

Borough Council of  
**King's Lynn &  
West Norfolk**



# **PLANNING COMMITTEE**

## **AGENDA**

**Monday 2<sup>nd</sup> June 2014  
at 10.00 am**

Committee Suite  
King's Court  
Chapel Street  
King's Lynn  
Norfolk PE30 1EX



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King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
Telephone: 01553 616200  
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**PLANNING COMMITTEE**

Please note that due to the number of applications to be considered it is proposed that the Committee will adjourn for lunch at approximately 12.30 pm and reconvene at 1.10 pm.

**DATE:** 2 June 2014

**VENUE:** Committee Suite, King's Court, Chapel Street, King's Lynn

**TIME:** 10.00 am

**1 APOLOGIES**

To receive any apologies for absence.

**2 MINUTES**

To confirm as a correct record the Minutes of the Meeting held on 14 April 2014 and the Reconvened Meeting held on 17 April 2014 (previously circulated).

**3 DECLARATIONS OF INTEREST**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

#### **4 URGENT BUSINESS UNDER STANDING ORDER 7**

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act, 1972.

#### **5 MEMBERS ATTENDING UNDER STANDING ORDER 34**

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before the meeting commences.

#### **6 CHAIRMAN'S CORRESPONDENCE**

#### **7 RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

#### **8 DECISIONS ON APPLICATIONS**

To consider and determine the attached Schedule of Planning Applications submitted by the Executive Director (attached at pages 1 – 221).

#### **9 DELEGATED DECISIONS**

To receive the Schedule of Planning Applications determined by the Executive Director (attached at pages 222 - 268).

#### **10 PLANNING ENFORCEMENT SERVICE – QUARTERLY REPORT**

To receive a quarterly update report covering performance for the period 1 January 2014 to 31 March 2014 (attached at pages 269 - 302).

#### **11 DECISIONS ON PLANNING AND ENFORCEMENT APPEALS – QUARTERLY REPORT**

To receive the quarterly update report covering performance for the period 1 January 2014 to 31 March 2014 (attached at pages 303 – 310).

**To: Members of the Planning Committee**

Councillors Mrs V M Spikings (Chairman), M J Peake (Vice-Chairman), D J Collis, C J Crofts, P Foster, I Gourlay, Mrs J Leamon, John Loveless, T C Manley, J Moriarty, A Morrison, M E Pitcher, M S Storey, G Wareham, Mrs E Watson, A White, Mrs A Wright and Mrs S Young

**Site Visit Arrangements**

Please note that any site inspections will be held 3 days after the scheduled meeting of the Committee (ie. on a Thursday following a Monday meeting). When a decision for a site inspection is made, consideration of the application will be adjourned, the site visited, and the meeting reconvened on the same day for a decision to be made. Timings for the site inspections will be announced at the meeting.

If there are any site inspections arising from this meeting, these will be held on **Thursday 5 June 2014** (time to be confirmed) and the meeting reconvened on the same day (time to be agreed).

**Please note:**

- (1) At the discretion of the Chairman, items may not necessarily be taken in the order in which they appear in the Agenda.
- (2) An Agenda summarising late correspondence received by 5.15 pm on the Thursday before the meeting will be emailed (usually the Friday), and tabled one hour before the meeting commences. Correspondence received after that time will not be specifically reported during the Meeting.

For further information please contact:

Kathy Wagg  
Democratic Services Officer  
Telephone: 01553 616276  
Email: [kathy.wagg@west-norfolk.gov.uk](mailto:kathy.wagg@west-norfolk.gov.uk)

**INDEX OF APPLICATIONS TO BE DETERMINED  
BY THE PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 2 JUNE 2014**

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
<b>8/1</b>	<b>LARGE SCALE MAJOR DEVELOPMENTS</b>			
8/1(a)	<b>14/00283/FM</b> Rose and Crown Farm Walpole Bank Walpole St Andrew Erection of 30MW solar photovoltaic facility with associated landscaping and construction of temporary access	<b>WALPOLE AND WEST WALTON</b>	<b>APPROVE</b>	<b>1</b>
<b>8/2</b>	<b>SMALL SCALE MAJOR DEVELOPMENTS</b>			
8/2(a)	<b>13/01810/FM</b> Land At Foundry Field Burnham Market Construction of 32 new dwellings, the provision of a public car park (186 spaces), retail units (Class A1, A2 or A3), public toilets and public open space and proposed Pedestrian Works and the demolition of the former day care centre and replacement with dwelling (previously approved under planning reference 10/01582/F)	<b>BURNHAM NORTON</b>	<b>REPORT TO FOLLOW</b>	
8/2(b)	<b>13/00850/FM</b> Warehouse Clearance Shops St Edmunds Terrace Erection of Later Living retirement housing for the elderly (category II accommodation), including communal facilities, landscaping and car parking	<b>HUNSTANTON</b>	<b>REPORT TO FOLLOW</b>	
8/2(c)	<b>13/01736/FM</b> Land At Common Road Residential development of 25 dwellings together with associated access road, parking, garaging and public open space	<b>SNETTISHAM</b>	<b>APPROVE</b>	<b>18</b>

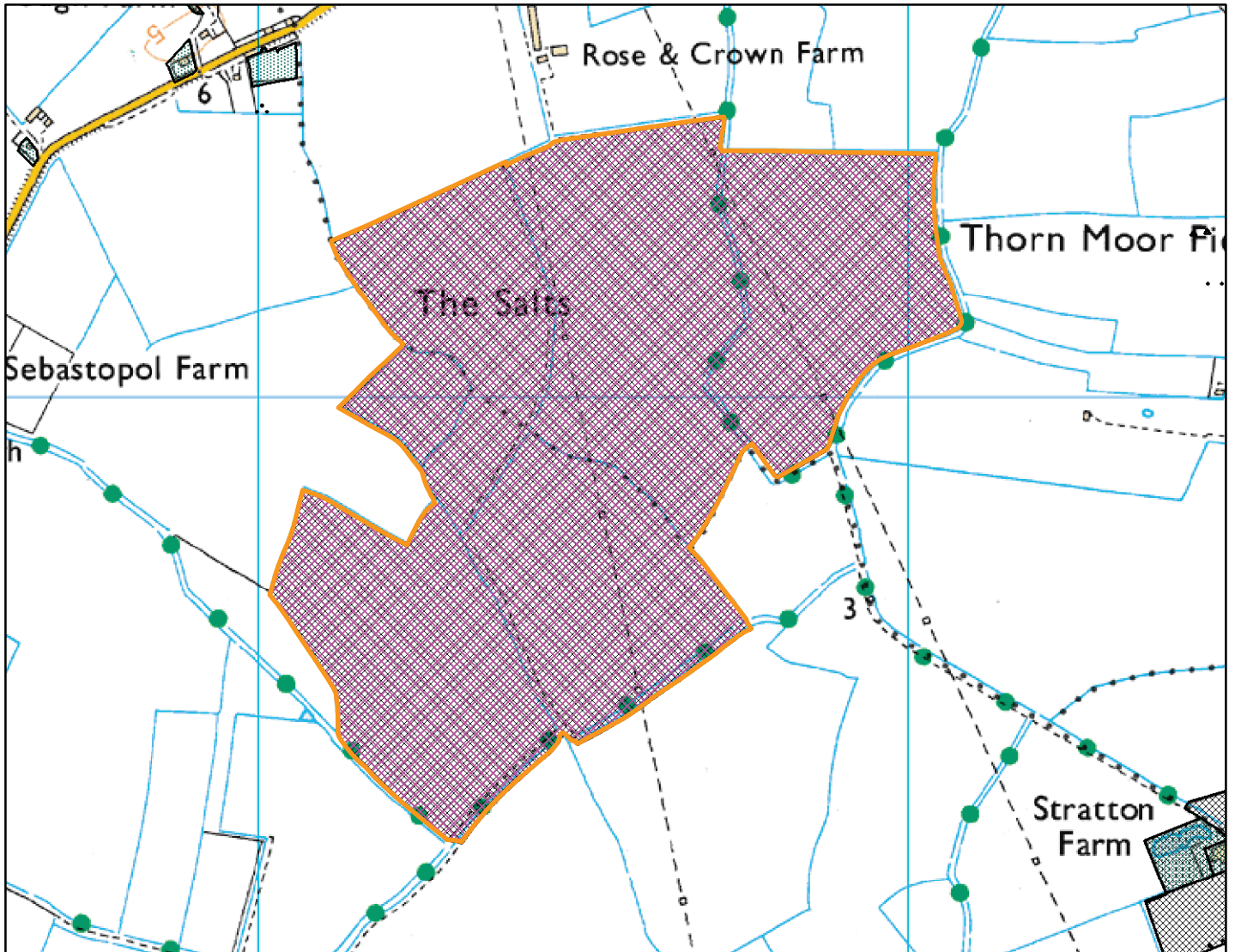
<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
<b>8/3</b>	<b>OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD</b>			
8/3(a)	<b>14/00390/F</b> 23 Church Lane Bircham Tofts First floor shower room over existing single storey entrance hall	<b>BIRCHAM</b>	<b>REFUSE</b>	<b>39</b>
8/3(b)	<b>14/00539/F</b> Land adjacent The Firs Wretton Road Proposed outbuilding	<b>BOUGHTON</b>	<b>APPROVE</b>	<b>46</b>
8/3(c)	<b>14/00365/F</b> Cypress Cottage Main Road Brancaster Staithe Demolition of existing bungalow and building new house	<b>BRANCASTER</b>	<b>APPROVE</b>	<b>53</b>
8/3(d)	<b>14/00458/F</b> 47 Railway Road Demolish part of rear single storey extension to No. 47 Railway Road and construct three terraced house on land to the rear of No. 47 Railway Road	<b>DOWNHAM MARKET</b>	<b>APPROVE</b>	<b>61</b>
8/3(e)	<b>14/00517/F</b> Potential Egg Shop / ISO Container Fakenham Road Siting of a storage container for use as an egg shop	<b>EAST RUDHAM</b>	<b>APPROVE</b>	<b>72</b>
8/3(f)	<b>14/00145/F</b> Land At 18 - 19 Purfleet Street Erection of a three storey building accommodating a retail unit on the ground floor with four flats above (2 one bedroom flats, 2 two bedroom flats)	<b>KING'S LYNN</b>	<b>REPORT TO FOLLOW</b>	
8/3(g)	<b>14/00309/F</b> Land To the North of 19 Gaywood Road Site development of 7 dwellings and associated landscape works	<b>KING'S LYNN</b>	<b>APPROVE</b>	<b>80</b>

<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
8/3(h)	<b>14/00398/F</b> Riverside Business Centre Cross Bank Road Variation of Condition 2 of Planning Permission reference 13/01191/F to allow a new site layout, a smaller turbine and the transformer to be externally housed	<b>KING'S LYNN</b>	<b>APPROVE</b>	<b>92</b>
8/3(i)	<b>14/00383/F</b> Land to West of Mill Drove Blackborough End Creation of new access from highway to former quarry	<b>MIDDLETON</b>	<b>APPROVE</b>	<b>102</b>
8/3(j)	<b>14/00449/F</b> 44 Methwold Road Construction of 1 dwelling	<b>NORTHWOLD</b>	<b>APPROVE</b>	<b>108</b>
8/3(k)	<b>13/01561/F</b> Jaed Cole Green Conversion of outbuilding to form ancillary accommodation -annex	<b>SEDFORD</b>	<b>APPROVE</b>	<b>115</b>
8/3(l)	<b>14/00081/F</b> Mill House Burnham Road Construction of three holiday cottages on part of existing camping and caravanning site	<b>STANHOE</b>	<b>APPROVE</b>	<b>123</b>
8/3(m)	<b>14/00279/F</b> Land South East of 75 St Peters Road Application for Variation of Condition 3 attached to planning permission 08/01586/F: to enable annexe to be used by others but still remaining in ownership of No. 75 St Peters Road	<b>UPWELL</b>	<b>APPROVE</b>	<b>135</b>
8/3(n)	<b>14/00549/F</b> Model Farm Frenchs Road The installation of 2 EC55 (24m tower) wind turbines	<b>WALPOLE ANDREW</b>	<b>ST APPROVE</b>	<b>143</b>
8/3(o)	<b>13/01767/O</b> 30 Sutton Road Demolition of existing building on site and build 8 semi-detached 2 bed houses, 22 car parking spaces, access road, high performance sewage treatment plant and parking spaces for school.	<b>WALPOLE CROSS KEYS</b>	<b>REFUSE</b>	<b>153</b>



<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
8/3(p)	<b>14/00237/F</b> Camping Site Woodstock Gibbet Lane Wereham Construction of occupational dwelling, together with a reception/utility/storage building and access improvements (part retrospective)	<b>WEST DEREHAM</b>	<b>REFUSE</b>	<b>168</b>
8/3(q)	<b>14/00200/O</b> Trafford Estate Outline application for development of existing vacant site for residential use providing 8 properties	<b>WEST WALTON</b>	<b>APPROVE</b>	<b>185</b>
8/3(r)	<b>14/00346/F</b> West Walton Court Blunts Drove Walton Highway Variation of Condition 2 on planning permission 12/00423/F: To allow the siting of 16 temporary storage containers - structures (measuring no more than L 2.4m W 1.8m H 2.5m) and 16 temporary day room structures (measuring no more than L 4.25m W 3.7m H 3.2m) and retention of one site hut on Pitch 1	<b>WEST WALTON</b>	<b>APPROVE</b>	<b>196</b>
8/3(s)	<b>14/00378/F</b> The Walnuts Stow Road Proposed workshop	<b>WIGGENHALL ST MARY</b>	<b>APPROVE</b>	<b>202</b>
<b>8/4</b>	<b>TREE PRESERVATION ORDER</b>			
8/4(a)	<b>2/TPO/00518</b> The Homestead 29 Sandringham Road T1 Mature Cedar Tree	<b>HUNSTANTON</b>	<b>CONFIRM</b>	<b>209</b>

Rose and Crown Farm Walpole Bank Walpole St Andrew



Scale: 1:10,000

**Legend**

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Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>Walpole and West Walton</b>	
<b>Proposal:</b>	<b>Erection of 30MW solar photovoltaic facility with associated landscaping and construction of temporary access</b>	
<b>Location:</b>	<b>Rose And Crown Farm Walpole Bank Walpole St Andrew Wisbech</b>	
<b>Applicant:</b>	<b>Elgin Energy Esco Ltd</b>	
<b>Case No:</b>	<b>14/00283/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson Tel: 01553 616794</b>	<b>Date for Determination: 27th May 2014</b>

**Reason for Referral to Planning Committee** – At the discretion of the Executive Director for Environment and Planning given wider public interest.

### Case Summary

The application site comprises approximately 66Ha of agricultural land belonging to Rose & Crown Farm, to the southern side of Mill Road – half lies within the parish of Walpole, and half within that of West Walton.

The site lies in a flat fen landscape with little landscaping. It is open to public views from certain sections of Mill Road to the north, where the road is elevated on the historic sea bank.

It is bisected by two main power lines which lead to the Walpole Sub Station further to the north and a main gas pipeline.

The proposal is for a 30MW solar photovoltaic facility with associated landscaping and a temporary construction access off Mill Road. This represents a major development for the generation of renewable energy and as such generally receives support from national and local planning policy. However this has diminished with the advent of the National Planning Practice Guidance, Ministerial statements and changes to the Feed in Tariffs.

### Key Issues

Principle of development  
Landscape and visual impact  
Heritage assets  
Flood risk  
Ecology and  
Access and highway matters

### Recommendation:

**APPROVE** subject to the holding objection being withdrawn from National Grid.

## THE APPLICATION

The application site comprises approximately 66Ha of agricultural land belonging to Rose & Crown Farm, to the southern side of Mill Road – half lies within the parish of Walpole, and half within that of West Walton.

The site lies in a flat fen landscape with little landscaping. It is open to public views from certain sections of Mill Road to the north, where the road is elevated on the historic sea bank.

It is bisected by two main power lines which lead to the Walpole Sub Station further to the north and a main gas pipeline.

The proposal is for a 30MW solar photovoltaic facility with associated landscaping and a temporary construction access off Mill Road.

## SUPPORTING CASE

The following statement has been received from the agents in support of this proposal:

“The proposal to construct a 30MW Solar Photovoltaic Facility with associated landscaping at the Rose and Crown Farm, Mill Road, Walpole St Andrew will generate 27,750,000 kWh of electricity per year from a renewable energy resource and will be enough to meet the electricity needs of 7,000 homes. Solar energy is one of the government’s key technologies to increase the deployment of renewable energy facilities and will help to meet the European Union Directive target that 15% of the UK’s energy should be from renewable sources by 2020. This figure currently stands at only 4.1%.

The design of the proposed solar photovoltaic facility at the Rose and Crown farm has been carefully considered to address all existing site constraints and mitigate any potential adverse impacts such as residential amenity or landscape.

The facility is to be laid out to accommodate maintenance easements for the existing overhead pylons, underground gas pipeline and drainage ditches. The panels and associated infrastructure will be set above the level of all potential flood events. The direct implications of the proposal on biodiversity, archaeology and the setting of other heritage assets have been identified as low.

The applicant proposes to set the development well back from all the existing residential properties along Mill Road and significant levels of hedgerow and tree planting are proposed around the site boundaries and adjacent to unclassified roads located adjacent to and through the site. There is also woodland planting proposed adjacent to Mill Road. This planting will screen the site from views and assimilate it into the wider rural landscape, create pleasant landscaped rides along the publically accessible unclassified roads and enhance biodiversity by creating additional habitats within the site.

The site is to remain in agricultural production through the grazing of a commercial sheep flock on the land beneath the solar panel arrays – this will not only keep the grass down but will also improve the quality of the land in the long term by allowing it to rest from intensive arable production.

Access to the site during construction will be made via temporary construction ramps to the west of the existing site access on the south side of Mill Road. Construction traffic will utilise a specified route to the site from the A47 along West Drove North and Walpole Bank/Mill Road. This will ensure that traffic is kept away from all nearby settlements and reduce the potential for noise and disturbance from the traffic servicing the site during this period.

Overall, the proposal is a suitable and sustainable location for a solar photovoltaic facility with all constraints and impacts suitably addressed.”

## **PLANNING HISTORY**

13/00039/PREAPP: Pre-application enquiry – photovoltaic facility: Likely to approve 08.07.2013

## **RESPONSE TO CONSULTATION**

**Walpole Parish Council: SUPPORT** but would like a guarantee that the land can be returned to an agricultural state at the end of the life of the solar facility.

**West Walton Parish Council: NO OBJECTION**

**Highways Authority (Development Management Officer): NO OBJECTION** subject to conditions relating to a construction traffic management plan and access route, temporary access off Walpole Bank, and improvement to junctions.

**Highways Authority (Rights of Way Officer): NO OBJECTION**

**Historic Environment Service: NO OBJECTION** subject to a condition requiring a programme of archaeological work.

**King’s Lynn Drainage Board: NO OBJECTION** subject to byelaw requirements being met.

**Environment Agency: NO OBJECTION**

**Environmental Health & Housing – Environmental Quality: NO COMMENT**

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION** – informative note suggested in relation to construction phase.

**National Grid: Holding OBJECTION** received on the basis of additional information required relating to relationship between gas pipeline and proposed arrays.

**MoD Safeguarding: NO OBJECTION**

**NATS Safeguarding: NO OBJECTION**

**Norwich International Airport: NO OBJECTION**

**Natural England: NO COMMENT** in relation to designated sites that are all some considerable distance away; advice offered on habitat enhancement etc.

**Trees & Landscape Advisor: NO OBJECTION** subject to condition relating to works implemented in accordance with arboricultural report and plans.

## REPRESENTATIONS

**ELEVEN** letters of **OBJECTION** received, including the CPRE, raising the following concerns:

- Grade 2 agricultural land lost from production and impact on growing importance of food security;
- Wildlife and people disturbed – already endured construction works at the Walpole Sub Station;
- Blot on the landscape;
- Devaluation of properties;
- Increase of HGV traffic during construction on poorly maintained roads;
- Limited consultation – no one on transport routes notified of application;
- Financial ‘sweetener’ offered to Parish Councils £90,000 over 20 years is not enough;
- Walpoles have had their fair share of renewable energy schemes;
- Agree with Greg Barker MP, who in the second part of the Coalition’s comprehensive strategy for the solar industry states: “I do not want uncontrolled expansion of solar on the countryside. The main focus for future growth must be onsite generation. Ideally that should mean rooftop deployment on industrial, commercial and retail rooftops – even car parks and other brownfield sites, as well as domestic roofs. This is the essence of our ambitious strategy.”
- Supporters don’t live in proximity to the proposal.

**SIX** letters of **SUPPORT** raising the following issues:

- Ability to power over 6000 homes with clean renewable energy is a boon for achieving government targets;
- Land can still be used for grazing sheep;
- Landscaping will enhance biodiversity and render the solar panels invisible to neighbouring properties and noise levels reduce dramatically due to the lack of intensive agricultural practice over the site;
- Far better option than wind turbines and power stations which are such an eyesore;
- Location makes sense due to proximity to Walpole Sub Station and link to national grid; and
- Solar farms much more environmentally friendly – clean and cheap energy.

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## LDF CORE STRATEGY POLICIES

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development



**CS11** – Transport

**CS12** - Environmental Assets

**CS14** - Infrastructure Provision

## **PLANNING CONSIDERATIONS**

The application raises the following key issues:-

- Principle of development;
- Landscape and visual impact;
- Heritage assets;
- Flood risk;
- Ecology; and
- Access and highway matters.

### **Principle of Development**

#### *National Policy*

Two of the 12 ‘Core Planning Principles’ identified at paragraph 17 of the NPPF comprise statements to the effect that planning should:

- •Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it; and
- •Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework.

Further, Section 11 of the NPPF, entitled ‘Conserving and Enhancing the Natural Environment’ states at paragraph 109 that the planning system should contribute to and enhance the natural and local environment (Council’s emphasis) by, amongst other things, “protecting and enhancing valued landscapes”.

Policy guidance in the NPPF very much regards landscape and visual impacts of development as being a material consideration. This is so even in circumstances where the effects of the proposed development will impact on land lying outside nationally designated areas, since two of the 12 Core Principles identified in the NPPF are expressly concerned with effects on “the countryside” and “the natural environment” in general terms, as opposed to only those areas which benefit from particular designation. Further, Section 11 of that document expressly promotes the protection and enhancement of ‘valued landscapes’ in the general context of the “local environment”, as opposed to protection of areas benefiting from particular designation.

In terms of heritage assets, Section 12 of the NPPF deals with ‘Conserving and enhancing the historic environment’. Paragraph 126 of the guidance emphasises that heritage assets are an “irreplaceable resource”, and directs local planning authorities to “conserve them in a manner appropriate to their significance”.

Paragraph 129 in Section 12 exhorts local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal, before going on to require consideration of the effect that a proposed development will have upon a heritage asset. In this context, the NPPF makes specific reference to development which affects the setting of heritage assets.

Paragraph 132 also expressly refers to the potential for development to cause harm to the significance of a heritage asset by reason of impact on its setting, stating that: 'Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'. Paragraph 132 concludes by stating that substantial harm to or loss of designated heritage assets of the highest significance should be wholly exceptional.

Paragraphs 133 and 134 of the NPPF speak of 'substantial harm' and 'less than substantial harm' to the significance of a designated heritage asset and the need to weigh any such harm against the benefits of the proposed development.

There is considerable support in the NPPF for renewable energy development of the type proposed in the application. In this context one of the Core Planning Principles set out in paragraph 17 of the document expressly supports "the transition to a low carbon future in a changing climate...and...the use of renewable resources (for example, by the development of renewable energy)".

Further, Section 10 of the NPPF, entitled 'Meeting the challenge of climate change, flooding and coastal change', provides support for renewable energy development. The opening paragraphs of this section set out the role that planning has to play in helping to secure "radical reductions in greenhouse gas emissions [and] supporting the delivery of renewable and low carbon energy and associated infrastructure". Thereafter, paragraph 97 states that local planning authorities should recognise the need for all communities to contribute to energy generation from renewable sources, and paragraph 98 directs authorities to approve planning applications for such development "if its impacts are (or can be made) acceptable".

#### *Development Plan Policy*

The Local Development Framework Core Strategy was adopted by the Council on 28th July 2011.

CS01 'Spatial Strategy' contains a number of key note development priorities for the Borough, which aims to:-

- Facilitate and support the regeneration and development aspirations identified in the Regional Spatial Strategy;
- Encourage economic growth and inward investment;
- Improve accessibility for all to services; education; employment; health; leisure and housing;
- Protect and enhance the heritage, cultural and environmental assets and seek to avoid areas at risk of flooding; and
- Foster sustainable communities with an appropriate range of facilities.

CS06 'Development in Rural Areas' sets out a 4 point strategy for rural areas. One of these four points is to 'maintain local character and a high quality environment'. CS06 goes on to elaborate, stating that 'beyond the villages and in the countryside the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all'.



CS08 'Sustainable Development' contains a section on renewable energy, stating that the Council will support and encourage the generation of energy from renewable sources. Schemes will be permitted unless there are unacceptable locational or other impacts that could not be outweighed by wider environmental, social, economic and other benefits. Policy CS12 'Environmental Assets' refers to the Borough's environmental assets as being its green infrastructure, historic environment, landscape character, biodiversity and geodiversity. Proposals to protect and enhance these assets will be 'encouraged and supported'.

The text of CS12 concludes by stating that: "Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance the special qualities and local distinctiveness of the area (including its historical, biodiversity and cultural character), gaps between settlements, landscape setting, distinctive settlement character, landscape features and ecological networks".

It will be noted from the History section that pre-application advice was sought from the Council in July last year, where an application was encouraged subject to certain issues being addressed.

In the interim there has been the introduction of the recent National Planning Practice Guidance (NPPG) released by Central Government. This states inter alia:

"Particular factors a local planning authority will need to consider include:

- encouraging the effective use of land by focussing large scale solar farms on previously developed and non-agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. See also a speech by the Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP, to the solar PV industry on 25 April 2013.
- that solar farms are normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, the effect on landscape of glint and glare (see guidance on landscape assessment) and on neighbouring uses and aircraft safety;
- the extent to which there may be additional impacts if solar arrays follow the daily movement of the sun;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of large scale solar farms on such assets. Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;
- the energy generating potential, which can vary for a number of reasons including, latitude and aspect."

These issues shall be addressed later in this report.

## Landscape and Visual Impact

The Landscape Character Assessment prepared for the Council by Chris Blandford Associates (CBA) in 2007 and used as a supporting document for the Core Strategy places the application site and surrounding land in the western sector of The Fens - Settled Inland Marshes (D3) Landscape Character Type (LCT).

The Assessment describes the visual character of the D3 LCT as:

“Situating to the north east of Wisbech and bordered by the A47 to the east and south, this very flat and low-lying area has an underlying geology of predominantly mudstone, which is reflected in the extremely fertile soils. The land use is mainly arable with the small generally regular fields often demarcated by dykes and ditches (usually lined with reeds and rushes). Several small bridges crossing the wider drains are distinctive features throughout the area, contributing to sense of place.

A strong sense of tranquillity is apparent throughout the entire area, emphasised by the general lack of development in the area. Settlement pattern consists of the village of Terrington St. John (built character of which consists of a combination of brickwork – red and colourwash, pantiles and slate), scattered (mainly brickwork) houses and large farmsteads with slow-moving tractors a constant feature on the horizon. Set back from the roads and concentrated around settlement edges, the distinct vertical shapes of fruit orchard trees, arranged in neat rows, guide views and provide a strong sense of place.

Views in every direction across the area are dominated by rows of poplars and rows of communication masts slicing through the fields, which (together with the church in West Walton in Area D4) provide the main focal points in this expansive, large-scale area. The combination of differing vertical elements including rows of trees, pylons, orchards, buildings and tall vegetation (occasionally lining the roads), makes for a cluttered skyline in places. A number of straight, fairly busy roads (with settlement concentrated largely linearly along the roads), cut through the area from north to south, connected by several more rural and peaceful roads.”

As described previously, the proposed solar farm site lies on flat fenland within an area contained by a network of roads – Mill Road (West and North-West), Folgate Lane (North-East), West Drove North (East), Salts Road and Dixon’s Drove (South).

There are long views across this landscape from public areas to the south and east disrupted by sporadic hedges and planting. Supplementary landscaping is proposed to bound the site and instant screening could be achieved by the use of straw bales to allow the planting to establish. An indicative landscaping scheme has been produced showing strategic planting also proposed along Mill Road which is elevated from the land in order to afford new natural screening and supplement that which already exists on this frontage.

A Landscape & Visual Impact Assessment is submitted with this application which contains photomontages from several vantage points. This shows that views of the solar facility from the surrounding area will be restricted given the distances involved and the lie of the land.

The proposed development would retain the landscape characteristics identified in the national and local landscape character assessments. Although the landscape character of the site will alter as a result of the proposal, overall the landscape character of the wider area would remain substantially unchanged.

It is concluded that the proposed development could be successfully accommodated and assimilated into the surrounding landscape without causing significant harm to the landscaped character, visual amenity or landscape setting of the area.

### **Heritage Assets**

There are no designated heritage assets (listed buildings or scheduled ancient monuments) within the site of the proposed development. The 'Archaeological Assessment and Heritage Statement' submitted with the application identifies that there are only three buildings that can see, and be seen from, the site and therefore be potentially affected by this scheme. They are the towers of Grade I Listed churches of St Peter (Walpole St Peter) and St Mary (West Walton) plus the Grade 2 listed Ingleborough Mill tower. There is also a theoretical potential for the presence of Iron Age, plus post-medieval, activity with the application site.

The assessment indicates that the proposed development could have a 'moderate effect' upon the bell tower of St Mary's Church, West Walton, but not significantly affect the other two buildings given the separation distances involved and intervening land uses and vegetation.

NCC Historic Environment Service has looked at the assessment and does not raise issue with the findings of the assessment. However conditions are suggested with regards to a written scheme of investigation relating to potential archaeological interest within/under the site. These may be applied to any permission.

### **Flood risk**

As a major development the application is accompanied by a flood risk assessment (FRA) and the site lies within Flood Zone 3 of the Council-adopted Strategic Flood Risk Assessment. The Environment Agency raises no objection to the FRA as it adequately assesses the risk of flooding at the site in the event of a breach or overtopping of the River Nene flood defences, and appropriate flood risk mitigation measures are proposed to ensure that the solar farm remains operational in such an event. Advice is offered on groundwater and contaminated land, pollution prevention and culverting. This advice may be added as an informative note to any permission.

There are several land drains within the site – two IDB maintained and the remainder private. The IDB raises no objection to the proposed development which has recognised byelaw requirements and laid out the panels accordingly with 9m easement strips. Some culverting may be required for cabling connections but this would require separate byelaw approval – the applicants are aware of this requirement.

### **Ecology**

The application is accompanied by a 'Preliminary Ecological Appraisal'. The results of the appraisal indicates that there may be potential sites for water voles within the land drains, reptiles on grassy banks of some ditches, nesting birds within hedges and trees plus ground nesting on arable land, and brown hares. There are no impacts upon designated sites.

Mitigation measures are recommended within the appraisal and reasonable avoidance measures are proposed during the construction phase. Natural England confirms that there is no adverse impact upon designated sites, and mitigation measures may be controlled via condition.

There is not likely to be any significant adverse effects on protected species on this site.

## **Access and highway matters**

The application is accompanied by a 'Construction Traffic Management Statement' which indicates a preferred route off the A47 via West Drove North, Police Road and Mill Road. A temporary access road off Mill Road would be used as a temporary access for construction traffic and would be removed upon completion of that phase.

County Highways have assessed this statement and suggest that an alternative route linking to the A17 (used by the Walpole Sub Station traffic) would be more appropriate. This would cause less disruption to local residents on that initial route and remove the need for improvement works along it.

This matter may be controlled via condition along with the details of the temporary access and its removal plus junction improvements to the existing accesses off Mill Road.

The statement indicates that during the construction phase there would be approx. 484 large vehicle movements over a 16 week period. Subsequently there would be routine visits for quarterly maintenance checks and the site would be unmanned.

There are 4 unclassified roads/lanes within and adjoining the site which are not affected by the proposed development.

County Highways raise no objection to the proposal on the provision of certain conditions outlined above.

## **Other Matters**

### *Environmental Impact Assessment screening*

The proposal was screened at the pre-application stage in accordance with Regulation 7 of the EIA Regulations 2011. It was concluded that full EIA was not required.

### *Loss of Agricultural Land*

The application site is classed as Grade 2 agricultural land, i.e. of very good quality and the application is accompanied by an Agricultural Land Classification Report confirming its status.

Whilst it is encouraged to develop on lower grade agricultural land, the agent argues that the area of land is a relatively small amount of land in comparison with that existing in this fenland area and overall nationally; it will remain in production in terms of commercial sheep flock grazing and the resting of the land and presence of sheep would also enhance the quality of the soil when it returns to arable. The site is ideally located in close proximity to the national grid connection at Walpole Sub Station.

The loss of 66Ha of Grade 2 agricultural land is effectively contrary to national guidance which now aims development of this type to brownfield sites and "low grade agricultural land, which works with farmers to allow grazing in parallel with generation..." - Gregory Barker MP 25th April 2013. The loss of this high grade land will need to be weighed in the balance by Members against the benefits portrayed.

### *Residential Amenity*

The closest residential properties are some 300m to the north-west of the site on Mill Lane. Trees and hedges screen these properties from direct views of the development. Acoustic information has been supplied which has been assessed by our CSNN colleagues. Delivery/construction times are specified within the application details and may be controlled via condition; the impact is expected to be acceptable as confirmed by our CSNN team.

The site will not be manned yet secured by CCTV, which is infra-red and therefore there would be no light pollution created by this proposal.

### *Impact on Air Traffic Operations*

Defence Estates, NATS and Norwich International Airport have commented on the application and not raised any objections.

### *Grid Connection*

The electricity lines on-site will be underground. Final details of the connection from the substation within the site to the grid have yet to be finalised but it is anticipated that this will be by means of an underground cable to the Walpole Sub Station located approximately 0.5km to the north. One of the advantages of the siting of the solar array is its proximity to the large Walpole Sub Station.

### *Impact on infrastructure*

There are overhead power cables crossing the site plus a gas main. The applicants have sought to design the layout to avoid any implications for the operation and maintenance of these lines and have been liaising with National Grid to define the exact route of the gas main. A holding objection was issued by National Grid, but it is expected that the submission of modified plans adjusting the layout of the panels will prove to be acceptable and the objection withdrawn.

### *Decommissioning*

The solar farm is to be a temporary, medium term use of the site, with an operational life of some 25 years. At the end of this period all equipment is proposed to be removed from the site and remediation works undertaken to revert it back to its former state. The land would be restored to agriculture. Once again this may be controlled via condition.

### *Community finance*

Whilst not a planning issue, the applicants have agreed to pay the Parish Councils a community contribution of £90,000 each, 30 days after the facility has received Ofgen accreditation. These funds may be used towards community projects as the Parish Councils see fit. This has been criticised as 'buying planning permission' and not being sufficient, however as stated above, this is not a planning matter but a separate agreement with the Parish Councils. Likewise any comments on devaluation of properties are not material planning matters.

## CONCLUSION

The proposed development would produce 30MW of energy from renewable sources. Although there are no regional targets for the production of renewable energy, there is still strong support for renewable energy developments in the NPPF and in other non-planning documents.

The NPPF itself indicates that 'substantial' weight should be given to the contribution a scheme such as this makes towards achieving national renewable energy targets.

The application site is not in or adjacent to any nationally designated landscape areas. It would have little impact upon the local landscape character, but this would be for a temporary period of 25 years and would not affect any existing features such as hedgerows or trees that contribute to the quality of the landscape. Once decommissioned, the land could revert back to agricultural use very quickly.

In terms of visual impact, whilst it will be seen, public views are localised to unclassified lanes within the site and the public road network surrounding it. The periphery consists of mature hedging and trees which are to be supplemented as necessary to screen it. Straw bales are proposed to be used to create immediate screening and allow for the planted areas to become established. These mitigation measures are considered to be acceptable.

The impact upon the setting of heritage assets has been assessed and considered to be acceptable. A scheme of archaeological investigation may be controlled via conditions.

The site is of relatively low value ecologically and protected species avoidance measures during the development phase can be addressed by condition. The landscaping scheme will enhance biodiversity locally and may be secured via condition.

Traffic generation, apart from the construction and decommissioning periods, will be light. Temporary site access is proposed for the construction phase, but can be removed upon completion; and the transport route may be the subject of further negotiation and condition. Conditions to secure improvements to Mill Road junction can also be secured by conditions.

Since the pre-application advice was provided, Central Government advice has changed. Central Government now indicate that lower grade land should be used to take this form of development, and this has to be weighed in the balance. Officers consider that the benefits associated with this proposed development, significantly outweighs the negative effects upon the views from the tower of St Mary's Church and loss of Grade 2 agricultural land which are indeed relatively temporary and reversible.

Subject to National Grid withdrawing their holding objection, full permission is recommended subject to the conditions specified below.

## RECOMMENDATION:

**APPROVE** subject to the subject to the holding objection being withdrawn from National Grid and the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.



- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: WSP-0091-GA-600ST-217 Revision 08.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Notwithstanding the details submitted with this application, prior to the commencement of the development hereby approved, full details of the PV panels, mounting frames (and fixings), inverter substations and primary substation, shall be submitted to, and agreed in writing by, the Local Planning Authority. The development shall be implemented as agreed.
- 3 Reason To enable the Local Planning Authority to consider such details, in the interests of the visual amenity of the locality and to accord with the provisions of both the NPPF and LDF.
- 4 Condition All solar panels, their supports, the inverter substations, the primary substation, the security fencing, any underground concrete to a depth of 1.5m, and any other equipment associated with the development hereby permitted, must be removed from site within 6 months of the solar farm ceasing to be operational.
- 4 Reason The application site lies in the open countryside and it is important that once the development has ceased the site is brought back into a full agricultural use in accordance with the provisions of the NPPF and Core Strategy Policies CS06 and CS12 of the LDF.
- 5 Condition Prior to the commencement of development, full landscaping details to accord with the proposed mitigation illustrated on Plan no. SJA199.11.B submitted as part of the Landscape and Visual Impact Assessment produced by Steve Jowers Associates (dated December 2013) including the positioning and height of straw bale screening, shall be submitted to and approved in writing by the Local Planning Authority.
- 5 Reason To assimilate the development into its countryside setting, in the interests of visual amenity and nature conservation and accord with the provisions of the NPPF and LDF.
- 6 Condition The approved landscaping scheme referred to in Condition 5 above, shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs/plants which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority.
- 6 Reason To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and nature conservation and accord with the provisions of the NPPF and LDF.

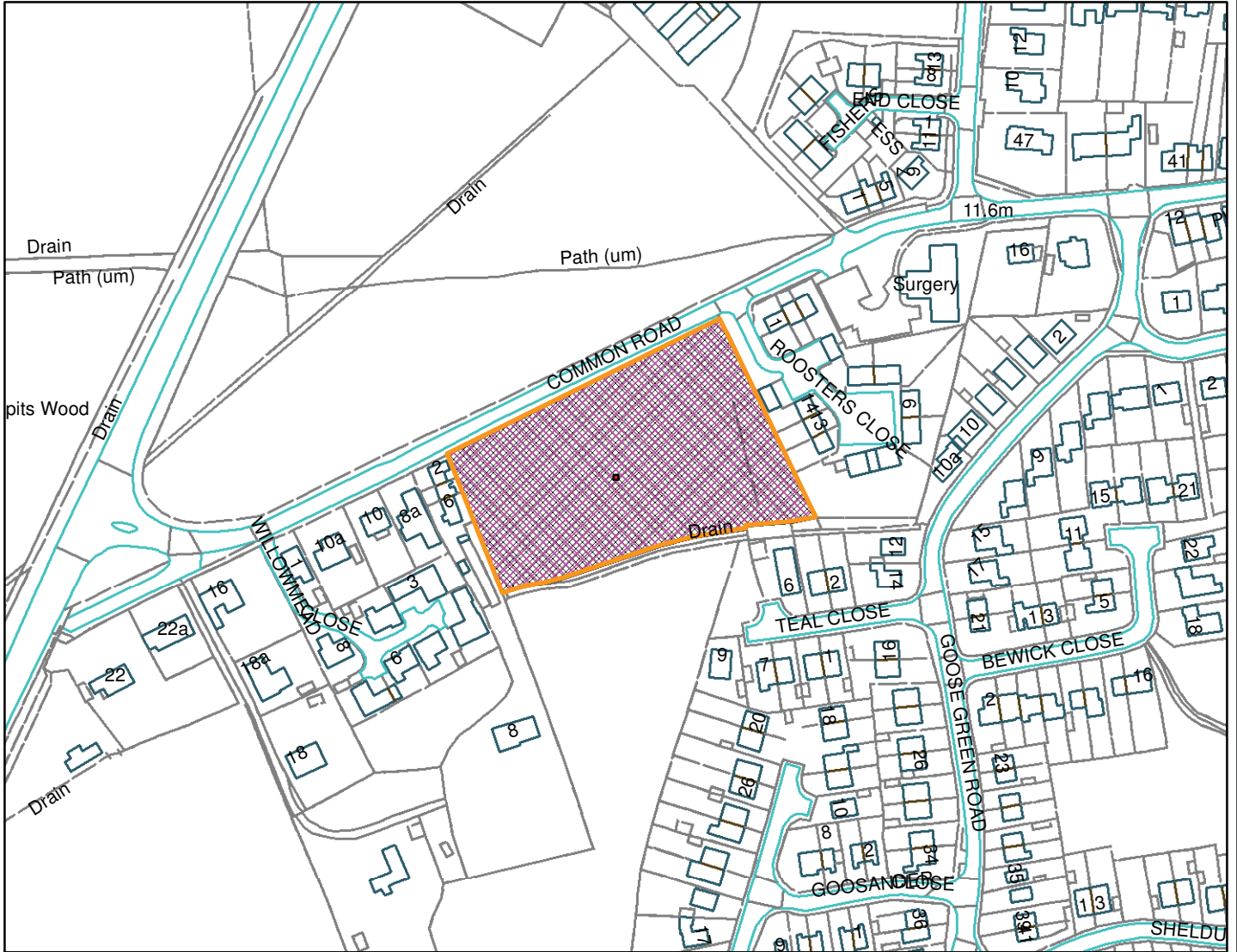
- 7 Condition No trees, shrubs or hedges within the site which are shown as being retained in the Arboricultural Survey prepared by Greenwillows Associates Ltd (dated December 2013), shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior consent in writing of the Local Planning Authority. Any trees, shrubs or hedges which die, are removed, or become seriously damaged or diseased within five years of being planted, shall be replaced with trees, shrubs or hedge plants in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority.
- 7 Reason To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and nature conservation and accord with the provisions of the NPPF and LDF.
- 8 Condition All works shall be carried out in accordance with the recommendations referred to in the 'Preliminary Ecological Appraisal' produced by Greenwillows Associates Ltd (dated September 2010).
- 8 Reason To ensure the protection and enhancement of natural habitat and any European Protected Species (EPS) on the application site, in the interests of nature conservation and in accordance with the provisions of Regulation 9(1) of the Amended Conservation Regulations 2012 and to accord with the provisions of the NPPF and Core Strategy policy CS12 of the LDF.
- 9 Condition No development shall commence until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and
1. The programme and methodology of site investigation and recording
  2. The programme for post investigation assessment
  3. Provision to be made for the analysis of the site investigation and recording
  4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  5. Provision to be made for archive deposition of the analysis and records of the site investigation
  6. Nomination of a competent person or persons/organisation to undertake the works set out in the Written Scheme of Investigation.
- 9 Reason To safeguard the any archaeological interests on the site in accordance with the provisions of Paragraph 141 of the National Planning Policy Framework (NPPF) March 2012 and accord with Core Strategy policy CS12 of the LDF.
- 10 Condition No development shall take place other than in accordance with the Written Scheme of Investigation approved in accordance with the requirements of condition 9 of this permission.
- 10 Reason To safeguard the any archaeological interests on the site in accordance with the provisions of Paragraph 141 of the National Planning Policy Framework (NPPF) March 2012 and Core Strategy policy CS12 of the LDF.



- 11 Condition The development shall not be brought into operation until the Site Investigation and post Investigation Assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 9 of this permission and the provision to be made for any publication, dissemination of results and archive deposition has been secured.
- 11 Reason To safeguard the any archaeological interests on the site in accordance with the provisions of Paragraph 141 of the National Planning Policy Framework (NPPF) March 2012 and Core Strategy policy CS12 of the LDF.
- 12 Condition Prior to the commencement of any works a Construction Traffic Management Plan and Access Route shall be submitted to and approved in writing with the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route'.
- 12 Reason In the interests of maintaining highway efficiency and safety and to ensure that no other local roads are used by construction traffic, and to accord with the provisions of the NPPF and Core Strategy policy CS11 of the LDF.
- 13 Condition For the duration of the construction period, all traffic associated with the construction of the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless otherwise approved in writing by the Local Planning Authority.
- 13 Reason In the interests of maintaining highway efficiency and safety, and to accord with the provisions of the NPPF and Core Strategy policy CS11 of the LDF.
- 14 Condition Prior to the commencement of any on-site works, the temporary construction access shall be laid out as shown within the Construction Traffic Management Statement and constructed in accordance with Norfolk County Council access construction specifications for at least the first 15 metres as measured back from the near edge of the adjacent carriageway.
- 14 Reason To ensure satisfactory access into the site for construction traffic in accordance with the NPPF and Core Strategy policy CS11 of the LDF.
- 15 Condition Prior to the commencement of the use of the solar facility hereby permitted, the existing vehicular accesses to Rose and Crown Farm off Mill Road shall be upgraded in accordance with the Norfolk County Council light industrial access construction specification for the first 10 metres (measured along their centre lines) as measured back from the near channel edge of the adjacent carriageway.
- 15 Reason In the interests of highway safety and traffic movement and to accord with the provisions of the NPPF and Core Strategy policy CS11 of the LDF.
- 16 Condition Prior to the commencement of use of the solar facility hereby permitted, the temporary access road shall be removed, and the verge reinstated and any remedial works undertaken, in accordance with a detailed scheme that shall be prior agreed with the Local Planning Authority.
- 16 Reason In the interests of highway safety.

- 17 Condition For the duration of the construction and decommissioning period deliveries shall only be received at or despatched from the site between the hours of 0900 and 1800 hours Monday to Saturday and not at all on Sundays and Bank Holidays other than with the prior written approval of the Local Planning Authority.
- 17 Reason In the interests of the amenities of the locality, and to accord with the provisions of the NPPF and Core Strategy policy CS08 of the LDF.
- 18 Condition The permission shall expire no later than 25 years from the date when electricity is first exported from any part of the array to the electricity grid network ('First Export Date'). Written confirmation of the First Export Date shall be provided to the Local Planning Authority no later than 1 calendar month after the event.
- 18 Reason To define the terms of this permission and limit the lifetime of the development.

Land at Common Road Snettisham



Scale: 1:2,500

**Legend**

Borough Council of  
**King's Lynn &  
 West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	22/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>Snettisham</b>	
<b>Proposal:</b>	<b>Residential development of 24 dwellings together with associated access road, parking, garaging and public open space (Amended scheme)</b>	
<b>Location:</b>	<b>Land At Common Road Snettisham Norfolk</b>	
<b>Applicant:</b>	<b>Hopkins And Moore (Developments) Ltd</b>	
<b>Case No:</b>	<b>13/01736/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty Tel: 01553 616403</b>	<b>Date for Determination: 14th March 2014</b>

**Reason for Referral to Planning Committee** – Raises issues of wider concern

### **Case Summary**

The application site relates to a rectangular shaped parcel of land on the southern side of Common Road at the western end of the village of Snettisham. The site is currently a grassed paddock of approximately 0.8 ha in area and provides open space between residential properties along Common Road.

The dwellings to the west of the site are within the established village settlement boundary and dwellings to the south east are also within the village. The dwellings immediately to the east of the site are affordable houses and were approved as a rural exceptions site. The dwellings on the northern side of Common Road further east are also affordable houses approved as a rural exceptions site.

To the north are open agricultural fields.

The land levels across the site are relatively consistent.

The application seeks full planning permission for the construction of 24 dwellings, including 5 No. units or 20% affordable housing, together with associated access road, parking, garaging and public open space

The application proposes a single vehicular access point into the site from Common Road to the north. Pedestrian access points are shown to the north east corner and North West part of the site.

The site is within the countryside as depicted on the adopted local plan proposals map (1998) and just beyond the AONB.

The site is, however, the preferred option for development in Snettisham identified in the ongoing Site Specific Allocations Document for future development in the borough up to 2026. Draft Policy SNE1 sets out the planned policy intentions for the site for residential development of 20 dwellings.

### **Key Issues**

The principle of development on this site;

Impact upon the AONB;  
 Design, character and appearance;  
 Impact upon Residential Amenity;  
 Affordable housing;  
 Highway Issues;  
 Flood Risk;  
 Crime and Disorder Act 1998;  
 Archaeology;  
 Foul and Surface Water Drainage Details  
 Contamination;  
 Lighting Scheme;  
 Other material considerations.

**Recommendation:**

**(A) APPROVE** subject to conditions and completion of Section 106 Agreement.

**(B)** In the event that the Section 106 agreement is not completed within 3 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, public open space and county contributions.

**THE APPLICATION**

The application site relates to a rectangular shaped parcel of land on the southern side of Common Road at the western end of the village of Snettisham. The site is currently a grassed paddock of approximately 0.8 ha in area and provides open space between residential properties along Common Road.

The dwellings to the west of the site are within the established village settlement boundary and dwellings to the south east are also within the village. The dwellings immediately to the east of the site are affordable houses and were approved as a rural exceptions site. The dwellings on the northern side of Common Road further east are also affordable houses approved as a rural exceptions site.

To the north are open agricultural fields.

The land levels across the site are relatively consistent.

The application seeks full planning permission for the construction of 24 dwellings, including 5 No. units or 20% affordable housing, together with associated access road, parking, garaging and public open space.

The proposed housing mix is:-

- 9 no. x 3 bedroom units – market houses
- 8 no. x 4 bedroom units – market houses
- 2 no. x 2 bedroom apartment – market houses
- 1 no. 3 bedroom affordable house
- 3 no. 2 bedroom affordable houses
- 1 no. 1 bedroom affordable house

The application proposes a single vehicular access point into the site from Common Road to the north. Pedestrian access points are shown to the north east corner and North West part of the site.

The site is within the countryside as depicted on the adopted local plan proposals map (1998) and just beyond the AONB.

The site is, however, the preferred option for development in Snettisham identified in the ongoing Site Specific Allocations Document for future development in the borough up to 2026. Draft Policy SNE1 sets out the planned policy intentions for the site for residential development of 20 dwellings.

The application was originally submitted for 25 dwellings across the site. Following comments received after the public consultation exercise the applicant has amended the scheme, including changes to the layout and design. As a result of this the number of units on the site has been reduced to 24. The application has been subject to a second consultation exercise following the submission of the amended plans.

## **SUPPORTING CASE**

The application has been supported by a raft of documents. These include:-

- Design and Access Statement
- Planning Statement
- Flood Risk Assessment
- Transport Assessment
- Habitat Survey
- S106 Heads of Terms
- Building for Life Assessment
- Landscape and Visual Assessment
- Landscape Strategy Plan
- Arboricultural Impact Assessment
- Sustainability report
- Design Quality Standards Report

The DAS summarises the scheme thus:

‘This Full Planning Application, together with the accompanying and enclosed supporting documentation, sets out a comprehensive approach to the development of this site. An opportunity has been taken to provide a scheme which responds well to the site circumstances and suitably enhances the character and appearance of the surrounding area, maximising the positive aspects of the sites situation whilst providing much needed additional housing, including affordable housing, for the village.

The development represents a design-led bespoke project, which deals sensitively in terms of its response to the constraints of the site. The approval of this application would accord with the design and layout policies of the development plan and with national planning policies, which encourage good design. The proposals are fully representative of the quality and content of developments which are encouraged by the modern planning system.’

The Planning Statement summarises the scheme thus:

'The submitted planning application and supporting documentation set out a comprehensive approach to the residential development of this site. An opportunity has been taken to provide an attractive, inclusive development which responds well to the specific circumstances of the locality, maximising the positive aspects of the site's location, whilst sensitively respecting the existing streetscene and the semi-rural character and appearance of the wider surroundings.

The location of the site, within close walking distance of existing facilities within the village and regular public transport routes to further afield indicates that the site is both a suitable and sustainable location to accommodate further residential development, in accordance with the requirements of the NPPF.

This fact is echoed by the Local Planning Authorities proposed allocation of the site for residential development within their current 'Preferred Options Detailed Policies and Sites Plan' Development Plan Document, thus confirming recognition of this at a local level.

The proposed development is therefore fully representative of the quality and content of developments which are actively encouraged and supported by Government Policy.'

The Landscape and Visual Impact Assessment concludes:

'In respect of the Norfolk Coast Area of Outstanding Natural Beauty (AONB) to the north of the site, the development within the application site will have no adverse effect on the views experienced from within the AONB. The application site will add an area of housing to the existing settlement. Development within the site would be seen in context of the existing residential settlement of Snettisham, which encompasses the proposed development to the south, east and west. As the change from greenfield to residential development will be experienced it is important to note that the setting of the AONB or the character of the wooded landscape will not be affected by the residential development. Over time the structural landscape planting, in particular the hedgerow and trees along Common Road and the open space to the north will visually integrate the new settlement into the surroundings. The proposed development therefore creates an opportunity to enhance the transition from the existing settlement edge and the centre of Snettisham, and characteristic features within the Wooded Slopes with Estate Land.'

The Flood Risk Assessment concludes:

'The proposed new residential development on the land to be accessed off Common Rd, Snettisham has been assessed for the risk to the development on the site from fluvial flooding in accordance with the guidelines of the NPPF. Assessment has also been made of the impact of the proposed development on the existing floodplain storage at this location, and of the risk of storm water contribution from the development exacerbating downstream flooding, as directed by the guidance.

The site has been found to lie within Flood Zone 1 and is therefore not considered to be at risk from fluvial flooding. Other sources of flooding have similarly been assessed and found to pose no threat to development on the site.

The proposals do not affect flood storage within the floodplain and the peak surface water runoff rate leaving the site will be attenuated to a similar level as existing. Surface water drainage from the site will mimic the existing drainage regime of the land making maximum use of infiltration with any surplus discharging to the Anglian Water network.

It is considered from this assessment that the level of risk of flooding to and from the proposed development is of an acceptable level.



Investigation has been carried out into the reported surface water flooding immediately downstream of the site. An assessment has been made of the cause of the occasional flooding and as well as confirming that the proposed development will not exacerbate it proposals have been made to help alleviate it.'

## **RESPONSE TO CONSULTATION**

**Parish Council: SUPPORT** in principle, but raise significant concerns regarding drainage of the site and in this part of the village. The second major concern is that of the access provisions to the site. The turning onto a narrow road we feel needs to be widened for safety reasons, and there are issues with the flow of traffic in Common Road already which needs to be addressed at the same time.

**Highways Authority: NO OBJECTION** – conditionally

**Environment Agency: NO OBJECTION**

**Water Management Alliance:** No Comments as outside their district

**Anglian Water - NO OBJECTION** – conditionally

**Natural England: NO OBJECTION** - with regard to statutory nature conservation sites and no comment with regard to protected landscapes on this development proposal.

**Housing Enabling Officer – SUPPORT** in principle – but objects to cluster of affordable housing as it should be pepperpotted across the site as per the Council's Affordable Housing Policy.

**NCC Planning Obligations – NO OBJECTION** - conditionally

**Tree Officer: NO OBJECTION** – subject to condition re: a full landscaping scheme to include species, locations and planting densities, enhancement of the existing hedge along the southern boundary of the site and incorporation of some native species trees throughout the development.

**National Grid: NO OBJECTION** – informed applicant they have equipment on the site

**Historic Environment Service – NO OBJECTION** - The fieldwork for the archaeological evaluation at the above site has now been completed and an interim report submitted to Norfolk Historic Environment Service. The evaluation did not identify any significant heritage assets and no further archaeological work will be required at this site. In view of this we do not wish to make any recommendations for conditions for archaeological work in this case.

**Environmental Health & Housing - Environmental Quality:** No Comments

**Environmental Health & Housing - CSNN: NO OBJECTION** - conditionally

**Norfolk Coast Partnership - NO OBJECTION** - subject to high standard of design, and that the design of development, and in particular its massing and materials, has regard to its potential impact on the setting of the Area of Outstanding Natural Beauty so as to avoid significant impact.



**Norfolk Wildlife Trust - NO OBJECTION** - we support incorporation of mitigation and enhancement for biodiversity in planning conditions as recommended in the accompanying ecological survey report

**Norfolk Fire and Rescue Service - NO OBJECTION** – subject to the provision of a fire hydrant.

**Norfolk Constabulary: OBJECT** – lack of natural surveillance to parking court to the eastern part of the site.

## REPRESENTATIONS

**TWELVE** third party comments received referring to the following:-

- no development on the site at all
- 25 dwellings is too excessive; will change the character
- Concerns that it will increase flooding
- Foul and surface water drainage issues
- Open water courses and bypass drainage all meet here
- Flood plain
- Sewers are up to capacity
- Water from swales will discharge into the sewer which is not legal
- Residents have a right to have a decent drainage system
- Overlooking from proposed dwellings and loss of privacy
- Noise from development and public open space
- This part of the village will be overdeveloped
- Concerns over increase in traffic on narrow road
- Lack of cycle bypasses, cycle storage or anchor points for cycles
- Design is not in keeping i.e. no carstone

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government's planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## PLANNING POLICIES

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

## **PLANNING CONSIDERATIONS**

The key principle issues to be addressed in this instance are: -

The principle of development on this site;

- Impact upon the AONB;
- Design, character and appearance;
- Impact upon Residential Amenity;
- Affordable housing;
- Highway Issues;
- Drainage;
- Crime and Disorder Act 1998;
- Archaeology;
- Contamination;
- Lighting Scheme;
- Other material considerations.

### **Principle of Development**

The site currently lies outside the village boundary of Snettisham and is denoted as countryside on the Adopted Local Plan inset map. The dwellings to the west of the site are within the established village settlement boundary and dwellings to the south east are also within the village. The dwellings immediately to the east of the site are affordable houses and were approved as a rural exceptions site. The dwellings on the northern side of Common Road further east are also affordable houses approved as a rural exceptions site.

The land to the north is open fields. The Area of Outstanding Natural Beauty (AONB) boundary runs along the northern side of Common Road so this site is not in it, but is adjacent to the AONB.

There are a number of policy statements relevant to this application and the key aspects are summarised below.

In the Core Strategy Snettisham is identified as a Key Rural Service Centres where limited growth of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the Development Limits of the Key Rural Service Centre in accordance with Policy CS06 Development in rural areas. In this case, however, the site is not within the development limits and this policy does not apply.

The village settlement boundaries are currently under review. This site, known as Site SNE1 has been put forward for consideration as part of the 'Preferred Options for Detailed Policies and Sites Plan' in connection with the LDF review of settlement boundaries.

In response to the consideration of incorporating the site into the settlement boundary and allowing future development, Site SNE1 is supported and listed as the only site allocation for the village. A draft policy SNE1 relates to this site. It states:

'Land amounting to 0.8 hectare, as shown on the Policies Map, is allocated for residential development of 20 dwellings. Development will be subject to compliance with all of the following:

1. Provision of safe vehicular and pedestrian access connecting the site to Common Road;
2. Submission of details of sustainable drainage measures and how they will integrate with the design of the development and how they will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;
3. Provision of affordable housing in line with current standards;
4. Submission of a Heritage Asset Statement that establishes that there will be no negative impact on Heritage Assets in the locality, accompanied by an Archaeological Field Evaluation of the site;
5. The site overlies a Groundwater Vulnerability Zone. Accordingly, the developer should address any risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework (NPPF) and the Environment Agency's 'Guiding Principles for Land Contamination'.

The justification for the site allocation is given as the following:-

'The site offers the opportunity for infill development as there is existing development to the south and west and the eastern part of the site has recently been developed for affordable housing. The site is close to the villages' services and facilities and there is potential for safe walking/cycling access to the village centre from Common Road and Alma Road. The site has received the most positive response over alternative development sites from key stakeholders and Snettisham Parish Council.

From the surrounding area the site is viewed against a semi-urban backdrop. The majority of views of the site are limited to the near distance from adjacent roads, properties and public rights of way. Medium and long distance views from the wider landscape are possible from across the field to the north. In these views the site is seen in the context of the existing village.

The site is adjacent to the Area of Outstanding Natural Beauty (AONB) which abuts the north west boundary of the site opposite Common Road.

It is not considered that development on the site would have an adverse impact on the AONB as it appears as a gap between existing development to the east and west of the site, and would join these two areas. Natural England and the Norfolk Coast Partnership have expressed a preference for site 189/549 to be allocated as it would have less of an impact on the countryside and Area of Outstanding Natural Beauty as some of the alternative development options.

The site is currently a greenfield site (agricultural grade 3/4) used for pasture and grazing, with a hedgerow along the Common Road frontage. Whilst new housing would result in the loss of undeveloped land, there are no opportunities to utilise previously developed land for new housing in Snettisham. Development of the site would leave a small odd shaped area of undeveloped land to the south. Apart from the hedgerows there are no other landscape features of importance within the site boundary. There is a power line over part of the site which would need to be a design consideration in new development.

A number of Medieval and Post-Medieval archaeological finds have been identified immediately west, south and east of the site including drainage and boundary ditches and pits as well as evidence of a probable Roman track or road to the south of the site. Due to the potential for archaeological finds it is recommended that the site is further explored prior to development.'

It should be noted that the site allocation, SNE1 refers to a residential development of 20 dwellings. The site layout initially submitted for this current application showed a total of 25 dwellings. Amended plans have now reduced this to 24.

In summary, the site for the proposed development is currently outside the settlement boundary, where development is restricted. The site has been reviewed through the LDF process, is supported for residential development and has been found the most suitable location for the expansion of the village up to 2026. However, this is not yet adopted and the process is still on going.

The weight to be given to the emerging LDF/local plan prior to adoption is set out in the NPPF para 216. The weight given depends on the stage reached, the extent of unresolved objections, and the consistency with the NPPF. In principle, this application for planning permission needs to be considered in light of the matters referred to at para. 216 of the NPPF in addition to the matters referred to in draft policy SNE1 as well as other practical and planning policy issues.

### **Impact upon the adjoining AONB**

AONB's have the highest status of protection in relation to landscape and scenic beauty. In this case the application site is open land currently used as a paddock, outside but opposite the AONB.

The NPPF states nationally designated areas, such as Areas of Outstanding Natural Beauty (AONB), have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.

In this case the impact upon the AONB has already been considered as part of the site allocation exercise and is referred to above. In summary, the 'Preferred options' document states that 'it is not considered that development on the site would have an adverse impact on the AONB as it appears as a gap between existing development to the east and west of the site, and would join these two areas.'

The Norfolk Coast Partnership raises no objection to the proposal stating this site is acceptable in principle and preferable to other proposed future housing sites in Snettisham within the AONB, subject to the development having a high standard of design and that the massing and materials have regard to its potential impact on the setting of the Area of Outstanding Natural Beauty so as to avoid significant impact.

The Norfolk Coast Partnership Council also questions whether the increase of proposed dwellings from the 20 proposed to be allocated in the Detailed Policies and Sites Plan consultation enables this objective to be fully achieved.

In this case the applicant has submitted a Landscape and Visual Impact Assessment which states that in respect of the Norfolk Coast Area of Outstanding Natural Beauty (AONB) to the north of the site, the development within the application site will have no adverse effect on the views experienced from within the AONB. The application site will add an area of housing to the existing settlement. Development within the site would be seen in context of the existing residential settlement of Snettisham, which encompasses the proposed development to the south, east and west.

As the site is surrounded by residential development on three sides the proposed development will be seen from the AONB against a backdrop of buildings and will not be unduly conspicuous in context. It is not considered that this infill site will have a harmful impact on the wider character of this part of the AONB.

### **Design, character and appearance**

The NPPF states that good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making places better for people (para. 56). Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (para. 64).

Policy CS08 of the Core Strategy requires that new development be of a high quality design and that proposals should optimise the density of the development in light of factors such as the setting of the development, the form and character of existing development and the requirement for any on site infrastructure including amenity space.

The application has evolved since its original submission and amendments have been made to the layout following feedback from statutory consultees and officer. The layout now shows a total of 24 units which is one less than the original submission, but this is four units above the number currently referred to in the draft Policy SNE1.

The site is roughly rectangular in shape and has a long road frontage with an established hedgerow. The eastern end of the site is longer than the western. There is a significant constraint to development on the site. To the eastern part of the site there is a gas pipeline which cannot be moved. The site layout therefore takes into account the easement relating to this gas pipe which prevents development across part of the site.

The site layout seeks to retain as much of the roadside hedgerow as possible although the required visibility splays mean that a significant amount will need to be removed for highway safety reasons to achieve the single point of access into the site. This will be replanted to retain the character of the streetscene and soften the frontage. The retention of hedgerow to the front of the site was encouraged for the social housing site on the opposite side of the road, Fishers End Close and helps to retain the rural characteristics of the site.

Existing development along Common Road is a mixture of road frontage properties, cul-de-sac development and courtyard layouts. The layout incorporates road frontage properties facing Common Road and also short runs of terraced and semi-detached properties running north south. The mix of properties provides a mix of bedroom sizes.

The site provides public open space to the north western corner where a Local Area for Play (LAP) can be provided. The public open space is overlooked by units 16 – 20 so has surveillance from surrounding properties.

The gas pipe easement running through the eastern end of the site does provide a constraint which is the weak point of the layout. Clearly the route of the gas pipe must be kept clear of buildings or structures and avoid significant ground disturbance so this is dedicated to roads, parking and turning. By avoiding this route means that developable space to the north eastern corner of the site is limited and the properties and the associated garden land of Units 6 -8 are smaller than others within the site.

The gas pipe constraint also means that the parking arrangements for properties at the eastern end of the site are laid out differently. Some of the parking spaces are more remote from the properties they serve than would normally be expected. For example a detached garage building serving Units 4 & 5 is sited apart from the properties on the other side of the access road. This is purely to avoid the easement and means that the garage building and parking spaces appear quite isolated. The applicant is aware of officer concerns regarding this layout but has been unable to improve the situation further. This is a weak part of the site layout in terms of its form, cohesion and Secured by Design issues.

Another feature of the scheme which your officers raised concern was the design of Units 1 – 3 along the main frontage facing Common Road. This run of three terraced units shows a mixed design of a traditional brick property, a carstone dwelling set gable end on to the road and a timber clad outbuilding with the style of an outbuilding. Your officers requested that this be simplified for simpler cottage style dwellings but the applicant has kept the mixed designs.

The applicant has also made changes to improve the design across the site so that the dwellings feature more cottage style elements and is less urban and takes better reference from dwellings found within Snettisham.

The application makes reference to the use of local building materials, namely red brick, carstone and pantile roofs. If permission is forthcoming, however, the details would need to be covered by planning condition.

The proposed layout gives opportunity for landscaping and planting. The use of swales for SUDS means that a significant degree of landscaping would be retained throughout the site.

The Agent has produced his own Building for Life Assessment which uses 12 set questions and a traffic light system. Green shows the particular issue or question has been addressed whilst red elements identify aspects of proposals that need to be changed. Amber is used where there is clear evidence of local constraints on the scheme that prevent it from achieving a green.

The applicant scores the scheme 11 out of 12 green points with one amber point for 'car parking', recognising the limitations of courtyard parking areas.



In summary it is acknowledged that the site has a physical constraint in the form of a gas pipe easement which determines the position and layout of development. Many of the initial concerns relating to the layout and design of the scheme, however, have been improved through the submission of amended plans. On balance it is considered that, whilst there are some weak points within the overall scheme the proposed development will not harm the character and quality of the area and the way it functions. It is considered to be sufficiently in keeping in terms of form and character to accord with the provisions of the NPPF and Policies CS08 of the Core Strategy and Policy 4/21 of the Local Plan.

### **Impact upon Residential Amenity**

There are existing residential properties to the east, south east and west. The key areas for the consideration of the impact upon the amenity of the occupants of neighbouring properties are issues of overlooking, overshadowing and whether or not the dwellings will be over bearing.

Properties to the east of the site within Roosters Close back onto the site. The properties closest to the eastern boundary also back onto the adjoining site. The distances between the existing and proposed properties are such that there are no concerns regarding overlooking, overshadowing or the proposed new units being overbearing.

Properties to the west of the site along Common Road back onto the site with short rear gardens. The part of the site closest to these dwellings is shown to be used for public open space. There are no concerns regarding overlooking or any development being overshadowing in this case. The open space is approximately 430m<sup>2</sup> and not of sufficient size to play team games or hold large numbers of people at any one time. It is not considered that noise from this proposed open space, which will see play equipment introduced, will be so significant to raise noise nuisance issues.

Properties to the south west of the site on Willowmead Close have gardens closest to the application site. These are separated by neighbouring garden land. Third party objection has been received regarding overlooking of these properties and gardens by the occupants of Units 15 and 16 whose rear windows face this direction. However, there is more than 20m between the windows of these proposed properties and the garden boundary of the properties in Willowmead Close. Consequently the distances between properties is such that there are no significant concerns regarding overlooking in his case.

To the south of the site is open arable land. To the south east are bungalows on Goose Green Road. Due to the orientation of the site the proposed development will not cause overshadowing to these properties and the distances between properties is such that there are no concerns regarding overlooking or the proposed new units being overbearing.

### **Affordable housing**

The site is of a size where it needs to provide affordable housing in accordance with Core Strategy Policy CS09. It is also referred to in draft Policy SNE1.

The Applicant proposes 5 affordable units in accordance with the policy (i.e. 20% of 24 units), constructed and transferred to an approved RSL. Two of the five affordable units are shown to be shared ownership housing. These will be one 3 bedroom unit and one 2 bedroom unit. The remaining three dwellings will be for rented accommodation. These will be two 2 bedroom units and one 1 bedroom house.

The number, mix and tenure split of the affordable units and positioning across the site accords with the Council's policy and this element has the agreement of the Housing Strategy Officer.

However, the Housing Enabling Officer has raised concerns about the grouping of all of the affordable units in one part of the site and requests they be pepper potted across the site. The Council's Affordable Housing Policy states that for a development of this size the maximum affordable cluster size should be 4 dwellings to avoid large concentrations of single tenure dwellings and to achieve mixed and sustainable communities. The application shows a terraced run of 4 affordable dwellings and then a separate, detached, affordable dwelling set immediately to the west of this terrace.

The applicant has reviewed the comments of the Housing Enabling Officer but they consider that the dimensions and the constraints of the site are such that the affordable housing sits comfortably into the south eastern corner of the site. They consider that the short terrace of 4 properties and the single detached property fit well into the overall design and layout of the site. Given the constraints on the site and the restrictions of layout due to the easement, they have not revised the scheme to separate the affordable units.

The latest National Planning Practise Guidance refers that in well-designed places affordable housing should not be distinguishable from private housing by its design, nor should it be banished to the least attractive part of the site. In this case the design of the affordable dwellings is in keeping with that of the remainder of the site and they would not be easily distinguishable from the private housing within the proposed scheme. It is considered that the affordable housing on this proposed scheme fulfils the NPPG requirements.

In this case the proposed layout does not accord with the provisions of the Council's Affordable Housing Policy in terms of pepper potting because there is one more unit in the cluster than recommended. However, it is considered that the proposed layout does meet the objectives of the national planning practise guidance and for this reason your officers have not raised this as a significant area of concern.

The delivery of the affordable housing is the subject of negotiation through the S106 legal agreement.

### **Highway Issues**

The application has been supported by a Transport Assessment which the Highways Authority finds acceptable.

The County Council raises no objection to the scheme subject to the widening of the road across the front of the site and the provision of adequate visibility splays. This would entail removing most of the hedge along the front of the site but adequate space would remain for a hedge to be replanted behind the required visibility splay so that it does not interfere with highway safety.

Consequently the County Council raises no objection to the scheme subject to conditions regarding detailed plans of the road/footway/cycleway details, foul and surface water drainage, provision of parking and turning facilities, visibility splays, construction worker parking, facilities and details of off-site highway improvement works.

Overall, the development would not adversely affect the amenities of neighbouring properties.



## **Drainage**

The site is located in Flood Zone 1 (low risk). A Flood Risk Assessment has been submitted in support of the planning application.

Draft Policy SNE1 required the 'submission of details of sustainable drainage measures and how they will integrate with the design of the development and how they will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission'.

The Parish Council and local residents have raised concerns regarding drainage issues affecting this part of the village. CSNN also initially raised a holding objection to the original submission in terms of localised flooding and drainage issues. However, since the original submission further discussion has taken place between the applicant's engineers and Anglian Water and a revised FRA has been produced. Anglian Water have confirmed acceptance of the proposed drainage scheme. The EA has also accepted the scheme and CSNN are happy with the revised details.

Foul water is proposed to feed into the existing drainage system, for which there is capacity, and surface water is proposed to be disposed of through a sustainable drainage system. Plans and details have been provided showing that in private areas hardstandings will be constructed of permeable pavements, allowing cleaning and percolation of surface water to take place.

Swales are also used as part of the SUDS and the plans show that there will be around 170m of swale on the site to infiltrate and convey the surface water. A retention basin is also used and, combined with the swales, it has been shown that there is sufficient storage on the site to contain the maximum storm event without flooding outside these features.

Whilst the EA and Anglian Water raise no objection in principle, the implementation of the foul and surface water drainage needs to be agreed via condition.

## **Crime and Disorder**

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The NPPF also requires that decisions should aim to achieve places which promote safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Initial comments received from the Police Architectural Officer raised objection to the lack of natural surveillance over the parking courtyards to the eastern part of the site and the pedestrian link to the north eastern corner through to the parking court where there are low levels of surveillance.

The agent has made changes to the scheme with Secure by Design in mind, however, the constraints of the site are such that the parking courts remain. A window has been inserted into the side elevation of unit 6 to increase the overlooking to the parking area. This window serves a bedroom.

Generally the Police Architectural Officer has referred to the insertion of token gable end windows which serve landings and feels this is not sufficient to provide the required guardianship over areas that have public access. However, most of the upper gable end windows which have been added serve bedrooms and are therefore classed as active windows.

The pedestrian entrance in the north eastern corner onto Common Road is now shown to be gated to discourage free access into the site, which meets the concerns from the Police Architectural Officer with this regard.

Otherwise the development has been designed to provide overlooking to open space and footpaths and orienting buildings to create natural surveillance.

Whilst parking courts are not generally ideal unless there is a high level of natural surveillance the constraints of the site, including the position of the underground gas main, limit the options for this part of the site. There is a degree of overlooking of this part of the site and it is not considered the resulting layout will result in a development which would create significant issues of crime and disorder, foster the fear of crime or undermine quality of life or community cohesion. Accordingly the scheme is found to be acceptable in terms of crime and disorder.

### **Archaeology**

Since the original submission of the application an Archaeological Evaluation has been undertaken on the site, involving trenching. The consultants revealed that nothing of great interest was found and the results reported to the Historic Environment Service.

The Historic Environment Service has confirmed that following the Archaeological Evaluation no further archaeological works will be required at the site. Accordingly no further works are required and no planning conditions are necessary. The proposal accords with the provisions of paragraph 128 of the NPPF.

### **Ecology**

The site is an open, grassed paddock.

A Habitat Survey has been submitted in support of the application. No protected species were encountered but further survey work is recommended for reptiles and bats. Consequently, a bat activity report and reptile survey has been produced.

The bat report reinforced the conclusions of the Habitat Survey and identified 17 bats of 4 different species over two surveys. The Bats were observed or their calls recorded and the results indicate the site being used for foraging and commuting. Conditions relating to lighting and the preservation of hedgerows are recommended.

No reptiles were found during the survey effort and they are therefore considered to be absent from the site.

Conditionally it is considered that the development complies with the NPPF and Policy CS12 of the Core Strategy.

### **Contamination**

The applicant has submitted a geotechnical desk study report. The Environmental Health Officer is happy with the information provided and has no comments to make regarding contaminated land or air quality issues.

### **Lighting scheme**

The application has been supported by details of the proposed external lighting scheme.

This will generally be guided by the requirements of the Highway Authority, but reference has been made to avoiding overspill and low lux lighting. The final details, however, need to be agreed via planning condition.

### **Other material considerations**

Norfolk County Council has responded with regard to county contributions. Infrastructure provision and commuted sums are to be covered by the S106 agreement towards library books and open space/play equipment and implementation/delivery. Fire hydrants can be secured by condition. NCC confirms that no education contributions are required for this site.

The Arboricultural Officer has raised no objection to the proposal subject to a full landscaping scheme to include species, locations and planting densities, enhancement of the existing hedge along the southern boundary of the site and incorporation of some native species trees throughout the development. This can be covered by planning condition.

Third party concerns raised several issues. Most of these related to localised flooding issues, matters of drainage and capacity of sewers. These issues have already been addressed within this report. Other issues relating to design, impact on the local highway and too much development in this part of the village are also covered earlier in this report. One objection refers to the lack of cycle bypasses, cycle storage or anchor points for cycles. However, in this case the properties all have private amenity space where cycles can be stored. In this case it is not considered that additional provision needs to be made specifically for cycle storage.

### **CONCLUSION**

The site itself is outside the current development limit of the village and is shown as countryside on the 1998 Local Plan Adopted Proposals Map. In policy terms such an application for residential development in the countryside would normally be refused planning permission. However, in this case the site is the Council's preferred option for housing as identified in the Draft Sustainability Appraisal Report Detailed Policies and Sites Plan 'Preferred Options'.

The site is currently used as a paddock but is bordered by development on three sides and is therefore viewed in large measure against a semi-urban backdrop. The natural topography of the site, being relatively level, helps to lessen the impact of development on the surrounding area therefore limits the impact on the visual amenity of the adjoining Area of Outstanding Natural Beauty (AONB).

The scheme, as amended, still has some weak points within the design and layout which are largely related to the physical constraint of the gas pipe easement which determines elements of the position and layout of development. However, on balance it is considered that the resulting proposed development will not harm the character and quality of the area and the way it functions. It is considered to be sufficiently in keeping in terms of form and character to accord with the provisions of the NPPF and Policies CS08 of the Core Strategy and Policy 4/21 of the Local Plan.

Conditionally the proposed development is acceptable in terms of highways, affordable housing, residential amenity, ecology and crime and disorder.

The method of dealing with the surface water drainage and issues relating to flood risk appear to have been resolved but the final design of the foul and surface water drainage will need to be agreed by planning condition.

The provision of affordable housing and public open space will all be controlled by S106 legal agreement, as will the need to contribute towards libraries.

Although premature to the adoption of the emerging LDF/local plan site allocation for the period up to 2026, given the general consistency with draft policy SNE1 and the NPPF where there is a presumption in favour of new housing, it is considered appropriate to determine the application in line with the provisions of paragraph 216 of the NPPF.

On this basis, it is recommended for approval subject to conditions as well as the satisfactory conclusion of the S106 agreement.

## **RECOMMENDATION:**

**(A) APPROVE** subject to conditions and completion of Section 106 Agreement.

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Drawing No. SNE1-000, Site Location Plan
  - Drawing No. SNE1-001, Rev C, Planning Layout
  - Drawing No. SNE1-002, Rev C, External Works Layout
  - Drawing No. SNE1-003, Rev -, Proposed Overview
  - Drawing No. SNE1-004, Rev A, Materials Plan
  - Drawing No. SNE1-005, Rev C, Proposed Floor Plans & Elevations (Plots 1-3)
  - Drawing No. SNE1-006, Rev B, Proposed Floor Plans & Elevations (Plots 21-24)
  - Drawing No. SNE1-007, Rev C, Proposed Floor Plans & Elevations (Plots 17-20)
  - Drawing No. SNE1-008, Rev D, Proposed Floor Plans & Elevations (Plots 6-10)
  - Drawing No. SNE1-009, Rev B, Proposed Floor Plans & Elevations (Plots 4-5 & 11)
  - Drawing No. SNE1-010, Rev B, Proposed Floor Plans & Elevations (Plots 12-14)
  - Drawing No. SNE1-011, Rev B, Proposed Floor Plans & Elevations (Plots 15-16)
  - Drawing No. SNE1-012, Rev A, Garages, Proposed Floor Plans & Elevations (Plots 4, 5, 12, 13,14,15,17 & 20)
  - Drawing No. SNE1-013, Rev -, Site Cross Section
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to commencement of development a detailed construction management plan, must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase and on-site parking for construction workers for the duration of the construction period. The scheme shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.
- 3 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

- 4 Condition Prior to the first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 4 Reason In the interests of minimising light pollution to safeguard the amenities of the locality and to minimise the impact of the development upon protected species in accordance with the NPPF.
- 5 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 5 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 6 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 6 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 7 Condition No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 7 Reason To ensure that the development is compatible with the amenities of the locality and to minimise the impact of the development upon protected species in accordance with the NPPF.
- 8 Condition The development shall not be brought into use until a scheme for the provision of a fire hydrant has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.

- 8 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 9 Condition No works shall commence on the site until such time as detailed plans of the roads, footways, cycleways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. All construction works shall be carried out in accordance with the approved plans.
- 9 Reason To ensure satisfactory development of the site and a satisfactory standard of highway design and construction
- 10 Condition No works shall be carried out on roads, footways, cycleways, foul and surface water sewers otherwise than in accordance with the specifications of the Local Planning Authority in consultation with the Highway Authority.
- 10 Reason To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway
- 11 Condition Before any dwelling is first occupied the road(s), footway(s) and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.
- 11 Reason To ensure satisfactory development of the site.
- 12 Condition Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4m x 59m shall be provided to each side of the access where it meets Common Road and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 12 Reason In the interests of highway safety
- 13 Condition The applicant has submitted details of the foul and surface water drainage arrangements for the site within the Flood Risk Assessment, Revision B, dated April 2014. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 13 Reason To ensure adequate off-street parking during construction in the interests of highway safety
- 14 Condition Notwithstanding the details indicated on the submitted drawings no works shall commence on site until full details of off-site highway improvement works to comprise of widening of the site frontage carriageway to 5.5m and a 1.8m wide site frontage footway has been submitted to and approved in writing by the Local Planning Authority.
- 14 Reason To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 15 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 14 shall be completed to the



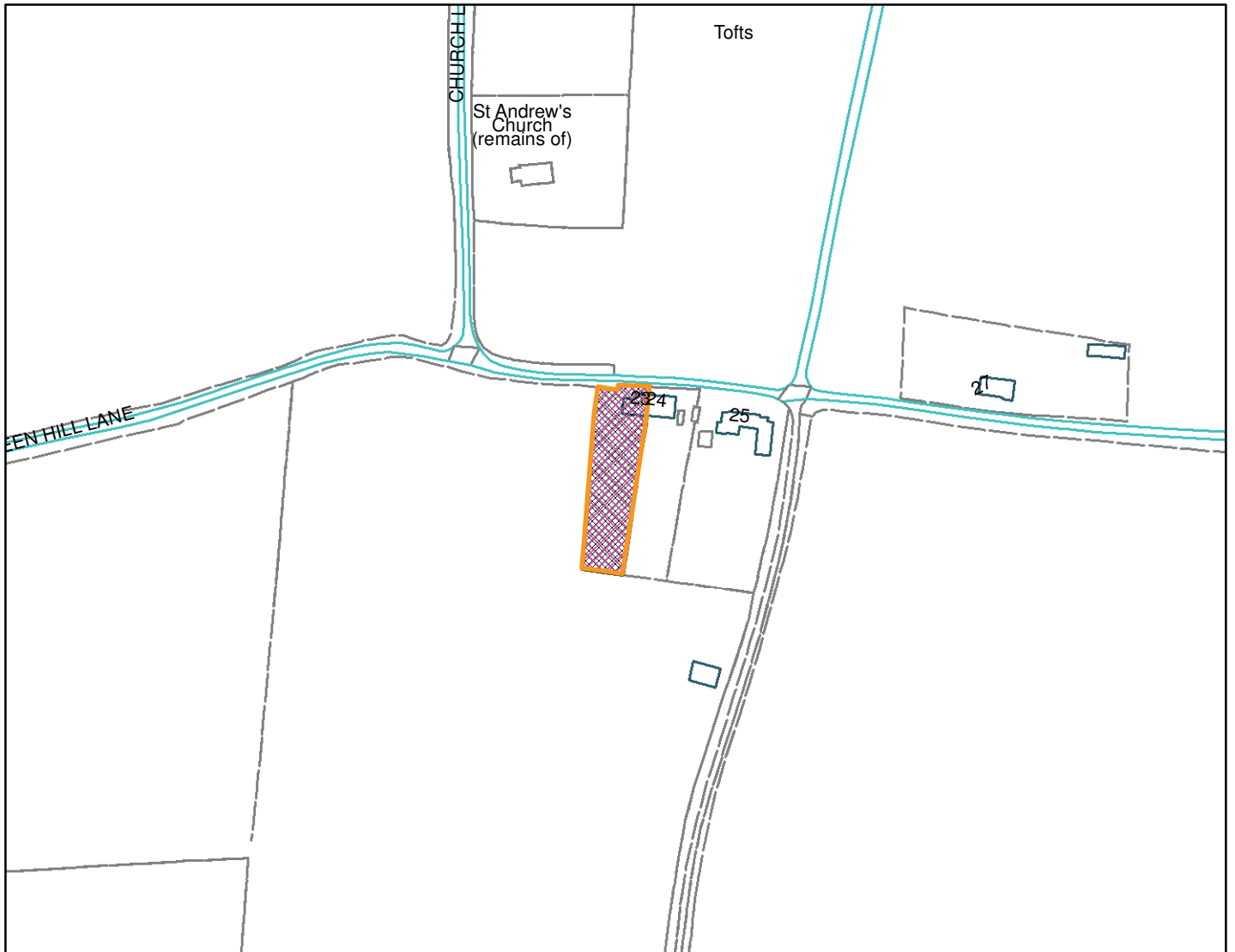
written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

- 15 Reason To ensure that the highway network is adequate to cater for the development proposed
- 16 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 16 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 17 Condition No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 17 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 18 Condition A landscape management plan including long-term design objectives, management responsibilities, management and maintenance schedules for all landscape areas and swales, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of any part of the buildings or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
- 18 Reason To ensure that the landscaping is properly maintained in accordance with the NPPF.

**(B)** In the event that the Section 106 agreement is not completed within 3 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, public open space and county contributions.



23 Church Lane Bircham Tofts



Scale: 1:2,500

Legend

Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>Bircham</b>	
<b>Proposal:</b>	<b>First floor shower room over existing single storey entrance hall (retrospective)</b>	
<b>Location:</b>	<b>23 Church Lane Bircham Tofts Norfolk PE31 6EF</b>	
<b>Applicant:</b>	<b>Mrs Gillian Brown</b>	
<b>Case No:</b>	<b>14/00390/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Miss J Kendal Tel: 01553 616772</b>	<b>Date for Determination: 8th May 2014</b>

**Reason for Referral to Planning Committee** – Referred at the discretion of the Planning Control Manager

### Case Summary

The application site comprises a two storey semi-detached cottage situated on the southern side of Church Lane, Bircham Tofts.

Retrospective consent is sought for the retention of a first floor extension to the front elevation of the dwelling.

The site lies within the countryside.

### Key Issues

Principle of development;  
Impact upon form and character; and  
Other material considerations

### Recommendation:

#### A) REFUSE

**B)** That authority is granted to take formal Enforcement Action to secure the removal of the unauthorised extension.

## THE APPLICATION

The application site comprises a two storey semi-detached cottage situated on the southern side of Church Lane, Bircham Tofts. The site lies within designated countryside as depicted on the Local Plan Proposals Map.

There are residential properties directly to the east and open fields directly to the west.

Planning permission is sought for the retention of a first floor extension to the front elevation of the dwelling which provides a shower room. The extension projects forward of the existing front elevation by approximately 1.5m and its roof plane extends by approximately 3.1m from the original roof slope.

The eaves of the extension are approximately 800mm higher than the existing and neighbouring dwelling's eaves level. The new roof slope has a much shallower pitch than then existing and neighbouring roof slope; with an angle of 10 degrees compared with the existing pitch of 38 degrees.

## **SUPPORTING CASE**

A Planning statement accompanies the application and provides the following supporting case:

As with many of these traditional two storey cottages, the bathroom is located on the ground floor, within a single storey non historic extension to the North Elevation.

That has required a longish route from the bedrooms, through the Dining room, Living room and lobby for access to the bathroom.

After 6 years of residency the client has decided to construct a small shower room and WC en-suite to the master bedroom.

The proposed extension is no more than 50 sq feet, and involves raising an existing single storey extension to the North Elevation by approximately 2.5 metres in height and remodelling the roofscape.

Access is possible by forming a small bridge over an existing double height void for the stair to the master bedroom, and the footprint of the building remains unchanged.

The client is also planning a few very minor changes internally, to better connect the kitchen to the Living room, and replacing the unattractive front door with a traditional 'Ledged, framed and braced' door.

The new windows to the proposed shower room will match the existing timber casement windows.

The proposal seeks to minimise the impact on the existing cottage. The footprint of the building remains the same, as does the historic front elevation to the South, and the ease of extending services from Ground floor to First floor will minimise alterations to the existing internal fabric.

All neighbours have been consulted, and we have received support from all our neighbours. Although the North Elevation faces Church Lane, it is historically the service side of the building, with kitchen, bathroom and guest WC. Therefore it makes sense to work with that non historic North facing elevation, and retain the purity of the South facing elevation. The existing underground drainage, informs our desire not to physically extend the footprint of the building, and the variety of roof pitches to that North elevation will not be impacted upon with the additional pitch proposed.

The proposal will be visible from Church Lane, but that is primarily due to the Southern aspect being more important to this weekend cottage, than the view of the property from the road. The cottage is not attractive from the North elevation, and the client has over the years sought to improve its appearance, and we believe this minor extension, will again improve the street scene.

The proposal is very sustainable. We have sought to minimise the work involved, and to find the most 'natural way' to achieve our ends, resulting in a relatively inexpensive build, with easy extension of existing services, and minimal ground work with concrete. All new lighting will be Orluna LED energy efficient fittings, and the new external walls are 300mm thick, cavity construction with a very low U-Value. 125mm Kingspan rigid foil backed insulation will be used within the vented roof structure.

The extension remains subservient to the existing primary build, and the sloping pitch relates well to the varying pitches facing north to both No's 23 & 24 Church Lane.

We are aware of the advice by CABE on the issue of inclusive access, seek to demonstrate our DDA compliance, and that of a 'lifetime home' by following the current building regulations fully.

Sadly there is limited disabled access, although that is less important since we have a ground floor bathroom.

We plan a small 'group' of 'Himalayan Birch' to the front garden to partially conceal views through to the rear garden, and soften the impact of the proposed extension. Himalayan Birch are suitable as they appreciate cold, windy North facing aspect.

We plan to use traditional materials and construction methods to safeguard this heritage asset, and conform with the good conservation methodology.

A small 'double cottage' which I believe once formed part of the extensive Houghton Estate, and now falls within the North Western corner of the Sandringham Estate. The property is owned freehold, and is regularly used and enjoyed throughout the year.

The cottage is unusual in so much as the front faces away from the street, and historically the cottage has been extended to that North Elevation, resulting in a rather unattractive, street frontage, whilst retaining its period historic charm to the South (garden side). This I suspect is due mainly to the cottages orientation (North South aspect) and the unattractive views towards the Construction College in Bircham Newton to the North.

Therefore what may well be considered permitted development if the extension had been to the 'rear' of the cottage, is visible from the road. However. the North elevation has a variety of pitched roofs, all with traditional pan tiles, and I believe this simple solution, will result in a 'workmanlike' and handsome result, that will not affect the streetscape adversely, but will, importantly provide for a shower room and WC that is much need on the first floor of this 3 bedroom cottage".

## **PLANNING HISTORY**

2/02/0200/F: Application Permitted: 13/03/02 - Construction of replacement garage

2/99/0617/F: Application Permitted: 21/06/99 - Extension and alterations to dwelling

## **RESPONSE TO CONSULTATION**

**Parish Council: SUPPORT**

## **REPRESENTATIONS**

None received

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

## PLANNING CONSIDERATIONS

The key considerations in the determination of this application are:-

- Principle of development;
- Impact upon form and character; and
- Other material considerations

### Principle of development

This application has been submitted retrospectively as the development has been carried out prior to obtaining planning permission. However, Section 73A of the Town and Country Planning Act 1990 allows an application to be made to the Local Planning Authority for retention of development carried out before the date of the application.

This application relates to an extension to an existing residential property providing a shower room at first floor level. In principle extensions will be permitted subject to relevant policy and other material considerations.

Nationally, the NPPF attaches great importance to the design of the built environment. Section 7: Requiring Good Design, states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should aim to ensure that developments:

- Will function well and add to the overall quality of the area;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Respond to the local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Are visually attractive as a result of good architecture and appropriate landscaping.

Planning Authorities should concentrate on guiding the overall scale, density, massing, height, landscape, layout, material and access of new development in relation to neighbouring buildings and the local area more generally. It is proper to seek to promote or reinforce local distinctiveness.

In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Locally, Core Strategy Policy CS06: Development in Rural Areas, states that the strategy for rural areas is to maintain local character and a high quality environment.

Core Strategy Policy CS08: Sustainable Development, reinforces the Governments approach to good design by stating that all new development in the Borough should be of a high quality design. New development will be required to demonstrate its ability to respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment.

Local building forms and details contribute to the distinctive qualities of a place. These can be successfully interpreted in new development without necessarily restricting the scope of the designer. Standard solutions rarely create a distinctive identity or make best use of a particular site. The use of local materials, building methods and details can be an important factor in enhancing local distinctiveness when used in evolutionary local design, and can also be used in more contemporary design. However, innovative design should not be discouraged.

### **Impact upon form and character**

The area is characterised by open fields with four residential properties on the southern side of Church Lane. Nos. 23 (the application site) and 24 are a pair of traditional small scale cottages with modest single storey pitched roof extensions to the front (road facing) elevations.

The four cottages along Church Lane are open fronted with clear views of their roadside elevations from further down Church Lane in both directions.

Officers consider that the first floor extension changes the proportions of the modest cottages, dramatically altering the appearance of the roadside elevation. The eaves height and roof pitch of the extension are at odds with the existing dwelling, detracting from the traditional appearance of the buildings.

Whilst the extension is relatively small scale, it is considered that it is not of a high quality design and does not function well with the existing dwelling, in terms of its scale, mass and design nor does it respond to the local character and history. The development is therefore detrimental to the attractive appearance of this modest street scene, contrary to the design provisions of the abovementioned policies.

The materials used in the construction of the extension do not match well with the existing dwelling. Although the existing bricks have weathered over time, the new bricks are too light in colour which contributes to its unsympathetic appearance and prominence.

### **Other material considerations**

The extension causes no material harm to the amenities of adjoining neighbours, in terms of loss of light and privacy, due to its position on the building in relation to the neighbouring windows and the direction of the sun.

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

### **CONCLUSION**

There is no objection to an extension to the dwelling in principle, however the design, scale and massing are paramount. In this case, it is the officer's opinion that the extension subject of this application is not designed well and does not respect the proportions of the existing cottage. If allowed to be retained, the extension would be detrimental to visual amenities of the area. The proposal is therefore contrary to the design provisions of the NPPF and Core Strategy Policies CS06 and CS08, and had an application for the proposal been submitted before it was built, officers would have recommended that it be refused.

On the basis of the above, it is recommended that this application is refused and authority is granted by members of the Planning Committee for the matter to be referred to the Planning Enforcement Team to take the appropriate formal enforcement action and require the removal of the unauthorised extension.

### **RECOMMENDATION:**

**A) REFUSE** for the following reason(s):

1. The extension subject of this application is of a poor standard of design, does not respect the proportions of the existing cottage, and sited on the front of the cottage facing the road is detrimental to visual amenities of the area. The proposal is therefore contrary to the design provisions of the NPPF and Core Strategy Policies CS06 and CS08.
2. That authority is granted to take formal enforcement action to secure the removal of the unauthorised extension.

**B)** That authority is granted to take formal Enforcement Action to secure the removal of the unauthorised extension.



14/00539/F

Land adjacent The Firs Wretton Road Boughton



**Scale:** 1:1,250

Borough Council of  
**King's Lynn &  
 West Norfolk**



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	08/05/2014
MSA Number	0100024314

<b>Parish:</b>	<b>Boughton</b>	
<b>Proposal:</b>	<b>Proposed outbuilding</b>	
<b>Location:</b>	<b>Land Adjacent the Firs Wretton Road Boughton Norfolk</b>	
<b>Applicant:</b>	<b>Mr And Mrs Leverett</b>	
<b>Case No:</b>	<b>14/00539/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler Tel: 01553 616402</b>	<b>Date for Determination: 5th June 2014</b>

**Reason for Referral to Planning Committee** – Parish Council recommendation contrary to officer recommendation

### Case Summary

The site lies to the west of Wretton Road, Boughton and constitutes a plot with an extant permission for a two storey dwelling (13/00254). The western most element of the site was deemed to be garden land and a Certificate of Lawful Use was issued in July 2013 (13/00998/LDE).

Permission is sought for the erection of a steel-framed building at the rear of the site for use in association with the dwelling approved under the 2013 permission.

### Key Issues

Form and Character and Impact on the Conservation Area and Countryside;  
Residential Amenity;  
Highway Safety; and  
Other Material Considerations.

### Recommendation

**APPROVE**

## THE APPLICATION

The majority of the site is located in Built Environment Type D and Boughton Conservation Area, whilst the rear element and the part of the site where the proposed building would be erected lies in land designated as countryside and outside of the Conservation Area. Notwithstanding the Local Plan designation of this part of the site, a Certificate of Lawful Use, granted in July 2013, concluded that the area had been used as garden land for in excess of 10 years.

Permission is sought for the erection of a steel-framed building at the rear of the site for use in association with the dwelling approved under the 2013 permission.

The building is shown to have of a floor area of c.75 sq.m; an eaves height of 3.6m and a ridge height of 4.35m. The structure has an agricultural appearance and would be clad in Juniper Green composite LPC PIR.

## **SUPPORTING CASE**

The DAS that accompanied the application states:

- Initially the structure would be used for storage of materials for use in the erection of the dwelling approved on the site;
- After erection of the dwelling the building would be used to house a camper van which, white in colour, if parked externally in a Conservation Area would have a greater visual impact but with the benefit of an approval would then be housed in a dark green, unobtrusive building screened on three sides by existing mature hedging;
- The building will also be used for garden machinery and a car;
- The building itself is intended to appear as agricultural in nature and as such respects and interacts with the surrounding environment;
- Outbuildings of this type exist within this area of Boughton; and
- Following completion of the approved dwelling, the dwelling would benefit from Permitted Development Rights that would allow them to construct a building of this footprint (although not height) without Planning Consent as it is outside of the Conservation Area but within the residential curtilage.

## **PLANNING HISTORY**

13/00998/LDE – Application for a lawful development certificate: Continued use of residential garden land – Permitted July 2013

13/00725/F - Variation of Condition 2 attached to Planning Permission 13/00254/F - Permitted July 2013

13/00254/F – Proposed low carbon dwelling – Permitted April 2013

11/00030/F - Erection of dwelling and garage - Permitted April 2011

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECT:**

1. The building is overbearing in relation to both the property and the plot. It is approximately two thirds the plan size of the house and larger than some adjacent homes;
2. The building is industrial in nature and not suited to the claimed intent of domestic storage;
3. The building's industrial nature is not in keeping with the surrounding domestic dwellings within a Conservation Area; and
4. Were it to be passed the current screening would almost certainly have to be removed to facilitate its construction thus exposing an industrial building to a number of neighbours and the general streetscene.

**Highways Authority:** It is evident that the applicant is essentially indicating the use of the outbuilding to be in association with the dwelling approved under planning reference 13/00254/F. As such uses are unlikely to generate traffic in their own right I would not be against the principle of the application provided that it is conditioned as being ancillary to the dwelling permitted under 13/00254/F.

**Internal Drainage Board:** No Comment to make

**Community Safety and Neighbourhood Nuisance: NO OBJECTION** subject to ancillary use condition and soakaway informative being appended to any permission granted

## REPRESENTATIONS

**ONE** letter of **OBJECTION** has been received. The reasons for objection are:

- Overshadowing;
- Overbearing; and
- Out of character.

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

## LDF CORE STRATEGY POLICIES

**CS08** - Sustainable Development

**CS12** - Environmental Assets

## PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are:

- Form and Character and Impact on the Conservation Area and Countryside;
- Residential Amenity;
- Highway Safety; and
- Other Material Considerations.

### **Form and Character and Impact on the Conservation Area and Countryside**

The site lies in garden land, designated as countryside and adjacent to a Conservation Area and the development boundary of Boughton. As such the land is read in many contexts. In this regard, the relatively low eaves and ridge of the proposed building, together with the proposed colour (Juniper green) suggests that it would relate adequately to its countryside setting. The height of the building, coupled with the existing hedge (which would be conditioned to be retained if permission was granted) suggests that it would have a limited impact on the setting of the directly adjacent Conservation Area.

As such it is considered that the proposed building relates adequately to its position in the countryside and adjacent to a conservation area and residential dwellings.

### **Residential Amenity**

The proposed building is shown to be 23.5m from the closest residential dwelling (which is The Firs, the donor property, to the east of the proposed building) and 34m from the property to the southeast (No.1 Wretton Road). These distances, coupled with the relatively low eaves and ridge height of the building, means that there would be no overshadowing or overbearing impacts of a degree to warrant refusal. Indeed if a structure permitted under permitted development right were to be constructed in the rear curtilage of the approved dwelling, even given its lower eaves and ridge height, it is likely to have a greater impact on occupiers of neighbouring dwellings.

### **Highway Safety**

Due to the ancillary nature of the proposed development the Local Highway Authority has no objection to the proposed development on highway safety grounds (subject to a suitable condition being appended to any permission granted).

### **Other Material Considerations**

The agent suggests that the lawful use of the site as garden land means that a similar structure could be erected after completion of the dwellinghouse. However, this assumption is not correct. Permitted development rights would exist in the curtilage of the dwellinghouse. Whilst having a lawful residential use as garden land, the western most element of the site (the area where the development is proposed), would not constitute curtilage and therefore would not benefit from permitted development rights. However, regardless of the fact that the permitted dwelling and its curtilage lie within a Conservation Area, a similar structure (with lower eaves and ridge) could be accommodated in the rear curtilage (i.e. the land closer to the permitted dwelling).

#### *Response to Parish Council's reasons for objection*

1. The building is overbearing in relation to both the property and the plot. It is approximately two thirds the plan size of the house and larger than some adjacent homes - The LPA consider that the proposed structure is subservient in scale to the permitted dwelling which it would serve and other neighbouring properties.
2. The building is industrial in nature and not suited to the claimed intent of domestic storage - The building is designed to be agricultural in nature, however the LPA considers that its appearance does not preclude its suitability for the proposed use.
3. The building's industrial nature is not in keeping with the surrounding domestic dwellings within a Conservation Area - As covered in the main body of the report, the LPA considers that the appearance of the proposed building relates adequately to both its countryside and residential setting adjacent to a conservation area.
4. Were it to be passed the current screening would almost certainly have to be removed to facilitate its construction thus exposing an industrial building to a number of neighbours and the general streetscene - The existing hedges and trees, that are shown to be retained on the plans, shall be conditioned to be retained if permission is granted.

## CONCLUSION

It is considered that the proposed garden building, to be used in conjunction with the previously approved dwelling, is appropriate for the site and its surroundings and would not have any detrimental impact on the established character or appearance of Boughton Conservation Area or the intrinsic beauty of this part of the countryside. The proposed development would not result in any material harm to residential amenity or highway safety.

It is therefore recommended that the application be approved subject to the following conditions.

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos: SE-135-04; SE-135-05 Rev.E; Q2631-G [2]-B-A3; and Q2613-001 Rev.E.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The use of the building hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling and shall at no time be used for business or commercial purposes.
- 3 Reason In order that the Local Planning Authority may retain control over the development in the interests of the residential amenities of the locality in accordance with the NPPF.
- 4 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 4 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.

- 5 Condition Notwithstanding the information that accompanied the application, no development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
  
- 5 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.



Cypress Cottage Main Road Brancaster Staithe



Scale: 1:1,250

**Legend**

Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	
Date	21/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>Brancaster</b>	
<b>Proposal:</b>	<b>Demolition of existing bungalow and building new house</b>	
<b>Location:</b>	<b>Cypress Cottage Main Road Brancaster Staithe King's Lynn</b>	
<b>Applicant:</b>	<b>Mr And Mrs Ted Atkinson</b>	
<b>Case No:</b>	<b>14/00365/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry Tel: 01553 616232</b>	<b>Date for Determination: 12th May 2014</b>

**Reason for Referral to Planning Committee** – The Officer recommendation is contrary to the views of the Parish Council.

### Case Summary

The application site lies within an area designated as Built Environment Type D according to Local Plan Proposals Maps for Brancaster Staithe.

The site contains a bungalow set back and well screened from Main Road which flanks the western boundary.

The proposal is to demolish this bungalow and erect a 2 ½ storey property.

### Key Issues

Principle of Development  
Impact upon Visual Amenity  
Impact upon Neighbour Amenity  
Highway Safety  
Arboricultural Implications  
Other Material Considerations

### Recommendation

**APPROVE**

## THE APPLICATION

The application seeks consent to demolish an existing bungalow on the southern side of Main Road, Brancaster Staithe to be replaced by another property. The site is contained within an area defined as Built Environment Type D and wholly contained within an Area of Outstanding Natural Beauty.

The site has trees, shrubs and vegetation that flanks the northern boundary of the site. Access to the property is gated. The brick and rendered bungalow is sited adjacent to the western boundary of the site.

The garden area is stepped up at the rear.

The replacement property is a 2 ½ storey property with single and 1 ½ storey front and rear projecting elements. The property will have its main ridge on an east-west axis and has dormer features in the roof slope.

The property will have six bedrooms.

## **SUPPORTING CASE**

A design and access statement is not required for this proposal.

## **PLANNING HISTORY**

There is no recent relevant site history but the adjacent site (west) has an extant planning permission which has been partially implemented:-

09/01846/F Replacement of existing bungalow and development of 2 additional dwellings permitted 09.12.2009

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECTION** the property is too large for the plot and not in keeping with rest of village. Strong objection to 3 storey houses. Not within the neighbourhood plan.

**Highways Authority: NO OBJECTION** subject to condition

**Environmental Health & Housing – Environmental Quality: NO OBJECTION**

**Environmental Health & Housing – CSNN: AWAITING COMMENTS:**

**Arboricultural Officer – NO OBJECTION:**

**Norfolk Coast Partnership – OBJECTION** it is uncertain whether the replacement dwelling would be more visible from the coastal marshes i.e. to the north, because of screening by trees, but it is likely to be more visible from Barrow Common to the south, a well-known location for iconic coastal views, although it would be in the context of the existing settlement. It is suggest that if a replacement dwelling is to be permitted; it should be of a more modest and appropriate form.

**Police Architectural Liaison Officer:** comments have been sent onto the applicant's agent.

## **REPRESENTATIONS**

**One** letter received objecting to the original scheme

- Objecting on overbearing and overshadowing issues

**Two** letters received objecting to the revised scheme

- Overshadowing, overbearing and overlooking issues.

## **NATIONAL GUIDANCE**

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **PLANNING POLICIES**

The King’s Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** – Transport

**CS12** - Environmental Assets

## **OTHER GUIDANCE**

Brancaster Parish Plan 2000

## **PLANNING CONSIDERATIONS**

The main planning considerations in regards to the application are:-

- Principle of Development
- Impact upon Visual Amenity
- Impact upon Neighbour Amenity
- Highway Safety
- Arboricultural Implications
- Other Material Considerations

### **Principle of Development**

The proposal seeks consent for the erection of a 2 ½ storey detached property following the demolition of a detached bungalow.

The site is contained within an Area of Outstanding Natural Beauty, but is also contained within Built Environment Type D.

Development within Brancaster Staithe is generally accepted as it is classified as a Key Rural Service Centre. This is however subject to satisfying other material considerations

### **Impact upon Visual Amenity**

Brancaster Staithe Parish Council object to the proposal as they feel the house is too large for the plot and not in keeping with the rest of the village.

The Norfolk Coast Partnership team also objects to the proposal, as they are uncertain as to whether the replacement dwelling would be more visible from the coastal marshes (north) but do consider the proposal to be more visible from Barrow Common to the south. The Norfolk Coast Partnership team refers to draft Policy POAW 13 of the Preferred Options for Detailed Policies and Sites Plan and Policy CS07 of the Local Development Framework Core Strategy as to why they consider that the house should be of more modest and appropriate proportions.

Draft Policy POAW 13 – is a draft policy that refers to enlargement of dwellings outside of designated development boundaries and is not applicable in this case as the site is inside the defined settlement boundary. The most pertinent part of Policy CS07 refers to new development needing to respect the distinct of the local character of coastal areas.

The form and character of the development on the southern side of Main Road consists mainly of detached Victorian Villas. A comprehensive cul-de-sac of development currently being constructed is contained to the rear of Brecklands (neighbour to the west). Heading further into the village there is a mixed form and character of development.

The site is well screened from the road by virtue of established trees and hedges. The existing bungalow flanks the western boundary of the site and is served by a shingle drive. Little of it is seen from public view.

The bungalow was more than likely an infill development between two pre 1914 properties, Brecklands and the Old Coach House (neighbour to the east).

The replacement property is a 2 ½ storey property with 1 ½ storey projection on the north elevation and a single storey projection to the rear.

The ridge height of the property is 9.1m above ground level and is stepped in from the western boundary by 2.3m. The property has flat top dormers and will be constructed from brick, chalk and timber cladding. A sample panel of the materials to be used in its construction are to be secured by condition.

The majority of the property will be set back from Main Road and contained behind various trees. Little of the property will be seen from public view heading into and out of Brancaster Staithe. Views from Barrow Common, approximately 1.25km to the south of the site, on much higher land, will only afford distant views of the rear elevation of the property which will be read in conjunction with the existing built form in Brancaster Staithe. It is therefore considered that the proposal causes minimal impact upon the form and character of development in the locality, and upon the AONB in general.

### **Impact upon Neighbour Amenity**

Third Party representations are concerned about overbearing, overlooking and overshadowing issues upon adjacent neighbours.

The neighbour to the west (Brecklands) flanks the 1 ½ storey forward projection to the proposed property. The projection steps down in height to single storey as it attaches to the front of the property. The original scheme offered no relief to the neighbour in terms of its overbearing presence being hard against the western boundary, however in order to alleviate this issue, the tall gable end of the property (9.1m) is stepped in from the western boundary by 2.3m leaving only a gable end at 6.4m above ground level against the boundary, which is considered to overcome the overbearing issue. The existing hedge along the western boundary will be removed and a 1.2m close boarded fence erected in its place, however it is considered that the windows to the proposed property on this elevation do not cause detrimental overlooking as they serve non habitable rooms and are at a height of 1.7m above floor level. The windows contained in the garage room on the western elevation, will overlook the rear amenity space of Brecklands. These windows shall be obscurely glazed and remain fixed shut by way of condition. Outlook from the first floor windows on the north elevation into Brecklands is screened by the pitched roof over the garage. The dormer windows at second floor look primarily towards the front of the site, only affording acute angles into Brecklands amenity space. Brecklands will be partially overshadowed in the early morning by the proposed property, however the rooms on the rear elevation of Brecklands benefit directly from southern sun as such it is considered on balance that the proposal does not cause detrimental overshadowing issues so as to warrant a refusal.

Both the “Old Coach House” and “Woodthorpe” are to the north east of the proposed dwelling, with “Woodthorpe’s” garden extending behind the curtilage of the “Old Coach House”. The “Old Coach House” is some 28.5m north east of the front elevation of the proposed dwelling. They are not considered to be detrimentally overshadowed or experience overbearing issues as a result of the proposed dwelling. The dormer window to the games room area looks towards the extended garden area of “Woodthorpe”. Whilst the hedge along the shared boundary is only 3m high, the window is some 12m to the shared boundary on the submitted plans. It is therefore considered that the amenity space of Woodthorpe is adequately protected by the separation distance.

The proposed windows at first floor on the rear elevation look down towards the long garden to the property with only acute angles afforded into towards Plot 3 of 09/1846/F which is yet to be constructed and Suli-suli which is to the south east of the site some 30m from the rear elevation of the proposed dwelling

It is therefore considered that the proposal causes minimal impact upon neighbour amenity.

### **Highway Safety**

The highways officer has no objection to the proposal subject to condition that the on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with an approved plan.

### **Arboricultural Implications**

The proposal does involve the removal of 4 trees; these are to the front of the site. These trees are a Holly, Laurel, Beech, and Cypress, all of varying heights. Their removal does not cause a detrimental impact upon the AONB given their siting on the site, which is around the



location of the shed which is to the north of the existing bungalow that is to be removed, but behind the established screening that fronts the roadside boundary.

A tree survey has been submitted with the application detailing that temporary ground protection measures will be provided around a holly tree which is between the "shed" and the trees that flank the roadside boundary. Erection of protective fencing that prevents damage to the trees on the site will be subject to a condition.

The arboricultural officer has no objection to the proposal subject to condition that the proposal is carried out in accordance with the tree survey.

### **Other Material Considerations**

The site lies within Flood Zone 1 the least restrictive flood zone.

The Environmental Health and Housing – Environmental Quality team initially required a pre-determination questionnaire and asbestos survey to be submitted. From the pre-determination questionnaire and submitted photographic evidence, the Environmental Quality team no longer wish to impose any conditions on the proposal.

The Environmental Health and Housing – CSNN has no objection to the proposal.

The proposal does involve the removal of some vegetation to the front of Cypress Cottage and the hedging that flanks the western boundary. However it is not considered necessary to request any ecological surveys. This does not absolve the applicant from the requirements of the Wildlife Countryside Act 1981.

### **CONCLUSION**

The proposed replacement dwelling, although large is of a scale, siting and appearance as not to cause any detrimental impact upon the character of the village or AONB and Neighbour Amenity issues are now considered to be acceptable. The stepping in of the property from the western boundary as an amendment is considered to overcome the initial proposal causing overbearing issues upon Brecklands.

The proposal is therefore in accordance with the provisions of the National Planning Policy Framework; National Planning Policy Guidance; Policy 4/21 of the King's Lynn and West Norfolk Local Plan; Policies CS06,07,08,09,11,12 of the Local Development Framework Core Strategy subject to conditions.

### **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

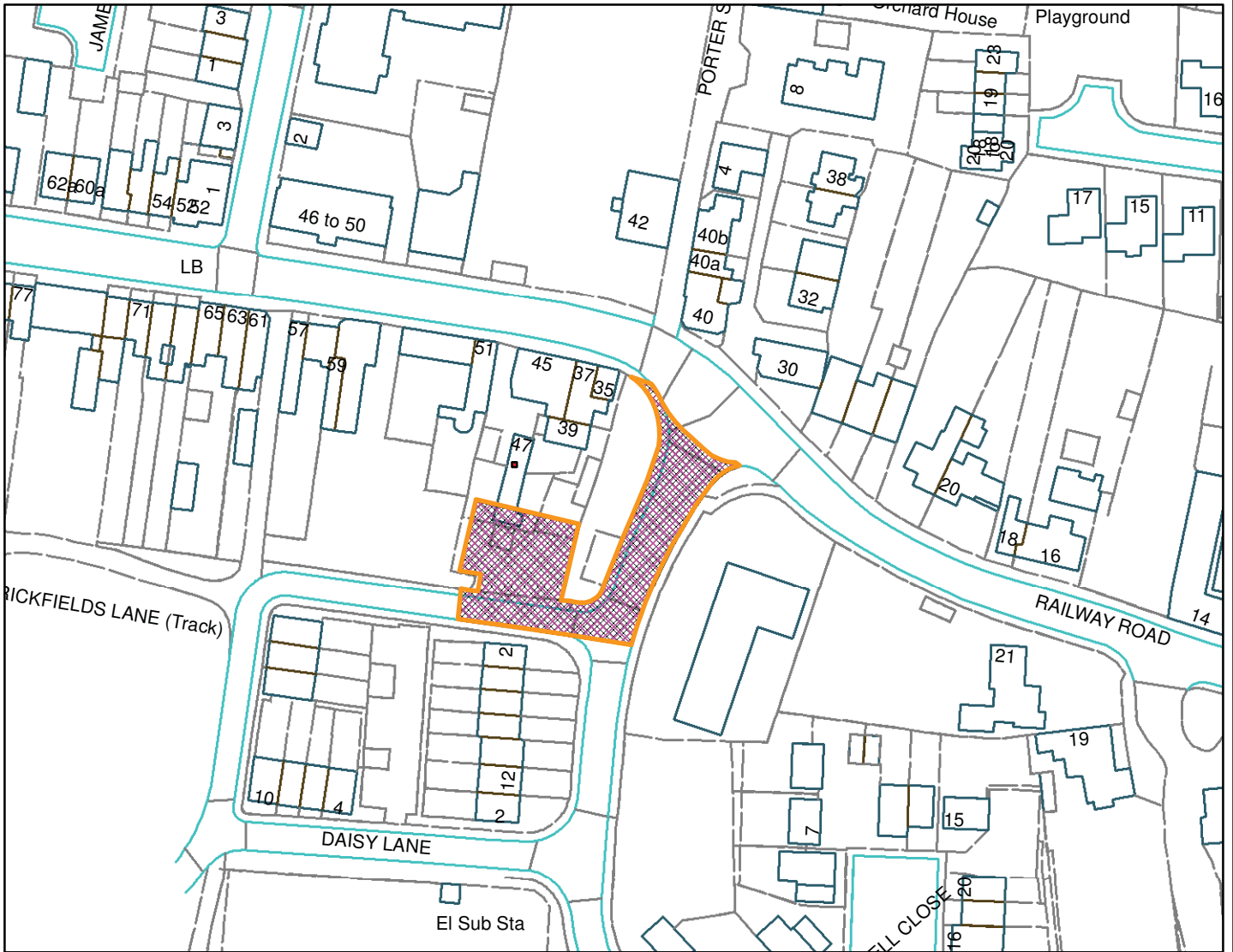
- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans; - "Block Plan" drawing no. GA12 rev -1 dated 14th May 2014 received 15th May 2014; "Ground Floor Plan" drawing no. GA20 rev 0 dated 14th



March 2014 received 10th April 2014; "First Floor Plan" drawing no. GA21 rev 1 received 10th April 2014; "Proposed Second Floor Plan" drawing no. GA22 rev 0 dated 14th March 2014 received 10th April 2014; "proposed North and East elevations" drawing no. GA31 rev 0 dated 14th March 2014 received 10th April 2014; "Proposed Roof Plan" drawing no. GA23 Rev 0 dated 14th March 2014 received 10th April 2014; "Proposed Elevation South and West" drawing no. GA32 rev 0 dated 14th March 2014 received 10th April 2014.

- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking turning area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition The development hereby approved shall be carried out in accordance with the tree survey dated 9th April 2014 received 10th April 2014, specifically in relation to the mitigation measures outlined.
- 4 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 5 Condition The velux rooflights contained in the west elevation roofslope of the games room hereby approved shall be obscurely glazed and fixed shut and retained as such in perpetuity.
- 5 Reason In order to protect the interests of neighbour's amenity in accordance with the provisions of the National Planning Policy Framework.
- 6 Condition No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 6 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

47 Railway Road Downham Market



Scale: 1:1,250

Legend	

Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Demolish part of rear single storey extension to No 47 Railway Road and construct three terraced houses on land to the rear of No 47 Railway Road</b>	
<b>Location:</b>	<b>47 Railway Road Downham Market Norfolk PE38 9DX</b>	
<b>Applicant:</b>	<b>Mrs Rita Cornelius</b>	
<b>Case No:</b>	<b>14/00458/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs H Morris Tel: 01553 616481</b>	<b>Date for Determination: 23rd May 2014</b>

**Reason for Referral to Planning Committee** – The Officer recommendation is at variance with the views of the Town Council and Norfolk County Highways

### **Case Summary**

The application site comprises land to the rear of No.47 Railway Road, Downham Market which fronts onto Clover Lane, a newly constructed road that is part of the Ben Bailey Homes estate situated to the south.

The site lies within Built Environment Type 'C', the Defined Area of Town and the Downham Market Conservation Area as defined by the King's Lynn & West Norfolk Local Plan (1998) Proposals Map.

The application seeks full planning permission to demolish part of a rear single storey extension to No.47 Railway Road and construct three terraced houses on land to the rear of No.47 Railway Road.

An application for the erection of 4 no. terraced dwellings on the site has recently been refused (14/00054/F) but there is extant planning permission for the erection of a pair of semi-detached dwellings on a slightly reduced site area (13/00039/F).

### **Key Issues**

The Principle of Development;  
History;  
Form and Character / Impact on Downham Market Conservation Area;  
Neighbour Amenity;  
Highways Impact; and  
Other considerations.

### **Recommendation:**

**APPROVE**

## THE APPLICATION

The application site comprises land to the rear of No.47 Railway Road, Downham Market which fronts onto Clover Lane, a newly constructed road that is part of the Ben Bailey Homes estate situated to the south.

The application seeks full planning permission to demolish part of a rear single storey extension to No.47 Railway Road and construct three terraced houses on land to the rear of No.47 Railway Road. An application for the erection of 4 no. terraced dwellings on the site has recently been refused (14/00054/F) but there is extant planning permission for the erection of a pair of semi-detached dwellings on a slightly reduced site area (13/00039/F).

The site lies within Built Environment Type 'C', the Defined Area of Town and the Downham Market Conservation Area as defined by the King's Lynn & West Norfolk Local Plan (1998) Proposals Map.

## SUPPORTING CASE

A Design and Access Statement (DAS) and Heritage Statement have been submitted in support of the application.

The submitted DAS considers that the development site is sufficiently large enough for three modestly sized terraced houses. With each house providing one double and one single bedroom, occupancy is likely to be for a couple and possibly one child or visiting guest, and therefore the provision of one car parking space and garden area is considered not only to be suitable in the circumstances but comparable if not more generous than surrounding properties.

The DAS continues by advising that the design, style and materials would coordinate with the loose knit arrangement of approved dwellings on the adjacent site 53 Railway Road (Planning Refs 12/00533/F and 11/00688/F) and the existing properties to the north and south.

The development site is currently bounded to the north by the house No. 47 and its gardens, to the west by the Ivy House development site, to the east by the new main access road from Railway Road and to the south by the new Clover Lane access road which serves the major housing development underway by Ben Bailey/ Gladedale Homes. Care has been taken to arrange the layouts of the dwellings to minimise any overlooking issues.

The proposed development is designed to maximise the effective use of land in accordance with the current government guidelines, whilst site access and movement within the site has been designed to have minimal impact on the environment.

Every effort has been made to complement the design features, scale and materials choice of the surrounding buildings.

Provision is made for one on-site car parking space for the occupants of each dwelling. The developer believes that this level of parking is appropriate given the scale of accommodation proposed and would not detract from the character of the conservation area.

The provision of additional car parking spaces would present space and overdevelopment problems on this site. Given that in a recent Appeal Decision (ref APP/V2635/A/08/2068868) concerning 66 Bridge Street, Downham Market, the inspector reported that “other recent housing schemes in or close to the town centre have little or no parking provision, and national policy set out in PPG Note 13 Transport (PPG13) and elsewhere clearly indicates that in such a sustainable location parking provision is not an essential requirement.”- the developer believes that the level of parking proposed is reasonable. As in that case where the Inspector acknowledged that kerbside parking was available, the same is true along Railway Road close to the application site.

The development site is situated within easy walking distance of the Town Centre of Downham Market which has a good selection of shops and other local amenities. The mainline rail station is 2 minutes’ walk away from the development site, providing connections to King’s Lynn, Ely, London and beyond. Furthermore local buses run up and down nearby Railway Road on a regular basis.

## **PLANNING HISTORY**

14/00054/F - Demolish part of rear single storey extension to No 47 Railway Road and construct four terraced houses on land to the rear of No 47 Railway Road – Refused on 28th March 2014.

13/00039/F – Demolish existing shed, remove trees and construct two semi-detached dwellings and ancillary works – Permitted on 21st May 2013.

13/00040/CA – CONSERVATION AREA CONSENT APPLICATION: Demolish existing shed, remove trees and construct two semi-detached dwellings and ancillary works. Consent not required.

## **RESPONSE TO CONSULTATION**

**Town Council: OBJECT** for the following reasons: Members recommended refusal citing it was an overdevelopment of the site but that the Town Council would like to see the same design re-submitted for just two properties

**Highways Authority:** You will be aware we have been consistent in our recommendation for this site, in that it should be provided with 2 car parking spaces per dwelling. Our recommendations in that respect remain. I believe that the applicant is willing to provide such a level of parking under his proposals, but on advice in respect of landscaping matters has been requested to reduce the level to that indicated. I do appreciate that the conservation considerations are at odds with our parking advice in this instance, but in the interest of highway safety, I continue to recommend that 2 spaces per dwelling should be provided for this scale of development and that a revised plan to that effect be requested.

**Stoke Ferry Internal Drainage Board: NO OBJECTION.**

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** subject to conditions relating to contamination.

**Norfolk Constabulary: NO OBJECTION** – ‘Designing out Crime’ leaflet sent to applicant / agent.

**Conservation Officer: NO OBJECTION.**

## **REPRESENTATIONS**

No letters of representation have been received in relation to this application at time of writing this report.

## **NATIONAL GUIDANCE**

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **PLANNING POLICIES**

The King’s Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS04** - Downham Market

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

## **OTHER GUIDANCE**

Downham Market by Design

## PLANNING CONSIDERATIONS

The key issues identified in the consideration of this application are as follows:

- The Principle of Development;
- History;
- Form and Character / Impact on Downham Market Conservation Area;
- Neighbour Amenity;
- Highways Impact; and
- Other considerations.

### The Principle of Development

The application site lies within Built Environment Type 'C' and the Defined Area of Town as identified by the King's Lynn and West Norfolk Local Plan (1998) Inset Map for Downham Market. Within this defined area the principle of new residential development is generally considered to be acceptable under saved Policy 4/21 of the Local Plan, provided that the proposal has regard for and is in harmony with the building characteristics of the area and it complies with all other relevant policies.

The principle of new residential development on the land has also previously been established as acceptable by the approval of application 13/00039/F for the construction of two semi-detached dwellings and associated works.

### History

There is an extant permission (13/00039/F) for two dwellings on the site. However, the most recent application (14/00054/F) for a terrace of four dwellings was refused for the following reasons:

1. The proposed development, due to the number of units and size of building proposed relative to the size of the site, would result in a cramped and poor standard of development which would be harmful to the established form and character of the area and therefore have a detrimental impact on the Downham Market Conservation Area. The proposal is therefore contrary to saved Policy 4/21 of the King's Lynn and West Norfolk Local Plan (1998), Policies CS04, CS08 and CS12 of the Borough Council of King's Lynn and West Norfolk's Core Strategy (2011) and the provisions of the National Planning Policy Statement (2012).

2. Railway Road is predominantly characterised by frontage development with subservient outbuildings to the rear. The provision of a row of two storey terrace dwellings to the rear of the established built form would therefore be harmful to the spatial characteristics of the area. The design and appearance of the units with their combined depth and shallow roof pitch would also appear overly dominant and incongruous in the streetscene to the detriment of the character and appearance of the Downham Market Conservation Area. The proposed development is therefore contrary to Saved Policy 4/21 of the King's Lynn and West Norfolk Local Plan (1998), Policies CS04, CS08 and CS12 of the Borough Council of King's Lynn and West Norfolk's Core Strategy (2011) as well as the provisions of the National Planning Policy Framework (2012).



3. The proposed development does not incorporate adequate on-site vehicular parking and manoeuvring facilities to the standard required by the Local Planning Authority. The proposal, if permitted, would therefore be likely to lead to an undesirable increase in on-street parking to the detriment to highway safety. The proposal is therefore contrary to policy CS11 of the King's Lynn and West Norfolk Borough Council Core Strategy (2011).

4. The proposed rear gardens of Units 1 and 2 would be directly overlooked by an existing first floor window in the southern rear elevation of No.47 Railway Road. As a result the proposal would result in a poor quality environment for future occupiers of these units contrary to Policy CS08 of the Borough Council of King's Lynn and West Norfolk's Core Strategy (2011) as well as the provisions of the National Planning Policy Framework (2012).

This application seeks to overcome these reasons for refusal.

### **Form & Character / Impact on Downham Market Conservation Area**

The development site to the west (outlined in blue on the submitted site location plan) which benefits from an extant planning permission (12/00533/F) specifically comprised frontage buildings onto Clover Lane which were a mixture of single and two storeys but with outbuilding proportions and detailing in order to be sympathetic to the character and appearance of this part of the Conservation Area. The extant approval for the application site (13/00039/F) adheres to this approach and would provide a suitable continuation of the frontage onto Clover Lane by allowing two semi-detached dwellings with the proportions and detailing of outbuildings. On the contrary the recently refused scheme for 4 no. terraced dwellings on the site (14/00054/F), in addition to being cramped, was considered inappropriate for the site and its surroundings due to the proportions of the proposal and its design and appearance emulating a Victorian terrace.

The current application seeks to overcome the previous reasons for refusal by reducing the number of units to three and altering the design of the dwellings so they are more akin to the outbuilding proportions and detailing of the extant approval for two units (13/00039/F). It is now considered that the proposal would be in keeping with the approved scheme for the development site to the west and therefore provide a more suitable continuation along Clover Lane. The dominance of the proposal has been reduced and the reduction in the number of units has also allowed improved garden sizes so that the development is less cramped. Given the compact nature of the scheme approved to the west of the site (number of units and garden sizes), it is considered overall that the revised scheme would not have any significant detrimental impact on the character or appearance of Downham Market Conservation Area.

The Conservation Officer raises no objection to the scheme.

### **Neighbour Amenities**

The nearest existing residential property is No.47 Railway Road which lies to the north but this dwelling is owned by the applicant and therefore outlined in blue on the submitted site location plan. The relationship between the proposed development and this property would not be ideal, particularly given that it has a large first floor window facing directly onto the application site at only 2.1 metres away from the shared boundary.

However, during the course of the application this window has been replaced with obscure glass and has been fixed thus reducing the overlooking impact. Overall, the impact of the neighbouring window on the amenities of future occupiers of proposed units 1 and 2 would no longer be significant enough to warrant refusal of this application. As a result it is considered that the fourth reason for refusal on the previous application (ref: 14/00054/F) is no longer relevant.

Additionally, in terms of the impact of the development on No.47, the proposed new dwellings would actually be situated slightly further away from the rear elevation of No.47 compared with the previously approved scheme. As a result it is considered that there would be no increased impact on this property which is owned by the applicant anyway.

In terms of the previously approved residential scheme to the west (12/00533/F) the current proposal results in Unit 1 being situated closer to the shared boundary and therefore closer to the nearest approved unit on the neighbouring site. Whilst the dwelling to be built on the neighbouring site would have a ground floor flank elevation lounge window facing towards the application site and the close proximity (approximately 2 metres) is not ideal, it needs to be taken into account that 1.8 metre high close board fencing could be erected along this boundary, no windows are proposed in the flank elevation of Unit 1 and the dwelling to be built on the neighbouring site has additional glazing to its lounge. Furthermore, this neighbouring site to the west which benefits from an extant residential scheme is also owned by the applicant. It is therefore considered on balance that the relationship between the two sites is acceptable and would not cause any significant harm in terms of overshadowing / loss of light, overbearing impact or overlooking.

### **Highways Impact**

The proposed development includes provision of 1 car parking space per two-bedroom unit which is considered to be an under provision of car parking. The extant planning permission for two units included provision of 2 car parking spaces per dwelling which accords with the Parking Standards for Norfolk (2007) and one of the reasons for refusal on the recent application for 4 no. units (14/00054/F) was on under provision of car parking spaces.

Norfolk County Highways have previously advised that the road serving the development is currently restricted in width and not suitable to cater for on-street parking. Although Clover Lane is yet to be completed and is not yet adopted as a public highway, a section 38 agreement is in progression at present with a view that the road will be adopted as a public highway in due course. Following adoption, Clover Lane will still not be suitable to cater for on-street parking.

It is therefore the view of Norfolk County Highways that should the proposal be approved, it will result in inappropriate on-street parking in the immediate vicinity of the site due to lack of visitor parking and those with a second car being forced to park on the adjacent road. It is also considered by NCC Highways that the proposed development is likely to result in inappropriate parking close to a road junction, thereby causing a conflict with other highway users and posing a significant risk to safety.

Whilst 2 car parking spaces per unit (6 spaces in total) could be accommodated across the front of the site (and this has been offered by the applicant) it is the view of officers that the extent of hard standing that would result, leaving limited if any space for planting, would appear harsh in the streetscene to the detriment of the character and appearance of the Conservation Area.

Taking this into consideration coupled with the central location of the site within easy walking distance of the town centre and railway station, it is considered on balance there is justification in this case for only 1 no. car parking space per dwelling to be provided. Therefore although the current scheme does not overcome the third reason for refusal on the previous application (14/00054/F) it is considered that the reduction in the number of units to be provided coupled with the other improvements made to the scheme justify a compromise being made in terms of parking provision in this case. However, if Members consider that additional parking is required for safety reasons, it can be accommodated within the existing layout and secured via an appropriately worded condition.

### **Other Considerations**

The Environmental Quality Team raises no objection subject to conditions relating to contamination.

The IDB and Norfolk Constabulary raise no objection.

### **CONCLUSION**

It is acknowledged that the site is compact but given the nature of the development to the west, on balance it is considered that the proposed development is appropriate for the site and its surroundings and would not have any detrimental impact on the established character or appearance of the Downham Market Conservation Area. The proposed development would not result in any significant harm to residential amenity. Furthermore whilst the Local Highway Authority considers that two parking spaces per dwelling should be provided; given the proximity of the development to the town centre and the negative impact additional parking spaces would have on the character of the Conservation Area it is considered on balance that one parking space per unit is appropriate in this case. However, in considering the application, Members will need to balance the increase in the number of parking spaces for safety reasons against the impact on the character and appearance of the Conservation Areas.

It is therefore recommended that planning permission be approved subject to the conditions outlined below.

### **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: location plan; block plan showing surface water drainage arrangements; floor plans; roof plan; and elevations received by the local planning authority on 23rd March 2014.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

- 3 Condition The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 3 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 4 Condition In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- 4 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 5 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, any other alteration to the roof of a dwelling house, the erection or construction of a porch outside any external door of a dwelling house, or the provision within the curtilage of the dwelling house of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.
- 5 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 6 Condition Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no new windows/dormer windows (other than those expressly authorised by this permission), shall be allowed without the granting of specific planning permission.

- 6 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 7 Condition Prior to the first occupation of any units hereby permitted the footway works fronting the site and connecting to the existing provision to the east shall be constructed in accordance with a detailed plan to be submitted to and approved in writing by the Local Planning Authority. The footway shall be retained in accordance with the approved plan in perpetuity.
- 7 Reason To ensure satisfactory residential access to the development site.
- 8 Condition Prior to the first occupation of the development hereby permitted, with the exception of the off-street parking spaces detailed on the approved plan, a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage and additionally along the frontage of the adjacent property as outlined in blue on the submitted details. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 1.00 metres above the level of the adjacent highway carriageway.
- 8 Reason In the interests of highway safety.
- 9 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking spaces shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 9 Reason To ensure the permanent availability of the parking manoeuvring area in the interests of highway safety.

Potential Egg Shop - ISO Container Fakenham Road East Rudham



**Scale:** 1:1,250

**Legend**

Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>East Rudham</b>	
<b>Proposal:</b>	<b>Siting of a storage container for use as an egg shop</b>	
<b>Location:</b>	<b>Potential Egg Shop / ISO Container Fakenham Road East Rudham Norfolk</b>	
<b>Applicant:</b>	<b>Mr M Sexton And Mr O Sexton</b>	
<b>Case No:</b>	<b>14/00517/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry Tel: 01553 616232</b>	<b>Date for Determination: 11th June 2014</b>

**Reason for Referral to Planning Committee** – Contrary to the views of East Rudham Parish Council

### **Case Summary**

The majority of the site is contained within an area designated as Built Environment Type D according to Local Plan Proposals Maps for East Rudham.

The site has previously been used for the siting of a Fish and chip shop (now demolished) and has reverted back to a nil use.

The proposal seeks consent to site a shipping container for the selling of eggs and provision of a car parking area.

### **Key Issues**

Principle of Development  
Impact upon Visual Amenity  
Impact upon Neighbour Amenity  
Highway Safety  
Other Material Considerations

### **Recommendation:**

**APPROVE**

### **THE APPLICATION**

The majority of the site lies within Built Environment Type D and partly in the countryside and comprises of a grass field which is partly hedge along the northern boundary.

The site has the slab of a former chip shop in the undergrowth. The field is already served by way of an access across the layby and pedestrian footpath.

A BT building flanks the western boundary of the site.

The proposal seeks consent for the siting of a shipping container on the slab of the former fish and chip shop building and an associated car park.



The container scales 4.8m (w) x 2.4m (d) x 2.4m (h) and will be painted in a dark green colour. The hours of opening are 08:00 - 18:00 Monday to Sunday including bank holidays. The operations rely on an honesty box with only 1 person delivering the eggs in the morning and collecting money at night.

## SUPPORTING CASE

A Design and Access Statement accompanies the application:-

- The overall site is a square parcel of land measuring approximately 20m x 20m which forms a small corner of an existing field.
- The applicant owns an existing egg business in Billingford
- The land in question had a former building on the site, which has been demolished (fish and chip shop), the slab of the shop floor remains.
- The proposal seeks consent to obtain permission for a small detached container of 4.8m x 2.4m x 2.4m (high)
- The building by its small scale nature would not cause any impact into the open landscape, being positioned adjacent to the current Telephone exchange building within East Rudham.
- The proposed container would take up part of a small corner of an existing field which is currently used for grazing/open pasture. A car park area is proposed, which would be bounded by a small boundary bank with native hedging topping the bank.
- The building will be painted in a dark green colour.
- The building will be powered by solar panel.

## PLANNING HISTORY

There is no recent relevant site history.

## RESPONSE TO CONSULTATION

**East Rudham Parish Council: OBJECTION** The proposal would impact upon footfall of the existing post office. This shop is a lifeline to the village and surrounding communities. Other produce could be sold from the shop. The view entering the village centre would be blighted by a roadside retail business near the Conservation Area in a container. Local residents testify that crossing the A148 at that location at busy times can take 5 to 10 minutes. The layby is often used by openreach vehicles restricting the view to the west. Many local egg producers would be more sympathetic to the local community. The egg shop may need to be conditioned to restrict the range of goods sold to those produced locally if the viability of existing local shopping is not to be adversely affected.

**Highways Authority: NO OBJECTION** the proposed parking appears to provide an appropriate level of parking for that use although the layout is not detailed and the proposed surface treatment (bark) may not be appropriate for the vehicular traffic likely to be engendered. A condition in relation to the ability for 6 cars to park and delivery vehicles to turn is required. A condition also is required to be attached to restrict the use of the site.

**Environmental Health and Housing - Community Safety Neighbourhood and Nuisance: NO OBJECTION**

## REPRESENTATIONS

**FIFTEEN** letters **OBJECTING** to the application on the following grounds:-

- The application will lead to much larger development
- There are no services available for someone to work there part-time especially for 70 hours a week.
- The business will need advertising signs which there is no mention of.
- The proposal can lead to highway safety issues.
- The shipping container needs to be cladded or painted
- The proposal will undermine the viability of the existing village store and post office
- Other things can be sold from the shop other than eggs
- Adverse effect on local egg producers
- Undermines sustainable development
- Does not support the social dimension of planning as it would not support strong, vibrant communities, by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being".
- Affects the character of the Conservation Area.

A petition has been submitted with **198** signatures of petition against the proposal as it will threaten local community facilities and the viability of the local shops and post office.

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government's planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## PLANNING POLICIES

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## LDF CORE STRATEGY POLICIES

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

## **PLANNING CONSIDERATIONS**

The main planning considerations in regards to the application are:-

- Principle of Development
- Impact upon Visual Amenity
- Impact upon Neighbour Amenity
- Highway Safety
- Other Material Considerations

### **Principle of Development**

The proposal seeks consent to change the use of part of the existing field (nil use) to that of A1 retail, specifically the selling of eggs.

The majority of the site lies within Built Environment Type D with a small part of the eastern side of the site contained within an area designated as countryside.

Third Party representations and East Rudham Parish Council are concerned about the threat the egg shop will have upon the viability of the existing post office/village shop. Paragraph 28 of the National Planning Policy Framework does indeed require planning authorities to promote the retention and development of local services and community facilities in villages, such as local shops, however this will be an additional facility, and competition in itself is no reason to refuse this application.

The development site falls both inside and outside of the development boundary. Policy CS10 of the Local Development Framework refers to rural employment exception sites needing to be of a size and scale that relates to the local area; the need for business to be adjacent to the settlement boundary and must not be detrimental to the local environment or local residents.

In relation to policy CS10; the business is a one person operation which involves someone delivering eggs in the morning to the site and collecting the money after closing time with money put in an honesty box. The scale of the operation is self-restricting by virtue of the lack of facilities (services) and the size and nature of the building. A condition would be imposed that the operations be restricted to the selling of eggs for highway safety reasons discussed later in the report. The site is in the main contained within the existing settlement boundary with only a small element of the car park in the countryside. The proposal is therefore considered to satisfy the first two aspects of the policy.

The impact upon the local environment and residents is discussed below.

### **Impact upon Visual Amenity**

Third Party representations and the Parish Council are concerned about the effect upon the visual amenity of the area, especially the setting of the Conservation Area.

The siting of the shipping container is adjacent to the BT building and will be screened in the main by the existing hedging that flanks the roadside. Only the north elevation of the shipping container and parking area for the container will be seen in passing.

The intention is to retain the container in a dark green colour in order to blend in with the hedgerow.

The solar panel will be laid horizontally on the roof of the container not causing any visual protrusion.

A native hedge (details secured by way of condition) will be planted along the southern boundary and eastern boundary of the site.

The Conservation Area is on the western side of the BT Building and runs south and along the northern side of the properties on Broomsthorpe Road. It is considered that given the scale of the container, its siting in relation to the Conservation Area and the ability to control its appearance, means that there will be minimal impact upon the setting of the Conservation Area and general visual amenity.

### **Impact upon Neighbour Amenity**

The scale and siting of the container does not cause any overbearing and overshadowing of residential neighbours.

The use of the land will create little noise especially in this location with the background noise of the A148.

### **Highway Safety**

Third Party representations and the Parish Council are concerned about highway safety issues

The previous use of the site as a fish and chip shop generated some form of traffic. However that use ceased a long time ago. The site is served directly from the public highway by crossing the layby and the pedestrian footpath.

The highways officer considers that the generation of traffic for such a use will be minimal but requests that the parking be laid out in a way that allows 6 cars to park and delivery vehicles to turn around off the public highway. The highways officer initially requested that the use be conditioned to that of egg selling in order to control the amount of traffic that is likely to use the site. However to restrict the use of the container to the selling of eggs only is not necessary given the size of the container, and its appeal for other A1 uses is rather limited. It is however considered that a condition that restricts the selling of goods to being inside the container is reasonable as it would not only limit the scale of the A1 use but also ensures that the parking area is retained for its specific purpose. The highways officer is content with this type of condition.

### **Other Material Considerations**

The proposal is not considered to cause any detrimental impact upon the SSSI Buffer area.

Albeit contained within the safeguarding area for Sculthorpe and West Raynham airbases, the Ministry of Defence is not required to be consulted as the proposal does not involve anything over 11m in height.

The Environmental Health and Housing – CSNN team comments have no objection to the proposal.

Third Party concerns relate to the possibility of further development on the site and the encroachment in the countryside of business uses. Should this be the case planning permission will be required and the Parish and neighbouring properties will be duly notified and any application considered on its own merits.

Third Party Representations state that no advertising signs form part of this application. Advertising signs dependant on their size will need advertisement consent as opposed to planning permission.

Whilst no services (wash/toilet facilities) are being provided, the nature of the operation of the business does not require such facilities.

## CONCLUSION

Members need to consider that competition with other services that are being provided within the village is not a material planning consideration. The proposal will be an additional facility to the village and the site is well served by way of public footpath and is adjacent to the settlement boundary of East Rudham.

Not only is the siting of the container adjacent to the BT building, it is also of a scale and colour that will reduce its visual impact upon the area. The Conservation Area is on the western side of the BT Building and the house opposite the site.

The highways officer has no objection to the proposal provided it is restricted to egg selling as any unrestricted retail use could lead to more vehicular movements in and out of the site that could lead to highways issues.

The proposal is therefore recommended for approval subject to the following conditions.

## RECOMMENDATION:

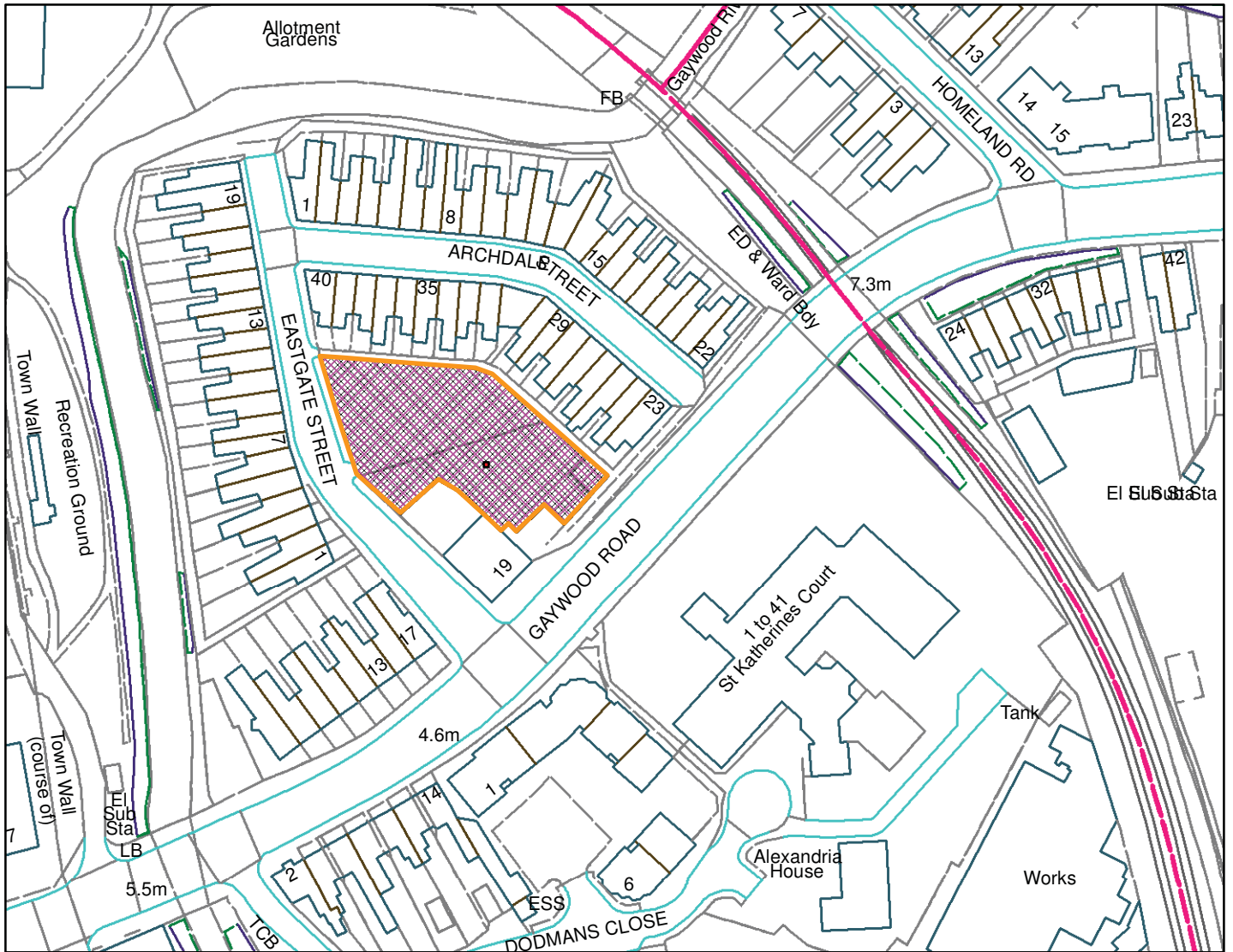
**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out using only the following approved plans; "Layout as proposed" drawing no.0504/01 received 16th April 2014.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the commencement of the use hereby permitted sufficient space shall be provided within the site to enable 6 family sized cars and a delivery vehicle to park, turn and re-enter the highway in forward gear. This area shall be surfaced and drained in accordance with a detailed scheme submitted to and approved in writing by the Local Planning Authority, and thereafter kept available for that specific use.
- 3 Reason In the interests of satisfactory development and highway safety.

- 4 Condition Prior to its siting and notwithstanding details received the shipping container hereby approved shall be painted and retained in a dark green colour, full details of which shall be submitted to and agreed in writing with the Local Planning Authority. The container will be painted in the agreed colour prior to its siting and retained in in the agreed colour in perpetuity.
- 4 Reason In order to safeguard the visual amenities of the locality
- 5 Condition No display, selling or storage of goods shall take place outside of the container hereby approved.
- 5 Reason In the interests of highway safety an unrestricted A1 use may cause detrimental highway safety issues.
- 6 Condition Prior the first use of the site hereby approved full details of the native hedging to be planted along the eastern and southern boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include plants plans, written specification (including cultivation and other operations associated with plant establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 6 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 7 Condition The premises shall only be used between the hours of 08:00 and 18:00 unless otherwise approved in writing by the Local Planning Authority.
- 7 Reason In order that the Local Planning Authority may retain control over the development in the interests of the amenities of the locality in accordance with the NPPF.
- 8 Condition Notwithstanding the provisions of Class D of the Town and Country Planning General Permitted Development (Amendment) (England) 2013 (or any order revoking and re-enacting that Order with or without modification), and Class IA of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 (or any order revoking and re-enacting that Order with or without modification), the use of the container shall not benefit from a flexible change of use to a class A3 (restaurant and cafes) or Class B1 (business), C3 (dwelling houses) of the schedule to the Use Class Order.
- 8 Reason In order that the Local Planning Authority may retain control over the use of the premises where an alternative use otherwise permitted by the above mentioned Order would be detrimental to the amenities of the locality.
- 9 Condition Prior to the commencement of the development hereby approved details of the solar panel to be installed on the roof of the container shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the size and appearance of the solar panel including any apparatus which will fix the solar panel to the roof of the container hereby approved. The development shall be carried out in accordance with these details.
- 9 Reason In the interests of the amenities of the locality in accordance with the NPPF.



Land to the north of 19 Gaywood Road King's Lynn



**Scale:** 1:1,250

**Legend**

Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	22/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>Site development of 7 dwellings and associated landscape works</b>	
<b>Location:</b>	<b>Land To the North of 19 Gaywood Road King's Lynn Norfolk</b>	
<b>Applicant:</b>	<b>C/o Agent</b>	
<b>Case No:</b>	<b>14/00309/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry Tel: 01553 616232</b>	<b>Date for Determination: 28th April 2014</b>

**Reason for Referral to Planning Committee** – Called in Cllr. Bambridge

### **Case Summary**

The site lies within an area designated as Built Environment Type D within King's Lynn. The land is mainly tarmacked/hard-standing sloping from north to south and previously contained garages for those living on Eastgate Street and Archdale Street. Access to the site is provided via Eastgate Street and Gaywood Road.

The proposal seeks consent for the erection of 7 2 storey dwellings on the eastern side of Archdale Street, King's Lynn.

### **Key Issues**

Principle of Development & Planning History  
Form and Character  
Impact upon Neighbour Amenity  
Highway Safety  
Flood Risk  
Drainage  
Other Material Considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site lies on the northern side of Gaywood Road, King's Lynn. The site is currently separated into two parts. The larger part of the site faces Eastgate Street, and is currently closed off by way of a Heras fence from Eastgate Street. Most of the larger part of the site contains overgrown vegetation. The smaller part of the site is accessed from Gaywood Road to the eastern side of Adrian Lodge and is hard surfaced.

The land slopes from 4.61m (Aod) at the Gaywood Road end, to as low as 3.4m (AOD) in the northwest corner.

The northern part of the site once contained garages to some of the properties on Archdale Street and Eastgate Street, these were removed a number of years ago.

The site previously had the benefit of planning permission for 5- 1 bed flats and 5- 2 bed flats (05/02611/FM). The proposal seeks consent for the erection of 7 - 2 storey terraced dwellings. The dwellings form a crescent shape with vehicular access via Eastgate Street with the Gaywood Road entrance being closed off.

12 parking spaces will be provided, including 3 for Adrian's Lodge, the Care Home on the corner of Eastgate Street and Gaywood Road.

## **SUPPORTING CASE**

The application has been accompanied by a Design and Access Statement:-

- The site is located to the north of 19 Adrian's Lodge, Eastgate Street.
- The site has been unoccupied since 2004 and is securely fenced off from the public.
- There were garages on the site up until 2004 these have been demolished to proceed with planning applications on the site
- The plot measures approximately 0.11 ha.
- There are no significant or protected trees on this site
- The application seeks consent for 7 x 2 bedroom properties with associated landscape, drainage package and paving works.
- The general area is made up of 2 storey properties.
- Materials in the vicinity are mixed
- The site is currently accessed to the side of Adrian's Lodge from Gaywood Road with its junction close to Eastgate Street.
- The overall size of the site and its position provides an opportunity for an attractive development, and which makes the best use of the land. The proposal provides starter homes for young families.
- Vehicle access and parking would be provided for staff occupants at Adrian Lodge.
- Fenestration to living areas has been designed to minimise any impact on neighbouring properties.
- The site has had benefit of previous consents.
- The layout of the proposal creates a gable presence fronting Gaywood Road which would match that of the existing end buildings of Eastgate Street as visually seen from Dodmans Bridge.
- The proposal allows for off road parking, and is sympathetic to its surroundings.
- Distances of between 9m -12m is achieved between new and existing dwellings.
- Hoskins Audley Antique bricks will be used. Solider courses above the window and door apertures are detailed. Imerys Pan H2 Roof tiles of burnt red appearance will be used.
- Pile foundations are to be avoided.
- Parking for construction vehicles will be restricted within the site curtilage.
- Internal Floor Levels will be set no lower than 500mm above the external finished ground levels.
- Foul and surface water drainage shall be made to the main combined sewer drain system. Some surface water shall be collected in water butts.
- The front access areas and designated parking areas are to be asphalt.
- Mixed shrub planting provides a soft buffer to the visual frontage.

## PLANNING HISTORY

05/02611/FM Construction of 5 x 1 bedroom flats and 5 x 2 bedroom flats permitted 4.03.2006

04/01086/F Construction of seven 2 bedroom houses and two 1 bedroom flats refused

05.10.2004 appeal dismissed 04.05.2005

04/00778/F Construction of 7 houses and 2 flats after demolition of garages withdrawn 25.05.2004

2/04/0356/O Site for construction of 29 one bedroom flats withdrawn 04.05.2004

2/98/0951/O Site for residential development refused 16.02.1999

2/96/0063/Cu Conversion and extension of former public house to form residential care home for 14 persons (revised proposal) permitted 27.03.1996

2/93/1662/F Alterations to rear elevation permitted 05.01.1994

## RESPONSE TO CONSULTATION

**Highways Authority: NO OBJECTION** subject to conditions

**King's Lynn Internal Drainage Board: NO OBJECTION** requests a condition in regards to surface water.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION**

**Environmental Health 7 Housing - CSNN - NO OBJECTION** subject to a surface water condition

**King's Lynn Civic Society- OBJECTION** The dwellings are small and cramped with little outside space. We are also disappointed that these houses are being built to code level 3. A reduction in the number of dwellings, built to higher sustainability standards with more outside would be preferable.

**Environment Agency: NO OBJECTION** subject to conditions to secure finished floor levels at no lower than 500mm above existing grounds levels and flood resilient construction methods.

**Historic Environment Service: NO OBJECTION**

**Police Architectural Liaison Officer: NO OBJECTION** the agent should however consider placing a laminated window in plot 1's study and plot 7 to have a ground floor window to overlook the carpark. Landscape should have a maximum growth height of 1m, which maintains a clear field of vision around the site. The gates should have key operated locks.

## REPRESENTATIONS

**THIRTEEN** letters of **OBJECTION** on the grounds that:-

- Lack of parking nearby
- It is not clear on the plans that the properties are flats, bungalows, or more terraced housing.
- It is also not clear as to what access these properties will have.
- Cramped form of development.
- Infringe on the right to light of residents backing onto the site in Archdale Street.
- Parking should be 2 parking spaces per flat.
- Overbearing issues.
- Drainage problems in the area.
- Rubbish will be put out on street.
- The back alley belongs to 40 Archdale Street and the site has never benefited from using the alley.
- Pile driving causes cracks.
- Theft will be highly likely. Solid secure locks are required.
- The land was once used for the parking of cars but now they park on the road causing highways issues.
- Overlooking issues.
- Noise, dust and smoke issues and vibration will cause problems with old water pipes and sewerage pipes.
- Why is the access onto Eastgate street.
- The Gaywood River cannot be put at risk of flooding or damage.
- The turning area in the development large enough?
- The number of houses should be reduced to 4 and parking provided on-site for those on Archdale Street.

**Cllr Bambridge OBJECTS** to the application

- Although I am in favour of development in the town centre, I have issues with the size of the properties proposed on this small site. I have very serious concerns about the number of parking spaces to be allocated. I know there is one per unit but many households these days have more than one vehicle and I don't believe that one space for visitors is sufficient. This area is often raised at the North Lynn SNAP (Safer Neighbourhoods Action Panels), which I chair. The problem has worsened since parking in the town centre is now properly managed. It has led to more people parking in Archdale Street area- also Highgate and Littleport Terrace and then either walking into work or, as also the case, the drivers going to the station to catch a train. I made reference to this at a meeting with Norfolk County Council last year and requested that this area be considered for residents' parking. I would request that this is "called in" so that the Planning Committee may discuss.

A petition with **34** signatures has been submitted against the proposal.

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government's planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **PLANNING POLICIES**

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

## **PLANNING CONSIDERATIONS**

The main planning considerations in regards to the application are:-

- Principle of Development & Planning History
- Form and Character
- Impact upon Neighbour Amenity
- Highway Safety
- Flood Risk
- Drainage
- Other Material Considerations

### **Principle of Development and Planning History**

Planning permission on this site has been sought several times. The last planning application, 05/02611/FM, was the last planning permission acquired on the site. The permission was granted for the erection of 5 x 1 bedroom flats and 5 x 2 bedroom flats each having one parking space. 2 spaces were provided for Adrian's Lodge residential carehome.

This consent was never implemented and this application seeks consent for the erection of 7 – 2 storey dwellings. The layout of the proposal takes a crescent shape, reflecting the terraces of Archdale Street, with parking layout fronting onto Gaywood Road and to the rear of Adrian's Lodge. Each property will have one parking space and there are two visitor spaces. Adrian's Lodge will have 3 parking spaces –making a total of 12 spaces. Access will be from Eastgate Street and the Gaywood Road access will be closed off.

Since the last application, Planning Policy Guidance has been revoked and the National Planning Policy Framework and National Planning Practice Guidance provide the starting point for decision making. Paragraph 14 of the NPPF states that at the "heart of the National Plan Planning Policy there is a presumption in favour of sustainable development and in relation to decision making this means approving development proposals that accord with the development plan".

There is also a presumption in favour of new housing development. The development plan also comprises of the Local Plan and the Local Development Framework Core Strategy which supports development on this site subject to satisfying other material conditions.

### **Form and Character**

Third Parties, including Cllr Bambridge and the Civic Society object to the proposal, considering it to advocate a cramped form of development.

The area opposite and behind the site comprises of two storey terraced properties, Eastgate Street fronts the site whilst the Archdale Street houses have two storey gable end rear projections facing the site. The properties were constructed in the early C20th century and have small yards and gardens. Eastgate street gently slopes away heading north as it leads into Archdale Street. Archdale Street has a curvature in the road. On the Corner of Eastgate Street and Archdale Street is Adrian's House, a two storey former public house, now a residential care home. Parking is on-street on both sides of the road.

The proposal seeks consent for 7 2 storey detached houses. The layout of the site mirrors the curvature of Archdale Street.

The proposed terraced houses on the site are of similar appearance to those on Archdale and Eastgate Street. Features in the design of the properties include parapet walls and lean to porches. The properties all have lean to rear extensions. Plots 1,4 and 5 have side extensions that allows for a study/snug room to be accessed under the staircase.

The design of the properties, their scale and layout of the development takes reference from the layout of the terraced housing on Archdale Street. Each property has a small private amenity space to the rear which is of comparable size to the small yards and gardens of the properties in the Eastgate Street and Archdale Street.

### **Impact upon Neighbour Amenity.**

Third Party representations are concerned about overbearing, overlooking and a right to light.

The terraced properties will back onto the properties on Archdale Street. The two storey rear elevations of the proposed properties are approximately 9m to those on Archdale Street. The ridge height of plots 1-4 is 8.3m above ground level. Taking into account site levels and levels surrounding the site, (including the raising of the finished floor levels as required by the Environment Agency to mitigate against flood risk) results in ridge heights to Plots 1-4 being effectively 8.6m above the ground level of Archdale and Eastgate Street. Plots 5-7 are on higher ground, but so is the height above odn of the southern end of Archdale Street.

The separation distance between the properties (including the passage way that runs along the rear of the properties on the southern side of Archdale Street) means that the proposal is not going to cause detrimental overbearing issues or overshadowing issues upon these neighbours. Relationships with neighbouring properties in terms of potential overlooking has been carefully thought out. The bedroom window in the proposed properties looks towards bathroom windows in the properties on Archdale Street and bathroom windows to the proposed properties look towards the bedroom windows to the properties on Archdale Street which are set back. Given this design and the angles involved, the habitable to habitable window relationships are therefore considered to be acceptable. In order to control any future insertions of windows, taking into account the close relationships between the properties and the varying land heights permitted development rights for their insertion will be removed.

The properties on Eastgate Street are 10m away from the single storey element to plot 1 and 11m to the two storey element. From that point the terrace curves away from the properties on Eastgate Street. At this distance they are not detrimentally affected by the proposed properties.

Adrian Lodge's rear amenity space, which is used by the residents of the care home, will only be 5.8m away from the front elevations of plots 6 and 7. The amenity space is protected by 1.8m lap boarded fencing. This mitigates overlooking at ground floor and by virtue of being used as communal/shared amenity space and separated from the proposed properties by the access/roadway it is considered that on balance there is not a significant detrimental impact upon the residents of carehome. It must also be noted that there is no direct window to window relationship between plots 6 and 7 and the carehome.

Right to light has been cited in objections, but as discussed earlier it is impact in terms of overshadowing and being overbearing which should be considered, and in those terms separation distances are adequate.

The Environmental Health and Housing – CSNN team have no objection to the proposal subject to a condition in relation to construction management, which protects the neighbours from noisy equipment, proposed timescales and hours of construction phase. A condition is proposed to be attached, to any permission.

Fencing between the properties will be in place prior to their occupation.

### **Highway Safety**

Third Party representations and Cllr Bambridge's representation are concerned about the number of parking spaces being provided, the loss of the ability for the residents to park on the site, the lawful right of using the alleyway to the rear of the site, the ability for vehicles to turn around in the site and the closure of the Gaywood Road access.

The original proposal detailed 8 parking spaces for 10 flats and the proposal now facilitates 9 parking spaces for the 7 terraced houses (including two visitor spaces) and 3 for Adrian's House. The highways officer is content with the level of parking provided for the flats, and given the site's proximity to the town centre 2 parking spaces per dwelling is not required.

Whilst the loss of parking on the site has led to the parking of cars on street, the garages on the site were removed a long time ago and prior to the 2005 application, which offered no off-road parking for the nearby residents. It is not reasonable to request, especially considering the site's proximity to the town, to provide off-road parking for the residents on Archdale Street on this development.

The highways officer has raised no issue about the ability for vehicles to turn round on the site.

The Gaywood Road access is to be closed off due to the inability to satisfy Manual for Streets in the non-trafficked direction by virtue of the railings that are at the back edge of the footpath on Dodmans Bridge. This will be a safety benefit for the overall site, including Adrian's Lodge.

### **Flood Risk**

Third Party representations are concerned about localised flooding.



The site lies within Flood Zone 1, the least restrictive flood zone. However, breach modelling of the area indicates that the site is susceptible to flooding of between 500mm-1m above ground level. The Flood Risk Assessment highlights that finished floor levels will need to be 500mm above existing ground levels and flood resilient measures built into the design of the properties.

The Environment Agency have no objection to the scheme subject to conditions that floor levels are raised by 500mm and flood resilient measures are implemented as stated on drawing no. 1022-13-7 dated January 2014.

### **Drainage**

Third Party representations are concerned about the capacity of the existing Anglia Water sewer in Eastgate Street.

Foul and most of the surface water is detailed to go into a combined Anglia Water sewer in Eastgate Street. However both the Internal Drainage board and the Environmental Health and Housing team state that this drain is not a combined sewer and request surface water drainage details via condition.

Third parties are concerned about noise, dust and smoke being created from works and that vibrations might take place causing damage to old sewerage and water pipes. However it is considered that a Construction Management Plan will help to deal with the amenity issues, whilst potential damage to pipes would not prevent permission from being granted.

### **Other Material Considerations**

Third Party representations are concerned about theft however the Police Architectural Liaison Officer has no objection to the scheme.

Third Party representations are concerned about Gaywood River however this will not be directly affected by the proposal.

The Historic Environment Service has no objection to the scheme.

The Environmental Health and Housing – Environmental Quality team has no objection to the scheme.

Third Party representations are concerned about the proposal causing structural problems to the properties in Archdale Street and Eastgate Street from pile driving the foundations. This is not a material planning consideration and is civil matter should the problem arise.

Third Party representations are also concerned that the rubbish generated by the proposal will be left on the street. However, this is also not a material planning consideration.

### **CONCLUSION**

This proposal seeks to redevelop a longstanding brownfield site close to the town centre. The proposed terrace of 7 dwellings seeks to emulate the terraces on Eastgate Street and Archdale Street.

Although a tight knit form of development, it emulates existing development in the area, and the proposal for 1 off-road parking space per dwelling plus 2 visitor spaces is considered to be acceptable in this location. Adrian Lodge is provided with 3 spaces, as well as a safer access arrangement.

Amenity issues are considered to be acceptable on balance, with issues relating to overlooking, overshadowing and being overlooked carefully considered.

Therefore, subject to the inclusion of suitable conditions, the proposal can be approved, and is in general compliance with the NPPF and LDF Core Strategy.

## **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans;- "Site for the development of 7 dwellings - Elevations" drawing no. 1022-13-7 dated January 2014 received 3rd March 2014 ; "Site for the development of 7 dwellings - ground and first floor layout; fencing details between properties and fencing details to site frontage via Gaywood Road" drawing no. 1022-13-8 dated January 2014 received 3rd March 2014; "Site development for 7 dwellings – Site Plan" drawing no. 1022-13-10 Rev B dated May 2014 received 19th May 2014.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan 10B in accordance with the highway specification drawing No: TRAD 1 attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 4 Condition Vehicular, pedestrian and cyclist access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing No 10B only. Any other access(es) or egresses shall be permanently closed, and the footway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.
- 4 Reason In the interests of highway safety.

- 5 Condition Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 5 Reason In the interests of highway safety.
- 6 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking/ turning area shall be laid out, demarcated, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 7 Condition The development hereby permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment produced by Engineering Support Practice Ltd and the following mitigation measures as detailed within the FRA:-
1. Finished floor levels are set no lower than 500mm above the existing ground levels.
  2. Flood resilient construction methods are to be included within the design as detailed in site development 7 dwellings, Drawing no. 1022-13-7 dated January 2014.
- 7 Reason To reduce the risk of internal flooding to the proposed development and future occupants.
- 8 Condition The screen walls and fences shown on the approved plans shall be erected prior to the occupation of the dwelling to which they relate.
- 8 Reason In the interests of the residential amenities of the future occupants of the development in accordance with the NPPF.
- 9 Condition Notwithstanding details received no development shall commence on site until full details of the surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 10 Condition Prior to commencement of development a detailed construction management plan, must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of construction phase. The scheme shall also specify the sound power levels of the equipment, their location, and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.
- 10 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

- 11 Condition Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no new windows/dormer windows (other than those expressly authorised by this permission), shall be allowed without the granting of specific planning permission.
- 11 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 12 Condition The bathroom windows detailed to be inserted at first floor in the rear elevation of the proposed properties hereby approved shall be fitted with obscure glazing and non-opening below 1.7m above the floor level of the bathroom to which they will be installed. The windows shall be retained thereafter in such condition.
- 12 Reason In order to protect neighbour amenity.

Riverside Business Centre Cross Bank Road King's Lynn



Scale: 1:5,000

**Legend**

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Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	
Date	21/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>Variation of Condition 2 of Planning Permission reference 13/01191/F to allow a new site layout, a smaller turbine and the transformer to be externally housed</b>	
<b>Location:</b>	<b>Riverside Business Centre Cross Bank Road King's Lynn Norfolk</b>	
<b>Applicant:</b>	<b>Mr Michael Stollery</b>	
<b>Case No:</b>	<b>14/00398/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr D Parkin Tel: 01553 616468</b>	<b>Date for Determination: 9th May 2014</b>

**Reason for Referral to Planning Committee** – The height of the turbine exceeds that which can be approved under delegated powers.

### **Case Summary**

The application site is on the east bank of the River Nar on the opposite bank to the Anglia Water Services complex in Clockcase Road.

Permission is sought to vary the approved plans condition attached to 13/01911/F, which was for a turbine with a hub height of 60m and a tip height of 86.5m. The variation would allow a smaller hub height of 50m and a tip height of 77m.

### **Key Issues**

Principle of development,  
Visual Impact  
Ecology,  
Heritage assets,  
Amenity- noise and shadow flicker  
Highway safety and  
Other material consideration

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The site is located on the eastern side of the River Great Ouse, King's Lynn. The site is accessed via a track to the western side of the site. The site is currently 'scrub' land and it is approximately opposite the Anglian Water Services complex in Clockcase Road on the opposite side of the river. The site is located within countryside and within 2km of a SSSI. Land to the south of the application site has consent for a solar array and beyond this (600m) is land at KL Technologies on which is sited a wind turbine (hub height of 60m and tip height of 100m) and a solar array.



Permission has been granted on the application site for a turbine with a hub height of 60m and a tip height of 86.5m (13/01191/F). The approved turbine included a transformer within the structure.

Planning consent is sought to vary the approved plans condition for 13/01191/F to allow for a single turbine with a hub height of 50m and a blade tip height of 77m and an external transformer. The turbine would be positioned some 5m south of the approved position. It would have a similar capacity of about 0.5Mw and the generated power would be utilised by a local chemical company and the remainder exported to the grid. The turbine would be three bladed and would be a mid-grey colour. The transformer would be sited at the base of the turbine tower in a beige coloured box measuring 3.3m x 2.3m and 2.3m high.

## **SUPPORTING CASE**

The supporting statement is to accompany the change of variation under 14/00398 to the original application 13/01191 that has been submitted to the Borough Council of King's Lynn and West Norfolk by Mickram Limited (ML) for the proposed development of a single wind turbine on the property owned by ML on Crossbank Road, King's Lynn, Norfolk, PE30 2HD.

The submitted change of variation is for:

- A Single wind turbine of 50 meters (m) hub height, and a base to tip height of 77m; and
- A change in shape of the demised area to accommodate the new crane pad location and infrastructure during construction; and
- The inclusion of a new transformer housing.
- The development is to last for 25 years from the commencement of electricity production.

Following on from the granting of the planning application 13/01191, the project moved forward to the finance and procurement phase. The manufacturer of the originally selected turbine recently advised us that the permitted hub height of 60m was not available and that we needed to move to either a 50m hub height or a 75m hub height. The significant part of the change in variation 14/00398 deals with the request to lower the permitted hub height from 60m to 50m. The location of the turbine will stay the same being 65m from the North boundary and 27m from the East boundary.

## **PLANNING HISTORY**

14/00489/F: Variation of condition 2 of planning permission 13/01191/F to change the hub and tip heights - Riverside Business Centre, Cross Bank Road, King's Lynn - Pending

13/01191/F: Application Permitted: 04/12/13 - Erection of a 500kw wind turbine - Riverside Business Centre, Cross Bank Road, King's Lynn

12/01681/FM: Application Permitted: 05/02/13 - The grounds will be used as a temporary means to support solar PV panels, which will generate electricity for the use of the national grid. Small storage blocks will accompany the alteration to house electrical equipment and will as such not include any extension or demolition - Mickram Limited, Cross Bank Road, King's Lynn



## **RESPONSE TO CONSULTATION**

### **Highways Authority: NO OBJECTION**

**NCC PROW Officer:** Norfolk County Council does not currently have a policy relating to the proximity of wind turbines to highways. At the current time each application is considered on its own merit. While we would generally request that a turbine is not placed within topple distance of a Public Right of Way (PROW), this advice is itself requiring a lower standard than that compiled by the British Horse Society (BHS)

This advice is based on previous Planning Policy Statement 22, which recognises there is no statutory separation between a turbine and a PROW but the minimum distance is often taken that turbine blades should not be permitted to oversail the highway. Although the PPS 22 has been withdrawn there were clearly valid reasons for it being compiled in the first instance.

The revised proposal for this site suggests that there will now be some oversailing of the Byway Open to All Traffic (BOAT) No.1, although diagrammatically this is unclear as the BOAT is not specifically shown on the plans. I appreciate that direct safety issues such as toppling over or blade shedding and ice shedding are extremely rare events on modern constructions, and can almost be eliminated as concerns. Direct oversailing is unlikely to increase any safety risk to most users of the route.

However, the greater concern relates to the potential for this route to be used by equestrians, in fact I understand there is some paddock land near the application site and it is known that the route is used by horses based locally, even though the location is remote as far as visiting users is concerned. The BHS research has indicated that some horses are likely to be disturbed by shadow flicker, and there is also potential for greater noise disturbance with the blades directly oversailing the BOAT.

Although the PPS22 and BHS statements are only guidance, if there is not some consideration of them, the applicants may potentially be liable if incidents were to occur.

It is my understanding that the electronic control on modern turbines can allow for shut down at certain times of the day and year and at during certain wind conditions, including direction, which could allow for shut down while the blades oversail the BOAT or at times when there is excessive shadow flicker across the byway during likely use periods.

### **Internal Drainage Board: NO OBJECTION**

### **Environment Agency: NO OBJECTION**

### **BCKLWN Environmental Health & Housing - Environmental Quality: NO OBJECTION**

**BCKWLN Community Safety & Neighbourhood Nuisance: NO OBJECTION** subject to conditions re: noise levels

### **Natural England: NO OBJECTION**

**RSPB:** No response received.

**CAA: NO OBJECTION** to a smaller turbine

### **MoD Safeguarding: NO OBJECTION**

### **Norwich International Airport: NO OBJECTION**

## REPRESENTATIONS

None received

## NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS12** - Environmental Assets

## PLANNING CONSIDERATIONS

The key issues relevant to the determination of this application are:

- Principle of development,
- Visual Impact
- Ecology,
- Heritage assets,
- Amenity- noise and shadow flicker
- Highway safety and
- Other material consideration

### Principle of development

The National Planning Policy Framework (NPPF) encourages the transition to a low carbon future in a changing climate through the use of renewable resources whilst ensuring any adverse impacts are addressed satisfactory.

Paragraph 17, 'meeting the challenge of climate change' supports the delivery of renewable and low carbon energy and recognises the responsibility on communities to contribute to 'energy generation' from renewable or low carbon sources. Paragraph 93 refers to the need to support the 'delivery of renewable and low carbon energy and associated infrastructure'. Local Planning Authorities are advised to approve applications for renewable technology (unless material considerations indicate otherwise) if its impact is acceptable. Paragraph 93 refers to the need to support the delivery of renewable and low carbon energy and associated infrastructure.

A positive stance with regards to renewable energy is also taken in the Core Strategy 2011 (Policy CS08 Sustainable Development) which supports and encourages the generation of energy from renewable sources and states that applications will be permitted unless there are unacceptable locational or other impacts that could not be outweighed by wider environmental, social, economic and other benefits.

Furthermore recent National Guidance has been issued; 'Planning Practice Guidance for Renewable and Low Carbon Energy' (issued July 2013). This document identifies issues that should be considered when determining applications for wind turbines. This includes matters pertaining to noise, safety, electromagnetic transmissions, ecology, heritage, shadow flicker and reflected light. Advice is also given on how cumulative landscape and visual impacts should be assessed.

One wind turbine is already in situ to the south east of the site (approximately 600m), which has a hub height of 60m and a tip height of 100m (slightly larger in scale than the one subject of this application).

The site is located within countryside within 1.9 km from The Wash Site of Special Scientific Interest (SSSI) it is also within the designated Wash Special Protection Area (SPA), The Wash Special Area of Conservation (SAC) and The Wash Ramsar site and therefore particular consideration must be afforded to its potential impact on protected areas and species in addition to the remaining issues identified.

In addition, the principle of a turbine in a similar position to that proposed has already been established through the granting of consent under application reference 13/01191/F. That permission is still extant and capable of being implemented and is therefore capable of being a material consideration in the determination of this application.

It should be noted that the site areas for this application and 13/01191/F over-lap and therefore it would not be possible to implement both consents in the event that this application is approved.

### **Visual Impact**

This application seeks permission for the construction of a wind turbine with a tip height of 77m. As stated above, there is consent for a turbine with a tip height of 86.5m in a very similar location.

The Council's Landscape Character Assessment (LCA) identifies this wider area (landscape all) as drained coastal marshes (B2 North Wootton). This document describes this area as having an incredibly strong sense of openness, with vast skies, brought about by the flat, low-lying landform, with its lack of built structures and vertical elements. However it should be noted that this landscape cell covers a large area, which includes the Area of Outstanding Natural Beauty (AONB) over 2 km to the north; the application site itself is well outside of the AONB and more closely related to King's Lynn.

The previous application was accompanied by various photomontages and wireframe diagrams and on the basis of these it was considered that the visual and landscape impact of the larger turbine was acceptable. Given that this conclusion, the reduction in height proposed by this application is also considered to be acceptable.

### **Ecology**

When the previous application was considered both RSPB and Natural England had concerns regarding the impact of the turbine upon Herring Gulls which are a species on the

'red-list' due to severe population decline in UK breeding populations. Ultimately it was concluded that the impact of the larger turbine was acceptable. The applicant has submitted an up-date to the modelling that accompanied the earlier application and Natural England has confirmed that it has no objections on this basis subject to post-construction monitoring conditions. These details have been submitted to discharge the condition attached to the earlier permission. A condition is proposed to ensure that the development is carried out in accordance with the agreed details.

The RSPB has not responded but given the extant consent and the lack of an objection from Natural England, this is not considered to be an impediment to the grant of consent.

### **Heritage Assets**

The impact of the larger turbine upon heritage assets, including the King's Lynn Conservation Area and the Grade II Listed Coastguard Cottages was previously considered to be acceptable. In light of this, the impact of a smaller turbine in a similar location is also considered to be acceptable.

### **Amenity**

The site is in a relatively isolated position with commercial activities taking place to the south and agricultural uses to the north and east. Nevertheless there are sporadic residential properties to the north of the site and to the west separated by the River Great Ouse. The Council's Community Safety and Neighbourhood Nuisance team (CSNN) have assessed the relationships and confirmed that there will be no detrimental impact in terms of noise and shadow flicker. This however, is subject to two conditions in relation to noise levels. These are the same as those that were attached to 13/01191/F.

### **Highway Safety**

Norfolk County Council, Highways have confirmed that they have no objection to the proposal.

The Public Rights of Way Officer has not objected but expressed reservations about the fact that with the turbine in the new position the blades will over-sail the adjacent by-way. The PROW Officer states that the blades may scare horses using the by-way and points to the presence of a paddock with horses in it further north.

In response, the applicant has provided wind direction data that indicates the prevailing wind direction is from the southwest and that consequently the turbine will spend most of its time aligned with its blades along a northwest-southeast axis. In this position the blades would not over-sail the highway. There will, however, be some instances when the wind direction would mean the blades would over-sail the by-way but the applicant has stated that the turbine can be set up so that the blades cannot rotate when the hub is aligned along a specific axis. The blades would still over-hang the by-way but would not rotate.

The PROW officer has indicated that this would address his reservations.

### **Other material consideration**

The site is within flood zone 3, and within a hazard zone however the development type is classed as 'less vulnerable' and the EA have therefore not raised an objection to the development. The EA however, do make advisory comments in terms of the positioning of sensitive electrical equipment, pollution control and the decommissioning of the turbine. In

terms of pollution control and decommissioning, it is considered that this could be satisfactorily controlled by condition.

There are no objections from those organisations with responsibility for aviation safety.

There are no issues relative to crime and disorder.

## CONCLUSION

Renewable energy is generally supported in planning policy, subject to there being no significant adverse impacts upon air traffic control, and ecological, visual and neighbouring amenity considerations.

This proposal is for a smaller wind turbine than that approved under 13/01191/F in a very similar position. The new turbine would have a hub height of 50m and a height to blade tip of 77m compare to the 60m hub height and 86.5m tip height of the approved turbine. The approval for the larger turbine is still extant and is a material consideration in the determination of this application.

Given the extant consent and the lack of any objections from consultees, approval may be granted subject to appropriate conditions.

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before 4th December 2016
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 'Wind Turbine Block Plan Figure 8a'; and the untitled plan showing 'Front Elevation', 'Side Elevation' and 'Plan View' of the transformer housing.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The turbine hereby approved shall be sited at grid co-ordinates 560669 322508 and shall be of a 3 bladed design with a hub height not exceeding 50m and a height to blade tip not exceeding 77m. The turbine shall be finished in a semi-matt finish that shall have been submitted to and approved in writing by the Local Planning Authority prior to the erection of the turbine and shall not display any name, sign, symbol or logo on any external surfaces other than those reasonably required to meet health and safety requirements.
- 3 Reason In order to ensure that the turbine does not have an adverse impact upon the character of the area in accordance with Core Strategy policies CS08 and CS12 and the provisions of the NPPF.
- 4 Condition This permission shall expire no later than 25 years from the date when electricity is first exported from the wind turbine to the electricity grid network. Written

confirmation of the first export date shall be provided to the Local Planning Authority no later than 1 calendar month after the event.

- 4 Reason To limit the lifetime of the development as proposed.
- 5 Condition No later than 3 months before the expiry of this permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall make provision for the removal of the wind turbine and associated above ground equipment and foundations to a depth of at least 1 metre below ground level. The scheme shall include:
- a) management and timing of any works
  - b) an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats
  - c) location of material laydown areas
  - d) restoration measures and a programme of implementation

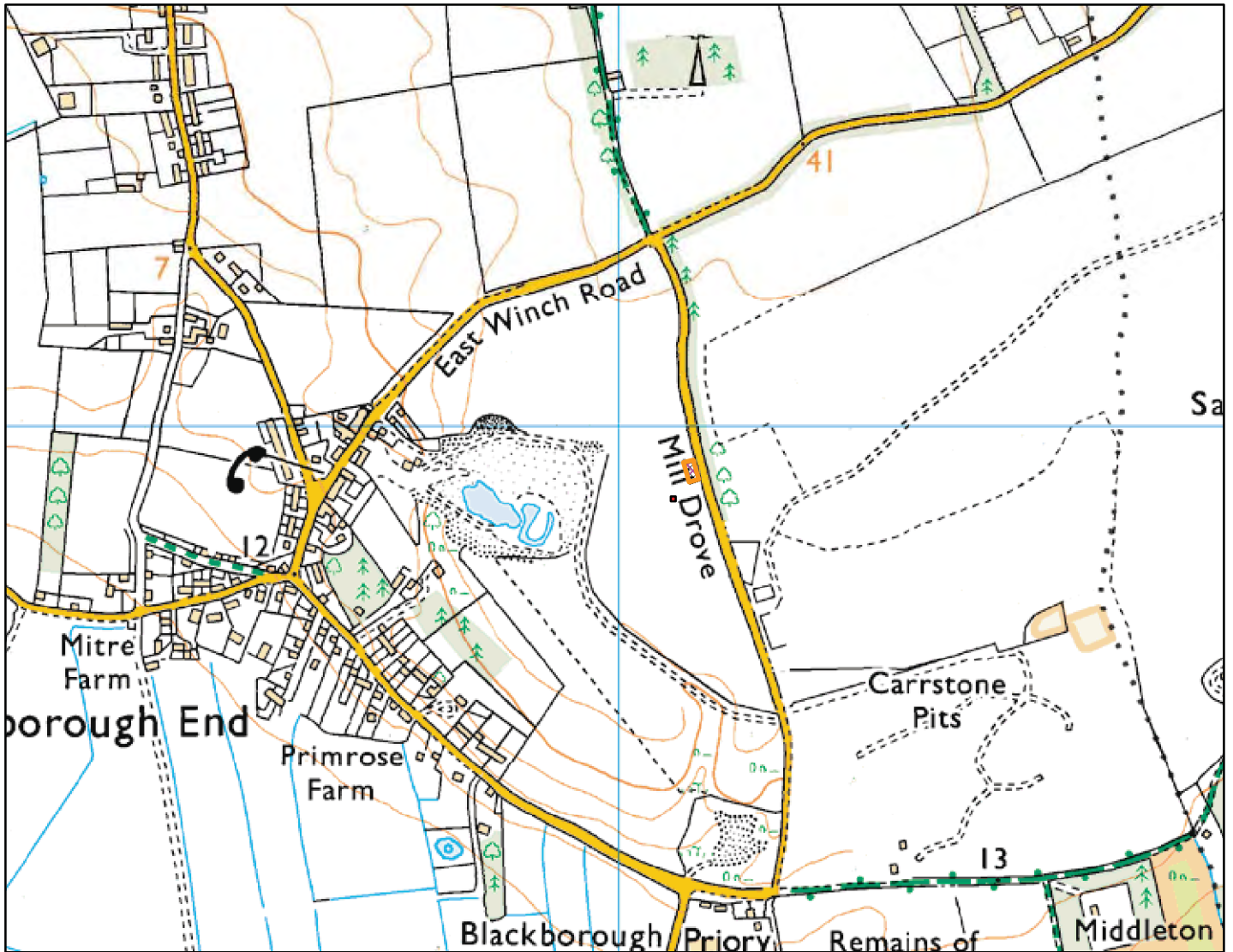
The approved scheme shall be fully carried out within 6 months of expiry of this permission.

- 5 Reason To ensure the wind farm infrastructure including turbine is removed at the end of their operational life to protect the local environment beyond the lifetime of the permission.
- 6 Condition If the wind turbine fails to operate for a continuous period of six months then unless otherwise approved in writing by the Local Planning Authority that wind turbine and ancillary development solely related to it shall be taken down and removed from the site in accordance with a scheme previously approved by the Local Planning Authority. The developer shall submit the scheme under this condition for the approval of the Local Planning Authority within one month of a request to do so made at any time after the expiry of the six month period for in this condition.
- 6 Reason To ensure that any redundant turbine is removed promptly when it ceases to be of benefit for energy production.
- 7 Condition Development shall not commence until a construction method statement including details of all on-site construction works, sustainable drainage, mitigation, and other restoration, together with details of their time tabling has been submitted to and approved in writing by the Local Planning Authority.
- 7 Reason To ensure the development is constructed in a controlled manner to minimise any adverse environmental effects.
- 8 Condition The rated noise level from the operation of the wind turbine(s), measured or calculated as an LAeq (5min) at the nearest boundary of Clockcase Barn, Clockcase Road, Clenchwarton, to the approved turbine, shall not exceed the background LA90 (5min) noise levels, measured at the same location with the wind turbine(s) switched off by more than 5dBA at any wind speeds and at any time.
- 8 Reason To prevent noise related nuisance in the interests of the amenity of the locality.
- 9 Condition The turbine shall be operated at all times in the reduced power mode as stated in the 'Clement Acoustics Noise report' referenced 8531-NIA-01 submitted with application 13/01911/F.

- 9 Reason To prevent noise related nuisance in the interests of the amenity of the locality.
- 10 Condition The development shall be carried out in accordance with the Post Construction Monitoring and Mitigation Methodology submitted to the Local Planning Authority under reference 13/01911/DISC\_A to discharge condition 9 attached to planning application 13/01911/F and agreed by the Local Planning Authority by letter dated 30th April 2014.
- 10 Reason In order to ensure that the approved wind turbine does not have an adverse impact upon the local Herring Gull population in accordance with the NPPF and the Natural Environment and Rural Communities Act 2006
- 11 Condition Prior to the installation of the turbine hereby approved details of how the turbine shall be set up to prevent the blades rotating when they are over-hanging Byway Open to All Traffic No.1 shall be submitted to and approved in writing by the Local Planning Authority. The turbine shall be installed in accordance with the agreed details and thereafter maintained in accordance with them.
- 11 Reason In order to preserve the amenity of users of the by-way.



Land to west of Mill Drove Blackborough End



Scale: 1:10,000

**Legend**

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Borough Council of  
**King's Lynn &  
 West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	22/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>Middleton</b>	
<b>Proposal:</b>	<b>Creation of new access from highway to former quarry</b>	
<b>Location:</b>	<b>Land To West of Mill Drove Blackborough End Norfolk</b>	
<b>Applicant:</b>	<b>C/O Agent</b>	
<b>Case No:</b>	<b>14/00383/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs H Morris Tel: 01553 616481</b>	<b>Date for Determination: 9th May 2014</b>

**Reason for Referral to Planning Committee** – The Officer recommendation is at variance with the views of the Parish Council

### Case Summary

The application site is situated on the western side of Mill Drove, Blackborough End and comprises part of a former quarry.

The site lies within the countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) Proposals Map.

The application seeks full planning permission for the creation of a new access from the highway to a former quarry.

### Key Issues

The key issues identified in the consideration of this application are as follows:

Principle of development;  
Impact on the countryside;  
Highway safety;  
Other considerations; and  
Crime and disorder

### Recommendation:

**APPROVE**

### THE APPLICATION

The application site is situated on the western side of Mill Drove, Blackborough End and comprises part of a former quarry.

The site lies within the countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) Proposals Map.

The application seeks full planning permission for the creation of a new access from the highway to a former quarry.

## SUPPORTING CASE

Limited information has been submitted in support of this application however the agent has advised that the layout and design of the access should accommodate most future vehicular uses however in the first instance it will facilitate the access of agricultural machinery. The access is required to reach a parcel of land that is effectively landlocked, the justification being the completion / management of the conditions applied to earlier permissions and the permitted uses in relation to those conditions – one of which being agricultural.

## PLANNING HISTORY

2/99/1276/CM – Storage silo for concrete/cement (renewal) – Permitted – 5th January 2000.  
2/97/0538/CM – Determination of conditions for mineral extraction site – Permitted – 27th August 1999.

## RESPONSE TO CONSULTATION

**Town/Parish Council: OBJECT** for the following reasons:

Paragraph 121 of the NPPF states that planning decisions should also ensure that “the site is suitable for its new uses taking into account of ground conditions.... Including former activities such as... pollution from previous uses”. This paragraph also refers to the need for adequate site investigation information to be presented. Based on local knowledge of the site, residents have raised serious concerns regarding the previous activities, particularly regarding the possible burying of materials.

The Parish Council believes it is essential that before any new access is granted to this site there is a thorough investigation into any potential hazards arising from the previous activity. In addition, in any future application the Council would wish to see specific information regarding the nature of the vehicles proposing to use any new access and a clear indication of the intended future use.

**Norfolk County Highways: NO OBJECTION** subject specified conditions in relation to the access and visibility splay.

**Natural England: NO OBJECTION.**

**Environmental Health & Housing – Environmental Quality: NO OBJECTION.** Based on the information supplied and held within this section I have no comments to make for this proposal regarding contaminated land or air quality issues.

## REPRESENTATIONS

No letters of representation have been received in relation to this application.

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS06** - Development in Rural Areas

**CS11** - Transport

**CS08** - Sustainable Development

## **OTHER GUIDANCE**

Middleton Parish Plan

## **PLANNING CONSIDERATIONS**

The key issues identified in the consideration of this application are as follows:

- Principle of development;
- Form and character;
- Neighbour amenity;
- Other considerations; and
- Crime and disorder

### **The Principle of Development**

The application site lies within the countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) Proposals Map.

The application proposal seeks approval for the creation of a new access to a parcel of land which is effectively landlocked at present. The principle of development is therefore considered to be acceptable provided that it would not have any detrimental impact on the character or appearance of the countryside or result in any significant harm to highway safety.

### **Impact on the Countryside**

The proposed creation of the access would result in the loss of existing small trees and hedging currently situated adjacent to the highway along Mill Drove.

The section to be removed would be approximately 10 metres in length in order to allow the appropriate width of access and required visibility but the existing trees and hedging either side and along the length of Mill Drove would remain. In addition to the groundworks proposed to connect the access to the highway 1.2 metre high steel gates would be provided set back from the road.

Overall it is considered that the proposed new access would have minimal impact on the character and appearance of Mill Drove or the wider countryside. The steel gates proposed are typical to the rural location and would not result in any visual harm.

## Highway Safety

Having examined additional information provided by the applicant's agent and taking into account confirmation received from Norfolk County Council's Minerals and Waste Planning team that there are no longer permitted quarry uses associated with the land, Norfolk County Highways have confirmed they have no objection to the proposed new access on highway safety grounds. They have however recommended that should planning permission be granted a condition should be imposed requiring the vehicular access to be provided to a minimum width of 6 metres and provided with kerb radii of 6 metres in accordance with the Norfolk County Council Field Type 1 access construction specification for the first 8 metres as measured back from the near channel edge of the adjacent carriageway. A further condition is also recommended requiring a visibility splay measuring 2.4 x 160 metres to be provided to each side of the access where it meets the highway.

## Other Considerations

Middleton Parish Council has objected to the application on the grounds that there are concerns regarding the previous activities on the land. However, the Council's Environmental Quality team have raised no objections to the proposed development. The proposal seeks approval for the creation of an access only and no other works or change of use are associated with this application. Currently the land may be used for agricultural purposes only and should the applicant wish to alter the permitted use a further planning application would need to be submitted.

The site lies in close proximity to the Blackborough End Pit Site of Special Scientific Interest however Natural England have confirmed they are satisfied that the proposed development will not damage or destroy the interest features for which the site has been notified.

There are no other material considerations relevant to this application.

## Crime and Disorder

There are no crime and disorder issues raised by this proposal.

## CONCLUSION

The principle of creating a new access is considered to be acceptable and would have minimal impact on the countryside. Furthermore it would not result in any significant harm to highway safety.

As a result the proposal complies with Policies CS01, CS06, CS08 and CS11 of the Borough Council of King's Lynn and West Norfolk's Core Strategy (2011) as well as the provisions of the National Planning Policy Framework (2012). It is therefore recommended that planning permission be approved subject to conditions outlined below.

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: drawing nos. 14-BBE001A and 14-BBE-02 received by the local planning authority on 13th March 2014.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the commencement of the use hereby permitted the vehicular access (indicated for improvement on drawing number 14-BBE-02) shall be provided to a minimum width of 6 metres and provided with kerb radii of 6 metres in accordance with the Norfolk County Council Field Type 1 access construction specification for the first 8 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason In the interest of highway safety and traffic movement.
- 4 Condition Prior to the commencement of the use hereby permitted a visibility splay measuring 2.4 x 160 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 4 Reason In the interests of highway safety.



14.00449.F

44 Methwold Road Thetford



**Scale:** 1:1,250

Borough Council of  
**King's Lynn &  
West Norfolk**



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	08/05/2014
MSA Number	0100024314



<b>Parish:</b>	<b>Northwold</b>	
<b>Proposal:</b>	<b>Construction of one dwelling</b>	
<b>Location:</b>	<b>44 Methwold Road Northwold Thetford Norfolk</b>	
<b>Applicant:</b>	<b>Mr And Mrs S Randell</b>	
<b>Case No:</b>	<b>14/00449/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler Tel: 01553 616402</b>	<b>Date for Determination: 19th May 2014</b>

**Reason for Referral to Planning Committee** – Parish Council recommendation contrary to officer recommendation

### Case Summary

Permission is sought for the erection of a detached, two-storey dwelling on land that currently constitutes part of the curtilage of No.44 Methwold Road, Northwold.

The site lies within Built Environment Type D and within the 2km buffer zone of a SSSI.

### Key Issues

Principle of Development;  
Form and Character;  
Neighbour Amenity;  
Highway Safety; and  
Other considerations.

### Recommendation:

**APPROVE**

## THE APPLICATION

The application seeks full planning permission for the construction of a three bedroom detached two-storey dwelling.

The site lies to the west of Methwold Road, Northwold and constitutes part of the curtilage of No.44 Methwold Road. The site is generally level and is physically bounded to the west, north and east by close boarded timber fencing ranging in height between c.1.5m and 1.8m in height. Additionally, on the northern boundary, are some conifer trees.

The area is residential in nature and is located with Built Environment Type D as depicted on the Local Plan Proposals Map.

## SUPPORTING CASE

The planning statement that accompanied the application states that:

- The existing bungalow (No.44) is on an extremely large plot;
- The proposed plot width of 10m would be similar to No.42 [the property to the immediate north of the site];
- The proposed development is of an appropriate scale, thus complying with CS09;
- The dwelling will help to sustain the existing village facilities and therefore will be compliant with CS06;
- The dwelling has been carefully designed to avoid overlooking, with no principle first floor windows in the side elevations; and
- The design and materials have been carefully considered to be in keeping with the locality.

## PLANNING HISTORY

No recent relevant history.

## RESPONSE TO CONSULTATION

**Parish Council: OBJECT:**

- very small plot for a large house;
- will block light on neighbour's property; and
- not in keeping with existing properties.

**Highways Authority: NO OBJECTION** subject to condition(s)

**Community Safety and Neighbourhood Nuisance: NO OBJECTION** – recommend informatives relating to noise, dust, smoke and soakaways be appended to any permission granted

**Environmental Health & Housing – Environmental Quality:** No comments in relation to air quality or contaminated land

**Norfolk Constabulary:** No comments; 'Designing out Crime' leaflet sent to applicant / agent.

## REPRESENTATIONS

**ONE** letter of **OBJECTION** has been received from the occupier of the dwelling to the immediate north of the site (No.42 Methwold Road). The main reasons for objection are:

- the existing conifer trees of approximately 12ft in height leave the southern side of No.42 dark and damp resulting in the dining room having no source of natural light;
- the proposed dwelling would cut out all light into the south-facing rooms of No.42 which will make the property cold, darker and an unattractive place to live; and
- the proposed development would significantly devalue No.42.

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## PLANNING POLICIES

The King’s Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

**8/1** - indicates that individual and small groups of dwellings will be permitted in settled or built-up areas of villages defined as Built Environment Types C and D.

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

## PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are:

- Principle of Development;
- Form and Character;
- Neighbour Amenity;
- Highway Safety; and
- Other considerations.

### Principle of Development

The National Planning Policy Framework (NPPF), 2012 states, at paragraph 49, that: ‘Housing applications should be considered in the context of the presumption in favour of sustainable development’.

Northwold is identified as a Joint Key Rural Service Centre (with Methwold) in the Settlement Hierarchy set out in Policy CS02 of the King's Lynn & West Norfolk Core Strategy, 2011. Furthermore the application site falls within Built Environment Type D as identified in the King's Lynn & West Norfolk Local Plan, 1998. Within this area the principle of new residential development is generally considered to be acceptable under Policies CS02 and CS09 of the Core Strategy and Policies 8/1 and 4/21 of the Local Plan. Development must however have regard for and be in harmony with the building characteristics of the locality and comply with all other relevant policies.

### **Form and Character**

The immediate area to the west of Station Road (unlike its eastern counterpart) does not have a strong character in terms of its built form. Properties range in age, height, scale, design and size of curtilage. The proposed dwelling would sit between the two-storey dwelling of No.42, which lies in a plot of a width of approximately 10m (to the north), and the single storey dwelling of No.44 (the donor property) to the south, which would have a resultant width of approximately 27m. The proposed development would follow the building line established by Nos.40 to 44a.

It is therefore considered that the proposed dwelling, in a plot of an equal width to the property to its immediate north and with a similar sized footprint (No.42 = c.66sq.m; proposed dwelling = c.65.4sq.m.), would not be inappropriate in this locality or have a detrimental impact on the appearance of the area.

### **Neighbour Amenity**

The property to the immediate north of the site (No.42) is the only unrelated property that is likely to be affected by the proposed development. Whilst some overshadowing would occur to the southern element of 42, this constitutes the parking area in front of No.42's garage and its southern elevation which accommodates windows that appear to serve, at ground floor level, a dining room, and secondary windows serving a kitchen and lounge, and at first floor level, a landing. These windows, by the occupiers own admission, are currently overshadowed by the existing conifer trees on No.44's northern boundary. Whilst there is currently considerable overshadowing from these conifers to these southern elements of No.42, some light would penetrate (between gaps in foliage and between the trees themselves) as such the loss of light produced by these trees would not be as total as that created by a solid brick wall that would be approximately 700mm to eaves and 2.5m to ridge taller than the existing trees. However, the use of this part of the outside area of the adjoining property (a parking area), together with the limited periods of day that overshadowing would occur and the existing degree of overshadowing, it is considered, on balance, that overshadowing from the proposed dwelling would not be significant enough to warrant refusal of planning permission.

There would be no material overlooking due to the proposed fenestration (with no first floor windows serving habitable rooms on either the northern or southern elevations). Overlooking from any ground floor windows would be mitigated by either existing or proposed boundary treatments. The separation of the main amenity space of No.42 by its driveway suggests that any overbearing impacts would not be significant enough to warrant refusal.

Taking all amenity issues into account and comments received from the Parish Council and a third party representative, it is not considered that the proposed development would result in any significant harm to residential amenity.

## Highway Safety

The Local Highway Authority has no objection to the proposed development on highway safety grounds.

## Other Material Considerations

Whilst the site lies within the 2km buffer zone of a SSSI, the scale and nature of the proposed development would not have any significant detrimental impact on the features on which the area was designated.

## CONCLUSION

It is considered that the proposed dwelling is appropriate for the site and its surroundings and would not have any detrimental impact on the established character or appearance of the area. The proposed development would not result in any significant harm to residential amenity or highway safety. As such there are no material considerations that suggest the proposed development should not be approved as it complies with the general provisions of the NPPF, policies CS01, CS02, CS08, CS09, CS11 and CS12 of the Core Strategy, 2011 and saved policies 4/21 and 8/1 of the King's Lynn & West Norfolk Local Plan, 1998.

It is therefore recommended that planning permission be approved subject to the conditions outlined below.

## RECOMMENDATION:

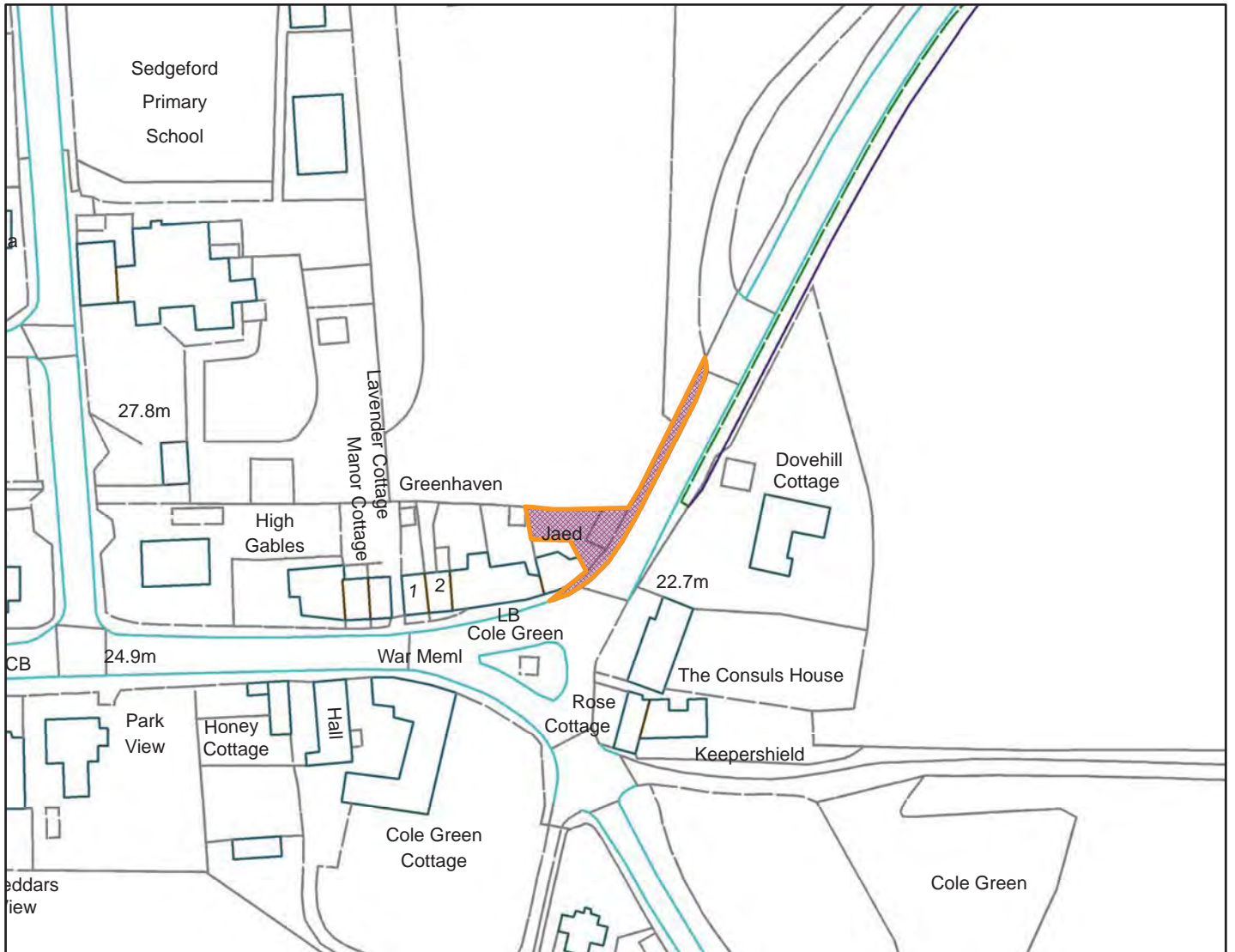
**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos: 11210; 11211; and 11212.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing no 11210) in accordance with the highway specification drawing No: TRAD 5. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with the NPPF and Core Strategy Policy CS11.

- 4 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 4 Reason In the interests of highway safety in accordance with the NPPF and Core Strategy Policy CS11.
- 5 Condition Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 43 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 1.00 metres above the level of the adjacent highway carriageway.
- 5 Reason In the interests of highway safety in accordance with the NPPF and Core Strategy Policy CS11.
- 6 Condition Prior to the first occupation of the development hereby permitted the proposed access, on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 6 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with the NPPF and Core Strategy Policy CS11.

13/01561/F

Jaed Cole Green Sedgeford



Scale: 1:1,250

Legend	

Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	
Date	16/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>Sedgeford</b>	
<b>Proposal:</b>	<b>Conversion of outbuilding to form ancillary accommodation -annex</b>	
<b>Location:</b>	<b>Jaed Cole Green Sedgeford Norfolk</b>	
<b>Applicant:</b>	<b>Highbury Homes</b>	
<b>Case No:</b>	<b>13/01561/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Miss J Kendal Tel: 01553 616772</b>	<b>Date for Determination: 8th January 2014</b>

**Reason for Referral to Planning Committee** – The Officer recommendation is contrary to the views of the Parish Council.

### **Case Summary**

The site comprises garden land to Jaed with an associated outbuilding used for storage purposes. It is situated to the north-east of Cole Green, on the northern side of Heacham Road, Sedgeford.

The application proposes to change the use of an existing outbuilding to form an annexe and construction of a single storey extension to create an en-suite. The accommodation is proposed to be ancillary to the main dwellinghouse.

The application site lies within Built Environment Type C and designated Conservation Area as depicted on the Local Plan Proposals Map.

### **Key Issues**

Principle of development;  
Impact upon the character and appearance of the Conservation Area;  
Impact upon neighbour amenities;  
Impact upon highway safety; and  
Other material considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The site lies at the junction of Heacham Road, Docking Road and Fring Road, to the north of Cole Green in Sedgeford. The site is garden land to Jaed and has a right of way through to the dwellings to the west.

The area is residential in character and Jaed sits at the end of a row of traditional two storey cottages. The garden comprises an outbuilding, which is currently for storage purposes.

The outbuilding forms the roadside boundary and is constructed of traditional materials such as Carstone with red brick quoins, red pantile and timber joinery. There is an access point to the rear garden area with a dropped kerb and gates which is positioned in-between the main dwelling (Jaed) and the outbuilding.

The application was initially submitted for the conversion of the outbuilding to form an independent residential dwellinghouse. There were concerns over the proposal on grounds of over-development of the site; cramped layout; lack of private amenity space; highway safety and poor visibility. The applicant took these grounds for refusal on board and subsequently amended the proposal.

The application now proposes to convert the outbuilding into an annexe for ancillary accommodation and as part of that construct a modest single storey extension to its rear (west) elevation to create an en-suite. The annexe will provide a bedroom and living area (lounge) as well as the en-suite to cater for older children and family members when visiting.

The proposed extension will have a flat roof and materials to match the existing outbuilding.

## SUPPORTING CASE

There is no supporting case relating to this proposal.

## PLANNING HISTORY

13/01632/F: Application Permitted Dec 2013. Rear extension to dwelling

07/01088/CU: Application Permitted: 23/07/07 - Change of use from former Post Office/Retail to dwelling

## RESPONSE TO CONSULTATION

**Parish Council: OBJECT** on highway safety grounds. Any extra cars using the property will enter and exit the highway on a very dangerous bend. This is not a suitable access for increased traffic.

**Highways Authority: NO OBJECTION** subject to a condition for the dwelling to limited to ancillary accommodation only.

**Conservation Officer: NO OBJECTION** – structural changes are minimal and are therefore acceptable, particularly the road side elevation. However not entirely comfortable with the trappings of domestic use such as curtains, flues/vents, satellite dish / aerial as they will change the intrinsic character of the building and therefore the ‘feel’ of the Conservation Area. It is noted that some of this is outside our control and would therefore request controlling the location of satellite dishes etc. with conditions.

## REPRESENTATIONS

**THREE** representations received **OBJECTING** on the following grounds:

- Conversion to holiday home means that complete strangers will be using the property on a weekly basis;

- Blind bend – poor visibility;
- Issues with parking on Cole Green;
- Fear that in time the property will be used for holiday let;
- The outbuilding is Structurally unsafe;
- Risk of life when crossing the road;
- Not enough space on-site for additional parking;
- Not enough demand for additional annexes due to the number of properties already available in the area.

Prior to the amendment, there were THREE representations received relating to the new dwelling, TWO of which were OBJECTING on grounds of Highway safety.

## **NATIONAL GUIDANCE**

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **PLANNING POLICIES**

The King’s Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**CS12** - Environmental Assets

**CS11** - Transport

## **PLANNING CONSIDERATIONS**

The main considerations in the determination of this application are:-

- Principle of development;
- Impact upon the character and appearance of the Conservation Area;
- Impact upon neighbour amenities;
- Impact upon highway safety; and
- Other material considerations

**Principle of development:**

The site is located within the settlement of Sedgeford and within Built Environment Type C as depicted on the Local Plan Proposals Map. In principle new development will be permitted provided it has regard for and is in harmony with the building characteristics of the locality.

The site also lies within the Conservation Area where the design of new development should be sensitive to its surrounding area, and not detract from the inherent quality of the environment.

The area is characterised by residential properties and the site itself is residential. The proposed ancillary residential accommodation would therefore be compatible with its surroundings, in accordance with Local Plan Policy 4/21, Core Strategy Policy CS08 and the general provisions of the NPPF.

Taking the above into account, the conversion of the outbuilding to a residential annexe in connection with the main dwellinghouse is acceptable in principle subject to other policy considerations.

**Impact upon the character and appearance of the Conservation Area:**

There are very few structural changes to the outbuilding, therefore any impact upon the Conservation Area would be minimal. The changes include replacement windows and doors with traditional timber frames (details of which will be conditioned); re-roof due to sagging, using existing pantiles where possible and replace any damaged tiles with re-claimed pantiles; insertion of two small rooflights to the rear (western) roof slope; and construction of a single storey extension. The proposed extension will be positioned to the rear of the annexe against the northern boundary so will not be overly visible from the public domain.

The most important roadside elevation is to remain unchanged, with the exception of the replacement like-for-like windows. The proposal therefore accords with the provisions of Core Strategy Policy CS12 and the Conservation Principles of the NPPF.

The Conservation officer raise no objection to the proposal subject to conditions being imposed controlling the position of satellite dishes and such like.

There is no need to condition the position of such equipment as flues or soil and vent pipes are controlled by Class G of the General Permitted Development Order (2008) and antennas are controlled by Class H of the said Order. The equipment is restricted by these Classes within Conservation Areas if erected on a "wall or roof slope which faces onto and is visible from a highway".

**Impact upon neighbour amenities:**

The use of the outbuilding is currently for residential purposes, mainly for storage or other uses related to the dwelling house. The outbuilding could be used for overspill accommodation (bedroom, games room etc.), ancillary to Jaed without the need for planning permission. The proposed annexe accommodation, being residential and connected to the use of the main dwelling is not much different, other than the fact that it has a lounge area and en-suite for the use of other family members when visiting. Therefore it is not considered that the proposed annexe would cause any adverse impact to the amenities of

any neighbouring residents, in accordance with Local Plan policy 4/21, Core Strategy Policy CS08 and the general provisions of the NPPF.

There will be no new windows inserted into the western (rear) elevation which could impact upon the neighbour's amenity space to the west. That said, windows can currently be inserted under permitted development rights. The rooflights on the western roofslope would be at such level so not to cause overlooking.

The right of way through the garden from Docking road to the properties to the west would still be available, the development does not prevent neighbours from using this.

**Impact upon highway safety:**

Initially, the application proposed to convert the existing outbuilding to a separate dwellinghouse which the Local Highway Authority objected to as they have serious reservations regarding the intensification of the use of the current access arrangements. It was considered that the number of additional vehicular movements would be in the region of 8-10 daily, thus causing significant risk to highway safety at an access point of sub-standard visibility.

The Local Highways Authority note that the applicant has now amended the plans to provide only ancillary accommodation, similar in nature to that of an extension to an existing dwelling. As such this would not be considered to generate any independent traffic movements and would have synergy with the existing dwelling, therefore they would not raise any highway objection subject to the building remaining ancillary. This will be conditioned.

As the outbuilding is now proposed to be converted to an annexe, the changes to the access arrangements are no longer required or proposed. The applicant may remove a small hedge to the southern side of the access but this can be done without consent.

**Other material considerations:**

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

With regards to the Parish Council objections, the Local Highway authority has assessed the amended proposal and concludes that the annexe is unlikely to generate independent vehicular movements to the detriment of highway safety.

The third party representations were either based on the outbuilding being used for holiday purposes or the potential that the annexe would become a holiday let and the associated highway and access visibility issues. The proposed annexe is not intended to be used for holiday accommodation and conditions will be imposed restricting its use. As already stated in the report, it is not anticipated that the ancillary accommodation will increase the number of vehicular movements to a degree that would render unsafe, if at all.

The annexe will be used by family members or friends visiting the applicant at Jaed as the dwelling itself it too small to cater for additional people. The use of the annexe will thereby be less frequent than anyone using the building for holiday purposes.

**CONCLUSION:**

The proposed annexe will be used as ancillary accommodation to the main dwellinghouse at Jaed, therefore it is acceptable in principle in this location, in accordance with Local Plan Policy 4/21. The only external alterations which are material include the addition of a modest extension and the insertion of two rooflights, both to the rear of the building. The impact of the development upon the character and appearance of the Sedgford's Conservation Area are therefore minimal and in line with Core Strategy Policy CS12 and the provisions of the NPPF.

Given the current use of the outbuilding, being residential, and the nature of the proposed use, being residential accommodation associated with the main dwellinghouse, the development would not cause any material harm to the amenities of any neighbouring residents, in accordance with Core Strategy Policy CS08 and the general provisions of the NPPF.

The ancillary accommodation would not be detrimental to highway safety as it would not create any independent traffic movements from or to the site. The proposal would therefore not comprise the provisions of Core Strategy Policy CS11 or the principles of the NPPF.

Taking the above into account and in light of national and local planning policy and guidance, and other material considerations, it is your officer's recommendation that this application be approved subject to the following conditions.

**RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plan as amended; drawing no. 1 detailing the location plan, site plan, existing and proposed elevations and existing and proposed floor plans, received 13th March 2014.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The use of the building hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling and shall at no time be used for business or commercial purposes.
- 3 Reason For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.
- 4 Condition Prior to the commencement of the development 1:20 drawings of all new and/or replacement windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The plans shall provide for the use of timber single glazed windows, puttied and not beaded and shall include joinery details, cross-sections and the opening arrangements. The development shall be implemented in accordance with the approved details.

- 4 Reason In order to protect the character and appearance of the Conservation Area in accordance with the principles of the NPPF.
- 5 Condition The existing pantiles must be carefully stripped from the roof and set aside for re-use in the development hereby approved. The balance to replace those unsuitable for re-use shall be made up with reclaimed pantiles to match those set aside.
- 5 Reason In order to protect the character and appearance of the Conservation Area in accordance with the principles of the NPPF.



Mill House Burnham Road Stanhoe



Scale: 1:2,500

Legend

Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	
Date	19/05/2014
MSA Number	0100024314

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<b>Parish:</b>	Stanhoe	
<b>Proposal:</b>	Construction of three holiday cottages on land outlined in red to the north-east of the site and change of use of land to domestic curtilage outlined in red to the south-east of the site	
<b>Location:</b>	Mill House Burnham Road Stanhoe King's Lynn	
<b>Applicant:</b>	Mr And Mrs R Aldridge	
<b>Case No:</b>	14/00081/F (Full Application)	
<b>Case Officer:</b>	Miss J Kendal Tel: 01553 616772	<b>Date for Determination:</b> 17th March 2014

**Reason for Referral to Planning Committee** – The Officer recommendation is contrary to the views of the Parish Council.

### Case Summary

The application site is part of a triangular parcel of land which comprises an established camping site, situated on the western side of Burnham Road, Stanhoe. To the south of the application site is Mill house, which is currently under construction having received planning permission for a replacement dwelling in 2013.

The site lies within the countryside as depicted on the Local Plan Proposals Map.

Full planning permission is sought for the construction of three holiday cottages.

### Key Issues

Principle of development;  
Form and character;  
Impact upon neighbour amenity;  
Highway safety; and  
Other material considerations

### Recommendation

**APPROVE**

## THE APPLICATION

The application site forms a triangular parcel of land which comprises an established camping and caravan site. It is situated on the western side of Burnham Road, Stanhoe and lies within designated countryside.

The wider site is exempt from Local Authority Licensing and does not require planning consent under the terms of the Camping and Caravanning Club certifications.

There is a detached 'club room' on site which is proposed to be demolished. There is also a shower / WC building (which is proposed to be retained) and a static holiday caravan (proposed to be removed) on the wider site as outlined in blue on the site location plan.

The land is associated with Mill House, to the south of the application site, which is currently being constructed having received planning permission in 2013 for a replacement dwelling.

Full planning permission is sought for the construction of three holiday cottages. Two of which are semi-detached and the other is detached. They will be located to the east of the site within close proximity to the neighbouring boundary of Mill House.

The cottages are reasonably modest in size, all being single storey and having a similar footprint of between 76 square metres and 81 square metres. Each unit comprises two bedrooms, an open-planned kitchen / living room, lobby area and bathroom. They are proposed to have dual pitched roofs with a small gable projection to the front. The materials to be used include facing brickwork and a tiled room with timber frames and doors.

The application has been amended to include four parking bays and a turning area associated with the proposed holiday dwellings.

It is proposed to close off the existing access to the south of the site and share the domestic access towards the north of the site. As part of doing so, it is proposed to change the use of the access track from countryside to domestic curtilage to be included into the garden of Mill House.

There is an existing detached timber building on-site which was used as a clubhouse in association with the camp site but is now dilapidated and is proposed to be removed.

## **SUPPORTING CASE**

There is no supporting case accompanying this application.

## **PLANNING HISTORY**

05/00508/F: Application Refused: 29/04/05 - Construction of dwelling following demolition of existing dwelling and creation of new vehicular access

13/01559/F: Application Permitted: 19/12/13 - Construction of a replacement dwelling (revised design)

13/00046/F: Application Permitted: 10/05/13 - Replacement Dwelling

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECT** on the following grounds:-

- The replacement dwelling to the south is significantly larger than the original dwelling. The Parish Council approved the original application on the basis that the dwelling was to be used as a family home and the new design would not adversely affect the nature of the village;
- The current application for 3 x 2 bedroom cottages would appear only to replace one static caravan. Three additional cottages seem unnecessary and excessive for both the site and for the village in which there are already many holiday homes. A village which has been deemed unsuitable for sustainable development;

- The application states that the proposed cottages would be built on part of the existing camping and caravan site. However the site was a certified location of the caravan club which means that only 5 towing caravans would have been allowed at any one time. The Parish are questioning if the status of the site has been changed.
- There are no on-site parking facilities. This would result in a significant increase in traffic movement around one gateway.
- If permission was granted, the nature of the site would be changed from a purely residential one to that of a holiday complex.

**Highways Authority: NO OBJECTION** subject to conditions.

**Environmental Health & Housing – Environmental Quality / Contamination: NO OBJECTION** subject to condition.

**Norfolk Constabulary: NO OBJECTION** subject to the standard Secured By Design advice.

**BCKLWN Arboricultural Officer: NO OBJECTION** subject to condition.

## **REPRESENTATIONS**

NONE RECEIVED.

## **NATIONAL GUIDANCE**

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF  
National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

## **LDF CORE STRATEGY POLICIES**

**CS11** – Transport

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

## **PLANNING CONSIDERATIONS**

The key considerations during the determination of this application are:-

- Principle of development;
- Form and character;
- Impact upon neighbour amenities;
- Highway safety; and

- Other material considerations

### **Principle of Development**

The site is located outside the settlement of Stanhoe and within the countryside as depicted on the Local Plan Proposals Map. In principle new residential development is strictly controlled, although tourism development may be approved in appropriate circumstances.

Nationally, the NPPF seeks a high standard of design, and design that takes the opportunity to improve an area. Some of the key objectives referred to in the NPPF are for development which responds to their local context and creates or reinforces local distinctiveness, are visually attractive as a result of good architecture and appropriate landscaping.

Section 3: Supporting a prosperous rural economy, Para 28 of the NPPF supports sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

Locally, Core Strategy Policy CS06: Development in Rural Areas refers to the protection of the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife and its natural resources. However, it supports rural business opportunities in line with Policy CS10: The Economy, providing the development:-

- Meets sustainable development objectives;
- Is coherent in its scale with its rural location;
- Is beneficial to local economic and social needs;
- Does not adversely affect the building and the surrounding area or detract from residential amenity.

Policy CS10 supports new tourism accommodation, subject to certain criteria similar to the above, and states that preservation of the natural and historic environment should be a priority. Smaller scale tourism opportunities will be supported in rural areas to sustain the local economy, providing these are not detrimental to our valuable natural environment. Furthermore, the Council will permit the development of new tourism accommodation in rural areas subject to them being adjacent to villages, of a high standard of design, not detrimental to the landscape and be permanently retained for tourist related use.

The application site is a well-established site used by the Camping and Caravanning Club members. The proposed cottages are an expansion to the existing tourist use.

The proposed cottages are to be used as dwellinghouses for holiday accommodation. Whilst national and local policy restricts the development of dwellinghouses in the countryside to specific purposes related to the rural area, new tourism accommodation in rural areas is permitted subject to the proposal meeting the criteria referred to in Policies CS06 and CS10 above. In this regard, provided the units are for holiday accommodation only, the proposal is considered to comply with the majority of the criteria of Policy CS06 and the restrictions of Policy CS10, and the general principles of national and local policy.

The use of the holiday cottages will be strictly controlled by way of conditions restricting them to holiday purposes only to avoid a permanent residential use on the site or other that would be incompatible with its surroundings.

It could be argued that the proposal falls foul of the sustainability criterion set out in CS06 and CS10, as the site is located approximately half a mile from Stanhoe and approximately 2.6 miles from Burnham Market, the nearest Key Rural service Centre. Whilst the site is not directly adjacent to the village of Stanhoe, at approximately half a mile from it, it is not

unreasonably isolated. The nearby settlement of Burnham Market is a fully functional and highly sustainable village, offering all kinds of services and amenities and is easily accessible by car. It is reasonable to expect the need to travel by car to such locations, particularly when holidaying in rural Norfolk. Furthermore, it must be remembered that the proposed holiday cottages will provide additional accommodation which will support and expand an existing enterprise.

As part of the application it is proposed to change the use of a strip of land to the south of the site from countryside to domestic curtilage. The land is currently an access track leading from Burnham Road to the Camping and Caravanning field to the rear of Mill House (in ownership of Mill House). As part of the negotiations with Highways and the decision to share the access towards the north of the site, the current access track will have to be closed off for highway safety reasons. This would leave a narrow strip of land with no use, which is bounded by a mature hedge along its south-western side, separating it from the countryside to the south. Incorporating this small section of land into the curtilage of Mill House would cause no detrimental impact upon the character and appearance of the surrounding landscape, and in the circumstances, and the improvement to the access, this can be approved.

### **Form and Character**

The wider site forms a triangular shaped parcel of land surrounded by open fields. The application site outlined in red on the amended plan is a narrow section sitting in between Mill House (to the south) and the Camping and Caravanning Club site (to the north-west). The red line was amended outlining the area where the holiday cottages, their parking and turning areas would be positioned, including the access, to provide clarity as to what the permission related to, i.e. not incorporating the camp site as this is covered by separate legislation.

The proposed holiday cottages are an expansion to the existing tourism use that currently exists on the site. Therefore, taking the size of site as a whole, it is capable of accommodating the proposed cottages as well as the number of caravans and tents certified under the Club exemption without compromising the form and character of the area.

The site is however, not seen from Burnham Road due to the long and narrow tree lined access track leading to the site. Any long views across the countryside will be obscured by the established trees and shrubbery bounding the perimeter of the site.

Mill House sits to the south at the front of the site but is partially screened by trees along the roadside boundary. There are also two agricultural buildings to the south west of the site (not related to the site), one brick built and the other cladded. These buildings help to obscure any views of the application site and furthermore, mean that the holiday cottages are not viewed in isolation within the countryside.

Although the proposed cottages will not be visible from within the public domain, they are a relatively simple construction but relate well, in terms of scale, design, appearance and use of materials to the replacement Mill House. Thus they are sympathetic to their built surroundings.

It is not considered that the proposed holiday cottages will appear unduly prominent or incongruous in the landscape. They will not have a detrimental impact upon the natural beauty of the landscape nor will it detract from the local context or distinctiveness.

## **Impact upon neighbour amenities**

There are no immediate neighbours adjoining the application site.

Whilst there is not likely to be any material impact upon the amenities of Mill House, due to the scale of the proposed cottages and screening from boundary treatment, it is the donor property to the proposal and thereby they would be in a position to control any potential future impact.

It is considered that there will be no significantly detrimental impact upon the amenity of the occupants of any neighbours in the vicinity due to the distances between the proposed activity and the nearest properties.

## **Highway safety**

The Local Highway Authority note that the site is used by caravans which is limited to members of the Camping and Caravanning Club, restricted to 5 members at any one time.

They state that the proposal site is located outside the main development area of Stanhoe within a section of the B1155 Burnham Road, subject to the national speed limit. The B1155 Burnham Road is classified as a Main Distributor route within the Norfolk County Council Route Hierarchy. As such the development would engender an increase in the level of slowing, stopping and turning movements, and increases of the magnitude proposed, where substandard visibility splays are available, would usually be resisted.

However, following the submission of amended plans, showing the rationalised access arrangements, the Local Highway Authority find the current proposal acceptable. The new arrangements involve the existing camping and caravanning access to the south-east of the site being closed off and joint use of the existing domestic access northwards of the site frontage. This relocates vehicular movements from the side road junction and means that the applicant can achieve acceptable levels of visibility. The Local Highway Authority has recommended that various highway safety conditions are imposed.

## **Other material considerations**

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

With regards to the Parish Council's concerns, the first point made in respect of the Parish Council approving the original application on the basis that the dwelling was to be used as a family home is noted. However, this holds no weight to the determination of the current application.

Point two raises concerns about the number of cottages proposed, in that three seems excessive for the site and for the village, which has been deemed unsuitable for sustainable development. How the proposed cottages relate to the site has been discussed above. Whether or not there are already many other holiday homes in the area does not warrant refusal of this application. The proposal must be considered on its own merits and as discussed above it is considered that the expansion of an existing tourism use on the site and the subsequent economic growth in a rural location, in your officer's view, outweighs wider sustainability arguments.

The Core Strategy Settlement Hierarchy classified Stanhoe as a smaller village / hamlet to restrict housing development in unsustainable locations. It limits development identified in



Policy CS06, which unless it is accepted as a rural exceptions site, should be for farm diversification and economic / business purposes. This reinforces the fact that the proposed tourism use is acceptable within this location.

With reference to point three, the site is still operating and intends to continue operating as a Camping and Caravanning Club site which allows up to 5 caravans or motorhomes and 10 tents at any one time. The site has recently had a 'spot check' by the Club to check that they are complying with the rules. The toilet / shower block will be used by the 'campers' as the holiday homes are self-sufficient in that regard.

The fourth point relates to the fact that there were no parking facilities proposed on-site. The agent has since amended the scheme to include parking bays and a turning area associated with the proposed cottages.

The increase in traffic movement at the site access has been discussed and explained elsewhere in the report.

The last point made by the Parish Council states how an approval would change the nature of the site, from a purely residential one to a holiday complex. This not strictly true as the 'holiday use' has been well established on this site by way of the camping and caravanning activities run by the owner / occupier of Mill House. Whilst expanding the existing use to include permanently placed holiday homes, the use of the site will not change. Furthermore, as has already been discussed, a business / tourism use in this location is considered to be acceptable in policy terms. The scale and details of the proposal need to be considered but officers consider the proposed scheme is acceptable.

There is clearly a need to tightly control the use of the cottages for holiday purposes only for the avoidance of doubt. A condition will be imposed to prevent the site being used for purposes that would be incompatible with its surrounding.

Additionally, the proposed holiday accommodation will be conditioned to be run in association with the occupants of Mill House (the donor property) for amenity reasons. If the site becomes disassociated with Mill House it could be argued that the shared access to both commercial land and domestic land would cause disamenity issues to Mill House, affecting the occupant's privacy and living standards. This will enable the occupants of Mill House to retain control over the activities carried out on the site.

It is proposed to remove the existing clubhouse from the site as it is dilapidated and unused. The Local Authority's Environmental Quality Officer believes that there is potential for asbestos containing material to be present within the fabric of the building and therefore recommend conditions to control this.

## **CONCLUSION**

The site lies within designated countryside and just outside of the village of Stanhoe, which itself is classified as a 'smaller village / hamlet' in the Core Strategy. It has been established in the report above that new development (especially housing) is restricted in the countryside unless it relates to economic growth and tourism uses, in line with the criteria set out in Core Strategy Policies CS06 and CS10 and the provisions of Section 3 of the NPPF.

The proposal will support the existing tourist / commercial use on the site and is an acceptable use in principle, subject to restrictive conditions relating to that use. There will be no harm to the landscape character of the surrounding countryside and there are no

outstanding concerns regarding the impact of the proposal upon the amenity of occupants of nearby properties.

The Highways issues can be controlled by way of condition, in line with the Local Highway Authority's recommendations.

As a result of the improved access arrangements, Highways have recommended that the existing access is closed off for highway safety reasons. This leaves a narrow parcel of land (currently the access track serving the land to the rear of Mill House) with no use or purpose. The land is designated as countryside and therefore requires a change of use to incorporate into the garden land of Mill House. Under the circumstances discussed above, it is considered that the change of use of this land would be acceptable in this case.

There are no tree issues, crime and disorder or nature conservation issues.

The proposal is considered to accord with the general principles of the NPPF and Core Strategy Policies CS01, CS02, CS06, CS08, CS10 and CS12.

Accordingly in the light of National Guidance, local plan policy and other material considerations it is recommended that planning permission be granted for the development as proposed, subject to the planning conditions below.

#### **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans as amended; drawing nos. 880-01C, 880-02 and 880-03.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The buildings hereby approved shall be used as holiday accommodation only and operated in association with the occupants of Mill House, Burnham Road at all times. In addition, the holiday accommodation hereby approved shall at no time be used as a person(s) permanent or sole place(s) of residence.
- 3 Reason For the avoidance of doubt and to ensure that the buildings are not used for unrelated purposes that would be incompatible with planning policy in the countryside.
- 4 Condition The owners / operators of the holiday accommodation shall maintain an up-to-date register of lettings / occupation and shall make this available at all reasonable times to the Local Planning Authority.
- 4 Reason To enable the Local Planning Authority to maintain control over the development and to ensure that the buildings are not used for unrelated purposes that would be incompatible with planning policy in the countryside.

- 5 Condition The accommodation shall be for short stay accommodation only (no more than 28 days per single stay).
- 5 Reason For the avoidance of doubt and to ensure that the buildings are not used for unrelated purposes that would be incompatible with planning policy in the countryside, and the overall tourism use of the site.
- 6 Condition Vehicular and pedestrian (and cyclist) access to and egress from the adjoining highway shall be limited to the access (es) shown on drawing No 880-01C only. Any other access (es) or egresses shall be permanently closed, and the highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority in consultation with the Highway Authority, concurrently with the bringing into use of the new access.
- 6 Reason In the interests of highway safety.
- 7 Condition Prior to the commencement of the use hereby permitted the vehicular access (indicated for improvement on drawing number 880-01C) shall be widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council light industrial access construction specification for the first 5 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 7 Reason In the interest of highway safety and traffic movement.
- 8 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 8 Reason In the interests of highway safety.
- 9 Condition Prior to the commencement of the use hereby permitted a 2.5 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage. The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 9 Reason In the interests of highway safety.
- 10 Condition Prior to the commencement of the use hereby permitted the proposed access / on-site car parking and turning area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- 10 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 11 Condition The development hereby approved shall be carried out in strict accordance with the accompanying Arboricultural Report, Method Statement and plans written by A. T. Coombes Associates.

- 11 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 12 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 12 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 13 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 13 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 14 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and D of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, or the erection or construction of a porch outside any external door of a dwelling house, shall not be allowed without the granting of specific planning permission.
- 14 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 15 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the provision within the curtilage of the dwelling house of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.
- 15 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 16 Condition Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no fence, gate, wall or other means of enclosure shall be erected within the curtilage of any dwelling house that fronts onto a road or footpath.

- 16 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 17 Condition If the hedge to the roadside boundary of the site has to be removed or replaced due to access improvement works, full details of a replacement hedge (including a timetable for planting) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved. Any replanting shall be carried out in accordance with the approved details and in accordance with the agreed timescale. Any trees or plants that within a period of 5 years from the replanting die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 17 Reason In the interests of the visual amenities of the locality in accordance with the NPPF.

Land South East of 75 St Peters Road Upwell



Scale: 1:1,250

Legend	

Borough Council of  
**King's Lynn &  
 West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	20/05/2014
MSA Number	0100024314

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<b>Parish:</b>	Upwell	
<b>Proposal:</b>	APPLICATION FOR VARIATION OF CONDITION 3 ATTACHED TO PLANNING PERMISSION 08/01586/F: to enable annexe to be used by others but still remaining in ownership of No. 75 St Peters Road	
<b>Location:</b>	Land South East of 75 St Peters Road Upwell Wisbech	
<b>Applicant:</b>	Mrs Val Briggs	
<b>Case No:</b>	14/00279/F (Full Application)	
<b>Case Officer:</b>	Mr K Wilkinson Tel: 01553 616794	<b>Date for Determination:</b> 21st April 2014

**Reason for Referral to Planning Committee** – The Parish Council is at variance with the case officer recommendation

### Case Summary

The land is situated on the eastern side of Newbridge Road, Upwell, in an area designated Built Environment Type C and Conservation Area in the Local Plan

The application seeks the variation of condition 3 applied to planning permission 08/01586/F, to enable an annex, at the said location, to be used by others, whilst remaining in the ownership of No. 75 St Peters Road, Upwell.

The National Planning Policy Framework 2012 and the King's Lynn and West Norfolk Core Strategy 2011 are relevant to this application

### Key Issues

Principle of development

Policy background: Whether there is a sound and clear cut reason for condition 3 of planning permission 08/01586/F to be retained in its current format

Highway safety

### Recommendation:

**APPROVE**

## THE APPLICATION

The land is situated on the eastern side of Newbridge Road, Upwell, in an area designated Built Environment Type C (BEC) in the Local Plan.

The site, located at the extreme southern edge of the Conservation Area in this part of the village, comprises a single storey, vacant, annex arrangement – a converted former double garage, constructed from a common brick with a timber boarded façade. The building has a lean-to timber conservatory adjoined to the rear (eastern) elevation.



The frontage is currently enclosed by 2.5m hedge (north), 2m close boarded gates west (frontage) and 2m timber fence south. The rear garden is 'open' to that of the donor site, which has hedge and fenced boundaries. The annex frontage caters for the parking of 4 cars – identifying 2 spaces for the annex and 2 spaces for the donor site - with access from Newbridge Road.

The donor property is 75 St Peters Road, a 20th century mid-terrace, 2 storey dwelling located 35m east of the junction of Newbridge Road / Hall Bridge junction and fronting Well Creek. The land to the rear (south) of No.75 is L shaped and the annex is at the southernmost tip of the garden, within the confines of the curtilage of No 75.

The elongated rear gardens of the adjacent two storey terrace of dwellings fronting St Peters Road have varied boundary treatment and extend southwards culminating in a small clump of garage / shed style brick or timber clad buildings and hard standing (for use by residents for off road parking) with access from Newbridge Road. These buildings are sited adjacent to the annex.

Thereafter the street scene (south) comprises 1960 era detached bungalows.

There is no specific restriction to on-street parking in the St Peter's Road / Newbridge Lane locality (30 mph limit)

This application seeks the variation of Condition 3 applied to planning permission 08/01586/F, to enable an annex, at the said location, to be used by others, whilst remaining in the ownership of No. 75 St Peters Road, Upwell.

No external changes to the annex are envisaged in this application.

## **SUPPORTING CASE**

The Agent advises that the applicant, due to unavoidable changes to family circumstances, resides alone at the 'donor property' 75 St Peter's Road, Upwell. The annex, subject to this application and formerly occupied by the elderly parents of the applicant, now stands vacant. The applicant has no remaining family members to occupy the annex.

The applicant seeks to 'rent out' the annex to non-family persons, whilst the annex remains in the ownership of, and attached to, 75 St Peter's Road.

## **PLANNING HISTORY**

08/01586/DISC\_A: Discharge of Condition final letter 28/08/08: Change of use of detached garage to form annexe

08/01586/F: Application Permitted 12/08/08: Retrospective application - change of use of detached garage to form annexe

## RESPONSE TO CONSULTATION

**Parish Council: OBJECTION:** Comments submitted:

- Original purpose was for family annex use – this proposal is for private rented accommodation for financial gain
- Former garage and off road parking for 75 St Peters Road was removed when the annex was originally approved
- Even with removal of frontage gates there is insufficient parking for 2 residences, which will create highway safety issues with turning close to a crossroads

**Highways Authority: NO OBJECTION** Condition on parking layout applies

**Environmental – Community Safety and Neighbourhood Nuisance: NO OBJECTION**

## REPRESENTATIONS

None

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government's planning policies for England and how these are expected to be applied.

## PLANNING POLICIES

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## LDF CORE STRATEGY POLICIES

**CS11** - Transport

**CS12** - Environmental Assets

**CS08** - Sustainable Development

## OTHER GUIDANCE

Upwell Parish Plans

## PLANNING CONSIDERATIONS

Key issues:

- Principle of development
- Policy background
- Highway safety

### Principle of development

The principle for the development of the annex was established in planning permission 08/01586/F which related to a change of use from a double garage to annex for use by relatives of the donor site at 75 St Peter's Road. As part of that application, the following were considerations: design, form and character, impact on the Conservation Area, neighbour amenity, flood risk and highway safety (parking).

Permission was granted subject to the imposition of conditions, specifically 'Condition 3' as follows:

- The additional residential accommodation hereby approved shall only be used as ancillary accommodation to the main dwelling and shall at no time be used as an independent unit of residential accommodation.

The reason for this was "for the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be unacceptable on this site"

The current application seeks to vary 'Condition 3' to enable the annex to be used by other persons, whilst remaining in the ownership and control of No. 75 St Peters Road, Upwell.

### Policy background

Upwell with Outwell is identified as a 'key rural service centre' in accordance with Policy CS02 of the Core Strategy 2011. The locality relies on the agricultural / horticultural economy and the village supports a good range of amenity facilities and businesses, has a regular bus service and the through routes (A1101 and A1122) provide good highway links between towns.

The site also falls within the Upwell Conservation Area although the nature of this proposal is such that it will have no effect on this.

### Policy

Section 73 of the 1990 Town and Country Planning Act provides that application may be made for planning permission without complying with conditions applied to a previous permission. Planning authorities may decide whether to grant permission subject to differing conditions, remove the conditions altogether, or refuse to alter conditions. Thus it is possible to apply for conditions to be struck out, or for their modification or relaxation.

Section 73 makes it clear that in considering an application to remove / modify / relax a condition/s a local planning authority may only consider the question of the conditions. However, just like the determination of any other application due regard must be paid to the development plan and other material considerations.

The key issue in the consideration of this application is whether there are sound and clear-cut reasons for Condition 3 of planning permission 08/01586/F to be retained in its current format, or if it is possible to modify or relax previously applied conditions.

The applicant is applying to retain the one bedroom building in 'residential annex format', without alterations, for rent by other person/s. The applicant intends to remain the sole occupant of 75 St Peter's Road. There are now no family members for occupation of the annex. As it stands, the applicant cannot abide by the original Condition 3 without the structure remaining vacant.

The greater site is L-shaped, with the proposal site at the extreme south-west corner, fronting Newbridge Road. The main dwelling fronts St Peters Road. Whilst it is acknowledged that the annex was originally never planned to be considered as a dwelling 'in its own right', in effect that is what it will be, should the condition be removed/varied Whilst it would not equate to other site layouts in the vicinity, it would have a separate frontage and rear garden, the latter of which could be separated from the main garden left to serve No 75 St Peters Road.

That said, an important factor in this application lies with retaining the current parking provision. In order to retain off-road parking, to continue to serve No 75 as well as the annex, it would be necessary that the site be retained to be held in conjunction with No 75.

### **Highway Safety**

The Parish Council objected to the application with concerns the proposal is solely for financial gain and raised the issue that the loss of off- road parking for the donor site identifies on-street parking will prevail on St Peter's Road

Whilst 'financial gain' is not a matter for discussion, highway safety is a consideration. In its current state, the annexe has a gated frontage – contrary to the layout approved in 08/01586/F.

Albeit the Agent provided an amended plan detailing removal of the gates, thus effectively identifying 4 x off-street parking spaces, the Parish Council maintained the objection.

The Highway Officer, in consideration of the amended plan, advised he was satisfied that conditions could be applied to contain the 'annexe' within the ownership attached to No. 75.

Whilst raising no objection, subject to parking layout, the Highway Officer also noted that:

- Visibility for the point of access would be 'standard' and that the site was in a location where he would not insist on off-road turning.
- The area identified for parking would be too small to accommodate 4 average sized cars and would be more suited to two.
- The parking area was too divorced from the main dwelling of No. 75 and a car from that dwelling would be likely to choose instead to park on St Peter's Road.
- Space would be readily available for one car at the application area, which would accord with the parking standards for the single bed facility, and therefore the users of the annex would have off-street parking available.

There is no specific restriction to on-street parking in St Peter's Road / Newbridge Road locality, both subject to a 30 mph speed limit

With regards the highway officers' comments, the main issue will be the parking provision. Each dwelling will have at least 1 space each, although there may be space for further vehicles off road, albeit a smaller than average car. The off-street parking situation exists at present, and that position will not change. On balance, given the on-street and off-street parking situation, the parking provision is acceptable to cater for the two units of accommodation.

## CONCLUSION

Upwell is a vibrant village, identified as a 'key service centre' in the Core Strategy, which supports local scale development. The existing use of the building is that of 'residential accommodation' and the proposed use, with no envisaged alteration to layout, remains as such. Officers consider that the condition can be varied to allow the accommodation to be occupied independently, because of the unusual situation which provides both the donor building and the annex with separate road frontages. A condition applied to an approval will however need to ensure the building is retained in the ownership of the donor site at No 75 St Peter's Road, thus continuing to provide at least some element of off-road parking to both the former annex and No 75.

In accordance with the National Planning Policy Framework 2012, Policies CS02, CS08, CS11 and CS12 of the Core Strategy 2011 and Policy 4/21 of the KLWNBC Local Plan 1998, the proposal is on balance, considered appropriate, with the provision of the parking s described above.

In the light of National Guidance, Development Plan Policies and other material considerations, Planning Permission may be granted

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Site plan – drawing 08/6/1546 – receipt dated 24/02/14
  - Block plan, boundary treatment and parking layout – drawing 08/6/1546/1 Revision D – receipt dated 22/04/14
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

- 3 Condition The building hereby approved shall be held in association with and within the same ownership as 75 St Peter's Road, Upwell, for residential use and at no time shall the site (defined by the red line on plan no. 08/6/1546) be sold off as a separate independent unit of residential accommodation.
- 3 Reason For the avoidance of doubt and to ensure that parking provision is retained to serve both the annex and the donor site 75 St Peter's Road Upwell, in accordance with the National Planning Policy Framework 2012.
- 4 Condition Prior to the commencement of the use hereby permitted the proposed access / on-site car parking shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use. For the avoidance of doubt this also includes the removal of the existing gates erected across the parking area. (plan no. 08/6/1546/1 Rev.D)
- 4 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety, in accordance with the National Planning Policy Framework 2012
- 5 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 5 Reason In the interests of highway safety, in accordance with the National Planning Policy Framework 2012

14/00549/F

Model Farm Frenchs Road Walpole St Andrew



Scale: 1:2,500

Legend	

Borough Council of  
**King's Lynn &  
 West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>Walpole</b>	
<b>Proposal:</b>	<b>The installation of 2 EC55 (24m tower) wind turbines</b>	
<b>Location:</b>	<b>Model Farm Frenchs Road Walpole St Andrew Wisbech</b>	
<b>Applicant:</b>	<b>Greenpower Solutions UK Limited</b>	
<b>Case No:</b>	<b>14/00549/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Miss G Richardson Tel: 01553 616457</b>	<b>Date for Determination: 20th June 2014</b>

**Reason for Referral to Planning Committee** – Due to the size of the turbines the proposal is outside of officers' delegated powers

### Case Summary

The application site is located on the south western side of Frenchs Road, Walpole St. Andrew. The two sites are located on land forming the Model Farm agricultural holding.

Planning consent is sought for the erection of two, three bladed wind turbines with an overall turbine height of 35.1m.

Planning consent was refused earlier this year for two turbines at a height of 45.6m

### Key Issues

Principle of development;  
 Planning history;  
 Visual impact;  
 Ecology;  
 Heritage assets;  
 Amenity;  
 Highway safety; and  
 Other material consideration

### Recommendation:

**APPROVE**

### THE APPLICATION

The application site is located on the south western side of Frenchs Road, Walpole St. Andrew. The two turbines are located on land forming the Model Farm agricultural holding. The site is accessed between the farm buildings and via a track to the rear of these buildings leading down the eastern edge of the field.

The area is rural in nature with two storey semi-detached properties located to the north east of the site, on the opposite side of Frenchs Road. Electricity pylons are located to the south west of the sites.

Planning consent is sought for the erection of two, three bladed wind turbines with a 25.1m height to the hub; each blade is 9.65m in length. The overall turbine height would be 35.1m. The turbine tower will be white with blades coloured white. Cables from the turbine site will journey underground to a connection point within an existing outbuilding on the site at the farm which will house the necessary monitoring and control systems. The first turbine is located parallel to an existing farm track, and is set in 10 metres from this track. The second turbine is located to the north of this turbine and there is a separation distance of 120 metres between the turbines.

## **SUPPORTING CASE**

The application is supported by a Design and Access Statement, an Ecology Assessment and Noise Assessment.

The Design and Access Statement summarises that the foundations shall be installed to a design which has been developed specifically for EC55kw turbines.

Following the preparation of groundworks and foundations each turbine shall be erected in three working days (subject to site and weather conditions).

There shall be no disruption caused to occupants of any buildings or dwellings within the vicinity in terms of noise or traffic during the period of installation.

There are no public rights of way within the vicinity of the proposed site and access to the site can only be gained via the main farm entrance.

The technical drawings clearly demonstrate that the scale, height and location of the proposed turbines will not pose significant harm to the open landscape.

We have proposed that the turbines are installed approximately 200m from the nearest neighbour so no shadow flicker should occur.

Care has been taken to ensure the turbines are suitably sited, clear from any power lines with at least falling distances allowed for.

This scale of turbine will not have any impact on air traffic as it is lower than surrounding overhead electricity pylons.

There are not believed to be any known archaeological remains at the proposed location. In any case, the foundations required for an EC55 turbine involve minimal disturbance of the ground beneath the tower, and they are removable in the event of future decommissioning of the turbines. The proposed location is not in the vicinity of any known listed buildings or conservation areas.

The amount of additional traffic and need for construction machinery to erect the EC55 turbine is negligible. No road closures or hindrances to access will be necessary. Due to the minimal foundations required for the EC55 turbine, restoration of the site following possible de-commissioning is extremely simple.

No ancillary structures or buildings are required to house electrical equipment or controllers as these shall be housed in existing buildings.

The Noise Assessment concludes that noise emissions associated with the operation of the proposed wind turbines should not cause any unacceptable loss of amenity to the nearest receptors.

An Ecology Assessment concludes that the proposal is predicted to be at most a minor negative impact and no mitigation is recommended. In terms of birds at most, minor negative effects from displacement are predicted. In terms of Barn Owls as the species generally hunts low to the ground, and flying at height would be a rare event. The unlikely event of a collision might result in an intermediate negative effect on the local population. There is a possibility of displacement for all bird species; at most minor negative effects are predicted. However it is further added that to avoid any negative effect from construction, the breeding bird season should be avoided 1st March to 1st August. If this cannot be avoided, the area should be inspected by a suitably qualified ecologist for ground nesting bird species. Construction will need to avoid the barn owl nesting box, if occupied. Before construction, presence or otherwise of barn owl nesting within this box should be established so construction routes can be designed to avoid the box.

## **PLANNING HISTORY**

14/00046/F: Application Refused: 04/03/14 - Installation of two 34 metre tower wind turbines

## **RESPONSE TO CONSULTATION**

**Parish Council: NO OBJECTION**

**Highways Authority: NO OBJECTION**

**Natural England: NO OBJECTION** The proposal is unlikely to affect any statutorily protected sites or landscapes. NE advises that the LPA should refer to their standing advice on protected species. The application may provide opportunities to incorporate biodiversity and landscape enhancements.

**CSNN: NO OBJECTION** A noise protection condition is recommended. With the regards to the above application, and the shadow flicker assessment. The distances between the turbines and the nearest non-related receptor are over 200m away (i.e. 10 times the rotor diameter) and therefore falls within National guidance for shadow flicker and therefore it is unlikely to cause an significant adverse impact on neighbourhood amenity in relation to shadow flicker.

**Environmental Health & Housing - Environmental Quality:** No Comments to make regarding contaminated land or air quality.

**Environment Agency: NO OBJECTION** The site is located within flood zone 3 of the EA's flood map and the King's Lynn and West Norfolk SFRA map. The development type proposed is considered to be 'less vulnerable', to flooding, in accordance with the NPPF and the proposal is for a single turbine only. Accordingly there is no objection. The LPA should consider flood resilience of the development and ensure that all sensitive electrical equipment is installed above the predicted floor levels.

**Arqiva: NO OBJECTION**

**NATS: NO SAFEGUARDING OBJECTIONS**

**Norwich International Airport: NO SAFEGUARDING OBJECTIONS**

**Ministry of Defence: NO OBJECTION**

**CAA:** Advises that consultations should be undertaken with NATS and the MoD. Notes that there is an international civil aviation requirement for all structures of 300 feet (91.4metres) or more to be charted on aeronautical charts. However, on behalf of other non-regulatory aviation stakeholders, in the interest of Aviation Safety, the CAA requests that any feature/structure 70 feet in height, or greater, above ground level is notified to the Defence Geographic Centre, including the location(s), height(s)\* and lighting status of the feature/structure, the estimated and actual dates of construction and the maximum height of any construction equipment to be used, at least 6 weeks prior to the start of construction, to allow for the appropriate notification to the relevant aviation communities.

Any structure of 150 metres\* or more must be lit in accordance with the Air Navigation Order and should be appropriately marked. Although if an aviation stakeholder (including the MOD) made a request for lighting it is highly likely that the CAA would support such a request, particularly if the request falls under Section 47 of the Aviation Act.

Cumulative effects of turbines may lead to unacceptable impacts in certain geographic areas.

## **REPRESENTATIONS**

No third party representations received.

## **NATIONAL GUIDANCE**

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

## **OTHER GUIDANCE**

The Walpoles Parish Plans

## **PLANNING CONSIDERATIONS**

The key planning considerations relevant to the determination of this application are:

- Principle of development;
- Planning history;
- Visual impact;
- Ecology;
- Heritage assets;
- Amenity;
- Highway safety; and
- Other material consideration.

### **Principle of development**

The National Planning Policy Framework (NPPF) encourages the transition to a low carbon future in a changing climate through the use of renewable resources whilst ensuring any adverse impacts are addressed satisfactorily.

Paragraph 17, 'meeting the challenge of climate change' supports the delivery of renewable and low carbon energy and recognises the responsibility on communities to contribute to 'energy generation' from renewable or low carbon sources. Paragraph 93 refers to the need to support the 'delivery of renewable and low carbon energy and associated infrastructure'. Local Planning Authorities are advised to approve applications for renewable technology (unless material considerations indicate otherwise) if its impact is acceptable. Paragraph 93 refers to the need to support the delivery of renewable and low carbon energy and associated infrastructure.

A positive stance with regards to renewable energy is also taken in the Core Strategy 2011 (Policy CS08 Sustainable Development) which supports and encourages the generation of energy from renewable sources and states that applications will be permitted unless there are unacceptable locational or other impacts that could not be outweighed by wider environmental, social, economic and other benefits.

Furthermore recent National Guidance has been issued; 'Planning Practice Guidance for Renewable and Low Carbon Energy' (April 2014). This document identifies issues that should be considered when determining applications for wind turbines. This includes matters pertaining to noise, safety, heritage, shadow flicker and reflected light. Advice is also given on how cumulative landscape and visual impacts should be assessed.

The site is located within countryside and more than 10km away from designated statutory site.

### **Planning history**

An application was refused by the Planning Committee earlier this year for two turbines on this site.

The turbines had an overall height of 45.6m. Planning consent was refused on the basis of an objection received from the Ministry of Defence (MoD). In that case the turbines would have been within 48.8km from, and detectable by, and would cause unacceptable interference to the ATC radar at RAF Wittering. This amended application seeks to address this objection.

### **Visual Impact**

This application seeks permission for the construction of two wind turbines with a tip height of 35.1m.

The Council's Landscape Character Assessment (LCA) identifies this wider area as being within D3 Terrington St. John although the site is very close to the boundary with area D2; Walpole, Terrington and Clenchwarton. This document describes this area as being a very flat and low-lying area which is mainly arable in use with the small generally regular fields often demarcated by dykes and ditches. The document goes on to state that "A strong sense of tranquillity is apparent throughout the entire area, emphasised by the general lack of development in the area...Views in every direction across the area are dominated by rows of poplars and rows of communication masts slicing through the fields, which (together with the church in West Walton Area D4) provide the main focal points in this expansive, large scale area. The combination of differing vertical elements including rows of trees, pylons, orchards, buildings and tall vegetation (occasionally lining the roads), makes for a cluttered skyline in places."

In this case the site is to the south west of some existing farm buildings and set within an arable field; further to the south of the site are pylons, which cross the field. Some screening to the site is provided by the farm buildings and by an existing hedge to Frenchs Road.

There is little in the way of screening on the perimeter of the field itself. Telegraph poles generally follow the course of the road network to serve dwellings. To the north-west (A110 Tydd Gote), on the Fenland District Council side of the River Nene there is The Grange wind-farm, with seven large scale turbines, whilst in the distant south-east is the Walpole Electricity Station, with pylons leading off.

The turbine proposed to be used in the development is an EC55 wind turbine at 35.1m height to hub and 25.1m to tip. In consideration of general appearance and siting, the turbine is of a relatively slim format, with the closest point to Frenchs Road at a minimum 180 metres.

As stated there is some screening in the immediate landscape (hedging and existing farm buildings) although given the height (tower and blade), the turbine will be visible from most points along Frenchs Road, the track to the north west, and a distant view from Walpole Bank. As the turbines will be viewed in context with the existing pylons that run to the south west of the site, further vertical structures, of a lesser scale are not considered to harm the landscape character or create a cluttered skyline in this position.

### **Ecology**

A site specific Ecology report accompanies this application. This report states that the nearest turbine to the ditch is predicted to have a low likelihood of bat collision as the boundary feature is not likely to be well used by bats and the turbine blades would be buffered from the ditch by at least 16 metres.

This is under the 20m buffer recommendation by Minderman et al (2012) for small turbines. However this ditch is not considered to be a preferred flight route for bats due to its inherent lack of shelter and invertebrate attracting habitat and because the parallel field boundaries to the west and east are intact, mature hedgerows which are suitable for bat use. The likelihood of collision for the turbine nearest to the ditch is predicted to be low. Minor negative impacts on populations of common bats are therefore unlikely. At worst minor negative displacement impacts are predicted. The second turbine is over 100 metres from the ditch and is therefore less likely to be in an area used by bats.

In relation to birds; it is stated that "The scale of the turbines (relatively small hazard area) and the rotor height (24 metres ground clearance) suggests they will not be a collision hazard for barn owls. This species generally hunts low to the ground, and flying at height would be a rare event. The unlikely event of a collision might result in an intermediate negative effect on the local population, however. There is a possibility of displacement for all bird species, though there is now a body of evidence which suggests by and large farmland birds are little affected by displacement from wind turbines. At most, minor negative effects from displacement are predicted."

The report therefore suggested that mitigation is put in place; construction works should avoid the main bird breeding season, the area affected should be inspected by a suitable qualified ecologist for ground nesting bird species. Construction activities will also need to avoid the barn owl nesting box (east of the farm buildings), if occupied. Before construction, the presence or otherwise of barn owl nesting within this box should be established so construction routes can be designed to avoid the box. This could be safeguarded by condition. No mitigation is proposed in relation to bats.

### **Heritage assets**

The site is not within a Conservation Area, nor is it adjacent to listed buildings. The nearest listed building is to the south east of the site close to the junction of Folgate Lane and Walpole Bank; Shepherds Cottage, Folgate Lane, which is Grade II. This property is some distance away from the site. It is therefore considered that the proposal will not have a harmful impact upon designated heritage assets.

### **Amenity**

The Council's Community Safety and Neighbourhood Nuisance Team (CSNN) have reviewed and assessed the information submitted with the application, and confirmed that they have no objection to the proposal, subject to condition in relation to noise protection. No issues are envisaged in relation to shadow flicker.

### **Highway safety**

Norfolk County Council, Highways have confirmed that the traffic levels are low in real terms for the duration of the construction and on this basis they would not seek to restrict the grant of permission.

### **Other material consideration**

The CAA, Norwich International Airport and NATS have confirmed that they have no objection to the proposal. The revised proposal, reduction in height has meant that the MoD have been able to remove their objection to the proposal.



There are no issues relating to contaminated land or air quality.

Whilst the site is within flood zone 3, the Environment Agency has confirmed that they have no objection to the application.

There are no issues relative to 'crime and disorder'.

## CONCLUSION

Renewable energy is supported in planning policy, unless material considerations indicate otherwise. The proposal is considered to be acceptable in terms of visual impact and there are no material adverse implications relating to: noise, shadow flicker, ecology, heritage assets, flood risk and air traffic control (previous concerns have now been satisfactorily overcome).

In summary it is considered that the proposed development accords with the provisions of the National Planning Policy Framework and its guidance relating to development at risk of flooding, and Development Plan Policies CS01, CS08 and CS12.

There are no material considerations to suggest that the proposed development should not be approved subject to the following conditions.

## RECOMMENDATION:

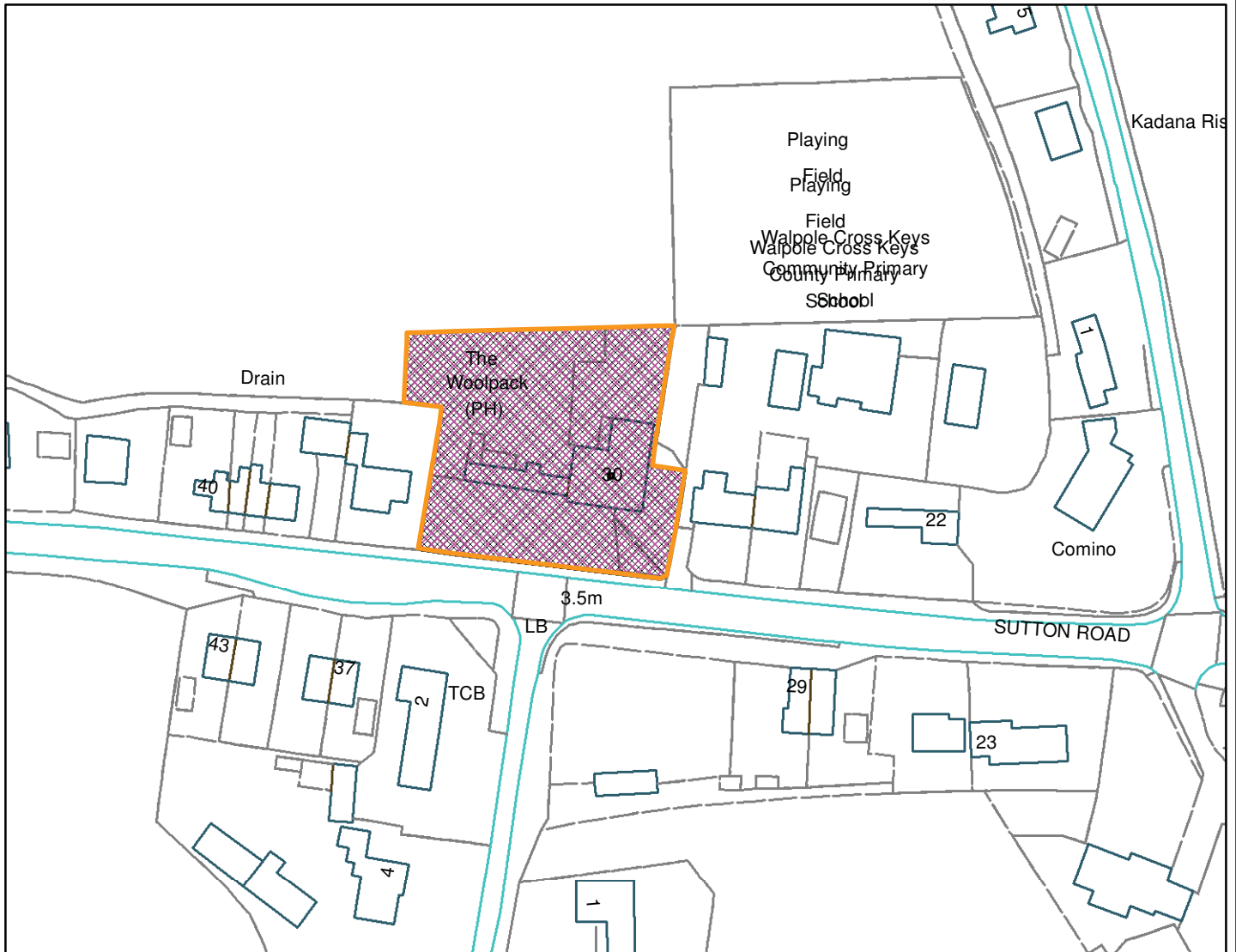
**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 55kW, 25m (turbine type), Location plan 1:1250 and location plan (1:500).
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Within 2 months of the cessation of electricity production from the turbines hereby approved, the units shall be decommissioned and the structures and all their above ground associated infrastructure shall be removed from the site.
- 3 Reason In the interests of the visual amenity of the locality in accordance with the NPPF.
- 4 Condition The rated noise level from the operation of the wind turbine, measured or calculated as a LAeq (5min) at the boundary of the nearest non-related receptor (identified as 1 Frenchs Road) shall not exceed the background LA90 (5min) noise levels, measured at the same location with the wind turbine switched off by more than 5dBA at any wind speeds and at any time.
- 4 Reason To prevent noise related nuisance in the interests of the amenity of the locality.

- 5 Condition No construction or decommissioning works associated with the development hereby permitted shall be carried out between 1st March and 1st August (inclusive) of each year.
- 5 Reason To avoid the bird breeding season when birds would be more sensitive to disturbance; in accordance with the provisions of the NPPF.

13/01767/O

30 Sutton Road Walpole Cross Keys



Scale: 1:1,250

**Legend**

Borough Council of  
**King's Lynn &  
 West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	21/05/2014
MSA Number	0100024314

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<b>Parish:</b>	<b>Walpole Cross Keys</b>	
<b>Proposal:</b>	<b>Demolition of existing building on site and build 8 semi-detached 2 bed houses, 22 car parking spaces, access road, high performance sewage treatment plant and parking spaces for school.</b>	
<b>Location:</b>	<b>30 Sutton Road Walpole Cross Keys King's Lynn Norfolk</b>	
<b>Applicant:</b>	<b>Westways Estate Agents</b>	
<b>Case No:</b>	<b>13/01767/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Mrs H Wood-Handy Tel: 01553 616734</b>	<b>Date for Determination: 5th March 2014</b>

**Reason for Referral to Planning Committee** – The Officers recommendation is contrary to the views of the Parish Council

### Case Summary

The site is that of the former Woolpack Inn Public House that sits to the north of the junction of Station Road and Sutton Road, Walpole Cross Keys. The site covers an area of 0.215Ha and comprises the open fronted forecourt, public house and outbuildings and yard to the rear. It is bounded to the west and south by residential properties, housing and primary school to the east, and agricultural land to the north.

The application is made in outline form only with all matters reserved. The applicant has submitted supporting information in the form of an indicative site plan which identifies 4 pairs of semi-detached dwellings sited perpendicular to Sutton Road. Two pairs of semi-detached units would be located either side of the proposed access with a turning area located in the middle of the site along with parking spaces as well as a package sewage treatment plant. The other two pairs of dwellings would be located either side of the access adjacent to the north boundary. To the south east corner of the site, the applicant identifies 130sqm of land for parking for the Primary School located to the east.

The site area exceeds the threshold for affordable housing (0.165ha). The applicant is willing to provide 1 affordable dwelling and will donate 130sq of land to the Primary School if the Council is prepared to waive the £36,000 contribution.

### Key Issues

Appeal History and subsequent 2011 planning permission  
Principle of Development  
Form and character  
Neighbour Amenity  
Flood Risk  
Highways  
Affordable Housing  
Any other matters requiring consideration prior to the determination of the application.

### Recommendation:

**REFUSE**

## THE APPLICATION

The site is that of the former Woolpack Inn Public House that sits to the north of the junction of Station Road and Sutton Road, Walpole Cross Keys. The site covers an area of 0.215Ha and comprises the open fronted forecourt, public house and outbuildings and yard to the rear. It is bounded to the west and south by residential properties, housing and primary school to the east, and agricultural land to the north.

The application is made in outline form only with all matters reserved. The applicant has submitted supporting information in the form of an indicative site plan which identifies 4 pairs of semi-detached dwellings sited perpendicular to Sutton Road. Two pairs of semi-detached units would be located either side of the proposed access with a turning area located in the middle of the site along with parking spaces as well as a package sewage treatment plant. The other two pairs of dwellings would be located either side of the access adjacent to the north boundary. To the south east corner of the site, the applicant identifies 130sqm of land for parking for the Primary School located to the east.

The site area exceeds the threshold for affordable housing (0.165ha). The applicant is willing to provide 1 affordable dwelling and will donate 130sq of land to the Primary School if the Council is prepared to waive the £36,000 contribution.

## SUPPORTING CASE

The site of 'The Woolpack' public house, 30 Sutton Road, Walpole Cross Keys is approximately 0.214 hectares (0.53 acres) and is indicated on the Location Plan (912-LOC) in red.

It is proposed to demolish the existing buildings on the site and build 8 new, 2 bed semi-detached dwelling units. These will be 4 x 74 sq.m and 4 x 84 sq.m each on 2 storey's in 4 blocks. Each front door will have a level access and each ground floor WC will be to building regulation Part M standard. There will be provision for storing 2 recycling waste bins in each garden.

The 22 parking spaces, 16 required by Class 3 of the Norfolk County Council Parking Standards are all located within the site. Houses 1-8 will gain access via the access road, which has been positioned diagonally opposite Station Road. There are 6 visitor parking spaces also located within the site.

The access road will be to NCC Highways specification and provision has been made for the turning of a refuse truck. A landscaped area occurs within the site to accommodate a high performance sewage treatment plant for foul drainage disposal and to break up the appearance of mass car parking.

Following a meeting with the head teacher and governor of Walpole Cross Keys Primary School and the Parish Council, it was agreed that 130 sq.m of land adjacent to the entrance to the school would be transferred to the school site to allow a suitable access point for a fire tender and car parking for the school as indicated on drawing 912C-02 C.

Red brick and red pantiles are prevalent in the locality so these would be proposed for the new dwellings.

The Parish Council has requested that the houses should be in the form that is proposed (facing each other) and would support the proposals. This is also supported by Henry Bellingham MP, on behalf of the parish council.

## PLANNING HISTORY

11/00990/F - Erection of three dwellings and associated works following the demolition of the existing Woolpack public house – Approved (Committee Decision) – 17.11.2011

09/00749/F – Demolish existing buildings on the site and construct 9 dwellings, 18 car parking spaces and provision for a refuse vehicle to turn – Refused 18.09.09 (Delegated) – Appeal dismissed – 18.08.2010

08/00203/PREAPP – Demolish public house and build 9 dwellings - LTR 12/09/2008

08/00083/PREAPP – Demolish public house and build 9 dwellings – LTR 26/06/2008

04/01071/CU – Continued siting of residential caravan for the occasional use of accommodation for visiting family and friends – Approved 06/07/2004

2/03/0135/F – Extension to provide hotel accommodation – Approved 20/03/2003

2/01/0069/F – Alterations and extension to public house – Approved 27/02/2001

## RESPONSE TO CONSULTATION

**Parish Council:** Original comments: **SUPPORT** – The Parish Council has assumed that the relevant authorities have ensured that all drainage water will be going to free flowing dykes.

Additional comments: The Parish Council wishes to make some further comments on this application following amendments to the application. The Parish Council has looked at the comments made by the BC Planning Department and various other authorities and members of the public.

The Parish Council wishes to continue to offer support for this application.

The Parish Council would not object to the front two buildings being swivelled back in line with Sutton Road as per the original plan. It was, after all, only a suggestion that the houses all face each other.

We feel that the arguments concerning the water run-off to be totally irrational and that this matter has been covered in several later e-mails.

Finally, we would like to point out that with most planning applications it is always the dissenters who have the most say – most supporters make no comment. In the light of that observation there is very little in the way of objection – and certainly not on any really solid grounds.

**Highways Authority: NO OBJECTION** subject to full details of access, visibility splays, footways, parking and turning provision and foul and surface water drainage. Has also provided guidance on highway design for the reserved matters application.

**Historic Environment Service: NO OBJECTION** subject to a condition regarding historic building recording.

**Internal Drainage Board:** No Comments received to date.

**Environment Agency: NO OBJECTION** subject to a condition regarding pollution control (including foul and surface water drainage).

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** subject to conditions regarding contamination investigation and remediation.

**Environmental Health & Housing – CSNN:** Given that this location is the subject of localised flooding, **NO OBJECTION** subject to conditions regarding land drainage and foul and surface water drainage. Other conditions suggested regarding air source heat pumps and a construction management plan.

**Environmental Health & Housing – Housing Strategy Officer:** Recommends that the on-site affordable housing contribution as per policy CS09 is sought as the site is viable to provide the contribution. The appraisal has been calculated on a residual land value basis, by which the values produced exceed the existing use value of the site. As per policy CS09 of the adopted Core Strategy a contribution of 1x2bed house at 74m<sup>2</sup> is being sought plus a financial contribution towards the provision of affordable housing in the Borough.

The Council recognise the difficulties that the development sector is facing in the current economic climate and have in response to the down turn adopted a flexible approach to affordable housing by way of dynamic viability, however based on the above I cannot recommend that the affordable housing contribution is waived in whole. The Council may however wish to waive the £36,000 financial contribution. It is however, important to note that any waiver of such a contribution would be in recognition of the issues faced by the development sector and to assist within reason of bringing such schemes forward.

**Arboricultural Officer: NO OBJECTION** subject to a condition regarding the submission of a modest landscaping scheme.

**Norfolk Constabulary:** Provides advice regarding Secure by Design principles.

## REPRESENTATIONS

Henry Bellingham MP: **SUPPORT** and states the following:

- Has visited the site and seen the current existing building, the former Woolpack Pub;
- Considers that it is very sad that the Woolpack is not going to continue as a village pub but believes the time has come to face up to reality and allow the site to be developed in a sympathetic way;
- Believes the housing in question will appeal to younger people and will benefit the village and school;
- Pleased that the plans to allow for a segment of land adjacent to the entrance to the school has been transferred to the site in order to facilitate car parking.

Walpole Cross Keys Primary School: The school has **NO OBJECTIONS** to the proposals. Aspects of the plan will alleviate some of the parking issues that we have experienced historically. Currently the site is derelict and the plan can only improve the visual outlook and add to the sustainability of both the community and the school.



**TEN** letters of **OBJECTION** to original submission and **THIRTEEN** following receipt of additional information regarding:

- Increase in vehicular traffic at dangerous crossroads;
- Increase in parking problems;
- Housing estate is not in keeping with the village;
- Village contains no amenities and the school is full;
- Similar to rejected 2009 proposal other than reduced numbers by 1 and donated land for school;
- Proposal for 3 houses approved in 2011 is more in keeping;
- Loss of privacy, overlooking, noise and disturbance from proposed dwellings;
- Severe surface water drainage issues in the locality;
- The development is too dense;
- Package treatment plant is an improvement but still has to discharge to drains.

**ONE** letter of **SUPPORT** to original submission and **TWO** following receipt of additional information regarding:

- Will increase no. of 1st time buyer units in the locality;
- Less parking for houses than previous use;
- Individual accesses for three houses is would provide less parking for the school run.
- Reduction in traffic movements;
- Provision for access and parking for the school;
- Provision for safe access;
- Drainage is addressed on site;
- Good amenities in the village (half hourly bus service, school etc.);
- More in keeping with homes in the village;
- Development will generate more children and support school and local preschool;
- No traffic accidents in locality in recent years

## **NATIONAL GUIDANCE**

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **PLANNING POLICIES**

The King’s Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

**8/1** - indicates that individual and small groups of dwellings will be permitted in settled or built-up areas of villages defined as Built Environment Types C and D.

## **LDF CORE STRATEGY POLICIES**

**CS12** - Environmental Assets

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

## **OTHER GUIDANCE**

Walpole Cross Keys Parish Plans

## **PLANNING CONSIDERATIONS**

The main considerations in the determination of this application are:

- Appeal History and subsequent 2011 planning permission
- Principle of development
- Form and character
- Neighbour amenity
- Flood risk
- Highways
- Affordable housing
- Any other matters that require consideration prior to the determination of the application

### **Appeal History and subsequent 2011 planning permission**

Planning permission was refused for the demolition of the existing buildings on the site and the construction of 9 dwellings, provision of 18 car parking spaces and provision for a refuse vehicle to turn in September 2009. The applicant appealed the decision in 2010. The Inspector considered that there were two main issues:

1. The effect of the proposal on the character and appearance of the area;
2. Whether the loss of the public house and its replacement with 9 houses would accord with the principles of sustainable development.

With respect to issue 1, the Inspector concluded the following:

- A development of 9 dwellings exceeds what can be properly considered as a small group of dwellings or small scale infilling in light of Policy 8/1 of the Local Plan and Draft Policy CS09 of the Core Strategy Proposed Submission Document (as was in 2010);

- The proposal involved development in depth , rather than the simple infilling of a gap in frontage development, and its appearance would be estate-like;
- The area is clearly characterised by linear, frontage development and considered that the proposed layout, which would include two pairs of semi-detached 2-storey houses to the rear of the site, fronting an access road at 90 degrees to Sutton Road, would be at odds with the building characteristics of the locality;
- The introduction of 9 dwellings of rather uniformed appearance would not reinforce local distinctiveness; indeed it would underline the incongruous estate-like feel of the development;
- The scale, layout and design of the proposal would harm the character and appearance of the area and would be contrary to saved Local Plan Policies 8/1 and 4/21 as well as the former PPS 1 and 3 and Draft CS Policy CS09.

With respect to issue 2, the Inspector concluded the following:

- The appeal property, based on the evidence provided, was no longer viable as a public house and there were significant obstacles in the way of achieving viability;

The Inspector concluded that whilst the loss of the public house would not be contrary to the principles of sustainable development, its replacement with 9 houses would. This reinforced the concerns identified on the first main issue, which was sufficient in itself to justify dismissal of the appeal. The Appeal was subsequently dismissed in August 2010.

In 2011, Members considered a further application for the demolition of the public house and the construction of 3 dwellings along the frontage of the site. Given the Inspectors findings on the loss of the pub, its retention was no longer an issue. Members resolved to approve the application subject to the completion of a S106 Agreement in October 2011 and the agreement was executed and the decision issued in November 2011.

### **Principle of development**

The National Planning Policy Framework came into force in March 2012 which follows the 2010 appeal decision. The NPPF states that there is a presumption in favour of sustainable development. Development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. With regard to design, good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute to making places better for people. Development should add to the overall quality of an area and respond to local character. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The site comprises brownfield land within the defined area of the village as demonstrated on Inset Map 73 of the King's Lynn & West Norfolk Local Plan (1998). Walpole Cross Keys is classified as a Rural Village in Core Strategy Policy CS02 of the Local Development Framework (2011), where limited minor development will be permitted which meets the needs of settlements and helps to sustain existing services in accordance with Policy CS06 Development in rural areas. Policy CS08 requires new development to respond to the context and character of West Norfolk by ensuring that scale, density, layout and access will enhance the quality of the environment. Policy CS09 allows for small scale infill housing development in rural villages.

The site also falls within Built Environment Type D, therefore Local Plan Policy 4/21 which states that development which has regard for and is in harmony with the buildings characteristics of the locality will be permitted. Policy 8/1 states that in villages, individual dwellings and small groups of dwellings which comply with other policies of the Plan will be permitted in settled or built –up areas (Built Environment Areas C and D).

The loss of the pub has already been considered on appeal and a subsequent planning permission for the redevelopment of the site for residential development approved in 2011. The principle of residential development on this site is therefore acceptable.

### **Form and character**

The main issue is whether this development for 8 units, associated car parking, parking for the school, access road and sewage treatment plant complies with the 2010 Appeal decision in terms of its impact on the form and character of the locality. If not, does policy (NPPF and adopted Core Strategy) or any change in circumstances justify the approach taken.

Whilst this application is in outline form with all matters reserved, the Applicant has submitted a detailed indicative site plan showing how the site may be developed in order to achieve the desired amount of development. The layout indicates two pairs of semi-detached dwellings either side of the access road running perpendicular to Sutton Road, (north-south axis) a turning area at the centre of the site with package treatment plant and a further extension of the road to the northern edge of the site, with two pairs of semi-detached dwellings also running on a north-south axis. The appeal proposal (a full application) was slightly different in that it provided frontage development in the form of a pair of semi-detached dwellings and a terrace of three dwellings either side of the access road lying parallel to Sutton Road. The rear of the site is virtually identical to that shown on the current indicative site plan.

It has already been established that the principle form of development in the locality is frontage development and development in depth (in an estate-like layout) is not considered infill development (in accordance with Policies 4/21 and 8/1 of the Local Plan or Policy CS09 of the Core Strategy 2011(as defined by the Inspectors decision). In order to accommodate the amount of development that the Applicant requires on the site, development in depth would need to be undertaken which would not comply with the form and character of the locality. Therefore, other than the desire to provide 130sqm of land for parking for the school, there would be little improvement in the layout of the development as shown on the indicative site plan which would not therefore comply with the appeal decision. The quantum of development does not seek to improve the character and quality of the locality and as a result would be contrary to Chapter 7(Design) of the NPPF, National Planning Practice Guidance, Policies 4/21 and 8/1 of the Local Plan 1998 and Policies CS08 and CS09 of the Core Strategy 2011.

### **Neighbour amenity**

Neighbours are concerned that the indicative layout would result in overlooking, be overbearing and would result in additional noise and disturbance. Notwithstanding the form and character issues, and although the layout proposed is indicative, a layout of this type would result in unneighbourly development by reason of overlooking and being overbearing (due to proximity of units to the boundaries), particularly to 32 Sutton Road. Properties to the south of Sutton Road would be affected and neither would the school, located to the east. This further suggests that development in depth is not appropriate.

### **Flood risk**

The site is located in Flood Zone 2 as defined by the Councils adopted SFRA 2008. The application is accompanied by a Flood Risk Assessment In accordance with the NPPF and National Planning Practice Guidance, new development should be directed to locations with the lowest risk of flooding i.e. Flood Zone 1. There are no other sites within Walpole Cross Keys that are within a lower risk Flood Zone that are reasonably available and therefore the development passes the sequential test. Further, the principle of development has already been established albeit for three dwellings.

There are localised surface water drainage issues in the locality which have been investigated by both the Borough and County Council's. Notwithstanding this, the EA and the CSNN Team, considers that surface water drainage can be dealt with via condition. Further, with regard to the use of soakaways, infiltration drainage details are required as part of Building Regulations approval which is an extra layer of protection. Exact details of foul water and land drainage could be dealt with via condition.

### **Highway safety**

The Local Highway Authority acknowledges that the proposal is in outline form only with all matters reserved but has suggested amendments which have been incorporated by the Agent in the revised indicative site plan. However, access would be dealt with as a reserved matter and would be secured by conditions. Third parties are concerned about the proximity of the proposed access road to the current T-junction however the Local Highway Authority raises no objection on highway safety grounds.

### **Affordable housing**

The site amounts to 0.215ha which exceeds the thresholds for affordable housing (0.165ha or 5 dwellings or more in rural villages) set down by Policy CS09 of the Core Strategy 2011. The Applicant has submitted a Viability Assessment that concludes that the site would not be financially viable with the current approved scheme for 3 units or the proposed scheme for 8 units. However, the Housing Strategy Officer has assessed the Assessment using the Homes and Communities Agency appraisal tool and concludes that the site is viable in accordance with Policy CS09 and that a contribution of 1 x 2 bedroom house at 74m<sup>2</sup> would be required along with a financial contribution of £36,000. The Agent has confirmed in writing that the Applicant would agree to the contribution of 1 built unit and provide the 130 sqm of parking land for the school on the proviso that the £36,000 financial contribution is waived. In the light of the proposal for 130sqm of parking for the school (a community contribution) this seems reasonable given that it would alleviate a particular problem around the school.

### **Any other matters that require consideration prior to the determination of the application**

The Historic Environment Service has requested that if planning permission were to be granted, a condition be imposed regarding a programme of historic building recording, given that the site is marked on the tithe map of circa 1840 and is of historic interest.

The Environmental Quality Team has identified that the site was the location of a former Smithy (set down in the Pre-determination Questionnaire). Given that this is a source of potential contamination and that the proposed development as a vulnerable end use, conditions are recommended regarding contamination investigation and remediation.

The CSNN Team has requested conditions regarding air source heat pumps and a protection scheme from construction (construction management plan). Whilst air source heat pumps are indicated on the indicative plan, this would be subject to change and would normally be considered during a subsequent reserved matters application. Construction management would also normally be considered at reserved matters stage.

The Arboricultural Officer recommends that a condition be imposed regarding a modest landscaping scheme.

Issues raised by Third Parties have been addressed above.

### **Crime and Disorder**

The application raises no crime and disorder issues. Norfolk Constabulary has provided Secure by Design advice and the Agent has confirmed that should the application be successful, a full Secure by Design award would be applied for.

### **CONCLUSION**

It is acknowledged that the scheme is an outline application with all matters reserved. However, the Agent has submitted a very detailed indicative site plan indicating how the site would be developed in order to deliver the quantum of development proposed. A very similar scheme (full application ref 09/00749/F) has already been considered by the Planning Inspectorate and dismissed on appeal indicating that the main issues were form and character and the loss of the public house. Whilst the retention of the public house was found unviable on appeal, the scheme was still refused on the form and character issues. In the assessment of the current scheme, the benefits of the proposal in terms of providing residential units, affordable housing and the parking provision for the school have to be weighed against the dis-benefits i.e. that the quantum of development would necessitate development in depth which would be contrary to the form and character of the locality and the provisions of the Development Plan. Further that with development in depth as indicated, particularly two storey houses, would result in unneighbourly development. On this basis, the proposal would be contrary to Chapter 7 of the NPPF, National Planning Practice Guidance, Policies 4/21 and 8/1 of the Local Plan 1998 and Policies CS08 and CS09 of the Core Strategy 2011.

### **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The quantum of development proposed would necessitate estate-like development in depth which would be contrary to the form and character of the locality which is mainly frontage development along Sutton Road, Walpole Cross Keys. Further that such development in depth as indicated, particularly houses, would result in unneighbourly development. On this basis, the proposal would be contrary to Chapter 7 of the NPPF, National Planning Practice Guidance – Design which seek to promote character in townscape by responding to and reinforcing local distinctive patterns of development as well as making places better for people, Policies 4/21 and 8/1 of the Local Plan 1998 and Policies CS08 and CS09 of the Core Strategy 2011.





## Appeal Decision

Site visit made on 12 July 2010

by **John Murray LLB, Dip.Plan.Env, DMS,**  
Solicitor

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
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**Decision date:**  
**18 August 2010**

### Appeal Ref: APP/V2635/A/10/2120406

#### 30 Sutton Road, Walpole Cross Keys, King's Lynn, PE34 4HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Westways Estate Agents against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 09/00749/F, dated 1 May 2009, was refused by notice dated 18 September 2009.
- The development proposed is the demolition of existing buildings on the site and the construction of 6 No. 2 bed 2 storey semi-detached dwellings and 3 No. similar terraced dwellings and the provision of 18 car parking spaces and provision for a refuse vehicle to turn.

#### Decision

1. I dismiss the appeal.

#### Procedural matter

2. The application referred to the construction of "2 No. 2 bed 2 storey semi-detached houses" but it is clear from the application plans and the Design and Access Statement that this was an error and 6 semi-detached dwellings are proposed, in addition to the 3 terraced houses.

#### Main issues

3. The first main issue is the effect of the proposal on the character and appearance of the area. The second is whether the loss of the public house and its replacement with 9 houses would accord with the principles of sustainable development.

#### Reasons

4. The appeal site lies in the built-up area of the small rural village of Walpole Cross Keys and within an area categorised as Built Environment Type D in the King's Lynn and West Norfolk Local Plan (LP), adopted November 1998. Saved LP Policy 8/1 indicates that individual dwellings and small groups of dwellings which comply with other relevant LP policies will be allowed in such locations. For general guidance, paragraph 8.7 of the explanatory text indicates that a development of up to 5 dwellings will be regarded as a small group, although this may be varied in appropriate circumstances. I attach weight to that explanatory text and, given the size of the village and the pattern of frontage development in the locality, I consider that the proposed development of 9 dwellings exceeds what can properly be regarded as a small group of dwellings.



5. Although it could be subject to change, and therefore carries limited weight, Policy CS09 of the King's Lynn and West Norfolk Core Strategy – Proposed Submission Document (CS) indicates that new housing development in rural villages will be restricted to small scale infilling or affordable housing allocations or potential exceptions housing to meet identified local needs and will be identified through the Site Allocations Development Plan Document. Although it may be possible to impose conditions, the appellant does not propose to include affordable housing, or housing to meet identified local needs and I do not consider the scheme to be small scale infilling.
6. I have been provided with very little information regarding the preparation and content of the Walpole Parish Plan 2008, save that Sutton Road residents indicate that villagers were asked to complete a questionnaire. Whilst I can attach only limited weight to it, this plan is nevertheless a material consideration. I am told it indicates that infill is the most favoured form of housing development for the village with only 7% of respondents wishing to see small estates. Whilst the term estate may suggest rather more than 9 dwellings, the proposal involves development at depth, rather than the simple infilling of a gap in frontage development, and its appearance would be estate-like.
7. There is no rigidly uniform building line, but the area is clearly characterised by linear, frontage development. The buildings at the rear of the school site, adjacent to the appeal property are an exception to this, but are predominantly single-storey and subservient in scale. Indeed, they are not readily apparent from public vantage points and, even from the appeal site, those buildings are well screened by vegetation. In this context, I consider that the proposed layout, which would include 2 pairs of semi-detached 2-storey houses to the rear of the site, fronting an access road at 90 degrees to Sutton Road, would be at odds with the building characteristics of the locality.
8. Planning Policy Statement (PPS) 1 (Delivering Sustainable Development) indicates that local planning authorities should avoid unnecessary prescription and should not attempt to impose architectural styles or particular tastes. However, it also states that developments should respond to their local context and create or reinforce local distinctiveness. This is echoed in PPS 3 (Housing) and saved LP Policy 4/21 is consistent with this guidance in requiring new development to be in harmony with the building characteristics of the area.
9. Along Sutton Road, the dwellings vary in design, age, size and type and include detached, semi-detached and terraced properties. They are mainly houses, though there are some bungalows nearby on Station Road. There is no consistent or predominant architectural style. Accordingly, there is scope to introduce the relatively unusual window styles and arrangements, projecting eaves, staggered facades and low pitched roofs incorporated in the contemporary design of the appeal scheme, without necessarily causing harm. However, it seems to me that variety is one of the main elements of local distinctiveness. Accordingly, the introduction of 9 dwellings of rather uniformed appearance would not reinforce that distinctiveness; indeed it would underline the incongruous estate-like feel of the development.
10. For the reasons given, I conclude on the first main issue that, by virtue of its scale, layout and design, the proposal would harm the character and



appearance of the area and would be contrary to saved LP Policies 8/1 and 4/21, as well as PPS 1 and 3 and CS Policy CS09.

11. In reaching this conclusion, I have taken account of the fact that the scheme would replace a deteriorating building. However, though its windows are boarded up, the current appearance of the public house is not so detrimental to the street scene that its removal is an overriding consideration.
12. I have also taken account of the fact that, by achieving 45 dwellings per hectare, the proposal would make efficient use of previously developed land. Efficient use of such land is still an objective of PPS3, notwithstanding the Secretary of State's recent revision deleting the national indicative minimum density of 30 dwellings per hectare. Similarly, it is not affected by his revocation of Regional Strategies, which means that Policy ENV7 of the East of England Plan, which required the achievement of the highest possible net density consistent with local character, is no longer part of the development plan. Nevertheless, in my view, the harm identified outweighs the benefits of reusing this site.
13. Turning to the second main issue, among other things, Policy EC.6.2 of PPS 4 (Planning for Sustainable Economic Growth) indicates that local planning authorities should seek to remedy identified deficiencies in local facilities to serve people's day-to-day needs. Policy EC.13.1 provides that, when assessing a planning application which would result in the loss of a public house in a village, account should be taken of its importance to the local community. Furthermore, applications which fail to protect existing facilities which provide for people's day-to-day needs should be refused.
14. There is considerable local opposition to the proposed scheme and to the loss of The Woolpack public house as a village facility and this is reinforced by the Walpole Cross Keys Parish Council and by Henry Bellingham MP. However, the appellants have owned the public house since 2005 and maintain that it is not viable. It has not been able to be run as a successful, profitable business and has been closed since January 2009.
15. The Campaign for Real Ale (CAMRA) has produced a Public House Viability Test to assist Councils in evaluating viability when proposals for changes of use are submitted. The appellants have sought to apply that test in their appeal statement and contend that the majority of the indicators point to the public house not being viable. Whilst it commented on points made in the Design and Access Statement, the Council has not challenged that later detailed assessment.
16. Some of the key factors are as follows. The property has been continuously marketed since 2008 for continued public house use, or as a redevelopment opportunity but, despite some expressions of interest, no formal offers have been made. Although no detailed breakdown is provided, the appellants estimate that it would cost at least £80,000 to repair and refurbish the premises and my own inspection indicates that they are in a poor state. The Council and third parties suggest that having failed to carry out essential repairs and maintenance, the appellants are now seeking "a premium on neglect." The appellants counter that they gave formal help to a succession of managers through reduced rent and rent free periods. It is also significant that



the public house is in a small and relatively remote community, with no principal road access. It is largely reliant on local trade and there are competing public houses in more sustainable nearby villages.

17. I have little information concerning the way in which the pub has been managed in the past and clearly, as the CAMRA test acknowledges, this would have a bearing on viability. Nevertheless, on the evidence before me, it seems likely that the appeal property is no longer viable as a public house and there are significant obstacles in the way of achieving viability. A number of third party representations made in response to the appeal acknowledge this, focussing instead on the harm that would be caused by the specific proposal. In terms of PPS4, given that the pub has been closed for some time, it cannot be said that it is now an important existing facility, which provides for people's day-to-day needs.
18. In all these circumstances, I am not satisfied that the loss of the public house would be contrary to the principles of sustainable development. Whilst residents of the village who wish to visit a pub will now have to make journeys to other locations, it seems likely that the pub would only be viable if it could attract patrons from elsewhere in significant numbers, also necessitating travel.
19. However, the appellant does not clearly address the Council's concern that the introduction of 9 new dwellings to this small village would be unsustainable. Whilst there are regular daytime bus services to Kings Lynn and Spalding, there are few facilities in the village itself and, as indicated above, the proposal is contrary to saved LP Policy 8/1, which limits housing development to small groups and indeed Core Strategy Policy CS09. In these circumstances, I conclude on the second main issue that, whilst the loss of the public house would not be contrary to the principles of sustainable development, its replacement with 9 houses would. This reinforces the concerns identified on the first main issue, which is sufficient in itself to justify dismissal of the appeal.
20. Having regard to my conclusions on the main issues and to all other matters raised, I am satisfied that the appeal should be dismissed.

*J A Murray*

INSPECTOR



<b>Parish:</b>	<b>West Dereham</b>	
<b>Proposal:</b>	<b>Construction of occupational dwelling, together with a reception/utility/storage building and access improvements (part retrospective)</b>	
<b>Location:</b>	<b>Camping Site Woodstock Gibbet Lane Wereham King's Lynn</b>	
<b>Applicant:</b>	<b>Woodstock Touring Park</b>	
<b>Case No:</b>	<b>14/00237/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs H Morris Tel: 01553 616481</b>	<b>Date for Determination: 10th June 2014</b>

**Reason for Referral to Planning Committee** – The application has been called in for determination at Planning Committee by Councillor Sampson and the officer recommendation is at variance with the view of the Parish Council

### **THE SITE AND APPLICATION**

The application site is situated on the north western side of Gibbet Lane, Wereham and comprises agricultural land. Woodstock Touring Park, an established caravan site, lies to the east and the land is shown outlined in blue on the submitted site location plan.

The application site lies within the countryside as defined on the King's Lynn & West Norfolk Local Plan (1998) Proposals Map. Apart from the adjacent caravan site to which this application relates the surrounding area predominantly comprises agricultural land, although an existing residential property ('The Squares') adjoins the application site to the west.

The application seeks full planning permission for the construction of an occupational dwelling, together with a reception / utility / storage building. Planning permission for an occupational dwelling has previously been refused at Planning Committee on two occasions (application ref's: 11/00513/F and 11/02056/F) and the most recent (11/02056/F) was also dismissed at appeal.

### **Key Issues**

The key issues identified in the consideration of this application are as follows:

Differences between this application and the previous appeal;  
Principle of development;  
Visual impact on the countryside;  
Neighbour amenity;  
Highway Safety; and  
Other considerations.

### **Recommendation:**

**REFUSE**

## THE APPLICATION

The application seeks full planning permission for the construction of an occupational dwelling, together with a reception / utility / storage building. Planning permission for an occupational dwelling has previously been refused at Planning Committee on two occasions (application ref's: 11/00513/F and 11/02056/F) and the most recent (11/02056/F) was also dismissed at appeal.

The application site is situated on the north western side of Gibbet Lane, Wereham and comprises agricultural land. Woodstock Touring Park, an established caravan site, lies to the east and the land is shown outlined in blue on the submitted site location plan.

The application site lies within the countryside as defined on the King's Lynn & West Norfolk Local Plan (1998) Proposals Map. Apart from the adjacent caravan site to which this application relates the surrounding area predominantly comprises agricultural land, although an existing residential property ('The Squares') adjoins the application site to the west.

## SUPPORTING CASE

The Design and Access Statement (DAS) submitted in support of the application advises that the purpose of this application is to provide a reception, tractor/machinery store, laundry room and an occupational dwelling for the owner at Woodstock Touring Park.

A Planning Statement (PS) also accompanies the application and this advises that the Caravan Site was originally opened as a means of diversification in 1986 by Tony and Jackie Jackson who own the adjacent Woodstock Farm. Since then the enterprise has expanded and now consists of:-

- 50 pitch business rated caravan site listed with the Camping & Caravan Club.
- A one bedroom log cabin.
- A purpose built shepherd hut for glamping.
- Access to the adjacent fishing lake.

Mr and Mrs Jackson semi-retired and in 2013 passed on the ownership and management of the caravan site to their daughter Miss Yvonne Jackson, who is also bailiff to the fishing lake and manager to two nearby holiday lets.

Yvonne has sealed off access to the site from the road leading to Woodstock Farmhouse and has re-opened the original entrance to the field, thus separating the touring park from the farming business.

The submitted DAS states that the business has now grown to such a degree it is imperative the owner lives on site for direct 24 hour customer care, contact and security. A reception is needed for the everyday running of the business. The machinery store needs to be adjacent to the dwelling and reception due to its value and vulnerability. At present there are no such facilities or buildings on site and for the interim the owner is using the log cabin for 24 hour contact and supervision at a loss of income regarding letting.

The submitted DAS further justifies the proposed development by advising that the nature of the business, which operates all year round, requires 24 hour supervision, security and customer contact seven days a week as well as normal day to day cleaning, maintenance, ground work, reception and office duties, vermin control, pitch electric meter readings, laundry, management of the self-catering accommodation, gas sales, bailiff duties around the lake and checking dip tanks for cross contamination etc.



At present there are no facilities for visitor arrival, check in, departure, key collection, booking in fishermen for day ticket and explaining rules. This is causing a constant problem as there is nowhere for visitor contact and the owner has nowhere to sort out administration details and payment.

Direct customer care 24 hours a day within walking distance is a necessity for the business to function, thrive and survive. Guests can arrive at any given time during the day or night. Help and advice needs to be close at hand 24/7 to locate doctors, vets, caravan repairs, good pubs, garages, etc. The business is a "living" enterprise. Call-out issues are a day to day occurrence and do not conveniently happen during a normal working day.

Security is of major importance especially in a rural location. Visitors expect a reception and a responsible person on site 24 hours a day should any problem arise and immediate response to any problems. The new proposed dwelling and office building would provide a continual point of contact over the 24 hour period. The proposed reception would house C.C.T.V. to monitor and record all comings and goings onto site and a safe and secure building for all machinery as well as all administrative duties.

The proposed house has been situated to provide observation to the reception and machinery store, the whole caravan site and fishing lake during out of office hours for the owner. Both buildings are situated at the touring park entrance for visitor arrival and also in close proximity to the site for noise and nuisance control.

Noise on a camp site can be a big problem if allowed to escalate. This can be generated by humans and dogs alike. Noise has to be sorted out immediately the problem occurs and checks of the site need to be made at regular intervals to ensure this does not cause a problem.

Fish poaching is very big business. Whilst no night fishing is allowed, night time security and supervision of the lake is of paramount importance. Checks are constantly made. The lake is well stocked with individual fish worth in the region of £2000.00. Night time fishing could be introduced if application approved as on site management would be available.

24 hour supervision is a responsibility and duty of care and as already mentioned is carried out 7 days a week all year round. The business entails dealing with human beings on a 24 hour a day basis. It cannot be locked up at 6.00 p.m. and re-opened at 8.00 a.m. in the morning.

The business has grown over the last 28 years and is sustainable and financially viable as has been proven and accepted in the past, with a year on year increase in advance bookings for the coming year. The benefit this business provides into the rural economy is substantial and is supported by NPPF. The proposed dwelling and reception building are genuinely needed for the business, not for personal reasons.

In terms of the previous application for a proposed building and occupational dwelling (11/02056/F) which was refused and dismissed at appeal on 24th October 2012 the agent considers that the appeal was dismissed primarily due to the existing dwelling at Woodstock Farm which at the time of the appeal was occupied by the appellants, Mr and Mrs Tony Jackson. The caravan site is no longer in control of Mr and Mrs Jackson, with Miss Yvonne Jackson now owning the site. Woodstock Farmhouse is therefore no longer available to the business. The applicant and their agent consider that the Inspector accepted there was a need for one dwelling on site to provide the necessary 24 hour supervision.



It was also felt that the proposed reception building was located some distance from the site entrance. The site entrance has been moved back to the original entrance to the field at the south west of the site with the proposed reception building now being in an appropriate position to address the Inspector's concerns. This access utilises the historic access to the field when purchased by Mr Tony Jackson from Norfolk County Council. This access has been improved to required standards for the caravan park.

## PLANNING HISTORY

11/02056/F – Reception building and occupational dwelling. Planning permission was refused on 10th February 2012 and later dismissed at appeal on 24th October 2012.

11/00513/F – Proposed new dwelling. Planning permission was refused on 8th June 2011.

10/01899/F – Proposed new dwelling. Application was withdrawn on 22nd November 2010.

07/01130/F – Siting of one static caravan. Planning permission was granted on 28th August 2007.

05/02570/CU – Increased pitch numbers and extension to existing touring caravan site. Planning permission was granted on 8th February 2006.

## RESPONSE TO CONSULTATION

**Town/Parish Council: SUPPORT** (West Dereham Parish Council).

**Local Highway Authority (NCC): NO OBJECTION** subject to recommended condition in relation to access improvements. I note that from supporting information the access under review from this application has been utilised as a former field access. Such an access would not be of a construction which is suitable for the intensification of use which this application would result and therefore it would need to be upgraded to support the increased uses. In principle vehicle speeds are low in the area and therefore the position of the access should, on balance, be acceptable.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION.**

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance (CSNN): NO OBJECTION** subject to Air Source Heat Pump informative being attached to any consent.

## REPRESENTATIONS

No letters of representation have been received from neighbouring residents in relation to this application. However, Wereham Parish Council has advised that they support the proposal, even though the application site falls within West Dereham Parish.

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government's planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

**CS12** - Environmental Assets

## **PLANNING CONSIDERATIONS**

The key issues identified in the consideration of this application are as follows:

- Differences between this application and the previous appeal;
- Principle of development;
- Visual impact on the countryside;
- Neighbour amenity;
- Highway safety; and
- Other considerations.

### **Differences between this application and the previous appeal**

Planning permission for an occupational dwelling and reception building on the site has previously been refused at Planning Committee on two occasions (application ref's: 11/00513/F and 11/02056/F) and the most recent (11/02056/F) was also dismissed at appeal. (The Inspector's decision is attached to this report).

The main differences between the current application proposal and that previously refused and dismissed at appeal are as follows:

- Miss Yvonne Jackson is now the applicant, not Mr and Mrs Tony Jackson.
- Labour is provided full time at the touring park by Miss Yvonne Jackson but Mr and Mrs Tony Jackson are still part time workers for the business.
- Ownership of the application site and land outlined in blue on the submitted site location plan (the Caravan Site) has been transferred from Mr and Mrs Jackson to their daughter Miss Yvonne Jackson.
- Woodstock fishing lakes and the two no. holiday lets / cottages referred to in the supporting information are not owned by the applicant and are therefore now excluded from the blue line area as is Woodstock Farm and the associated dwelling. However, Miss Jackson holds a long term tenancy agreement for the fishing lake.
- A new access to the Caravan Site has already been created at its eastern end and this is proposed to be used for the new dwelling as well as the Caravan Site. This current application therefore seeks retrospective approval for the changes made to this access.
- The siting of the proposed dwelling and reception building has altered slightly.

## The Principle of Development

The application site falls within the countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) Proposals Map. The National Planning Policy Framework (NPPF) states at paragraph 55 that: 'Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside...' This is reiterated in the Council's Core Strategy at Policy CS06 which states that: 'The development of greenfield sites will be resisted unless essential for agricultural or forestry needs'.

The criteria in Annex A of PPS7 for assessing applications for agricultural / rural workers dwellings is considered the most relevant guidance in assessing this application. Whilst PPS7 has been superseded by the NPPF appeal decisions have confirmed the continued appropriateness of Annex A in the context of the consideration of applications for rural occupational dwellings.

Annex A states that it is often as convenient and more sustainable for such workers to live in a nearby village, or suitable existing dwelling, so avoiding new and potentially intrusive development in the countryside. However there may be a case where the nature and demands of the work concerned make it essential to live on site. Whether living on site is essential will depend on the needs of the enterprise, not the personal circumstances or preferences of any individual involved. All applications must be scrutinised thoroughly and it is important to establish whether the stated intentions are capable of being sustained for a reasonable period of time and whether the intended enterprise requires one or more people to live nearby.

Annex A advises that local planning authorities should therefore apply the following criteria and principles:

1. There should be a clearly established existing functional need;
2. The need relates to a full time worker;
3. The rural business has been established for the last three years, has been profitable for at least one of them and is currently financially sound and has the clear prospect of remaining so (the financial test);
4. The functional need could not be fulfilled by another existing dwelling either on the unit or any other existing accommodation in the area which is suitable and available for occupation by the worker concerned; and
5. Other planning requirements such as access or impact on the landscape are satisfied.

Information in relation to functional and financial need has been submitted in support of the application within the Design and Access Statement and separate Planning Statement. Within this documentation the applicant's agent states that it is proposed to erect a modest dwelling on site to provide the essential on site customer contact point required.

The submitted Planning Statement considers that the previous appeal was dismissed primarily due to the existing dwelling at Woodstock Farm which at the time of the appeal was occupied by the appellants, Mr and Mrs Tony Jackson. Given that the caravan site is no longer in control of Mr and Mrs Jackson, with Miss Yvonne Jackson now owning the site, Woodstock Farmhouse is no longer available to the business and the applicant and agent consider that this is sufficient to overcome the previous concerns.

However, it is your Officers opinion that the applicant and their agent's assumption that "the Inspector accepted there was a need for one dwelling on site to provide the necessary 24 hour supervision" is not entirely correct.

At no point in the Inspector's decision does he state there is a need for a residential dwelling on the site to provide 24 hour supervision he merely recognised a need for an additional worker but concurred with the Council's previous view that the worker does not need to live on the site.

The Inspector would of course have taken into consideration the existing dwelling at Woodstock Farm at that time because Mr & Mrs Jackson were the full time workers running the site and resided in this property but it is the view of Officers that although it is now their daughter Miss Yvonne Jackson who owns and predominantly runs the caravan site, the situation has not significantly changed in terms of functional need as the agent has confirmed that Mr and Mrs Jackson still work part time for the business and still reside in Woodstock Farmhouse. In paragraphs 10 to 16 of the Inspector's decision he clearly considered that the daily tasks and duties associated with the operation of the business could be undertaken without an additional worker living on site. Therefore while ownership and responsibilities within the business may have changed slightly since the previous appeal it is considered that the presence of two existing workers living in very close proximity to the caravan site coupled with the fact that the daily tasks and duties associated with the operation of the business remain ultimately the same means that there is still insufficient justification for an occupational dwelling to be erected on site.

Furthermore, in the supporting case for the applicant it refers to security as one of the main reasons for needing to provide an occupational dwelling on the site, along with dealing with emergencies and late arrivals. However the Inspector in the previous appeal clearly considered that given the strong planning policies against additional dwellings in the countryside there was a need to examine whether such events and matters could be reasonably dealt with by other means and in his decision at paragraphs 12 to 15 he suggested how this could be done. The current application fails to address these aspects of the Inspector's decision and still refers to security and customer care as justification for the proposed dwelling even though the Inspector has clearly dismissed these matters and stated they could be suitably addressed by other means rather than by providing on-site living accommodation. There are still no existing security measures in place; the fishing lake is not part of the current application site and is situated some distance away from the proposed dwelling for it to be any deterrent to poachers; late night arrivals could easily be provided with a space for overnight parking which is customary on similar sites; and any customer emergency of a serious nature should be dealt with by the emergency services in the first instance but they could also be provided with details of an 'on call' worker on arrival should additional help be required.

It is also pertinent in an assessment of functional need to determine whether there are any other suitable properties within the immediate vicinity of the site or a building on the site that is suitable for conversion that can accommodate the proposed user. Furthermore, Annex A of PPS7 clearly advised that if a new dwelling is considered essential to support a rural activity, it should normally, for the first three years, be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation.

There is no evidence to suggest that the applicant has investigated the possibilities of other properties being available in the area and there is clearly an existing log cabin on site which could be provided on a temporary basis as the case put forward by the applicant states that she is currently having to live in it, although unlawfully at present.

The justification given by the applicant's agent for this log cabin not being a suitable option to meet the needs of the business is that they consider it too small to be a permanent residence and that the current, unlawful, temporary use of the cabin to provide on site supervision at present "means it is being lost as lettable holiday accommodation for which it was designed for". In dispute to this officer's consider that if the applicant can justify the financial cost of erecting a large two bedroom two storey building on the site, in addition to a new reception building, a further log cabin could be provided on site for holiday accommodation (subject to planning permission) to potentially allow the existing one to be used as an occupational workers dwelling lawfully on a temporary basis. However it should be noted that any temporary dwelling should still be justified on a functional need basis, and officers would question whether this functional need exists, especially given the way the site has functioned for a number of years.

Taking the above into account it is considered that it is clearly the preference of the applicant in this case for a new residential dwelling to be erected on site rather than to meet the needs of the business. It is considered that the case put forward on behalf of the applicant fails to demonstrate there is a clear functional need for a new permanent dwelling to be erected on the site furthermore limited new financial information has been provided in support of this application and no figures have been provided for 2013/2014 which according to the supporting documentation is the period that Miss Jackson (the applicant) has been operating the business.

In addition to the above, whilst the principle of the proposed reception building is generally considered to be acceptable and the main access for the caravan site has now been relocated to the west, the reception building would still be sited to the west of the caravan site at a considerable distance from the fishing lakes which are referred to in the applicant's justification. As a result it is considered that the current proposal fails to satisfactorily overcome one the contributory factors for the Inspector dismissing the previous appeal, "the proposed reception building is inappropriately sited having regard to the operational needs of the business".

### **Visual Impact on the Countryside**

The proposed new dwelling would measure 10.6 metres in width, 8 metres in depth and 8.8 metres in height with a pitched roof. The design of the property attempts to give the appearance of a converted barn, by virtue of the central window and door feature on the front elevation and the vertically dominated windows.

The form and character of the immediate surrounding area is rural, open countryside. There is one adjacent residential property "The Squares" which is a two storey detached property with dormer windows features.

The second part of the proposal involves the erection of a single storey reception building which would measure 12.9 metres in length, 5.9 metres in width and 5.5 metres in height with a pitched roof. 6.1m (w) x 12m (d) x 5.5m (h) also to be constructed from brick and tile.

Views of the proposed dwelling and reception building from the west would be screened by virtue of the portal framed agricultural building on the adjacent site and "The Squares" residential property. Views from the east of the site would be shielded by established trees and hedging.

The proposed dwelling and reception building are in a stepped back position from Gibbet Lane which means that they would not be overly prominent when viewed from the south, unless viewed when standing directly in front of the site. The property can be seen from the A134 heading south however given the scale of the property it will not appear unduly prominent.

It is therefore considered overall that the proposed dwelling and the reception building would have minimal visual impact upon the character of the countryside.

### **Neighbour Amenity**

There are no residential neighbours in close proximity to the site in a southerly or easterly direction.

The only neighbouring property to the west, "The Squares" would not be detrimentally affected as a result of the proposed dwelling. The fenestration styles and siting on the west elevation at first floor would face towards the rear of this neighbour's garden as opposed to their private amenity space. The 2.5m high conifer hedge along the shared boundary would also mitigate against any form of overlooking at ground floor level. The siting of the dwelling at approximately 12m north east of the rear elevation of "The Squares" would also prevent any overbearing or overshadowing issues.

The siting of the proposed reception building is approximately 20m east of "The Squares" and would not materially impact upon their amenity.

### **Highway Safety**

Norfolk County Highways have advised that the existing altered access which the applicant is seeking retrospective approval for under this application is not of a construction suitable for the intensification of use. As a result it would need to be further upgraded in accordance with Norfolk County Highways specifications. However, given that vehicle speeds are relatively low in the area Highways consider that the position of the access should, on balance, be acceptable in highway safety terms and as a result they have raised no objection to the application subject to a condition relating to the upgrade of the access being imposed should planning permission be granted.

### **Other Considerations**

There are no other material considerations relevant to this application.

### **CONCLUSION**

This site lies within the countryside where there is a general presumption against new residential development. This application seeks consent for an occupational workers dwelling together with a reception building but it is considered that insufficient justification has been provided in terms of functional need to demonstrate that a new permanent dwelling is required on site to meet the operational requirements of the business. Furthermore, whilst the principle of a new reception building is generally considered to be acceptable the siting of it, still divorced from the fishing lakes which are referred to in the applicant's case, fails to satisfactorily overcome the Inspector's contributory reason for dismissing the previous appeal.



It is therefore considered overall that the proposal is contrary to Policy CS06 of the Core Strategy (2011) as well as the provisions of the National Planning Policy Framework (2012). As a result it is recommended that planning permission be refused for the reason set out below.

**RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The application as submitted fails to clearly demonstrate a functional need for a new permanent dwelling to be erected on site and it is considered that the accommodation proposed is aimed at meeting the applicant's personal needs and preferences rather than the operational requirements of the business. Suitable alternatives have not been satisfactorily considered therefore the proposal fails to accord with Policies CS01, CS02, CS06 and CS09 of the Borough Council of King's Lynn and West Norfolk's Core Strategy (2011) as well as the provisions of the National Planning Policy Framework (2012).

## Appeal Decision

Hearing held on 10 October 2012

Site visit made on 10 October 2012

by **C J Anstey BA (Hons) DipTP DipLA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24 October 2012

**Appeal Ref: APP/V2635/A/12/2176102**

**Woodstock Farm Caravan Site, Gibbet Lane, Wereham, King's Lynn, PE33 9BE.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr & Mrs T Jackson against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 11/02056/F, dated 30 November 2011, was refused by notice dated 10 February 2012.
- The development proposed is reception and occupational building.

### Decision

1. The appeal is dismissed.

### Preliminary matters

2. The business at the Woodstock Farm Caravan Site comprises a 21 pitch caravan site (includes a detached self-catering holiday cabin), a 21 peg fishing lake, and two self-catering holiday units attached to the farmhouse.
3. The appeal scheme consists of two main elements. The first is a new occupational dwelling to be occupied by an additional worker who would assist with the operation of the Woodstock Farm Caravan Site. The second is the construction of an administration building, which includes a reception and security office, mower store and garage, laundry and cleaning/chemical store. Both the occupational dwelling and the administration building would be located on a parcel of land just to the west of the caravan site.
4. At the start of the Hearing the Council indicated that it was opposed to the construction of a new occupational dwelling in connection with the business. As regards the new administration building the Council considered that whilst it was acceptable in principle the siting was inappropriate.

### Main Issues

5. From what I have seen and read and the discussion at the Hearing I have identified the following two main issues in this case:
  - the first is whether there is a need for an additional worker for the business and, if so, whether they require permanent on-site accommodation;



- the second is whether the proposed administration block is appropriately sited, having regard to the operational needs of the business.

### Reasons

*Issue 1: Whether there is a need for an additional worker for the business and, if so, whether they require permanent on-site accommodation*

6. Paragraph 55 of the National Planning Policy Framework makes it clear that new isolated homes in the countryside should be avoided unless there are special circumstances. One of the special circumstances listed is that there is an essential need for a rural worker to live permanently at or near their place of work in the countryside.
7. It was agreed by the parties at the Hearing that in determining essential need it is necessary to establish that there is both a functional need and that the business is financially capable of supporting an additional worker. During the Hearing it was accepted by the Council that the income from the appellants' business is capable of supporting an additional worker. On the basis of the financial information submitted I have no reason to come to a different view.
8. As regards the functional test the business is currently run by the appellants, Mr & Mrs Jackson, with some limited help from others. The appellants live in the farmhouse which is located along a drive some distance to the rear of the caravan site. The appellants consider that an additional worker is required and needs to live on the site. This would enable a shift system to be introduced so that duties and tasks can be shared. It is evident to me that the demands of the business are onerous and that an additional full-time worker is required. The Council accept this but contend that the worker does not need to live on the site.
9. In assessing whether it is necessary for a worker to be accommodated on the site consideration must be given to those tasks and duties involved in the business and whether it is necessary for the additional worker to reside on the site in order to undertake them.
10. To my mind the daily tasks and duties associated with the operation of this business can be undertaken without the additional worker living on the site. For instance maintenance, repairs, grass cutting and hedge-trimming can be undertaken during normal working hours and do not require the additional worker to live on site. Similarly office duties, such as preparing accounts, paying bills and taking telephone/internet bookings, could be undertaken during the normal working day in a reception building or at other times remotely by a worker living in the locality. The provision of a reception building in a suitable location and manned at appropriate times would also allow customers to be checked-in and out during the working day. Other tasks arising during the day such as monitoring the fishing lake, changing gas bottles, sorting out electricity failures, and site security, could also be tackled from the reception building.
11. I accept that coping with events and problems that arise on the site during the evening and through the night, such as responding to security breaches, late arrivals and customers' health needs, are more problematic if the additional worker does not live on site. I believe, however, that given the strong planning policies against additional dwellings in the countryside there is a need to



examine whether such events and matters could reasonably be dealt with by other means.

12. At present there are no barriers or gates at the entrance to the caravan site. Consequently intruders can access the caravan site at all times of the day and night without any physical hindrance. This is in contrast to most caravan sites where access is restricted with security barriers and appropriate boundary treatment. I believe that the installation of such measures here, in conjunction with an improved CCTV and alarm system, would significantly increase levels of security on the site. At present the CCTV cameras are only linked to monitors in the farmhouse. However it would be possible for the site to be monitored remotely from elsewhere thereby removing some of the burden from the appellants whilst providing reasonable levels of security.
13. I appreciate that it is not always possible for customers to arrive during the normal working day and some may arrive late in the evening. However again it is customary on sites to have space for over-night parking outside the security barriers. Given the layout of the site I see no overriding reason why such provision could not be accommodated here. I believe that if such changes are implemented sensitively they need not unduly affect the appearance and ambience of the site.
14. As regards customers' health problems and what to do in the event of emergencies during the night, clear instructions could be handed out at arrival or posted on a reception building. This could include the telephone number of an additional worker living in the locality at those times that the appellants are not on duty. Clearly, however, if the incident is of a serious nature the first port of call would be the emergency services.
15. I am aware that such measures may not protect the fishing lake from poachers or unauthorised fishing during the night. However I do not consider that this constitutes sufficient grounds for the construction of the proposed occupational dwelling. In reaching this view I am mindful that there are many such fishing lakes in the countryside and to allow dwellings to be built in association with them would seriously undermine policies designed to restrict development in the countryside.
16. In summary I find that the various tasks and duties involved in running the business can be addressed by other means than providing additional on-site living accommodation. I conclude, therefore, on the first main issue that whilst there is a need for an additional worker for the business there is insufficient justification for them to live permanently on the site. Consequently the proposed occupational dwelling is contrary to national planning policy and the objectives of *Policy CS06 Development in Rural Areas* of the Council's *Core Strategy* which seek to prevent unnecessary dwellings in the countryside.
17. I have had regard to the important economic and tourism benefits that accrue to the area from the business but there is little to suggest that a failure to secure the proposed additional dwelling would threaten the overall viability of the operation. Although I have taken account of the various decisions referred to me relating to other occupational dwellings in the area my views are based on the particular nature and current size of the operation at Woodstock Farm.



*Issue 2: Whether the proposed administration block is appropriately sited having regard to the operational requirements of the business*

18. The entrance to the caravan site, which is off the drive to the farm-house, is at its eastern end. The fishing lake lies to the east of this. However the proposed administration building, which incorporates a reception and security office, would be located beyond the western boundary of the caravan site and some distance from the site entrance and the fishing lake. In my view this building needs to be prominently located close to the eastern end of the site so that staff can supervise arrivals and departures and keep a close eye on comings and goings to and from the site and the fishing lake. One of the difficulties currently experienced by the appellants in operating the site is the distance of the farmhouse to the caravans and fishing lake. This problem would be repeated if the reception building was to be erected in the location now proposed. Although I am aware that the proposed administration building would be in the vicinity of several existing buildings and structures this does not alter my view that from an operational point of view it would be poorly sited. If I had found that an occupational dwelling was required on site I would have had similar concerns about its proposed location
19. I conclude, therefore, that the proposed administration building is inappropriately sited having regard to the operational needs of the business.

*Overall Conclusions*

20. I have concluded that whilst there is a need for an additional worker for the business there is insufficient justification for them to live permanently on the site. I have also found that the proposed administration building is inappropriately sited having regard to the operational needs of the business. These conclusions constitute compelling grounds for dismissing the appeal. None of the other matters raised outweigh the considerations that have led to my decision.

*Christopher Anstey*

Inspector

**APPEARANCES**

## FOR THE APPELLANT:

Mr R Thomas MRICS	Acorus
Mr T & Mrs J Jackson	Appellants

## FOR THE LOCAL PLANNING AUTHORITY:

Mr C Fry BSc MA	Planner
Mr K Wilkinson BA (Hons)	Senior Planner
MRTPI	

## DOCUMENTS HANDED IN DURING THE HEARING

- 1 Attendance list
- 2 Letter dated 3 October 2012 from Hayhow & Co, with attached profit and loss accounts for year ending 31 March 2012.





<b>Parish:</b>	<b>West Walton</b>	
<b>Proposal:</b>	<b>Outline application for development of existing vacant site for residential use providing 8 properties</b>	
<b>Location:</b>	<b>Trafford Estate West Walton Norfolk</b>	
<b>Applicant:</b>	<b>Borough Council of King's Lynn And West Norfolk</b>	
<b>Case No:</b>	<b>14/00200/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Miss G Richardson Tel: 01553 616457</b>	<b>Date for Determination: 15th May 2014</b>

**Reason for Referral to Planning Committee** – Borough Council is the applicant, and an objection has been received

### Case Summary

The application site is located between numbers 3 and 5 Trafford Estate, West Walton. The area surrounding the site is residential in nature with countryside to the south and east.

Outline planning consent is sought for the erection of 8 dwellings. All matters are reserved for future consideration.

### Key Issues

Principle of Development;  
Form and Character;  
Highway Safety;  
Neighbour Amenity;  
Affordable Housing;  
Flood Risk;  
Crime and Disorder; and  
Other Considerations.

### Recommendation:

**A. APPROVE** subject to the completion of a Section 106. Agreement to secure a unit of affordable housing and a financial contribution within 3 months of the date of this Committee meeting.

**B. REFUSE** In the absence of the aforementioned Section 106. Agreement being completed within the defined timescale, the application shall be refused on the grounds of the failure to secure a mechanism to provide affordable housing.

### THE APPLICATION

The application site is located between numbers 3 and 5 Trafford Estate, West Walton. At the time when a site visit was conducted the land was roughly grassed, with bramble and areas of hard surfacing. In the south eastern corner of the site is a small group of trees. Part of the site previously had garages located upon it.

The area surrounding the site is residential in nature with countryside to the south and east. The land adjoins the side of 2 pairs of semi-detached houses off Trafford Estate. The dwellings are all set back off the highway with large spacious gardens to the rear.

Outline planning consent is sought for the erection of 8 dwellings. All matters are reserved for future consideration. The indicative layout shows three pairs of semi-detached properties and two detached properties. Two parking spaces are shown on the indicative plan per property.

## **SUPPORTING CASE**

The proposal seeks to provide 8 x no. residential dwellings in semi-detached or detached form, utilising the vehicular entrance from Trafford Estate, West Walton. Dwellings are 2, 3 & 4 bedrooms in two storey form to accord with the existing residential dwellings. The scheme looks to propose a change of use of existing overgrown vacant land for private residential housing and private garden space within a landscaped setting with designated, private parking, safe vehicle and pedestrian access within the confines of the proposed development. The site is currently an open plan site used by residents for informal storage/parking. The site is adjacent to Number 3 & 5 Trafford Estate to the North and West with remaining boundaries benefiting from views over agricultural fields. The site is in a sustainable location and is located within walking distance of local bus services, local shop and post office, Primary and Secondary Schools, fish and chip shop and public house

The dwellings, although not forming part of this application, would be designed to accord to meet the design, layout and material values that meet the demand of high quality residential housing. These future homes encompass the continuing architectural standard that would be expected of newly constructed dwellings within such a location.

Proposals for this site include allocated parking and turning area for 2 x no. motor vehicles per dwelling with adequate turning area for commercial/service/emergency vehicles accessing the site. The proposal incorporates the development of suitable vision splays and access to Trafford Estate and any further increase in the width of the entrance accordingly. Boundaries to individual plots and garden areas will be designated as indicated on the proposed Site Plan, whilst the designated parking and access will be more of an open layout defined by softer landscaping with pedestrian access to each plot.

## **PLANNING HISTORY**

No relevant planning history.

## **RESPONSE TO CONSULTATION**

**Parish Council: SUPPORT 1)** The section of road from the junction of School Road to the development site needs to be widened. Currently, there are vehicles parked on the road and grass verge, when residents are at home.

**2)** More parking provision is required for the 4 bed properties

**Highways Authority: NO OBJECTION** subject to condition.

**Environmental Health & Housing - Environmental Quality:** The site has been used for garages and has tanks annotated in the south eastern corner. Due to the sensitivity of the proposed residential end-use it is suggested that some limited soil and water sampling is carried out to characterise the soil conditions. Accordingly therefore conditions are recommended.

**CSNN: NO OBJECTION** Conditions are recommended.

**Norfolk Constabulary:** It is acknowledged that the submitted plan is indicative, although general advice is given about Secured by Design.

**Environment Agency: NO OBJECTION** The site is located within flood zone 3 (high risk) on our flood map. Your Authorities Strategic Flood Risk Assessment (SFRA) map shows the site to fall within tidal climate change flood category 2 (medium risk). In addition the site area is shown to be located within an area affected by the Tidal River Hazard Mapping for the River Nene in the event of a breach of our flood defences.

There is **NO OBJECTION** subject to conditions.

**Arboricultural Officer: NO OBJECTION** any of the large trees on site will need to be surveyed to BS5837:2012 by a suitably qualified professional at full application stage.

Given the size of the proposed development a modest landscaping scheme would be appropriate.

**Housing Enabling Officer:** Based on current plans there is a requirement for 1.6 dwellings. This would be provided as 1 affordable rent dwelling along with a financial contribution of £36,000. A Section 106 agreement will be required to secure the affordable housing contribution.

## REPRESENTATIONS

**ONE** letter of representation has been received. This outlines the following concerns:

- Loss of view of fields
- More vehicles will drive in and out of the estate, with increased risk to objectors' children and neighbours
- The road floods every time it rains
- Property values will decrease

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government's planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## PLANNING POLICIES

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

**8/1** - indicates that individual and small groups of dwellings will be permitted in settled or built-up areas of villages defined as Built Environment Types C and D.

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

## **PLANNING CONSIDERATIONS**

The key issues relevant to the determination of this application are:

- Principle of Development;
- Form and Character;
- Highway Safety;
- Neighbour Amenity;
- Affordable Housing;
- Flood Risk;
- Crime and Disorder; and
- Other Considerations.

### **Principle of Development**

In terms of the Core Strategy the villages of West Walton and West Walton Highway are grouped together within the settlement hierarchy (policy CS02) as a Key Rural Service Centre. The pre-amble to the policy states that the Borough Council will seek to maintain and enhance facilities to support this function, therefore limited growth of a scale and nature appropriate to this aims will be supported. In addition the site is located within Built Environment type 'D' with the King's Lynn and West Norfolk Local Plan (1998) development which has regard for and is in harmony with the building characteristics of the locality will be permitted.

The NPPF states that housing application should be considered in the context of the presumption in favour of sustainable development.

In principle therefore, residential development is acceptable in this location, however the specifics of the site and proposal now need to be considered.

## **Form and Character**

The National Planning Policy Framework states that "Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". Developments should, amongst other things, function well and add to the overall quality of an area, respond well to local character and reflect the identify of local surrounding and materials, create safe and accessible environments and should be visually attractive as a result of good architecture and appropriate landscaping. Policy CS08 of the Core Strategy 2011 also requires development to be of high quality design and requires the density of the development to be appropriate to its setting and respect the form and character of existing development.

The site is located in an area of residential development comprising former Local Authority two storey semi-detached dwellings. The site would be located off Trafford Estate, accessed by a new roadway. It has an area of 0.28 hectares, which is considered more than sufficient to construct 8no. dwellings whilst providing reasonable amenity areas to each property. This is highlighted on the indicative layout submitted. Whilst this gives a higher density than those dwellings in the immediate area (which have a relatively low density), it is considered appropriate given the context of the surrounding built environment.

The majority of the detailed issues would be addressed at reserved matters stage. However, it is considered that in principle the construction of 8no. dwellings in this location would not have any significant adverse effects on, and can be designed in harmony with, the form and character of the area.

## **Highway Safety**

Norfolk County Council, Highways reviewed the application initially and whilst all matters are reserved they requested that the indicative plans detail a size 3 turning head and that the parking area for number 3 Trafford Estate been detailed so that their parking provision can be maintained. A revised plan was duly submitted and the Highway Authority is now satisfied that this can be achieved and have requested that a condition is attached to any consent granted.

## **Neighbour Amenity**

The potential impact upon the residential amenity of adjoining dwellings would mainly be addressed within the reserved matters submission; however the indicative positioning of the dwellings within their plots should ensure that there would not be any unreasonable levels of overshadowing, due to distance of separation, whilst appropriate windows arrangements would help to mitigate against any issues of overlooking.

## **Affordable Housing**

Policy CS09 of the Core Strategy seeks affordable housing contributions on development sites in rural areas where 5no. dwellings would be provided or where the site area exceeds 0.165ha.

At the present time the percentage that will be sought for affordable housing provision on qualifying sites is 20% in this area. The expectation is that affordable housing will be delivered on site other than in exceptional circumstances when a financial contribution will be sought.



The Housing Enabling Officer states that based on the current plan there is a requirement for 1.6 dwellings. This would equate to one affordable rent dwelling along with a financial contribution of £36,000. A draft Section 106 legal agreement has been submitted to secure the unit in perpetuity and deliver the financial contribution. This request is considered acceptable.

### **Flood Risk**

The site is located within flood zone 2 of the Local Planning Authority's Strategic Flood Risk Assessment. In addition the site is shown to be located within an area affected by Tidal River Hazard Mapping for the River Nene. To address flood risk issues the application is supported by a site specific Flood Risk Assessment. The Environment Agency was consulted on this application and, they have confirmed that they have no objection to the proposal, subject to condition.

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk but where development is necessary, making it safe without increasing flood risk elsewhere. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. This is the primary aim of the sequential test, which the LPA are required to carry out in terms of site selection.

In order to address the concerns at officer level the FRA was amended to provide further evidence in terms of the sequential testing. The amended FRA contends that there are no sites within a 5km radius of the River Great Ouse defences outside flood zone 3, furthermore there are no sites situated within a 4km radius of the River Nene outside flood zone 3. It further adds "From the Environment Agency Flood Zone Maps it shows that the site is within zone 3 and category 2 tidal flood risk as detailed on the BCKLWN SFRA maps and it is Zone 2, an area protected to 1 in 100 years for fluvial events and 1 in 200 years for tidal events; the area as it is protected to this degree can be considered to be a passive floodplain...The only area of land within the West Walton/Walton Highway development plan in Flood Zone 1 is immediately surrounding West Walton Church and not available for development. All other land within the development plan is shown as in Flood Zones 2 and 3 of the Environment Agency Maps."

As the SFRA (October 2009) is the most up-to-date document and in line with the Environment Agency Protocol more weight is attached to these maps. This shows that West Walton is within flood zone 3 and West Walton Highway (majority) is within flood zone 2. However more recently the Environment Agency has carried out Tidal River Hazard Mapping (June 2012), this is also used to inform the sequential approach to site selection. This mapping clearly shows the site within this area.

It is accepted that there are no sites available in the vicinity lower than flood zone 2 (FZ1), although the tidal river hazard mapping shows it to be on the edge of an area that would flood to between 0.25-0.5m in depth. Looking at the flood risk vulnerability of land uses set out in the National Practice Guidance, the development for housing is compatible with FZ2, and can be approved. Finally, given the fact flood resilience can be built into the design, and the fact it is a flood zone 2 (medium risk), the site can be approved in terms of flood risk and the sequential test.

### **Crime and Disorder**

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties.

The application for eight units should take this aspect into account when designing the detailed layout of the scheme, at the reserved matters stage.

### **Other Considerations**

With regard to trees on site the Arboricultural Officer has confirmed that he has no objection to the scheme, (the trees are not worthy of a Tree Preservation Order) but has requested that any large trees on the site will need to be surveyed to BS5837:2012. It is also considered that a modest landscaping scheme is appropriate given the scale of the development. This will be dealt with through the reserved matters application.

The Council's Environmental Quality team have reviewed the application and considered due to its previous use that conditions are required in relation to contaminated land.

### **CONCLUSION**

It is considered that eight dwellings could be accommodated on the site with appropriate amenity space and parking and turning areas without being of detriment to the site or its surroundings and without any significant harm to residential amenity or highway safety, subject to condition. The provision of a unit of affordable housing with an additional monetary contribution of £36,000 is considered acceptable and can be safeguarded by a Section 106 agreement to secure it in perpetuity. The monetary contribution also required can be safeguarded in this manner. Furthermore issues pertaining to contaminated land and trees can all be satisfactorily controlled by condition.

The site lies within Flood Zone 2 (medium risk) of the Council-adopted SFRA although within a Tidal Hazard Mapping Zone. There are not considered to be available sites within flood zone 1, and given National Guidance on flood risk, the development can be approved subject to relevant conditions on this issue.

On this basis it is recommended that the application is approved subject to the completion of a section 106 agreement.

### **RECOMMENDATION:**

**A. APPROVE** subject to the completion of a Section 106. Agreement to secure a unit of affordable housing and a financial contribution within 3 months of the date of this Committee meeting and subject to the imposition of the following condition(s):

- 1 Condition Approval of the details of the means of access, layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.
- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition the development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
- human health,
  - property (existing or proposed) including buildings, crops, livestock, pets,
  - woodland and service lines and pipes,
  - adjoining land,
  - groundwaters and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.
- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 6 Condition Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 7 Condition The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 7 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 8 Condition The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Geoff Beel Consultancy, ref GCB/Trundley and the following mitigation measures detailed within the FRA:

1. Provision of Flood Resistance Measures set to a level of 3.50 m above Ordnance Datum (ADD).

2. Finished floor levels are set no lower than 3.30 m above Ordnance Datum (ADD). The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

- 8 Reason To reduce the risk of flooding to the proposed development and future occupants.
- 9 Condition Prior to the commencement of the development hereby permitted full details (in the form of scaled plans and / or written specifications) shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority to illustrate the following: -
- i) Visibility splays.
  - ii) Access arrangements.
  - iii) Parking provision in accordance with adopted standard.
  - iv) Turning areas.
- 9 Reason To ensure satisfactory development of the site.

- 10 Condition No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 10 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

**B. REFUSE** In the absence of the aforementioned Section 106. Agreement being completed within the defined timescale, the application shall be refused on the grounds of the failure to secure a mechanism to provide affordable housing.





<b>Parish:</b>	<b>West Walton</b>	
<b>Proposal:</b>	<b>Variation of condition 2 on planning permission 12/00423/F: To allow the siting of 16 temporary storage containers/structures (measuring no more than L 2.4m W 1.8m H 2.5m) and 16 temporary day room structures (measuring no more than L 4.25m W 3.7m H 3.2m) and retention of one site hut on Pitch 1</b>	
<b>Location:</b>	<b>West Walton Court Blunts Drove Walton Highway Norfolk</b>	
<b>Applicant:</b>	<b>Hastoe Housing Association</b>	
<b>Case No:</b>	<b>14/00346/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson Tel: 01553 616794</b>	<b>Date for Determination: 1st May 2014</b>

**Reasons for Referral to Planning Committee – The views of the Parish Council are contrary to the Officer recommendation.**

### **Case Summary**

West Walton Court is a 16 pitch travellers' site run by Hastoe Housing Association. It is set within an area classed as countryside on the Local Plan maps and within Flood Zone 3 of the Council-adopted Strategic Flood Risk Assessment.

In 2012, under ref: 12/00423/F, permission was granted for the siting of 16 storage sheds (L 3.65 x W 3.65 x H 2m) and one site hut (metal cabin on Plot 1).

That permission was subject to Condition 2 which stated: "2. The development hereby permitted shall be carried out in accordance with the following approved plan: drawing no. 18 received 27th April 2012".

**Reason:** For the avoidance of doubt and in the interests of proper planning."

This application seeks to vary Condition 2 to allow the siting of 16 temporary storage containers/structures (measuring no more than L 2.4m x W 1.8m x H 2.5m) and 16 temporary dayroom structures (measuring no more than L 4.25m x W 3.7m x H 3.2m) and the retention of one site hut on Pitch 1.

This application seeks to regularise some of the structures that have been introduced onto the site by current residents on a temporary basis to enable more permanent solutions and site licence conditions to be investigated and addressed.

### **Key Issues**

Principle of development  
Impact upon the appearance of the countryside  
Crime and disorder  
Other material considerations

### **Recommendation:**

**APPROVE**

## THE APPLICATION

West Walton Court is a 16 pitch travellers' site run by Hastoe Housing Association. It is set within an area classed as countryside on the Local Plan maps and within Flood Zone 3 of the Council-adopted Strategic Flood Risk Assessment.

In 2012, under ref: 12/00423/F, permission was granted for the siting of 16 storage sheds (L 3.65 x W 3.65 x H 2m) and one site hut (metal cabin on Plot 1).

That permission was subject to Condition 2 which stated:

"2. The development hereby permitted shall be carried out in accordance with the following approved plan: drawing no. 18 received 27th April 2012.

Reason: For the avoidance of doubt and in the interests of proper planning."

This application seeks to vary Condition 2 to allow the siting of 16 temporary storage containers/structures (measuring no more than L 2.4m x W 1.8m x H 2.5m) and 16 temporary dayroom structures (measuring no more than L 4.25m x W 3.7m x H 3.2m) and the retention of one site hut on Pitch 1.

This application seeks to regularise some of the structures/sheds/containers that have been introduced onto the site by current residents and operators on a temporary basis, to enable more permanent solutions and site licence conditions to be investigated and addressed. The site hut on Plot 1 is substantially smaller than that previously approved and is to be retained on a permanent basis.

## SUPPORTING CASE

The applicants have submitted the following statement in support of their application:

"Currently the existing planning permission for the site allows for a small single storage shed per pitch to be located in a fixed location. Typically the storage structures are of a combustible nature and having to have this in a fixed location can compromise our efforts to comply with the site licence and fire safety spacing requirements. In addition because there is no storage space provided in the utility blocks, residents of the site need additional storage above and beyond that afforded to them by the provision of a single storage shed.

Finally, and again in relation to the utility blocks, these are very small and provide no additional living areas for the residents of the site. It is commonplace within the community and on other sites that there is provision for additional living space provided by larger utility blocks or day room structures. Overall it is Hastoe's concern that the limitations of the current planning permission makes our site impractical when compared to other local authority and privately owned sites and that this could impact upon our ability to effectively let these pitches in the future and to maintain full compliance with the existing planning permission and site licence for the aforementioned reasons."

## PLANNING HISTORY

Relevant:

2/94/1054/F: Creation of 16 pitch gypsy caravan site including 8 amenity block sewage treatment plant and road widening: Approved 06.12.1994.

12/00423/F: Siting of 16 storage sheds and one site hut: Approved 05.07.2012

13/01085/F: Variation of Condition 2 attached to planning permission

12/00423/F: Siting of 16 storage sheds and one site hut: Withdrawn 05.03.2014

## CONSULTATIONS

**Parish Council: OBJECTS** – i) Proposed temporary storage sheds and proposed day rooms are taking up too much amenity area; ii) this is an over-development of the site; iii) there is concern regarding the use of the wording “temporary” as it does not make reference to how long temporary is or whether temporary refers to the building materials; and iv) the time period for “temporary” needs to be defined.

**Internal Drainage Board:** No response at time of writing report.

**Environmental Health & Housing – Housing Standards: NO OBJECTION** subject to the addition of an informative note relating to licencing conditions.

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance:** No Comments

## REPRESENTATIONS

None received

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

**Planning Policy for Traveller Sites** – sets out the Government’s planning policy for traveller sites. It should be read in conjunction with the National Planning Policy Framework.

**Designing Gypsy and Traveller Sites Good Practice Guide (May 2008):** This Good Practice Guidance, to be read alongside national planning policies, is designed to ensure that planners understand the importance of designing Gypsy and Traveller Sites and take this fully into account when preparing development plans and taking planning decisions.

## LDF CORE STRATEGY POLICIES

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

## **PLANNING CONSIDERATIONS**

The key issues in the consideration of this application are identified as follows:

### **Principle of development**

The application site lies within the countryside as defined on the Local Plan map for the area.

The core planning principles of the NPPF are identified at Paragraph 17 which includes:

“...a creative exercise in finding ways to enhance and improve the places in which people live their lives...”

...always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings...

...recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it...”

The principle of having ancillary buildings on this site was established by the earlier permission granted under application ref: 12/00423/F back in 2012. The intention was for the operators to provide standard sheds for use on the pitches, but in the interim sheds and containers have been introduced by residents onto these pitches without strictly according to the dimensions, positions and appearance of sheds approved. The site manager's hut has also been introduced and is substantially smaller than that previously approved.

There are existing brick and tile amenity blocks serving the pitches in pairs, however these facilities are limited in size. They are not considered to meet modern dayroom proportions, and therefore the need for additional storage and amenities has been pursued.

There are however issues relating to licencing conditions with regard to separation distances between caravans, boundaries and combustible structures. This matter is being dealt with by our Environmental Health & Housing – Housing Standards team, and will be covered using their legislation.

The purpose of this application is to authorise the temporary retention of certain sheds and stores on the site and the flexibility to add container storage in order to meet Housing Standards criteria. The option of extending the amenity blocks into dayroom or storage facilities is also being investigated, however this would require separate planning permission.

A temporary permission is sought in order to cover the timeframe for these options to be investigated and implemented.

### **Impact upon the appearance of the countryside**

Whilst the Parish Council's concerns regarding over development are noted, the site hut and storage containers/structures of the dimensions proposed are considered to be fairly modest additions to this site, which is in a fairly remote location off Blunts Drove and is also reasonably well screened from public areas to the north and east.

In visual impact terms, the proposal does not significantly affect the overall appearance of the countryside. It is also a temporary measure with the prospect of further changes.

In order to contain the impact and in light of the Parish Council's concerns, it is felt that a restriction of one dayroom and one store per pitch would be justified and could be controlled via condition.

### **Crime and disorder**

There are no significant crime and disorder issues raised by this proposal.

### **Other material considerations**

Given the proposed use of these buildings as a site office and for general storage and ancillary accommodation (no bedrooms), no flood risk concerns have been identified.

Permanent permission for the retention of the site hut is considered to be appropriate.

### **CONCLUSION**

The proposed development is considered acceptable with regard to the visual amenities of the area and in view of the permitted use for the site. This is a temporary arrangement and a 2 year consent is considered to be appropriate to allow alternative schemes to be investigated and pursued. However the site hut may be granted permanent consent for its retention.

In the light of all relevant planning policies and other material considerations, it is therefore recommended that this application be approved subject to the following condition.

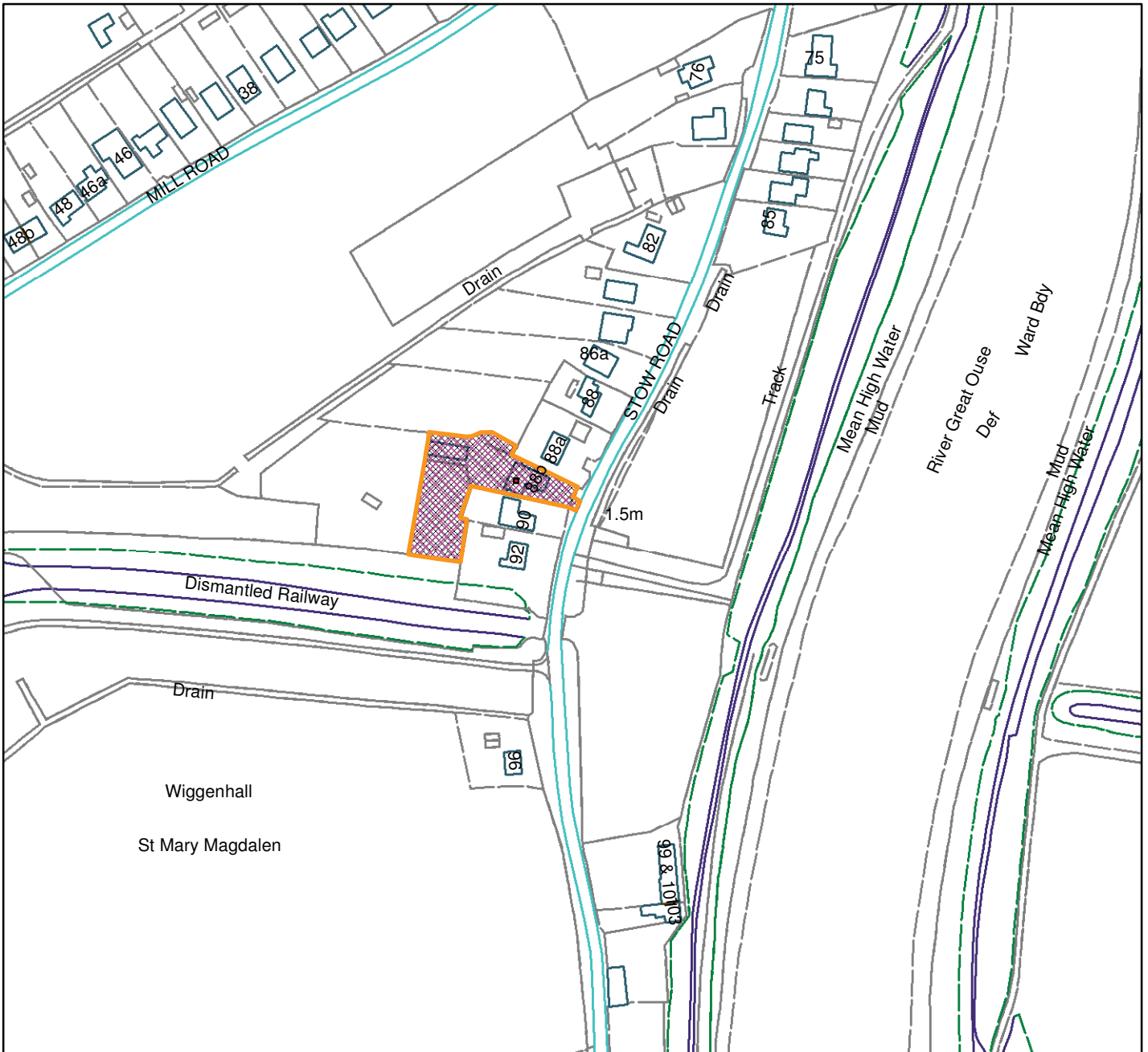
### **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition This permission shall expire on 30th June 2016 and unless on or before that date application is made for an extension of the period of permission and such application is approved:
  - (a) the temporary storage containers/structures and dayroom structures shall be removed from the application site unless they are under the following maximum dimensions: H 2.5m x L 3.65m x W 3.65 m,
  - (b) there shall be carried out any work necessary to reinstate the application site to its condition prior to the implementation of this temporary permission.
- 1 Reason In order that the Local Planning Authority may retain control over the development where a permanent permission may give rise to conditions detrimental to the amenities of the locality contrary to the NPPF.
- 2 Condition There shall be no more than one storage container/structure and one dayroom structure per pitch.
- 2 Reason In order to define the terms of this consent.

14/00378/F

The Walnuts Stow Road Wiggenhall St Mary Magdalen



**Scale:** 1:2,500

Borough Council of  
**King's Lynn &  
 West Norfolk**



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	15/05/2014
MSA Number	0100024314



<b>Parish:</b>	<b>Wiggenhall St Mary Magdalen</b>	
<b>Proposal:</b>	<b>Proposed workshop</b>	
<b>Location:</b>	<b>The Walnuts Stow Road Wiggenhall St Mary Magdalen King's Lynn</b>	
<b>Applicant:</b>	<b>Client of Swann Edwards</b>	
<b>Case No:</b>	<b>14/00378/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Miss G Richardson Tel: 01553 616457</b>	<b>Date for Determination: 14th May 2014</b>

**Reason for Referral to Planning Committee – Objection from the Parish Council**

### **Case Summary**

The application site is located on the western side of Stow Road, Wiggenhall St. Mary Magdalen.

Planning consent is sought for the erection of a domestic workshop.

### **Key Issues**

Principle of development  
Design and appearance  
Neighbour amenity  
Highway issues  
Other material considerations

### **Recommendation:**

**APPROVE**

## **THE APPLICATION**

The application site is located on the western side of Stow Road, Wiggenhall St. Mary Magdalen. The property comprises a detached bungalow and conservatory addition and attached single garage. There is also a stable block and hay store within the paddock area, to the rear of the dwelling. Off street parking is provided to the front of the property.

Planning consent is sought for the erection of a domestic workshop; the log store element has now been removed from the application.

## **SUPPORTING CASE**

No supporting case submitted.

## PLANNING HISTORY

No relevant planning history.

## RESPONSE TO CONSULTATION

**Parish Council: REFUSE** a) The building is too large for domestic use and of whatever size, should be sited as far away from any neighbouring properties as possible

b) Sound proofing should be sufficient that no noise carries from the building at any time.

c) Concern was expressed that this building could later be used for business use

d) Appropriateness of access through the garage was questioned

### Highways Authority: NO OBJECTION

**CSNN:** Conditions are recommended in relation to sound insulation and that the workshop remains as an ancillary use.

**Environment Agency:** Refer the LPA to standing advice cell D2.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** based on additional information provided.

## REPRESENTATIONS

**TWO** letters of representation received, from the same person. The initial letter outlined the following concerns:

- Only vehicular access is via the integral garage
- Access is not as wide as shown on the submitted plan
- This is not a shared access
- Proposed building is very imposing due to its height and distance from the dwelling
- Proposal is out of character with the area
- Concern about potential noise and that the building might be used for commercial purposes
- Concern about fire risk

The subsequent letter based on the revised plan expressed the following concerns:

- No dimensions are given on the revised plans
- Conservatory not shown, thus showing our dwelling to be further away
- Noted that sound proofing specified but objector considers all openings should be shut when activities are being carried out in the building
- Concern about contaminated land- no indication as to where the excavated material will be deposited or how this will be dealt within it is contaminated or indeed what tests are intended to establish the condition of the soil.

## NATIONAL GUIDANCE

**National Planning Policy Framework** – sets out the Government’s planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## PLANNING POLICIES

The King’s Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## LDF CORE STRATEGY POLICIES

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

## PLANNING CONSIDERATIONS

The key issues relevant to the determination of this application are:

- Principle of development
- Design and appearance
- Neighbour amenity
- Highway issues
- Other material considerations

### Principle of development

The Walnuts itself is located within built environment type 'D', the land however subject of this application is within designated countryside, and outside the curtilage of the main dwelling. Whilst the proposed building would encroach into countryside, being just outside the curtilage, this is only a modest incursion and as it is viewed against the existing dwellings and outbuildings, it is considered on balance acceptable in this instance.

### Design and appearance

The proposed building has a maximum ridge height of approximately 4m and an eaves height of 2.4m.

The proposed building is positioned adjacent to the rear boundary with number 90 Stow Road, which consists of a close boarded fence and timber panels above approximately 1.6 metres in height. The proposed materials to be used in the construction of the building are composite metal sheeting. The scale, mass, design and proposed materials are considered to relate adequately to the wider rural locality.

### **Neighbour amenity**

Following concerns raised by officers the length of the building has been reduced, removing the log store element. A third party has raised concerns in relation to the impact upon their property. However there is a distance of approximately a minimum of 12 metres to the property (excluding the neighbours conservatory) and the height of the building is approximately 4m to ridge and 2.4m to eaves. It is considered that any overshadowing would be negligible due to the single storey nature and degree of separation of the proposed development from the neighbouring property. It is also acknowledged that a 2m boundary treatment could be erected in this position, which would only be 0.4m below the eaves level of the proposed building. Whilst the ridge height is double what the boundary height could be due to the pitched roof design this is further away from the dwelling and boundary. The impact upon this property and its occupiers is not considered to be such that it would justify a refusal of this application.

In terms of the use of the building, the agent has confirmed that it would be used for domestic purposes, including maintenance of a go cart, maintenance and restoration of tractor, wood cutting, farrier visits and storage. The Councils Community Safety and Neighbourhood Nuisance team have stated that they still have concerns regarding the proposal and potential noise issues which may arise from the development. They have recommended that a condition is imposed in relation to sound insulation and a condition be attached to prohibit the use of this building for business use and shall only be used for purposes incidental to the enjoyment of the associated dwelling.

### **Highway issues**

Norfolk County Council, Highways have reviewed the application and confirmed that they have no objection to the proposal.

### **Other material considerations**

The site is within 250m of a historic landfill site and therefore the agent has detailed what gas protection measures will be included for the building, gas membrane below the concrete floor and air vents at low level to the opposite side of the roller shutter doors to allow for cross ventilation. The Councils Environmental Quality team have reviewed the additional information and have confirmed that they have no objection to the proposal. Queries have been raised by a third party about contamination. A verbal discussion has taken place with the Environmental Quality team. Technically as the site is not on the landfill site, there should not be any contamination; however if the soil is to be removed from the site this should be transferred by a skip. The contents of the skip should then be tested and a waste transfer note issued (it is understood that this is standard procedure). This is dealt with under waste management legislation overseen by the Environment Agency, and an informative to this affect can be added.

In terms of flood risk the agent has confirmed that floor levels will be no lower than existing and flood proofing incorporated where appropriate.

The objector raises concerns that the workshop could be a potential fire risk, this is not however, a planning consideration. Whilst dimensions are not detailed on the plans, this is not considered necessary as it is a properly scaled plan.

## CONCLUSION

Whilst the proposed workshop is within countryside being just outside the property's curtilage, it is recognised that it is close to the built environment boundary and would be seen against and closely related to existing buildings, and in this instance this is considered acceptable. It is considered that bearing in mind the scale and distance of separation from adjoining properties there should be no neighbour harm from the building itself. The Council's Community Safety and Neighbourhood Nuisance team have confirmed that they have no objection subject to condition. Issues relating to contamination have now been satisfactorily resolved. It is therefore considered that permission should be approved for the proposal.

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: drawing numbered 03 revision B (received 08/05/14).
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development above foundation level shall take place on site until a detailed scheme for the sound insulation of the building has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before the development is brought into use and thereafter maintained as such.
- 3 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 4 Condition The use of the building hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling (the associated property currently known as The Walnuts, Stow Road) and shall at no time be used for business or commercial purposes.
- 4 Reason For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.

- 5 Condition The workshop hereby approved shall incorporate 2no 225x225mm air vents at low level on the side opposite the roller shutter doors as detailed within an e mail of the 8th May 2014 from the agent and a gas membrane will be used in the construction of the building; RIW Sheetseal GR Membrane as detailed within the e mail of the 9th May 2014.
  
- 5 Reason For the avoidance of doubt, and due to potential gas migration from a historic landfill site.



The Homestead 29 Sandringham Road Hunstanton



Scale: 1:625

**Legend**

[Empty legend box]

Borough Council of  
**King's Lynn &  
West Norfolk**



Organisation	BCKLWN
Department	Department
Comments	
Date	21/05/2014
MSA Number	0100024314

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<b>Parish:</b>	Hunstanton	
<b>Purpose of report:</b>	TO CONSIDER WHETHER TREE PRESERVATION ORDER 2/TPO/00518 SHOULD BE CONFIRMED, MODIFIED OR NOT CONFIRMED IN THE LIGHT OF OBJECTIONS	
<b>Location:</b>	IN THE GARDEN AREA AND TO THE SOUTH-EAST OF THE HOMESTEAD, 29 SANDRINGHAM ROAD, HUNSTANTON, PE36 5DP	
<b>Site owner/occupier:</b>	MR C Papadopoulos & Mr B Morgan	
<b>Case No:</b>	2/TPO/518	
<b>Grid Ref:</b>	567763 340441	<b>Date of service of Order:</b> 19 <sup>th</sup> April 2014

**RECOMMENDATION - CONFIRM ORDER WITHOUT MODIFICATION**

**1. THE SITE**

- 1.1 The tree (T1 Cedar) is growing in the garden area of The Homestead, 29 Sandringham Road, Hunstanton, to the South-East of the property, whilst this property has a number of trees surrounding it, the Cedar does, and more so as it matures, add greatly to the setting of the property and that of this part of Hunstanton. The site is located within the Hunstanton Conservation Area

**2. PLANNING POLICIES**

- 2.1 CS 12 – Environmental Assests

**3. REASON FOR MAKING THE TREE PRESERVATION ORDER**

- 3.1 A Conservation Area section 211 notice was received on the 5<sup>th</sup> March 2014 notifying The Borough Council of Kings Lynn & West Norfolk of Mr Papadopoulos' intention to remove a Cedar tree at the above address.

#### 4. OUTLINE OF OBJECTIONS AND REPRESENTATIONS

4.1 **ONE** objection was received from Mr C Papadopoulos & Mr B Morgan, following email and verbal communication as to the reason the TPO was served; these reasons were given as:-

1. No sound arboricultural reasons were given for the removal of the tree.
2. The tree sits well within the historical setting of the building.
3. It adds to the overall quality of the street scene and, with time, will greatly improve this approach into Hunstanton.

Their objections to the points above are summarised as follows:-

1. A certified Arborist was employed to make this application and they therefore assumed that the reasons were set out in the application. The tree removal was prior to the submission of a planning application & no scoring/grading system was included within the TPO pack.
2. The Homestead has not been inhabited in its original form since the 1950s when they were converted into flats and the property has been extended numerous times, the tree is approximately 40 years old and is not historic and did not form part of the historic setting in the first place.
3. The Cedar is barely visible from the street scene and it is set approximately 10m from the road. The only full views are from the neighbouring property and several flats within The Homestead.

#### 4.2 Objection letters to the original Section 211 notice to remove the Cedar

**Four** letters of objection were received to the original section 211 notice to remove the Cedar were received from concerned neighbours/residents and **One** letter of objection to the original section 211 notice to remove the Cedar was received from the Hunstanton Civic Society, these letters are attached at the end of this report.

#### 5. RESPONSE TO OBJECTIONS AND REPRESENTATIONS

1. The certified Arborist supplied no reason for the removal of the Cedar and I was unaware of any pending planning application, each section 211 notice is judged on its individual merits. Section 3.7 of *Tree Preservation Orders: A Guide to the Law and Good Practice* states '*... they may consider that the risk of felling justifies the making of the TPO before they have been able to assess fully the amenity value of the tree. This should not, however, prevent them from making a preliminary judgement on whether a TPO would appear to be justified on amenity grounds, nor from making a more considered assessment before the TPO is confirmed...*' A copy of the scoring assessment is attached to this report following a second site visit.
2. Whilst this tree may only be approximately 40 years old, historically, houses of this size and stature were often planted with these types of exotic trees as a status symbol because they were rare and expensive; the fact that this Cedar has been planted here gives a subtle nod to the past which should be preserved.

3. Whilst I agree that this tree's visibility from the road is limited at this time due to the broad-leaved trees along the roadside, come the autumn/winter months when these trees have lost their leaves, this tree will give the street scene a much needed green boost during this period. Also, as the tree matures into the space around it, it will command greater views and will certainly enhance the street scene along Sandringham Road, and add further to the character of the Conservation Area.

## **6. CONCLUSIONS**

- 6.1 In conclusion the tree contributes to the character and appearance of the street scene and the wider conservation area, both now and, more importantly, into the future. It is considered that the reasons put forward by the appellant in seeking its removal are of insufficient weight to overcome the harm to the character and appearance of the conservation area that would occur should it be removed. It is therefore recommended that the order be confirmed.

## **7. RECOMMENDATIONS**

- 7.1 That the order be confirmed without modification

### **Background Papers**

TPO file reference 2/TPO/518

Appendix 1: copy of Mr C Papadopolous & Mr B Morgan's objection letter.

Appendix 2: copy of the scoring assessment.

Appendix 3: copies of objection letters to the original section 211 notification to fell the Cedar.

Contact Officer: Mr R. Fisher, Arboricultural Officer 01553 616386

Richard Fisher  
 Arboricultural Officer  
 The Borough Council of KL&WN  
 King's Court  
 Chapel Street  
 King's Lynn  
 PE30 1EX



06 May 2014

Dear Mr Fisher

**OBJECTION TO TREE PRESEVATION ORDER 2/TPO/00518 – 9 April 2014**

We are writing to object against the TPO for the Cedar Tree (T1 reference on Map) situated in the front garden to the east of The Homestead, 29 Sandringham Road, Hunstanton. We are the landowners of the site within which the tree is situated.

Our notification of the TPO was through the occupier of Flat 4, 29 Sandringham Road on 25 April 2014 who posted us the notice. The co-owner of the land, Mr Ben Morgan, made contact with you on 30 April 2014 to request the reasons for the TPO as this was not included in the notice pack. On 2 May you e-mailed Mr Ben Morgan the formal reasons for the TPO, which are set out below:-

1. No sound arboricultural reasons were given for the removal of the tree
2. The tree sits well within the historical setting of the building
3. It adds to the overall quality of the street scene and, with time, will greatly improve this approach into Hunstanton.

We have set out our objections to your reasons in order to support our appeal against the TPO:

**1. No sound arboricultural reasons were given for the removal of the tree**

We employed a Certified Arborist, Mr Dan Yeomans to make the application, therefore we assumed that the reason for the Cedar Tree's removal were set out by him within the paperwork. At the time when you verbally discussed the rationale with Mr. Morgan, it became apparent that you had not been informed that the reason for the tree removal is to facilitate a planning application to erect a house on the site, in particular where the tree is currently positioned. The tree sits on the arc where the front elevation of the house is proposed, thus it severely impacts the development of a viable scheme for the plot.

Furthermore, neither your notice pack nor your recent email state any grading or scoring system to demonstrate your verbal assertion that this is a "nice tree" and worthy of preservation and so we have not been given any arboricultural reasons why we cannot remove the tree. The independent verbal opinion from Mr Dan Yeomans asserts that there are no arboricultural reasons why this tree should be preserved, especially in terms of amenity value.

**2. The tree sits well within the historical setting of the building**

The Homestead building has not been habited in its originally intended historical setting since the 1950s when it was converted to apartments. The property has been extended numerous times and the site itself has been subdivided in terms of title boundary on at least three occasions.

Whilst we agree that the Homestead is an historic building, the Cedar Tree is circa 40 years of age and is thus not historic. Therefore, it did not form part of this historic setting in the first place.

Consequently, we do not agree with the assertion that the building and the tree go hand in hand by sitting in an historical setting.



**3. It adds to the overall quality of the street scene, and, with time, will greatly improve this approach into Hunstanton.**

The Cedar Tree has barely any visibility from the street scene. At the front of the site, fronting Sandringham Road, sit 14 trees, some of which are significantly larger than the Cedar Tree, which all but block the views of the Cedar Tree from the street and the approach (see 4 images attached). It is important to put into context that the Cedar Tree is set back some 10 meters from the front site boundary.

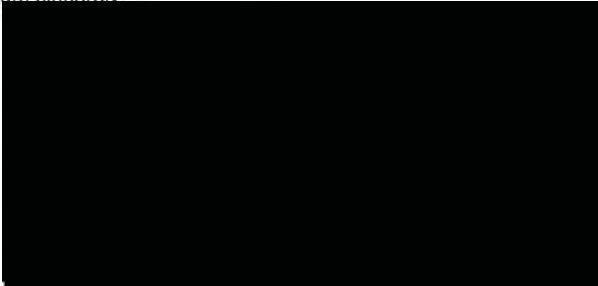
The only full views of the Cedar Tree are available to the neighbours at 31 Sandringham Road and Flats 3 & 5 of The Homestead building. From our understanding, this does not add sufficient weight to support the argument of 'local amenity benefit'.

Therefore, for these reasons, we cannot agree with the assertion that the Cedar Tree adds to the overall quality of the street scene or indeed the approach into Hunstanton, and consequently does not bring significant amenity benefit to the local area.

As you are aware, we will soon submit a planning application for this site, which will include plans to remove the Cedar Tree. Within our planning submission, we will be proposing to replace the Cedar Tree with suitable alternative plantings. We are happy to replace it for another Cedar Tree if required and would very much like to work with you to ensure that the appropriate species are planted on this site.

In summary, we hope you take into account our comments and reconsider the TPO for this Cedar Tree.

Yours sincerely



Costa Papadopoulos

Ben Morgan



BOROUGH COUNCIL OF  
KING'S LYNN & WEST NORFOLK  
RECEIVED  
07 MAY 2014  
C. SMITH  
POSTAL ADMIN

Image 1: Approach into Hunstanton - Tree is not visible



Image 2: Approach plot from West – Tree is not visible



Image 3: Directly outside plot – Tree is barely visible



Image 4: Approach plot from East – Tree is not visible





**TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO**

**SURVEY DATA SHEET & DECISION GUIDE**

Date: 13/5/2014 Surveyor: E. Fisher

**Tree details**  
 TPO Ref (if applicable): 2/TPO/00518 Tree/Group No: T1 Species: Cedar  
 Owner (if known): Location: The Homestead, Sandringham Rd, Hunstanton

REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS

**Part 1: Amenity assessment**

a) Condition & suitability for TPO; where trees in good or fair condition have poor form, deduct 1 point

- 5) Good Highly suitable
- 3) Fair Suitable
- 1) Poor Unlikely to be suitable
- 0) Dead/dying/dangerous\* Unsuitable

\* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes (3)

b) Retention span (in years) & suitability for TPO

- 5) 100+ Highly suitable
- 4) 40-100 Very suitable
- 2) 20-40 Suitable
- 1) 10-20 Just suitable
- 0) <10\* Unsuitable

\*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

Score & Notes (4) - lots of space around tree to sustain it into the future

c) Relative public visibility & suitability for TPO

Consider realistic potential for future visibility with changed land use

- 5) Very large trees with some visibility, or prominent large trees
- 4) Large trees, or medium trees clearly visible to the public
- 3) Medium trees, or large trees with limited view only
- 2) Young, small, or medium/large trees visible only with difficulty
- 1) Trees not visible to the public, regardless of size

- Highly suitable
- Suitable
- Suitable
- Barely suitable
- Probably unsuitable

Score & Notes (3) - This score will increase in winter months

d) Other factors

Trees must have accrued 7 or more points (with no zero score) to qualify

- 5) Principal components of arboricultural features, or veteran trees
- 4) Tree groups, or members of groups important for their cohesion
- 3) Trees with identifiable historic, commemorative or habitat importance
- 2) Trees of particularly good form, especially if rare or unusual
- 1) Trees with none of the above additional redeeming features (inc. those of indifferent form)

Score & Notes (3) - Part of the historical setting of the building

**Part 2: Expediency assessment**

Trees must have accrued 9 or more points to qualify

- 5) Immediate threat to tree
- 3) Foreseeable threat to tree
- 2) Perceived threat to tree
- 1) Precautionary only

Score & Notes (5) Section 211 notice served for tree removal

**Part 3: Decision guide**

- Any 0 Do not apply TPO
- 1-6 TPO indefensible
- 7-11 Does not merit TPO
- 12-15 TPO defensible
- 16+ Definitely merits TPO

Add Scores for Total: 18

Decision: Serve TPO

## HUNSTANTON CIVIC SOCIETY

Web site [www.hunstanton-civic-society.org](http://www.hunstanton-civic-society.org)

Charity Registered Number 1101087

**Chairman and Interim Secretary**

Andrew Murray  
7 Bernard Crescent  
Hunstanton  
PE36 6ER

Email: a

**Treasurer**

John M Little  
14 Belgrave Avenue  
Hunstanton  
PE36 6DQ

**Talks & Publicity**

Martin Chown  
Willow Tree Cottage  
Homefields Lane  
Hunstanton PE36 5HZ

Mr Geoff Hall  
Executive Director – Environment & Planning  
Borough Council of King's Lynn and West Norfolk  
King's Court  
Chapel Street  
King's Lynn PE30 1EX

17 March 2014

Dear Mr Hall

re: 14/00029 – Felling of Cedar Tree at 29 Sandringham Road – within a Conservation Area

According to the application form the Cedar Tree is not diseased or dangerous and it is not causing any subsidence or other damage to property.

Cedar trees are quite unusual in this locality. The Conservation Character Statement of 2009, describes Sandringham Road as having “a number of fine late Victorian or Edwardian houses in large grounds with trees.” It also notes that “The Convent of St Theresa and 29, are a contiguous group of turn of the century carstone houses in substantial gardens with important trees and front walls.”

It would therefore seem totally contrary to the aims of the Conservation Area for any damage to be permitted to be done to the Cedar Tree. I am therefore writing on behalf of the Hunstanton Civic Society to register our strong objection to the application.

Kind regards

Andrew Murray  
Hon Sec.

Cc Richard Fisher



## Application Comments for 14/00029/TREECA

### Application Summary

Application Number: 14/00029/TREECA

Address: The Homestead 29 Sandringham Road Hunstanton Norfolk PE36 5DP

Proposal: T1 Cedar - Remove within Conservation Area

Case Officer: Mr Richard Fisher

### Customer Details

Name: Ms Angela Tooth

Address: Flat 5 29 Sandringham Road Hunstanton

### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Residential Amenity

Comment: I ask that permission not be granted to remove the cedar tree. No reason has been given for its removal - it is not dead, diseased or causing an obstruction. It is in a conservation area. Also it is situated on land that has a covenant stating it should remain as is.

Quoted from the Borough Council of Kings Lynn & West Norfolks website: "Trees in a Conservation Area -

Conservation Areas are sites designated by us in recognition of their special built environment characteristics. The Council aims to preserve and enhance the character of these areas. Trees are included as part of that character. Accordingly all trees with a trunk diameter of 75mm or greater measured at 1.5m above ground level carry the same protection and penalties that they would if they were covered by a TPO. If you would like to carry out any works to trees that are within the boundaries of a Conservation Area, you are required to give the Council six weeks notice of your intentions and the reasons for them".

The tree is approx. 400mm diameter, is mature, being the height of the roof of 29 Sandringham Road, is of a particularly attractive blue/grey colour all year round, is visible to neighbouring properties, passers by, and is part of a treed area seen by visitors entering Hunstanton.

Quote from Hunstanton Conservation Area Character Statement

"A Conservation Area - "An area of special architectural or historic interest, the character of appearance of which it is desirable to preserve or enhance." The quality and interest of a conservation area depends upon a combination of factors including the relationship and architectural quality of buildings, materials, spaces, trees and other landscape features, together with views into and out of the area. .... This document highlights the special qualities which underpin the character of the conservation area, justifying its designation. It also seeks to increase awareness of those qualities so that where changes to the environment occur, they do so in a sympathetic way without harm to the essential character of the area".

## Application Comments for 14/00029/TREECA

### Application Summary

Application Number: 14/00029/TREECA

Address: The Homestead 29 Sandringham Road Hunstanton Norfolk PE36 5DP

Proposal: T1 Cedar - Remove within Conservation Area

Case Officer: Mr Richard Fisher

### Customer Details

Name: Mr Alexander Spence

Address: Flat 3, 29 The Homestead Hunstanton

### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Residential Amenity

Comment: I would be deeply saddened that an mature and attractive tree in an established garden is to be removed. It is neither an eyesore nor damaged nor constitutes a hazard. I wonder why this request has been made? At present we use the garden that it sits in as a communal area - this was one of the attractions of buying the flat in the first place. If this amenity and it's constituent elements are altered then it would be an enormous shame.



## Application Comments for 14/00029/TREECA

### Application Summary

Application Number: 14/00029/TREECA

Address: The Homestead 29 Sandringham Road Hunstanton Norfolk PE36 5DP

Proposal: T1 Cedar - Remove within Conservation Area

Case Officer: Mr Richard Fisher

### Customer Details

Name: Mr David Skates

Address: The Homestead 29 Sandringham Road Hunstanton

### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Residential Amenity

Comment: I object to the removal of the cedar tree in this application. The tree is healthy and is the only one of its type in the immediate area. It is a haven for wild life and a pleasure to view from the residence and the main road. It is situated in a conservation area and the Hunstanton Conservation Area Character Statement specifically commends Sandringham Road for its FINE LATE VICTORIAN OR EDWARDIAN HOUSES IN LARGE GROUNDS WITH TREES. Removal would therefore fly in the face of the stated view of the Town, the feelings of the immediate community and the benefit of future generations.



## Application Comments for 14/00029/TREECA

### Application Summary

Application Number: 14/00029/TREECA

Address: The Homestead 29 Sandringham Road Hunstanton Norfolk PE36 5DP

Proposal: T1 Cedar - Remove within Conservation Area

Case Officer: Mr Richard Fisher

### Customer Details

Name: Mr David Frost

Address: Flat 6 29 Sandringham Close Hunstanton

### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We object to this tree being chopped down. The tree is healthy, extremely pretty and greatly enhances the neighbourhood. To remove it would be sheer vandalism. If this land is to be developed then the tree should be incorporated in to the design and landscaping of the development.

**PLANNING COMMITTEE – 2 JUNE 2014****APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

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**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the April Planning Committee Agenda and the June agenda. 211 decisions issued, 198 decisions issued under delegated powers with 13 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 30% determined in time. Failure to meet this target could result in the application being dealt with by PINS, who would also receive any associated planning fee.

**RECOMMENDATION**

That the reports be noted.

**Number of decisions issued from 02/04/14 – 16/05/14**

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	Former National target %	DCB decision	
								Approved	Refused
<b>Major</b>	9	9	0	1	6	63%	60	1	0
<b>Minor</b>	91	76	15	79	7	72%	65	6	2
<b>Other</b>	111	107	4	104	5	94%	80	4	0
<b>Total</b>	<b>211</b>	<b>192</b>	<b>19</b>						

**Planning Committee made 13 of the 211 decisions, 6%**

**PLANNING COMMITTEE – 2 JUNE 2014****APPLICATIONS DETERMINED UNDER DELEGATED POWERS****PURPOSE OF REPORT**

To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority's powers contained in the Town and Country Planning Act 1990 and have no financial implications.

**RECOMMENDATION**

That the report be noted.

**DETAILS OF DECISIONS**

<b>DATE RECEIVED</b>	<b>DATE DETERMINED/ DECISION</b>	<b>REF NUMBER</b>	<b>APPLICANT PROPOSED DEV</b>	<b>PARISH/AREA</b>
27.03.2014	08.05.2014 <b>Application Permitted</b>	14/00475/CU	Mr And Mrs S Tilburn Chapel Barn Stoke Ferry Road Eastmoor Barton Bendish Change of use of the land from agriculture to the keeping of horses	Barton Bendish
31.01.2014	01.05.2014 <b>Application Permitted</b>	14/00146/FM	Mr Roger Warner Land Off Stoke Road Boughton Norfolk Change of use of land for the keeping of horses, and retention of 2 horse shelters and existing road	Boughton

04.02.2014	03.04.2014 <b>Application Permitted</b>	14/00165/F	Mrs And Mrs Bright Ternstones Main Road Brancaster Staithe King's Lynn Extensions to existing dwelling	Brancaster
20.02.2014	04.04.2014 <b>Application Permitted</b>	14/00266/F	Mr Antony Banks 14 the Cricket Pasture Burnham Deepdale Norfolk PE31 8DQ To build a red brick and chalk face garden wall (to match the walls of opposite properties) to the front of the property adjacent to the footpath with a height ranging from 1 metre to 1.6 metres due to the fall on the site	Brancaster
11.03.2014	06.05.2014 <b>Application Permitted</b>	14/00374/F	K Ransom Hill Top Main Road Brancaster King's Lynn First floor extension	Brancaster
11.09.2013	15.05.2014 <b>Application Permitted</b>	13/01334/F	Mr J Thompson Sussex House Sussex Farm Ringstead Road Burnham Market King's Lynn Variation of condition 4 on planning permission 12/01909/F	Burnham Market
22.01.2014	04.04.2014 <b>Application Permitted</b>	14/00102/F	Professor Michael Crampin Orchard Rising Herrings Lane Burnham Market King's Lynn Refitting interior of existing house, building a front bay to house staircase on north side, building cross wings at east and west end to house a library and conservatory	Burnham Market

03.02.2014	02.04.2014 <b>Application Permitted</b>	14/00149/LB	Mr R Malcolm Bailey Burnham House 86 Market Place Burnham Market Norfolk Replacement of old wooden glasshouse with aluminium structure	Burnham Market
04.02.2014	03.04.2014 <b>Application Permitted</b>	14/00166/LB	Mr N Williamson M & A Cringle 55 Market Place Burnham Market Norfolk Internal alterations	Burnham Market
06.02.2014	04.04.2014 <b>Permitted Development _App not reqd</b>	14/00185/F	Mr R Malcolm Bailey Burnham House 86 Market Place Burnham Market Norfolk Installation of solar PV panels to private dwelling	Burnham Market
06.02.2014	14.04.2014 <b>Application Permitted</b>	14/00187/LB	Mr R Malcolm Bailey Burnham House 86 Market Place Burnham Market Norfolk Installation of solar PV panels to private dwelling	Burnham Market
13.02.2014	01.05.2014 <b>Application Permitted</b>	14/00236/F	Lady Patricia Rawlings Land South of Hall Farm Cottage Herrings Lane Burnham Market Norfolk Construction of a single storey dwelling incorporating existing building	Burnham Market
26.02.2014	23.04.2014 <b>Application Permitted</b>	14/00294/F	Mr F Chapman The Warehouse Olivers House North Street Burnham Market King's Lynn Alterations to provide new shop entrance from North Street	Burnham Market

12.02.2014	12.05.2014 <b>Application Permitted</b>	14/00230/F	Mr Charles Mackinnon North Barn 2 Marsh Lane Burnham Norton Norfolk Demolition of existing sun room extension and construction of new extension, new dormers to loft, internal alterations and installation of a flue	Burnham Norton
06.02.2014	25.04.2014 <b>Application Refused</b>	14/00188/F	C/O Agent Church Hill Farm Wells Road Burnham Overy Town King's Lynn Change of use of land from agricultural. Construction of 12m x 6m in ground pool and timber poolside building	Burnham Overy
14.04.2014	13.05.2014 <b>Application Permitted</b>	13/01764/NMA_1	Mr Hamish Forsyth Sea Marsh East Harbour Way Burnham Overy Staithe Norfolk Non-material amendment to planning permission 13/01764/F: Replacement of existing family dwelling with a new single family dwelling	Burnham Overy
07.11.2013	01.05.2014 <b>Application Permitted</b>	13/01630/F	Mr R Singh Costcutter Foxes Meadow Castle Acre Norfolk Proposed fish and chip shop with accommodation, extension to existing shop and car park alterations	Castle Acre



03.03.2014	25.04.2014 <b>Application Permitted</b>	14/00308/F	Mr D Edwards Rose Cottage Market Lane Crimplesham King's Lynn Construction of first floor extension, forming master bedroom and en-suite	Crimplesham
02.01.2014	07.04.2014 <b>Application Permitted</b>	14/00001/F	Mr Fletcher And Family Manor Farm Sluice Road Denver Downham Market Conversion of redundant farm buildings with some rebuilding and extension to create two new dwellings with converted garage, new garage and alterations to access	Denver
02.01.2014	09.04.2014 <b>Application Permitted</b>	14/00002/LB	Mr Fletcher And Family Manor Farm Sluice Road Denver Downham Market Listed Building Application: Conversion of redundant farm buildings with some rebuilding and extension to create two new dwellings with converted garage, new garage and alterations to access	Denver
07.11.2013	12.05.2014 <b>Application Refused</b>	13/01633/F	D H Partnership 2 Manor Road Dersingham King's Lynn Norfolk Replacement of existing fence	Dersingham

04.02.2014	10.04.2014 <b>Application Permitted</b>	14/00171/F	Mr Anthony Francis 3 Edinburgh Way Dersingham King's Lynn Norfolk Replacement of existing flat roofed garage with new integrated garage to include bedroom and en-suite shower room extension to rear. Low wall at front of property to be replaced	Dersingham
20.02.2014	24.04.2014 <b>Application Permitted</b>	14/00267/F	Mr And Mrs T Fenton 10 Reg Houchen Road Dersingham King's Lynn Norfolk Extension to dwelling	Dersingham
27.02.2014	28.04.2014 <b>Application Permitted</b>	14/00298/F	Mr And Mrs Holland The Woodlands 11A Woodside Close Dersingham King's Lynn Front and rear extension to dwelling	Dersingham
07.03.2014	02.05.2014 <b>Application Permitted</b>	14/00348/F	Mr And Mrs McLeish 18 Sandringham Road Dersingham King's Lynn Norfolk Single storey rear extension	Dersingham
13.03.2014	08.05.2014 <b>Application Permitted</b>	14/00391/F	Mr And Mrs R Buckenham 4 Park Hill Dersingham King's Lynn Norfolk Extension to dwelling	Dersingham
21.03.2014	14.05.2014 <b>Application Permitted</b>	14/00446/F	GCC Developments Docking Grange Sandy Lane Docking King's Lynn Variation of condition 2 of planning permission: 13/01544/F: To alter previously approved drawings	Docking

12.11.2013	28.04.2014 <b>Application Permitted</b>	13/01662/LB	Mr Oliver Loftus 39 Priory Road Downham Market Norfolk PE38 9JU LISTED BUILDING CONSENT: Filling in glass window in utility, that is not secure, and fitting a skylight. Increasing size of internal doorway adjoining kitchen and utility and putting in a lintel as there is no evidence of one	Downham Market
28.02.2014	25.04.2014 <b>Application Permitted</b>	14/00301/F	G Sides Electrical G Sides Electrical Sovereign Way Trafalgar Industrial Estate Downham Market Extension to premises	Downham Market
04.03.2014	02.05.2014 <b>Application Permitted</b>	14/00332/F	Mr V Brown 18 Howdale Rise Downham Market Norfolk PE38 9AJ New second vehicular entrance demolition of conservatory and erection of a front, side and rear extension	Downham Market
19.03.2014	08.05.2014 <b>Application Permitted</b>	14/00433/CU	Mr Richard Piper 3A Market Place Downham Market Norfolk PE38 9DE Change of use of studio to bio- mechanical and reflexology clinic for the lower limbs and feet	Downham Market
21.03.2014	08.05.2014 <b>Application Permitted</b>	14/00441/F	Mr And Mrs M Jupp Ravens Lodge 18 Ravens Way Downham Market Norfolk Single storey rear bedroom extension to dwelling	Downham Market

27.03.2014	14.05.2014 <b>Application Permitted</b>	14/00474/RM	Client of Ian J M Cable 8 Bridle Lane Downham Market Norfolk PE38 9QZ Reserved Matters Application: construction of one dwelling	Downham Market
28.03.2014	08.05.2014 <b>Application Permitted</b>	14/00476/O	Mrs M Legge 118 London Road Downham Market Norfolk PE38 9AT Outline Application: Construction of detached dwelling and garage	Downham Market
18.02.2014	15.04.2014 <b>Application Permitted</b>	14/00251/F	Mr And Mrs T Hansell Caradon The Green East Rudham King's Lynn Single storey infill to south elevation, new opening from stable block to dining area and minor amendments to previously approved door and window screen to outbuilding	East Rudham
18.02.2014	15.04.2014 <b>Application Permitted</b>	14/00254/LB	Mr And Mrs T Hansell Caradon The Green East Rudham King's Lynn Listed building application: Single storey infill to south elevation, new opening from stable block to dining area and minor amendments to previously approved door and window screen to outbuilding	East Rudham

04.03.2014	25.04.2014 <b>Application Permitted</b>	14/00330/F	Mr Richard Eagle Church Farm Main Road West Bilney King's Lynn Change of use of 2No detached outbuildings to form home office and games room/gym, both ancillary to existing dwelling	East Winch
06.03.2014	01.05.2014 <b>Application Permitted</b>	14/00341/F	Mr P Cook The Stables Oxburgh Hall Meadowgate Lane Emneth Repair, conversion and extension of stables to dwelling (revised proposals to approvals 06/01568/F and 06/01567/LB)	Emneth
06.03.2014	01.05.2014 <b>Application Permitted</b>	14/00345/LB	Mr P Cook The Stables Oxburgh Hall Meadowgate Lane Emneth Application for listed building consent: Repair, conversion and extension of stables to dwelling (revised proposals to approvals 06/01568/F and 06/01567/LB)	Emneth
10.03.2014	06.05.2014 <b>Application Permitted</b>	14/00364/F	C/O Agent Hill House Hill Street Feltwell Thetford Change of use, stable block to domestic. New ground floor link, minor adjustments to openings and internal walls. Improvements to visibility splay to access onto Short Beck Road	Feltwell

09.04.2014	14.05.2014 <b>Householder Prior Approval NOT REQUIRED</b>	14/00015/PD	Mr And Mrs C Peckham 36 Addison Close Feltwell Thetford Norfolk Single storey rear extension which extends beyond the rear wall by 5 metres with a maximum height of 3.5 metres and a height of 2.5 metres to the eaves	Feltwell
10.02.2014	17.04.2014 <b>Application Permitted</b>	14/00204/F	Mr Barnes Pau Kelan Main Road Fincham King's Lynn Extension to dwelling	Fincham
31.03.2014	14.05.2014 <b>Application Permitted</b>	14/00482/F	Mr Roger Farmer Holly House High Street Fincham King's Lynn Partial demolition of existing dilapidated garage and construction of a new garage structure	Fincham
31.03.2014	15.05.2014 <b>Application Permitted</b>	14/00483/LB	Mr Roger Farmer Holly House High Street Fincham King's Lynn Listed building application: Partial demolition of existing dilapidated garage and construction of a new garage structure	Fincham
17.03.2014	13.05.2014 <b>Application Permitted</b>	14/00405/F	Mr Richard Martin The Limes Lynn Road Gayton King's Lynn Construction of a two storey dwelling	Gayton



03.03.2014	28.04.2014 <b>Application Permitted</b>	14/00317/F	Mr John Buckman The Rectory 27 Weasenham Road Great Massingham King's Lynn Demolition of section of boundary wall in order to form new access and driveway	Great Massingham
03.03.2014	28.04.2014 <b>Application Permitted</b>	14/00318/LB	Mr John Buckman The Rectory 27 Weasenham Road Great Massingham King's Lynn Demolition of section of boundary wall in order to form new access and driveway	Great Massingham
17.01.2014	04.04.2014 <b>Application Refused</b>	14/00066/F	Mr And Mrs S White 42 Philip Rudd Court Pott Row King's Lynn Norfolk Construction of a two storey extension to dwelling	Grimston
06.02.2014	15.04.2014 <b>Application Refused</b>	14/00182/O	Borough Council of King's Lynn And West Norfolk Land Adj 50 50A Church Close Grimston Norfolk Development of existing disused land for the provision of semi detached property offering 2no. 3 bedroom dwellings	Grimston
05.03.2014	24.04.2014 <b>Application Permitted</b>	14/00336/F	JW Sandle 95 Leziate Drove Pott Row King's Lynn Norfolk Proposed extension to dwelling	Grimston

03.03.2014	30.04.2014 <b>Application Permitted</b>	14/00313/F	Mr Peter Sheldrick 1 Williman Close Heacham King's Lynn Norfolk Variation of condition 2 of planning permission 13/00597/F: To include the new drawing number as an approved plan	Heacham
03.03.2014	29.04.2014 <b>Application Permitted</b>	14/00331/F	Borough Council of Kings Lynn And West Norfolk North Beach Heacham Norfolk Continued use of land for the standing of 105 beach huts	Heacham
05.03.2014	30.04.2014 <b>Application Permitted</b>	14/00338/F	Mr & Mrs K Brown 73 Station Road Heacham King's Lynn Norfolk Conversion of existing swimming pool to form residential annexe	Heacham
07.03.2014	06.05.2014 <b>Application Permitted</b>	14/00354/F	A A Massen Land West of Electricity Sub Station Hall Close Heacham Norfolk New chalet bungalow	Heacham
19.03.2014	06.05.2014 <b>Application Permitted</b>	14/00426/A	Jennings Caravan Park Ltd Jennings Caravan Park South Beach Road Heacham King's Lynn Advertisement application: x1 internally illuminated fascia sign	Heacham
28.02.2014	10.04.2014 <b>Application Permitted</b>	14/00307/F	Mr Ray Corley 51 Foresters Avenue Hilgay Downham Market Norfolk First floor extension to dwelling	Hilgay

03.03.2014	08.05.2014 <b>Application Permitted</b>	14/00316/F	Mr Wayne Peckham 9 Manby Close Hilgay Downham Market Norfolk Construction of replacement garage	Hilgay
18.02.2014	23.04.2014 <b>Application Permitted</b>	14/00253/F	Mrs Jocelyn Evenett 119 Main Street Hockwold cum Wilton Norfolk IP26 4LW Single storey lean to conservatory to be sited at side and rear of property	Hockwold cum Wilton
03.03.2014	29.04.2014 <b>Application Refused</b>	14/00311/F	Mrs A C Palmer 43 Main Street Hockwold cum Wilton Norfolk IP26 4LQ Construction of one dwelling	Hockwold cum Wilton
07.02.2014	15.04.2014 <b>Application Permitted</b>	14/00193/F	Drove Orchards Ltd Drove Orchards Thornham Road Holme next the Sea Norfolk New retail unit, change of use of the land for siting of tea room and extension to existing farmshop	Holme next the Sea
11.02.2014	17.04.2014 <b>Application Permitted</b>	14/00219/LB	Mrs Kay Castle 45 Kirkgate Holme next the Sea Norfolk PE36 6LH Listed building application: Velux window in roof	Holme next the Sea
04.03.2014	29.04.2014 <b>Application Permitted</b>	14/00327/F	Mr And Mrs Rustin Meadow Corner 29 Kirkgate Holme next the Sea Norfolk Extensions and porch extension to dwelling, side bay and render existing dwelling, creation of a new vehicular access	Holme next the Sea

14.03.2014	08.05.2014 <b>Application Permitted</b>	14/00397/F	Mr And Mrs Coker 20 Beach Road Holme next the Sea Norfolk PE36 6LG VARIATION OR REMOVAL OF CONDITION 9 ATTACHED TO PLANNING APPLICATION 13/01721/F: Demolition of existing dwelling and erection of replacement dwelling	Holme next the Sea
20.03.2014	12.05.2014 <b>Application Permitted</b>	14/00435/F	Mr David Gray Land East of Seabank Broadwater Road Holme next the Sea Norfolk Variation of condition 10 of planning permission 12/01836/F: Demolition of existing seasonal holiday accommodation chalet and replacement with new seasonal holiday accommodation chalet	Holme next the Sea
10.04.2014	07.05.2014 <b>Application Permitted</b>	11/02071/NMA_2	Mr Andrew Arnold 33 Main Road Holme next the Sea Norfolk PE36 6LA Non-material amendment to planning permission 11/02071/F: New dwelling	Holme next the Sea
06.02.2014	10.04.2014 <b>Application Permitted</b>	14/00180/F	Princess Theatre Princess Theatre 13 the Green Hunstanton Norfolk Alterations to terrace and wall, insertion of doors to elevation	Hunstanton

17.02.2014	17.04.2014 <b>Application Permitted</b>	14/00244/F	White Horse Public House 2 Avenue Road Hunstanton Norfolk PE36 5BW Subdivision of existing house into two flats, conversion of outbuilding into dwelling	Hunstanton
03.03.2014	02.05.2014 <b>Application Permitted</b>	14/00347/F	Glebe House School Glebe House School Cromer Road Hunstanton Norfolk Extension to Nursery to provide additional floor space and new entrance porch	Hunstanton
10.03.2014	13.05.2014 <b>Application Permitted</b>	14/00363/F	Marstons PLC The Honey Stone Southend Road Hunstanton Norfolk Installation of new external garden grill kitchen pod	Hunstanton
12.03.2014	12.05.2014 <b>Application Permitted</b>	14/00380/F	Mr N Taylor Sunnycroft 37 Chatsworth Road Hunstanton Norfolk Erection of a single storey porch to the front of the bungalow in conjunction with our neighbours at No 39 Chatsworth Road	Hunstanton
14.03.2014	17.04.2014 <b>Householder Prior Approval NOT REQUIRED</b>	14/00012/PD	Mr & Mrs G Saidler 11 Andrews Place Hunstanton Norfolk PE36 5PD Single storey rear extension which extends beyond the the rear wall by 4.5 metres with a maximum height of 3.895 metres and a height of 2.775 metres to the eaves	Hunstanton

14.03.2014	08.05.2014 <b>Application Permitted</b>	14/00396/F	Mr S Nunn 14 Queens Drive Hunstanton Norfolk PE36 6EZ Two storey extension to dwelling and construction of detached double garage	Hunstanton
17.03.2014	06.05.2014 <b>Application Permitted</b>	14/00408/CU	Wells Deli Ltd 8 Greevegate Hunstanton Norfolk Change of use from A1 (retail) to A3 (Restaurant and cafe)	Hunstanton
10.03.2014	14.05.2014 <b>Application Refused</b>	14/00366/O	Samphire Developments Land South of Coaly Lane Ingoldisthorpe Norfolk Erection of 7 new dwellings and associated works	Ingoldisthorpe
12.03.2014	17.04.2014 <b>Householder Prior Approval NOT REQUIRED</b>	14/00011/PD	Mr And Mrs Rimmer Brock Hill 47 Lynn Road Ingoldisthorpe Norfolk Single storey rear extension which extends beyond the rear wall by 4.730 metres with a maximum height of 3.493 metres and a height of 2.832 metres to the eaves	Ingoldisthorpe
08.04.2014	24.04.2014 <b>Application Permitted</b>	11/00222/NMA_1	Mr Patterson 15 Ingoldsby Avenue Ingoldisthorpe King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 11/00222/F: Proposed replacement dwelling	Ingoldisthorpe



13.09.2013	28.04.2014 <b>Application Permitted</b>	13/01349/FM	Saffron Housing Trust Land South of 9 Orchard Lane Gaywood King's Lynn Demolition of existing 7 garages, the construction of ten 1-bed dwellings on open greenspace consisting of grassland, scrub and mature trees	King's Lynn
26.11.2013	07.04.2014 <b>Application Permitted</b>	13/01729/F	Queen Elizabeth Hospital Kings Lynn NHS The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust Gayton Road King's Lynn Norfolk Construction of two storey modular building for Accident and Emergency Services	King's Lynn
13.12.2013	04.04.2014 <b>Application Permitted</b>	2/04/0351/NMA_1	Clients of CBFA Ltd 1 Hopmans Court King's Lynn Norfolk PE30 1AT Non-material amendment to planning permission 2/04/0351/F: to amend size of dormer windows	King's Lynn
17.12.2013	01.05.2014 <b>Application Permitted</b>	13/01836/A	Equity Estates GB Limited Street Record Kellard Place King's Lynn Norfolk Advertisement application: 1No. externally illuminated totem estate sign	King's Lynn
15.01.2014	23.04.2014 <b>Application Refused</b>	14/00059/O	Mr B Clements 2 Edinburgh Avenue Gaywood King's Lynn Norfolk OUTLINE WITH SOME MATTERS RESERVED: Proposed new dwelling	King's Lynn

06.02.2014	07.04.2014 <b>Application Permitted</b>	14/00179/LB	Costa Ltd Vacant 48 High Street King's Lynn Norfolk The proposal is for the ground floor only and is for minor internal and external shopfront alterations	King's Lynn
07.02.2014	04.04.2014 <b>Application Permitted</b>	13/01358/NMAM_1	Bespak Europe Ltd Bespak Industries P L C Bergen Way North Lynn Industrial Estate King's Lynn NON MATERIAL AMENDMENT TO PLANNING CONSENT 13/01358/FM: construction of two new production/packaging facility buildings.	King's Lynn
10.02.2014	04.04.2014 <b>Application Permitted</b>	14/00206/LB	Mr & Mrs A Goodrich Bank House Kings Staithe Square King's Lynn Norfolk LISTED BUILDING APPLICATION: Internal alterations to Gurney and Custom House bedrooms	King's Lynn
10.02.2014	08.04.2014 <b>Application Permitted</b>	14/00210/F	Mr & Mrs T Thompson The Fenman 22 Blackfriars Road King's Lynn Norfolk Retention of kitchen extract and outdoor freezer	King's Lynn
10.02.2014	04.04.2014 <b>Application Permitted</b>	14/00214/CU	Mr Scott Guanock Hotel 10 - 11 Guanock Place King's Lynn Norfolk Change of use from hotel (C1) back to dwelling house (C3)	King's Lynn

11.02.2014	08.04.2014 <b>Application Permitted</b>	14/00216/F	Mr S Filmer 27 South Street King's Lynn Norfolk PE30 5ER Replace existing front door and frame for a composite door panel with obscured glazing to match existing neighbours door. Replace existing single glazed timber window to first floor on rear elevation to new UPVC double glazed window in accordance with both fire and thermal heat loss regulations	King's Lynn
11.02.2014	14.04.2014 <b>Application Permitted</b>	14/00218/LB	Mr D Gould 14 King Street King's Lynn Norfolk PE30 1HF LISTED BUILDING CONSENT: Internal alterations (built differently from approved under 06/01749/LB) retrospective	King's Lynn
11.02.2014	16.04.2014 <b>Application Permitted</b>	14/00220/CU	Howden Joinery Properties Ltd C/o Redbourne Group Part Unit 4 St Andrews Court Rollesby Road Hardwick Industrial Estate Retention of B8 storage and distribtion	King's Lynn

13.02.2014	10.04.2014 <b>Application Permitted</b>	14/00232/LB	Mr And Mrs Anthony Goodrich Bank House Kings Staithe Square King's Lynn Norfolk Listed building consent application: Extension to provide additional kitchen and restaurant area and internal alterations to provide extra storage space to private dining area and reinstate chimney at bar area	King's Lynn
13.02.2014	06.05.2014 <b>Application Permitted</b>	14/00234/FM	Springwood High School Springwood High School Queensway King's Lynn Norfolk To construct single and two storey building extensions to form sports hall with ancillary accommodation	King's Lynn
21.02.2014	24.04.2014 <b>Application Permitted</b>	14/00272/A	Poundland Comet Plc Pierpoint Retail Park Hansa Road Hardwick Industrial Estate Advertisement application: 3 x internally illuminated fascia signs and 1 x non-illuminated totem sign	King's Lynn
26.02.2014	03.04.2014 <b>Householder Prior Approval - REQUIRED</b>	14/00008/PD	Mr K Dry 25 Avenue Road King's Lynn Norfolk PE30 5NN Single storey rear extension which extends beyond the rear wall by 4.4 metres with a maximum height of 3 metres and a height of 2.4 metres to the eaves	King's Lynn

27.02.2014	24.04.2014 <b>Application Permitted</b>	14/00295/F	College of West Anglia College of West Anglia Tennyson Avenue King's Lynn Norfolk New skills building to rear of technology block	King's Lynn
05.03.2014	01.05.2014 <b>Application Permitted</b>	14/00335/F	Costa Coffee Ltd Vacant 48 High Street King's Lynn Norfolk Remove existing external step and form new ramp to provide a DDA compliant entrance. Replace existing doors like for like	King's Lynn
07.03.2014	02.05.2014 <b>Application Permitted</b>	14/00350/F	Clients of David Taylor Associates 1 Queen Elizabeth Avenue Gaywood King's Lynn Norfolk Detached dwelling and associated landscape works (revised design)	King's Lynn
11.03.2014	08.05.2014 <b>Application Permitted</b>	14/00370/A	LIDL UK Lidl Austin Street King's Lynn Norfolk Advertisement consent application 3 x fascia signs and 3 x hanging signs	King's Lynn
11.03.2014	01.05.2014 <b>Application Permitted</b>	14/00376/A	T J Morris Ltd Former ASDA Unit 1 St Nicholas Retail Park Edward Benefer Way Two internally illuminated fascia signs	King's Lynn

12.03.2014	02.05.2014 <b>Application Permitted</b>	14/00384/F	Mr Timbers 36 Seabank Way King's Lynn Norfolk PE30 2NQ Rear single storey annexe/extension to provide specialist mobility and accessible bedroom/ensuite/wetroom facilities	King's Lynn
13.03.2014	09.05.2014 <b>Application Permitted</b>	14/00393/F	W Spice Building Ltd 9 - 11 St James Street King's Lynn Norfolk PE30 5DA The removal of defective /structural unsound components and the subsequent reconstruction of a derelict two and three storey shop premises to form 6 terraced homes and two second floor apartments.	King's Lynn
13.03.2014	08.05.2014 <b>Application Permitted</b>	14/00394/F	Mr And Mrs Chris Ward 8 St Peters Road West Lynn King's Lynn Norfolk Extensions to dwelling	King's Lynn
14.03.2014	02.05.2014 <b>Application Permitted</b>	14/00395/F	Clients of W R Skipper Architecture Mandalay Hall Lane South Wootton King's Lynn Variation of Conditions 2 and 4 attached to Planning Permission 13/01269/F to allow security gates to be installed	King's Lynn



18.03.2014	06.05.2014 <b>Application Permitted</b>	14/00424/CU	Mr Paul Fayers R H Fayers & Son Austin Fields Austin Fields Industrial Estate King's Lynn Change of use from garage workshop to shop to sell furniture	King's Lynn
27.03.2014	06.05.2014 <b>Application Permitted</b>	14/00469/F	Miss Sandra Woods 29 Friars Street King's Lynn Norfolk PE30 5AW Replacement of timber windows to front of building with upvc sash windows	King's Lynn
27.03.2014	08.05.2014 <b>Application Permitted</b>	14/00473/F	Mr D Nguyen 22 Railway Road King's Lynn Norfolk PE30 1NF Permission to replace windows to property	King's Lynn
31.03.2014	28.04.2014 <b>Application Permitted</b>	13/01431/NMA_1	Mr Max Walker 26 Dawnay Avenue King's Lynn Norfolk PE30 3BZ Non-material amendment to planning permission 13/01431/F: Demolition of rear unstable extension and rebuilding, re-roofing and associated works	King's Lynn
11.03.2014	24.04.2014 <b>Application Permitted</b>	14/00375/F	Alistair Allen Grey Cobbles 39 East Winch Road Ashwicken King's Lynn New 3 bay garage with store over	Leziate
27.02.2014	10.04.2014 <b>Application Permitted</b>	14/00297/F	Mr A Reeve Pippins Squires Hill Marham Norfolk Construction of a double bay garage with small workshop	Marham

11.03.2014	25.04.2014 <b>Application Permitted</b>	14/00373/F	MOD RAF Marham RAF Marham Burnthouse Drove Upper Marham Norfolk Installation of new modular building to provide a locker room facility for 31 Squadron	Marham
19.03.2014	08.05.2014 <b>Application Permitted</b>	14/00432/CU	Mr And Mrs Booty Land Adjacent To Brookfields 2 Spring Lane Shouldham King's Lynn Continued use of agricultural land for residential purposes and retention of shed and greenhouse	Marham
19.03.2014	08.05.2014 <b>Application Permitted</b>	14/00434/F	Mr And Mrs Booty Brookfields 2 Spring Lane Shouldham King's Lynn Single storey extension to dwelling	Marham
24.02.2014	25.04.2014 <b>Application Permitted</b>	14/00277/FM	Ms Alison Jones Land At Thornham Road Methwold Norfolk Retrospective planning consent for change of use of agricultural land to equestrian land incorporating the retention of an improved access and parking area, range of stables, field shelter and mobile office	Methwold
04.03.2014	28.04.2014 <b>Application Permitted</b>	14/00321/F	Mrs Alison Jones Land Off Thornham Road Methwold Norfolk Retrospective planning consent for a manege	Methwold

12.03.2014	01.05.2014 <b>Application Permitted</b>	14/00387/F	Mr And Mrs Legge 9 Thornham Road Methwold Thetford Norfolk Extension on front of bungalow	Methwold
18.03.2014	08.05.2014 <b>Application Permitted</b>	14/00418/F	Mr & Mrs I Griffin 45 Hythe Road Methwold Thetford Norfolk Replacement of main roof with new roof containing second floor accommodation	Methwold
27.02.2014	23.04.2014 <b>Application Permitted</b>	14/00299/F	Mr B Rayner 5 Willow Close Middleton King's Lynn Norfolk Demolition of existing property and construction of new dwelling	Middleton
01.04.2014	08.05.2014 <b>Application Permitted</b>	14/00487/F	Mr & Mrs Collison 2 Hillside Close Middleton Norfolk PE32 1RT New extensions and internal alterations	Middleton
04.03.2014	25.04.2014 <b>Application Permitted</b>	14/00326/F	Mr & Mrs R Balls Birchfield Farm Birchfield Road Nordelph Downham Market Single storey extension to dwelling	Nordelph
10.02.2014	23.04.2014 <b>Application Permitted</b>	14/00203/F	Mr Jonathan Edmondson 38 Dunns Lane North Creake Fakenham Norfolk Erection of a single storey shed 7m x 7m	North Creake

20.01.2014	10.04.2014 <b>Application Permitted</b>	14/00086/FM	King's Lynn IDB Land East of Roundabout South of Middleton Stop Drain Queen Elizabeth Way King's Lynn Norfolk Construction of flood storage area (change of use from agricultural land) Amended Scheme	North Runcton
05.03.2014	02.05.2014 <b>Application Permitted</b>	14/00334/F	Mr Allen Sandford Woodlands Willow Drive West Winch King's Lynn Existing garage into kitchen for granny annex	North Runcton
21.03.2014	02.04.2014 <b>Application Permitted</b>	13/00284/NMA_2	Mr Carl Ringwood 1 Tyndale North Wootton King's Lynn Norfolk NON MATERIAL AMENDMENT TO PLANNING CONSENT 13/00284/F: construction of a two storey extension and internal alterations	North Wootton
21.03.2014	12.05.2014 <b>Application Permitted</b>	14/00444/F	Tony And Sarah Fleetwood And Bessey 8 Carlton Drive North Wootton King's Lynn Norfolk Proposed extension and alterations	North Wootton

07.09.2013	04.04.2014 <b>Application Refused</b>	13/01317/FM	Mr Paul Plumridge Wellington Lodge Farm Thetford Road Northwold Thetford Proposed change of use to 50 touring caravan site , 50 pitch camping site , new shop / office / function room / toilets and shower building with associated roads and parking etc	Northwold
03.03.2014	29.04.2014 <b>Application Permitted</b>	14/00315/F	G Garner 17 Church Lane Whittington King's Lynn Norfolk Conversion of existing outbuilding to a granny annexe	Northwold
07.03.2014	25.04.2014 <b>Application Permitted</b>	14/00353/F	Miss Cassandra Arbour 19 Normandy Close Northwold Thetford Norfolk Two storey extension to existing dwelling	Northwold
18.02.2014	23.04.2014 <b>Application Permitted</b>	14/00250/F	Mr Richard Pell Smugglers Cottage Waterworks Cottages Waterworks Road Old Hunstanton Side extension to dwelling house to create a larger sitting room. The extension will be single storey with a pitched roof.	Old Hunstanton

04.04.2014	02.05.2014 <b>Application Permitted</b>	12/01800/NMA_1	Mr Brian Coy 40 Old Hunstanton Road Old Hunstanton Hunstanton Norfolk Non-material amendment to planning permission 12/01800/F: removal of first floor window to bedroom 1 and replacement with decorative brick arrow slot	Old Hunstanton
03.01.2014	07.05.2014 <b>Application Permitted</b>	14/00012/F	Ms Carolyn Etherington 8 Churchfield Road Outwell Wisbech Norfolk Retention and completion of single storey storage building to rear	Outwell
10.03.2014	02.05.2014 <b>Application Permitted</b>	14/00361/F	Mr & Mrs G Mayer 18 Church Terrace Outwell Norfolk PE14 8RQ Ground floor extension to dwelling	Outwell
18.03.2014	09.05.2014 <b>Application Permitted</b>	14/00421/F	Mr And Mrs J Watts Land South of Kirton House Langhorns Lane Outwell Norfolk Construction of house and detached garage	Outwell
06.02.2014	17.04.2014 <b>Application Permitted</b>	14/00178/F	Premier Waterski School Toilet And Shower Block At Water Ski Club Pentney Lakes Common Road Pentney Replace existing toilet and shower block	Pentney



19.02.2014	07.04.2014 <b>Application Permitted</b>	14/00256/F	King's Lynn Indoor Bowls Club King's Lynn Indoor Bowls Club Narborough Road Pentney King's Lynn Retention of existing caravan for use as office/mess room for 1 no. on site day shift security guard /caravan park warden	Pentney
07.04.2014	09.05.2014 <b>Application Permitted</b>	14/00516/F	Mrs Fitt 14 Church Close Pentney King's Lynn Norfolk Single storey front extension to property	Pentney
21.02.2014	24.04.2014 <b>Application Permitted</b>	14/00273/F	Christina Thain 56 Peddars Way North Ringstead Norfolk PE36 5JP Construction of rear extension	Ringstead
25.02.2014	25.04.2014 <b>Application Permitted</b>	14/00284/F	Mr Clarke Lodge Farm Thornham Road Ringstead Hunstanton Single storey link extension and conversion of outbuilding	Ringstead

16.04.2014	07.05.2014 <b>Application Permitted</b>	13/00692/NMAM_2	Mehrang Ltd Land Adjacent A10 Southern Bypass (A1122) Downham Market Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 13/00692/FM: installation and operation of a solar farm and associated infrastructure, including PV panels, mounting frames, inverters, transformers, switchgear, fence and pole-mounted security cameras	Ryston
04.03.2014	02.05.2014 <b>Application Permitted</b>	14/00322/F	Mr & Mrs Hollingworth 1 Goodminns Estate Sedgeford Hunstanton Norfolk New porch with WC and garage conversion	Sedgeford
06.03.2014	02.05.2014 <b>Application Permitted</b>	14/00340/F	Clerk To Sedgeford Parish Council Village Hall Jarvie Close Sedgeford Norfolk Single storey extension to provide extra storage and a lounge for the village hall	Sedgeford
11.03.2014	02.05.2014 <b>Application Permitted</b>	14/00369/F	Mr Keith Dennis 4A West Hall Farm Barns Church Lane Sedgeford Norfolk Extension to existing dwelling	Sedgeford
13.01.2014	12.05.2014 <b>Application Permitted</b>	14/00037/F	Mr & Mrs Crane Snettisham House St Thomas Lane Snettisham Norfolk Loft conversion, sun room, summer house and garage building	Snettisham

07.02.2014	04.04.2014 <b>Application Permitted</b>	14/00197/F	Mr P Bradley Land East of 10 Station Road Snettisham Norfolk Proposed residential dwelling	Snettisham
26.02.2014	23.04.2014 <b>Application Refused</b>	14/00293/F	Mr And Mrs M Cosgrave 80 the Beach Shepherds Port Snettisham Norfolk Demolish existing flood damaged beach dwelling and replacement new beach dwelling	Snettisham
28.02.2014	06.05.2014 <b>Application Permitted</b>	14/00306/F	Mr Nigel Hale 1 Shepherds Port Road Shepherds Port Snettisham Norfolk Continued use of 2 caravans for holiday use only	Snettisham
19.03.2014	24.04.2014 <b>Householder Prior Approval NOT REQUIRED</b>	14/00013/PD	Mr And Mrs J Walker 39 Shelduck Drive Snettisham King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 5.1 metres with a maximum height of 3.4 metres and a height of 2.2 metres to the eaves	Snettisham
13.09.2013	04.04.2014 <b>Application Permitted</b>	13/01347/F	Lark Energy Leicester Square Farm Leicester Road South Creake Norfolk Removal of conditions 2, 3, 4 and 6 and variation of conditions 5, 7, 8 and 9 of planning consent 13/00336/FM: Installation of 26MW solar farm and associated infrastructure	South Creake

25.02.2014	22.04.2014 <b>Application Permitted</b>	14/00285/F	Mr And Mrs Malcolm Stuart 49 Bluestone Road South Creake Fakenham Norfolk First floor extension	South Creake
07.03.2014	02.05.2014 <b>Application Permitted</b>	14/00352/F	Mr A Zipfell Oldacres The Common South Creake Norfolk Raise existing roof to dwelling. Single storey extensions to provide utility, garage and entrance	South Creake
25.02.2014	23.04.2014 <b>Application Permitted</b>	14/00282/F	Client of Matt Gosling Architectural Design 21 Bracken Road South Wootton King's Lynn Norfolk Extension and conversion of garage to provide additional living accommodation	South Wootton
11.03.2014	02.05.2014 <b>Application Permitted</b>	14/00371/F	Mr And Mrs P Mitra Ty Lleud 7 Oxborough Drive South Wootton King's Lynn Construction of an extension	South Wootton
11.03.2014	02.05.2014 <b>Application Permitted</b>	14/00372/F	Mr And Mrs S Ross Cattistock 83 Nursery Lane South Wootton Norfolk Construction of an extension and alterations	South Wootton
21.03.2014	06.05.2014 <b>Application Permitted</b>	14/00440/F	Clients of W R Skipper Architecture 3 Pretoria Grove South Wootton King's Lynn Norfolk Rear single storey extension to dwelling	South Wootton

28.01.2014	04.04.2014 <b>Not Lawful</b>	14/00130/LDE	Mr And Mrs Love The Piggery North West of Farthing Drove Southery Downham Market Lawful Development Application: The use of a structure as a dwelling for a period in excess of four years	Southery
10.02.2014	01.05.2014 <b>Application Permitted</b>	14/00209/F	A L Legge & Son Ltd 27 Lynn Road Southery Downham Market Norfolk Construction of four houses following demolition of existing bungalow	Southery
24.03.2014	23.04.2014 <b>Application Permitted</b>	09/00427/NMA_2	A Sharman & Sons Land South of 11 Common Lane Southery Norfolk Non-material amendment to planning permission 09/00427/F: Alteration and extension to end terrace dwelling to provide a new two storey dwelling	Southery
17.02.2014	11.04.2014 <b>Application Permitted</b>	14/00245/F	Mr Henry Pryer The Hamlet Greatmans Way Stoke Ferry King's Lynn REMOVAL OF CONDITION 1 ATTACHED TO PLANNING PERMISSION 2/85/3931/D: Erection of agricultural bungalow	Stoke Ferry
10.03.2014	25.04.2014 <b>Application Permitted</b>	14/00360/F	Mr & Mrs R McKenny Furlong Cottage 2 Furlong Road Stoke Ferry King's Lynn Single storey rear extension to dwelling	Stoke Ferry

14.03.2014	06.05.2014 <b>Application Permitted</b>	14/00402/O	Mr John Teasdale The Willows Greatmans Way Stoke Ferry King's Lynn Outline Application: Site for construction of a dwelling	Stoke Ferry
18.03.2014	06.05.2014 <b>Application Permitted</b>	14/00422/F	Mr And Mrs P Lovick 7 Furlong Drove Stoke Ferry King's Lynn Norfolk Front single storey extension	Stoke Ferry
19.03.2014	06.05.2014 <b>Application Permitted</b>	14/00430/F	Mr & Mrs Ferrie 2 Oak Road Stoke Ferry King's Lynn Norfolk Single storey extension to dwelling	Stoke Ferry
02.12.2013	06.05.2014 <b>Application Permitted</b>	13/01757/F	Mr Barry Convoy Prestbury House Cuckoo Road Stow Bridge King's Lynn Proposed stable block and yard	Stow Bardolph
05.02.2014	29.04.2014 <b>Application Permitted</b>	14/00177/F	Stow Bridge Village Hall And Playing Fields Committee Village Hall Holme Road Stow Bridge King's Lynn Retention and completion of installation of 2 mobile classrooms and 1 storage container	Stow Bardolph
04.03.2014	29.04.2014 <b>Application Permitted</b>	14/00320/O	Mr C Millichip Proposed Two Dwellings West of the Stores 15 - 16 Ashside Syderstone Norfolk Outline application: Proposed residential development	Syderstone



04.03.2014	01.05.2014 <b>Application Permitted</b>	14/00328/F	Mr And Mrs C Little 1 Robinia Court Mill Lane Syderstone Norfolk Extensions to side and rear of dwelling	Syderstone
20.02.2014	10.04.2014 <b>Application Permitted</b>	14/00263/F	Mr & Mrs Eddie Parsons 115 Station Road Terrington St Clement King's Lynn Norfolk Two storey side extension	Terrington St Clement
05.03.2014	28.04.2014 <b>Application Permitted</b>	13/01312/NMA_1	Mrs Sarah Mills Waterside New Common Marsh Terrington St Clement Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 13/01312/F: 2 storey extension to existing dwelling	Terrington St Clement
25.03.2014	08.05.2014 <b>Would be Lawful</b>	14/00459/LDP	Mr And Mrs Funnell 10 Cobbs Hill Terrington St Clement King's Lynn Norfolk Lawful Development Application: Rear single storey extension to dwelling	Terrington St Clement
17.04.2014	22.04.2014 <b>Application Permitted</b>	12/00199/NMA_1	Mr Ben Human Plots 1, 2 And 3 73 Sutton Road Terrington St Clement King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT 12/00199/F: Erection of three dwellings and associated works following the demolition of the existing bungalow	Terrington St Clement

29.01.2014	10.04.2014 <b>Split Decision - Part approve_refuse</b>	14/00132/A	Mr & Mrs Bisla Costcutters Main Road Terrington St John Norfolk 4 non-illuminated signs, 3 externally illuminated fascia signs and 1 externally illuminated hanging sign for local village shop all within shop premises/building	Terrington St John
27.02.2014	01.05.2014 <b>Application Permitted</b>	14/00296/F	Coopers Tankers Middlegate Main Road Terrington St John Wisbech Construction of tank bund for storage tanks and change of use of existing hardstanding area for access to bunded area	Terrington St John
17.03.2014	09.05.2014 <b>Application Permitted</b>	14/00409/F	C/o Agent Russell Lodge 40 Old Church Road Terrington St John Wisbech Extension to dwelling creating spa therapy treatment area, workshop and open car port with entertainment room and office to the upper floor areas	Terrington St John
21.01.2014	25.04.2014 <b>Application Refused</b>	14/00087/F	Mr John Lomax The Coal Barn Staithe Lane Thornham Norfolk Conversion of barn from art studio to dwelling-house	Thornham
03.02.2014	07.04.2014 <b>Application Permitted</b>	14/00162/F	The Village Deli Thornham Ltd Thornham Village Stores High Street Thornham Hunstanton Extension to existing retail and cafe at ground floor with office above	Thornham

24.02.2014	17.04.2014 <b>Application Permitted</b>	14/00276/F	Mr And Mrs William Rose Sea Holly Church Street Thornham Norfolk Demolition of existing bungalow and erection of 2No. 3 bedroom semi-detached houses	Thornham
05.03.2014	01.05.2014 <b>Application Permitted</b>	14/00333/F	S & H Clarke The Willows Cottage Hall Lane Thornham Hunstanton Variation of condition 3 of planning permission 13/00225/F	Thornham
07.03.2014	24.04.2014 <b>Application Permitted</b>	14/00351/F	Clients of Bix Planning Ltd The Orchard Hall Lane Thornham Hunstanton Addition of a first floor to existing bungalow to create a two storey dwelling, with single storey extensions to the rear and front storm porch	Thornham
27.03.2014	24.04.2014 <b>Application Permitted</b>	13/01254/NMA_1	Mr Jeremy Cave Elm End High Street Thornham Hunstanton Non-Material amendment to planning permission 13/01254/F: New dwelling to replace existing dwelling	Thornham
10.02.2014	09.04.2014 <b>Would be Lawful</b>	14/00202/LDP	Mr D Bee 195 School Road Tilney St Lawrence King's Lynn Norfolk Certificate of Lawfulness: Proposed caravan to provide additional accommodation for the applicants family member for an indefinite period	Tilney St Lawrence

12.02.2014	09.04.2014 <b>Application Refused</b>	14/00226/F	Mr J Wheals The Hollies New Road Tilney St Lawrence King's Lynn Removal of condition 2 of planning permission 2/03/1077/F	Tilney St Lawrence
19.02.2014	24.04.2014 <b>Application Withdrawn</b>	14/00258/F	Wayne & Tori Desborough & Twite 2 Islington Hall Cottages Islington Green Tilney All Saints King's Lynn Construction of workshop/car port	Tilney St Lawrence
12.03.2014	06.05.2014 <b>Application Permitted</b>	14/00385/F	Mr J Ward Chase Farm 117 Spice Chase Tilney St Lawrence King's Lynn Proposed replacement sun lounge to rear of dwelling	Tilney St Lawrence
13.03.2014	07.04.2014 <b>Application Permitted</b>	13/00508/NMA_1	Mr A Wood Marsh View Cottage Main Road Titchwell King's Lynn Non-material amendment to planning permission 13/00508/F: First and Second Floor Extension (Revised Design).	Titchwell
28.02.2014	25.04.2014 <b>Application Permitted</b>	14/00302/F	Mrs Justine Watts 176 New Road Upwell Wisbech Norfolk Chalet extension to existing bungalow including replacement of existing bungalow roof	Upwell

10.03.2014	02.05.2014 <b>Application Permitted</b>	14/00355/F	Mr G West Land Adjoining the Sixteen Foot Bank Road Upwell Norfolk Retrospective planning application for work undertaken on surfacing existing grass agricultural road way and access to the Sixteen Foot Bank road	Upwell
17.03.2014	09.05.2014 <b>Application Permitted</b>	14/00410/F	Mr R Lister Lode Orchard 57 Small Lode Upwell Wisbech Build an extension	Upwell
24.03.2014	12.05.2014 <b>Application Permitted</b>	14/00457/F	Mr And Mrs S Moate Fen Farm Squires Drove Three Holes Wisbech Alterations and extension to existing house	Upwell
07.10.2013	10.04.2014 <b>Application Permitted</b>	13/01467/F	Mr C Chapman Missbe-Haven The Marsh Walpole St Andrew Wisbech Completion and retention of triple stable, hardstanding and access	Walpole
17.02.2014	11.04.2014 <b>Application Permitted</b>	14/00242/O	Mr J Ridout Land Adj To Elm House Chalk Road Walpole St Peter Outline application: Construction of two dwellings	Walpole
21.02.2014	11.04.2014 <b>Application Permitted</b>	14/00271/RM	P Clayton Peek A Boo Barn The Marsh Walpole St Andrew Wisbech Reserved Matters Application: Demolition of existing bungalow and construction of dwelling	Walpole

18.03.2014	28.04.2014 <b>Would be Lawful</b>	14/00415/LDP	Dr Peter Godbehere Eastcroft Wisbech Road Walpole St Andrew Wisbech CERTIFICATE OF LAWFULNESS: To remove the pool from the annexe to form a large open plan room	Walpole
11.04.2014	15.05.2014 <b>Application Permitted</b>	14/00550/F	Mr And Mrs G Hart Caxton House Chalk Road Walpole St Peter Norfolk Construction of detached garage with room over and carport	Walpole
06.03.2014	02.05.2014 <b>Application Permitted</b>	14/00343/F	Mr And Mrs Robertson 76 Station Road Walpole Cross Keys King's Lynn Norfolk Two storey extension to detached residential dwelling	Walpole Cross Keys
12.03.2014	23.04.2014 <b>Consent Required</b> <b>Not</b>	14/00382/AG	H Melton & Son Pear Tree Farm Mill Road Walpole Highway Wisbech Erection of a new building for the storage of crops	Walpole Highway
17.03.2014	14.05.2014 <b>Application Refused</b>	14/00407/F	Miss Jade Baty Blythe Cottage Ratten Row Walpole Highway Norfolk Proposed demolition of dilapidated agricultural shed with replacement of a new dwelling	Walpole Highway



09.12.2013	03.04.2014 <b>Application Permitted</b>	13/01794/F	Mr John Stratton Maipop Farm Biggs Road Walsoken Norfolk Extension to existing butchery to create farm shop, additional agricultural building and stockmans accomodation, additional polytunnel and smokehouse	Walsoken
19.02.2014	11.04.2014 <b>Application Refused</b>	14/00260/O	Mr And Mrs I M Chase Adjacent To Coppers Nook S-Bend Lynn Road Walsoken Outline application with some matters reserved for a residential building plot	Walsoken
24.02.2014	23.04.2014 <b>Application Permitted</b>	14/00281/F	Mr & Mrs Edwards Land To Rear of 31 Burrettgate Road Walsoken Wisbech Extension to existing manege	Walsoken
26.02.2014	23.04.2014 <b>Application Permitted</b>	14/00292/F	Mr R & Mrs D Edwards Land To the Rear of 31 Burrettgate Road Walsoken Wisbech APPLICATION FOR REMOVAL OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 05/01708/F: Construction of stable block and haybarn to rear	Walsoken
03.03.2014	08.05.2014 <b>Application Permitted</b>	14/00314/FM	Mr G And Mrs V Norris Land 400M N of Wheatley Bank Farmhouse Wheatley Bank Walsoken Norfolk Proposed use of fruit farm as livery yard including the construction of stables, barn and horse walker	Walsoken

03.03.2014	29.04.2014 <b>Application Permitted</b>	14/00319/F	Mr G And Mrs V Norris Land 400M N of Wheatley Bank Farmhouse Wheatley Bank Walsoken Norfolk Site managers caravan to support livery stables	Walsoken
04.03.2014	29.04.2014 <b>Application Permitted</b>	14/00323/F	Mr G And Mrs V Norris Land 400M N of Wheatley Bank Farmhouse Wheatley Bank Walsoken Norfolk Manege (riding school) to support livery stables	Walsoken
05.03.2014	02.05.2014 <b>Application Permitted</b>	14/00337/F	Mr J R Apicella The Cottage Wilkins Road Walsoken Wisbech Extension and alterations to dwelling	Walsoken
07.03.2014	06.05.2014 <b>Application Permitted</b>	14/00349/F	Mr P Finch 83 Broadend Road Walsoken Norfolk Retention of mobile home and 3 new polytunnels	Walsoken
17.03.2014	13.05.2014 <b>Application Permitted</b>	14/00411/F	Mr E A Gentile White House Waterlees Road Walsoken Norfolk Motor home port and BBQ shelter with pizza oven	Walsoken
17.03.2014	07.05.2014 <b>Application Refused</b>	14/00468/LDE	Mr Rodney Wilson 81 Broadend Road Walsoken Norfolk PE14 7BQ Lawful Development Certificate - Existing use as dwelling and residential garden	Walsoken

12.03.2014	01.05.2014 <b>Application Permitted</b>	14/00386/O	Mr R Bruce 1 Thieves Bridge Road Watlington King's Lynn Norfolk Outline Application: Construction of one dwelling and associated access	Watlington
27.03.2014	02.05.2014 <b>Householder Prior Approval NOT REQUIRED</b>	14/00014/PD	Paul Fox Fish Tales New Road Welney Norfolk Single storey rear extension which extends beyond the rear wall by 4.36 metres with a maximum height of 3.37 metres and a height of 2.15 metres to the eaves	Welney
25.02.2014	10.04.2014 <b>Application Permitted</b>	14/00286/F	Mr Ian Fisher Mulberry Cottage Back Lane Wereham King's Lynn Single storey extension to dwelling (re-submission of 10/01616/F and 10/01618/CA)	Wereham
24.03.2014	25.04.2014 <b>Consent Not Required</b>	14/00452/AG	Mr & Mrs R W & C S Mellor Grange Farm Lynn Road Crimpleham Norfolk AGRICULTURAL PRIOR NOTIFICATION: Erection of steel portal frame building to store produce grown on the farm	West Dereham
20.11.2013	07.04.2014 <b>Application Permitted</b>	13/01698/F	West Rudham Parish Council Recreation Ground School Road East Rudham Norfolk Proposed demolition of existing pavilion and construction of new pavilion	West Rudham

10.02.2014	15.05.2014 <b>Application Refused</b>	14/00205/F	Mr Trevor Harrison Salts Road West Walton Norfolk PE14 7EE Development of existing industrial site/part paddock into residential providing 7 properties	West Walton
12.02.2014	24.04.2014 <b>Application Permitted</b>	14/00225/F	Worzals Farm Shop Worzals Farm Shop Lynn Road Walsoken Norfolk Proposed extension to front of existing garden centre to create improved frontage and covered lobby entrance	West Walton
27.02.2014	23.04.2014 <b>Application Permitted</b>	14/00300/F	Mr S McKenna Oak Lodge Mill Road West Walton Wisbech Demolition of existing conservatory and rebuild single storey conservatory and porch	West Walton
28.02.2014	25.04.2014 <b>Application Permitted</b>	14/00303/F	Mr P Dawson Ivy House Common Road Walton Highway Norfolk Self contained annex ancillary to the main dwelling house (revised design to application 13/01470/F)	West Walton
06.03.2014	06.05.2014 <b>Application Permitted</b>	14/00344/F	Mr Paul Freeman 110 St Pauls Road South Walton Highway Norfolk PE14 7DD Proposed rear single storey extension and first floor extension	West Walton

18.03.2014	09.05.2014 <b>Application Permitted</b>	14/00420/F	Cookes Renewable Energy The Poplars Lynn Road Walton Highway Norfolk Retention of a 10kW solar PV ground array adjacent to an existing 50kW ground array	West Walton
21.02.2014	10.04.2014 <b>Application Permitted</b>	14/00275/F	Mr G Suiter Barn Adjacent 19 Silvertree Way West Winch King's Lynn VARIATION OF CONDITION NO.2 ATTACHED TO PLANNING PERMISSION 13/01650/F: Conversion of barn adjacent to 19 silvertree way into dwelling	West Winch
19.03.2014	14.05.2014 <b>Application Permitted</b>	14/00428/F	Mr & Mrs G Daw 21 Gravelhill Lane West Winch King's Lynn Norfolk First floor extension and alterations to dwelling	West Winch
04.03.2014	25.04.2014 <b>Application Permitted</b>	14/00324/F	Mr & Mrs Ash St Marys Lodge 29 Church Road Wiggenhall St Mary the Virgin Norfolk Proposed new garden room - single storey lean to extension	Wiggenhall St Germans
21.03.2014	08.05.2014 <b>Application Refused</b>	14/00445/F	Mrs C Chenery 19 Mill Road Wiggenhall St Germans King's Lynn Norfolk Change of use from residential annexe to independent unit of residential accommodation. No physical alterations proposed	Wiggenhall St Germans

17.02.2014	11.04.2014 <b>Application Refused</b>	14/00243/F	Mr & Mrs F Harnell 8 Church Road Wimbotsham King's Lynn Norfolk Construction of one dwelling and a garage for the existing dwelling, following demolition of existing outbuildings	Wimbotsham
04.03.2014	23.04.2014 <b>Application Permitted</b>	14/00329/F	Mr D Redman Castle Dene Castle Road Wormegay King's Lynn Construction of garage with games room above (amended design)	Wormegay



## PLANNING COMMITTEE

**- PLANNING ENFORCEMENT REPORT -****1.0 PURPOSE OF REPORT**

- 1.1 This report provides Members with an update on service performance for planning enforcement during the first quarter of 2014 (01 January 2014 to 31 March 2014).

**2.0 PLANNING ENFORCEMENT SERVICE PERFORMANCE**

- 2.1 Set out below is a breakdown of figures in relation to received, closed and live cases:

Number of received general cases*	155
Number of received monitoring cases	0
Number of received S106 monitoring cases	32

**Total received cases** **187**

Number of closed general cases*	161
Number of closed monitoring cases	0
Number of closed S106 monitoring cases	30

**Total closed cases** **191**

Number of live general cases*	217
Number of live monitoring cases	2
Number of live S106 monitoring cases	14

**Total live cases\*** **233**

(\*Includes High Hedge cases)

- 2.2 It is noteworthy that whilst there has been a slight reduction in the total number of live cases since the end of last year (fourth quarter of 2013), the number of cases received has been relatively high compared to the first quarters in 2013 and 2012, which were 145 and 165 respectively. The S106 Monitoring Officer is continuing to backdate and update files onto CAPS, which means that until this work is fully complete the S106 monitoring case figures will fluctuate.
- 2.3 Please see Appendix 1 for a copy of the evolving live case list as produced on 20 May 2014.

- 2.4 Below is a breakdown of all 191 closed cases during the first quarter, including the reason for closure.

<b>Reason</b>	<b>Count</b>
Case Closed	5
Conditions Discharged	2
De minimis	11
Delegated Authority - no further action	15
No breach established	44
Notice issued - complied	6
Permitted development	19
Planning App Approved	30
Prosecution	1
Referred to other service	4
Remedied following informal action	29
S106 Agreement Discharged	1
S106 Obligation(s) Complied With	4
Use/operational development lawful	20
<b>Total</b>	<b>191</b>

- 2.5 The number of planning applications approved and breaches remedied following informal action remains consistently high, which is considered to be a positive reflection of the operation of the section.

- 2.6 During the first quarter the following formal notices were served:

<b>Notice</b>	<b>Count</b>
Enforcement Notice	8
Listed Building Enforcement Notice	1
Planning Contravention Notice	5
Requisition for Information	0
Breach of Condition Notice	3
Stop Notice (excluding Temporary Stop Notice)	0
Temporary Stop Notice	0
Enforcement Injunction granted	0
Section 215 Notice	1
High Hedge Remedial Notice	0
<b>Total</b>	<b>18</b>

### **3.0 SETTLEMENT OUT OF COURT**

3.1 BCKLWN v Curson, Curson & Worzal's Farm Shop Ltd

3.2 This case concerned the unauthorised display of an advertisement. Following a period of negotiation the contraveners removed the advertisement, settled the Council legal and officers costs and accepted a formal caution.

### **4.0 PROSECUTION**

4.1 BCKLWN v Monen

4.2 This case concerned the failure to comply with a Planning Contravention Notice. On the 20 February 2014, the King's Lynn Magistrates Court found Mr Monen guilty of failing to comply with a PCN served by the Council. He was given a 3 year conditional discharge and ordered to pay costs of £1,015.00. Mr Monen has appealed against the decision.

### **5.0 RECOMMENDATION**

5.1 That this report is noted.

**Case Officer:** Mr N Langley, Team Leader - Enforcement 📞 (01553) 616449.

## Appendix 1

Priority	Parish	Date	Reference	Site	Breach	Status
P2		01-Jun-10	10/00188/UNAUTU	Evergreen Sheds 91 Railway Road Downham Market Norfolk PE38 9EN	alleged unauthorised change of use	DC Application Submitted
P2		26-Oct-10	10/00487/UNTIDY	Former Chapel And Sunday School Downham Road Fincham PE33 9HF	alleged untidy land	Notice Issued
P2		19-Nov-13	13/00662/UNAUTU	Nch Action For Children Marsh House Marsh Lane King's Lynn Norfolk PE30 3AE	alleged unauthorised use	DC Application Submitted
P3		11-Jun-07	07/00189/UWCA	29 Norfolk Street King's Lynn Norfolk PE30 1AL	Alleged unauthorised change of roof materials and addition of UPVC replacement windows in conservation area	Notice Issued
		04-Dec-13	13/00699/S106	Land Adjacent 83 Chapel Road Terrington St Clement Norfolk	Section 106 Monitoring	Notice Issued
P2	Bircham	01-Oct-10	10/00453/BOC	Moor Farm Barn Docking Road Great Bircham Norfolk PE31 6QP	Alleged breach of condition 5 of planning permission 2/03/1638/CU	Notice Issued

P2	Bircham	24-Jan-11	11/00053/BOC	Moor Farm Stables Docking Road Great Bircham King's Lynn Norfolk PE31 6QP	Alleged Failure to discharge conditions prior to occupation - 08/01529/F	Notice Issued
P3	Boughton	13-Mar-14	14/00150/UNOPDE	Liquid Storage Tanks North of Field Barn Farm Oxborough Road Boughton Norfolk	alleged unauthorised operational development	Pending Consideration
	Brancaster	28-Feb-14	14/00124/S106	2 Gate Cottages Dalegate Road Brancaster Norfolk PE31 8AG	Section 106 Monitoring	Notice Issued
P2	Burnham Market	22-Aug-13	13/00485/S106	Whiteway Farm Whiteway Road Burnham Market King's Lynn Norfolk PE31 8DJ	Section 106 Monitoring	Notice Issued
P2	Burnham Market	28-Feb-14	14/00114/S106	Delanoix House 11 Ulph Place Burnham Market Norfolk PE31 8HQ	Section 106 Monitoring	Notice Issued
P3	Burnham Overy	28-Sep-11	11/00516/UNOPDE	The Moorings Tower Road Burnham Overy Staithe King's Lynn Norfolk PE31 8JB	Unauthorised Landing Stage/platform	Pending Consideration
P3	Burnham Overy	25-Jul-12	12/00368/UNOPDE	The Moorings Tower Road Burnham Overy Staithe King's Lynn Norfolk PE31 8JB	alleged unauthorised decking walkway	Pending Consideration
P2	Clenchwarton	15-Oct-12	12/00497/UNAUTU	Land At Main Road Clenchwarton Norfolk PE34 4BQ	Without planning permission, the unauthorised change of use of the Land for the siting of a caravan used for residential purposes	Pending Consideration

P3	Clenchwarton	18-Jul-12	12/00354/UNTIDY	The Former Fosters Sports Pavilion 105 Ferry Road Clenchwarton King's Lynn Norfolk PE34 4BP	alleged property adversely affecting the amenity of the neighbourhood	Notice Issued
P3	Congham	29-May-13	13/00291/UNAUTU	Wood Farm Cottage Lynn Road Hillington King's Lynn Norfolk PE31 6BZ	Alleged unauthorised works to old stable block to create 1 bed home	Pending Consideration
P3	Denver	31-May-13	13/00301/UNAUTU	Denver Golf Centre Sluice Road Denver Norfolk PE38 0DZ	alleged unauthorised pond	Pending Consideration
P3	Denver	25-Feb-14	14/00104/UNOPDE	Fir Tree Farm 110 Sluice Road Denver Downham Market Norfolk PE38 0DZ	alleged unauthorised operational development	Pending Consideration
P3	Denver	13-May-14	14/00257/BOC	Fishing Lodges At Hall Field Ely Road Denver Norfolk PE38 0HH	alleged breach of condition	Pending Consideration
P3	Denver	16-May-14	14/00261/BOC	Land Adjacent Farm Shop Downham Market Bypass Denver Downham Market Norfolk	alleged breach of condition relating to planning permission 04/00696/RM	Pending Consideration
P2	Dersingham	04-Apr-12	12/00172/UNOPDE	Life Wood Hunstanton Road Dersingham Norfolk	Alleged unauthorised large structure being erected in wood	Pending Consideration
P3	Dersingham	10-Oct-13	13/00612/UNOPDE	2 Manor Road Dersingham King's Lynn Norfolk PE31 6LD	alleged unauthorised operational development	Pending Consideration



P3	Dersingham	27-Feb-14	14/00110/UADV	Advertisements On Roadside Dersingham Bypass Dersingham Norfolk	alleged unauthorised adverts on roadside between Wolferton and Heacham	Pending Consideration
P1	Downham Market	02-Aug-11	11/00390/S106	Beech House Snape Lane Downham Market Norfolk PE38 9JH	Monitoring - Section 106 Agreement	Notice Issued
P2	Downham Market	19-Sep-13	13/00558/UADV	Land East of 35 Railway Road Downham Market Norfolk	alleged unauthorised signage	Pending Consideration
P2	Downham Market	02-Oct-13	13/00590/UNAUTU	The Quality 4x4 Sales 91 Railway Road Downham Market Norfolk PE38 9EP	Without planning permission, the material Change of Use of the Land from car sales and light van hire to a mixed use as a commercial car park, a car valeting service, the assembly and sale of garden buildings, the provision of general storage, a vehicle r	Notice Issued
P2	Downham Market	27-Jan-14	14/00052/BOC	Amenity Area Opposite 81 Rosemary Way Downham Market Norfolk	alleged breach of condition	Pending Consideration
P2	Downham Market	28-Jan-14	14/00054/UNAUTU	23 Glebe Road Downham Market Norfolk PE38 9QJ	Alleged unauthorised use	Pending Consideration
P2	Downham Market	25-Feb-14	14/00103/BOC	Land Adjacent To 100 Lynn Road Downham Market Norfolk	alleged breach of condition	Pending Consideration

P2	Downham Market	14-Mar-14	14/00152/S106	Meadowfields Greenwich Close Downham Market Norfolk PE38 9TW	Section 106 Monitoring	Notice Issued
P2	Downham Market	11-Apr-14	14/00217/UNAUTU	Styles Cottage 115 Broomhill Downham Market Norfolk PE38 9QU	alleged unauthorised use	Pending Consideration
P3	Downham Market	22-May-12	12/00242/S106	Land And Buildings On the South Side of Railway Road Downham Market Norfolk PE38 9EL	Monitoring - Section 106	Notice Issued
P3	Downham Market	27-Jun-12	12/00305/S106	Williams Refrigeration Ltd Bennett Street Downham Market Norfolk PE38 9EE	S106-Monitoring	Notice Issued
P3	Downham Market	30-Aug-12	12/00409/S106	Street Record Bexwell Road Downham Market Norfolk	S106-Monitoring	Notice Issued
P3	Downham Market	26-Sep-12	12/00479/BOC	Land East of Lancaster Crescent Lancaster Crescent Downham Market Norfolk	alleged unauthorised breach of condition relating to condition 7 on Planning Approval 08/00122/FM	Pending Consideration
P3	Downham Market	01-May-13	13/00229/UNTIDY	The Willows Brickfields Lane Downham Market Norfolk PE38 9ED	alleged untidy land	Notice Issued
P4	Downham Market	25-Mar-14	14/00175/UNAUTU	172A Broomhill Downham Market Norfolk PE38 9QY	alleged unauthorised use	Pending Consideration

P3	Downham West	08-Jan-13	13/00003/UNTIDY	Bank Farm House Downham Road Salters Lode Norfolk PE38 0AZ	alleged untidy land	Pending Consideration
P2	East Rudham	07-Aug-13	13/00430/UNAUTU	Pooleys Corner The Green East Rudham Norfolk PE31 8RD	alleged unauthorised use	Pending Consideration
P3	East Rudham	29-Aug-12	12/00399/UNTIDY	Church Cottage Fakenham Road East Rudham King's Lynn Norfolk PE31 8QZ	alleged untidy land	Notice Issued
P2	East Winch	23-Jan-12	12/00053/UNAUTU	Old Station Yard Gayton Road East Winch Norfolk PE32 1LG	alleged unauthorised use	Pending Consideration
P3	East Winch	07-Aug-13	13/00431/UNAUTU	South of Broadwater Lane Gayton Norfolk PE32 1QP	alleged unauthorised use	Pending Consideration
P3	East Winch	10-Mar-14	14/00134/UNAUTU	Land At Ashwicken Road East Winch Norfolk	alleged unauthorised use	Pending Consideration
P3	East Winch	29-Apr-14	14/00226/UNOPDE	W W S Tarpaulins Gayton Road East Winch Norfolk PE32 1LQ	alleged unauthorised operational development	Pending Consideration
P2	Emneth	07-Mar-11	11/00126/UNTIDY	54-56 Ladys Drove Emneth Wisbech Norfolk PE14 8DF	Alleged untidy land having an adverse impact on the amenity	Notice Issued

P2	Emneth	28-May-13	13/00280/BOC	Oxburgh Hall Meadowgate Lane Emneth Wisbech Norfolk PE14 ODS	Alleged breach of condition relating to 06/01568/F	Pending Consideration
P2	Emneth	06-Sep-13	13/00511/BOC	Featheredge 51 Mill Road Emneth Norfolk PE14 8AE	alleged breach of condition(s) relating to planning reference 09 00329/F	Pending Consideration
P2	Emneth	24-Sep-13	13/00564/UADV	Unauthorised Advertisements A47 Walsoken	alleged unauthorised adverts	Pending Consideration
P2	Emneth	28-Feb-14	14/00117/S106	Netherby 131 Elm High Road Emneth Wisbech Norfolk PE14 ODP	Section 106 Monitoring	Notice Issued
P2	Emneth	09-May-14	14/00250/UNAUTU	75 Ladys Drove Emneth Wisbech Norfolk PE14 8DF	alleged unauthorised use	Pending Consideration
P3	Feltwell	17-Feb-14	14/00080/HEDGE	Street Record Corkway Drove Feltwell Norfolk	alleged removal of a hedge	Pending Consideration
P2	Fincham	12-May-14	14/00252/BOC	Fairswell Manor Main Road Fincham King's Lynn Norfolk PE33 9ET	alleged breach of condition relating to 09/00594/F	Pending Consideration
P2	Gayton	11-Apr-14	14/00211/UNAUTU	The White House Lynn Road Gayton King's Lynn Norfolk PE32 1QJ	alleged unauthorised use	Pending Consideration

P2	Great Massingham	20-Nov-13	13/00679/S106	The Surgery Station Road Great Massingham King's Lynn Norfolk PE32 2JJ	Section 106 Monitoring	Notice Issued
P3	Great Massingham	26-Oct-12	12/00519/UNTIDY	7 - 8 Rectory Row Sandy Lane Great Massingham King's Lynn Norfolk PE32 2EZ	Alleged untidy land	Pending Consideration
P2	Grimston	23-Nov-12	12/00565/UNAUTU	Ramblewood Farm Cliffe En Howe Road Pott Row Norfolk PE32 1BY	Breach of condition attached planning permission 10/01544/F	Pending Consideration
P2	Grimston	20-Nov-13	13/00680/S106	The Bungalow Tithe Farm Broad Drove Grimston Norfolk PE32 1QG	Section 106 Monitoring	Notice Issued
P2	Harpley	28-Feb-14	14/00115/S106	Lower Farm Back Street Harpley King's Lynn Norfolk PE31 6TU	Section 106 Monitoring	Notice Issued
P2	Heacham	30-Jul-12	12/00373/UNOPDE	Land On the East Side of Unit 1 3B South Beach Heacham King's Lynn Norfolk PE31 7LH	Without planning permission, the unauthorised construction of an inspection chamber, concrete pad/base, with the installation of drainage, water supply, conduit and a utility box on the Land.	Notice Issued
P3	Heacham	08-Jan-14	14/00008/UNAUTU	Rhino Sheds Dairy Farm School Road Heacham Norfolk	alleged unauthorised use	Pending Consideration

P3	Heacham	10-Apr-14	14/00206/UNAUTU	Heacham Manor Hunstanton Road Heacham Norfolk	alleged unauthorised use	DC Application Submitted
P2	Hilgay	25-Mar-14	14/00167/BOC	Dents Hilgay Farm Shop & Garden Centre Steels Drove Hilgay Norfolk PE38 0QH	alleged breach of condition attached to 12/01331/F	Pending Consideration
P3	Hilgay	08-Jan-13	13/00005/UNAUTU	Blackberry Barn Ely Road Hilgay Downham Market Norfolk PE38 0HL	alleged unauthorised use	Pending Consideration
P3	Hilgay	08-Apr-14	14/00197/UNOPDE	Orchard House Church Road Ten Mile Bank Norfolk PE38 0EJ	alleged unauthorised operational development	Pending Consideration
P2	Hillington	26-Mar-14	14/00188/UWLB	The Old School House Station Road Hillington King's Lynn Norfolk PE31 6DE	alleged unauthorised works to a Listed Building	Pending Consideration
P2	Hockwold cum Wilton	05-Aug-13	13/00404/UNOPDE	Land NW of Wilton Bridge Station Road Hockwold cum Wilton Norfolk	alleged unauthorised access road	Pending Consideration
P2	Hockwold cum Wilton	19-Feb-14	14/00093/UDCA	The Cottage 19 Nursery Lane Hockwold cum Wilton Norfolk IP26 4ND	alleged unauthorised demolition in a Conservation Area	Pending Consideration
P2	Hunstanton	20-Aug-13	13/00458/BTCA	Flat 1 13 Austin Street Hunstanton Norfolk PE36 6AJ	alleged breach on tree in a conservation area	Pending Consideration



P2	Hunstanton	13-May-14	14/00256/BOC	Tudor Rose Residential Home 28 Northgate Hunstanton Norfolk PE36 6AP	alleged breach of condition	Pending Consideration
P3	Hunstanton	05-Mar-13	13/00123/UNOPDE	31 Sandringham Road Hunstanton Norfolk PE36 5DR	alleged unauthorised operational development	Pending Consideration
P3	Hunstanton	02-Oct-13	13/00594/UNOPDE	Ocean View 66 Northgate Hunstanton Norfolk PE36 6DS	alleged unauthorised operational development	Pending Consideration
P3	Hunstanton	29-Nov-13	13/00695/UNOPDE	3 Victoria Avenue Hunstanton Norfolk PE36 6BY	alleged unauthorised operational development	Pending Consideration
P3	Hunstanton	01-Apr-14	14/00218/UWCA	The Marine Hotel 10 St Edmunds Terrace Hunstanton Norfolk PE36 5EH	alleged unauthorised works in a conservation area	Pending Consideration
P3	Hunstanton	07-May-14	14/00243/UNAUTU	Hunstanton Ski Club South Beach Road Hunstanton Norfolk	alleged unauthorised use	Pending Consideration
P3	Ingoldisthorpe	28-Jun-12	12/00316/UNAUTU	Oak Farm Nurseries Oak Farm The Drift Ingoldisthorpe Norfolk PE31 6NW	Alleged unauthorised residential use of site	DC Application Submitted
P1	King's Lynn	27-Aug-10	10/00351/UNTIDY	Blacksmiths Cottage 1B Blackfriars Road King's Lynn Norfolk PE30 1NR	Alleged derelict land and building/s detrimental to visual amenity of the area	Pending Consideration

P2	King's Lynn	30-Sep-10	10/00431/UWCA	Family Support Centre Church Lane King's Lynn Norfolk PE30 5AE	Alleged replacement windows without consent	Notice Issued
P2	King's Lynn	17-Mar-11	11/00155/UNOPDE	18 North Everard Street King's Lynn Norfolk PE30 5HQ	Without planning permission, the installation of Un-Plasticised Polyvinyl Chloride (UPVC) windows and door	Pending Consideration
P2	King's Lynn	28-Jun-11	11/00342/BOC	Phase 3 Land West of Anthony Nolan Road King's Lynn Norfolk	Breach of conditions 4 and 5 attached to 07/01704/RMM and 07/01620/RMM	Pending Consideration
P2	King's Lynn	14-Nov-11	11/00615/UNOPDE	15A St James Street King's Lynn Norfolk PE30 5DA	Alleged unauthorised satellite dish	Pending Consideration
P2	King's Lynn	20-Jan-12	12/00051/UWCA	27 North Everard Street King's Lynn Norfolk PE30 5HQ	Alleged unauthorised white UPVC windows and door.	Notice Issued
P2	King's Lynn	25-May-12	12/00251/S106	Land South of Russett Close King's Lynn Norfolk	Section 106 Monitoring	Notice Issued
P2	King's Lynn	30-Jul-12	12/00371/UWLB	11 St Johns Terrace Blackfriars Road King's Lynn Norfolk PE30 1NW	Removal of plaster surround of front (South) entrance of Grade II Listed Building.	Notice Issued
P2	King's Lynn	13-Dec-12	12/00587/UNTIDY	9 Gayton Road Gaywood King's Lynn Norfolk PE30 4EU	Alleged untidy and empty property	Pending Consideration

P2	King's Lynn	05-Mar-13	13/00127/UNOPDE	Little Acre Rope Walk King's Lynn Norfolk PE30 2BD	alleged unauthorised operational development	Pending Consideration
P2	King's Lynn	24-Apr-13	13/00217/BOC	Unit 11 Willow Road Willows Business Park King's Lynn Norfolk PE34 3RD	Alleged Breach of condition 5 attached to 12/00912/F	Pending Consideration
P2	King's Lynn	20-May-13	13/00273/BOC	The Lodge Cross Bank Road King's Lynn Norfolk PE30 2JB	Alleged breach of condition 8	DC Application Submitted
P2	King's Lynn	03-Jul-13	13/00359/UNAUTU	50 Kings Green King's Lynn Norfolk PE30 4SH	alleged unauthorised use	Pending Consideration
P2	King's Lynn	31-Oct-13	13/00650/UWCA	26 North Everard Street King's Lynn Norfolk PE30 5HQ	alleged unauthorised works in a Conservation Area	Pending Consideration
P2	King's Lynn	05-Dec-13	13/00701/UNAUTU	15 Littleport Street King's Lynn Norfolk PE30 1PP	Alleged unauthorised residential flat.	Pending Consideration
P2	King's Lynn	11-Dec-13	13/00714/UWCA	10 North Everard Street King's Lynn Norfolk PE30 5HQ	alleged unauthorised works in a Conservation Area	Pending Consideration
P2	King's Lynn	08-Jan-14	14/00006/UWLB	Hanse House South Quay King's Lynn Norfolk PE30 5GN	alleged unauthorised works to a Listed Building	Pending Consideration

P2	King's Lynn	27-Jan-14	14/00049/UNOPDE	St Nicholas Retail Park Edward Benefer Way King's Lynn Norfolk	alleged unauthorised operational development	Pending Consideration
P2	King's Lynn	28-Jan-14	14/00055/UNAUTU	39 Parkway Gaywood King's Lynn Norfolk PE30 4PE	alleged unauthorised use	Pending Consideration
P2	King's Lynn	26-Feb-14	14/00109/OTHER	7 Blackfriars Road King's Lynn Norfolk PE30 1NR	alleged other breach - derelict land and buildings	Pending Consideration
P2	King's Lynn	28-Feb-14	14/00113/S106	Allinson Court Stonegate Street King's Lynn Norfolk PE30 5EH	Section 106 Monitoring	Notice Issued
P2	King's Lynn	04-Mar-14	14/00129/UNAUTU	12 Clifton Road King's Lynn Norfolk PE30 3DN	Alleged unauthorised use of garage as a dog parlour	Pending Consideration
P2	King's Lynn	14-Mar-14	14/00153/S106	7 Seven Sisters Close King's Lynn Norfolk PE30 5RT	Section 106 Monitoring	Notice Issued
P2	King's Lynn	26-Mar-14	14/00182/UNAUTU	Land Between 50 And 51 Russett Close King's Lynn Norfolk	alleged unauthorised use	Pending Consideration
P2	King's Lynn	31-Mar-14	14/00194/UWCA	17 South Everard Street King's Lynn Norfolk PE30 5HJ	alleged unauthorised works in a conservation area	Pending Consideration

P2	King's Lynn	15-Apr-14	14/00222/UNAUTU	77 Lynn Road Gaywood King's Lynn Norfolk PE30 4PR	alleged unauthorised use	Pending Consideration
P2	King's Lynn	06-May-14	14/00230/UNAUTU	35 Marsh Lane King's Lynn Norfolk PE30 3AD	Alleged Unauthorised Use	Pending Consideration
P2	King's Lynn	06-May-14	14/00242/UNOPDE	Land At East Coast Music Co 71 - 72 Norfolk Street King's Lynn Norfolk PE30 1AD	alleged unauthorised operational development	Pending Consideration
P2	King's Lynn	13-May-14	14/00254/UNTIDY	Chalet Corde 12 Rope Walk King's Lynn Norfolk PE30 2AU	alleged untidy land	Pending Consideration
P3	King's Lynn	24-Mar-11	11/00163/UNOPDE	10 Tower Street King's Lynn Norfolk PE30 1EJ	Unauthorised scaffolding stair case at rear of property. Breach of condition 2 attached to planning permission 06/01942/F	Notice Issued
P3	King's Lynn	07-Jun-11	11/00300/BOC	Ciao Coffee 42 Broad Street King's Lynn Norfolk PE30 1DP	Alleged breach of conditions attached to 09/00369/F, 11/00583/F	Notice Issued
P3	King's Lynn	08-Nov-11	11/00585/UNOPDE	The London Porter House 78 London Road King's Lynn Norfolk PE30 5EU	Alleged unauthorised satellite dish	Pending Consideration
P3	King's Lynn	04-May-12	12/00222/UWCA	20 North Everard Street King's Lynn Norfolk PE30 5HQ	Alleged unauthorised satellite dishes x 2 in Conservation Area	Pending Consideration

P3	King's Lynn	23-Jul-12	12/00360/S106	Electricity Sub Station Wootton Road King's Lynn Norfolk PE30 4BP	S106-Monitoring	Notice Issued
P3	King's Lynn	21-Sep-12	12/00464/BOC	Car Parking Area Off Corbyn Shaw Road King's Lynn Norfolk PE30 4UL	Alleged breach of condition	Pending Consideration
P3	King's Lynn	07-Dec-12	12/00574/UNAUTU	18 Kent Road King's Lynn Norfolk PE30 4AU	Alleged unauthorised siting of a mobile home as a residence	Pending Consideration
P3	King's Lynn	20-Dec-12	12/00593/UNTIDY	23 Railway Road King's Lynn Norfolk PE30 1NF	Derelict untidy building	Notice Issued
P3	King's Lynn	08-Jan-13	13/00010/UNTIDY	16 North End Yard King's Lynn Norfolk PE30 2AD	Land adversely affecting the amenity of the neighbourhood	Pending Consideration
P3	King's Lynn	28-Jan-13	13/00073/UWCA	78 Chapel Street King's Lynn Norfolk PE30 1EF	Alleged unauthorised works within Conservation Area	Pending Consideration
P3	King's Lynn	23-Apr-13	13/00211/UNTIDY	23 Samphire King's Lynn Norfolk PE30 3PH	Alleged untidy garden causing dis-amenity	Pending Consideration
P3	King's Lynn	29-Apr-13	13/00223/UNTIDY	Land South of 9 Orchard Lane Gaywood King's Lynn Norfolk	Alleged untidy land causing dis-amenity to the area	Pending Consideration



P3	King's Lynn	05-Jul-13	13/00364/S215	Lloyds Tsb Bank Plc 23 High Street King's Lynn Norfolk PE30 1BP	alleged untidy land/listed building	Pending Consideration
P3	King's Lynn	09-Sep-13	13/00515/UWLB	Dr China 53 High Street King's Lynn Norfolk PE30 1BE	alleged unauthorised works to a Listed Building	Notice Issued
P3	King's Lynn	21-Oct-13	13/00633/UNOPDE	Land Adjoining 27 Kirstead King's Lynn Norfolk PE30 4XF	alleged unauthorised operational development	Pending Consideration
P3	King's Lynn	19-Nov-13	13/00665/UNOPDE	19 Lynn Road Gaywood King's Lynn Norfolk PE30 4PR	alleged unauthorised operational development	Pending Consideration
P3	King's Lynn	08-Jan-14	14/00009/BOC	The Gatehouse Kellard Place King's Lynn Norfolk PE30 5DG	alleged breach of condition 26 relating to 05/00691/OM and Condition 23 relating to 09/021010/F	Pending Consideration
P3	King's Lynn	01-Apr-14	14/00196/UNTIDY	Rope Walk King's Lynn Norfolk	alleged untidy land	Pending Consideration
P3	King's Lynn	17-Apr-14	14/00223/UWCA	Hogs Head 109 - 110 High Street King's Lynn Norfolk PE30 1DA	alleged unauthorised works in a Conservation Area	Pending Consideration
P3	King's Lynn	29-Apr-14	14/00228/UNOPDE	Land South of 26 - 40 Vong Lane Pott Row King's Lynn Norfolk PE32 1BW	alleged unauthorised operational development	Pending Consideration

P3	King's Lynn	06-May-14	14/00233/UNTIDY	7 Mount Street King's Lynn Norfolk PE30 5NH	alleged untidy land	Pending Consideration
P3	King's Lynn	13-May-14	14/00259/UADV	Corner of Beveridge Way Hardwick Narrows King's Lynn Norfolk PE30 4NB	alleged unauthorised advertisement	Pending Consideration
P4	King's Lynn	02-Oct-13	13/00596/UADV	23 Persimmon King's Lynn Norfolk PE30 4SS	alleged unauthorised advertisement	Pending Consideration
P3	King's Lynn	04-Aug-11	11/00007/MON	Electricity Sub Station Wootton Road Gaywood King's Lynn Norfolk PE30 4BP	Breach of Conditions 8 and 9 on 09/00649/F	Pending Consideration
P2	Leziate	19-Feb-14	14/00096/S106	Wicken Quarry On Land North of Ashwicken Road East Winch Norfolk	Section 106 Monitoring	Notice Issued
P3	Leziate	07-Aug-13	13/00424/UNOPDE	The Victorian House Chilver House Lane Bawsey Norfolk PE32 1ES	alleged unauthorised operational development and potential change of use of land	Notice Issued
P2	Marshland St James	11-Feb-13	13/00082/BOC	195 Smeeth Road Marshland St James Norfolk PE14 8JF	alleged breach of condition relating to planning reference: 08/01173/CU	Pending Consideration
P2	Marshland St James	28-Oct-13	13/00644/BOC	Marshland Villa Cottage School Road Marshland St James Norfolk PE14 8JR	alleged breach of condition relating to 10/01770/F	Notice Issued

P2	Marshland St James	28-Jan-14	14/00058/UNAUTU	Land At Corner of Gooses Lane And Long Lots Marshland St James Norfolk	alleged unauthorised use	Pending Consideration
P3	Marshland St James	03-Jul-13	13/00356/UNAUTU	Land East of Long Lots Road Marshland St James Norfolk PE14 8DT	alleged unauthorised use	Pending Consideration
P3	Marshland St James	06-Sep-13	13/00509/UNOPDE	Marshland Villa Farm House School Road Marshland St James Norfolk PE14 8JR	alleged unauthorised operational development	Pending Consideration
P3	Marshland St James	26-Feb-14	14/00105/UNOPDE	8 Trinity Road Marshland St James Norfolk PE14 8JA	alleged unauthorised operational development	Pending Consideration
P3	Marshland St James	17-Apr-14	14/00224/UNAUTU	Land Adjacent 16 18 Trinity Road Marshland St James Norfolk	alleged unauthorised use	Pending Consideration
P4	Marshland St James	15-Feb-13	13/00095/UNAUTU	Sandalwood 273 Smeeth Road Marshland St James Wisbech Norfolk PE14 8ES	alleged unauthorised use	Pending Consideration
P2	Methwold	29-Apr-14	14/00227/BOC	38 Old Severalls Road Methwold Hythe Thetford Norfolk IP26 4QR	alleged breach of condition relating to 10/00299/F	Pending Consideration
P2	Methwold	06-May-14	14/00240/UNAUTU	Poppylot Bungalow Southery Road Feltwell Thetford Norfolk IP26 4EP	alleged unauthorised use	Pending Consideration

P4	Methwold	11-Apr-14	14/00209/UNAUTU	Rumbles Fish Bar 44 High Street Methwold Norfolk IP26 4NX	alleged unauthorised use	Pending Consideration
P3	Middleton	20-Jan-14	14/00029/BOC	Crown Cottages School Road Middleton Norfolk	alleged breach of condition relating to 08/02313/F Conditions 11 and 12	Pending Consideration
P3	Nordelph	07-Oct-13	13/00610/NIA	Holy Trinity Church High Street Nordelph Norfolk	alleged not in accordance with 10/00933/F	Pending Consideration
P2	North Creake	19-Nov-13	13/00663/HHC	Willow Cottage 82 West Street North Creake Fakenham Norfolk NR21 9LQ	High hedge complaint	Notice Issued
P2	North Creake	28-Feb-14	14/00118/S106	The Jolly Farmers 1 Burnham Road North Creake Fakenham Norfolk NR21 9JW	Section 106 Monitoring	Notice Issued
P2	North Creake	20-Mar-14	14/00160/HHC	Willow Cottage 82 West Street North Creake Fakenham Norfolk NR21 9LQ	High Hedge complaint between 12m and 20m	Pending Consideration
P2	North Wootton	15-Feb-13	13/00098/UNAUTU	5 Meadow Close North Wootton King's Lynn Norfolk PE30 3PU	alleged unauthorised use	Notice Issued
P1	Northwold	28-Jun-10	10/00244/UNTIDY	The Manor House 52 High Street Northwold Thetford Norfolk IP26 5LA	alleged untidy land which is having an adverse impact on the amenity	Pending Consideration

P2	Northwold	28-Feb-14	14/00126/S106	Wellington Lodge Farm Thetford Road Northwold Thetford Norfolk IP26 5NP	Section 106 Monitoring	Notice Issued
P1	Old Hunstanton	26-Oct-12	12/00515/UADV	The Le Strange Arms Hotel Golf Course Road Old Hunstanton Hunstanton Norfolk PE36 6JJ	Alleged display of advertising boards	Pending Consideration
P2	Outwell	05-Nov-12	12/00539/BOC	Belton House 24 Downham Road Outwell Wisbech Norfolk PE14 8SE	alleged breach of planning condition relating to 07/02318/F	Pending Consideration
P2	Outwell	17-Jan-13	13/00066/BOC	Land North And Adjacent To 21 Birdbeck Drive Outwell Norfolk PE14 8TS	alleged breach of condition relating to 08/02162/F	Pending Consideration
P2	Outwell	17-Jan-14	14/00024/BOC	Victoria Barn Basin Road Outwell Norfolk PE14 8TH	alleged breach of condition 2 relating to Planning permission 12/00344/F	Pending Consideration
P2	Outwell	26-Mar-14	14/00185/BOC	10 Rectory Road Outwell Wisbech Norfolk PE14 8RD	alleged breach of condition attached to 10/00369/F	Pending Consideration
P2	Outwell	08-Apr-14	14/00199/UNAUTU	Horseshoe Cottage Basin Road Outwell Wisbech Norfolk PE14 8TH	alleged untidy land	Pending Consideration
P2	Outwell	11-Apr-14	14/00213/UNOPDE	Land On the North East Side of Robbs Lane Outwell Norfolk	alleged unauthorised operational development	Pending Consideration

P3	Outwell	22-Jul-13	13/00383/BOC	Victoria Barn Basin Road Outwell Norfolk PE14 8TH	alleged breach of conditions 3 and 6 relating to Planning permission 12/00344/F	Pending Consideration
P3	Outwell	25-Feb-14	14/00102/UNAUTU	Weavers Staithe 15 - 17 Wisbech Road Outwell Wisbech Norfolk PE14 8PA	alleged un authorised use	Pending Consideration
P3	Outwell	28-Feb-14	14/00120/UNAUTU	Riverside Dreams 53 Well Creek Road Outwell Norfolk PE14 8SA	alleged unauthorised use	Pending Consideration
P4	Outwell	06-May-14	14/00234/UNAUTU	34 Beaupre Avenue Outwell Wisbech Norfolk PE14 8PB	alleged unauthorised use	Pending Consideration
P2	Pentney	09-May-14	14/00251/UNAUTU	Land At Oakwood Garden Supplies Pentney Lane Pentney Norfolk	alleged unauthorised use	Pending Consideration
P3	Pentney	03-Jul-13	13/00352/S215	11 Church Close Pentney King's Lynn Norfolk PE32 1JJ	Without planning permission, the storage of vehicles at a level in excess of an incidental level constituting a change of use to a mixed use of residential and storage of vehicles.	Pending Consideration
P2	Ringstead	11-Oct-13	13/00620/UNAUTU	94 High Street Ringstead Hunstanton Norfolk PE36 5JU	alleged unauthorised use	Pending Consideration



P2	Runton Holme	18-Jun-12	12/00275/BOC	Woodlakes Caravan & Camping Park Holme Road Stow Bridge Norfolk PE34 3PX	alleged breach of condition relating to PLANNING APPLICATION 09/01679/FM	DC Application Submitted
P2	Runton Holme	28-Feb-14	14/00125/S106	Woodlakes Leisure Ltd Woodlakes Caravan & Camping Park Holme Road Stow Bridge Norfolk PE34 3PX	Section 106 Monitoring	Notice Issued
P2	Sandringham	21-Jan-14	14/00042/S106	Wolferton Station Wolferton Norfolk PE31 6HA	Section 106 Monitoring	Notice Issued
P3	Shouldham	22-Apr-14	14/00225/HHC	East View 11 Eastgate Street Shouldham King's Lynn Norfolk PE33 0DD	alleged high hedge	Pending Consideration
P2	Snettisham	14-Aug-13	13/00437/S106	46 the Beach Shepherds Port Snettisham Norfolk PE31 7RB	Section 106 Monitoring	Notice Issued
P2	Snettisham	30-Sep-13	13/00576/S106	61 the Beach Shepherds Port Snettisham Norfolk	Section 106 Monitoring	Notice Issued
P2	Snettisham	14-Apr-14	14/00220/BOC	61 Lynn Road Snettisham King's Lynn Norfolk PE31 7PX	alleged breach of condition	Pending Consideration
P3	Snettisham	20-Jan-14	14/00028/BOC	18 Beach Road Snettisham King's Lynn Norfolk PE31 7RA	alleged breach of condition	DC Application Submitted

P3	Snettisham	27-Jan-14	14/00051/UADV	14 Lynn Road Snettisham King's Lynn Norfolk PE31 7PT	alleged unauthorised advertisement	Pending Consideration
P2	South Creake	22-Jul-10	10/00291/UNAUTU	Land On the East Side of The Common South Creake Fakenham Norfolk NR21 9JB	Without planning permission, the change of use of the Land for the siting of caravans/mobile homes for residential purposes, including the storage of vehicles and residential paraphernalia associated with the residential use.	Notice Issued
P3	South Wootton	07-Dec-12	12/00575/UNOPDE	Old Rectory Hall Lane South Wootton King's Lynn Norfolk PE30 3LG	Alleged unauthorised porch style extension and decking erected to Hall Lane elevation.	Pending Consideration
P3	South Wootton	17-May-13	13/00266/UNOPDE	South View 44 Low Road South Wootton Norfolk PE30 3LF	Alleged unauthorised building works	Pending Consideration
P4	South Wootton	29-May-13	13/00286/BOC	1 Stody Drive South Wootton King's Lynn Norfolk PE30 3UQ	Alleged breach of condition attached to 10/02081/F	Pending Consideration
P2	Southery	08-Jan-14	14/00005/UNAUTU	Land Known As Pells Farm Farthing Drove Southery Norfolk PE38 0PR	alleged unauthorised use	Pending Consideration
P2	Southery	28-Jan-14	14/00057/UNAUTU	The Piggery North West of Farthing Drove Southery Downham Market Norfolk PE38 0PR	alleged unauthorised use	Pending Consideration

P3	Southery	08-Apr-14	14/00204/BOC	4 Feltwell Road Southery Downham Market Norfolk PE38 0NW	alleged breach of condition relating to 13/01224/F	Pending Consideration
P2	Stanhoe	14-Mar-14	14/00154/UWLB	Stanhoe Hall Docking Road Stanhoe King's Lynn Norfolk PE31 8QF	alleged unauthorised works to a Listed Building	Pending Consideration
P2	Stoke Ferry	08-Nov-12	12/00550/UNOPDE	The Applestore Furlong Road Stoke Ferry PE33 9SU	alleged unauthorised operational development	Pending Consideration
P2	Stoke Ferry	07-May-14	14/00245/UADV	Alis Pizza And Kebab House Lynn Road Stoke Ferry Norfolk PE33 9SW	alleged unauthorised advertisement	Pending Consideration
P3	Stoke Ferry	25-Mar-14	14/00174/UNOPDE	Playters Farm Greatmans Way Stoke Ferry King's Lynn Norfolk PE33 9SZ	alleged unauthorised operational development	Pending Consideration
P2	Stow Bardolph	13-Mar-13	13/00137/UNAUTU	Pattens Farm 57 the Drove Barroway Drove Norfolk PE38 0AJ	alleged unauthorised use	Pending Consideration
P2	Stow Bardolph	15-Jan-14	14/00020/UNOPDE	The Lodge 88 the Drove Barroway Drove Norfolk PE38 0AJ	alleged unauthorise operational development	Notice Issued
P2	Stow Bardolph	08-Apr-14	14/00200/BOC	MRC Commercial And Technical Centre 183 the Drove Barroway Drove Norfolk PE38 0AL	alleged breach of condition	Pending Consideration

P3	Stow Bardolph	20-Apr-11	11/00194/UNOPDE	Willow Green 101 The Drove Barroway Drove Norfolk PE38 0AL	alleged unauthorised building	Notice Issued
P3	Stow Bardolph	07-Aug-13	13/00429/UNAUTU	The Baptist Chapel Gooding Close Stow Bridge Norfolk	alleged unauthorised use	Pending Consideration
P3	Stow Bardolph	12-Mar-14	14/00143/UNAUTU	West Head Farm West Head Road Stow Bridge King's Lynn Norfolk PE34 3NJ	alleged unauthorised use	Pending Consideration
P3	Stow Bardolph	06-May-14	14/00235/BOC	Unit 2 Primrose Farm 176 the Drove Barroway Drove Norfolk PE38 0AL	alleged breach of condition	Pending Consideration
P3	Stow Bardolph	06-May-14	14/00237/BOC	Primrose Farm Site The Drove Barroway Drove Norfolk	alleged breach of condition relating to 12/01696/F	Pending Consideration
P2	Terrington St Clement	19-Sep-13	13/00555/UNOPDE	6 Goshold Park Bullock Road Terrington St Clement King's Lynn Norfolk PE34 4PR	alleged unauthorised operational development	Pending Consideration
P2	Terrington St Clement	11-Oct-13	13/00621/UNAUTU	Fourwinds Jankin Lane Terrington St Clement King's Lynn Norfolk PE34 4QA	alleged unauthorised use	Pending Consideration
P2	Terrington St Clement	17-Feb-14	14/00084/UNAUTU	19 Churchgate Way Terrington St Clement King's Lynn Norfolk PE34 4PG	alleged unauthorised use	Pending Consideration

P2	Terrington St Clement	08-Apr-14	14/00202/UNAUTU	Caravan Rose Cottage Waterlow Road Terrington St Clement King's Lynn Norfolk PE34 4PS	alleged unauthorised use	Pending Consideration
P4	Terrington St Clement	13-May-14	14/00253/UNAUTU	The Apiary 9 Orange Row Terrington St Clement King's Lynn Norfolk PE34 4NN	alleged unauthorised use	Pending Consideration
P3	Terrington St John	14-Mar-14	14/00156/UNOPDE	6 Gambles Terrace School Road Terrington St John Wisbech Norfolk PE14 7SG	alleged unauthorised operational development	Pending Consideration
P3	Terrington St John	06-May-14	14/00232/BOC	Middlegate Main Road Terrington St John Wisbech Norfolk PE14 7RP	alleged breach of condition relating to 11/02127/CU	Pending Consideration
P2	Thornham	27-Mar-13	13/00153/BOC	15 Shepherds Pightle Thornham Hunstanton Norfolk PE36 6NA	alleged breach of condition relating to	Notice Issued
P3	Thornham	10-May-11	11/00240/UNOPDE	Marsh House The Green Thornham Hunstanton Norfolk PE36 6NH	Unauthorised operational development comprising of engineering works (earth bank), and the change of use of land for the storage of non agricultural items.	Pending Consideration
P2	Tilney St Lawrence	25-Mar-14	14/00176/UNOPDE	The Coach & Horses Lynn Road Tilney All Saints King's Lynn Norfolk PE34 4RU	alleged unauthorised operational development	Notice Issued

P3	Tilney St Lawrence	31-Mar-14	14/00190/UNOPDE	Alsumar 6 Magdalen Road Tilney St Lawrence King's Lynn Norfolk PE34 4QX	alleged unauthorised operational development	Pending Consideration
P2	Tottenhill	28-Jan-14	14/00066/S106	Watlington Quarry Lynn Road Tottenhill Norfolk	Section 106 Monitoring	Notice Issued
P2	Upwell	04-Sep-08	08/00382/BOC	Townsend Fishing Lakes Townsend Road Upwell Wisbech Norfolk PE14 9HJ	Unauthorised substitution of wooden chalets with mobile homes	Pending Consideration
P2	Upwell	06-Jun-13	13/00314/UNAUTU	Kevley Marketing 52 Baptist Road Upwell Norfolk PE14 9EY	alleged unauthorised use	Pending Consideration
P2	Upwell	12-Jun-13	13/00316/NIA	Land At Baptist Road Upwell Norfolk	Breach of condition 6 attached to 11/01409/F	Pending Consideration
P2	Upwell	19-Feb-14	14/00092/UNAUTU	Harwins Farm Pingle Road Upwell Wisbech Norfolk PE14 9BN	alleged unauthorised use	Pending Consideration
P3	Upwell	23-Sep-13	13/00561/BOC	4 Horsehead Drove Lotts Bridge Three Holes Norfolk PE14 9JJ	alleged breach of condition relating to 13/00995/F	Notice Issued
P3	Upwell	17-Feb-14	14/00083/UNOPDE	Kevley Marketing 52 Baptist Road Upwell Norfolk PE14 9EY	alleged unauthorised operational development	Pending Consideration



P3	Upwell	26-Mar-14	14/00179/UNTIDY	53 Croft Road Upwell Wisbech Norfolk PE14 9HE	alleged untidy land	Pending Consideration
P3	Upwell	07-May-14	14/00244/UNAUTU	18 Main Road Three Holes Norfolk PE14 9JS	alleged unauthorised use	Pending Consideration
P3	Upwell	07-May-14	14/00246/UNOPDE	Orchard Barn Flint House Road Lotts Bridge Three Holes Norfolk PE14 9JN	alleged unauthorised operational development	Pending Consideration
P2	Walpole	15-Jan-14	14/00019/UNAUTU	12 Frenchs Road Walpole St Andrew Wisbech Norfolk PE14 7JF	alleged unauthorised use	Notice Issued
P2	Walpole	10-Apr-14	14/00207/BOC	Eastcroft Wisbech Road Walpole St Andrew Wisbech Norfolk PE14 7HH	alleged breach of condition relating to 2/01/1238/CU	Notice Issued
P3	Walpole	03-Mar-14	14/00127/UNAUTU	Land West of Pigeon Street Walpole St Andrew Norfolk	Standing of residential static caravan	Pending Consideration
P4	Walpole	05-Oct-09	09/00033/MON	Land At Townsend Farm Church Road Walpole St Peter Norfolk PE14 7NS	Condition Monitoring relating to planning permission 05/00107/F	Pending Consideration
P2	Walpole Cross Keys	18-Jul-12	12/00355/UNTIDY	Woolpack Inn 30 Sutton Road Walpole Cross Keys King's Lynn Norfolk PE34 4HD	alleged untidy land	DC Application Submitted

P2	Walpole Cross Keys	06-May-14	14/00241/UNAUTU	Jessops Plants Market Lane Walpole St Andrew Wisbech Norfolk PE14 7LX	alleged unauthorised use	Pending Consideration
P3	Walpole Cross Keys	03-Oct-13	13/00600/NIA	Humans Farm Market Lane Walpole St Andrew Norfolk PE14 7LT	alleged not in accordance with planning references 11/00850/F AND 11/01033/fF	Notice Issued
P3	Walpole Cross Keys	08-Nov-13	13/00655/NIA	Old Farm Market Lane Walpole St Andrew Norfolk PE14 7LT	alleged not in accordance with 11/01033/F	Pending Consideration
P2	Walpole Highway	28-Feb-14	14/00116/S106	Ivy House West Drove South Walpole Highway Wisbech Norfolk PE14 7RA		Notice Issued
P2	Walsoken	03-Jun-04	05/00144/UNAUTU	81 Broad End Road Walsoken Wisbech Norfolk PE14 7BQ	Change of use to garden land and associated operational development	Notice Issued
P3	Walsoken	10-Jul-13	13/00379/UNAUTU	Paradise Cottage 99 Broadend Road Walsoken Norfolk PE14 7BQ	alleged unauthorised use	Pending Consideration
P3	Walsoken	11-Mar-14	14/00137/BOC	Rosalie Farm Lynn Road Walsoken Norfolk PE14 7DA	alleged breach of condition relating to planning approval 11/01565/F	Pending Consideration
P4	Walsoken	10-Aug-10	10/00329/BOC	Claybrook Park 38 Broadend Road Walsoken Norfolk PE14 7BQ	alleged breach of highway condition relating to planning permission 06/02009/FM	Pending Consideration

P2	Watlington	27-Sep-11	11/00512/NIA	Land South of Willowdown Property On Barnards Lane Watlington Norfolk	alleged dwelling not built in accordance with planning approval	Notice Issued
P3	Watlington	29-Apr-14	14/00229/UNOPDE	52A John Davis Way Watlington King's Lynn Norfolk PE33 0TD		Pending Consideration
P3	Welney	29-Nov-13	13/00694/UNOPDE	Mill Cottage Bedford Bank Welney Norfolk PE14 9RJ	alleged unauthorised operational development	Pending Consideration
P2	Wereham	10-Mar-14	14/00135/UNOPDE	Land Rear of Rotherfield House The Row Wereham King's Lynn Norfolk PE33 9AU	alleged unauthorised operational development	Pending Consideration
P3	Wereham	16-May-14	14/00262/UNTIDY	Manor House Church Road Wereham Norfolk PE33 9AP	alleged untidy land	Pending Consideration
P2	West Rudham	28-Feb-14	14/00119/S106	The Grange Grange Lane Pockthorpe West Rudham Norfolk PE31 8SY	Section 106 Monitoring	Notice Issued
P2	West Walton	30-Apr-13	13/00228/BOC	West Walton Court Blunts Drove Walton Highway Norfolk	alleged breach of condition relating to 12/00423/F	DC Application Submitted
P2	West Walton	28-Aug-13	13/00492/UNAUTU	Mill Farm 175 St Pauls Road South Walton Highway Norfolk PE14 7DN	alleged unauthorised use	Pending Consideration

P2	West Walton	25-Mar-14	14/00168/BOC	Florence House 217A Salts Road West Walton Norfolk PE14 7EB	Alleged breach of condition attached to 10/02147/F	Pending Consideration
P3	West Walton	13-May-14	14/00255/UNOPDE	Jy Newydd 211 School Road West Walton Wisbech Norfolk PE14 7DS	alleged unauthorised operational development	Pending Consideration
P2	West Winch	23-Apr-12	12/00200/BOC	Ivy Farm House 150 Main Road West Winch King's Lynn Norfolk PE33 0LQ	alleged breach of condition(s) relating to planning application 10/01553/F	DC Application Submitted
P2	West Winch	10-Dec-13	13/00710/UNAUTU	Buildings At Riverside Farm Garage Lane Setchey Norfolk PE33 0BE	alleged unauthorised use	Pending Consideration
P2	Wiggenhall St Germans	14-Jun-12	12/00266/BOC	23 Mill Road Wiggenhall St Germans Norfolk PE34 3HL	alleged breach of condition (s) relating to planning application 11/00326/F	Notice Issued
P2	Wiggenhall St Germans	28-Jan-14	14/00059/UNAUTU	Valja Lodge 19 Mill Road Wiggenhall St Germans King's Lynn Norfolk PE34 3HL	alleged unauthorised use	Pending Consideration
P2	Wiggenhall St Mary Magdalen	14-May-14	14/00260/UNOPDE	Barns Adjacent Holley House Stow Road Wiggenhall St Mary Magdalen King's Lynn Norfolk PE34 3BD	alleged unauthorised operational development	Pending Consideration
P3	Wiggenhall St Mary Magdalen	27-Feb-14	14/00111/UNOPDE	Barns Adjacent Holley House Stow Road Wiggenhall St Mary Magdalen King's Lynn Norfolk PE34 3BD	alleged unauthorised operational development	Pending Consideration

## AGENDA ITEM NO: 11

## PLANNING COMMITTEE

2 JUNE 2014

**DECISION ON PLANNING AND ENFORCEMENT APPEALS  
- QUARTERLY REPORT -**

**1. PURPOSE OF THE REPORT**

- 1.1 To provide Members with the quarterly update covering performance for the period 1 January 2014 – 31 March 2014

**2. REPORT**

- 2.1 The Schedule is attached at Appendix 1 for the period 1 January 2014 – 31 March 2014 (Planning and Enforcement).

	<b>Appeals in system at beginning of period</b>	<b>New appeals received</b>	<b>Appeals decided (or withdrawn / invalid)</b>	<b>Appeals in system at end of period</b>
1 Jan – 31 Mar	24	12	21	15

- 2.2 For all appeals decided this quarter, the outcomes were as follows:-

	<b>Allowed</b>	<b>Dismissed</b>	<b>Total</b>	<b>Withdrawn</b>	<b>Invalid</b>	<b>Split</b>
1 Jan – 31 Mar	8	13	21	0	0	0
	<b>38%</b>	<b>62%</b>				

- 2.3 BVPI 204 was not retained as a new National Indicator although it has been retained as one of our local indicators. BVPI 204 was quite specific over which appeals it covers and for example does not include enforcement, advertisement, lawful development certificate, hedge and tree appeals, this is reflected in the table below.

	<b>Allowed</b>	<b>Dismissed</b>	<b>Total</b>	<b>Withdrawn</b>	<b>Invalid</b>	<b>Split</b>
1 Jan – 31 Mar	7	10	17	0	0	0
	<b>41%</b>	<b>59%</b>				

- 2.4 For all appeals decided over the last 4 quarters, the outcomes were as follows:-

<b>2013/14</b>	<b>Allowed</b>	<b>Dismissed</b>	<b>Total</b>	<b>Withdrawn</b>	<b>Invalid</b>	<b>Split</b>
1 Apr – 30 Jun	2	7	9	1	1	0
1 Jul – 30 Sept	2	6	8	2	0	0
1 Oct – 31 Dec	3	5	8	1	0	0
1 Jan – 31 Mar	8	13	21	0	0	0
<b>Total</b>	<b>15</b>	<b>31</b>	<b>46</b>	<b>4</b>	<b>1</b>	<b>0</b>
	<b>33%</b>	<b>67%</b>				

This data shows that for the first quarter of 2014 38% of all appeals were allowed. For the 12 month period to 31 March 2014 an average of 33% of appeals were allowed. With regard to withdrawals it should be noted that appeals can be withdrawn at any time, even after the statements have been exchanged or the

appeal heard but whilst the Inspector's decision is awaited. At that stage the LPA has undertaken all the work but without any commensurate result.

- 2.5 All decisions are viewable on the councils web site located on the planning appeals page and are e-mailed directly to the ward member, Chairman and Vice-Chairman. Appeal documentation for applications made in 2004 onwards can also be viewed on Public Access using the planning application search facility.

**Contact Officer:** Lee Osler, Office Manager  
 01553 616552



## Planning and Enforcement Appeal

Report Date Range 01/01/2014 to 31/03/2014

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
<b>Live Cases -1 (Not including appeals received to end of previous quarter)</b>							
02/05/2013	C/13/2194826	Mr L R V Fulcher  Ramblewood Farm Cliffe En Howe Road Pott Row Norfolk PE32 1BY	Appeal against	12/00565/UNAUTU	Written Representations		
02/05/2013	C/13/2194827	Mrs K A Fulcher  Ramblewood Farm Cliffe En Howe Road Pott Row Norfolk PE32 1BY	Appeal against	12/00565/UNAUTU	Written Representations		
02/05/2013	A/13/2194381	Mr Richard Fulcher  Ramblewood Farm Cliffe En Howe Road Pott Row Norfolk	Retention of mobile home for a further three years to enable arrangements for a permanant home	12/01557/F	Written Representations		
<b>Live Cases -2 (Received in previous quarter)</b>							
22/01/2014	C/13/2211136	Mr Andy Richardson  Land On the South Side of Broadwater Lane Gayton Norfolk	Appeal against	13/00431/UNAUTU	Written Representations		
05/02/2014	A/14/2212865	Mr T George  29 Church Street King's Lynn Norfolk PE30 5EB	Proposed new dwelling	12/01552/F	Written Representations		
13/02/2014	A/14/2211117	G H Owen Property Ltd  26 Manor Road Dersingham King's Lynn Norfolk PE31 6LD	Demolition of existing bungalow and erection of house and chalet	13/01013/F	Written Representations		
21/02/2014	A/14/2213958	UBS Triton Property Fund  Land At Hardwick Retail Park (Opp AHF) Hardwick Road Hardwick Retail Park King's Lynn Norfolk	Erection of a retail unit (class 1) measuring 697sqm	13/01193/F	Written Representations		

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
05/03/2014	A/14/2214524	Mr P Watson  Corner of Croft Road And Main Road Upwell Norfolk PE14 9HQ	Outline application with some matters reserved: construction of a dwelling	13/00988/O	Written Representations		
05/03/2014	A/14/2214514	Mrs S Elmer  Land Adjacent 145 Croft Road Upwell Norfolk PE14 9HQ	Outline application with some matters reserved: construction of a dwelling	13/00989/O	Written Representations		
10/03/2014	A/14/2214689	Mr And Mrs J Cook  Land West of 41 River Road West Walton Norfolk	Erection of new dwelling and new garage	13/00697/F	Written Representations		
14/03/2014	APP/TPO/V2635/3792	Mr & Mrs Tolhurst  Abbey Cottage Church Walk Burnham Market King's Lynn Norfolk PE31 8DH	2/TPO/00209: A1 Area of 10 Pine Trees - Remove as the line is no longer appropriate as suitable amenity consideration.	14/00006/TPO	Written Representations		
17/03/2014	APP/X2600/A/14/221454 6	Anglia Fallen Stock Co.  Anglia Fallen Stock Co The Old Knackery Baxters Yard Cliff-En- Howe Road Pott Row Grimston King's Lynn PE32 1BY	County Matters Application: Retrospective planning permission for portacabin, two additional incinerators and replacement of previously approved incinerator cremator (only one to be used at any given time in line with DEFRA regulations), and the installat	13/00856/CM	Written Representations		
27/03/2014	A/14/2215915	Paragon Holdings  Tottenhill Retail Park Lynn Road Tottenhill Norfolk PE33 0SR	Continued use as car wash	13/00570/CU	Written Representations		

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
<b>Appeals Decided ( Up to the end of previous quarter)</b>							
16/04/2013	H/13/2192963	Marketing Force Ltd	Advertisement Application: five non-illuminated sponsorship signs	12/01757/A	Written Representations		16/01/2014 Appeal Dismissed
		Roundabout - Nar Ouse Way (A148) / Hardwick Road (A149) Out South Gates King's Lynn Norfolk					
15/05/2013	H/13/2195628	Marketing Force Ltd	Advertisement Application: three non-illuminated sponsorship signs	13/00070/A	Written Representations		15/01/2014 Appeal Allowed
		Roundabout QE Way A149 Lynn Road B1439 Lynn Road Dersingham Norfolk					
18/06/2013	A/13/2198149	Mr Tom Taylor	Change of use (partly retrospective) of land to gypsy/traveller site (three pitches) associated with existing equine business on a temporary or permanent basis. Establishment of low brick wall to demarcate the residential area from the equine business, th	12/01830/CU	Public Inquiry	22/10/2013	07/02/2014 Appeal Allowed
		Spriggs Hollow Magdalen High Road Wiggenhall St Mary Magdalen Norfolk PE34 3BG					
25/06/2013	X/13/2198662	Mr Brian Pope	Lawful development application for cottage and gardens use as residential	13/00406/LDE	Informal Hearing	17/12/2013	08/01/2014 Appeal Dismissed
		The Elms The Common South Creake Fakenham Norfolk NR21 9JA					
15/07/2013	A/13/2200681	GCMD Developments Ltd	Proposed residential development	13/00533/O	Written Representations		28/02/2014 Appeal Allowed
		Site To the East of the Stores Tattersett Road Syderstone King's Lynn PE31 8RZ					

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
16/07/2013	A/13/2200757	Peverel Management Services Ltd  Three Crowns House South Quay King's Lynn Norfolk PE30 5DT	Replacement of all existing timber framed windows with new u-pvc framed double glazed windows, replacement of all existing timber framed doors with new aluminium framed double glazed doors.	13/00190/F	Written Representations		10/02/2014  Appeal Allowed
02/08/2013	C/13/2200489	Benjamin Lemmon  5 Meadow Close North Wootton King's Lynn Norfolk PE30 3PU	Appeal against	13/00098/UNAUTU	Written Representations		15/01/2014  Appeal Dismissed
06/08/2013	A/13/2201911	Mel-Able Properties Ltd  32 Church Lane Heacham King's Lynn Norfolk PE31 7HJ	Demolition of 30 & 32 Church Lane and construction of 16 residential dwellings	12/02043/FM	Written Representations		12/02/2014  Appeal Dismissed
12/08/2013	A/13/2202552	Mr Aubrey Thomas  3B the South Beach Heacham King's Lynn Norfolk PE31 7LH	Retention of concrete slab	13/00378/F	Written Representations		14/02/2014  Appeal Dismissed
22/08/2013	A/13/2203472	Mr Terry Gray  King's Lynn Indoor Bowls Club Narborough Road Pentney King's Lynn Norfolk PE32 1JD	New mobile home for manager	13/00726/F	Written Representations		21/01/2014  Appeal Dismissed
23/08/2013	A/13/2200623	Mr And Mrs P And H Turner  56 Pentney Lakes Common Road Pentney Norfolk PE32 1LE	Construction of two storey log cabin for holiday use and ancillary detached boat house	13/00281/F	Written Representations		21/01/2014  Appeal Allowed
29/08/2013	H/13/2203529	Lidl UK GMBH  Lidl 80 Austin Street King's Lynn Norfolk PE30 1AS	Application for consent to display an advertisement: 2 non-illuminated hoardings	13/00537/A	Written Representations		15/01/2014  Appeal Dismissed

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
03/09/2013	A/13/2203764	Mr A Bunyan  46 High Street Northwold Thetford Norfolk IP26 5NF	Change of use from Class B1(a) (Offices) to Class C3 (dwellinghouse)	13/00001/CUPD	Written Representations		28/02/2014  Appeal Allowed
09/09/2013	A/13/2204264	Mrs V Wright  Field Lodge Back Lane Pott Row Norfolk PE32 1BT	Replacement of a permitted caravan with a log cabin	13/00610/F	Written Representations		21/01/2014  Appeal Allowed
13/09/2013	A/13/2204252	Mr Stephen Cornelius  Rear of 46 - 48 Lynn Road Downham Market Norfolk PE38 9NN	Demolish workshop and construct two bungalows and associated works	13/00050/F	Written Representations		20/02/2014  Appeal Dismissed
13/09/2013	A/13/2203725	Mr John Want  19 Nursery Lane Hockwold cum Wilton Norfolk IP26 4ND	New detached dwelling with cart shed style garage including replacement wall	13/00409/F	Written Representations		30/01/2014  Appeal Dismissed
20/09/2013	A/13/2204481	Mr Ian Bond  Eel Pie House West Head Road Stow Bridge King's Lynn Norfolk PE34 3NR	Proposed extensions and alterations to an existing annex to create a self- contained dwelling	13/00390/F	Written Representations		15/01/2014  Appeal Dismissed
03/10/2013	Q/13/2204016	Luxurious Leisure Ltd  Pentney Lakes Common Road Pentney Norfolk PE32 1LE	Discharge of Section 106 Agreement	13/00259/MD	Informal Hearing	18/02/2014	25/02/2014 Appeal Dismissed
31/10/2013	A/13/2207866	Clients of David Taylor Associates  Site South of Ouse House Purfleet Quay King's Lynn Norfolk	Construction of detached dwelling	13/00427/F	Written Representations		27/02/2014  Appeal Allowed

Start Date	Appeal Ref. APP/V2635/	Appellant/Site	Development	Enforcement/ Planning Ref.	Method of Appeal	Hearing Date	Decision Date/Decision
12/11/2013	A/13/2208421	Mr J Shearman	Outline application with some matters reserved: Build a new dwelling	13/00691/O	Written Representations		28/02/2014
		Land Adjacent 16 18 Trinity Road Marshland St James Norfolk					Appeal Dismissed
24/01/2014	A/14/2212321	Mr & Mrs A Wortley	Residential Development	13/01239/O	Written Representations		24/03/2014
		Proposed Development 27 To 33 Whiteplot Road Methwold Hythe Norfolk					Appeal Dismissed