec Road) sought planning permission for the erection of 2 no. semi-detached three bedroom dwellings.
7. The planning inspector allowed two appeals which are set out in appendix 2. Application no. 13/00637/F, which was briefly summarised in the report to the planning committee meeting on 7 August 2014, was a member decision which was refused against officer advice. The application sought planning permission for the demolition of the existing property and erection of convenience store and 2 no. residential flats at 195 – 197 Sprowston Road (Rush Lighting). Application no. 14/00493/A (174 – 178 Plumstead Road) was a delegated officer decision where the application was refused.
8. Two planning appeals were dismissed. These are set out in appendix 3. Both cases were delegated officer decisions where the application was refused. There was also one enforcement appeal dismissed and the enforcement notice upheld with a

correction. Enforcement action was taken as windows had been replaced in the property at 33 Grosvenor Road in contravention of an Article 4 direction.

### **Enforcement action**

9. All items that have been referred to committee or where committee has required enforcement action to take place, since April 2013 are listed in appendix 4.

### Planning appeals in progress – Quarter 2 (July to September) 2014-15

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
14/00001/REF Application No. 13/01593/CLP	APP/G2625/X/14 /2211377	8 Taylors Buildings Magdalen Road	Refusal to grant a certificate of lawful use or development for application for a Lawful Development Certificate for a single storey side extension.	9 January 2014	Written reps	Pending
14/00003/REF Application No. 13/01090/F	APP/G2625/A/14 /2216867	148 Magdalen Street	Refusal of planning permission for demolition of rear outbuildings and extension and construction of 4 No. two bedroom residential flats in two blocks.	23 April 2014	Written reps	Pending
14/00004/REF Application No. 13/01091/L	APP/G2625/A/14 /2216869	148 Magdalen Street	Refusal of Listed Building Consent for demolition of rear outbuildings and rear extension to facilitate construction of 4 No. residential units in rear curtilage.	23 April 2014	Written reps	Pending
14/00006/REF Application No. 13/01540/VC	APP/G2625/A/14 /2220356	Land And Buildings on The north-east side of King Street	Refusal to vary condition 9 of planning permission (app. No. 04/00274/F) to "Within 3 months of the date of this decision moorings shall be provided in full accordance with drawing numbers 046-M-	20 June 2014	Written reps	Pending

Application Ref No	Planning Inspectorate Ref No	Address	Proposal	Date Appeal Valid	Type of Appeal	Decision
			1001, 046-SW-220 _ 046-FY-264/1 and shall be retained as such thereafter" Conversion of former flour mills and redevelopment of site to provide 160 residential apartments.			
14/00009/REF  Application No. 13/01964/F	APP/G2625/A/14 /2223336	Land Adjacent To 25 - 27 Quebec Road	Refusal of planning permission for Erection of 2 No. semi-detached three bedroom dwellings.	12 August 2014	Written reps	Pending

**Planning appeals allowed – Quarter 2 (July to September) 2014-15**

<b>Application Ref No</b>	<b>Planning Inspectorate Ref No</b>	<b>Address</b>	<b>Proposal</b>	<b>Date Appeal Valid</b>	<b>Type of Appeal</b>	<b>Decision</b>
13/00013/REF Application No 13/00637/F	APP/G2625/A/13/2210266	195 – 197 Sprowston Road	Refusal of planning permission for demolition of existing property and erection of convenience store and two residential flats.	17 December 2013	Written reps	Allowed
14/00008/ADVT Application no 14/00493/A	APP/G2625/H/14/2222322	174 - 178 Plumstead Road	Advertisement. Display of non- illuminated externally applied vinyls.	28 July 2014	Written reps	Allowed

**Planning appeals dismissed – Quarter 2 (July to September) 2014-15**

<b>City Council Ref. Nos.</b>	<b>Planning Inspectorate Ref. No.</b>	<b>Address</b>	<b>Proposal</b>	<b>Date Appeal Valid</b>	<b>Type of Appeal</b>	<b>Decision</b>
14/00005/REF Application no 14/00308/F	APP/G2625/D/1 4/2219234	80 Thorpe Road	Refusal of planning permission for erection of single-storey orangery to rear of dwelling.	30 May 2014	Householder	Dismissed
14/00007/REF Application no 13/01650/VC	APP/G2625/A/1 4/2220286	81 Dereham Road	Refusal to vary condition 5 of previous planning permission 10/01751/F to 'The kitchen area hereby permitted shall not be in use between 0200 hours and 0700 hours Monday to Saturday and between 0100 hours and 0700 hours on Sundays'.	17 June 2014	Written reps	Dismissed
13/00080/CO NSRV/ENF	APP/G2625/C/1 3/2209197	33 Grosvenor Road	Replacement windows (Article 4 Direction)	25 July 2013	15 September 2014	Dismissed and enforcement notice upheld with correction.

## Enforcement action

Case no.	Address	Development	Date referred to Committee	Current status	Actions completed*
13/00080/CON SRV/ENF	33 Grosvenor Road	Replacement windows (Art. 4)	25 July, 2013	Enforcement notice appealed and dismissed. Time period for compliance ends on . If the windows are not replaced with ones that are appropriate in terms of design and appearance, the necessary action will be to undertake works in default to replace the windows with ones of an appropriate design. The cost of doing so will be levied as a charge on the property.	No
13/00068/EXTE N/ENF	268 Heigham Street	Unauthorised development - shipping container on land	7 Nov., 2013	Notice served and time period has expired for compliance. Prosecution file to be prepared and submitted w/c the 10 <sup>th</sup> November 2014.	No
EH12/8433	64-66 Westwick Street	Unauthorised development – conservatory fronting the river		Notice served and appealed, appeal was dismissed, the notice has not been complied with. Passed to nplaw and has been with them for some months but now a Court date has been set for 26 <sup>th</sup> November 2014 at Norwich Magistrates' Court.	No
Planning ref 13/01484/A	Sweet Briar Road	Hoarding	6 March, 2014	Letter sent to the Head of City Development Services requesting removal of the sign given its location on council owned land.  One sign remaining which is on Council owned land, it would be advisable that NPS Norwich Ltd remove sign rather than reporting for prosecution. We are unable to prove the other large 96-sheet poster panel does not have immunity and as a consequence we are unable to take enforcement action in this particular case.	No



Case no.	Address	Development	Date referred to Committee	Current status	Actions completed*
Planning ref 13/01982/F	463-503 Sprowston Road	Aldi foodstore fire escape steps	6 March, 2014	There have been a number of condition compliance issues with the site, these have all now been resolved with the exception of the steps to the fire escape. Aldi have been advised of need to work with local access groups and following a meeting earlier in the year Aldi have agreed to replace the steps with an access ramp. It is understood that Aldi are in the process of commissioning a ramp to be fabricated off site before being installed on site. This matter is to be kept under review. Failure by Aldi to move the matter forward could lead to the issue of a breach of condition notice to be issued pending outcome of this meeting.	No
Planning ref 13/02087/VC and 13/02088/VC	Football ground area	River bank, landscaping, street trees, etc	6 March, 2014	Various compliance dates between August 2014 and August 2017.	No
13/01540/VC	King Street	Read Mills – moorings on river bank	7 May 2014	Appeal lodged against refusal, the outcome is awaited before further action is taken.	No

\*If the actions have been concluded a “yes” indicates that the item will be deleted from the next quarterly report. Items with ongoing actions (listed as “no”) will be reported next quarter.

