

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



PLANNING COMMITTEE

AGENDA

**Monday 30th March 2015
at 10.00 am**

Please note venue

**Assembly Room
Town Hall
Saturday Market Place
King's Lynn
Norfolk**



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



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200
Fax: 01553 691663

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.

Please ensure that all mobile phones are switched to silent

DATE: 30 March 2015

VENUE: Assembly Room, Town Hall, Saturday Market Place, King's Lynn

TIME: 10.00 am

1 APOLOGIES

To receive any apologies for absence and to note any substitutions.

2 MINUTES

To confirm as a correct record the Minutes of the Meeting held on 2 March 2015 and the Reconvened Meeting held on 5 March 2015 (to follow).

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

To receive any Chairman's correspondence.

7 RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS

To receive the Schedule of Late Correspondence received since the publication of the agenda.

8 DECISIONS ON APPLICATIONS

To consider and determine the attached Schedule of Planning Applications submitted by the Executive Director (attached at pages 8 - 113).

9 DELEGATED DECISIONS

To receive the Schedule of Planning Applications determined by the Executive Director (attached at pages 114 – 135).

10 PLANNING ENFORCEMENT SERVICE: QUARTERLY REPORT

To receive a quarterly update report covering performance for the period 01 October 2014 to 31 December 2014 (attached at pages 136 – 163).

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 S Storey, G Wareham, Mrs E Watson, A White, Mrs A Wright, Mrs S Young and 1 vacancy (Labour)

Site Visit Arrangements

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 2 April 2015** (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

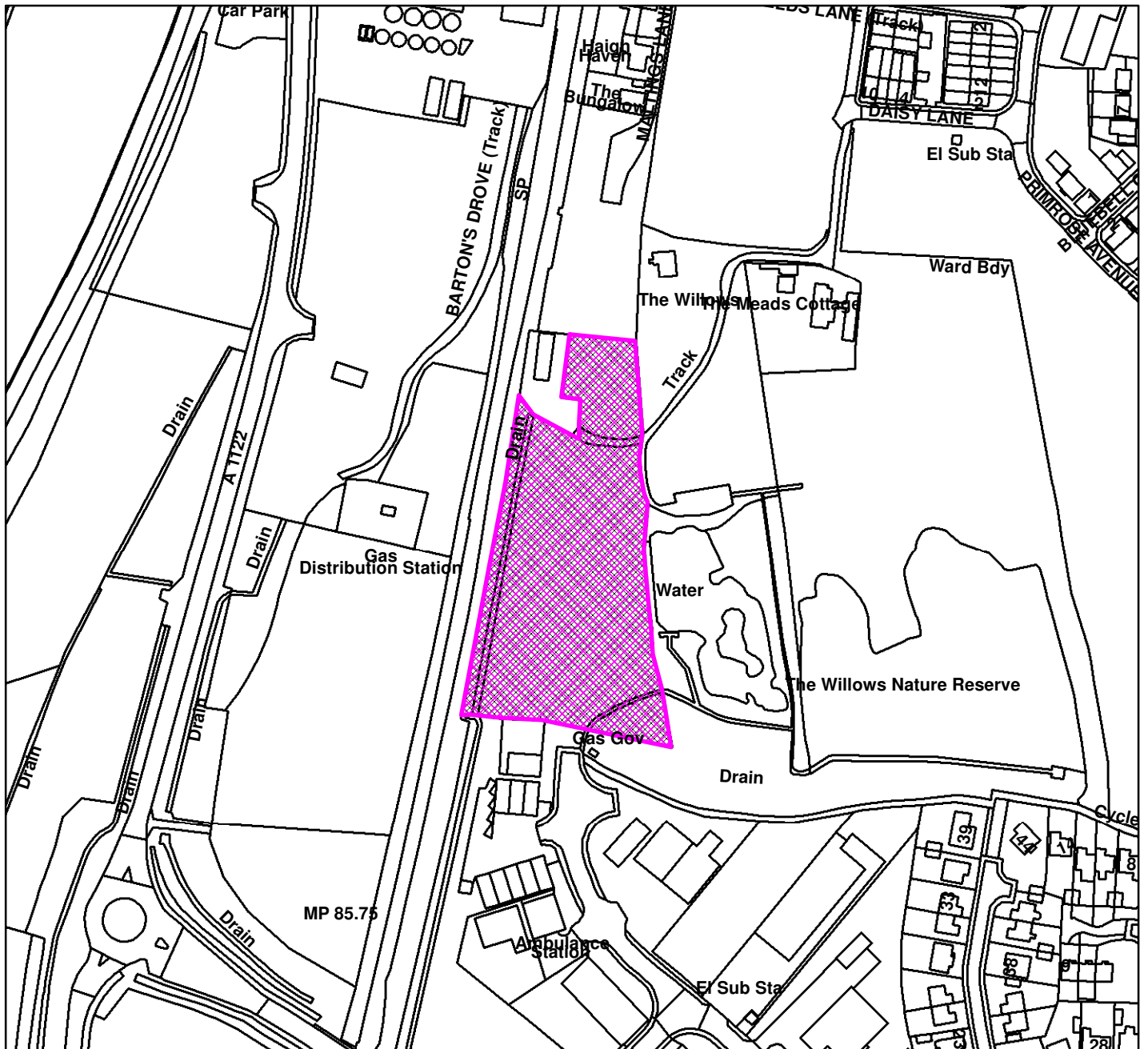
**INDEX OF APPLICATIONS TO BE DETERMINED BY THE
PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 30 MARCH 2015**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	SMALL SCALE MAJOR DEVELOPMENTS			
8/1(a)	14/01562/FM Lynnsport And Leisure Park Greenpark Avenue Construction of a new access road and junctions to link the A1078 Edward Benefer Way with Reid Way, and Front Way with Lynnsport and Greenpark Avenue. The proposed development will include a new car park to the north of Lynnsport buildings, alterations to the layout of the existing car park at Lynnsport, two culvert crossings of the Bawsey Drain and new footpath and cycleway along the road corridor	KING'S LYNN	REPORT TO FOLLOW	
8/1(b)	14/01652/OM Land at Railway Road Outline Application for up to 32 dwellings, all matters reserved apart from access.	DOWNHAM MARKET	APPROVE	8
8/2	LARGE SCALE MAJOR DEVELOPMENTS			
8/2(a)	14/01497/FM Land North of Bircham Road Installation of 3MWp solar farm, including solar panels, plant, security fencing, landscaping and other associated equipment.	SNETTISHAM	REPORT TO FOLLOW	
8/3	NATIONAL INFRASTRUCTURE PROJECT			
8/3(a)	14/01548/S36 Palm Paper Poplar Avenue Notification of the acceptance of a proposed application for a development consent order Planning Inspectorate Ref EN010039	KING'S LYNN	TO CONSIDER THE ATTACHED LOCAL IMPACT REPORT	24

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/4	OTHER APPLICATIONS/ APPLICATIONS REQUIRING REFERENCE TO THE BOARD			
8/4(a)	15/00134/F Land 1A Drury Lane Demolition of single storey asbestos and metal clad garage and erection of a 2 bed residential unit arranged on 2 floors	CASTLE ACRE	APPROVE	41
8/4(b)	14/01429/F Land at X577759 Y335800 South of Ferndale Fakenham Road Proposed installation of a single wind turbine (18m tower) and a single array of photovoltaic panels (100m2)	DOCKING	APPROVE	52
8/4(c)	15/00075/F Docking Grange Sandy Lane Erection of 2 No. dwellings and associated hard standing and landscaping	DOCKING	APPROVE	61
8/4(d)	14/01635/O 56 Elm High Road Outline Application: 3 dwellings comprising of a pair of semi-detached houses and one detached house with associated parking.	EMNETH	APPROVE	72
8/4(e)	14/01732/F Land to the East of Front Way Construction of a new pumping station and rising main	KINGS LYNN	APPROVE	85
8/4(f)	14/01771/F 3 Top End Cottages Holme Road Renovation and extension to existing cottage. New vehicular access, garage building and boiler house building	RINGSTEAD	APPROVE	93
8/4(g)	15/00182/F Middlegate Main Road Variation of Condition 15 on Planning Permission 14/01474/CU: Change of Use of agricultural buildings into commercial and industrial use.	TERRINGTON ST JOHN	APPROVE	103

14/01652/OM

Land at Railway Road Downham Market



Scale: 1:2,500

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:2500
Date	17/03/2015
MSA Number	0100024314

Parish:	Downham Market	
Proposal:	Outline application for up to 32 dwellings, all matters reserved apart from access	
Location:	Land At Railway Road Downham Market Norfolk	
Applicant:	The Grosvenor Partnership 3 LP	
Case No:	14/01652/OM (Outline Application - Major Development)	
Case Officer:	Mrs N Osler Tel: 01553 616402	Date for Determination: 19 February 2015 Extension of Time Expiry Date: 30 June 2015

Reason for Referral to Planning Committee – Officer recommendation is contrary to Town Council recommendation and the contributions exceed £ 30,000

Case Summary

The application is in outline for residential development on a site measuring approximately 0.94ha to the south of Railway Road, Downham Market. The site is situated within the western edge of the town and borders an industrial estate to the south, a nature reserve to the east, railway track to the west and existing residential development to the north. All matters are reserved except for access (which is to be via the residential development to the north of the site) although an indicative layout plan shows 32 dwellings.

The site is greenfield and lies within Built Environment Type D as depicted on the Local Plan Proposals Map and within the proposed Development Boundary for Downham Market. The site is identified on the Core Strategy Key Diagram for Downham Market as 'Permitted Housing'.

Permission was granted in 2007 for outline consent indicatively showing 43 dwellings – this permission was never implemented and has therefore lapsed.

Key Issues

Principle of Development;
Form and Character;
Neighbour Amenity;
Affordable Housing and other Planning Obligations;
Highway Safety;
Flood Risk;
Ecology and Impact on The Willows Nature Reserve;
Trees;
Drainage;
Archaeology; and
Other Material Considerations

Recommendation:

A) APPROVE subject to the completion of a Section 106 Agreement within 3 months of the date of this decision.

B) REFUSE in the event that the Section 106 Agreement is not completed within 3 months of the date of this decision.

THE APPLICATION

The site is shown to cover an area of approximately 0.94ha and is a greenfield site that has recently been cleared of some unprotected trees and shrubbery.

The majority of the eastern boundary of the site is open (that is to say there is no boundary treatment between the site and the vehicular access track that leads to The Willows Nature Reserve) although towards the southern end of the site the eastern boundary consists of a row of poplar trees. Other than some sporadic planting, there is no formal boundary treatment to the south of the site; to the west are hedges and a drain (separating the site from the railway track); and to the north there is an element of close boarded timber fencing that has been erected as part of the Ben Bailey development. The site itself is relatively flat, but low lying and therefore at risk from flooding (the site lies within Flood Zones 2 and 3).

A commercial building and its curtilage lies at the north-western corner of the site – this building does not form part of the application site.

The application is in outline with all matters except access reserved. However, an indicative layout shows 32 dwellings (6 x 2-bed flats; 8 x 2-bed terrace dwellings; 6 x 2-bed semi-detached dwellings; 2 x 2-bed detached dwellings; 4 x 3-bed detached dwellings' and 6 x 3-bed semi-detached dwellings).

SUPPORTING CASE

The application was accompanied by:

Design and Access Statement;
 Planning Statement;
 Flood Risk Assessment;
 Phase 1 Habitat Survey;
 Tree Survey;
 Archaeological Desk-Based Assessment;
 Transport Technical Note;
 Soakaway Testing;
 Noise Assessment;
 Air Quality Assessment; and
 Contamination Assessment

The combined conclusion of these assessments, the applicant suggests, is:

- The site is well located for residential development, and services and facilities would be accessible by a number of means of transport including by foot and bicycle;
- The site is an allocated site for housing within the Saved Policies of the Local Plan;
- The proposal would create a wide range of direct and indirect jobs;
- The proposal would contribute to the delivery of housing supply including affordable housing;
- Flood Risk issues could be suitably mitigated;

- Development of the site would not be of detriment to the visual amenity of the locality;
- The site offers modest wildlife value and any impacts could be suitably mitigated;
- A large Crack Willow tree, on the eastern boundary of the site, is considered to be potentially suitable for bat roosting and / or hibernation. This tree has been shown to be retained and will be conditioned thus;
- There are no Heritage Assets (above or below ground) that would preclude development; and
- Any noise issues could be suitably mitigated in accordance with the submitted Noise Assessment.

In summary the applicant concludes that the proposal would constitute sustainable development (which is at the heart of the NPPF) and is in accordance with the Development Plan.

PLANNING HISTORY

06/02632/OM – Outline Application: Residential Development – Permitted

2/97/0428/F - Retention of a building for car repairs – Permitted

2/95/0053/F - Retention of an arcon building for car repairs - Permitted

RESPONSE TO CONSULTATION

Town Council: OBJECT: Members were very concerned with regards to the following grounds:

- Public footpaths are an integral part of existing space;
- The real risk of losing the Willows to development as it become totally surrounded;
- The impact on the Willows;
- Risk of flooding – previous planning considerations suggested dwellings built with garages at ground level and living accommodation built above;
- Access from Railway Road – already congested when railway crossing barriers down;
- Losing / diminishing cultural connections with the town – previous planning considerations proposed building in the style of the Old Maltings that previously occupied the site;
- Dwellings constructed up to and adjacent to a drain;
- The drain takes the water from the existing Ben Bailey site and doubts were expressed as to any further capacity; and
- No infrastructure for further development.

Highways Authority: NO OBJECTION subject to condition.

Environment Agency: NO OBJECTION subject to condition(s).

Natural England: NO OBJECTION.

National Grid: None received at time of writing report.

Policy (BCKLWN): No particular concerns. The site lies within the proposed development boundary and in broad terms is well located in terms of the Town's facilities and public transport links.

The scale of the housing is such that it is unlikely to prejudice the strategic allocations of new development in the proposed plan and is compatible with the general growth identified for Downham Market.

Internal Drainage Board: NO OBJECTION subject to condition(s).

Anglian Water: NO OBJECTION subject to condition.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions relating to contamination and the submission of a construction environmental management plan.

Environmental Health & Housing – CSNN: NO OBJECTION subject to condition(s).

Norfolk Constabulary: Comments have been submitted, but these relate to detail not covered by this outline application.

Norfolk Wildlife Trust: Expressed concerns relating to the impact on the CWS primarily in relation to pollution from run-off. However mitigation in the amended ecology survey has addressed their concerns.

Housing Enabling (BCKLWN): NO OBJECTION – affordable housing contribution will be secured by S106 Agreement.

Arboricultural Officer: NO OBJECTION subject to the submission of a full tree survey, arboricultural implications assessment and arboricultural method statement to BS 5737:2012.

REPRESENTATIONS

TWO letters of **OBJECTION** from individuals have been received – the issues raised are:

- Impact on the Willows;
- Risk of flooding; and
- A gated vehicular access should be provided between the Willows and Sovereign Way [Trafalgar Industrial Estate];

ONE letter of **SUPPORT** has been received stating that the site is an eyesore and it would be better if were tidied up so that people could feel safe and secure when accessing the Willows.

Letters have also been received from two bodies:

Friends of the Willows: The Title Plan shows a permissive footpath across the site which provides access to the Willows and is a key link from the railway station into the industrial estate.

The access from Sovereign Way has also been used to provide both vehicle and plant access into the Willows for many years.

Request that a new vehicular access is connected to the new adopted road into the existing Willows car park.

Request that a Sustainable Drainage Scheme be incorporated.

Downham Market by Design: Have major concerns regarding access. The proposed spine road is too close to the row of mature poplar trees that separates the site from the area of water to the east

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

CS03 - King's Lynn Area

CS04 - Downham Market

CS01 - Spatial Strategy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

CS13 - Community and Culture

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Downham Market by Design

PLANNING CONSIDERATIONS

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

- Principle of Development;
- Form and Character;
- Neighbour Amenity;
- Affordable Housing and other Planning Obligations;
- Highway Safety;
- Flood Risk;
- Ecology and Impact on The Willows Nature Reserve;
- Trees;
- Drainage;
- Archaeology; and
- Other Material 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'.

Downham Market is one of the borough's Main Towns and is identified as one of the main locations in the borough for residential development. Additionally the application site falls within Built Environment Type D as identified in the King's Lynn & West Norfolk Local Plan, 1998 and is shown on the Core Strategy's 'Key Diagram' for Downham Market as 'permitted housing'. As such the principle of new residential development is generally considered to be acceptable under Policies CS02, CS04 and CS09 of the Core Strategy and emerging Policy DM2 of the Site Allocations and Development Management Policies Pre-Submission Document. Additionally the site has an historical permission for residential development.

It is therefore concluded that the principle of residential development of the site is acceptable.

Form and Character

The site has built form to its north and northeast (residential), northwest (Heygate Mill) and south (Trafalgar Industrial Estate). As such, the site is relatively well contained with limited long public views. However, public views (from those travelling on the train or those visiting The Willows) would be available. It is concluded however that development of the site that would infill two largely built up areas would not be incongruous or of detriment to the form and character of the locality.

Neighbour Amenity

The application is in outline form with scale and appearance reserved for future consideration. However, due to the flood risk associated with the site it is clear that single storey dwellings would not be appropriate on the site.

The only unrelated residential property likely to be affected is the dwelling to the immediate north of the northern most plot. However, as layout is indicative also, it is not possible to fully consider any impact. What can be concluded however is that the site is of a size that could accommodate up to 32 dwellings with scope to design out any material impacts at reserved matters stage (scale, appearance and layout).

Affordable Housing and other Planning Obligations

Affordable housing, on-site open space (for children's play equipment), education contribution (financial), library contribution (financial) and open space contribution (financial), the latter to be linked specifically to The Willows Nature Reservation, will all be covered by a S106 Agreement which is being secured concurrently with the consideration of this application.

Highway Safety and Access

The local highway authority has no objection to the principle of development (i.e. access via the existing residential development to the north). Other highway issues will need to be considered under the reserved matters application (layout).

In relation to pedestrian access, the Town Council suggests that public footpaths are an integral part of the existing space. However other than evidence of a footpath in the south-eastern corner of the site that links Trafalgar Industrial Estate to the Willows there are no existing public footpaths across the site. Additionally there is no formal vehicular access between the site and the industrial estate. In this regard it should be noted that to create such a link would be of detriment to the amenity and safety of not only this proposal but also existing residential development to the north of the site. As such a vehicular link will not be sought. It is however considered appropriate to formalise the pedestrian link between the industrial estate and the nature reserve – and this will be secured by condition.

Flood Risk

The site lies in an area at risk of flooding. There are other areas within Downham Market that are at a lower risk of flooding. As a general rule the Sequential Test should be undertaken. However, given the status of the site, the sequential test is not required. In relation to the status of the site (in terms of it being an allocated site for residential development) there is some confusion. The Local Plan, 1998 identified the site as a 1ha 'Housing Land Site' (adjacent Brickfields).

However, the policy that accords with this designation (Policy 6/7) was not saved and was superseded by Core Strategy Policy CS04. The reason for not saving Policy 6/7 was that the three other sites covered by this policy were 'largely built-out' and that there was an extant permission in place for the Brickfields site.

Core Strategy Policy CS04 states that *the broad location for expansion and sites of significant redevelopment are indicated within the Key Diagram and will be defined within the Site Allocations and Policies Development Plan Document*. The Key Diagram for Downham Market identifies the site as 'Permitted Housing'. However, the site has not been allocated in the SA&DMP. This is largely because the site lies within the Development Boundary and therefore (in accordance with the process for allocating sites) does not need to be allocated in order to be able to come forward.

It is clear from the above that the site was an allocated site for housing for an extensive period of time and that a cumulative number of processes have resulted in the allocation not being formally carried through – i.e. the other three sites being largely built out, the site benefitting from an extant permission when the Core Strategy was written, and the allocation process not picking sites within the development boundary. A pragmatic approach is therefore being taken in relation to the site and your officers conclude that for the sake of the sequential test the site is an allocated site.

The Exception Test is however required. In this regard it is concluded that the housing that the development would provide is of a wider sustainability benefit that outweighs the risks associated by flooding, and the FRA has shown that the development would be safe for its lifetime and would not increase flood risk elsewhere.

The Environment Agency has no objection to the proposed development.

Ecology and Impact on The Willows Nature Reserve

A preliminary habitat survey accompanied the application which found no presence of protected species although did note that the site supported areas of habitat that were considered to be of modest value to wildlife, particularly birds (nesting areas), bats (a Crack Willow), and reptiles and amphibians (in piles of rubble and the ditch that borders the western side of the site). Recommendations are made in the survey such as: placing bird nesting boxes on new and retained trees, retaining the Crack Willow tree, removing rubble by hand and allowing escape routes from the ditches. The mitigation measures seem proportionate and appropriate, and any permission granted could be conditioned to be carried out in accordance with the submitted survey.

The Willows Nature Reserve is a County Wildlife Site and is therefore afforded protection by the NPPF, NPPG and policies of the Development Plan. Concern has been raised by consultees and objectors regarding the impact of the proposed development on this site. The site has become increasingly surrounded by development, first by housing development off Richmond Road and the Trafalgar Industrial Estate to the south and southwest and secondly by residential development granted consent to the north and east of The Willows. The Willows has declined in condition with the reed bed becoming dry which is acknowledged by Norfolk Wildlife Trust and the Borough Council (owners of the site).

However, as outlined earlier it must be acknowledged that this is a long standing allocated residential site which is supported in principle.

Whilst third parties have suggested the scheme could help to restore the condition of the body of water adjacent to CWS via SUDS, it is not known if such a scheme would be achievable. Additionally the body of water is not in the ownership of the applicant. Notwithstanding this, a contribution is being sought towards the CWS through the S106 Agreement.

In relation to an ecological assessment of The Willows, the survey was updated to take account of the impact of the proposal specifically on the CWS. The mitigation proposed has satisfied Norfolk Wildlife Trust that pollution of the CWS can be suitably addressed.

It is therefore concluded that ecology and protection of the CWS can be suitably addressed by condition and a financial contribution via a S106 Agreement (£50 / dwelling).

Trees

There are no protected trees on the site and the Arboricultural Officer (AO) has no objection to the proposed development as long as it is conditioned to be carried out in accordance with the submitted Tree Survey Assessment (which shows the retention of four individual trees (one of which is the Crack Willow) and one group of trees (the row of Poplar trees on the eastern boundary)).

Other landscaping issues will be suitably dealt with at reserved matters stage (landscaping).

Drainage

Concerns have been expressed in relation to drainage. However, the three bodies concerned (the Environment Agency (EA), Anglian Water (AW) and Stoke Ferry Internal Drainage Board (IDB)) consider that an acceptable drainage solution could be achieved on site. Any permission granted would therefore be conditioned to require a foul and surface water strategy (to include a long-term attenuation management scheme) to be agreed.

Archaeology

A desk-based Archaeological Assessment was undertaken to clarify the archaeological potential of the site and assess the level of impact development proposals may have on any archaeology present. The assessment highlighted good potential for evidence of post-medieval industrial activity, relating to a 19th Century brickworks constructed immediately adjacent to and extending into the site, but a generally low potential for remains of other periods to survive on the site. It is considered that any permission granted could be suitably conditioned to require development be carried out in accordance with a Written Scheme of Investigation which would be agreed prior to any development taking place on the site.

Other Material Considerations

Noise - The site is located directly adjacent to the railway line with Heygates Flour Mill to the north and Trafalgar Industrial Estate to the south. These neighbouring uses give rise to potential noise disturbance for future occupiers of properties on the site. A Noise Report has been submitted and assessed by the Local Authorities Neighbourhood Nuisance and Community Safety Team (CSNN). Whilst mitigation is proposed, CSNN are not convinced that it is sufficient.

However, they conclude that they are confident that a suitable means of mitigation could be achieved. CSNN therefore have no objection subject to a condition, requiring further information, be submitted.

Other than the Town Council (whose objections have been covered in the main body of the report), no objections have been received from statutory consultees.

Third party objections / concerns have been covered in the main body of the report.

Crime and Disorder – Due to the outline nature of the proposed development, this would be covered at the Reserved Matters stage. However, in principle new residential development will increase natural surveillance in the area and may actually help deter antisocial behaviour.

CONCLUSION

The site is within one of the borough's main towns where residential development is sought. Whilst the application is in outline form, no technical objections have been received, and it has been satisfactorily demonstrated that development can be accommodated on the site that accords with overarching national and local planning policy and guidance.

A S106 Agreement is currently being considered and any approval should be subject to its satisfactory completion.

RECOMMENDATION:

A) APPROVE subject to the completion of a Section 106 Agreement within 3 months of the date of this decision and subject to the imposition of the following condition(s):

- 1 Condition Approval of the details of the, 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 No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).
- 5 Reason To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard.
- 6 Condition The development hereby permitted shall comprise of residential units that are at least 1.5 storeys in height.
- 6 Reason To reduce the risks associated with flooding in accordance with the NPPF, NPPG and Core Strategy Policies CS01 and CS08.
- 7 Condition No development shall commence until foul and surface water drainage strategies have been submitted to and approved in writing by the Local Planning Authority. The strategies shall include the long term management and attenuation of the approved systems. The foul and surface water drainage shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 7 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 8 Condition The development hereby permitted shall be carried out in accordance with the recommendations proposed throughout the Phase 1 Habitat Survey (by Cotswold Wildlife Surveys dated June 2014 - updated February 2015).
- 8 Reason In order to protect ecological and biological features and protected species in accordance with the NPPF.
- 9 Condition No development above foundation level shall take place on site until a scheme to protect the future residents from noise from the railway and from industrial and commercial noise sources on adjacent land 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.
- 9 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 10 Condition Prior to the commencement of development a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority; the plan shall include proposed timescales and hours of construction phase. The plan 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 The development hereby permitted shall be carried out in accordance with the recommendations of the Flood Risk Assessment that accompanied the application as amended by additional information received via email from Matthew Cheeseman, Principal Hydrologist (RSK), dated 5 February 2015.
- 11 Reason To reduce the risks associated with flooding in accordance with the NPPF, NPPG and Core Strategy Policies CS01 and CS08.
- 12 Condition No development or other operations shall commence on site until the existing trees and / or hedgerows to be retained (as identified in the Tree Survey Assessment that accompanied the application (Ref: 14302/A1 dated 22 August 2014 by Cotswold Wildlife Surveys)) 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.
- 12 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 13 Condition The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 13 Reason In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 14 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'.

- 14 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.
- 15 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.
- 15 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.
- 16 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.

- 16 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.

- 17 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 in accordance with the requirements of condition 14, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 15, 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 in accordance with condition 16.

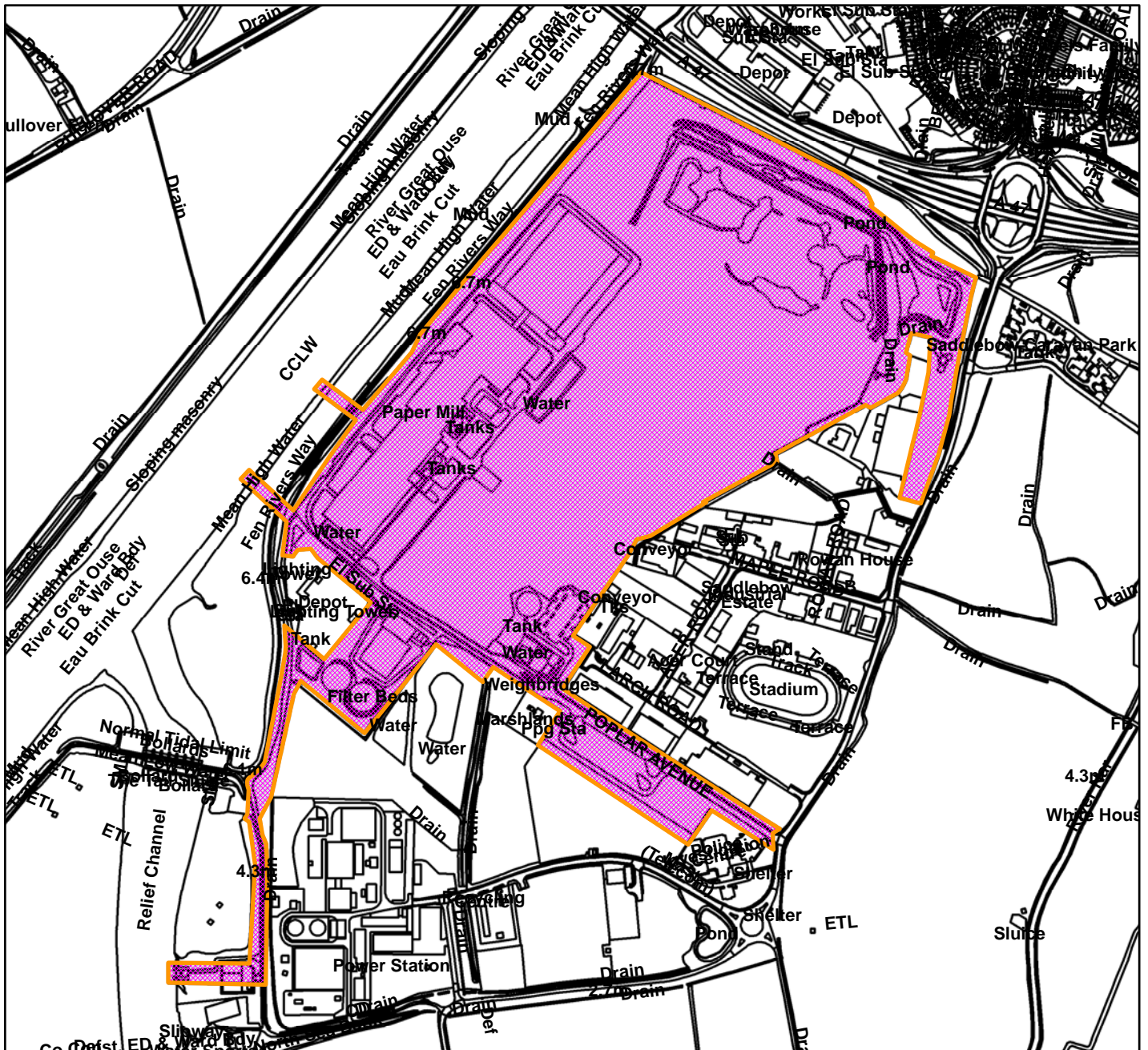
- 17 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 18 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.
- 18 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.
- 19 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.
- 19 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.
- 20 Condition No development shall take place 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:
1. An assessment of the significance of heritage assets present
 2. The programme and methodology of site investigation and recording
 3. The programme for post investigation assessment of recovered material
 4. Provision to be made for analysis of the site investigation and recording
 5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 6. Provision to be made for archive deposition of the analysis and records of the site investigation
 7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

- 20 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 21 Condition No development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 20.
- 21 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 22 Condition The development shall not be occupied 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 20 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 22 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 23 Condition The development hereby approved shall comprise of no more than 32 residential units.
- 23 Reason To define the terms of the consent and to ensure an appropriate scale of development in accordance with the NPPF, Core Strategy Policy CS08 and Saved Local Plan Policy 4/21.
- 24 Condition In relation to access only the development hereby permitted shall be carried out in accordance with drawing no: BMD.14.033.DR.003.
- 24 Reason For the avoidance of doubt and in the interests of proper planning.
- 25 Condition Prior to the occupation of any dwelling hereby approved details shall be submitted to and approved in writing by the Local Planning Authority for the formation and continuation of the pedestrian link in the south western corner of the site (shown on drawing no: BMD.14.033.dr.003) to the footpath on Trafalgar Industrial Estate. The pedestrian link shall be constructed in accordance with the approved details prior to the first occupation of any dwelling hereby approved.
- 25 Reason To ensure good connectivity of the site for alternative modes of transport (to the private car) in accordance with the NPPF and Core Strategy Policy CS13.

B) REFUSE in the event that the Section 106 Agreement is not completed within 3 months of the date of this decision.

14/01548/S36

Palm Paper Poplar Avenue King's Lynn



Scale: 1:9,000

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:9000
Date	19/03/2015
MSA Number	0100024314

Parish:	King's Lynn	
Proposal:	Application for a Development Consent Order - Construction of a 162MW Combined Cycle Gas Turbine power station	
Location:	Palm Paper Poplar Avenue King's Lynn Norfolk	
Applicant:	Palm Paper Ltd	
Case No:	14/01548/S36 (Section 36 Electricity Act Consultation)	
Case Officer:	Mr D Parkin Tel: 01553 616468	Date for Determination: 17 February 2015

Reason for Referral to Planning Committee – At the Discretion of the Executive Director.

Case Summary

The application seeks a Development Consent Order for a 162MW Combined Cycle Gas Turbine (CCGT) on the Palm Paper site, south of King's Lynn. The application is made to the Planning Inspectorate as a Nationally Significant Infrastructure Project with a decision ultimately being made by the Secretary of State.

The Borough Council is an 'interested party' in the process.

This report seeks the Committee's endorsement of the attached Local Impact Report.

Key Issues

Landscape and Visual Impact;
Socio-economics;
Air Quality;
Noise and Vibration;
Odour and Light; and
Flood risk.

Recommendation

That Committee notes the content of the Local Impact Report attached and agrees that it may be forwarded to the Planning Inspectorate.

INTRODUCTION

The application is made to the Planning Inspectorate for determination as it is for the construction of an onshore generating capacity of more than 50MW. Under the terms of Section 14(1) of the Planning Act 2008 this scale of development is classed as a 'Nationally Significant Infrastructure Project' (NSIP). Consequently, to gain consent an application for a

Development Consent Order (DCO) has to be made to the Planning Inspectorate with a final decision being made by the Secretary of State.

The Borough Council is an 'interested party' in the process and is asked to consider producing a 'Local Impact Report' (LIR) to inform the decision making process. A LIR is defined as 'a report in writing giving details of the likely impact of the proposed development on the authority's area (or any part of that area)'.

The purpose of this report is to seek the Committee's views on and endorsement of the LIR attached.

THE APPLICATION

The proposal is to construct a Combined Cycle Gas Turbine (CCGT) plant; the plant buildings will cover an area of approximately 3,000 sq.m. The main buildings would have a footprint of 55 m x 33 and be between 15 and 25 metres high. The buildings will be made of pre-cast concrete and clad in similar materials to the existing mill. There will be an 80 metre stack to vent exhaust gases.

The proposed CCGT lies within the curtilage of the existing Palm Paper mill on existing hard-standing adjacent to existing buildings. The mill is located to the east of the River Great Ouse and to the north west of the Saddlebow Industrial Estate and on the southern side of the A47.

The CCGT would have an output of 162 MW. It will use high pressure natural gas imported to the site to produce both electricity and steam for use within the paper recycling process. The new CCGT will replace the two existing gas fuelled boilers and will reduce overall Carbon Dioxide emissions per unit of electricity/steam. There will be no export of either heat or electricity from the site.

The proposed development will require a new gas supply from nearby National Grid Gas and this will require a new gas pipeline to the site which will be subject of a separate application to the Borough Council.

The construction timetable is anticipated to be 18 months.

SUPPORTING CASE

The application is accompanied by the following supporting documents:

- Draft Development Consent Order;
- Consultation Report;
- Planning Statement;
- Design and Access Statement;
- Flood Risk Assessment (Location Statement);
- Habitat Regulations Assessment - NSE report (Location Statement);
- Statement of Statutory Nuisances;
- Gas Connection Statement;
- Carbon Assessment;
- Environmental Statement; and
- Outline CEMP Construction Environmental Management Plan.

The Environmental Statement covers the following topics:

- Description of the application site & surroundings;
- Description of the development;
- Legislative planning policy context;
- Environmental Impact Assessment Methodology;
- Air quality;
- Noise and vibration;
- Landscape and visual effects;
- Ecology and nature conservation;
- Flood risk and drainage;
- Archaeology and cultural heritage;
- Water resources and water quality;
- Traffic and transportation;
- Socio-economics;
- Ground conditions; and
- Public health.

The following is an abbreviated extract from the Planning Statement:

“The Lynn PM7 paper mill consumes significant amount of energy, in the form of electricity and steam, during the paper recycling and production processes. Under normal operating conditions the mill requires at least 56MW of electricity and 100 tonnes per hour of steam, which rises to 60MW of electricity and 130 tonnes per hour of steam under short term peak load periods.

Currently electricity is imported from the local electricity network. Two package boilers within the main paper mill building then generate all the steam required for the paper recycling process, using an existing connection to a low pressure gas pipeline.

Palm Paper wish to reduce their carbon emissions and their reliance on imported energy, and intend to construct a Combined Cycle Gas Turbine at the paper mill. The company already operate two Combined Cycle Gas Turbines at their German paper mills and are therefore experienced at using this form of technology within the paper recycling process. The proposed CCGT would have an operational thermal input of 162MW with an electrical output of up to 60MWe and an output of 130 tonnes of steam per hour. It would therefore be capable of providing for the entire electricity and steam requirements of the paper mill, even at peak loads. The existing package boilers and connection to the electricity grid would be retained as a back-up for periods of down time for the proposed CCGT, but would not operate at the same time as the CCGT.

The proposed CCGT would function using high pressure natural gas, which would be delivered to the site via a new underground pipeline.

Within the CCGT building a compressor draws in clean, filtered air and compresses and mixes it with natural gas in a combustion chamber. This mixture is combusted to produce hot, high pressure flue gas. The expanded gases are fed through the gas turbine, which drives an initial electrical generator.

The hot exhaust gases then pass through a heat recovery system generator (HSRG), where heat is extracted and turns water into steam. This steam is passed through a steam turbine, which also drives a generator and produces further electricity. The low energy steam is then transferred to the paper mill for use within the paper production process”.

The Planning Statement concludes as follows:

“The proposed Combined Cycle Gas Turbine would provide both steam and electrical power to the existing Palm Paper mill. The high levels of efficiency created by the CCGT process would allow Palm Paper to create a significant reduction in carbon emissions arising from the mill every year and the plant would make a contribution towards the resilience of national energy infrastructure by reducing Palm Paper’s current reliance on grid electricity. There are no alternatives to the scheme which would create these same benefits whilst having less environmental impacts than the proposed CCGT.

The submitted Environmental Impact Assessment undertakes a detailed appraisal of all likely environmental impacts of the proposed facility and concludes that it will have no residual significant impacts.

The proposed scheme is considered to accord fully with EN-1 and EN-2 which represent the relevant National Policy Statements in this case. It also addresses those relevant planning policies at the local level and satisfies the various legal tests set out within the Planning Act 2008.

On balance the limited and insignificant environmental impacts of the proposal do not outweigh the benefits it would generate, particularly given the weight attributed to reducing carbon emissions and ensuring a more resilient national energy infrastructure. It is therefore submitted that the policy context to the proposal is favourable and that as a result development consent should be granted”.

PLANNING HISTORY

Application site:

13/00648/F: Application Permitted: 12/02/14 - Variation of conditions 9, 10, 26, 27, 28 and 29 of planning consent 10/01291/F: Removal of Condition 25 attached to planning permission reference number 09/01124/F - Palm Paper Recycling Facility, Poplar Avenue, King's Lynn

10/01291/F: Application Permitted: 09/11/10 - Removal of Condition 25 attached to planning permission reference number 09/01124/F - Palm Paper Recycling Facility, Poplar Avenue, King's Lynn

09/01124/F: Application Permitted: 23/12/09 - Variation of Condition 30 in connection with planning permission reference number 08/00469/F - Ex British Sugar, Poplar Avenue, King's Lynn

09/00522/F: Application Permitted: 13/08/09 - Formation of a reject storage hardstanding area and construction of a distribution chute and conveyor between the reject storage area and deinking building - Palm Paper Recycling Facility, Poplar Avenue, King's Lynn

09/00521/F: Application Permitted: 15/05/09 - Amendments during the course of construction to change design of the main administration buildings - Palm Paper Recycling Facility, Poplar Avenue, King's Lynn

09/00520/F: Application Permitted: 15/05/09 - Works during the course of construction to reduce the size of the raw materials storage building and to install a new pipebridge between the deinking plant and effluent treatment plant - Palm Paper Recycling Facility, Poplar Avenue, King's Lynn

08/00469/F: Application Permitted: 16/04/08 - Variation of Condition 30 of Planning Permission reference number 07/1708/FM - Ex British Sugar
Poplar Avenue, King's Lynn, Norfolk

07/01708/FM: Application Permitted: 22/11/07 - Erection of paper recycling facility, combined heat and power plant, effluent treatment works, gatehouse, roads, yardage, parking, landscaping and ancillary building works - Ex British Sugar, Poplar Avenue, King's Lynn

04/00686/CM: Application Permitted: 18/06/04 - Variation of condition to amend drainage scheme - Railway Terminal Ltd, Poplar Avenue, Saddlebow
King's Lynn

2/97/0565/F: Application Permitted: 13/05/97 - Temporary siting of portacabin for use as offices - British Sugar Plc, Saddlebow Road

07/01708/FM: Application Permitted: 22/11/07 - Erection of paper recycling facility, combined heat and power plant, effluent treatment works, gatehouse, roads, yardage, parking, landscaping and ancillary building works - Ex British Sugar, Poplar Avenue, King's Lynn

06/02600/CM: NO OBJECTION TO NCC APP: 26/01/07 - Relocation of NCC Community Recycling Centre - Recycling Centre, Poplar Avenue, King's Lynn

04/02059/F: Application Permitted: 03/12/04 - Construction of control kiosk and associated weighbridges - Railroad Terminal Ltd, Poplar Avenue
Saddlebow, King's Lynn

2/03/0319/F: Application Permitted: 10/04/03 - Installation of pressure treatment plant for timber and storage of treated/untreated timber - Adj Unit 5A, Poplar Avenue, Saddlebow

2/02/2137/CM: Application Permitted: 19/03/03 - Variation to existing consent C/2/2000/2023 to permit development of a fridge recycling plant - Former Sugar Beet Factory, Poplar Avenue, Saddlebow

2/02/0817/CU: Application Permitted: 04/07/02 - Use of land and building for highways maintenance depot - Poplar Avenue, off Saddlebow Road

2/02/0658/F: Application Permitted: 22/05/02 - Retention of extensions to security cabin - Poplar Avenue, Saddlebow Road

2/01/0628/F: Application Permitted: 13/06/01 - Construction of dome salt store together with surface flush axle weigher and brine containment works. - Former Sugar Beet Factory Site, Poplar Avenue

2/00/1604/CM: Application Permitted: 04/10/02 - Recycling transfer and composting facility including change of use of buildings - Former Sugar Beet Site

2/97/0565/F: Application Permitted: 13/05/97 - Temporary siting of portacabin for use as offices - British Sugar Plc, Saddlebow Road

Adjacent Sites:

13/01105/FM: Application Permitted: 23/10/13 - Extension of the air cooled condenser structure and replacement of the air inlet filterhouse - King's Lynn Power Station, Willow Road, Willows Business Park

11/01064/CM: OBJECTION TO NCC APP: 25/07/11 - County Matters Application - Willows Power and Recycling Centre - Land At Willow Road, Willow Road, Willows Business Park, King's Lynn (APPLICATION WITHDRAWN)

12/01986/F: Application Permitted: 13/05/13 - Variation of condition 8 of planning consent
11/01034/F: Variation of conditions 14, 37 & 38 of planning permission 08/01544/S36: Consultation in relation to the construction of King's Lynn CCGT power station - King's Lynn Power Station, Willow Road, Willows Business Park, King's Lynn

12/00550/S36: No objections to Crown application: 18/12/13 - Construction and operation of a 2.8km (1.75 miles) 400,000 volt (400kv) overhead electricity transmission line between the proposed King's Lynn B power station and Willows Business Park, Saddlebow, near King's Lynn and the existing 400kV overhead electricity transmission line between Norwich main substation and Walpole substation - King's Lynn Power Station, Willow Road, Willows Business Park, King's Lynn

11/01034/F: Application Permitted: 03/04/12 - Variation of conditions 14, 37 & 38 of planning permission 08/01544/S36: Consultation in relation to the construction of King's Lynn CCGT power station - King's Lynn Power Station, Willow Road, Willows Business Park, King's Lynn

10/02133/F: Application Permitted: 17/03/11 - Extension to existing power station control room, conversion of existing storage area, installation of new water tank and replacement site perimeter fencing - King's Lynn Power Station, Willow Road, Willows Business Park, King's Lynn

08/01544/S36: No objections to Crown application: 05/08/08 - Consultation in relation to the construction of King's Lynn CCGT power station - Land Adjacent King's Lynn Power Station, Willows Business Park Saddlebow Road, King's Lynn

2/92/0146/SU: Application Permitted: 25/06/93 - Construction of combined cycle gas turbine generating station - King's Lynn Power Station Willow Road, Willows Business Park, King's Lynn

RESPONSE TO CONSULTATION

As a Nationally Significant Infrastructure Project all consultations are carried out by the Planning Inspectorate.

In putting together this report, Environmental Health – Environmental Quality and Licensing and Environmental Health – Community Safety & Neighbourhood Nuisance have been consulted. Their views are expressed in the Local Impact Report appended to this report.

In addition, the **King's Lynn Area Consultative Committee (KLACC) Planning sub-group** has been consulted. The Sub-group responded as follows:

The group identified the following main impacts:-

Landscape and visual impact;
Air quality;
Noise;
Socio-economic; and
Flooding.

Whilst the group had no issues with noise, socio-economic impacts and flooding, they expressed concern at the height of the stack but recognised the trade-off between reducing air quality impacts and reducing the height of the stack.

REPRESENTATIONS

All representations are made to the Planning Inspectorate as the determining authority for Nationally Significant Infrastructure Projects.

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

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

Not all of the issues raised by this application are within the Council's area of expertise to comment on. On matters relating to ecology, for example, Natural England is the relevant consultee and has been formally approached for a view by the applicant. Natural England's representations and those of other bodies such as Norfolk County Council as the Local Highways Authority will be made directly to the Planning Inspectorate and included in the report submitted to the Secretary of State.

Reviewing the application, the following key impacts have been identified:-

- Landscape and visual impact;
- Socio-economic;
- Air quality;
- Contaminated land;
- Noise & vibration;
- Odour and lighting; and
- Flooding.

Landscape and Visual Impact

The viewpoint analysis included in the ES concludes that some adverse effects on the landscape and the visual setting of the area will occur. Views from the south are generally restricted by the prominent and considerably elevated King's Lynn A Power Station. With the exception of the stack the proposed development would be contained by the existing paper mill buildings from viewpoints to the west and the north.

From viewpoints to the east and south the main bulk of the project would be screened by a combination of existing industrial building structures or by dense foreground vegetation. Further mitigation measures such as tree planting can reduce the proportion of the facility, and blend the facility with the existing building structures and the surrounding landscape to a certain extent.

It is proposed that the new plant will be designed so as to be similar in appearance to the existing paper mill buildings and will seek to employ the same finish as the existing buildings which were intended to mask the plant in the existing landscape. The ES predicts that the stack and larger buildings will have clear visibility from this viewpoint. The new development would be seen in the context of the existing paper mill.

Whilst on its own the CCGT is a large building, given the context in which it is to be positioned its impact is mitigated by the presence of existing industrial buildings of a similar scale, including the paper mill and the power station. The main impact will arise from the stack. This is a slender structure but 10m higher than the 70m stack approved for the consented CHP plant that would sit to the south of the CCGT.

The effect of the proposed development in terms of landscape and visual impacts is considered to be moderate.

Socio-economic impact

The proposal would generate most employment opportunities during the 18 month construction period when a maximum of 50 people would be employed but on average 2-30 jobs per month. When constructed, the CCGT would need 3-5 full time employees but the ES states that these would be recruited from staff that currently runs the plant's existing boilers. As the existing boilers would not be run at the same time as the CCGT, there would

be no net gain in employment. Notwithstanding this, the CCGT would play a role in helping Palm Paper as a major local employer to sustain their operations in the Borough and the UK.

The socio-economic impacts of the proposal are therefore considered to be positive but of minor significance; a conclusion that is reflected in the ES.

Air quality

During the construction phase the main impact on air quality will arise from dust created on-site. A draft Construction Environmental Management Plan accompanied the DCO application and has been reviewed by Environmental Health. Subject to the implementation and monitoring of the plan, which can be secured by the use of conditions (referred to as 'requirements' in the DCO process), the impact of the construction phase is considered to be acceptable.

When operational, the burning of natural gas in the CCGT will produce carbon dioxide (CO₂), water vapour and oxides of nitrogen (NO_x).

The ES has identified a number of sensitive receptors within 5km of the site, including a travellers' site, houses and schools. The site is within 2.5km of the King's Lynn town centre Air Quality Management Area (AQMA).

Emissions to air will be mitigated by the use of 'best available techniques' including the use of dry low-NO_x burner technology as well as the use of an 80m stack. In addition, the CCGT will mean that the existing boilers, which are less efficient, are not run at the same time.

Dispersion modelling has been carried out in the ES, which includes cumulative impacts with consented development at Palm Paper (CHP plant) and King's Lynn power station as well as the then proposed incinerator at the Willows. The modelling has demonstrated that there are no predicted breaches of air quality objectives or guidelines. The impact on the AQMA is considered to be 'insignificant', being less than 1% of the Air Quality Objective for NO_x.

The results of the modelling have been reviewed by Environmental Health and judged to be acceptable, subject to the use of an 80m stack.

Contaminated land

The proposed development is to take place on land that has been previously developed. Some work has already been taken to remediate the site as part of the construction of the paper mill. The underlying geology is not considered to be particularly sensitive. Subject to an up-dated ground gas regime, which can be secured by requirement, the impact of the development in terms of the impact of contaminated land upon human health is considered acceptable.

Noise & vibration

The nearest noise sensitive receptors to the site are the travellers' site at the junction with the A47 (710m away) and South Lynn (Hillen Road – 830m away). Existing background noise levels at these locations are already high at around 43-45 LA90dB (A) night time

Noise impacts during construction will depend upon the phase with piling being the noisiest activity. Notwithstanding this, the ES identifies that the noise (as opposed to vibration) levels at the travellers' site and Hillen Road will be negligible when experienced in the context of existing background daytime levels. This will be dependent upon construction hours limitations being secured by requirement, which will include specific limitations for piling.

Operational noise levels have been assessed both individually and cumulatively. Cumulative levels include assessments for the consented King's Lynn B power station extension and an allowance for the Willows EfW plant. The night-time levels from the CCGT at the travellers' site are predicted to be 32LardB (A), which is lower than the existing level of 43LA90, dB (A). The cumulative impact of the CCGT plus King's Lynn B and the EfW plant would have been an increase in night-time noise levels of less than 1dB(A), which is considered to be imperceptible.

During construction, piling will be the activity that will create most disturbance during construction. The ES concludes that given the distances to the nearest receptors (closest = 710m), vibration levels will be 'insignificant'. Piling would occur for a period of approximately 5 weeks out of the total 18 month construction period. Subject to time limits and further details of the piling technique, the impact of vibration during construction is considered to be acceptable.

During the operational phase of the development, vibration would mainly be caused by vehicles servicing the CCGT. Given the levels of traffic generated during operation, bearing in mind only 5 employees on-site and that these people are recruited from the existing workforce, impacts during operation are considered to be minimal.

The ES has been reviewed by Environmental Health and, subject to requirements to secure the implementation of a Construction Environmental Management Plan and hours limits on construction, the impact of the proposal is considered to be acceptable.

Odour and lighting

The burning of natural gas is largely odourless; the impact will therefore be acceptable.

Given the distances to nearest residential properties, the impact of site lighting will be negligible and details can be secured by requirement.

Flooding

The majority of the CCGT site lies in Flood Zone 1 and therefore complies with the requirements of the sequential test. A requirement will be required so that full details of the foul and surface water drainage can be agreed with the relevant drainage authorities.

CONCLUSION

Whilst the CCGT is a large structure in its own right, it is set in the context of other large buildings. The existing environment is predominantly industrial, with relatively high background noise levels. A development of this scale and nature will not have significantly adverse impacts in this location.

Further afield, the ES concludes that impacts on air quality will be within acceptable levels.

The Committee is therefore invited to endorse the Local Impact Report attached so that it may be forwarded to the Planning Inspectorate.

RECOMMENDATION:

No objections

Local Impact Report

Application by Palm Paper Limited for a Combined Cycle Gas Turbine at Palm Paper Plant

PINS reference: 10030306
LPA reference: 14/01548/S36

Introduction

The purpose of the Local Impact Report (LIR) is to set out the Borough Council of King's Lynn and West Norfolk's view on the Nationally Significant Infrastructure Project (NSIP) proposed by Palm Paper at the existing mill site to the south of King's Lynn.

The proposal is to construct a Combined Cycle Gas Turbine (CCGT) plant; the plant buildings will cover an area of approximately 3,000 sq.m. The main buildings would have a footprint of 55 m x 33 and between 15 and 25 metres high. The buildings will be made of pre-cast concrete and clad in similar materials to the existing mill. There will be an 80 metre stack to vent exhaust gases. The proposed CCGT lies within the curtilage of the existing paper mill on existing hard-standing adjacent to existing buildings. The mill is located to the east of the River Great Ouse and to the north west of the Saddlebow Industrial Estate.

The CCGT would have an output of 162 MW. It will use high pressure natural gas imported to the site to produce both electricity and steam for use within the paper recycling process. The new CCGT will replace the two existing gas fuelled boilers and will reduce overall Carbon Dioxide emissions per unit of electricity/steam. There will be no export of either heat or electricity from the site.

The proposed development will require a new gas supply from nearby National Grid Gas and this will require a new gas pipeline to the site which will be subject of a separate application to the Borough Council.

The construction timetable is anticipated to be 18 months.

National Policy

National Planning Policy Framework – this was published March 2012. The NPPF does not contain specific policies for NSIPs. Such proposals are determined in accordance with the decision making framework set out in the 2008 Planning Act and the relevant National Policy Statements (NPS) for major infrastructure. The NPPF is, however, a material consideration when assessing NSIPs.

The Department of Energy and Climate Change (DECC) has produced NPSs covering Energy related development. NPS EN-1 sets out national policy for major energy projects having regard to a number of environmental and transport criteria. The NPS recognises the benefits of combined heat and power technologies in using less fuel and producing less emissions.

Local Policy

The Development Plan consists of the Core Strategy adopted in 2011 and saved policies from the King's Lynn and West Norfolk Local Plan 1998. In addition, the Council's Site Allocations and Development Management Policies Pre-submission Document has been published. The consultation period for this document ended at the beginning of March and by the time the hearings are held for this proposal the document will have been submitted to the Planning Inspectorate.

Relevant policies from the Development Plan are:-

CS01 – Spatial Strategy;
 CS02 – Settlement Strategy;
 CS03 – King’s Lynn area;
 CS08 – Sustainable Development;
 CS10 – The Economy;
 CS11 – Transport; and
 CS12 – Environmental Assets.

Relevant development management policies from the emerging policy document are:-

DM1 – Presumption in favour of sustainable development;
 DM15 – Environment, design & amenity; and
 DM21 – Sites in areas of flood risk.

Relevant site allocations:-

E1.12 King’s Lynn – Employment Land

Extracts from the development covering these policies are provided at Appendix 1.

Issues

Landscape & Visual Impact

Relevant development plan policies: CS08 & CS12

Other relevant policies: DM15

Positive Impacts

No designated landscapes are affected. Note: policy 4/6 referred to on page 213 of the ES is not a saved policy. The Areas of Important Landscape Quality no longer exist.

Neutral impacts

The building is large and in isolation would be visible across the relatively flat landscapes to the south of King’s Lynn as well as from vantage points from within King’s Lynn, as identified in the ES. However, the fact that the CCGT building is the same height as the existing de-inking plant and that the stack height is only 10m higher than the approved CHP plant that can still be built on the site mitigates substantially against the impact of the proposal. Provided that a similar approach is adopted to the use of materials on the CCGT as on the main paper mill, the impact upon the landscape

Negative impacts

None

Provided that a similar approach is adopted to the use of materials on the CCGT as on the main paper mill, the impact upon the surrounding landscape is considered acceptable.

The LPA does not consider the issue of the impact of the plume to be significant, particularly given the plumes from the existing mill.

Socio-economic

Relevant development plan policies: CS01, CS02, CS03, CS08, CS10

Other relevant policies: DM1, DM15 & E1.12

Positive Impacts

Short term (18 months) job generation during construction of average 20-30 jobs with maximum number of 50 and lowest of 15-20.

The developer argues that the proposal will support the operation of the existing paper mill.

Neutral Impacts

No impact on deliverability or attractiveness of proposed allocation E1.12

3-5 full time employees but recruited from personnel currently operating existing boilers. No net gain. No net export of electricity to grid but Palm Paper plant becomes self-sufficient in terms of energy.

Negative Impacts

None

The socio-economic impact of the proposal is considered to have a short-term beneficial impact of minor significance, in line with the findings of the ES.

Air Quality

Relevant development plan policies: CS01, CS03, CS08 & CS11

Other relevant documents: IAQM/EPUK, 2014 Land-Use Planning & Development Control: Planning for Air Quality (Consultation draft)

DEFRA, 2009, Local Air Quality Management Technical Guidance LAQM.TG(09)

Positive impacts

CHP Unit will provide both steam and power for the Palm Paper plant potentially reducing emissions from separate generation of steam and power.

A Construction Environmental Management plan is proposed. The implementation of these mitigation measures should prevent construction work generating levels of atmospheric dust and emissions which would constitute a risk to health or nuisance to local people or industry.

Neutral impacts

The ES states that 'the main construction site is located within an industrial area with the closest industrial properties over 200m from the main working area. Therefore, the site is considered to be a 'low risk site' when considering the potential for annoyance due to dust soiling and the risk to health effects due to a significant increase in exposure to PM10.'

The operational phase of the development is not predicted to result in significantly increased traffic flow or emissions from vehicles.

Installation of a 80m stack is predicted to result in a negligible impact on air quality. This minimum height can be secured by provisions in the development consent order.

Negative impacts

The ES notes that there will be additional traffic movements associated with construction. This might also include HGV deliveries to the area concerned for both raw materials and personnel, which could cause traffic, and air quality impacts within the locality

There are sensitive receptors (schools, residential, travellers site) within 5km of the site as well as a number of SSSIs, SPAs, SACs, Nature reserves and a Ramsar site within 10km. The site is also within 2.5km of the Kings Lynn town Centre Air Quality Management Area.

There are potential construction phase impacts on air quality such as traffic emissions from site plant equipment and vehicles and fugitive dust emission from construction activities

The site will produce nitrogen dioxide emissions which could impact sensitive receptors during the operational phase.

Cumulative impacts on air quality are possible as the site is close to other sources of air pollution such as King's Lynn Power station. Therefore background concentrations of those pollutants which are normally associated with power generation (oxides of nitrogen) may be higher than expected for a semi-urban location.

Installation of a 70m stack is predicted to result in an impact on air quality that cannot be screened out as insignificant.

Contaminated Land

Relevant development plan policies: CS01, CS03, CS08 & CS11

Positive impacts

The development is on land which has been previously developed.

The local geology is classed as a non-aquifer and is of low sensitivity to groundwater resources. It is proposed in the ES that during the construction phase, the Construction Environmental Management Plan and the Code of Construction Practice would provide the framework for managing environmental impacts of the development, including the control of impacts arising from groundwork related activities.

Ground gas monitoring is proposed in the ES during intrusive groundworks and mitigation measures proposed if required.

The ES states that 'further assessment would be required if unexpected contamination is encountered during construction.'

Neutral impacts

The application site for the CCGT plant was subjected to significant earthworks during construction of the paper mill. Whilst these works were not intended specifically to do so, they will have broken potential direct contact pathways to soil contamination.

Negative impacts

An updated ground gas risk assessment is required to determine the ground gas regime at the application site.

Operational Noise

Neutral impact

Background noise levels – we are satisfied that the background noise levels provided in the ES are representative of the current noise climate in the area. The ES has drawn data from noise assessments after commissioning of the Palm Paper site and noise data from other developments. It is unlikely that background noise levels will have decreased.

Negative impact

The ES has, correctly at the time of writing, made reference to and placed reliance on BS4142:1997, this standard has been superseded by BS4142:2014. The new standard has made significant changes to the assessment methodology, specifically in regard to penalties for tonality, impulsivity, Intermittency and minimum night time measurement periods. It is therefore necessary for this aspect of the ES to be amended to reflect the new standards requirements, which may impact upon the overall conclusions of the impact of the development on the existing noise climate.

Construction Noise / Vibration

Tables 7-9 to 7-11 are titled 'Sound Pressure Level' but provide Sound Power levels (L_{WA}), the report should be corrected to clarify which measurement is being referenced.

Neutral impact

The ES has identified that noise levels from construction activities at the nearest noise sensitive receptors (NSR) will be negligible. At the time of writing we have not undertaken a thorough assessment of the raw data provided.

The proposed construction hours in the draft SI are outside of the hours we would normally require for construction activities. However as the anticipated impact is expected to be negligible, the proposed hours are considered to be reasonable.

Negative impact

The ES identifies a preferred hierarchy of piling techniques and it is noted that the most significant impact of vibration is likely to be on the productivity of the paper mill itself. However, until ground conditions are determined, the exact piling method and duration of piling is unknown. Piling is the activity most likely to have an adverse impact on NSR's and, as such, more detail will be required at this point of the construction phase. The hours in which piling activities can take place may need specific and separate agreement.

Odour

We have no comments to make in relation to odour.

Lighting

Neutral

The ES states that lighting will be designed to ensure that light spillage and glare is minimised and provided that current best practice and design guidance is used the residual effects on sensitive receptors will be within acceptable levels. There is no evidence to suggest that this will not be the case.

Flooding

Relevant development plan policies: CS03 & CS08

Other relevant policies: DM21

The Council notes the comments of the Environment Agency in relation to flooding. Given that the majority of the site for the proposed CCGT is in Flood Zone 1 and the association with the existing Palm Paper mill, the Council is satisfied that the requirements of local and national policy are met with regard to the sequential test.

Areas to be covered by requirements:

- Construction Traffic Management Plan
- Construction Environmental Management Plan
- Mitigation for Air Quality impacts (either dealt with via requirement or as s106 agreement requiring payment for monitoring of NO2 via diffusion tube)
- Contaminated Land – mitigation in accordance with ES recommendations
- Details of lighting scheme
- Foundation method statement
- Noise monitoring
- Materials
- Landscaping
- Full details of foul and surface water drainage.

Conclusion

The Borough Council recognises the benefits of the proposed development in terms of providing jobs during the construction phase and the role the CCGT will play in securing Palm Paper's operations in the Borough. The Council considers that, subject to suitable requirements being attached to the Development Consent Order, the impacts of the proposed NSIP can be mitigated to an acceptable level.

15/00134/F

Land 1A Drury Lane Castle Acre



Scale: 1:1,250

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	18/03/2015
MSA Number	0100024314

Parish:	Castle Acre	
Proposal:	Demolition of single storey asbestos and metal clad garage and erection of a 2 bed residential unit arranged on 2 floors	
Location:	Land 1A Drury Lane Castle Acre Norfolk	
Applicant:	Ms Helen Mitchell	
Case No:	15/00134/F (Full Application)	
Case Officer:	Chris Fry Tel: 01553 616232	Date for Determination: 30 March 2015

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

Case Summary

The application site lies within Built Environment Type C and the Conservation Area of Castle Acre. Castle Acre is classified as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy.

The application site contains a corrugated tin garage which belongs to 1 Drury Lane, Castle Acre. The proposal seeks consent for the demolition of the garage and construction of a 2 storey property.

Members will recall that a recent application (14/00611/F) for a 3 storey townhouse was refused by the Planning Committee in July 2014.

Key Issues

Planning History
Principle of Development
Impact upon the Character of the Conservation Area
Impact upon Neighbour Amenity
Impact upon Highway Safety
Other Material Considerations

APPROVE

THE APPLICATION

The application site lies within Built Environment Type C and the Conservation Area according to the Local Plan Proposals Maps for Castle Acre. Castle Acre is defined as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy.

This particular part of the Conservation Area - according to Castle Acre Conservation Area Character Statement is "narrow with no footpaths... characterised by buildings crowding in on themselves ... a telescopic view is gained through to the Bailey Gate and beyond".

Drury Lane contains a number of two storey cottages and taller detached properties closer to the junction of Back Lane and Drury Lane. The properties in Sandles Court also form part of the backdrop to the Conservation Area.

The site contains a corrugated tin garage that is attached to the donor dwelling (1 Drury Lane) and The Old Stables. Members will recall a recent application on the site was refused by the Committee in July 2014 on the grounds that a 3 storey house with double gable was unduly prominent.

This proposal is to replace the garage with a two storey dwelling with dual pitched roof. Unlike the previous proposal the layout offers a conventional form of living and has no garage. The property will be constructed from brick and orange pantile.

SUPPORTING CASE

The application has been supported by a Heritage, Design and Access Statement:-

- The site is in the Conservation Area but does not add to the attractiveness of the street scene
- The site contains a rather crude structure which was used to house cars and sundry goods.
- The proposal is a simple 2 storey house; because of the limited site area a garage is not feasible.
- The materials used will match the adjoining Artisan's cottage, although the new house will be reflective of the age in which it was built as there will be an emphasis on conserving energy.
- The property has a conventional layout and is 2 bedroomed.
- No garage is provided as the Highways department does not want increased vehicular activity on Drury Lane.
- The ridge is above those of the adjacent properties. This is because the adjacent properties are not as deep as that proposed. The difference in heights is also accentuated by the ground floors of the cottages being 9" below street level.
- The eaves level is similar to the adjacent cottages.
- The catslide dormer is similar to White opposite.
- The materials used are similar to those of the surrounding area and fits well into the street scene.

PLANNING HISTORY

14/00611/F: Application Refused: 08/07/14 - Construction of dwelling following demolition of double garage in a Conservation Area

RESPONSE TO CONSULTATION

Parish Council: OBJECTION parking on Stocks Green is already problematic and at capacity. To build a new house with no garage facilities would not only exacerbate the problem but also set a precedent for future developments, which is unacceptable. To keep

the character of the conservation area, any new build should have its own parking facilities as advised by planning guidelines.

The higher roof line is also out of keeping with the surrounding cottages.

Highways Authority: NO OBJECTION directs towards previous application comments. From the previous application the officer notes that developing the site will lead to a reduction in trips to the donor property as parking is not provided in Drury Lane. Additionally the new property has no on-site parking and will park elsewhere. The most likely area to park is in stocks green, which can accommodate the low-level of parking the site, would engender.

Environmental Health & Housing - Environmental Quality: NO OBJECTION subject to condition

Conservation Officer: NO OBJECTION I am pleased to note that the proposed front elevation has been revised in line with my own verbal comments and those from the Conservation Area Advisory Panel i.e. the window to the side of the door removed and the dormer changed to a cat-slide. Conditions to be attached in regards to sample panel, tile sample and joinery details.

Conservation Area Advisory Panel: COMMENTS are generally supportive of the changes but considered that the window next to the door looked odd, and that the dormer should be changed to a catslide as it would be more in keeping with the surrounding area. Materials to be secured by condition

REPRESENTATIONS

One in support of the application

Twelve objections to the application on the following grounds **Three** from same objector

- Removes off-street parking and intensifies on-street parking on Stocks Green
- Allows "green light" to any subsequent application to use Stocks Green as designated parking spaces
- Cars parked in Drury Lane, blocks Emergency vehicle access to 1-4 Drury Lane.
- Design out of keeping as roof line still projects above the adjoining terraced cottages.
- Small footprint - subdivision of the plot
- Noise and disturbance during the build
- Alternative ways to develop the site
- Party wall issues
- Parking on Stocks Green is a detraction as referenced in the Conservation Area Character Statement
- Doesn't comply with NCC parking standards in so far as not providing off-street parking.
- Stocks Green is owned by the Parish Council, not NCC highways

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

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Planning History
- Principle of Development
- Impact upon the Character of the Conservation Area
- Impact upon Neighbour Amenity
- Impact upon Highway Safety
- Other Material Considerations

Planning History

Members will recall that the site has been the subject of a recent planning application for a 3 storey townhouse with garage was recently considered by the Planning Committee 14/00611/F. The proposal was refused on the following ground:-

The proposed dwelling, which is 3 storeys in height with a double gable pitched roof, would represent an unduly prominent feature in the street scene contrary to the characteristics of

the built form and character of development in the locality. The proposal therefore fails to preserve or enhance the character or appearance of the Conservation Area and is considered to be contrary to Policy 4/21 of the King's Lynn and West Norfolk Local Plan 1998; Policies CS06, 08, 12 of the Local Development Framework Core Strategy 2011 and paragraphs 17, 56, 58, 64, 131 of the National Planning Policy Framework.

Principle of Development

The proposal seeks consent for a terraced dwelling following the demolition of a corrugated tin garage in the centre of Castle Acre (Drury Lane), in the Conservation Area.

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. This is achieved by establishing a strong sense of place, development responding to local character and history (whilst not preventing appropriate innovation) and creating visual attractive development through good architecture (paragraphs 56, 58 and 64 of the NPPF).

Policy 4/21 from the King's Lynn and West Norfolk Local Plan relates to the proposal as the site is located within Built Environment Type C. As identified by the Core Strategy, Castle Acre is classified as a Key Rural Service Centre which is considered to help sustain the wider rural community. It provides a range of services that can meet basic day-to-day needs. Local scale development will be concentrated in identified Key Rural Service Centres. This will include housing, employment and retail.

Draft Management Plan Policy DM 15 - Environment, Design and Amenity refers to the scale, height, massing and materials and layout of a development needing to respond sensitively and sympathetically to the local setting and pattern of adjacent streets.

In principle, a dwelling in this location can be supported subject to other material considerations.

Impact upon the character of the Conservation Area

Essentially this application seeks to overcome the previous reason for refusal through a change in design that reduces the ridge height of the property and changes the roof form from a double gable to a single gable.

The site lies within the Conservation Area which is defined as a "designated heritage asset".

Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places statutory duties upon Local Planning Authorities to the desirability of preserving or enhancing the character or appearance of a Conservation Area when determining applications affecting buildings or land within the Conservation Area or its setting.

In addition, Paragraphs 126-131 of the National Planning Policy Framework refers to the need for the Local Planning Authorities to take account of: the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 137 states that local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

At a local level Policy CS08 seeks that all new development in the borough should be of high quality design and protect and enhance the historic environment, and respond to the context and character of places. Policy CS12 seeks to protect and enhance the historic environment, identifying the crucial role played by the historic environment in delivering environmental quality and well-being.

The Conservation Area Character Statement describes Drury Lane as being "a narrow lane with no footpaths and extends southwards from Back Lane. It is characterised by buildings crowding in on themselves and a telescopic view is gained through to the Bailey Gate and beyond". This particular feel to the Conservation Area is experienced by the "Funnelling" of views towards the Bailey Gate with taller properties at the junction of Back Lane and Drury Lane - descending to two storey properties as the road narrows. Taller buildings contained in Sandles Court form part of the backdrop to Drury Lane.

There is a wide variety of materials used in the construction of the properties on Drury Lane. Traditional red brick cottages sited towards the southern end of Drury Lane are uniform in appearance, but there is evidence of render and timber boarding. Beyond Drury Lane, particularly Back Lane there is evidence of the use of flint work in new dwellings.

Drury Lane slopes away heading south and has varying roof heights most notably the large detached steep pitched roof building on the western side of Drury Lane, "The White House" (closest to the junction of Drury Lane and Back Lane). The corrugated garage on the site is undoubtedly a detractor in the conservation area and its replacement with something more appropriate should act to enhance the conservation area.

The previous proposal was refused for being an unduly prominent building by virtue of its height and double gable form causing a detrimental impact upon the conservation area. The proposal involves the removal of the corrugated garage/shed on the eastern side of Drury Lane, Castle Acre. The garage/shed and land to the rear of it is in the ownership of the donor dwelling, 1 Drury Lane.

1 Drury Lane is a two storey relatively modest house constructed from red brick and pantiles. The garage is attached to The Old Stables which is a single storey dwelling with pitched roof and pantiles.

The proposed new dwelling is reduced to two storey height (by removing the parapet detailing and dropping the ridge and eaves by 500mm) and has a conventional pitched roof. The proposal still breaks through the uniform ridge and eaves line of the terraced dwellings on the eastern side of Drury Lane, but to a lesser extent than previously proposed. The gable end of the property will be seen from Drury Lane looking south. The proposal no longer has a garage door and will be constructed from red brick as opposed to knapped flint and red brick. The west (street) elevation has a horizontal emphasis with three pane windows at ground floor and a centralised catslide dormer (as opposed to the Juliet balcony previously proposed). The cheeks to the dormer will have will be seen from the north and south.

The rear elevation no longer has flat top dormers in the roofslope.

The property will have a small amenity space to the rear.

The Parish Council and Third Party representations still consider that the design of the proposal is out of keeping, by virtue of the roof projecting above the roofs of the terraced cottages.

Officers consider that the proposal by virtue of its reduced scale and design features will sensitively adhere to the sensation of buildings "crowding in" as described in the Conservation Area Character Statement, offering a visual relief to the uniform ridge height and eaves heights of the terracing on the eastern side of Drury Lane.

The Conservation Area Advisory Panel commented during the lifetime of the previous application that they wished to see the height of the building reduced to nearer that of an existing two storey dwelling. The Agent has reduced the height of the property in this scheme accordingly. The Panel are generally supportive of this scheme. Detailed comments from the Panel referred to the need to remove a window adjacent to the front door and change the dormer to a catslide dormer. These changes have been made in the latest set of plans.

The Conservation Officer did not object the form and appearance of the previous scheme, and has no objection to this scheme, and considers that the revised design with the window removed and the dormer changed to a cat-slide is acceptable. The officer requests a sample panel showing bricks, mortar and bonding; a sample of the proposed tiles and joinery details to be secured by condition.

Impact upon Neighbour Amenity

The internal layout has a living room, dining room, and kitchen, utility at ground floor and two bedrooms and bathroom at first floor.

To the east lies Sandles Court, a relatively modern mews style development of two storey houses. Close relationships between properties are already evident in this part of Castle Acre. For example, first floor windows to the properties in Sandles Court already overlook the application site and other properties at a distance of around 10m.

The first floor window to bedroom 2 in the new property will look east towards Sandles Court at 10m from the eastern boundary of that development. This replicates the existing relationship between the site and Sandles Court and indeed other developments in the Conservation Area. Given the prevailing character of the area, this kind of relationship between windows is considered to be acceptable.

The adjoining neighbour to the north, "The Old Stable", already has little protection from being overlooked, especially by those in Sandles Court. Views into this property's amenity space will also be relatively acute and consequently it is considered that any loss of amenity would not warrant a refusal of planning permission.

The outlook from the windows on the west elevation is towards the patio area of the development behind the former Albert Victor Public House. However this is not this neighbour's private amenity space, which is contained to the west of their property, and this relationship, is considered acceptable.

The 'White House' lies on the opposite side of Drury Lane off-set to the north of the application site. Only acute angles will be afforded towards this neighbour and given the narrowness of Drury Lane this relationship is considered acceptable.

In terms of over-shadowing, the distance between the proposed house and properties to the east in particular, plus the proposal's relatively modest height combine to reduce any loss of light to a level that it would not be material given the existing close-knit character of the area.

Highways

The Parish Council and Third Party representations are concerned about the proposal not having its own parking provision and the ramifications of parking within Drury lane and elsewhere in the village.

Norfolk Parking standards, 2007 and Draft Management Policy DM 17- Parking Provision in New Development requires 2 parking spaces for a 2 bedroom property. Notwithstanding the policy requirements the highways officer has no objection to the proposal. The existing property does not use the double garage on this narrow lane, and parks on Stocks Green according to the agent. It is likely that because of the narrowness of Drury Lane, that the removal of the garage from this scheme is in practice not a detrimental loss. The surrounding roads are not restricted by way of double yellow lines and there are no highway restrictions to prevent parking on Stocks Green.

Members did not object to the lack of off street parking in the previous application, although that application did show a restricted integral garage (2.4m x 4.5m) as part of the proposal.

The highways officer considers that the impact of the proposal upon the highway network is acceptable, thus he is not requiring 2 on-site parking spaces.

Other Material Considerations

There is no detrimental impact upon the SSSI Buffer Zone.

The Environmental Health and Housing - Environmental Quality team has no objection to the proposal subject to a condition in relation to the safe removal of any asbestos.

Third Party representations are concerned about noise and disturbance during the construction process. Given the scale of the proposal it is not considered necessary to impose any restrictive conditions on the timing of the works.

Suggestions made by third party representations on alternative schemes for developing the site are not material considerations.

Third Party representations are concerned about whether the proposal will have its own wall, from the plans the intention is not to build on the existing garage wall. Nevertheless this is a party wall issue and will be dealt with through the relevant legislation.

CONCLUSION

It is a benefit of the scheme on this site that the current poor quality corrugated garage is to be replaced, which will positively enhance the conservation area.

Members will however, need to consider whether the proposed dwelling overcomes the previous reason for refusal, which related to the height of that dwelling in particular, and whether the current proposal sustains the character of the Conservation Area. The proposed 2 storey detached dwelling does break through the eaves and ridge heights of the cottages on Drury Lane, but this is significantly reduced and it is your officer's opinion that the revised design respects the setting of the Conservation Area in accordance with national and local policy. However details associated with the design including materials will be important and should be subject to conditions.

Overlooking and other amenity issues are considered to be acceptable given the context of the area and angles of window to window relationships. The remaining issue is lack of parking, which was not a reason for refusal previously. The proposal is materially different in so far as not providing a garage, although that integral garage was by virtue of its size and the narrowness of Drury Lane unlikely to be used for parking a car. Ultimately parking is available on street elsewhere in the village and the removal of the ability to park in Drury Lane for the donor property and proposed property is arguably a highway improvement by avoiding the need to reverse back onto the public highway (Back Lane).

It is therefore considered that the benefits of this scheme outweigh any potential harm, and the scheme can be approved.

RECOMMENDATION:

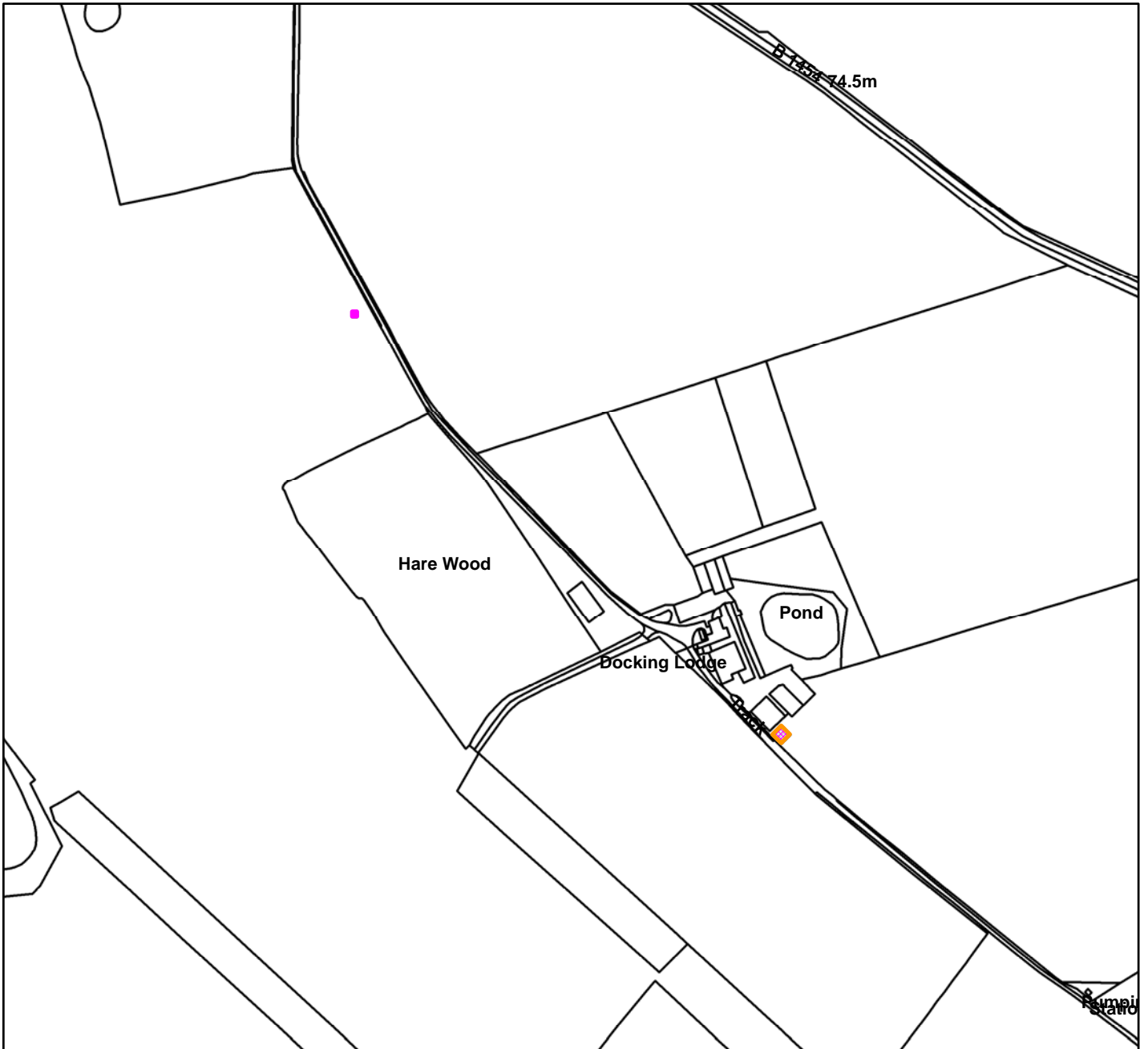
APPROVE subject to the imposition of the following condition(s):

- 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 Plans drawing no. 11.01.202 Rev A dated March 2015 received 9th March 2015
 - Plans drawing no. 11.01.203 Rev A dated March 2015 received 9th March 2015.
 - Main Elevations drawing no. 11.01.204 Rev A dated March 2015 received 9th March 2015
 - Side Elevations drawing no. 11.01.205 Rev A dated March 2015 received 9th March 2015
 - Roof Plan and Section drawing no. 11.01.206 Rev A dated March 2015 received 9th March 2015.
- 2 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.
- 3 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.
- 3 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.
- 4 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.

- 4 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 5 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 6 Condition Before the first occupation of the building hereby permitted the bathroom window at first floor on the eastern elevation shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 6 Reason To protect the residential amenities of the occupiers of nearby property.
- 7 Condition The fence to be erected on the southern boundary of the site shown on the approved plans shall be erected prior to the occupation of the dwelling hereby approved.
- 7 Reason In the interests of the residential amenities of the future occupants of the development in accordance with the NPPF.
- 8 Condition Notwithstanding the provisions of Schedule 2, Part 2, Classes C and H 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 other alteration to the roof of a dwellinghouse and no installation, alteration or replacement of microwave antenna on the dwellinghouse hereby approved shall be allowed without the granting of specific planning permission.
- 8 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.

14/01429/F

Land South of Ferndale Fakenham Road Docking



Scale: 1:5,000

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:5000
Date	18/03/2015
MSA Number	0100024314

Parish:	Docking	
Proposal:	Proposed installation of a single wind turbine (18m tower) and a single array of photovoltaic panels (55m2)	
Location:	Land At X577759 Y335800 South of Ferndale Fakenham Road Docking Norfolk	
Applicant:	Peachtree Services Ltd	
Case No:	14/01429/F (Full Application)	
Case Officer:	Chris Fry Tel: 01553 616232	Date for Determination: 31 December 2014 Extension of Time Expiry Date: 15 April 2015

Reason for Referral to Planning Committee – The hub height is over the threshold to be determined under delegated powers.

Case Summary

The application site lies within an area defined as “Countryside” according to Local Plan Proposals Maps for Docking

The site comprises of a number of barns and arable land which is partially farmed.

The proposal seeks consent for a 25m turbine, with hub height of 18.3m and a solar array 26m x 2.1m.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

The site is contained within an area defined as Countryside according to Local Plan Proposals Maps for Docking.

The site is accessed via a private drive from Fakenham Road. The driveway increases in height above Fakenham Road to a plateau. The topography gradually slopes away to the south. There is a copse to the west of the site (Hare Wood). The complex contains a number of barn buildings and ponds.

The proposal seeks consent for the erection of a turbine 18.3m to hub height (25m to blade tip) on the western side of the private access track approximately 340m to the south west of the neighbours on Fakenham Road and a solar array adjacent to a portal framed and timber boarded barn to the south of the main part of the complex. The solar array scales 26m (l) x 2.1m (w). The panels reach a maximum height of 3m.

Whilst, the proposed turbine and solar panels application was submitted in association with the planning application for a new Country House at Docking Farm, it can be determined independently of this as a stand alone application.

SUPPORTING CASE

The application has been submitted with a Planning, Design and Access Statement-

- Gaia – Wind 133 – 11kW wind turbine mounted on an 18m galvanised steel mast with 6.5m twin blades
- An array of photovoltaic cells of 26m x 2.1 = 54.4sqm.
- The turbine will be on a base of 25sqm.
- The turbine is designed to be in service for a 20 year term, with once yearly service.
- The application site is part of an operational farm which is in excess of 1000 acres.
- The application site for the turbine lies to the south east of the village of Docking. The proposed development is located on the north eastern edge of Hare Wood, which itself is located immediately west of the existing farmstead at Docking Lodge Farm.
- The solar array will be constructed near a block of red brick and flint buildings. The turbine has an 18m tower with twin blades each 6.5m (length) 13m diameter.
- The lattice tower is finished in grey galvanised steel and blades in an off white colour.
- At 6 m/s the power output is 5kw.
- The proposed location is approximately 340m to the nearest property which is not owned by the applicant.
- The turbine components shall be delivered to the site on a standard size articulated lorry.
- The site lies within Flood Zone 1.
- The array of the photovoltaic cells is to be located on a part of the site which is near existing farm buildings.
- The maximum height of solar array 3m above ground level with a 30 degree angle. They will not be visible from any public viewpoint.
- At 30m away the 11kW turbine will produce roughly 50dB of noise; this is equivalent of conversational speech or a car driving at 40mph from 100m away. At 60m away it produces 45db, the equivalent of a whisper. At 100m or over it is unlikely to be heard at all over background noise.
- The noise level from the operation of this wind turbine at over 100m from the turbine is less than 40dB (A). In comparison rural night time background of 20-40dB (A).
- Landscape is one of large arable land with woodland/plantations. The turbine will be seen against a backdrop of hare Wood. A single turbine will not dominate the views or appear intimidating in this landscape.
- The turbine will have a low visual impact.
- The bank of photovoltaic cells will be relatively small and discreetly screened by existing buildings and vegetation.
- The site is not within the vicinity of any protected ecological sites including SSSI's. Barotrauma is negligible as the rotor blades are only 6.5m in radius.
- The scheme will have minimal impact on protected species.

- In terms of shadow flicker the turbine will be positioned beyond 10 times the rotor diameter, with the nearest neighbour some 340m, therefore the proposed location meets guidance.

A great crested newt Survey produced by Ecology Consultancy has also been submitted but is of little relevance to this application.

A preliminary ecology appraisal produced from Ecology Consultancy makes no specific reference to the turbine or solar panels however the following can be gleaned from the report:-

- The farm has a low to moderate occurrence – bats are likely to be present roosting in trees within the remaining woodland on site. In addition it is likely that the woodland and hedgerows support foraging and commuting bats.
- In regards to great crested newts there is a moderate occurrence by virtue of three ponds on the land.
- Nesting Birds – the land contains suitable breeding and foraging habitat for a variety of common breeding bird species. The remaining woodland, hedgerows and arable fields and field margins provide suitable nesting habitat for breeding birds.

Addendum to Protected Species Report

- Pink footed geese fly at over 100m above ground level as such the tip height of the turbine is acceptable.
- Pink footed geese are able to take off and land very steeply, thus collision risk at 25m is anticipated to be a short time.
- Crop rotation could also further reduce the likelihood of direct collision it would be possible to manipulate the cropping regime in fields around the turbine. This would only be in the fields of up to 100-150m due to the small turbine dimensions. However, current farm practices employ a regular crop rotation and as such removing sugar beet from the crop rotation could be considered excessive and difficult to accommodate.
- Displacement pink-footed geese are susceptible to disturbance and can be readily displaced from foraging areas; however this less relevant to individual micro-turbines.

PLANNING HISTORY

14/01369/FM: Erection of a new country house with new access and associated infrastructure

14/00442/F: Application Permitted: 10/07/14 - Removal of condition 7 of planning permission 13/01111/F: Creation of new vehicular access

13/01111/F: Application Permitted: 09/01/14 - Creation of new vehicular access

11/00731/AG: Consent Not Required: 10/06/11 - Multipurpose building including housing of livestock and feedstuffs, storage of farm machinery and workshop.

11/01836/F: Application Permitted: 19/01/12 - Demolition of existing buildings and construction of new farm building

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION

NCC Highways: NO OBJECTION

National Air Traffic Service (NATS): NO OBJECTION

Environmental Health and Housing – Environmental Quality: NO OBJECTION

Arquiva: NO OBJECTION

Civil Aviation Authority: NO OBJECTION

Ministry of Defence: NO OBJECTION

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

Natural England: 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.

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

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM20 - Renewable Energy

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

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

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

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.

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. In respect of solar photovoltaics the guidance states that factors to bear in mind include "the importance of siting systems in situations where they can collect the most energy from the sun; need for sufficient area of solar modules to produce the required energy output from the system; the effect on protected and or designated areas; the colour and appearance of the modules if they are not a standard design.

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.

Draft Development Management Policy DM 20 – refers to Renewable energy being determined on the basis of the benefits that they bring in terms of the energy generated and whether they outweigh impacts upon nature conservation sites, landscape, heritage assets, ecological interests, amenity (noise, overbearing relationship, air quality and light pollution); contaminated land, water courses, public Safety (including footpaths, bridleways and other non-vehicular rights of way in addition to vehicular highways as well as local, informal pathway networks); and tourism and other economic activity. In addition to the consideration of the above factors, the Borough Council will seek to resist proposals where:-

- a) There is a significant loss of agricultural land;
- Or
- b) Where land in the best and most versatile grades of agricultural land are proposed to be used.

Development may be permitted where any adverse impacts can be satisfactorily mitigated against and such mitigation can be secured either by planning condition or by legal agreement.

Visual Impact

This application seeks permission for the construction of a 24.8m to tip turbine with hub height of 18.3m and the construction of solar panel array approximately 26m long x 2m deep.

The site forms part of a wide landscape designation, J1“Docking”, according to Chris Blandford Associates “Landscape Character Assessment” March 2007. Key features of this landscape area include the farmland which comprises general large, regular shaped fields (separated by low to medium mature hedgerows, which are interspersed by small patches of woodland, plantations and tree belts, which punctuate the skyline). Beyond the landscape area, J1, there are further landscape classifications J4– “Bircham Newton” and I6 “Bagthorpe. J4 “Bircham Newton” is known for its striking built character of block, relatively stark architecture of the buildings at the Construction Industry Training Centre and I6 “Bagthorpe” is known for its rolling farmland that is located in a deep valley in the folds of rolling countryside.

The site for the turbine is on grade 3 agricultural land is approximately 340m South West of the properties on Fakenham Road. Access to the site is by way of a private drive between the ex-authority houses on Fakenham Road. The private road is unmade. The site is elevated above Fakenham Road. There is an established wooded copse to the west

Built Characteristics of the locality include linear forms of development heading out of Docking and isolated farmsteads beyond.

The site is not in the Conservation Area. The Conservation Area is approximately 1km north of the site and the turbine could form part of its setting, although in this case by virtue of the topography and intervening hedges/trees and built form will not be seen in the setting of the Conservation Area.

The application is not supported by photomontages and wireframes however a brief Landscape and Visual Impact Assessment within the supporting documentation is provided. The LVIA states that the turbine will be seen against the backdrop of Hare Wood and with slender blades and a lattice tower there will be minimal visual impact. The solar panel array is screened by existing buildings and vegetation.

The site is not within an area of local or national designation for its landscape character. It is considered that there will be no cumulative landscape impact with the permitted windfarms at Jacks Lane (3.6km east) and Chiplow (4.5km North East) given the intervening topography, wooded copses and field hedgerows. Whilst the landscape of the surrounding area is described as a strong sense of tranquillity, isolation and exposure with long distance, panoramic and open views, the site is elevated above Fakenham Road which is characterised by its strong sense of funnelled views into Docking by virtue of established roadside hedging. Open views across to the site are afforded from London Road, heading towards Bircham Newton. However from this road, the turbine would only marginally protrude above the plateauing landscape on the site. Approximately 800m west of the site is a public footpath that leads out of Docking. The footpath gently slopes away heading south. This renders the turbine to either gradually emerge or disappear from the landscape depending on the direction of travel and is not in direct view. It is therefore considered that the turbine is not significant in this context.

The siting of the solar panel array is also on grade 3 agricultural land and is approximately 600m to the South West of the nearest residential property, located on Fakenham Road.

The solar array is screened by existing buildings from the north and only distant views of the solar panels will be seen into Docking from Fakenham Road (south).

Ecology

The siting of the turbine and solar array is some 5km North of Syderstone Common SSSI, which is known for its pools and heathland supporting Natter Jack toads. There is no detrimental impact upon this protected species from either solar array or turbine.

Hare Wood is approximately 95m south of the turbine. The preliminary ecology appraisal assessment suggests that bats are likely to be present in these trees however the copse is far enough away under National England Guidance from this particular foraging feature. In respect of other protected species, the land upon which the turbine is to be sited would be not be suited for nesting birds, great crested newts, badger or reptiles.

An addendum to the ecology assessment was requested as there was no reference to pink footed geese, a protected species found in the vicinity of the Jack's Lane Windfarm. The addendum identifies that in this particular case Pink footed Geese are unlikely to collide with the blades as they fly at over 100m above ground level. Geese are able to take off and land at very steep angles, thus the risk of collision is low.

Great Crested Newts and barns owls might be attracted to the area around the solar panels because of the ponds on the site and open fronted cart-sheds. Results from the great crested newt survey state that the potential for great crested newts is very low and in relation to barn owls it is considered that there would be minimal disturbance from the installation of the solar panels.

Natural England raises no objection to the proposal nor raises any specific issues in relation to protected species.

Amenity

The siting of the turbine is approximately 340 South west of the properties on Fakenham Road (nearest residential properties) and the solar panel array 600m away from these neighbours. At this distance the turbine and solar array will not cause any overbearing issues upon these neighbours. The Council's Community Safety and Neighbourhood Nuisance team (CSNN) have assessed the information and confirmed that there will be no detrimental impact upon neighbour amenity in terms of noise and shadow flicker.

Highway Safety

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

Other material consideration

The loss of grade 3 agricultural land, the least fertile, is considered to be acceptable.

NATS, CAA, MOD has no objection regarding issues around aviation safety.

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

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 1no. wind turbine with a tip height of 25 metres and a solar array approximately 26m (l) x 2.1m (w) that would be sited in such a position so as to not have an adverse effect upon, heritage assets and neighbour amenity. The turbine will not be seen cumulatively with the Jacks Lane or Chiplow site given the intervening topography, copses and separating distances.

There are minimal ecological and neighbour amenity issues arising from the application.

The proposal is therefore compliant with the provisions of the National Planning Policy Framework; National Planning Policy Guidance; Policies CS06,08,12 of the Local Development Framework Core Strategy 2011.

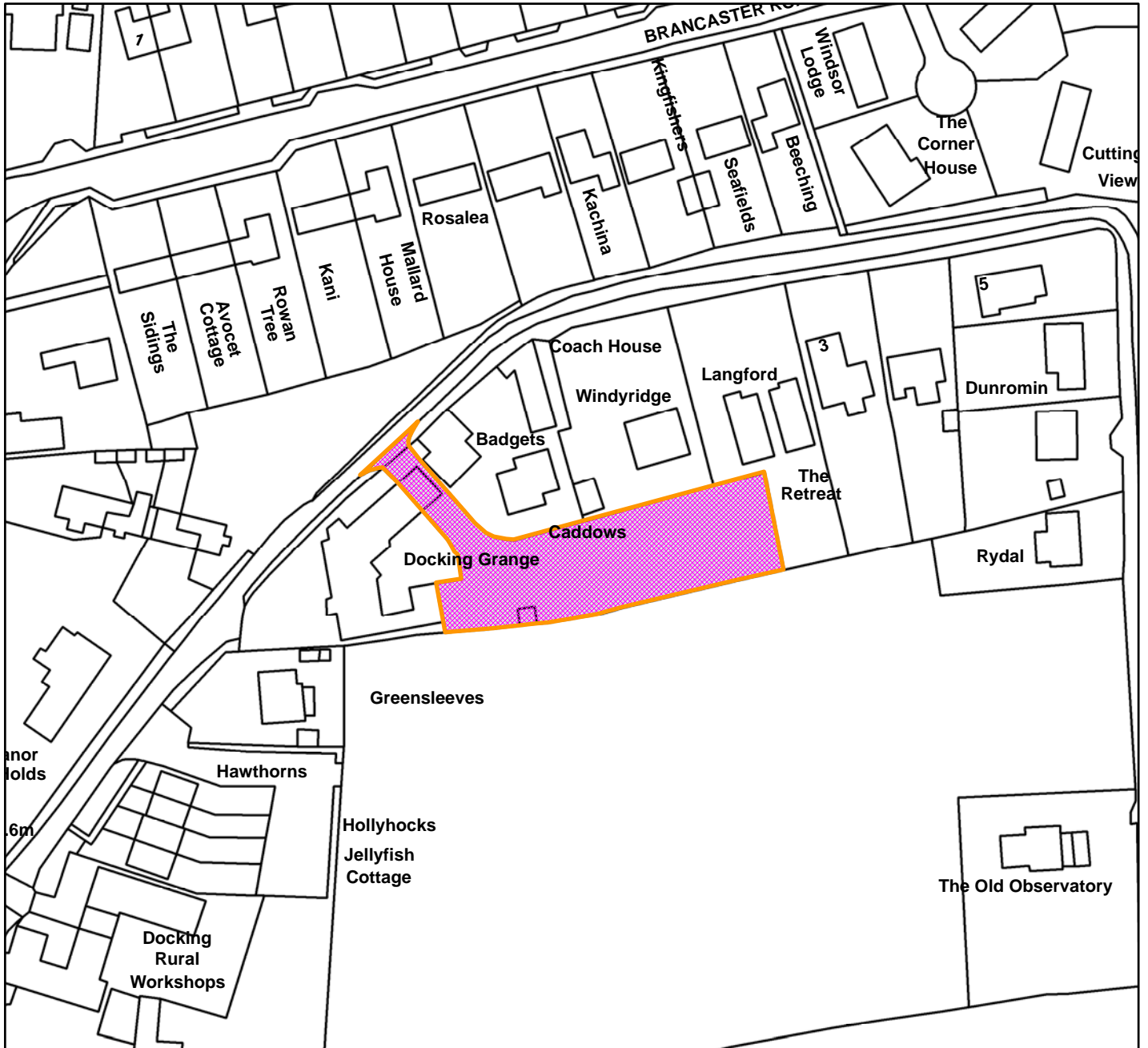
RECOMMENDATION:

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:-
 - Gaia-wind 18-1L 133-1kW turbine - 18m Lattice Tower dated 27th October 2009 received 22nd October 2014.
 - Location Site Plan showing wind turbine and photovoltaic panels drawing no.5632/PL13 dated 25th September 2014 received 7th October 2014.
 - Mechanical Services Wind & PV Panels Site Location drawing no.0014/10/01/Rev B dated 6th January 2015 received 18th March 2015.
- 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 turbine and solar panel array hereby approved, the unit and array 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 visual amenity.

15/00075/F

Docking Grange Sandy Lane Docking



Scale: 1:1,250

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	19/03/2015
MSA Number	0100024314

Parish:	Docking	
Proposal:	Erection of 2 no. dwellings and associated hard standing and landscaping	
Location:	Docking Grange Sandy Lane Docking King's Lynn	
Applicant:	GCC Developments	
Case No:	15/00075/F (Full Application)	
Case Officer:	Chris Fry Tel: 01553 616232	Date for Determination: 23 March 2015 Extension of Time Expiry Date: 6 April 2015

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

Case Summary

The site lies within Built Environment Type C, D, and partly within the Conservation Area of Docking.

The site formed part of the grounds to Docking Grange a former care home.

Members will recall that permission on the site has recently been granted by the Committee, in October 2014 (14/01011/F) for a pair of semi-detached chalet bungalows,

This proposal seeks to provide two detached dwellings.

Key Issues

Principle of Development
Impact upon the Conservation Area
Other Form and Character Issues
Impact upon Highway Safety
Impact upon Neighbour Amenity
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The access driveway and part of the parking area is contained within Built Environment Type C and the Conservation Area. The remainder of the site is within Built Environment Type D.

The site forms part of the docking grange complex which has recently had approval for change of use of 3 buildings to 3 dwellings and to convert the former railway hotel building into 4 dwellings.

The topography of the land increases in height heading easterly. There were a number of trees on the site that have been removed under TPO legislation.

Hedging forms the eastern and southern boundaries of the site.

Members will recall that planning permission has already been established on the site for a pair of semi-detached chalet bungalows (14/01011/F) in October 2014.

Vehicular access will be created by demolishing part of the wall that fronts Sandy Lane and will serve two detached properties, one property being 1.5 storeys high the other 2 storey. These properties will be sited adjacent to the southern boundary of the site.

SUPPORTING CASE

There is a Design and Access Statement produced by Philips Planning Services:-

- The proposed dwellings are known as Plot 5 and Plot 6 as they form part of the setting of the recently approved scheme for the conversion of Docking Grange to 4 units.
- Plot 5 has 3 bedrooms, Plot 6 has 4 bedrooms.
- Residential development on the site has been established through the extant planning permission
- The layout allows for adequate amenity spaces.
- The ridge height is at a height that would overcome overbearing and overshadowing issues with Windyridge (neighbour to the north). The mass of property is reduced allowing the shared boundary compared to the permitted scheme.
- The proposal meets Norfolk parking standards.
- The scale of plot 5 appears clearly subservient to Docking Grange and appears as a set of converted stables/cart sheds.
- The orientation and layout of Plot 6 avoids overlooking into the neighbours to the north and appears as a traditional Norfolk barn, T shaped plan form, with primary and secondary forms, and variations in ridge and eaves.
- Materials are as follows: soft red facing brick with lime mortar, oak frames, feather edged boarding, knapped flint with brick quoins, Norfolk pantiles with slate edge detail, hardwood painted windows, oak doors and black upvc rainwater goods.

PLANNING HISTORY

14/01616/F: Application Permitted: 09/01/15 - Conversion of former nursing home to form four dwellings, formation of a new access from Sandy Lane and associated hard standing and landscaping

14/01242/F: Application Permitted: 17/10/14 - VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 14/00446/F: Variation of condition 2 of planning permission: 13/01544/F: To alter previously approved drawings

14/01229/F: Application Permitted: 14/10/14 - VARIATION OR REMOVAL OF CONDITION 4 ATTACHED TO PLANNING PERMISSION 13/01044/F: Conversion and two storey

extension to existing care home to create three residential dwellings following demolition of existing extensions

14/01011/F: Application Permitted: 08/10/14 - Construction of two dwellings

14/00446/F: Application Permitted: 14/05/14 - Variation of condition 2 of planning permission: 13/01544/F: To alter previously approved drawings

13/01769/F: Application Withdrawn: 03/03/14 - Construction of a new driveway to enable vehicle access to the property known as 'Caddows', alterations of existing brick boundary wall and refurbishment of brick boundary wall using matching materials

13/01544/F: Application Permitted: 12/02/14 - Change of use of 3 no. residential care (C2 Use Class) buildings to form 3 no. detached dwellings (C3 Use Class) with associated landscaping, amenity and parking provision.

13/01543/CA: Application Withdrawn: 09/12/13 - Removal of 16 metres length of the existing brick boundary wall, together with 4 number buttresses

13/01044/F: Application Permitted: 16/09/13 - Conversion and two storey extension to existing care home to create three residential dwellings following demolition of existing extensions

2/94/1459/F: Application Permitted: 15/02/95 - Construction of hobby/training rooms and stores (amended design)

2/93/0498/CU: Application Permitted: 14/05/93 - Construction of detached residential annexe (amended design)

RESPONSE TO CONSULTATION

Parish Council: OBJECTION Sandy Lane is not appropriate for access as it is a 3.7m wide lane. With the increased traffic Sandy Lane will not be able to cope or the banks of the lane will be eroded.

Highways Authority: NO OBJECTION I have considered the narrowness of Sandy Lane, which is generally unsuitable for two way traffic and not ideal for additional development. However I am of the opinion, given that the proposal would appear to represent the final opportunity for development within the sizeable site and that acceptable access and visibility arrangements in accordance with Manual for Streets can be provided from the site's access, that the proposal can be supported subject to conditions.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Conservation Officer: NO OBJECTION this is a huge improvement and better than the two houses approved. The dwellings proposed by this application are in the style of converted outbuildings which could have belonged to The Grange and as such they will sit comfortably between the principal building, the new properties to the north and adjacent farmland. Conditions should be attached in regards to sample panels of the brick and flint showing bond and mortar mix, sample of weatherboarding, tile sample and joinery details.

REPRESENTATIONS

Four letters objecting to the proposal on the following grounds:-

- The lane is not suitable cars can hardly pass one another.
- Protection of wildlife
- Overlooking
- Overbearing from plot 6
- Should be single storey properties
- Not suitable for local people or young families
- Loss of view

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

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Docking Conservation Area Character Statement

PLANNING CONSIDERATIONS

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

- Principle of Development and Planning History.
- Impact upon the Conservation Area.
- Other Form and Character Issues.
- Impact upon Neighbour Amenity.
- Highway Safety.
- Trees and Landscape.
- Other Material Considerations.

Principle of Development and Planning History

This proposal seeks full planning permission to erect two detached dwellings to the rear of Docking Grange, Sandy Lane, Docking.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people as referenced in paragraphs 17, 56, 58, 64 of the National Planning Policy Framework (NPPF).

The National Planning Practice Guidance also states that “New development should look to respond appropriately to the existing layout of buildings, streets and spaces to ensure that adjacent buildings relate to each other, streets are connected, and spaces complement one another. The layout of areas, whether existing or new, should be considered in relation to adjoining buildings, streets and spaces; the topography; the general pattern of building heights in the area; and views, vistas and landmarks into and out of the development site.

The access and parking area is contained within the Conservation Area, the houses are outside of the Conservation Area. The setting of Conservation Areas is afforded protection under paragraphs 126-131 of the NPPF and Section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

In respect to local policy, the site is also contained within Built Environment Type C and D which is characterised by both older and modern forms of development demonstrated in the locality. To guide design Policy CS06 –Development in Rural Areas and specifically overarching Policy CS08 states that new development in the borough should be of high quality design, responds to the context and character of places, in West Norfolk, by ensuring that scale, layout and access will enhance the quality of the environment. Policy CS12 – Environmental Assets states the Council will preserve and where appropriate enhance its qualities and characteristics.

Impact upon the Conservation Area

The site is to the rear of Docking Grange, a former railway hotel on the southern side of Sandy Lane. Docking Grange is elevated above Sandy Lane. The two storey building retains some of its original features on the front elevation. It did have an uncomplimentary substantial two storey wing addition that flanked Sandy Lane which has recently been demolished. A wall with supporting buttresses flanks Sandy Lane and links Docking Grange

to modern courtyard buildings that were once part of the complex. These buildings and Docking Grange have recently had permission to become residential properties.

Only Plot 5 is within Conservation Area. Plot 5 has its ridge line running west-east and can be seen in passing along Sandy Lane. The property will have a private amenity space to the side. The property has velux windows contained in the roofslope and will be clad in timber weatherboarding.

Plot 6, forms part of the setting to the Conservation Area and is a larger property with its main element flanking the southern boundary of the site. There is a subservient two storey projection from the northern elevation of this property. This property will be constructed from weather boarding, knapped flint and pantiles. This property's amenity space is to the rear.

The design of the dwellings is of a scale, appearance and siting that would sustain the character of the Conservation Area. From the adjacent agricultural fields to the south only the roofs to the properties will be seen, there are no public views afforded from the east given the presence of the existing Docking Grange building. Only the part of the front elevation to Plot 5 and parts of the northern projection to Plot 6 will be seen from Sandy Lane.

The Conservation Officer has no objection to the scheme and comments that the design of the buildings are in the style of converted outbuildings that could have belonged to The Grange and sit comfortably with the principal building, the new properties to the north and the adjacent farmland. Conditions are requested in relation to sample panels of the brick and flint showing bond and mortar mix; samples of the weatherboarding and tiles and joinery details are also required.

Other Form and Character Issues

The courtyard layout is considered to be part of a comprehensive scheme when read with the conversions to Docking Grange and the converted care home dwellings. The proposed layout is therefore not considered to be contrary to the overall form and character of development within the village.

The properties have ample garden areas and do not appear to be an overdevelopment of the site.

Impact upon Neighbour Amenity

The Caddows, Badgets and the Coach House have recently been granted planning permission for a change of use from residential care home buildings to residential properties. Car headlights will not shine into the Badgets or Caddows amenity spaces and ground floor windows because of the 1.8m close boarded fence that has recently been erected along the rear boundary of that particular site. The small number of vehicular movements associated with 2 properties would not cause unacceptable noise disturbance to these neighbours, and in any case two properties have already been opposed on this site.

Plots 5 and 6 are 13m and 15.4m respectively from the rear elevation of the Caddows which overcomes detrimental levels of overshadowing, overbearing and overlooking issues.

Plot 5 is 21m away from Plot 1 (Docking Grange Care home conversion), whilst bedroom 1's window will face this neighbour directly, the window to window relationships are acceptable. Being sited east of this neighbour, the neighbour will experience some early morning overshadowing but not enough to warrant a refusal of the application.

The property known as Windyridge is to the north east of the site. It has a substantial annex attached to the property which abuts the rear boundary of the site. The ground level of the garden to Windyridge is approximately 700mm below the adjacent ground level of the site. The siting and scale of the property overcomes detrimental overbearing issues with this particular neighbour. The height to ridge above the neighbour's garden level is approximately 6.35m (580mm lower than approved) and the height to eaves is 2.90m above this neighbour's garden level (approx. 540mm lower than approved). The highest part of the property's ridge is some 21m south of this neighbour. The proposal will cause some overshadowing into this neighbour's amenity space, but not enough to warrant a refusal of the application. There are no windows proposed in the northern gable end of Plot 6 and no windows proposed in the northern elevation roofslope that serve habitable rooms. The window that serves bedroom 4 looks primarily down the garden area to the proposed property and only acute angles will be afforded towards the annex.

There are no residential neighbours to the rear (south) of the site.

Highway Safety

Third Party representations and the Parish Council are concerned that the proposal will lead to highway safety issues. Sandy Lane is rather narrow and concerns are raised in regards to its suitability to accommodate any further two way traffic.

The Highways Officer acknowledges that Sandy Lane is generally un-suitable for two-way traffic or additional development; however the officer considers that the additional movement of cars created by two three bedroom properties can be accommodated. Subject to the provision of the access being provided with that shown on the plan, the removal of permitted development rights for gates, bollards and other means of obstruction and a 2m x 33m visibility splay taking into account the low speed of the road, its width and the flexibility contained within the Manual for streets guidance, the highways officer has no objection to the scheme.

Furthermore, consent already exists for two new dwellings on the site served by an access is the same location as that proposed for consideration, which members considered to be acceptable.

In terms of on-site parking 3 spaces (2 in a garage) are provided for plot 6, and 2 spaces (in a garage) are provided for plot 5.

Trees and landscape

The tree adjacent to the proposed access has consent to be removed under separate legislation. Consequentially the Arboricultural Officer has not been consulted on the application.

Details in regards to hard and soft landscaping is to be secured by condition

Other Material Considerations

Third Party representations are concerned about protected species; however with most of the trees on site already removed, the site offers little ecological value.

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

CONCLUSION

It is a significant material consideration that planning permission exists for two dwellings on this site, and using the access proposed. Sandy Lane is a narrow lane which the highways officer fully acknowledges however the highways officer has not objected to the proposal, and it is therefore considered that a refusal of the application on this particular issue could not be sustained. Additionally, a new access in connection with the already permitted scheme for a pair of semi-detached chalet dwellings has been approved in this location by the Planning Committee.

It is your officers opinion that the amended design, scale and layout of the proposed properties avoids any detrimental impact upon neighbours amenity, and in terms of design quality, the new scheme is considered to at least preserve the character or appearance of the conservation area, and could be argued to be an improvement on the already approved scheme.

There are no other material considerations that would prevent an approval, and as such, therefore the proposal is recommended for approval 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:-
 - Proposed Site Plan drawing no. P01 Rev A received 19th January 2015.
 - Plot 6 - "Ground Floor" drawing no. P02 received 19th January 2015
 - Plot 6 "First Floor Plan" drawing no. P03 Rev B received 18th March 2015.
 - Plot 6 - "Roof Plan" drawing no.P04A received 18th March 2015.
 - Plot 6 - "Proposed Elevations" drawing no. P05 Rev B received 18th March 2015
 - Plot 6 - "Proposed Elevations" drawing no.P06 Rev B received 18th March 2015
 - Plot 5 - "Ground Floor and First Floor Plans" drawing no.P07 A received 18th March 2015
 - Plot 5 - "Roof Plans" drawing no. P08A received 18th March 2015
 - Plot 5 - "Elevations" drawing no. P09A received 18th March 2015
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 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 dwellings 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.

- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition No development shall commence on any surface of the dwellings hereby approved until samples of the weatherboarding and tile to be used in its construction 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.
- 4 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition Notwithstanding the approved plans, details of the joinery works involving windows and doors at a scale of 1:20 shall be submitted to and approved in writing by the Local Planning Authority prior to their first installation. The development shall be retained in accordance with the agreed details.
- 5 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 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 and surfaced 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 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 P01 Rev A in accordance with the highway specification drawing No: Trad 4. 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 To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 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 first occupation of development hereby permitted a visibility splay measuring 2.0m x 33m 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 0.6m above the level of the adjacent carriageway.
- 9 Reason In the interests of highway safety
- 10 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.

- 10 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 11 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.
- 11 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

14/01635/O

56 Elm High Road Emneth



Scale: 1:1,250

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	19/03/2015
MSA Number	0100024314

Parish:	Emneth	
Proposal:	Outline application: Three dwellings comprising of pair of semi-detached houses and 1 detached house with associated parking	
Location:	56 Elm High Road Emneth Wisbech Norfolk	
Applicant:	Mrs Jane Wearing	
Case No:	14/01635/O (Outline Application)	
Case Officer:	Miss G Richardson Tel: 01553 616457	Date for Determination: 15 January 2015 Extension of Time Expiry Date: 16 April 2015

Reason for Referral to Planning Committee – Parish at variance with to Officer recommendation

Case Summary

The site comprises a parcel of land on the south-western side of Elm High Road, Walsoken. The land is used in association with number 56 Elm High Road. It has a road frontage of some 25m and depth varying between 33.8 - 41.6m. Access to the site is provided off Elm Low Road, which is within the control of Fenland District Council.

Outline permission is sought for the construction of pair of semi-detached houses and a detached dwelling, with all matters reserved for future consideration.

Key Issues

Principle of development;
 Planning history;
 Impact upon form and character of the area;
 Highway matters;
 Neighbour amenity;
 Noise and disturbance; and
 Other material considerations

Recommendation:

APPROVE

THE APPLICATION

The site is located on the south-western side of Elm High Road, (A1101) Emneth, just to the north-west of the roundabout linking this road and the A47. In addition the application site also has a road frontage to Elm Low Road, which is within Fenland District Council's area.

At the present time the site is land used in association with number 56 Elm High Road, and is enclosed by picket fencing to Elm High Road. The site is not enclosed to Elm Low Road although it is unkempt in nature.

In terms of character of the area there is residential development to the north and west of the site. To the north-east and east of the site is the Elm Hotel and Morrison's supermarket and to the south is the A47.

Outline planning permission is sought with all matters reserved for the erection of three dwellings, comprising a pair of semi-detached houses and one detached house with associated parking.

SUPPORTING CASE

Outline planning consent is sought for pair of semi-detached houses of layout similar scale and appearance as other 19th century in the vicinity and one detached house, of similar scale and appearance to the adjacent dwelling.

The site has Elm High Road to the north east and Elm Low Road to the south west with mature landscaping, screening the A47 to the south east and dwellings to the north west. The back-land is the route of the former Wisbech Canal and, therefore, generally not built on. The character of the area is very mixed in use, scale, density and layout, with buildings fronting Elm High Road and Elm Low Road.

The site is the last possible building land attached to Wisbech before the A47 and associated planting and therefore will be the end of the row of buildings on this side of both Elm High Road and Elm Low Road. There is high density housing adjacent to the site on Elm Low Road. There are some gaps on the Elm High Road frontage but the majority of the frontage is built up and this is the predominant character. The gaps to the north west play some part in the character of the area. However, given the significant planting to the south east beyond the site and that it is the end of the row; we do not agree that gaps are necessary on this site. We feel that closer plots will not only reflect the predominant character of the area, especially bearing in mind the relationship to Elm Low Road, in fact we feel that closer plots will form a 'full stop' to the end of the row and enhance the townscape.

There are pairs of 19th century semi-detached houses along the front of Elm Low Road and the new semi-detached houses (plots 2 and 3) are to be designed to be very similar to these in scale, appearance and materials. Plot 1 will be designed to be very similar to the original two storey part of No. 56, with a setback, smaller side 'extension' to bring the scale down next to No. 56. The above will form, with No. 56, an attractive group of four dwellings that will form an appropriate end to the street scene.

Use of the following will reduce internal noise levels from traffic noise to acceptable levels:

- a) Positioning of main habitable rooms in the rear and positioning of areas such as bathrooms, stairs/landing on the road frontage.
- b) Use of appropriate sound reducing double glazing.
- c) Careful positions of extract vent outlets and/or use of acoustic baffles in vent.
- d) Use of acoustic fencing/planting on roadside.

As the exact nature of the fill in the old Canal is not known, a Contaminated Land Study will be required, but as this is an Outline Application this can be covered by a condition. Previous Contaminated Land investigations, including by BCKLWN as part of the Wisbech Canal Study, indicated that the Canal in this area was filled with builder's rubble.

Tree Survey and Protection Method Statement can be covered by a condition.

This is a mixed area in terms of use, scale and character and these proposals reinforce and enhance the better elements of the local distinctiveness, in this highly sustainable location.

PLANNING HISTORY

2/04/0098/CU: Application Refused: 30/03/04 - Change of use to home improvement centre including conservatories and double glazing

2/98/0809/O: Application Refused: 08/09/98 - Site for construction of one dwelling Appeal Dismissed 21/06/99;

2/95/0606/O: Application Refused: 20/06/95 - Site for construction of one dwelling

2/93/0988/CU: Application Refused: 01/09/93 - Use of land for siting of motor cars for sale

RESPONSE TO CONSULTATION

Parish Council: OBJECT Over intensive development. Other properties at this part of Elm High Road are widely spaced. To fit two more in would be inconsistent with the street scene. The Council would however support a single dwelling.

Norfolk Highways Authority: NCC is not the highway authority for Elm Low Road therefore Cambridgeshire should be consulted. It is noted however that there is a pedestrian access indicated out onto Elm High Road which is NCC highway; the verge would therefore need to be hard surfaced so that access can be gained, conditions are therefore recommended.

Cambridgeshire Highway Authority: NO OBJECTION this is an outline application for the erection of three dwellings with all matters reserved. Vehicular access is proposed to the rear of the properties via Elm Low Road with frontage pedestrian access off Elm High Road. Vehicular access to No.56 will be via the proposed rear access and the existing access on Elm High Road will be removed.

Fenland District Council: No Comments

Community Safety and Neighbourhood Nuisance: NO OBJECTION It is questioned what the heating systems will be in the properties? If it is air source heat pumps, it would be advisable to position them with noise attenuation in mind so as not to affect the neighbouring properties. Conditions are recommended in relation to foul and surface water drainage. The agent has advised that heating aspect can be dealt with at reserved matters, they are prepared to accepted a noise mitigation condition for inside the building but consider the planting to be sufficient to protect the outside areas, drainage conditions are considered to be dealt with by building control. This is confirmed to by acceptable.

Environmental Health & Housing - Environmental Quality: The contents of the pre-determination questionnaire are noted together with details of the in-filled Wisbech canal which forms part of the site for the proposal. As such conditions are recommended.

Arboricultural Officer: NO OBJECTION in principle but will need to see a full tree survey, Arboricultural implications assessment and Arboricultural method statement to BS 5837:2012 at full application stage.

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 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.

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

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Principle of development;
- Planning history;
- Impact upon form and character of the area;
- Highway matters;
- Neighbour amenity;
- Noise and disturbance; and
- Other material considerations

Principle of development

The site is located within Emneth, which for the purposes of the Core Strategy is classified as a settlement adjacent to Wisbech. Within the emerging Site Allocations and Development Management Policies Pre-Submission Document this has changed to a key rural service centre, as such local scale development is permitted in principle although this site effectively reads as part of Wisbech. With reference to the Local Plan proposals maps it is confirmed that all the site within King's Lynn and West Norfolk is within Built Environment type 'D'. Development within these areas will be permitted where development has regard for, and is in harmony with, the building characteristics of the locality.

The south-eastern corner of the site, adjacent to Elm Low Road is within Fenland District Council's administrative boundary.

In principle therefore there is no objection; however the detail of the proposal will need to be considered.

Planning history

From the planning history it is evident that three planning applications have been submitted for single dwellings previously; one application was withdrawn prior to determination, and two applications were refused; one of these was subject to an appeal, which was subsequently dismissed (application reference 2/98/0809/O).

The application subject of the appeal was refused by the Local Planning Authority on the grounds of the level of traffic noise disturbance generated from Elm High Road. It commented that:

The occupiers of the proposed development, if permitted, would experience unacceptable living conditions due to the levels of traffic noise disturbance generated from Elm High Road. As such it is contrary to Policy 9/24 of the King's Lynn and West Norfolk Local Plan As Modified.

Of particular concern to the Inspector was noise from the adjacent busy roads and the dwellings positions in relation to these roads. He noted that traffic was likely to be both braking and accelerating, and this would likely cause unacceptable levels of noise and disturbance to occupants. The Inspector considered it possible to carry out noise insulation work to reduce the internal noise in the dwelling to a more acceptable level, but no scheme had been produced. However, the garden, of the house would be difficult to protect and he considered it would remain a particularly noisy area which would be unappealing to the occupiers of the house.

The Inspector concluded that the occupiers of the proposed dwelling would be likely to experience unreasonable levels of noise and disturbance, and as such the appeal was dismissed. The assessment was carried out using PPG24 - Planning and Noise, which has now been superseded by the NPPF and National Planning Practice Guidance.

Impact upon form and character of the area

The proposal is for the erection of a pair of semi-detached houses and a detached house; the plans submitted indicate that they will front onto Elm High Road, but have vehicular access from Elm Low Road; parking is to the rear of the proposed dwellings.

The character of the area is mixed with both residential and commercial uses within close proximity to the site. To the north of the site is a modest detached two storey dwelling (donor property), this is constructed in brick and has splayed brick detailing above the openings. The ridge runs parallel to the road. The site has a white picket fence to Elm High Road, both in front of the dwelling and its side garden. This particular part of Elm High Road has the older properties, which are located on more spacious plots, with more dense development further to the north and the west.

In this instance it is considered the indicative drawing demonstrates that a total of three dwellings could be accommodated on the site whilst respecting the established form and character of the area.

Whilst there is a large area of hard surfacing to the rear of the site to provide off-street car parking and manoeuvring space, it is considered that this will not be seen in conjunction with the existing car parking area to the dwellings in Elm Low Road due to existing fencing being in situ.

Overall it is considered that the proposal would respect the form and character of the street scene, however the detailed design of the dwellings would need to be assessed at reserved matters stage.

Highway matters

This application falls partly within the jurisdiction of Norfolk County Council and Cambridgeshire County Council in terms of the relevant highway authority; Elm High Road is within Norfolk and Elm Low Road is in Cambridgeshire.

Norfolk County Council, Highways, have requested that a condition is attached to any consent to ensure that the grass verge is hard surfaced to ensure pedestrian access into the site from the Elm High Road. Cambridgeshire County Highways have reinforced the need for a footpath along Elm High Road and also a condition requiring details of the siting of the building and means of access, surface water drainage, visibility splays, parking provision and turning area.

Neighbour amenity

An illustrative block plan and a sketch street scene of the front elevations have been submitted. This illustrates how the dwellings could appear within the street scene. Details of window positioning and rooms which they serve are not known at this stage. A full assessment would need to be made in terms of overlooking at reserved matters stage.

In terms of loss of light, the proposed dwellings would be directly to the south of the donor property. It is likely that some loss of light may occur to this property; however it is not considered that it would result in material harm if carefully designed.

It is considered that there will not be an overbearing impact, to the donor property or between the proposed units, although this will also need to be fully assessed at the reserved matters stage (if approved).

Noise and disturbance

In terms of noise and disturbance from road traffic, which was a key issue in the previous applications (and especially the appeal) on this site, the Council's Community Safety and Neighbourhood Nuisance team advised that the site is in a high traffic noise area, and they required an acoustic survey in order to know what was required to be installed into these properties in terms of sound insulation. A Background Noise Assessment has now been submitted (the scope of the report having previously been agreed with the Council's Community Safety and Neighbourhood Nuisance team). This details that survey work was undertaken between Monday 2nd February to Tuesday 3rd February 2015. The report concludes that the target internal noise levels for bedroom and living/dining area in accordance with internal ambient levels from the guidance in BS8233:2014 can be achieved by using the correct glazing specification. In terms of the rear garden area in order to achieve external noise levels below the WHO moderate annoyance criterion it is recommended that the inclusion of a 2.2m close boarded fence as specified in the report is provided (solid construction with timber thickness of at least 20mm in all places). Although it is noted that there was a drafting error in the positioning of the fence in that it is positioned so that four of the parking spaces cannot be accessed, this has been corrected and it will in fact be located between the parking spaces and rear gardens.

The CSNN's team have reviewed the report and accept its findings. It is considered that this can be secured by condition. Conditions are also recommended in terms of foul and surface water drainage. The agent states that foul and surface water drainage can suitably be dealt with through Building Control. The CSNN team has accepted this stance.

Other material considerations

The site is within flood zone 1 and therefore this application does not raise any flood risk issues.

Conditions have been recommended in relation to land contamination as the site is above part of the in-filled Wisbech canal.

As there are trees on site the Arboriculture officer was consulted he has confirmed that he has no objection subject to a condition requiring a full tree survey, Arboricultural Implications Assessment and Arboricultural Method Statement subject BS 5837:2012 as reserved matters stage, this can be dealt with as an informative. It is also confirmed that no trees are worthy of a Tree Preservation Order.

Fenland District Council has confirmed that they have no comments to make on the proposal.

CONCLUSION

This application seeks outline permission for the construction of 2 No. semi-detached dwellings and 1 detached dwelling, with all matters reserved.

The principle of the development is considered to be acceptable and the form and character could be respected by the development. The layout, access, landscaping, scale and appearance of the new dwellings will be considered at the reserved matters stage to ensure that it has regards for and is in harmony with the building characteristics of the locality, although the potential plot sizes and indicative parameters of the development accord with these criteria and are consistent with other approvals on this road frontage. Issues pertaining to highway safety, contaminated land and tree issues can be safeguarded by planning conditions. Finally, and despite the findings of the Inspector about noise and disturbance in 1999, it is considered that noise and disturbance can be suitably dealt with by way of a condition.

On the basis of the above this application is recommended for approved.

RECOMMENDATION:

APPROVE 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 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: -
 - Pedestrian access.
 - Surface water drainage.
 - Visibility splays.

- Access arrangements.
- Parking provision in accordance with adopted standard.
- Turning areas.

5 Reason To ensure satisfactory development of the site.

6 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'.

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 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.

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 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.

- 8 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.
- 9 Condition The development hereby approved shall be carried out in accordance with the Conclusions (section 8) of the submitted Background Noise Assessment by Clover Acoustics (Report No. 3241-R1 - South of 56 Elm High Road, Wisbech, PE14 0DQ - 17/02/2015 and as corrected by the amended plan received on the 18th March 2015 (WEA.14.2:1:A) showing the positioning of the required acoustic fence) prior to any of the dwellings being occupied. The approved mitigation shall thereafter be retained.
- 9 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

The Planning Inspectorate



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Dawbarns Solicitors
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KING'S LYNN
Norfolk
PE30 1RD

Your Ref:
AHC/SL
Our Ref:
T/APP/V2635/A/99/1019015/P5

Date: 21 JUN 1999

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 & SCHEDULE 6
APPEAL BY MRS G A RETCHLESS
APPLICATION NO: 2/98/0809/0**

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of the King's Lynn and West Norfolk Borough Council to refuse planning permission for the construction of one dwelling on land adjoining Verdun Cottage, 56 Elm High Road, Emneth. I have considered all the written representations together with all other material submitted to me. I inspected the site on 9 June 1999.
2. The application is in outline with all matters reserved.
3. From my inspection of the site and its surroundings, and from the representations made, I consider the main issue in this case to be whether the occupants of the proposed dwelling would be likely to experience unreasonable levels of noise and disturbance arising from the adjoining highways.
4. The development plan for the area includes the 1998 King's Lynn and West Norfolk Local Plan. One of the aims of policy 9/24 of this Plan is to prevent noise sensitive development in locations subject to noise levels sufficient to impair reasonable occupation. I am required to determine this appeal having regard to the development plan and to make my decision in accordance with it unless material considerations indicate otherwise.
5. The appeal site fronts the Elm High Road which is the busy A1101 road leading into Wisbech town centre, and is very close to the roundabout linking this road to the A47 Trunk Road between Peterborough and King's Lynn. This latter road carries large numbers of vehicles, including heavy lorries. The site is subject to high ambient noise levels from the volume of traffic using both of these roads.
6. Planning Policy Guidance: Planning and Noise (PPG24) advises that, wherever possible, noise sensitive developments should be separated from major sources of noise, including roads. The Council has carried out noise measurements which indicate that the appeal site lies within category C of the Noise Exposure Categories (NEC's) specified in PPG24. PPG24 states that for proposed residential sites in this category "planning permission should not normally be granted. Where it is considered that permission should be given for



example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise".

7. In my view, the location of the dwelling so close to these busy roads and in a position where traffic is likely to be both braking and accelerating would be likely to cause unacceptable levels of noise and disturbance to its occupants. Furthermore, as traffic levels are foreseen to rise, the disturbance is likely to increase with time. It may be possible to carry out noise insulation work to reduce the internal noise in the dwelling to a more acceptable level, although no particular scheme has been proposed. But, the garden of the house would be difficult to protect and I consider it would remain a particularly noisy area which would be unappealing to the occupiers of the house.

8. I acknowledge that outline planning permission has previously been granted for this site and that its renewal has been prevented because of the subsequent need for a road improvement scheme which has since been withdrawn. However, no clear need for the development has been presented which would override the advice that planning permission should not be granted in locations such as this. You have also brought my attention to the existing residential development fronting Elm High Road and recent planning permissions relating to new development. However, none of the existing housing is as close as the appeal site to the junctions of these roads. Furthermore, the previous planning permission for this site and the more recent planning permissions for other houses nearby all pre-date the implementation of the Local Plan. The planning permission for the hotel opposite was for the change of use of the *existing* building.

9. In the circumstances, I have come to the conclusion that the occupiers of the proposed dwelling would be likely to experience unreasonable levels of noise and disturbance contrary to the objectives of policy 9/24 of the Local Plan.

10. I have considered all other matters raised in the representations but they do not outweigh the considerations which have led to my decision.

11. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

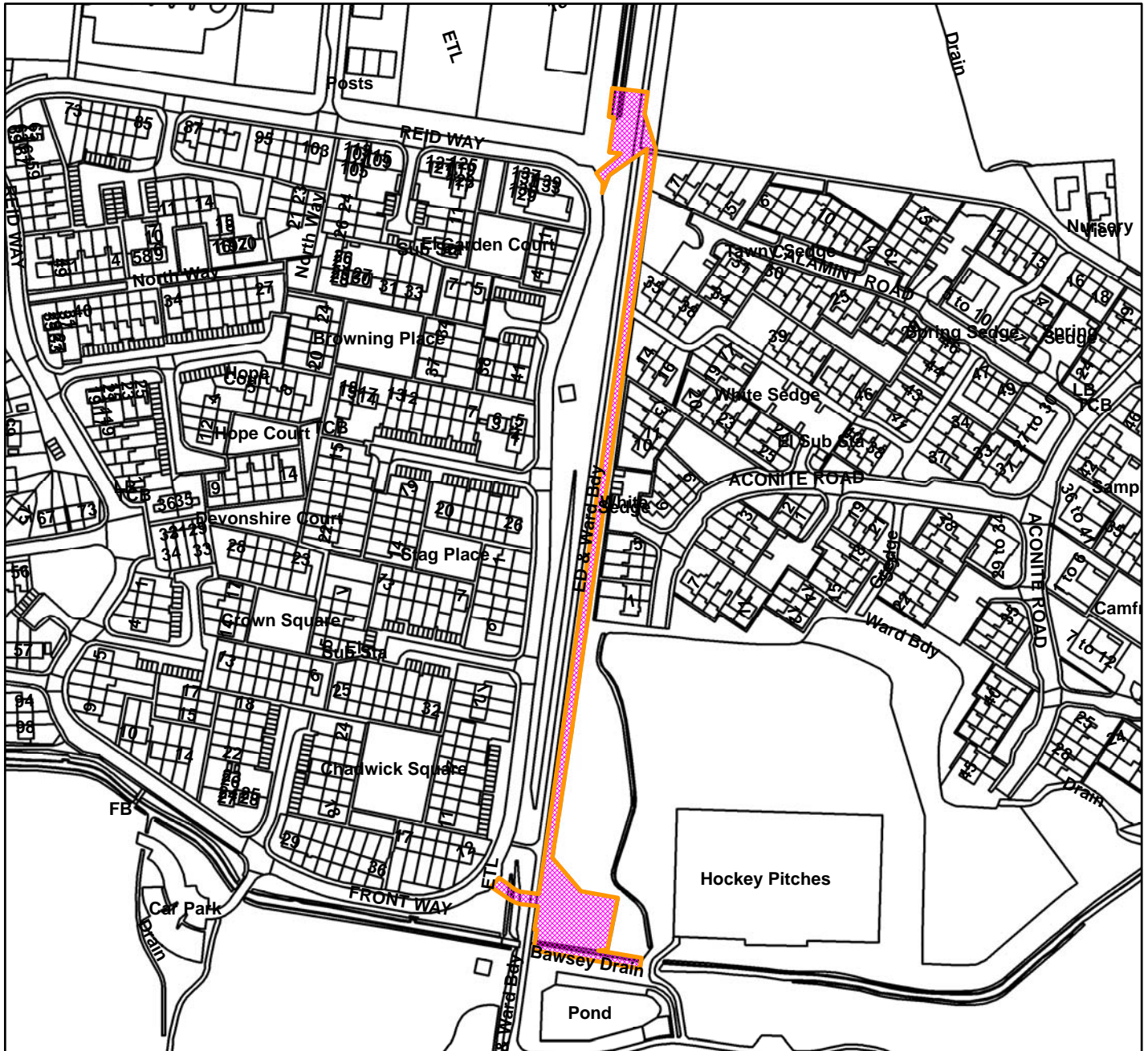
Yours faithfully



David Tester CChem MRSC FCIWEM
Inspector

14/01732/F

Land to the East of Front Way King's Lynn



Scale: 1:3,000

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:3000
Date	19/03/2015
MSA Number	0100024314

Parish:	King's Lynn	
Proposal:	Construction of a new pumping station and rising main	
Location:	Land To the East of Front Way King's Lynn Norfolk	
Applicant:	King's Lynn IDB	
Case No:	14/01732/F (Full Application)	
Case Officer:	Mr D Parkin Tel: 01553 616468	Date for Determination: 12 February 2015

Reason for Referral to Planning Committee – At the Discretion of the Executive Director.

Case Summary

The application is made by the King's Lynn Internal Drainage Board and is for the construction of a pumping station and rising main to allow water to be pumped from the Bawsey Drain to the North Lynn Drain.

Key Issues

The key issues raised by this application are:-

Principal of development;
Flood risk;
Highways;
Ecology; and
Residential amenity.

Recommendation

APPROVE

THE APPLICATION

The application is made by the King's Lynn Internal Drainage Board and is for the construction of a pumping station and rising main to allow water to be pumped from the Bawsey Drain to the North Lynn Drain.

The land to which the application relates lies to the north of Lynnsport. The pumping station would be located to the north of the Bawsey Drain and east of the existing cycle path that runs north-south from Lynnsport to Edward Benefer Way. The land on which the pumping station would be constructed is occupied by shrubs and small trees. Hockey pitches associated with Lynnsport lie to the east and further scrubland lies to the north.

The pumping station would consist of a new channel from the Bawsey Drain into the pumps. The pumps and associated equipment would be housed in a control building, which would measure 5m long x 4m wide x 4m high. The control building would be built of brick with a flat roof. The pumping station compound would measure 14m x 20m and be enclosed by 2.4m high palisade fencing.

Access to the pumping station compound would be from Front Way by laying a new track to the cycle path. The access would then cross the cycle path into the compound. The access from Reid Way up to the cycle path will be fenced and gated to prevent unauthorised access to the cycle path.

The line of the rising main runs north-south parallel and adjacent to the line of the cycle path to a point in line with Reid Way, where it passes under the cycle path and into the North Lynn Drain. The rising main will be underground for the length of its route. Houses on Front Way/Reid Way lie to the west of the cycle path and to the east of the northern section are properties on Aconite Road and Calamint Road.

SUPPORTING CASE

The application is accompanied by:

- Design & Access Statement and Flood Risk Assessment;
- Ecological surveys;
- Environmental report; and
- Flood modelling report.

The following is an extract from the Design and Access Statement:

“The Board is committed to continually reviewing the standard of protection provided by its maintained drainage systems and, where appropriate, carrying out improvement works to decrease flood risk.

This project will allow the Board to transfer water from the Gaywood River and Bawsey Drain systems – which only have gravity discharges into the River Great Ouse – to the North Lynn Drain, which has a gravity and pumped outfall. The scheme will provide flexibility and greater resilience for the Board during high flow events or in the case there is ever a blockage downstream on either Bawsey Drain or Gaywood River.

The Board’s project will involve works at the existing structure at the southern end of Riverside, which can be operated to allow water to spill from the Gaywood River into Bawsey Drain to increase the amount of water that can be diverted here – works which are within the Board’s permitted development rights – and the construction of a new pumping station and rising main linking Bawsey Drain to North Lynn Drain, for which planning permission is sought under this application. The works in this area also include permitted development (the works along the banks of the existing channel).

The new pumping station will be situated on the northern side of the Bawsey Drain, a short distance to the east of the cycle path. It will comprise two 500 litres/second pumps with the main above ground features being a small brick building, green palisade fencing and an automatic weedscreen cleaner. The compound will be surfaced with grasscrete (or similar) to give a suitable base for access with the Board’s machinery.

The rising main will be installed along the eastern side of the cycle path (old railway line) until it gets close to the upstream end of North Lynn Drain (near the corner of Front Way and Reid Way) when it will go under the cycle path and into North Lynn Drain. Although the Board's proposals show an outfall structure in that drain, the design allows for the rising main to be easily adapted to connect into a new inspection chamber if/when the proposed link road from Edward Benefer Way to Lynnsport is constructed.

PLANNING HISTORY

14/01562/FM: Pending consideration: - Construction of a new access road and junctions to link the A1078 Edward Benefer Way with Reid Way, and Front Way with Lynnsport and Greenpark Avenue. The proposed development will include a new car park to the north of Lynnsport buildings, alterations to the layout of the existing car park at Lynnsport, two culvert crossings of the Bawsey Drain and new footpath and cycleway along the road corridor - Lynnsport and Leisure Park, Greenpark Avenue, King's

RESPONSE TO CONSULTATION

Parish Council: n/a

Highways Authority: NO OBJECTION recommends conditions to secure further details of construction operations.

Environment Agency: NO OBJECTION recommends conditions to secure water vole population during construction. Comments on flood risk, impacts on fish (including eels), and pollution prevention and control.

Natural England: NO OBJECTION

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION recommends a condition to control working hours.

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 POLICIES

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS03 - King's Lynn Area

CS08 - Sustainable Development

PLANNING CONSIDERATIONS

The key issues raised by this application are:-

- Principal of development;
- Flood risk;
- Highways;
- Ecology; and
- Residential amenity.

Principal of Development

The proposal lies within the developed area of King's Lynn. It is intended to improve the management of surface water in the town thereby reducing the risk of flooding. Policies CS01, CS03 and CS08 therefore support the proposals.

Flood Risk

The proposal lies in Flood Zone 3 but is classed as 'Water Compatible Development' by virtue of its function. The proposal, as stated above, will also play a role in helping to reduce flood risk in King's Lynn.

Highways

During construction there will be some disruption to the cycle path, particularly when the rising main crosses under it at the northern end of the site. This will be temporary and managed through the relevant highways legislation.

Amended plans have been submitted showing the access to the pumping station. This is fenced and gated to prevent unauthorised vehicular access to the cycle path. There are two sets of gates; both designed to open away from the cycle path.

There are no objections to the proposal from Norfolk County Council as highways authority.

Ecology

The ecological surveys that accompany the application identify a population of water voles in the Bawsey Drain. Water Voles are a protected species under the Wildlife and Countryside Act 1981. The Environment Agency comments that measures will need to be secured by condition to protect water voles during construction, something that the applicant has stated they are willing to accept.

Where a protected species is affected by a proposal and a licence will be required from Natural England to carry out the works (as in this case), the Local Planning Authority must

apply three tests to determine whether or not the requirements of the Habitats and Species Regulations 2010 are met.

The tests are:-

- Is the development necessary to preserve public health or safety, or other imperative reasons of over-riding public interest?
- Is there a satisfactory alternative?
- Will the proposal be detrimental to the maintenance of the population of the species?
- *Public interest*

As stated above, the proposal will assist in managing surface water in King's Lynn and help to reduce the risk of flooding. In this instance, the first test is passed.

Alternatives

The two drainage networks can only be connected at the point where they intersect. The works need to be carried out in the proposed location. In this instance, there are no alternatives to the proposed development and the second test is passed.

Harm to Water Voles

Any residual harm to the Water Vole population can be mitigated by conditions, as suggested by the Environment Agency. The 3rd test is therefore passed.

In light of the above, the proposal is considered acceptable in so far as its impact on protected species is concerned.

The EA has also commented on the use of the Bawsey Drain by Eels and in particular that the equipment used will have to allow the fish to pass from one watercourse to another. The applicant has responded that the equipment would meet this requirement.

Residential amenity

The proposal would have little impact upon residential amenity during operation due to the distance of the equipment from residential properties and its enclosure within the control room building.

However, during construction Environmental Health (CS&NN) has identified the potential for disturbance and requested a condition restricting hours of work.

It is considered that this matter can be dealt with by requiring a construction environmental management plan, which would also address issues about traffic routing and wheel cleaning raised by the local highways authority.

Other matters

There is existing vegetation along the line of the rising main and around the pumping station compound. A condition will be required to secure details of any sections of hedgerow lost as a result of the construction.

CONCLUSION

The proposal will play a role in managing surface water in King's Lynn and help to reduce the risk of flooding. No issues have been identified that cannot be addressed by condition. Consequently, the committee is invited to grant planning permission, 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 approved will be carried out in accordance with the following plans:-
 - Pumping station general arrangement plan C-2001171/1100 Rev P6 dated 20.01.15;
 - Pumping station elevations south and west C-200117/1150 Rev P4 dated 03.12.14;
 - Pumping station elevations north and east C-200117/1151 Rev P1 dated 03.12.14; and
 - Site plan C-200117/1000 Rev P1 dated 09.12.14.
- 2 Reason In the interests of proper planning and for the avoidance of doubt
- 3 Condition No development shall take place, including site clearance, until details of measures to mitigate harm to Water Vole and associated habitat during construction works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details unless otherwise approved in writing by the Local Planning Authority.
- 3 Reason In order to protect species of nature conservation interest and the habitat they use in accordance with Core Strategy policies CS08 and CS12 and the NPPF.
- 4 Condition Prior to the first use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number Ref.C-200117/1100 Rev P6) and shall be constructed in accordance with a construction specification to be agreed in writing with the Local Planning Authority. 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.
- 4 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 5 Condition No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

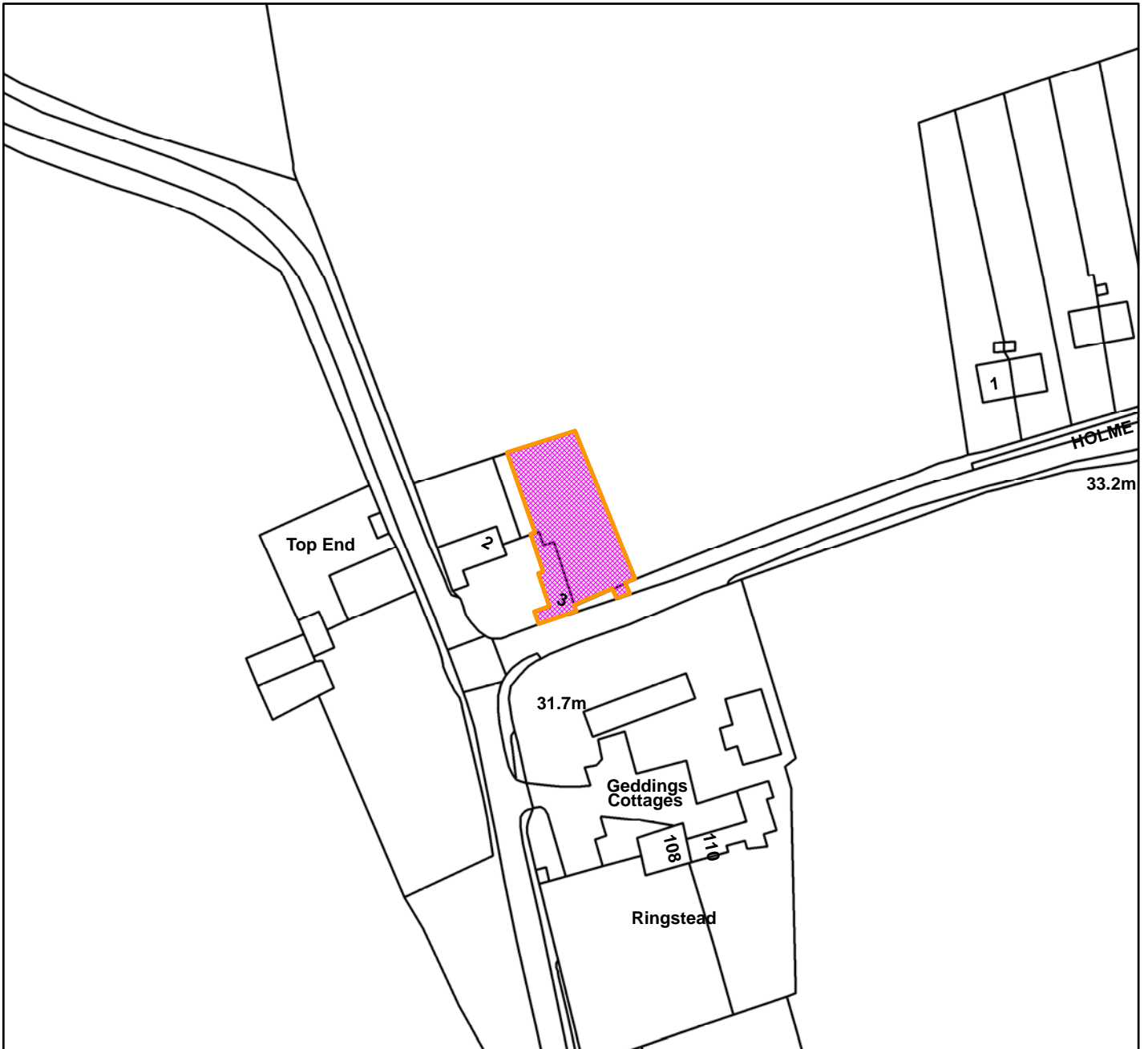
- (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used (including working hours);
- (b) the location of any temporary buildings and compound areas;
- (c) the location of parking areas for construction and other vehicles;
- (d) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway; and,
- (e) a scheme for the management and signage of all construction traffic.

The development of that phase shall be carried out in accordance with the approved construction management statement.

- 5 Reason In order that the Local Planning Authority may retain control over the construction activities in the interests of the amenities of the locality in accordance with the NPPF.
- 6 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.
- 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 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.
- 7 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

14/01771/F

3 Top End Cottages Holme Road Ringstead



Scale: 1:1,250

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	18/03/2015
MSA Number	0100024314

Parish:	Ringstead	
Proposal:	Renovation and extension to existing cottage. New vehicular access, garage building and boiler house building	
Location:	3 Top End Cottages Holme Road Ringstead Hunstanton	
Applicant:	Cambuild Holdings Ltd	
Case No:	14/01771/F (Full Application)	
Case Officer:	Miss J Kendal Tel: 01553 616772	Date for Determination: 17 February 2015

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

Case Summary

The application site comprises a detached two storey cottage situated on the northern side of Holme Road, Ringstead.

Ringstead is classified as a Smaller Village / Hamlet within the Core Strategy Settlement Hierarchy.

Full planning permission is sought for the construction of a two storey rear extension to the dwelling, new vehicular access, garage building and boiler house building.

Key Issues

Form and character / character of the Conservation Area;
Neighbour amenities;
Highway safety; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a two storey detached cottage situated on the northern side of Holme Road, at the junction of Hunstanton Road / High Street.

The site lies on the edge of Ringstead with residential properties directly to the west and opposite. Open countryside adjoins the site to the north and east.

Materials on-site include Carstone, red brick quoins, timber frames and pantiles.

A 0.5m wall forms the roadside boundary to the west of the dwelling and a 1m close boarded timber fence forms the roadside boundary to the east of the dwelling.

Full planning permission is sought for the construction of a two storey extension to the rear (western) elevation of the dwelling; a new vehicular access to the south-east of the site; a detached tipple garage / carport; and a detached boiler house.

The extension will provide a larger living room at ground floor level and an additional bedroom and en-suite at first floor level. The proposed extension will be constructed using Carstone panels, a red brick plinth and quoins with timber window frames and a pantiled roof. There will be two catslide dormer windows; one to both the south (roadside) and the north elevations. A new catslide dormer window will also be added to the existing eastern roof plane to provide additional head height within an existing bedroom.

The new vehicular access will be created to the east of the dwelling, moving it further away from the junction to the west.

The detached garage will be located to the north-east of the site and provide a single garage and a double carport. It will be constructed of timber featheredge boarding with a brick plinth and pantiled roof.

The boiler house will be located to the western boundary of the site behind the dwelling. It will house a wood pellet boiler and store to provide heating for both nos. 2 and 3 Top End Cottages. The boiler house will be a single storey structure with a dual pitched roof measuring approximately 3.6m in width x 7.2m in length. Two narrow flues will be placed either side of the roof plane reaching an overall height of 5.5m. The boiler house will be constructed of timber featheredge boarding with a brick plinth and pantiled roof.

SUPPORTING CASE

The application is supported by a Design and Access Statement which can be summarised as follows:

The development proposed is for the renovation of the existing cottage and the addition of a two storey extension to the east of the existing building. The proposed extension plan is dimensioned as 6.35m wide x 5.5m away from the rear of the existing dwelling. The First floor reduces in width to 4.85m. The profile and height of the new extension will match that of the existing building on the northern side of the new extension with a single storey eaves height on the southern side.

The development also includes the conversion of existing single storey storage spaces to form an additional ground floor bedroom and a new utility room.

The proposal includes a new vehicular access to the site from Holme Road and the construction of a new garage building at the northern end of the site which will comprise of a secure single garage and two open fronted carports.

The proposal also includes the construction of a boiler house which is approximately the size and height of a single garage. This building will house a wood pellet boiler, feed hopper and wood pellet storage as a sustainable heating source to both No.2 and No.3 Top End.

Layout and Appearance:

The most important design ethos regarding this proposal is that the existing cottage be preserved in form and materials. The roof is to be strengthened but will retain the original

pantiles. The external walls which are currently carstone with red brickwork detailing will be repaired and retained as closely as possible to the existing.

The front elevation and gable ends of the existing cottage will retain the existing window and door openings with new softwood timber casement windows and a new front door fitted within them. Stepped brickwork detailing around existing window openings will be repaired and retained.

The proposed extension to the rear of the existing will have a ridge height to match the cottage and matching eaves height on the northern side with a lower single storey eaves height on the southern side facing Holme Road. The extension walls will be constructed with a red brickwork flush plinths in facings to match as closely as possible to the existing dwelling and stepped brickwork detailing to window and door surrounds as well as to quoins, again to match the detailing of the existing cottage. The main panels will be constructed using carstone in a colour as close as possible to the existing and using locally quarried or similar stone.

The extension roof finish will use Norfolk pantiles to match the existing and will also incorporate dormer windows to match the existing dormers in style but will accommodate windows which will be 200mm wider than the existing dormer windows.

Garaging:

The proposed garage building is to be constructed as a single storey duo pitch roofed building with a raised eaves height to allow storage space within the roof void. The parking accommodation provided is to be in the form of a secure single garage with timber doors externally and two open fronted carports.

The building is to have a plinth in facing brickwork using Hoskins Maltings Antique facings with main wall panels finished using 175 x 32 softwood featheredge boarding to be stained slate grey (see Appendix). The roof will have red Norfolk pantiles to match the dwelling.

The front of the carports will have oak posts and beam with knee bracing as part of the structure to create a 'cartlodge' style.

Boiler House:

As described above, the new boiler house will accommodate a sustainable heating solution to fuel both No.2 and No.3 Top End, using a wood pellet boiler. The size of the proposed building is determined by the space required for the boiler plant, a hopper which automatically feeds wood pellets to the boiler and sufficient storage space for a reasonable amount of wood pellets to restock the hopper. Two flues from the boiler are also required which will need to discharge at 5.5m above the finished floor level. Flues will be 150mm diameter in stainless steel and finished black in colour.

No alterations are to be made to the access to the enlarged dwelling given that ground levels to the front of the cottage are similar to that of the ground floor level of the property. The existing front door position is as existing. The new gravel driveway will incorporate areas of gravel laid in Hebden 40 Ecopaving cellular reinforcement grid to provide stability for wheelchair loads to enable access to the main dwelling in accordance with Part M of the Building Regulations. Access paths to the western side of the building will be hard paved.

A new vehicular access is to be provided from Holme Road as shown on attached site plan which will have a 3.2m wide access, 2.0 x 2.0m vision splays within the site and a new verge crossing to be constructed in accordance with the County Council Highways specification. The first four metres of the new access within the site will be tarmac surfaced with a

drainage channel included across the site boundary to ensure that there is no additional rainwater run off onto the public highway.

PLANNING HISTORY

No recent planning history.

RESPONSE TO CONSULTATION

Parish Council: **OBJECT:-**

- Overdevelopment of the site;
- Dangerous access;
- Proposal is not in keeping with the Conservation Area and important unlisted building nor other properties within the vicinity; and
- The road is extremely busy and there is no pavement or verge for the considerable number of walkers in the area.

Highways Authority: NO OBJECTION subject to conditions.

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to an informative relating to smoke nuisance from the boiler.

Conservation Officer: NO OBJECTION but the ridge height of the proposed extension should be reduced slightly so that it is subservient to the main dwelling. Materials and sample panel should be conditioned.

REPRESENTATIONS

ONE representation received from a local resident **OBJECTING** to the proposal on the following grounds:

- notes suggest that the boiler room is approx. the size of a single garage, yet it is nearly 1m longer than the proposed triple garage;
- What happens if there is not enough storage space for the wood pellets?
- How will the pellets be delivered through the new access and how often?
- Is it a condition that the new access can only be for one dwelling?
- Would it be too expensive to run the property on pellets?
- Can it be conditioned that the fence along Holme Road is Willow to match the fencing on the opposite side of the road;
- Should it be conditioned that if the new access goes ahead, Holme Road is a priority to be gritted due to black ice in the winter;
- the neighbours wall opposite the site has been hit and damaged on five occasions due to ice;
- the proposed timber featheredge boarding was not allowed when the third party applied for planning permission for their garages, what has changed?

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:

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

Conservation Area Character Statement

PLANNING CONSIDERATIONS

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

- Form and character / character of the Conservation Area;
- Neighbour amenities;
- Highway safety; and
- Other material considerations

Form and Character / Character of the Conservation Area:

The site lies within Ringstead's Conservation Area, where planning seeks to ensure that such historic sites and buildings are protected, preserved and the opportunities for enhancement sensitive to the area and feature are grasped. The historic and built environment plays a crucial role in delivering environmental quality and well-being. Development should seek to avoid, mitigate or compensate for any adverse impacts on

heritage and local distinctiveness. Design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment.

As the site is on the edge of Ringstead village with only very few properties, there is no real uniformity to the form and character as such. That said, the adjoining property to the west (No. 2 Top End Cottages) is the same style, size and type of dwelling constructed of the same materials and has received planning permission for a very similar two storey rear extension (planning ref: 14/01608/F).

The proposed two storey extension relates adequately to the existing dwelling, in terms of its scale, mass, design, appearance and use of materials, having regard for the significance and character of the Conservation Area. The proposal would therefore comply with the provisions of the NPPF, particularly Section 12, Core Strategy Policies CS08 and CS12 and emerging Development Plan Policy DM15.

The proposed garage / carport will be located to the north-west corner of the site, at the maximum distance from the highway. The garage will have a dual pitched roof with its ridge parallel to Holme Road. Whilst the building will be constructed of timber cladding, the elevation that fronts Holme Road, albeit set back within the site, is mostly open fronted with the exception of the timber cartshed doors. It is proposed to stain the featheredge boarding Slate Grey which will blend into its surroundings. The brick plinth and red Norfolk pantiles will match those on the existing dwellings on the site.

By virtue of the position, orientation and design of the garage, it would not appear too dominant or overbearing within the street scene nor would it have any adverse impacts upon the character of the Conservation Area.

The boiler house will be constructed in appropriate materials, but in any case will not be overly visible from within the street scene as it will be partially screened by the existing dwelling and proposed extension, therefore having no adverse effects upon the character of the Conservation Area. There will be flues protruding from the roof of the boiler house, but these will be painted black and partially screened. On balance they are considered to be acceptable.

Neighbour Amenities:

The only adjoining neighbours are located to the north-west of the application site and the proposed extension will be located on the eastern elevation of the dwelling, thereby having no impact upon neighbour amenities.

The new access and driveway is also located to the eastern side of the site, at the furthest point away from the neighbouring boundary, therefore causing no detrimental impact upon residential amenity.

The proposed garage / carport will be located approximately 4.2m from the neighbouring (western) boundary at the bottom end of the garden. It is not considered that the garage would cause any material overshadowing or overbearing impact upon the neighbouring residents due to its scale, distance from the boundary and the direction of the sun.

The proposed boiler house will be located along the western boundary. It is proposed for the wood pellet boiler to serve both no. 2 (the neighbour) and no.3 (application site). The eaves height measures 2.5m, with a maximum height of approximately 3.6m to the ridge. The ridge is parallel with the boundary and so the roof is pitching away from the neighbouring site, therefore minimising any potential impact.

Furthermore, the orientation of the proposed boiler house in relation to the neighbouring property and the direction of the sun would mean that no material overshadowing or overbearing impact would occur. The proposal would therefore accord with the provisions of the NPPF, particularly Section 7, Core Strategy Policy CS08 and emerging Development Plan Policy DM15.

There are two flues proposed with the boiler house, measuring 150mm in diameter and 2.1m tall, resulting in an overall height of 5.5m. Environmental Health has assessed the impact of the flues on neighbour amenity and raise no objection to the proposal not recommend any conditions. They do however recommend an informative relating to any potential smoke nuisance from the boiler.

Highway safety:

The proposal does not result in an increase in the number of dwellings so there is no intensification of the use of the road. The Local Highway Authority has assessed the proposal and raises no objection with regards to highway safety subject to conditions being imposed.

Other Material Considerations:

Third Party and Statutory Consultee representations have been taken into consideration and many of the observations have been addressed above in the report. With regards, delivering and storage of wooden pellets, given the scale of the proposal serving up to two domestic properties, this is not considered to be an issue. There is an existing 1m high fence, along Holme Road, which will be replaced with a new 1m high fence, lesser in length than the existing. At 1m high such a fence would be permitted development. Finally the weather boarding is considered acceptable on its own merits and whether or not it was acceptable on another site would depend on the situation in that particular case. Others are not considered to be material planning considerations, such as the cost of running the boiler, or ensuring Holme road is a priority for gritting.

CONCLUSION:

It is your officers opinion that the proposed two storey extension, new access, garage / carport and boiler house relate adequately to the existing dwelling and the site in which they will sit, in terms of their scale, mass, design, appearance and use of materials, having regard for the character of the Conservation Area, neighbour amenities and highway safety.

The proposed development would therefore accord with the provisions of the abovementioned policies.

In light of national and local planning policy and guidance and other material considerations it is recommended 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.

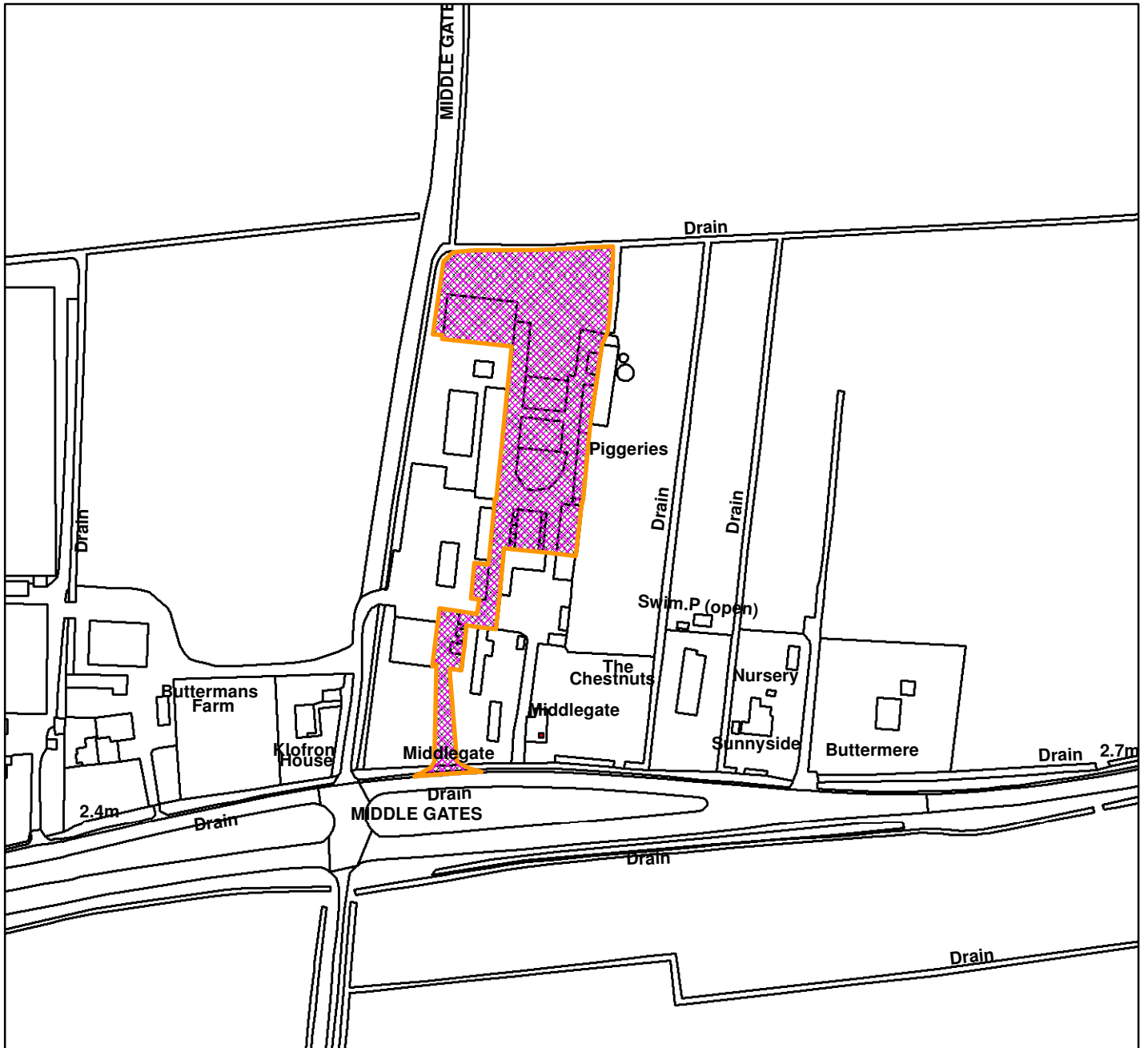
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans as amended; 721/14/10a, 721/14/12a and 721/14/13a.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall take place on any external surface of the extension, garage / carport and boiler house buildings hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) and roof tiles in the case of the extension, 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.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition No development shall commence on any external surface of the extension hereby approved, until a sample panel of the materials to be used for the external surfaces of the 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.
- 4 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition The vehicular access hereby approved shall be provided and thereafter retained at the position shown on the approved plan (drawing number 721/14/13a) in accordance with the highway specification (Dwg. No. TRAD 4) 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.
- 5 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 6 Condition Prior to the first use of the access 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 1.05 metres above the level of the adjacent highway carriageway.
- 6 Reason In the interests of highway safety.
- 7 Condition Prior to the first use of the access hereby permitted the proposed on-site car parking & turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 7 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

- 8 Condition Notwithstanding the approved plans full and final details of the proposed flues, including their finish (which shall be black) shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented as agreed, and thereby retained.

- 8 Reason In the interests of visual amenity.

15/00182/F

Middlegate Main Road Terrington St John



Scale: 1:2,500

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



Tel. 01553 616200 - Fax. 01553 691663

Organisation	BCKLWN
Department	Department
Comments	1:1250
Date	18/03/2015
MSA Number	0100024314

Parish:	Terrington St John	
Proposal:	Variation of condition 15 of planning permission 14/01474/CU: Change of use of agricultural buildings into commercial/industrial use	
Location:	Middlegate Main Road Terrington St John Wisbech	
Applicant:	Cooper Transport	
Case No:	15/00182/F (Full Application)	
Case Officer:	Miss G Richardson Tel: 01553 616457	Date for Determination: 6 April 2015

Reason for Referral to Planning Committee – Parish Council object to the application

Case Summary

The site comprises a commercial site on the northern side of the dual carriageway at Terrington St. John to the west of the village.

An application for a change of use of agricultural buildings into commercial/industrial use was approved at the end of last year. One of the conditions restricted the operation of machinery, process and deliveries into or out of the site unless within specified times. It is the purpose of this application to vary that condition to allow the site to be operable an hour earlier on weekdays.

Key Issues

Planning history;
Neighbour amenity; and
Other material considerations

Recommendation:

APPROVE

THE APPLICATION

The site comprises a commercial site on the northern side of the dual carriageway at Terrington St. John to the west of the village. It lies in an area classed as 'countryside' on the Local Plan maps for this area and within Flood Zone 2 of the Strategic Flood Risk Assessment.

The land to the south and west of the site has had approval for the change of use of an agricultural building and hard standing into use as a workshop and parking for two commercial vehicles, and more recently for construction of tank bund for storage tanks and change of use of existing hard standing area for access to bunded area.

An application for a change of use of agricultural buildings into commercial/industrial use was approved at the end of last year. This application was approved by the Planning Committee subject to safeguarding conditions. One of these conditions restricted the operation of machinery, process and deliveries into or out of the site unless within specified times. It is this application which is now proposed to be varied.

Currently the condition reads:

No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the hours of 08.00 to 19.00 on weekdays, 09.00 to 13.00 on Saturdays nor at any time on Sundays, Bank or Public Holidays.

The reason for the condition was:

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.

The applicant seeks to change these hours to 0700 to 1900hrs on weekdays, weekend hours will remain as previously agreed.

SUPPORTING CASE

A supporting statement as to why the applicant wishes to change condition 15 has been submitted. This details the change to an earlier start time to the working day of 07.00hrs in lieu of 08.00hrs is for the following reasons:-

1. In the haulage business and its associated delivery / distribution services the majority of such businesses commence the working day at 07.00hrs or earlier. By condition 15 this imposes serious constraints on our client being able to run the business efficiently and to obtain contracts which generally require early / late morning deliveries.

This is certainly very restrictive especially in the delivery of goods to the Midlands hub via the A14, A17 and A47 trunk roads which have become increasingly overloaded with HGV traffic and which therefore necessitates an earlier start to try and avoid the build-up of traffic around the 7.30 - 9.30am time envelope.

2. Our client sub lets part of his warehousing to a plumbing contractor who is involved in commercial and domestic works for which generally site commencement is 08.00hrs. In order to assemble the necessary material and equipment the firm requires starting earlier generally around 07.00hrs which corresponds generally with our clients request.

3. As part of some of the contracts negotiated by our client 'just in time' deliveries are required which generally are in the morning period. Any delays to delivering at a scheduled time incurs financial penalties and therefore as a considerable number of these are into the Midlands area an earlier start would allow for a margin of contingency in the time for the journey to overcome traffic problems, road works etc. which at the present time are numerous on the majority of trunk roads into the Midlands.

4. Internal traffic movements are required within the site to satisfy loading requirements first thing each morning together with movement of vehicles for maintenance purposes and by extending the working window eases substantially the readiness of the vehicles for subsequent work.

Generally our client needs the additional working hour in the morning to ensure the efficiency of the subsequent operations throughout the working day and at present finds that the 08.00hrs start severely penalises him especially as transport is a very competitive business based both on cost and the ability to deliver on time.

The agent has confirmed that the client has been in contact with NCC Highways and is currently awaiting a quotation to undertake the works in respect of the new access and awaiting quotations from Ground Engineering in respect of the contamination works as requested in the conditions.

PLANNING HISTORY

14/01474/CU: Application Permitted: 04/12/14 - Change of use of agricultural buildings into commercial/industrial use

RESPONSE TO CONSULTATION

Parish Council: OBJECTION both from the Chair and Clerk of Terrington St. John PC. The following points are made:

- The current working practices on the Coopers site have increased noticeably in the past 3-4 months
- The volume of vehicles entering and egressing throughout the day has also increased noticeably. At this time the volume of movements and numbers of vehicles ultimately permitted to use the site is far from the intended potential
- The request to extend the working hours, especially early morning is a 'disturbance' to local residents
- Vehicles leaving at 7.00am will need to be prepared for travel which may result in heavy goods vehicle engines started and running well before this time
- The potential to move more heavy goods vehicle traffic movements and an increase in light commercial vehicles in and around the village at both an earlier and later period of the day is a concern of the Parish Council

The Parish Council consider that the original requirement imposed by the Council in respect of condition 15 clearly took account of the proximity of the Coopers facility to local residents and any ill effects on the village when granting the site working hours. Any change to this condition is seen to be an unacceptable approach to the planning and approval process.

Whilst the Parish Council embrace development within Terrington St. John, this has to be with the full cognisance of the impact on the residents of the village and surrounding area.

Community Safety and Neighbourhood Nuisance: I can withdraw my objection, as I feel that this site could be regulated with the appropriate conditions. The Conditions suggested are for a Noise Management Plan/ Scheme and amended hours of operation condition.

REPRESENTATIONS

TWO letters of representation received. These letters express concern in relation to the following:

The activity (including numbers of vehicles entering and leaving the site) at the site has increased noticeably over the last few months

- Proposed hours of use will lead to increased activity before 7.00am - if they need to prepare to travel
- Change in hours more of a concern at weekends - Saturdays
- Disturbance to neighbouring property through noise and vibration throughout the house sometimes before 5.30am and most days after 5pm
- The site is being run currently outside of the permitted hours

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

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

Section 73 of the 1990 Town and Country Planning Act provides that applications may be made for planning permission without complying with conditions applied to a previous permission. Local planning authorities may decide whether to grant permission subject to differing conditions, removing the conditions altogether or refusing 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 or vary a condition or conditions a Local Planning Authority may only consider the question of the condition(s). However, just like the determination of any other application due regard must be paid to the development plan and other material considerations.

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

- Planning history;
- Neighbour amenity; and
- Other material considerations.

Planning history

An application for a change of use of agricultural buildings into commercial/industrial use was approved at the end of last year. This application was approved by the Planning Committee subject to safeguarding conditions. One of these conditions restricted the operation of machinery, process and deliveries into or out of the site unless within specified times. It is this condition which is now sought to be varied.

Currently the condition reads:

No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the hours of 08.00 to 19.00 on weekdays, 09.00 to 13.00 on Saturdays nor at any time on Sundays, Bank or Public Holidays.

The reason for the condition was:

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.

The applicant seeks to change these hours to 0700 to 1900hrs on weekdays. No changes are requested in terms of the Saturday, Sunday or Bank and Public holiday hours.

It is however recognised that the written officer report to Members of the Planning Committee detailed the hours of 09.00 to 17.00 on weekdays, 09.00 to 13.00 on Saturdays nor at any time on Sundays, Bank or Public Holidays.

Between the report going to print and the meeting the applicant requested that the condition be amended to allow the earlier operating times, as the working hours condition was too restrictive. The applicant detailed that the site needed to be accessed from 7am until 7pm Monday to Friday and 7am to 1pm on Saturdays.

This was agreed by the Council's Community Safety and Neighbourhood Nuisance team who suggested two separate conditions; one for hours of delivery (between 0700 and 1900 on week days and 0700 to 1300 Saturdays and no times on Sundays, Bank or Public Holidays) and the second for hours of operation of fixed plant and machinery (between 0900 to 1700 on weekdays and 0900 to 1300 on Saturdays and at no time of Sundays, Bank or Public Holidays).

Planning Officers advised Members of the Committee that the two suggested conditions could be combined and the hours of greater flexibility for the business were considered by officers to be appropriate. However, Members considered this requested amendment and felt that the community would not be aware of the proposed change. On this basis a compromise to the working hours was appropriate and as such should be 8.00 am rather than 7.00 am, and this was agreed by the Committee.

Neighbour amenity

The key issues relevant to the determination of this application are therefore if this proposed change in the hours of operation would be harmful to the amenities of the locality. This needs to be balanced against the requirement of the clients business in order to ensure that it can operate effectively and competitively; the NPPF is very supportive of businesses and economic growth in general.

The Council's Community Safety and Neighbourhood Nuisance team have reviewed the application, and initially raised an objection to the proposal. Since this time the agent has confirmed that the client is making progress with the provision of the new access, located away from Klofron House and is currently waiting a quotation from NCC Highways to undertake the work. On the basis that this is in progress, conditions are recommended requiring the submission of a Noise Management Plan (it is envisaged that this should include a 2.5m high acoustic fence installed on the western side of the access road), the implementation of the agreed scheme and the amended hour's condition for the site. Furthermore an informative is recommended in relation to the Environmental Protection Act and nuisance complaints received. Any breach of these conditions would need to be investigated by the Planning Enforcement team or Community Safety and Neighbourhood Nuisance.

Other material considerations

None of the conditions appended to the previous permission have been partly or fully discharged. As such all of the conditions appended to the 2014 permission shall be appended to any permission granted under this application (amended as required).

The proposed changes do not raise any new highways issues or implications for crime and disorder.

There are no flood risk issues by the proposed change to the wording of the condition.

There are no other issues raised in the determination of this application.

CONCLUSION

The business use of the site already exists and the NPPF is strongly supportive of helping businesses through the planning system. The use of the site has already gained consent. Members are being asked to consider the proposed change to the weekday hours only. The change in hours is for an earlier start time on weekdays (7am rather than 8am). It is appreciated that the proposed access permitted under 14/01474/CU has not been started or completed at this stage, although the agent has made assurances that a quotation has been sought from NCC Highways and conditions relating to this will need to be re-attached. The Council's Community Safety and Neighbourhood Nuisance team have withdrawn their initial objection and requested that safeguarding conditions be attached to make the development acceptable.

It is therefore recommended that this application is approved subject to a revised condition to address the hours of operation issue, (starting an hour earlier), and a Noise Management Scheme together with the original conditions attached to 14/01474/CU (as amended).

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans: 14-P08-PL010 and 14-P08-PL011B.
- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition The premises shall be used for Class B1 (light industry) and B8 (storage) of the Town and Country Planning (Use Classes) 1987, as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
- 2 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.
- 3 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'.
- 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 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.

- 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 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.

- 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 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 in accordance with the requirements of condition 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, 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 in accordance with condition 6.

- 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 Within two months of the date of this decision, 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.
- 7 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.
- 8 Condition Within 2 months of the details agreed under condition 7, 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.
- 8 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.
- 9 Condition Notwithstanding the details submitted and within two months of the date of this decision full details of soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. 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.
- 9 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 10 Condition All 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.
- 10 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 11 Condition Vehicular access to and egress from the adjoining highway shall be limited to the access(es) shown on drawing No. 14-P08-PL011B only. Any other access(es) or egresses shall be permanently closed, and the footway / highway verge shall be reinstated in accordance with a detailed scheme to be agreed with the Local Planning Authority, concurrently with the bringing into use of the new access.
- 11 Reason In the interests of highway safety.

- 12 Condition Within four months of the date of this decision the proposed vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing number 14-P08-PL011B) in accordance with the NCC Industrial access specification. 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.
- 12 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 13 Condition The visibility splay to the new access shall be provided concurrently with the first use of the new access 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 0.3 metres above the level of the adjacent highway carriageway.
- 13 Reason In the interests of highway safety.
- 14 Condition No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the hours of 07.00 to 19.00 on weekdays, 09.00 to 13.00 on Saturdays nor at any time on Sundays, Bank or Public Holidays. Lorry movements shall be restricted to these same times, with no movements being carried out beyond these hours or on Sundays, Bank or Public Holidays, unless otherwise approved in writing by the Local Planning Authority.
- 14 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.
- 15 Condition Within one month of this granting of planning permission, a Noise Management Plan/Scheme to protect the neighbouring residents from noise shall be submitted to and approved in writing by the Local Planning Authority. This should include the hours of use, broken down into various sections of the site as appropriate, methods of attenuating noise around the site (such as restricting use of reversing beepers, control of audible alarms, turning off lorry ignitions when parked up waiting to load/unload etc), using only the appropriate authorised access/egress point, 2.5m high acoustic fence on the western side of the proposed access road, and any other information pertinent to the control and reduction of site noise.
- 15 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.
- 16 Condition The Noise Management Plan/Scheme mentioned above shall be implemented as approved within two months of the date of the Plan/Scheme being agreed in writing by the Local Planning Authority.
- 16 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.
- 17 Condition All windows and doors shall remain closed during the operation of any machinery within the buildings.
- 17 Reason In the interests of the amenities of the locality in accordance with the principles of the NPPF.

PLANNING COMMITTEE – 30 MARCH 2015**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the March Planning Committee Agenda and the April agenda. 109 decisions issued, 93 decisions issued under delegated powers with 16 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 40% 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 18 February 2015 – 16 March 2015

	Total	Approved	Refused	Under 8 weeks or within agreed ext of time (Minor/Other)	Under 13 weeks or within agreed ext of time (Major)	Performance %	Former National target %	Current National target %	Planning Committee decision	
									Approved	Refused
Major	0	0	0		-	-%	60	40	0	1
Minor	63	50	13	57		90%	65		6	8
Other	46	45	1	43		93%	80		1	
Total	109	95	14							

Planning Committee made 16 of the 109 decisions, 14%

PLANNING COMMITTEE - 30 MARCH 2015**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

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
02.02.2015	12.03.2015 Application Permitted	15/00152/F	Mr & Mrs Bennett Bells Meadow Stoke Road Boughton King's Lynn Construction of replacement dwelling (amended design)	Boughton
13.01.2015	12.03.2015 Application Permitted	15/00045/F	Brancaster Staithe Sailing Club Brancaster Staithe Sailing Club Harbour Way Brancaster Norfolk Construction of two storey sailing club following demolition of existing club	Brancaster

05.02.2015	27.02.2015 Application Refused	13/01779/NMA_2	Mr D Hobley Greyfriars Butchers Lane Brancaster Norfolk Non-material amendment to planning permission 13/01779/F: Construction of a garden Annexe	Brancaster
12.01.2015	09.03.2015 Application Permitted	15/00039/LB	Mrs A Park Anna 15 Market Place Burnham Market Norfolk Listed Building Application: Single storey extension to existing retail unit	Burnham Market
14.01.2015	10.03.2015 Application Permitted	15/00055/F	Mr T Roberts Cherry Tree House Station Road Burnham Market King's Lynn -Proposed demolition of Cherry Tree House and the construction of replacement dwelling	Burnham Market
24.12.2014	09.03.2015 Was Lawful	14/01826/LDE	Mr Andrew Phillipps Church Hill Farm Wells Road Burnham Overy Town King's Lynn Lawful Development Certificate: use of agricultural land as garden land in excess of 10 years	Burnham Overy
08.01.2015	26.02.2015 Application Permitted	15/00026/F	Mrs M Dalton The Old House Old Wicken Castle Acre Norfolk Single storey extension to front of property to enlarge existing dining/living space	Castle Acre

12.01.2015	26.02.2015 Application Permitted	15/00041/F	Mr And Mrs P Grange Sandals 9 Back Lane Castle Acre King's Lynn Rear/side extension and alterations	Castle Acre
17.12.2014	02.03.2015 Application Permitted	14/01794/F	Mr Steve Rust 113 Main Road Clenchwarton King's Lynn Norfolk Demolish existing conservatory and rebuild with a double height extension to the rear and the side to create another bedroom, bathroom and dining entrance hall	Clenchwarton
26.01.2015	10.03.2015 Application Permitted	15/00109/F	Mr And Mrs C D Knowles 15 Whin Common Road Denver Downham Market Norfolk Single storey rear extension, front porch and alterations to front elevation	Denver
25.11.2014	16.03.2015 Application Permitted	14/01680/F	Alpha Homes (Norfolk) Ltd 9 Onedin Close Dersingham King's Lynn Norfolk VARIATION OF CONDITION 8 ATTACHED TO PLANNING PERMISSION 10/01548/F: Demolition of existing dwelling and construction of three new dwellings together with associated garages, vehicular parking, access road and landscaping	Dersingham

16.01.2015	13.03.2015 Application Refused	15/00069/F	Mr Andy Gilles 1 Yeomans Cottages Station Road Docking King's Lynn Proposed new holiday let building and additional car parking formed	Docking
02.01.2015	11.03.2015 Application Permitted	15/00005/F	Grosvenor Homes Ltd 118A Bexwell Road Downham Market Norfolk PE38 9LJ Demolition of existing bungalow and construction of new house, attached swimming pool and garage block (revised design)	Downham Market
14.01.2015	10.03.2015 Application Permitted	15/00057/F	Mr Lee York & Miss A Hornby 153 Broomhill Downham Market Norfolk PE38 9QU Construction of two storey extension to dwelling house and provision of double garage	Downham Market
29.01.2015	12.03.2015 Application Permitted	15/00131/F	Mr Robin Huggins 2 Denver Hill Downham Market Norfolk PE38 9BE Proposed extension to provide garage	Downham Market
02.01.2015	18.02.2015 Application Permitted	15/00009/F	Mr Brett Rooke Church Farm Bungalow Main Road West Bilney Norfolk Proposed 2 polytunnels	East Winch

12.01.2015	09.03.2015 Application Permitted	15/00042/F	Mr Paul & Mrs Christine Barham Gwydir House Common Road West Bilney King's Lynn REMOVAL OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 2/88/2988/F: Construction of agricultural dwellinghouse	East Winch
09.01.2015	09.03.2015 Application Permitted	15/00032/F	Emneth Spar Ltd 25 Gaultree Square Emneth Wisbech Norfolk Extension to retail shop area and revised off road parking	Emneth
09.12.2014	10.03.2015 Application Permitted	14/01747/F	Mr & Mrs Steve Hart Snowre Hall Main Road Fordham Downham Market Renovation and conversion of farmhouse and barn to form farm office accomodation and self- contained dwelling which together comprise Snowre Grange within the curtilage of Snowre Hall a Grade II listed building	Fordham
06.11.2014	23.02.2015 Application Permitted	14/01584/O	Mrs C Parker Land To the Rear of 82 Chapel Road Pott Row King's Lynn Outline application: Proposed development of four 3 bed dwellings	Grimston

16.12.2014	06.03.2015 Application Permitted	14/01787/CU	Chairman of Board of Trustees, Grimston Hill School Grimston Church Hill School Gayton Road Grimston Norfolk Change of use to revert building back to original use of residential school house and school. Residence to be used as private dwelling serving re-opening and use of school as specialist arts and crafts school	Grimston
24.12.2014	25.02.2015 Application Permitted	14/01822/F	Mr P Johnson Land West of 79 Chapel Road Pott Row Norfolk Construction of a manege	Grimston
24.12.2014	25.02.2015 Application Permitted	14/01824/F	Mr P Johnson Land West of 79 Chapel Road Pott Row Norfolk Construction of extension to stable building to form new store and hay store and erection of new building for horse box storage	Grimston
08.01.2015	26.02.2015 Application Permitted	15/00027/F	Geoffrey Mason Ltd The Bungalow Tithe Farm Broad Drove Grimston Erection of a storm porch	Grimston
18.02.2015	13.03.2015 Application Permitted	14/01239/NMA_1	Mr Eric Grange Field Lodge Back Lane Pott Row Norfolk NON-MATERIAL AMENDMENT FOR PLANNING PERMISSION 14/01239/F: Extension at each end of dwelling, extended decking area and additional access steps	Grimston

12.01.2015	09.03.2015 Application Permitted	15/00040/F	Mrs Hannah Searle Kingfield Too 58 North Beach Heacham King's Lynn Ground floor infill store under balcony	Heacham
13.01.2015	11.03.2015 Application Permitted	15/00043/F	Gardeners Cottage 14A Hall Close Heacham Norfolk Refurbished barn	Heacham
22.10.2014	23.02.2015 Application Permitted	14/01511/F	Waldersey Farms Ltd Martins Farm Station Road Ten Mile Bank Downham Market Demolition of four semi-detached dwellings known as Cross Drain Cottages and replacement with four new dwellings in an alternative location at Station Road	Hilgay
05.01.2015	10.03.2015 Application Permitted	15/00013/F	Mrs Paulette Want 19 Nursery Lane Hockwold cum Wilton Norfolk IP26 4ND Replacement front wall between no. 17 & no. 19 Nursery Lane	Hockwold cum Wilton
02.10.2014	06.03.2015 Application Permitted	14/01411/F	Mr Ben Kelly Ocean View 66 Northgate Hunstanton Norfolk Retrospective application for double garage in rear garden	Hunstanton
02.12.2014	23.02.2015 Application Permitted	14/01708/F	Mrs Amanda Bosworth 9 Lighthouse Lane Hunstanton Norfolk PE36 6EN Extension and alterations to dwelling	Hunstanton

02.12.2014	18.02.2015 Application Permitted	14/01712/F	Mr Mark Wilson Fishers of Hunstanton 2 - 4 Greevegate Hunstanton Norfolk Extension and alterations	Hunstanton
10.12.2014	10.03.2015 Application Permitted	14/01749/F	Mr P Cribb 48 Westgate Hunstanton Norfolk PE36 5EL New cafe on land adjacent	Hunstanton
02.01.2015	27.02.2015 Application Refused	15/00010/A	Hughes Electrical Hughes TV & Audio 28 High Street Hunstanton Norfolk Advertisement application for 1 x fascia sign and 1 x hanging sign	Hunstanton
05.12.2014	27.02.2015 Application Permitted	14/01729/F	The Queen Elizabeth Hospital King's Lynn NHS Foundation Trus The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust Gayton Road King's Lynn Norfolk Replace existing CHP plant with 2No. new 500Kw CHP units and necessary modifications	King's Lynn
15.12.2014	09.03.2015 Application Permitted	14/01773/F	C/o Agent Site South of 12 Saltpans Close King's Lynn Norfolk PE30 2AT Detached dwelling	King's Lynn
24.12.2014	25.02.2015 Was Lawful	14/01820/LDE	Eastern Rose Limited Former Car Park Telephone Exchange Site Paradise Road King's Lynn Norfolk Lawful Development Certificate: construction of 12 flats built in accordance with planning consent 07/01985/FM	King's Lynn

24.12.2014	25.02.2015 Application Permitted	14/01825/F	<p>Mars Food Ltd Mars Foods Ltd Hansa Road Hardwick Industrial Estate King's Lynn VARIATION OF CONDITIONS 2, 4 AND 5 OF PLANNING PERMISSION 14/01403/F: Variation of conditions 2 and 3 of planning permission 14/00367/FM: Phased building of a new MARS King's Lynn office facility. Will require a phased demolition of their existing office facility. New facility will not only replicate, but improve the provision for the MARS Food Factory with no change of use. Will be single storey building with a double volume main entrance bay. Open service plant on the flat roof will be screened with louvred walls. Intended associated works and landscaping will be completed at the end of the demolition and new build. Will require pedestainising the whole frontage of the new building by creating a covered and well lit walkway, lined with new hedges and new trees</p>	King's Lynn
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02.01.2015	25.02.2015 Application Permitted	15/00003/F	Mr And Mrs AP And KA Skerry Oak4less 3 Hamlin Way Hardwick Narrows King's Lynn Subdivision and change of use of unit from Class B2 to Class D1 with new entrance door	King's Lynn
02.01.2015	16.03.2015 Application Permitted	15/00007/F	Mrs E Finbow London Road Methodist Church London Road King's Lynn Norfolk Replace timber windows with double glazed UPVC windows	King's Lynn
02.01.2015	26.02.2015 Application Permitted	15/00011/A	EMG Ford Centre Beveridge Way Hardwick Narrows King's Lynn Advertisement application for 2 x fascia signs and 3 x other signs	King's Lynn
08.01.2015	05.03.2015 Application Permitted	15/00023/CU	Mr John Andrew Moyle 99 High Street King's Lynn Norfolk PE30 1BW Change of use of first and second floors to D1	King's Lynn
13.01.2015	10.03.2015 Application Permitted	15/00044/F	Umbrella Development Ltd 2 Portland Street King's Lynn Norfolk PE30 1PB VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 12/02066/F: Demolition of existing lean to roof structure at second floor level, construction of external walls, construction of two new one bedroom flats and the continuation of existing pitched roof structure over	King's Lynn

13.01.2015	10.03.2015 Application Permitted	15/00047/F	Umbrella Development Ltd 2 Portland Street King's Lynn Norfolk PE30 1PB Variation of condition 5 of planning permission 11/00862/F: Construction of extension to form 5No new dwellings following demolition of existing rear extension	King's Lynn
13.01.2015	10.03.2015 Application Permitted	15/00049/CU	Mrs Dagmara Wieclaw-Pasieczna 14 St James Street King's Lynn Norfolk PE30 5DA Change of use of former grocery store into tanning studio	King's Lynn
14.01.2015	10.03.2015 Application Permitted	15/00052/F	Clients of David Taylor Associates The Globe Bowls Club St Johns Walk Blackfriars Road King's Lynn Norfolk External WC and general store area	King's Lynn
14.01.2015	10.03.2015 Application Permitted	15/00053/F	Mr & Mrs C Halls 56 Gaskell Way King's Lynn Norfolk PE30 3SG Internal alterations, including side and rear extension	King's Lynn
15.01.2015	12.03.2015 Application Permitted	15/00062/LB	Enterprise Inns PLC Ye Olde Maydens Heade 7 Tuesday Market Place King's Lynn Norfolk Listed Building Application: Formation of lantern style roof light to existing flat roof	King's Lynn

15.01.2015	16.03.2015 Application Permitted	15/00065/CU	Best of the Brunch Vacant 24 Broad Street King's Lynn Norfolk Change of use to cafe/takeaway	King's Lynn
19.01.2015	10.03.2015 Application Permitted	15/00073/F	Mr Ian MacLachlan The Presbytery North Everard Street King's Lynn Norfolk Re-instatement of front railings and low level wall and gate to the front elevation of the Presbytery. Remove existing flat roof structure and re-instatement of the slate pitched roof to the rear single storey structure	King's Lynn
20.01.2015	26.02.2015 Application Permitted	15/00078/F	Marriott Motor Group Ltd Kings Lynn Volkswagon 53 Bergen Way North Lynn Industrial Estate King's Lynn Erection of single storey extension and entrance lobby with associated VW entrance portal and external paving works	King's Lynn
21.01.2015	16.03.2015 Application Permitted	15/00092/LB	Mrs Dagmara Wieclaw-Pasieczna 14 St James Street King's Lynn Norfolk PE30 5DA Listed building application: Change of use from former grocery store to tanning studio	King's Lynn

04.03.2015	06.03.2015 Application Permitted	13/01811/NMA_1	Mr J Woodhouse 19 Jermyn Road King's Lynn Norfolk PE30 4AE NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 13/01811/F: Proposed two storey extension and internal alterations	King's Lynn
16.01.2015	10.03.2015 Application Permitted	15/00066/F	Mr And Mrs Warmington Willow Farm Rustons Road Marshland St James Wisbech Single storey extension to residential dwelling	Marshland St James
28.10.2014	10.03.2015 Application Permitted	14/01547/F	British Sugar Plc Wissington Sugar Factory College Road Wereham King's Lynn Installation of additional vessels and pumps as part of the existing bio-ethanol plan operation, encompassing the 4th fermenter and yeast recovery sections	Methwold
02.01.2015	02.03.2015 Application Permitted	15/00002/F	Mrs M K Daniel Bulldog Service Station 14 Thetford Road Northwold Thetford Change of use from retail to retail and food and drink	Northwold
29.01.2015	13.03.2015 Application Permitted	15/00132/F	Mr & Mrs P Brenchley Ivy House Rectory Road Outwell Wisbech Single storey rear extension, to form sun lounge and covered area	Outwell

12.01.2015	12.03.2015 Application Permitted	15/00051/F	Mr Howard Barber Abbey Farm Pentney Abbey Abbey Road Pentney Replace front door with wooden/glazed door and surround	Pentney
20.01.2015	13.03.2015 Application Permitted	15/00085/LB	Mr Howard Barber Abbey Farm Pentney Abbey Abbey Road Pentney LISTED BUILDING CONSENT: Replace front door with wooden/glazed door and surround	Pentney
02.01.2015	25.02.2015 Application Permitted	15/00008/F	Mr And Mrs Thorneycroft 24 Stoney Road Roydon King's Lynn Norfolk Two storey and single storey extensions to dwelling	Roydon
15.01.2015	11.03.2015 Application Permitted	15/00063/F	Mr D Bullock 40 Church Lane Roydon King's Lynn Norfolk Extensions to dwelling	Roydon
02.02.2015	12.03.2015 Application Permitted	15/00148/F	Mr & Mrs J Carter Leasmere 4 Orchard Lane Shouldham Norfolk Retention and completion of alterations and extensions to bungalow and erection of garden store shed	Shouldham
10.10.2014	06.03.2015 Application Refused	14/01445/O	Mrs L Brittain 40 Common Road Snettisham King's Lynn Norfolk Outline Application: residential development for one dwelling	Snettisham

02.12.2014	23.02.2015 Application Permitted	14/01710/F	Mr W Kerss Lyndhurst 6 Lodge Lane Snettisham King's Lynn Two storey extension to dwelling	Snettisham
13.01.2015	06.03.2015 Application Permitted	15/00048/F	Mr S Hudson 1 Nursery Lane South Wootton King's Lynn Norfolk Rear extension, replace flat roof with pitched roof and alterations to dwelling	South Wootton
14.01.2015	10.03.2015 Application Permitted	15/00058/F	Mr And Mrs Anderson 88 Nursery Lane South Wootton King's Lynn Norfolk Retention and completion of swimming pool extension to dwelling, incorporating ancillary rooms and new air source heat pump (Revised Design)	South Wootton
29.01.2015	10.03.2015 Application Permitted	15/00128/F	Mrs Katie Docherty Chelwood 172 Grimston Road South Wootton King's Lynn New extension to side and rear of property, internal alterations, demolition of garage and modifications to drainage	South Wootton
08.01.2015	25.02.2015 Application Permitted	15/00022/F	Mr & Mrs G Youngs West View Campsey Road Southery Downham Market Construction of replacement dwelling and garage	Southery

16.01.2015	13.03.2015 Application Permitted	15/00072/F	Mr Jason Poole The Old Rectory 3 Churchgate Street Southery Downham Market 1 detached 4 bedroom house, garage, new access drive, hedging & trees and retaining wall	Southery
26.01.2015	10.03.2015 Application Permitted	15/00107/F	Mrs Caryn Wilkinson Blackbank Farm Black Bank Drove Southery Norfolk Construction of all weather riding surface for excercising/training horses for personal use	Southery
08.01.2015	05.03.2015 Application Permitted	15/00024/F	Mr & Mrs O Judges Homeleigh High Street Stoke Ferry King's Lynn Internal alterations, ground floor window repair and replacement sashes and extensions to side and rear of house	Stoke Ferry
08.01.2015	27.02.2015 Application Permitted	15/00025/LB	Mr & Mrs O Judges Homeleigh High Street Stoke Ferry King's Lynn Listed building application for internal alterations, ground floor window repair and replacement sashes and extensions to side and rear of house	Stoke Ferry
12.01.2015	09.03.2015 Application Permitted	15/00037/F	Mr Ron Rolfe Copper Coin Holme Road Stow Bridge King's Lynn Garden room extension	Stow Bardolph

04.09.2014	12.03.2015 Application Permitted	14/01296/F	Mr Luke Lavender 2 Robinia Cottages Mill Lane Syderstone Norfolk Changing front lawn to gravel driveway and drop front curb	Syderstone
09.01.2015	05.03.2015 Application Permitted	15/00031/RM	LSL Surfacing Ltd Rear of 1, 3 And 5 Popes Lane Terrington St Clement King's Lynn Reserved Matters Application: Construction of a new dwelling	Terrington St Clement
15.01.2015	10.03.2015 Application Permitted	15/00064/F	Mr Andy Worger 6 Bush Meadow Lane Terrington St Clement King's Lynn Norfolk Construction of single storey extension to side and rear of existing two storey dwelling & construction of double garage	Terrington St Clement
13.01.2015	11.03.2015 Application Permitted	15/00050/F	Mr Jonathan Pike Land At Church Road Terrington St John Norfolk Erection of an american style unit. Incorporating 3 stables, hay/feed store and tackroom. Change of use from grazing to stabling for private use only	Terrington St John
01.12.2014	06.03.2015 Application Permitted	14/01701/F	Thornham Village Hall And Playing Field Thornham Village Hall And Sports Pavilion High Street Thornham Norfolk Installation of two cricket nets at the North end of the field, furthest from A149. Nets to be used for Cricket training	Thornham

09.12.2014	06.03.2015 Application Permitted	14/01745/F	Mr R Wright 1 Ravens Court Hall Lane Thornham Norfolk Two storey extension and conservatory	Thornham
19.01.2015	26.02.2015 Application Permitted	15/00056/F	Mr Michael Darcey The Old Vicarage Ringstead Road Thornham Hunstanton Single storey garden room extension	Thornham
15.12.2014	23.02.2015 Application Permitted	14/01776/F	Mr Philip & Mrs Denise Mole The Haven Church Lane Tilney All Saints King's Lynn Construction of a (pair) of detached dwellings	Tilney All Saints
20.11.2014	13.03.2015 Application Refused	14/01662/F	Mr Tom Dale Storage The Marsh Walpole St Andrew Wisbech Demolition of derelict commercial building and the construction of a 4 bedroom two storey dwelling with a detached double garage	Walpole
05.01.2015	04.03.2015 Application Permitted	15/00012/F	Mr M Patrick The Nursery Marsh Road Walpole St Andrew Wisbech Extension to dwelling	Walpole

05.02.2015	09.03.2015 Application Permitted	14/01059/NMAM_1	DONG Energy (UK) Ltd Land East of Walpole Marsh Substation Walpole Bank Walpole St Andrew Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 14/01059/FM: Alternative sub- station design to serve the Race Bank offshore windfarm, including landscaped bund, new access roads, creation of new drainage ditch and alternative substation equipment (re-submission of 12/01473/FM)	Walpole
26.01.2015	12.03.2015 Application Permitted	15/00105/F	Mrs Wood Sherson Paddocks 14 S-Bend Lynn Road Walsoken Proposed rear extension and alterations to dwelling. (As approved under 14/00721/F but now with additional sun room on rear)	Walsoken
08.12.2014	02.03.2015 Application Permitted	14/01734/F	Mr & Mrs J Gorrige 22 Langridge Circle Watlington Norfolk PE33 0UF Proposed extension to provide annex including culverting open drain along eastern boundary	Watlington
20.01.2015	13.03.2015 Application Permitted	15/00083/F	Mr & Mrs G Slann Dayford New Road Welney Wisbech Alterations and extension to existing house including detached garage	Welney

09.01.2015	25.02.2015 Application Permitted	15/00034/F	Robertson Homes Ltd Ralmir Flegg Green Wereham King's Lynn VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 14/01263/F: Construction of three dwellings with garages	Wereham
30.07.2014	18.02.2015 Application Permitted	14/01121/F	Mr T Harrison Sherwood 227 School Road West Walton Wisbech Development of existing part industrial/paddock into residential providing 4 No properties	West Walton
24.12.2014	10.03.2015 Application Permitted	14/01827/F	Mr K Irvine 104 Salts Road West Walton Norfolk PE14 7EF Proposed side and rear extension to existing house	West Walton
16.01.2015	10.03.2015 Application Permitted	15/00070/F	Mrs J Bell Land Adjacent 17 Hall Lane West Winch King's Lynn Proposed dwelling with single garage and new double garage to serve 17 Hall Lane	West Winch
28.11.2014	05.03.2015 Application Permitted	14/01695/F	PCD Builders Priory Farm 20 St Peters Road Wiggenhall St Germans King's Lynn Construction of three detached dwellings with garages	Wiggenhall St Germans

19.01.2015	10.03.2015 Application Permitted	15/00076/F	C/o Agent Barns Adjacent Holley House Stow Road Wiggshall St Mary Magdalen King's Lynn Variation of condition 2 of planning permission 14/00088/F to amend approved plans	Wiggshall St Mary Magdalen
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AGENDA ITEM NO: 10

30 MARCH 2015

PLANNING COMMITTEE

- PLANNING ENFORCEMENT: QUARTERLY REPORT -

1.0 PURPOSE OF REPORT

- 1.1 This report provides Members with an update on service performance for planning enforcement during the fourth quarter (01 October 2014 to 31 December 2014) and to set out the yearly performance for 2014.

2.0 PLANNING ENFORCEMENT SERVICE PERFORMANCE (QUARTERLY)

- 2.1 Set out below is a breakdown of figures in relation to received, closed and live cases:

Number of received general cases*	141
Number of received monitoring cases	0
Number of received S106 monitoring cases	29

Total received cases 170

Number of closed general cases*	124
Number of closed monitoring cases	0
Number of closed S106 monitoring cases	29

Total closed cases 153

Number of live general cases*	266
Number of live monitoring cases	1
Number of live S106 monitoring cases	4

Total live cases* 271

(*Includes High Hedge cases)

- 2.2 A list of all live cases as produced on 16 March 2015 can be found at Appendix 1.

- 2.3 Below is a breakdown of all 153 closed cases during the fourth quarter, including the reason for closure.

Reason	Count
Advertisement Consent Granted	1

Amendment Approved	1
Case Closed	3
Conditions Discharged	3
De minimis	0
Delegated Authority - no further action	8
Listed Building Consent granted	1
No breach established	44
Notice issued - complied	5
Permitted development	19
Planning App Approved	20
Prosecution	1
Referred to other service	5
Remedied following informal action	15
S106 Obligation(s) Complied With	10
Use/operational development lawful	17
Total	153

2.4 During the fourth quarter the following formal notices were served:

Notice	Count
Enforcement Notice	7
Listed Building Enforcement Notice	0
Planning Contravention Notice	5
Requisition for Information	0
Breach of Condition Notice	1
Stop Notice (excluding Temporary Stop Notice)	0
Temporary Stop Notice	0
Enforcement Injunction granted	0
Section 215 Notice	1
Repairs Notice	0
High Hedge Remedial Notice	0
Total	14

3.0 PLANNING ENFORCEMENT SERVICE FOR 2013

3.1 Set out below is the total number of received, closed and live cases for 2014:

Received Cases 2014	750
Closed Cases 2014	741
Live Cases End 2014	270

3.2 Based on the previous year the number of received increased cases from 722 to 750 and the number of closed cases has also increased from 683 to 741, leaving a total number of live cases at 270.

3.3 The Enforcement Team served the following number of formal notices in each quarter:

1st Quarter	18
2nd Quarter	15
3rd Quarter	20
4th Quarter	14
Total for 2014	67

3.4 The number of notices served has increased from 47 in the previous year of 2013 to 67 at the end of 2014.

3.5 The Council successfully prosecuted and defended appeals in respect of the following matters:

- BCKLWN v Monen. 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.
- The Appeal of Mr Alvin Monen. The Crown Court dismissed the appeal and awarded the Council full costs of £5,876.00.
- BCKLWN v Mr Amend. On the 01 May 2014, the King's Lynn Magistrates Court found Mr Amend guilty of failing to comply with a Breach of Condition Notice served on him by the Council. Mr Amend was fined £200.00 and ordered to pay costs of £800.00 and a victim surcharge of £25.00.
- BCKLWN v Mr Brampton. On the 13 May 2014, the King's Lynn Magistrates Court found Mr Brampton guilty of failing to comply with a Section 215 Notice served on him by the Council. Mr Brampton was

fined £200.00 and ordered to pay costs of £800.00 and a victim surcharge of £25.00.

- The Appeal of Mr Brampton. The Crown Court dismissed the appeal and awarded the Council were awarded costs.
- BCKLWN v Lemmon, Lemmon & Lemmon. On 08 December 2014, at the King's Lynn Magistrates Court Mr Bryan Lemmon and Mr Benjamin Lemmon were found Guilty on all matters, and sentenced. Mrs Pauline Lemmon was found Not Guilty on all matters. Mr Brian Lemmon was fined £800.00 (£100 per offence) and ordered to pay £673.00 costs and £20.00 victim surcharge. Mr Benjamin Lemmon was fined £4,000.00 (£500.00 per offence) and ordered to pay £1,500.00 costs and £50.00 victim surcharge.

3.6 The Council settled out of Court in the following cases:

- BCKLWN v Curson, Curson & Worzal's Farm Shop Ltd. 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.

3.7 The Council also successfully completed the following Enforced Sales Procedures:

- Land at Rope Walk, North Lynn, King's Lynn was sold at public auction on 08 December 2014.

3.8 It is also of note that 94 various types of retrospective planning applications and discharge of condition application were submitted as a result of the planning enforcement team.

3.9 With Members continued support the Planning Enforcement Team continue to take efficient and effective informal and formal enforcement action, which will continue to have a positive impact on the general public's confidence in the planning system.

4.0 RECOMMENDATION

4.1 That this report is noted.

Case Officer: Mr N Langley, Team Leader - Enforcement 📞 (01553) 616449.

Appendix 1

Priority	Parish	Reference	Site	Breach	Status
P2		14/00542/UNOPDE	Ha Penny Toll Farm Ha Penny Toll Road Lotts Bridge Three Holes Norfolk	alleged unauthorised operational development	Pending Consideration
P3		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
P2	Bircham	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	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
P2	Bircham	14/00513/UNOPDE	23 Church Lane Bircham Tofts Norfolk PE31 6EF	alleged unauthorised operational development	Pending Consideration
P2	Brancaster	14/00305/UNAUTU	The Nodd Orchard Close Brancaster Staithe King's Lynn Norfolk PE31 8BN	alleged unauthorised use	Pending Consideration
P3	Brancaster	14/00659/BOC	Little Saltings Broad Lane Brancaster King's Lynn Norfolk PE31 8AU	Alleged breach of condition relating to 11/00188/F	Pending Consideration

P2	Burnham Market	14/00478/UWCA	Mables Paint Pot 16 Ulph Place Burnham Market Norfolk PE31 8HQ	alleged unauthorised works in a conservation area	Pending Consideration
P3	Burnham Market	14/00574/BOC	Redwalls Station Road Burnham Market King's Lynn Norfolk PE31 8HA	alleged breach of condition relating to 11/00793/F	Pending Consideration
P2	Clenchwarton	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	Notice Issued
P3	Clenchwarton	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	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	14/00609/UWLB	College Farm 10 Whin Common Road Denver Downham Market Norfolk PE38 0DX	Alleged unauthorised works to a listed building	Pending Consideration
P2	Dersingham	12/00172/UNOPDE	Life Wood Hunstanton Road Dersingham Norfolk	Alleged unauthorised large structure being erected in wood	Pending Consideration
P3	Dersingham	13/00612/UNOPDE	2 Manor Road Dersingham King's Lynn Norfolk PE31 6LD	alleged unauthorised operational development	Pending Consideration
P3	Dersingham	14/00550/BOC	75 Manor Road Dersingham King's Lynn Norfolk PE31 6LN	alleged breach of condition	Pending Consideration

P1	Downham Market	11/00390/S106	Beech House Snape Lane Downham Market Norfolk PE38 9JH	Monitoring - Section 106 Agreement	Notice Issued
P2	Downham Market	13/00558/UADV	Land East of 35 Railway Road Downham Market Norfolk	alleged unauthorised signage	Pending Consideration
P2	Downham Market	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	14/00052/BOC	Amenity Area Opposite 81 Rosemary Way Downham Market Norfolk	alleged breach of condition	Pending Consideration
P2	Downham Market	14/00054/UNAUTU	23 Glebe Road Downham Market Norfolk PE38 9QJ	Alleged unauthorised use	Pending Consideration
P2	Downham Market	14/00623/BOC	Former Russell's Garage Site London Road Downham Market Norfolk PE38 9AS	Alleged breach of planning condition	Pending Consideration
P2	Downham Market	14/00672/BOC	Land To the South of 17 Railway Road Downham Market Norfolk	alleged breach of condition	Pending Consideration

P2	Downham Market	14/00683/UNTIDY	Paradise Court Paradise Road Downham Market Norfolk PE38 9HS	alleged untidy land	Pending Consideration
P2	Downham Market	14/00690/UWCA	Martin the Newsagent 10 Bridge Street Downham Market Norfolk PE38 9DH	alleged unauthorised satellite dishes in a Conservation Area	Pending Consideration
P3	Downham Market	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	12/00305/S106	Williams Refrigeration Ltd Bennett Street Downham Market Norfolk PE38 9EE	S106-Monitoring	Notice Issued
P3	Downham Market	12/00479/BOC	Land East of Lancaster Crescent Lancaster Crescent Downham Market Norfolk	Alleged unauthorised breach of conditions relating to Planning Approval 08/00122/FM	Notice Issued
P3	Downham Market	13/00229/UNTIDY	The Willows Brickfields Lane Downham Market Norfolk PE38 9ED	alleged untidy land	Notice Issued
P3	Downham Market	14/00559/UNAUTU	Unit 2 12 St Johns Way St John's Business Estate Downham Market Norfolk PE38 0QQ	alleged unauthorised use	Pending Consideration
P3	Downham Market	14/00671/UADV	Lawnboy Farm Services Railway Road Downham Market Norfolk PE38 9EB	alleged unauthorised advertisements	Pending Consideration
P4	Downham Market	14/00562/UNOPDE	Open Space Primrose Avenue Downham Market Norfolk PE38 9GF	alleged unauthorised operational development	DC Application Submitted

P3	Downham West	13/00003/UNTIDY	Bank Farm House Downham Road Salters Lode Norfolk PE38 0AZ	alleged untidy land	Pending Consideration
P3	Downham West	14/00627/UNOPDE	Appletree Cottage The Lane Salters Lode Norfolk PE38 0DL	Alleged unauthorised operational development	Pending Consideration
P3	East Rudham	12/00399/UNTIDY	Church Cottage Fakenham Road East Rudham King's Lynn Norfolk PE31 8QZ	alleged untidy land	Notice Issued
P2	East Winch	12/00053/UNAUTU	Old Station Yard Gayton Road East Winch Norfolk PE32 1LG	alleged unauthorised use	Pending Consideration
P3	East Winch	13/00431/UNAUTU	South of Broadwater Lane Gayton Norfolk PE32 1QP	alleged unauthorised use	Notice Issued
P3	East Winch	14/00226/UNOPDE	W W S Tarpaulins Gayton Road East Winch Norfolk PE32 1LQ	alleged unauthorised operational development	Pending Consideration
P3	East Winch	14/00705/UNAUTU	3 Bilney Barns Paws Lane West Bilney Norfolk PE32 1XQ	alleged unauthorised use	Pending Consideration
P2	Emneth	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	14/00430/BOC	62 Church Road Emneth Wisbech Norfolk PE14 8AA	alleged breach of Condition relating to 06/02089/F	Pending Consideration

P2	Emneth	14/00648/BOC	Banyer Hall 121 Ladys Drove Emneth Wisbech Norfolk PE14 8DG	alleged breach of condition relating to 10/00871/F	Pending Consideration
P2	Emneth	14/00730/UWLB	Banyer Cottage 117 Ladys Drove Emneth Norfolk PE14 8DG	Alleged unauthorised UPVC windows and door in a Listed Building	Pending Consideration
P2	Fincham	14/00252/BOC	Fairswell Manor Main Road Fincham King's Lynn Norfolk PE33 9ET	alleged breach of condition relating to 09/00594/F	Notice Issued
P2	Gayton	14/00374/UNAUTU	Former Hills Garage Lynn Road Gayton King's Lynn Norfolk PE32 1QJ	alleged unauthorised use	Pending Consideration
P3	Gayton	14/00630/BOC	Manor Barn Common Lane Gayton Thorpe Norfolk PE32 1PN	alleged breach of condition relating to 10/02152/F	Pending Consideration
P3	Gayton	14/00716/UNOPDE	Soleda Lime Kiln Road Gayton King's Lynn Norfolk PE32 1QT	alleged unauthorised operational development	Pending Consideration
P4	Gayton	14/00573/BOC	Oakwood Common Lane Gayton Thorpe Norfolk PE32 1PN	alleged breach of condition relating to 11/01016/F	Pending Consideration
P3	Great Massingham	12/00519/UNTIDY	7 - 8 Rectory Row Sandy Lane Great Massingham King's Lynn Norfolk PE32 2EZ	Alleged untidy land	Notice Issued
P2	Grimston	12/00565/UNAUTU	Ramblewood Farm Cliffe En Howe Road Pott Row Norfolk PE32 1BY	Breach of condition attached planning permission 10/01544/F	Notice Issued

P2	Grimston	14/00415/UNAUTU	Fairview 10 Back Lane Pott Row King's Lynn Norfolk PE32 1BT	alleged unauthorised use	Pending Consideration
P2	Grimston	14/00652/UNAUTU	36 Vong Lane Pott Row King's Lynn Norfolk PE32 1BW	alleged unauthorised use	Pending Consideration
P3	Grimston	14/00228/UNOPDE	Land Rear of 26 To 40 Vong Lane Vong Lane Pott Row Norfolk	alleged unauthorised operational development	DC Application Submitted
P3	Grimston	14/00740/UNAUTU	Lodge Farm Barn 141 Lynn Road Grimston Norfolk PE32 1AG	Alleged unauthorised increased area of curtilage	Pending Consideration
P2	Heacham	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.	DC Application Submitted
P2	Heacham	14/00704/UNOPDE	27 Ringstead Road Heacham King's Lynn Norfolk PE31 7JA	alleged unauthorised operational development - shed	Pending Consideration
P3	Heacham	14/00534/UNTIDY	Chez Nous 14 the South Beach Heacham King's Lynn Norfolk PE31 7LH	alleged untidy land	Pending Consideration
P3	Heacham	14/00544/UNTIDY	Re-Jo 1 Kenwood Road Heacham King's Lynn Norfolk PE31 7DD	alleged untidy land	Pending Consideration

P2	Hilgay	14/00167/BOC	Dents Hilgay Farm Shop & Garden Centre Steels Drove Hilgay Norfolk PE38 0QH	Alleged breach of condition attached to 12/01331/F	Notice Issued
P3	Hilgay	13/00005/UNAUTU	Blackberry Barn Ely Road Hilgay Downham Market Norfolk PE38 0HL	alleged unauthorised use	Pending Consideration
P3	Hilgay	14/00197/UNOPDE	Orchard House Church Road Ten Mile Bank Norfolk PE38 0EJ	alleged unauthorised operational development	Pending Consideration
P3	Hilgay	14/00567/BOC	Bridge House Bridge Street Hilgay Downham Market Norfolk PE38 0LJ	alleged breach of condition relating to 12/01648/F	Pending Consideration
P2	Hockwold cum Wilton	14/00093/UDCA	The Cottage 19 Nursery Lane Hockwold cum Wilton Norfolk IP26 4ND	alleged unauthorised demolition in a Conservation Area	Pending Consideration
P2	Hockwold cum Wilton	14/00291/UNAUTU	Island Farm Cowles Drove Hockwold cum Wilton Norfolk IP26 4JQ	alleged unauthorised use	Pending Consideration
P3	Hockwold cum Wilton	14/00738/UNAUTU	White Dyke Farm Black Dyke Road Hockwold cum Wilton Norfolk IP26 4JW	Alleged unauthorised use of annexe as separate living accommodation	Pending Consideration
P2	Holme next the Sea	14/00463/UNAUTU	Land North of High Road Farm Main Road Holme next the Sea Norfolk PE36 6LA	alleged unauthorised use	Notice Issued
P3	Hunstanton	13/00594/UNOPDE	Ocean View 66 Northgate Hunstanton Norfolk PE36 6DS	alleged unauthorised operational development	Pending Consideration

P3	Hunstanton	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	14/00363/UNOPDE	Rockafellas American Diner 19 the Green Hunstanton Norfolk PE36 5AH	alleged unauthorised operational development	Pending Consideration
P3	Hunstanton	14/00381/UWCA	33 Northgate Hunstanton Norfolk PE36 6AP	alleged unauthorised works in a Conservation Area	Pending Consideration
P2	King's Lynn	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	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	11/00615/UNOPDE	15A St James Street King's Lynn Norfolk PE30 5DA	Alleged unauthorised satellite dish	Pending Consideration
P2	King's Lynn	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	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	13/00217/BOC	Unit 11 Willow Road Willows Business Park King's Lynn Norfolk PE34 3RD	Alleged Breach of condition 5 attached to 12/00912/F	DC Application Submitted

P2	King's Lynn	13/00359/UNAUTU	50 Kings Green King's Lynn Norfolk PE30 4SH	alleged unauthorised use	Pending Consideration
P2	King's Lynn	13/00650/UWCA	26 North Everard Street King's Lynn Norfolk PE30 5HQ	alleged unauthorised works in a Conservation Area	Notice Issued
P2	King's Lynn	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	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	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	14/00254/UNTIDY	Land NE of 12 And W of 1 Edma Street Rope Walk King's Lynn Norfolk	alleged untidy land	Pending Consideration
P2	King's Lynn	14/00314/UWLB	66 London Road King's Lynn Norfolk PE30 5EU	alleged unauthorised works to a Listed Building	Pending Consideration
P2	King's Lynn	14/00316/UNTIDY	Ferryside 4 Ferry Square West Lynn King's Lynn Norfolk PE34 3JQ	alleged untidy land	Pending Consideration
P2	King's Lynn	14/00428/UWLB	1 King Street King's Lynn Norfolk PE30 1ET	alleged unauthorised works to a Listed Building	Pending Consideration

P2	King's Lynn	14/00440/S106	Tesco Campbells Meadow King's Lynn Norfolk PE30 4YN	Section 106 Monitoring	Notice Issued
P2	King's Lynn	14/00460/UNAUTU	Land R/o 27 - 36 Peddars Way Holme next the Sea Norfolk PE36 6LE	alleged unauthorised use	Pending Consideration
P2	King's Lynn	14/00473/UWLB	Stephenson Smart 22 - 26 King Street King's Lynn Norfolk PE30 1EY	alleged unauthorised works to a Listed Building	Pending Consideration
P2	King's Lynn	14/00523/UNTIDY	6 St Anns Street King's Lynn Norfolk PE30 1LT	Derelict building having an adverse impact on the amenity	Notice Issued
P2	King's Lynn	14/00634/UADV	The Cosmopolitan 2 - 4 Blackfriars Street King's Lynn Norfolk PE30 1NP	alleged unauthorised advert	DC Application Submitted
P2	King's Lynn	14/00746/UNAUTU	36 Higham Green King's Lynn Norfolk PE30 4RX	Alleged unauthorised use of garden for storage purposes	Notice Issued
P3	King's Lynn	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	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	12/00464/BOC	Car Parking Area Off Corbyn Shaw Road King's Lynn Norfolk PE30 4UL	Alleged breach of condition	Notice Issued

P3	King's Lynn	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	13/00073/UWCA	78 Chapel Street King's Lynn Norfolk PE30 1EF	Alleged unauthorised works within Conservation Area	Pending Consideration
P3	King's Lynn	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	13/00633/UNOPDE	Land Adjoining 27 Kirstead King's Lynn Norfolk PE30 4XF	Alleged unauthorised change of use, including operational development	Notice Issued
P3	King's Lynn	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	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	14/00233/UNTIDY	7 Mount Street King's Lynn Norfolk PE30 5NH	alleged untidy land	Pending Consideration
P3	King's Lynn	14/00293/UNOPDE	12 Thurlin Road Gaywood King's Lynn Norfolk PE30 4PG	alleged unauthorised operational development	Pending Consideration
P3	King's Lynn	14/00313/UWLB	The Honest Lawyer 60A London Road King's Lynn Norfolk PE30 5EU	alleged unauthorised works to a Listed Building	Pending Consideration

P3	King's Lynn	14/00499/BOC	19 Beulah Street Gaywood King's Lynn Norfolk PE30 4DN	alleged breach of condition	Pending Consideration
P3	King's Lynn	14/00563/UNAUTU	Land And Buildings On the South Side of South Lynn Plain King's Lynn Norfolk PE30 5HF	Alleged unauthorised use	Pending Consideration
P3	King's Lynn	14/00604/BOC	22 Edinburgh Avenue Gaywood King's Lynn Norfolk PE30 4DG	Alleged breach of condition relating to application 11/00109/F	Pending Consideration
P3	King's Lynn	14/00638/UWCA	The Queens Arms 14 - 15 London Road King's Lynn Norfolk PE30 5PY	Erection of a wooden fence without the necessary planning permission having been obtained.	Notice Issued
P3	King's Lynn	14/00687/UNAUTU	18 Harewood Drive King's Lynn Norfolk PE30 2BS	alleged unauthorised use	Pending Consideration
P3	King's Lynn	14/00747/UNTIDY	68 London Road King's Lynn Norfolk PE30 5EU	Alleged untidy property	Pending Consideration
P3	King's Lynn	14/00748/UWLB	69 London Road King's Lynn Norfolk PE30 5EU	Alleged unauthorised satellite dish on a listed building	Pending Consideration
P3	Leziate	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	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	14/00058/UNAUTU	Land At Corner of Gooses Lane And Long Lots Marshland St James Norfolk	alleged unauthorised use	Pending Consideration
P2	Marshland St James	14/00300/UNAUTU	Crown Farm 24 Trinity Road Marshland St James Norfolk PE14 8JA	alleged unauthorised use	Pending Consideration
P3	Marshland St James	13/00356/UNAUTU	Land North of Long Lots Drove Marshland St James Norfolk	alleged unauthorised use	Notice Issued
P3	Marshland St James	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	14/00105/UNOPDE	8 Trinity Road Marshland St James Norfolk PE14 8JA	alleged unauthorised operational development	Pending Consideration
P3	Marshland St James	14/00552/BOC	Wings Farm Bonnetts Lane Marshland St James Wisbech Norfolk PE14 8JE	alleged breach of condition	Pending Consideration
P3	Marshland St James	14/00668/UNAUTU	Land W of 348 And 346 Smeeth Road Long Lots Marshland St James Norfolk	alleged unauthorised use	Pending Consideration
P3	Marshland St James	14/00685/UNAUTU	Rose Cottage Rands Drove Marshland St James Wisbech Norfolk PE14 8HA	alleged residential mobile home sited on the land	Pending Consideration
P2	Methwold	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	14/00240/UNAUTU	Poppylot Bungalow Southery Road Feltwell Thetford Norfolk IP26 4EP	alleged unauthorised use	Pending Consideration
P3	Methwold	14/00727/UNOPDE	Methwold Methodist Church 2 High Street Methwold Norfolk IP26 4NX	alleged unauthorised operational development	Pending Consideration
P2	Middleton	14/00411/BOC	Priory Farm Barn Priory Farm Wormegay Road Blackborough End Norfolk PE32 1SQ	alleged breach of condition relating to 09/00319/F	Pending Consideration
P2	Middleton	14/00736/NIA	7 Parkhill Middleton King's Lynn Norfolk PE32 1RJ	Alleged works to property which are not in accordance with plans approved under 14/00163/F	Pending Consideration
P3	Middleton	14/00029/BOC	Crown Cottages School Road Middleton Norfolk	alleged breach of condition relating to 08/02313/F Conditions 11 and 12	Pending Consideration
P2	North Creake	13/00663/HHC	Willow Cottage 82 West Street North Creake Fakenham Norfolk NR21 9LQ	High hedge complaint	Notice Issued
P2	North Creake	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 Creake	14/00735/BOC	35 West Street North Creake Fakenham Norfolk NR21 9LQ	Alleged breach of conditions attached to 09/01503/F	Pending Consideration
P3	North Creake	14/00349/BOC	Abbey Farm Creake Abbey Burnham Road North Creake Norfolk NR21 9LF	alleged breach of condition relating to 11/01998/F	DC Application Submitted

P2	Old Hunstanton	14/00624/BOC	Warren Farm Cottage Waterworks Road Old Hunstanton Hunstanton Norfolk PE36 6JE	Alleged breach of planning condition	Pending Consideration
P2	Outwell	14/00743/UNAUTU	Land On the North East Side of Robbs Lane Outwell Norfolk	Alleged unauthorised change of use of agricultural building to another use	Pending Consideration
P3	Outwell	14/00506/UADV	The Post Office Church Terrace Outwell Norfolk PE14 8RQ	Alleged unauthorised advertisement	Pending Consideration
P3	Outwell	14/00622/UNTIDY	35 Wisbech Road Outwell Norfolk	alleged untidy land	Pending Consideration
P3	Outwell	14/00731/UNAUTU	1 Pretoria Cottage Hall Road Outwell Wisbech Norfolk PE14 8PE	Alleged unauthorised conversion of garage to business	Pending Consideration
P2	Pentney	14/00251/UNAUTU	Land At Oakwood Garden Supplies Pentney Lane Pentney Norfolk	alleged unauthorised use	Pending Consideration
P3	Pentney	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	13/00620/UNAUTU	94 High Street Ringstead Hunstanton Norfolk PE36 5JU	alleged unauthorised use	Pending Consideration

P2	Runcton Holme	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
P3	Shouldham	14/00225/HHC	East View 11 Eastgate Street Shouldham King's Lynn Norfolk PE33 0DD	alleged high hedge	Pending Consideration
P3	Shouldham	14/00686/UNOPDE	Leasmere 4 Orchard Lane Shouldham Norfolk PE33 0EQ	alleged unauthorised operational development	Pending Consideration
P3	Snettisham	14/00051/UADV	14 Lynn Road Snettisham King's Lynn Norfolk PE31 7PT	alleged unauthorised advertisement	Pending Consideration
P3	South Wootton	13/00266/UNOPDE	South View 44 Low Road South Wootton Norfolk PE30 3LF	Alleged unauthorised building works	Pending Consideration
P3	South Wootton	14/00458/NIA	The Beeches 122 Grimston Road South Wootton King's Lynn Norfolk PE30 3NS	alleged not in accordance with approved plans	Pending Consideration
P3	South Wootton	14/00619/UNOPDE	3 Pretoria Grove South Wootton King's Lynn Norfolk PE30 3SP	Alleged unauthorised development	Pending Consideration
P2	Southery	14/00005/UNAUTU	Land Known As Pells Farm Farthing Drove Southery Norfolk PE38 0PR	alleged unauthorised use	Notice Issued
P2	Southery	14/00057/UNAUTU	The Piggery North West of Farthing Drove Southery Downham Market Norfolk PE38 0PR	alleged unauthorised use	Pending Consideration

P3	Southery	14/00204/BOC	4 Feltwell Road Southery Downham Market Norfolk PE38 ONW	alleged breach of condition relating to 13/01224/F	Pending Consideration
P2	Stanhoe	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	12/00550/UNOPDE	The Applestore Furlong Road Stoke Ferry Norfolk PE33 9SU	alleged unauthorised operational development	Notice Issued
P2	Stoke Ferry	14/00245/UADV	Alis Pizza And Kebab House Lynn Road Stoke Ferry Norfolk PE33 9SW	alleged unauthorised advertisement	Pending Consideration
P3	Stoke Ferry	14/00174/UNOPDE	Playters Farm Greatmans Way Stoke Ferry King's Lynn Norfolk PE33 9SZ	alleged unauthorised operational development	DC Application Submitted
P2	Stow Bardolph	14/00651/UNAUTU	Hybrid Farm 246 the Drove Barroway Drove Norfolk PE38 0AN	alleged unauthorised use	Pending Consideration
P2	Stow Bardolph	14/00688/BOC	Willow Farm Stow Bridge Road Stow Bardolph Norfolk PE34 3HZ	Alleged Breach of Condition relating to 09/00147/F	Pending Consideration
P3	Stow Bardolph	13/00429/UNAUTU	The Baptist Chapel Gooding Close Stow Bridge Norfolk	alleged unauthorised use	Pending Consideration
P3	Stow Bardolph	14/00235/BOC	Unit 2 Primrose Farm 176 the Drove Barroway Drove Norfolk PE38 0AL	alleged breach of condition	Notice Issued

P3	Stow Bardolph	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	14/00202/UNAUTU	Caravan Rose Cottage Waterlow Road Terrington St Clement King's Lynn Norfolk PE34 4PS	alleged unauthorised use	Notice Issued
P2	Terrington St Clement	14/00456/UNAUTU	New Marsh Farmhouse Ongar Hill Terrington St Clement Norfolk PE34 4JF	alleged unauthorised use	Pending Consideration
P2	Terrington St Clement	14/00635/UNAUTU	Myrabella Farm Long Road Terrington St Clement King's Lynn Norfolk PE34 4JN	alleged unauthorised use	Pending Consideration
P2	Terrington St Clement	14/00702/UNAUTU	South Fork Waterlow Road Terrington St Clement Norfolk PE34 4PS	alleged unauthorised use	Pending Consideration
P3	Terrington St Clement	14/00546/UNOPDE	W H Kerkham Ltd Rhoon Farm 80 Rhoon Road Terrington St Clement Norfolk PE34 4JA	alleged unauthorised operational development	Pending Consideration
P3	Terrington St Clement	14/00663/UNAUTU	14 Emorsgate Terrington St Clement King's Lynn Norfolk PE34 4NY	alleged unauthorised use	Pending Consideration
P3	Terrington St Clement	14/00734/UNAUTU	The Bungalow Farm Long Road Terrington St Clement King's Lynn Norfolk PE34 4JN	Alleged unauthorised annexe	Pending Consideration
P2	Terrington St John	14/00303/UNAUTU	Russell Lodge 40 Old Church Road Terrington St John Wisbech Norfolk PE14 7XA	alleged unauthorised use	Pending Consideration

P3	Terrington St John	14/00576/UNAUTU	Bloomfield School Road Terrington St John Wisbech Norfolk PE14 7SG	alleged unauthorised use	Pending Consideration
P3	Thornham	14/00366/BOC	Redridge The Green Thornham Norfolk PE36 6NH	alleged breach of Condition relating to 13/00260/F	Pending Consideration
P2	Tilney St Lawrence	14/00176/UNOPDE	The Coach & Horses Lynn Road Tilney All Saints King's Lynn Norfolk PE34 4RU	alleged unauthorised operational development	Notice Issued
P2	Tilney St Lawrence	14/00707/BOC	The Hollies New Road Tilney St Lawrence King's Lynn Norfolk PE34 4QF	alleged breach of condition	Pending Consideration
P2	Tottenhill	14/00376/UNAUTU	Land At Tottenhill Retail Park Lynn Road Tottenhill Norfolk PE33 0SR	Alleged unauthorised use	Notice Issued
P2	Upwell	13/00314/UNAUTU	Kevley Marketing 52 Baptist Road Upwell Norfolk PE14 9EY	alleged unauthorised use	Pending Consideration
P2	Upwell	13/00316/NIA	Land At Baptist Road Upwell Norfolk	Breach of condition 6 attached to 11/01409/F	Pending Consideration
P2	Upwell	14/00092/UNAUTU	Harwins Farm Pingle Road Upwell Wisbech Norfolk PE14 9BN	alleged unauthorised use	Notice Issued
P2	Upwell	14/00678/BTCA	Foxley Lodge New Bridge Upwell Norfolk PE14 9DW	alleged breach to a tree(s) in a Conservation Area	Pending Consideration

P3	Upwell	13/00561/BOC	4 Horsehead Drove Lotts Bridge Three Holes Norfolk PE14 9JJ	alleged breach of condition relating to 13/00995/F	DC Application Submitted
P3	Upwell	14/00083/UNOPDE	Kevley Marketing 52 Baptist Road Upwell Norfolk PE14 9EY	alleged unauthorised operational development	Pending Consideration
P3	Upwell	14/00384/UNOPDE	White House Flint House Road Lotts Bridge Three Holes Norfolk PE14 9JN	alleged unauthorised operational development	Pending Consideration
P3	Walpole	14/00383/NIA	Land South West of the Willows Pyecroft Lane Walpole St Peter Norfolk	alleged not in accordance with planning permission	Pending Consideration
P2	Walpole Cross Keys	14/00434/BOC	Anatevka Market Lane Walpole St Andrew Wisbech Norfolk PE14 7LT	alleged breach of condition relating to 14/00453/F	Pending Consideration
P2	Walpole Highway	14/00455/UNAUTU	Land At the Pine Centre Rampart House Lynn Road Walpole Highway Norfolk	alleged unauthorised use	Notice Issued
P2	Walsoken	14/00426/UNAUTU	The Grange Biggs Road Walsoken Wisbech Norfolk PE14 7BE	Alleged unauthorised use	Pending Consideration
P2	Walsoken	14/00454/UNAUTU	Land West of Station House Station Road Walsoken Norfolk	alleged unauthorised use	Pending Consideration
P2	Walsoken	14/00606/BOC	The Old Well House 9 Broadend Road Walsoken Norfolk PE14 7BQ	Alleged breach of condition	Notice Issued

P2	Walsoken	14/00617/BOC	New Windows 2000 Lynn Road Walsoken Norfolk PE14 7DA	Alleged breach of planning conditions	Notice Issued
P3	Walsoken	14/00722/UNAUTU	Maipop Farm Biggs Road Walsoken Norfolk PE14 7BD	alleged unauthorised use-Caravan	Pending Consideration
P4	Walsoken	10/00329/BOC	Claybrook Park 38 Broadend Road Walsoken Norfolk PE14 7BQ	alleged breach of highway condition relating to planning permission 06/02009/FM	Notice Issued
P4	Walsoken	14/00348/UNAUTU	Land North of Topeka Walton Road Walsoken Norfolk PE14 7AF	alleged unauthorised use	Notice Issued
P2	Watlington	11/00512/NIA	Land South of Willowdown Property On Barnards Lane Watlington Norfolk	alleged dwelling not built in accordance with planning approval	Notice Issued
P2	Watlington	14/00570/BOC	1 Barnards Cottages Barnards Lane Watlington Norfolk PE33 0JN	alleged breach of condition relating to 11/00484/F	Pending Consideration
P3	Watlington	14/00229/UNOPDE	52A John Davis Way Watlington King's Lynn Norfolk PE33 0TD		Pending Consideration
P4	Watlington	14/00571/BOC	2 Barnards Cottages Barnards Lane Watlington Norfolk PE33 0JN	alleged breach of condition relating to 11/00485/F	Pending Consideration
P3	Welney	13/00694/UNOPDE	Mill Cottage Bedford Bank Welney Norfolk PE14 9RJ	alleged unauthorised operational development	Pending Consideration

P3	Welney	14/00666/UNAUTU	Old Welney Hotel Bedford Bank Welney Wisbech Norfolk PE14 9TB	alleged unauthorised use	Pending Consideration
P3	West Acre	14/00514/BOC	Greenhill Cottage 1A Green Hill Road West Acre Norfolk PE32 1TW	alleged breach of condition	Pending Consideration
P2	West Walton	14/00168/BOC	Florence House 217A Salts Road West Walton Norfolk PE14 7EB	Alleged breach of condition attached to 10/02147/F	Pending Consideration
P2	West Walton	14/00377/UNAUTU	Berties Farm Poultry Shed Harps Hall Road Walton Highway Norfolk PE14 7DL	alleged unauthorised use	Notice Issued
P2	West Walton	14/00661/UNAUTU	Walnut Farm 15 River Road West Walton Wisbech Norfolk PE14 7EX	alleged unauthorised use	Pending Consideration
P2	West Walton	14/00724/UADV	Worzals Farm Shop Lynn Road Walsoken Norfolk PE14 7DA	alleged unauthorised advertisement	Pending Consideration
P2	West Walton	14/00742/UNAUTU	Cooks Cottage St Pauls Road South Walton Highway Norfolk PE14 7DD	Alleged unauthorised use of barn conversion (holiday lets) as single dwellinghouse	Pending Consideration
P3	West Walton	14/00603/UNAUTU	GR Mckenna Alderton House Bellamys Lane West Walton Norfolk PE14 7EY	Alleged unauthorised development	Pending Consideration
P2	West Winch	14/00332/UWLB	The Windmill 123 Main Road West Winch King's Lynn Norfolk PE33 0LP	alleged unauthorised works to a Listed Building	Pending Consideration

P3	West Winch	14/00729/UNTIDY	Land And Car Parking SW 53 To 59 Leete Way West Winch Norfolk	alleged untidy land	Pending Consideration
P2	Wiggenhall St Germans	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
P3	Wiggenhall St Germans	14/00368/UNAUTU	New Farm House High Road Saddlebow King's Lynn Norfolk PE34 3AW	alleged unauthorised use	Pending Consideration
P2	Wiggenhall St Mary Magdalen	14/00677/NIA	Holly House Farm Stow Road Wiggenhall St Mary Magdalen Norfolk PE34 3BD	alleged not in accordance with Planning reference 12/00208/F	Pending Consideration