

Report to	Planning applications committee 29 January 2015	Item
Report of	Head of planning service	5
Subject	Performance of the development management service; progress on appeals against planning decisions and planning enforcement action for quarter 3, 2014-15 (1 October to 31 December 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 October to 31 December 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.
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 151 out of 170 were dealt with by officers (a delegation rate of 88.8 per cent) and 19 applications, were dealt with by committee. Over the past six quarters this rate has varied between 84.4 per cent and 92.7 per cent).

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.
7. There were no appeals lodged, nor decisions issued, by the Planning Inspectorate in the quarter. However on 12 January a decision was made on the two dwellings at the rear of 27-29 Quebec Rd. and the appeal allowed. This was recommended for approval by officers but was refused by the committee. The Inspector considered the main issues was effect on the living conditions of neighbouring occupants and concluded that "the proposal would result in some loss of sunlight to nearby properties but I am not persuaded that this would result in an unacceptable loss of sunlight" and "due to the design of the proposal and the characteristics of the site and adjoining land I consider any overlooking would be minimal and not dissimilar to that found in built-up areas. I therefore conclude the proposal would not result in any unreasonable loss of privacy"

Enforcement action

8. 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 2.

Planning appeals in progress – Quarter 3 (at 31 December) 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 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 at end of quarter and decision received in January (para 7 refers)

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. The owners of the property are currently liaising with the Design and Conservation Officer on an appropriate window design to replace the existing windows.	No
12/01444/F	Norwich Family Life Church Heartsease Lane Norwich NR7 9NT	Erection of new church building (Class D1) incorporating preschool, sports and community facilities.	18 April 2013 12 Sept 2013	Indication at the time of the application was that portakabin buildings on site would be removed and temporary use of premises on Mason Road would cease following the part completion of a new church building. Members agreed a 15 th month period from the date of the permission to allow this to happen. This expired at the end of 2014, no further contact has been made with the planning service and it appears no action to secure a church building, as previously indicated by the applicant, has happened.	No
10/01081/U	4 - 6 Mason Road Norwich NR6 6RF	Change of use from general industrial to place of worship, non-residential education centre and associated office space.	26 August 2010	See above – temporary permission has expired and building is occupied without the benefit of planning permission. Suggested to authorise cessation of that use in line with the agreed timetable of works and occupation of the church on the Heartsease site.	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 submitted w/c 19 th January 2015.	No
EH12/8433	64-66 Westwick	Unauthorised development –		Notice served and appealed, appeal was dismissed, the notice has not been complied with.	No

Case no.	Address	Development	Date referred to Committee	Current status	Actions completed*
	Street	conservatory fronting the river		Re-listed in Court for 28 th January 2015 at Norwich Magistrates' Court. The defendant will be represented.	
Planning ref 13/01484/A	Sweet Briar Road	Hoardings	6 March, 2014	<p>First correspondence sent to NPS 29/08/2012 and further contact made to NPS on 13/05/2013, 28/08/2014 requesting removal of the sign given its location on council owned land.</p> <p>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.</p>	No
Planning ref 13/01982/F	463-503 Sprowston Road	Aldi foodstore fire escape steps	6 March, 2014	<p>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.</p>	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. Various works are ongoing in the area.	No

Case no.	Address	Development	Date referred to Committee	Current status	Actions completed*
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
14/00920/F	63-67 Prince of Wales Rd and 64-68 Rose Lane	Unauthorised use of external seating / smoking area.	8 January, 2015	Documents passed to enforcement staff	No
14/01660/F	114 Cambridge St	First floor rear extension	8 January, 2015	Documents passed to enforcement staff	No
14/01588/D and 12/01172/F	Airport	Engine testing	8 January, 2015	No action required until the current timetable is breached in February at which point a breach of condition notice can be issued requiring compliance by June 2015.	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.